CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
September 14, 2021

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

3:00 P.M. WORK SESSION - CITY COUNCIL CHAMBERS

1 PRESENTATION - 2021 Utility Financial Plan (20 min)
Presenter: Chris Tschirki, Public Works Director and Fred Philpot of Lewis, Young, Robertson & Burningham

2 DISCUSSION - Crandall Orchard Conservation Easement Introduction (15 min)
Presenter: Matt Taylor, Senior Planner and Darren Hawkins, Orem Resident

3 PRESENTATION - Orem Connected Vehicle Project (20 min)
Presenter: Sam Kelly, City Engineer

4 PRESENTATION - Farley Property Water Tank (20 min)
Presenter: Sam Kelly, City Engineer and Keith Larsen of Bowen Collins & Assoc.

5 PRESENTATION - City Code Update (45 min)
PRESENTATION - CITY CODE UPDATE
Presenters: Heather Schriever, City Attorney and Aaron McKnight, Assistant City Attorney

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.
Presented by: Debby Lauret

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

3. CALL TO ORDER

4. INVOCATION/INSPIRATIONAL THOUGHT: Mayor Brunst

5. PLEDGE OF ALLEGIANCE: Mayor Brunst

6. MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

6.1 PRESENTATION - Library Advisory Committee
Presenter: Mary Richards, Chairperson

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 Special Meeting - August 9, 2021
- Minutes of City Council Meeting - August 24, 2021

8.2 APPOINTMENTS TO BOARDS AND COMMISSIONS
Summerfest Commission:
- Vanessa Sewell, Appointment
- Anne Turner, Appointment
- Liz Woolf, Re-Appointment
- Ashlie Mann, Re-Appointment

8.3 RESOLUTION - Authorizing the Mayor to Sign a Water Supply Agreement Between the City of Orem, Central Utah Water Conservancy District and the Metropolitan Water District of Orem

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
Presenter: Kena Jo Mathews, Community Services Manager

9.2 PUBLIC HEARING / ORDINANCE - Amending Appendix A of the Orem City Code by enacting Standard Land Use Code 6264 *Small Pediatric Neuro Physical Therapy* and making such use permitted in the R7.5 zone and enacting Section 22-6-9(L) *Small Pediatric Neuro Physical Therapy* to establish requirements for a shall pediatric neuron physical therapy facility in the R7.5 zone.
Presenter: Jason Bench, Planning Division Manager

9.3 PUBLIC HEARING / ORDINANCE – Amending portions of Section 22-11-56 PD-43 (Auburn Meadows) 2000 South Geneva pertaining to the approved uses in the PD43 zone for Area B. Also amending Appendix LL of the Orem City Code with updated concept plans and elevations pertaining to Area B.
Presenter: Jason Bench, Planning Division Manager

9.4 RESOLUTION – Designating a portion of 150 North between 668 West and 800 West as both "Parkside Lane" and "150 North".
Presenter: Jason Bench, Planning Division Manager

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 TO CLOSED MEETING

12.1 MOTION - Closed Meeting
City Council to adjourn to a closed meeting for a strategic session to discuss pending or reasonably imminent litigation, pursuant to Utah Code Section 52-4-205(1)(c).

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

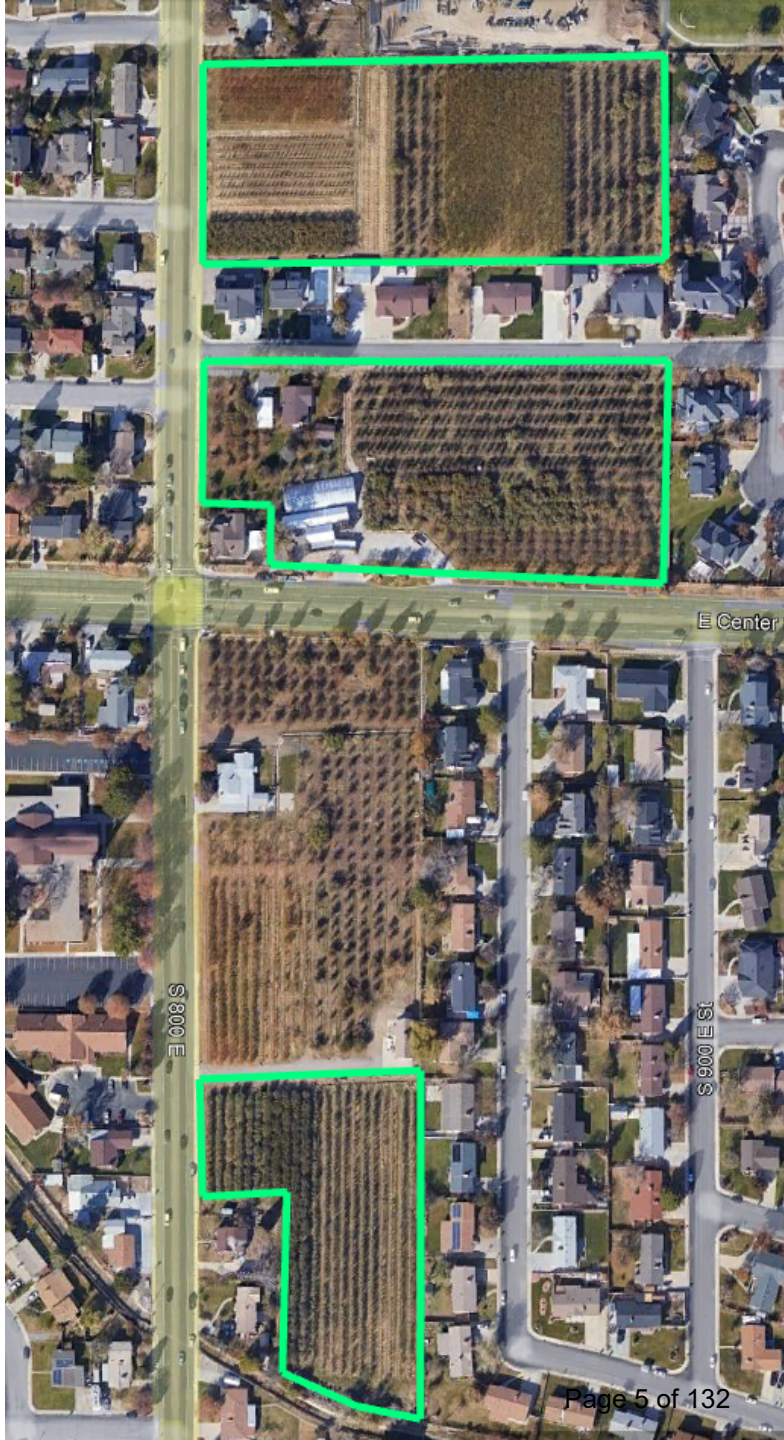
Crandall Orchard Easement

Crandall Proposal

Tim and Natalie Crandall are the main operators of the Crandall Orchards at 800 East Center Street in Orem. They have about 10 acres and sell their produce locally at their fruit stand.

The area was homesteaded by the Crandall family in the 1887

The Crandalls wish to place a conservation easement on the property to preserve its operation as a working orchard in perpetuity.



Conservation Easement

Conservation easements are binding legal documents setting aside land for particular purposes, in this case: an orchard. All future property owners would have to operate the land as an orchard.

Conservation easements are typically held by a non-profit or government agency that has power to enforce the provisions of the easement agreement.

Easement Funding

The cost of an easement is typically the value of the land if it were developed minus the value of the land in its less-developed state. Funding sources may include:

- Private fundraising and property owner donation
- Federal tax credits
- Grants from nonprofits, such as Utah Open Lands, or government agencies, such as Utah's McAllister Fund (discussed next)

The value of the easement is being evaluated, but is currently estimated at several million dollars.

McAllister Fund

The Crandalls are seeking a grant from Utah State's McAllister Fund to assist in raising revenue for the easement.

The grant is dedicated to preserve agricultural lands in private ownership through conservation easements.

McAllister Fund directors will soon make a site visit to gather information to evaluate the application.

Details

The City of Orem would hold the easement.

The McAllister Fund can only fund up to 50 percent of the cost.

Utah Open Lands and possibly other non-governmental organizations would help fundraise.

The Crandalls would make a substantial donation to the cost of the easement.

Open to limited public access; for example, school field trips.

Request from Orem

The McAllister Fund is legally required to determine local support for a conservation easement proposal through a public hearing, followed by a city resolution of support.

Does the city of Orem support the Crandalls in putting an perpetual agricultural conservation easement on their property?

Recommendation

On April 1, 2021, the Orem Natural Resources Stewardship Committee adopted the following motion:

"The NRSC supports the creation of agricultural easements on remaining agricultural and orchard lands within Orem City."

This may be a way to preserve our heritage, to help consumers buy locally, to assist community education, and to preserve green space and scenic values in the middle of a rapidly growing metropolitan area.

	CITY OF OREM **CITY COUNCIL MEETING** **SEPTEMBER 14, 2021**
REQUEST:	APPROVAL OF MEETING MINUTES - Minutes of City Council Special Meeting - August 9, 2021 - Minutes of City Council Meeting - August 24, 2021
APPLICANT:	
NOTICES:	
SITE INFORMATION:	
PREPARED BY:	

REQUEST:

BACKGROUND:

RECOMMENDATION:

DRAFT

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
August 9, 2021

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; Heather Schriever, City Attorney; Marc Sanderson, Fire Chief; Joshua Adams, Police Chief; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Director; Brandon Nelson, Finance Director; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; and JoD'Ann Bates, City Recorder

CALL TO ORDER
INVOCATION / INSPIRATIONAL THOUGHT Brent Sumner
PLEDGE OF ALLEGIANCE David Spencer

SCHEDULED ITEMS

ORDINANCE - Enacting a moratorium prohibiting the construction or alteration of any structure in the City Center District zones, the Hub District zones, the Canyon Crossing District zones, the Arts District zones and the North Village District zones, or in alternative, enacting a temporary land use regulation establishing maximum building height limits, increasing parking requirements, increasing building setback requirements, prohibiting residential uses and/or enacting other development standards.

Mayor Brunst opened the meeting by stating this was a special session held to consider the following ordinance, reading *"Enacting a temporary land use regulation (moratorium), not to*

exceed six months in duration, pursuant to Utah Code Section 10-9a-504 prohibiting the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval in the City Center District zones, the Hub District zones, the Canyon Crossing District zones, the Arts District zones and the North Village District zones, or in the alternative, enacting a temporary land use regulation establishing maximum building height limits, increasing parking requirements, increasing building setback requirements, prohibiting residential uses and/or enacting other development standards in the City Center District zones, Hub District zones, the Canyon Crossing District zones, the Arts District zones, and the North Village District zones." Mayor Brunst then stated due to limited time, the council will only be allowing fifteen residents to speak.

Mayor Brunst turned the time over to the Council for discussion.

Mrs. Lauret asked Deputy City Attorney Steve Earl about the effects a moratorium like this would have, and what requirements the city would need to meet for the proposed moratorium to be defensible in court. Mr. Earl responded that according to Utah State Code section 10-9a-504, a City Council can enact a moratorium upon the finding of a compelling countervailing public interest. He further explained the Utah Supreme Court has stated "Compelling countervailing public interest is one that seriously threatens public health, safety, or welfare, and where an application would for the first time draw attention to a serious problem that calls for an immediate amendment to a zoning ordinance." Mr. Earl also stated the Utah Supreme Court has said "the city must not reject an application because the application itself triggers zoning reconsiderations that result in a substitution of the judgement of current city council officials for that of their predecessors." Mrs. Lauret then expressed how she feels height requirements and traffic issues are not sufficient enough to be considered a compelling countervailing public interest. Mr. Earl responded that unfortunately Utah does not have any case law specifically looking at that - whether concerns about traffic or height might be compelling, countervailing public interests - so the council will need to discuss and decide if there is the compelling countervailing public interest to enact the proposed moratorium.

Mrs. Lauret stated the language in the ordinance reads "up to six months." She then asked Mr. Earl if that allows the council to enact the moratorium for any length of time as long as it does not exceed six months. Mr. Earl responded, saying the council could enact the moratorium for a maximum of six months, but could do any amount of time less than that as well.

Council Member Tom Macdonald asked Mr. Earl both legally and procedurally, when a building development or site plan application is considered to be complete, expressing there has been some continued discussion on the issue.

Mr. Earl responded the current application being discussed is an application for a site plan approval. He went on to say city ordinance lays out a number of different requirements that an applicant is required to submit in connection with a site plan. He stated those requirements would include things such as building elevations, a lighting plan, a sewer plan, a storm water plan, and in some cases a traffic impact study. Mr. Earl then stated when an applicant submits the required items, the city would deem an application to be complete. He then went on to say that with every development application, there is a significant staff review where they decide whether the application has met all the requirements of the ordinance and whether the information presented is complete and accurate. Mr. Earl explained that in every case, there are always corrections that have to be made. The fact that an application has corrections that need to be made, -does not render the application incomplete. He then said if the application is a good faith submission with all the required items, the staff considers it to be a complete application. From time to time, the City does receive applications that the City doesn't consider to be complete. For example, someone might submit a document with the heading of a storm water plan but without any real detail or information. The City would not consider that as meeting the requirements. It has to be a bona fide, legitimate effort at providing the information that is required.

Mr. Macdonald then asked Mr. Earl if any neighborhood meetings would need to be held for an application to be complete. Mr. Earl responded that if an application is in, or adjacent to a residential zone, they would need to hold a neighborhood meeting before an application could be considered completed.

Mayor Brunst asked Mr. Earl if the current development application from the Wright Development Group is considered to be in a residential zone and would need to hold a neighborhood meeting. Mr. Earl stated this particular application takes place in the Arts District, which allows both commercial and residential uses. Mr. Earl stated that staff considers the Arts District to be a residential zone for which a neighborhood meeting is required. Mr. Earl also indicated that there is some residentially zoned property across the street (400 East) so staff believes this development application would also meet the adjacent requirements for requiring a neighborhood meeting. Mayor Brunst then asked Mr. Earl about the planned neighborhood meeting taking place on August 11th, asking how that applies to the applicant meeting the stated requirements. Mr. Earl responded by saying the staff would not consider this application complete until they hold the neighborhood meeting. He then stated that because the developer has not yet held the neighborhood meeting, they do not have "vested rights," which would entitle the developer to approval of their application if it complied with all the ordinances in effect at the time of the application.

Stephen Mouritsen, a lawyer representing Wright Development Group, stated though scheduled, a neighborhood meeting would not be required for this application to be considered complete. He

stated the development should not be considered adjacent due to it not sharing a property line with a residential zone. It is separated from residential areas by a public right of way that is owned by the City and consequently it is not adjacent. Mr. Mouritsen expressed he feels this definition is consistent with the prior usage of this council and stated he believes the State Ombudsman's office would agree with them.

Mayor Brunst asked Mr. Earl for his thoughts regarding this statement. Mr. Earl responded that the Arts District zone does allow for both commercial and residential uses and actually the district zones were designed and anticipated to have primarily residential uses. They're designed to require commercial uses on the main floor, but allow residential uses on all floors above the first floor and so these zones are primarily residential zones. If you look at the proposed Wright development they have one floor of commercial development and six levels of residential and so their own development is primarily residential.

Mr. Mouritsen stated that residential zone is a term of art and that a mixed zone and a residential zone are different things. A person who locates their home in a mixed zone can be expected to share the zone with commercial properties and that suggests that the neighborhood meeting would not be a requirement because you would not be upsetting the expectations of residents by developing commercial properties in a mixed zone. The residential requirement, both its language and its inherent purpose, is to give notice to residents that there is a potential for commercial development that will change the character of their neighborhood. While this is a mixed zone, the development will be replacing the Meadow Gold Dairy facility and is in an area where people would naturally expect commercial development to take place. Mayor Brunst then asked Mr. Mouritsen if he agrees this is a zone that allows for residences. Mr. Mouritsen responded that he does, and the goal of this development is to create affordable residential opportunities.

Mr. Lambson asked Mr. Earl if staff's opinion was that this zone is next to a residential neighborhood. Mr. Earl responded that staff's opinion is this development is both within and adjacent to a residential zone.

Mr. Peterson stated that he was confused at Mr. Mouritsen calling this a commercial development. Mr. Peterson said this is a high density apartment development with a little bit of commercial thrown in. Mr. Mouritsen stated that this is a mixed development with both commercial and residential. Mr. Mouritsen noted that they have been working with staff for the past three years to comply with the requirements of the ordinance. Mr. Peterson asked what percent of the project would be apartments. Mr. Mouritsen responded he did not have exact numbers, but the first floor of the building would be commercial development and the remaining floors would be residential.

Mr. Spencer asked Mr. Bench if the application checklist states that a neighborhood meeting is required Mr. Bench responded that a neighborhood meeting would be required. Mr. Spencer then asked Mr. Mouritsen if a neighborhood requirement is required, why wouldn't they have done that? Mr. Mouritsen responded that their duty is to comply with the City ordinance. The checklist is governed by what is in the ordinance. The ordinance states that they are required to have a neighborhood meeting when they are in or adjacent to a residential area and they don't think either of those applied. Mr. Spencer asked if they had asked the City of Orem? Mr. Mouritsen stated that they had and that staff did not represent that they were required to have a neighborhood meeting, they were uncertain. Mr. Spencer asked then why were they holding a neighborhood meeting now? Mr. Mouritsen stated they are holding it for the avoidance of doubt.

Mrs. Lauret asked how long this project has been in the works. She asked if it was around 3 years or closer to 18 months. Mr. Mouritsen responded it has been in the works for around 3 years. Mr. Bench stated staff had been working with the developer for quite some time but didn't' know the exact amount of time. Mrs. Lauret then asked if that when Wright Development purchased this property, the regulations and ordinances on the property were the same as they currently are. Mr. Bench responded that the property was purchased before the district was put in place.

Mr. Peterson asked Mr. Mouritsen if he believed the development is adjacent to a residential area. Mr. Mouritsen responded he believes the development is not adjacent to a residential area. Mr. Peterson disagreed. Mr. Mouritsen responded they do not believe the development is adjacent to a residential zone because there is no shared property line. Mayor Brunst agreed that in some terms, the development is not technically adjacent to a residential zone, but it could be considered to be in a residential zone, seeing that the Arts Zone is a mixed-use zone, allowing for both commercial and residential zoning.

Mayor Brunst stated he would like to see the Hub District and the North Village District left out of the moratorium. Mayor Brunst then asked the council what is the compelling, countervailing public interest that seriously threatens public health, safety and welfare? Mayor Brunst noted that by doing a moratorium we take on the legal challenge of showing what the compelling reason is that threatens public health and safety. He asked why this issue is serious enough to enact a moratorium and stated that passing a moratorium could cause serious legal problems for the city.

Mr. Spencer stated that to answer the Mayor's question, first is for the safety of the citizens of Orem. It is going to increase traffic. He stated that we don't have the proper infrastructure for that facility at Meadow Gold with the capacity of our roads. Mr. Spencer stated that the whole master plan was figured out because of the BRT that was going to be coming down State Street and that's where we were going to be getting the additional taking traffic off the road for safety reasons. He also noted increased traffic on State Street and on 400 East. Mr. Spencer said that he

had driven around there the other day and he didn't think that State Street could handle the in and out. He said that we are already at maximum capacity on State Street as it is. It will cause emotional stress to the neighbors and to the neighborhood.

Mr. Peterson stated traffic and parking surrounding the development would be a serious enough concern to have the moratorium enacted. He also mentioned mental health concerns and increased water usage as reasons to enact the moratorium. Mayor Brunst responded to Mr. Peterson saying the city has more than enough water for a development like this, seeing the city only uses 62% of their available water. He continued to state that though traffic is an issue the City of Orem is navigating, it is not a big enough emergency to enact a moratorium.

Mr. Mouritsen expressed that he feels using "the drought" as a reason to not build more high-density housing would be absurd. He also expressed how he feels a moratorium like this would not hold up in court. Mayor Brunst asked Mr. Earl how he feels this Moratorium would hold up in court. Mr. Earl responded that he couldn't predict what would happen at this time. He said that it would be based on whether the City could show a compelling, countervailing public interest.

Mr. Sumner asked Mr. Mouritsen for a ballpark figure on how much Wright Development has invested into the property. Mr. Mouritsen responded that he did not have the exact figure.

Mr. Spencer stated this moratorium is being considered not because of the development on the old Meadow Gold property, but because after passing the new height and parking requirements for the North Village District Zone, the council wished to go over all of the other districts to make sure they got those right as well.

Mr. Peterson stated that by adding a thousand more people to the city, more water would be used. He then stated developments like this do not end up being affordable.

Mrs. Lauret asked Mr. Mouritsen about potential pricing for these apartments. Mr. Mourisen stated he is just legal counsel, and he did not have an answer for this.

Mr. Peterson asked Mr. Mouritsen if these would be condos or apartments. Mr. Mouritsen stated he believes these would be for purchase. Mr. Ryan Clark stated he believes they are apartments. Mr. Brunst asked Mr. Clark to find out exactly and get the information back to the council.

Mayor Brunst opened the public hearing at 6:49 pm.

LaNae Millet expressed this council should oversee orderly growth, and a development like this would not be orderly growth. Mrs. Millet stated that increased traffic should be a sufficient reason to enact the proposed moratorium.

John Barrick stated Orem residents have been telling the council for months that a compelling countervailing public interest existed not only in the North Village District, but across the entire State Street Master Plan. Mr. Barrick then expressed that height loopholes, parking issues, and neighborhood preservation are all strong enough reasons to enact the proposed moratorium. Mr. Barrick said in the North Village District, a developer filled out an application, paid fees a few minutes before a city council meeting, filed an application the next day, and had a neighborhood meeting a few weeks later. He expressed the developer never complied with Orem City Code 20-14-20(i). He said this code states "the applicant for a site plan within or adjacent to… shall hold a neighborhood meeting prior to submitting an application." He then stated that because of this, the current application, as well as the application for a proposed development in the North Village District are not complete. Mr. Barrick then expressed how it seems that filing an application, and then holding a neighborhood meeting if you want, is standard operating procedure for Orem City Development Services. Mr. Barrick finished by asking the council to support the moratorium proposal.

Stephanie Visnaw asked the council to give the same respect and attention to the citizens as they did the Wright Development's legal representative. Mrs. Visnaw stated there are elements of the State Street Master Plan that need to be revised and a six-month moratorium should be put in place to do so.

Melva Gifford expressed high turnover rate in the apartments would accelerate the degradation of the development property and stated there are many issues that could be caused by a development like this.

Bruce Kelly stated developers should not have preferential treatment because of their investments, because the citizens of Orem have invested more than just money into the city.

Jim Evans stated all the council members ran to listen to and represent the citizens, and that is what should happen tonight.

Justin Showers stated the city should restrict private property as little as possible. He then expressed that residential and commercial can coexist. Mr. Justin then asked what the residents would like to see on the property instead of high-density housing.

Sharon Anderson expressed how she had issues with the State Street Master plan when it was approved years ago. She then stated the plan did not have enough public backing when passed. Mrs. Anderson expressed support for the moratorium.

Alisa Brough asked the council why the city even needs high density housing. She stated traffic on State Street is bad as it is, and more high-density housing would compound upon this.

Steve Black from Wright Development stated this project would be apartments, not condos. Mr. Black then stated the State Street Master Plan has been put in place for proper development of housing and he believes this project fits that. He also said Wright Development tried to build a bank on the property four years ago and it was denied because they had to comply with the new zoning. Now they are doing that, and Orem is trying to change the rules on them again.

John Walten asked the council to make the growth sustainable. He expressed the proposed development is not sustainable, seeing parking and traffic would be negatively impacted.

Jason Jolly expressed that being a young person, he represents a large portion of Orem that is not present at the meeting. Mr. Jolly stated that high density housing in Orem is not affordable. He also stated that having no housing is not an option either. Mr. Jolly finished by saying the city needs to find a sweet spot between citizens and businesses.

DeVon Ogden expressed concern with parking issues that could be caused by a development like this. He then expressed support for a temporary moratorium.

Murray Low stated he was present at the meeting when the State Street Master Plan was passed. Mr. Low expressed the city is not developing State Street like they said they would when the master plan was passed.

Haysam Sakar stated when the State Street master plan was passed, the shown developments were much different than high density housing. He then stated the council should go back to what was shown when the master plan was introduced.

Kathy Minster stated she was opposed to the Aston apartments when those were built a few years back. She stated that her family moved because of these apartments. Mrs. Minster then expressed how people are just coming and going, and not actually establishing families in Orem.

Mayor Brunst closed the public hearing at 7:34 pm and brought the item back to the Council for further discussion.

Mr. Lambson expressed thanks to the citizens for coming to share their opinions. He then stated he received a phone call a few days ago from a citizen who expressed concern that housing in Orem is just becoming rentals and the city should focus on having purchasable housing instead of just rentals. Mr. Lambson concluded that he intends to support a moratorium.

Mrs. Lauret expressed how she felt none of the reasons brought up during the meeting represent a compelling countervailing public interest needed to justify this moratorium. She also stated that because of this, the city could be setting itself up for legal challenge. She stated she could support a moratorium on some districts of the State Street Master Plan, but the Arts District, where this development would be taking place, is not one of those.

Mr. Sumner stated there is a housing and apartment shortage in Orem. He stated he would not mind looking at the other districts, but the Arts District would not be one of those. He also agreed with Mrs. Lauret that the city could face legal challenges by changing the zoning or placing a moratorium on the Arts District.

Mr. Spencer stated the city needs to get zoning height and parking right this time around, and he is in favor of a six-month moratorium on the State Street Districts.

Mr. Macdonald stated votes speak louder than words and he would show his opinion with that.

Mr. Peterson expressed that he is confused when people refer to this project as "commercial," because it is a high-density housing project. He stated no one is opposed to great commercial developments in the city. He states the problem comes when more and more traffic is added to State Street, and high-density projects would cause this. He concluded by expressing support for the proposed six-month moratorium.

Mayor Brunst expressed that Orem City tries their best to keep high density developments out of neighborhoods. He then went on to list a few high-density projects that were brought before the council and denied because they felt they were too close to residential areas. Mayor Brunst continued that because of Orem's strong economy, the city has been able to purchase and improve many things without raising taxes. Mayor Brunst then expressed that because of this, he would like to keep Orem a city where businesses could thrive. He then stated during the planning for the State Street Master Plan, the council put several regulations in place to limit the height and size of high-density housing projects. Mayor Brunst also stated the city desires to keep apartments on major thoroughfares such as State Street, instead of allowing them to be built closer to neighborhoods. He expressed how he felt the proposed moratorium is not the direction the city should go in, seeing a lawsuit could arise from this situation, citing how he felt there is not a compelling enough reason to justify the ordinance. He concluded the council could revisit the height and parking in the State Street district without enacting a moratorium.

Mr. Spencer moved by Ordinance to enact a temporary land use regulation (moratorium) not to exceed six months in duration, pursuant to Utah Code section 10-9a-504 prohibiting the erection, construction, reconstruction, or alteration of any building or structure, or any subdivision approval in the City Center District Zones, the Hub District Zones, the Canyon Crossing District

Zones, the Arts District Zones, and the North Village District Zones. For the safety of our citizens, we need to have proper infrastructure on State Street that can handle the capacity of our roads. The State Street Master Plan included the BRT which is not being built for quite a few years. Increased traffic on State Street and Fourth East into the neighborhoods and added congestion is what caused an emotional stress on the neighbors and the neighborhoods. **Mr. Macdonald seconded** the motion. Those voting aye: Jeff Lambson, David Spencer, Tom Macdonald, and Terry Peterson. Those voting nay: Brent Sumner, Debby Lauret, and Richard F. Brunst. The motion **passed.**

ADJOURNMENT

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

The meeting adjourned at 7:57 pm.

DRAFT

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
August 24, 2021

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

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; Heather Schriever, City Attorney; Marc Sanderson, Fire Chief; Joshua Adams, Police Chief; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; and Nathan Nelson, Deputy City Recorder

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

PRESENTATION - Neighborhood Improvement Team Update

Ms. Mathews started off the presentation by introducing the new Neighborhood Improvement Team and its members. Mr. Taylor then spoke on what kind of infractions the Neighborhood Improvement Team enforces. Some of these include excessive weeds, junk, and homeless encampments. He then showed a few example pictures of these infractions. Mr. LeDoux then gave an overview of the reporting and enforcement process.

Officer Andreason went over the successes the team has had since the beginning of the fiscal year. He then presented a slide show about a particularly large project they have been working on.

Ms. Mathews reviewed other activities the code enforcement has been involved with. These included Picnic with Police activities and back to school nights.

General discussion ensued regarding homeless population and homeless camps within the city.

PRESENTATION - Metropolitan Water District of Orem - Central Utah Water Conservancy District Agreement

Mr. Tschirki, began by going over a brief history of the Orem Metropolitan Water District. Mr. Tschirki then spoke on past water agreements between Orem and Vineyard. Mr. Tschirki updated the council on the status of a large water storage tank Vineyard City is building. He stated that once Vineyard City has finished their water storage tank, they would investigate halting Vineyard borrowing water from Orem. He then went over some of the conditions for the proposed agreement. These include providing multiple emergency connections between Vineyard and Orem's water distribution systems and providing an option for Orem to purchase back Vineyard's portion of Orem's shared water tank.

General discussion ensued regarding canal water rights and procedure, "grey water," water usage of Sleepy Ridge Golf Course, and the status of the Farley property tank.

Mrs. Schriever asked the council to allow this agreement to be on the consent agenda for the next city council meeting, rather than having them under the scheduled agenda. The Council gave permission to do so.

