CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
April 12, 2023

The following items are discussed in these minutes:

- PUBLIC HEARING - Forwarding a recommendation to the City Council to amend portions of Article 22-9 of the Orem City Code to create the Public Facilities (PF) zone and other provisions pertaining to the PF zone; amending Appendix A by enacting standard land use codes that are permitted, conditional and not permitted in the PF zone; and amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone. Also, amending the Orem General Plan by amending Section 2.1 (*Land Use Classifications*), enacting Section 2.1.6. (*Public Facilities*), enacting Section 3.1.6. (*Public Facilities*), amending Section 8.3 (*Educational Support)*, and amending the General Plan Map by changing the land use designation of various properties to Public Facilities – Positive recommendation to the City Council

REGULAR MEETING

Place: Orem City Council Chambers

At **5:00 p.m.** Chair Komen called the Planning Commission meeting to order and asked Mr. Low, Planning Commission member, to offer the invocation.

Those present: Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar, Planning Commission members; Ryan L. Clark, Acting Assistant City Manager/Development Services Director; Cheryl Vargas and Makayla Wagstaff, Associate Planners; Grant Allen, Senior Planner; Steve Earl, Legal Counsel and Terry Peterson, City Council Liaison

Those excused: Jason W. Bench, Acting Development Services Director/Planning Division Manager; Matt Taylor, Senior Planner and Sam Kelly, City Engineer

Chair Komen asked Ms. Wagstaff to introduce **Agenda Item 3.1**:

Agenda Item 3.1 is a request by Orem City for the Planning Commission to forward a positive recommendation to the City Council to amend portions of Article 22-9 of the Orem City Code to create the Public Facilities (PF) zone and other provisions pertaining to the PF zone; amend Appendix A by enacting standard land use codes that are permitted, conditional and not permitted in the PF zone; and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone. Also, to amend the Orem General Plan by amending Section 2.1 (*Land Use Classifications*), enacting Section 2.1.6. (*Public Facilities*), enacting Section 3.1.6. (*Public Facilities*), amend Section 8.3 (*Educational Support)*, and amend the General Plan Map by changing the land use designation of various properties to Public Facilities.

Staff Presentation: City staff proposes the creation of the Public Facilities zone and the application of this zone to various properties that are currently used for public facilities in the City including public schools, public parks, City of Orem government buildings and other municipal facilities. The purpose of the proposed PF zone and the application of the PF zone to the properties described above is both to expressly allow the use of the designated properties for public facilities and also to ensure that properties that have historically been used for public facilities and have been paid for by Orem taxpayers will continue to be used for and/or preserved to meet the need for such public facilities in the future.

It is expected that Orem's population will continue to grow in future years through a combination of infill development, redevelopment and the construction of new accessory dwellings. It is likely that Orem's population of school-age children will also increase in the future due both to the general increase in population as well as due to potential changes in future demographics. The demand for public facilities in the City including public schools,

public parks and municipal government facilities is therefore likely to increase over time. It is thus critical to preserve properties that have historically been used for such public facilities to meet the need for such facilities by both current and future generations. If lands that have historically been used for public facilities are redeveloped for non-public uses, they will likely be lost forever for use by the public.

Rezoning the subject properties to the PF zone will also ensure that properties in which the public has a vested interest (due to their historic use as public facilities and their acquisition with taxpayer dollars) will be subject to a public hearing process and opportunity for citizen input before they could be redeveloped for non-public uses.

In order to accomplish the objectives described above, staff proposes the following amendments to the Orem City Code:

1. Amending Article 22-9 to create the Public Facilities (PF) zone and to enact other provisions pertaining to the PF zone.

2. Amending Appendix A of the Orem City Code to add the PF zone and to designate various Standard Land Use (SLU) codes as permitted, conditional or not permitted in the PF zone.

3. Amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone. These properties include all properties in the City owned by the Alpine School District and the City of Orem.

Staff also proposes to amend the Orem General Plan to add the Public Facilities designation to the Orem General Plan Land Use Classifications, to describe the purpose of the Public Facilities designation and to provide that one of the purposes of the General Plan is to preserve public lands that have historically been used for public facilities such as public schools, public parks and other municipal government facilities for the current and future use of such public facilities. The proposed amendments to the General Plan include the following:

1. Amending Section 2.1. (*Land Use Classifications*) to add public facilities to the major categories of land uses included in the General Plan.

2. Enacting Section 2.1.6. (*Public Facilities*) to create and describe the Public Facilities Land Use Classification.

3. Enacting Section 3.1.6 (*Public Facilities*) to add an additional subsection regarding public facilities under the Public Space heading of Section 3.1.

4. Amending Section 8.3 (*Educational Support*) by adding a paragraph regarding the need to preserve land that has historically been used for public schools in order to meet the need for future public school demand that may result from population growth and potential future changes in population demographics

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend portions of Article 22-9 of the Orem City Code to create the PF zone and to enact other provisions pertaining to the PF zone; amend Appendix A by designating the standard land use code uses to the City Council to amend portions of Article 22-9 of the Orem City Code to create the PF zone and to enact other provisions pertaining to the PF zone; amend Appendix A by designating the standard land use code uses that are permitted, conditional and not permitted in the PF zone; and amend Section 22-5-3(A) and the zoning map of the City of Orem to rezone various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone as shown in the map attached hereto as Exhibit "A."

Staff also recommends that the Planning Commission forward a positive recommendation to the City Council to amend the Orem General Plan by amending Section 2.1. (*Land Use Classifications*), enacting Section 2.1.6 (*Public Facilities*), enacting Section 3.1.6 (*Public Facilities*), and amending Section 8.3 (*Educational Support)*; and amending the General Plan Map by changing the land use designation of various properties to Public Facilities as shown in the map attached hereto as Exhibit "B."

Chair Komen asked if the Planning Commission had any questions for Ms. Wagstaff or other staff. There was a discussion regarding the new zone. You may go to the recording for details. (click here for recording)

- Has this type of zone change been done in other cities and is Orem's version modeled after other cities?
  - Yes, Lehi and Provo have a version of this.
- Would a new acquisition, like a fire station, be affected by this?
  - Yes, the property would be rezoned to the Public Facilities zone
- Can these properties be changed back to another zone?
  - Yes, after going through the public review process.
- The intent of this is a result of forward thinking and looking down the road.
  - Yes. The concern is for properties that have historically been used as public properties and they ought to be preserved for the public. Needs change over time, and growth and demographics can change over time as well. It is prudent and wise to protect those properties for future purposes. Once a property is redeveloped for other purposes, it is lost forever.
- More spaces is needed for public playgrounds and parks.
  - It has been estimated that Orem needs another 50+ acres for park space.
- One thing we know for sure is that growth will occur.

