



CITY OF OREM
PLANNING COMMISSION MEETING
56 North State Street, Orem, Utah
January 7, 2026

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

[IGNORE_INDENT]

4:30 PM WORK SESSION – AGENDA REVIEW, CITY COUNCIL CONFERENCE ROOM, 56
NORTH STATE STREET, OREM, UT

1 Discussion: Chair and Vice Chair Elections

2 Other Commission Business

5:30 PM REGULAR SESSION – CITY COUNCIL CHAMBERS

1. CALL TO ORDER

2. INVOCATION/INSPIRATIONAL THOUGHT: BY INVITATION

3. CONSENT AGENDA ITEMS

3.1 Approval of Minutes for 12/03/2025 Planning Commission Meeting

3.2 Approval of Minutes for 12/17/2025 Planning Commission Meeting

4. ACTION ITEMS AND PUBLIC HEARINGS

4.1 Election of Planning Commission Chair and Vice Chair for 2026

4.2 Preliminary Plat - Rolling Sand Plat A - Located at approximately 1765 S Sandhill Road - Creation of a flaglot

4.3 Public Hearing — Johnson Farms Rezone (with development agreement) — Located at approximately 1738 South Geneva Road — 4.43 acres from OS5 to C2 zoning. The Council wanted the applicants to come back with their request connected to a development agreement that would limit the uses of the property. The request has been re-noticed for public hearings again, this time with the agreement included.

5. ADJOURN

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL PLANNING COMMISSION MEETINGS.

**If you need a special accommodation to participate in the Planning Commission Meetings and Study Sessions,
please call the Development Services Office at least 3 working days prior to the meeting.
(Voice 801-229-7183)**

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

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DRAFT MINUTES FOR DECEMBER 3, 2025

CITY OF OREM PLANNING COMMISSION MEETING MINUTES December 3 2025

The following items are discussed in these minutes:

CONSENT AGENDA ITEMS:

- Approval of Minutes for the 11-19-2025 Planning Commission Meeting

ACTION ITEMS:

- Preliminary Plat - Pearson Subdivision - Located generally at 233 South 400 West

A recording of the meeting can be viewed online at <https://www.youtube.com/watch?v=1ni2HmJSEJ8>

PLANNING COMMISSION WORK SESSION

Place: Orem City Council Conference Room, 56 North State Street

At **4:39 p.m.** Chair Komen called the Planning Commission meeting to order at approximately 4:39 PM - Adjustment

Those present: Madeline Komen, Haysam Sakar, Mike Carpenter, Rod Erickson, Jerry Crismon, Planning Commissioners; Jared Hall, Grant Allen, Grace Bjarnsen, Rebecca Gourley, Planning and Zoning Staff; Dave Spencer, City Council Liaison; Crystal Muhlestein, City Councilmember Elect.

Those excused: Britton Runolfson, Jim Hawkes, Planning Commission members.

1. OPMA VIDEO

Commissioners and Staff reviewed the State's required training video on Open Public Meetings.

2. CONCERNS ABOUT NEIGHBORHOOD MEETINGS

Commissioners and Staff discussed issues regarding the timeliness of neighborhood meeting notices and their associated cancellations.

3. GENERAL PLAN DISCUSSION: ARTS AND RECREATION OPPORTUNITIES

Commissioners and Staff discussed opportunities to include arts and recreation opportunities in the general plan and discussed including elements of the heART of Orem plans.

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PLANNING COMMISSION MEETING

Place: Orem City Council Chambers, 56 North State Street

At **5:34 p.m.** Chair Komen called the Planning Commission meeting to order. An invocation was offered by Rod Erickson.

Those present: Madeline Komen, Haysam Sakar, Mike Carpenter, Rod Erickson, Jerry Crismon, Planning Commission Members; Dave Spencer and Crystal Muhlestein, City Council Liaison and Councilmember Elect; Jared Hall, Grant Allen, Grace Bjarnsen, Rebecca Gourley, Planning and Zoning Staff Members.

Those excused: Britton Runolfson, Jim Hawkes, Planning Commission member; Matt Taylor, Senior Planner.

Agenda Item 3, Consent Agenda Items

- 3.1 Approval of Minutes for the 11-19-2025 Planning Commission Meeting
- 3.2 Approval of the 2026 Planning Commission Meeting Calendar

Planning Commission Action: Chair Komen introduced the Consent Agenda. Rod Erickson motioned to approve the agenda. Haysam Sakar seconded the motion.

Yes: Madeline Komen, Haysam Sakar, Mike Carpenter, Rod Erickson, Jerry Crismon

No: None

Agenda Item 4.1 “HOME DEPOT REZONE” - A request to rezone the property located generally at 575 East 1000 South from R8 to PD-34 by amending article 22-5-3(A) and the zoning map of the City of Orem

Before the item was introduced, the Planning Commission paused for a legal review regarding a potential conflict of interest. Commissioner Haysam Sakar advised that his business recently began renting property and coordinating events with Woodbury Corp., the applicant of the Home Depot rezone, in American Fork. City Attorney Aaron McKnight advised that, because there was no shared financial interest in the Home Depot rezone project and the business venture was happening in a different city, there was no conflict of interest. The Planning Commission resumed.

Staff member Jared Hall introduced the Home Depot Rezone project, located at approximately 575 East 1000 South. This location is currently zoned R8 and the applicant seeks to rezone the property to PD-34 so that it may be included in a future home depot site plan. Per the concept site plan, the rezoned lot is primarily intended to serve as overflow parking for Home Depot, and would be subject to the following PD-34 requirements:

1. Structures in the PD-34 zone must be set back 20 feet from a property line that abuts a residential zone
2. An 8 foot tall masonry wall must be constructed along property lines abutting residential zones
3. An 8 foot wide landscaping buffer is required along the property line

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4. Must adhere to the 35 foot height requirement in the “Limited Zone” areas, as designated by Appendix BB

Chair Komen reminded Commissioners and attendees the item up for discussion was for the rezone, and that the site plan would be reviewed at a later date. Chair Komen opened the item for Commission discussion.

Commissioner Jerry Crismon requested to view the land use code for the PD-34 zone. Mr. Crismon advised that he would prefer a zone that has more limited land uses, as the PD-34 has a large list of greatly varied uses, which makes it difficult to ensure a developer builds a specific site.

Commissioner Haysam Sakar commented that it was possible for Home Depot to modify the site plan so that the building and parking flow would fit without the property at 575 East 1000 South. Staff agreed this may be possible.

Chair Komen invited the applicant, Dan Olsen, to come forward. Mr. Olsen did not have any questions or additional comments, and neither did the Commission. Chair Komen then opened the meeting for public comment at 5:49 PM.

Public Comment:

Annette Olson, Neighbor: Ms. Olson addressed concerns on her and her neighbors' behalf. She asked about the 20 foot minimum setback along the property line, and expressed concern regarding the proximity of Home Depot's loading dock to her home. Ms. Olson commented that an 8 foot wall would not be sufficient and requested a 12 foot wall along the property line.

Comment closed at 5:53 PM. A recording of the meeting can be viewed online at <https://www.youtube.com/watch?v=rAl6sSbXFf8>

Commissioner Rod Erickson asked Staff if it is possible to implement a 12 foot wall. Mr. Hall advised the request could be incorporated into the recommendation for City Council, but would otherwise be determined during site plan review.

