

CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
September 21, 2022

The following items are discussed in these minutes:

- **APPEAL** – Extending the approval of the preliminary plat for Hernandez Plat A - Approved
- **PUBLIC HEARING** – Enacting Section 22-6-9(M) *Residential Preschool (SLU Code 6265)* and Standard Land Use Code 6265 *Residential Preschool* – Positive Recommendation to City Council
- **PUBLIC HEARING** – Amending Section 22-6-9(F)(8) *Home Day Care Services- Child & Adult (SLU Code 6263)* pertaining to outdoor play areas; and Enacting Section 22-6-9(G)(14) *Commercial Day Care Services (SLU Codes 6261 and 6262)* pertaining to outdoor play areas - Positive Recommendation to City Council
- **PUBLIC HEARING** – Enacting Section 22-11-64 PD-51 (*River District – 720 North 1550 East*) Zone, and Appendix “YY” of the Orem City Code, and amending Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone of 3.15 acres from the Business Park (BP) zone to the PD51 zone at approximately 720 North 1550 East – No Recommendation to City Council
- **PUBLIC HEARING** – Amending a portion of Appendix A of the Orem City Code by amending the Standard Land Use (SLU) Code 5811 *Fast Food* and making such use permitted in the Business Park (BP) zone and amending Section 22-9-8(1) *Miscellaneous Regulations for Manufacturing and Research and Development Zones* to allow fast food restaurants with a drive-thru and to make architectural standards consistent throughout the west side development project areas in the Business Park (BP) zone located at approximately 800 North and University Avenue - Positive Recommendation to City Council
- **PUBLIC HEARING** – Amending portions of Chapter 4 (Housing) of the Orem General Plan including updating Section 4.1 Population Demographics, Section 4.2 Existing Conditions, and enacting Section 4.4.2 pertaining to Moderate Income Housing Strategies - Positive Recommendation to City Council

STUDY SESSION

Place: City Council Conference Room

At 3:30 p.m. Vice-Chair Komen called the Study Session to order.

Those present: Gerald Crismon, James Hawkes, Madeline Komen, Murray Low and Tina Okolowitz, Planning Commission members; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Cheryl Vargas and Rachel Stevens, Associate Planners; Grant Allen and Matt Taylor, Senior Planners; Sam Kelly, City Engineer; Aaron McKnight, Legal Counsel and Terry Peterson, City Council Liaison

Those excused: Haysam Sakar, Planning Commission member

The Commission and staff briefly reviewed agenda items and minutes from the September 7, 2022 meeting and adjourned at 4:25 p.m. to the City Council Chambers for the regular meeting.

REGULAR MEETING

Place: Orem City Council Chambers

At 4:30 p.m. Vice-Chair Komen called the Planning Commission meeting to order and asked Ms. Okolowitz, Planning Commission member, to offer the invocation.

Those present: Gerald Crismon, James Hawkes, Madeline Komen, Murray Low and Tina Okolowitz, Planning Commission members; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Cheryl Vargas and Rachel Stevens, Associate Planners; Grant Allen and Matt

Planning Commission minutes for September 21, 2022

Taylor, Senior Planners; Sam Kelly, City Engineer; Aaron McKnight, Legal Counsel and Terry Peterson, City Council Liaison

Those excused: Haysam Sakar, Planning Commission member

Vice-Chair Komen asked Ms. Stevens to introduce **Agenda Item 3.1:** ([click here for recording](#))

Agenda Item 3.1 is a request by Ramon and Rosalia Hernandez for the Planning Commission to approve the preliminary plat for Hernandez Plat A, located generally at 534 North 600 West in the R7.5 zone.



Staff Presentation: On September 15, 2021 the applicant came before the Planning Commission with a request to subdivide their property into two lots. Section 17-4-7 *Validity of preliminary plat approval* states that the preliminary plat is approved for one (1) year and that the Planning Commission may grant one (1) year extensions ([Section 17-4-7](#)). The applicant request the Planning Commission grant an extension of approval for their preliminary plat for an additional year.

The proposed plat still complies with all the applicable ordinances for Preliminary Plats ([Section 17-4-3](#)). It also still meets the requirements for the R7.5 zone. Lot 1 contains 7510 square feet and has an existing home which will remain. Lot 2 contains 18,615 square feet and shall have improvements installed. Both of the lots will front on 600 West ([Section 22-6-8](#)).

