



CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
August 22, 2023

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

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

- 1 COUNCIL TOUR: Community Gardens (90 min)**
Shuttle located East of Court Building
- 2 PRESENTATION - Economic State of the City (30 min)**
Presenter: Kathi Lewis, Economic Development Division Manager
- 3 PRESENTATION - Freedom Plaza Concept (20 min)**
Presenter: Ryan Clark, Assistant City Manager and Rob Beishline, Method Studios

1. AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

The City Council will review the items on the agenda.

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

This is an opportunity for members of the City Council to raise issues of information or concern.

2.1 David Spencer to report

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

3. CALL TO ORDER
4. INVOCATION/INSPIRATIONAL THOUGHT: BY INVITATION
5. PLEDGE OF ALLEGIANCE: BY INVITATION
6. MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

6.1 RECOGNITION - Fire Department Citizen Life Saving

Presenter: Marc Sanderson, Fire Chief and Chris Tschirki, Public Works Director

6.2 PROCLAMATION - Constitution Month

7. PERSONAL APPEARANCES - 15 MINUTES

Time has been set aside for the public to express their ideas, concerns, and comments on items not scheduled as public hearings on the Agenda. Those wishing to speak are encouraged to show respect for those who serve the city. Comments should focus on issues concerning the city. Those wishing to speak should have signed in before the beginning of the meeting. (Please limit your comments to 3 minutes or less.)

8. CONSENT ITEMS

8.1 APPROVAL OF MEETING MINUTES

Minutes from August 1, 2023

8.2 CITY CODE UPDATES: Section 2-27-4 (Order of Succession for City Manager); Section 2-5-5 (Powers and Duties of City Manager); and Section 2-3-4 through 2-3-7 (Election Code)

8.3 APPOINTMENT - Library Advisory Commission

Lorraine Jeffery

9. SCHEDULED ITEMS

9.1 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 0.084 acres) located at 426 East 1070 South from the R6.5 zone to the C2 zone.

Presenter: Jason Bench, Assistant Development Service Director

9.2 PUBLIC HEARING – Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning a portion of the property 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.

Presenter: Jason Bench, Assistant Development Service Director

10. COMMUNICATION ITEMS

11. CITY MANAGER INFORMATION ITEMS

This is an opportunity for the City Manager to provide information to the City Council. These items are for information and do not require action by the City Council.

12. ADJOURN

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.

**If you need a special accommodation to participate in the City Council Meetings and Study Sessions, please call the City Recorder's Office at least 3 working days prior to the meeting.
(Voice 801-229-7000)**

This agenda is also available on the City's webpage at orem.org



**CITY OF OREM
CITY COUNCIL
MEETING
AUGUST 22, 2023**

REQUEST:	APPROVAL OF MEETING MINUTES
APPLICANT:	
NOTICES:	
SITE INFORMATION:	
PREPARED BY:	

REQUEST:

BACKGROUND:

RECOMMENDATION:



**CITY OF OREM
CITY COUNCIL
MEETING
AUGUST 22, 2023**

REQUEST:	CITY CODE UPDATES: Section 2-27-4 (Order of Succession for City Manager); Section 2-5-5 (Powers and Duties of City Manager); and Section 2-3-4 through 2-3-7 (Election Code)
APPLICANT:	
NOTICES:	
SITE INFORMATION:	
PREPARED BY:	

REQUEST:

BACKGROUND:

RECOMMENDATION:

2-3-3. Candidates for Elective Office.

A. Qualifications. Candidates for any municipal office shall meet the ~~following~~ qualifications set forth in Utah Code Section 20A-9-203, as amended or renumbered.:

- ~~1. Candidates shall be registered voters in the municipality.~~
- ~~2. Candidates shall be U.S. Citizens at the time of filing.~~
- ~~3. Candidates shall be residents of the City of Orem. Residency shall be established by:~~
 - ~~a. Residing in the City of Orem for the twelve (12) consecutive months immediately before the date of the election; or~~
 - ~~b. If the candidate resides in an area recently annexed into the City of Orem, the candidate must have resided in the annexed area or the City for twelve (12) months.~~
- ~~4. Pursuant to Utah Constitution Article IV, Section 6, any mentally incompetent person, any person convicted of a felony, or any person convicted of treason or a crime against the elective franchise may not hold office in this state until the right to vote or hold elective office is restored as provided by statute.~~
- ~~5. Candidates employed by the City shall terminate their City employment before being sworn in, if elected.~~

B. Filing for Elective Office and Filing Fees.

- 1. Declaration of Candidacy.** Each person seeking to become a candidate for a municipal office shall pay a fee at the time of filing their Declaration of Candidacy in person with the City Recorder as follows:
 - a. For each person seeking to become a candidate for Mayor, the filing fee shall be one hundred fifty dollars (\$150.00); and
 - b. For each person seeking to become a candidate for Council Member the filing fee shall be seventy-five dollars (\$75.00).
 - c. Filing of Candidacy and Fees shall be filed with the City Recorder's Office during office hours and not later than 5:00 p.m., on the dates determined by Utah State Code of any odd-numbered year.
- 2. Nominating Petition.** Any resident of a municipality may nominate a candidate for a municipal office by filing a Nomination Petition and paying the filing fee with the City Recorder during office hours, but not later than 5:00 p.m. on the dates determined by Utah State Code of any odd-numbered year.
- 3. Write-In Candidate.** Any person wishing to become a valid write-in candidate shall file a Declaration of Candidacy and pay the filing fee with the City Recorder's Office not later than 5:00 p.m. on the dates as determined by Utah State Code.

2-3-4. Campaign Finance Disclosure. Candidates for elected municipal office shall comply with the requirements of Utah Code Section 10-3-208, as amended or renumbered.

A. Purpose and intent. ~~The purpose of this section is to comply with Section 10-3-208 of the Utah Code Annotated and to establish campaign financial disclosure requirements for candidates for elective office in the City of Orem.~~

B. Definitions:

- ~~1. Contribution means the receiving of money and nonmonetary contributions such as in-kind contributions and contributions of tangible things for a political purpose.~~
- ~~2. Expenditure means the spending or paying of money or nonmonetary items such as tangible things and in-kind payments for a political purpose made during the campaign period.~~

- ~~3. Municipal primary election means the election held in municipalities on the second Tuesday after the first Monday in the August before the Municipal general election.~~
- ~~4. Municipal general election means the election held in municipalities on the Tuesday after the first Monday in November of each odd-numbered year.~~

~~C. Reporting.~~

- ~~1. The purpose of this section is to comply with Section 10-3-208 of the Utah Code Annotated and to establish campaign financial disclosure requirements for candidates for elective office in the City of Orem.~~
- ~~2. The City Recorder shall, at the time the candidate for municipal office files a declaration of candidacy and again fourteen (14) days before each municipal primary and municipal general election, notify the candidate in writing of:~~
 - ~~a. the provisions of this ordinance governing the disclosure of campaign contributions and expenditures;~~
 - ~~b. the dates when the candidate's campaign finance statement is required to be filed; and~~
 - ~~c. the penalties that apply for failure to file a timely campaign statement, including the statutory provision that requires removal of the candidate's name from the ballot for failure to file the required campaign finance statement when required.~~
- ~~3. A report is considered filed if it is received in the City Recorder's office no later than 5 p.m. on the date that it is due;~~
- ~~4. Each candidate for elected municipal office shall file a signed campaign financial statement with the City Recorder containing itemized and total campaign contributions and expenditures as required by Utah State Code.~~
 - ~~a. Candidates in the Municipal Primary Election. Candidates in the municipal primary election shall file a first campaign financial statement seven (7) days before the municipal primary election.~~
 - ~~b. Candidates Eliminated at the Municipal Primary Election. Candidates who are eliminated at the municipal primary election shall file a campaign financial statement within the thirty (30) days after the municipal primary election.~~
 - ~~c. Candidates in the Municipal General Election. Candidates in the municipal general election shall file the following campaign financial statements:~~
 - ~~i. A second campaign financial statement shall be filed seven (7) days before the municipal general election.~~
 - ~~ii. A third campaign financial statement shall be filed within the thirty (30) days following the municipal general election.~~
 - ~~iii. If the candidate receives contributions or makes expenditures after the date the candidate files the third campaign financial statement, the candidate shall file an additional campaign financial statement(s) within thirty (30) days of receiving the contribution or making the expenditure.~~
- ~~5. Contents of Statement. The campaign financial statement must include information as required by Utah State Code.~~

AD. Classification. The signed campaign financial statement received by the City Recorder pursuant to this section shall be classified as a public record except as provided for in Utah Code § 63G-2-305(52).

BE. Penalty.

1. Any person who fails to comply with this Section is guilty of an infraction and upon conviction thereof shall be punished by a fine of not more than seven hundred fifty dollars (\$750.00). Each and every failure to file the required campaign financial statement shall constitute a separate offense.
2. In addition to the penalty imposed in E(1), if a candidate fails to file a campaign finance statement before a municipal primary or general election by the deadlines specified above, the candidate's name shall be removed from the ballot pursuant to State law.

2-3-5. Term of Office.

- A. The term of office for the Mayor and each Councilmember shall be four (4) years.
- B. Councilmembers shall serve staggered terms, with three Councilmembers up for election every two (2) years.
- C. The Mayor shall be elected every four (4) years, beginning with the 1981 municipal election.
- D. Each term shall continue until a successor is chosen and qualified, except in the case of the elected official's death, resignation, removal or disqualification from holding office.

2-3-6. Automatic Vacancy.

An elected official's office automatically becomes vacant if, at any time during that official's term of office, he or she establishes residence outside of the City, or lives outside of City boundaries for a continuous period of more than 60 days.

2-3-7. Vacancy in Office of Mayor or Councilmember.

- A. ~~If there is a~~ A vacancy in the office of Mayor or City Councilmember shall be filled in accordance with the provisions of Utah Code Section 20A-1-510, as amended or renumbered. ; the remaining members of the City Council shall appoint a registered voter in the City to fill the unexpired term of the office vacated, except as otherwise provided in subparagraph C of this section. Before acting to fill the vacancy, the municipal legislative body shall:
 1. ~~give public notice of the vacancy at least two (2) weeks before the municipal legislative body meets to fill the vacancy; and~~
 2. ~~identify, in the notice:~~
 - a. ~~the date, time, and place of the meeting where the vacancy will be filled; and~~
 - b. ~~the person to whom a person interested in being appointed to fill the vacancy may submit his name for consideration and any deadline for submitting it.~~
- B. ~~If, for any reason, the Council does not fill the vacancy within 30 days after the vacancy occurs, the Council shall vote upon the names that have been submitted. The two persons having the highest number of votes of the Council shall appear before the Council and the Council shall vote again. If neither candidate receives a majority vote of the Council at that time, the vacancy shall be filled by lot in the presence of the Council.~~
- C. ~~A vacancy in the office of Mayor or Councilmember is filled by an interim appointment, followed by an election to fill a two-year term, if:~~
 1. ~~The vacancy occurs, or a letter of resignation is received by the City Council, at least fourteen (14) days before the deadline for filing for election in an odd-numbered year; and~~
 2. ~~Two (2) years of the vacated term will remain after the first Monday of January following the next municipal election.~~

~~D. In appointing an interim replacement, the City Council shall comply with the notice requirements of this section.~~

~~E.~~ A member of the Council may not participate in any part of the process established in this section to fill a vacancy in the office of Mayor if that member is being considered for appointment to fill the vacancy.

2-3-8. Powers and Duties of Mayor.

A. The Mayor shall have the following powers and duties:

1. To preside at all meetings of the Council and to serve as chair of the Council.
2. To have a vote in all Council proceedings.
3. To execute bonds, notes, contracts and written obligations as required on behalf of the City.
4. To be chief ceremonial officer of the City.
5. To represent the City in all its external relationships.
6. To make appointments to council advisory boards and commissions, as provided by City ordinances.

B. In addition to the powers and duties set forth in paragraph A, the Mayor shall have all of the powers, duties, and privileges of other City Councilmembers.

C. The powers and duties of the Mayor shall be limited to those set forth in this section and applicable State law.

2-3-9. Mayor Pro Tempore.

A. The City Council shall elect one of its members to act as the Mayor pro tempore during the Mayor's absence or disability. The election of a Mayor pro tempore shall be entered in the minutes of a City Council meeting. If the Mayor and the Mayor pro tempore are both absent from a particular meeting, the Council may elect a Mayor pro tempore to serve at that particular meeting only.

B. The Mayor pro tempore shall serve for six (6) months or until a successor Mayor pro tempore is elected by the Council.

C. Any member of the City Council appointed to act as Mayor pro tempore shall still have only one vote on each issue presented to the City Council.

D. The Mayor may request any member of the City Council to represent the City at public or promotional functions outside of City Council meetings.

E. If no member of the City Council is able to represent the Mayor at public or promotional functions outside of City Council meetings, the City Manager or his designated staff member may do so.

2-3-10. Functions of City Council.

The City Council shall pass ordinances and resolutions, make policy directives, appropriate funds, review city administration, specifically, the performance of the City Manager, and perform all duties that may be required of it by law.

2-3-11. Voting by City Council.

A. The City Council shall not take any action unless a quorum of members is present.

B. A quorum shall consist of any four (4) members of the City Council (including the Mayor).

C. Unless otherwise prescribed by law, the minimum number of yes votes required to pass any ordinance or resolution, or to take any City Council action, shall be a majority of the members of the quorum, but shall never be less than four (4).

D. All seven (7) members of the City Council (the Mayor plus the six (6) Councilmembers) shall have an equal vote on all matters coming before the City Council. The Mayor shall not have the power to veto actions of the City Council.

E. Any ordinance, resolution or motion of the City Council having fewer favorable votes than required herein shall be deemed defeated and invalid, except a meeting may be adjourned to a specific time by a majority vote of the Council, even though such majority vote is less than that required.

F. A roll call vote shall be taken and recorded for all ordinances, resolutions, and any action which would create a liability against the City. A roll call vote shall also be taken when requested by any City Councilmember. For the purposes of this section, "roll call vote" shall mean any vote for which the specific "yes" or "no" vote of each member present is voiced at the meeting and recorded in the minutes.

G. A majority of the remaining members of the City Council, regardless of number, may vote to fill any vacancy in the City Council.

H. The City Council may adopt additional rules and regulations governing voting procedures and meeting procedures that are not contrary to this Chapter or State law.

2-27-4. Order of Succession for City Manager.

If the City Manager is unavailable due to absence, incapacity, resignation, dismissal or other cause, the individuals listed below may, in the order named, act as the temporary interim successor to the City Manager and exercise the powers and duties of the City Manager:

- A. Assistant City Manager
- B. City Attorney
- C. Director of Development Services
- D. Chief of Police
- E. Director of Finance
- F. Director of Recreation
- G. Director of Public Works
- H. Fire Chief
- I. Director of Library

If any of the individuals above decline to exercise the powers and duties of the City Manager, the next person in the order of succession may exercise said powers and duties.

2-5-5. Powers and Duties of City Manager.

The City Manager shall have the power, and it shall be his or her duty to:

- A. Faithfully execute and enforce all applicable laws, ordinances, rules and regulations, and see that all franchises, leases, permits, contracts, licenses, and privileges granted by the City are observed;
- B. Carry out the policies and programs established by the City Council;
- C. Organize and direct the management of the executive affairs of the City in a manner consistent with the Optional Forms of Municipal Government Act and with City ordinances;
- D. Appoint a budget officer for the purpose of complying with the requirements of the uniform municipal fiscal procedures act;
- E. Appoint, with the advice and consent of the City Council, a qualified person to each of the offices of recorder, treasurer, engineer, and attorney; create any other offices as may be deemed necessary for the good government of the City; and regulate and prescribe the powers and duties of all other officers of the City, except as provided by law or by ordinance;
- F. Examine and inspect the books, records and official papers of any office, department, agency, board, or commission of the City, and make investigations and require reports from personnel;
- G. Appoint, subject to the provisions of the Optional Forms of Municipal Government Act and the Municipal Administrative Code of the City of Orem, heads of municipal offices, departments, and agencies; and with the advice and consent of the City Council, suspend or remove them.
- H. Establish standards, qualifications, criteria, and procedures to govern the appointments, by heads of offices, departments, and agencies or by other authorized officers, of divisional officers, assistants, deputies, and employees within their respective organizational units, subject to any applicable provisions of the merit system and Municipal Administrative Code;
- I. Submit to the City Council plans and programs relating to the development and needs of the City, and annual and special reports concerning the financial, administrative and operational

activities of City offices, departments, agencies, boards, and commissions, together with his or her evaluation and recommendations relating to them;

J. Attend all meetings of the City Council and take part in its discussions and deliberations, but without the right to vote;

K. Appoint, with approval by a two-thirds majority vote of the full membership of the City Council, an acting municipal manager to serve in his or her absence or temporary incapacity to perform the powers and duties of the City Manager; and

L. Discharge any other duties specified by statute or imposed by the City Council.



**CITY OF OREM
CITY COUNCIL
MEETING
AUGUST 22, 2023**

REQUEST:	APPOINTMENT - Library Advisory Commission
APPLICANT:	
NOTICES:	
SITE INFORMATION:	
PREPARED BY:	

REQUEST:

BACKGROUND:

RECOMMENDATION:



**CITY OF OREM
CITY COUNCIL
MEETING
AUGUST 22, 2023**

REQUEST:	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 0.084 acres) located at 426 East 1070 South from the R6.5 zone to the C2 zone.
APPLICANT:	
NOTICES:	
SITE INFORMATION:	
PREPARED BY:	

REQUEST:

BACKGROUND:

RECOMMENDATION:

CITY OF OREM
CITY COUNCIL MEETING
AUGUST 22, 2023



REQUEST:	6:00 P.M. SCHEDULED ITEM 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 0.084 acres) located at 426 East 1070 South from the R6.5 zone to the C2 zone.
APPLICANT:	Stephanie Armenta. Mi Ranchito
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on the State noticing website
- Faxed to newspapers
- Posted at utah.gov/pa
- Noticed 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**

