



CITY OF OREM  
PLANNING COMMISSION MEETING  
56 North State Street, Orem, Utah  
July 19, 2023

*This meeting may be held electronically  
to allow a Commission member to participate.*

3:30 PM PRE-MEETING – AGENDA REVIEW, CITY COUNCIL CONFERENCE ROOM, 56  
NORTH STATE STREET, OREM, UT

- 1 Plan a date and time to discuss the Transportation Master Plan**
- 2 Training by Gary McGinn, Assistant City Attorney**

4:30 PM REGULAR SESSION – CITY COUNCIL CHAMBERS

1. CALL TO ORDER
2. INVOCATION/INSPIRATIONAL THOUGHT: BY INVITATION
3. 4:30 PM SCHEDULED ITEMS
  - 3.1 PUBLIC HEARING – Vacating Lot 4 of Miller Park, Plat A and approving the plat for Miller Park, Plat B and the site plan for Boulder Industrial Park located generally at 138 South Mountain Way Drive in the M2 zone.**
  - 3.2 PUBLIC HEARING - Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning a portion of the property (approximately .084 acres) located at 426 East 1070 South from the R6.5 zone to the C2 zone.**
  - 3.3 PUBLIC HEARING – Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning a portion of the property that fronts Geneva Road from the OS5 zone to the PO zone (approximately 4.83 acres) and the remaining property from the OS5 zone to the PRD zone (approximately 4.79 acres) and amending Appendix KK of the Orem City code for the property located generally at 1875 South Geneva Road.**
4. MINUTES REVIEW AND APPROVAL
  - 4.1 Review and approve minutes from the June 21, 2023 meeting.**
5. ADJOURN

**5.1 The next meeting is scheduled for Wednesday, August 2, 2023.**

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL PLANNING COMMISSION MEETINGS.  
If you need a special accommodation to participate in the Planning Commission Meetings and Study Sessions,  
please call the Development Services Office at least 3 working days prior to the meeting.  
(Voice 801-229-7183)**

**This agenda is also available on the City's webpage at [orem.org](http://orem.org)**

|                                      |                                                                                                                                                                                                                              |                                                                                     |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| Item #: 3.1                          | <b>Planning Commission</b><br>July 19, 2023                                                                                                                                                                                  |  |
| <b>Prepared By:</b><br>Cheryl Vargas |                                                                                                                                                                                                                              |                                                                                     |
| <b>Applicant: McKay Winkle</b>       | <b>PUBLIC HEARING</b> – Vacating Lot 4 of Miller Park, Plat A and approving the plat for Miller Park, Plat B and the site plan for Boulder Industrial Park located generally at 138 South Mountain Way Drive in the M2 zone. |                                                                                     |

**NOTICES:**

- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Posted at [utah.gov/pa](http://utah.gov/pa)

**SITE INFORMATION:**

- General Plan Designation:

**Light Industrial**

- Current Zone: M2
- Acreage: 1.62
- Neighborhood: **Orem Park**

**ACTION:**

The Planning Commission is the final approving authority regarding this request.

**REQUEST:** The applicant requests the Planning Commission vacate Lot 4 of Miller Park, Plat A and approve the plat for Miller Park, Plat B and the site plan for Boulder Industrial Park located generally at 138 South Mountain Way Drive in the M2 zone.

**BACKGROUND:** The applicant is proposing to construct a four-unit office warehouse building on an existing parking lot in the M2 zone. The property is currently one lot and it will be subdivided into two lots. Each lot will meet the minimum lot size requirements of the M2 zone which is 10,890 square feet (one-quarter acre). Lot 1 will be 44,054 square feet and Lot 2 will be 26,586 square feet. [\(22-9-6\)](#)

*Architecture:* The materials used for the building will be 2-tone CMU blocks, split face block, metal panels and scoured block. The highest part of the building will be twenty-seven (27) feet four (4) inches high. The maximum building height allowed in the M2 zone is sixty (60) feet high. [\(22-9-6\)](#)

*Landscaping:* The landscaping plan meets the requirements of the requirements of the M2 zone with a minimum ten (10) foot landscaped strip located on the right-of-way line of the street. [22-9-7\(B\)](#)

*Parking:* In the M2 zone, the required parking is one (1) space per seven hundred fifty (750) square feet of warehouse space and one (1) space per two hundred fifty (250) square feet of office space. This project meets those parking requirements as they are required to provide sixty-six (87) stalls and that is what they are providing: [22-15-4\(D\)](#)

| PARKING      |             |          |          |
|--------------|-------------|----------|----------|
| Description  | Square Feet | Required | Provided |
| Warehouse    | 18,137      | 25       |          |
| Office       | 1,200       | 5        |          |
| <b>Total</b> |             | 30       | 31       |
|              |             |          |          |
| Lot 2        | Vacant      | N/A      | 56       |
| <b>Total</b> |             |          | 87       |

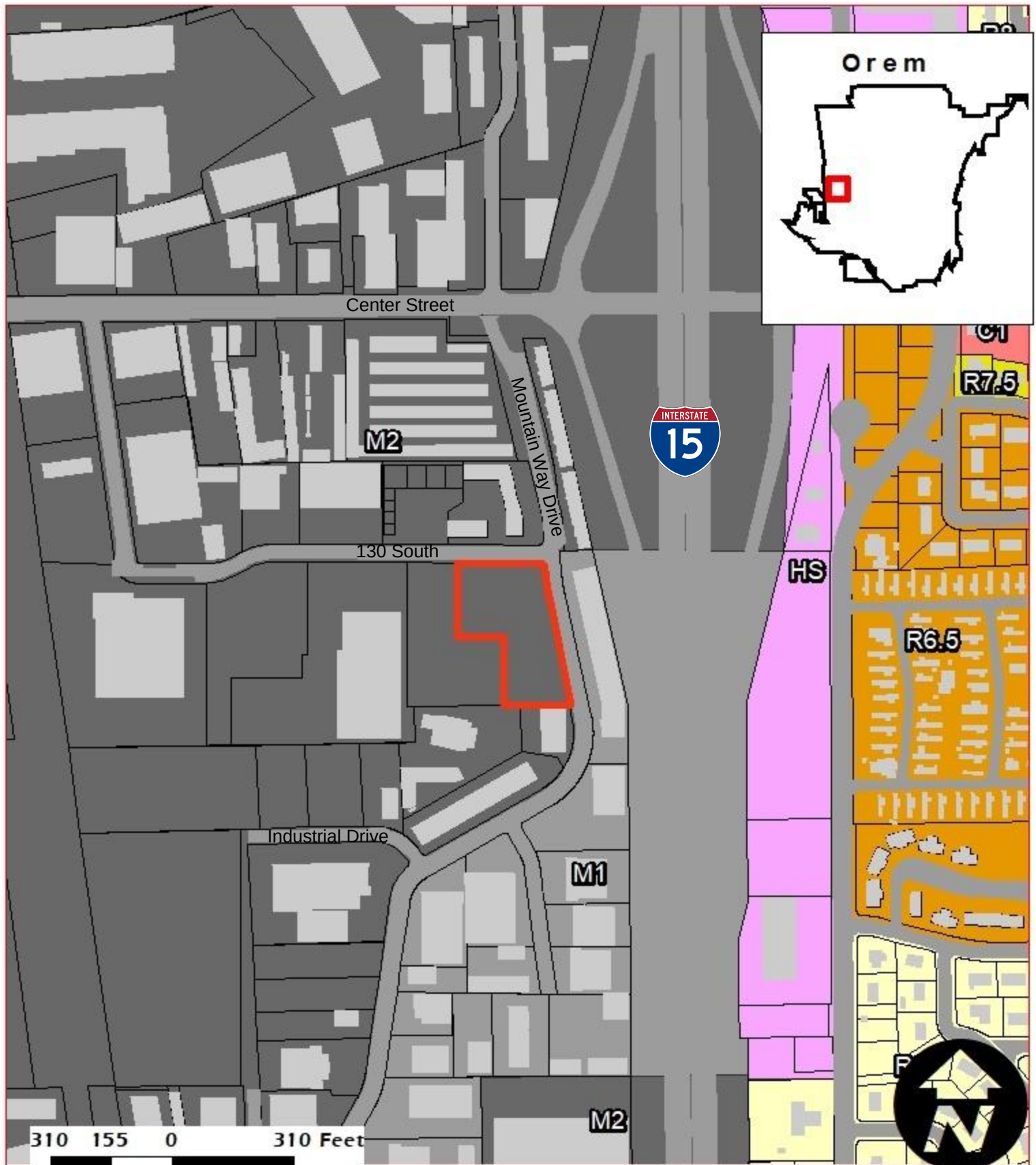
**RECOMMENDATION:** The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission vacate Lot 4 of Miller Park, Plat A and approve the plat for Miller Park, Plat B and the site plan for Boulder Industrial Park located generally at 138 South Mountain Way Drive in the M2 zone.







# Boulder Industrial Park/Miller Park Plat B

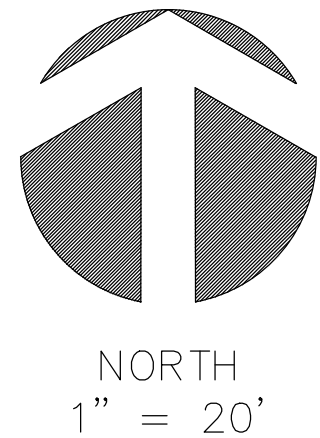


◆ Plat Amendment  
Zone: M2  
1.62 Acres

NEIGHBORHOOD  
Orem Park

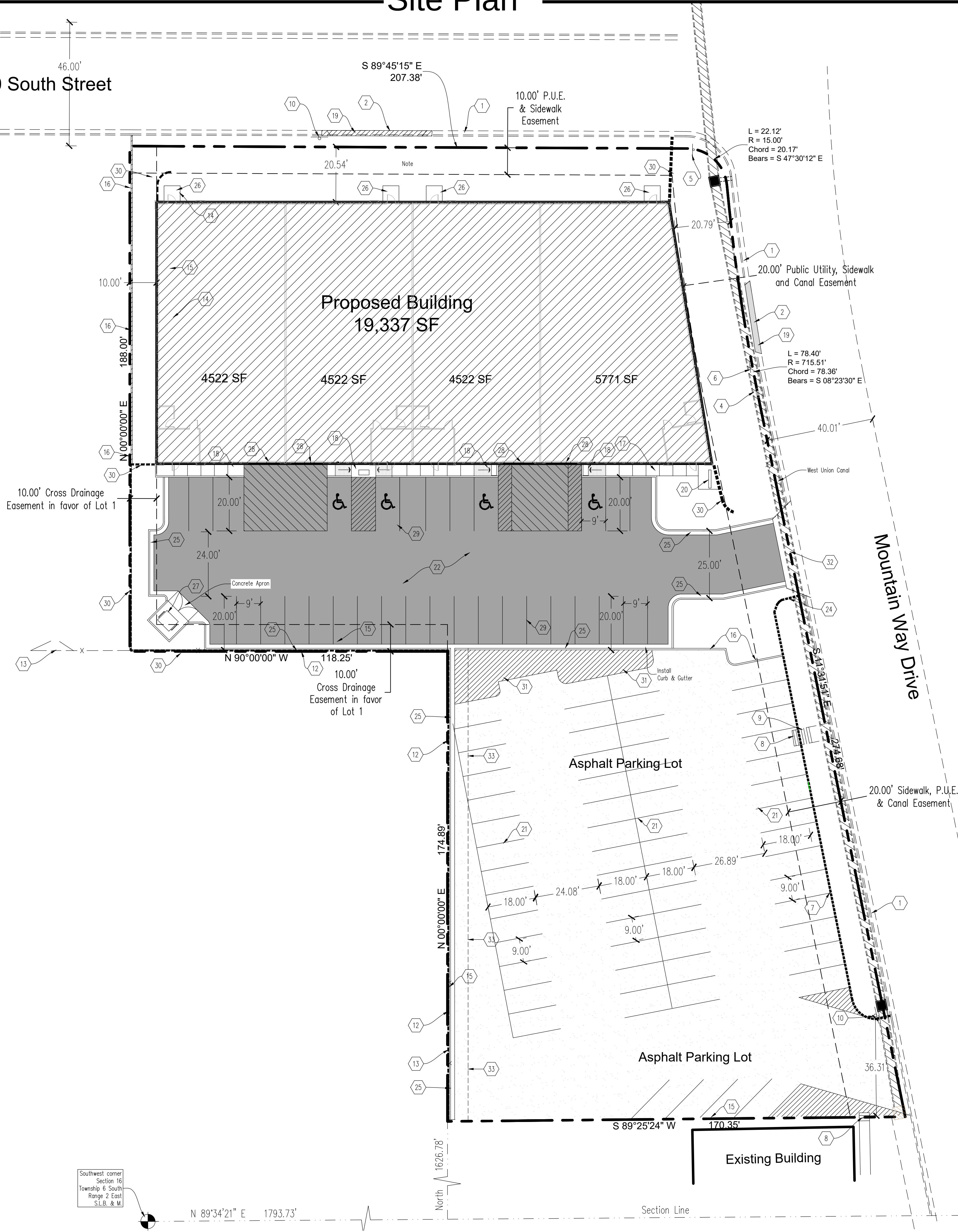
Legend  
■ 1353 W 130 South  
■ Buildings  
□ Parcels





# Site Plan

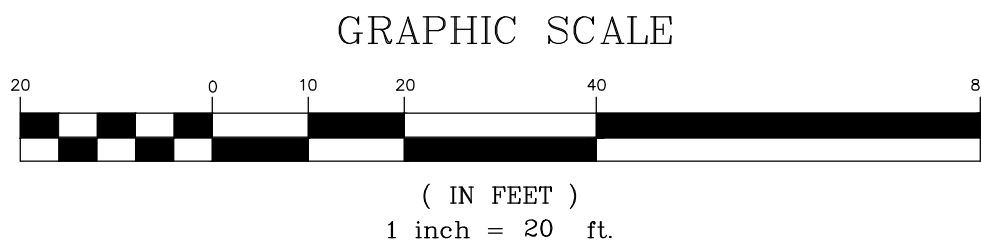
130 South Street



- KEYED NOTES
- Existing 24" curb and gutter to remain.
  - Existing Driveway to be removed and curb to be replaced.
  - Set PK Nail
  - Set Rebar & Cap
  - Existing Stop Sign
  - Existing No Parking Sign
  - Existing Wall to remian
  - Existing Stairs to remain
  - Existing Railing to remain
  - Existing Towing Enforced Sign
  - Found Rebar
  - Existing 6" Chain Link Fence to be removed
  - Existing Gate to be removed
  - Existing Private Parking Sign to be removed
  - Existing Edge of Oil
  - Install 6" x 18" Curb Wall (See Detail C Sheet C-5)
  - Install 5.00' Sidewalk (See Detail B Sheet C-5)
  - Install ADA Ramp (See Detail G Sheet C-5)
  - Install 2' Curb & Gutter
  - Install Bicycle parking rack (See Detail E Sheet C-5.1)
  - Existing Parking Striping (White point) Typ. to be removed and re-striped after construction.
  - Construct Asphalt paving (See Paving Section Detail F Sheet C-5)
  - Existing Section of wall to be removed
  - Install new Section of Wall
  - Install 2' Curb & Gutter (See Detail D Sheet C-5)
  - Install 48" concrete Landing.
  - Install Dumpster Enclosure Per Orem City Code
  - Proposed Overhead Door
  - Install New Parking Striping per Orem City Code 22-15
  - Install Concrete concrete retaining wall. (See Detail on sheet C-5.0). Wall to have a 42" (min) railing. Owner to determine style.
  - Proposed Solid Striping.
  - Install New Drive approach Per Orem City Code (See Detail Sheet C-5).
  - Sawcut existing asphalt for smooth transition to new curb and gutter.

Parking Requirements = 1/250 Office 1/750 Warehouse  
Spaces required Lot 1= 30  
Spaces provided Lot 1 = 31  
Spaces provided Lot 2 = 56  
Total Spaces required = 30  
Total Spaces Provided = 88  
ADA Spaces required = 4 Spaces required , 1 being Van Accessible

Note:  
No driveway or drive access may be located within twenty-five (25') of an existing fence which is greater than three feet (3') in height.

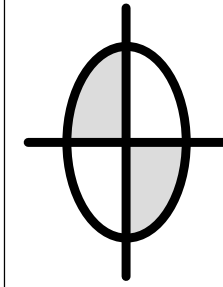


South 1/4 corner  
Section 16  
Township 6 South  
Range 2 East  
S.L.B. & M.

CAUTION!!! Notice to contractors

The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. the information is not to be considered exact or complete. The Contractor must notify the utility location center at least 48 hours prior to any excavation to request the exact location of the utilities in the field. It shall be the responsibility of the Contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plan.

**Know what's below. 811**  
**Call 811 before you dig.**  
**BLUE STAKES OF UTAH**  
UTILITY NOTIFICATION CENTER, INC.  
**www.bluestakes.org**  
1-800-662-4111



**DUDLEY AND ASSOCIATES**  
ENGINEERS PLANNERS SURVEYORS  
353 EAST 1200 SOUTH, OREM, UTAH  
801-224-1252

Boulder Industrial Park  
**Site Plan**

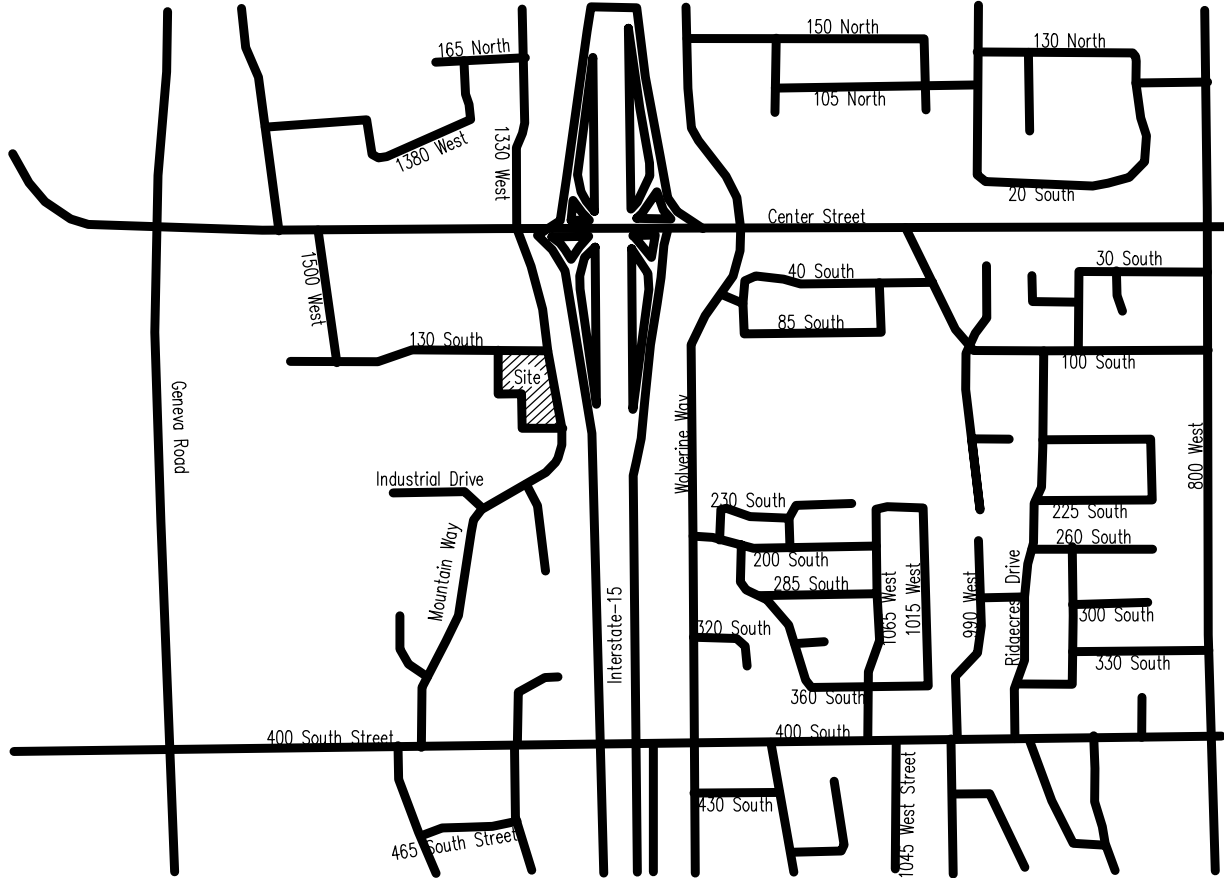
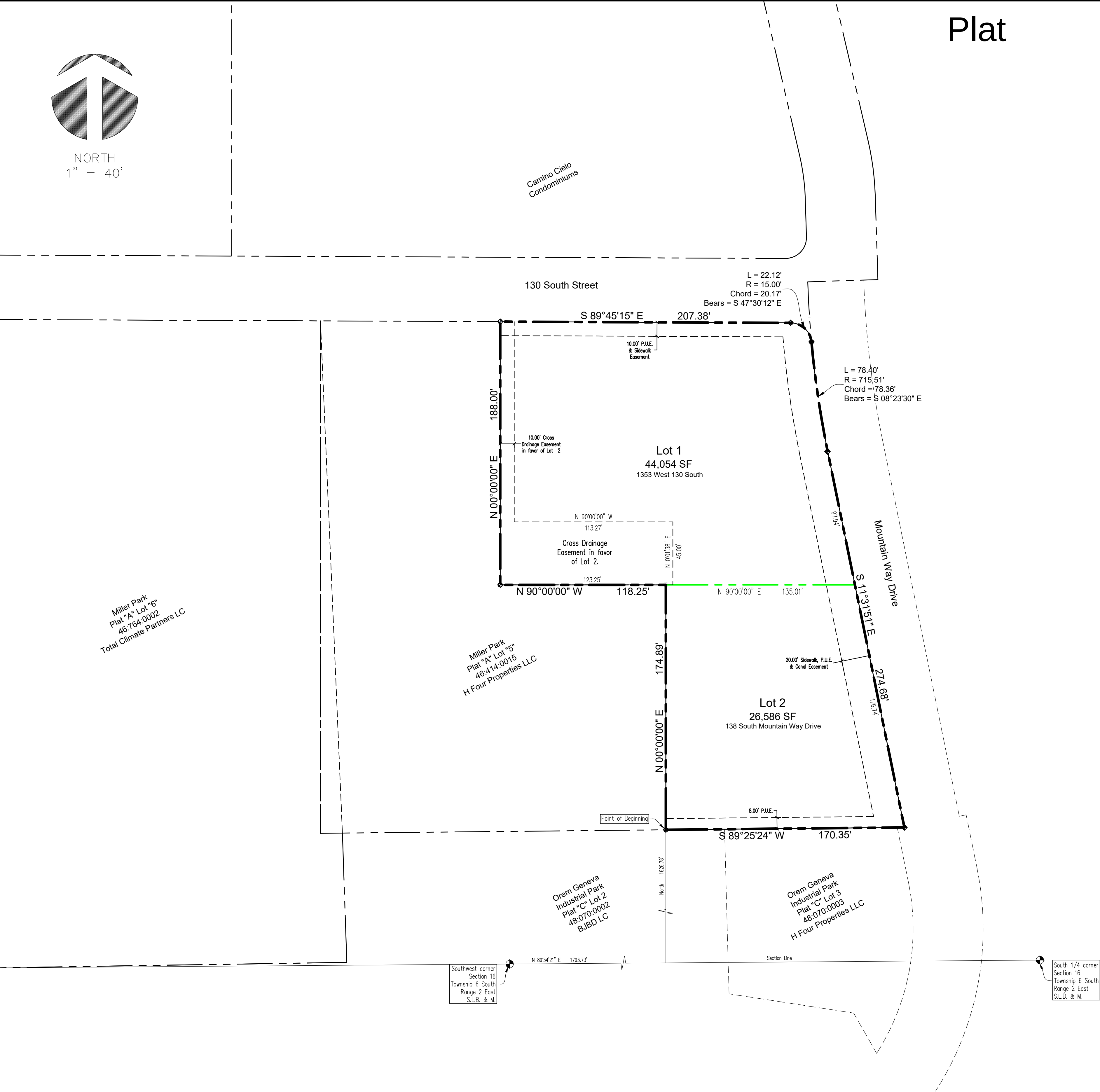
Revisions

Date  
6-7-2023  
Scale  
1" = 20'  
By  
BHT  
Tracing No.  
L -

Sheet No.  
**C -2.0**







Vicinity Map

Surveyor's Certificate

I, ROGER D. DUDLEY, do hereby certify that I am a Professional Land Surveyor and that I hold a license, Certificate No. 147089, in accordance with the Professional Engineers and Land Surveyors Licensing Act found in Title 58, Chapter 22 of the Utah Code. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described below, have subdivided said tract of land into lots, streets, and easements, have completed a survey of the property described on this plat in accordance with Utah Code Section 17-23-17, have verified all measurements, and have placed monuments as represented on the plat. I further certify that every existing right-of-way and easement grant of record for underground facilities, as defined in Utah Code Section 54-8a-2, and for other utility facilities, is accurately described on this plat, and that this plat is true and correct to the best of my knowledge.

Boundary Description

Commencing at a point located North 89°34'21" East along the Section line 1793.73 feet and North 1626.78 feet from the Southwest corner of Section 16, Township 6 South, Range 2 East 54th Lake Base and Meridian; thence North 174.89 feet; thence West 118.25 feet; thence North 188.00 feet; thence South 89°45'15" East along 130 South Street 207.38 feet; thence along the arc of a 15.00 foot radius curve to the right 22.12 feet (chord bears South 47°30'12" East 20.17 feet); thence along Mountain Way Drive the following 2 courses: along the arc of a 715.51 foot radius curve to the left 78.40 feet (chord bears South 08°23'30" East 78.36 feet), South 11°31'51" East 274.68 feet; thence South 89°25'24" West 170.35 feet to the point of beginning.

AREA=70,640 sq. ft. or 1.62 acres

Basis of Bearing \_\_\_\_\_ North 89°34'21" East along the Section line

Date \_\_\_\_\_

Surveyor \_\_\_\_\_

(See Seal Below)

Owner's Dedication

Know all men by these presents that we, all of the undersigned owners of all the property described in the Surveyor's Certificate hereon and shown on this map, have caused the same to be subdivided into Lots, Blocks, Streets, and Easements and do hereby dedicate the streets and other public areas as indicated hereon for perpetual use of the public.

In witness hereof we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

Clear Industrial, LLC

McKay H Winkel (Manager)

Acknowledgement

STATE OF UTAH }  
COUNTY OF UTAH }

S.S.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who represented that he is the \_\_\_\_\_ of the \_\_\_\_\_ and has the authority to execute this instrument.