UPDATE - Request for an Advisory Opinion from the State Property Rights Ombudsman

Mrs. Schriever updated the council on the current legal status of the moratorium passed during the August 9th, 2021 council meeting. Mrs. Schriever stated that Wright Development had filed for an advisory opinion on the completeness of their site plan application and on the application of the moratorium to their development. Mrs. Schriever then stated they have retained outside counsel to assist the city through the process. She expressed she does not know how much time the whole process will take, and the only deadline they've had to meet so far is agreeing to use a staff attorney in the office of the ombudsman as opposed to an independent third party. Mrs. Lauret asked if the city has a timeline from the ombudsman. Mr. Earl responded that a timeline will most likely be set once they have a staff member assigned to issue an opinion. Mr. Earl also stated there is a couple of potential jurisdiction issues the city needs to get resolved before they can get into the merits of the request. Mrs. Lauret then asked if the City's hired legal counsel has a background in this sort of issue. Mrs. Schriever stated he does, and the city has hired him before to work on other land use cases.

Mr. Davidson stated the primary focus of the advisory opinion filed by Wright Development is to review the adjacency issue that was a topic of conversation during the last council meeting. Mr. Earl agreed and added Wright Development has requested an advisory opinion to review if their

development application was vested before the moratorium was put into place, which depends on if they were required to hold a neighborhood meeting.

Mr. Sumner asked Mr. Davidson if he had heard from any legislators on this topic. Mr. Davidson stated he has heard from a legislator, and they have expressed concern with the issue. Mr. Spencer responded that he would like the legislator to come to a council meeting so they could discuss things face to face. Mr. Davidson responded there is a commission on housing affordability that was put together by the legislature, and they are tackling this very issue. He then went on to state this is not an Orem specific issue and that he expects this discussion to be a part of the 2022 general legislative session. Mr. Spencer asked if the council could hold a work session with the concerned legislators. Mr. Davidson responded that he would be more than happy to reach out to them. Mayor Brunst stated that if this meeting was held, he would like to have local legislators involved as well.

Mr. Peterson stated a state senator reached out to him and expressed support for the moratorium.

Mr. Davidson expressed that "people are watching" and how the city handles this could persuade the state legislature to pass a state-wide law or code amendment taking more power away from cities. He stated that no matter how the City of Orem views the moratorium, it may be viewed in a completely different light by other municipalities and legislations.

Mr. Sumner asked Mr. Davidson if there is anything the city could do to "plead their case" to the Utah League of Cities and Towns at their upcoming meeting. This caused general discussion regarding legislature, municipality, and developer opinions and influence as well as zoning, city growth, and housing.

DISCUSSION - State Street Districts

Mr. Bench gave summary of what happened at the last Planning Commission meeting. These include a negative recommendation pertaining to overall height standards in the State Street District Zone, A positive recommendation pertaining to setbacks from residential zones within the State Street District Zones, and a negative recommendation pertaining to parking standards within the State Street District Zones. He then went over the proposed amendments pertaining to building height, residential building setbacks, and height standards in the State Street District Zones. Mr. Bench then showed a summary of Limitation on Residential Uses. These include the percentage of commercial vs residential use in development requirements. He then asked the council if they would like to modify these requirements. Mr. Spencer stated this is something he would like to go over, expressing the council should dissect everything possible and go into detail to make sure they get State Street right. Mr. Peterson agreed with this statement and said

he would also like to go over things district by district. He then stated he would like to hold specific meetings for citizens in each district so the council can hear what they want and base their direction on that.

Mr. Bench then reviewed current height minimums throughout State Street Districts and asked if the council would like to review and change these figures as well. Mr. Spencer responded that he believes the council should review those figures as well.

General discussion ensued regarding parking standards and zoning maps throughout Orem City.

AGENDA REVIEW AND PREVIEW OF UPCOMING ITEMS

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

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

Councilman Spencer went over the boards and commissions he takes part in. These include recreation, senior citizens, and public safety. He updated the council on the status of these boards.

Mr. Spencer asked if there have been any updates in the Northern Utah Valley Animal Shelter. Police Chief Adams stated the NUVAS board would be voting to suspend the use of carbon monoxide chambers soon.

Mr. Davidson updated the council on the status of the Farley Property Water Tank, possible road traffic studies taking place in Orem, and parking lot openings at the Orem Family Fitness Center.

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; Heather Schriever, City Attorney; Marc Sanderson, Fire Chief; Joshua Adams, Police Chief; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Director; Brandon Nelson, Finance Director; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; and Nathan Nelson, Deputy City Recorder

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT Jeff Lambson
PLEDGE OF ALLEGIANCE Jody Bates

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

PUBLIC SAFETY ADVISORY COMMISSION INTRODUCTIONS

Fire Chief Marc Sanderson recommended Scott Ash and Donna Cotterell for appointment to the Public Safety Advisory Commission.

Police Chief Adams recommended Abril Lopez and Fui Taotua for appointment to the Public Safety Advisory Commission.

EMPLOYEE RECOGNITION

Fire Chief Sanderson invited Brady Partridge up to the front of the room. Mr. Sanderson stated that Brady had recently graduated from the paramedic program, and he would like to recognize his hard work and dedication.

Mr. Partridge stated that as part of the paramedic program, they are required to make coins for people who helped them through the program. He stated that because the council helped him greatly through the process, he would like to gift a coin to each of the members of the council.

PERSONAL APPEARANCES

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

Ethan Harris stated he lives in the Hillcrest historic neighborhood with his family. He stated that since living in the area, the mall continues to buy up property and intrude into the neighborhood. He expressed his concern with the proposed Wright Development property, saying the neighboring street will become overflow parking for the apartments, and said this would bring more crime and traffic to the area. He then stated the council has received a nine-page petition to halt the development.

Jared Moore expressed how he feels the residents in the area would not be listened to, but expressed thanks to certain members of the council for voting to pass the moratorium. He asked the council to reconsider what could be built on the property, saying the attempted bank development on the property a few years back would have been a great addition to the community.

Stephanie Visnaw stated that giving unlimited height maximums and high density housing the ability to be built next to residential zones is a bad idea. She expressed that high density housing projects cause parking issues for surrounding neighborhoods. She then read a few Facebook comments on the Orem Police Department's page expressing concern with parking issues caused by high density housing developments.

CONSENT ITEMS

- APPROVAL OF MEETING MINUTES
  - Minutes of City Council Meeting - July 13, 2021
  - Minutes of City Council Meeting - July 27, 2021
- A Resolution Approving an Amendment to 3/10/2008 Amended and Restated Agreement between the City of Orem, The Links at Sleepy Ridge, L.C., The Suites at Sleepy Ridge, L.C. and Plant Specialties, Inc., and Authorizing the Mayor to Sign the Amendment
- Acceptance and Certification of the 2021 City of Orem Primary Elections

- CITY COUNCIL APPOINTMENT - Public Safety Advisory Commission. City Council advise and consent on the appointment of the following:
    - Rick Clark
    - Spencer Rand
    - William Fowlke

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

SCHEDULED ITEMS

ORDINANCE - Amending the temporary land use regulation (moratorium) previously adopted by the City Council on August 9, 2021, with respect to the City Center District zones, the Hub District zones, the Canyon Crossing District zones, the Arts District zones and the North Village District zones pursuant to Utah Code Section 10-9a-504, to exclude from the moratorium the following types of construction: interior remodels; exterior remodels-exterior finish materials, roofing, windows, doors, awnings, canopies, decks, patios, and architectural features designed solely to enhance the aesthetic appeal of a building; signs; fences and retaining walls; roof structures for parking and drive-thrus; utility improvement infrastructure (electric, natural gas, telephone, fiber, water, sewer, storm water); parking lot and driveway improvements; curb, gutter and sidewalk; lighting improvements; landscaping improvements; cellular infrastructure; and other structures and improvements that do not create or increase habitable building space (but in no case to exceed a height of 60 feet); and also to exempt from the moratorium all construction that is purely commercial (no residential uses) in nature that does not exceed a height of 60 feet and provides parking of at least one stall per 250 square feet of gross floor area.

Mr. Earl stated these amendments are being made to remedy some issues the passed moratorium inadvertently created. Some of these changes include allowing commercial remodels, fencing maintenance, sign maintenance, and developments that are purely commercial in nature.

Mr. Spencer asked Mr. Earl if the lower height standards in the North Village District would be overruled by the listed 60-foot height maximum. Mr. Earl responded that 60 feet would be the maximum height, but more restrictive requirements such as those in the NVD Zone would still stand.

Mr. Peterson moved by Ordinance to amend the temporary land use regulation (moratorium) previously adopted by the City Council on August 9, 2021, with respect to the City Center District zones, the Hub District zones, the Canyon Crossing District zones, the Arts District

zones and the North Village District zones pursuant to Utah Code Section 10-9a-504, to exclude from the moratorium the following types of construction: interior remodels; exterior remodels-exterior finish materials, roofing, windows, doors, awnings, canopies, decks, patios, and architectural features designed solely to enhance the aesthetic appeal of a building; signs; fences and retaining walls; roof structures for parking and drive-thrus; utility improvement infrastructure (electric, natural gas, telephone, fiber, water, sewer, storm water); parking lot and driveway improvements; curb, gutter and sidewalk; lighting improvements; landscaping improvements; cellular infrastructure; and other structures and improvements that do not create or increase habitable building space (but in no case to exceed a height of 60 feet); and also to exempt from the moratorium all construction that is purely commercial (no residential uses) in nature that does not exceed a height of 60 feet and provides parking of at least one stall per 250 square feet of gross floor area. **Mr. Macdonald seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Tom Macdonald, Terry Peterson, Debby Lauret, David Spencer, and Brent Sumner. The motion **passed.**

COMMUNICATION ITEMS

There were no communication items at this time

CITY MANAGER INFORMATION ITEMS

Mr. Davidson had no additional items to share.

ADJOURNMENT

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

The meeting adjourned at 6:29 PM.

	CITY OF OREM **CITY COUNCIL MEETING** **SEPTEMBER 14, 2021**
REQUEST:	APPOINTMENTS TO BOARDS AND COMMISSIONS Summerfest Commission: - Vanessa Sewell, Appointment - Anne Turner, Appointment - Liz Woolf, Re-Appointment - Ashlie Mann, Re-Appointment
APPLICANT:	
NOTICES:	
SITE INFORMATION:	
PREPARED BY:	

REQUEST:

BACKGROUND:

RECOMMENDATION:

Board, Commission & Committee Application

City of Orem

Submitted On: Jul 28, 2021, 05:56PM EDT

Personal Information

Full Name	**First Name:** Vanessa **Last Name:** Sewell
Full Address	**Street Address:** [redacted] **City:** Orem **State:** UT **Zip:** 84057
Phone Number	[redacted]
Email	[redacted]

Boards & Commissions

What board or commission are you applying for?	Summerfest Advisory Committee
If a position on your preferred board or commission isn't available, would you like to be considered for openings on other boards or commissions?	Yes
Summarize why you wish to serve on a city commission and if there are areas of concern that you would like to see addressed by a city commission.	I have always enjoyed helping in civic issues and programs. I worked hard in my previous neighborhood alliance and with city staff, the city manager, as well as council members to see projects through planning stages. I enjoy working to help keep our city safe and enjoyable for families.
Please tell us a little about yourself. Also include a summary of the special skills and qualifications you have acquired from employment, previous appointments, previous volunteer work, or through other activities.	I have 3 small kids that are always active in community events and rec programs. We just completed a full summer of Swim Lesson at Orem Family Fitness! I previously worked hard on our neighborhood alliance board in California. We saw several projects through with the city leaders in public forums as well as private meetings exclusively with our board on various construction projects, pedestrian programs and bike safety. I also Served as the rep for our neighborhood with the San Mateo United Homeowners Association. We held meetings with city staff, police chiefs, state county and district representatives for our area. I would love to get involved with Orem as we recently moved here earlier this summer. (Returning - We lived here a decade ago- my husband was born and raised in Provo and his dad is a member of the city council there as well). I am acutely aware of many city and local affairs as well as park and rec programs. Love being involved and help shaping programs, entertainment/enrichment and safety features for our community. I have personally planned many events and worked with many local officials. Our neighborhood in California abutted the county event center and we were in constant communication and worked with the even center staff and CEO. I previously worked as a 4-8 music educator in California, I graduated from BYU and student taught at American Fork high.
Signature Data	First Name: Vanessa Last Name: Sewell Email Address: [redacted]

Vanessa N Sewell

Signed at: July 28, 2021 3:55pm America/Denver

Board, Commission & Committee Application

City of Orem

Submitted On: Aug 18, 2021, 05:07PM EDT

Personal Information

Full Name	**First Name:** Anne **Last Name:** Turner
Full Address	**Street Address:** [redacted] **City:** Orem **State:** UT **Zip:** 84097
Phone Number	[redacted]
Email	[redacted]

Boards & Commissions

What board or commission are you applying for?	Summerfest Advisory Committee
If a position on your preferred board or commission isn't available, would you like to be considered for openings on other boards or commissions?	Yes
Summarize why you wish to serve on a city commission and if there are areas of concern that you would like to see addressed by a city commission.	I love the City of Orem and I love volunteering. I"ve been helping with City events for years and thought I should step it up a bit and help out more.
Please tell us a little about yourself. Also include a summary of the special skills and qualifications you have acquired from employment, previous appointments, previous volunteer work, or through other activities.	I"ve been living in Orem for 12 years and I love it! I"m an Aunt to way too many kids to count, some blood related and some that just call me Aunt. I love volunteering and being in the community. I"m in the YW Presidency in my Ward and I like being with the kids. I"m the crazy leader that lets them crank up the music and sing really, really loudly. I love supporting all my nieces and nephews by helping at their schools, going to plays/shows or going to their sporting events. Other than work, I fill my time with kid related activities. I"m an open book, so anything you want to know, ask.
Signature Data	First Name: Anne Last Name: Turner Email Address: [redacted] Anne Turner Signed at: August 18, 2021 3:06pm America/Denver

Board, Commission & Committee Application

City of Orem

Submitted On:
September 13th, 2018 @ 4:29pm

Personal Information

Full Name	Liz Woolf
Full Address	[redacted] Orem UT 84097
Phone Number	[redacted]
Email	[redacted]

Boards & Commissions

What board or commission are you applying for?	Summerfest Advisory Committee
If a position on your preferred board or commission isn't available, would you like to be considered for openings on other boards or commissions?	Yes
Summarize why you wish to serve on a city commission and if there are areas of concern that you would like to see addressed by a city commission.	I want to be actively involved in my city. I love Orem and want to see more from it. I am a busy working mom, so my time is limited, but I know that there's lots of ways I can serve both now and in the future.
Please tell us a little about yourself. Also include a summary of the special skills and qualifications you have acquired from employment, previous appointments, previous volunteer work, or through other activities.	I have lived in Orem for about 12 1/2 years. When we (as a family) moved to Orem, we bought the house next door to my in-laws. We have since moved just a few block away, but still in the same neighborhood. My husband was born and raised in Orem (he went to Cascade, Canyon View, and Orem High). Our four kids love our city and look forward to the events each year. Our oldest is at Canyon View. Our next two are at Cascade. Our youngest is in all-day Kindergarten where I teach school. We look forward to remaining in Orem for many years to come!

Signature Data	First Name: Liz Last Name: Woolf Email Address: [redacted] Signed at: 09/12/2018 01:26PM

Boards, Committees, and Commissions Application

PERSONAL INFORMATION

Applicant: **Ashlie Mann**
Address: [redacted]
Orem, Ut 84058

Phone: [redacted]
Email: [redacted]

Preferred Communication	Emergency Contact	Emergency Contact #
Text	[redacted]	[redacted]

AVAILABILITY
Weekends and Wednesday nights

BOARDS & COMMISSIONS

1st Choice	2nd Choice	3rd Choice
Summerfest Committee		

Please summarize why you wish to serve on a city board or commission:

Brief Biography

Previous Experience
Helped Teresa Horn with boutique selection this year.

Application Submitted: 6/14/2017

	CITY OF OREM **CITY COUNCIL MEETING** **SEPTEMBER 14, 2021**
REQUEST:	RESOLUTION - Authorizing the Mayor to Sign a Water Supply Agreement Between the City of Orem, Central Utah Water Conservancy District and the Metropolitan Water District of Orem
APPLICANT:	
NOTICES:	N/A
SITE INFORMATION:	N/A
PREPARED BY:	Heather Schriever, City Attorney

REQUEST:

City staff requests that the City Council authorize the Mayor to sign the Water Supply Agreement.

BACKGROUND:

Historically, the City of Orem and the Metropolitan Water District of Orem ("Orem Metrol") have provided (through Orem's water system) culinary water to Vineyard City. As Vineyard City has grown and as Orem City has re-evaluated its water supply obligations to Vineyard City, Orem City, Vineyard City and Orem Metro in conjunction with Central Utah Water Conservancy District (the "District") have determined it would be beneficial to all parties for Vineyard City to obtain some of its needed water supply directly from the District's water supply system. Under the terms of the proposed water supply agreement, the District will become the municipal water supplier to Vineyard City, and Orem Metro will supply to the District, on a wholesale basis, up to 3,500 acre-feet of Orem Metro water to address the water supply needs of Vineyard City. Orem City will no longer be obligated to supply water directly to Vineyard City.

RECOMMENDATION:

City staff recommends the City Council pass a resolution authorizing the Mayor to sign a Water Supply Agreement between the City of Orem, the District and Orem Metro.

RESOLUTION NO. _____

A RESOLUTION OF THE OREM CITY COUNCIL AUTHORIZING THE MAYOR TO SIGN A WATER SUPPLY AGREEMENT BETWEEN THE CITY OF OREM, CENTRAL UTAH WATER CONSERVANCY DISTRICT AND THE METROPOLITAN WATER DISTRICT OF OREM

WHEREAS, the City owns and operates a municipal water system for the delivery of water within its service area; and

WHEREAS Metropolitan Water District of Orem ("Orem Metro") has developed a water supply under canal shares and surface water rights and contract rights of Orem Metro (the "Orem Metro Water"), a portion of which has historically been utilized in supplying culinary water by agreement to the City for distribution to its customers within its service area; and

WHEREAS, the City and Orem Metro had planned, as part of their respective water acquisition strategies, to acquire a water supply sufficient to serve the previously unincorporated area now known as Vineyard City; and

WHEREAS, the City and Orem Metro have provided water service to the Vineyard area since 1989 pursuant to the terms of various agreements, including a certain amended Interlocal Agreement, dated June 28, 2011 (the "Amended Interlocal Agreement 2011"); and

WHEREAS, the Utah Water Conservancy District (the "District") has developed a regional water system using groundwater sources of supply under the authority of the water rights including the development of new underground wells located in Vineyard City, as well as other surface sources of supply treated at the Don A. Christiansen Regional Water Treatment Plant in Orem. This regional water supply project is known and referred to by the District as the Central Utah Water Conservancy District Water Development Project ("CWP"). CWP water is utilized by the District in providing municipal water, on a wholesale contract basis, to its customers in northern Utah County and southern Salt Lake County; and

WHEREAS the City, Orem Metro, and Vineyard City have entered into negotiations to replace the Amended Interlocal Agreement 2011 with a new agreement with Vineyard City which will address, among other things, the use of the City and Orem Metro water, modifications to existing City connections to Vineyard City and related metering facilities, and the repurchase of Vineyard City's capacity in the 20 million gallon water tank constructed by the City and the District; and

WHEREAS, the City, Orem Metro, and the District now desire to enter a new agreement the purpose and intent of which is: (i) to clarify that the District will be the municipal water supplier to Vineyard City; (ii) to provide for the use of a perpetual water supply by Orem Metro to the District, on a wholesale basis, of up to 3,500 acre-feet of Orem Metro Water under Orem Metro water rights authorized for use within Vineyard City, to be utilized by the District as an additional source of the District's CWP water supply for delivery to Vineyard City, and (iii) to reduce the possibility of future conflicts and disputes among the City, Orem Metro and the District pertaining to the supply of municipal water to Vineyard City; and

WHEREAS, the Orem City Council has reviewed the new agreement and has determined that entering into the new agreement promotes the health, safety and welfare of Orem residents.

NOW, THEREFORE, BE IT RESOLVED THE CITY OF OREM, UTAH AS FOLLOWS:

1. The Orem City Council hereby authorizes the Mayor to enter into the new water supply agreement in substantially the form attached hereto as Exhibit A.

2. This resolution shall take effect immediately upon passage.

3. All other resolutions and polices in conflict herewith in whole or in part are hereby repealed.

PASSED AND APPROVED this 14th day of September 2021.

_____
Richard F. Brunst, Jr., Mayor

ATTEST:

_____
JoD'Ann Bates, City Recorder

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

EXHIBIT A – Water Supply Agreement

2021 WATER SUPPLY AGREEMENT

By and among Metropolitan Water District of Orem, City of Orem, and Central Utah Water Conservancy District

THIS WATER SUPPLY AGREEMENT ("*Water Supply Agreement,*" or "*Agreement*"), is made and entered into effective this_____ day of _____, 2021 (the "*Effective Date*"), by and among the METROPOLITAN WATER DISTRICT OF OREM, a political subdivision of the State of Utah, with its principal offices located at 1450 West 550 North, Orem, Utah 84057 (hereinafter referred to as "*Orem Metro*"), the CITY OF OREM, a municipal corporation and political subdivision of the State of Utah, with its principal offices located at 56 North State Street, Orem, Utah 84057 (hereinafter referred to as "*Orem City*"), and the CENTRAL UTAH WATER CONSERVANCY DISTRICT, a political subdivision of the State of Utah, with its principal offices located at 1426 East 750 North, Suite 400, Orem, Utah, 84097 (hereinafter referred to as the "*District*"). (Orem Metro, Orem and the District are sometimes referred to herein individually as a "*Party*" and collectively as the "*Parties*.")

RECITALS

1. Orem City owns and operates a municipal water system for the delivery of water within its service area (the "*Orem Water System*").

2. Orem Metro has developed a water supply under canal shares and surface water rights and contract rights of Orem Metro (the "Orem Metro Water"), a portion of which has historically been utilized in supplying culinary water by agreement to Orem City for distribution to its customers within its service area.

3. Orem City and Orem Metro had planned, as part of their respective water acquisition strategies, to acquire a water supply sufficient to serve the previously unincorporated area now known as Vineyard City, and including, for purposes of this Water Supply Agreement, all of the presently incorporated area of Vineyard and those unincorporated areas in that may be annexed in the future ("Vineyard").

4. Orem City and Orem Metro have provided water service to Vineyard since 1989 pursuant to the terms of various agreements, including a certain amended Interlocal Agreement, dated June 28, 2011 (the "Amended Interlocal Agreement 2011").

5. The District, pursuant to the terms of a certain purchase agreement by and between the District and Geneva Steel, LLC, dated 26 January 2005 (the "Geneva Water Rights Agreement 2005"), has purchased from Geneva Steel, LLC certain water rights (the "Geneva Water Rights"), wells (the "Geneva Wells"), easements (the "Geneva Easements"), pipelines, a pump station, and other assets.

6. As part of the Geneva Water Rights Agreement 2005, the District agreed to reserve 8,000 acre-feet of water per year for a 15-year period, commencing upon closing of the Geneva

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Water Rights Agreement 2005, to be used exclusively in connection with the development of the property then owned by Geneva Steel, LLC at the time of the closing of the Geneva Water Rights Agreement 2005 (the "Geneva Lands"). The Geneva Water Rights Agreement 2005 closed on May 19, 2005.

7. On December 23, 2005, Anderson Geneva, LLC ("Anderson Geneva, LLC"), acquired the Geneva Lands and, as successor to Geneva Steel, LLC, assumed all of the rights, duties, and liabilities of Geneva Steel, LLC under the Geneva Water Rights Agreement 2005.

8. Anderson Geneva, LLC, and the District entered into an amended purchase and sale agreement for well sites and easements dated November 19, 2008 (the "Amended Geneva Purchase Agreement 2008"), pursuant to which the District agreed to provide 4,000,000 gallons of temporary water storage for a period of not more than 10 years from the date the District was first able to deliver treated water to the Geneva Lands; and, in addition, agreed to furnish 2,000,000 gallons of permanent storage no later than the end of the 10-year temporary storage period. The District has completed the water facilities necessary to provide water to the Geneva Lands and notified Anderson Geneva, LLC of that fact on April 1, 2011.

9. In a memorandum of understanding dated August 14, 2013 (the "MOU 2013"), Vineyard, Orem City, Orem Metro, the District, Anderson Geneva, LLC, Ice Castle Retirement Fund, LLC, and Anderson Geneva Development Inc., agreed to modify certain terms of the Geneva Water Rights Agreement 2005 and permit Vineyard to utilize 2,000,000 gallons of the 4,000,000 gallons of temporary storage reserved for the Geneva Lands situated within portions of Vineyard during the 10-year temporary storage period.

10. Anderson Geneva, LLC, Ice Castle Retirement Fund, LLC, and Vineyard City have entered into an agreement wherein Anderson Geneva, LLC and Ice Castle Retirement Fund, LLC have granted all storage rights contained in the Amended Geneva Purchase Agreement 2008 to Vineyard City.

11. The District and Vineyard City have entered into a Memorandum of Agreement (the "4MG Temporary Storage MOA") wherein, among other terms, the District will temporarily provide 4,000,000 gallons of water storage capacity from District facilities until 30 June 2023.

12. The District has developed a regional water system using groundwater sources of supply under the authority of the water rights acquired by it pursuant to the Geneva Water Rights Agreement 2005, including the development of new underground wells located in Vineyard, as well as other surface sources of supply treated at the Don A. Christiansen Regional Water Treatment Plant in Orem City, (the "DACRWTP"). The locations of the Geneva Wells and the DACRWTP are shown on Exhibit "A" attached hereto. This regional water supply project is known and referred to by the District as the Central Utah Water Conservancy District Water Development Project ("CWP"). CWP water is utilized by the District in providing municipal water, on a wholesale contract basis, to its customers in northern Utah County and southern Salt Lake County.

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13. Vineyard has contracted to purchase up to a current total of 1,036 acre-feet annually of CWP water pursuant to various CWP Water Supply Agreements entered into between the District and Vineyard (collectively, the "Current CWP Vineyard Water Supply Agreements").

14. Orem City, Orem Metro, and Vineyard have entered into negotiations to replace the Amended Interlocal Agreement 2011 with a new agreement (the "Orem Vineyard Water Service Agreement"), which will address, among other things, the use of Orem City and Orem Metro water, modifications to existing Orem City connections to Vineyard and related metering facilities, and the construction of a new 6,000,000 gallon or larger water storage tank and related distribution improvements and facilities, the preferred site of which is a location within Vineyard, as shown on Exhibit "A" attached hereto (the "Vineyard Tank").

15. Orem City, Orem Metro, and the District now desire to enter this Water Supply Agreement, the purpose and intent of which is: (i) municipal water supplier to Vineyard; (ii) to provide for the use of a perpetual water supply by Orem Metro to the District, on a wholesale basis, of up to 3,500 acre-feet of Orem Metro Water under Orem Metro water rights authorized for use within Vineyard, to be utilized by the District as an additional source of the District's CWP water supply for delivery to Vineyard, pursuant to the terms of the Current CWP Vineyard Water Supply Agreements and such additional CWP Water Supply Agreements as the District and Vineyard may determine, for Vineyard's future use in providing municipal water service within its service area; and (iii) to reduce the possibility of future conflicts and disputes among the Parties pertaining to the supply of municipal water to Vineyard.

NOW, THEREFORE, in consideration of the covenants and promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree and covenant as follows:

1. **EXISTING VINEYARD CWP CONTRACT WATER SUPPLY; POINTS OF CONNECTION**. Pursuant to the Current CWP Vineyard Water Supply Agreements, the District is obligated to perpetually supply to Vineyard, on a wholesale basis, culinary water up to the current contracted amount of 1,036 acre-feet/year (the "*Current Vineyard CWP Water Supply*"). The connection points at which water under the Current Vineyard Water Supply Agreements is delivered to Vineyard are shown on Exhibit "A" hereto.

2. **OREM METRO WATER SUPPLY; AGREEMENT TO PERPETUALLY PROVIDE A WATER SUPPLY TO THE DISTRICT**.

2.1. Perpetual Orem Metro Water Supply to the District. Orem Metro hereby agrees to supply and deliver to the District, and the District agrees to purchase, on a perpetual, wholesale contract basis, up to 3,500 acre-feet of Orem Metro Water per fiscal year, to be delivered from such water sources as Orem Metro shall determine. It is agreed that this water supply (the "*Orem Metro CWP Water Supply*") shall be integrated by the District as an additional component of its CWP water supply and utilized in delivering water to Vineyard pursuant to the terms of the Current CWP Vineyard Water Supply Agreements and other future CWP Water Supply Agreements to be entered into by and between the District and Vineyard. The Orem Metro CWP Water Supply shall thereupon be delivered

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by the District to Vineyard to be utilized by it in providing municipal water service within its service area. The Orem Metro CWP Water Supply shall be subscribed for and delivered to the District in conformance with the following:

2.1.1. Subscription Requirements.

2.1.1.1. The Orem Metro CWP Water Supply shall be contracted for by the District in "blocks" of water (each, a "*Block*"), as hereinafter set forth in this Water Supply Agreement. A Block of water is that amount of Orem Metro Water that Orem Metro makes available to the District and for which the District shall be obligated to pay in a given fiscal year. For purposes of this Agreement, the term "Fiscal Year" shall mean that period of time running from July 1 of one calendar year through June 30 of the following calendar year.

2.1.1.2. The initial Block of the Orem Metro CWP Water Supply shall be contracted for in an amount equal to the volume of water in acre-feet per fiscal year Orem City is obligated to provide Vineyard, at the time of the Start Date, as defined below, pursuant to its previous service agreements (the "*Initial Block*"). Orem Metro will begin delivery and the District will begin to take delivery of this Initial Block within ten (10) days of the Start Date.