**PLANNING
COMMISSION
RECOMMENDATION**

5-0 – for Approval

PREPARED BY:
 Cheryl Vargas
 Associate Planner

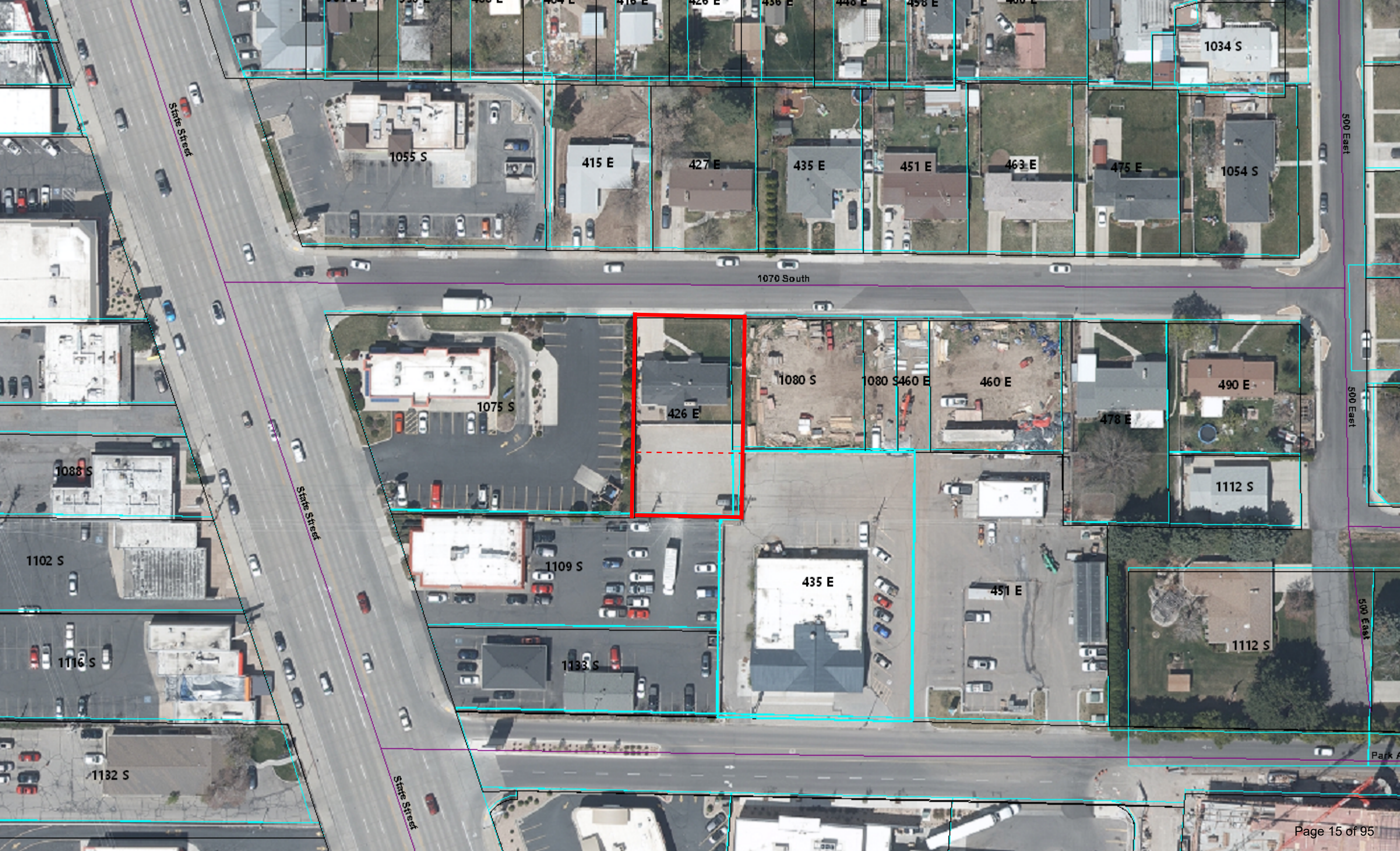
REQUEST: The applicant requests the City amend Article 22-5-3(A) and the zoning map of the City of Orem by rezoning a portion of the property (approximately 0.084 acres) located at 426 East 1070 South from the R6.5 zone to the C2 zone.

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.

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 currently located 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.

RECOMMENDATION: The Planning Commission recommends the City Council, by ordinance, 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.



State Street

500 East

1070 South

State Street

500 East

500 East

Park Avenue

1034 S

1055 S

415 E

427 E

435 E

451 E

463 E

475 E

1054 S

1075 S

426 E

1080 S

1080 S 460 E

460 E

478 E

490 E

1112 S

1088 S

1102 S

1116 S

1132 S

1109 S

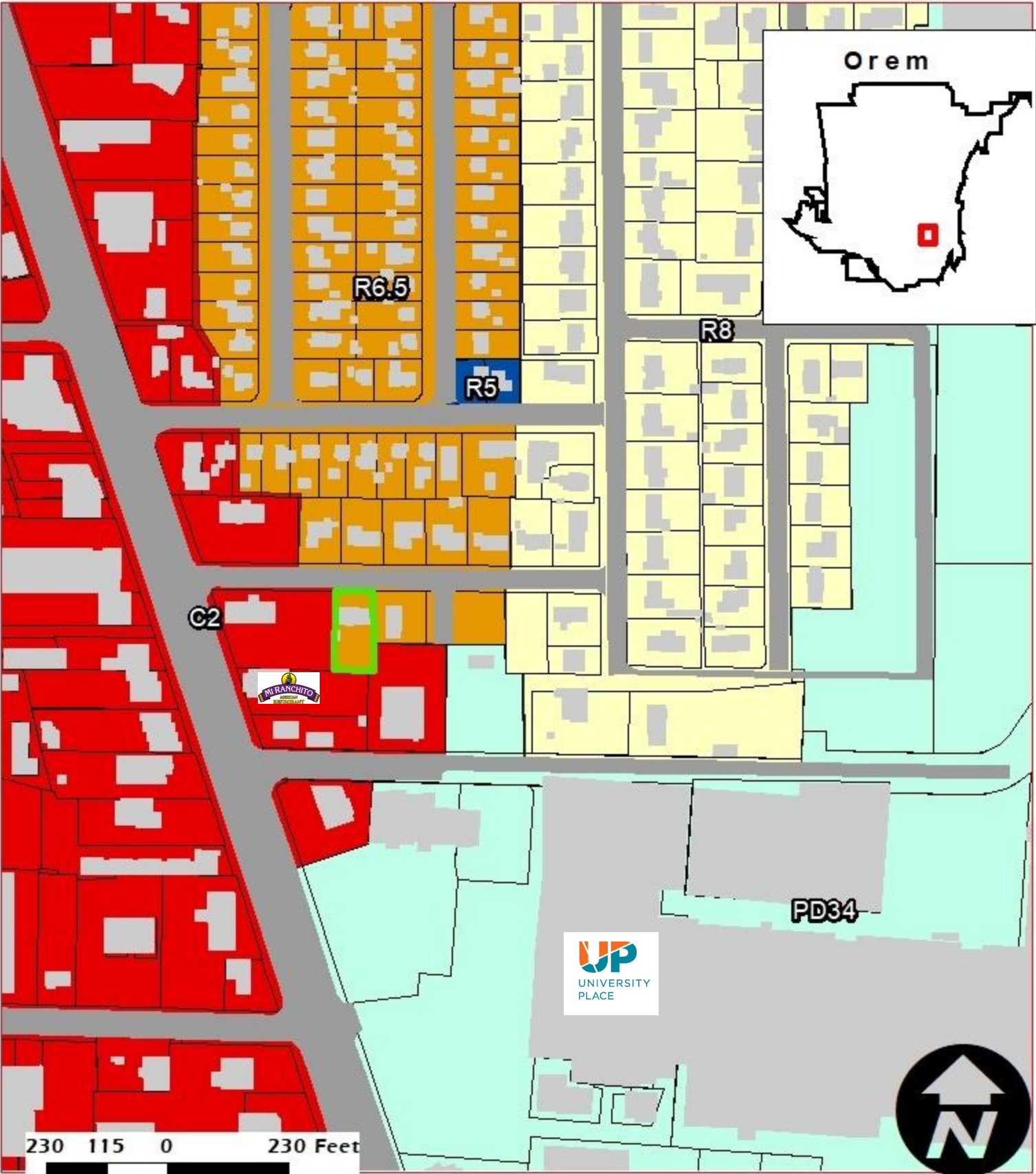
1133 S

435 E

451 E

1112 S

Mi Ranchito



◆ Rezone
R6.5 to C2
Acres: .25

NEIGHBORHOOD
Hillcrest

Legend
 ■ 426 E 1070 South
 ■ Buildings
 □ Parcels

Mi Ranchito

CROSS CUTTER INSTALLATIONS
REQUIRE HEAVY DUTY GRATED
LID & RING (DIA. 60" OR
EQUIVALENT). CURB-FACED INLET
ORATE INSTALLATIONS REQUIRE
HEAVY DUTY SOLID LID & RING
(DIA. 60" OR EQUIVALENT).

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

12" SDR 35 PVC OR APPROVED
EQUIVALENT (LENGTH VARIES)

STANDARD CONCRETE LID
OR APPROVED EQUIVALENT

HEAVY DUTY SOLID LID & RING TO READ "FORM
DRAW, DIA. 60" OR APPROVED EQUIVALENT)

OUTLET SET FLOW LINE & GRADE
TO BE HYDRAULICALLY ENGINEERED.

BACKFILL

DRAIN ROCK

RUBBER BOOT

JOINT MASTIC
(TYP.)

90° ELBOW
OR INLET REDUCED

2% MIN.

6"

12" MIN.

10"

1 1/2" MIN.

8" MIN.

4"

5"

3"

9' MIN.

PRECAST BASE

AREA UNDER BASE
TO BE COMPACTED

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

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

**CURB & GUTTER
SECTION A-A**

**CROSS GUTTER
SECTION B-B**

SET TOP OF GRATE
1" BELOW FLOW
LINE OF GUTTER

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

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

GEOTEXTILE FABRIC AS
REQUIRED BY PROJECT
MANAGER

12" Ø
MIN.

NEUSE OF
MANHOLE

1" AT
BOTTOM
OF CONC.

12" MIN.

NOTES:

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

X:\DC\140219\DESIGN\Storm.dwg

REV. 6/25/16

SD-3

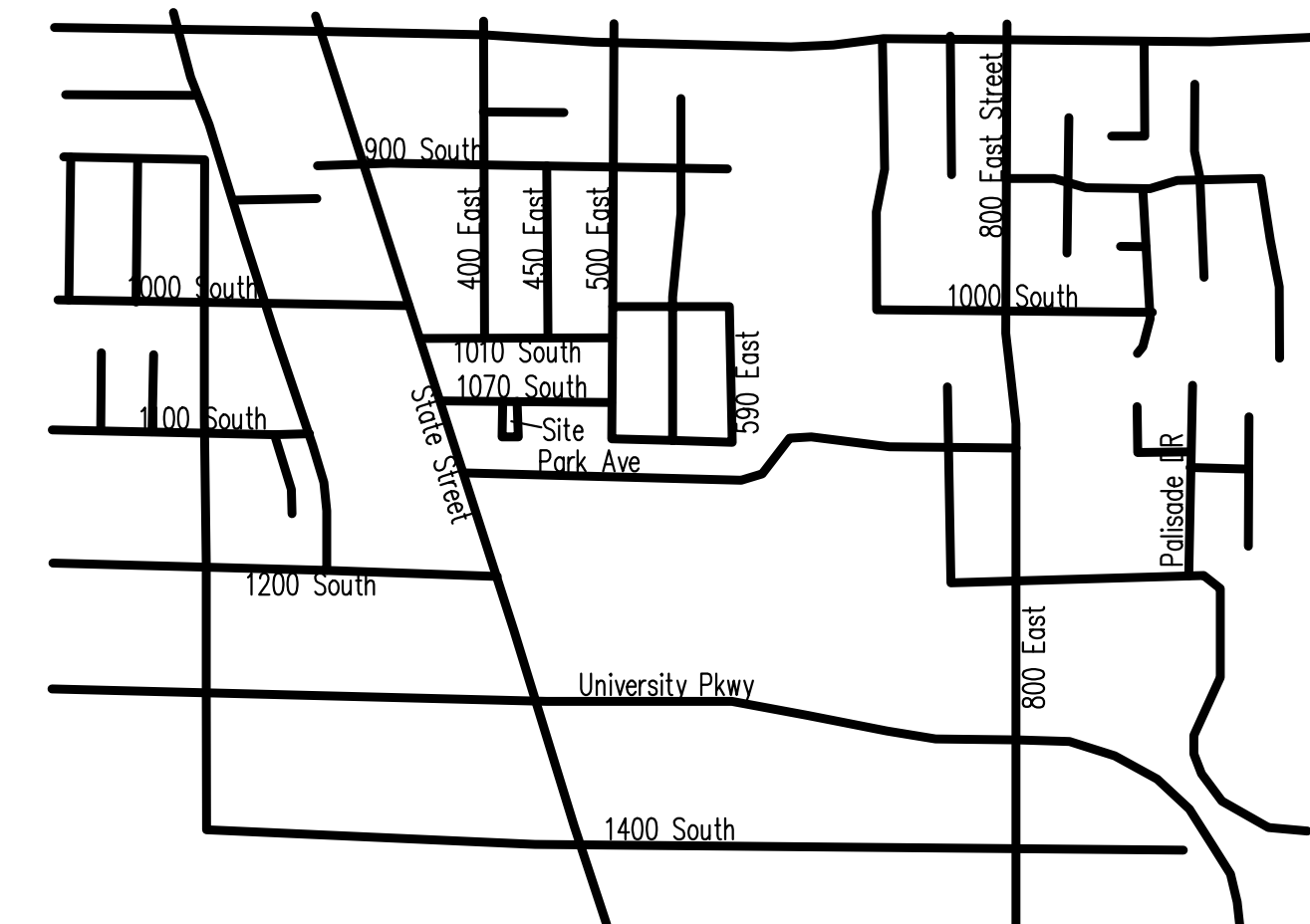
Existing Asphalt Parking Area

Victor B. Armenta
Corporation

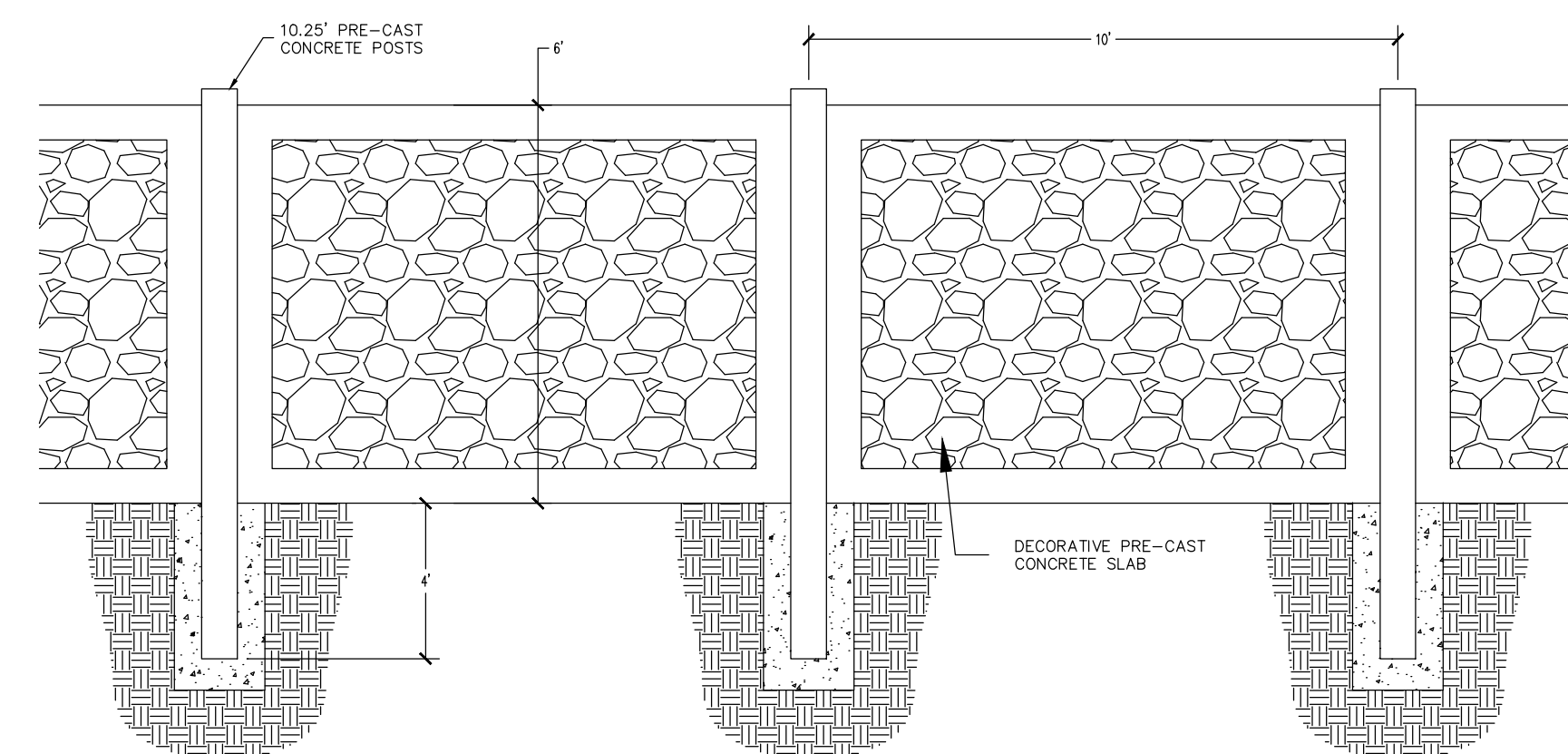
M & W Sawaya
Enterprises LLC

University Mall
Shopping Center LC

JKC LLC



Vicinity Map

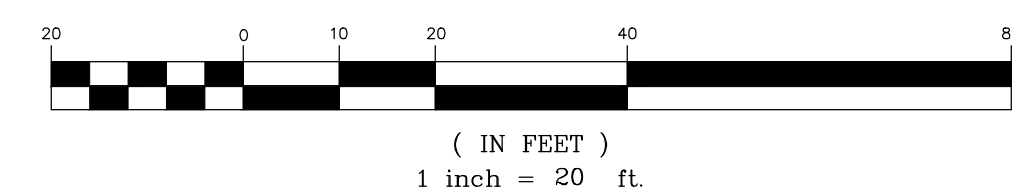


"Wonderwall" Masonry wall detail

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
1-800-662-4111

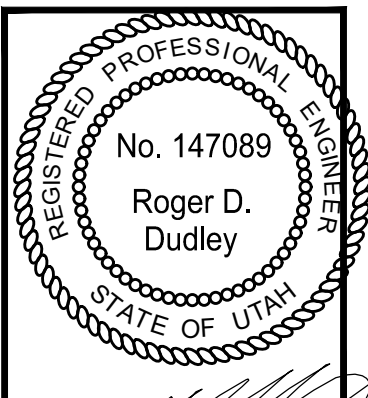
DUDLEY AND ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
353 EAST 1200 SOUTH, OREM, UTAH
801-224-1252