Annette Olson again came to the stand to ask about on which side of the property line the wall would be located, and again emphasized the closeness of the development to her home. Chair Komen offered to talk about the concerns after the meeting, as the Public Comment section of the meeting had been closed.

Dan Olsen came up for final comments on the project's setbacks and future site plan design. Kathy Olsen, a co-applicant from Woodbury Corp., arrived late and was invited to make a statement.

Kathy Olsen advised that Woodbury Corp. wanted to purchase and rezone the property to straighten out property lines between the neighborhood and the University Place projects. She and Dan Olsen discussed plans to heavily vegetate the property lines to mitigate sound and light impact.

The Commission discussed final comments before initiating a vote. Commissioner Crismon expressed concern for the rezone, noting that there was not a reason to change the zoning until the Commission was certain of what was to be built. Vice Chair Mike Carpenter commented that the PD-34 zone is more restrictive than the C2 zone.

There were no further comments. Chair Komen asked for a motion.

Planning Commission Action: Rod Erickson motioned to forward a recommendation of approval for the Home Depot Rezone project. Haysam seconded the motion.

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YES: Haysam Sakar, Madeline Komen, Rod Erickson

NO: Mike Carpenter, Jerry Crismon

ABSTAIN: None

Due to a lack of four positive or negative votes, the Home Depot Rezone project was forwarded to the City Council with no recommendation.

Final Meeting Comments: No further comments were made.

Adjournment: Chair Komen asked for a motion to adjourn. Vice Chair Mike Carpenter motioned to adjourn, Haysam Sakar seconded. All Commissioners voted in favor.

The Planning Commission Meeting adjourned at **6:10p.m.**

Reviewed and Approved: DRAFT

DRAFT MINUTES FOR DECEMBER 17, 2025

CITY OF OREM PLANNING COMMISSION MEETING MINUTES December 17, 2025

The following items are discussed in these minutes:

CONSENT AGENDA ITEMS:

- Approval of Minutes for the 11-03-2025 Planning Commission Meeting (Pulled from the agenda due to clerical issue)

ACTION ITEMS:

- **Plat Amendment** — Cove Estates Plat J — Located at approximately 1030 N 1510 East — Combining 2 lots into 1 lot
- **Preliminary Plat** — Rolling Sand Plat A — Located at approximately 1765 S Sandhill Road — Creation of a flaglot
- **ASH Site Plan** — Orchard Grove — Located at approximately at 575 W 1700 North — Affordable senior housing fourplex

A recording of the meeting can be viewed online at <https://www.youtube.com/watch?v=EOXwylyChUY>

PLANNING COMMISSION WORK SESSION

Place: Orem City Council Conference Room, 56 North State Street

At **4:38 p.m.** Chair Komen called the Planning Commission meeting to order at approximately 4:38 PM

Those present: Madeline Komen, Mike Carpenter, Rod Erickson, Jerry Crismon, Planning Commissioners; Jared Hall, Grant Allen, Grace Bjarnson, Rebecca Gourley, Planning and Zoning Staff; Dave Spencer, City Council Liaison.

Those excused: Britton Runolfson, Jim Hawkes, Haysam Sakar, Planning Commission members.

1. ETHICS AND LAW TRAINING

Staff reviewed state laws regarding disclosure, conflict of interest, and ethics regulations applicable to elected and/or appointed officials and staff members interacting with City Commissions.

DRAFT MINUTES FOR DECEMBER 17, 2025

PLANNING COMMISSION MEETING

Place: Orem City Council Chambers, 56 North State Street

At **5:31 p.m.** Chair Komen called the Planning Commission meeting to order. An invocation was offered by Mike Carpenter.

Those present: Madeline Komen, Mike Carpenter, Rod Erickson, Jerry Crismon, Planning Commission Members; Dave Spencer and Crystal Muhlestein, City Council Liaison and Councilmember Elect; Jared Hall, Grant Allen, Grace Bjarnson, Rebecca Gourley, Planning and Zoning Staff Members.

Those excused: Britton Runolfson, Jim Hawkes, Haysam Sakar, Planning Commission members

Agenda Item 3, Consent Agenda Items

- Approval of Minutes for the 11-03-2025 Planning Commission Meeting

Staff addressed a clerical issue with the Consent Agenda. Staff mistitled the minutes as “11-03-2025” when the items provided were intended to be labeled as the “12-03-2025” minutes. Because the item was not noticed with the proper name, Staff and Commissioners agreed to forgo discussion and vote on the proper item at the January 7th, 2026 meeting.

No official motion was made.

ACTION ITEMS:

4.1 PLAT AMENDMENT - COVE ESTATES PLAT J - LOCATED GENERALLY AT 1030 NORTH 1510 EAST

Staff member Jared Hall presented the Cove Estates Plat J Plat amendment, located generally at 1030 North 1510 East in the R12 zone. The applicant requests to combine the lots located at 1030 North 1510 East and 1006 North 1520 East into one lot, resulting in one double-frontage lot.

Staff explained that double frontage lots have additional regulations and advised that conditions be applied to the lot to ensure code compliance, should they choose to approve the plat amendment. These conditions are described in the Staff Report, which was posted as part of the agenda documents and can be accessed at [Orem.gov/meetings](https://www.orem.gov/meetings)

A recording of this discussion can be viewed online at <https://www.youtube.com/watch?v=EQXwylvChUY>

Jared Hall asked if the Commission had questions. Vice Chair Mike Carpenter asked if PUEs would be altered as part of the amendment. Grace Bjarnson advised that the applicant also requested to alter the Public Utility Easement (PUE) that is currently along the shared backyard property line. This alteration will make the PUE only in favor of Comcast, and remove the easement rights of Century Link, Questar (DBA Enbridge, Dominion Energy), PacifiCorp (DBA Rocky Mountain Power) and Utopia.

No further questions were raised.

Planning Commission Action: Vice Chair Mike Carpenter motioned to approve the Cove Estates Plat J Plat amendment, subject to the conditions outlined in the staff report. Commissioner Rod Erickson seconded the motion.

