

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

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

4:30 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; Chris Tschirki, Public Works Department Manager; Brandon Nelson, Finance Department Manager; Karl Hirst, Recreation Department Manager; Jason Bench, Planning Division Manager; Pete Wolfley, Communications Specialist; and JoD'Ann Bates, City Recorder

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

DISCUSSION – Amendment to the Sleepy Ridge Golf Course Agreement

Mr. Hirst shared the history of the collaboration between the City of Orem and Sleepy Ridge Golf Course. He reviewed how the market has required them to make some changes in order to help supplement the golf course revenue. It is being proposed the agreement be extended in order to help the revenue of the golf course due to the current office and event rental spaces that has not been able to be utilized due to the Covid-19 pandemic.

General discussion ensued regarding how the costs associated with the golf course can change both on the maintenance and patron side along with the state of the economy.

Mrs. Schriever reviewed some of the changes they are proposing which include:

- Transfer of the Springwater Pointe and Clegg Pond Property to the City - land will be used for stormwater facilities and stormwater discharge.
- Extension of the Condo term and lease term from 12/31/2046 to 12/31/2060 with turnover of all property to the city on 1/1/2061.

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- Reduction from 5% to 1% in the amount of gross revenue Sleepy Ridge must contribute to the Reserve Fund. New requirements that the 4% of the gross revenue be expended annually on golf course improvements.
- Clarification of what should be excluded from the definition of gross revenue.

General discussion continued regarding the proposed amendments.

DISCUSSION – University Place Community Development Amendment

Mr. Davidson stated several month ago the Utah State Legislature passed SB6001 which allows organizations that have Community Development Agreements (CDA's) to extend the term of recoupment of the CDA as a result of the pandemic. In December the city received a request from the Woodbury Corporation that they would like to make a request to the City of Orem's Redevelopment Agency (RDA) to amend their CDA and the agency budget to reflect two additional years. The next step as the acting RDA board is to approve a resolution granting the CDA an additional two years and then the City would amend the agreement subject to the limitation of SB6001. This something that is an action that can be made directory by the Orem RDA. The basis for this request is the turmoil in the construction world due to the Covid-19 pandemic and justification information was provided in the packet.

General discussion ensued regarding the investment made and the percentage that those invested would receive back. Further discussion continued regarding the overall project, how much had already been spend into the re-development and what projects are proposed to come into the area. Discussion continued regarding how the pandemic had affected both the income of the projects along with the businesses coming into the area.

DISCUSSION – City Center Feasibility Analysis

Mr. Bybee provided background regarding studies that had been done over the years regarding the City Center and had asked Method Studio to come up with some renderings based on those studies. They will review 2 possible options: 1) allow employees to stay in the exiting building during construction and 2) employees would need to be relocated during the construction. Both options will show all processes Method Studios goes through to include space needs, parking impacts, recommendations from the city State Street Master Plan, updated cost assumptions, including keeping in mind the layout and workflow and maintaining customer service-oriented space.

Mr. Smith of Method Studio reviewed the different concepts that they felt could be accomplished based on the study. Mr. Beishline gave some history of what some of the studies have shown and past remodels that have been done. He reviewed existing building assessment and cost scenario for a remodel/addition versus new building assessment scenarios. He continued to review the new construction options.

Mr. Smith reviewed, and discussion ensued regarding various views of the proposed buildings and possible concepts for the outside look.

Mr. Bybee concluded that the Council had been sent the comprehensive report and felt Method has provided them with additional detailed information and options. He felt at this point they had a lot of information to digest and stated staff is looking to the council to provide them with their thoughts and suggestions.

Further discussion continued with City Council members making comments of their thoughts and concerns. Other discussion continued regarding the positives to a new building versus things that are not obtainable with the current facility.

DISCUSSION – Administration of the 2021 Municipal Elections

Mrs. Bates stated this year the City will be holding a municipal election. The agreement presented is with the Utah County Election office for them to conduct the 2021 Orem Municipal Election. This agreement will be reviewed by the cities Finance and Legal Departments prior to it coming back for approval at the next City Council meeting. She indicated the fee that has been quoted is based upon actual costs per ballot and the number of registered voters. Due to the recent presidential election the number of registered voters has increased approximately 6500 since the 2019 election. The amount quoted may decrease based on the number of ballots that will be returned via the ballot boxes versus mailing the returns.