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. (click here for recording)

1. Sissi Rasmussen
2. Karen Adamson
3. David Thomas
4. Rick Lewis
5. Crystal Muhlestein
6. Terry Peterson
7. Lyndon Brittner
8. Heather Fry
9. Dennis Clark

Chair Komen closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff.

Mr. Earl requested to respond to a couple of issues raised in the public comments. 1) This action is not designed to de-value Alpine School District (ASD) property. Orem is simply trying to preserve the property for public schools and other facilities. 2) The question as to why there is a need to rezone City property as we already control it. Including City property does alert citizens that even city properties are for public use going forward. The City would have to go through a rezone process the same as anyone else. 3) The question as to why does the proposed Public Facilities zone does not include state/federal property. Under State law, the City does not have control over state or federal property. (click here for recording)

Chair Komen gave the Planning Commission members time to ask questions and discuss the proposal: (click here for recording)

- Regarding the zoning map with the strip of red going down the middle. That is State Street and is currently zoned commercial. That will not change.
- What is to prevent these closed, empty schools from standing empty and being an eye sore.
  - If rezoned to the Public Facilities zone, and it remains vacant, the property owner would have to maintain the property per the conditions of the zone. They could clear buildings off the property and leave it as a vacant lot, but they always have to meet the zoning maintenance requirements.
- By amending Appendix A, which will list the permitted uses of the property, other uses would be permitted on a property such as a charter school or other uses. The nuisance code deals with the maintenance of the property as with any property in the city.

- The tone of the meeting seems to be in some people's mind that this is a totality nature against the ASD. The idea is we are just preserving public lands for future use. Someone mentioned this is hastily being moved forward, but it seems to allow us to better plan moving forward.
    - The City is trying to be forward thinking looking at 5, 10, 30 years ahead. Once that property is repurposed it will not be available in the future. There could be changes from public schools to private, charter and home schools, as no one knows what that will look like in the future.

Each Planning Commission member made a comment. (click here for recording)

Planning Commission Action: Mr. Hawkes moved to forward a positive recommendation to the City Council to amend portions of Article 22-9 of the Orem City Code to create the PF zone and to enact other provisions pertaining to the PF zone; amend Appendix A by designating the standard land use code uses that are permitted, conditional and not permitted in the PF zone; and amend Section 22-5-3(A) and the zoning map of the City of Orem to rezone various properties currently located in the C2, HS, M2, OS5, PD5, PD6, PD15, PD16, PD36, R6.5, R7.5, R8 and R12 zones to the Public Facilities (PF) zone as shown in the map attached hereto as Exhibit "A." Also, to amend the Orem General Plan by amending Section 2.1. (*Land Use Classifications*), enacting Section 2.1.6 (*Public Facilities*), enacting Section 3.1.6 (*Public Facilities*) and amending Section 8.3 (*Educational Support)*; and amending the General Plan Map by changing the land use designation of various properties to Public Facilities as shown in the map attached hereto as Exhibit "B." Mr. Crismon seconded the motion. Those voting aye: Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar. The motion passed unanimously. (click here for recording)

Minutes: The Planning Commission reviewed the minutes from the previous meeting. Chair Komen then called for a motion to approve the minutes of March 15, 2023. Mr. Carpenter moved to approve the meeting minutes for March 15, 2023. Mr. Hawkes seconded the motion. Those voting aye: Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar. The motion passed unanimously.

Mr. Clark mentioned that there will be another Planning Commission meeting next Wednesday, April 19, 2023.

Adjourn: Chair Komen called for a motion to adjourn. Mr. Low moved to adjourn. Chair Komen seconded the motion. Those voting aye: Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar. The motion passed unanimously.

Adjourn: 6:10 p.m.