2.1.1.3. The District may subscribe for subsequent Blocks of Orem Metro Water (after the Initial Block) in increments of 100 acre-foot each (each, an "*Additional Block*"), as necessary to supply the wholesale water requirements of Vineyard in conformance with the terms of future CWP water supply agreements entered into by and between the District and Vineyard. The District shall notify Orem Metro of each Additional Block required before March 1 prior to the fiscal year on which delivery of said water is required under such Additional Block. Orem Metro and the District agree that the maximum amount of Orem Metro Water that the District may subscribe for is a total of 3,500 acre-feet annually, unless otherwise agreed pursuant to the terms of a new agreement among the Parties.

2.1.2. Delivery of Orem Metro Water to the District.

2.1.2.1. Orem Metro agrees to deliver water under the Initial Block and each Additional Block of the District's Orem Metro CWP Water Supply subscribed for by District within a reasonably anticipated monthly demand pattern by percentage of annual use of Vineyard to the point of delivery at the District's Olmsted Diversion as shown on Exhibit "A". It is anticipated that approximately 75% of the total annual volume shall be delivered during Utah's irrigation season. Upon delivery, the District shall be obligated, at its sole cost and expense, to convey and treat the Orem Metro Water and deliver the same to Vineyard at the points of connection noted above and/or through District facilities to such other points of delivery as shall as agreed to pursuant to the terms of the Current CWP Vineyard Water Supply Agreement and any future CWP Vineyard Water Supply Agreements between the District and Vineyard. The Parties acknowledge and agree that there shall be no active physical connection between the Vineyard water system and the

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Orem City water system after the Start Date has commenced, and at the time the Start Date has commenced, Orem City shall have no obligation to continue to provide municipal water to Vineyard, with the understanding that water shall be delivered to Vineyard by the District as provided herein.

2.1.2.2. Orem Metro shall pay and be solely responsible for all costs incurred by it in connection with and related to the supply and delivery of the Orem Metro Water to the District at the Olmsted Diversion. The District shall pay and be solely responsible for all costs incurred by the District related to the Orem Metro Water Supply after the water has passed through the delivery point at Olmsted Diversion meter.

2.1.2.3. Notwithstanding the provisions of Section 2.1(b)(1) herein to the contrary, the Parties agree that the existing interconnections between the Vineyard Water System and the Orem Water System may remain connected for emergency use but will only be activated upon request of Orem City or Vineyard. The terms of any emergency-use interconnections between the Vineyard Water System and the Orem Water System will be governed by a separate agreement.

2.1.3. Storage and Connections. The District owns and maintains substantial water storage facilities which it operates in connection with its CWP System. The District currently has and maintains two (2) CWP connections with the Vineyard water system, as shown in Exhibit "A". As outlined in the 4MG Temporary Storage MOA, the District has agreed to provide 4,000,000 gallons of temporary storage and 2,000,000 gallons of permanent storage for use in connection with the Geneva Lands, and within portions of Vineyard. It is acknowledged and agreed that after the Start Date, neither Orem City nor Orem Metro have any responsibility to provide any storage for Vineyard, and they currently have no responsibility and will not have any responsibility to maintain or operate any CWP System connections.

2.1.4. Emergency Limitations; Curtailment in Use. The District acknowledges that Orem Metro's ability to provide Orem Metro Water to the District may be limited by drought, natural disaster, man-made disaster, increased customer service demands within Orem City's service area, decisions by courts and/or the State Engineer, delivery system and/or storage system failures, and other reasons beyond Orem Metro's control. The District further acknowledges that Orem Metro's primary responsibility is to provide water to Orem City for delivery to its customers within its service area. In the event Orem Metro is required, for any reason, to reduce the amount of water that it provides to Orem City for use by its customers within its service area, the District agrees that it will receive the same percentage reduction in the amount of water that it receives from Orem Metro, regardless of the amount of water subscribed for by District. For example, if Orem Metro cuts its water deliveries to Orem City by 25%, then District shall receive the same 25% reduction in the Orem Metro CWP Water Supply.

3. **TITLE TO WATER RIGHTS; CONTROL OF WATER**. Title to all water rights under which Orem Metro Water is delivered to the District shall be and remain vested in Orem Metro. Orem

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Metro shall own and retain full control of and responsibility and liability for all Orem Metro Water until it is delivered to the District at the District's Olmsted Diversion. Once the Orem Metro Water is delivered at the Olmsted Diversion inlet meter, the District shall thereupon own and assume full control of and responsibility and liability for the Orem Metro Water as it then becomes an integral component of the District's Orem Metro CWP Water Supply for delivery to Vineyard pursuant to the terms and conditions of the Current CWP Vineyard Water Supply Agreements and any future CWP Vineyard Agreements. The District agrees to return at least 50% of any Orem Metro CWP Water Supply delivered to the District's Olmsted Diversion to the Utah Lake System, or supply return water to the Utah Lake System from other sources equal to 50% of the Orem Metro CWP Water Supply delivered to the Olmsted Diversion within any given fiscal year, unless modified in writing by the Parties by amending this Agreement.

4. **FEES, CHARGES AND COSTS REQUIRED TO BE PAID; PAYMENT**.

4.1. Reasonable Basis for Fees, Charges and Costs. The Parties acknowledge that the fees, charges and costs required to be paid by the District as set forth in this Water Supply Agreement have been derived through negotiation among the Parties and are based on contract charges assessed to Orem Metro for Central Utah Project ("Project" or "CUP") water, and that there is a fair and reasonable basis for the fees, charges and costs required to be paid as required in this Section. The Parties acknowledge and agree that changes and adjustments, both positive and negative, to CUP water supply or other Orem water supply costs are grounds for a modification of the fees, charges, and costs of this Water Supply Agreement.

4.2. Fees, Charges and Costs Enumerated; Payment. The fees, charges, and costs from third parties related to the delivery, treatment, storage, and distribution of the Orem Metro CWP Water Supply downstream of the Olmsted Diversion including power loss, carriage for non-Project water, CUP repayment, treatment, reserves, and other similar charges shall be billed directly to and paid by the District. Orem City shall pay Orem Metro from the funds paid by the District for all invoices received by Orem City from Orem Metro for the Orem Metro CWP Water Supply. The payment requirements for the Orem Metro CWP Water Supply are as follows:

4.2.1. Water Supply Fee.

4.2.1.1. Requirement for Payment. The District shall be required to pay to Orem City a Water Supply Fee ("*Water Supply Fee*"), for the Initial Block and all Additional Blocks of Orem Metro Water subscribed for by the District pursuant this Agreement. The District shall be obligated to pay the Water Supply Fee on the Initial Block of Orem Metro Water already subscribed for hereby, and for any and all future Blocks of Orem Metro Water when subscribed for by the District, for the entire term of this Agreement, on a take-or-pay basis, whether or not District actually takes delivery of all or any portion of the Orem Metro Water under each such Block.

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4.2.1.2. Calculation of the Water Supply Fee. The Water Supply Fee by year for the next 4 years is shown in Table 1 below. The total annual due shall be calculated by multiplying the appropriate annual fee shown in Table 1 by the number of acre-feet of Orem Metro Water subscribed for by the District for that year. The Water Supply Fee shall be generally adjusted in 5-year increments starting in 2026 and every 5 years thereafter, as agreed upon by the Parties at least one (1) year prior to expiration of each 5-year increment. The total amount of the annual Water Supply Fee due shall be calculated based on the number of acre-feet of Orem Metro Water that the District has subscribed for as of the beginning of that fiscal year.

Table 1

Fiscal Year	Cost Per Acre Foot
2021	$220.00
2022	$225.00
2023	$230.00
2024	$235.00
2025	$240.00

4.2.1.3. Payment. The Water Supply Fee shall be due and payable by the District to Orem City on an annual basis, in full, in advance, on or before August 15 of the applicable fiscal year for which payment is due. The District shall make the first Water Supply Fee payment for the Initial Block of Orem Metro Water within 30 days of Vineyard completing and placing into service the Vineyard Tank and all related distribution facilities (the "*Start Date*"). This first payment will cover the period from the Start Date to the end of the fiscal year and will be for the estimated volume of water that will be delivered to the District from the Start Date to the end of the fiscal year.

4.2.2. Administrative Fee.

4.2.2.1. Requirement for Payment. In addition to the Water Supply Fee the District shall be obligated to pay an Administrative Fee to compensate Orem City and or Orem Metro for administrative, financial, legal, and supervisory costs reasonably incurred in connection with this Agreement (the "*Administrative Fee*").

4.2.2.2. Calculation of the Administrative Fee. The Administrative Fee shall be calculated in an amount equal to seventeen percent (17%) of the Water Supply Fee for each Block of Orem Metro Water subscribed for by the District on the Initial Block of Orem Metro Water already subscribed for hereby, and for any and all future Blocks of Orem Metro Water when subscribed for by the District, for the entire term of this Agreement, on a take-or-pay basis, whether or not the District actually takes delivery of all or any portion of the water under such Block. The

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Administrative Fee may be adjusted annually and shall be equal to the amount Orem City charges its internal City divisions.

4.2.2.3. Payment. The Administrative Fee shall be due and payable by the District to Orem City on an annual basis, in full, in advance, on or before August 15th of the applicable fiscal year for which payment is due. The District shall make the first Administrative Fee payment for the Initial Block of Orem Metro Water within 30 days of the Start Date. This first payment will cover the period from the Start Date to the end of the fiscal year and will be for the estimated volume of water that will be delivered to the District from the Start Date to the end of the fiscal year.

4.2.3. Other Costs. As noted in 4.1 above, the Parties have used as the basis for costs of the Orem Metro CWP Water Supply the cost Orem Metro would pay for CUP water. Increases in assessment charges from irrigation companies or other similar organizations shall not be grounds for an increase in the Water Supply Fee, The Parties have attempted to include all costs that District will be required to pay Orem City to receive water pursuant to this Water Supply Agreement. In the event that new fees not currently being assessed are added in the future to the cost of CUP water, Orem City, Orem Metro, and the District agree that this Water Supply Agreement requires the District to (i) reimburse Orem City and/or Orem Metro for all of Orem City and/or Orem Metro's increased costs due to the additional CUP cost assessment related to the acquisition and delivery of Orem Metro Water to the District, plus (ii) pay to Orem City the costs and fees assessed by Orem City or Orem Metro as required in this Water Supply Agreement.

4.3. Summary of Fees, Charges and Costs. The following table summarizes, by way of example, the regularly recurring annual Water Supply Fee and Administrative Fee required to be charged for the Orem Metro Water Supply to be paid hereunder. Assume a) the FY23 rate is $230 per acre foot, b) the projected use for FY23 is 1,500 acre feet, and c) the administration fee is 17%.

Water Supply Fee	$345,000 ($230 per acre-foot x 1500 acre-feet)
Administrative Fee	$ 58,650 ($345,000 x 17%)
Total Annual Amount Due	$403,650

4.4. Amounts Owed/Late Payments; Interest. All amounts required to be paid by the District to Orem City hereunder shall be paid regardless of whether the District has been able to collect CWP fees from Vineyard and regardless of whether District has used the entire quantity of water under the subscribed Block. Interest shall accrue on all past due payments at the rate of twelve percent (12%) per annum.

4.5. Failure of Payment an Event of Default. Failure on the part of the District to timely pay the Water Supply Fee and Administrative Fee and other costs required to be paid hereunder, shall be an event of default hereunder.

4.6. Payment of Orem City Water Supply Subscription Fee.

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4.6.1. Orem City acknowledges that the District will not be charged a subscription fee for the Initial Block subscribed for by the District. However, the District acknowledges that the Orem Metro Water Supply, previously reserved for use in Vineyard under former agreements, has been acquired by Orem City and Orem Metro with money collected as an impact fee from those connected to the Orem City water system. The District acknowledges that Orem City residents have paid for the Orem Metro Water Supply, some of which will be provided to the District and become a part of the Orem Metro CWP Water Supply. Accordingly, the District shall pay to Orem City an amount agreed to by the Parties as reimbursement to the Orem City water users. This one-time fee (the "*Orem Water Supply Subscription Fee*"), shall be paid for by District on every acre-foot of Orem Metro Water subscribed to by District over and above the Initial Block. The Orem Water Supply Subscription Fee is not an annual fee nor an actual impact fee but is to be used for the purpose of reimbursing Orem City water users for any Orem Metro Water supplied to the District for all Additional Blocks over and above the Initial Block. The Orem Water Supply Subscription Fee shall be calculated by dividing the current Orem City Water Supply Subscription Fee ($/ERU) as approved by the Orem City Council by the Orem City conversion factor ("*Conversion Factor*") of 0.818 acre-feet/ERU and multiplying the result by the volume of the Additional Block of Orem Metro Water requested by the District. Any adjustments made after the Effective Date by Orem City and approved by the Orem City Council to the Conversion Factor or the Orem City Water Supply Subscription Fee shall be incorporated into this Agreement.

4.6.2. The Orem Water Supply Subscription Fee shall be paid, one time, by District at the same time District pays the Water Supply and Administrative Fees for each Additional Block of Orem Metro Water.

5. **TERM; TERMINATION**.

5.1. Term. The term of this Water Supply Agreement ("*Term*"), shall commence on the Effective Date and run perpetually thereafter, subject to termination as provided below.

5.2. Termination for Cause. Either Party may terminate this Water Supply Agreement in the event of a default hereunder on the part of any other Party. In addition to the foregoing, Orem City and Orem Metro may terminate this Agreement and discontinue providing Orem Metro Water to the District, without penalty to Orem City or Orem Metro, in the event: (i) a court of competent jurisdiction determines that Orem City cannot charge or collect any of one of the Water Supply Fee, Administrative Fee and/or the costs required to be paid by the District for the Orem Metro Water Supply contracted for herein; or (ii) a court of competent jurisdiction, the State Engineer, or state legislation prohibits Orem Metro from providing all or any portion of the Orem Metro Water Supply contracted for by the District under this Agreement.

6. **DEFAULT**. The failure of the any Party to observe and perform any of the terms and provisions of this Agreement, where the failure to perform shall continue for a period of ten (10) days after written notice of the default, shall constitute a material default in breach of

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this Agreement; however, in event the default is such that it cannot be cured within said ten day period, there shall be no event of default if the defaulting Party shall commence to cure the default with the ten day period and proceeds thereafter to cure the default with all possible diligence, and the default is cured within a reasonable period. In the event the default is not cured as provided herein, this Agreement shall terminate upon the delivery of written notice thereof the non-defaulting Party to the defaulting Party.

7. **GENERAL PROVISIONS**.

7.1. Incorporation of Recitals and Exhibits. The Recitals first set forth above and all Exhibits attached hereto are hereby incorporated into and made a part of this Agreement as though fully set forth herein.

7.2. Lawful Agreement. The Parties represent that to the best of their knowledge and belief they have lawfully entered into this Water Supply Agreement, having complied with all relevant statutes, ordinances, resolutions, by-laws, and other legal applicable requirements.

7.3. Utah Law. This Water Supply Agreement shall be interpreted pursuant to Utah law.

7.4. Attorney's Fees. If any Party retains, uses, or consults with an attorney because of the default, breach, or failure to perform of any other Party to this Water Supply Agreement, then the non-breaching or non-defaulting Party shall be entitled to a reasonable attorney's fee, whether or not the matter is actually litigated.

7.5. Interpretation of this Water Supply Agreement. Whenever the context of any provision shall require it, the singular number shall be held to include the plural number, and vice versa, and the use of any gender shall include any other and all genders. The paragraph and section headings in this Water Supply Agreement are for convenience only and do not constitute a part of the provisions hereof.

7.6. No Presumption. All Parties have participated in the negotiation and preparation of this Water Supply Agreement; therefore, the Parties stipulate that any Court interpreting or construing any term of this Water Supply Agreement shall not apply the rule of construction that the Water Supply Agreement should be more strictly construed against the drafting Party.

7.7. Amendments. This Water Supply Agreement may be modified or amended by written agreement only. No oral modifications or amendments shall be effective.

7.8. No Assignment. This Water Supply Agreement shall not be pledged or assigned without the prior written consent of all other Parties.

7.9. Binding Agreement. This Water Supply Agreement shall be binding on all successors-in-interest and assigns of each of the Parties.

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7.10. Integrated Contract. The Parties acknowledge and agree that this Water Supply Agreement, including the attached exhibits, constitutes a complete integrated contract by and among the Parties and is intended to be the final expression of their agreement with respect to the subject matter hereof.

7.11. Indemnification. The District agrees to indemnify and hold Orem Metro and Orem City, their officers, officials, employees, elected representatives, agents and volunteers, harmless from and against any claim, suit, fine or damage resulting from or related to: (i) any event occurring within the CWP water system located in Orem City (such as a broken water line) not caused by a negligent act of Orem Metro or Orem City; (ii) the quality or quantity of water provided to District (this provision does not limit District's right to enforce this Water Supply Agreement); and (iii) the termination of this Water Supply Agreement for any of the reasons set forth herein.

7.12. Easements. Orem City agrees to provide reasonable accommodation to the District in obtaining any easements within the property Orem City owns, that are required by the District for the construction, maintenance, and replacement of CWP facilities necessary to supply CWP water to the Vineyard Tank and related facilities and/or other points of connection as described herein.

7.13. Notices and Reports. All notices and reports related to this Water Supply Agreement shall be delivered to the following Party representatives. Any Party may unilaterally change its designated representative(s) upon written notice to the other Parties.

Metropolitan Water District of Orem
Chairman
1450 West 550 North
Orem, Utah 84057

City of Orem
City Manager
56 North State Street
Orem, UT 84057
(801) 229-7035

Public Works Director
1450 West 550 North
Orem, UT 84057
(801) 229-7506

Central Utah Water Conservancy District
Chief Engineer
1426 East 750 North
Suite 400
Orem, UT 84097
(801) 226-7100

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7.14. Further Action. The Parties hereby agree to execute and deliver such additional documents and to take further action as may become necessary or desirable to fully carry out the provisions and intent of this Agreement.

7.15. Warranty of Authority. The individuals executing this Agreement on behalf of the Parties hereby warrant that they have the requisite authority to execute this Agreement on behalf of the respective Parties and that the respective Parties have agreed to be and are bound hereby.

7.16. Electronic Signature. Each party agrees that this transaction may be conducted by electronic means. Each party agrees that the electronic signatures, whether digital or encrypted, of the parties included in this agreement are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means any electronic sound, symbol, or process attached to or logically associated with a record and executed and adopted by a party with the intent to sign such as a record, including facsimile or email electronic signatures.

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IN WITNESS WHEREOF, the Parties have executed this Water Supply Agreement as of the Effective Date first set forth above.

METROPOLITAN WATER DISTRICT OF OREM

By: _____
Steve Brown, Chairman

ATTEST:

By: _____
Ruthann Ivie, Secretary

CITY OF OREM

By: _____
Richard Brunst, Jr., Mayor

ATTEST:

By: _____
JoD'Ann Bates, City Recorder

Approved as to proper form and compliance with applicable law:

By: _____
Heather Schriever, City Attorney

CENTRAL UTAH WATER CONSERVANCY DISTRICT

By: _____
FULL NAME, President, Board of Trustees

ATTEST:

By: _____
FULL NAME, Secretary

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	CITY OF OREM **CITY COUNCIL MEETING** **SEPTEMBER 14, 2021**
REQUEST:	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
APPLICANT:	Kena Mathews
NOTICES:	
SITE INFORMATION:	Citywide
PREPARED BY:	Kena Mathews, Community Services Manager

REQUEST:

BACKGROUND:

response to the Coronavirus Pandemic (COVID-19), the U.S. Department of Housing and Urban evelopment Community Development Block Grant provided the City of Orem with a second CDBG allocatic $287,940 to be used to prevent, prepare for, and respond to COVID-19. The CDBG Advisory Commission commends that the Orem City Council allocates funding from the previously allocated $39,681.68 in CDBG V public services funding to Community Action Services and Food Bank to help purchase and install a new alk-in cooler to help respond to the increased need during the pandemic. The City of Orem also plans to re-ocate $20,000 in CDBG-CV funding previously allocated to the Orem Senior Friendship for a capital umbing repair project for public services.

RECOMMENDATION:

ne Community Services Manager recommends that the City Council hold a public hearing to receive public mment on the projected uses of the funds for the CARES ACT CDBG-CV funding, adopt the commendations of the CDBG Advisory Commission, and approve a substantial amendment to the 2019-020 Annual Action Plan.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING PROJECTS 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 a second round of CDBG-CV funding in the amount of $287,940; and

WHEREAS, the Orem City Council approved a Substantial Amendment to the City of Orem's Annual Action Plan and budget for FY 2019-2020 on January 12, 2021, Resolution No. 2021-0002; and

WHEREAS, the approved amendment allocated $258,049.16 of CDBG-CV Funds to public service projects; and

WHEREAS, the City of Orem seeks to dedicate $20,000 in CDBG-CV public services funding to Community Action Services and Food Bank to help purchase and install a new walk-in cooler to help respond to the increased need during the pandemic; and

WHEREAS, the City of Orem also seeks to re-allocate $20,000 in CDBG-CV funding previously allocated to the Orem Senior Friendship for a capital plumbing repair project to public services; and

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, APPROVED, AND ORDERED PUBLISHED this **14th** day of **September** 2021.

_____

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	☐	☐	☐

	CITY OF OREM **CITY COUNCIL MEETING** **SEPTEMBER 14, 2021**
REQUEST:	PUBLIC HEARING / ORDINANCE - Amending Appendix A of the Orem City Code by enacting Standard Land Use Code 6264 *Small Pediatric Neuro Physical Therapy* and making such use permitted in the R7.5 zone and enacting Section 22-6-9(L) *Small Pediatric Neuro Physical Therapy* to establish requirements for a shall pediatric neuron physical therapy facility in the R7.5 zone.
APPLICANT:	
NOTICES:	
SITE INFORMATION:	
PREPARED BY:	

REQUEST:

Amending Appendix "A" of the Orem City Code by enacting Standard Land Use Code 6264 *Small Pediatric Neuro Physical Therapy* and making such use permitted in the R7.5 zone and enacting Section 22-6-9(L) *Small Pediatric Neuro Physical Therapy* to establish requirements for a small pediatric neuro physical therapy facility in the R7.5 zone.

BACKGROUND:

RECOMMENDATION:

The Planning Commission recommends the City Council, by ordinance, approve the request to amend Appendix "A" of the Orem City Code by enacting Standard Land Use Code 6264 *Small Pediatric Neuro Physical Therapy* and make such use permitted in the R7.5 zone and enact Section 22-6-9(L) *Small Pediatric Neuro Physical Therapy* and to establish requirements for a small pediatric neuro physical therapy facility in the R7.5 zone.

CITY OF OREM **CITY COUNCIL MEETING** SEPTEMBER 14, 2021	
REQUEST:	**PUBLIC HEARING** – Amending Appendix "A" of the Orem City Code by enacting Standard Land Use Code 6264 *Small Pediatric Neuro Physical Therapy* and making such use permitted in the R7.5 zone and enacting Section 22-6-9(L) *Small Pediatric Neuro Physical Therapy* to establish requirements for a small pediatric neuro physical therapy facility in the R7.5 zone.
APPLICANT:	Tracy Christensen, Now I Can Foundation
FISCAL IMPACT:	None

NOTICES:
- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Posted at utah.gov/pmn

SITE INFORMATION:
- General Plan: n/a
- Current Zone: R7.5
- Acreage: n/a
- Neighborhood: City-wide Impact

PLANNING COMMISSION RECOMMENDATION
Vote: 5-0 for approval

PREPARED BY:
Rachel Garey
Associate Planner

REQUEST:
Amending Appendix "A" of the Orem City Code by enacting Standard Land Use Code 6264 *Small Pediatric Neuro Physical Therapy* and making such use permitted in the R7.5 zone and enacting Section 22-6-9(L) *Small Pediatric Neuro Physical Therapy* to establish requirements for a small pediatric neuro physical therapy facility in the R7.5 zone.

BACKGROUND:
The applicant, Now I Can Foundation, is a nonprofit organization that provides intensive physical therapy to children suffering from neurological and neuromuscular disorders such as cerebral palsy, traumatic brain injury, spina bifida and stroke. Now I Can Foundation provides a three-week program of physical therapy to such children for three to four hours per day. Therapy is typically provided to no more than four to five children at a time with typically four children in the morning and four in the afternoon. Most of the children who would come to the facility are local and would visit the facility on an outpatient basis. However, approximately 25% of the children would come from out of town. The applicant would like to allow the children coming from out of town to reside in the facility along with a parent or guardian for the three-week period of their therapy.

Now I Can Foundation has been operating a facility in Provo, but now seeks to relocate to a more suitable location. The applicant has identified the property at 1940 S. 375 E. and 1950 S. 375 E. as a property that would meet its needs. This property is located in the R7.5 zone. The two buildings on these properties were constructed by the original owner for use as a group home with no more than eight residents. The original owner actually used the buildings as hospice homes for a time until that use apparently failed. The buildings have apparently been vacant for the last couple years.

The applicant's proposed use of the property is not permitted under current ordinances. Providing physical therapy is considered a medical use and would currently fit most closely under Standard Land Use Code 6513 (Medical Clinics-Outpatient). That use is currently only permitted in the City's commercial zones. The applicant is therefore requesting that the City create a new standard land use code for the applicant's specific use which the applicant

proposes to designate as Standard Land Use Code 6264 *Small Pediatric Neuro Physical Therapy*. The applicant also proposes to enact a new Section 22-6-9(L) which would outline the requirements pertaining to this new use.

If the applicant's proposed ordinance amendments are adopted by the City Council, it would allow the applicant to begin operating its therapy program at the 1940 S. 375 E. and 1950 S. 375 E. properties.

Although the applicant's proposed use is a noble and commendable program, there are some potential negatives to allowing this proposed use in a residential zone. First, allowing a physical therapy use in a residential zone would introduce nonresidential uses (in this case medical uses) into a residential zone. Second, allowing this use in the R7.5 zone would allow it anywhere in the zone and not just at the proposed location. This type of use might be suitable at the two properties on 375 E., but it might not fit so well in other areas of the zone. Third, allowing this use in the R7.5 zone could open the door to others who may want to do similar uses (such as other kinds of therapy) in the R7.5 or other residential zones such as the R8 zone. Fourth, although the applicant has proposed a limit of ten children who may receive therapy at the facility in a day, the two buildings the applicant wants to use are very large and probably could accommodate a higher number of patients. Although the applicant has indicated that they will never want or need to exceed this limit, circumstances may change and the applicant (or its successor) may want to increase the intensity of its use at some time in the future.

The proposed amendments are as follows:

22-6-9(L) Small Pediatric Neuro Physical Therapy. A Small Neuro Pediatric Physical Therapy facility (SLU 6264) is defined as a facility that provides intensive neuro physical therapy to children (ages 17 and under only) suffering from neurological and neuromuscular disorders such as cerebral palsy, traumatic brain injury, spina bifida, and stroke. A Small Pediatric Neuro Physical Therapy facility is permitted in the R7.5 zone subject to the following requirements:

> 1. A Small Pediatric Neuro Physical Therapy facility shall only provide therapy to children (ages 17 and under) who suffer from neurological and neuromuscular disorders such as cerebral palsy, traumatic brain injury, spina bifida and stroke.
>
> 2. A Small Pediatric Neuro Physical Therapy facility may not provide therapy to more than five children at a time and may not provide therapy to more than ten children per day.
>
> 3. No more than two car trips per hour shall be generated in connection with the use before 5:30 a.m. or after 9:00 p.m.
>
> 4. At least eight parking stalls shall be located on site to meet the needs of patients and staff.

5. A Small Pediatric Neuro Physical Therapy facility located in an existing residential dwelling shall be capable of use as a Small Pediatric Neuro Physical Therapy facility without structural or landscaping alterations that would change the structure's residential character. Any new structure constructed for use as a Small Pediatric Neuro Physical Therapy facility shall be of a size, scale, and design that is in harmony with other residential uses within 500 feet of the facility.

6. A Small Pediatric Neuro Physical Therapy facility shall comply with all City building and fire codes. The City may require building and fire inspections for a Small Pediatric Neuro Physical Therapy facility.

7. There shall be no exterior evidence of the use on the property other than one wall sign no greater than six square feet (6ft²) in area and parking on site. No activities connected with the operation of the Small Pediatric Neuro Physical Therapy facility shall be conducted in the front yard or in a side yard adjacent to a street with the exception of parking in a permitted drive-way or parking area and use of the front entrance to enter and exit the building.

8. A Small Pediatric Neuro Physical Therapy facility shall comply with the site plan requirements set forth in Section 22-14-20. The site plan shall be configured so that no vehicle will back out on to a dedicated street.

9. A Small Pediatric Neuro Physical Therapy facility shall obtain a license from the State of Utah Department of Human Services or other applicable state agency, where required. A Small Pediatric Neuro Physical Therapy facility must also obtain a business license from the City of Orem in accordance with the provisions of Chapter 12.