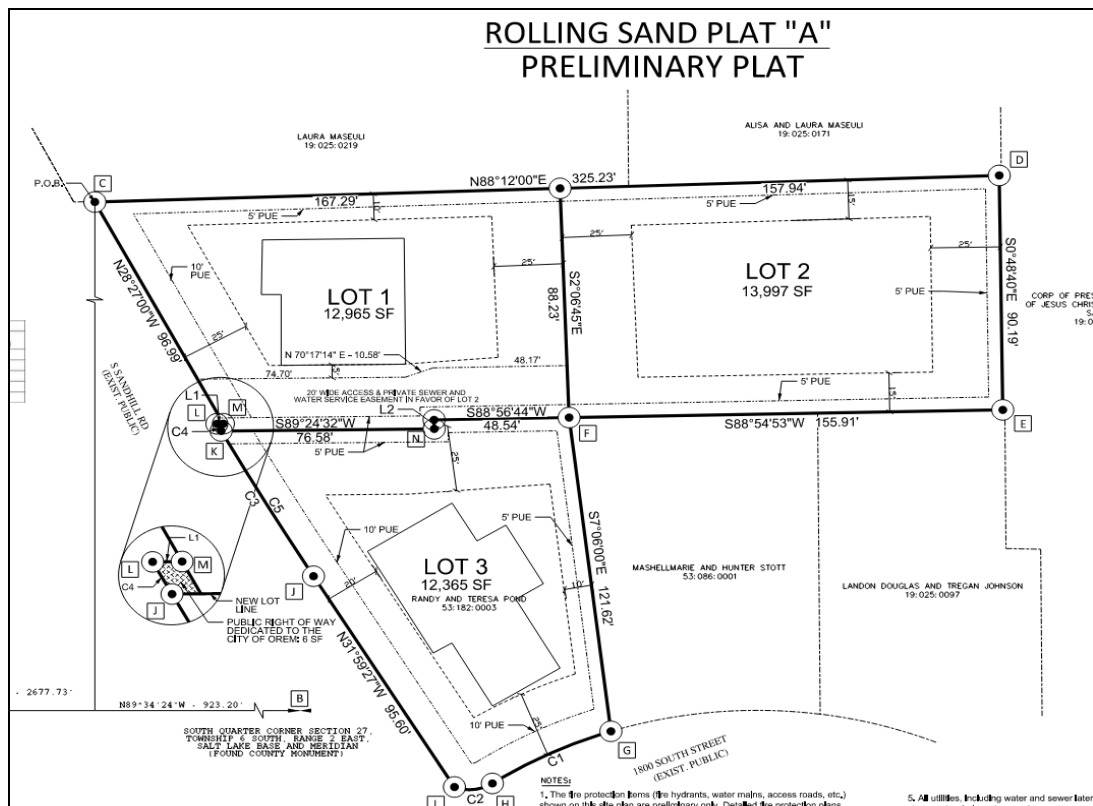
YES: Madeline Komen, Mike Carpenter, Rod Erickson, Jerry Crismon

NO: None

ABSTAIN: None



4.2 PRELIMINARY PLAT - ROLLING SAND PLAT A - LOCATED APPROXIMATELY AT 1765 SOUTH SANDHILL ROAD



Staff member Jared Hall presented the Rolling Sand Plat A Plat Amendment, located in the R8 zone at approximately at 1765 South Sandhill Road. The applicant requests to create a flag lot at the rear of the property currently located at 1765 S. Staff and Commissioners reviewed the frontage, size, and access requirements for the flag lot. A recording of this discussion can be viewed online at <https://www.youtube.com/watch?v=EOXwylvChUY>

Jared Hall asked if the Commission had questions. Vice Chair Carpenter requested to review the location of the property. Chair Komen asked if a second driveway would be made to service the flag lot. Mr. Hall advised that the existing driveway would be extended, and a second driveway would not be made. Commissioner Rod Erickson asked for clarification on the existing zone. Staff clarified that the lot is zoned R8.

Vice Chair Carpenter expressed concern for the traffic on Sandhill Road, commenting that the rezone of the Wilkerson Farm location (Whitstone Estates), will exacerbate the traffic at this location.

No further questions were raised.

Planning Commission Action: Commissioner Erickson motioned to approve the Rolling Sand Plat amendment. Commissioner Jerry Crismon seconded the motion.

YES: Madeline Komen, Rod Erickson, Jerry Crismon

NO: Mike Carpenter,

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ABSTAIN: None

A total of either four negative or four positive votes were required to complete a motion on the property. Due to an insufficient number of solidary votes, the motion failed.

Chair Komen asked the present Legal Counsel how to proceed with a vote for the item. Gary McGinn advised that a member of the majority vote may make a motion to reconsider the item at a later date.

Planning Commission Action: Commissioner Erickson motioned to reconsider the vote on the Rolling Sand Plat amendment. Commissioner Jerry Crismon seconded the motion.

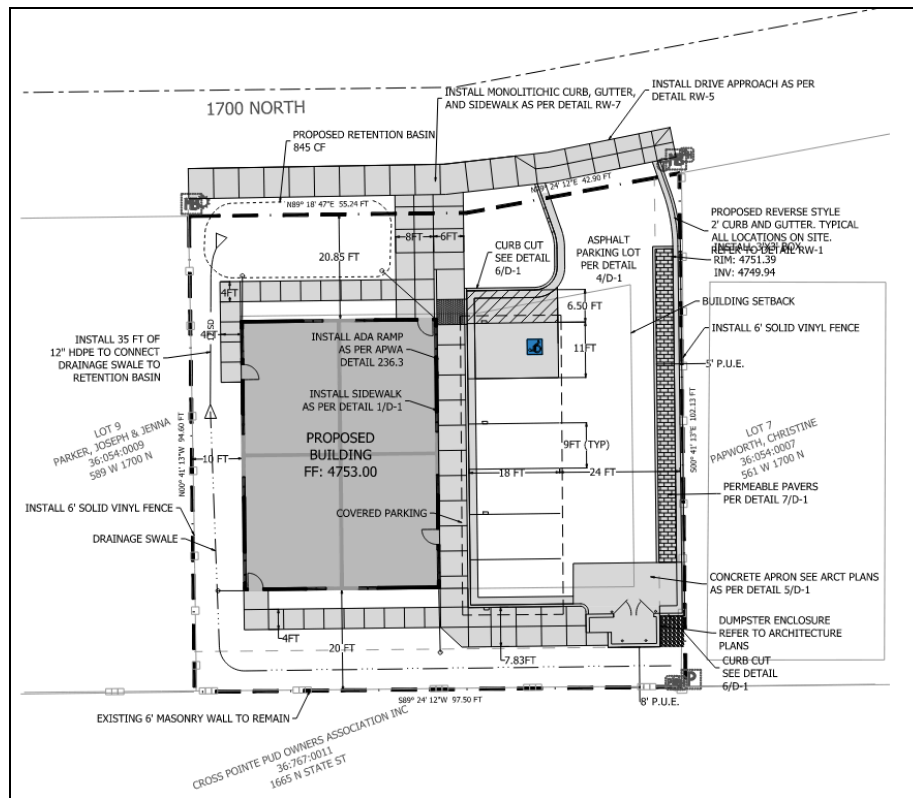
YES: Madeline Komen, Rod Erickson, Jerry Crismon

NO: Mike Carpenter,

ABSTAIN: None

Due to the vote, the motion to reconsider was not approved. Mr. McGinn advised that he would contact the applicant to determine if he or she would be interested in approaching the Planning Commission again at a later date.

**4.3 AFFORDABLE SENIOR HOUSING SITE PLAN - ORCHARD GROVE SENIOR
FOURPLEX - LOCATED AT APPROXIMATELY 575 WEST 1700 NORTH IN THE R8 ZONE**



Staff member Jared Hall introduced the site plan for the Orchard Grove Senior Fourplex. The Affordable Senior Housing (ASH) overlay allows for the creation of senior housing fourplexes, provided they are compliant with section 22-12-7. Per this section, ASH site plans must be reviewed and approved by the Planning Commission.