My Commission Number \_\_\_\_\_

Signed (a Notary Public Commissioned in Utah)

My Commission Expires \_\_\_\_\_

Print name of Notary

Acceptance by the City of Orem

The City of Orem, County of Utah, approves this subdivision and hereby accepts the dedication of all Streets, Easements, and other parcels of land intended for public purposes for the perpetual use of the public. Signed this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

Approved: \_\_\_\_\_

City Engineer

Attest: \_\_\_\_\_

City Recorder

Approved: \_\_\_\_\_

Development Services Director

Occupancy Restriction Notice

The City of Orem has an Ordinance which restricts the occupancy of buildings within this subdivision. Accordingly, it is unlawful to occupy any building located within this subdivision without first having obtained a Certificate of Occupancy issued by the City.

Planning Commission Approval

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the Orem City Planning Commission.

Director-Secretary

Chairman, Planning Commission

Resolution No.

County Recorder

Plat " B"

Miller Park

Including a vacation of Lot 4 Miller Park Subdivision Plat "A"

Subdivision

Orem City, \_\_\_\_\_

Scale: 1" = 40 Feet

Utah County, Utah

SURVEYOR'S SEAL

NOTARY PUBLIC SEAL

CITY-COUNTY ENGINEER SEAL

CLERK-RECORDER SEAL

Approved as to Form

City Attorney

Date

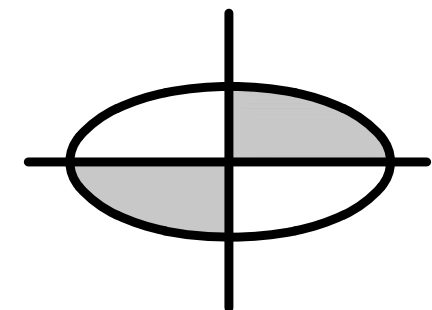
Prepared by:

Dudley and Associates, Inc.  
353 East 1200 South  
Orem, Utah 84058  
office 801-224-1252  
fax 801-224-1264

GRAPHIC SCALE



( IN FEET )  
1 inch = 40 ft.



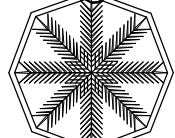


# Landscape Plan

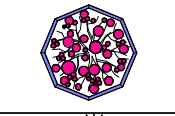
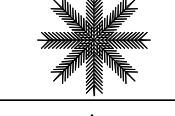
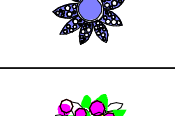
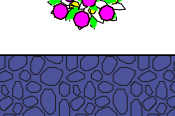
Note: Maintain a 3.00' (min) Horizontal and 10.00' vertical clearance from all bushes and trees.

## PLANT SHEDULE

### TREES:

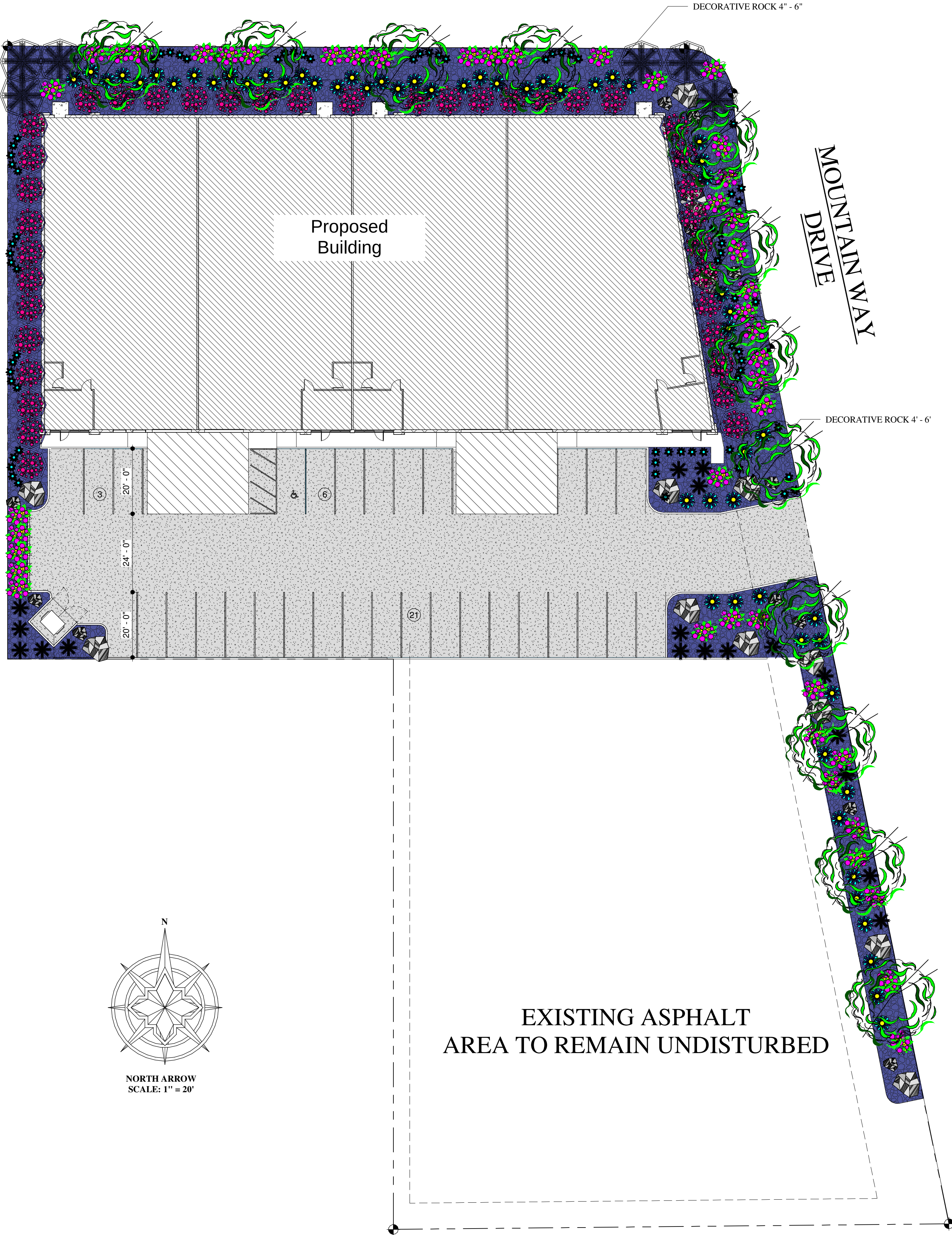
| SYMBOL:                                                                           | BOTANICAL NAME:            | COMMON NAME:          | CONTAINER:             | SIZE:                             | QUANTITY: |
|-----------------------------------------------------------------------------------|----------------------------|-----------------------|------------------------|-----------------------------------|-----------|
|  | GINKO BILOBA 'AUTUMN GOLD' | GINKO                 | CAGED, BALL AND BURLAP | 2" CALIPER                        | (12)      |
|  | PICEA PUNGENS GLAUCA       | COLORADO WHITE SPRUCE | CAGED, BALL AND BURLAP | 8' TO 10' OFF OF TOP OF ROOT BALL | (7)       |

### SHRUBS:

|                                                                                   |                                          |                      |                   |                    |      |
|-----------------------------------------------------------------------------------|------------------------------------------|----------------------|-------------------|--------------------|------|
|  | RHAMNUS FRANGULA 'COLUMNARIS'            | TALL HEDGE BUCKTHORN | PLASTIC CONTAINER | 5 GALLON CONTAINER | (38) |
|  | PINUS MUGO 'PUMILIO'                     | DWARF MUGO PINE      | PLASTIC CONTAINER | 5 GALLON CONTAINER | (22) |
|  | POTENTILLA FRUCOSA var. 'RED ACE'        | POTENTILA RED ACE    | PLASTIC CONTAINER | 3 GALLON CONTAINER | (53) |
|  | BERBERIS THUNBURGII 'ROSE GLOW BARBERRY' | JAPANESE BARBERRY    | PLASTIC CONTAINER | 1 GALLON CONTAINER | (74) |
|  | LILY LANCIFOLIUM 'TIGRINUM'              | TIGER LILY           | PLASTIC CONTAINER | 1 GALLON CONTAINER | (47) |

13,273 SQ' OF DECORATIVE GRAVEL 4" - 6" W/ 1 DUMP TRUCK LOAD OF BOULDERS PLACED STRATIGALY AT ENTRANCE, ALONG THE CORNER OF 130 SOUTH MOUNTAIN WAY DRIVE.

## LANDSCAPE PLAN WITH PLANTING SCHEDULE



REVISIONS  
DATE

1  
2  
3  
4

ARCHITECTURAL COALITION  
962 West 800 North, Orem Utah, 84057  
PH: 801-491-0275

LICENSED ARCHITECT  
JULIA A. KAY  
STATE OF UTAH

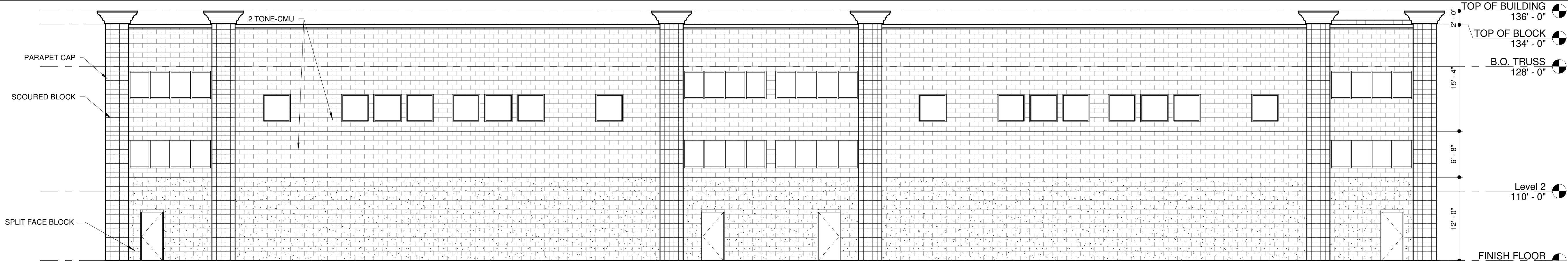
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BOULDER INDUSTRIAL PARK  
McKay Winkel  
135 MOUNTAIN WAY DRIVE OREM, UT 84058

SHEET NO.  
L-1.0

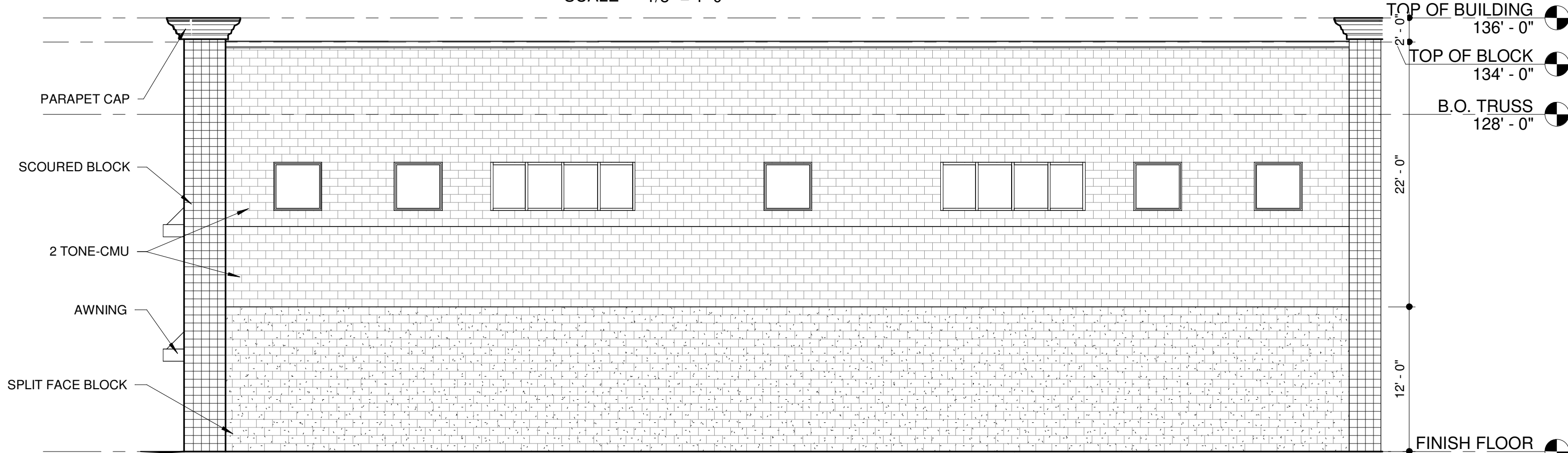
DATE  
03/30/2023





NORTH ELEVATION

SCALE 1/8" = 1'-0"



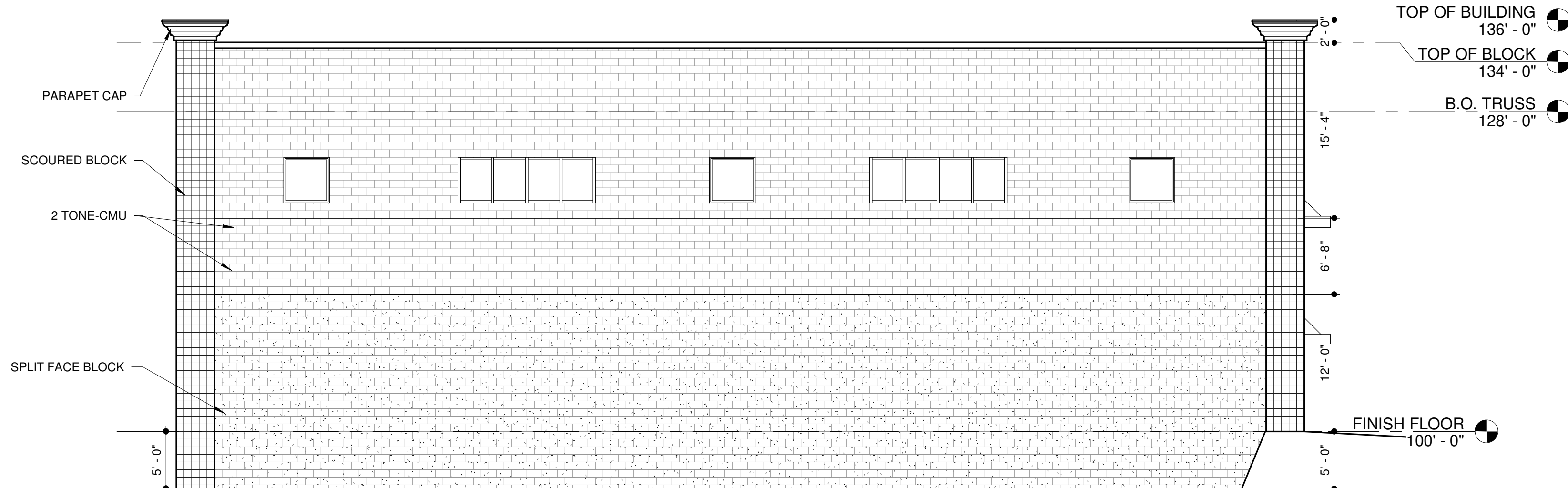
EAST ELEVATION

SCALE 1/8" = 1'-0"



SOUTH ELEVATION

SCALE 1/8" = 1'-0"



WEST ELEVATION

SCALE 1/8" = 1'-0"

REVISIONS  
DATE

1  
2  
3  
4

ARCHITECTURAL COALITION

962 West 800 North, Orem Utah, 84057 PH: 801-491-0275

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ARCHITECTURAL COALITION.

McKay Winkel  
McKay Winkel  
135 MOUNTAIN WAY DRIVE  
Orem, Ut

SHEET NO.

A-2.1

DATE

7/10/2023

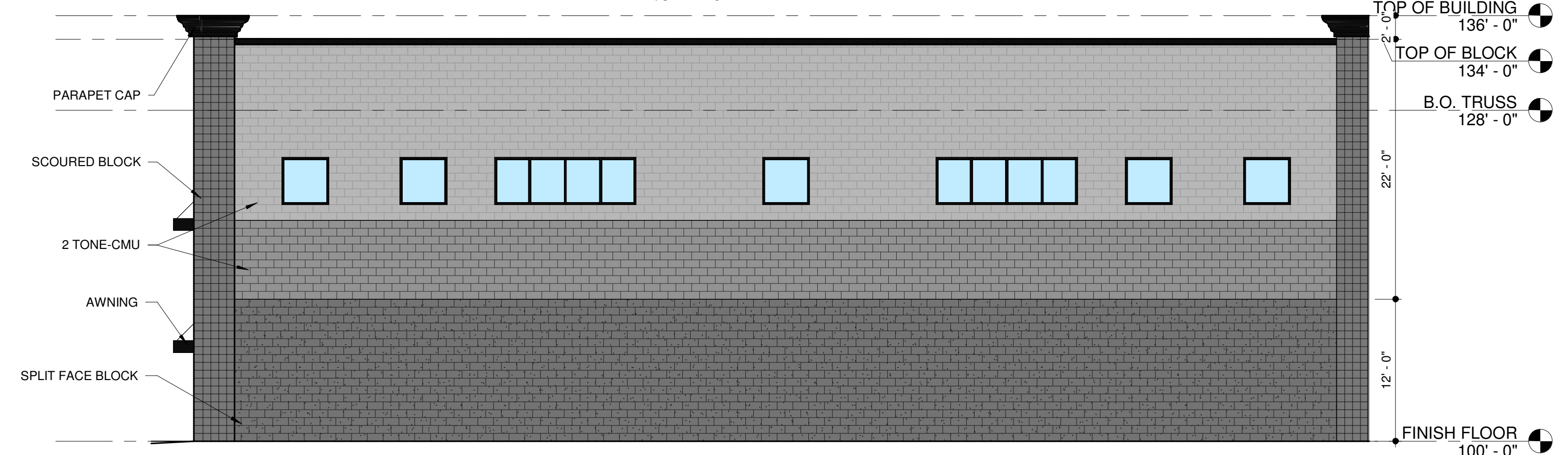


Elevations



NORTH ELEVATION

SCALE 1/8" = 1'-0"



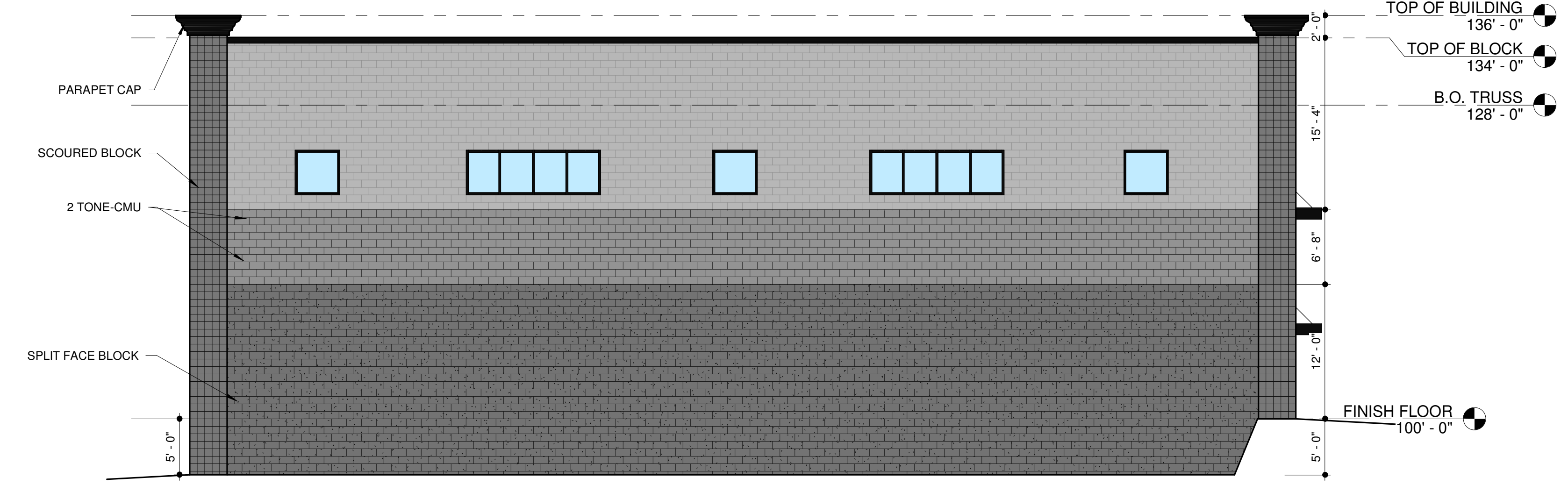
EAST ELEVATION

SCALE 1/8" = 1'-0"



SOUTH ELEVATION

SCALE 1/8" = 1'-0"



WEST ELEVATION

SCALE 1/8" = 1'-0"

REVISIONS  
DATE

1

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4

ARCHITECTURAL COALITION

962 West 800 North, Orem Utah, 84057 PH: 801-491-0275

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McKay Winkel  
McKay Winkel  
135 MOUNTAIN WAY DRIVE  
Orem, Ut

SHEET NO.  
A-2.1

DATE  
7/10/2023



# Street View





Comcast Cable Communications, Inc.  
1350 E. Miller Ave.  
Salt Lake City, Utah 84106  
801-401-3041 Tel  
801-255-2711 Fax

September 30, 2022

Robert Lohner  
1353 W. 130 S.  
Orem, UT 84058

To whom it may concern,

Comcast of Utah II grants permission to vacate the existing utility easement, which exists along the West property line of 1353 W. 130 S., Orem, UT 84058. As long as it does not interfere with or deny access to our existing facilities (Poles, cable, conduits, pedestal, electronics). Three feet of clearance must be maintained around all pedestals.

If you need our facilities to be moved, it can be done at your expense. If any damage is incurred to our facilities due to your encroachment, repairs will be done at your expense. Be sure to contact Blue Stakes to locate all utility services at least 48 hours before digging.

Sincerely,

*Samantha Murray*

Samantha Murray  
Authorized Representative



Space above for County Recorder's use  
PARCEL I.D.# 46:414:0004

### DISCLAIMER OF UTILITY EASEMENT

The undersigned, QUESTAR GAS COMPANY dba Dominion Energy Utah, Grantor, hereby disclaims and releases any rights, title or interest which it may have in and to the following-described real property in Utah County, Utah, to-wit:

All public utility easements, excepting the easement(s) or portion of easement(s) running adjacent and parallel to the street(s), located within Lot 4, Miller Park Plat A Subdivision, located in the Southwest quarter of Section 16, Township 6 South, Range 2 East, Salt Lake Base and Meridian, Utah County, Utah; said Subdivision recorded in the Office of the County Recorder for Utah County, Utah.

IN WITNESS WHEREOF, this disclaimer and release of any right, title or interest has been duly executed on October 4, 2022.

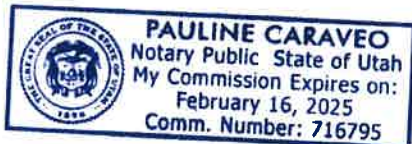
QUESTAR GAS COMPANY  
Dba Dominion Energy Utah

By: Todd C. Cassity  
Authorized Representative

STATE OF UTAH                    )  
                                          ) ss.  
COUNTY OF SALT LAKE        )

On October 4, 2022, personally appeared before me Todd C. Cassity, who, being duly sworn, did say that (s)he is an Authorized Representative for QUESTAR GAS COMPANY dba Dominion Energy Utah, and that the foregoing instrument was signed on behalf of said corporation pursuant to a Delegation of Authority.

Pauline Caraveo  
Notary Public





Date: 9/29/2022

RE: Easement Release

To Whom It May Concern:

As requested, Utopia Fiber hereby identifying consents to a vacation of a public utility easement described as the South and West property lines of 1353 W. 130 S. Orem, UT.

Respectfully,

***Keith Perkins***

Construction Manager

Office 801.613.3863

[kperkins@utopianet.org](mailto:kperkins@utopianet.org)





*American Fork Estimating  
70 North 200 East  
American Fork, Utah 84003*

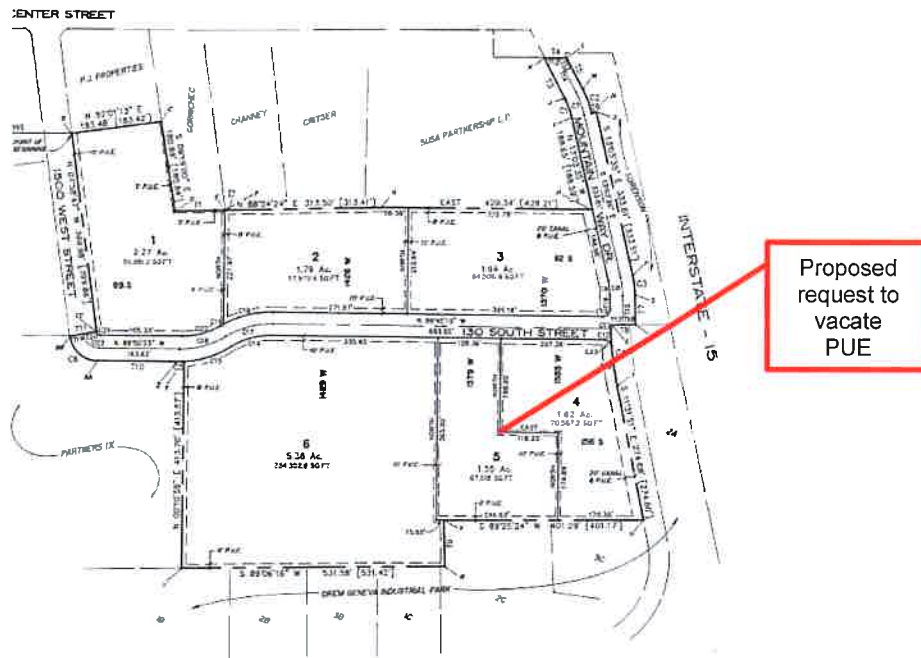
December 28, 2022

**Any Hour Inc.  
McKay Winkel  
1374 W 130 S  
Orem, UT 84058-5136**

**McKay,**

**Rocky Mountain Power will vacate the PUE along the property line dividing lot 4 and 5 of Miller Park Plat "A" subdivision after an amended plat (mylar) has been signed by a representative of Rocky Mountain Power. The new amended plat must contain the following language:**

- 1. Pursuant to Utah Code Ann. § 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described therein.**
- 2. Pursuant to Utah Code Ann. § 17-27a-603(4)(c)(ii) Rocky Mountain Power accepts delivery of the PUE as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the public utility easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that Rocky Mountain Power has under:**
  - (1) a recorded easement or right-of way**
  - (2) the law applicable to prescriptive rights**
  - (3) Title 54, Chapter 8a, Damage to Underground Utility Facilities or**
  - (4) any other provision of law.**



However, this consent does not waive or relinquish any rights necessary to the operation, maintenance, renewal, construction, repair, or removal of Power Company lines, conduit, or other power facilities, which are or may be located on said easement. Also, all clearances must be maintained from Power Company lines.

As consideration for the Power Company granting you permission to encroach/vacate upon said easement, it will be necessary for you to hold the Power company harmless from any and all claims for personal injuries or damages to property when such injuries or damages, directly or indirectly, arise out of the existence, construction, installation, maintenance, condition, use or presence of your structures upon said easement. Rocky Mountain Power shall not be responsible for any damages to structures or property located on said easement.