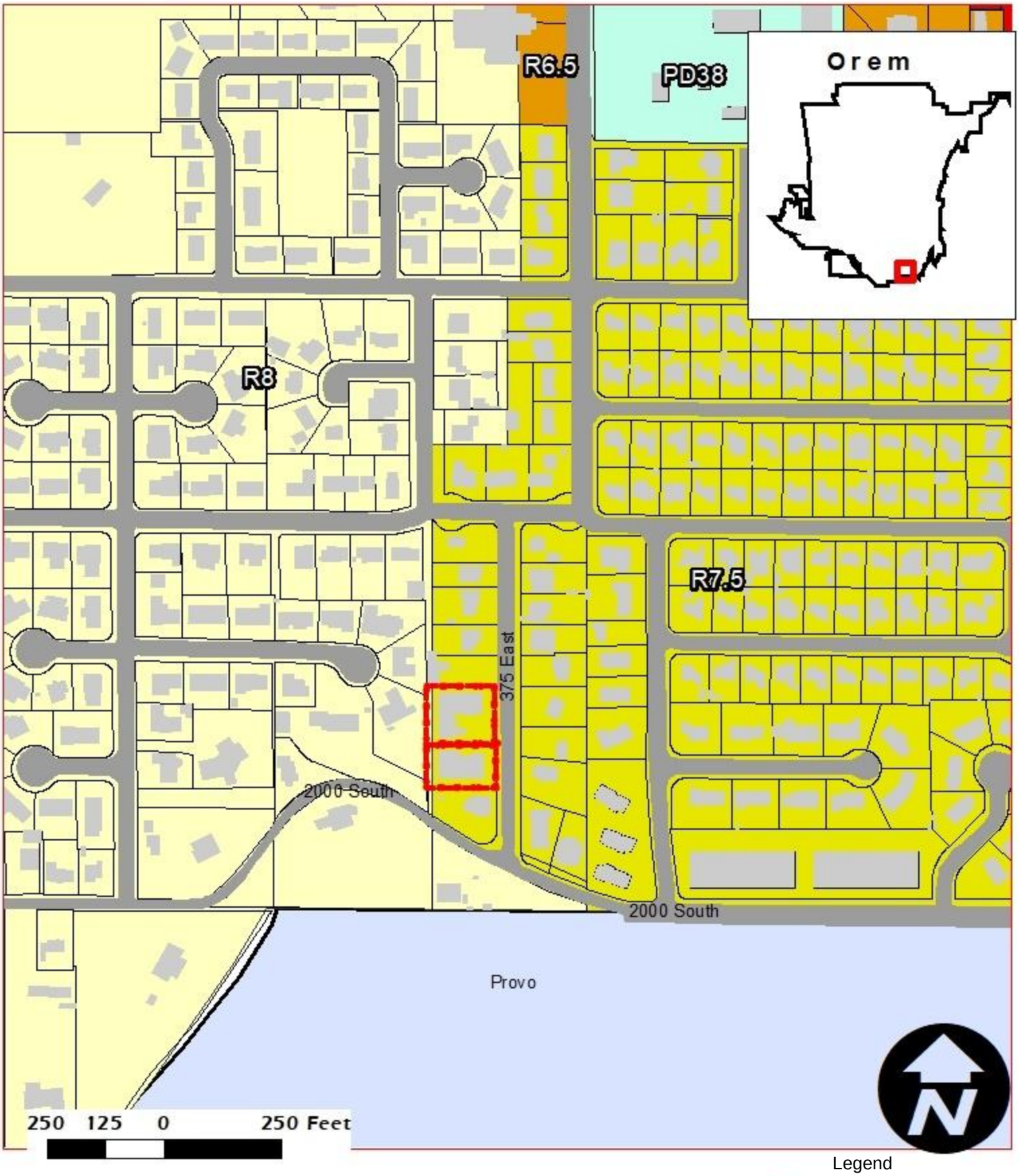
10. A child who is receiving therapy at a Small Pediatric Neuro Physical Therapy facility as well as a parent or guardian of such child may reside at the facility while the child is receiving therapy at the facility. A caretaker or manager may also reside at the facility. However, no more than eight individuals (exclusive of staff) may reside at the facility at any one time.

SLU		R5	R6	R6.5	R7.5	R8	R12	R20	OS5\ ROS	PO	C1	C2	C3	HS	M1	M2	CM	BP
6264	**Small Pediatric Neuro Physical Therapy**	N	N	N	See Section 22-6-9(L)	N	N	N	N	N	N	N	N	N	N	N	N	N

RECOMMENDATION:

The Planning Commission recommends the City Council, by ordinance, amend Appendix "A" of the Orem City Code by enacting Standard Land Use Code 6264 *Small Pediatric Neuro Physical Therapy* and make such use permitted in the R7.5 zone and enact Section 22-6-9(L) *Small Pediatric Neuro Physical Therapy* and to establish requirements for a small pediatric neuro physical therapy facility in the R7.5 zone.

Now I Can Foundation



Legend

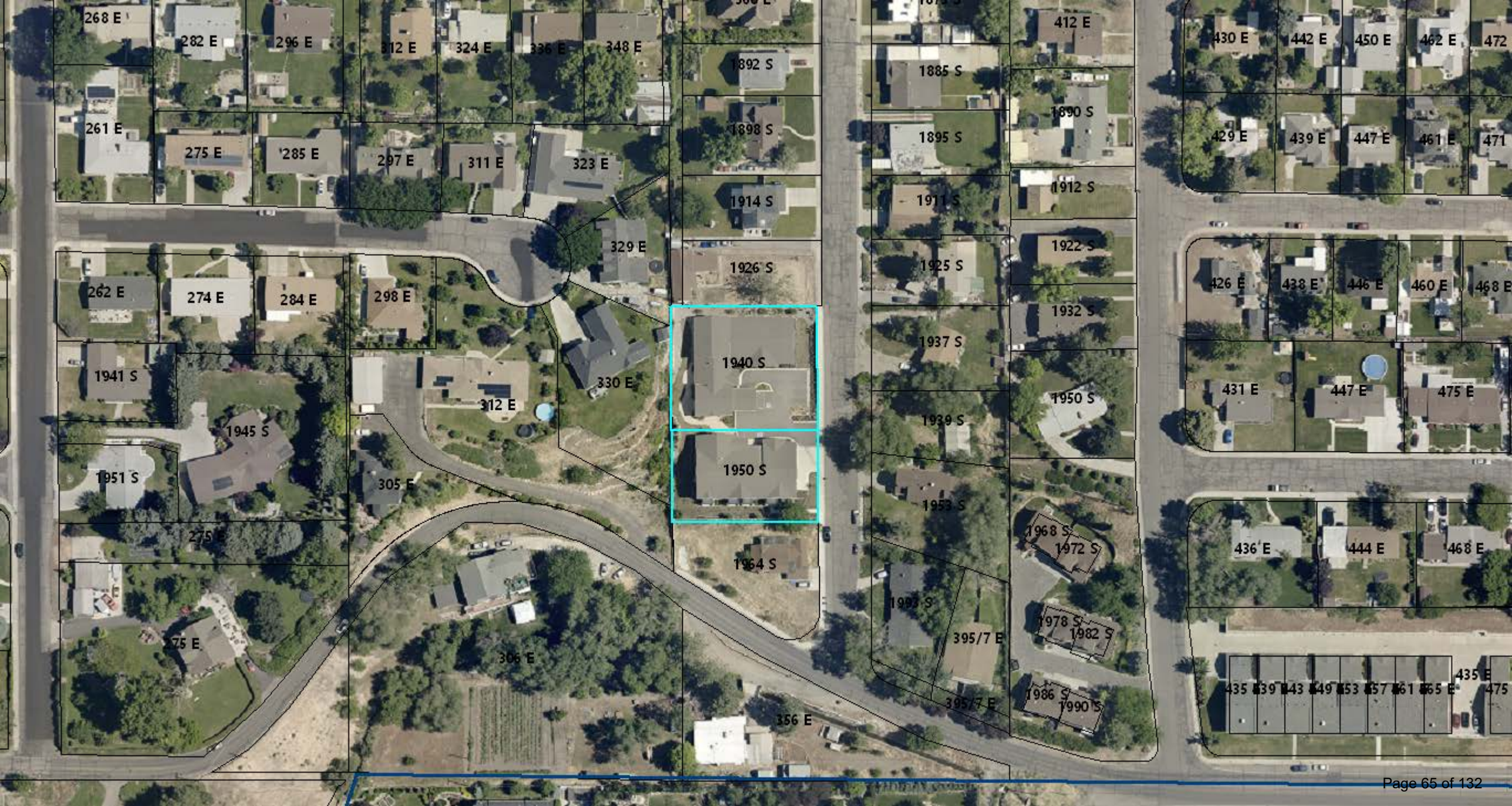
1940/1950 South 375 East

Buildings

Parcels

Zoning Text Amendment
R7.5
Citywide

NEIGHBORHOOD
Various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475 E
1945 S
1939 S
1951 S
305 E
1953 S
1968 S
1972 S
436 E
444 E
468 E
275 E
1964 S
1983 S
395/7 E
1978 S
1982 S
275 E
306 E
435 E
1986 S
1990 S
395/7 E
356 E

Gmail

Rachel Garey <rlgarey@orem.org>

Fwd: information about Now I Can Foundation for 9/1 meeting

2 messages

Jason Bench <jwbench@orem.org> Thu, Aug 26, 2021 at 2:48 PM
To: Rachel Garey <rlgarey@orem.org>

Rachel:

Please forward this email to the Planning Commission.

Thanks,

Jason

Jason Bench, AICP | Planning Division Manager
56 North State Street | Orem, Utah 84057
jwbench@orem.org | (801) 229-7238

---------- Forwarded message ---------
From: **Tracey Christensen** <tracey@nowican.org>
Date: Thu, Aug 26, 2021 at 1:32 PM
Subject: information about Now I Can Foundation for 9/1 meeting
To: Jason W. Bench <jwbench@orem.org>

Hello Jason and Planning Commission,

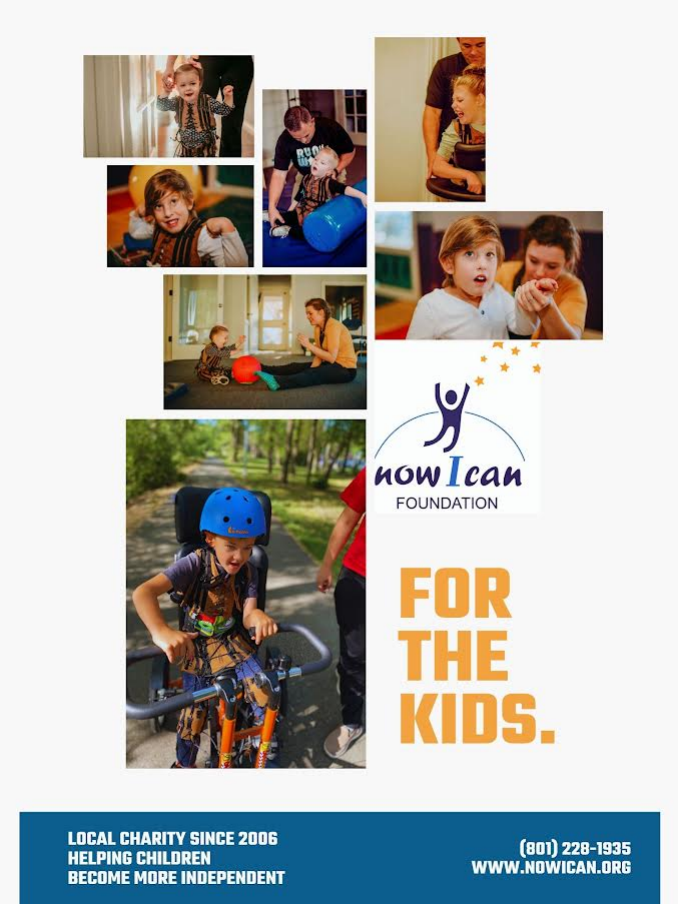
I look forward to speaking with you next Wednesday! Here is some information to help you get to know our charity better before the meeting. We are so hopeful we can serve families with disabilities from this new location!

I invite you to look at the Loopnet listing for this property.
https://www.loopnet.com/Listing/1940-1950-S-375-E-Orem-UT/20731108/

You will see that these two "homes" built in 2017-2018 don't exactly fit in this modest Cherry Hill neighborhood. Now they are left wondering who will come into their community next. We have met with neighbors and have overwhelming support from them. (see attached emails and neighborhood meeting minutes) Our charity is a perfect fit, because of the nature of our client base, and the nature of our operations which bring very low traffic volume. Our current clinic has "family rooms" adjacent to patient gyms, so parents and siblings can peek in on therapy and have comfortable places to wait. This new facility would allow us continue that "homey" feeling, while also providing the wide hallways and accessibility features we need.

We currently have a "Now I Can Cottage" in Provo--a home where patient families stay for 3 weeks while their child gets treatment. This Orem facility would allow us to more comfortably house these temporary guests on-site--and not just one family, but up to three.

I'm sure there is a way for the City to do the best thing for this neighborhood and this property and allow us to house our clinic and patient residences there. I look forward to meeting you and talking about it next week!



Important Info

*Now I Can has 4 full-time staff and 3 other part-time rotating staff.

*We see just 3-5 patients in the morning and 2-5 in the afternoon.

*Now I Can has been around for 15 years helping local families and families from all over the country.

*We are unique. There is no other nonprofit clinic like us in the country.

*There is only one other pediatric physical therapy clinic in Utah County. This has been the case for over 20 years. There's not a risk of our situation happening again elsewhere in Orem.

*We have dedicated private and corporate donors including NuSkin, doTERRA, and Xlear, Inc.

*We are a United Way agency partner.

*Our patient families who travel to Orem will bring dollars to local businesses.

*We have a unique 4-hour session, and a homelike facility for patients and families.

We provide a perfect solution to 1950 S 375 E and it will bless children with disabilities!

Tracey Christensen
nowican.org

Now I Can Foundation
1675 N Freedom Blvd #10B, Provo, UT 84604
p 801.376.4588 f 866.239.1420

3 attachments

- **General Info Brochure.pdf** 910K
- **emails of support from neighbors .pdf** 101K
- **Neighborhood meeting 2021-08-18.pdf** 2263K

Rachel Garey <rlgarey@orem.org> Thu, Aug 26, 2021 at 4:39 PM
To: gonzofordollars@gmail.com, haysam@me.com, manithree@gmail.com, marisa@utahproperties.com, ross_spencer@byu.edu, shaunakb90@gmail.com

Planning Commission,

Please see the email below from the Now I Can Foundation.

Have a great day!

Rachel Garey
City of Orem| Associate Planner
56 North State Street #103| Orem, Utah 84057
rlgarey@orem.org | o. (801) 229-7239 |

[Quoted text hidden]

3 attachments

- **General Info Brochure.pdf** 910K
- **emails of support from neighbors .pdf** 101K
- **Neighborhood meeting 2021-08-18.pdf** 2263K

About Now I Can

Now I Can Foundation

Now I Can is a nonprofit 501(c)(3) charitable organization dedicated to helping disabled children reach their greatest potential. Now I Can has combined the most effective methods of physical therapy with the most outstanding therapy team—making our therapy unique and sought after by families across the country.

Intensive physical therapy is a growing idea in the United States, but has been practiced in Europe for nearly two decades. This effective therapy involves performing exercises over an extended period of time—five days a week for four hours a day for three or four week sessions.

Now I Can welcomes children of any age who want to improve their strength and independence, relieve pain, or recover from injury. We offer free screenings with our team so families can learn more about how Now I Can will benefit their child in particular. We want to help each child reach new milestones that allow them to say, “Now I can” about their new skills!

A typical three week session is $2,000 per week. Sessions can be reserved with a $700 deposit which will be applied to the full session payment.

Now I Can Foundation
1675 N Freedom Blvd, #10b
Provo, UT 84604
801.228.1935
www.nowican.org

now I can

Helping children reach their full potential

About the Therapy

Proprioceptive Neuro-Muscular Facilitation

PNF is a hands-on therapeutic exercise method which has been proven to produce great results in individuals with neuromuscular and orthopedic conditions.

This method was developed by physical therapists Margaret Knott and Dorothy Voss and Dr. Herman Kabat during the 1940's and 1950's.

This method uses a variety of techniques directed to promote normal patterns of movement and functional activities through stimulation and facilitation of the proprioceptive centers within joints, muscles and tendons. This allows the body to have awareness of the external environment.

Through a detailed evaluation, the Now I Can team will design a therapeutic plan to incorporate the most appropriate PNF techniques to decrease and/or increase tone, gain range of motion, and improve coordination and control of neuromuscular function.

Neuro-Developmental Treatment

NDT is a hands-on therapy treatment approach which enhances the function of those who have difficulty controlling movement because of neurological challenges.

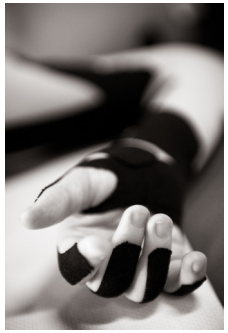
NDT was originally developed in 1943 for children with Cerebral Palsy by Karel and Berta Bobath. After seeing benefits to the neuromotor system, this method has been used to treat individuals with other neuromuscular impairments as well.

The NDT method inhibits primitive reflexes which arise in neuromuscular conditions, and at the same time facilitates normal patterns of movement which allow the person to gain or regain functional activities.

The Now I Can team works to develop and implement a comprehensive treatment program for each person based on the patient's needs and abilities.

Kinesiotape

The Kinesiotaping method® was developed in Japan by Dr. Kenzo Kase to enhance and relax muscles by taping over and around them.



The skilled therapy team at Now I Can uses Kinesiotape to support low tone or injured muscles or prevent overcontraction of high tone muscles. It is also used to encourage correct positioning of a body segment or to inhibit muscles which need to contract less. Kinesiotape is also used to increase the effectiveness of the lymphatic system.

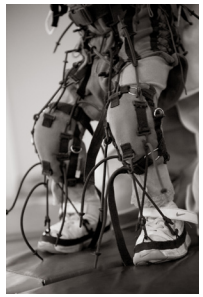
The effects of taping continue 24 hours a day for several days per application. This tape is expected to be left on for 3-5 days at a time and can be left on for bathing, swimming and other activities.

Note: Kinesiotape® is hypoallergenic, However, the skin should still be checked periodically for possible reactions to any tape.

NeuroSuit

The NeuroSuit is an orthotic device consisting of a hat, vest, shorts, elbow pads, gloves, knee pads and shoes which are designed to control body segments and facilitate body movements. The suit incorporates hooks and bungee cords to produce a variety of neurophysiological effects.

The Neurosuit provides proper body alignment, correction of deformities, facilitation of correct movement patterns, and increased muscular contraction through resistance provided by the tension of the bungee



cords. The benefits of this suit include increased muscle strengthening, increased proprioception, normalized postural reflexes, decreased stereotypical movement and increased reciprocal innervations to naturally improve muscle usage and postural control.

At Now I Can, our therapy team will choose the components of the suit which best fit the level and condition of the individual. The bungee cords will be customized each session to achieve the greatest results possible.

Due to the time required to apply the suit, it will be reserved for those who are participating in sessions of 2 hours or more.

Universal Exercise Unit

The UEU is a versatile metal structure that uses bungee cords, ropes, pulleys and weights in many combinations to help patients reach their goals. The concept was originally developed by Polish orthopedic surgeon Professor Dega. At Now I Can the UEU is called the "Spider Cage" and the "Monkey Cage".

The Spider Cage uses a belt and bungee cords to support the patient and help them find their center of gravity and equilibrium. The UEU allows the therapists hands to be free to assist the patient's movements without having to support the patient. With the assistance of the Spider Cage, the patient is able to do more on their own.

The Monkey cage is used for suspension, strengthening, and stretching. The cage harness allows the patient to move their limbs through a freer range of motion. The Monkey cage also uses weights and pulleys to help a muscle work with less gravity The pulleys help guide the muscle in the intended plane without help from other muscle groups. The Monkey cage can also be used for slow sustained stretching.

- REBECCA SWINDLE WELCOMED EVERY ONE – GREW UP IN THIS NEIGHBORHOOD, REBECCA IS ON THE BOARD OF DIRECTORS OF NOW I CAN

- TRACEY CHRISTENSEN –
  - TOLD ABOUT FOUNDING OF NOW I CAN
  - OUTGROWN BUILDING IN VILLAGE GREEN DEVELOPMENT
  - CITY STATED THE NOW I CAN DOESN'T MEET REQUIREMENTS FOR GROUP HOME
  - CURRENTLY PETITIONING CITY TO CHANGE REQUIREMENTS TO ALLOW NOW I CAN
  - NOW I CAN IS CURRENTLY IN CONTRACT
  - NOW I CAN HAS REQUESTED THAT THE CHANGE BE VERY NARROW SO THAT OTHER BUSINESSES WOULD NOT QUALIFY.

- QUESTION / CONCERN ABOUT OTHER BUSINESSES POSSIBLY FITTING IN REQUIREMENTS
- QUESTION: HOW WAS THE ORIGINAL BUILDING ALLOWED? NEIGHBORS WERE NOT IN FAVOR OF HOW THE BUILDINGS WERE BUILT. ORIGINAL OWNER DID NOT NOTIFY NEIGHBORS OF PLANS. NEIGHBORS NOT SURE HOW IT WAS ALLOWED BY THE CITY.
- QUESTION: WOULD / COULD IT BE TORN DOWN BY CITY?
- QUESTION: IS THERE SOMETHING THAT THE NEIGHBORS CAN DO TO HELP IN THIS PROCESS.

- SUPPORT EXPRESSED FOR NOW I CAN BUT CONCERNED IF NOW I CAN DOESN'T GET IT.
  - SECOND NEIGHBOR AGREED.
- QUESTION ABOUT HOME BELOW UNIT IN QUESTION - THAT HOME

IS NOT PART OF THE SAME PROPERTY

- UNIT ON THE RIGHT WOULD BE FOR THERAPY, UNIT ON LEFT WOULD BE RESIDENCE FOR THE FAMILIES THAT TRAVEL TO UTAH
- NOW I CAN WOULD HAVE A CARETAKER ON SITE
- QUESTION/SUGGESTION TO PUT SIGNS AT THE TOP AND BOTTOM OF HILL - DISABLED CHILDREN IN AREA
- NEIGHBOR EMAILED JASON BENCH IN OREM CITY, HAS CONTACTED THREE CITY COUNCIL MEMBERS INDICATING NEIGHBORHOOD SUPPORT.
- WOULD BE A POSITIVE FOR OREM CITY TO HAVE NOW I CAN FOUNDATION IN CITY BOUNDARIES (NEIGHBOR COMMENT)
- HOME BELOW UNIT IN QUESTION IS STILL LISTED UNDER MATT BAKER IN COUNTY RECORDS, NEIGHBORS THOUGHT IT HAD

BEEN SOLD

- NOW I CAN SUBMITTED PAPERWORK TO CITY BY MONDAY AT NOON, CITY WILL REVIEW APPLICATION TUESDAY TO TUESDAY

- ALL NEIGHBORS IN ATTENDANCE STATED THAT THEY FEEL THAT NOW I CAN WOULD BE THE BEST OPTION.
- ALL NAMES OF NEIGHBORS WERE RECORDED ON SIGN-UP SHEET.

On Wed, Aug 11, 2021 at 8:54 AM Ren Wightman <renwightman@gmail.com> wrote:
Neighborhood Friends,

Good morning. I want to make you aware of a foundation/business that's trying to acquire the property at 375 East 1950 South. Many of you know this property as the Matt Baker property that was made a hospice center about seven years ago. Unfortunately it was something the city approved even though we shared our disapproval. As predicted, it went out of business quickly and has sat vacant for over three years.

I was approached by Tracey Christensen and Rebecca Swindle (Nancy Braithwaite's daughter) last week, to discuss the possibility of the Now I Can Foundation occupying this space. After speaking with them, I am convinced that we won't find a better owner to take over that building and become our neighbor. I know as a community we have feared what that building could potentially become. I believe having the Now I Can foundation there is not only a perfect fit but will only enhance our area.

Tracey and her team are still trying to get approval from the city to ensure their business will work before purchasing this property. However, she wants to meet with our neighborhood and answer all your questions to ensure you feel as comfortable as I do with them moving forward. I believe some flyers were passed out to the neighborhood yesterday. Below are the details for the meeting as well. Please feel free to reach out to Tracey if you have any questions prior to the meeting: tracey@nowican.org. You're also welcome to reach out to me if you have any concerns.

Thank you.

From: Roger Scanland <scanland1944@gmail.com>
Date: August 11, 2021 at 12:22:03 PM MDT
To: Ren Wightman <renwightman@gmail.com>
Subject: Re: Now I Can Foundation at 375 E 1950 S

Thanks for the information, Ren. I did get the flyer earlier today, and from what it says, I can support this enthusiastically. The facility seems tailor-made for them and I hope they can make a go of it, based on their intensive model.

Roger

From: Samuel Fletcher <fletchersf@familysearch.org>
Date: August 11, 2021 at 9:32:13 AM MDT
To: Ren Wightman <renwightman@gmail.com>
Subject: Re: Now I Can Foundation at 375 E 1950 S

I love this! Please yes. Can you forward my response? Lets get behind this.

From: Emily Jorgensen <jorgensen.emily@gmail.com>
Date: August 11, 2021 at 4:46:49 PM MDT
To: Ren Wightman <renwightman@gmail.com>
Subject: Re: Now I Can Foundation at 375 E 1950 S

I also think it is the best we could hope for. Thanks for being such a great neighborhood watchdog!

From: **Janet B. Clarke** <jbirdclarke@yahoo.com>
Date: Wed, Aug 11, 2021 at 10:55 AM
Subject: Re: Now I Can Foundation at 375 E 1950 S
To: Ren Wightman <renwightman@gmail.com>

Ren - We will be out of town on the 18th, but you have our support

Mark Clarke

From: **ameadgm** <ameadgm@gmail.com>
Date: Wed, Aug 11, 2021 at 11:10 AM
Subject: RE: Now I Can Foundation at 375 E 1950 S
To: Ren Wightman <renwightman@gmail.com>

This is Allen Mead I also lend my support to this proposed acquisition of the property across the street from my house. I guess it can't stay empty forever and I'm pretty sure they won't tear it down, so if that's the case then I would welcome this owner and this Foundation that helps youth with physical disabilities.

From: Glen Miller <glgsmiller@gmail.com>
Sent: Saturday, August 7, 2021 1:33 PM
To: Larry McFerson <larry.mcferson@byu.edu>
Subject: Re: Help Needed!

Larry,

I am so excited to hear that such a wonderful organization as *Now I Can* wants to occupy that empty building. It will make my neighborhood better being occupied rather than an empty, or almost abandoned building. I can see the buildings from the street in front of my home.

I encourage the Orem City leaders to take the little effort it requires to change the zoning from one helping older people to one helping younger people. It's kinda funny to me: **Change the zone from helping people die gracefully to helping people live productively. It's still helping people.**

Larry, as I understand, the original builder lied as to what he was building. It was to be a couple of smaller homes but ended up one large building.

I'll see if I can get you some names.

Glen

From: Landon Deru <landon.deru@gmail.com>
Date: August 18, 2021 at 8:40:20 PM MDT
To: tracey@nowican.org
Subject: Thanks for a great meeting

Tracey,
Thanks for taking the time to come to our neighborhood this evening to talk about Now I Can.
I wanted to reiterate that I am in full support of your efforts to bring your facility to our community. I think it would be a fantastic use of the facility.
If there is anything at all I can do to help move things along, please let me know.

--
Landon Deru, MS, MBA, ATC
Linked-In Profile

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING APPENDIX "A" OF THE OREM CITY CODE BY ENACTING STANDARD LAND USE CODE 6264 *SMALL PEDIATRIC NEURO PHYSICAL THERAPY* AND MAKING SUCH USE PERMITTED IN THE R7.5 ZONE AND ENACTING SECTION 22-6-9(L) OF THE OREM CITY CODE PERTAINING TO STANDARDS FOR A SMALL PEDIATRIC NEURO PHYSICAL THERAPY FACILITY

WHEREAS on August 16, 2021, Tracy Christensen, acting on behalf of Now I Can Foundation, filed an application with the City of Orem requesting the City amend Appendix "A" of the Orem City Code by enacting Standard Land Use Code 6264 *Small Pediatric Neuro Physical Therapy* and making such use permitted in the R7.5 zone and enacting Section 22-6-9(L) pertaining to standards for a *Small Pediatric Neuro Physical Therapy* facility; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on September 1, 2021, and the Planning Commission recommended approval of the request; and

WHEREAS a public hearing considering the subject application was held by the City Council on September 14, 2021; and

WHEREAS the agendas of the Planning Commission meeting and the City Council meeting at which the subject application was heard were 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 surrounding neighborhoods; and the special conditions applicable to the request.

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

1. The City Council finds that this request is in the best interest of the City.

2. The City Council hereby amends Appendix A of the Orem City Code by enacting Standard Land Use Code 6264 *Small Pediatric Neuro Physical Therapy* and makes such use permitted in the R7.5 zone and enacts Section 22-6-9(L) pertaining to standards for a *Small Pediatric Neuro Physical Therapy* facility 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 **14th** day of **September** 2021.

_____
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"

Section 22-6-9(L)

L. Small Pediatric Neuro Physical Therapy. A Small Neuro Pediatric Physical Therapy facility (SLU 6264) is defined as a facility that provides intensive neuro physical therapy to children (ages 17 and under only) suffering from neurological and neuromuscular disorders such as cerebral palsy, traumatic brain injury, spina bifida, and stroke. A Small Pediatric Neuro Physical Therapy facility is permitted in the R7.5 zone subject to the following requirements:

1. A Small Pediatric Neuro Physical Therapy facility shall only provide therapy to children (ages 17 and under) who suffer from neurological and neuromuscular disorders such as cerebral palsy, traumatic brain injury, spina bifida and stroke.

2. A Small Pediatric Neuro Physical Therapy facility may not provide therapy to more than five children at a time and may not provide therapy to more than ten children per day.

3. No more than two car trips per hour shall be generated in connection with the use before 5:30 a.m. or after 9:00 p.m.

4. At least eight parking stalls shall be located on site to meet the needs of patients and staff.

5. A Small Pediatric Neuro Physical Therapy facility located in an existing residential dwelling shall be capable of use as a Small Pediatric Neuro Physical Therapy facility without structural or landscaping alterations that would change the structure's residential character. Any new structure constructed for use as a Small Pediatric Neuro Physical Therapy facility shall be of a size, scale, and design that is in harmony with other residential uses within 500 feet of the facility.