A recording of the Site Plan presentation (including discussion regarding its income limits, parking requirements, occupancy capacity, and other code requirements) can be viewed online at <https://www.youtube.com/watch?v=EQXwylvChUY>

Mr. Hall asked if the Commission had questions. Vice Chair Carpenter asked if it is possible for the property to be converted into a general fourplex. Mr. Hall clarified that if seniors are removed from the housing, the structure must revert back to a single family dwelling, as required per the R8 zone. All occupancy benefits of the ASH overlay then be removed.

Vice Chair Carpenter also asked about the front yard setback of the property. The structure will be set back 25 feet, as dictated by the R8 zone.

Planning Commission Action: Vice Chair Carpenter motioned to approve the Orchard Grove Senior Fourplex Site plan. Rod Erickson seconded the motion.

YES: Madeline Komen, Mike Carpenter, Rod Erickson, Jerry Crismon

NO: None

DRAFT MINUTES FOR DECEMBER 17, 2025

ABSTAIN: None

Final Meeting Comments: Mr. McGinn thanked the Commission on behalf of the City Council. Both Mr. McGinn and Commissioner and expressed their appreciation for the Commission's Liaison, Dave Spencer.

Adjournment: Chair Komen asked for a motion to adjourn. Vice Chair Mike Carpenter motioned to adjourn, Rod Erickson seconded. All Commissioners voted yes.

The Planning Commission Meeting adjourned at **5:56 p.m.**

Reviewed and Approved: DRAFT

	PLANNING COMMISSION January 7 th , 2025	4.2 Rolling Sand Plat A, Preliminary
	Rolling Sand Plat A 1765 South Sandhill Road Preliminary Approval, single-family deep lot subdivision in the R8 Zone.	Prepared By: Jared Hall Applicant: Skyline Homes

Notices:

Posted in 2 public places.
Posted on City Webpage
and City hotline.
Posted at Utah.gov/pmn.

Site Information:

General Plan Designation:
Low Density Residential

Neighborhood:
Lakeview

Zoning: **R8**

Total Acreage: **.90 acres**

Action:

The Planning Commission
is the Land Use Authority
for this item.

***NOTE:** This request for preliminary subdivision approval was reviewed at the Planning Commission meeting on December 17th, 2025; however, the Commission was unable to pass any vote at that time. Since no action was taken, the item has been re-scheduled for review on the current agenda.

REQUEST: Sklyeline Homes requests preliminary subdivision approval to allow the creation of a new lot directly to the rear of the existing home on 1765 South Sandhill Road and make minor adjustments to the property line between 1765 South and 1785 South Sandhill Road. The proposed subdivision will result in one additional building lot.

BACKGROUND: In this proposed subdivision, a deep/flag lot will be created from the rear area of the existing lot at 1765 South Sandhill Road. The existing house on the property will remain, and a new building lot will be created. Also involved in the subdivision is the adjacent, developed lot at 1785 South Sandhill Road. The property lines between 1765 and 1785 will be modified slightly to create a wide enough access for the new deep lot. Both of the existing homes at 1765 South and 1785 South will remain.

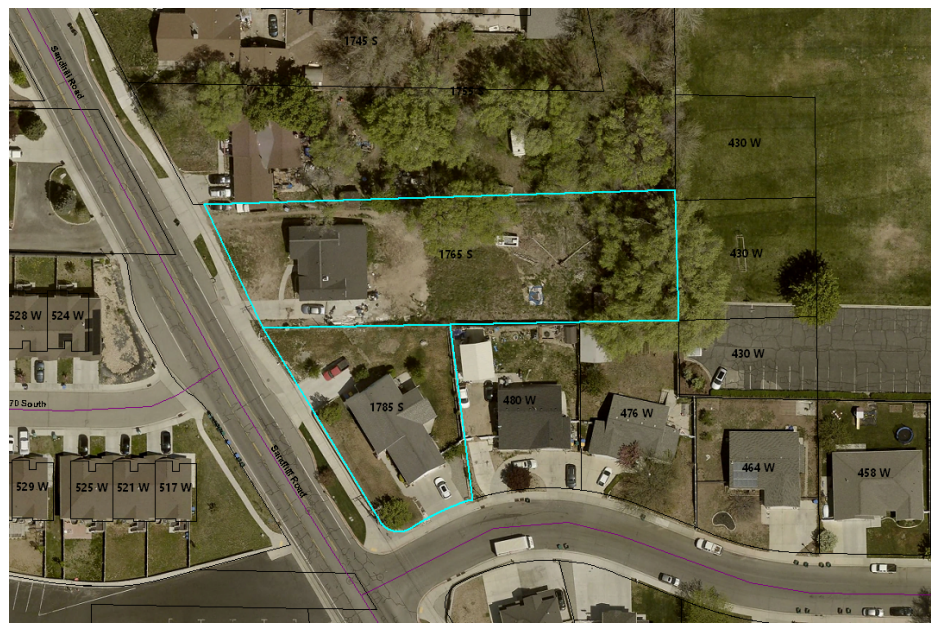


Figure 1: 1765 & 1785 South Sandhill Road, aerial

REVIEW & ANALYSIS:

Zoning – The subject property is zoned R8, Single Family Residential. The proposed preliminary subdivision includes a deep lot (sometimes referred to as a “flag lot”) which is permissible under Article 17-8-1 if approved by the Planning Commission. Deep lots can be created to allow the development of land where there is limited access for frontage on the public right-of-way (ROW). The proposed lots will meet the requirements of the R8 Zone and of Article 17-8-1 for deep lot subdivision.

Public Improvements – The subject property is accessed from Sandhill Road, where improvements to the right-of-way such as curb, gutter, and sidewalk already exist. The other lot involved (1785 South Sandhill) has frontage on both Sandhill Road and 1800 South where improvements already exist. No new ROW improvements are necessary as part of this subdivision.

Lots – The preliminary subdivision has been reviewed for compliance with the R8 Zone development standards as well as for all requirements specific to deep lot subdivision. Required setbacks are shown on the preliminary plat illustrating that they are being met by existing structures and that they could easily be met with new construction on proposed Lot 2.