If you need our facilities to be moved, it will be done at your expense. If any damage is incurred to our facilities due to your encroachment, repairs will be done at your expense.

Sincerely,

*Jim Evans*  
Estimator





12/28/2022

Clear Industrial, LLC  
ATTN: McKay Winkle  
1353 W. 130 S.  
Orem, UT 84058

P843900  
No Reservations/No Objection

**SUBJECT: Abandon/Vacate**  
**APN: P843900**

To Mr. Winkle:

This letter is in regards to 1353 W. 130 S. Orem, UT 84058. Lumen d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation as shown and/or described on Exhibit "A" the concept drawing, and on Exhibit "B" the Proposed Plat Amendment, said Exhibits "A" and "B" are attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities. If you have any questions, please contact Ron Hitt at 720-793-1562, [ron.hitt@lumen.com](mailto:ron.hitt@lumen.com), or [nre.easement@lumen.com](mailto:nre.easement@lumen.com).

Mr. Winkle, the requester this encroachment letter for 1353 W. 130 S. Orem, UT 84058, has to sign this document to authorize Century Link to approve this encroachment.

Sincerely yours,

Ron Hitt  
Network Infrastructure Services  
**Lumen**  
**P843900**

I hereby agree to the terms and conditions as described in this document.

  
\_\_\_\_\_  
Signature

|                                      |                                                                                                                                                                                                                               |                                                                                     |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| Item #: 3.2                          | <b>Planning Commission</b><br>July 19, 2023                                                                                                                                                                                   |  |
| <b>Prepared By:</b><br>Cheryl Vargas |                                                                                                                                                                                                                               |                                                                                     |
| <b>Applicant: Stephanie Armenta</b>  | <b>PUBLIC HEARING</b> - Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning a portion of the property (approximately 0.084 acres) located at 426 East 1070 South from the R6.5 zone to the C2 zone. |                                                                                     |

**NOTICES:**

- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Posted at utah.gov/pmn
- Mailed to 108 property owners within 500 feet of the property.

**SITE INFORMATION:**

- General Plan Designation: **Medium Density Residential**
- Current Zone: **R6.5**
- Acreage: **.25**
- Neighborhood: **Hillcrest**

**ACTION:**

The Planning Commission shall forward a recommendation to the City Council regarding the rezone request.

**REQUEST:** The applicant requests the City amend Article 22-5-3(A) and the zoning map of the City of Orem by rezoning a portion of the property (approximately 0.084 acres) located at 426 East 1070 South from the R6.5 zone to the C2 zone.

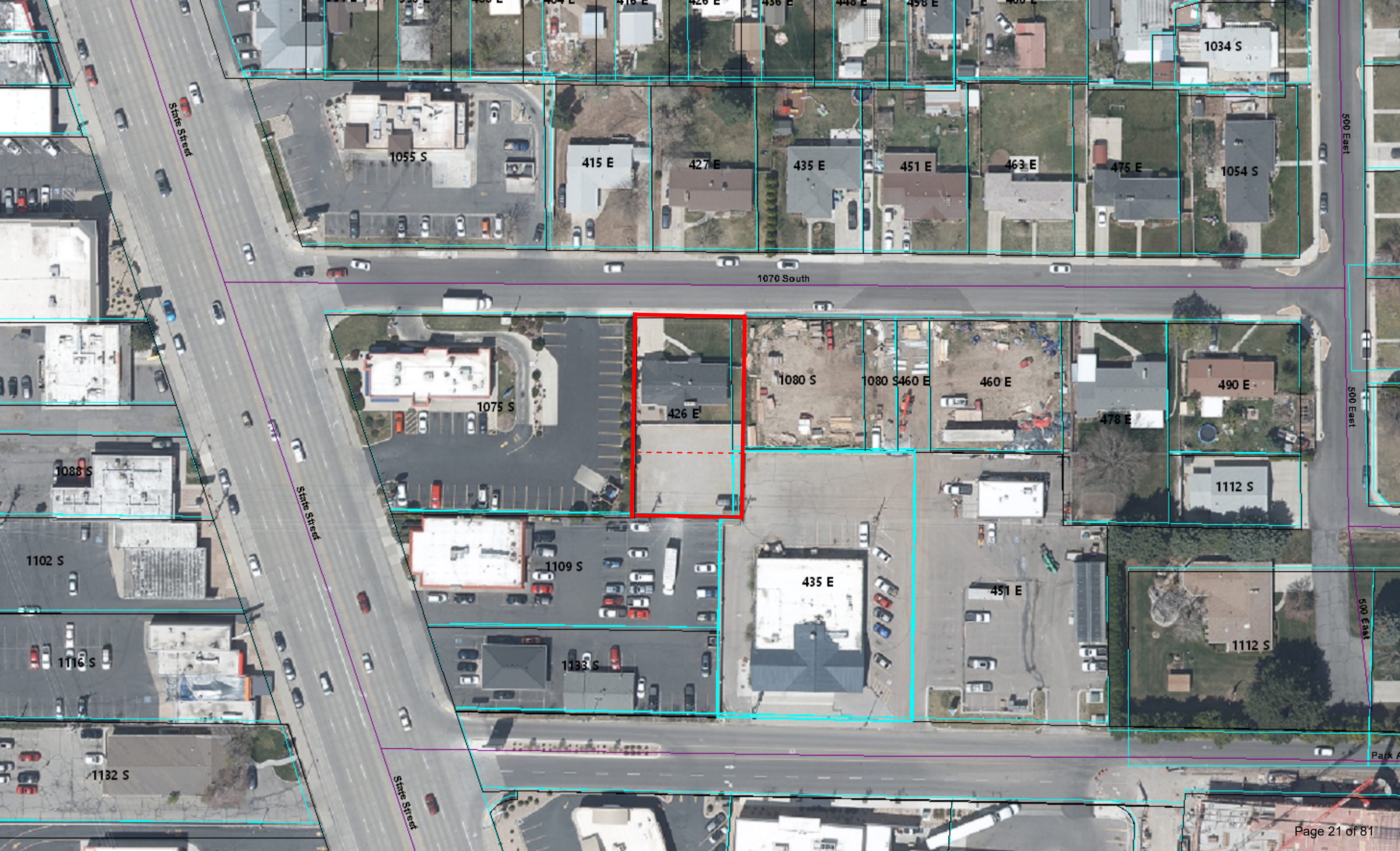
**BACKGROUND:** The applicant owns approximately .25 acres of land and requests a zoning map amendment to approximately 0.084 (3,659 square feet) acres of land from R6.5 zone to the C2 zone. The 0.084 (3,659 square feet) acres they are requesting to be rezoned are on the south side of the property. The applicant wishes the north side of the property to remain R6.5. ([Section 22-1-5](#)).

Mi Ranchito, located at 1109 South State Street and the property located at 426 East 1070 South are owned by the same family. They took the back part of the residential property and turned it into an overflow parking lot for the Mi Ranchito commercial property. They also erected a fence five (5) feet from the rear of the house to separate the home from the parking lot. The commercial use in a residential zone is not permitted. There is also a twenty-five (25) foot setback that is required on the residential property.

This request is for the rezone only of the portion of the residential lot that can be rezoned to commercial. A site plan will be required to make the improvements on the parking lot area and bring it up to current code. The fence a few feet from the home, will need to be moved back twenty-five (25) feet. A final plat will also need to be recorded to move the property line between the residential and commercial portions of the lot. If the City Council approves the rezone application, the applicant will need to apply for a site plan and final plat. ([Section 22-14-20](#))

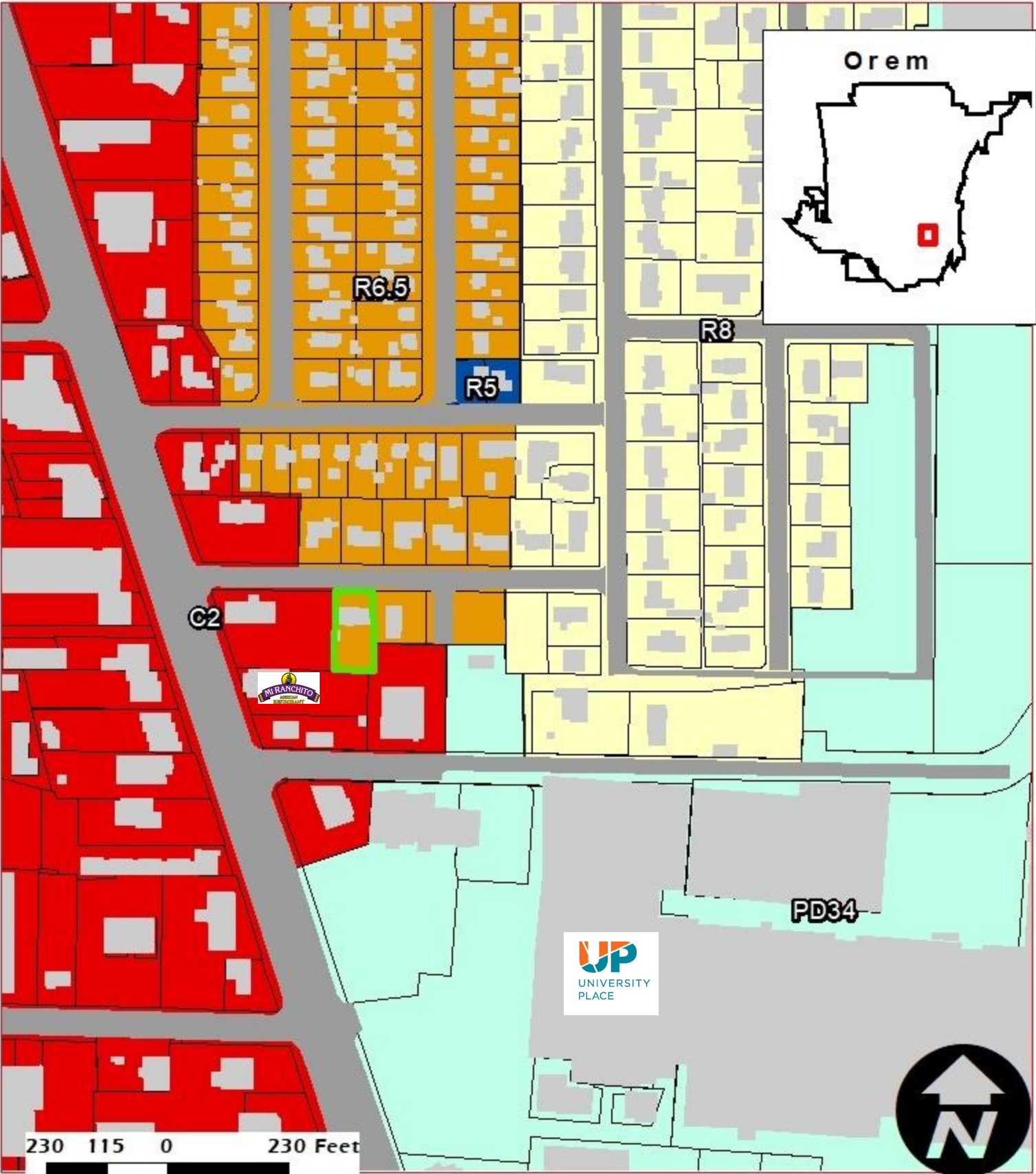
**RECOMMENDATION:** Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Article 22-5-3(A) and the zoning map of the City of Orem by rezoning a portion of the property (approximately 0.084 acres) located at 426 East 1070 South from the R6.5 zone to the C2 zone.







# Mi Ranchito

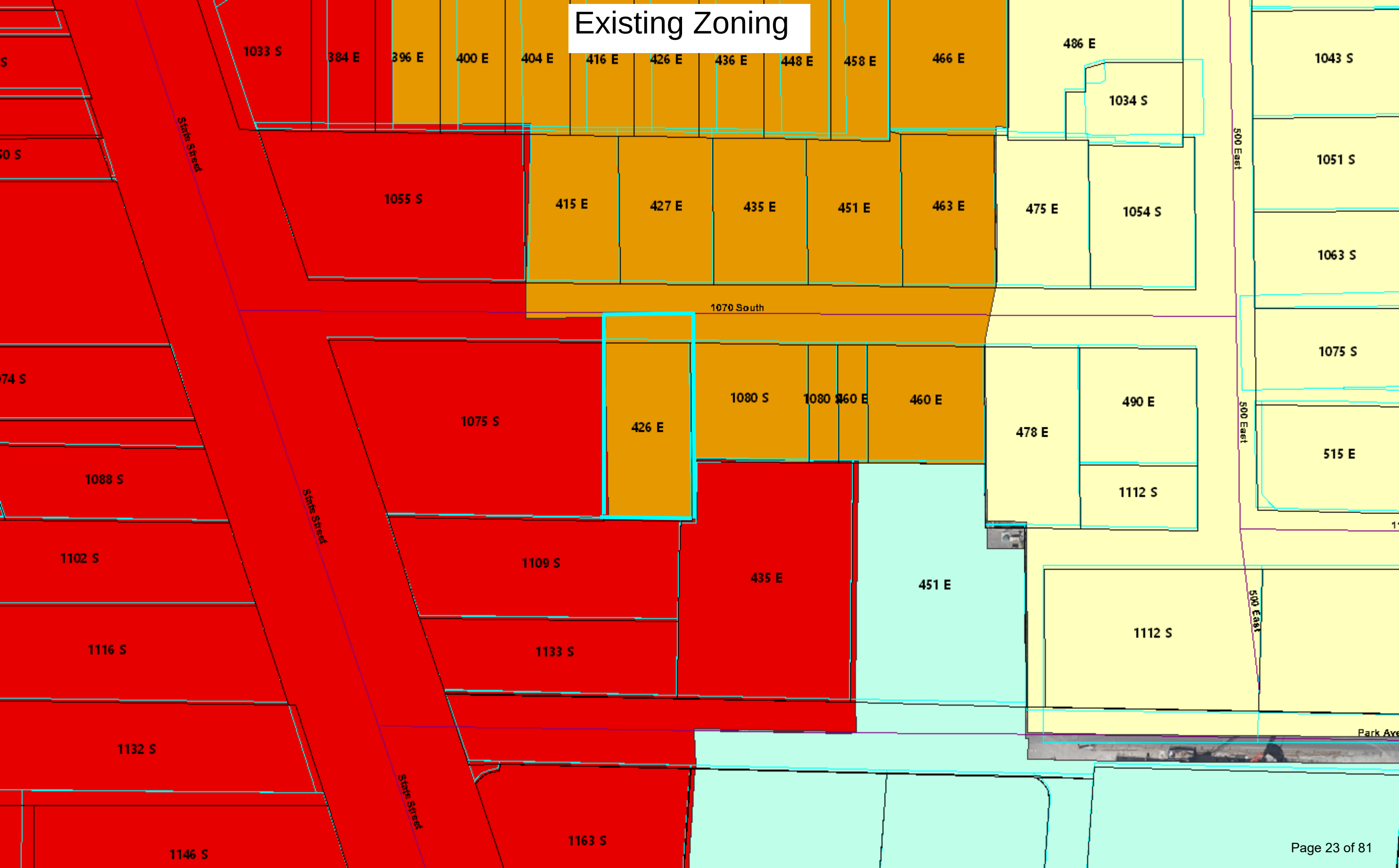


◆ Rezone  
R6.5 to C2  
Acres: .25

NEIGHBORHOOD  
Hillcrest

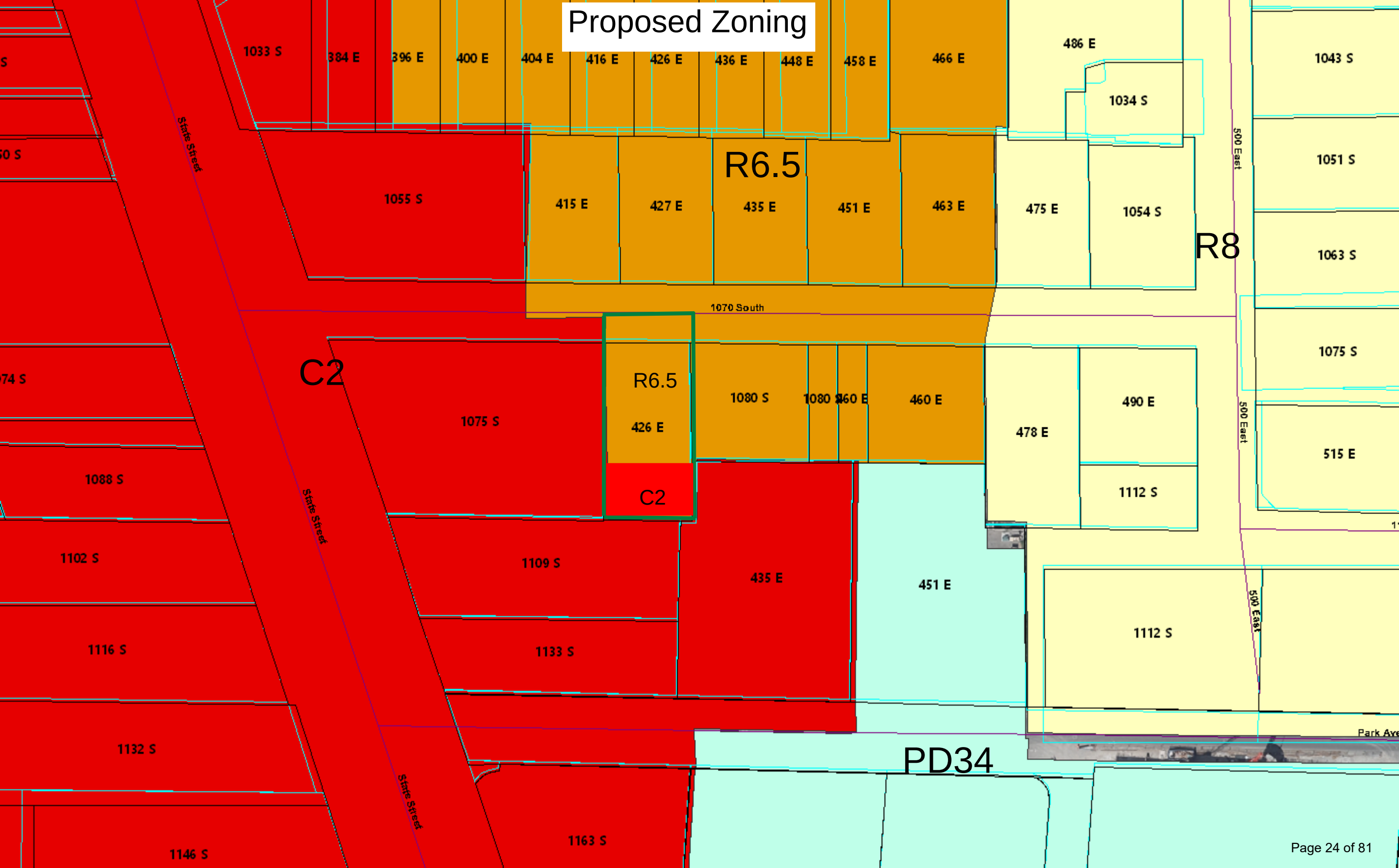
- Legend
- 426 E 1070 South
  - Buildings
  - Parcels

# Existing Zoning





## Proposed Zoning





# Mi Ranchito

**CROSS CUTTER INSTALLATIONS**  
REQUIRE HEAVY DUTY GRATED  
LID & RING (DIA. 36" OR  
EQUIVALENT). CURB-FACED INLET  
ORATE INSTALLATIONS REQUIRE  
HEAVY DUTY SOLID LID & RING  
(DIA. 36" OR EQUIVALENT).

**STANDARD H-20  
CONCRETE LID OR  
APPROVED  
EQUIVALENT**

17" DER. 35 PVC OR APPROVED  
EQUIVALENT (LENGTH VARIES)

STANDARD CONCRETE LID  
OR APPROVED EQUIVALENT

HEAVY DUTY SOLID LID & RING TO READ "STORM  
DRAIN (DIA. 18" OR APPROVED EQUIVALENT)"

OUTLET SET FLOW LINE & GRADE  
TO BE HYDRAULICALLY ENGINEERED

BACKFILL

DRAIN ROCK

RUBBER BOOT

JOINT MASTIC  
(TYP.)

90° ELBOW OR  
SINKOUT REDUCED

2% MIN.

1" MIN.

4" MIN.

5" MIN.

3" MIN.

9' MIN.

PRECAST BASE

AREA UNDER BASE TO BE COMPACTED

**PRE-TREATMENT CATCH BASIN CROSS-SECTION**

**C.M.P. OR CONCRETE SUMPS CROSS-SECTION**

THIS COVER IS TO BE REHABILITATED WITH RING & POLLS AT 10' ONCE

2' OF 2" DIAM ROCK OR APPROVED EQUIVALENT ROCK UNDER DUMP (BLANK NOT ALLOWED)

GEOTEXTILE FABRIC AS REQUIRED BY PROJECT MANAGER

**CURB & GUTTER SECTION A-A**

SET TOP OF GRATE 1" BELOW FLOW LINE OF GUTTER

SET TOP OF GRATE 1" BELOW FLOW LINE OF CROSS-GUTTER

**CROSS GUTTER SECTION B-B**

**NOTES:**

- MANHOLE AND ALL SECTIONS SHALL BE PRECAST TO CONFORM TO ASTM C478.
- THE SUMP SHALL BE GALVANIZED STEEL OR CONCRETE.
- THE PRE-TREATMENT MANHOLE SHALL BE CONSTRUCTED TO ENSURE WATER TIGHTNESS.
- THE SUMP SHALL BE LOCATED 2' OFFSET FROM MANHOLE PERPENDICULAR TO GUTTER ALIGNMENT.
- THE SUMP LID SHALL NOT BE LOCATED IN THE SIDEWALK SECTION.
- ANY APPROVED EQUIVALENTS REQUIRE CITY ENGINEER'S WRITTEN APPROVAL.

X:\DC\140219\DESIGN\SUM.DWG

REV. 6/25/16

SD-3

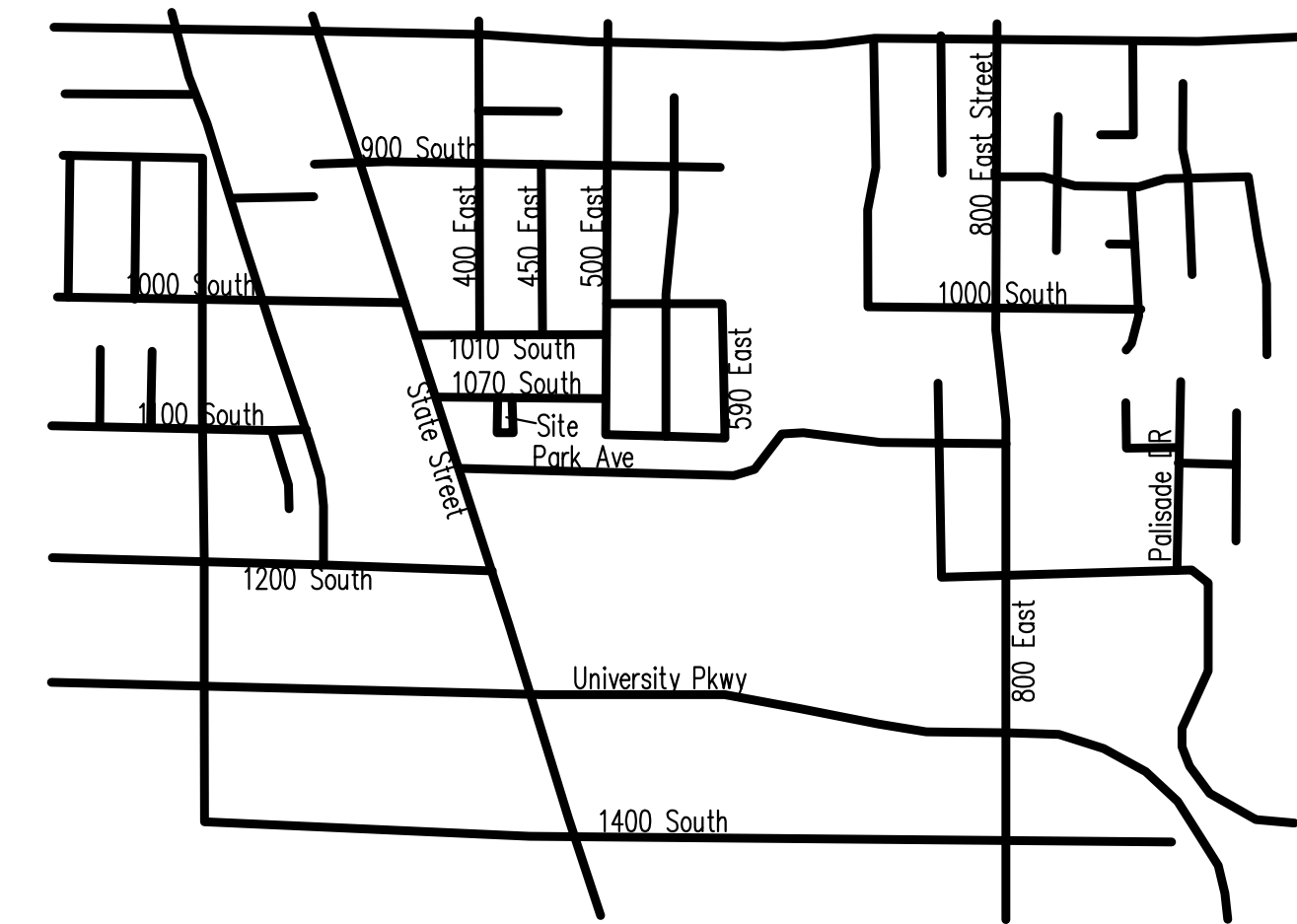
## Existing Asphalt Parking Area

Victor B. Armenta  
Corporation

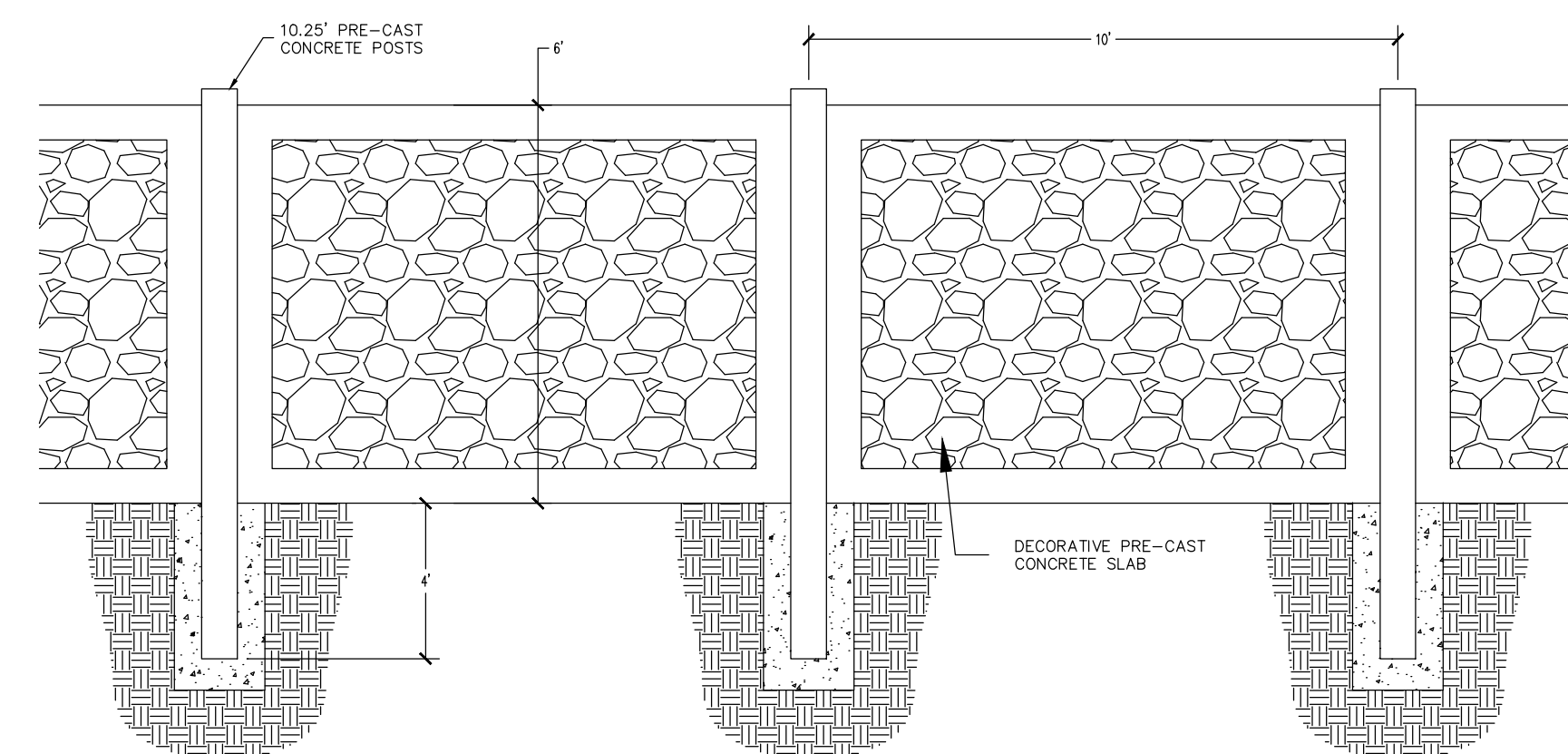
M & W Sawaya  
Enterprises LLC

University Mall  
Shopping Center LC

JKC LLC



### Vicinity Map

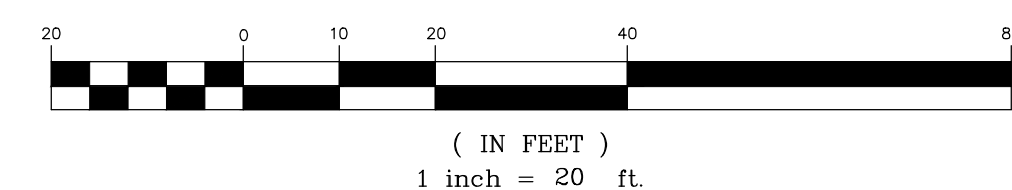


"Wonderwall" Masonry wall detail

NOTES:

1. The fire protection items (fire hydrant, water mains, access roads, etc...) shown on this site plan are preliminary only. Detailed fire protection plans shall be submitted with the building plans. Plan reviews by the Fire Prevention Bureau shall be completed prior to the issuance of a building permit. The plan reviews by the Fire Prevention Bureau may identify additional fire protection requirements mandated by the International Fire Code. Fire hydrant foot valves shall be installed at the connection point with the main water lines.
2. All landscaped areas shall have an automatic, underground sprinkling system with a back-flow device to the building. Back-flow devices shall be installed and tested in accordance with the City Code. Water meters shall be located at the back of sidewalk or curb in an area that is accessible for reading and servicing. Water meters shall not be located within areas enclosed with fences or within 10 feet (10') of any existing or proposed structure.
3. If required by the City Code or by the applicant's permit for Industrial Wastewater Discharge, a sampling manhole and fat and oil separator/grease trap shall be installed I.A.W. city standards and specifications.
4. All signage shall comply with the requirements of the City Code.
5. All utilities, including water and sewer laterals, water and sewer mains, storm water drains, storm water sumps, sewer manholes, water valves, etc., shall not be located under covered parking areas and shall be installed according to the City Code.
6. All roof drainage shall be routed through on-site storm water management facilities.
7. At the time of construction, the City of may determine based on professional experience and judgment and at its sole discretion, the need for the Owner/Developer to pay for, remove, and replace any existing substandard improvements such as curbs, gutters, sidewalks, drive approaches, driveways, decorative concrete, wheelchair ramps, etc., or any unused drive approaches.
8. All construction shall conform to the City of construction standards and specifications unless the improvement is within the UDOT right-of-way, in which case the construction shall conform to UDOT construction standards and specifications.

GRAPHIC SCALE



CAUTION!!! Notice to contractors

The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. The information is not to be considered exact or complete. The Contractor must notify the utility location center at least 48 hours prior to any excavation to request the exact location of the utilities in the field. It shall be the responsibility of the Contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plan.

**Know what's below.**

**Call 811 before you dig.**

**BLUE STAKES OF UTAH**  
UTILITY NOTIFICATION CENTER, INC.

[www.bluestakes.org](http://www.bluestakes.org)  
1-800-662-4111

Developer/Owner

Victor Armenta  
426 East 1070 South  
Orem Utah 84058  
801- 400-8346

Engineer:

Dudley and Associates, Inc.  
353 East 1200 South  
Orem, Utah 84058  
801-224-1252

Site Data:

Zone = C2  
Total Area = 12,461 SF  
Parking Requirements =  
Spaces required = 14  
Spaces provided = 14

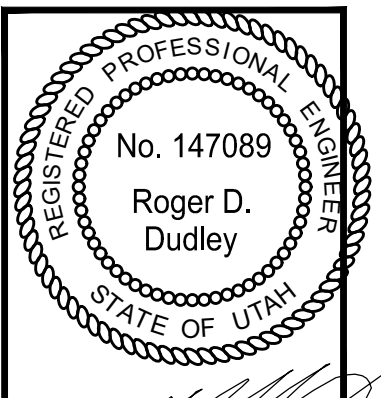
**DUDLEY AND ASSOCIATES**  
ENGINEERS PLANNERS SURVEYORS  
353 EAST 1200 SOUTH, OREM, UTAH  
801-224-1252

## Outline

Green City

Mi Ranchito

# Site Plan



## Revisions

|             |           |
|-------------|-----------|
| Date        | 5-25-2023 |
| Scale       | 1"=20'    |
| By          | BHT       |
| Tracing No. | L - 14533 |

Sheet No.  
C - 2.0



# Street View from 1070 South





Street View from Park Avenue





**Mi Ranchito Mexican Restaurant  
Neighborhood Parking Lot Meeting Minutes**

| Meeting Date and Time |                                                     |
|-----------------------|-----------------------------------------------------|
| Date of Meeting:      | June 27, 2023                                       |
| Time of Meeting:      | 7:00 PM                                             |
| Meeting Location      |                                                     |
| Location of Meeting:  | Residential<br>426 E 1070 S<br>Orem, Utah 84097     |
| Meeting Attendees     |                                                     |
| Present at Meeting:   | Angela Johnson<br>Dorothy Ahlborn<br>Mike Carpenter |
| Absent from Meeting:  | The Remainder From The Mailing List                 |

The regular meeting of the Parking Lot of Mi Ranchito Mexican Restaurant was called to order at 7:05 PM on June 27, 2023 at Residential by Stephanie Armenta .

**I. Approval of Agenda**

The agenda for the meeting was distributed and unanimously approved.

**II. Review of Previous Minutes**

The minutes of the previous meeting were reviewed and unanimously approved .

**III. Consideration of Open Issues**

1. Parking Lot Plan  
Stephanie Armenta  
Described was the details of the parking lot plans and the usage. We walked the property and no concerns or opinions were had. Most opinions and concerns are pointed towards University Mall.
2. Retaining Wall  
Stephanie Armenta  
We spoke of the retaining wall that would divide the home from the parking lot and provide noise cancellation. I spoke of it being of cinder block. Again, no one opposed. Angela Johnson and Dorothy Ahlborn had more concerns of what University Mall has planned for the future to which I replied that I do not know, I am in no connection with those plans or management.

**IV. Agenda and Time of Next Meeting**

The next meeting will be held at AM on Not Valid Month/Year Combo at:  
,

The agenda for the next meeting is as follows:  
N/A

The meeting was adjourned at 8:00 PM PM by Stephanie Armenta .

Minutes submitted by: Stephanie Armenta

Minutes approved by:

*Stephanie Armenta*



City Council Chambers, 56 N State Street

**\*\*\* IMPORTANT DEVELOPMENT NOTICE \*\*\***

PUBLIC HEARING – Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning part of the property (approximately .084 acres) located at 426 East 1070 South from the R6.5 zone to the C2 zone.

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

ELLIS INVESTMENT COMPANY LTD  
%INSPIRE BRANDS  
3 GLENLAKE PKWY FL 5  
ATLANTA, GA 30328

Planning Commission  
Wed, Jul 19, 2023  
4:30 pm



City Council Chambers, 56 N State Street

**\*\*\* IMPORTANT DEVELOPMENT NOTICE \*\*\***

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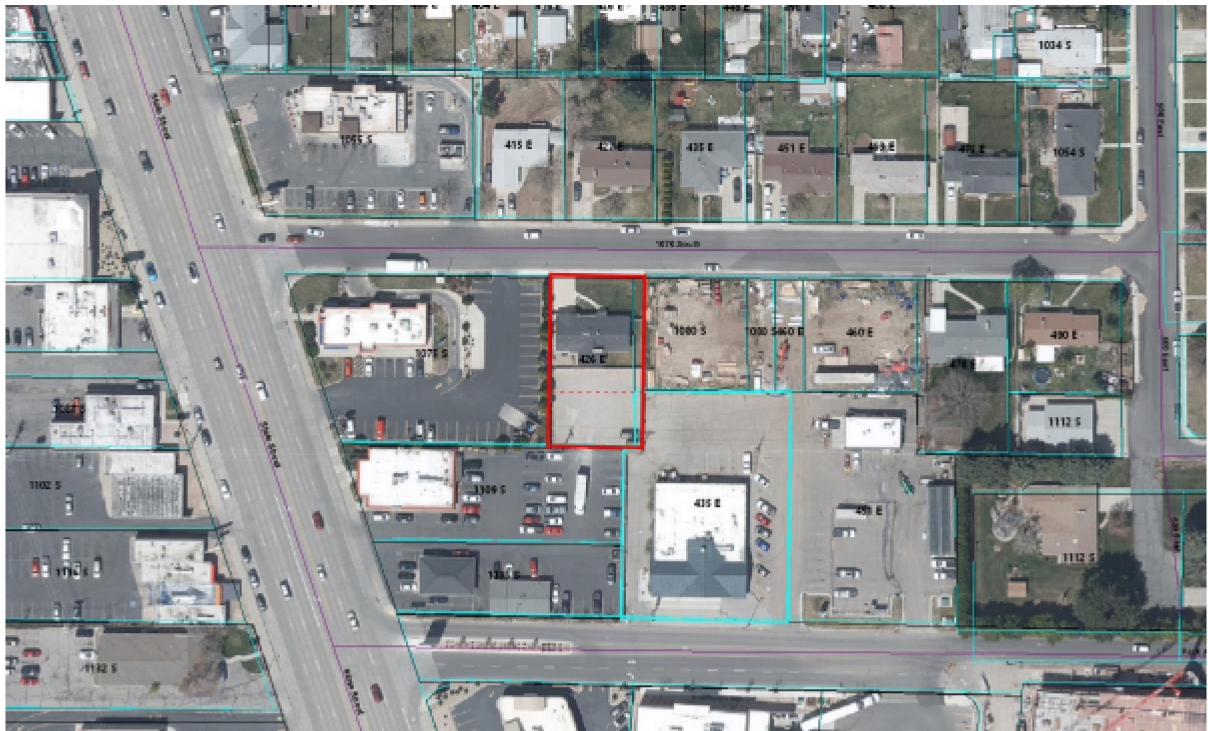
PLAZA ELEVEN HUNDRED  
PO BOX 1806  
DRAPER, UT 84020

Planning Commission  
Wed, Jul 19, 2023  
4:30 pm





**orem.org/planning** under "Current Planning (Public Hearing Notices)" tab



**orem.org/planning** under "Current Planning (Public Hearing Notices)" tab

PLAZA ELEVEN HUNDRED  
PO BOX 1806  
DRAPER, UT 84020

CLOUD SPELL LLC  
PO BOX 294  
OREM, UT 84059

HAAGA PROPERTY MANAGEMENT  
LC (ET AL)  
PO BOX 95747  
SOUTH JORDAN, UT 84095

FARR, ERIC J & DAWN  
PO BOX 970933  
OREM, UT 84097

ELLIS INVESTMENT COMPANY LTD  
%INSPIRE BRANDS  
3 GLENLAKE PKWY FL 5  
ATLANTA, GA 30328

JAMES HAWKES  
55 WEST 500 SOUTH  
OREM, UT 84058

HELENA KLEINLEIN  
103 WEST 2170 SOUTH  
OREM, UT 84058

OREM STATE STREET LLC  
154 E MYRTLE AV STE 303  
MURRAY, UT 84107

JEFF LAMBSON  
156 E 1060 N  
OREM, UT 84057

DAVE YOUNG  
173 S COUNTRYSIDE LANE  
OREM, UT 84058

BOLEY, KAY BENSON (ET AL)  
239 S RIDGECREST DR  
OREM, UT 84057

KEENAN, NATHANIEL T & BETHANY  
H  
256 N 500 W  
PROVO, UT 84601

LANAE MILLETT  
288 W 1500 N  
OREM, UT 84057

BOLEY, KAY BENSON (ET AL)  
--OR CURRENT RESIDENT--  
365 E 1010 SOUTH  
OREM, UT 84097

ARMSTRONG, FRANK PHILIP &  
REBECCA MC RAE BENNION  
371 S PALISADE DR  
OREM, UT 84097

CLOUD SPELL LLC  
--OR CURRENT RESIDENT--  
375 E 1010 SOUTH  
OREM, UT 84097

CHAMBERLAIN, BRADEN  
384 E 1010 S  
OREM, UT 84097

ASPINALL, KINA T  
395 E 1010 S  
OREM, UT 84097

ALLRED, GEORGE L & COLLETT G  
(ET AL)  
--OR CURRENT RESIDENT--  
396 E 1010 SOUTH  
OREM, UT 84097

ELDER, TERESA (ET AL)  
--OR CURRENT RESIDENT--  
400 E 1010 SOUTH  
OREM, UT 84097

WARD, LUCINDA (ET AL)  
404 E 1010 S  
OREM, UT 84097

NIELSEN, GAIL  
409 E 1010 S  
OREM, UT 84097

KING, MARGARET  
415 E 1070 S  
OREM, UT 84097

WALTON, J TALMAGE & NIKKI  
--OR CURRENT RESIDENT--  
416 E 1010 SOUTH  
OREM, UT 84097

CHAVARRIA, VICTOR MANUEL (ET  
AL)  
425 E 1010 S  
OREM, UT 84097

BECKSTRAND, VERLA VILATE (ET  
AL)  
426 E 1010 S  
OREM, UT 84097

ARMENTA, GABRIELLA CHRISTINA  
& VICTOR B (ET AL)  
426 E 1070 S  
OREM, UT 84097

OLSON, WILLIAM  
427 E 1070 S  
OREM, UT 84097

JOHNSON, BREVYN D & ANGELA  
435 E 1070 S  
OREM, UT 84097

JKC LLC  
--OR CURRENT RESIDENT--  
435 E 1150 SOUTH  
OREM, UT 84097



ROWLEY, BETTY LOU  
436 E 1010 S  
OREM, UT 84097

UNIVERSITY PLACE SPE LLC  
--OR CURRENT RESIDENT--  
440 E 1150 SOUTH  
OREM, UT 84097

STEVER, CLAUDIA A  
445 E 1010 S  
OREM, UT 84097

HUGHES, SPENCER R & KRISTINE (ET  
AL)  
448 E 1010 S  
OREM, UT 84097

ELISON, DAVID SAMUEL & LINDA R  
(ET AL)  
451 E 1070 S  
OREM, UT 84097

UNIVERSITY MALL SHOPPING  
CENTER LC  
--OR CURRENT RESIDENT--  
451 E PARK AVE  
OREM, UT 84097

UNIVERSITY PLACE SPE LLC  
--OR CURRENT RESIDENT--  
456 E 1150 SOUTH  
OREM, UT 84097

AHLBORN, ERNEST S & DOROTHY N  
458 E 1010 S  
OREM, UT 84097

UNIVERSITY MALL SHOPPING  
CENTER LLC  
--OR CURRENT RESIDENT--  
460 E 1070 SOUTH  
OREM, UT 84097

DAUGHETEE, JOSHUA  
463 E 1070 S  
OREM, UT 84097

MAULDIN, R KYLE & AMANDA  
--OR CURRENT RESIDENT--  
466 E 1010 SOUTH  
OREM, UT 84097

ARVIZU-CARRANZA, JUAN CARLOS  
468 E 1010 S  
OREM, UT 84097

WALKER, MARK J & CHRISTINA J  
--OR CURRENT RESIDENT--  
475 E 1010 SOUTH  
OREM, UT 84097

BARRON, VERDALEE  
475 E 1070 S  
OREM, UT 84097

UNIVERSITY MALL SHOPPING  
CENTER L C  
--OR CURRENT RESIDENT--  
478 E 1070 SOUTH  
OREM, UT 84097

WASHBURN MANAGEMENT LC  
482 E 400 N  
LINDON, UT 84042

THOMAS MACDONALD  
489 NORTH PALISADES DR  
OREM, UT 84097

ESTRADA, BENJAMIN  
490 E 1070 S  
OREM, UT 84097

GLEDHILL, GABRIEL D & SARAH A  
495 E 1010 S  
OREM, UT 84097

UP TOWER LLC  
--OR CURRENT RESIDENT--  
500 E PARK AVE  
OREM, UT 84097

ALLRED, GEORGE L & COLLETT G  
(ET AL)  
510 W 120 N  
OREM, UT 84057

WAGSTAFF, AMANDA & ALEJANDRA  
(ET AL)  
515 E 1100 S  
OREM, UT 84097

UP TOWER LLC  
575 E UNIVERSITY PKWY # N-260  
OREM, UT 84097

UNIVERSITY MALL SHOPPING  
CENTER L C  
575 E UNIVERSITY PKWY STE N260  
OREM, UT 84097

DEBBY LAURET  
641 S 1920 W  
OREM, UT 84059

MADELINE KOMEN  
653 W. 1360 NORTH  
OREM, UT 84057

YODA BEST PROPERTIES LLC  
857 E 930 N  
PLEASANT GROVE, UT 84062

DAVID SPENCER  
899 NORTH 550 EAST  
OREM, UT 84097

MURRAY LOW  
904 S. 725 WEST  
OREM, UT 84058

CC&R ASSOCIATES LC  
%VAUGHN, CYNTHIA  
954 E 200 S  
OREM, UT 84097

ARMSTRONG, FRANK PHILIP &  
REBECCA MC RAE BENNION  
--OR CURRENT RESIDENT--  
986 S 450 EAST  
OREM, UT 84097

HANSEN, STEVE & JUDY  
987 S 400 E  
OREM, UT 84097

SHELL, COBY  
1000 S 400 E  
OREM, UT 84097

CARD, DAVID WAYNE & VALLIE  
DAWN (ET AL)  
1000 S 450 E  
OREM, UT 84097

HOGGAN, OSCAR C (ET AL)  
1001 S 400 E  
OREM, UT 84097

CLARK, CRAIG M & LORI B  
--OR CURRENT RESIDENT--  
1001 S 450 EAST  
OREM, UT 84097

KEENAN, NATHANIEL T & BETHANY  
H  
--OR CURRENT RESIDENT--  
1009 S 450 EAST  
OREM, UT 84097

WALTON, J TALMAGE & NIKKI  
1027 S 545 E  
OREM, UT 84097

HAAGA PROPERTY MANAGEMENT  
LC (ET AL)  
--OR CURRENT RESIDENT--  
1032 S STATE ST  
OREM, UT 84097

YODA BEST PROPERTIES LLC  
--OR CURRENT RESIDENT--  
1033 S STATE  
OREM, UT 84097

SCERA DEVELOPMENT LLC  
1034 S 500 E  
OREM, UT 84097

CC&R ASSOCIATES LC  
--OR CURRENT RESIDENT--  
1050 S STATE  
OREM, UT 84097

HARRIS, JOAQUIN W & MARISSA  
1051 S 500 E  
OREM, UT 84097

LAMB, MICHAEL L & DEBRA L  
1054 S 500 E  
OREM, UT 84097

OREM STATE STREET LLC  
--OR CURRENT RESIDENT--  
1055 S STATE  
OREM, UT 84097

MAULDIN, R KYLE & AMANDA  
1060 E 800 S  
OREM, UT 84097

JOHNSON, CHERYL L & CHERYL L  
1063 S 500 E  
OREM, UT 84097

OREM STORAGE LLC  
1066 S STATE  
OREM, UT 84097

GERALD CRISMON  
1069 S. 545 EAST  
OREM, UT 84097

ROTHMANS DRIVE LLC  
--OR CURRENT RESIDENT--  
1074 S STATE  
OREM, UT 84058

FARR, ERIC J & DAWN  
--OR CURRENT RESIDENT--  
1075 S 500 EAST  
OREM, UT 84097

M & W SAWAYA ENTERPRISES LLC  
--OR CURRENT RESIDENT--  
1075 S STATE ST  
OREM, UT 84097

UNIVERSITY MALL SHOPPING  
CENTER LC  
--OR CURRENT RESIDENT--  
1080 S 450 EAST  
OREM, UT 84097

OREM STORAGE LLC  
--OR CURRENT RESIDENT--  
1080 S STATE  
OREM, UT 84058

ROTHMANS DRIVE LLC  
--OR CURRENT RESIDENT--  
1088 S STATE  
OREM, UT 84097

HARO, MATILDE (ET AL)  
%MI RANCHITO RESTRAURANT  
1109 S STATE ST  
OREM, UT 84097

CORDNER, RAYMOND G & COLLEEN  
F  
1112 S 500 E  
OREM, UT 84097

CORDNER, COLLEEN F & RAYMOND  
G  
--OR CURRENT RESIDENT--  
1115 S 500 EAST  
OREM, UT 84097

PLAZA ELEVEN HUNDRED  
--OR CURRENT RESIDENT--  
1116 S STATE  
OREM, UT 84097

TERRY PETERSON  
1125 LYNNWOOD DRIVE  
OREM, UT 84097



TETON VALLEY PROPERTIES LLC  
--OR CURRENT RESIDENT--  
1132 S STATE  
OREM, UT 84058

HARO, MATILDE (ET AL)  
--OR CURRENT RESIDENT--  
1133 S STATE  
OREM, UT 84097

ELLIS INVESTMENT COMPANY LTD  
--OR CURRENT RESIDENT--  
1146 S STATE ST  
OREM, UT 84097

UNIVERSITY PLAZA LLC  
--OR CURRENT RESIDENT--  
1156 S STATE UNIT# 201  
OREM, UT 84058

WASHBURN MANAGEMENT LC  
--OR CURRENT RESIDENT--  
1163 S STATE ST  
OREM, UT 84097

CLARK, CRAIG M & LORI B  
1165 OLD CHASE AVE  
EL CAJON, CA 92020

HOER, DAVID OWEN & PAMELA MAY  
1170 S STATE ST  
OREM, UT 84097

HAYSAM SAKAR  
1194 E. 1090 NORTH  
OREM, UT 84097

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

ELDER, TERESA (ET AL)  
1411 N 3250 W  
PROVO, UT 84601

MIKE CARPENTER  
1734 NORTH 350 WEST  
OREM, UT 84057

JASON BENCH  
1911 N MAIN STREET  
OREM, UT 84057-2101

JKC LLC  
2843 E WATER VISTA WY  
SANDY, UT 84093

TETON VALLEY PROPERTIES LLC  
3575 N 100 E # 100  
PROVO, UT 84604

UTAH DEPARTMENT OF  
TRANSPORTATION  
4501 S 2700 W  
SALT LAKE CITY, UT 84119

UNIVERSITY PLAZA LLC  
4568 S HIGHLAND DR STE 290  
SALT LAKE CITY, UT 84117

M & W SAWAYA ENTERPRISES LLC  
%H B BOYS LC  
9100 S 300 W  
SANDY, UT 84070

WALKER, MARK J & CHRISTINA J  
23926 N DUVALL RD  
WOODINVILLE, WA 98077

|                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                    |
|-------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| Item #: 3.3                                           | <b>Planning Commission</b><br>July 19, 2023                                                                                                                                                                                                                                                                                                                                                                              |  |
| <b>Prepared By:</b><br>Cheryl Vargas                  |                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                    |
| <b>Applicant:</b> Crain Brady,<br>Utah Autism Academy | <b>PUBLIC HEARING</b> – Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning a portion of the property that fronts Geneva Road from the OS5 zone to the PO zone (approximately 4.83 acres) and the remaining property from the OS5 zone to the PRD zone (approximately 4.79 acres) and amending Appendix KK of the Orem City code for the property located generally at 1875 South Geneva Road. |                                                                                    |

**NOTICES:**

- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Posted at [utah.gov/pmn](http://utah.gov/pmn)
- Noticed 148 property owners within 500 ft

**SITE INFORMATION:**

- General Plan Designation: **Low Density Residential**
- Current Zone: **OS5**
- Acreage: **9.62**
- Neighborhood: **Lakeview**

**ACTION:**

The Planning Commission will forward a recommendation to the City Council.

**REQUEST:** The applicant requests the Planning Commission forward a recommendation to the City Council to amend Article 22-5-3(A) and the zoning map of the City of Orem by rezoning a portion of the property that fronts Geneva Road from the OS5 zone to the PO zone (approximately 4.83 acres) and the remaining property from the OS5 zone to the PRD zone (approximately 4.79 acres) and amending Appendix KK of the Orem City code for the property located generally at 1875 South Geneva Road.

**BACKGROUND:** The applicant is proposing to split an existing parcel that is 9.62 acres into two lots and two zones. The lot fronting Geneva Road will be 4.83 acres and includes the Utah Autism Academy. That academy and structures near it will remain and continue to work as an autism academy. This portion of the lot will be rezoned from the OS5 zone to the PO (Professional Office) zone. The autism academy is currently a legal non-conforming use in the OS5 zone, but it is a permitted use in the PO zone. ([22-8-12](#))

The rear portion of the lot will be split off and a Planned Residential Development (PRD) will be created. This will be approximately 4.79 acres and twenty-three (23) single family homes will be built to accommodate families with autistic children. There will also be space to meet the visitor parking requirement which is one-half (1/2) space per unit and within one hundred fifty (150) feet of each unit. ([22-7-12\(J\)](#))

Both proposals will meet the required size for the zone they are in. The PO zone may not be applied to an area of less than one acre. ([22-8-8\(A\)](#)) The PRD zone requires 1.5 acres minimum. ([22-7-3\(F\)](#))

Appendix KK of the Orem City Code will also be amended. This is an appendix where elevations and concept plans for the various PRDs are located. As this will be a new PRD, it will also be added to Appendix KK, if approved. ([Appendix KK](#))

Staff would recommend as a condition of approval, that a plat dedication or development agreement that is signed by both property owners and the City be in place and submitted to the City prior to this project going to City Council for approval. A non-binding agreement between the developer (north property) and south property owner is attached to this staff report packet.