6. A Small Pediatric Neuro Physical Therapy facility shall comply with all City building and fire codes. The City may require building and fire inspections for a Small Pediatric Neuro Physical Therapy facility.

7. There shall be no exterior evidence of the use on the property (other than parking) including signage of any kind. No activities connected with the operation of the Small Pediatric Neuro Physical Therapy facility shall be conducted in the front yard or in a side yard adjacent to a street with the exception of parking in a permitted drive-way or parking area and use of the front entrance to enter and exit the building.

8. A Small Pediatric Neuro Physical Therapy facility shall comply with the site plan requirements set forth in Section 22-14-20. The site plan shall be configured so that no vehicle will back out on to a dedicated street.

9. A Small Pediatric Neuro Physical Therapy facility shall obtain a license from the State

of Utah Department of Human Services or other applicable state agency, where required. A Small Pediatric Neuro Physical Therapy facility must also obtain a business license from the City of Orem in accordance with the provisions of Chapter 12.

10. A child who is receiving therapy at a Small Pediatric Neuro Physical Therapy facility as well as a parent or guardian of such child may reside at the facility while the child is receiving therapy at the facility. A caretaker or manager may also reside at the facility. However, no more than eight individuals (exclusive of staff) may reside at the facility at any one time.

SLU		R5	R6	R6.5	R7.5	R8	R12	R20	OS5\ ROS	PO	C1	C2	C3	HS	M1	M2	CM	BP
6264	**Small Pediatric Neuro Physical Therapy**	N	N	N	See Section 22-6-9(L)	N	N	N	N	N	N	N	N	N	N	N	N	N

	CITY OF OREM **CITY COUNCIL MEETING** **SEPTEMBER 14, 2021**
REQUEST:	PUBLIC HEARING / ORDINANCE – Amending portions of Section 22-11-56 PD-43 (Auburn Meadows) 2000 South Geneva pertaining to the approved uses in the PD43 zone for Area B. Also amending Appendix LL of the Orem City Code with updated concept plans and elevations pertaining to Area B.
APPLICANT:	
NOTICES:	
SITE INFORMATION:	
PREPARED BY:	

REQUEST:

Amending portions of Section 22-11-56 *PD-43 (Auburn Meadows) 2000 South Geneva* pertaining to the approved uses in the PD43 zone for Area B. Also amending Appendix LL of the Orem City Code with updated concept plans and elevations pertaining to Area B.

BACKGROUND:

RECOMMENDATION:

The Planning Commission recommends the City Council, by ordinance, approve the request to amend portions of Section 22-11-56 *PD-43 (Auburn Meadows) 2000 South Geneva* pertaining to the approved uses in the PD43 zone for Area B. Also amending Appendix LL of the Orem City Code with updated concept plans and elevations pertaining to Area B.

CITY OF OREM **CITY COUNCIL MEETING** SEPTEMBER 14, 2021	
REQUEST:	**PUBLIC HEARING** – Amending Appendix LL of the Orem City Code to expand Area B and to add new concept plans and elevations for Area B of the PD-43 zone (Auburn Meadows) located at 2000 South Geneva Road. Also making minor language amendments to portions of Section 22-11-56 PD-43 (Auburn Meadows).
APPLICANT:	Jeff Mansell, Boardwalk Industries, LLC
FISCAL IMPACT:	None

NOTICES:
- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Posted at utah.gov/pmn
- Notices sent to 276 property owners within 500 feet.

SITE INFORMATION:
- General Plan: MDR
- Current Zone: PD43
- Acreage: 2.4
- Neighborhood: Lakeview

PLANNING COMMISSION RECOMMENDATION
Vote: 5-0 for approval

PREPARED BY:
Cheryl Vargas
Associate Planner

REQUEST:
Amending Appendix LL of the Orem City Code to expand Area B and to add new concept plans and elevations for Area B of the PD-43 zone (Auburn Meadows) located at 2000 South Geneva Road. Also making minor language amendments to portions of Section 22-11-56 PD-43(Auburn Meadows).

BACKGROUND:
The original concept plan for the PD-43 zone established an Area A and an Area B. The original concept plan shows Area A being developed with attached residential units and Area B being developed as a senior independent living facility. As the area has developed over the last few years, the developer of the PD-43 zone now believes that Area B would be more productively developed as a grocery store and other commercial uses. Area B is located at the corner of Geneva Road and 2000 South and is a desirable location for commercial uses. The applicant also proposes to expand the area of Area B (by taking land from Area A) in order to facilitate the development of a grocery store.

The applicant proposes to amend Appendix "LL" of the Orem City Code to amend the concept plan for the PD-43 zone to increase the size of Area B and to show two alternate development possibilities for two different-sized grocery stores. Plan A has a small grocery store and commercial space fronting on Geneva Road. Plan B has a larger grocery store and one commercial pad, possibly for a fast food establishment, in the southeast corner of Area B.

Moving a portion of Area A to Area B will also require the applicant to relocate 12 residential units to other parts of Area A and to eliminate nine residential units from the project.

In addition to the proposed amendment to the concept plan, a few technical amendments are also proposed to the text of the PD-43 zone (Section 22-11-56).

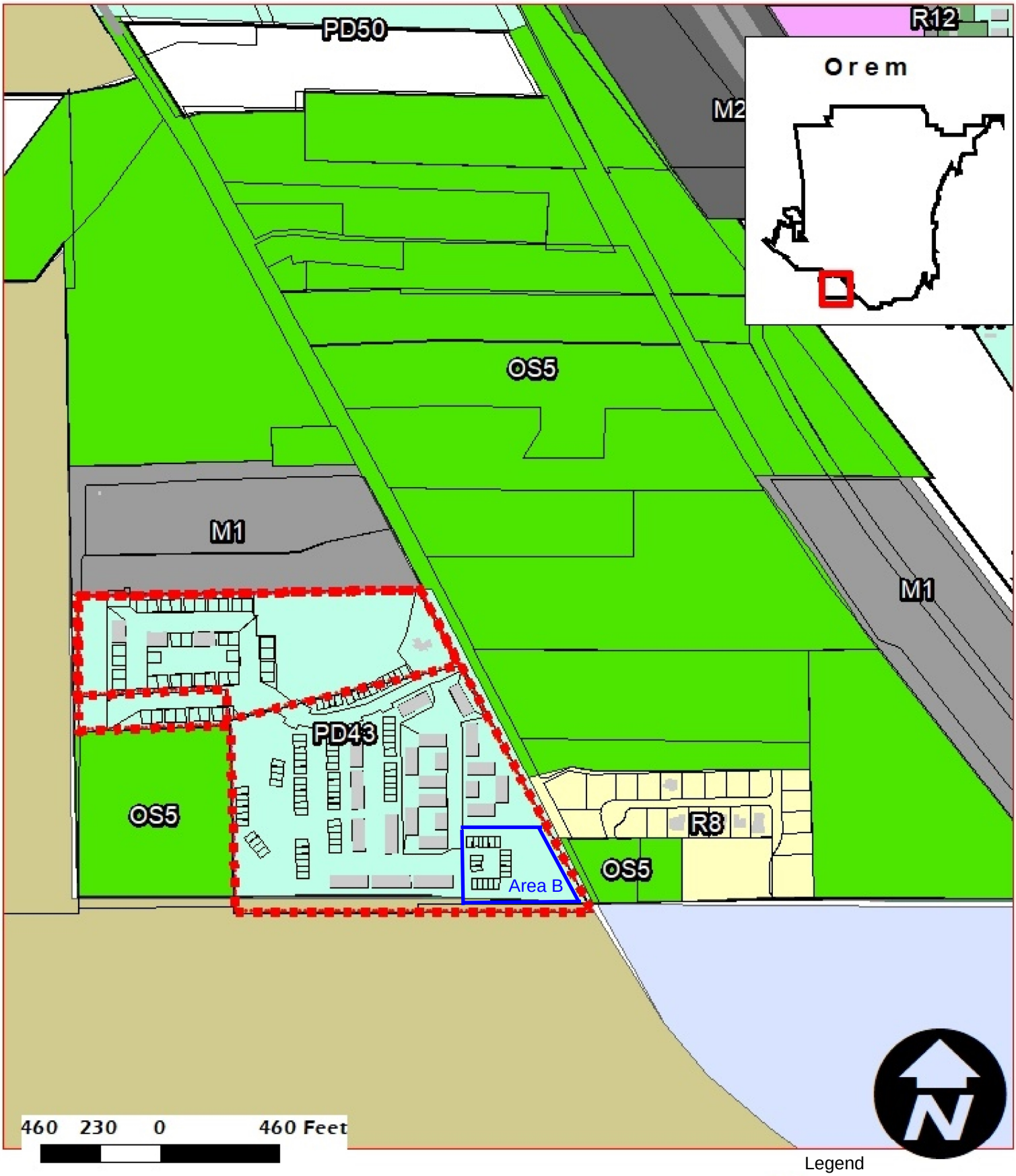
A neighborhood meeting was held on May 14, 2021 with four people in attendance.

RECOMMENDATION:

The Planning Commission recommends the City Council, by ordinance, amend Appendix LL of the Orem City Code to expand Area B and to add new concept plans and elevations for Area B of the PD-43 zone (Auburn Meadows) located at 2000 South Geneva Road and to make minor language amendments to portions of Section 22-11-56 (PD-43 zone).

1810 South
1230 West
1150 West
1860 South
1860 South
1860 South
1860 South
1860 South
1860 South
1860 South
1140 West
1120 West
1080 West
1040 West
1940 South
1950 South
1950 South
1970 South
1970 South
1120 West
2000 South
2000 South
2000 South
Geneva Road
Geneva Road
Road

Fields at Lakeview



Zoning Ordinance Text Amendment
PD43
37.5 Acres

NEIGHBORHOOD
Lakeview

Legend
Fields at Lakeview
Buildings
Parcels
1961 S Geneva Road

STANDARD NOTES

1. THE FIRE PROTECTION ITEMS (FIRE HYDRANTS, WATER MAINS, ACCESS ROADS, ETC.) SHOWN ON THIS SITE PLAN ARE PRELIMINARY ONLY. DETAILED FIRE PROTECTION PLANS SHALL BE SUBMITTED WITH THE BUILDING PLANS. PLAN REVIEWS BY THE CITY OF OREM FIRE PREVENTION BUREAU SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THE PLAN REVIEWS BY THE CITY OF OREM FIRE PREVENTION BUREAU MAY IDENTIFY ADDITIONAL FIRE PROTECTION REQUIREMENTS MANDATED BY THE INTERNATIONAL FIRE CODE. FIRE HYDRANT FOOT VALVES SHALL BE INSTALLED AT THE CONNECTION POINT WITH THE MAIN WATER LINES. THE CONNECTION POINT WITH THE MAIN WATER LINES.

2. ALL LANDSCAPED AREAS SHALL HAVE AN AUTOMATIC, UNDERGROUND SPRINKLING SYSTEM WHICH INCLUDES A BACK-FLOW DEVICE TO THE BUILDING. BACK-FLOW DEVICES SHALL BE INSTALLED AND TESTED IN ACCORDANCE WITH SECTION 21-1-14 OF THE OREM CITY CODE. WATER METER SIZES SHALL BE DETERMINED BY THE CITY OF OREM BUILDING DIVISION AT THE TIME OF BUILDING PERMIT APPROVAL OR WHEN THERE IS A REQUEST TO CHANGE THE WATER METER SIZE. WATER METERS SHALL BE LOCATED AT THE BACK OF SIDEWALK OR CURB IN AN AREA THAT IS ACCESSIBLE FOR READING AND SERVICING. WATER METERS SHALL NOT BE LOCATED WITHIN AREAS ENCLOSED WITH FENCES OR WITHIN TEN FEET (10') OF ANY EXISTING OR PROPOSED STRUCTURE.

3. IF REQUIRED BY CHAPTER 20 OF THE OREM CITY CODE OR BY THE APPLICANT'S PERMIT FOR INDUSTRIAL WASTEWATER DISCHARGE, A SAMPLING MANHOLE AND FAT AND OIL SEPARATOR/GREASE TRAP SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF OREM STANDARDS AND SPECIFICATIONS.

4. ALL SIGNAGE SHALL COMPLY WITH THE REQUIREMENTS OF THE OREM CITY CODE.

5. ALL UTILITIES, INCLUDING WATER AND SEWER LATERALS, WATER AND SEWER MAINS, STORM WATER DRAINS, STORM WATER SUMPS, SEWER MANHOLES, WATER VALVES, ETC., WATER LATERALS OR MAINS SHALL NOT BE LOCATED UNDER COVERED PARKING AREAS AND SHALL BE INSTALLED ACCORDING TO CHAPTER 21 OF THE OREM CITY CODE.

6. ALL ROOF DRAINAGE SHALL BE ROUTED THROUGH ON-SITE STORM WATER MANAGEMENT FACILITIES.

7. AT THE TIME OF CONSTRUCTION, THE CITY OF OREM MAY DETERMINE BASED ON PROFESSIONAL EXPERIENCE AND JUDGMENT AND AT ITS SOLE DISCRETION, THE NEED FOR THE OWNER/DEVELOPER TO PAY FOR, REMOVE, AND REPLACE ANY EXISTING SUBSTANDARD IMPROVEMENTS SUCH AS CURBS, GUTTERS, SIDEWALKS, DRIVE APPROACHES, DRIVEWAYS, DECORATIVE CONCRETE, WHEELCHAIR RAMPS, ETC., OR ANY UNUSED DRIVE APPROACHES.

8. ALL CONSTRUCTION SHALL CONFORM TO THE CITY OF OREM CONSTRUCTION STANDARDS AND SPECIFICATIONS UNLESS THE IMPROVEMENT IS WITHIN THE UDOT RIGHT-OF-WAY, IN WHICH CASE THE CONSTRUCTION SHALL CONFORM TO UDOT CONSTRUCTION STANDARDS AND SPECIFICATIONS.

9. NO DRIVEWAY OR DRIVE ACCESS MAY BE LOCATED WITHIN TWENTY-FIVE (25') OF AN EXISTING FENCE WHICH IS GREATER THAN THREE FEET (3') IN HEIGHT.

REVISIONS

Rev.	Date	Description
1	11/16/15	REVISED AS PER CITY COMMENTS
2	12/21/15	REVISED AS PER CITY COMMENTS
3	01/12/16	REVISED AS PER CITY COMMENTS

BOARDWALK INDUSTRIES
2825 EAST COTTONWOOD PARKWAY, #527
Salt Lake City, Utah 84121
(801) 990-3154

EXCEL ENGINEERING
David W. Peterson, P.E., License #270393
12 West 100 North, Suite 201, American Fork, UT 84003
P: (801) 756-4504; F: (801) 756-4511

LAKEVIEW FIELDS

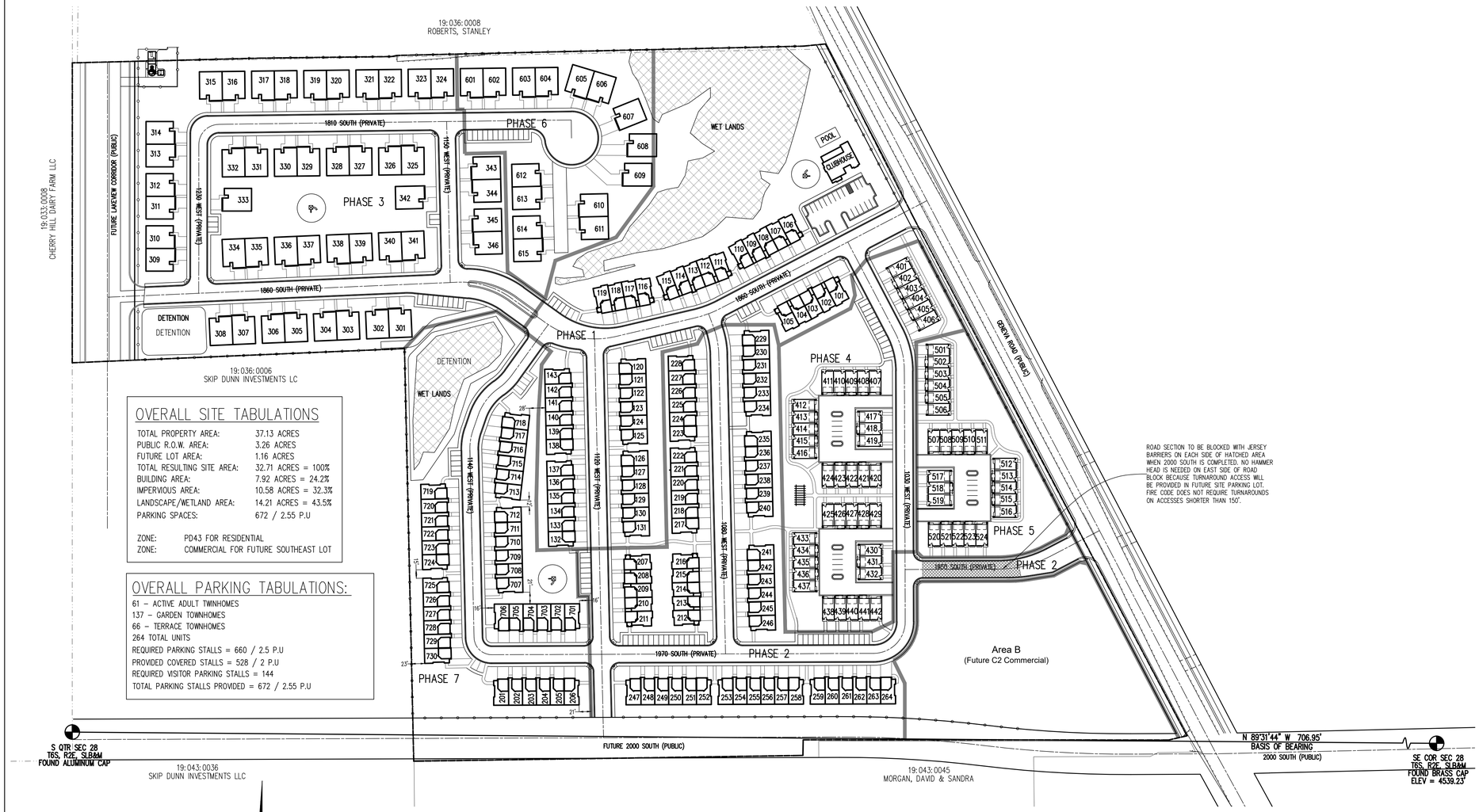
OREM — 1900 SOUTH GENEVA ROAD — UTAH

Drawn by: D.W.P.
Designed by: D.W.P.
Checked by: D.W.P.

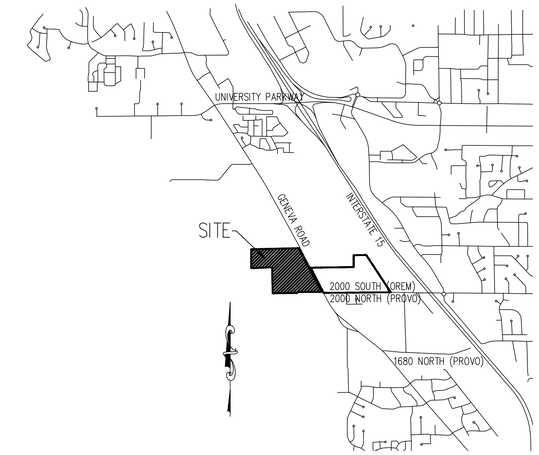
SITE PLAN SOUTH

Scale: 1"=50'
Date: 10/08/15
C3

LAKEVIEW FIELDS PHASES



ROAD SECTION TO BE BLOCKED WITH JERSEY BARRIERS ON EACH SIDE OF HATCHED AREA WHEN 2000 SOUTH IS COMPLETED. NO HAMMER HEAD IS NEEDED ON EAST SIDE OF ROAD BLOCK BECAUSE TURNAROUND ACCESS WILL BE PROVIDED IN FUTURE SITE PARKING LOT. FIRE CODE DOES NOT REQUIRE TURNAROUNDS ON ACCESSES SHORTER THAN 150'.



VICINITY MAP

OVERALL SITE TABULATIONS

TOTAL PROPERTY AREA:	37.13 ACRES
PUBLIC R.O.W. AREA:	3.26 ACRES
FUTURE LOT AREA:	1.16 ACRES
TOTAL RESULTING SITE AREA:	32.71 ACRES = 100%
BUILDING AREA:	7.92 ACRES = 24.2%
IMPERVIOUS AREA:	10.58 ACRES = 32.3%
LANDSCAPE/WETLAND AREA:	14.21 ACRES = 43.5%
PARKING SPACES:	672 / 2.55 P.U
ZONE:	PD43 FOR RESIDENTIAL
ZONE:	COMMERCIAL FOR FUTURE SOUTHEAST LOT

OVERALL PARKING TABULATIONS:

61 – ACTIVE ADULT TWINHOMES
137 – GARDEN TOWNHOMES
66 – TERRACE TOWNHOMES
264 TOTAL UNITS
REQUIRED PARKING STALLS = 660 / 2.5 P.U
PROVIDED COVERED STALLS = 528 / 2 P.U
REQUIRED VISITOR PARKING STALLS = 144
TOTAL PARKING STALLS PROVIDED = 672 / 2.55 P.U

100 50 0 100 200 300

Scale 1" = 100'

CALL BEFORE YOU DIG
IT'S FREE &
IT'S THE LAW
(TOLL-FREE)
1-800-662-4111
208-2100
(SALT LAKE METRO)
Blue Stakes of Utah
UTILITY NOTIFICATION CENTER, INC.
205 WEST 700 SOUTH, SUITE 101
SALT LAKE CITY, UTAH 84101

Surveyor: Aztec Engineering, Inc.
491 North 450 West
Orem, UT 84057
(801) 224-7308

BENCH MARK

SOUTHEAST CORNER,
SECTION 28, TOWNSHIP 6S,
RANGE 2E, SLB&M
ELEVATION = 4539.23

REVISIONS

Rev.	Date	Description

BOARDWALK INDUSTRIES
2825 EAST COTTONWOOD PARKWAY, #527
Salt Lake City, Utah 84121
(801) 990-3154

EXCEL ENGINEERING
David W. Peterson, P.E., License #270393
12 West 100 North, Suite 201, American Fork, UT 84003
P: (801) 756-4504; F: (801) 756-4511

LAKEVIEW FIELDS
OREM 1900 SOUTH GENEVA ROAD UTAH

Drawn by: D.W.P.
Designed by: D.W.P.
Checked by: D.W.P.

OVERALL SITE PLAN

Scale: 1"=100'
Date: 08/16/21
C1

CODE OF ORDINANCES

CHAPTER 22. ZONING

Article 22-11. PD Zone

22-11-56. PD-43 (Auburn Meadows) 2000 South Geneva

A. **Purpose.** The purpose of the PD-43 zone is to allow for a medium density development of attached residential units consisting of townhouses and twin-homes.

(Ord. No. O-2014-0036, Enacted 08/26/2015)

B. **Location.** The PD-43 zone shall apply only to a parcel of property located generally at 2000 South Geneva Road as shown in the Concept Plan.

(Ord. No. O-2014-0036, Enacted 08/26/2015)

C. **Concept Plan.** Property in the PD-43 zone shall be developed in substantial conformance with the Concept Plan included as Appendix LL of the Orem City Code which is incorporated herein by reference. Area A shall consist of a medium-density residential development and Area B shall ~~consist of a senior independent living facility or~~ consist of a commercial development.

(Ord. No. O-2014-0036, Enacted 08/26/2015)

D. **Permitted Uses.** Attached or detached residential dwelling units including townhouses and twin-homes are permitted in Area A. However, no stacked units shall be allowed in Area A. Common recreation Amenities that are customarily incidental to and accessory to attached unit residential developments shall also be permitted in Area A. ~~A senior independent living facility and~~ Any use permitted in the C2 zone shall be permitted in Area B.

(Ord. No. O-2014-0036, Enacted 08/26/2015)

E. **Prohibited Uses.** Any use that is not listed as a permitted or permitted by conditional use in subsection (D) above is prohibited.

(Ord. No. O-2014-0036, Enacted 08/26/2015)

F. **Final Plat.** A final plat that conforms to all development standards and requirements of CHAPTER 17 shall be approved and recorded by the City prior to any development in the PD-43 zone.

(Ord. No. O-2014-0036, Enacted 08/26/2015)

G. **Site Plan.** All development standards and site plan requirements of Section 22-14-20 shall apply to any development in the PD-43 zone. No development, construction, revisions, or additions shall take place on a site in the PD-43 zone, except for demolition and preliminary site grading, until the site plan has been

approved, the final plat has been recorded, the necessary bonds have been posted, all fees have been paid, and the appropriate permits have been obtained.

1. Additional Site Plan Requirements. In addition to the requirements of Section 22-14-20, the site plan shall include details of Amenities and their locations within the project.
2. Phasing. Development phases are permitted provided that all phases include, in accordance with City policies and procedures: 1) sufficient traffic circulation for the development phase to existing dedicated streets; 2) sufficient infrastructure, such as sewer and culinary water; 3) surface water detention, if applicable; and 4) appropriate Amenities for that phase as specified on the site plan.
3. Soils Report. A soils report prepared by a soils engineer shall be submitted concurrent with the submittal of any site plan to identify any special engineering needs of the site. All development shall be slab on grade unless a soils engineer determines that below grade development can be developed without present or future ground water problems and the City Engineer concurs in the analysis. Ground water drains shall be required if the soils report recommends them.
4. Army Corps of Engineers Requirements. No site plan shall be approved unless all requirements of the Army Corps of Engineers have been satisfied with respect to the land included within such site plan.

(Ord. No. O-2014-0036, Enacted 08/26/2015)

H. **Development Standards and Requirements.** The following development standards shall apply to all development in the PD-43 zone.

1. **Density**. The maximum residential density allowed shall be twelve (12) dwelling units per acre.
2. **Height**. No structure in Area A shall exceed a height of thirty-five feet (35'). No structure in Area B shall exceed a height of forty-five feet (45').
3. **Setbacks**.
   a. **Area A.** All buildings in Area A shall be set back a minimum of twenty feet (20') from all outside boundary lines of the PD-43 zone, from all private streets and from the shared boundary line between Area A and Area B. All parking spaces shall be set back a minimum of twenty feet (20') from all outside boundary lines of the PD-43 zone and ten feet (10') from the shared boundary line between Area Aand Area B. No setback is required from the outside boundaries of the PD-43 zone (except for boundaries adjacent to public streets) for accessory structures that have a footprint of less than one thousand (1000) square feet. Porches, cantilevers, canopies and "pop out" windows may encroach intothe setback a maximum of two feet (2'). Landscaping shall be maintained in all required setback areas.
   b. **Area B.** All buildings in Area B shall be set back from all public streets and the shared boundary line between Area A and Area B a distance equal to the height of the building or twenty feet (20'), whichever is greater. All parking spaces shall be set back a minimum of twenty feet (20') from all outside boundary lines of the PD-43 zone ~~and ten feet (10') from the shared boundary line between Area A and Area B~~. Landscaping shall be maintained in the areas shown in the Concept Plan.
4. **Architectural Style.** All buildings in the PD-43 zone shall substantially conform to the architectural design and quality illustrated in the Concept Plan.
5. **Exterior Finish Materials**. The exterior finish materials of all exterior walls on all dwelling units in the PD- 43 zone shall consist entirely of brick, stone, stucco, concrete fiber-board siding, or a combination thereof. Wood or vinyl siding shall not be used on units in the PD-43 zone. However, metal or vinyl soffits and trims are permitted.
6. **Buffered Sidewalks**. A buffered sidewalk separated from the street by a landscaped strip shall be installed and maintained adjacent to all public streets. The sidewalk shall be at least six feet (6') in width. The

landscaped strip shall be at least eight feet (8') in width and shall be bermed to a height of at least one foot above the grade of the adjacent sidewalk. The landscaped strip shall be maintained with grass and trees with trees being planted and maintained in the buffering landscaped strip and spaced no more than forty feet (40') apart. Trees in the buffering landscaped strip shall be selected from Appendix U of the Orem City Code and shall be at least two inches (2") in caliper when planted. At least a proportionateshare of the required sidewalk and buffering landscaped strip improvements shall be constructed with each phase of development in the PD-43 zone.