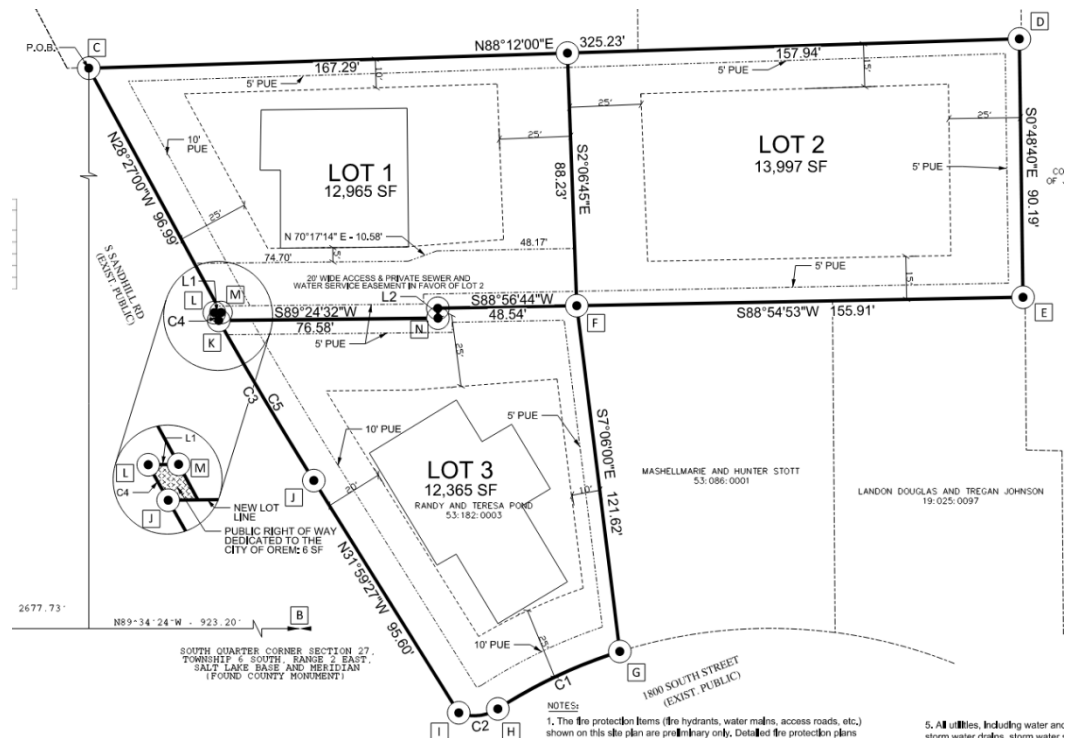


Figure 2: from the Preliminary Plat, Rolling Sand

Under the requirements of Article 17-8-1, a deep lot must be a minimum of 125% of the required lot size of the zone (R8), or 10,000 ft² in this case. Lot 2 will comply with the deep lot and R8 requirements. Lot 1 and Lot 3 must be a minimum of 8,000 ft², and both exceed that requirement.

Lot 1 – 12,965 ft²

Lot 2 – 13,997 ft²

Lot 3 – 12,365 ft²

Other Deep Lot Restrictions – Article 17-8 carries includes some other requirements for deep lots that should be noted.

- Curbing: The private drive access – whether owned as part of the deep lot or provided as an easement over the original lot – must include concrete curbs on both sides. *17-8-C(5)*
- Height: Houses constructed on deep lots in the R8 Zone are not allowed to exceed one story above grade (unless the net areas is greater than 15,000 ft²). *17-8-C(7)(a)*

Compliance with these sections of the subdivision code should be conditions of approval if the preliminary approval is granted.

Access – Lot 1 has direct access from Sandhill Road. Lot 2 will include a twenty-foot (20') wide easement for access to Sandhill Road running over the existing driveway for Lot 1. Lot 3 has primary access to 1800 South, and a small access on Sandhill Road. No new access onto Sandhill Road will be created by this subdivision.

Parking – No parking is allowed in the 20' access easement (the stem portion of Lot 3) or within the turnaround that is provided between Lots 1 and 2. Each lot will have space for private driveways, garages, or other parking areas to provide the required off-street parking.

Other – There are no elevations or home plans for the proposed lots: the subdivision will be recorded and the new building lot (Lot 2) will be made available for purchase by individuals to build on. The only allowable uses are single family detached homes.

DEVELOPMENT REVIEW COMMITTEE: The Preliminary Subdivision has passed the technical reviewing body, and the Development Review Committee (DRC) reviewed and approved the application at their public meeting on Monday, December 8th, 2025.

ACTIONS: The Planning Commission is the designated Land Use Authority for preliminary subdivisions. The Commission may approve or deny the request for preliminary subdivision or may choose to continue their

consideration of the request and ask for additional information or analysis. If the preliminary subdivision is approved, a final subdivision application will be reviewed for compliance by city staff and then prepared for recording. Staff has noted conditions that should be included if the Planning Commission chooses to approve the preliminary subdivision.

Alternative Motions –

“I move that the Planning Commission [choose: **APPROVE** or **DENY**] the Rolling Sand Plat-A, Preliminary Subdivision, subject to the following conditions:

1. The applicant shall file a Final Subdivision application meeting all requirements of the Orem City Zoning and Subdivision Ordinances.
2. The Final Subdivision Plat shall comply with deep lot requirements as contained in Article 17-8 of the Orem City Code.

“I move that the Planning Commission continue this request to [choose appropriate date or condition].”