Outline

Green City

Mi Ranchito

Site Plan

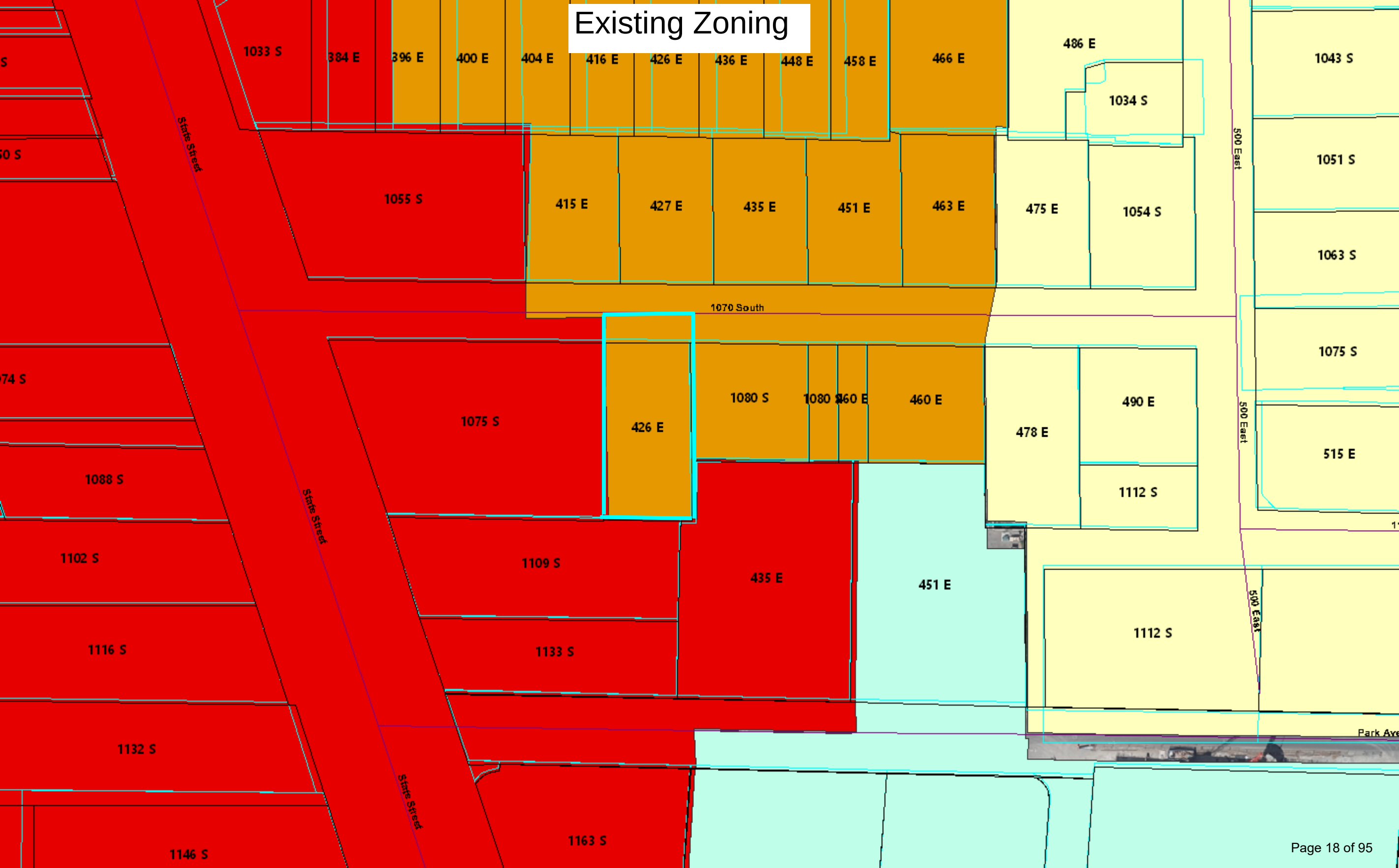


Revisions

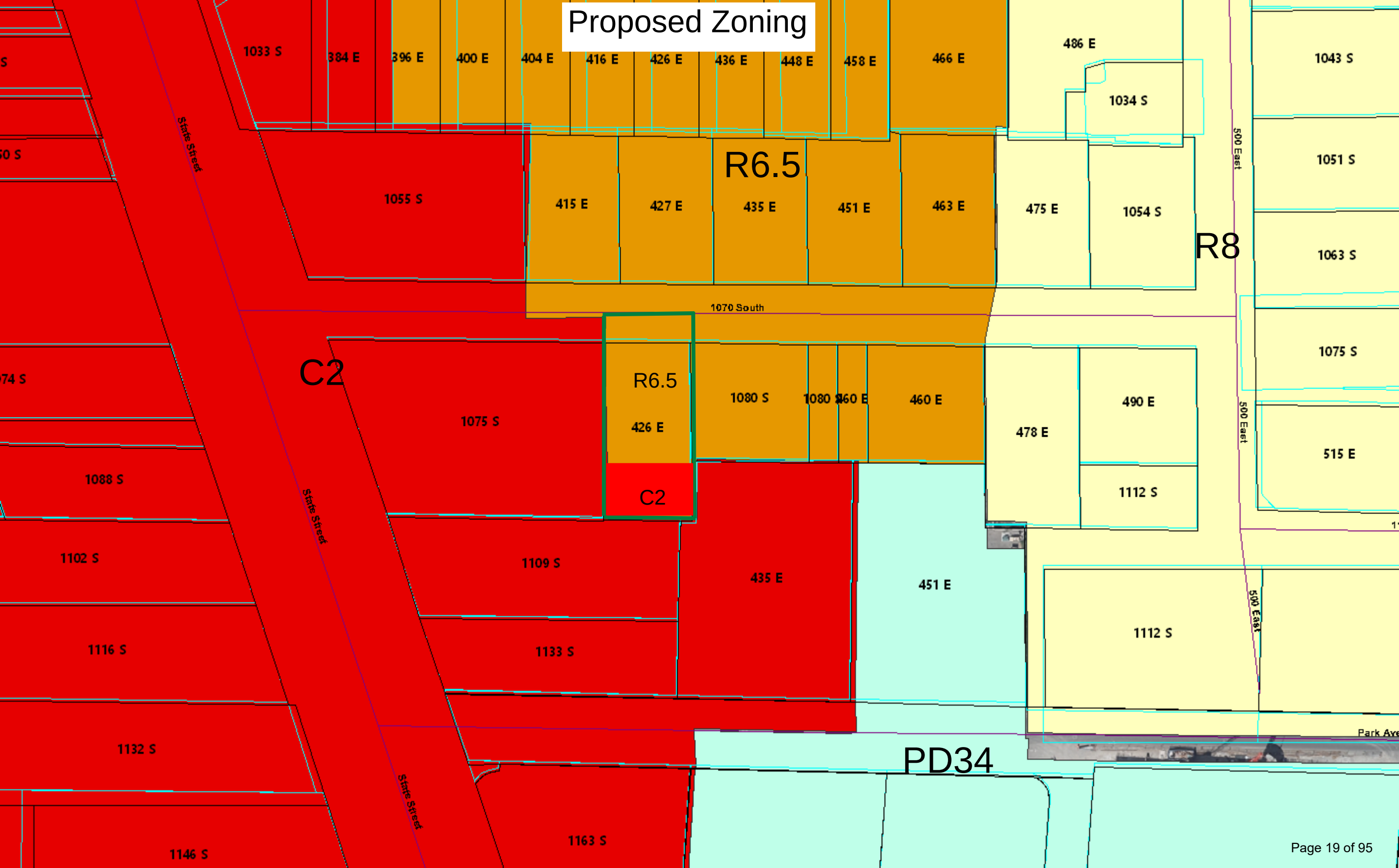
Date	5-25-2023
Scale	1"=20'
By	BHT
Tracing No.	L - 14533

Sheet No.
C - 2.0

Existing Zoning



Proposed Zoning



Street View from 1070 South

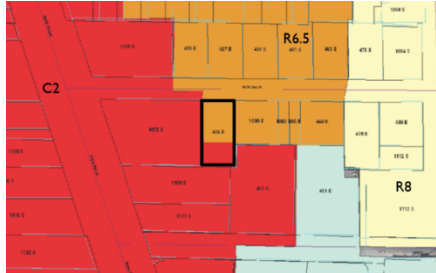


Street View from Park Avenue



Agenda Item 3.2: ([click here for recording](#))

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 0.084 acres) located at 426 East 1070 South from the R6.5 zone to the C2 zone.



Staff Presentation:

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 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.

Ms. Komen asked the Planning Commission members if they had any questions for Mr. Bench.

Ms. Komen asked the applicant to come forward.

Mr. Hawkes commented on the parking challenges at this location.

Ms. Komen opened the public hearing.

Dorothy Alborne came forward. Asked the difference between the yellow and orange areas of the zoning map. Ms. Alborne asked about the encroachment of the mall on the neighborhood.

Mr. Bench addressed her questions.

Ms. Komen closed the public hearing.

Ms. Komen called for a motion on this item.

Planning Commission Action:

Mr. Carpenter moved to 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. Mr. Hawkes seconded the motion. Those voting aye James Hawkes, Gerald Crismon, Madeline Komen, Mike Carpenter and Helena Kleinlein. Motion passed unanimously.



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 a portion of the property (approximately 0.084 acres) located at 426 East 1070 South from the R6.5 residential zone to the C2 commercial zone.

This request is for the rezone only of the portion of the residential lot that can be rezoned to commercial. The fence currently located a few feet from the home, will need to be moved back twenty-five (25) feet to maintain the setbacks of the residential zone and maintain the regular R6.5 residential lot size. The 0.084 acres at the very rear of the lot is the only portion that will be added to the existing parking lot for Mi Ranchito.

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

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

City Council
Tue, Aug 22, 2023
6:00 pm



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 a portion of the property (approximately 0.084 acres) located at 426 East 1070 South from the R6.5 residential zone to the C2 commercial zone.

This request is for the rezone only of the portion of the residential lot that can be rezoned to commercial. The fence currently located a few feet from the home, will need to be moved back twenty-five (25) feet to maintain the setbacks of the residential zone and maintain the regular R6.5 residential lot size. The 0.084 acres at the very rear of the lot is the only portion that will be added to the existing parking lot for Mi Ranchito.

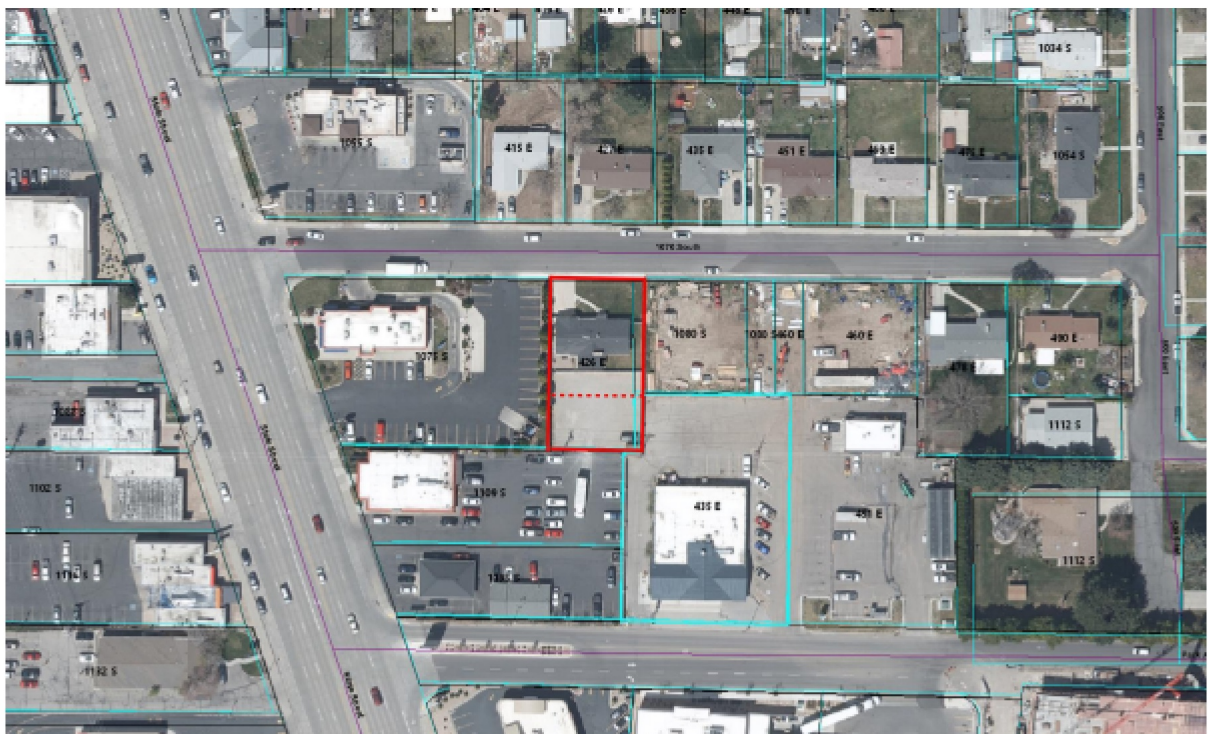
Additional information can be viewed on orem.org/planning under "Current Planning (Public Hearing Notices)" tab.

PLAZA ELEVEN HUNDRED
PO BOX 1806
DRAPER, UT 84020

City Council
Tue, Aug 22, 2023
6:00 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

**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 426 E 1070 S Orem, Utah 84097
Meeting Attendees	
Present at Meeting:	Angela Johnson Dorothy Ahlborn 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

DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL 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.

WHEREAS on February 22, 2020, Stephanie Armenta, Mi Ranchito, filed an application with the City of Orem to request 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; and

WHEREAS public hearings considering the subject application were held by the Planning Commission on July 19, 2023; and

WHEREAS a public hearing considering the subject application was held by the City Council on August 22, 2023; and

WHEREAS one hundred eight notices (108) were mailed to property owners within five hundred (500) feet of the property; and

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

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

1. The City Council finds this request will be in the best interest and general welfare of the City.
2. The City Council hereby amends 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, as shown in Exhibit “A” which is attached hereto and incorporated herein by reference.
3. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
4. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

DRAFT

5. All other ordinances and policies in conflict herewith, either in whole or part, are hereby repealed.

PASSED, APPROVED and ORDERED PUBLISHED this 22nd day of **August 2023**.