Ryan L. Clark
Planning Commission Secretary

Approved: April 19, 2023

EXHIBIT A

OREM
FAMILY CITY USA

Proposed Public Facilities (PF) Zone

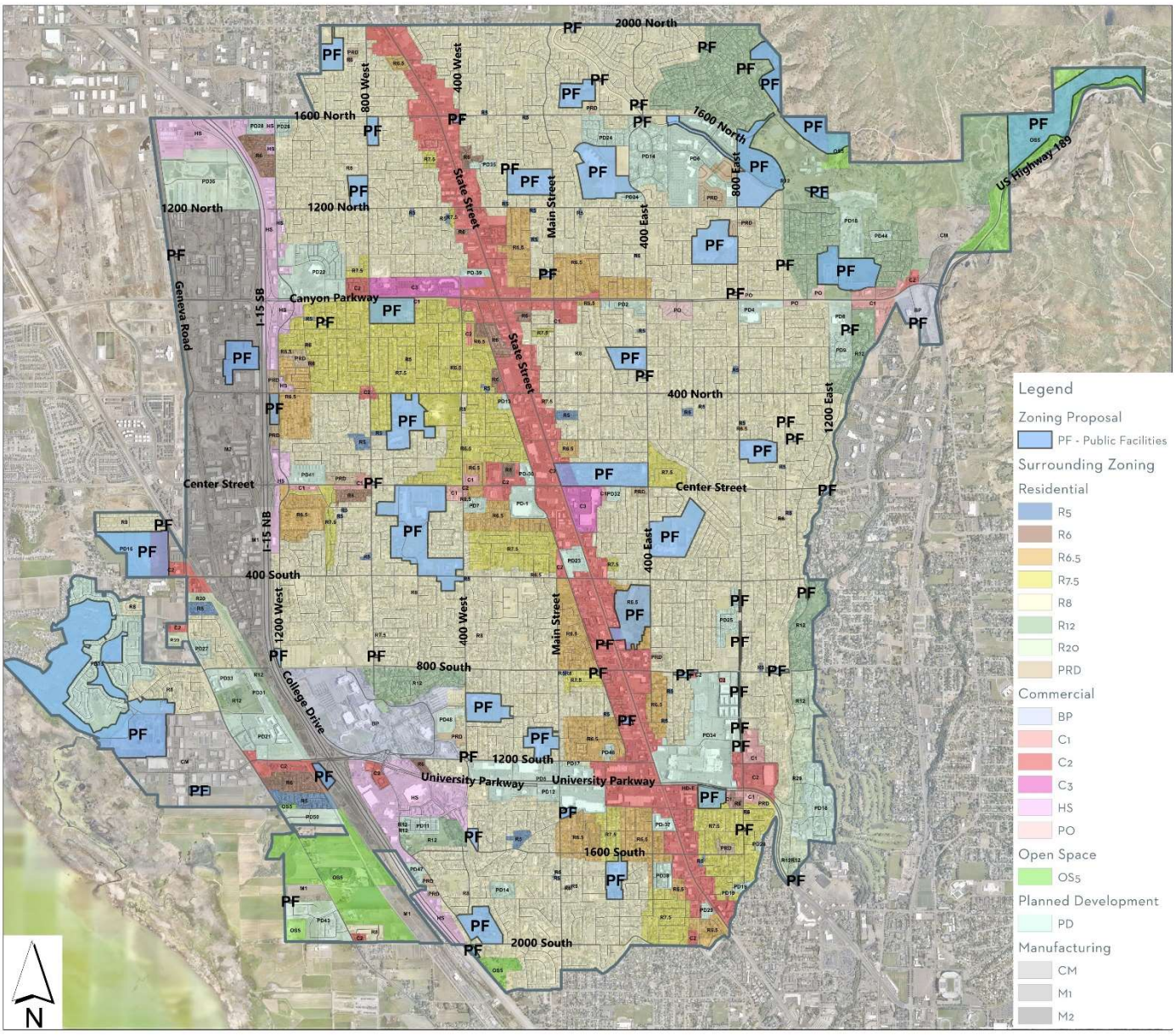
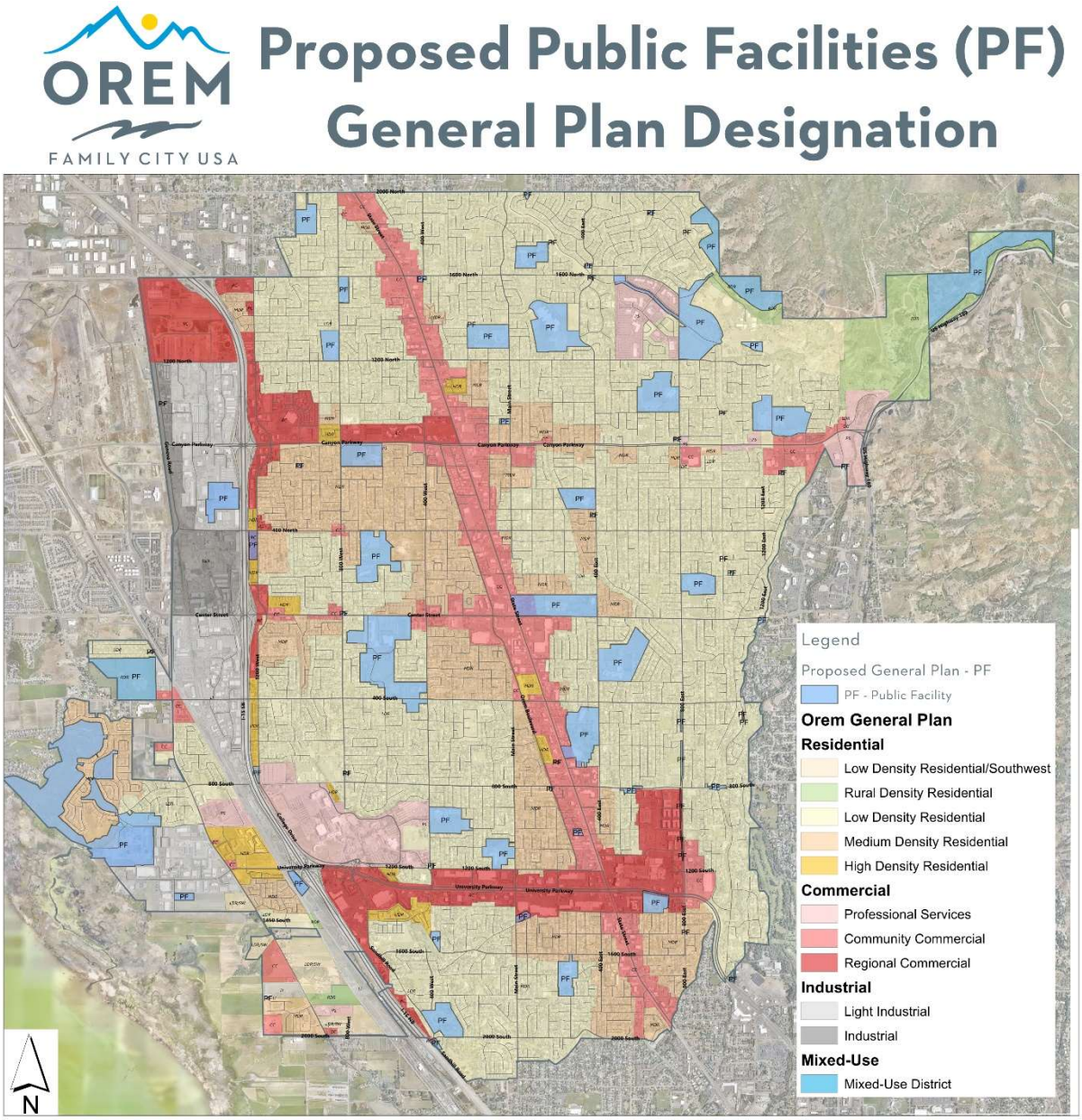


EXHIBIT B



PUBLIC COMMENTS

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

Neighborhood Meeting 3/29/2023 – Comments

1. I want to start by saying I am an enormous supporter of parks, greenspaces and public services. I want every Orem family to have a park within a ten minute bike ride from their home. And I think we have that here. I live between SCERA and Westmore parks and use them ALL YEAR LONG. Thank you for prioritizing family-friendly spaces.

   I hesitate, however, to support this re-zone. It feels like a move without a long-term plan or the finances to back it up.

   I wonder what ill happen to these spaces – held in limbo due to zoning – that the district cannot sell and the city cannot afford. Will these just be abandoned buildings and green space the city will need to pay to maintain.

   Do we really have research to project that Orem's population will justify using these spaces for schools in the future?

   I'm concerned that this makes un-used vacant spaces that the city only has hopes to use, but cannot actually afford and does not actually need.

2. I support parks and recreation and appreciate how many there are in our city. I take my family to a park at least once a week, often more. This rezoning feels unnecessary. We have many parks & the city owns the land. The city can already preserve these spaces. Then it becomes clear that it's about more than just preserving green space. I want to be able to trust that this is being done in good faith and with a desire to benefit the citizens. Instead it feels like and effort to force another entity into following the will of the City Council instead of working together.

   I want to have our elected official work together and our community heal. The conversations with the City Council members was a complete rehashing of Prop. 2. It was voted on and decided. These kinds of actions feel retaliatory.

3. Thank you for doing what you can to protect Orem lands and schools. We need to keep what we have an make sure our city can serve its population for generations to come.

4. I am concerned about the obvious intent of the City Council to control the actions of the Alpine School Districts elected officials regarding use of district property in the event of school closures. I am also very upset that no advance notice of discussion with Alpine District was held!

5. Please do <u>NOT</u> zone any of these lands as <u>OS5</u>!

6. If Orem is Family City USA – we need more affordable housing and zoning these properties as you are proposing is not allowing for more affordable housing to be built. Orem City has done a good job providing park space historically. There is not really more need for parks. It would be more efficient to upgrade the parks we have instead of holding land.