Rolling Sand Plat A – 1765 S Sandhill Road



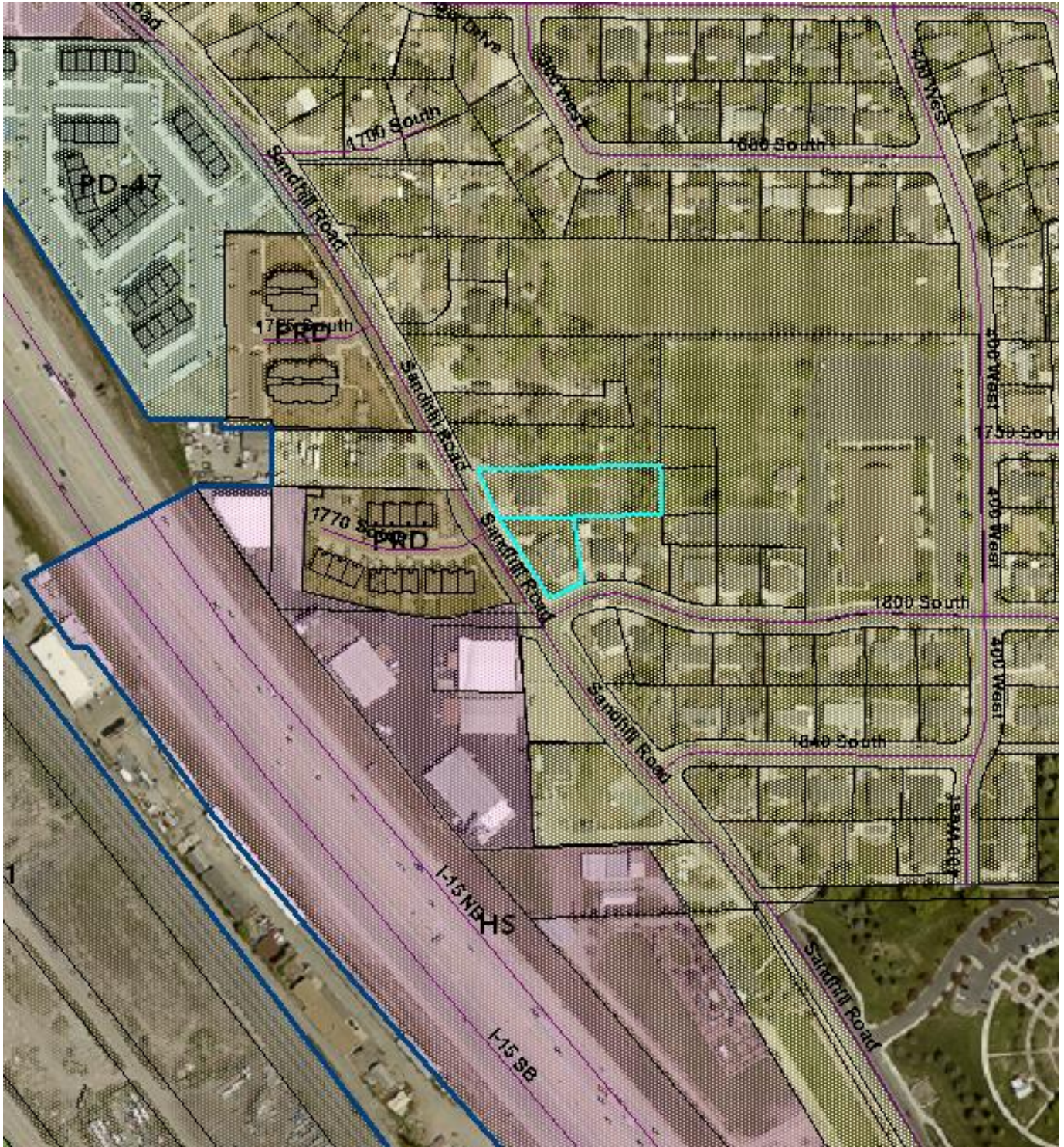
Vicinity Map

Zone: R8

Subdivision Acres: Approx .92 Acres



Rolling Sand Plat A – 1765 S Sandhill Road



Zoning Map

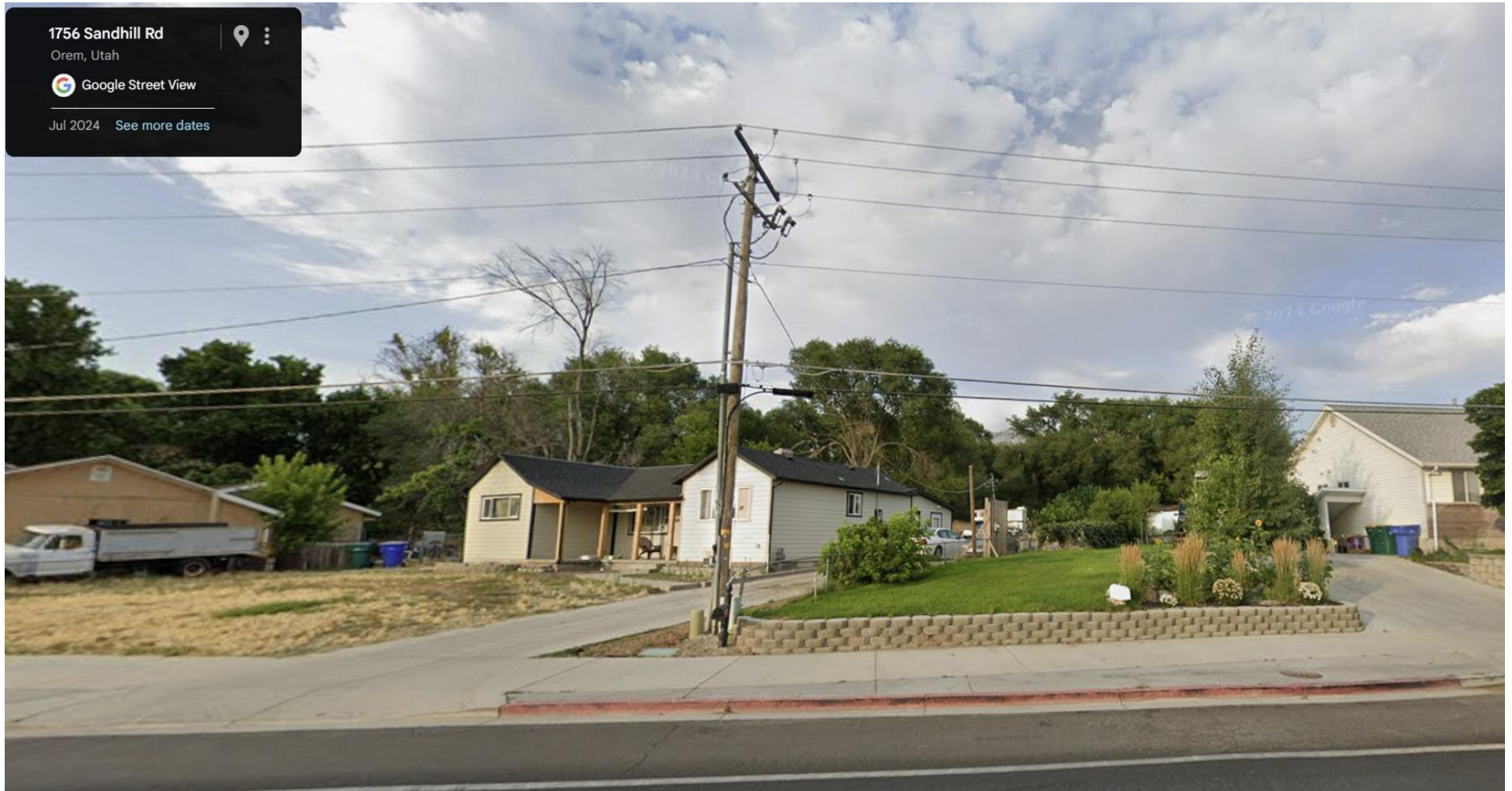
Zone: R8

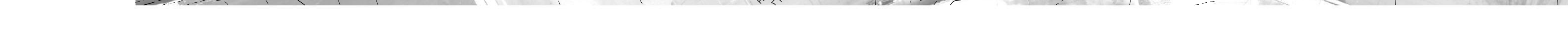
Subdivision Acres: Approx .92 Acres



Rolling Sand Plat A – 1765 S Sandhill Road

Current Street View





ENGINEER / SURVEYOR

→ **MW** ←

Office: (801) 377-1790 Fax: (801) 377-1789
578 East 770 North, Orem UT 84097

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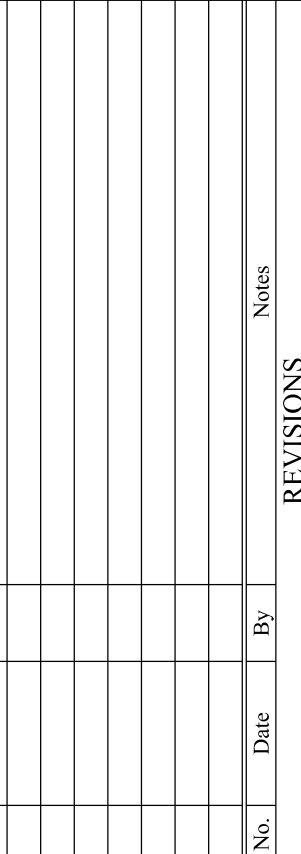
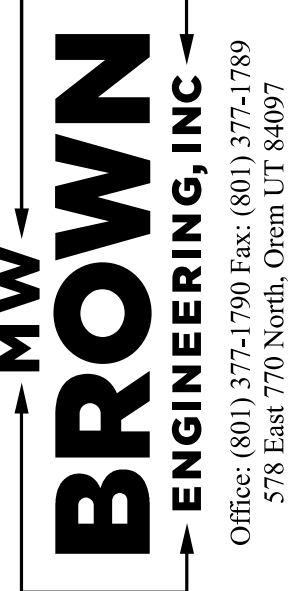


Designed MMB
ITB

DATE _____		

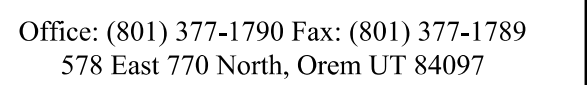
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PRINT DATE: 11/2