David A. Young, Mayor

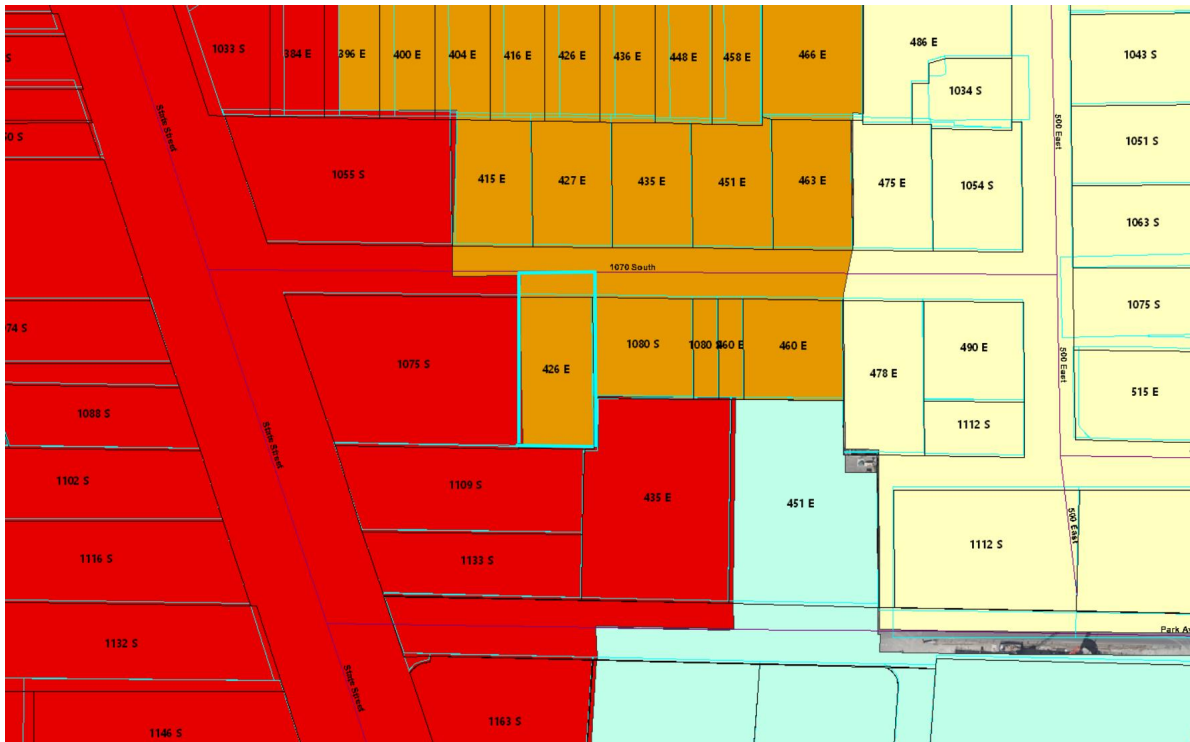
ATTEST:

Teresa McKittrick, City Recorder

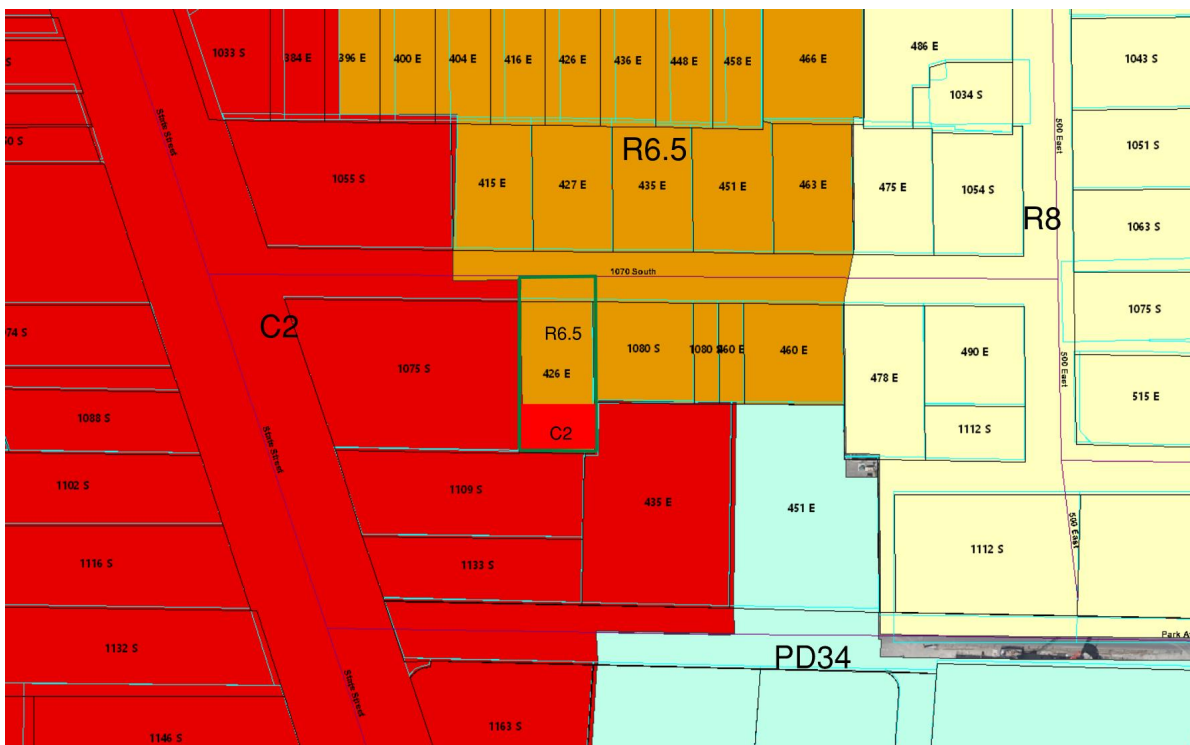
COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor David A. Young	☐	☐	☐
Jeff Lambson	☐	☐	☐
Debby Lauret	☐	☐	☐
Tom Macdonald	☐	☐	☐
LaNae Millett	☐	☐	☐
Terry Peterson	☐	☐	☐
David Spencer	☐	☐	☐

EXHIBIT A

Current Zoning

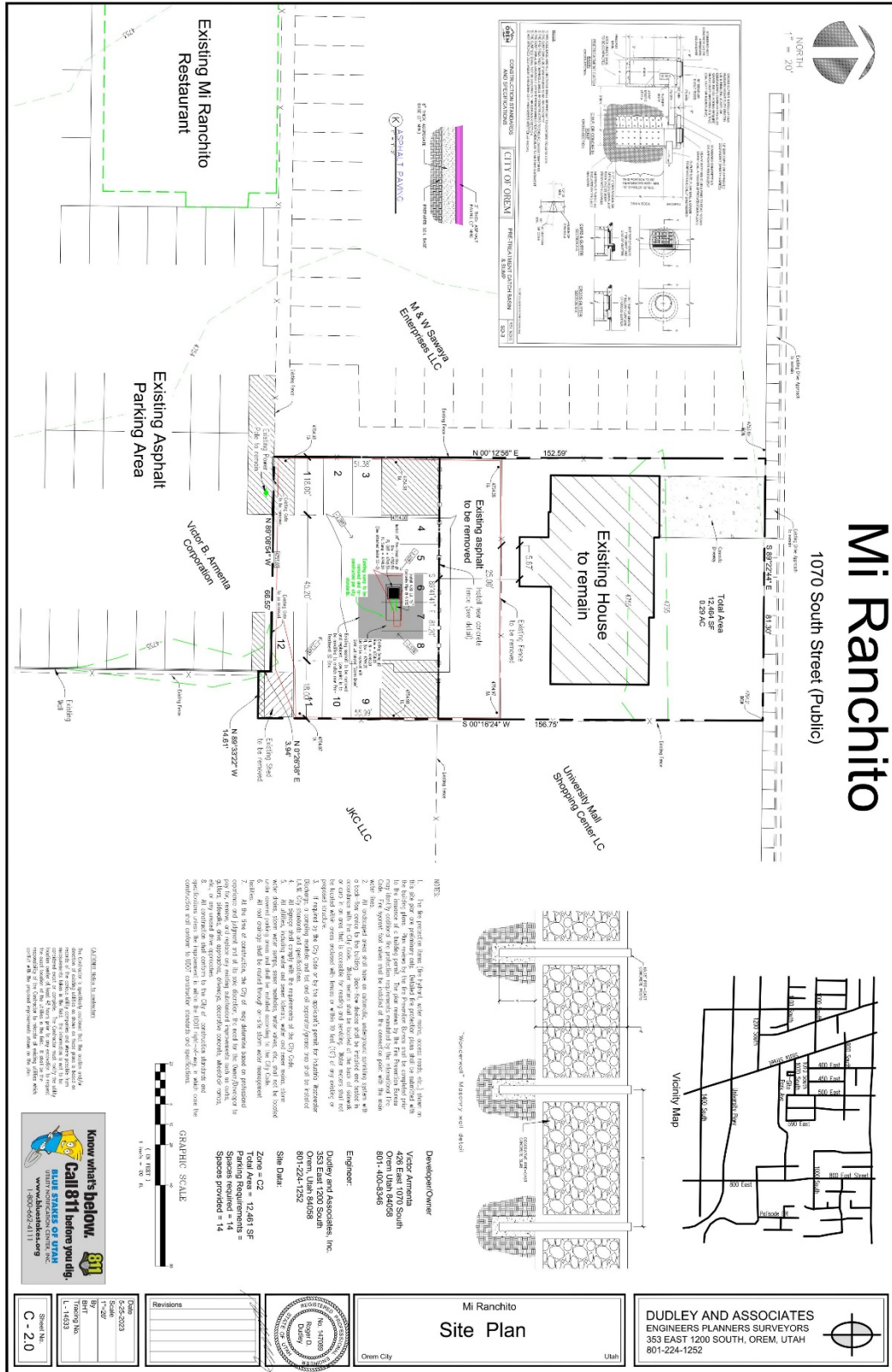


Proposed Zoning



DRAFT

Site Plan





**CITY OF OREM
CITY COUNCIL
MEETING
AUGUST 22, 2023**

REQUEST:	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.
APPLICANT:	
NOTICES:	
SITE INFORMATION:	
PREPARED BY:	

REQUEST:

BACKGROUND:

RECOMMENDATION:

CITY OF OREM
CITY COUNCIL MEETING
AUGUST 22, 2023



REQUEST:	6:00 P.M. SCHEDULED ITEM 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.
APPLICANT:	Crain Brady, Utah Autism Academy
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on the State noticing website
- Faxed to newspapers
- Noticed 148 property owners with 500 feet

SITE INFORMATION:

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

**PLANNING
COMMISSION
RECOMMENDATION**

Vote: 3-2
 No Recommendation

PREPARED BY:
 Makayla Wagstaff
 Associate Planner

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.

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.

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. The PRD zone requires 1.5 acres minimum.

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

The Planning Commission voted 3-2 for approval of this rezone request. However, since they did not have a majority vote this item is forwarded to the City Council without a recommendation from the Planning Commission.

Pros:

- The development will contain single family detached home.
- A PRD ordinance does not allow accessory apartments therefore limiting the density to single units only.
- Traffic circulation allows better access for residential homes in the area and provides better response time for emergency responders.
- Provides a housing option for the autistic community close to the school and needed services.

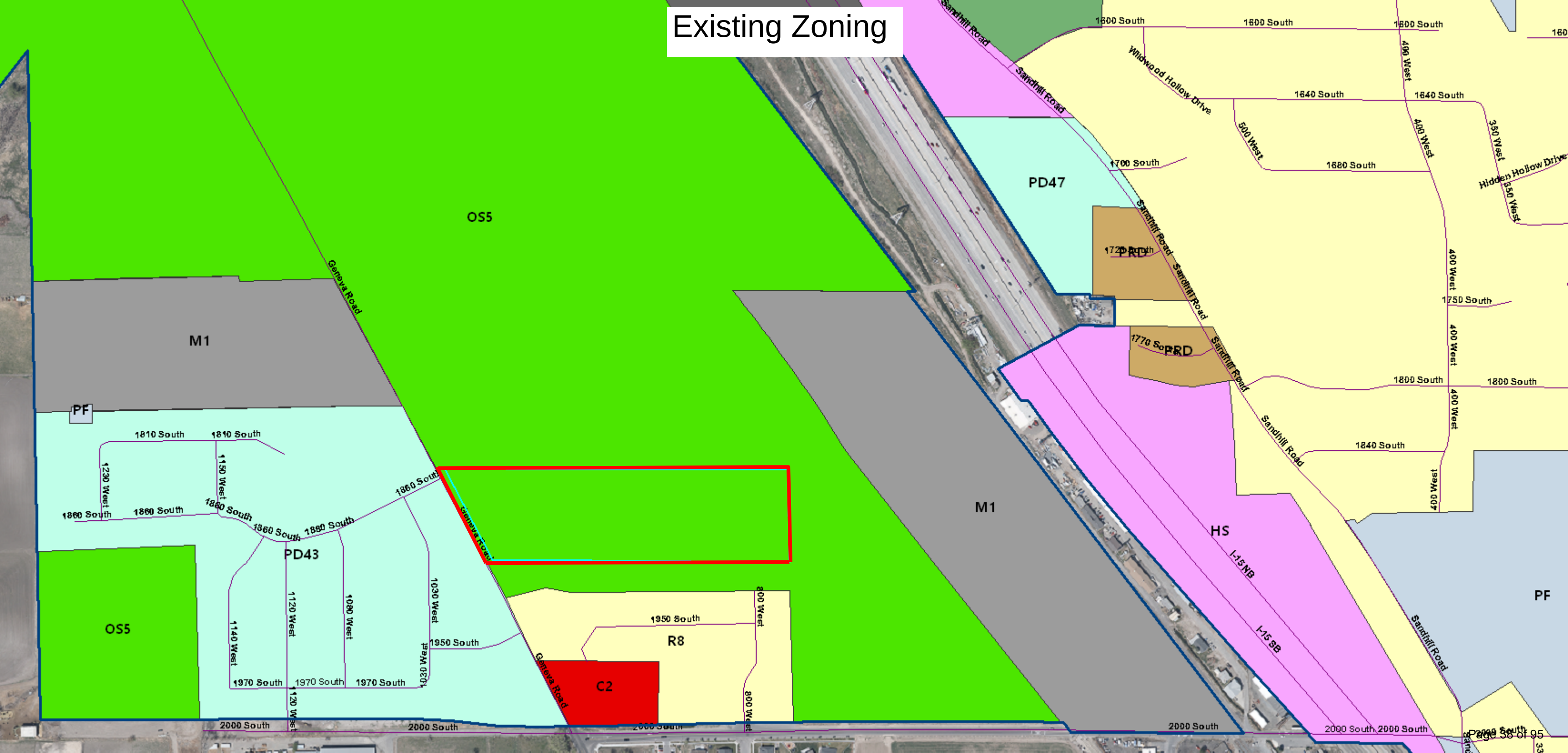
Cons:

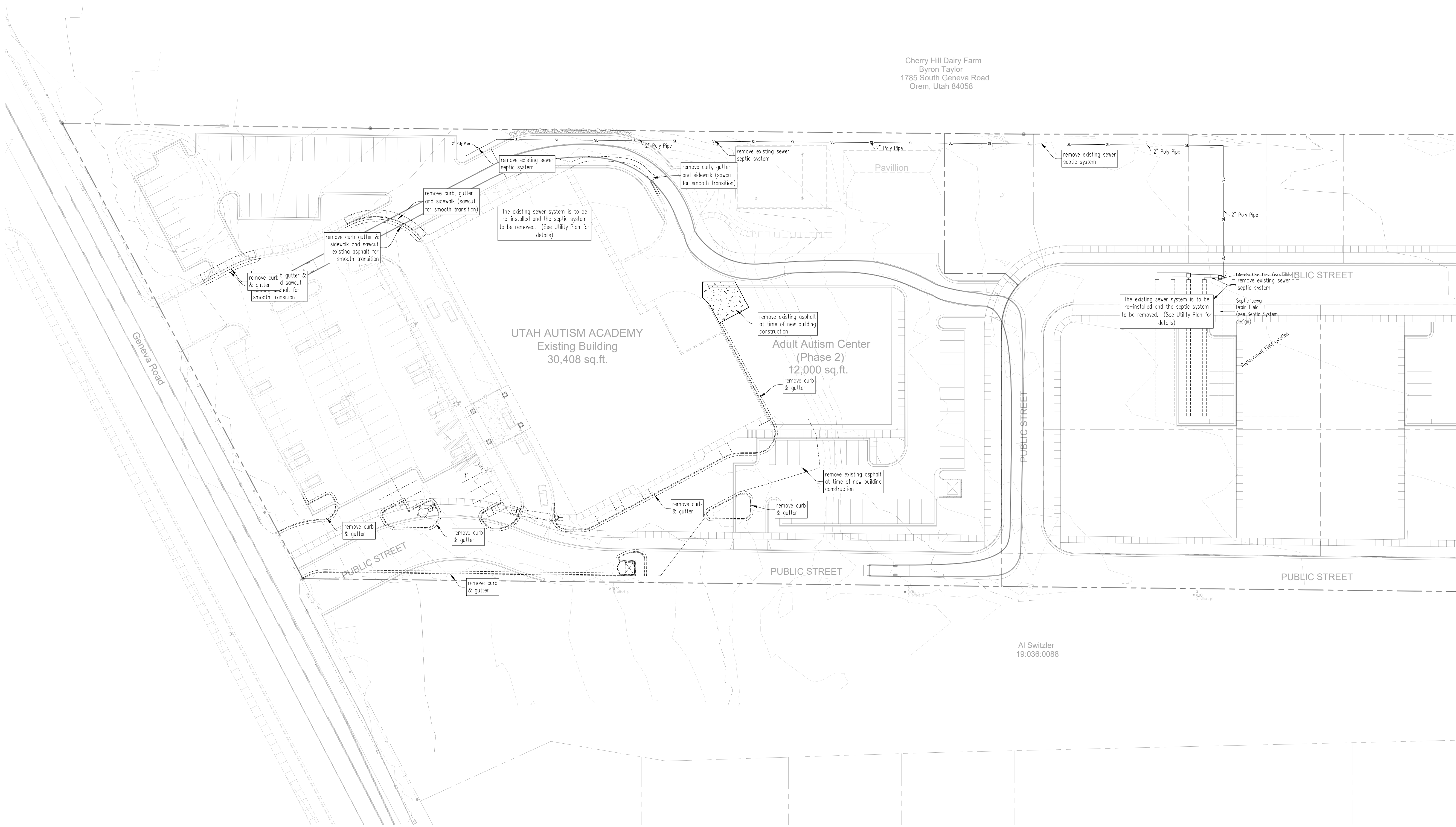
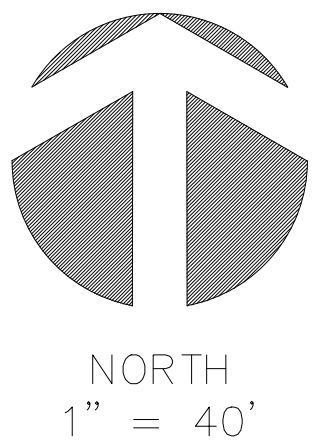
- Any development will increase traffic in the area, however, it will be limited to single family dwellings. Traffic from this development will be similar to the residential development existing to the south in the Payton Crossing Subdivision.

RECOMMENDATION: The Planning Commission forwards no recommendation to the City Council to amend, by ordinance, 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.