7. **Interior Streets**. All streets located within the interior of the PD-43 zone shall be private. Interior streets shall have a minimum asphalt width of twenty-eight feet (28'), Interior streets and sidewalks shall be common area and shall be maintained by the unit owners' association that has jurisdiction of the area in which they are located.
8. **Drive Accesses**. Drive accesses shall be designed and built as shown in the Concept Plan. All drive accesses shall be constructed with at least two travel lanes with each travel lane being a minimum of (12) feet in width exclusive of areas available for parking.
9. **Interior Sidewalks**. A sidewalk at least five feet (5') in width shall be constructed and maintained along at least one side of all private streets.
10. **Parking**. At least two and one-half (2.5) parking stalls, two of which must be covered, shall be provided for each dwelling unit. Driveways shall not count towards the parking requirement. All parking spaces shall measure at least nine feet (9') by eighteen feet (18'). All parking spaces, parking areas, and driveways shall be paved with asphalt and/or concrete and shall be designed to drain properly. Drainage shall not be channeled or caused to flow across pedestrian walk ways.
11. **Fences**. A masonry fence with a minimum height of seven feet (7') shall be erected around the entire perimeter of the PD-43 zone and along the boundary between Area A and Area B except that no fence shall be required along street frontages, and no masonry fencing is allowed over any water main unless the water main is sleeved. The entire perimeter fence shall be constructed of the same materials and have the same design, color and style to ensure a uniform appearance. The developer shall paint the masonry fence with a high grade oil base paint/sealant or with a paint/sealant approved by the City that resists graffiti. A fence may only be allowed along the frontage of a public street if the City Engineer determines that such a fence will not cause any traffic safety concerns, the fence is set back at least ten feet (10') behind the back of sidewalk and the fence does not exceed a height of seven feet (7').
12. **Landscaping.** Landscaping shall be provided and maintained as generally shown in the Concept Plan. Landscaping shall be maintained in all required setback areas. A landscaping plan shall be submitted to the City for approval as a part of the site plan for any phase of development. All required landscaping within the area of any phase shall be completed within ninety (90) days of completion of the building construction within that phase. In the event that the building is completed between October 15 and March 15, completion of the landscaping may be delayed until the next June 15 following said March 15 date.
    a. All land within the PD-43 zone not covered by buildings, driveways, sidewalks, and parking areas, shall be permanently landscaped and maintained in accordance with good landscaping practices. A permanent underground sprinkling system shall be installed for all landscaped areas.
    b. For every two (2) dwelling units there shall be required on the site at least one (1) deciduous tree at least two inches (2") in caliper measured six inches (6") above ground level, one (1) evergreen tree at least five (5) gallons in size, and sixteen (10) shrubs at least five (5) gallons in size.
13. **Lighting Plan**. Each site plan shall include a lighting plan that is designed to discourage crime, enhance the safety of the residents and guests of the project, prevent glare onto adjacent properties and enhance the appearance and design of the project. Exterior wall pack lighting shall be provided on each building.

Parking lots and structures shall be well lit. Interior street pole lights shall have a decorative style and shall be dark-sky sensitive. No cobra-style light standards are allowed. The general design of the interior street pole lights shall follow the general theme of the development.

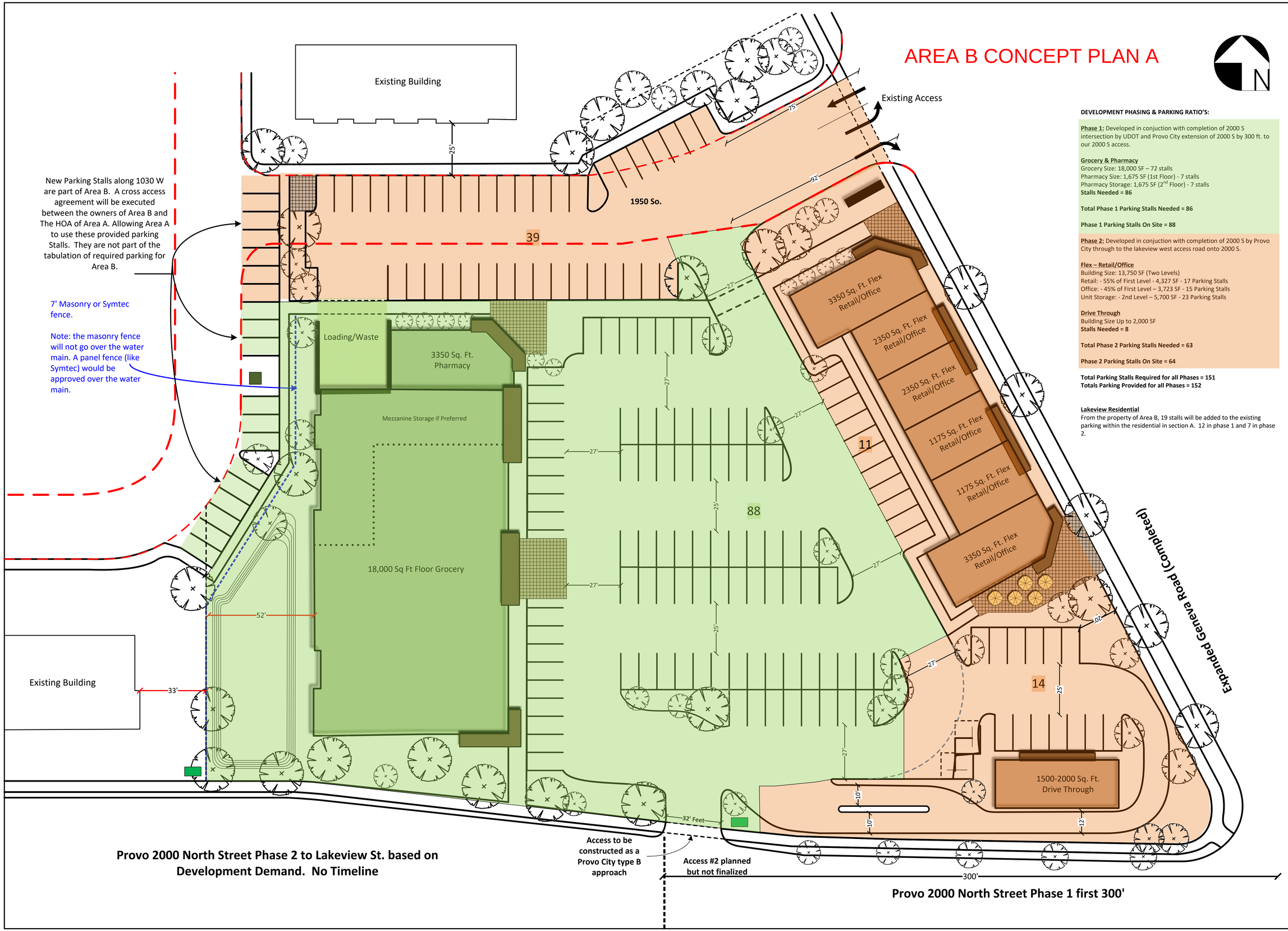
14. **Off-site Improvements**. Off-site curb, gutter and sidewalk along street rights-of-way bordering the site may be required by the City when safety or surface water drainage is impaired as a result of the proposed PD-43 zone.
15. **Irrigation Ditches**. Irrigation ditches within the development or along street rights-of-way adjacent to the development shall be piped.
16. **Storm Water Runoff Plan**. All developments in the PD-43 zone shall have a storm water runoff plan designed to accommodate a 25-year storm. Any on-site detention ponds may be considered in and part of required landscaped areas. All surface water runoff shall be detained on site.
17. **Signs**. Except as otherwise provided below, signage in the PD-43 zone shall comply with CHAPTER 14 of the Orem City Code. The following additions and modifications shall apply to signage in the PD-43 zone:
    a. One monument sign with a maximum height of six feet and a maximum area of forty-eight square feet shall be allowed in Area B.
    b. Three monument signs shall be allowed in Area A with each monument sign limited to a height of six feet and a maximum size of twenty-four (24) square feet.
    c. All permitted monument signs shall be constructed in accordance with the setback and landscaping requirements of CHAPTER 14 of the Orem City Code.
18. **Accessory Apartments**. Accessory apartments are not permitted in the PD-43 zone.
19. **RV Storage**. Open storage of recreational vehicles (RVs), utility trailers, boats and similar items shall be prohibited in the PD-43 zone.
20. **Utilities**. All dwelling units shall be served by the public sewer system and public water supply. All utilities shall be placed underground. No water or sewer lines shall be placed under covered parking areas.
21. **Amenities**. Amenities shown on the Concept Plan shall be incorporated into the development.
22. So**lid Waste Receptacles and Storage Areas.** All outside storage areas and solid waste receptacles which are not located within a building shall be enclosed on three sides with a masonry wall at least six feet (6')in height and shall have a sight-obscuring gate.
23. **Unit Owners' Association**. A unit owners' association shall be formed and maintained to provide maintenance and upkeep of all common areas in the PD-43 zone. Prior to receiving a building permit for any property in the PD-43 zone, the owner/developer shall provide proof to the City of Orem that a unit owners' association has been established for the property on which the building permit is requested.
24. **Mechanical Equipment**. All mechanical equipment shall be screened from view, either by enclosure or parapet wall. Any truck dock areas shall also be similarly screened from view.
25. **Default Standards**. Except as otherwise provided herein, the provisions and standards of the PRD zone shall apply in Area A and the standards of the C2 zone shall apply in Area B of the PD-43 zone.
26. **Neighborhood Meeting**. The owner/developer of any development in the PD-43 zone shall conduct at least one (1) neighborhood meeting in accordance with Section 22-14-20(I) to explain the proposed development and to address all neighborhood concerns. Written notice shall be given by the owner/developer to all residents within five hundred feet (500') in all directions of the proposed development. Notice of the meeting shall be delivered by the owner/developer at least seven (7) days prior to the date of the meeting. Phone calls or informal door-to-door contacts are not considered neighborhood meetings. Such meeting(s) shall be accomplished prior to any site plan being submitted to

the City. The owner/developer shall write a summary of the neighborhood meeting and submit it as part of the site plan.

(Ord. No. O-2014-0036, Enacted 08/26/2015; Ord. No. O-2019-0013, Amended 5/14/2019)

Effective on: 5/14/2019

AREA B CONCEPT PLAN A



DEVELOPMENT PHASING & PARKING RATIO'S:

Phase 1: Developed in conjuction with completion of 2000 S intersection by UDOT and Provo City extension of 2000 S by 300 ft. to our 2000 S access.

Grocery & Pharmacy
Grocery Size: 18,000 SF – 72 stalls
Pharmacy Size: 1,675 SF (1st Floor) - 7 stalls
Pharmacy Storage: 1,675 SF (2nd Floor) - 7 stalls
Stalls Needed = 86

Total Phase 1 Parking Stalls Needed = 86

Phase 1 Parking Stalls On Site = 88

Phase 2: Developed in conjuction with completion of 2000 S by Provo City through to the lakeview west access road onto 2000 S.

Flex – Retail/Office
Building Size: 13,750 SF (Two Levels)
Retail: - 55% of First Level - 4,327 SF - 17 Parking Stalls
Office: - 45% of First Level – 3,723 SF - 15 Parking Stalls
Unit Storage: - 2nd Level – 5,700 SF - 23 Parking Stalls

Drive Through
Building Size Up to 2,000 SF
Stalls Needed = 8

Total Phase 2 Parking Stalls Needed = 63

Phase 2 Parking Stalls On Site = 64

Total Parking Stalls Required for all Phases = 151
Totals Parking Provided for all Phases = 152

Lakeview Residential
From the property of Area B, 19 stalls will be added to the existing parking within the residential in section A. 12 in phase 1 and 7 in phase 2.

PROJECT NUMBER
20-027

SHEET TITLE
CONCEPT SITE PLAN
SCHEME 2
SCALE : 1" = 20'-0"

PROJECT/OWNER
FIELDS AT LAKEVIEW
AREA B CONCEPT PLAN A
12000 SOUTH GENEVA ROAD
OREM, UTAH
XX

ARCHITECT

architecture
20133 dam drive
lehi, utah 84040
(801) 583-9336
(801) 583-9328 FAX

REVISION

DATE
3/28/21

SHEET NUMBER
A1.1

LAKEVIEW AREA B CONCEPT RENDERINGS

GROCERY

FLEX: RETAIL / OFFICE

DRIVE -THRU SITE

SMALL FORMAT DRIVE-THRU

PROJECT NUMBER
20-027

SHEET TITLE
CONCEPT SITE PLAN
SCHEME 2
SCALE : 1" = 20'-0"

PROJECT/OWNER
FIELDS AT LAKEVIEW
CORNER COMMERCIAL RENDERINGS
12000 SOUTH GENEVA ROAD
OREM, UTAH
XX

ARCHITECT

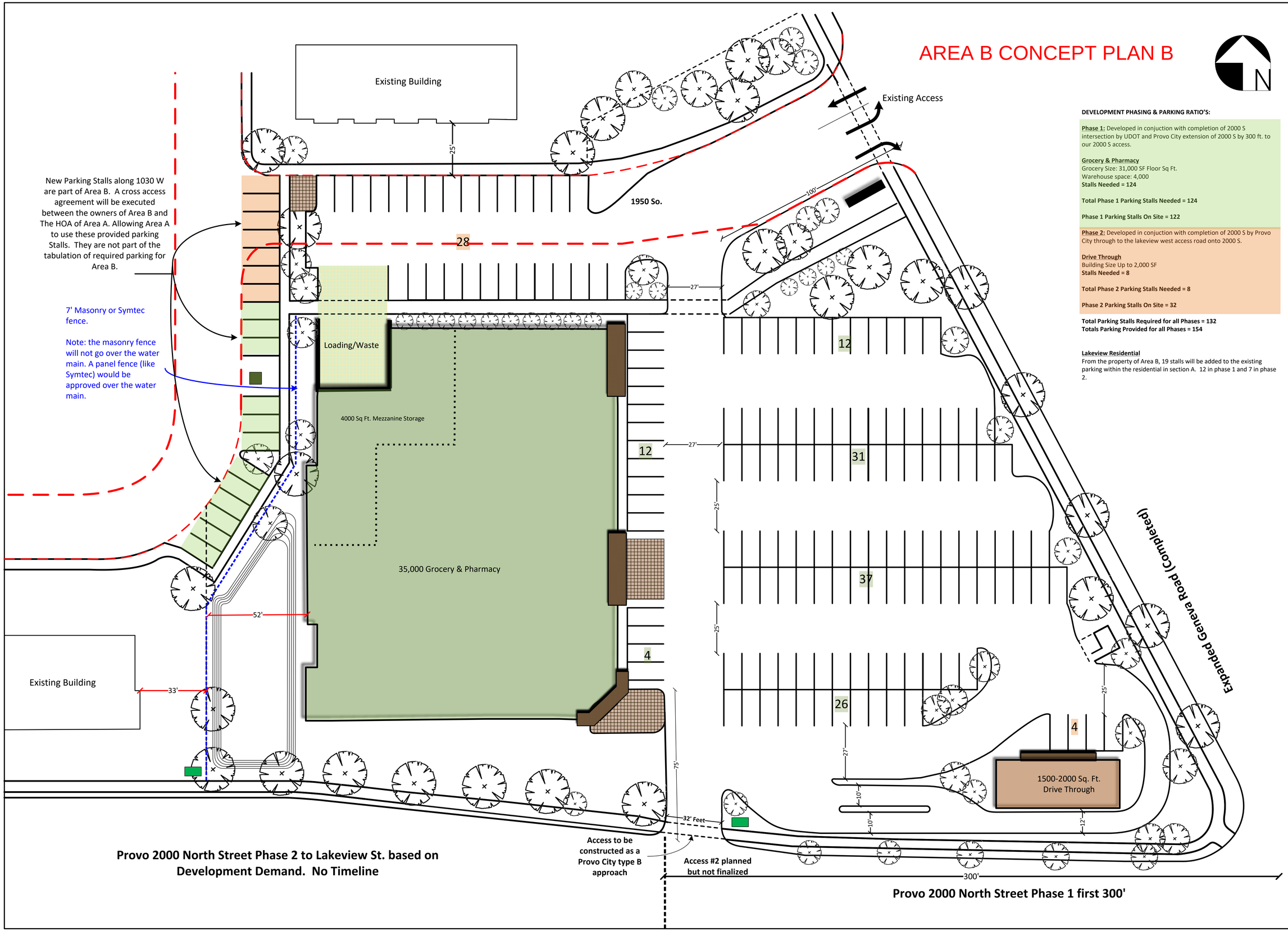
architecture
2033 dom drive
bountiful, utah 84040
(801) 593-9338
(801) 593-9328 FAX

REVISION

DATE
3/28/21

SHEET NUMBER
A1.3

AREA B CONCEPT PLAN B



New Parking Stalls along 1030 W are part of Area B. A cross access agreement will be executed between the owners of Area B and The HOA of Area A. Allowing Area A to use these provided parking Stalls. They are not part of the tabulation of required parking for Area B.

7' Masonry or Symtec fence.

Note: the masonry fence will not go over the water main. A panel fence (like Symtec) would be approved over the water main.

DEVELOPMENT PHASING & PARKING RATIO'S:

Phase 1: Developed in conjuction with completion of 2000 S intersection by UDOT and Provo City extension of 2000 S by 300 ft. to our 2000 S access.

Grocery & Pharmacy
Grocery Size: 31,000 SF Floor Sq Ft.
Warehouse space: 4,000
Stalls Needed = 124

Total Phase 1 Parking Stalls Needed = 124

Phase 1 Parking Stalls On Site = 122

Phase 2: Developed in conjuction with completion of 2000 S by Provo City through to the lakeview west access road onto 2000 S.

Drive Through
Building Size Up to 2,000 SF
Stalls Needed = 8

Total Phase 2 Parking Stalls Needed = 8

Phase 2 Parking Stalls On Site = 32

Total Parking Stalls Required for all Phases = 132
Totals Parking Provided for all Phases = 154

Lakeview Residential
From the property of Area B, 19 stalls will be added to the existing parking within the residential in section A. 12 in phase 1 and 7 in phase 2.

PROJECT NUMBER
20-027

SHEET TITLE
CONCEPT SITE PLAN
SCHEME 2
SCALE : 1" = 20'-0"

PROJECT/OWNER
FIELDS AT LAKEVIEW
AREA B CONCEPT PLAN B
1200 SOUTH GENEVA ROAD
OREM, UTAH
XX

ARCHITECT

architecture
2033 dam drive
provo, utah 84040
(801) 593-9338
(801) 593-9328 FAX

REVISION

DATE
3/28/21

SHEET NUMBER
A1.1

Street View

5. As discussed previously, a new neighborhood meeting must be held.

Response: Scheduled 4/22/21,

Response 2: Was held, 5/14/21 with only 4 people attending all of whom were at Meeting #1 and 2 people were sent information via email as requested.

Neighborhood Meeting Attendance List

Meeting 1		Date:	10/15/2020	Time:	6:00 PM	Type:	In Person
Jeff Mansell	Owner						

Meeting 2		Date:	12/8/2020	Time:	6:00 PM	Type:	Zoom

Jeff Mansell	Applicant
Don Bahr	Owner
Vonda Bahr	Owner
Darrin Mansell	Owner

Emails Received

Classic Jack Construction	Owner
Mill Haven Construction	Owner

Neighborhood Meeting Minutes Dec 8th 6:00 PM Meeting held via ZOOM

Meeting Officiator: Jeff Mansell Applicant

Attendance:

Don Bahr
Vonda Bahr
Darren Mansell

Jeff Mansell – Introduced the purpose of the meeting as a text change to the zoning of PD43

See exhibit A the information package sent to the owners.

Comments & applicant response:

Don Bahr, mentioned a petition that went out for NE the commercial corner at the intersection of 2000 S and Geneva. And that while he preferred that nothing would change in this area he understands that it has and will continue to do so. He stated that he did not participate in that petition.

> Jeff Mansell response: There certainly has been change in the area with our project, the new high school and now the temple. It seems to come even when we wish it does not.

Vonda Bahr, brought up parking on Geneva

> Jeff Mansell response: One of the reasons we are seeking the text change is to reduce the parking demands within the residential area of Lakeview fields. This in effect eliminates 19 units of the type that have created a bit of a problem. It also would put the parking responsibility of the Low income housing project onto the now larger area B. And that its parking would be dealt with during the site plan approval process.

Darren Mansell, What is being done about the parking along Geneva?

> Jeff Mansell response: There are several things happening that will eventually eliminate the cars parking along Geneva.
>
> 1. Were are construction the additional off street parking within Lakeview and with every bank of stalls it frees up more internal parking. This month we added an additional 18 stalls.
>
> 2. We will be adding even more stalls to the interior of the Lakeview project.
>
> 3. Those people who have renters that exceed the reasonable numbers are being fined by the HOA. And 2 of the units have already been sold and the renters have been replaced with families who do not generate more cars than stalls. This will continue to happen. We anticipate that within 6 months this will no longer be a problem.

Vonda Bahr, It looks like there isn't enough parking for the low income housing project.

Jeff Mansell response: The vast majority of the parking for that building will be under the building itself. This will reduce surface asphalt and allow the residence to have a safer environment to park.

Don Bahr; Do you know when 2000 will be built?

Jeff Mansell response, I have spoken to Provo City and they have no immediate plans to install 2000 So west of Geneva. Provo made it fairly clear that its construction will be centered around the construction of The Lakeview Corridor up to the Orem boundary. And the timeline for that is still unknown.

Don & Vonda Bahr; It will be nice to provide affordable housing to the seniors in the area who need to move out of their homes.

Jeff Mansell response; We agree. We were astonished by the need for "Real" affordable housing for seniors. When we met with the Utah County Housing Authority it became clear that we could help meet some needs in this area.

General. The remaining time spent were conversations concerning other local items that did not pertain to this application.

For more information, contact
Cheryl Vargas at (801) 229-7183
or chvargas@orem.org

City Council Chambers, 56 N State Street

City Council
Tue, Sep 14, 2021
6:00 pm

Planning Commission
Wed, Sep 1, 2021
4:30 pm

PUBLIC HEARING – Amending portions of Section 22-11-56 PD-43 (Auburn Meadows) 2000 South Geneva pertaining to the approved uses in the PD43 zone for Area B. Also amending Appendix LL of the Orem City Code with updated concept plans and elevations pertaining to Area B.

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

ZHOU, WENJING
418 CRANBROOK LN
LEAGUE CITY, TX 77573

For more information, contact
Cheryl Vargas at (801) 229-7183
or chvargas@orem.org

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

BOWMAN, ANDREW & TERAN
6767 W 10125 N
HIGHLAND, UT 84003

For more information, contact
Cheryl Vargas at (801) 229-7183
or chvargas@orem.org

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6:00 pm

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BRAY, DANIEL & CARIANNE PATRICE
1138 N 1270 E
AMERICAN FORK, UT 84003

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or chvargas@orem.org

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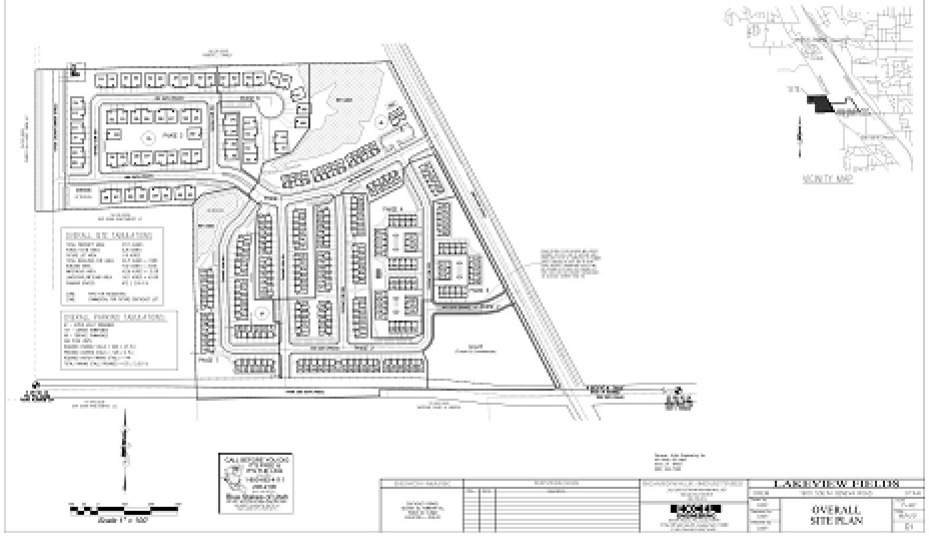
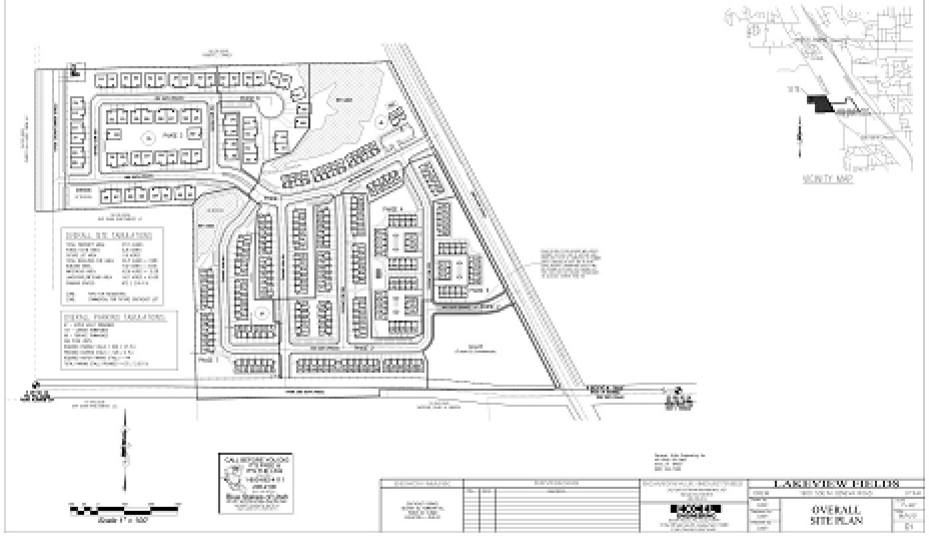
CHURCH, MATTHEW J & MELISSA K (ET AL)
5501 W 10600 N
HIGHLAND, UT 84003

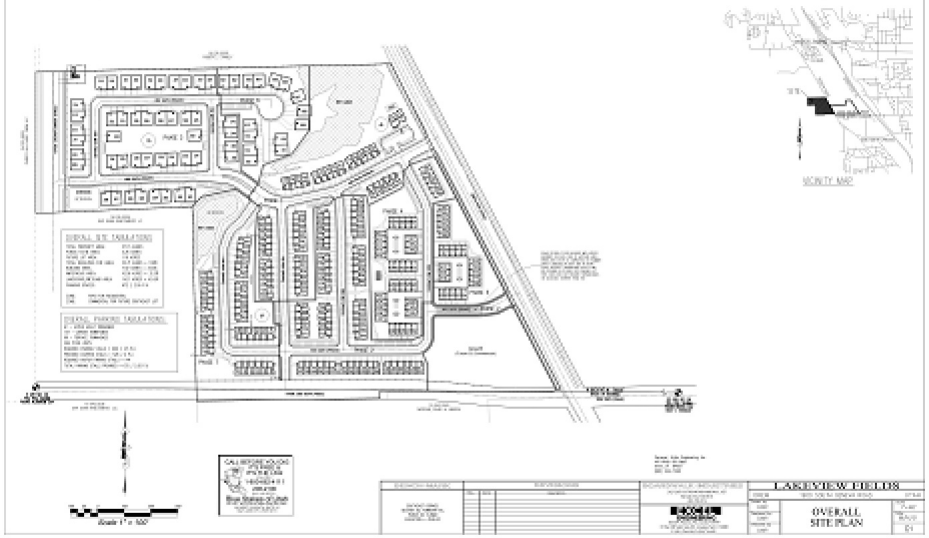
LAKEVIEW FIELDS PHASES



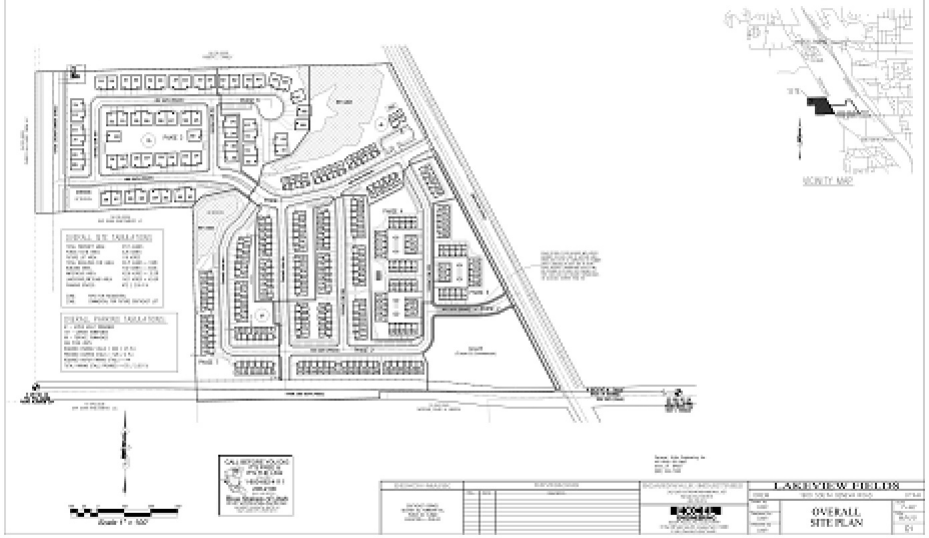
LAKEVIEW FIELDS PHASES



LAKEVIEW FIELDS PHASES



LAKEVIEW FIELDS PHASES



VOGEL ENT LLC
PO BOX 1046
PLEASANT GROVE, UT 84062

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

HL1 LLC
PO BOX 367
PANGUITCH, UT 84759

KEEPIN IT REAL ESTATE LLC
PO BOX 681875
PARK CITY, UT 84068

JOHNSON, MERLIN & DIANE
PO BOX 777
MENTONE, CA 92359

JTLP INVESTMENTS LLC
PO BOX 971165
OREM, UT 84097

SADDLE CREEK 101 LLC
%LINDQUIST, SHAWN
12 BENTBROOK LN
SANDY, UT 84092

B4 REAL ESTATE LLC
47 E SOUTH TEMPLE
SALT LAKE CITY, UT 84150

D2 LAND DEVELOPMENT LLC
51 W CENTER ST # 170
OREM, UT 84057

KRISTIE SNYDER
56 N STATE STREET
OREM, UT 84057

DZJ HOLDINGS LC
90 N 100 E
PROVO, UT 84606

KAIWI, CLINT (ET AL)
96 PUEO DR
KULA, HI 96790

COMMON AREA
100 E CENTER ST
PROVO, UT 84606

JEFF LAMBSON
156 E 1060 N
OREM, UT 84057

PALATIAL LIVING LLC
241 N VINE STREET 1004 W
SALT LAKE CITY, UT 84103

LAKEVIEW PLACE IP LLC
259 RIVER BEND WAY 102
NORTH SALT LAKE, UT 84054

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

CLINGER FAMILY PARTNERSHIP
--OR CURRENT RESIDENT--
360 W 1600 SOUTH
OREM, UT 84058

HODGE, IAN A & DONALD M
372 N 800 E
PROVO, UT 84606

ASAY, ANDREA L & JOHNATHAN
386 W 1600 S
OREM, UT 84057

ZHOU, WENJING
418 CRANBROOK LN
LEAGUE CITY, TX 77573

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

GREEN, BRITTON D
471 S 2100 W
OREM, UT 84058

THOMAS MACDONALD
489 NORTH PALISADES DR
OREM, UT 84097

HL1 LLC
501 E CENTER ST
PANGUITCH, UT 84759

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

PRICE, ZAC & CARLYN
667 S 1803 W
OREM, UT 84058

PAULSON, JORDAN MARTELL & BAILEY LYNN
670 W 1000 N
OREM, UT 84057

MOUNTAIN VALLEY INVESTMENTS LLC
713 HIGHLAND DR
LA GRANDE, OR 97850

BRENT SUMNER
744 WEST 550 SOUTH
OREM, UT 84058

GREEN, DARREN E
812 E PENNI LN
OREM, UT 84097

MORRILL, JENNIFER
835 W 1950 S
OREM, UT 84058

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

KIRLEW, AIMEE & STEPHEN
849 W 1950 S
OREM, UT 84058

ANDERTON, PARKER (ET AL)
854 W 1950 S
OREM, UT 84058

HL1 LLC
--OR CURRENT RESIDENT--
868 W 2000 SOUTH
OREM, UT 84058

CLASSIC JACK CONSTRUCTION LLC
878 W 1950 S
OREM, UT 84057

KARWANDE, SARINA
887 MOUNTAIN PL
PASADENA, CA 91104

D2 LAND DEVELOPMENT LLC
898 E 670 N
OREM, UT 84097

DAVID SPENCER
899 NORTH 550 EAST
OREM, UT 84097

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

IVORY LAND CORPORATION
978 WOODOAK LN
SALT LAKE CITY, UT 84117

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

BATEMAN, BRYN & MICHAEL
1013 E 2570 N
PROVO, UT 84604

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

SADDLE CREEK 101 LLC
--OR CURRENT RESIDENT--
1039 W 1860 SOUTH
OREM, UT 84058

SHEPHERD, BRYNDI LEE
1041 W 1970 S
OREM, UT 84058

KARWANDE, SARINA
--OR CURRENT RESIDENT--
1043 W 1860 SOUTH
OREM, UT 84058

MISBACH, GRANT H & GREGORY C (ET AL)
1044 W 1970 S
OREM, UT 84058

SKIP DUNN INVESTMENTS LC
1047 E 1060 S
OREM, UT 84097

ADVANTA IRA ADMINISTRATION LLC (ET AL)
--OR CURRENT RESIDENT--
1047 W 1860 SOUTH
OREM, UT 84058

PALATIAL LIVING LLC
--OR CURRENT RESIDENT--
1047 W 1970 SOUTH
OREM, UT 84058

YANG, SERENE
1048 W 1970 S
OREM, UT 84058

WEST, JESSICA
1049 W 1970 S
OREM, UT 84058

HALL, BREK
1051 W 1860 S
OREM, UT 84058

PALATIAL LIVING LLC
--OR CURRENT RESIDENT--
1053 W 1970 SOUTH
OREM, UT 84058

MOUNTAIN VALLEY INVESTMENTS LLC
--OR CURRENT RESIDENT--
1057 W 1860 SOUTH
OREM, UT 84058

SANT, ANTHON GARRETT & JACQUELINE
1067 W 1970 S
OREM, UT 84058

ZEYER, RODNEY
1071 W 1970 S
OREM, UT 84058

WHIPPY, MOANA & JOSHUA
1077 W 1970 S
OREM, UT 84058

FISHER, KRISTY
1079 W 1970 S
OREM, UT 84058

DAVIS, MATTHEW (ET AL)
1083 W 1970 S
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1089 W 1810 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1089 W 1970 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1092 W 1810 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1093 W 1810 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1093 W 1970 SOUTH
OREM, UT 84058