Agenda Review & Preview of Upcoming Agenda Items

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

City Council Reports & City Manager Information Items

Mr. Davidson reviewed some informational items for the Council which included the following:

- The \$1.9 trillion dollar Stimulus Act from the Federal Government has approximately \$350 billion dollars set aside for local governments. Allocation will be different than the previous CARES Act. The funds will come directly to the city from the federal government and will be more like CDBG funding.
- Discussions have been happening regarding utility bonding and have several upcoming meetings regarding ratings in order to move forward with the bonding for utility infrastructure.
- Legislature closed their 45-day general session and the city benefited from several bills for transportation projects throughout the state which include:
 - Orem will receive approx. \$45 million for the expansion of 1600 North from 1200 West to State Street and approx. \$25 million for Geneva Road from University Parkway South to about 1800 South. They will be working with UDOT and look forward to these projects.
 - There were a number of other bills that were passed that the city was able to push back on from billboards to administrative oversight of additional fees. There were others they didn't fair so well on and would like to have Heather Schriever report to the Council in a future meeting of those impacts.

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- Time was turned over to Mr. Bybee to share and give an update regarding a Hillcrest Park and the updated Parks Master Plan.

Mrs. Lauret reported on the committees she represents which include the following:

- Summerfest – They are planning on having celebrations June 7th through 11th with some possible modifications.
- Arts Council – Working on putting art on utility boxes with vinyl wraps. Concert series and art shows at the new library hall.
- Natural Resources – Students working on a rooftop garden and ideas of native Utah plants in the courtyard or rooftop. Water conservation campaign and xeriscape awards.

Mayor Brunst indicated that the Miss Orem will also be moving forward this year with their program.

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 Department Manager; Brandon Nelson, Finance Department Manager; Karl Hirst, Recreation Department Manager; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Pete Wolfley, Communications Specialist; and JoD'Ann Bates, City Recorder.

CALL TO ORDER

Mayor Brunst read the following to begin the meeting:

“Pursuant to Mayor Richard F. Brunst's Proclamation dated February 4, 2021, the Orem City Council meeting on February 23, 2021 will be an all-electronic meeting. There will be no anchor location for the meeting. The City cannot ensure the recommended minimum of six feet of social distancing for meeting participants at the usual anchor location in the Orem City Council Chambers. Therefore, holding the meeting at the City Council Chambers would present a substantial risk to the health and safety of those who may be present at the meeting and may contribute to the spread of COVID-19. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically.

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

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

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

INVOCATION /

INSPIRATIONAL THOUGHT Debby Lauret

PLEDGE OF ALLEGIANCE Jim Lauret

MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL

PRESENTATION: Sleepy Ridge Golf Course

Mr. Holt stated he was happy to report to the Council on the status of their endeavor last year and answer any question they may have. He indicated the business model they have has three parts, 1) the golf course, which is the anchor of the project, 2) office spaces and 3) a wedding event business. He stated that the golf course had its best year ever due to the recent pandemic with revenues being up by 50% and hope they can continue. The wedding business took a 50 % decrease also due to the pandemic. He concluded that overall, the City and Sleepy Ridge have been partners for approx. 15-20 years and feels fortunate to have the 3 for 1 business model that can help with each other depending on the economy and surrounding issues. He concluded they continue to make improvements and feel privileged to be part of their partnership with Orem.

Mrs. Lauret inquired about the construction on the 10th hole. Mr. Holt responded that this specific area will include a pitch and putting area for the golf course. He indicated that 5% of gross revenue is being set aside for current and future improvements to the golf course. Hole 11 is their signature hole and with the storm water changes they have also had the opportunity to improve that hole to make it better.

PERSONAL APPEARANCES

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

No public comments were made.

CONSENT ITEMS

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- APPROVAL OF MEETING MINUTES
 - Minutes of City Council Meeting – February 23, 2021
- APPOINTMENT TO BOARDS AND COMMISSIONS
 - Metropolitan Water Board:
 - Carl Cook – Appointment
- RESOLUTION – Utah Public Treasurers Investment Fund (PTIF) Administrative Right Authorization

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

SCHEDULES ITEMS

PUBLIC HEARING – ORDINANCE

Amending portions of 22-8-8(B), 22-8-8(B)(3) of the Orem City Code, and enacting Sections 22-8-8(B)(7)(b), 22-8-8(B)(8), 22-8-8(B)(9), and 22-8-8(B)(10) to the Orem City Code pertaining to permitted modifications to Buffered Sidewalk requirements, and adding additional design standards and utility enclosure standards within the State Street Corridor Area.