Existing Zoning





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

FARM HAVEN COTTAGES
Demolition Plan
Utah
Orem

Revisions

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

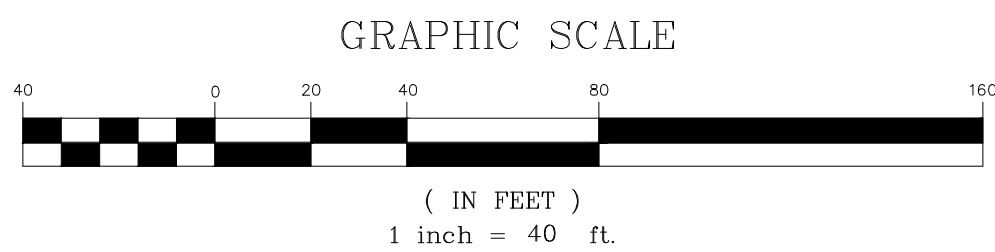
Sheet No.
C - 1.2

Know what's below. **811** before you dig.

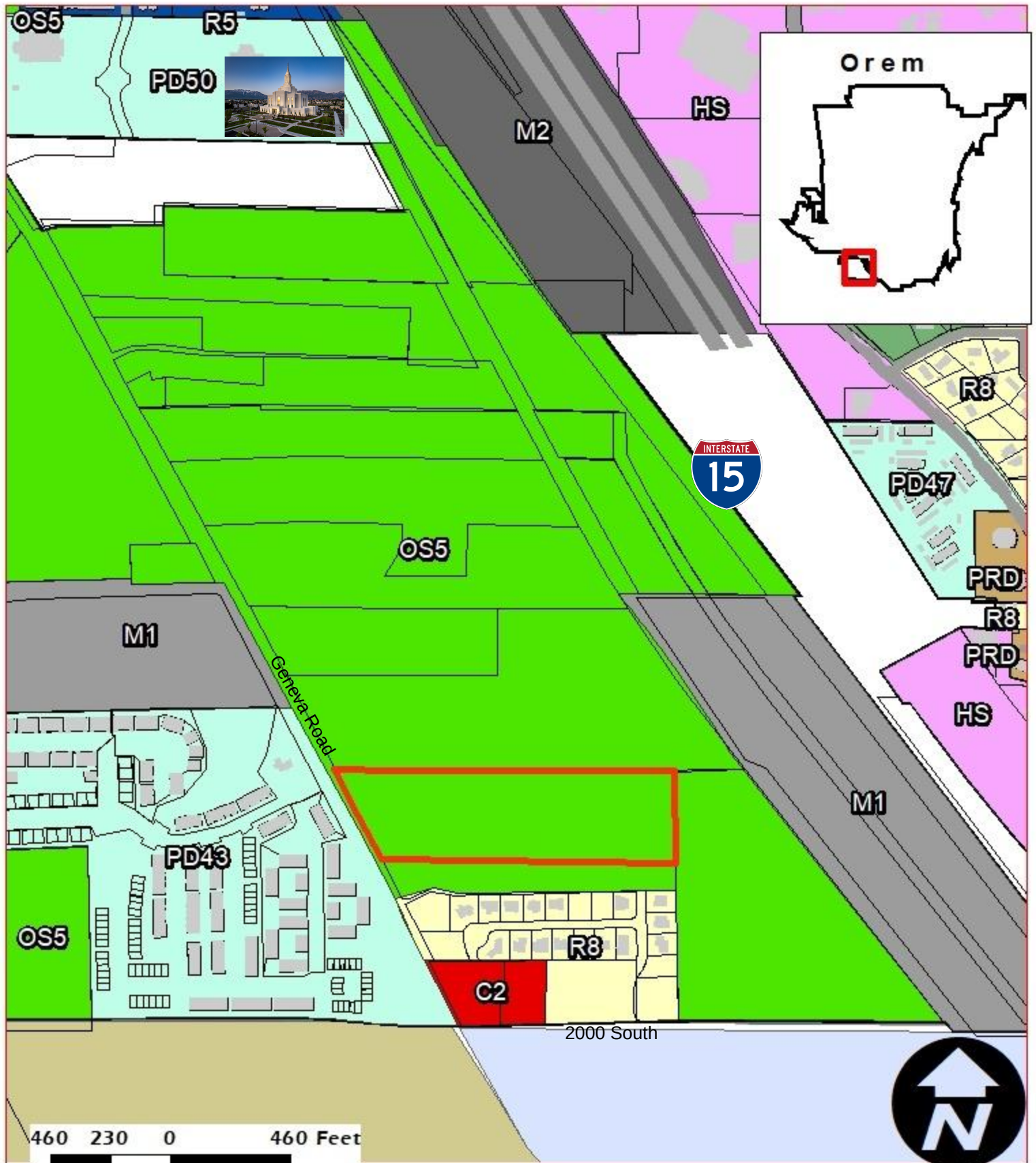
BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC.
www.bluestakes.org
1-800-662-4111

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.



Farm Haven Cottages



460 230 0 460 Feet

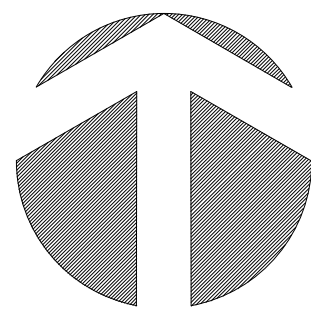


Legend

- 1875 S Geneva Road
- Buildings
- Parcels

◆ Rezone
OS5 to R8 & PRD
Acres: 9.62

NEIGHBORHOOD
Lakeview

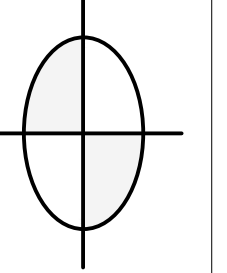


NORTH
1" = 40'

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

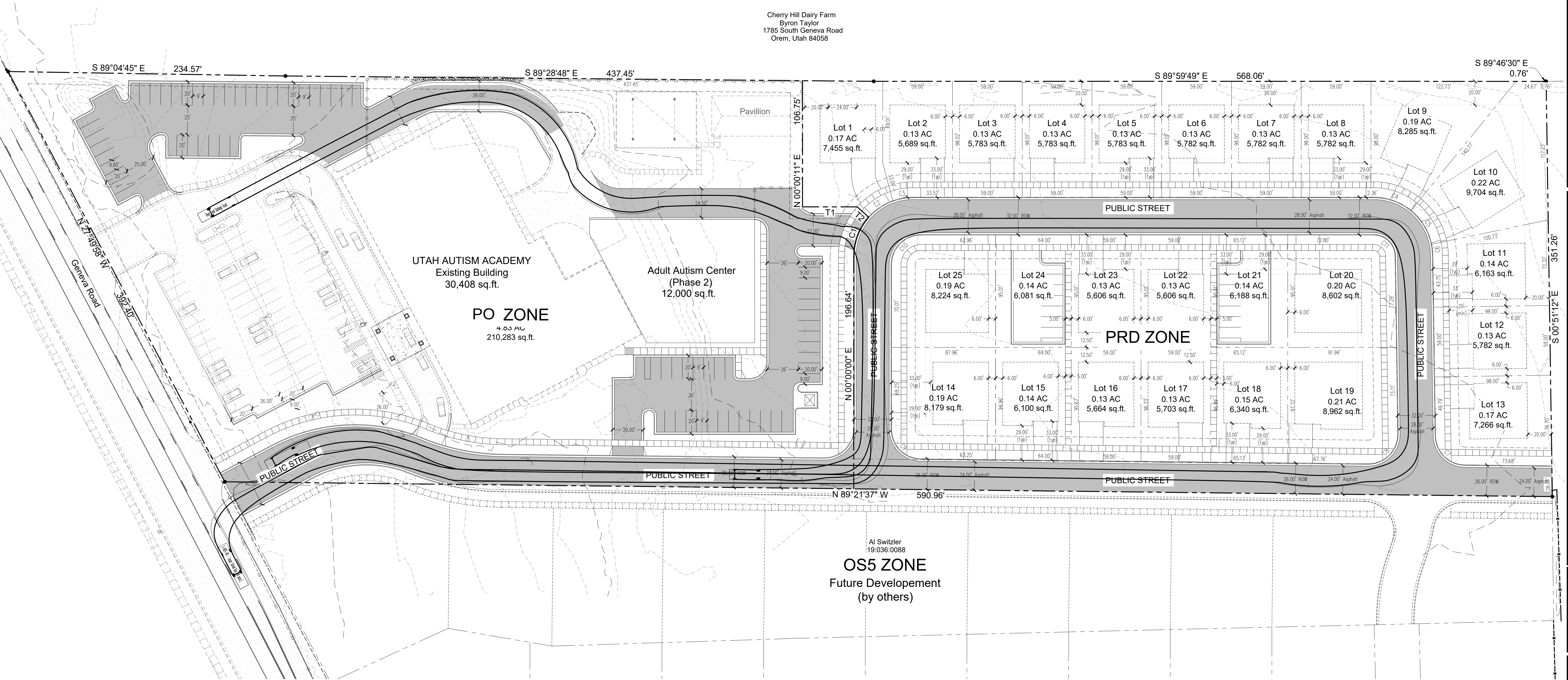
Site Plan

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

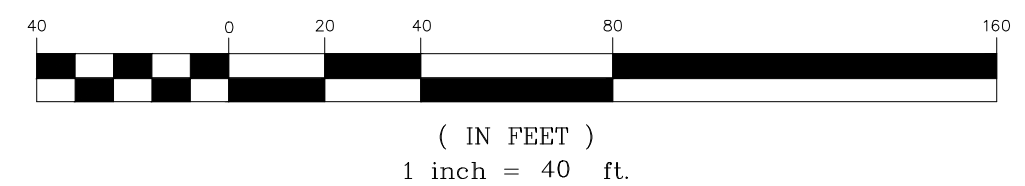
Line	Length	Direction
T1	46.23'	N 90°00'00" W
T2	13.00'	N 48°24'23" W

CAUTION!!! Notice to contractors

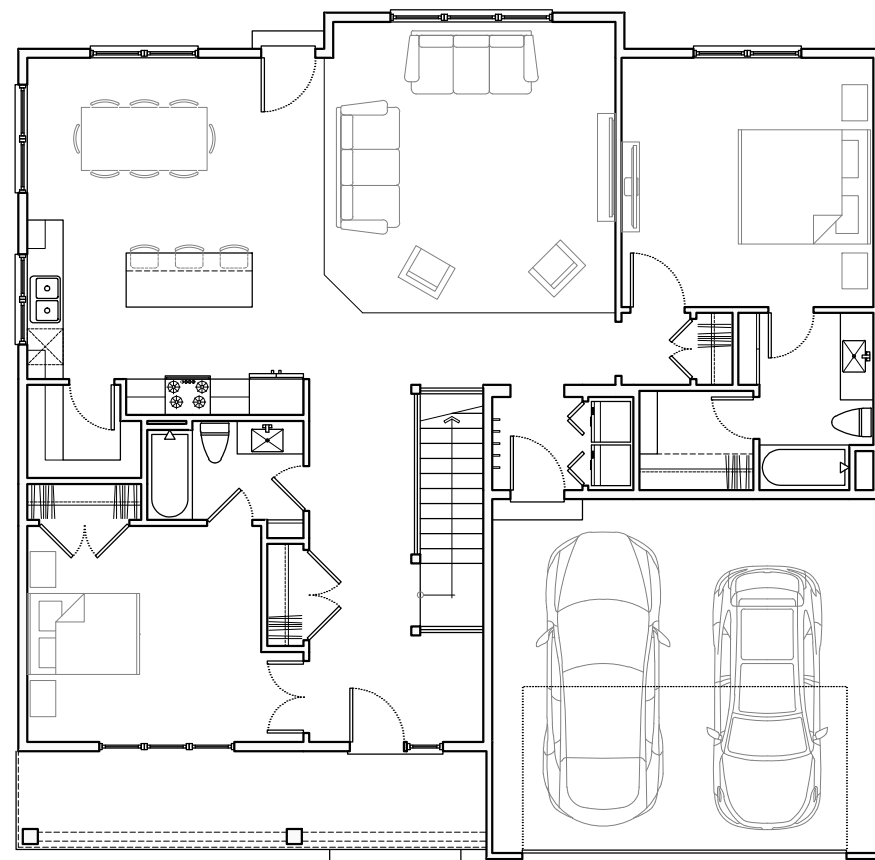
The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. The information is not to be considered exact or complete. The Contractor 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

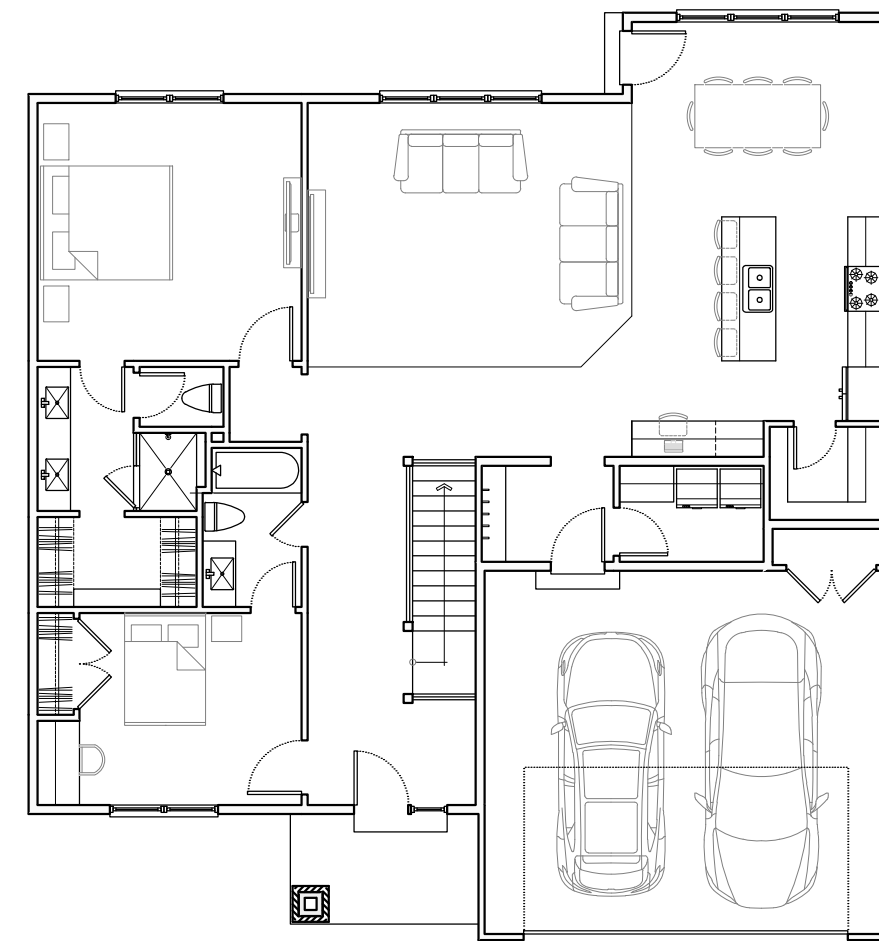


FARM HAVEN COTTAGES



1600 SQ FT

FLOOR PLANS



1670 SQ FT



ELEVATION 'A'



ELEVATION 'B'



ELEVATION 'C'



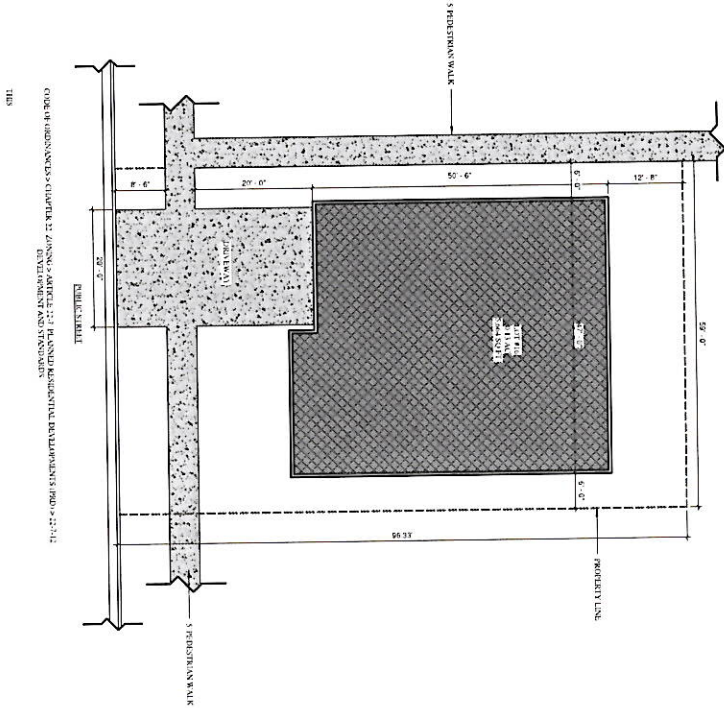
ELEVATION 'D'



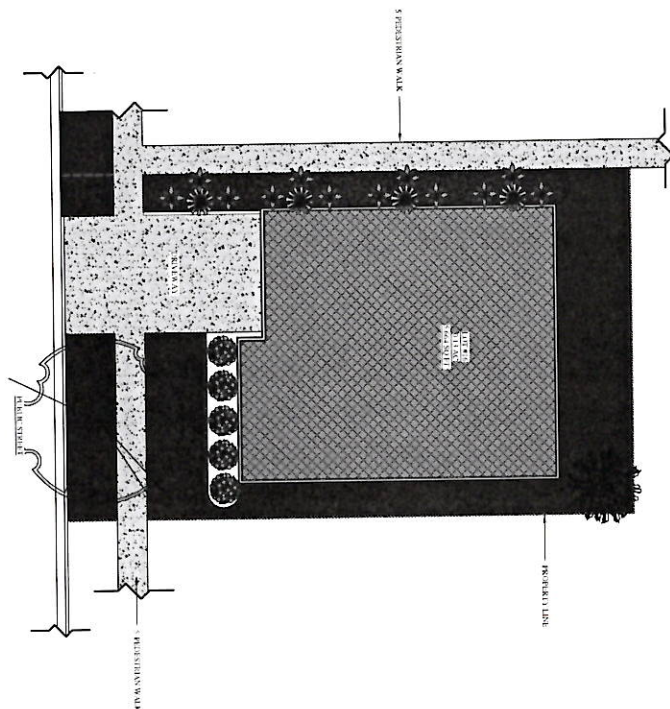
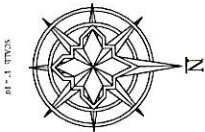
ELEVATION 'E'



ELEVATION 'F'



NOTE: IF DIMENSIONS > 12'0" IN ANY DIRECTION, DIMENSIONS SHOULD BE 12'0" IN ANY DIRECTION AND VERTICAL DIMENSIONS SHOULD BE 12'0" IN ANY DIRECTION.