**RECOMMENDATION:** The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission consider a recommendation to the City Council to amend Article 22-5-3(A) and the



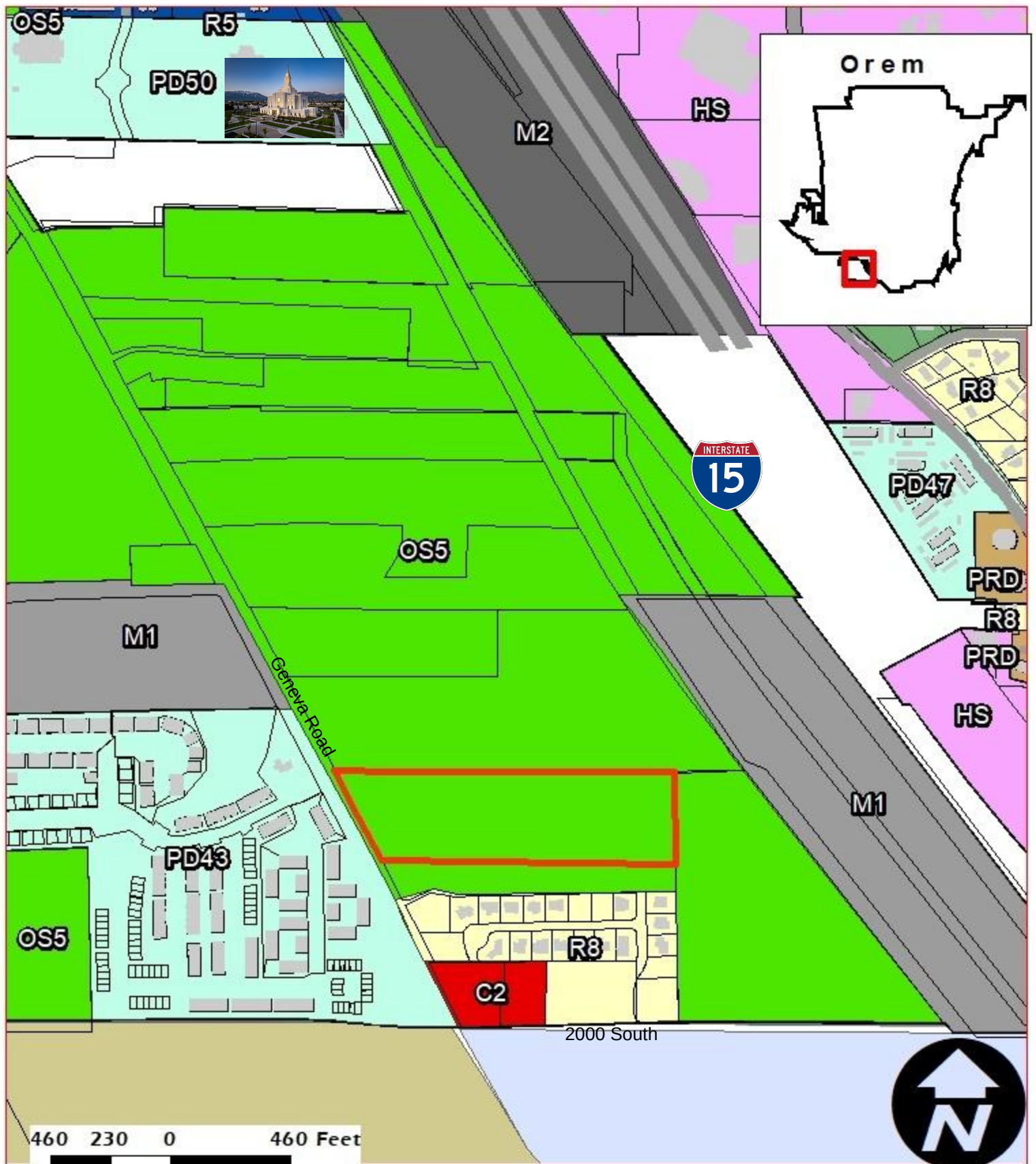
zoning map of the City of Orem by rezoning a portion of the property that fronts Geneva Road from the OS5 zone to the PO zone (approximately 4.83 acres) and the remaining property from the OS5 zone to the PRD zone (approximately 4.79 acres) and amending Appendix KK of the Orem City code for the property located generally at 1875 South Geneva Road.







# Farm Haven Cottages



◆ Rezone  
OS5 to R8 & PRD  
Acres: 9.62

NEIGHBORHOOD  
Lakeview

Legend  
 1875 S Geneva Road  
 Buildings  
 Parcels

City of Orem  
56 N State Street  
Orem, Utah  
84057

July 12, 2023

To whom it may concern,

The owners of Utah Autism Academy located at 1875 S Geneva Rd, also to be known as "Farm Haven Cottages" and myself, Al Switzler, have come to an agreement on construction of a public street to be located at approximately 1890 South Geneva Rd.

In order to meet safety concerns the road will be constructed to meet Geneva Road at a right angle.

Utah Autism Academy will construct the road including an area of approximately 950 square feet located on my property, tax ID number 19:036:0088, also as shown on attached diagram entirely at their expense. Utah Autism Academy has also agreed to locate a field fence along the edge of said roadway adjacent to my property and to give me full access to my property along that roadway.

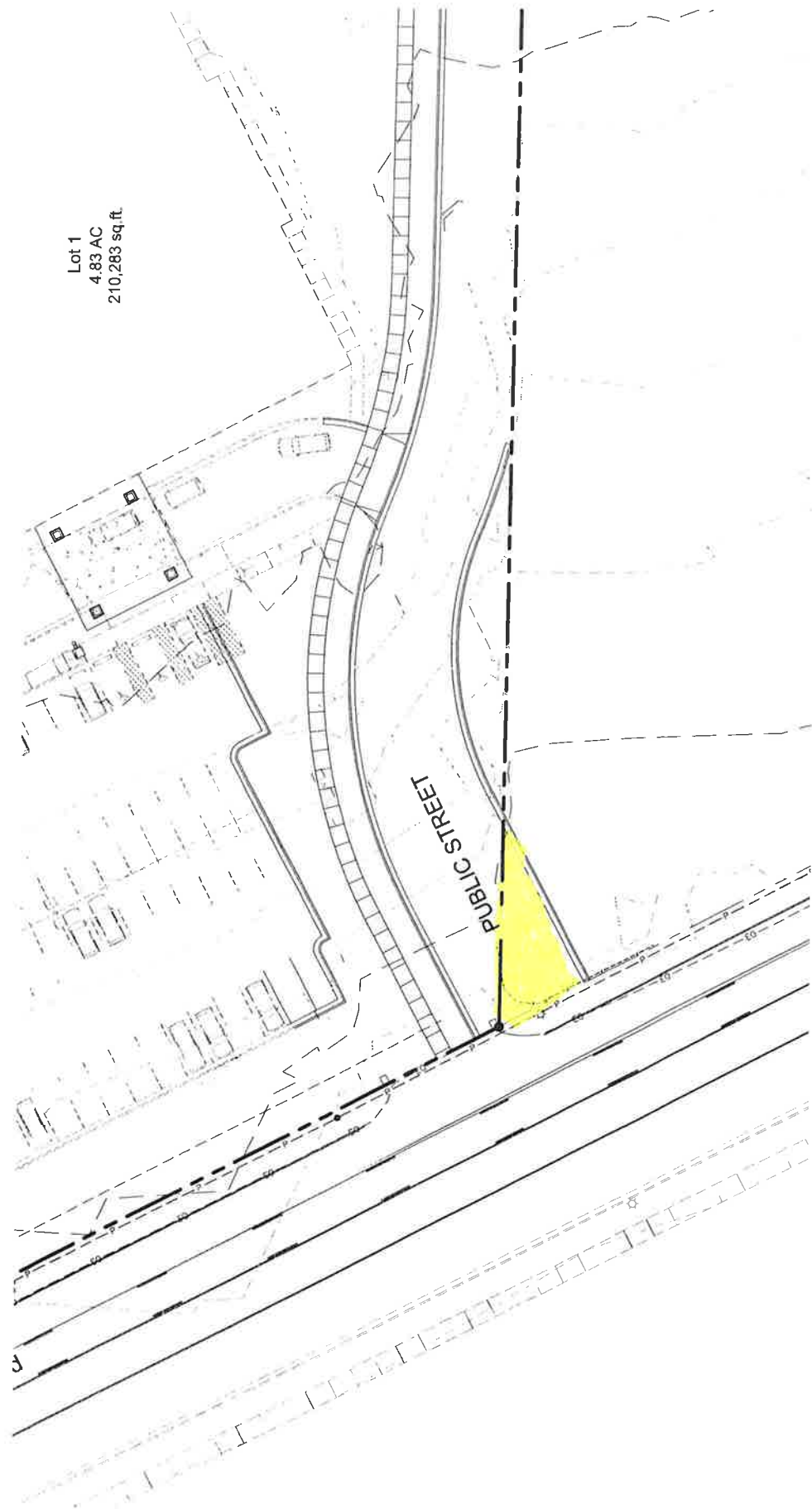
This agreement is subject to the approval of the Farm Haven Cottages by the Planning Commission and the City Council.

Please let me know if you have any questions regarding this agreement, I can be reached at area code 801 602-5543.

 7/12/23  
Al Switzler

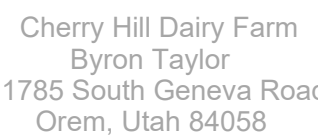
 7/12/23  
Paul Washburn







NORTH  
1" = 40



UTAH AUTISM ACADEMY  
Existing Building  
30,408 sq.ft.

Adult Autism Center  
(Phase 2)  
12,000 sq.ft.

**DUDLEY AND ASSOCIATES**  
ENGINEERS PLANNERS SURVEYORS  
353 EAST 1200 SOUTH, OREM, UTAH  
801-224-1252

Utah

## FARM HAVEN COTTAGES

# Demolition Plan

Crem

## Revisions

|            |           |
|------------|-----------|
| Date       | 4-18-2023 |
| Scale      | 1" = 40'  |
| By         | TD        |
| Tracing No | L -       |

Sheet No.  
C - 1.2



**CAUTION!!!** Notice to contractors

The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. The information is not to be considered exact or complete. The Contractor must notify the utility location center at least 48 hours prior to any excavation to request the exact location of the utilities in the field. It shall be the responsibility of the Contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plan.

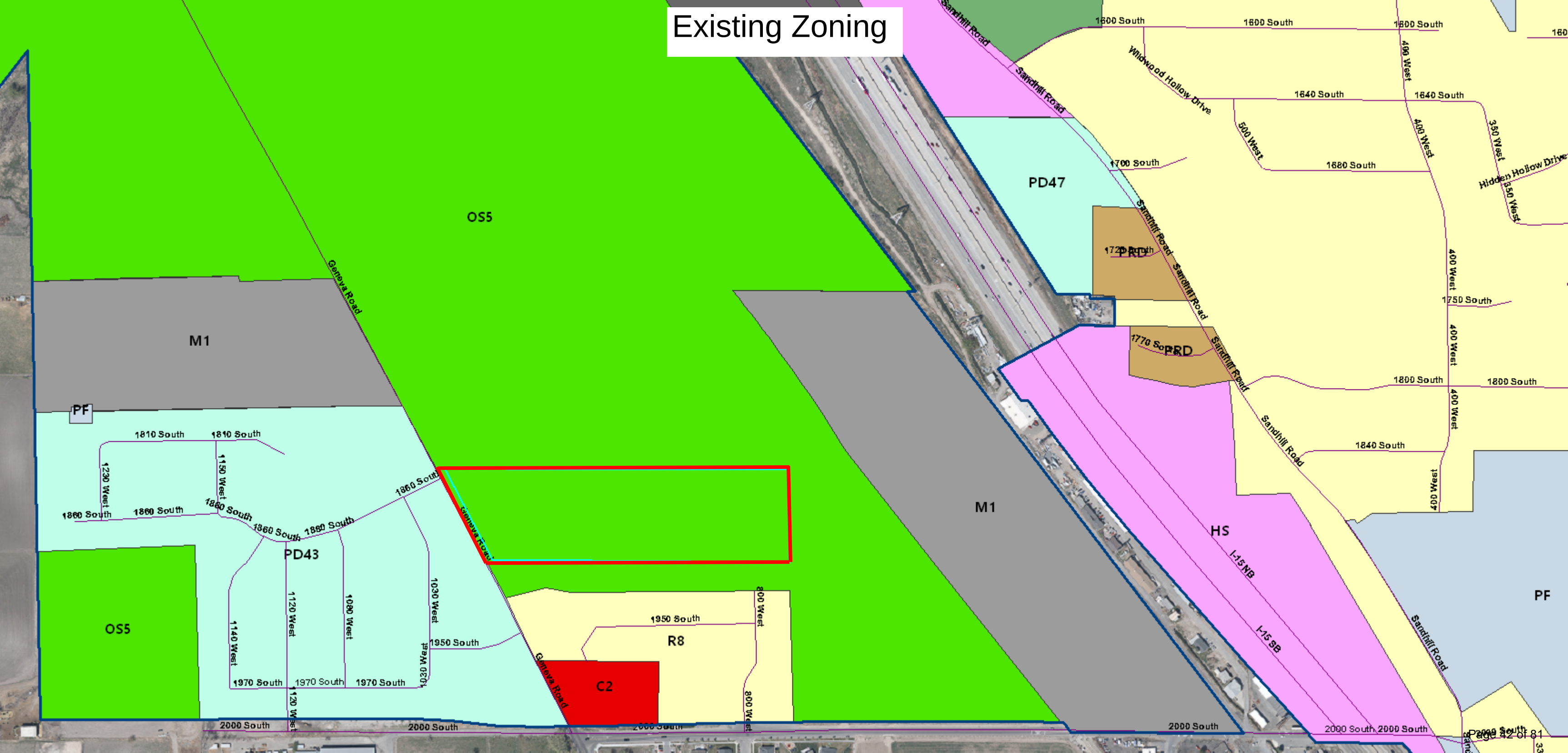
GRAPHIC SCALE



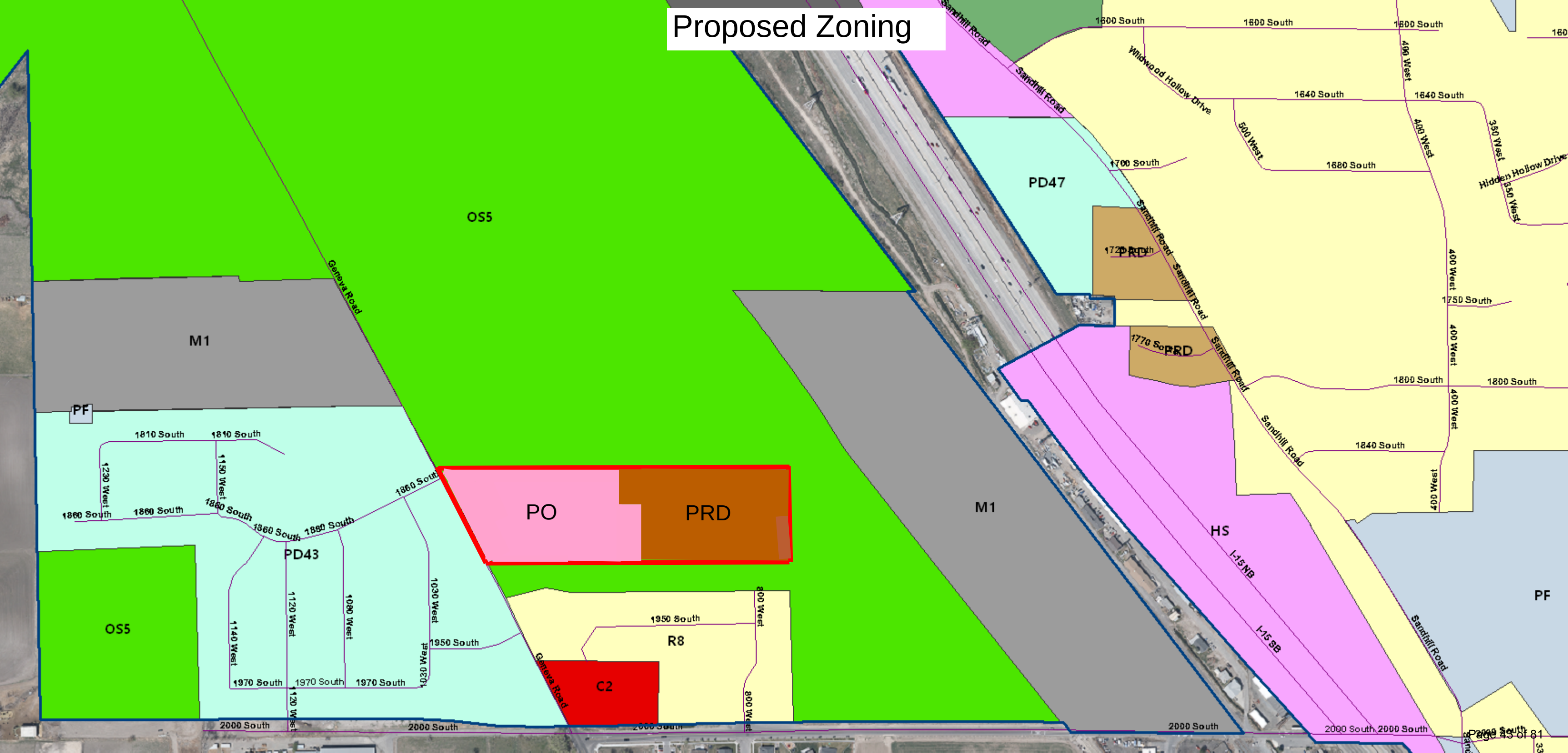
( IN FEET )  
1 inch = 40 ft.



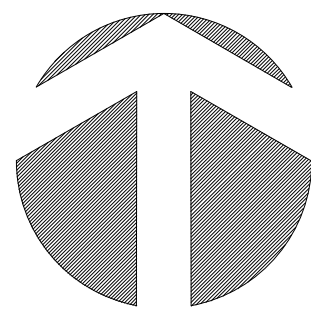
# Existing Zoning



# Proposed Zoning





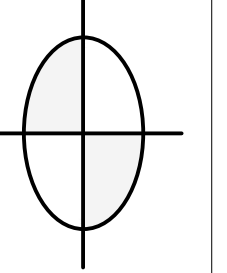


NORTH  
1" = 40'

# Site Plan

OS5 ZONE

Cherry Hill Dairy Farm  
Byron Taylor  
1785 South Geneva Road  
Orem, Utah 84058



DUDLEY AND ASSOCIATES  
ENGINEERS PLANNERS SURVEYORS  
353 EAST 1200 SOUTH, OREM, UTAH  
801-224-1252

Utah

Farm Haven Cottages

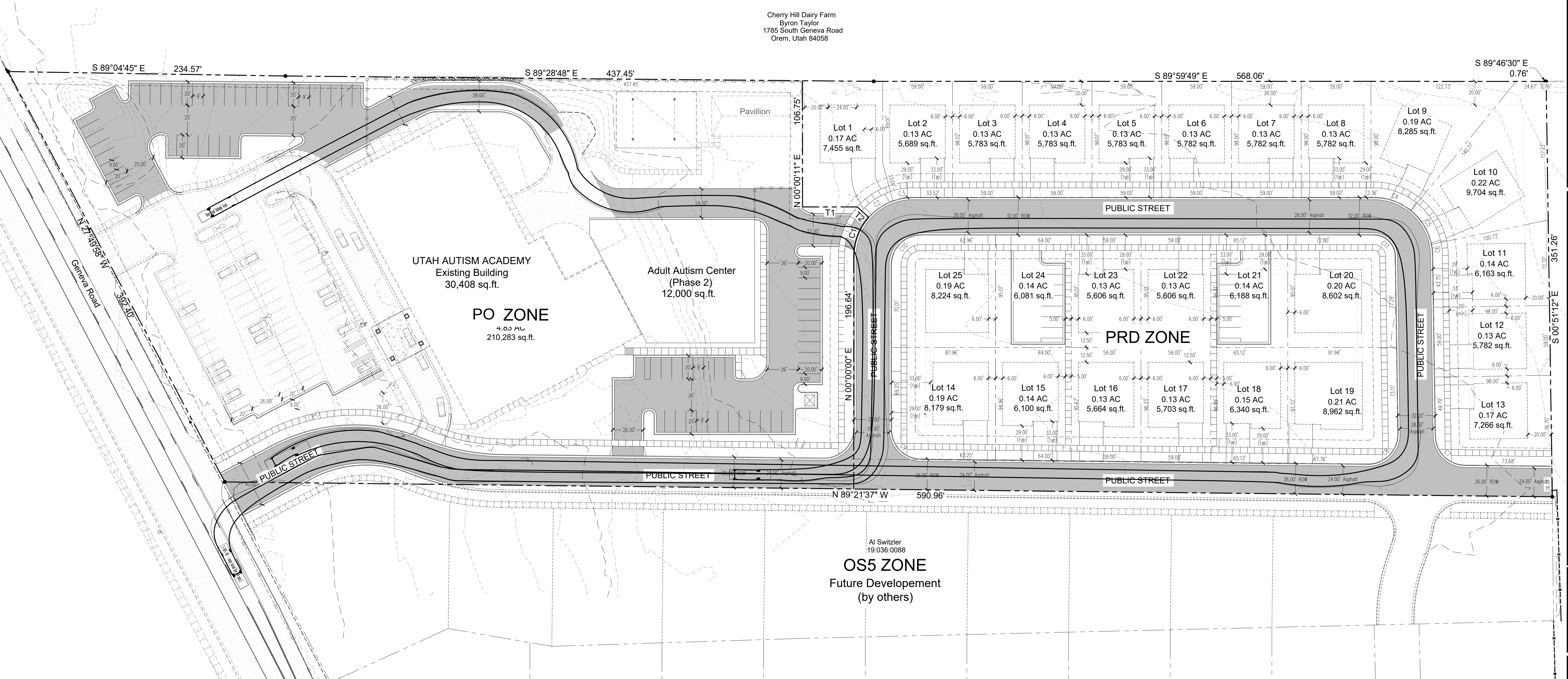
## Site Plan

Orem

Revisions

Date  
4-18-2023  
Scale  
1" = 40'  
By  
TD  
Tracing No.  
L - 14701

Sheet No.  
C - 2.0



Curve Data Table

| Curve | Radius | Length | Chord  | Bearing       | Delta     |
|-------|--------|--------|--------|---------------|-----------|
| C1    | 50.00' | 36.30' | 35.51' | S 20°47'49" W | 41°35'37" |
| C2    | 50.00' | 24.95' | 24.69' | S 55°53'16" W | 28°35'17" |
| C3    | 50.00' | 17.29' | 17.21' | S 80°05'27" W | 19°49'06" |
| C4    | 50.00' | 34.14' | 33.48' | N 70°26'15" W | 39°07'30" |
| C5    | 50.00' | 34.12' | 33.46' | N 31°19'39" W | 39°05'41" |
| C6    | 50.00' | 9.54'  | 9.52'  | N 67°19'00" W | 10°55'36" |
| C7    | 25.00' | 38.62' | 34.89' | N 45°06'24" W | 88°30'25" |
| C8    | 25.00' | 39.92' | 35.81' | N 44°53'35" E | 91°29'35" |
| C9    | 25.00' | 38.99' | 35.16' | S 44°40'49" E | 89°21'37" |
| C10   | 25.00' | 39.27' | 35.36' | S 45°00'00" W | 90°00'00" |
| C11   | 18.00' | 28.01' | 25.27' | N 45°25'36" W | 89°08'48" |

Line Table

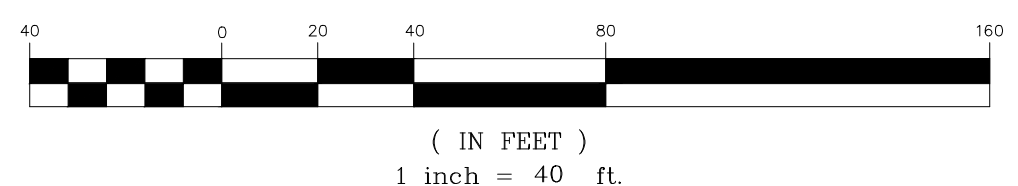
| Line | Length | Direction     |
|------|--------|---------------|
| T1   | 46.23' | N 90°00'00" W |
| T2   | 13.00' | N 48°24'23" W |

CAUTION!!! Notice to contractors

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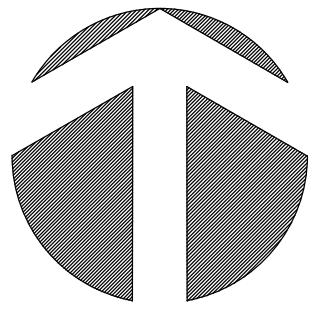
Know what's below. **811**  
Call 811 before you dig.  
BLUE STAKES OF UTAH  
UTILITY NOTIFICATION CENTER, INC.  
www.bluestakes.org  
1-800-662-4111

GRAPHIC SCALE

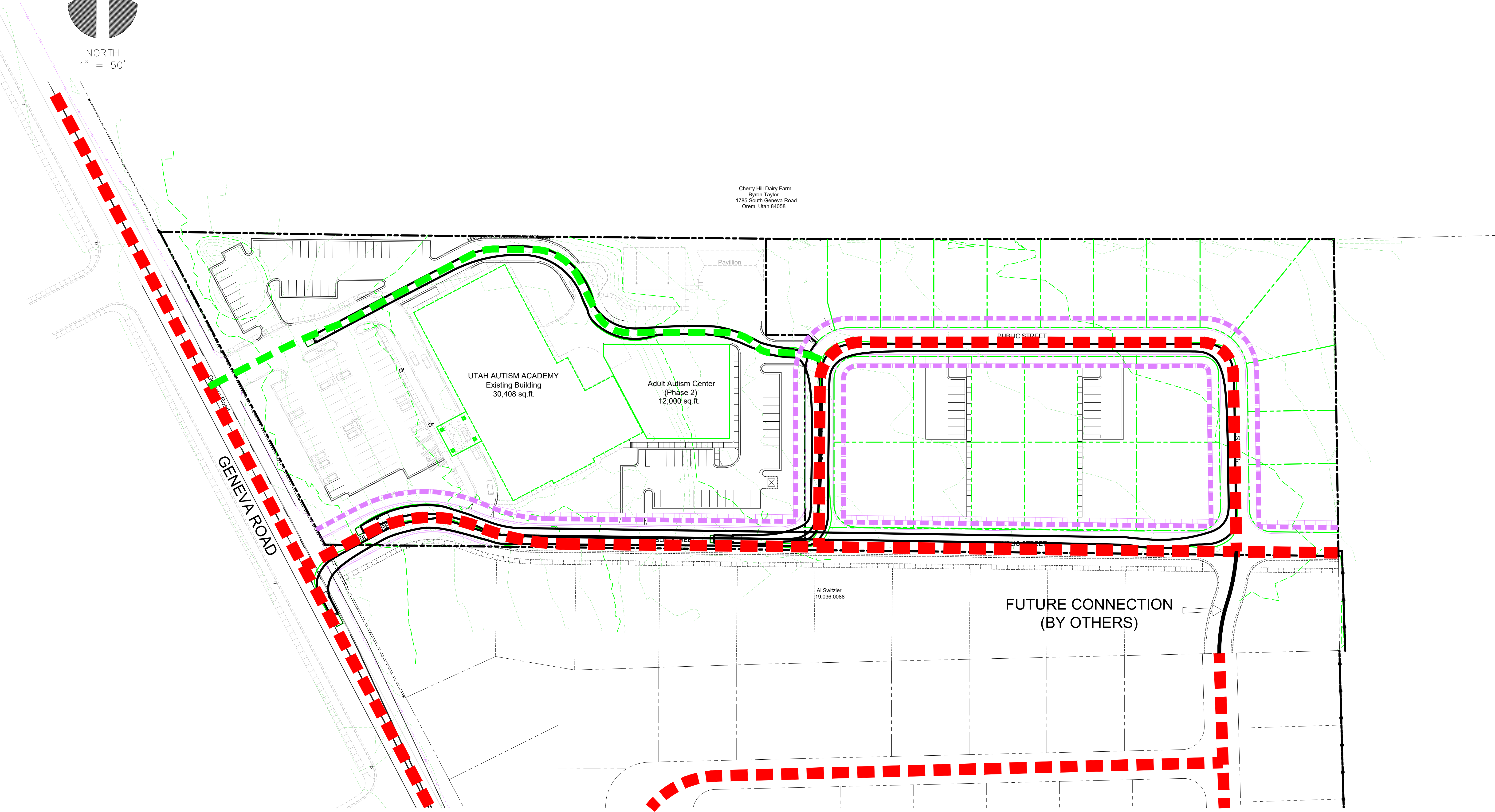




Traffic Circulation Plan



NORTH  
1" = 50'



Cherry Hill Dairy Farm  
Byron Taylor  
1785 South Geneva Road  
Orem, Utah 84058

UTAH AUTISM ACADEMY  
Existing Building  
30,408 sq.ft.