Mr. Taylor stated Section 22-8-8 currently requires that a buffered sidewalk (consisting of an eight-foot sidewalk and a 15-foot landscaped planter strip) be constructed adjacent to State Street in connection with new development and redevelopment along State Street. This requirement was adopted in an effort to beautify State Street and to make State Street more walkable. Because the current ordinance requires that the buffered sidewalk be installed in connection with any new building or building addition, it is impossible to make an addition to some buildings that are located right at the back edge of existing sidewalk without tearing down part of the building to make room for the required buffered sidewalk (requiring a total of 23 feet). This has prevented some business owners from expanding their businesses. In order to address this situation, staff proposes an amendment to Section 22-8-8 to make an exception to the buffered sidewalk requirement for buildings that don't currently have the necessary 23 feet between the front of the building and the back of curb to fully install the required buffered sidewalk. The proposed amendment would essentially allow a building owner to make an addition to his/her building with the requirement that they install as much of the buffered sidewalk as they can, given the space they have available.

Discussion ensued regarding landscaping requirements per city code and based on the districts, with enforcement being done by the city. Verification regarding the landscaping planter strip size and possible future use.

Mayor Brunst opened the public hearing at 6:24 p.m. Hearing no comments, the Mayor closed the public hearing and brought the item back to the City Council for further discussion.

Mayor Brunst moved, to approve by Ordinance amending portions of 22-8-8(B), 22-8-8(B)(3) of the Orem City Code, and enacting Sections 22-8-8(B)(7)(b), 22-8-8(B)(8), 22-8-8(B)(9), and 22-8-8(B)(10) to the Orem City Code pertaining to permitted modifications to Buffered

Sidewalk requirements, and adding additional design standards and utility enclosure standards within the State Street Corridor Area. **Mrs. Lauret seconded** the motion. Those voting aye: Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. Those voting nye: Richard F. Brunst. The motion **passed**.

PUBLIC HEARING –ORDINANCE

Amending portions of Sections 22-24-5(F)(2)(c), 22-24-5(F)(4)(c), 22-24-4(F)(2)(c), 22-24-4(F)(4)(c), 22-24-1(F)(4)(c), 22-24-2(F)(4)(c), and 22-24-3(F)(4)(c) of the Orem City Code pertaining to setback requirements and building setback requirements in the State Street District zones.

Mr. Bench stated staff is proposing two ordinance amendments pertaining to setback requirements and setback requirements in the State Street District zones. During a recent work session, City Councilmembers requested that staff review the setback requirements in the five State Street District zones, pertaining to setbacks from adjacent residential zone boundaries. In particular, the Council requested that staff focus on the North Village District and the Arts District zones.

Based on staff's review, staff propose an enlarged setback for buildings in the North Village District and a portion of the Arts District zones from adjoining residential property.

The proposed amendment would require any structure within fifty feet (50') of a residential zone not part of the district zones or adjacent to the Res-B zone in the North Village District (NVD-Res(B)) to be limited to 35 feet in overall height. In addition, if the residential zone is across a public street the 50-foot measurement would be from the back of curb on the district side of the street. The current requirement pertaining to a setback being at least equal to the height of a building next to a residential property would continue to apply. Any development will be required to meet both requirements where applicable.

General discussion ensued regarding clarification of the setbacks and the height maximum as it would relate to various areas along State Street. Discussion continued regarding commercial buildings that would have residential living above the commercial space and the proposed setback for the living space. Information that the same standards being proposed are already in place throughout the city in other commercial/residential areas and is working well. Continued clarification of the proposed setback and height maximum and a discussion of traffic estimates.

Mayor Brunst opened the public hearing at 7:10 p.m.

Public comments were made by the following:

- Katrina Bleyl
- Christina Mutch
- Charles Tanner
- Brian Cowley
- Tonia Perl
- Stephanie Visnaw
- Tay Kratzer
- Murray Low
- GL Page
- Anya Becerra
- Jill Barrick
- Jim Condie

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- Lanae Millett
- John Barrick
- Ashley Hagey
- Jeff Knighton

Written public comments submitted were read into the record. All written comments that were submitted are attached to the end of the minutes in their entirety.

Hearing no further comments, the Mayor closed the public hearing at 7:35 pm and brought the item back to the City Council for further discussion.

Mrs. Lauret indicated she was comfortable with the 75' requirement in the North Village and a 50' requirement in the Arts Village.

Mr. Lambson stated the one thing he heard as he campaigned was the concern with high density housing. He feels that keeping these developments as close to State Street as possible is very important and he wants to make sure the residents feel the council is listening to them and their concerns. If the neighbors are happy with the 75' requirement, he is comfortable with that also.

Mr. Peterson indicated he heard the same concerns. He has a lot of concerns and feels the neighborhoods are compromising with the 75 feet.