PLANTING SCHEDULE:

SYMBOL	BOTANICAL NAME	COMMON NAME	CONTAINER SIZE	QUANTITY
	POLDININTA INCANA	PURPLE SAGE	5 gallon	12
	PRUNUS LAUROBRANIS VAR. OTTOLYNIN	OTTOLYNIN	5 gallon	5
	BLUE ATLAS CEDAR	WEEPING BLUE CEDAR	5 gallon	1
	JUNIPERUS VIRGINIANA S&J ROCKIT	SKYROCKET JUNIPER	5 gallon	65
	BLUE GRASS MIXTURE WITH DOUGLASS TOLENTANT FESCUES			
	ORGANIC MIXTURE / MULCH APPLIED @ LEAST 4" IN DEPTH			

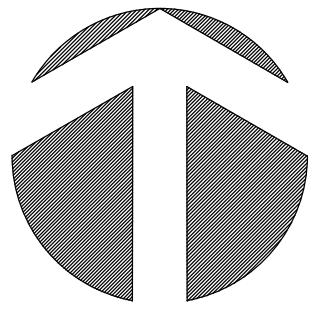
L-1.0

Project Name
Farm Haven Cottages

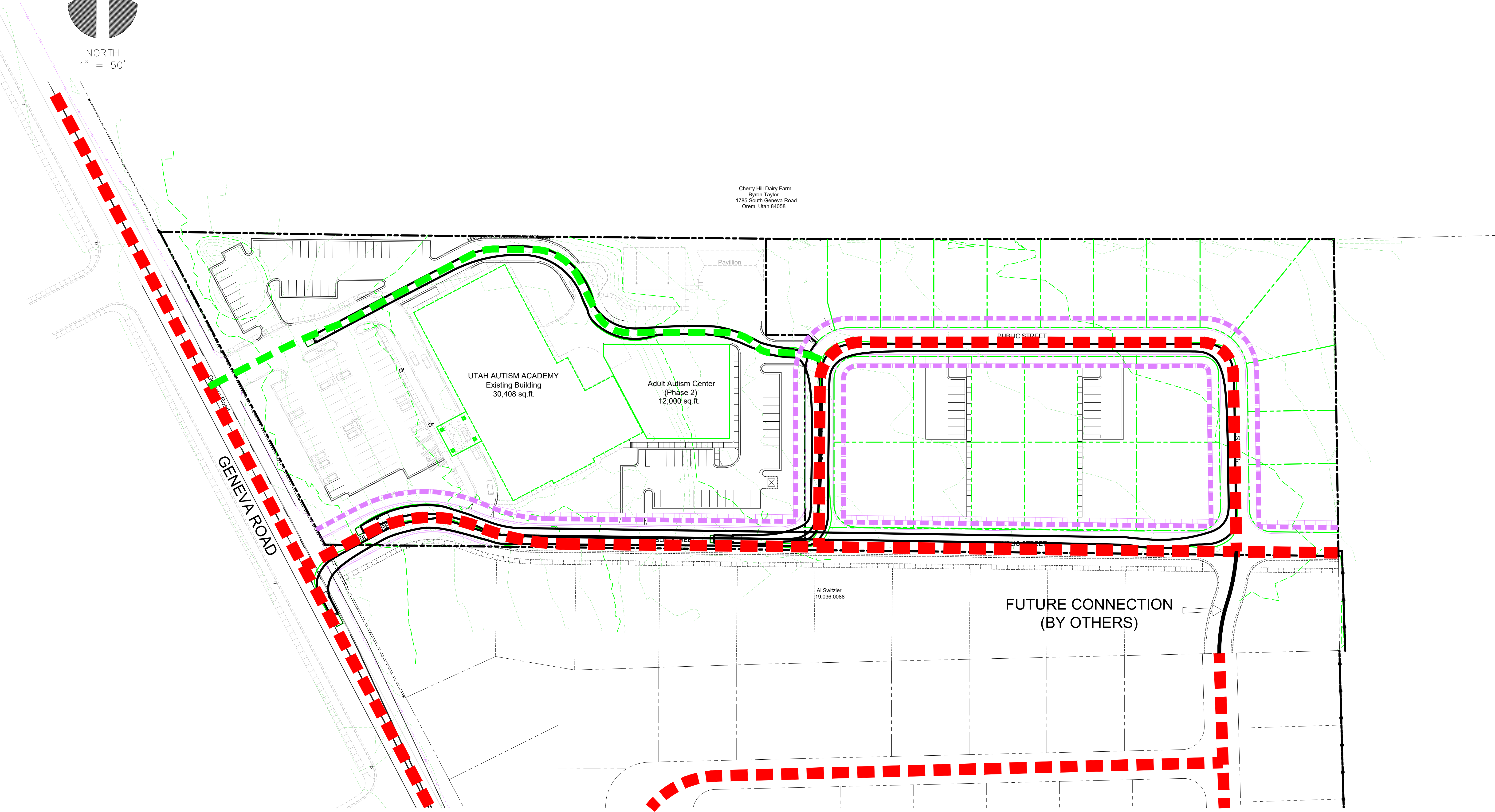
PRELIMINARY
NOT FOR CONSTRUCTION

GUILFORD RAND, ARCHITECT

Traffic Circulation Plan



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

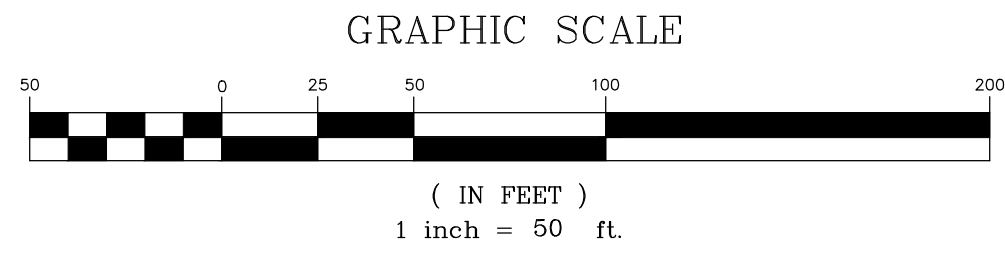
PUBLIC STREET

FUTURE CONNECTION
(BY OTHERS)

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

Know what's below.
Call 811 before you dig.
BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC.
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

FARM HAVEN COTTAGES
Traffic Circulation Plan
Utah
Orem

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

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.

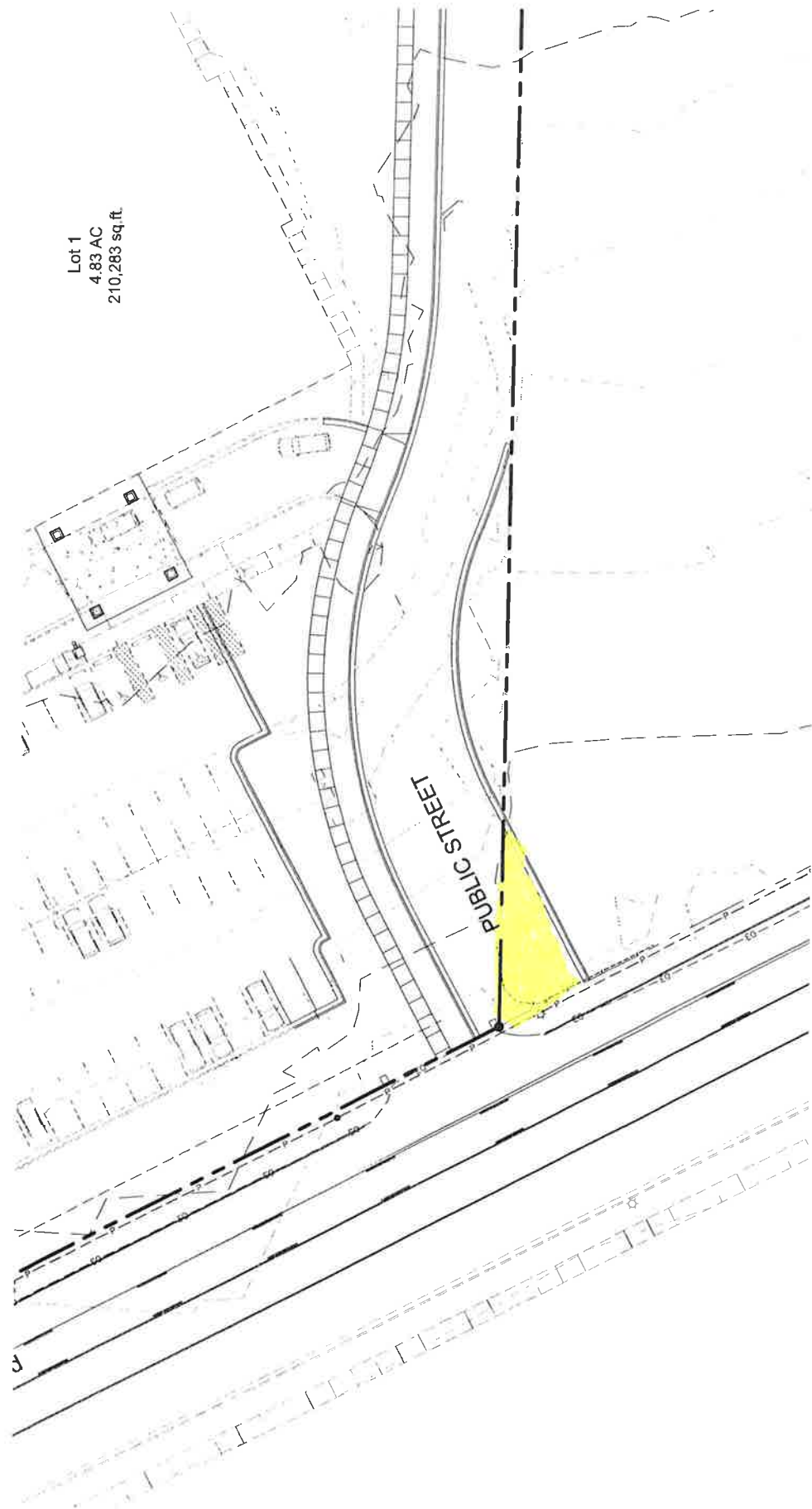
Utah Autism Academy will construct the road including an area of approximately 950 square feet located on my property, tax ID number 19:036:0088, also as shown on attached diagram entirely at their expense. Utah Autism Academy has also agreed to locate a field fence along the edge of said roadway adjacent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



Lot 1
4.83 AC
210,283 sq ft

PUBLIC STREET

DEVELOPMENT AGREEMENT

This Agreement is entered into this 11th day of August, 2023, by and between Utah Autism Academy, A Utah non-profit corporation in good standing, located at 1875 S Geneva Rd, Orem, Utah, 84058, hereinafter referred to as the "**Academy**", and Al Switzler, owner of land located approximately 1890 South Geneva Rd., Orem, Utah, hereinafter referred to as the "**Switzler**." Academy and Switzler are hereinafter referred to collectively as the "**Parties**," or individually as a "**Party**."

RECITALS:

WHEREAS, Academy desires to create *Farm Haven Cottages* and, in order to meet safety concerns, the road will be constructed to meet Geneva Road at a right angle.

WHEREAS, Academy desires the use of approximately 960 square feet of Switzler property, located at approximately 1890 South Geneva Road, Orem, Utah, tax ID # 19:036:0088, to construct the road.

WHEREAS, Academy agrees to locate a field fence along the edge of the roadway adjacent to the Switzler property and to give Switzler full access to his property along that roadway.

WHEREAS, this agreement is subject to the approval of *Farm Haven Cottages* by the Orem City Planning Commission and City Council.

NOW THEREFORE, in consideration of the mutual promises set forth herein, the representations and actions of the parties hereto and other consideration, the sufficiency and adequacy of which is hereby acknowledged, the parties agree as follows:

AGREEMENT

1. **RESPONSIBILITIES.**

All responsibilities, rights, obligations, and privileges of the Parties shall be as stated herein.

2. **PROJECT.**

The "**Project**" is a housing project specially designed for persons with autism called *Farm Haven Cottages*. In order to complete the public street to access the academy, a triangle of land of approximately 960 square feet is needed. A drawing of the public road showing the triangle of land is hereby incorporated by reference and become terms and conditions of this Agreement and is attached hereto as Exhibit A. The Property descriptions of the Academy and Switzler property to be used are attached hereto as Exhibit B.

3. **SWITZLER'S RESPONSIBILITY.**

Switzler shall allow the square footage shown in Exhibit "A" to be used/dedicated to complete the public street only in the event that the Project is finally approved by Orem City. Such approval is a condition precedent to the enforceability of this agreement and Switzler shall have no responsibility towards obtaining said approval.

4. **ACADEMY'S RESPONSIBILITY.**

4.1. Academy is responsible to obtain final approval of *Farm Haven Cottages* by Orem City.

4.2. In addition, Academy shall construct the public road to *Farm Haven Cottages*, including an area of approximately 950 square feet located on Switzler property, tax ID: 19:036:0088, as shown on Exhibit "A" above, entirely at its own expense and allow Switzler complete access to said road.

4.3. Academy shall also locate a field fence along the edge of said roadway adjacent to the Switzler property and to give Switzler full access to his property along that roadway.

5. **IMPROVEMENTS.**

Plans. The plans for the public road will be prepared and installed entirely by Academy according to all applicable laws and regulations.

6. **CONSTRUCTION.**

6.1. **Responsibility.** Academy shall be responsible for providing all construction financing and shall be responsible for performing the actual construction of the public road necessary for the Project and for the payment of all construction costs.

6.2. **Permits.** Before commencement of the construction or development of the public road, Academy shall (at its own expense) secure, or cause to be secured, any and all permits required. Switzler may provide reasonable assistance to Academy, if necessary, in securing those permits.

7. **DEFAULT.**

The failure of any Party to perform any of its obligations under this Agreement within the time periods specified herein or in the Project Plans, or if none is specified, within a commercially reasonable period of time, if such failure continues for thirty (30) days after written notice from the other Party, shall constitute an "Event of Default". If an Event of Default cannot reasonably be cured within such 30-day period, the defaulting Party shall have such additional time as is reasonably necessary to cure the Event of Default so long as the defaulting Party commences the cure within such thirty (30)-day period and thereafter diligently pursues such cure to completion. Any lender involved in the project shall also be allowed notice of any default and be allowed a reasonable time to protect its interest by curing any default.

8. **REMEDIES.**

8.1. Upon the occurrence of an Event of Default by Academy, which is not cured within the time period specified in Section 7 above, Switzler, as its sole remedy, shall have the right to recover from Academy all Costs incurred by Switzler in enforcing the terms of this Agreement.

8.2. Upon the occurrence of an Event of Default by the Switzler, which is not cured within the time period specified in Section 7 above, the Academy, as its sole remedy, shall have the right to fulfill and complete the performance required of Switzler as specified in Section 3 of this Agreement, and to recover from Switzler all costs incurred by the Academy in curing such Event of Default, limited to the amounts to be reimbursed by this Agreement.

9. **COVENANTS TO RUN WITH LAND**

The parties agree that the covenants made in this agreement will run with the land and be binding on successors or assigns of the parties. Either party may record a notice with the Utah County Recorder referring to the obligations of the parties to this contract, together with contact information about how to obtain a copy of the contract.

10. **No Joint Venture, Partnership or Third Party Rights.**

This Agreement does not create any joint venture, partnership, undertaking, or business arrangement between the parties hereto, nor any rights or benefits to third parties.

11. **INDEMNIFICATION.**

11.1. Academy agrees and covenants to hold Switzler harmless, and to indemnify and defend it and its officers, employees, and agents from and against any and all claims for loss, damage, or injury, including death, sustained by any person and damage or injury to property and for all expenses, including reasonable attorney's fees incurred or thereby arising from the performance of Academy's principals, staff agents, contractors or employees under the provisions of this Agreement.

11.2. Switzler agrees and covenants to hold Academy harmless, and to indemnify and defend it and its officers or agents from and against any and all claims for loss, damage, or injury, including death, sustained by any person and damage or injury to property and for all expenses, including reasonable attorney's fees incurred or thereby arising, from the performance of Switzler's principals, staff, agents, contractors or employees under the provisions of this Agreement.

12. **INTEGRATED DOCUMENT.**

This Agreement embodies the entire agreement between the Parties for the scope of services and their terms and conditions. No verbal agreements or conversation with Switzler prior to the execution of this Agreement shall affect or modify any of the terms or obligations contained in any documents comprising this Agreement

13. **AMENDMENTS.**

This Agreement may be amended only by written agreement of the Parties.

14. **SEVERABILITY OF PROVISIONS.**

If any provisions of this Agreement are held invalid, the remainder of this Agreement shall not be affected thereby if such remainder would then continue to conform to the terms and requirements of the intent of the Parties.

15. **SUCCESSORS.**

This Agreement shall inure to the benefit of and be binding upon each of the Parties and their respective successors and assigns. The term "Academy" shall apply to and include persons who purchase or contract to purchase Academy's interests and assume Academy's obligations with respect to said Parcel or Parcels hereunder.