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

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1097 W 1970 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1101 W 1810 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1102 W 1810 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1103 W 1970 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1107 W 1810 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1107 W 1970 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1108 W 1810 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1111 W 1810 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1111 W 1970 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1113 W 1810 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1118 W 1810 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1119 W 1810 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1123 W 1810 SOUTH
OREM, UT 84058

TERRY PETERSON
1125 LYNNWOOD DRIVE
OREM, UT 84097

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1126 W 1810 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1136 W 1810 SOUTH
OREM, UT 84058

BRAY, DANIEL & CARIANNE PATRICE
1138 N 1270 E
AMERICAN FORK, UT 84003

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1142 W 1810 SOUTH
OREM, UT 84058

PUTUTAU, ROCHELLE (ET AL)
1168 W 1860 S
OREM, UT 84058

JOHNSON, RANDY LEE & JAMIE LYNN
1178 W 1860 S
OREM, UT 84058

BELT, TERRY D & HOLLIE
1183 W 1860 S
OREM, UT 84058

ALEXANDER, BROOKE ANN & THOMAS GLEN
1184 W 1860 S
OREM, UT 84058

FURNER, LUANN
1193 W 1810 S
OREM, UT 84058

SANDSTROM, STEPHEN W & NANCY L
1197 W 1810 S
OREM, UT 84058

STREET, DAVID (ET AL)
1199 W 1860 S
OREM, UT 84058

HAMILTON, L LARKIN & LAWRENCE LARKIN (ET AL)
1207 W 1860 S
OREM, UT 84058

CLARK, LISA
1212 W 1860 S
OREM, UT 84058

OLSEN, BRENT HOWARD (ET AL)
1213 W 1810 S
OREM, UT 84058

FIELDS AT LAKEVIEW HOA INC
1216 W 1295 S
OREM, UT 84058

FARNER, MICHAEL & KIMBERLY
1217 W 1860 S
OREM, UT 84058

HARRISON, MARTHA & DENNIS
1218 W 1860 S
OREM, UT 84058

ATCHISON, JOHN
1219 W 1810 S
OREM, UT 84058

MOE, SARAH & AUOMANU JR
1223 W 1860 S
OREM, UT 84058

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

RYAN CLARK
1405 N. 1430 WEST
PLEASANT GROVE, UT 84062

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

CLINGER FAMILY PARTNERSHIP
1511 S GENEVA RD
OREM, UT 84058

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

SMITH, RYAN
1660 W 525 S
LEHI, UT 84043

ROBERTS, STANLEY H JR
1675 CLARK CIR
OREM, UT 84058

ASAY, EUNICE HUGHES
1709 S GENEVA RD
OREM, UT 84058

JOHNSON, DALE C & CHERYL B
1738 S GENEVA RD
OREM, UT 84058

CHERRY HILL DAIRY FARM LLC
%TAYLOR, BYRON
1785 S GENEVA RD
OREM, UT 84058

DA SILVA, CASSIA & NELSON M
1812 S 1230 W
OREM, UT 84058

CHERRY HILL DAIRY FARM
--OR CURRENT RESIDENT--
1815 S GENEVA RD
OREM, UT 84058

BOICE, LINDA A
1818 S 1230 W
OREM, UT 84058

ARMSTRONG, ROBERT C & CATHY B
1823 S 1150 W
OREM, UT 84058

OTTO, SHERRY LAVON (ET AL)
1828 S 1230 W
OREM, UT 84058

DEPUTY, PENNY
1829 S 1150 W
OREM, UT 84058

PACADA, MAXIMINIANO PAET JR &
LESLIE J
1834 S 1230 W
OREM, UT 84058

LEVINGSTON, CONNIE
1841 S 1150 W # 345
OREM, UT 84058

ELDER, JON DON & ROXSANN
1844 S 1230 W
OREM, UT 84058

CAMPBELL, SUZANNE H
1847 S 1150 W
OREM, UT 84058

LIECHTY, JAMES K & CHRISTENA H
1852 S 1230 W
OREM, UT 84058

FICKLIN, KAYLOR
1867 S 1030 W
OREM, UT 84058

TAYLOR, CADEN & ERIKA
1869 S 1080 W
OREM, UT 84058

COBB, CALVIN
1873 S 1030 W
OREM, UT 84057

BELL, MASON & SYDNIE
1873 S 1080 W
OREM, UT 84058

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

VORWALLER, CHASE
1877 S 1080 W
OREM, UT 84058

MABBUTT, HAYDEN & JEFFREY
1877 S 1030 W # 405
OREM, UT 84057

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1878 S 1080 WEST
OREM, UT 84058

MILLER MAKAY
1879 S 1030 W
OREM, UT 84057

CORDON, SAIDI M & VALERI V
1881 S 1080 W
OREM, UT 84058

LINDHORST, MARIT & CHANDLER
1882 S 1080 W
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1883 S 1030 WEST
OREM, UT 84058

WALKER, JARON
1886 S 1030 W
OREM, UT 84058

STROBEHN, RYAN & HAYLEY
1886 S 1080 W
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1887 S 1030 WEST
OREM, UT 84058

D2 LAND DEVELOPMENT LLC
--OR CURRENT RESIDENT--
1887 S 1080 WEST
OREM, UT 84058

PAGE, VIVIAN
1888 S 1030 W # 409
OREM, UT 84057

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1889 S 1030 WEST
OREM, UT 84058

KEEPIN IT REAL ESTATE LLC
--OR CURRENT RESIDENT--
1889 S 1080 WEST
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1891 S 1030 WEST
OREM, UT 84058

LUNDQUIST, MARCIA
1892 S 1030 W
OREM, UT 84058

FORBUSH, SKYLAR TALON
1892 S 1080 W
OREM, UT 84058

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

JOHNSON, MERLIN & DIANE
--OR CURRENT RESIDENT--
1893 S 1080 WEST
OREM, UT 84058

FARABEE, BRYCE
1894 S 1030 W
OREM, UT 84058

BATEMAN, BRYN & MICHAEL
--OR CURRENT RESIDENT--
1894 S 1080 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

HEADRICK, ADAM
1897 S 1080 W
OREM, UT 84058

ADAMS, JOSH
1898 S 1080 W
OREM, UT 84058

RILEY, STEVEN & SALLY
1898 S 1030 W # 413
OREM, UT 84057

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

FREEMAN, MATT
1902 S 1030 W
OREM, UT 84058

BOWMAN, ANDREW & TERAN
--OR CURRENT RESIDENT--
1902 S 1080 WEST
OREM, UT 84058

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

SIEBERT, MARK JIALI (ET AL)
1904 S 1030 W # 415
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

TANG, ALEXANDER & MEI LIN
--OR CURRENT RESIDENT--
1908 S 1080 WEST
OREM, UT 84058

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

FERNANDEZ, LEOPOLDO APUMAYTA (ET AL)
1909 S 1080 W
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

WONG, CURTIS (ET AL)
1913 S 1080 W
OREM, UT 84058

MOE, TYUS & SARAH K
1914 S 1080 W
OREM, UT 84058

TERRY, NICHOLE A
1916 S 1030 W
OREM, UT 84058

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

LAI, TAK MING (ET AL)
--OR CURRENT RESIDENT--
1918 S 1080 WEST
OREM, UT 84058

BARTON, JACOB HUNTER & JENNIFER
1918 S 1030 W # 423
OREM, UT 84058

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

ARNER, DAVID & LISA
--OR CURRENT RESIDENT--
1919 S 1080 WEST
OREM, UT 84058

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

3 PLUS 1 REAL ESTATE LLC
--OR CURRENT RESIDENT--
1923 S 1080 WEST
OREM, UT 84058

EARL, JACOB & JACOB (ET AL)
1924 S 1030 W
OREM, UT 84058

ZHOU, WENJING
--OR CURRENT RESIDENT--
1924 S 1080 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

2656 TEAL LLC
1928 S 1080 W
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

ARNER, DAVID & LISA
1932 S 1030 W
OREM, UT 84058

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
--OR CURRENT RESIDENT--
1936 N GENEVA RD UNIT# 103
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1936 N GENEVA RD UNIT# 104
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1936 N GENEVA RD UNIT# 201
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1936 N GENEVA RD UNIT# 202
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1936 N GENEVA RD UNIT# 203
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1936 N GENEVA RD UNIT# 204
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1936 N GENEVA RD UNIT# 301
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1936 N GENEVA RD UNIT# 302
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
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

KIMBALL, CASEY & EMILY CLEGG
1936 S 1080 W
OREM, UT 84058

B4 REAL ESTATE LLC
--OR CURRENT RESIDENT--
1937 S 1080 WEST
OREM, UT 84058

ESCALANTE, ANNA LESLIE &
EDWARD PETER
1938 S 1030 W
OREM, UT 84057

SCHAAP, HAYDEN
--OR CURRENT RESIDENT--
1941 S 1080 WEST
OREM, UT 84058

SCHAAP, HAYDEN
1941 S 1080 W # 242
OREM, UT 84058

PAJIMOLA, TANYA
1942 S 1030 W
OREM, UT 84057

CHANDLER, KATHLEEN ELZABETH
(ET AL)
1942 S 1080 W
OREM, UT 84058

AMPUERO, SAVANNAH & GABRIELA
--OR CURRENT RESIDENT--
1943 S 1080 WEST
OREM, UT 84058

AMPUERO, SAVANNAH & GABRIELA
1943 S 1080 W # 243
OREM, UT 84058

JTLP INVESTMENTS LLC
--OR CURRENT RESIDENT--
1948 S 1080 WEST
OREM, UT 84058

SPINDLER, JACQUELINE RACHEL
1949 S 1080 W
OREM, UT 84058

D2 LAND DEVELOPMENT LLC
--OR CURRENT RESIDENT--
1953 S 1080 WEST
OREM, UT 84058

CHRISTENSEN, COLTER J & PENNY
1954 S 1030 W
OREM, UT 84058

JTLP INVESTMENTS LLC
--OR CURRENT RESIDENT--
1954 S 1080 WEST
OREM, UT 84058

AVERY, SHANNON
1956 S 1030 W # 436
OREM, UT 84058

WILLIAMS, TANNER
1958 S 1030 W
OREM, UT 84057

MAXFIELD, MICHAEL & TIFFANY
1958 S 1080 W
OREM, UT 84058

CUMMINGS, KELSIE
1959 S 1080 W
OREM, UT 84058

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

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 102
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 103
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 104
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 105
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 106
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 201
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 202
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 203
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 204
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 205
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 206
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 301
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 302
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 303
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 304
PROVO, UT 84601

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

NARCISO, DAVID L JR & TATIANA H
1971 N 3100 W
PROVO, UT 84601

HERNANDEZ, GABRIELA COMPRES & GABRIELA
1979 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

ADVANTA IRA ADMINISTRATION LLC (ET AL)
%KHANDKAR, UMS
2116 S LAKELINE DR
SALT LAKE CITY, UT 84109

COLE, DARIN FUHRIMAN
2142 NW ROBIN HOOD ST
CORVALLIS, OR 97330

SSJB PRICE FAMILY LIMITED PARTNERSHIP
2299 E 3480 S
SAINT GEORGE, UT 84790

TANG, ALEXANDER & MEI LIN
2733 CALLE DE LA LOMA
PLEASANTON, CA 94566

LAKEVIEW FIELDS COTTAGES LLC
2825 E COTTONWOOD PKWY # 500
SALT LAKE CITY, UT 84121

TAYLOR, F WILLIS
%BREWSTER, LAURIE T
3556 CANYON ESTATES DR
BOUNTIFUL, UT 84010

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

LAI, TAK MING (ET AL)
3899 E CLUBHOUSE LN
EAGLE MOUNTAIN, UT 84005

PALATIAL LIVING LLC
3946 W FARMINGDALE CT
SOUTH JORDAN, UT 84009

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

KAUL, DHRUV & LYNDI
6472 W SCARLET OAK DR
WEST JORDAN, UT 84081

BOWMAN, ANDREW & TERAN
6767 W 10125 N
HIGHLAND, UT 84003

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

3 PLUS 1 REAL ESTATE LLC
9161 S BARONAY CIR
SANDY, UT 84093

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

ARNER, DAVID & LISA
17922 TEKLANIKA DR
EAGLE RIVER, AK 99577

DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING APPENDIX LL OF THE OREM CITY CODE TO EXPAND AREA B AND TO ADD NEW CONCEPT PLANS AND ELEVATIONS FOR AREA B OF THE PD-43 ZONE AND MAKING MINOR AMENDMENTS TO SECTION 22-11-56 (PD-43 ZONE)

WHEREAS on April 19, 2021, Jeff Mansell, Boardwalk Industries, LLC filed an application to amend Appendix LL of the Orem City Code to expand Area B and to add new concept plans and elevations for Area B of the PD-43 zone and to make other minor amendments to Section 22-11-56 (PD-43 zone; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on September 1, 2021, and the Planning Commission recommended that the City Council approve the proposed amendments; and

WHEREAS a public hearing considering the subject application was held by the City Council on September 14, 2021; 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

WHERAS notice of the public hearing to be held by the Planning Commission and City Council on the subject application was mailed to 276 property owners within 500 feet of the subject property; 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 that the request is in the best interest of the City.

2. The City Council hereby amends Appendix LL of the Orem City Code to expand Area B and to add new concept plans and elevations for Area B of the PD-43 zone and also amends Section 22-11-56 of the Orem City Code (PD-43 zone) as shown in Exhibit "A" which is attached hereto and incorporated herein by reference.

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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 14th day of September 2021.

_____
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

22-11-56. PD-43 (Auburn Meadows) 2000 South Geneva

A. **Purpose.** The purpose of the PD-43 zone is to allow for a medium density development of attached residentialunits consisting of townhouses and twin-homes.

(Ord. No. O-2014-0036, Enacted 08/26/2015)

B. **Location.** The PD-43 zone shall apply only to a parcel of property located generally at 2000 South Geneva Roadas shown in the Concept Plan.

(Ord. No. O-2014-0036, Enacted 08/26/2015)

C. **Concept Plan.** Property in the PD-43 zone shall be developed in substantial conformance with the Concept Plan included as Appendix LL of the Orem City Code which is incorporated herein by reference. Area A shall consist of a medium-density residential development and Area B shall consist of a ~~senior independent living facility or~~ commercial development.

(Ord. No. O-2014-0036, Enacted 08/26/2015)

D. **Permitted Uses.** Attached or detached residential dwelling units including townhouses and twin-homes are permitted in Area A. However, no stacked units shall be allowed in Area A. Common recreation Amenities that are customarily incidental to and accessory to attached unit residential developments shall also be permitted in Area A. ~~A senior independent living facility and a~~Any use permitted in the C2 zone shall be permitted in Area B.

(Ord. No. O-2014-0036, Enacted 08/26/2015)

E. **Prohibited Uses.** Any use that is not listed as a permitted use in subsection (D) above is prohibited.

(Ord. No. O-2014-0036, Enacted 08/26/2015)

F. **Final Plat.** A final plat that conforms to all development standards and requirements of CHAPTER 17 shall be approved and recorded by the City prior to any development in the PD-43 zone.

(Ord. No. O-2014-0036, Enacted 08/26/2015)

G. **Site Plan.** All development standards and site plan requirements of Section 22-14-20 shall apply to any development in the PD-43 zone. No development, construction, revisions, or additions shall take place on a site in the PD-43 zone, except for demolition and preliminary site grading, until the site plan has been approved, the final plat has been recorded, the necessary bonds have been posted, all fees have been paid, and the appropriate permits have been obtained.

1. Additional Site Plan Requirements. In addition to the requirements of Section 22-14-20, the site plan shall include details of Amenities and their locations within the project.
2. Phasing. Development phases are permitted provided that all phases include, in accordance with City policies and procedures: 1) sufficient traffic circulation for the development phase to existing dedicated streets; 2) sufficient infrastructure, such as sewer and culinary water; 3) surface water detention, ifapplicable; and 4) appropriate Amenities for that phase as specified on the site plan.
3. Soils Report. A soils report prepared by a soils engineer shall be submitted concurrent with the submittal of any site plan to identify any special engineering needs of the site. All development shall be slab on grade unless a soils engineer determines that below grade development can be developed without present or future ground water problems and the City Engineer concurs in the analysis. Ground water drains shall be required if the soils report recommends them.
4. Army Corps of Engineers Requirements. No site plan shall be approved unless all requirements of the Army Corps of Engineers have been satisfied with respect to the land included within such site plan.

H. **Development Standards and Requirements.** The following development standards shall apply to alldevelopment in the PD-43 zone.

1. **Density**. The maximum residential density allowed shall be twelve (12) dwelling units per acre.
2. **Height**. No structure in Area A shall exceed a height of thirty-five feet (35'). No structure in Area B shallexceed a height of forty-five feet (45').
3. **Setbacks**.
   a. **Area A.** All buildings in Area A shall be set back a minimum of twenty feet (20') from all outside boundary lines of the PD-43 zone, from all private streets and from the shared boundary line between Area A and Area B. All parking spaces shall be set back a minimum of twenty feet (20') from all outside boundary lines of the PD-43 zone and ten feet (10') from the shared boundary line between Area A and Area B. No setback is required from the outside boundaries of the PD-43 zone (except for boundaries adjacent to public streets) for accessory structures that have a footprint of less than one thousand (1000) square feet. Porches, cantilevers, canopies and "pop out" windows may encroach into the setback a maximum of two feet (2'). Landscaping shall be maintained in all required setback areas.
   b. **Area B.** All buildings in Area B shall be set back from all public streets and the shared boundary line between Area A and Area B a distance equal to the height of the building or twenty feet (20'), whichever is greater. All parking spaces shall be set back a minimum of twenty feet (20') from all outside boundary lines of the PD-43 zone ~~and ten feet (10') from the shared boundary line between Area A and Area B~~. Landscaping shall be maintained in the areas shown in the Concept Plan.
4. **Architectural Style.** All buildings in the PD-43 zone shall substantially conform to the architectural design and quality illustrated in the Concept Plan.
5. **Exterior Finish Materials**. The exterior finish materials of all exterior walls on all dwelling units in the PD- 43 zone shall consist entirely of brick, stone, stucco, concrete fiber-board siding, or a combination thereof. Wood or vinyl siding shall not be used on units in the PD-43 zone. However, metal or vinyl soffits and trimsare permitted.
6. **Buffered Sidewalks**. A buffered sidewalk separated from the street by a landscaped strip shall be installed and maintained adjacent to all public streets. The sidewalk shall be at least six feet (6') in width. The landscaped strip shall be at least eight feet (8') in width and shall be bermed to a height of at least onefoot above the grade of the adjacent sidewalk. The landscaped strip shall be maintained with grass and trees with trees being planted and maintained in the buffering landscaped strip and spaced no more than forty feet (40') apart. Trees in the buffering landscaped strip shall be selected from Appendix U of the Orem City Code and shall be at least two inches (2") in caliper when planted. At least a proportionate share of the required sidewalk and buffering landscaped strip improvements shall be constructed with each phase of development in the PD-43 zone.
7. **Interior Streets**. All streets located within the interior of the PD-43 zone shall be private. Interior streets shall have a minimum asphalt width of twenty-eight feet (28'), Interior streets and sidewalks shall be common area and shall be maintained by the unit owners' association that has jurisdiction of the area in which they are located.
8. **Drive Accesses**. Drive accesses shall be designed and built as shown in the Concept Plan. All drive accesses shall be constructed with at least two travel lanes with each travel lane being a minimum of (12) feet in width exclusive of areas available for parking.
9. **Interior Sidewalks**. A sidewalk at least five feet (5') in width shall be constructed and maintained along at least one side of all private streets.
10. **Parking**. At least two and one-half (2.5) parking stalls, two of which must be covered, shall be

provided for each dwelling unit. Driveways shall not count towards the parking requirement. All parking spaces shall measure at least nine feet (9') by eighteen feet (18'). All parking spaces, parking areas, and driveways shall be paved with asphalt and/or concrete and shall be designed to drain properly. Drainage shall not be channeled or caused to flow across pedestrian walk ways.

11. **Fences**. A masonry fence with a minimum height of seven feet (7') shall be erected around the entire perimeter of the PD-43 zone and along the boundary between Area A and Area B except that no fenceshall be required along street frontages, and no masonry fencing is allowed over any water main unless the water main is sleeved. The entire perimeter fence shall be constructed of the same materials and have the same design, color and style to ensure a uniform appearance. The developer shall paint the masonry fence with a high grade oil base paint/sealant or with a paint/sealant approved by the City that resists graffiti. A fence may only be allowed along the frontage of a public street if the City Engineer determines that such a fence will not cause any traffic safety concerns, the fence is set back at least ten feet (10') behind the back of sidewalk and the fence does not exceed a height of seven feet (7').
12. **Landscaping.** Landscaping shall be provided and maintained as generally shown in the Concept Plan. Landscaping shall be maintained in all required setback areas. A landscaping plan shall be submitted to the City for approval as a part of the site plan for any phase of development. All required landscaping within the area of any phase shall be completed within ninety (90) days of completion of the building construction within that phase. In the event that the building is completed between October 15 and March 15, completion of the landscaping may be delayed until the next June 15 following said March 15 date.
    a. All land within the PD-43 zone not covered by buildings, driveways, sidewalks, and parking areas, shall be permanently landscaped and maintained in accordance with good landscaping practices. A permanent underground sprinkling system shall be installed for all landscaped areas.
    b. For every two (2) dwelling units there shall be required on the site at least one (1) deciduous tree at least two inches (2") in caliper measured six inches (6") above ground level, one (1) evergreen tree at least five (5) gallons in size, and sixteen (10) shrubs at least five (5) gallons in size.
13. **Lighting Plan**. Each site plan shall include a lighting plan that is designed to discourage crime, enhance the safety of the residents and guests of the project, prevent glare onto adjacent properties and enhance the appearance and design of the project. Exterior wall pack lighting shall be provided on each building.

Parking lots and structures shall be well lit. Interior street pole lights shall have a decorative style and shall be dark-sky sensitive. No cobra-style light standards are allowed. The general design of the interior street pole lights shall follow the general theme of the development.

14. **Off-site Improvements**. Off-site curb, gutter and sidewalk along street rights-of-way bordering the sitemay be required by the City when safety or surface water drainage is impaired as a result of the proposed PD-43 zone.
15. **Irrigation Ditches**. Irrigation ditches within the development or along street rights-of-way adjacent to the development shall be piped.
16. **Storm Water Runoff Plan**. All developments in the PD-43 zone shall have a storm water runoff plan designed to accommodate a 25-year storm. Any on-site detention ponds may be considered in and part of required landscaped areas. All surface water runoff shall be detained on site.
17. **Signs**. Except as otherwise provided below, signage in the PD-43 zone shall comply with CHAPTER 14 of the Orem City Code. The following additions and modifications shall apply to signage in the PD-43 zone:

a. One monument sign with a maximum height of six feet and a maximum area of forty-eight square feetshall be allowed in Area B.
b. Three monument signs shall be allowed in Area A with each monument sign limited to a height of sixfeet and a maximum size of twenty-four (24) square feet.
c. All permitted monument signs shall be constructed in accordance with the setback and landscapingrequirements of CHAPTER 14 of the Orem City Code.

18. **Accessory Apartments**. Accessory apartments are not permitted in the PD-43 zone.
19. **RV Storage**. Open storage of recreational vehicles (RVs), utility trailers, boats and similar items shall beprohibited in the PD-43 zone.
20. **Utilities**. All dwelling units shall be served by the public sewer system and public water supply. All utilities shall be placed underground. No water or sewer lines shall be placed under covered parking areas.
21. **Amenities**. Amenities shown on the Concept Plan shall be incorporated into the development.
22. So**lid Waste Receptacles and Storage Areas.** All outside storage areas and solid waste receptacles which are not located within a building shall be enclosed on three sides with a masonry wall at least six feet (6')in height and shall have a sight-obscuring gate.
23. **Unit Owners' Association**. A unit owners' association shall be formed and maintained to provide maintenance and upkeep of all common areas in the PD-43 zone. Prior to receiving a building permit for any property in the PD-43 zone, the owner/developer shall provide proof to the City of Orem that a unit owners' association has been established for the property on which the building permit is requested.
24. **Mechanical Equipment**. All mechanical equipment shall be screened from view, either by enclosure or parapet wall. Any truck dock areas shall also be similarly screened from view.
25. **Default Standards**. Except as otherwise provided herein, the provisions and standards of the PRD zone shall apply in Area A and the standards of the C2 zone shall apply in Area B of the PD-43 zone.
26. **Neighborhood Meeting**. The owner/developer of any development in the PD-43 zone shall conduct atleast one (1) neighborhood meeting in accordance with Section 22-14-20(I) to explain the proposed development and to address all neighborhood concerns. Written notice shall be given by the owner/developer to all residents within five hundred feet (500') in all directions of the proposed development. Notice of the meeting shall be delivered by the owner/developer at least seven (7) days prior to the date of the meeting. Phone calls or informal door-to-door contacts are not consideredneighborhood meetings. Such meeting(s) shall be accomplished prior to any site plan being submitted to the City. The owner/developer shall write a summary of the neighborhood meeting and submit it as part of the site plan.