Mr. Macdonald stated he applauds the efforts of the residents in learning more about the city code and regulations. He feels if a development comes in, the city will ensure they comply with the current parking regulations which are different than older requirements. Mr. Bench responded to the parking concern based on convenience versus adequate parking issues.

Mr. Sumner stated some developers use the affordable housing wording and wondered if there was a standard for affordable housing. Mayor Brunst responded stating the State has a definition as to what is considered affordable housing based on income. In a complex of 190 apartments, 20% or 38 apartments would be in that "affordable housing" price range.

Discussion ensued regarding affordable housing requirements and standards, the number of rentals in Orem and what they would like to see. Continued discussion continued regarding density, the State Street Master Plan and the concern of high-density creep.

Mr. Spencer moved, to approve by Ordinance amending portions of Sections 22-24-5(F)(2)(c), 22-24-5(F)(4)(c), 22-24-4(F)(2)(c), 22-24-4(F)(4)(c), 22-24-1(F)(4)(c), 22-24-2(F)(4)(c), and 22-24-3(F)(4)(c) of the Orem City Code pertaining to setback requirements and building setback requirements in the State Street District zones with a setback in the North Village and Arts District Zones of 75 feet from the back of the property line. **Mr. Sumner seconded** the motion. Those voting aye: Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. Those voting nye: Richard F. Brunst. The motion **passed**.

COMMUNICATION ITEMS

Mayor Brunst relayed information regarding the legislature session and the transportation bill for projects that were approved. Orem will receive approx. \$45 million for the expansion of 1600

North from 1200 West to State Street and approx. \$25 million for Geneva Road from University Parkway South to about 1800 South. He stated this is a great win for the city and thanked the local legislators for their help with these necessary items.

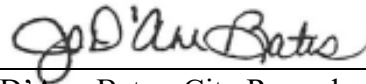
CITY MANAGER INFORMATION ITEMS

The City Manager had no additional Information Items to share.

ADJOURNMENT

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

The meeting adjourned at 8:00 p.m.



JoD'Ann Bates, City Recorder

Approved: March 23, 2021



PUBLIC COMMENTS – March 9, 2021

7. PERSONAL APPEARANCES

None

9.1 PUBLIC HEARING - Amending portions of 22-8-8(B), 22-8-8(B)(3) of the Orem City Code, and enacting Sections 22-8-8(B)(7)(b), 22-8-8(B)(8), 22-8-8(B)(9), and 22-8-8(B)(10) to the Orem City Code pertaining to permitted modifications to Buffered Sidewalk requirements, and adding additional design standards and utility enclosure standards within the State Street Corridor Area

None

9.2 PUBLIC HEARING - Amending portions of Sections 22-24-5(F)(2)(c), 22-24-5(F)(4)(c), 22-24-4(F)(2)(c), 22-24-4(F)(4)(c), 22-24-1(F)(4)(c), 22-24-2(F)(4)(c), and 22-24-3(F)(4)(c) of the Orem City Code pertaining to setback requirements and building setback requirements in the State Street District zones.

[Katrina Bleyl](#)

The area of the North Village District is in need of your help. We would like to have the setback behind our houses changed from 50 feet to 100 feet. The additional 50 feet added on to this is NOT a lot of space. But it is enough that it would help us to be able to keep some semblance of a neighborhood. Jason and Ryan said in their letter to you that they applaud us for trying to preserve our neighborhood. However, they aren't willing to budge on this issue. They think that the 50 foot setback is good enough. But, do you realize that they are not saying that nothing will be built in that 50 foot setback? They are saying that something that is 35 feet tall, could be built in that first 50 feet. The high density housing plan that is suppose to be kept on State Street and help to build up State Street, is not going to be on State Street at all. They are saying that it is going to start right at our back fences starting at 35 feet and then building up as it gets farther away. We are not against the North Village District being built. We realize that it is going to

happen, and it could improve the city. However, we are asking you to work with us. We are asking you to help us preserve our neighborhoods just a little bit. Just adding an extra 50 feet to the setback behind the houses would help that. Even adding just an additional 25 feet to make it a 75 foot buffer would help us to preserve our neighborhood just a little more and keep the building height smaller near our fence lines. Having that little bit more space where something huge could not be so close to the houses would be the best thing in preserving a neighborhood. And that is what the State Street Master Plan was all about. It was created to help preserve neighborhoods and create more living space. But that is not what is happening right now. Plans are to build high density housing right next to residential. Right at the fence line to houses. There isn't anything that is being put on State Street. I ask you, if this was being built right next to your houses, wouldn't you want to have a little bit more of a buffer between it and you? Making the buffer 75-100 feet would guarantee that the building step up would be a little bit farther away from the homes. It would mean that we wouldn't have a large structure right next to our backyards. It would mean that the 35 foot tall structure could still be able to be built there, but it would continue another 25-50 feet than is already planned. Think about it. 25-50 feet more. The size of one living room. That is the distance that we are asking for the height limits to be continued. Please help us add just a little bit more of a buffer to help us preserve our neighborhood. Please help us keep the original statement of using the State Street Master Plan to help preserve our neighborhoods true.