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission

Vice-Chair Komen asked if the Planning Commission had any questions for Ms. Stevens.

Vice-Chair Komen invited the applicant to come forward. Rosalia Hernandez introduced herself.

Vice-Chair Komen asked if the Planning Commission had any more questions for the applicant or staff. When none did, she called for a motion on this item.

Planning Commission Action: Mr. Hawkes moved to extend the approval of the preliminary plat for Hernandez Plat A for an additional year, located generally at 584 North 600 West in the R7.5 zone. Ms. Komen seconded the motion. Those voting aye: Gerald Crismon, James Hawkes, Madeline Komen, Murray Low and Tina Okolowitz. The motion passed unanimously.

Vice-Chair Komen asked Ms. Stevens to introduce **Agenda Item 3.2:** ([click here for recording](#))

Agenda Item 3.2 is a request by Business Licensing for the City to enact Section 22-6-9(M) *Residential Preschool (SLU Code 6265)* and Standard Land Use Code 6265 *Residential Preschool*.

Staff Presentation: Business Licensing requests the city enact a new land use code for Residential Preschools. Currently, residential preschools are being regulated and enforced under Home Day Care Services (SLU Code 6263). ([See Section 22-6-9\(F\)](#)).

Enacting a new land use code will allow for better regulation and enforcement of residential preschools.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission consider a recommendation to the City Council to enact Section 22-6-9(M) *Residential Preschool (SLU Code 6265)* and Standard Land Use Code 6265 *Residential Preschool*.

Vice-Chair Komen asked if the Planning Commission had any questions for Ms. Stevens.

Planning Commission minutes for September 21, 2022

Vice-Chair Komen invited the applicant to come forward. Bridgett Pace, Business Licensing, introduced herself.

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

When no one came forward, Vice-Chair Komen closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, she called for a motion on this item.

Planning Commission Action: Mr. Hawkes moved to forward a positive recommendation to the City Council to enact Section 22-6-9(M) *Residential Preschool (SLU Code 6265)* and Standard Land Use Code 6265 *Residential Preschool*. Mr. Low seconded the motion. Those voting aye: Gerald Crismon, James Hawkes, Madeline Komen, Murray Low and Tina Okolowitz. The motion passed unanimously.

Vice-Chair Komen asked Ms. Stevens to introduce **Agenda Item 3.3:** ([click here for recording](#))

Agenda Item 3.3 is a request by Development Services for the City to amend Section 22-6-9(F)(8) *Home Day Care Services-Child & Adult (SLU Code 6263)* pertaining to outdoor play areas; and Enacting Section 22-6-9(G)(14) *Commercial Day Care Services (SLU Codes 6261 and 6262)* pertaining to outdoor play areas.

Staff Presentation: Development Services requests the City Council amend the Home Day care requirements pertaining to play areas. The proposed language would require play areas to be fully enclosed and require a self-closing and self-latching gate. It would also require outdoor play areas to have a soft-surface area for children to play on. ([See Section 22-6-9\(F\)](#)).

Development Services also proposes a new ordinance regarding Commercial Day Care Services. It would require commercial day cares to have a play area that is fenced with self-closing and self-latching gates. It would not allow play areas and play structures to be located in parking lots or on top of other hard surfaces. ([See Section 22-6-9\(G\)](#)).

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission consider a recommendation to the City Council to amend Section 22-6-9(F)(8) *Home Day Care Services-Child & Adult (SLU Code 6263)* pertaining to outdoor play areas; and Enact Section 22-6-9(G)(14) *Commercial Day Care Services (SLU Codes 6261 and 6262)* pertaining to outdoor play areas.

Vice-Chair Komen asked if the Planning Commission had any questions for Ms. Stevens.

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

When no one came forward, Vice-Chair Komen closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, she called for a motion on this item.

Planning Commission Action: Mr. Low moved to forward a positive recommendation to the City Council to amend Section 22-6-9(F)(8) *Home Day Care Services-Child & Adult (SLU Code 6263)* pertaining to outdoor play areas; and Enact Section 22-6-9(G)(14) *Commercial Day Care Services (SLU Codes 6261 and 6262)* pertaining to outdoor play areas. Mr. Crismon seconded the motion. Those voting aye: Gerald Crismon, James Hawkes, Madeline Komen, Murray Low and Tina Okolowitz. The motion passed unanimously.