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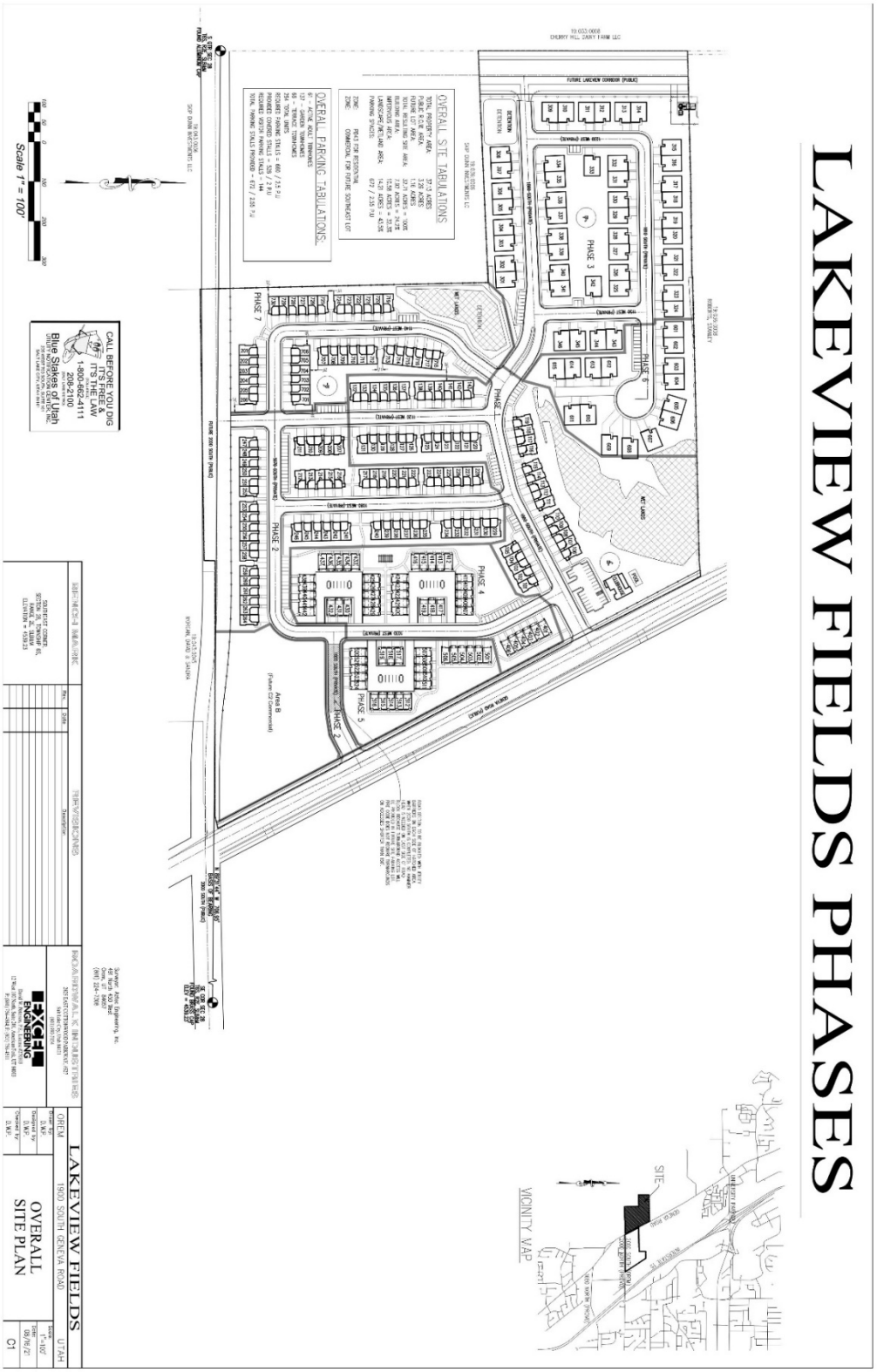
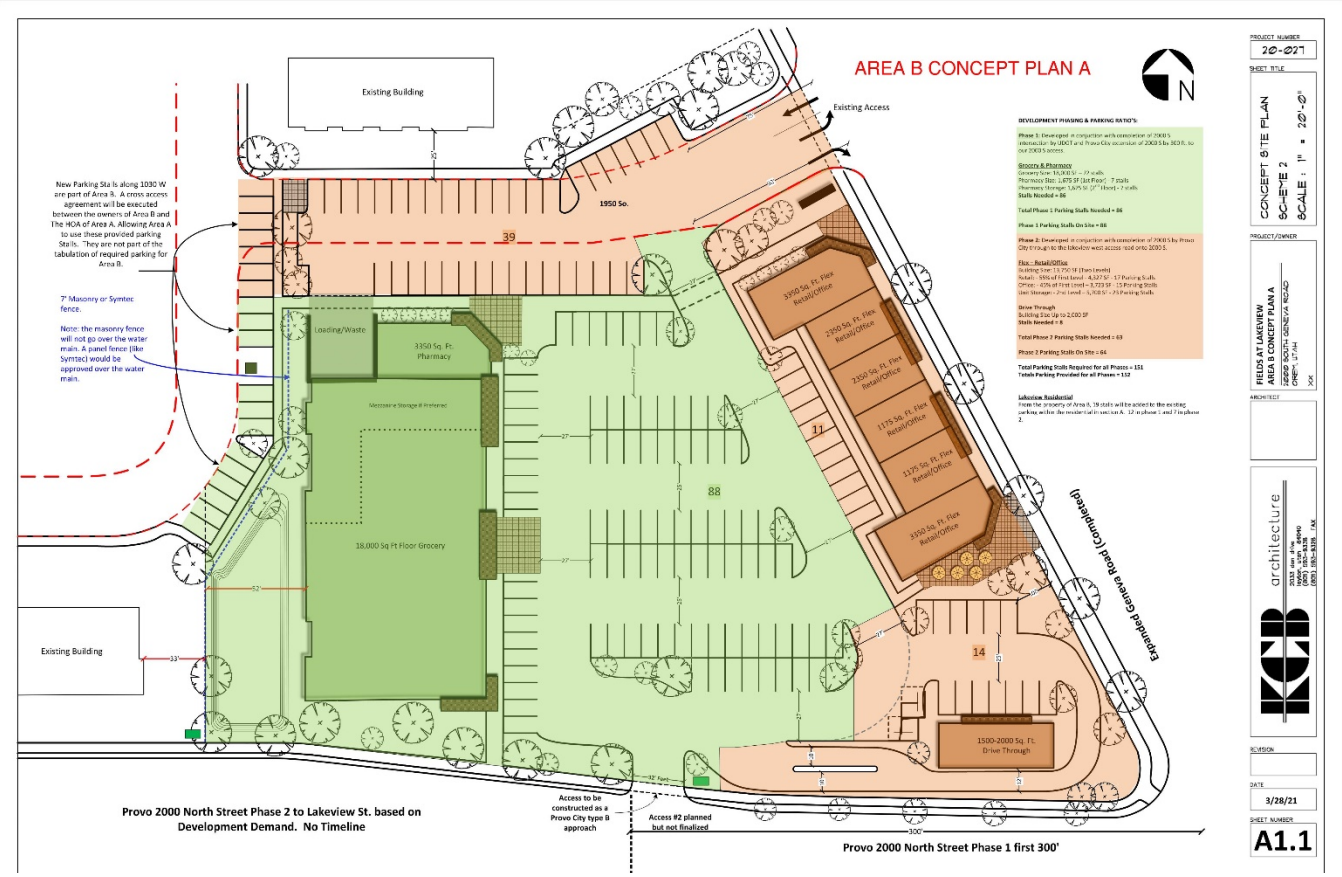

LAKEVIEW FIELDS PHASES
OVERALL SITE TABULATIONS
OVERALL PARKING TABULATIONS
PHASE 1
PHASE 2
PHASE 3
PHASE 4
PHASE 5
PHASE 6
PHASE 7
Scale 1" = 100'
CALL BEFORE YOU DIG
IT'S THE LAW
1-800-662-4111
208-2100
Blue Stakes of Utah
VICINITY MAP
SITE
LAKEVIEW FIELDS
1900 SOUTH GENEVA ROAD
OREM
UTAH
OVERALL SITE PLAN
C1



LAKEVIEW AREA B CONCEPT RENDERINGS

GROCERY

FLEX: RETAIL / OFFICE

DRIVE -THRU SITE

SMALL FORMAT DRIVE-THRU

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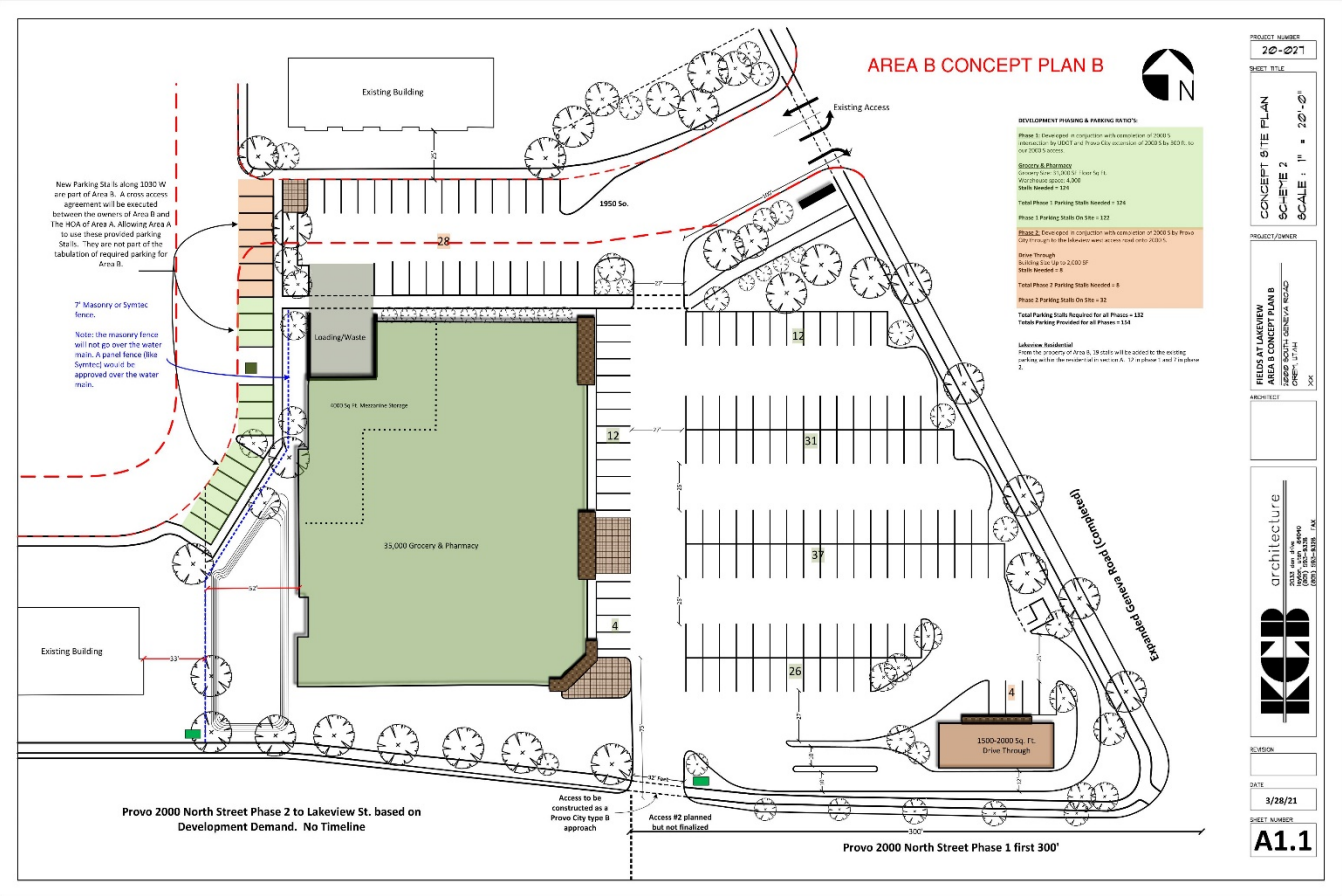

AREA B CONCEPT PLAN B
N
Existing Building
Existing Access
1950 So.
28
New Parking Sta ls along 1030 W are part of Area B. A cross access agreement will be executed between the owners of Area B and The HOA of Area A. Allowing Area A to use these provided parking Sta ls. They are not part of the tabulation of required parking for Area B.
7' Masonry or Symtec fence.
Note: the masonry fence will not go over the water main. A panel fence (like Symtec) would be approved over the water main.
Loading/Waste
4000 Sq ft Mezzanine Storage
35,000 Grocery & Pharmacy
12
12
31
37
4
26
4
Existing Building
Expanded Geneva Road (Completed)
1500-2000 Sq. Ft. Drive Through
Provo 2000 North Street Phase 2 to Lakeview St. based on Development Demand. No Timeline
Access to be constructed as a Provo City type B approach
Access #2 planned but not finalized
Provo 2000 North Street Phase 1 first 300'
DEVELOPMENT PHASING & PARKING RATIO'S
Phase 1: Developed in conjuction with connection of 2000 S intersection by UDOT and Provo City extension of 2000 S by SECR, so our 2000 S access.
Grocery & Pharmacy
Grocery Size: 35,000 SF - floor Sq Ft.
Warehouse space: 4,000
Stalls Needed = 124
Total Phase 1 Parking Stalls Needed = 124
Phase 1 Parking Stalls On Site = 122
Phase 2: Developed in conjuction with connection of 2000 S by Provo City through to the lakeview west access road onto 2000 S.
Drive Through
Building Size: Up to 2,000 SF
Stalls Needed = 8
Total Phase 2 Parking Stalls Needed = 8
Phase 2 Parking Stalls On Site = 32
Total Parking Stalls Required for all Phases = 132
Totals Parking Provided for all Phases = 154
Lakeview Residential
From the property of Area B, 18 stalls will be added to the existing parking within the residential in section A. 12 in phase 1 and 7 in phase 2.
PROJECT NUMBER
20-027
SHEET TITLE
CONCEPT SITE PLAN
SCALE 1" = 20'-0"
PROJECT/OWNER
FIELDS AT LAKEVIEW
AREA B CONCEPT PLAN B
2800 SOUTH GENEVA ROAD
PROVO, UTAH
ARCHITECT
architecture
REVISION
DATE
3/28/21
SHEET NUMBER
A1.1

CITY OF OREM **CITY COUNCIL MEETING** **SEPTEMBER 14, 2021**	
REQUEST:	RESOLUTION – Designating a portion of 150 North between 668 West and 800 West as both "Parkside Lane" and "150 North".
APPLICANT:	John Shelton, Principal, Parkside Elementary
NOTICES:	
SITE INFORMATION:	
PREPARED BY:	Jason Bench, Planning Division Manager

REQUEST:

BACKGROUND:

John Shelton, Principal of Parkside Elementary requests the City Council rename a portion of 150 North between the school (668 West) to 800 West as Parkside Lane and 150 North Street.

RECOMMENDATION:

The City Manager recommends the City Council, by resolution, rename 150 North between 668 West and 800 West Street as Parkside Lane and 150 North.

CITY OF OREM **CITY COUNCIL MEETING** SEPTEMBER 14, 2021	
REQUEST:	**RESOLUTION – Renaming a portion of 150 North between 668 West and 800 West Street as Parkside Lane and 150 North**
APPLICANT:	John Shelton, Principal, Parkside Elementary
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

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

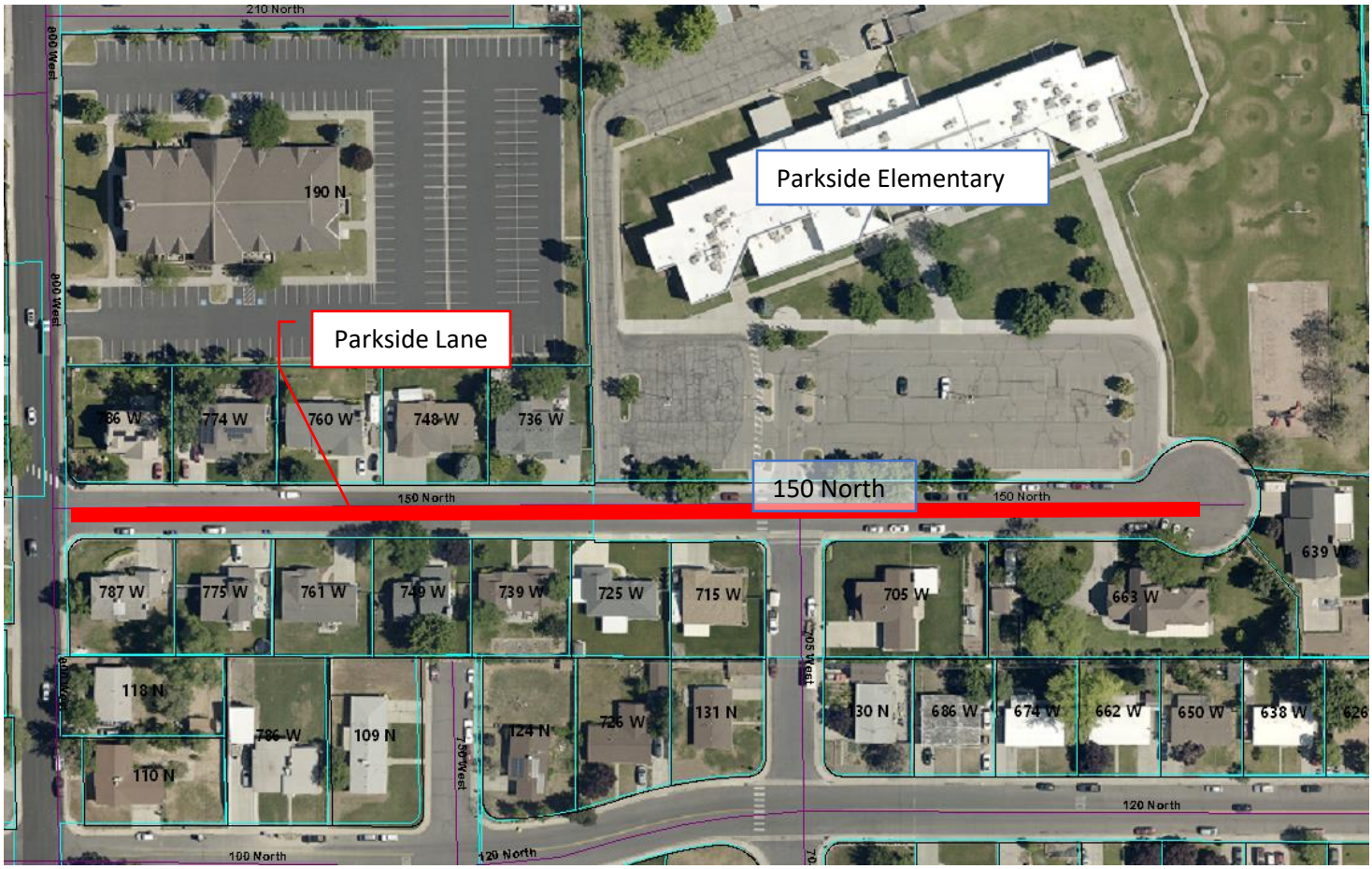
PLANNING COMMISSION RECOMMENDATION
Vote: N/A

PREPARED BY:
Jason Bench, AICP Planning Division Manager

RECOMMENDATION:
The City Manager recommends the City Council, by resolution, rename 150 North between 668 West and 800 West Street as Parkside Lane and 150 North.

BACKGROUND:
John Shelton, Principal of Parkside Elementary requests the City Council rename a portion of 150 North between the school (668 West) to 800 West as Parkside Lane and 150 North Street. The street is currently known as Stallion Drive, however, Suncrest Elementary (Suncrest Stallions) was renamed to Parkside Elementary (Parkside Panthers) and request the name be changed to reflect the new name.

Staff believes that renaming 150 North street between 668 West and 800 West will promote community pride and spirit and will create a positive sense of place in accordance with the Facility and Street Naming Policy.


Parkside Elementary
Parkside Lane
150 North
210 North
800 West
190 N
786 W
774 W
760 W
748 W
736 W
787 W
775 W
761 W
749 W
739 W
725 W
715 W
705 W
663 W
639 W
118 N
110 N
786 W
109 N
124 N
726 W
131 N
130 N
686 W
674 W
662 W
650 W
638 W
705 West
120 North
100 North

City of Orem
Facility and Street Naming Application

Applicants Name: John Shelton Applicants Phone# 801-610-8120

Applicants Email: jshelton@alpinedistrict.org

Facility / Street Being Considered: 150 North From school to 800 west.

Individual / Organization to be Recognized: Parkside Elementary

Proposed Name: Parkside Lane.

Please check all that apply:

- ☐ An Orem police officer or firefighter who died in the line of duty.
- ☐ An Orem resident or individual with strong ties to the City of Orem who died in combat while serving in the military.
- ☐ A person or entity that made extraordinary and lasting contributions* to the City of Orem.
- ☐ A person or entity that made substantial contributions* to the creation or betterment of a specific City facility or park.
- ☒ A descriptive name to a City facility or street when doing so will promote community pride or spirit, will create a positive sense of place, or will enhance the aesthetic appeal of the area in which the street or facility is located.

*Please provide additional information as to how and/or why the contribution of the individual or organization was significant or substantial to the City of Orem. (not to exceed two (2) typed pages)

The name of the school and its mascot have changed. The street is currently Stallion Drive because it used to be Suncrest Stallions. We are now Parkside Panthers and would like the street to be Parkside Lane.

DRAFT

RESOLUTION NO. _____

A RESOLUTION OF THE OREM CITY COUNCIL RENAMING A PORTION OF 150 NORTH BETWEEN 668 WEST AND 800 WEST AS PARKSIDE LANE (WITH THE COORDINATE ADDRESS OF 150 NORTH TO BE LISTED BELOW THE DESCRIPTIVE NAME ON ALL STREET SIGNS)

WHEREAS John Shelton (Principal, Parkside Elementary) filed a request that the City Council rename a portion of 150 North between 668 West and 800 West as Parkside Lane and 150 North (with the coordinate address of 150 North to be listed below the descriptive name on all street signs); and

WHEREAS 150 West Street is a public street between 668 West and 800 West; and

WHEREAS the City Council finds that renaming a portion of 150 North between 668 West and 800 West to Parkside Lane will promote community pride and spirit and will create a positive sense of place in accordance with the City's Facility and Street Naming Policy.

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

1. The City Council hereby renames that portion of 150 North Street located between 668 West and 800 West to Parkside Lane (with the coordinate address of 150 North to be listed below the descriptive name on all street signs).
2. The City Council hereby authorizes and directs City staff to implement this resolution and to change affected street signs in accordance with this resolution.
3. This resolution shall become effective immediately upon passage.

PASSED and APPROVED this **14th** day of September 2021.

_____
Richard F. Brunst, Jr., Mayor

ATTEST:

_____
JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	☐	☐	☐

DRAFT

Jeff Lambson	☐	☐	☐
Debby Lauret	☐	☐	☐
Tom Macdonald	☐	☐	☐
Terry Peterson	☐	☐	☐
David Spencer	☐	☐	☐
Brent Sumner	☐	☐	☐

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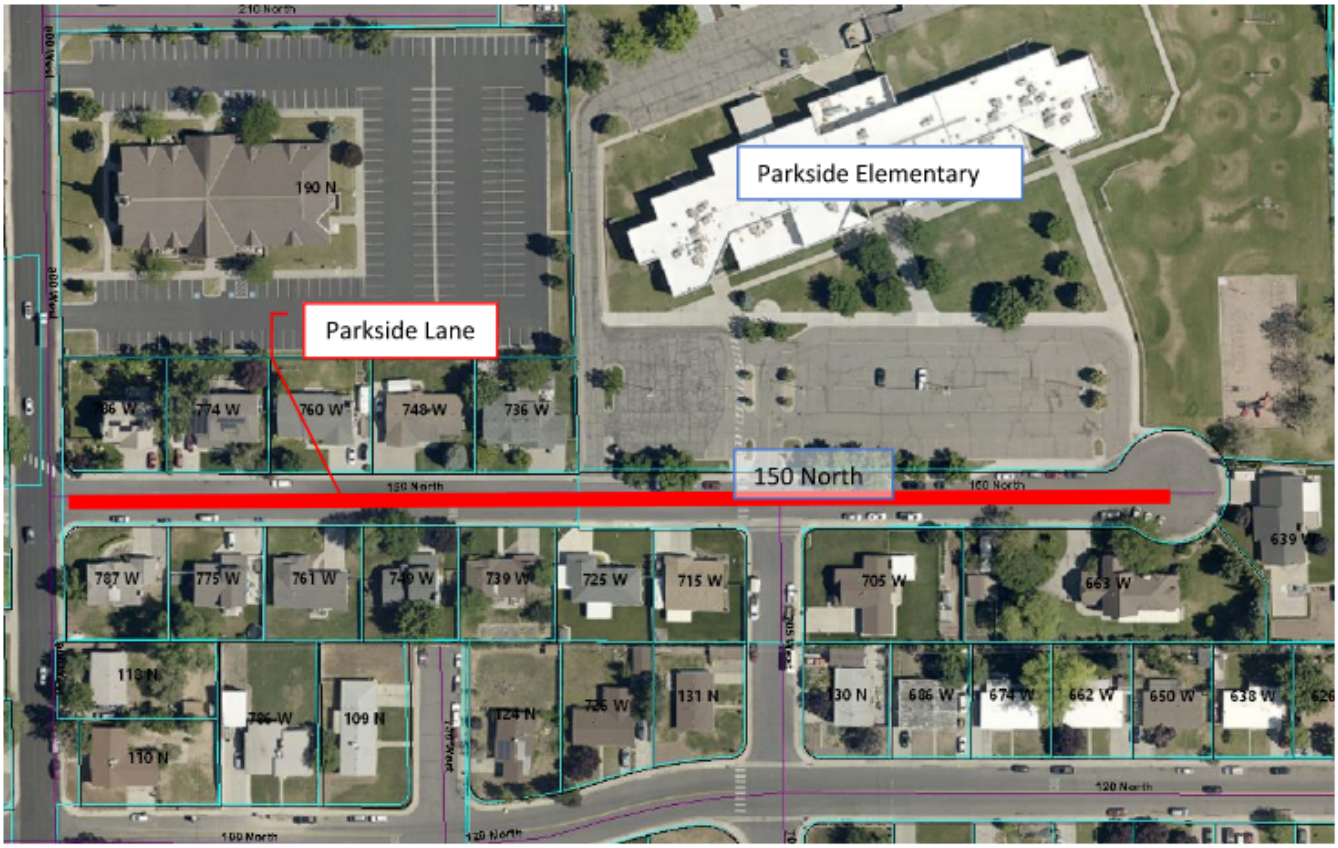
EXHIBIT A



Facility and Street Naming Policy
City of Orem

PURPOSE: To establish a formal and uniform policy regarding the naming of City facilities and streets.

POLICY:

A. General Guidelines

1. Except as otherwise provided herein, the City Council shall have the final authority to name and rename all City facilities and streets. However, City Council approval is not required for street names that are coordinate addresses only.

2. It is the intent of the City Council that names for public and private streets be generally limited to coordinate addresses. However, descriptive names may be given to a street in limited circumstances and subject to compliance with this policy.

3. Descriptive street names are additions to the street name and will not change the street address. Street signs for streets with a descriptive name shall contain the descriptive name with the coordinate address below the descriptive name. (i.e. Canyon Parkway as the main street name and 800 North listed below)

3. The renaming of a City street or facility that has a pre-existing descriptive name shall require a super majority vote of at least five City Council members.

4. No City street or facility shall be named after a seated elected or appointed official.

5. Only one City street or facility shall be named after any given person or entity.

B. Criteria for Naming City Facilities and Streets.

1. **Naming after an Individual or Entity**. The City Council may assign a descriptive name to a City facility or street in honor of:

a. An Orem police officer or firefighter who died in the line of duty;

b. An Orem resident or individual with strong ties to the City of Orem who died in combat while serving in the military.

c. A person or entity that made extraordinary and lasting contributions to the City of Orem; or

d. A person or entity that made substantial contributions to the creation or betterment of a specific City facility or park.

2. **Other Names**. The City Council may assign a descriptive name to a City facility or street when it finds that doing so will promote community pride or spirit, will create a positive sense of place, or will enhance the aesthetic appeal of the area in which the street or facility is located.

3. **New Streets**. All new streets created in a new subdivision shall have a coordinate address only unless the street is not conducive (in the sole judgment of City staff) to a coordinate address due to the street being diagonal, curvilinear or other reason. New streets that are not conducive to a coordinate address may be assigned a descriptive name in the preliminary plat. The descriptive name shall be limited to a topographical or historical feature related to the site. The Planning Commission shall have authority to assign descriptive street names as part of the preliminary plat approval process and may consider street names requested by the owner/developer although the Planning Commission is not required to accept or approve such requested names.

C. **Definitions.** For purposes of this policy, the following terms are defined as follows:

1. **City facilities** means City parks, buildings, recreational facilities, fields, walkways, trails, bridges or any other City-owned property. The term City facilities may also include specific portions of City facilities such as points of entry, rooms/patios, facility features (such as a column or fountain), pavilions, monuments, etc.
2. **Streets** means both public and private streets.

D**. Facility and Street Naming Process**.

1. A request to name or rename a City facility or street (other than names for new streets in a new subdivision plat) shall be made by submitting an application to the Department of Development Services. The application shall be made on the City's Facility Naming Application Form. No application fee shall be charged for an application made by the City Manager or a City Council member.

2. All applications to name or rename a City facility or street after a person or entity under subsections (B)(1)(b)and(c) of this policy shall be considered by the Planning Commission. If a majority of the commission recommends approval, the application shall be forwarded to the City Council for consideration. If a positive recommendation is not received from the Planning Commission, the request will not be forwarded to the City Council and the application shall be considered denied. All other naming requests shall be submitted directly to the City Council.

3. The Planning Commission shall consider the merits of an application based on the information provided in the application and the criteria contained in this policy. The applicant shall have the burden of demonstrating that the criteria for renaming have been met and that the renaming is in the best interest of the City.