Christina Mutch

I have seen Phase 2 of the High-Density High Rise Housing Project that again affects 400 West in North Orem. This second project is a space from me, but Phase 1 is directly across the street from my residence. I do not understand the big rush to implement these housing projects, especially when they 'bulldoze' forward and ignore residents' concerns. I have lived in an area, before I moved to Orem, where a high-density housing project was built directly behind my house. There was no buffer zone; the complex was literally six feet from my back fence. I used to be able to go into my backyard that was fenced, but with this housing project, I lost my privacy because people just looked out their window into my backyard. This Phase 2 project I see as a repeat of what I endured until I finally just had to sell my home where my family lived for thirty years because of this problem. If Orem City is going to continue to encourage high-density housing in residential areas, then it needs to create a buffer zone of 75 to 100 feet from adjacent home property lines. Many people have backyard patios, play areas for their families. High-rise housing robs them of their privacy, their enjoyment of an afternoon sunset. If these projects loom over residences, then in my opinion, they should be lower height as they near residential neighborhoods and houses. I watch traffic every morning come down 400 West to 1600 North. There are mornings when cars are backed up nearly to 2000 North. Phase 1 and 2 will inundate the area with traffic creating dangerous situations for families with children, pets, and just residents trying to gain access to the road in front of their homes. The speed limit on 400 West is 25 mph; I see cars exceed that limit all the time. Finally, there needs to be a 50 foot setback from homes that is nonstructural. Progress is a fact of life; I understand that; however, as a resident of Orem for thirty years, I should have the right to maintain my quality of living. I want to protect my home and continue the safety of my neighborhood. Increasing the 'buffer zones' and moving traffic access to State Street is one way of keeping a 'good neighbor' status between the city and its residents.

Charles Tanner

This is another silly problem to have placed in this area! It's way too close to State st. And the quick light at 400 w. Just ridiculous to even have a meeting about it! Too much traffic on 1600

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no. A very dangerous intersection already! To contend with!! I never wanted a left turn on 400 w the last time it was changed. Don't slow !!!

Brian Cowley

Please work hard to continue to develop more accessible housing in Orem. This is a wonderful place to live, and I believe many should be able to join the wonderful community here. I believe current proposals with setbacks detailed on the Knighton Architecture proposal dated 3.3.21 are appropriate, and further restriction discourages creation of this accessible housing Orem needs.

Tonia Perl

Your time, as well as mine, is valuable. I appreciate the attention given to Orem City residents concerns and our issues with the North Village District. I am new to understanding the current set-back regulations permitted. That being said, I have read and agree with what Stephanie Visnaw has written and presented to you in her letter and refer you to reread it. I ask that you please listen to the residents that voted you in, trusting that you would make moral and honest decisions on our behalf. Your decisions affect our daily lives. Thank you for your time.

Stephanie Visnaw

Thank you, again, for taking the time to give attention to the North Village District and some of its challenges and concerns. Hopefully, you have had the opportunity to review the residents' proposal and driving tour emailed to you earlier. Our hope is that this proposal and the real-life, visual examples of current setbacks has clarified the issue at hand, that residential homes need more protection and buffer from larger development in our area. The Planning Commission's 50-foot setback proposal was tabled to further understand setbacks and the residents' request to increase the setback to 100 feet. This 100-foot request is not as restricting as it appears. Rather, it gives guideline and direction to how property can be used – parking or the required 20% open space (Code of Ordinances 22-24-5-12), as well as providing an adequate buffer for adjacent residential property. The residents' proposal includes a 50-foot “non-structure” area that can be addressed later. The main focus is the issue at hand - to increase the 50-foot setback to 100 feet, or a compromise of 75 feet, which hopefully the City Council will consider. This increased setback would still allow buildings of up to 35' to be built within the first 100 feet (or 75-foot compromise), providing the necessary buffer that has not been achieved through zoning. Zoning in the North Village District uses the Edge Zone (NVD-E) as a transition from larger, commercial property to adjacent residential property. Being a transition zone, the Edge Zone should have a maximum height restriction to “feather” back from commercial and high-density housing, which it does not. Since Edge Zones do not have maximum height restrictions and allow high-density housing, an adequate buffer or setback is even more important. Increasing the proposed setback from 50 feet to 75, or even 100 feet, would provide a better buffer for these residential homes that abut Edge Zones. Increasing the already proposed 50-foot setback to 100, or even 75, would provide a more appropriate buffer in areas where Edge Zones abut residential. Again, this buffer area is not “dead space” but an area where structures can be up to 35 feet and where the required open space or parking could be directed. The North Village District is a narrow district with unique challenges. We hope the City Council will improve the Master Plan to accommodate the specific needs of this district.