16. **WAIVERS.**

No waiver by any Party of any breach or default by any other Party in the performance by such Party of its obligations under this Agreement shall be deemed or construed to be a consent to or waiver of any breach or default in the performance by such Party of any other obligations under this Agreement. Failure of any Party to notify any other Party hereto of a default on the part of said other Party, shall not constitute a waiver by such failing Party of the rights of such failing Party under this Agreement.

17. **GOVERNING LAW.**

This Agreement shall be governed by and construed in accordance with the law of the State of Utah. If any provisions of this Agreement shall be held to be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

18. **NOTICES.**

Each notice associated with this Agreement shall be in writing and shall be deemed to have been properly given if served by personal service or by deposit of such with the United States Postal Service, or any successor thereto, and said deposit having been designated as certified mail with return receipt requested, and bearing adequate postage and addressed as hereafter provided. Each notice shall be deemed to have been received upon the execution of a sworn affidavit of the personal server or the execution of a United States Postal Service return receipt.

The Parties shall have the right to change address(es), and shall within 10 days of any such address(es) change, provide written notice of such change to other Parties hereto. Notice to the Parties shall be addressed as follows:

The Utah Autism Academy:
Attn: Jason R. Nelson
1875 S. Geneva Rd
Orem, Utah 84058

Al Switzler:
[address]

19. **COUNTERPARTS.**

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and all of which together shall comprise but a single instrument.

20. **CONSTRUCTION.**

No rule of strict construction shall be applied against any Party.

21. **COOPERATION.**

The Parties shall cooperate together, take such additional actions, sign such additional documentation and provide such additional information as reasonably necessary to accomplish the objectives set forth herein.

22. **EXHIBITS.**

All Exhibits attached hereto are incorporated herein by reference.

23. **KNOWLEDGE.**

The Parties have read this document and have executed it voluntarily after having been appraised of all relevant information and risks and having had the opportunity to obtain legal counsel of their choice.

24. **SUPREMACY.**

In the event of any conflict between the terms of this Agreement and those of any document referred to herein, this document shall govern.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be duly executed as of the date first above written.



AL SWITZLER

STATE OF UTAH)

:ss

COUNTY OF UTAH)

On this 16 day of August, 2023, before me, a notary public, personally appeared, Al Switzler, personally known or proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same. Witness my hand and official seal.

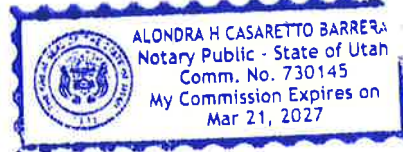


Notary Public

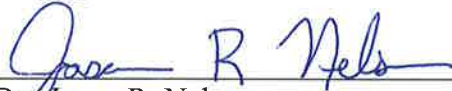
Residing at: 6949 S Zandi Dr., Midvale, UT 84047

My Commission Expires:

March 21, 2027



UTAH AUTISM ACADEMY



By: Jason R. Nelson

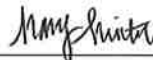
Its:

STATE OF UTAH)

: ss.

COUNTY OF UTAH)

On this 14th day of August, 2023, personally appeared before me Jason R. Nelson who, being by me duly sworn, did say that he is the CFO of Utah Autism Academy, a Utah non-profit corporation, and the foregoing Development Agreement was signed on behalf of said corporation, by authority of its Bylaws, executed the same and that the information therein is true and correct.



NOTARY PUBLIC

Residing at: 8215 N. 900 W. Draper, UT 84057

My Commission Expires: 10/31/2026



Exhibit A

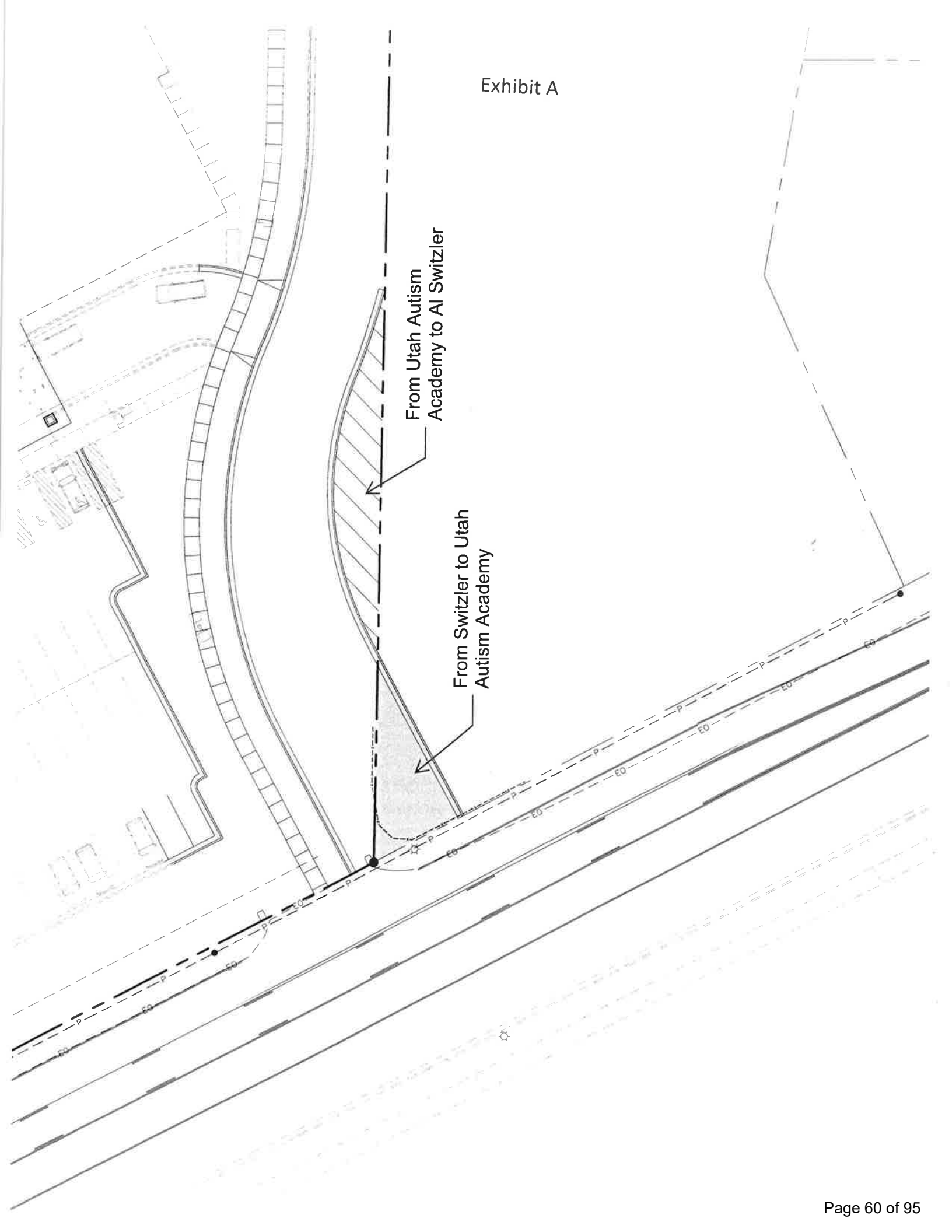


Exhibit B

UTAH AUTISM ACADEMY
PROPERTY DESCRIPTIONS
OREM, UTAH
7-20-2023

CURRENT UTAH AUTISM ACADEMY PROPERTY

Commencing at a point located North 89°31'44" West along the Section line 961.30 feet and North 637.14 feet from the Southeast corner of Section 28, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 27°49'58" West along the east line of Geneva Road 392.40 feet more or less to the Southwest corner of Plat "A", Cherry Hill Farm Subdivision; thence along said Subdivision as follows: South 89°04'45" East 234.57 feet, South 89°28'48" East 497.66 feet, South 89°59'49" East 568.06 feet; thence South 89°46'30" East 0.76 feet; thence South 00°51'12" East 351.26 feet; thence North 89°21'37" West 1123.10 feet to the point of beginning.

Area = 419,392 sq.ft. or 9.63 Acres

PROPERTY FROM AL SWITZLER TO UTAH AUTISM ACADEMY

Commencing at a point located North 89°31'44" West along the Section line 961.30 feet and North 637.14 feet from the Southeast corner of Section 28, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°21'37" East 67.48 feet; thence South 61°58'15" West 59.32 feet more or less to the east line of Geneva Road; thence North 27°49'58" West along the east line of Geneva Road 32.37 feet to the point of beginning.

Area = 960 sq.ft.

NEW TOTAL UTAH AUTISM ACADEMY PROPERTY

Commencing at a point located North 89°31'44" West along the Section line 946.19 feet and North 608.68 feet from the Southeast corner of Section 28, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 27°49'58" West along the east line of Geneva Road 424.77 feet more or less to the Southwest corner of Plat "A", Cherry Hill Farm Subdivision; thence along said Subdivision as follows: South 89°04'45" East 234.57 feet, South 89°28'48" East 497.66 feet, South 89°59'49" East 568.06 feet; thence South 89°46'30" East 0.76 feet; thence South 00°51'12" East 351.26 feet; thence North 89°21'37" West 1055.55 feet; thence South 61°58'15" West 59.32 feet to the point of beginning.

Area = 420,352 sq.ft. or 9.65 Acres

CURRENT AL SWITZLER PROPERTY

Commencing at a point North 475.52 feet and West 871.76 feet from the Southeast corner of Section 28, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 27°49'58" West along the east line of Geneva Road 191.71 feet; thence South 89°21'37" East 1122.71 feet; thence South 00°51'12" East 104.85 feet; thence along a fence line the following four (4) courses: South 88°39'16" West 639.96 feet, South 88°10'45" West 207.88 feet, North 80°16'07" West 88.95 feet, South 65°23'24" West 109.40 feet to the point of beginning.

1 of 3

Area = 134,670 sq.ft. or 3.09 Acres

NEW AL SWITZLER PROPERTY

Commencing at a point North 475.52 feet and West 871.76 feet from the Southeast corner of Section 28, Township 6 South, Range 2 East, Salt Lake Base and Meridian: thence North 27°49'58" West along the east line of Geneva Road 159.33 feet; thence North 61°58'15" East 59.32 feet; thence South 89°21'37" East 1055.23 feet; thence South 00°51'12" East 104.85 feet; thence along a fence line the following four (4) courses: South 88°39'16" West 639.96 feet, South 88°10'45" West 207.88 feet, North 80°16'07" West 88.95 feet, South 65°23'24" West 109.40 feet to the point of beginning.

Area = 133,710 sq.ft. or 3.09 Acres

UTAH AUTISM ACADEMY
PROPERTY DESCRIPTION
OREM, UTAH
AUGUST 9, 2023

PROPERTY DESCRIPTION (PROPERTY FROM UTAH AUTISM ACADEMY TO AL
SWITZLER)

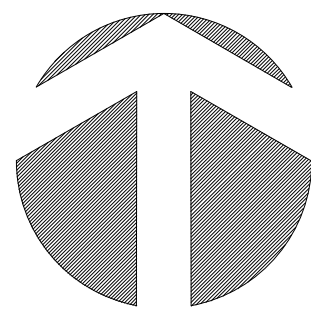
Commencing at a point located North $00^{\circ}43'30''$ West along the Section line 643.05 feet and West 769.39 feet from the Southeast corner of 28, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North $89^{\circ}21'37''$ West 116.26 feet; thence North $61^{\circ}58'15''$ East 6.98 feet; thence along the arc of a 98.00 foot radius curve to the right 86.32 feet (chord bears North $87^{\circ}12'15''$ East 83.56 feet); thence along the arc of a 214.00 foot radius reverse curve to the left 28.05 feet (chord bears South $72^{\circ}00'24''$ East 28.03 feet) to the point of beginning.

AREA=1,125 sq. ft. or 0.026 acres

3 of 3

Street View





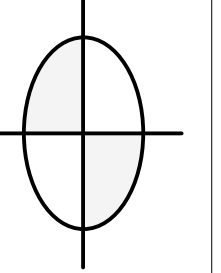
1" = 40'

Farm Haven Cottages

Planned Residential Development

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

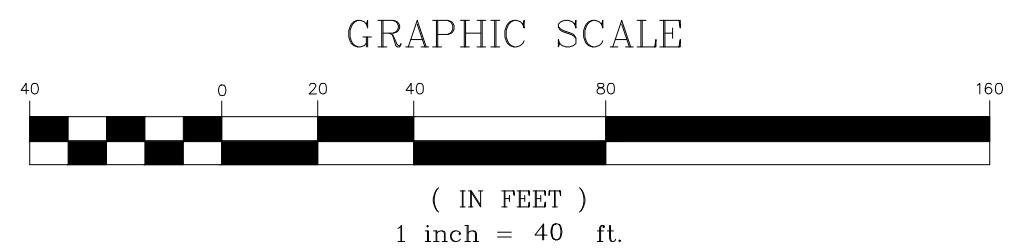
CAUTION!!! Notice to contractors

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.

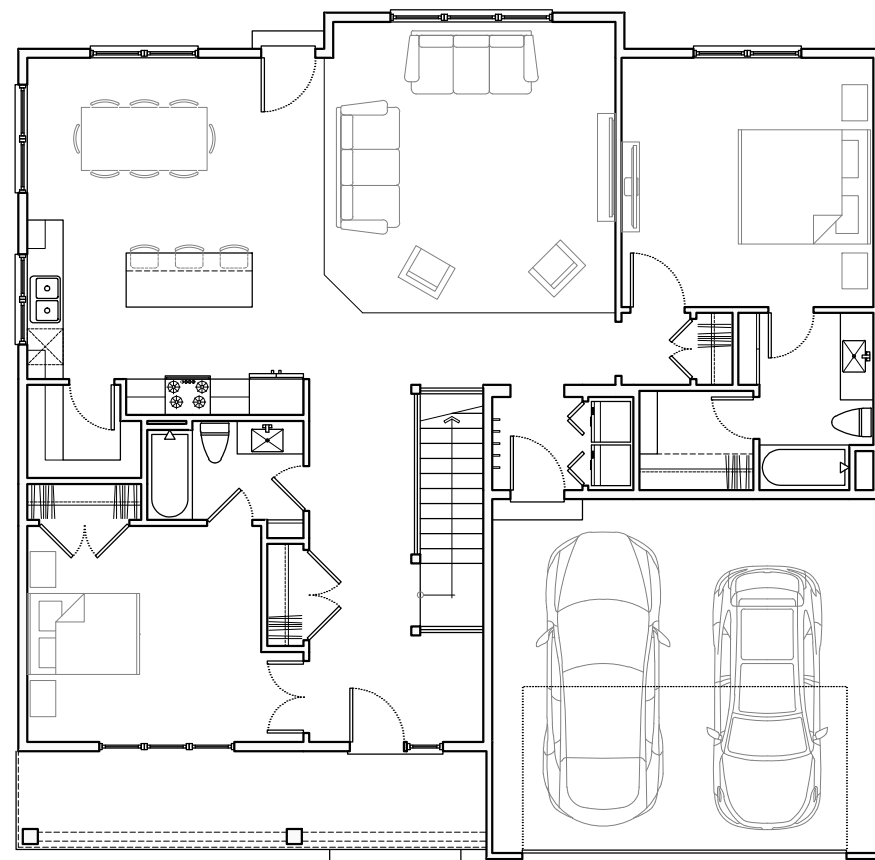


Curve Data Table					
Curve	Radius	Length	Chord	Bearing	Delta
C1	50.00'	36.30'	35.51'	S 20°47'49" W	41°35'37"
C2	50.00'	24.95'	24.69'	S 55°53'16" W	28°35'17"
C3	50.00'	17.29'	17.21'	S 80°05'27" W	19°49'06"
C4	50.00'	34.14'	33.48'	N 70°26'15" W	39°07'30"
C5	50.00'	34.12'	33.46'	N 31°19'39" W	39°05'41"
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

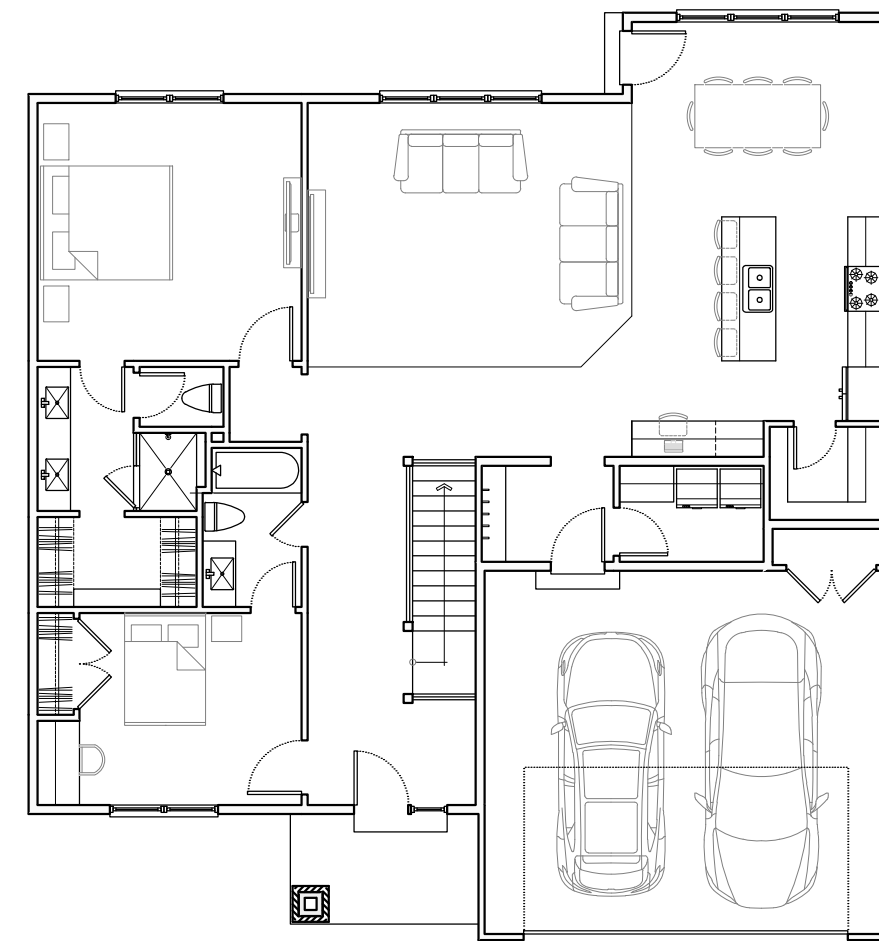


FARM HAVEN COTTAGES



1600 SQ FT

FLOOR PLANS



1670 SQ FT



ELEVATION 'A'



ELEVATION 'B'



ELEVATION 'C'



ELEVATION 'D'



ELEVATION 'E'



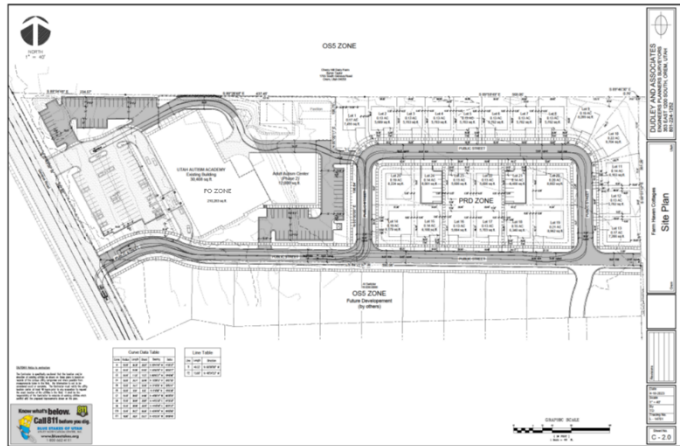
ELEVATION 'F'

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

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.