Adult Autism Center  
(Phase 2)  
12,000 sq.ft.

Pavilion

PUBLIC STREET

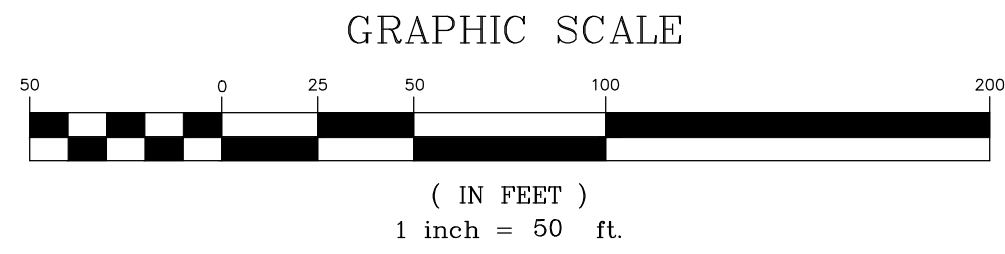
FUTURE CONNECTION  
(BY OTHERS)

GENEVA ROAD

- PUBLIC VEHICULAR TRAFFIC
- EMERGENCY VEHICLE 2ND ACCESS
- PUBLICLY ACCESSIBLE PEDESTRIAN ROUTE

**Know what's below.** **811**  
**Call 811 before you dig.**  
**BLUE STAKES OF UTAH**  
UTILITY NOTIFICATION CENTER, INC.  
[www.bluestakes.org](http://www.bluestakes.org)  
1-800-662-4111

CAUTION!!! Notice to contractors  
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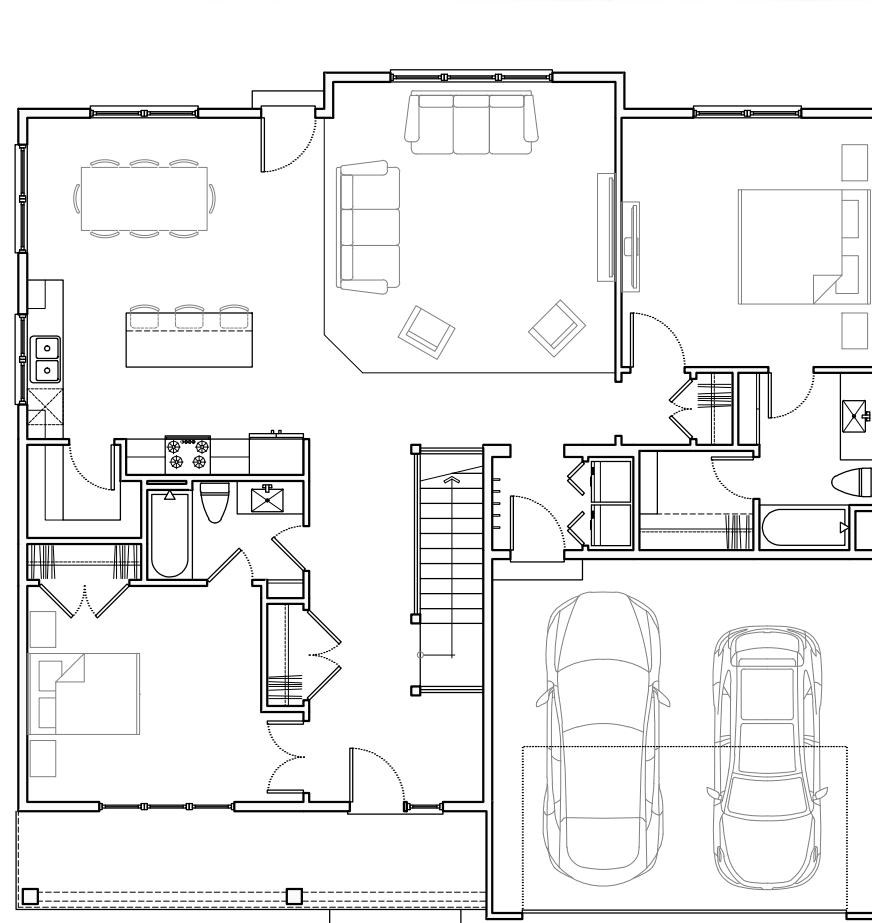
**DUDLEY AND ASSOCIATES**  
ENGINEERS PLANNERS SURVEYORS  
353 EAST 1200 SOUTH, OREM, UTAH  
801-224-1252

Utah  
Orem  
FARM HAVEN COTTAGES  
**Traffic Circulation Plan**

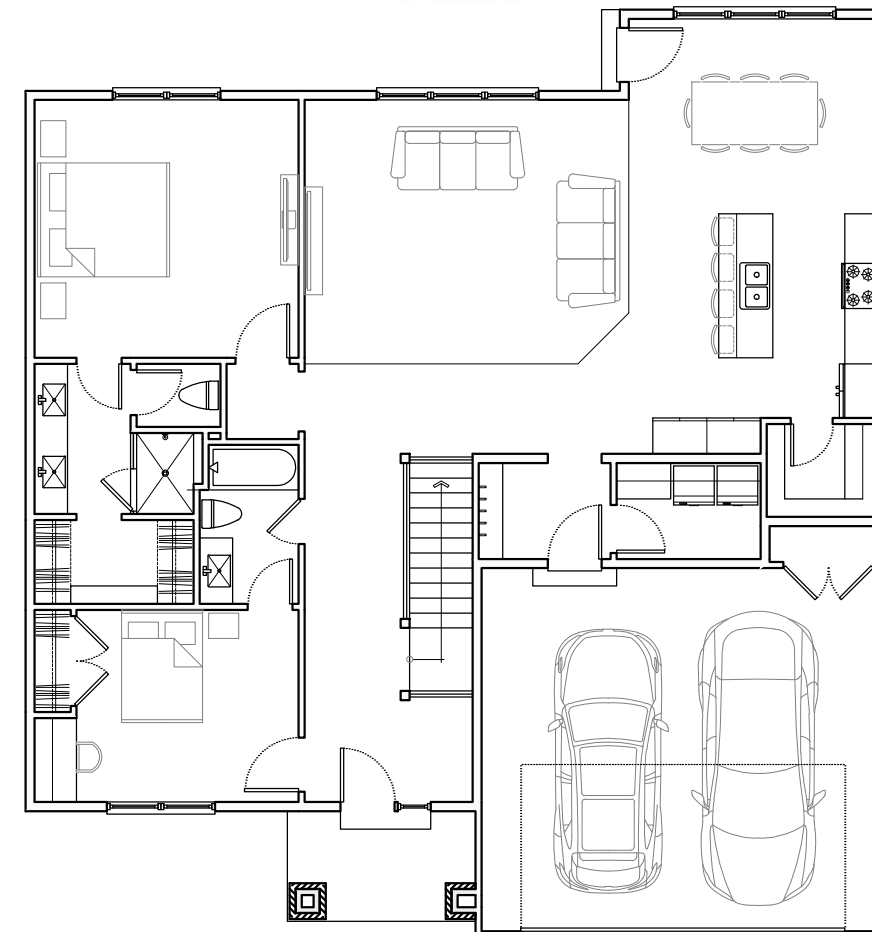
|           |             |
|-----------|-------------|
| Revisions | Date        |
|           | 6-19-2023   |
|           | Scale       |
|           | 1" = 50'    |
|           | By          |
| TD        | Tracing No. |
| L - 14701 |             |
| Sheet No. |             |
| C - 2.1   |             |



# FARM HAVEN COTTAGES



FLOOR PLANS  
1600 SQ FT      1670 SQ FT





# Street View







Washburn and Associates  
825 North 900 West  
Orem, Utah  
84057

[washburnsmith@gmail.com](mailto:washburnsmith@gmail.com)

Dear Neighbor,

This letter is to inform you of an upcoming “Neighborhood Meeting” to discuss a change in masterplan and zoning on property located generally at 1875 South Geneva road in Orem. The parcel is currently occupied by the Utah Autism Academy. The property is currently zoned Professional Office, and the property has a masterplan designation of Professional Office. The applicant wishes to rezone the eastern portion of the property to Planned Residential and change the underlying masterplan to low density residential. The Academy will remain and the eastern property will be developed as retirement style twin home residences targeted toward mature occupants.

A neighborhood meeting will be held at the Utah Autism Academy, located at 1875 S Geneva Rd, the meeting will begin at 6 PM on May 25, 2022. All neighbors within 500 feet have been notified of this meeting, however if you know of someone who may not have been notified, please pass this information on to them. We are anxious to get neighborhood feedback on the proposed change.

“Pursuant to Orem City Code Section 22-1-5(G) this meeting is being held to discuss the project with you. This is an opportunity for you to review plans and provide input and recommendations regarding the project. The application has not yet been reviewed by the City and is subject to change during the review process.”

We will look forward to hearing from you at the meeting, should be you be unable to attend the meeting or have questions prior to the meeting, please feel free to contact Paul Washburn (owners’ representative) at 801-368-4700 to answer any questions.

Best wishes,

Paul Washburn

## Neighborhood Meeting May 25<sup>th</sup>

### Utah Autism Academy

A neighborhood meeting was held the evening of May 25<sup>th</sup>, 2022 at the Utah Autism Academy located at 1875 S Geneva Road in Orem. The meeting was conducted by Paul Washburn of Washburn Associates. The meeting was attended by approximately 20 people. The meeting was called to discuss a rezone and masterplan change to a portion of the property.

The neighbors asked the following questions: the size of the proposed development, the distance from the South property line of the project to the existing homes on the north side of 1950 S., the number of homes projected to be built, the floorspace of the typical home, whether the project would be single story homes or two story. Also had questions regarding if there would be a clubhouse open areas and amenities particularly a tennis court and pool. A number of questions were directed toward lighting, if amenities would be lighted and how homes south of the project would be protected from excessive exterior lighting. One of the neighbors to the south of the project indicated that they did not want to see the two neighborhoods connected. Other questions regarded ingress and egress whether or not there would be a traffic signal and what was going to happen with streetlights. Neighbors expressed concern for adequate parking, citing parking problem to the west of Geneva Road.

The meeting lasted approximately an hour and a half. The concept plan shows approximately 36 units or 18 structures with a floor space of approximately 1,200 to 1,500 square feet. All structures will be single story with open space in the rear yards of the units. There are no other amenities proposed at this time. All lighting will be directed within the project and downward as per city zoning requirements, access is expected to be off Geneva Rd.

The meeting began at 6:00 PM and ended slightly after 7:30 PM.



Name :

Paula Rowe  
Byron Taylor  
Lisa Clark

JOHN PORTER

CONNIE PORTER

Dennis Harrison

Brek Hall

Pamela Moose

Paula Mahedy

Rachel Wilkerson

Lallont Schofield

Linda Brown  
BARRY BROWN

Discussion items for Washburn and Associates "Neighborhood Meeting"

1. What is the area (dimensions) of the proposed development?
2. What is the distance from the southerly property line of the project to the northerly property line of the existing homes on the north side of 1950 South?
3. How many twin style homes are projected to be built?
4. What is the expected floor space of a typical home?
5. Single story homes, or two story?
6. Community/recreational building/center?
7. Open areas? Greenbelts?
8. Other structures or buildings?
9. Tennis court? (Lighting?)
- 10.Pool? (Lighting?)
- 11.Other outside recreational area? (Lighting?)
- 12.Street lighting?
- 13.Other exterior lighting?
- 14.How to protect homes south of the project from excessive exterior lighting?





City Council Chambers, 56 N State Street

**\*\*\* IMPORTANT DEVELOPMENT NOTICE \*\*\***

PUBLIC HEARING - REZONE - Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning part of the property that fronts Geneva Road from the OS5 zone to the PO zone (approximately 4.83 acres) and the remaining property from the OS5 zone to the PRD zone (approximately 4.79 acres) and amending Appendix KK of the Orem City code for the property located generally at 1875 South Geneva Road.

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

MEYER, JAMES ALAN & STACEY ELIZABETH (ET  
AL)  
10331 TRACERY CT  
PARKER, CO 80134

Planning Commission  
Wed, Jul 19, 2023  
4:30 pm



City Council Chambers, 56 N State Street

**\*\*\* IMPORTANT DEVELOPMENT NOTICE \*\*\***

PUBLIC HEARING - REZONE - Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning part of the property that fronts Geneva Road from the OS5 zone to the PO zone (approximately 4.83 acres) and the remaining property from the OS5 zone to the PRD zone (approximately 4.79 acres) and amending Appendix KK of the Orem City code for the property located generally at 1875 South Geneva Road.

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

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

Planning Commission  
Wed, Jul 19, 2023  
4:30 pm



**orem.org/planning** under "Current Planning (Public Hearing Notices)" tab



**orem.org/planning** under "Current Planning (Public Hearing Notices)" tab



JS SERVICE GROUP LLC  
PO BOX 1283  
OREM, UT 84057

OREM MODEL HOME LLC  
PO BOX 3298  
LA GRANDE, OR 97850

WAGSTAFF INVESTMENTS LLC  
PO BOX 367  
PANGUITCH, UT 84759

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

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

SADDLE CREEK 201 LLC  
12 BENTBROOK LN  
SANDY, UT 84092

TUCKER, GEORGE  
51 W 4750 N  
PROVO, UT 84604

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

JAMES HAWKES  
55 WEST 500 SOUTH  
OREM, UT 84058

BRINKERHOFF, WALTER A & CONI JO  
(ET AL)  
70 BIG MEADOW LN  
LOVELOCK, NV 89419

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

COMMON AREA  
100 E CENTER ST  
PROVO, UT 84606

HELENA KLEINLEIN  
103 WEST 2170 SOUTH  
OREM, UT 84058

JEFF LAMBSON  
156 E 1060 N  
OREM, UT 84057

BURRILL, JEFFREY P & HOLLY K (ET  
AL)  
164 GREENBROOK DR  
DANVILLE, CA 94526

DAVE YOUNG  
173 S COUNTRYSIDE LANE  
OREM, UT 84058

CANDIDE CHARITABLE ENTERPRISE  
LLC  
175 W CANYON CREST RD STE 305  
ALPINE, UT 84004

BORIS AND JEANNINE FRITZ FAMILY  
TRUST 03-12-2020 (ET AL)  
252 VIA LOS MIRADORES  
REDONDO BEACH, CA 90277

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

MILLHAVEN CONSTRUCTION LLC  
272 W 200 N STE 100  
LINDON, UT 84042

LANAE MILLETT  
288 W 1500 N  
OREM, UT 84057

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

THOMAS MACDONALD  
489 NORTH PALISADES DR  
OREM, UT 84097

DEBBY LAURET  
641 S 1920 W  
OREM, UT 84059

MADELINE KOMEN  
653 W. 1360 NORTH  
OREM, UT 84057

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

BROWN, BARRY E & LINDA B (ET AL)  
782 W 2000 S  
OREM, UT 84058

GREEN, DARREN EDWARD  
812 E PENNI LN  
OREM, UT 84058

VARGAS, LEANDRO DAVID & ALISSA  
KITCHEN  
819 W 1950 S  
OREM, UT 84058

PULHAM, KURT TERRY  
822 W 1950 S  
OREM, UT 84058

TRONSON, TANNER DON (ET AL)  
827 W 1950 S  
OREM, UT 84058

GRIFFIN, SKYLER REED (ET AL)  
830 W 1950 S  
OREM, UT 84058

MORRILL, JENNIFER  
835 W 1950 S  
OREM, UT 84058

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

FONG, THOMAS & SHARON  
840 W 1950 S  
OREM, UT 84058

DAMERON, SYDNEY K & BRONSON  
M  
849 W 1950 S  
OREM, UT 84058

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

PORTER, JOHN M & CONNIE M (ET  
AL)  
861 W 1950 S  
OREM, UT 84058

BERNIER, ADAM & JENNY  
866 W 1950 S ST  
OREM, UT 84058

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

PRICE, ZACHARIAH LEE & CARLYN  
871 W 1950 S  
OREM, UT 84058

SLS2 LLC  
%BERRETT, CRAE  
878 W 1950 S  
OREM, UT 84058

KARWANDE, SARINA  
887 MOUNTAIN PL  
PASADENA, CA 91104

CAMPBELL, TREVIN JOSEPH  
890 W 1950 S  
OREM, UT 84058

DAVID SPENCER  
899 NORTH 550 EAST  
OREM, UT 84097

MURRAY LOW  
904 S. 725 WEST  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1006 W 1950 SOUTH  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1008 W 1950 SOUTH  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1014 W 1950 DS  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1018 W 1950 SOUTH  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1022 W 1950 SOUTH  
OREM, UT 84058

THOMPSON, BEAU  
1036 W 1970 S  
OREM, UT 84057

VINDEL, JOSUE MORENO & KELLY  
MORENO  
1038 W 1970 S  
OREM, UT 84058

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

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

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

KUSUMA, ANUSHA  
1048 W 1860 S  
OREM, UT 84058

HALL, BREK  
1051 W 1860 S  
OREM, UT 84058

OREM MODEL HOME LLC  
--OR CURRENT RESIDENT--  
1057 W 1860 SOUTH  
OREM, UT 84058

HARDIN, TRAVIS JEFFREY  
1068 W 1860 S  
OREM, UT 84058



GERALD CRISMON  
1069 S. 545 EAST  
OREM, UT 84097

HANESANA, KITTY (ET AL)  
1078 W 1860 N  
OREM, UT 84058

HERLIN, CLARK LERAY & ALICIA W  
1084 W 1860 S  
OREM, UT 84058

INGRAM, PHYLLIS (ET AL)  
1089 W 1810 S  
OREM, UT 84058

TERRY PETERSON  
1125 LYNNWOOD DRIVE  
OREM, UT 84097

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

HAYSAM SAKAR  
1194 E. 1090 NORTH  
OREM, UT 84097

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

COCO COOL PROPERTIES LLC  
1218 E 780 S STE 150  
SANDY, UT 84094

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

PETTINGILL HOLDINGS LLC  
1697 TUSCANY CV  
FARMINGTON, UT 84025

MIKE CARPENTER  
1734 NORTH 350 WEST  
OREM, UT 84057

LAKEVIEW PLACE IP LLC  
--OR CURRENT RESIDENT--  
1782 S GENEVA RD  
OREM, UT 84058

TAYLOR, BYRON W & CYNTHIA A  
(ET AL)  
1785 S GENEVA RD  
OREM, UT 84058

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

FICKLIN, KAYLOR  
1867 S 1030 W  
OREM, UT 84058

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

WILKINS, COURT & VICKI  
1873 S 1030 W  
OREM, UT 84058

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

UTAH AUTISM ACADEMY  
1875 S GENEVA RD  
OREM, UT 84058

VORWALLER, CHASE  
1877 S 1080 W  
OREM, UT 84058

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

MILLER MAKAY  
1879 S 1030 W  
OREM, UT 84057

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

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1883 S 1030 WEST  
OREM, UT 84058

FINLAYSON, KRISTOPHER DAVID &  
ELISHA R  
1884 S 1030 W  
OREM, UT 84058

DEARING, ZACK  
1886 S 1030 W # 408  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1887 S 1030 WEST  
OREM, UT 84058

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

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

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1889 S 1030 WEST  
OREM, UT 84058

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

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1891 S 1030 WEST  
OREM, UT 84058

LUNDQUIST, MARCIA  
1892 S 1030 W  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1893 S 1030 WEST  
OREM, UT 84058

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

FARABEE, BRYCE  
1894 S 1030 W  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1897 S 1030 WEST  
OREM, UT 84058

HEADRICK, ADAM  
1897 S 1080 W  
OREM, UT 84058

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

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1899 S 1030 WEST  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1901 S 1030 WEST  
OREM, UT 84058

FREEMAN, MATT  
1902 S 1030 W  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1903 S 1030 WEST  
OREM, UT 84058

SIEBERT, MARK JIALI (ET AL)  
1904 S 1030 W # 415  
OREM, UT 84058

ASAY, ANDREA L & JOHNATHAN  
1906 S 1030 W  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1907 S 1030 WEST  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1909 S 1030 WEST  
OREM, UT 84058

FERNANDEZ, LEOPOLDO APUMAYTA  
(ET AL)  
1909 S 1080 W  
OREM, UT 84058

JASON BENCH  
1911 N MAIN STREET  
OREM, UT 84057-2101

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1911 S 1030 WEST  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1913 S 1030 WEST  
OREM, UT 84058

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

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1917 S 1030 WEST  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1919 S 1030 WEST  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1921 S 1030 WEST  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1923 S 1030 WEST  
OREM, UT 84058

MONSIA, YVES CEDRICK & ASHLEY  
BECK  
1924 S 1030 W  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1927 S 1030 WEST  
OREM, UT 84058

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
--OR CURRENT RESIDENT--  
1929 S 1030 WEST  
OREM, UT 84058



OYANEDEL, ANGEL PATRICIO  
1929 S GENEVA RD  
OREM, UT 84058

NELSON, KYLIE MARIE  
1932 S 1030 W  
OREM, UT 84058

ROYLANCE, SHAUNA L (ET AL)  
1941 S 800 W  
OREM, UT 84058

PAJIMOLA, TANYA  
1942 S 1030 W  
OREM, UT 84057

ENCINAS, MARITZA  
1944 S 1030 W  
OREM, UT 84058

BARNEY, THOMAS & APRIL (ET AL)  
1948 S 1030 W # 431  
OREM, UT 84058

MOOSE, ALAN L & PAMELA C  
1949 S 800 W  
OREM, UT 84058

LARSEN, JENNIFER C (ET AL)  
1960 S 800 W  
OREM, UT 84058

MAHEDY, PAUL PATRICK & PAULA  
ALICE  
1963 S 800 W  
OREM, UT 84058

PATTARAIVAKKAM, MURUGAN (ET  
AL)  
1967 W KAMARI DR  
SOUTH JORDAN, UT 84095

PATTARAIVAKKAM, MURUGAN (ET  
AL)  
1967 W KARMARI DR  
SOUTH JORDAN, UT 84095

BACKUS, KRISTOPHER C & JILL R  
1975 S 800 W  
OREM, UT 84058

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

CANDIDE CHARITABLE ENTERPRISE  
LLC  
--OR CURRENT RESIDENT--  
2296 W 2000 SOUTH  
OREM, UT 84058

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

HAMBERLIN, ALAN D  
2511 E MELROSE ST  
MESA, AZ 85213

VILLAGE OF LAKEVIEW FIELDS LLC  
THE  
2825 E COTTONWOOD PKWY # 500  
SALT LAKE CITY, UT 84121

UTAH COUNTY  
2855 S STATE  
PROVO, UT 84606

COLE, DARIN FUHRIMAN  
3012 NW TAYLOR AVE  
CORVALLIS, OR 97330

WAGSTAFF INVESTMENTS LLC  
3115 W 2100 S  
WEST VALLEY CITY, UT 84119

ASHTON FAMILY TRUST 06-30-1989  
AMENDED AND RESTATED 03-17-  
2016 THE (ET AL)  
4335 CHURCHILL DR  
PROVO, UT 84604

ALVARENGA, BORIS & JOSIE  
4393 SHADYHOLLOW LOOP  
LEHI, UT 84043

SWITZLER, AL  
5082 OLD OAK LN  
HIGHLAND, UT 84003

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

LANDD SEGO LLC  
6472 W SCARLET OAK DR  
WEST JORDAN, UT 84081

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

HOLLAND, CINDY B (ET AL)  
7107 DREAM INN LN  
ROSEVILLE, CA 95747

MEYER, JAMES ALAN & STACEY  
ELIZABETH (ET AL)  
10331 TRACERY CT  
PARKER, CO 80134

RESOLUTION NO. PC-2023-0027

A RESOLUTION BY THE OREM CITY PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL AMEND ARTICLE 22-5-3(A) AND THE ZONING MAP OF THE CITY OF OREM BY REZONING A PORTION OF THE PROPERTY THAT FRONTS GENEVA ROAD FROM THE OS5 ZONE TO THE PO ZONE (APPROXIMATELY 4.83 ACRES) AND THE REMAINING PROPERTY FROM THE OS5 ZONE TO THE PRD ZONE (APPROXIMATELY 4.79 ACRES) AND AMENDING APPENDIX KK OF THE OREM CITY CODE FOR THE PROPERTY LOCATED GENERALLY AT 1875 SOUTH GENEVA ROAD.