Thank you for taking the time to consider the residents in the North Village District.

Residents would prefer the 100 foot setback - which still allows a 35 foot tall building. With a 75 or 100 foot setback - limiting up to 35' height is sufficient on those properties near residential or on smaller lots. A 35 foot tall building is still a significant height - especially on a smaller

property like the corners in question. It's not "killing" development, but creating a transition, "feathering" back development with smaller buildings where appropriate and taller buildings where more property is available for buffering.

Tay Kratzer

Please keep Orem a "bedroom community". The high-rise projects are changing the face of our community and the desirability of living here. Orem is already such a hub of outside traffic coming to the malls and shopping centers. That's not bad per-say, but I don't need more traffic beyond our current traffic. I live off of 400 North, and often have to wait for a long procession of cars in order to cross at the crosswalk. This seems to be primarily because of traffic from Vineyard up to Orem. Summary: We don't need more residents or traffic.

Murray Low

I understand the proposed high density apartment development in North Orem that fits under the provisions of the State Street Master Plan. I have heard the neighbors are pushing back about the transition from the neighborhoods to the developments along state street and I believe this is a part of the Master Plan that was not fully considered. I do recognize there are many natural buffers between SOME neighborhoods and what the plans calls for, but there are also many other areas where the plan has not fully taken into account the kind of transitions that preserve the integrity of the neighborhood. They are too abrupt and don't make sense from a buffer perspective for state street either. These were some of issues raised when the master plan was adopted. How can they be acceptably addressed now so that we don't have to have this type of issue every time a development occurs?

The smaller parcels of property shouldn't have higher buildings on them anyways. If they are not large and are next to residentially zoned neighborhoods, then what's wrong with properties that cannot be developed.

GL Page

I see no place to access this "proposed" monstrosity. Plus, it will dwarf all the buildings around it, and you'll have another eyesore like the one on State Street at 350 South, with the silly name. It really doesn't seem to accomplish the 'Welcome to Orem' atmosphere you're going for.

Annya Becerra

I appreciate City Council member's time and consideration on this matter. As a homeowner in the North Village District, I do not oppose the development of high-density housing that is in alignment with the ORIGINAL vision that was presented to us with appropriate access points and vibrant developments on State Street. The original vision looked great on paper but I believe this is the perfect time to reconsider its execution before it creates a greater problem in this area. We ask that you recognize that the desire of ONE developer to squeeze every last inch out of this landlocked property without proper infrastructure and access points would have a detrimental impact on thousands of property owners who live in the North Orem neighborhoods and those that drive through these intersections and not just those who live along 400 West. I agree with the proposal shared by Stephanie Visnaw and LaNeah Millet of increasing setbacks to 75 ft or even 100 ft from homeowners property lines with a 0-50 feet – zone identified as a “non-structure” area behind homes for the following reasons: NVD Edge zones do NOT have maximum height restrictions. Pictures were shared with City council members what potentially a

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70 ft. building like Midtown 360 could look like from 50 ft. and 70 ft. views. Buildings can be built within that first 50 feet, just cannot exceed 35 feet. A 6 stories building 50ft away, starting at 35 ft. so close to homes it NOT protecting homeowners and neighborhoods. It is extremely intrusive to homeowners living west and east of 400 West. The proposed 50-foot setback is NOT 50 feet of vacant, open land. A 0-50 feet – zone identified as a “non-structure” area behind homes with a 75 ft or 100 ft. would still allows for the development of the property with a parking lot, open space, and easement placement. City Planners would argue that our requests are more restrictive in nature, and the Mayor has said and I quote “if homeowners along 400 W. are against it then they should not have stayed”. I find this type of statement coming from our Mayor quite disheartening when some of these residents have lived along this street for generations! I would remind you when original plans of NVD were presented we were reassured by city planners that any large high density developments would remain on State Street and not engulf residential homes. NVD zone is different than other State street developments and setbacks must be addressed differently. It is closer to residential, smaller in size, and less commercial. This intersection is one of the most dangerous in Utah County (See Daily Herald, 2019), and 400 West is heavily trafficked. It’s important to highlight that the only ingress/ egress to this property is via only right turn onto 1600 N. No one is using the turnaround next to Quick quack to turn back westbound on 1600 N or to enter this property instead drivers use 400 West to make Uturns. Now, imagine the undrivable conditions a development so close to this intersection would create at this location We request that City Council considers appropriate setbacks to protect residential homes, and adequate access points to State Street to mitigate dangerous traffic conditions at this node. We fear that, if an increase of setbacks and limitations on height so close to homes is not granted, it will have a detrimental impact not only in this area but in other areas around our city where large developments are already taking place encroaching on residential areas and jeopardizing the safety of families in the neighborhoods and the preservation of the city we love.