7. The proposed zoning changes across the ENTIRE city at the same time seems very wrong. Different parts of the city have different needs/concerns. Rezoning should look at quadrants of the city at a time to address this issue. It also does not seem as forward thinking as presented because of these differences.

   Also, doing all or nothing frustrates me and other citizens because of the lack of neighborhood input. The whole city is <u>NOT</u> one neighborhood (even though we would like it to be). It also sounds like it is a done deal and this meeting is simply a formality. After things are decided (PF or OS5) then we should be allowed to have another meeting with more feedback.

Have these changes been discussed with the district? Out city needs to work with the district leadership to figure this out. The animosity between these two groups is damaging our community more than any land issues.

8. This action seems very vindictive of Orem City toward Alpine School District. I do not necessarily feel like Orem City needs more parks. We do not need more public land that consumes water.

9. What is to stop re-zoning once the PZ is done?

   If Alpine divides, what/who owns the schools?

10. We need to protect our school properties, current schools over time will get older and we have to be able to rebuild. We need to preserve public land so that Alpine School district cannot sell the property for housing.

    We need the public to be involved with changes in our communities. Yes, please do it.
    -Rochelle Raney

11. I am in favor of rezoning our schools and park land to be public facilities. It is important that we maintain our green spaces for the future.
    -Katie Hurd

12. I support the purchase of land where Sharon Elementary currently sits and to convert it into open public park area. I am completely against any additional apartments being developed. They have ruined the close tight-knit feel Orem had.

    I own property near 1200 W. 1200 N. and at 400 N. 400 E. and would love to see more green space here across Orem. Thank you!

13. I think what Orem is doing to keep green space is great!!

    Make as much green as you can. Thank you.

14. We need to replace our failing sanitary and storm sewer systems in Orem. We need tax (property tax revenue) immediately! Who is going to fund the 60 plus million to replace our sewers?

    It's going to be the one million dollar homes that will replace our diminishing school properties.

    Put 20 – one million dollar homes on Sharon Elementary property, and build the tax base – for sewers!
    -John Dickson

15. Tis seems to be in the interest of the city. I would like to see a better working relationship with the school district. I realize that takes two parties. I would like to see the City Council lead out on repairing this relationship.

    Also, I'm concerned about the land being able to be used for private or charter schools.

16. I support parks & green spaces but I worry about "holding land" for 10+ years for future schools. What happens to the property in the interim? Who cares for it? Pays for it?

    What plans & ideas are on the table for this property? It seems like that discussion should take place first.

17. Yes, do this.
    -Sterling Hurd

18. I don't really understand the need to rezone. I am confused by the new zone and what it means for privately owned property, or property owned by the school district. This feels unnecessary to me. I don't support the zone changes, especially on this wide scale.
    -Kendra Meld

19. Please – No more building apartments or multi-housing units as schools close or for any other reason! Thank you!
    -Stable Family Community

20. Thank you for having this neighborhood meeting. I am impressed that the "neighborhood" includes all of Orem City. I am grateful for the foresight of whomever proposed these possible zoning changes to protect the lands where we currently have schools. I feel it keeps the possibility of good growth in Orem under control.
    -Janelle Hale

21. I like the idea of applying the PF or OS5 zones as proposed.
    -John Reinhard

22. I favor preserving Windor as PF zone. I live blocks away. Thanks!
    -Devan Jensen

23. Thank you for stepping up and finding this option. This seems like the best way to preserve available properties in Orem and preserve our property values all while making sure we can provide for the education of our families. Thank you.
    -Karen Adamson

24. Preserving public lands and creating a process for proposed changes is good governance and makes Orem a better place for its citizens. Do it!
    -Brian Jensen
25. We want to keep our parks, open spaces, public lands (ie. Sleepy Ridge Golf Course!!) No more high density housing in prime space. We need room for our families/individuals to recreate & to make our city beautiful!

26. I'm concerned about closing schools with rising population. Something about that doesn't make sense to me. I believe it is critical to preserve the property to enable schools to be rebuilt in the future. I know that Orem City and Alpine School District are separate entities. I have lost faith entirely in ASD. I hope Orem City has more integrity and foresight to plan for the inevitable future!
    -Kim Poole

27. Please preserve Orem land for our schools and our parks we need this way more than more homes, apartments & condos. Our children and future children deserve the priority more than income for Alpine School district.
    -Suzette Hill

28. -State Street corridor – puts a lot of control with city but ignores individual rights.
    -What right does the city have to control public school land?
    -Isn't school land public land? Why rezone it?

29. I live this proposal. I think Orem needs more HIGH density housing and rezoning low density housing for public use especially for potential public schools and city parks is really really good.

    I want PF zoning. I don't want low density housing.

    Micaela the urban planning associate at the public hearing was terrific really helpful and smart and approachable! She was great.

I thought you were buying schools to know them down. Which I know now is not happening.

I recognize this is complicated but the flyers were not clear about why rezoning is important. I think you should focus on the preservation of schools and less low density housing.

30. The parts of Orem that make life livable are things like: parks, bike paths, hiking trails, museums, outdoor concert venues. I would hate to see all of these parcels of open space sold to the highest bidder and developed w/ no oversight. I love Orem. I live and work here for a reason. I take the bus, I ride a bike and I vote. I care about air quality and water and want to live in a city with a sense of place… an area that is unique.

31. Preserving public land in Orem should be a TOP priority. There is such a small amount of public land left here that we cannot afford to give up any preserved public land. The OS5 option DOES NOT serve the community in Orem. If residential zoning is needed in any of the lands it should be used to accommodate growth and affordable housing. It should not be developed as large lots that benefit only a few people.

32. I like it. Keep our schools and land!!! 😊

33. Your ordinance for OS5 promotes HOAs. DO NOT! Find a better vehicle eg. Maintenance district or another such concept for HOAs are an eventual evil you cannot & should <u>not</u> promote or encourage!
    -GC Duerden

34. Please consider adding as conditional uses in the PF zone:

    -Museums
    -Cemeteries
    -Education for Universities, special training, etc.
    -Nature preserves like aviaries, botanical gardens
    -Other public amenities

    Please do not approve OS5. It is far too limiting and exceeds the 37 additional acres recommended by the Orem Parks & Open Space Plan. Use your existing plans to inform these decisions.

35. Oldest home in Orem.
    -Colleen Ferguson

36. Tear down apt. houses in Orem. Do not allow anymore to be constructed.

    City center park is excellent & is good for all ages of citizens 5 year old to 100 year old. Do not change it!!!

    I am sure it is impossible to enlarge some of the small ones, however, if apartment bldgs. were leveled putting parks @ the there provide with many large parks possibly the size f central.

    I know the govt. of the city will laugh at my proposal but I am not the only one who is not <u>NOT</u> please with all them in our city.