ROLLING SAND PLAT A
Location: OREM, UT
Drawing Name: PRELIMINARY UTILITY PLAN

ENGINEER / SURVEYOR:



SHEET NO.
1.03

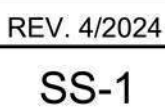
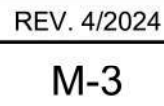




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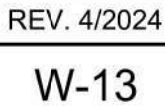
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|---|--|
| 1. CUT ASPHALT T-PATCH TO WIDTH TRENCH, CONSTRUCT PIPELINE & RESTORE SURFACE. THEN CUT ASPHALT 12" WIDER THAN THE TRENCH. ON THE SIDE REMOVE ASPHALT. FINISH RESTORATION IN TRENCH WALLS COLLAPSE OR WIDEN CUT 12" FROM THAT NEW FINAL WIDTH. | 4. PATCHES EXTENDING MORE THAN 3/4 OF A ROADWAYS WIDTH SHALL BE EXTENDED TO THE FULL WIDTH OF THE ROAD (GUTTER TO GUTTER). WHEN TRENCHING IS WITHIN 24" OF A CURB OR GUTTER THE REMOVAL OF THE EXISTING LAYERS SHALL EXTEND ALL THE WAY TO THE CURB OR GUTTER. PLACE ASPHALT CONCRETE IN LIFTS NO GREATER THAN 3", OR LESS THAN 2". T-PATCH REQUIRED FOR ALL FINAL ASPHALT PAVEMENT RESTORATION. |
| 2. LONGITUDINAL EDGE OF A ROADWAY PATCH SHALL BE CUT TO THE NEAREST SEAM OR ROAD STRIPING (AND/OR OUT OF THE WAY OF TRAFFIC). | 5. ASPHALT THICKNESS WILL MATCH THE EXISTING ASPHALT THICKNESS PLUS 1/2" IF A MINOR THICKNESS DIFFERENCE IS NOT APPARENT. IF THE DIFFERENCE IS GREATER, THEN THE ASPHALT PATCH WILL MATCH THE EXISTING THICKNESS. LIMIT LENGTH OF OPEN TRENCHES TO 200 LINEAL FEET DAY OR NIGHT. |
| 3. NEW TRENCHES WITHIN 10 FT OF ONE ANOTHER SHALL BE COMBINED INTO A SINGLE PATCH. | |

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- NOTES:

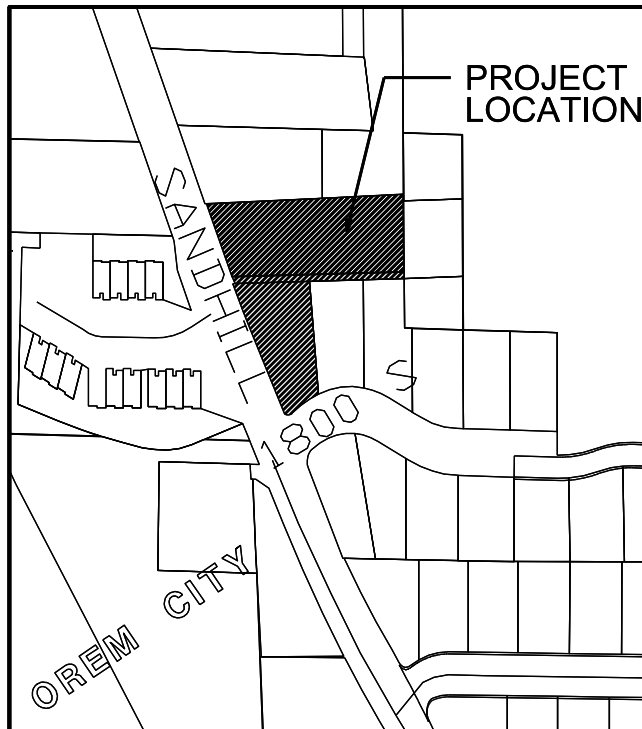
1. MIN. COVER ON SERVICE LINE IS 42".
2. FOR INSTALLATIONS WITH CONTINUOUS TRAFFIC FLOW ON METER LID, STANDARD MANDATORY REQUIREMENT IS 30" MIN. HEIGHT REINFORCED CONCRETE WITH STANDARD 3" MANHOLE RING AND COVER SHALL BE USED AS APPROVED BY WATER SECTION PERSONNEL.
3. TRACER WIRE SHALL BE 14 GAUGE SOLID INSULATED COPPER WIRE INSTALLED WITHIN 6" ABOVE TOP OF PIPE.
4. WIRE IS TO BE SPLICED IN AT ALL SERVICE CONNECTIONS TO THE MAIN AND COVERED OR COATED WITH CORROSION PROTECTION SUCH AS GEL CAPS OR MASTIC PAD.
5. MULTIPLE FITTERS IN A BOX SHALL BE TAGGED FOR ADDRESS IDENTIFICATION.
6. IF A SERVICE IS NOT INSTALLED IN A STRAIGHT ALIGNMENT IT MUST BE COPPER.
7. IF USING POLY, INSERTS ARE REQUIRED AT THE COMPRESSION FITTING.
8. ALL BRASS FITTINGS MUST BE LEAD-FREE.
9. ALL TREES, SHRUBS, AND DEEP ROOTED VEGETATION MUST BE A MINIMUM OF 36" HORIZONTAL AND 10' VERTICAL FROM EDGE OF METER CATCHER.
10. ALL COMMERCIAL IRRIGATION SYSTEMS MUST BE PROTECTED BY A REDUCED PRESSURE ZONE (RPZ) BACKFLOW ASSEMBLY. (SEE W-23)
11. RESIDENTIAL IRRIGATION SYSTEMS SHALL BE PROTECTED AGAINST BACKFLOW BY AN ATMOSPHERIC VACUUM BREAKER OR A PRESSURE BREAKING DEVICE AS SPECIFIED OR REFERENCED TO THE MANUFACTURER'S GUIDELINES OR A REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION ASSEMBLY. (SEE W-23)