Vice-Chair Komen asked Ms. Stevens to introduce **Agenda Item 3.4:** ([click here for recording](#))

Agenda Item 3.4 is a request by Julie Smith for the City to enact Section 22-11-64 PD-51 (*River District – 720 North 1550 East*) Zone, and Appendix “YY” of the Orem City Code, and amend Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone of 3.15 acres from the Business Park (BP) zone to the PD51 zone at approximately 720 North 1550 East.

Staff Presentation: This item was continued from the September 7, 2022 meeting.

Planning Commission minutes for September 21, 2022

A Public Hearing for the enactment of Section 22-11-64 PD51 (*River District – 720 North 1550 East*) and Appendix “YY” of the Orem City Code and the changing of the zoning map of the City of Orem was held September 7, 2022. It was determined that more time was needed for the Planning Commission to discuss this item and to see whether Provo approved their portion of the project. The item was continued to September 21, 2022.

On September 14, 2022, Provo City Planning Commission sent a positive recommendation (5-0 vote) to their City Council to approve the General Plan Map Amendment, Concept Plan and Zone Map Amendment (with the condition a Development Agreement is signed). Here is the link: [Provo Recommendation](#)

The applicant is proposing this rezone and map amendment from the Business Park zone to the PD51 zone so they can build a planned development of attached residential dwelling units, consistent with the property to the south which is located in the Provo City boundaries. If the rezone is approved, they will come back to the Planning Commission at a future date for approval of the site plan and improvements.

The proposed zone is designed to be applied only to Lot 2 as designated in Appendix YY of the Orem City Code.

Units: There will be twenty-five (25) units in the residential portion of the new development. This will be the area that is being rezoned to the PD51 zone. The townhouse style units will be two or three stories high. The area to the north will remain the Business Park (BP) zone. There will be a private street that each of the units will access.

The new PD51 zone will be more than five hundred (500) feet from 800 North as is required for a new PD zone containing a residential use (22-11-1(3)). It is actually close to one thousand (1,000) feet from 800 North.

Since this is currently zoned BP, a PD zone is an option for this development containing residential uses (22-11-1(3)).

Materials: The exterior finishing materials of wood siding, stone and standing seam metal roofs are proposed (see proposed ordinance text).

Height: Structures in the PD51 zone can be up to three stories and no higher than forty feet above grade. The applicant proposes a height of thirty-six feet nine inches (36’9”) as noted on the elevations (see proposed ordinance text).

Parking: The development is required to have 2.5 spaces per unit per 22-7-12(J) Planned Residential Developments (PRD) of the Orem City Code. For the twenty-five units they are proposing, they would be required to provide sixty-three (63) parking spaces. They are providing eighty-eight (88), fifty are covered (garages) and thirty-eight are not covered.

Traffic: The City, UDOT, and the developer recognize that there will need to be some traffic mitigation measures installed at the intersection of 800 N and 1550 East. UDOT, in conjunction with the City, hired a consultant to study this intersection in 2015, along with other intersections to the west. The study has been attached to this staff report. At the time of the study, the intersection at 1550 East and 800 North, in its current configuration, operates at failing level of service in the pm peak.

There have been discussions with UDOT, the developer, and Orem about the safety of this intersection and all parties understand that there will need to be a joint funded project to address the safety concerns.

Development on the parcel would be required to conform the standards outlined in the PD51 zone and the concept plan and exhibits outlined in Appendix YY of the Orem City Code. Future changes will require Planning Commission and City Council approval.

Planning Commission minutes for September 21, 2022

Concept Plan Details	
Height	Maximum height is 36'9"
Parking	63 Required - 88 Provided
Materials	wood siding, stone and standing seam metal roofs
# of Units	(25) 2- and 3-story units

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission forward a recommendation to the City Council to enact Appendix YY of the Orem City Code by adding the concept plan and elevations; and amending Section 22-5-3(A) and the zoning map of the City of Orem by changing the zone of 3.15 acres from the Business Park (BP) zone to the PD51 zone at approximately 720 North 1550 East.

Vice-Chair Komen asked if the Planning Commission had any questions for Ms. Stevens. ([see video for details](#))

Vice-Chair Komen invited the applicant to come forward. Jim Ivory, Folger Pratt, introduced himself. He presented a slide show of the project ([see video for details](#)).