    This gives a manner to give my opinion.

37. Considering how none of these lots are for high-density units, I am for this proposal. My concern is that too many low-density zones limit access for students, and the fact that this allows voting on properties that were to be built for low-density means I am in favor.

    I will also say that this marketing was poor & unclear. I live with a college-educated person & neither of us understood the proposal or how buildings would be affected until we came in and asked the actual planners.

38. My question: Why is it necessary to change our current zoning of public facilities. It doesn't seem necessary. No more zoning that allows for high density housing, sky scrapers, or big malls. Also, as a younger Orem resident (under 25) I am interested in planting our families roots in a city that avoids high density housing and skyscrapers. I am increasingly concerned about the small yards, less greenspace, and higher buildings/businesses that result in a big city vibe instead of community & neighborhood approach. I'm not a trained civil engineer and I haven't been able to – in my research- understand exactly what the implications of this rezoning would have on Orem – but it appears to me that it would lump city parks etc… into the same zoning type as research & development? If that's the case – or if this zoning change could result in more businesses/manufacturing in Orem then I am against it. We should be focusing on creating quality living spaces with large yards, parks, & communities. Thank you 😊

39. This is a great plan to save property for later public use in Orem.

40. Stop building high-rise apartments!!! Every apartment brings another car or two onto our roads, and brings voters to our city who have no permanent interest in our schools but just as much voting power as those of use who do!

41. No more high-density housing.

    Save the land our schools are on.

    Address potholes along 1600 N

    Transparency of who are the special interests supporting city council members.

42. Very much in favor.

    We need to protect our open space.

43. Change school property to the new proposed zone.

    No new development.

44. Please DO NOT allow these prime properties to become a developer's cash cow – our families need schools – parks- public lands to achieve a good family friendly neighborhood that supports families!

45. I support the proposed plan. I would like to comment that I think our current mayor & city council are doing a great work & provide super service!! Thanks a million.

46. I am not in favor of this change. It adds un-needed additional steps to something that is currently straight forward under state code.

47. This mayor and city council are trying to do one more self serving terrible thing. Remember the Orem School District fiasco – this is equal to that mistake.

    The city apparently does not believe in property rights. Zoning changes should handled by citizen property owners & not cities!!!!

Emails received prior to Neighborhood meeting 3.29.23:

Neighborhood meeting March 29

External

Inbox

Annette Balser Fri, Mar 24, 2:56 PM

I am interested in attending this meeting because I'm a dog owner. Would it be possible to discuss the possibility of reserving a small section of one or two parks for an enclosed dog run? This would be an opportune time to address this very much needed space for our pets.

Arbitrary and Capricious Rezoning Decision Affecting ASD and Excluding Orem Charter Schools

External

Inbox

Jonathan Bejarano **<jbejar86@gmail.com>** Sat, Mar 25, 10:14 PM

to me

Orem Planning Commission,
I am writing to express my concerns about the recent rezoning decision that impacts properties within the Alpine School District while excluding three local charter schools. The decision appears to be arbitrary and capricious, particularly in light of the failure of Proposition Two and the personal opinions expressed by an influential figure in our community.

As you know, Proposition Two aimed to address concerns about the quality of education in our area. However, it failed to pass, which indicates that the broader community did not support the proposed changes. Despite this outcome, the Planning Commission has proceeded to rezone properties in a manner that affects only the Alpine School District, without providing a clear rationale or evidence to support this decision.

Additionally, I have been informed that a prominent member of our community has publicly lamented about the perceived "evil" being taught in the Alpine School District. This individual's son holds a significant position of influence within the city, raising concerns about potential biases in the rezoning decision. The fact that three charter schools have been excluded from this rezoning process only exacerbates these concerns.

Unfortunately, I will not be able to attend the only scheduled public meeting on this matter due to a prior commitment. However, I kindly request that the Orem City Planning Commission reconsider the rezoning decision and ensure that the process is fair, transparent, and based on legitimate land use planning principles. The selective targeting of properties within the Alpine School District, without a valid justification, undermines public trust in the Planning Commission's decisions and raises questions about the impartiality of the decision-making process.

I also urge the Planning Commission to provide additional opportunities for residents and stakeholders to express their opinions and concerns, either through additional public hearings or by soliciting written input. This will allow for a more inclusive and thorough consideration of the matter at hand.

Thank you for your attention to this important matter. I am confident that, by revisiting the rezoning decision and

engaging in a more transparent and inclusive process, the Orem City Planning Commission can demonstrate its commitment to serving the best interests of our entire community.

Sincerely,
Jonathan Bejarano

Question about Neighborhood Meeting

External
Inbox

Anna Steadman <anna-steadman@sbcglobal.net> Tue, Mar 28, 7:47 AM

to me

I received a flyer about the Neighborhood Meeting scheduled tomorrow, March 29th at 7 pm in the Orem City Council Chambers. I was able to use Google to find what an OS5 zone is. I found it is an Open Space Zone in Orem. But I would like to know what the new PF zone is. Can you explain this in a response email?

Thank you,
Anna Steadman

Anna Steadman Tue, Mar 28, 11:17 PM

to me

Thank you so much for taking the time to respond to my inquiry. I have one follow-up question, if you don't mind.

I noticed that many of the "highlighted" properties on the mailer are schools. What zone are the schools in prior to this adjustment? And how will the new PF and/or OS5 status change what will happen with those properties? And how do the two zones differ in their impact on properties, or is each zone designated for a different type of property (park versus school)?

Thank you again,
Anna Steadman

Re: Public facilities and open space rezoning?

External
Inbox

Shauna Mecham <shaunakb90@gmail.com> Wed, Mar 29, 9:49 AM

to Debby, David, Ryan, me

FYI I haven't been able to find information about the neighborhood meeting tonight on orem.org/meetings as indicated on the flyer, nor the transparency portal or anywhere else on Orem's website. It doesn't even appear on the facebook page. I'm glad the flyer went out, but it would be nice to have something online for those of us (like me) who lost it after a couple of weeks.

Thanks!

On Wed, Mar 22, 2023 at 3:49 PM Debby Lauret <dlauret@orem.org> wrote:
I was on a phone call with staff about the possibility of re-zoning all city and school properties with the idea of preserving them for future use.
Our lawyer discussed the pros/cons each different zone change. One had a 5 acre housing component, the other did not.
Dave Spencer and I had a few questions but decided it would be worthwhile to have a neighborhood meeting.
Sent from my iPhone

On Mar 22, 2023, at 2:06 PM, Shauna Mecham <shaunakb90@gmail.com> wrote:

Thank you for your response. You could get ahead of the speculation by saying this is not an attempt to diminish ASD's potential earning or note the variety of uses a PF zone might include. I would happily pass that along. With what's happened recently, it's being read as another Orem attempt to control ASD.