WHEREAS on February 6, 2023, Craig Brady, Utah Autism Academy filed an application with the City of Orem requesting the City amend Article 22-5-3(A) and the Zoning Map of the City of Orem by rezoning a portion of the property that fronts Geneva Road from the OS5 zone to the PO zone (approximately 4.83 acres) and the remaining property from the OS5 zone to the PRD zone (approximately 4.79 acres) and amending Appendix KK of the Orem City Code for the property located generally at 1875 South Geneva Road; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on July 19, 2023; and

WHEREAS the agenda of the Planning Commission hearing at which the subject application was heard was posted at the Orem Public Library, on the Orem City webpage and at the City offices at 56 North State Street; and

WHEREAS one hundred forty-eight (148) notices were mailed to residents within five hundred (500) feet of the property; and

WHEREAS the matter having been submitted and the Planning Commission having fully considered the request as it relates to the health, safety, and general welfare of the City; the orderly development of land in the City; the effect upon the surrounding neighborhood; the compliance of the request with all applicable City ordinances and the Orem General Plan, and the special conditions applicable to the request.

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OREM, UTAH, as follows:

1. The Planning Commission finds this request is in the best interest of the City.
2. The Planning Commission hereby recommends the City Council amend Article 22-5-3(A) and the Zoning Map of the City of Orem by rezoning a portion of the property that fronts Geneva



Road from the OS5 zone to the PO zone (approximately 4.83 acres) and the remaining property from the OS5 zone to the PRD zone (approximately 4.79 acres) and amending Appendix KK of the Orem City Code for the property located generally at 1875 South Geneva Road, as shown in Exhibit “A” which is attached hereto and incorporated herein by reference.

3. This resolution shall take effect immediately upon passage.
4. If any part of this resolution shall be declared invalid, such decision shall not affect the validity of the remainder of this resolution.
5. All other resolutions or policies in conflict herewith, either in whole or part, are hereby repealed.

PASSED and APPROVED this 19<sup>th</sup> day of July 2023.

\_\_\_\_\_  
CITY OF OREM, by  
Madeline Komen, Chairman

ATTEST:

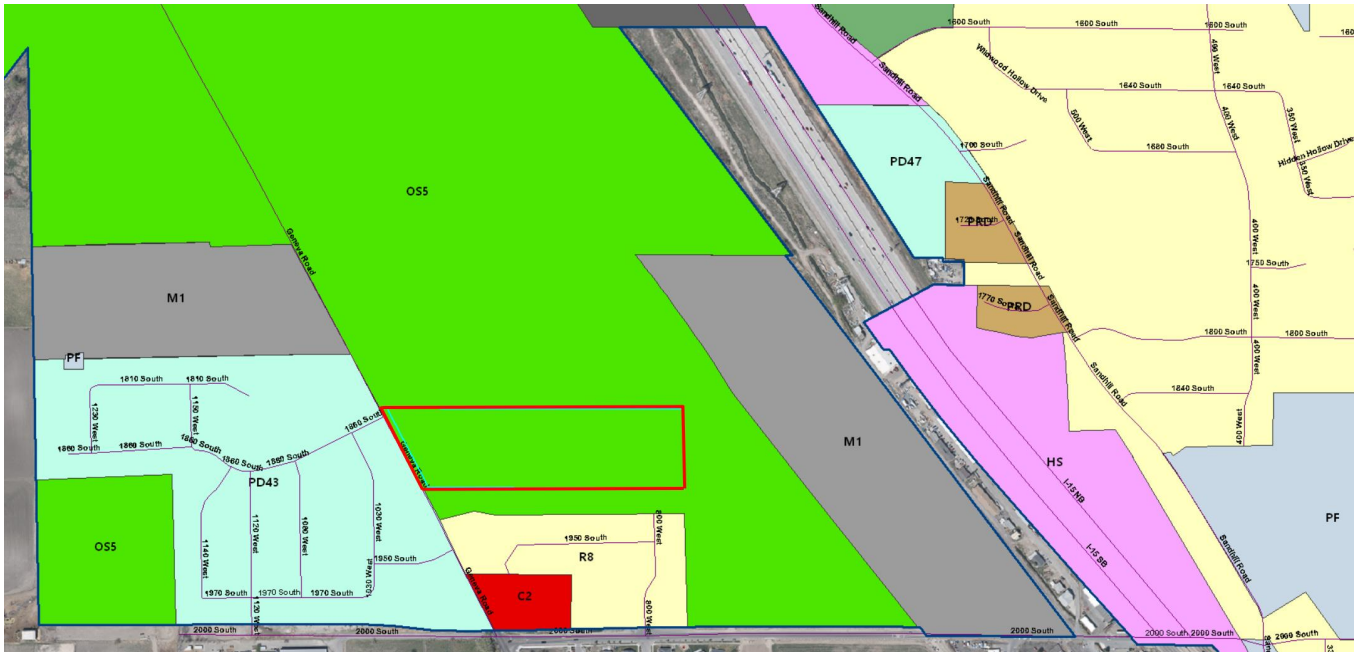
\_\_\_\_\_  
Ryan L. Clark, Planning Commission Secretary

COMMISSION MEMBERS VOTING ‘AYE’

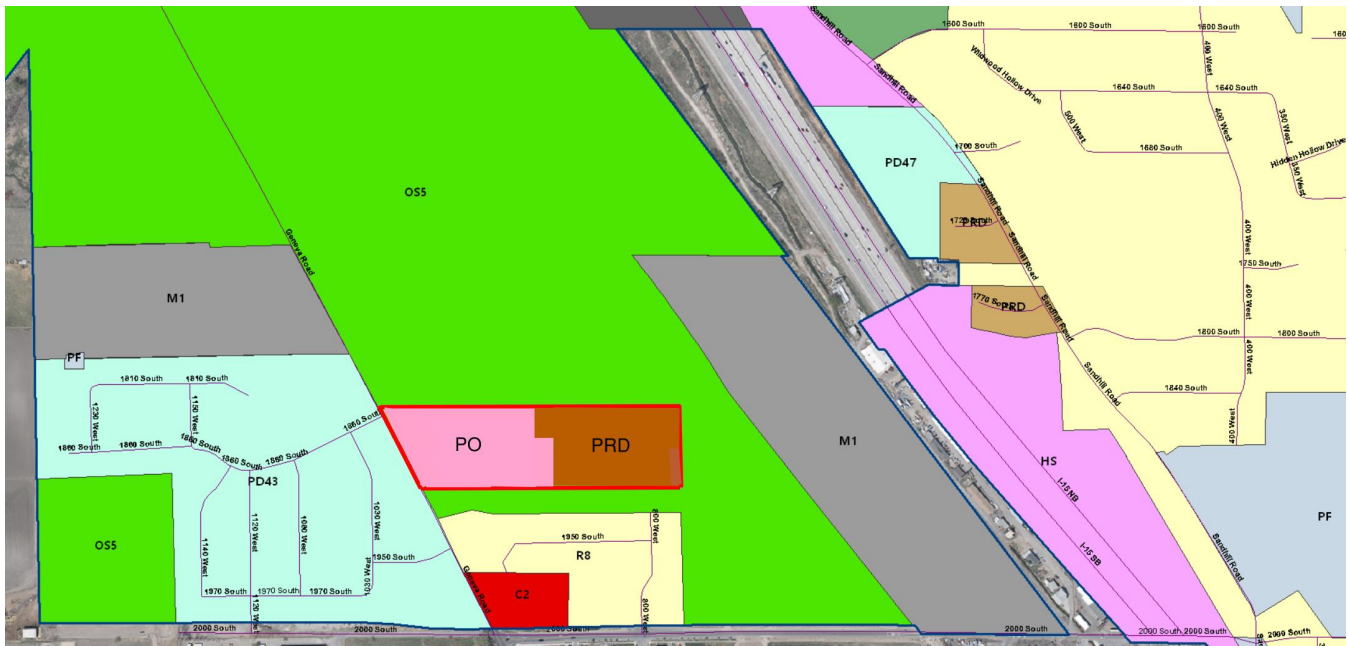
COMMISSION MEMBERS VOTING ‘NAY’

Mike Carpenter  
Gerald Crismon  
James Hawkes  
Helena Kleinlein  
Madeline Komen  
Murray Low  
Haysam Sakar

## Existing Zoning

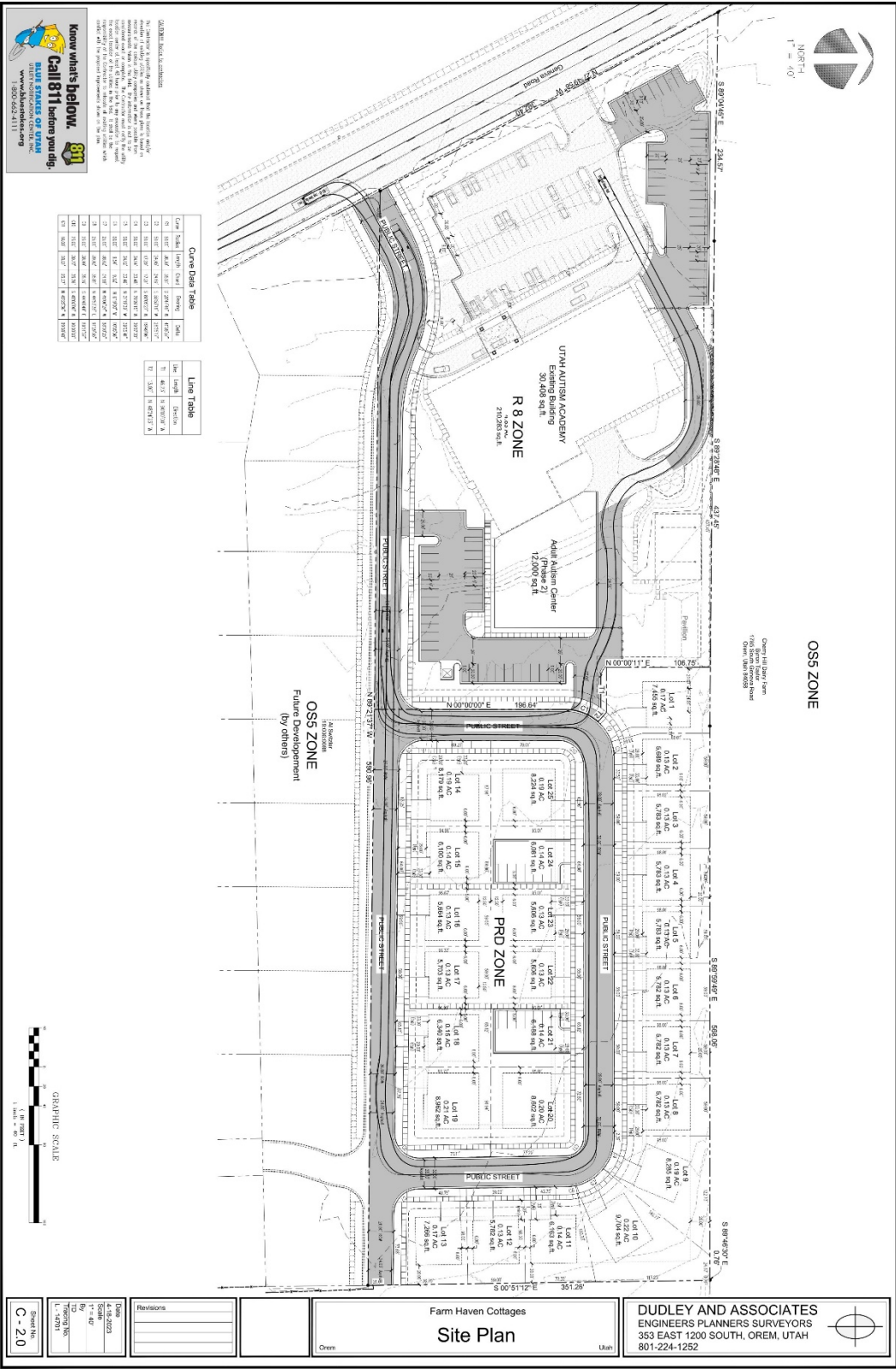


## Proposed Zoning





Proposed Site Plan



**DRAFT - CITY OF OREM**  
**PLANNING COMMISSION MEETING MINUTES**  
**June 21, 2023**

The following items are discussed in these minutes:

- PUBLIC HEARING – Vacating Sandhill Grove PRD Plat A and approving Sandhill Grove PRD Plat A Amended located generally at 537 West 1770 South in the PRD zone. – Approved
- PRELIMINARY PLAT – Approving the preliminary plat for Hidden Vale Plat C located at 1428 South 100 West in the R8 zone. – Approved
- PUBLIC HEARING – Amending the development agreement for the property located at 1981 South Geneva Road in the C2 zone. – Negative Recommendation

**STUDY SESSION**

**Place:** City Council Conference Room

**At 3:33 p.m.** Mr. Low called the Study Session to order.

**Those present:** James Hawkes, Murray Low, Mike Carpenter and Helena Kleinlein, Planning Commission members; Jason W. Bench, Assistant Development Services Director; Makayla Wagstaff and Cheryl Vargas, Associate Planners; Matt Taylor and Grant Allen, Senior Planners; Sam Kelly, City Engineer; Steve Earl, Legal Counsel;

**Those excused:** Gerald Crismon, Haysam Sakar, Madeline Komen, Planning Commission members; Ryan L. Clark, Acting Assistant City Manager/Development Services Director; Gary McGinn, Legal Counsel; Terry Peterson, City Council Liaison;

The Commission selected Mr. Low as acting chair for this meeting due to the absence of the Chair and Vice-Chair.

The Commission and staff briefly reviewed agenda items and minutes from the June 7, 2023 meeting.

The meeting was adjourned at 4:26 p.m. to the City Council Chambers for the regular meeting.

**REGULAR MEETING**

**Place:** Orem City Council Chambers

**At 4:30 p.m.** Mr. Low called the Planning Commission meeting to order and asked Mr. Hawkes, Planning Commission member, to offer the invocation.

**Those present:** James Hawkes, Murray Low, Mike Carpenter and Helena Kleinlein, Planning Commission members; Jason W. Bench, Assistant Development Services Director; Makayla Wagstaff and Cheryl Vargas, Associate Planners; Matt Taylor and Grant Allen, Senior Planners; Sam Kelly, City Engineer; Steve Earl, Legal Counsel; Terry Peterson, City Council Liaison;

**Those excused:** Gerald Crismon, Haysam Sakar, Madeline Komen, Planning Commission members; Ryan L. Clark, Acting Assistant City Manager/Development Services Director; Gary McGinn, Legal Counsel

Mr. Low asked Ms. Vargas to introduce **Agenda Item 3.1: ([click here for recording](#))**

PUBLIC HEARING – Vacating Sandhill Grove PRD Plat A and approving Sandhill Grove PRD Plat A Amended located generally at 537 West 1770 South in the PRD zone.



**Staff Presentation:**

In 2007 a site plan was approved for this site which shows the northwest portion of the property being landscaped with a playground. On the site this was changed sometime after 2007 to be a parking lot instead. This change was done without amending the site plan for the property.

The applicant is bringing the property into compliance by amending their plat to show the northwest area as parking with surrounding landscaping. Due to the change in the amount of impermeable surface, they also are adding an additional drainage basin on site to help with the additional storm water. Both the existing drainage basin and the

new basin will be landscaped, and additional landscaping is to be installed surrounding the parking area.

In addition to amending the plat to show the parking area they also are extending the limited common areas behind each unit to the property line. This reflects the current area which is fenced for each unit to use.

**Recommendation:**

Staff recommends the Planning Commission vacate Sandhill Grove PRD Plat A and approve Sandhill Grove PRD Plat A Amended located generally at 537 West 1770 South in the PRD zone.

Mr. Low asked the Planning Commission members if they had any questions for Ms. Vargas.

Mr. Low asked the applicant to come forward.

The applicant was not present.

Mr. Low opened the public hearing.

When no one came forward, Mr. Low closed the public hearing.

Mr. Low called for a motion on this item.

**Planning Commission Action:**

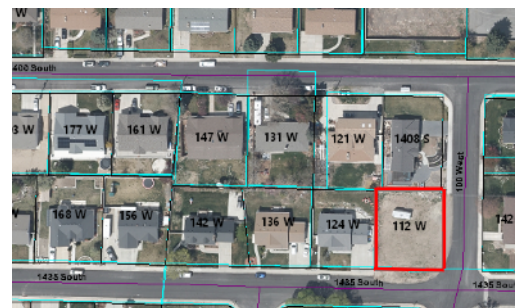
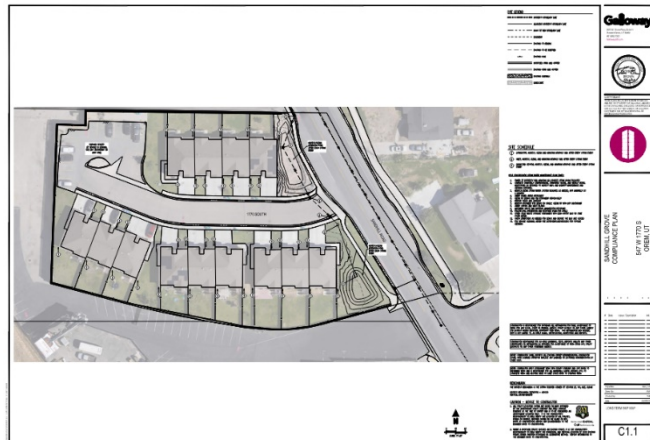
Mr. Hawkes moved to vacate Sandhill Grove PRD Plat A and approve Sandhill Grove PRD Plat A Amended located generally at 537 West 1770 South in the PRD zone. Mr. Carpenter seconded the motion. Those voting aye: James Hawkes, Murray Low, Mike Carpenter and Helena Kleinlein. Motion passed unanimously.

Mr. Low asked Ms. Vargas to introduce **Agenda Item 3.2:** ([click here for recording](#))

PRELIMINARY PLAT – Approving the preliminary plat for Hidden Vale Plat C located at 1428 South 100 West in the R8 zone.

**Staff Presentation:**

The applicant is proposing to plat a vacant lot located at 1428 South 100 West. This property is currently a lot of record. This is a corner lot and there is currently no structure on the lot and there are no sidewalks, curbs or gutters.



## DRAFT - Planning Commission minutes for June 21, 2023

The applicant will build a new home on the lot. In addition to the home, the applicant will also install street improvements, such as curbs, gutters and sidewalks, as well as sewer and water laterals. (17-4)

The lot will be eight thousand six hundred twelve (8,612) square feet, which meets the requirements for lot size in the R8 zone. (22-6-8)

### **Recommendation:**

Staff recommends the Planning Commission approve the preliminary plat for Hidden Vale Plat C located at 1428 South 100 West in the R8 zone.

Mr. Low asked the Planning Commission members if they had any questions for Ms. Vargas.

Mr. Low asked if the applicant was present. They were, however, there were no questions for them.

Mr. Low called for a motion on this item.

### **Planning Commission Action:**

Ms. Kleinlein moved approve the preliminary plat for Hidden Vale Plat C located at 1428 South 100 West in the R8 zone. Mr. Hawkes seconded the motion. Those voting aye: James Hawkes, Murray Low, Mike Carpenter and Helena Kleinlein. Motion passed unanimously.

Mr. Low asked Ms. Vargas to introduce **Agenda Item 3.3:** ([click here for recording](#))

PUBLIC HEARING – Amending the development agreement for the property located at 1981 South Geneva Road in the C2 zone.

### **Staff Presentation:**

In December of 2020 this property was rezoned to the C2 zone and a development agreement was approved in conjunction with that rezone. This development agreement limited the uses which could be built on this property to a gas station with a convenience store. The agreement also limited the building materials and architectural style of the building as well as the allowed operating hours for the convenience store.



The applicant is requesting to amend the development agreement from December 2020 to allow a carwash to be built on the site along with the gas station and convenience store. The amended agreement adds the option of the drive-thru at the convenience store. The proposed amended agreement also changes the materials and architectural style of the buildings on the site.

The proposed changes to the development agreement do not alter the allowed hours of operation of 5am to midnight, and the proposed carwash would also be held to these hours of operation. These are consistent with the times when the lights would be required to be dimmed on the site.

### **Recommendation:**

Staff recommends the Planning Commission consider a recommendation to the City Council to amend the development agreement for the property located at 1981 South Geneva Road in the C2 zone.

Mr. Low asked the Planning Commission members if they had any questions for Ms. Vargas.

Mr. Carpenter asked if they could recommend some elements while not recommending other. Ms. Vargas and Mr. Earl addressed that each element of the agreement can be separated out.



## **DRAFT - Planning Commission minutes for June 21, 2023**

Ms. Kleinlein presented a concern regarding the bright coloring of the proposed façade changes.

Mr. Low asked the applicant to come forward.

Mr. Low asked if any Planning Commission members had questions for the applicant.

Brent Neel came forward. The drive-thru would not be a separate business, it would be part of the Holiday Oil business.

Mr. Low asked if they have already purchased the property. Mr. Neel let them know that they have purchased the property already.

Mr. Carpenter asked if they will maintain the same landscaping. Mr. Neel addressed that they have some preliminary plans for the landscaping, but have not fully designed a landscape plan for this site yet.

Mr. Hawkes asked if the proposed architectural features are on all of the stores. Mr. Neel addressed that this is the current standard for the store.

Mr. Hawkes asked about the drive-thru. Mr. Neel addressed that having the drive-thru is a newer concept.

Mr. Hawkes asked about how many stores currently have carwashes. Mr. Neel stated that about 70% of stores have a carwash.

Ms. Kleinlein asked about the placement of the dumpster. Mr. Neel stated that they are willing to work with the city during site plan approval to move the location of the dumpster. Mr. Bench verified that the city could work with Holiday Oil as far as the location of the dumpster.

Mr. Low asked what the plan was if the requested changes were denied by the City Council. Mr. Neel stated that they would need to redesign or sell the property at that point.

Mr. Hawkes asked how the size of this site compares to other Holiday Oil sites. Mr. Neel stated that most sites are about the same size as this property, approximately 2 acres.

Ms. Kleinlein asked about the lighting of the site, particularly within the drive-thru. Mr. Neel stated that they would dim lighting to help reduce the lighting which would spill onto the neighboring properties.

Mr. Hawkes asked how much business happens after hours. Mr. Neel addressed the hours which they have proposed for the store operation would be the same for the carwash.

Mr. Low opened the public hearing.

Hunter Kimball came forward as a Provo resident who lives half a mile away from the site. Mr. Kimball expressed concerns about the gas station being located in a residential area, and is opposed to the gas station going on the site. Mr. Kimball expressed that his biggest concern is the environmental impact from the site.

John Porter came forward who lives directly north of the site. Mr. Porter expressed concern about the noise and fumes from cars in the drive-thru window. Mr. Porter expressed concerns about the carwash, and that it is too major of the change to the development agreement at this stage. Mr. Porter expressed concern about the noise and odor, and potential unwanted activities which come with the dumpster. Suggested placing the dumpster in the southwest corner of the lot.

Linda Brown came forward who lives on 2000 South. Ms. Brown mentioned that the neighborhood meeting was held outside in February. Ms. Brown stated that there are already many other gas stations and car washes nearby, negating the need of a gas station at this location. Ms. Brown stated that they have already addressed the light pollution concerns she has.

## **DRAFT - Planning Commission minutes for June 21, 2023**

Sydney Dameron came forward who lives directly north of the proposed site. Ms. Dameron expressed concerns regarding that dimmed lights increase crime, and bright lights mean dealing with light. Ms. Dameron expressed concerns about the location in proximity to the Autism Academy. Ms. Dameron expressed concern that C2 zoning is the only zone which allows for a gas station to be this close to residential properties. Ms. Dameron requested that the Planning Commission help to make the best of the situation by giving a negative recommendation.

Zach Price came forward who lives directly north of the site. Mr. Price expressed concern that those using the gas station would be able to see into their yard due to the elevation change. Mr. Price expressed that his greatest concern surrounds safety for the kids in the neighborhood.

Don Bahr came forward as a nearby Provo resident. Mr. Bahr expressed that he would not have the gas station located there. Mr. Bahr expressed that he was grateful he was notified of this meeting.

Alan Moose came forward. Mr. Moose expressed that they did not know that this was being rezoned, and understands that likely is under buyer beware. However, that most people do not research this kind of thing when finding a home in the area they wish to live in. Mr. Moose requested that the project not move forward.

Casey Backus came forward. Mr. Backus expressed concerns about the traffic which would be generated by this project. Mr. Backus expressed that he does not want a gas station there.

Connie Porter came forward who lives directly north of the property. Ms. Porter expressed that she is concerned about the property value of her home and is disappointed in the decision to rezone the property.

Pamela Moose came forward. Ms. Moose and expressed that she is also not in favor of having the gas station at this location for a variety of reasons already expressed by others.

Bronson Dameron came forward who lives directly north of the project. Mr. Dameron expressed that he does not have anything to add, but is grateful for the opportunity to express their thoughts and have their voices heard on this issue.

Carlyn Price came forward who lives directly north of the property. Ms. Price expressed that they have two autistic children and having additional noise will be an additional stimulant and will add extra stress for their family.

Kurt Pulham came forward. Mr. Pulham expressed that he agrees with what has already been said and that he is against having the gas station in the neighborhood.

Leo Vargas came forward. Mr. Vargas expressed that he is opposed to this development.

Terry Petersen came forward. Mr. Petersen explained the process as how the Planning Commission will forward a recommendation to the City Council. Mr. Petersen encouraged those attending this meeting to attend the City Council meeting.

Barry Brown came forward. Mr. Brown expressed concern regarding the access to the gas station. Mr. Brown expressed that he does not support putting a gas station at this location and that something else should go there.

Heather Fry came forward. Ms. Fry expressed that she is working to learn how things happen in Orem.

Mr. Low closed the public hearing.

Mr. Low asked the members of the Planning Commission to speak on this item. Planning Commission members discussed with each other, with staff, and with Brent Neel about this item. The topics addressed in the public hearing and additional questions from Planning Commission members were addressed.

Mr. Low called for a motion on this item.

**DRAFT - Planning Commission minutes for June 21, 2023**

**Planning Commission Action:**

Ms. Kleinlein moved to forward a negative recommendation to the City Council to amend the development agreement for the property located at 1981 South Geneva Road in the C2 zone. Mr. Hawkes seconded the motion. Those voting aye: James Hawkes, Murray Low, Mike Carpenter and Helena Kleinlein.

**Minutes:** The Planning Commission reviewed the minutes from the June 7, 2023 meeting. Mr. Low called for a motion to approve the minutes for June 7, 2023. Mr. Carpenter moved to approve the meeting minutes for June 7, 2023. Ms. Kleinlein seconded the motion. Those voting aye: James Hawkes, Murray Low, Mike Carpenter and Helena Kleinlein.

**Adjourn:** Mr. Hawkes called for a motion to adjourn. Ms. Kleinlein moved to adjourn. Mr. Hawkes seconded the motion. Those voting aye: James Hawkes, Murray Low, Mike Carpenter and Helena Kleinlein.