Vice-Chair Komen opened the public hearing and invited those from the audience who had come to speak to this item to come forward to the microphone ([see video for details](#))

Lynette Kern
Brian Bird
Greg Bird
Kelly Brown
Jim Ivory – responded to resident questions ([see video for details](#))
Ron Woolley

A discussion regarding the intersection at 800 North 1550 East was held. No matter what project goes in to this area the traffic problems will have to be addressed. ([see video for details](#))

A discussion regarding whether or not the rezone was necessary was held.

A discussion was held regarding the continuation of the Provo River trail and making it accessible to the public ([see video for details](#))

Vice-Chair Komen closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, she called for a motion on this item.

Planning Commission Action: Mr. Hawkes moved to forward a positive recommendation to the City Council to enact Appendix YY of the Orem City Code by adding the concept plan and elevations; and amending Section 22-5-3(A) and the zoning map of the City of Orem by changing the zone of 3.15 acres from the Business Park (BP) zone to the PD51 zone at approximately 720 North 1550 East. Ms. Komen seconded the motion. Those voting aye: James Hawkes, Madeline Komen and Tina Okolowitz. Those voting nay: Gerald Crismon and Murray Low. The motion passed but because there were not four (4) votes either way, a neutral recommendation will be sent to the City Council.

Vice-Chair Komen asked Ms. Stevens to introduce **Agenda Item 3.5:** ([click here for recording](#))

Agenda Item 3.5 is a request by Julie Smith for the City to amend a portion Appendix A of the Orem City Code to amend Standard Land Use Code 5811 *Fast Food* and make such use permitted in the Business Park (BP) zone and

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Planning Commission minutes for September 21, 2022

amend Section 22-9-8(1) *Miscellaneous Regulations for Manufacturing and Research and Development Zones* to allow fast food restaurants with a drive-thru and to make architectural standards consistent throughout the west side development project areas in the Business Park (BP) zone located at approximately 800 North and University Avenue.

Staff Presentation: A Public Hearing to amend Appendix A of the Orem City Code by amending the Standard Land Use (SLU) Code 5811 *Fast Food* and making such use a permitted use in the Business Park (BP) zone was held September 7, 2022. It was determined that more time was needed for the Planning Commission to discuss this item and to see whether Provo approved their portion of the project. The item was continued to September 21, 2022 to move together with the rezone and enactment of Appendix “YY”.

On September 14, 2022, Provo City Planning Commission sent a positive recommendation (5-0 vote) to their City Council to approve the General Plan Map Amendment, Concept Plan and Zone Map Amendment (with the condition a Development Agreement is signed). Here is the link: [Provo Recommendation](#)

The applicant proposes changes to the Business Park zone located at approximately 800 North and University Avenue to allow development west of the Provo River to be consistent throughout the west side development.

The applicant is also proposing to amend the SLU Code 5811 *Fast Food* to allow restaurants with a drive-thru in the BP zone.

22-9-8. Miscellaneous Regulations for Manufacturing and Research and Development Zones.

- 4- H. The following additional requirements shall apply to development in the BP zone:
- No more than thirty percent (30%) of the gross leaseable area (as defined in section 22-15-2) of any building may be devoted to retail uses. However, buildings that are used solely as a restaurant and have at least 3,000 square feet are excluded from this restriction.
 - ~~No restaurant may have a drive-through.~~
 - For the BP zone area located at approximately 800 North and University Avenue, all development west of the Provo River shall ~~have an architectural and design theme consistent with the existing office building.~~ be consistent throughout each individual project area. For development east of the Provo River the architectural and design theme may be different from the west side of the river but shall be consistent throughout the east side development.

SLU		R5	R6	R6.5	R7.5	R8	R12	R20	OS5\ ROS	PO	C1	C2	C3	HS	M1	M2	CM	BP
5811	Fast Food	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	NP

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission forward a recommendation to the City Council to amend a portion Appendix A of the Orem City Code to amend Standard Land Use Code 5811 *Fast Food* and make such use permitted in the Business Park (BP) zone and amend Section 22-9-8(1) *Miscellaneous Regulations for Manufacturing and Research and Development Zones* to allow fast food restaurants with a drive-thru and to make architectural standards consistent throughout the west side development project areas in the Business Park (BP) zone located at approximately 800 North and University Avenue.