On Wed, Mar 22, 2023 at 10:40 AM David Spencer <dmspencer@orem.org> wrote:
Shauna, thanks for your email.
Please come to the neighborhood meeting to learn more about the proposed zoning.
Nothing has changed to date.

Thanks
David Spencer

On Wed, Mar 22, 2023, 8:52 AM Shauna Mecham <shaunakb90@gmail.com> wrote:
Hello councilmembers,

Could you share some more depth on the reason for rezoning public facilities and open space? There's a great deal of suspicious speculation considering the Mayor's recent message, but I imagine the reason is more along the lines of "5 acre lots don't work here". Clarification is much appreciated.

Many thanks,

Shauna Mecham

D

David Spencer Wed, Mar 29, 11:19 AM

Shauna, this should be on our website.Thanks

D

Debby Lauret Wed, Mar 29, 12:16 PM

City just added it to our front page, Sent from my iPhone On Mar 29, 2023, at 11:19 AM, David Spencer <dmspencer@orem.org> wro

Shauna Mecham <shaunakb90@gmail.com> Wed, Mar 29, 12:54 PM

to Debby, David, Ryan, me

Thank you all!

Rezone Meeting 3/29/2023

External

Inbox

Bronson Dameron Wed, Mar 29, 4:38 PM

Hello, We got the mailer about the proposed rezone of public properties to preserve the public land left in Orem. My wife and I are una

Challenge of Notice (10-9a-209)

External

Inbox

Jonathan Bejarano Wed, Mar 29, 10:02 PM

to scearl@orem.org, me, cc@orem.org, kbrinkerhoff@alpinedistrict.org, propertyrights@utah.gov

Steve Earl:
I would like to give notice of challenge under UCA 10-9a-209 for Mailers sent out to Orem Residents.

These mailers included a map Which appeared to partially satisfy 10-9a-205. However, there was no date provided to an actual public hearing as required by (1)(a)

(1) Each municipality shall give:

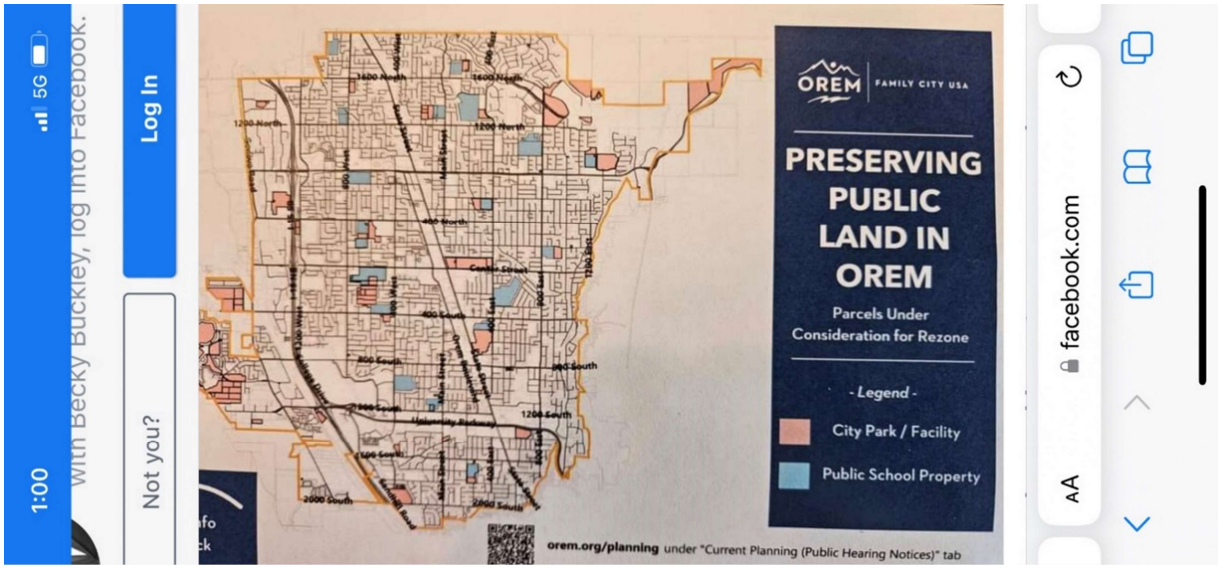
(a) notice of the date, time, and place of the first public hearing to consider the adoption or any modification of a land use regulation; and

Since no opportunity was given to provide public comment today there was no public hearing.
UCA 10-9a-103

(53) "Public hearing" means a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

Therefore I would like to challenge the notice provided by the City of Orem prior to any rezone.

Thanks,
Jonathan Bejarano



PF zone: Where does it make sense and what should it include?

External

Inbox

Shauna Mecham <shaunakb90@gmail.com> Mar 29, 2023, 2:07 PM

to dayoung, Jeffrey, Debby, David, tdpeterson, twmacdonald, lmillett, me, Ryan

Hello all. Thank you for your service to Orem and consideration of this important topic.

Cities perform best when they are allowed to adapt and change. Flexibility leads to resilience, and resilience increases health.
The proposed rezoning, if only for Open Space or Parks, would do little to address Oremites current parks and recreation desires (see slides below). If Orem wishes to rezone property for parks, I suggest they strategically choose locations that allow more residents to access parks within walking distance or include additional requested amenities like dog parks. I believe there are some great maps that show walking radius for the city to use as a guideline.
There is a danger in having underutilized Open Space, which can become uncared for and grow into a place for illicit activity.

According to the 2021 Parks Survey, the #1 Desire of residents is walkability. A central component of walkability is having destinations that are within walking distance. If this is to be achieved, a PF zone with more flexibility than only recreational open space is necessary. Consider this success story of a New Life for an Old School, for some inspiration.

For instance, Provo's PF zone includes:
Permitted Uses:
Sewer, Water, Electric, Transportation, etc
Government Services
Education - Nursery through University, including professional education and special training
Religious activities
Cultural activities and nature exhibits
Recreational activities
Parks

Forest Reserves

Conditional Uses:
Housing Authority household units (a Moderate Income Housing Plan option)
Residential for persons with a disability
(I would add senior living communities with public outdoor space, personally)
Transit
Ambulance services
Parking lots
Communications
Funeral parlor/cemetery
Medical/Health services (public or non-profit only)
Police
Dance Halls
Groups camps
Fishing activities
Public assembly
(I would add more non-profit uses, like this school-turned non-profit office space)

Thank you for your time. I look forward to talking with you tonight.

Shauna Mecham

2021 Orem Parks Survey
It is more important to update the parks Orem has than acquire new recreational space.
The #1 reason for choosing a park is its proximity to home, and residents want walkability more than anything else.

While there is room for some park expansion, what residents want most is walkability and more trails.

The number one factor in choosing a park is its proximity to home. 72% of residents said it is "Extremely" or "Very" important.