Jill Barrick

I have read the response from Mayor Brunst to a neighbor. I hope each of you will read what the Mayor has to say about the proposed (and heavily contested) development at 1600 N and 400 W. What he said to this resident is what he is saying to each of us, who are also residents directly affected by the proposed development:

- He claims the complex is “for condominiums to be sold and not for apartments ... with 20 percent of affordable housing unit” [contained therein] o Selling a condo means absolutely NOTHING about it being occupied by the actual owner. Condos are bought as investment properties all the time, and then leased to occupants, the same as apartments. Being a condo doesn’t change a thing about its transitory nature within the community. Young families are not likely to have their starter home be in a high-rise condo. They find smaller/starter homes and townhomes in neighborhoods with parks, open spaces, other young families, newer amenities. This argument for helping young families build equity is false.
- o Putting in high-density and affordable housing within a stone’s throw of the State Liquor Store (some of the proposed property actually shares the parking lot with the State Liquor Store) is a BAD idea. We have repeatedly asked for studies about crime rates within close proximity of highdensity/affordable housing and the State Liquor Store, and still NOTHING has been provided by the developer nor the City of Orem. Unacceptable.
- o Orem City is already 40% rentals. FORTY PERCENT!
- From Brunst directly: “I would ask you to consider what is reasonable – what if you were the other property owner – how would you want to be treated – what if you owned multiple homes on 400 West how would you want to be treated – have not all residential (sp) homeowners known that they bordered commercial property along their back

fence which would develop – and in fact if they are against this THEN THEY SHOULD NOT HAVE STAYED – we need to have fair property rights for all property owners ... I believe that proper and fair compromises have been made – I would hope [you] would stop and consider what is fair for both sides equally.” (emphasis added) o This is NOT the language a Mayor should ever have, not privately and not to a resident being affected. How condescending, how insulting, how disgusting! This is spoken from a rich person living in CherApple about a rich developer living in the WordPerfect mansion community, ABOUT A NEIGHBORHOOD AND HOMEOWNERS THAT THEY ARE NOT PART OF. The audacity and insensitivity of a community leader to place ONE developer above what over 75+ families in just my immediate neighborhood have written and expressed discontent with. This should outrage everyone!!! There is no other way to say it. And for a rich person to simply suggest that a longtime resident of a neighborhood should just move away is appalling. Oh to have the financial freedom to do such a thing – only a rich person from CherApple could go so far. Oh to have the emotional lacking to simply leave friends and residents that we raise(d) our children with and mourned lost friends with because we see an undesirable circumstance arise. We residents have the right to defend our neighborhoods. The Mayor is supposed to stand up for our communities. He is supposed to lead out for all. Mayor Brunst’s words hold no compassion, no real desire for anything mutually beneficial. Give it up lessers, that’s what he’s asking. o I want an explanation from the Mayor about his choice of language, and also his relationship with the developer. He is saying, “I’m placing the rights of this one particular person over the rights of many, many others.” If the developer and the Mayor believe this project is so beneficial, then they can work to get this done in the neighborhoods they live in. (cue the outrage of the rich, safety-centered neighbors in CherApple and WordPerfect Park) The hypocrisy of the Mayor asking residents about their property rights of where they live versus the developer’s property rights of an investment property is breathtaking! o What compromises is the Mayor referring to? What has been offered for residents in this neighborhood? There aren't even sidewalks or gutter or lighting along some parts of 400 West. There are parts of an irrigation canal that have been open and unkempt FOR YEARS. What compromises have been made when basic street elements haven’t been provided? Is the Mayor receiving compromises personally? What consideration is he asking us to give up for things to be “fair for both sides equally” because having our traffic increase, our views ruined by 6-story buildings and potential increase in crime and property taxes seems like too much? What consideration has the developer given up to be “fair for both sides equally”? Seems quite unequal. I share the following from personal experience: • As a scout leader for Webelos Pack 876, we visited with Mayor Brunst on June 7, 2016. Our group asked the Mayor what the biggest energy problem facing Orem was (required question for the badge we were working on). Mayor Brunst responded that the Orem City Center offices and adjoining Library were the worst energy problem facing Orem. The office building had had “several” electrical fires, was not seismically sound, was not energy efficient. He laughingly called the building, “a bit of a tinderbox.” Our scouts discussed ways to fix the problem at meetings throughout the year. The following year we revisited the Mayor and asked the same question, hoping some new information could be shared about things being done to remedy the problem. Instead he changed the subject and talked about Orem water. I watched for information from the city for years, wondering when/if voting on bonds would come up. Nothing. When I saw the construction crews begin expansion of the new wing of the Orem City Offices and Library, I was physically sick. Why would anyone approve building a multi-million dollar facility onto an outdated “tinderbox”?! It defies fiscal responsibility and physical safety principles. • At the same meeting the Mayor said his favorite days as Mayor were groundbreaking ceremonies. Not opening new schools, not a student winning a state or national award, not safety and/or energy-efficient strides in government