Staff Presentation:

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:

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.

Ms. Komen asked the Planning Commission members if they had any questions for Mr. Bench.

Mr. Carpenter asked if the properties will be rentals.

Mr. Bench stated that it was originally part of the application, but that it may not be the case and advised that the question be posed to the applicant.

Ms. Komen asked the applicant to come forward.

Paul Washburn came forward and addressed that the lots will be sold not rented, but that CCNRs will be placed on the properties to follow the intent of the homes to accommodate families and individuals with Autism.

Trish came forward to explain the project and the reasoning behind the project.

Ms. Komen asked if the CCNRs will be able to fulfill what is expected in this neighborhood.

Trish explained the reasoning behind not placing a legal restriction on the neighborhood because support for the Autistic community can come from many places.

Ms. Kleinlein asked how the applicant plans to continue to limit the area years in the future.

Mr. Washburn explained that through the CCNRs the expectations for the neighborhood will be outlined and that at closing the buyers will be required to sign the CCNRs.

Ms. Kleinlein asked who would be designing the homes.

Mr. Washburn explained that the home designs will be designed by them, the applicant, and that the designs are being made specifically to help those with autism.

Trish explained that the homes will have particular lighting, safe appliances, and extra space in the bathrooms to allow someone to be present to support the autistic individual.

Mr. Carpenter asked how many units are proposed.

Trish stated that there are 23 units, and that there is a great need for these homes.

Ms. Komen opened the public hearing.

John Porter came forward. Mr. Porter lives in the neighborhood to the south of the project. Mr. Porter expressed concern about the future connection to the south be removed to prevent traffic from going through his neighborhood.

Keith Nelison came forward who lives in Mapleton. Mr. Nelison came to speak in favor of the autism school and the proposed autism friendly neighborhood. Stated that the only other option there is for autistic adults to live is in group homes.

Keith Walker came forward. Stated that this is a good idea and that most of the kids will not be driving so the traffic shouldn't be an issue. Mr. Walker asked that the applicant be sure how they envision the houses being built.

Linda Brown came forward. Ms. Brown is concerned regarding the traffic which could be generated from this project going through her neighborhood to the south. Ms. Brown mentioned that this project would not be able to have access to Geneva Road per previous conversations with UDOT.

Sydney Dameron came forward. Ms. Dameron stated that this project is a great use for the space, but that connection to the south through the neighborhood would not benefit the area.

Bronson Dameron came forward. Mr. Dameron stated that he shares Ms. Dameron's thoughts on the project and feels that this is a great project for the area. Mr. Dameron expressed that traffic is concern for this project.

Connie Porter came forward. Ms. Porter stated that she only objects to the connection to the south neighborhood.

Pamela Moose came forward. Ms. Moose stated that she is not sure how she would feel about the road connecting but that she is concerned about the traffic. Ms. Moose is also concerned about the future of the proposed neighborhood as the homes are resold. Ms. Moose is also concerned about how the autistic members of the community will be able to travel if they do not drive.

Sydney Squilliam from Draper came forward. Ms. Squilliam came forward and spoke on behalf of the autism academy as she is a parent of a student there. Ms. Squilliam expressed that a major concern for her is what will happen to her child when she no longer can take care of them and that this neighborhood provides that answer.

Holly came forward. Holly currently lives in Vineyard and works at the academy. Holly expressed that she hopes to someday raise her family in a community that is friendly and inclusive to those with autism.

Dorothy Alborne came forward. Ms. Alborne expressed that she understands the concern for traffic and asked for speed bumps to be considered to help control the speed in the area. Ms. Alborne encouraged having creative thinking to address concerns.

Adam came forward. Adam has a child who attends the academy. Adam pointed out that the applicant does not own the portion directly to the south where the potential connector street is located is just proposed should that portion of property be developed. Adam stated that development is inevitable and stated that those who were present prior to the Peyton's crossing development likely were concerned about that development before it came in too.

Bronson Dameron came forward. Mr. Dameron stated that he feels this is a good thing for the community and that it is important to take care of those in our society who most need help.

Scott Child came forward. Mr. Child does not live in Orem. He lives in a neighborhood which has experience some increased traffic due to new developments and shares those concerns. Mr. Child stated that he supports an autistic friendly neighborhood as he has a neighbor who would benefit from this.

When no one came forward, Ms. Komen closed the public hearing.

Mr. Washburn came forward to explain how the plan changed from twin homes to the current proposal of single family homes. Mr. Washburn spoke to the concerns for the proposed connection to the south, with that the owner of the property to the south but that the current owner has no interest in allowing that connection across his property.

Trish came forward to express gratitude to the neighbors to come forward and consider this project.

Ms. Komen asked Mr. Kelly to speak to the concerns regarding traffic.

Mr. Kelly spoke to that when the Peyton's crossing development came through about half of that neighborhood would not have been allowed to happen without the street connection being master planned in this area. The proposed project may not be able to go forward through the site plan phase without some kind of circulation option for the water utility due to the requirements for fire hydrants.

Ms. Komen asked about the access to Geneva Road.

Mr. Kelly explained that the road would be an expansion to the existing access from the school to Geneva Road.

Ms. Komen asked if there is currently a development agreement in place between the applicant and the land owner to the south property.

Mr. Washburn came forward to address this and referenced the letter which the property owner has submitted regarding the easement for the access.

Ms. Kleinlein asked about protecting the autistic residents of the homes and that the community will meld into just regular homes.

Trish came forward to address the comment that the state is moving away from allowing the area to be exclusively for those with autism. There is training for those with autism at the academy to eventually help those individuals to live in any community.

Ms. Kleinlein asked Mr. Kelly about what options there are for access to this property.

Mr. Kelly explained that there are multiple facets to this, as it is also important to be able to have the ability to get help into the neighborhood if needed. Mr. Kelly also expressed that even though it tends to be our desire to protect the autistic community this neighborhood is intended for, but that containing the autistic community is not the answer and the connections will help to serve those in the neighborhood.

Mr. Washburn expressed that since the connector roads will feed the neighborhood but does not go anywhere other than the neighborhood.

Mr. Hawkes asked how the plans changed following the neighborhood meeting.

Mr. Washburn explained that the change was in response to the comments they received at the neighborhood meeting.

Planning Commission members discussed and addressed comments with members of staff and amongst themselves.

Ms. Komen called for a motion on this item.

Planning Commission Action:

Mr. Hawkes moved to 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 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. Mr. Crismon seconded.

Discussion was held among Planning Commission members regarding the motion.

Ms. Kleinlein expressed concern regarding the road connections and how the neighborhood could possibly meld into future development.

Mr. Carpenter expressed concerns regarding the density of the project and how that will impact the density of future developments in the area.

Ms. Komen expressed concern about the need for the development agreement to be part of the recommendation.

Mr. Hawkes did not wish to amend his motion.

Mr. Hawkes moved to 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 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. Mr. Crismon seconded. Those voting aye James Hawkes, Gerald Crismon, Madeline Komen. Those voting nay: Mike Carpenter and Helena Kleinlein. Forwarded a neutral recommendation to the city council.



Washburn and Associates
825 North 900 West
Orem, Utah
84057

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 25th

Utah Autism Academy

A neighborhood meeting was held the evening of May 25th, 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 (Open Space) zone to the PO (Professional Office) zone (approximately 4.83 acres) and the remaining property from the OS5 (Open Space) zone to the PRD (Planned Residential Development) zone (approximately 4.79 acres) and amending Appendix KK of the Orem City code for the property located generally at 1875 South Geneva Road.

The applicant is requesting to rezone the western portion of the property to the Professional Office zone, where the Autism Academy would be a permitted use. And to rezone the eastern portion of the property to the Planned Residential Development zone to allow for 23 single family homes.

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

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

City Council
Tue, Aug 22, 2023
6:00 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 (Open Space) zone to the PO (Professional Office) zone (approximately 4.83 acres) and the remaining property from the OS5 (Open Space) zone to the PRD (Planned Residential Development) zone (approximately 4.79 acres) and amending Appendix KK of the Orem City code for the property located generally at 1875 South Geneva Road.

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

City Council
Tue, Aug 22, 2023
6:00 pm

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

DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING 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 to request approval to amend 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 OS 5 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 the Planning Commission forwarded no recommendation to the City Council; and

WHEREAS a public meeting considering the subject application was held by the City Council on August 22, 2023; and

WHEREAS notices were mailed to 148 property owners within a 500 square foot radius of the property; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety and general welfare of the City; the orderly development of land in the City; the effect upon surrounding neighborhoods; and the special conditions applicable to the request.

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

1. The City Council finds this request is in the best interest and general welfare of the City.
2. The City Council hereby amends Section 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.

DRAFT

3. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
4. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.
5. All other ordinances and policies in conflict herewith, either in whole or part, are hereby repealed.

PASSED, APPROVED and ORDERED PUBLISHED this 22th day of **August 2023**.

David A. Young, Mayor

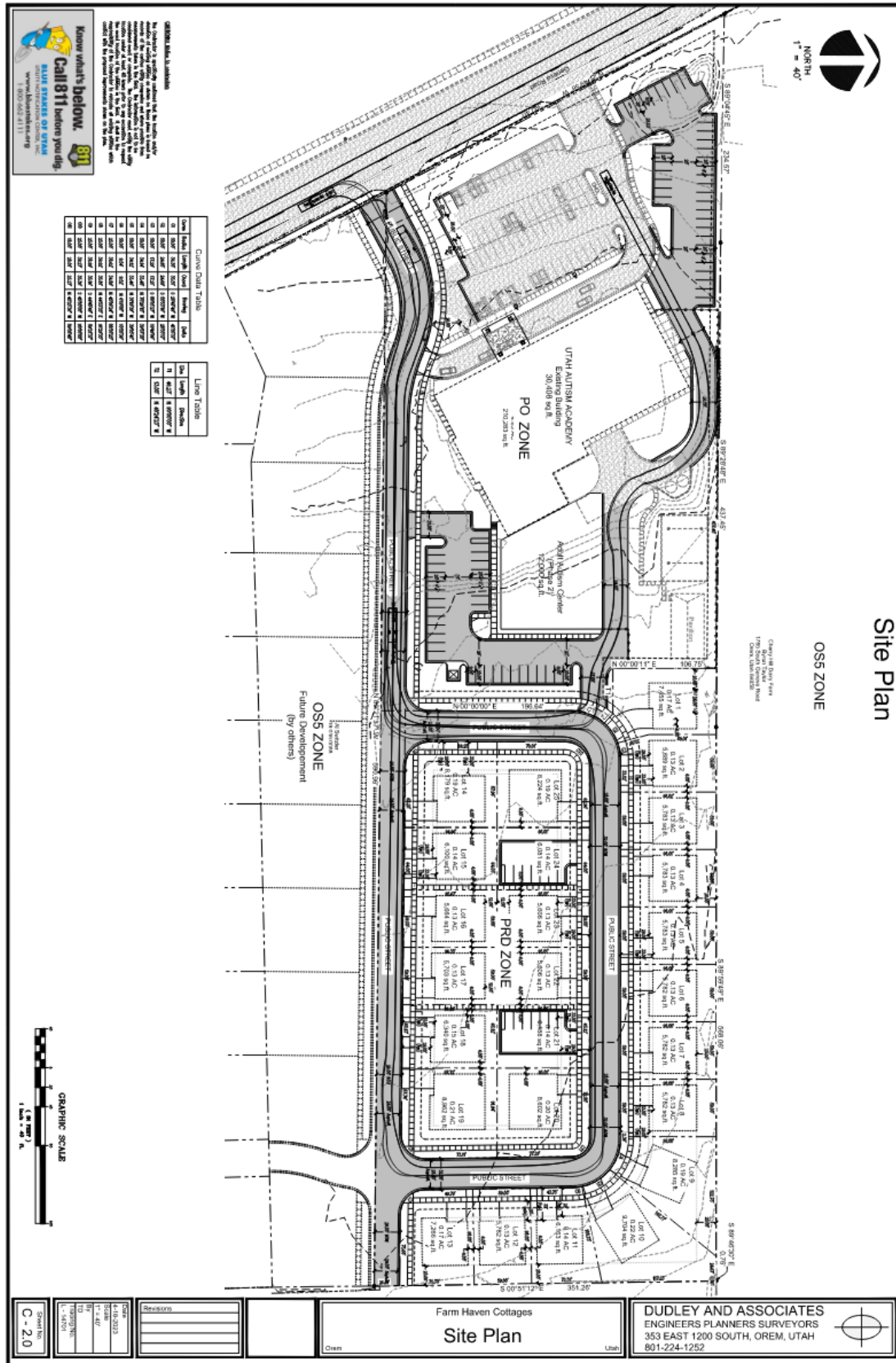
ATTEST:

Teresa McKittrick, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor David A. Young	☐	☐	☐
Jeff Lambson	☐	☐	☐
Debby Lauret	☐	☐	☐
Tom Macdonald	☐	☐	☐
LaNae Millett	☐	☐	☐
Terry Peterson	☐	☐	☐
David Spencer	☐	☐	☐

EXHIBIT A

Concept Plan

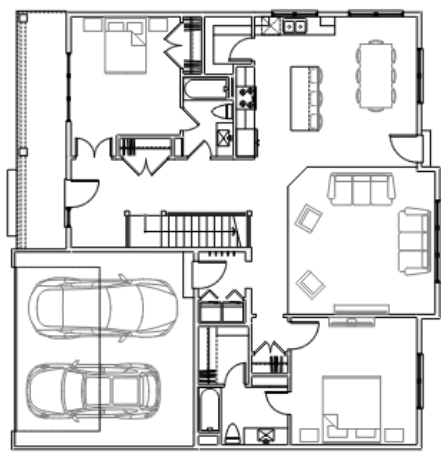


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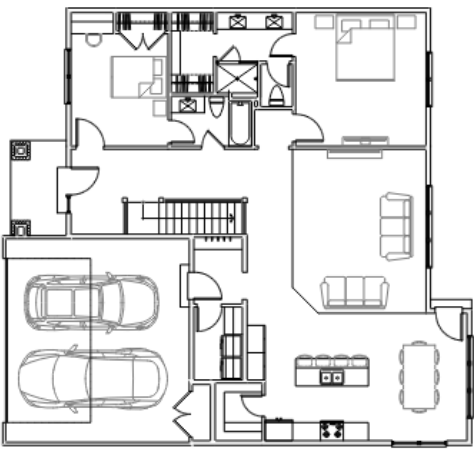
Elevations



FARM HAVEN COTTAGES

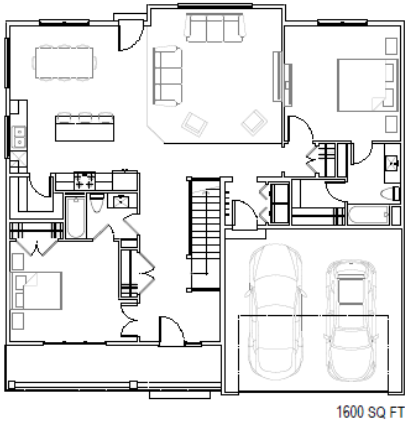


FLOOR PLANS
1600 SQ. FT. 1670 SQ. FT.

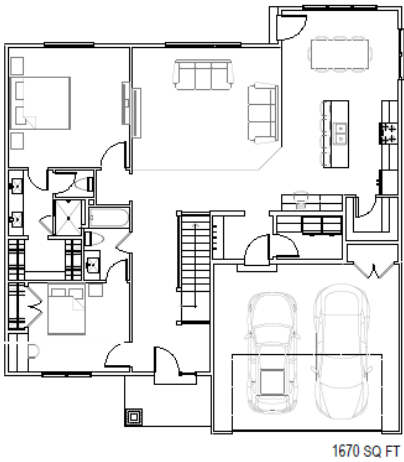


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FARM HAVEN COTTAGES



FLOOR PLANS



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ELEVATION 'A'



ELEVATION 'B'

DRAFT



ELEVATION 'C'



ELEVATION 'D'

DRAFT



ELEVATION 'E'



ELEVATION 'F'