Athletic fields are the least-requested amenity. Walking and bike trails are the most-requested.

Shauna Mecham <shaunakb90@gmail.com> Mar 29, 2023, 5:29 PM

to dayoung, Jeffrey, Debby, David, tdpeterson, twmacdonald, lmillett, me, Ryan

Sorry to bug you all again - the best decisions are made when informed by existing plans. I did more digging and found these helpful facts from the Orem Parks, Trails, Recreation and Open Space Plan.

Page 23: 37 acres needed for build-out in 2050. Nothing more than what is currently under development is needed by 2030.
Page 17: Map of service areas for current parks, essential in determining gaps. (see below)
Page 29: A great set of implementation strategies, including future open space/parks that come from non-traditional park types, like nature parks, detention basin parks, urban plazas *(I like this one a lot)*, and community gardens. The incentives for "spaces open to the public" on State St would have helped this effort.

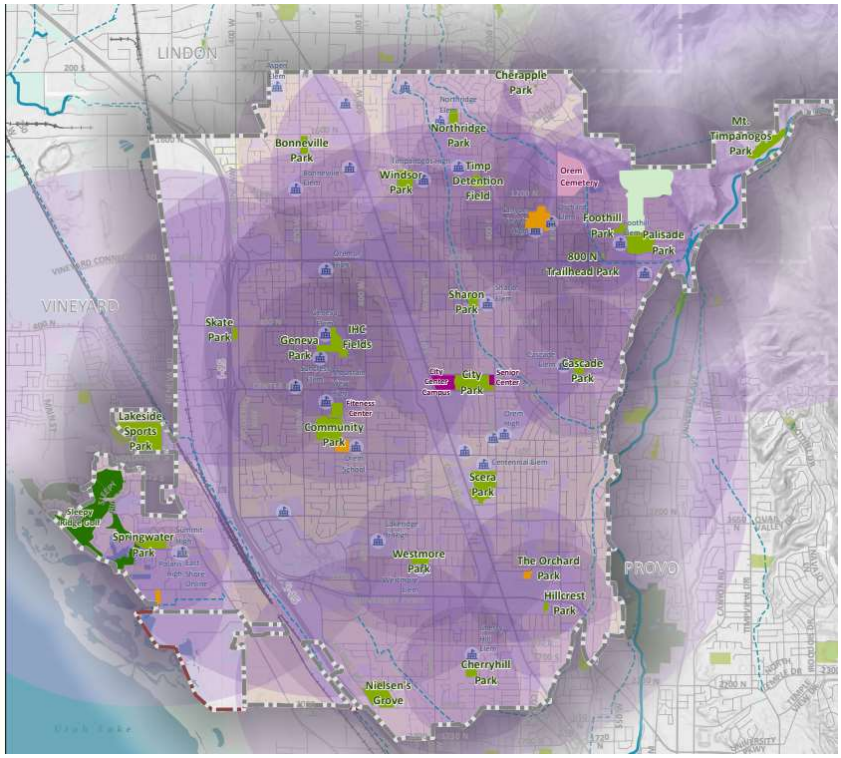
This is my back-of-the-napkin estimation, but as you rezone I think Orem could use about 12 acres of school-adjacent land to meet future LOS goals. Please confer with your planners.

37 acres needed
-7 (Developer-incentivised Space Open to the Public. A very rough guess for 2050 build-out)
-5 (Turn more of the planned trails into Greenways, where adjacent space is utilized instead of just week-whacked ie Murdock, 800 N, North Union Canal)
-12 (Strategically buy land for neighborhood or mini-parks where there are gaps in coverage. See map below.)
_____
=12 acres needed

Options considering current zoning change:
Preferred: Zone all proposed areas PF with the wide range of uses in the previous email and buy the land as needed and as it becomes available for parks
Alternate: Zone portions of schools as future Open Space to turn school-adjacent parks into future regional parks. Only zone what you think Orem will need.

I hope this is at all helpful as you make this difficult decision.

Thanks again,
Shauna Mecham



Emails received prior to Planning Commission meeting 4.12.23:

Windsor Elementary School Property

External

Inbox

Robert Lee <utoly2002@hotmail.com>

Thu, Mar 30, 7:49 AM (13 days ago)

to me, reddhead123@msn.com

Dear Orem City Council,

As an Orem City Resident, I am concerned about the pending closure of 2 school buildings in the Orem area and what might happen to the properties that they reside on. I am concerned that Alpine School district might close the schools and sell the properties do developers that might not have the neighborhood best interest in mind while developing said properties. I am concerned about losing open space that Orem city has very little of already. I am concerned about additional restricted access to the adjacent Windsor park should the lad be developed. I am concerned about the disruption of an established neighborhood that has existed for unchanged for decades. I already am against the closure of the School and since it appears that Alpine school district will move forward with this any way I would like the Orem City Council to explore any and ALL options that might help preserve the land for future use of all Orem residence's for decades to come.

I would support re-zoning the property to limit the use of said school property. I would support the City buying the property for city/resident use (additional soccer, football, pickleball, Sledding hills, the ideas are endless). I would potentially support a charter school takeover even. As long as the development isn't for 1. Business or 2. Residential.

I appreciate the recent meeting that was held on 3/29/2023 that stated the Orem city council was looking to preserve that area. I Support your efforts to make Orem more neighborhood friendly.

Thank you
Robert Lee
Orem, Utah
801-836-5621
Windsor area.

Windsor Elementary School and ASD

External

Inbox

Richard C. Shipp <richardcshipp@yahoo.com> Fri, Apr 7, 8:19 PM (5 days ago)

to me

Dear Orem City Mayor and Council,
I am very unhappy with the ASD, taxing us for years, and putting our taxes to work in other cities. It is not right.
I hope the following can be achieved:
1) A Law or Ordinance in Orem, that **Taxes** of Orem Citizens for ASD **must be spent in Orem City**.
2) Stop the destruction of **Windsor Elementary School** (and other smaller neighborhood schools in Orem) by ASD.
3) Have a City Ordinance in place that the **Green Space** that comprises Windsor Elementary School can't be changed. In other words, ASD **cannot sell the property** of Windsor Elementary School that results in the **loss of Orem's Green Space, VIOLATING the OREM MASTER PLAN**. (The Parks were placed specifically by Orem Schools, to create Green Space. ASD should not be allowed to violate the Master Plan.)
4) A Law or Ordinance that Alpine School District **cannot sell** Orem City Schools and/or property **without Orem City Approval** of the sale.
- - -
Our government was set up to be Of the People, By the People, and For the People. *That means that the **PEOPLE** are the first level of government*. *The **City** is the next level: answerable to the People*. After that, the County government, answerable to the Cities that comprise it. Then the State Government, answerable to the People, Cities,and Counties. Finally, and last—with very limited power—the Federal Government, (limited to powers strictly innumerate in the Constitution itself).
In my opinion, **I believe Orem City—as a level of government—can override the Alpine School District**. I hope Orem City will understand this, and take control of its rights and stop the overreach of ASD in Orem City school matters.
Sincerely,