Vice-Chair Komen asked if the Planning Commission had any questions for Ms. Stevens. ([click here for recording](#))

Vice-Chair Komen invited the applicant to come forward. Jim Ivory, Folger Pratt, introduced himself.

Vice-Chair Komen opened the public hearing and invited those from the audience who had come to speak to this item to come forward to the microphone:

Lynette Kern

Planning Commission minutes for September 21, 2022

Discussion was held regarding allowing drive-thru restaurants and whether the rezone was necessary ([click here for recording](#))

Vice-Chair Komen closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, she called for a motion on this item.

Planning Commission Action: Ms. Okolowitz moved to forward a positive recommendation to the City Council to amend a portion Appendix A of the Orem City Code to amend Standard Land Use Code 5811 *Fast Food* and make such use permitted in the Business Park (BP) zone and amend Section 22-9-8(1) *Miscellaneous Regulations for Manufacturing and Research and Development Zones* to allow fast food restaurants with a drive-thru and to make architectural standards consistent throughout the west side development project areas in the Business Park (BP) zone located at approximately 800 North and University Avenue. Mr. Hawkes seconded the motion. Those voting aye: Gerald Crismon, James Hawkes, Madeline Komen and Tina Okolowitz. Those voting nay: Murry Low. The motion passed.

Vice-Chair Komen asked Mr. Allen to introduce **Agenda Item 3.6:** ([click here for recording](#))

Agenda Item 3.6 is a request by Development Services for the City to amend portions of Chapter 4 (Housing) of the Orem General Plan including updating Section 4.1 Population Demographics, Section 4.2 Existing Conditions, and enacting Section 4.4.2 pertaining to Moderate Income Housing Strategies.

Staff Presentation: Pursuant to Utah Code Annotated (UCA) 10-9a-403(2)biii, Orem City is amending portions of Chapter 4 (Housing) of the Orem City General Plan to adopt the following four moderate income housing strategies and implementation plan for each item. The proposed amendment and text-strikeout are included as part of the staff report.

- (E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;

Accessory apartments are already adopted into Orem's municipal code and part of the Development Services process. Orem City continues to provide all requirements for legal accessory apartments online. We also continue to advise residents who ask about their options. Orem monitors the number of legal apartments by annual report of existing legal apartments. Currently, there are 722 legal accessory apartments in Orem. It is anticipated that approximately 26 additional accessory units will be approved in the next year.

- (X) demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development;

In 2012, the City approved the Affordable Senior Housing (ASH) Overlay Zone to assist income restricted seniors. The City provides all information on our website and works collaboratively with the Utah County Housing Authority to provide new affordable senior housing units. Orem plans to continue to educate developers on regulations for developing in the Affordable Senior Housing Overlay (ASH) zone. The ASH overlay zone allows up to four units to be constructed on a single parcel. The tenant of each unit is restricted to those over the age of 60 and at or less than 80% of the median income of the Orem/Provo MSA.

- (Q) create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act;

A developer has approached the City and has met with Staff, the Mayor and members of the council as to the feasibility of an HTRZ Zone. The next step in this process is for the Developer to hire a consultant for a study of the HTRZ estimated to take 6-8 months. In 2023, following the study, the Developer, Consultant and City will consider the next steps as required from the HTRZ Act.

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Planning Commission minutes for September 21, 2022

- (V) develop and adopt a station area plan in accordance with Section 10-9a-403.1;

In accordance with Utah Code Annotated (UCA) 10-9a-403.1, Orem City has outlined Station Area Plans for the transit stations in Orem into two phases: Phase 1 will begin with the revision and update of the existing station area plan for the Orem Frontrunner Station. Phase 2 will create a station area plan for the Lakeview, Main Street and University Place Bus Rapid Transit (BRT) stations.

Additionally, staff is proposing to update Section 4.1 Population Demographics with updated demographic charts with 2020 Census Data and modify a portion of Section 4.2 Existing Conditions to match current zoning.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission forward a recommendation to the City Council to amend portions of Chapter 4 (Housing) of the Orem General Plan updating Section 4.1 Population Demographics, Section 4.2 Existing Conditions, and enacting Section 4.4.2 pertaining to Moderate Income Housing Strategies.