DRAFT

facilities, not improved family circumstances for all residents. No, this is a person who is out for himself and developers. This man is a not out for the good of the residents of Orem. We are a loooooong way from the “Most Livable City” status that Orem once boasted of.

Jim Condie

I want to express my appreciation for the passion of Jason and Ryan as well as other city staff in working so hard to provide equitable solutions for all property owners - residential, commercial, or mixed use. I want to state that I am NOT against development of the state street corridor and I am NOT against growth and progress in our beautiful city. I just do not want it directly located in my backyard destroying the desirable Orem neighborhood residential feel. As a resident in the buffer zone on 400 West above 1600 North, I have a home and I want my property to be residential. Any buffer that limits the distance and elevation between me and commercial properties is extremely appreciated, the more the better. I do not want a developer to be able to build a skyrise next to my backyard. I would favor designs that support parking or common park uses to help buffer my home from tall development, also pushing tall buildings toward state street helps develop big & beautiful building fronts on state street where they are very ugly on my back yard property line. Additionally, I have huge concerns about traffic, parking, and access to a bottle necked property where large developments are being proposed. I trust that such a proposal would go through a good vetting process taking these concerns into consideration.

Lanae Millett

Our neighborhood is asking you to create an ordinance that would provide a transition or buffer zone between our neighborhoods and high-rise/high density housing planned along State Street. We firmly believe that the intent of the State Street Master Plan is to place high-rise housing adjacent to State Street, and not along our back fence lines. As landscaping and parking will be required for any project built, we request you simply designate that the parking and landscaping required for such buildings should be located on the side of the development that abuts the homes—designate that area a non-structure. A nonstructure area would not impact the property rights of the commercial landowners. A good example is the Alpine Credit Union building. ACU placed the parking for their building behind the buildings and adjacent to the homes, thus creating a buffer. Parking and open green space will be a part of any commercial or residential development built in Orem. This isn't an issue of limiting property use, just directing it. We affirm that the Districts were established to pull high-density housing out of single-family neighborhoods. We could reword that to say, the intent is to put high-density housing on State Street and the intent is to mitigate the impact of high-density housing on single-family homes. Our proposal of a wider, 100-foot setback fits within both of the objectives of mitigating impact, while still allowing business owners to develop their land. Property rights on both sides are being affected here. We feel our proposal of combining a setback, along with non-structure area guidelines, is a good balance for all property owners. Thank you for your efforts to understand this issue and I hope you will institute ordinances that will give builders the guidelines to create their projects in a way that will protect the property rights of the homeowners.

John Berrick

The residents near the North Village area have not had due process with respect to the proposed development. The developer's agents never provided the comments from the original neighborhood meeting as promised. The development appears to have changed architects or designers as well. As neighbors, we are asking to be heard--rather than being asked to moved as was suggested by some of our elected representatives.

Alisha Hagey

A recent traffic study won't work since we are in Covid. You need one pre-Covid. Our neighborhood is insanely busy normally. We are toned down at the current moment. Please listen to us rather than listening to the dollar. And if you are going to compare fast food businesses you can only compare the business in Orem traffic not national traffic.

Jeff Knighton

I represent a property owner in the district, and a 75 foot setback from the curb makes developing anything on the corner of 1600 N and 400 W very difficult. When developing adjacent to a street, the setback equal to the height is calculated from across the street. The properties being discussed are currently commercial properties, and there are local property owners, residents of Orem, wanting to invest and redevelop and improve property that is currently covered in asphalt, creating affordable housing. And the current direction of making redevelopment more difficult will prevent existing properties from being redeveloped as the city has envisioned.