Richard C. Shipp

Richard C. Shipp
25 W 1480 N, Orem UT 84057
801-225-1480 (USA)
RichardCShipp@yahoo.com

Public comment: Charter school land

External

Inbox

Anna Mortimer Greene <amortimer95@gmail.com> Tue, Apr 11, 7:28 AM (1 day ago)

to me

Hello-
When I attended the neighborhood meeting I asked they aren't zoning the charter school property as PF and was told it's because it's currently zoned commercial and would devalue the land too much so the city would get sued.
I spoke with a gentleman at the Ombudsman's office and he said that as long as there is SOME use and it doesn't equate to only being the city that could use the land then it's not considered devaluing.
Because it's not considered devaluing or a taking all charter school properties should also be included in the PF zoning. They are also PUBLIC schools and provided for with our taxes. It is not appropriate to pick and choose which public properties to rezone.
Thank you,
Anna Greene
882 E 375 N, Orem, UT 84097
801-787-9767

Public Comment- enough green space

External
Inbox

Anna Mortimer Greene <amortimer95@gmail.com> Tue, Apr 11, 7:36 AM (1 day ago)

to me

One thing Orem did very well was preserve green space. Orem purchased land next to every elementary school and made a city park. There are also additional city parks not connected to elementary schools. Pretty much everywhere you live in Orem you can walk to a park, regardless of if there is an elementary school there anymore or not. Orem has lots of green space. In a 2021 study most residents, 80%, feel we have enough parks and instead prefer the parks we do have receive upgraded facilities. This rezoning of properties is unnecessary.
Source: http://orem.org/wp-content/uploads/2021/06/Orem-Parks-2021-Deck-0413.pdf
Sincerely,
Anna Greene
801-787-9767
882 E 375 N, Orem, UT 84097

Vote NO on Rezoning All of Orem's Public School Land

External
Inbox

Laura Avenius Eliason <lafavenius@gmail.com> Mon, Mar 27, 9:40 PM

to me, tdpeterson, dayoung

Hello Planning Commission, Mayor, and Planning Commission City Council Rep,
I request that you vote NO on your consideration of rezoning all school properties in Orem to OS-5 or a new PF zone. I am a parent of children that attend school in Orem, and a resident of North Orem.
Orem has beautiful park land and wonderful open space. Don't punish my children and all of Orem's students by depriving our school district of desperately needed funds.
My concern with rezoning all public school land to OS-5 or this new PF zone is that it will directly harm my children's education. Alpine School District works very hard to deliver quality education for the children of Orem. Orem's schools are under capacity. While some may feel a small school is best, I have seen first hand the negative effect of shrinking school populations. Less programming, and less dollars from the state leads to less funding for many many things, fewer parent volunteers, and more.
Orem's schools need the funds from the sale of school properties that are no longer needed! These funds will be directly reinvested in my children and the children of Orem's education.
I would encourage the City of Orem to work with our Alpine School District.
If you are concerned that funds from a sale (for example the land at Windsor Elementary to Ivory Homes for $6 Million) aren't going to reach Orem students please work with the District on ensuring that they do.
Don't punish my children and all of Orem's students by depriving our school district of desperately needed funds.
I also would like to express sadness that you decided to hold this meeting the same night as ASD scheduled another important meeting about Orem's schools. The strain that the current Mayor and his council have placed on Orem parents is unreal. Family City USA has never felt less like Family City USA.

Thank you,
Laura Eliason

Laura Avenius Eliason <lafavenius@gmail.com> Tue, Apr 11, 2:58 PM (21 hours ago)

to me

Hello,
Including my previous email below in light of your meeting this week. Please do not do this.
I'll also add that this will

1. harm our children in Orem
2. harm our property values by creating blight in neighborhoods where schools are being closed. Windsor elementary will just sit empty. The school district will not be able to sell the land for a fair price and therefore will hold onto it. Empty schools are terrible!!

Thank you
Laura Eliason

From: **Richard C. Shipp** <richardcshipp@yahoo.com>
Date: Fri, Apr 7, 2023 at 8:19 PM
Subject: Windsor Elementary School and ASD
To: planning@orem.org <planning@orem.org>

Dear Orem City Mayor and Council,

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Sincerely,

Richard C. Shipp

Richard C. Shipp
25 W 1480 N, Orem UT 84057
801-225-1480 (USA)
RichardCShipp@yahoo.com

From: **Anna Mortimer Greene** <amortimer95@gmail.com>
Date: Tue, Apr 11, 2023 at 7:28 AM
Subject: Public comment: Charter school land
To: planning@orem.org <planning@orem.org>

Hello-

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I spoke with a gentleman at the Ombudsman's office and he said that as long as there is SOME use and it doesn't equate to only being the city that could use the land then it's not considered devaluing.

Because it's not considered devaluing or a taking all charter school properties should also be included in the PF zoning. They are also PUBLIC schools and provided for with our taxes. It is not appropriate to pick and choose which public properties to rezone.

Thank you,

Anna Greene
882 E 375 N, Orem, UT 84097
801-787-9767

From: **Anna Mortimer Greene** <amortimer95@gmail.com>
Date: Tue, Apr 11, 2023 at 7:36 AM
Subject: Public Comment- enough green space
To: <planning@orem.org>

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Source: http://orem.org/wp-content/uploads/2021/06/Orem-Parks-2021-Deck-0413.pdf

Sincerely,

Anna Greene
801-787-9767
882 E 375 N, Orem, UT 84097

PF Zoning for Planning Commission

External

Inbox

Shauna Mecham Tue, Apr 11, 10:28 AM (21 hours ago)

to me, Ryan

Hi Cheryl,

Could you forward this to the planning commission? Thanks for all you do!

Hello all. Thank you for your service to Orem and consideration of this important topic.

Cities perform best when they are allowed to adapt and change. Flexibility leads to resilience, and resilience improves health.

According to the 2021 Parks Survey, the #1 Desire of residents is walkability. A central component of walkability is having destinations that are within walking distance. If this is to be achieved, a PF zone with more flexibility is preferable. Consider this success story of a New Life for an Old School, for some inspiration.

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Provo Conditional Uses:
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Ambulance services
Parking lots
Communications
Funeral parlor/cemetery
Medical/Health services (public or non-profit only)
Police
Dance Halls
Groups camps
Fishing activities
Public assembly
(I would add more non-profit uses, like this school-turned non-profit community space, Bike Collectives, or Family Scholar Houses)

Thank you for your time,

Shauna Mecham
shaunakb90@gmail.com