Vice-Chair Komen asked if the Planning Commission had any questions for Mr. Allen. There was a discussion regarding the State mandate, penalties if Orem does not comply, previous strategies and meeting the State's requirements now. ([click here for recording](#))

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

When no one came forward, Vice-Chair Komen closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, she called for a motion on this item.

Planning Commission Action: Mr. Low moved to forward a positive recommendation to the City Council to amend portions of Chapter 4 (Housing) of the Orem General Plan updating Section 4.1 Population Demographics, Section 4.2 Existing Conditions, and enacting Section 4.4.2 pertaining to Moderate Income Housing Strategies. Ms. Okolowitz seconded the motion. Those voting aye: Gerald Crismon, James Hawkes, Madeline Komen, Murray Low and Tina Okolowitz. The motion passed unanimously.

Mr. Clark: The applications for Heritage Park and Hillcrest Park will be coming before the Planning Commission for site plan approval in the next six weeks or so. Site clearing and grubbing are underway at Hillcrest Park and the portions of the school that will be demolished should start to come down around October 17th. ([click here for recording](#))

Minutes: The Planning Commission reviewed the minutes from the previous meeting. Vice-Chair Komen then called for a motion to approve the minutes of September 7, 2022. Mr. Hawkes moved to approve the meeting minutes for September 7, 2022. Ms. Komen seconded the motion. Those voting aye: Gerald Crismon, James Hawkes, Madeline Komen, Murray Low and Tina Okolowitz. The motion passed unanimously.

Adjourn: Vice-Chair Komen called for a motion and moved to adjourn. Ms. Okolowitz seconded the motion. Those voting aye: Gerald Crismon, James Hawkes, Madeline Komen, Murray Low and Tina Okolowitz. The motion passed unanimously.

Adjourn: 6:12 p.m.



Ryan L. Clark
Planning Commission Secretary

Approved: October 5, 2022

A complete video of the meeting can be found at www.orem.org/meetings

Planning Commission minutes for September 21, 2022

Property owner comment received 9.20.22:

Cheryl and Jason, my name is Matt Heaton. I own the large office building located at 727 North 1550 East in Orem. It is the 4 story building located directly south of the gas station at the mouth of Provo canyon.

I am writing today regarding the Orem City proposed zoning changes for Ryan Smith's plans to add approximately 50 new housing units in Orem City, and between 198-208 new housing units in Provo directly on the border of Orem/Provo.

The proposed changes in Orem affect approximately 15 acres of land and approximately 13 acres in Provo. The issue I am concerned about is that most building owners around the perimeter of these projects were not notified in any valid way. Some owners received a mailing, however many others received no notification of any kind. This is unacceptable as my office building alone has value greater than \$25 million, and these proposed changes affect several hundred million dollars of real estate.

There is an Orem City planning commission meeting tomorrow 9/21/2022 that no surrounding building owners were notified about. Zero notices for the meeting tomorrow have been sent to any property owners. These owners will have no say. I was only made aware personally of this meeting because I proactively reached out to Steve Earl who told me about this meeting's existence. We were made aware of a meeting on Tuesday the 27th, but by that time the planning commission will have already voted. That feels extremely disingenuous to have the planning meeting tomorrow with no notice of any kind.

Collectively, the owners of the surrounding commercial office buildings have serious concerns about the proposed development. We would like a 120 day continuance of this matter so that we may assess the information about traffic patterns from Udot, the potential to enhance or decrease our own property values, and to address other concerns about density of the project and parking issues.

Orem City has been provided much of this vital information about the project, but we as the property owners have not been given any chance to see or review any of that information. We are asking for a continuation of 90 days to be able to see the information. The city proceeding with this vote to rezone these lots from commercial to "mixed use" and from "mixed use" back to commercial impacts hundreds of millions of dollars of property value and takes none of the concerns of the property owners into account. We would simply like a voice, and to have access to the same information that Orem City and Udot have access.

Lastly, if possible could you please forward/provide this letter to the planning commission and to the Orem City council so that they could see our concerns as the property owners? I would do that myself, but was told that I need to send it to you and that only you could forward it on to them for review. Is this correct?

Please consider the continuance of this issue for 120 days, and for information sharing so that we can all move forward together in a positive way. We aren't looking to kill the project. We love the city of Orem and want it to grow and develop. We just want to be part of the process that affects our own businesses and personal lives.

If you have any questions at all please feel free to contact me directly.

Thank you,
Matt Heaton
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