**Adjourn: 5:51 p.m.**

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Ryan L. Clark  
Planning Commission Secretary

Approved:



**PORTER FAMILY POINTS re Holiday Oil application 6-21-23**

1. The requests for the car wash and drive-up window were submitted to the Development Review Committee with no justification, no mitigation, and merely rubber stamped and passed along to the Planning Commission with no analysis.
2. The proposed car wash will add to noise pollution and will waste water. The car wash should be denied. IF the car wash is approved, the location should be as far as possible from homes, and the hours of operation should be limited to the more restrictive hours than the convenience store to reduce impact on homes, such as 6:00 AM to 9:00 PM.
3. The proposed drive-up window will result in cars idling and emitting exhaust fumes and blasting sound systems next to back yards where children play and adults relax. The drive-up window should be denied.
4. The dumpsters are planned to be located immediately south of our backyard which will result in noise during store hours, odors, flies, and the racket made by huge trash trucks lifting, dumping, and replacing containers. Dumpsters are also used as sleeping places for the homeless, and for criminal activities. The dumpsters should be relocated as far as possible from residences, perhaps near the southwest corner adjacent to 2000 South and Geneva, or easterly of the underground fuel tanks.
5. No drainage plans were submitted to the DRC. If the project proceeds, a condition of approval should include engineering assurances that the historic drainage (south and west) from the residential properties is maintained. As a condition of approval, there must be assurances that the retaining wall and concrete fence do not interfere with the positive sheet flow from the residential properties, and do not create areas ponding north of the fence, which will result in more mosquitos.
6. No landscaping plans were submitted to the DRC. Renderings suggest that there will be trees on the perimeter along the 2000 South and Geneva, but no trees to shelter and protect the homes north of the project. As a condition of approval, detailed landscaping plans should be submitted showing the species, size, and location of the trees on the north and east sides of the project.
7. The pumping stations should not have sound systems or video systems, which would add to the overall noise pollution of the operation. This should be specifically prohibited in any approval.
8. A licensed private security service should be required to conduct hourly checks on the business (particularly the dumpster enclosure and the rear of the business near homes) during closed hours. Enclosed dumpsters attract homeless people and criminals, as well as people dumping large items after the business closes.

-John M. Porter

Sydney Dameron  
849 W 1950 S  
Orem, UT 84058

801-669-6497

Orem City Planning Commission  
56 N State Street  
Orem, UT 84097

Dear members of the Orem City Planning Commission,

My name is Sydney Dameron. My husband and I own a home in Orem, and our property line backs up directly to the proposed gas station site at 2000 South Geneva Rd. Our home was built in 2020, and we were lucky to be able to purchase it in 2022 during the height of the housing market, and in a city that we have both come to love. My husband, Bronson, grew up in Orem and graduated from Mountain View High School and Utah Valley University. We were thrilled at the chance to be able to raise our family here. We've both very much come to view Orem City as "Family City USA."

However, not long after we moved in, we were informed of a proposed gas station that was to be built quite literally in our backyard. We came to understand that the previous city council allowed for a rezone of the land immediately behind our home from open space to C2 for the purpose of building a gas station. This was troubling to us for many reasons. Chief among them were what a gas station would do to our property values, to the crime rates in our little neighborhood and the challenges a gas station would introduce into our lives through noise and air pollution.

As we continued to research the situation, we learned that a C2 zoning is on the only commercial zone where you are able to build a gas station this close to homes. In other areas of the city, zoning law requires at least 100 yards be placed between any building used for gas station purposes and the nearest property line. For reference, this proposed station would put the convenient store 15 feet from our back fence. We were disheartened to learn that the previous city council would change the zoning of this area for the purpose of building a gas station when other homes within the same city are protected against such a development, presumably for reasons of safety and quality of life.

We were also disheartened to learn that despite a 3-3 split vote from the Orem City Planning commission, and against the wishes of every resident in the homes nearby that the previous city council still chose to vote 'yes' to rezone this land for the purpose of building a gas station. This small piece of property is the only commercially zoned piece of land for over a mile in any direction, and even UDOT did not recommend the site proposal based on traffic patterns and a misalignment of access points to the surrounding areas.

We understand that today we are dealing with the reality that the land behind our home is zoned for a gas station, and that decisions were made back in 2020 that we cannot change in this meeting. However, as the planning commission reviews the changes the developer is trying to make to this development agreement, we urge you to consider how these changes will further impact nearby homes, including ours. Now, in addition to having a gas station that comes with noise, pollution, traffic and smells, we are also looking at having a 24-hour car wash and a drive thru behind the gas station that would put cars quite literally on the other side of our fence at all hours of the day and night. Many of our neighbors have young children, and one neighbor in particular has an elevated backyard that would allow for these cars to see into their backyard throughout the day. With patrons coming and going in the drive thru, I worry for their safety as well as the safety and comfort of our own future family and children. We can just imagine speakers blaring from a car within the car wash as it starts up at 1:00 in the morning, not to mention the noise from the car wash itself.

While we strongly feel that this area should never have been rezoned to a commercial space in the first place, we ask you to please consider a negative recommendation to the city council as we try to make the most of our situation and keep our neighborhood a beautiful place to live.

Thank you for your consideration,

Sydney & Bronson Dameron



## SUMMARY

The residents of the nearby neighborhoods for the proposed gas station on 2000 S & Geneva Road in Orem have significant concerns about and strongly oppose the proposed development. These concerns include, but are not limited to:

- Zoning concerns
- Lack of communication and potential withholding of information to residents
- Previous initiatives to rezone or build
- Decrease in property values and neighborhood aesthetic appeal
- Increase in crime rates, alcohol consumption, drugs
- Air, noise, and light pollution
- Increased traffic with no supporting infrastructure
- Utah Autism Academy Orem Campus located 850 feet away
- Potential increase in food desert/swamp
- Fire danger
- Groundwater contamination

## ZONING CONCERNS

- This area was an OS5 (Open Space Zone until 2020)
  - The proposal to change the zoning from OS5 to C2 Zoning received a 3-3 split vote from the planning commission in October 2020: <https://www.utah.gov/pmn/files/654923.pdf>
  - It was voted on again in December 2020 and passed, however, very few of the concerns that were addressed in the October planning commission meeting were actually addressed and met:  
[https://orem.granicus.com/MediaPlayer.php?view\\_id=1&clip\\_id=139&meta\\_id=15275](https://orem.granicus.com/MediaPlayer.php?view_id=1&clip_id=139&meta_id=15275)
  - The change from OS5 to C2 was done before many of the homes to the north of this lot were finished, and very few, if any other home owners (who would be most affected by this change) were able to weigh in on the zoning change.
    - From the October 2020 Orem City Planning Meeting: "Some members of the Commission understood that this corner was designated as commercial in the general plan and expressed that their concern was not for the commercial rezone, but whether the site at this corner would fit in with the surrounding neighborhood."
    - From the October 2020 Orem City Planning Meeting: "Did the buyers of the new homes to the north of this site know that a gas station was potentially going in at this corner? The applicant indicated that the realtors and contractors of many of those homes attended the neighborhood meeting back in March and were aware of the change. The developer of those homes also attended that meeting and indicated that he was afraid that this gas station might compromise the closing of the sales of those homes. Most of these homes were not built at the time that neighborhood meeting was held. There is no way of knowing for sure, but these realtors and contractors may or may not have communicated that information to the home buyers. **It is evident in the many public comments these residents made that they were probably not informed.**"
      - Of major concern was this comment made by legal counsel present at the October 2020 meeting: "Mr. Earl clarified that there were not many design standards for the C-2 zone. If the rezone was granted, **there**

**would be no way to legally guarantee that the applicant would build to the concept plan he had shown to the Commission.**

- This means that even if the developers say they will see to residents' requests, there is no legal way for the city or homeowners to hold them to this promise.
  - When the change was made, in fact, there were still two homes on the land in question. Those homes weren't demolished until October 2021.
- Orem City Code 22-8-5. C2 Zone
  - Although this area was indeed changed from OS5 to C2, we submit that an area that is zoned as C2 would not be fitting for a gas station due to the city's own language for the purpose of a C2 Zone.
  - Purpose of C2 Zoning
    - Allow a wide range of commercial and retail development including offices, business and personal services, public spaces, and general community shopping;
    - Encourage commercial development that has **a high degree of aesthetic appeal** through the use of high-quality building materials, architectural requirements, massing, lighting, landscaping, and the relationship to streets and pedestrian ways;
    - Create an area that offers an inviting pedestrian experience through the creation of buffered sidewalks, maximum building setbacks from State Street, requiring direct building accesses from State Street, providing incentives for outdoor dining and public spaces, and landscaping requirements.
    - Promote convenient access to retail, employment centers, residences, and transit as well as links to other commercial developments and neighborhoods; and
    - **Maintain an adequate buffer between commercial development and adjacent residential neighborhoods.**
  - We surveyed 20 different C2 areas on the Orem Zoning Map that were adjacent to a residential area, and couldn't find a single example that had a comparable business in terms of disruption to existing homes. While we concede there are C2 zones near residential areas, we could not find an example of a gas station this close to single family homes. This proposal would put a gas station, car wash and dumpster locations directly on the other side of existing property lines. We could not find precedent for this anywhere else in the city. It's possible such an example exists, though, they are likely few and far between and we would submit, ill-advised from a planning standpoint.
- The original residential development was supposed to include this parcel. The lot descriptions are still available and advertised on the street, and "the properties in question were originally designated in the general plan as LDR residential."
  - This sign is still posted at the entrance to Payton's Crossing. Many of the homeowners were under the impression when they moved in that the entire area around these homes would be developed strictly for residential use.



- The parcel is still piped for residential utilities.
  - From the October 2020 Orem City Planning Meeting: "As the property was originally planned to be residential, the water and sewer infrastructure was also originally planned to go through this property to service the future residential properties to the east of this corner. In order to be able to still accommodate that plan, staff will require the applicant to continue those utilities through the property to the east when they apply for site plan approval. The applicant has been made aware of this and has updated the concept plan to reflect these utilities going through the north-east portion of the property."

#### **PREVIOUS MEETING CONCERNS (2020)**

- Concerns from 2020 rezone meeting
  - <https://www.utah.gov/pmn/files/654923.pdf>
  - Many of the neighboring Provo residents expressed strong opposition to the change. DRAFT Planning Commission minutes for October 21, 2020 A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings) 6
  - Many of the neighboring residents from the Peyton's Crossing Development to the north expressed opposition to the change.
  - No residents from the Auburn Meadows development to the west gave any comments.
  - Lighting was a significant concern. Some residents expressed concerns about potential neon signage.
  - Potential smells were a concern.
  - Property values were a concern.
  - Many expressed that they had hoped this part of Orem would remain agricultural and residential when they initially purchased their property.
  - Some residents expressed strong concern that this corner had been designated as commercial. Others were not. But most expressed concern over the proposed gas station

#### **PROPERTY VALUE CONCERNS**



- Property values will go down with the addition of a new gas station
  - Some of the residents here are first time homebuyers - and in this housing market that is a very hard thing to do. A planned gas station will have a negative impact on home investment.
    - Speaking personally, **we are first-time home buyers**, and we worry that in this current housing market, such a drastic change in our home value could seriously affect our financial situation and future. We were hoping to raise our children in this home, but if a gas station were to be built there, it's highly likely our only two options would be to live in a home that feels unsafe for our kids due to increased traffic, potential crime rates, air, noise, and light pollution, or to sell our home at a loss. We urge the committee to consider the real life consequences of this decision. -Bronson & Sydney Dameron (849 W 1950 S, Orem, UT)
  - Cemeteries, highways, gas stations: "Here's what decreases your property value: Gas stations, railroad tracks, hydro towers, power stations, and industrial areas — proximity to any of these things definitely won't help improve your home value, since they can generate and/or attract odors or other substances that could affect your air quality."
  - 10 Industries That Diminish Property Values The Most: "2. Convenience Store With Gas Station. **People will be driving in and out of your intersection, hanging out at the property, and buying lots of lotto tickets, cigarettes, and beer when they gas up. Although handy, these shops do nothing to help property values and hurt them significantly** according to Zillow.com. Although the realtors questioned on the site did not have exact statistics, common sense would show that the increase in robberies, accidents, traffic and pedestrians would add up to decreased property value. Still, many gas stations with mini-markets are springing up like wildfire."

#### **INCREASED CRIME RATES, DRUGS, AND ALCOHOL CONCERNS**

- Crime rates go up in surrounding areas directly next to a gas station.
  - May increase violence rates in the surrounding areas:
    - Alcohol is present in a substantial proportion of homicide victims in the U.S.
      - <https://ceds.org/wp-content/uploads/2020/09/Crime-Alcohol-Studies.pdf>
  - Increasing alcohol outlet density is well-documented to be associated with increased alcohol use and problems, leading to the policy recommendation that limiting outlet density will decrease alcohol problems
    - <https://ceds.org/wp-content/uploads/2020/09/Crime-Alcohol-Studies.pdf>
  - "A larger number of alcohol outlets and a higher rate of violence might be expected in poorer neighborhoods or in neighborhoods with a larger population of young people. But as the research described above shows, even when levels of poverty and the age and the ethnic background of residents are taken into account, a high density of outlets is strongly related to violence regardless of a neighborhood's economic, ethnic or age status."
    - <https://ceds.org/gasstation/>
  - "Children with an alcohol outlet on the route to school were more likely to be offered alcohol, tobacco, and other drugs as well as be exposed to drug selling and seeing people using drugs."
    - <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3778110/>
  - All of this will have a negative impact on families (crime, alcohol consumption, air pollution, light pollution, noise pollution)

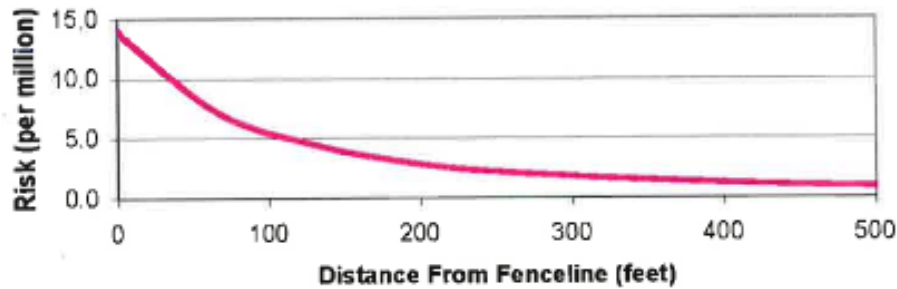
- Orem = "Family City USA." If Orem truly is "Family City U.S.A." then they need to put the needs and desires of their citizens above that of businesses.

#### **AIR POLLUTION CONCERNS**

- Air pollution is a significant concern - both for health and aesthetic appeal.
  - The proposed station will have their trash and dumpsters right against the property line of the adjacent homes.
  - Dumpster smell will make recreating and indeed living next to a gas station untenable - not to mention the smell of gas alone.
  - Benzene is the gas constituent most harmful to human health. The [WHO says there is no safe level of benzene](#) and that it can cause nausea, cancer, anemia, increased infections, and low birth weight.
    - A [1993 study](#) published by the Canadian petroleum industry found average benzene concentrations of 146 and 461 parts per billion (ppb) at the gas station property boundary in summer and winter, respectively.
    - A [2001 study](#) noted median ambient benzene levels of 1.9 ppb in houses up to 328 feet from a service station.
    - A [2019 study](#) of U.S. gas stations found that benzene emissions from underground gasoline storage tank vents were sufficiently high to constitute a health concern at a distance of up to 524-feet.
    - The cumulative effect of benzene released during fueling and from underground storage tank vents remains a cause for concern for those living, working or learning nearby.
      - <https://ceds.org/gasstation/>
  - In 2005, the California Air Resources Board probably became the first in the U.S. to recommend a minimum public health safety zone between new gas stations and "sensitive land uses." The recommendation appeared in [Air Quality and Land Use Handbook: A Community Health Perspective](#). The pre-2005 studies referenced above and other research prompted the Board to recommend a minimum 300-foot separation distance between new gas stations and "sensitive land uses such as residences, schools, daycare centers, playgrounds, or medical facilities."
  - "Similarly affected are individuals who spend time close to a gas station, e.g., in close by businesses or in the gas station itself. Of particular concern are children who, for example, live nearby, play nearby, or attend nearby schools, because children are more vulnerable to hydrocarbon exposure."
    - <https://ceds.org/gasstation/>
  - As the name implies, Onboard Refueling Vapor Recovery systems are built into new cars. The system captures vapors during refueling which are then stored in canisters within the vehicle. A [study published in February, 2020](#), examined the effectiveness of Onboard Refueling Vapor Recovery systems. The researchers found that 88% of vehicles monitored released vapors during refueling despite the presence of Onboard Refueling Vapor Recovery systems.
    - <https://ceds.org/gasstation/>
  - 3.6 Million Gallons Per Year & 300-Foot Insufficient
    - References to 3.6 million gallons per year and 300-foot setbacks appear to derive from the 2005, California Air Resources Board [Air Quality and Land Use Handbook: A Community Health Perspective](#). Handbook Figure 1-6 below shows

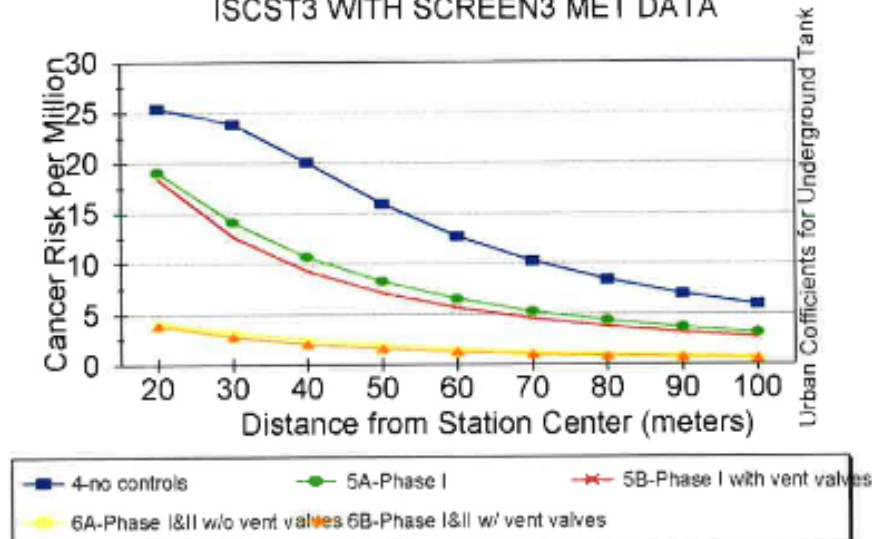
how cancer risk diminishes with distance from a gas station pumping 3.6 million gallons per year.

**Figure 1-6**  
**Gasoline Dispensing Facility Health Risk**  
**for 3,600,000 gal/yr throughput**



- 
- The relationship shown in the graph above may no longer be valid for the following reasons. First, a number of studies have been published since 2005. These studies show that the most harmful compound – benzene – has been detected more than 500 feet from a gas station. Second, California has what are arguably the most comprehensive gas station air pollution control requirements in the U.S. However, it has not been proven that these measures resolve the adverse health effects of gas station benzene emissions.
- The following graph is from the California Air Resources Board [Gasoline Service Station Industrywide Risk Assessment Guidelines](#). This graph is based on the quantity of gas pumped by most stations – 1 million gallons per year not 3.6. New gas stations outside of California might have Phase I controls. The graph below shows that with Phase I controls an unacceptably high risk of increased cancer cases persists beyond 300 meters (328 feet).

**Cancer Risk - 1,000,000 gal/yr thruptut**  
**ISCST3 WITH SCREEN3 MET DATA**





- All but older vehicles have [Onboard Refueling Vapor Recovery](#) (ORVR) systems. As the name implies, Onboard Refueling Vapor Recovery captures vapors during refueling. The vapors are then stored in canisters within the vehicle.
- A [study published in February, 2020](#), examined the effectiveness of Onboard Refueling Vapor Recovery systems. The researchers found that 88% of vehicles monitored released vapors during refueling despite the presence of Onboard Refueling Vapor Recovery systems.
- Minimum 500-Foot Public Health Safety Zone Needed
  - The research cited above indicates that the most reliable way to protect public health and safety from benzene and other harmful emissions is to guide new gas stations to sites where they will be at least 500 feet from residentially zoned properties, schools, and other locations where people live, learn or work. CEDS research frequently shows a third to half of potential gas station sites can meet a 500-foot public health safety zone. In other words, adopting this safeguard allows us to gain the benefits of new gas stations without jeopardizing the health of our neighbors.

#### **NOISE POLLUTION CONCERNS**

- Noise pollution
  - An accelerating diesel truck emits [114 dBA and even 100 dBA while idling](#). Gas stations are a significant cause of noise pollution.
    - <https://ceds.org/gasstation/>
  - Noise above 70dB over a prolonged period of time may start to damage your hearing, and loud noise above 120dB can immediately cause harm to hearing.
    - [https://www.cdc.gov/nceh/hearing\\_loss/what\\_noises\\_cause\\_hearing\\_loss.html#:~:text=A%20whisper%20is%20about%2030.immediate%20harm%20to%20your%20ears.](https://www.cdc.gov/nceh/hearing_loss/what_noises_cause_hearing_loss.html#:~:text=A%20whisper%20is%20about%2030.immediate%20harm%20to%20your%20ears.)
  - Young families with children will have a hard time encouraging infants and children to sleep with such noise pollution at all hours of the day.

#### **LIGHT POLLUTION CONCERNS**

- Light pollution is a significant concern as light from the station will be directly visible in all the homes bordering the station, negatively impacting regular life and sleep cycles for adults, children, and families.
- "Dramatic increases in the risk of breast and prostate cancers, obesity, and early-onset diabetes have mirrored the dramatic changes in the amount and pattern of artificial light generated during the night and day in modern societies over recent decades."
  - <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2627884/>
- "The connection between artificial light and sleep disorders is a fairly intuitive one. Difficulties with adjusting the circadian clock can lead to a number of sleep disorders, including shift-work sleep disorder, which affects people who rotate shifts or work at night, and delayed sleep–phase syndrome, in which people tend to fall asleep very late at night and have difficulty waking up in time for work, school, or social engagements."
  - <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2627884/>

### **INCREASED TRAFFIC CONCERNS**

- We understand that traffic increases are normal for a growing civic center, especially around the new Temple for the Church of Jesus Christ of Latter-Day Saints. However, the current traffic plan does not support a gas station there - nor will it be conducive to one in the future.
- Traffic Concerns on the corner of Geneva Rd & 2000 S
  - Traffic is already a concern at this intersection. So much so that a light was planned on being installed, though that project seems to have been stalled quite a bit. However, at certain times of the day, there is often a long line of cars down 2000 S. If a gas station were to be installed there, it would only increase the problem, and even a traffic light at that location wouldn't be able to fully mitigate that concern should there be a gas station on that corner drawing in additional cars.
- Traffic along Geneva Road
  - The townhome development directly west of the proposed site is growing, and parking is already an issue as many cars park directly along Geneva road throughout the year. This proposed gas station will only exacerbate this issue as traffic will snarl in the area.

### **NEARBY SCHOOL CONCERNS**

- The proposed station is 850 feet from the Utah Autism Academy Orem Campus. This is a concern as children with special needs will have greater potential access and encounters with alcohol or drugs, and traffic will become even more of an issue for the parents and their children that attend this school.
- "Children with an alcohol outlet on the route to school were more likely to be offered alcohol, tobacco, and other drugs as well as be exposed to drug selling and seeing people using drugs."
  - <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3778110/>

### **FOOD DESERT CONCERNS**

- A convenience store is not a benefit to the community in any dramatic way, indeed it can increase the likelihood of the area becoming a "food desert" or "food swamp" with less nutritious and conversely more convenient foods being more available than what can be found at a common grocery store.
- Should Orem city wish to improve the lives of the residents of this area, perhaps a full grocery store nearby would be a better solution.

### **FIRE AND OTHER DANGER CONCERNS**

- The following excerpt from [a U.S. Department of Housing & Urban Development document](#) shows that while gas station fires-explosions may not be common, they do occur often enough to be a concern for nearby residents:
  - "During the five-year period of 2004-2008, NFPA [National Fire Protection Association] estimates that U.S. fire departments responded to an average of 5,020 [fires] in service or gas station properties per year. These fires caused an annual average of two civilian deaths, 48 civilian fire injuries, and \$20 million in direct property damage."

### **GROUNDWATER CONCERNS**

- Because of the high traffic volume and refueling, convenience stores-gas stations pose an unusually severe threat to ground and surface waters. Adding vehicle servicing facilities increases the threat. [One study](#) found that contaminant levels in convenience store-gas station runoff were 5- to 30-times higher when compared to residential runoff. In [another study](#) researchers detected several compounds in vehicle repair facility runoff which were probable cancer-causing agents. These findings have prompted a number of states and local governments to list vehicle repair facilities as [stormwater hotspots](#). USEPA guidance advises caution with regard to allowing hotspot runoff to infiltrate the soil, particularly in areas where drinking water is obtained through wells. The use of highly-effective stormwater Best Management Practices to treat repair facility runoff before it is infiltrated into the soil.
  - Fuel storage tanks and pipelines pose another source of contamination, though the design of both has improved dramatically over the past couple of decades. Spillage at the pump is a more likely source of fuel release into nearby waterways. In fact, [Johns Hopkins University researchers](#) found that an average of 40 gallons of gasoline is spilled at a typical gas station per year at the pumps. The JHU researchers also found that a significant portion of the spilled gasoline can migrate through the concrete pads at many fueling stations.

### **PREVIOUS STUDY RESULTS**

Given the impacts and corrective measures described above, an optimum convenience store-gas station location would have the following characteristics:

- At least [500 feet from the nearest home](#); or
- Buffered so the store [cannot be seen](#) or [heard](#) from the nearest home;
- To preserve [public health](#) a minimum of 500 feet from homes and 1,000 feet from schools;
- Not within view of [historic resources](#);
- At least 500 feet from wells, springs, streams, reservoirs or other highly sensitive ground or surface water resources;
- Accessible by foot and bike as well as cars;
- Convenience stores should be located at least a [10-minute walk \(0.5 miles\) from schools](#);
- Located in a downtown or neighborhood commercial area;
- Well lit, but not to the point of causing [light trespass](#) into nearby homes;
- In an area with many passersby and few escape routes for [criminals](#)

### **CONCLUSION & RECOMMENDATIONS**

While it is understood that growth is necessary and good, the proposed gas station on the intersection of 2000 S and Geneva will negatively impact the residents, the environment, and the area as a whole.

The residents of the nearby neighborhoods directly adjacent to the proposed development collectively and strongly oppose the plans and respectfully request the developer and city to consider other locations that will not have the negative impacts outlined above that this development will have on nearby residents and the area.

A forthcoming petition is being sent and signatures are being gathered.

Thank you!



**Recommendations:**

- Consider other options for a location, including other locations along Geneva road on the West side that will not negatively impact currently built residential neighborhoods.
- Rezone the parcel for residential as it was planned for previously so that the proposed neighborhood can be completed and unified as a residential space.

**Contact Information:**

**Bronson & Sydney Dameron**  
**849 W 1950 S Orem, UT 84057 (Directly behind the proposed station)**  
**[bronsondameron@gmail.com](mailto:bronsondameron@gmail.com)**  
**435-640-7261**

**For a link to this document to view all the sources, please contact us.**