SHEET NO.
2.00



Designed _____
 Drawn _____
 Checked _____
 Date _____

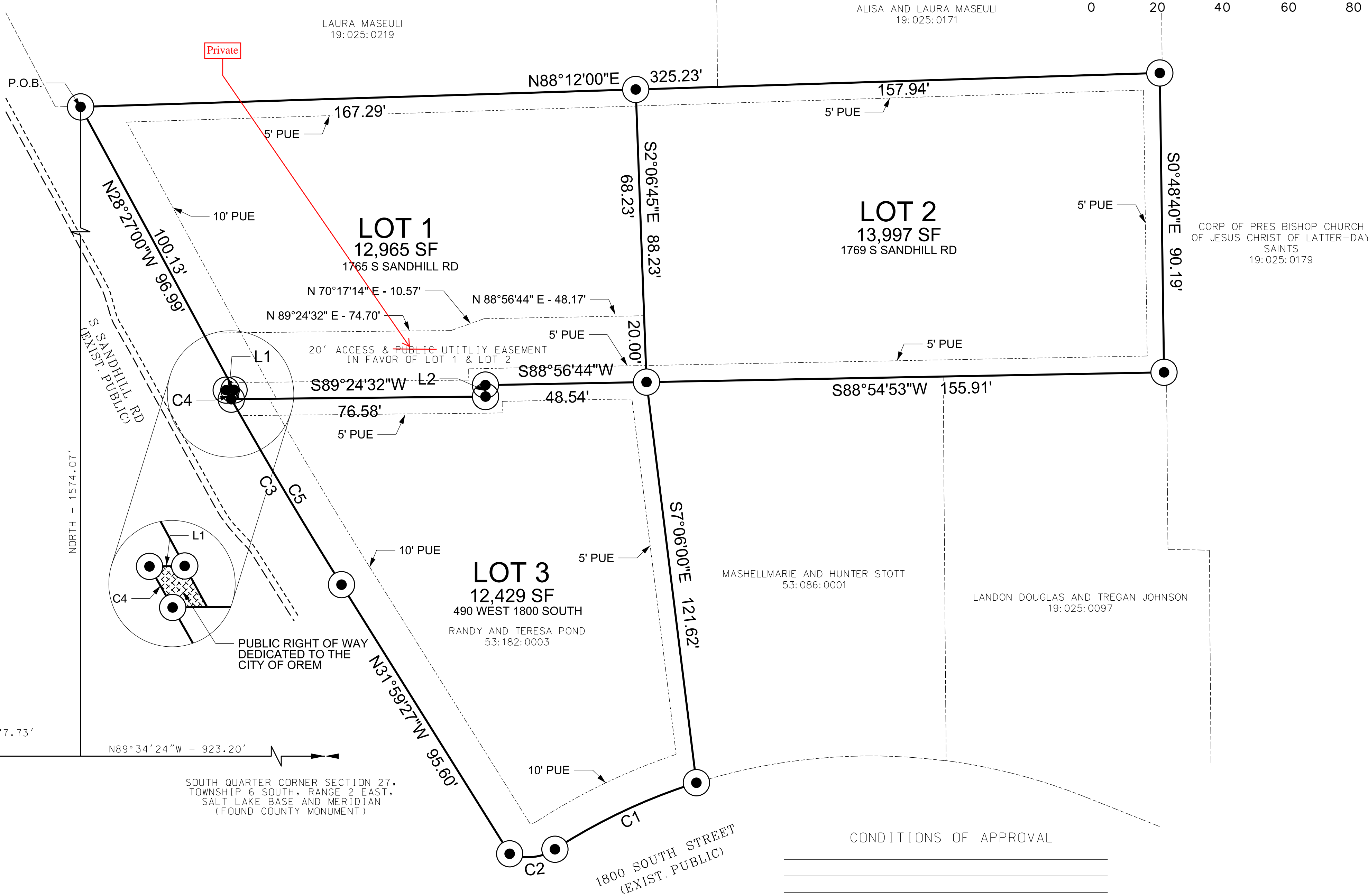


VICINITY MAP

ROLLING SAND PLAT "A"
INCLUDING A VACATION OF LOT 1, TUCKER PLAT "B" SUBDIVISION
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE & MERIDIAN,
OREM, UTAH COUNTY,
UTAH

LINE TABLE		
NAME	LENGTH	DIRECTION
L1	2.36	N 89°15'42" E
L2	3.46	N 00°37'10" W

CURVE TABLE					
NAME	RADIUS	ARC LENGTH	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	175.00	47.23	15°27'52"	S 64°48'30" W	47.09
C2	15.00	14.24	54°22'39"	S 84°16'18" W	13.71
C3	1462.00	68.16	2°40'16"	N 30°39'19" W	68.15
C4	1462.00	3.16	0°07'25"	N 29°22'54" W	3.16
C5	1462.00	65.00	0°32'51"	N 30°43'02" W	65.00



BASIS OF BEARING: N89°34'24"W - 2677.73'
(ALONG SECTION LINE)

SOUTHWEST CORNER SECTION 27,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN
(FOUND COUNTY MONUMENT)

SOUTH QUARTER CORNER SECTION 27,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN
(FOUND COUNTY MONUMENT)

DEDICATION TO THE CITY OF OREM: 6 SF.

PLAT VACATION NOTICE

THE CITY OF OREM IS SATISFIED THAT NEITHER THE PUBLIC NOR ANY PERSON WILL BE MATERIALLY INJURED BY THE VACATION OF LOT 1, TUCKER PLAT "B" SUBDIVISION. LOT 1 TUCKER PLAT "B" IS HEREBY VACATED.

CORPORATE ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, A.D. 2022 BY _____, WHO REPRESENTED THAT HE/SHE IS THE MANAGER OF _____, LLC, AND HAS AUTHORITY TO EXECUTE THIS INSTRUMENT.

MY COMMISSION NUMBER _____ MY COMMISSION EXPIRES _____

SIGNED _____ PRINTED FULL NAME OF NOTARY
(TO NOTARY PUBLIC COMMISSIONED IN UTAH)

CORPORATE ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, A.D. 2022 BY _____, WHO REPRESENTED THAT HE/SHE IS THE MANAGER OF _____, LLC, AND HAS AUTHORITY TO EXECUTE THIS INSTRUMENT.

MY COMMISSION NUMBER _____ MY COMMISSION EXPIRES _____

SIGNED _____ PRINTED FULL NAME OF NOTARY
(TO NOTARY PUBLIC COMMISSIONED IN UTAH)

ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, A.D. 2022 BY _____ OF THE _____, WHO REPRESENTED THAT HE/SHE IS THE _____ OF THE _____ AND HAS AUTHORITY TO EXECUTE THIS INSTRUMENT.

MY COMMISSION NUMBER _____ MY COMMISSION EXPIRES _____

SIGNED _____ PRINTED FULL NAME OF NOTARY
(TO NOTARY PUBLIC COMMISSIONED IN UTAH)

CONDITIONS OF APPROVAL

APPROVED AS TO FORM

CITY ATTORNEY _____ DATE _____

ENGINEER & SURVEYOR

MW BROWN
ENGINEERING, INC

Office: (801) 377-1790 Fax: (801) 377-1789
578 East 770 North, Orem UT 84097

SURVEYOR'S CERTIFICATE

I, JAXON T. BROWN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 13513878 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW IN ACCORDANCE WITH SECTION 17-23-17, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION

A PARCEL OF LAND SITUATE IN THE EAST HALF OF THE SOUTH WEST QUARTER OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 2 EAST, OREM, UTAH COUNTY, UTAH, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED 923.20 FEET NORTH 89°34'24" WEST ALONG THE SECTION LINE AND 1574.07 FEET NORTH FROM THE SOUTH QUARTER CORNER OF SAID SECTION 27; AND RUNNING THENCE NORTH 88°12'00" EAST A DISTANCE OF 325.23 FEET, THENCE SOUTH 0°48'40" EAST A DISTANCE OF 90.19 FEET, THENCE SOUTH 88°54'53" WEST A DISTANCE OF 155.91 FEET TO THE NORTHEAST CORNER OF LOT 1 TUCKER SUBDIVISION PLAT "B" AS RECORDED IN THE UTAH COUNTY RECORDERS OFFICE FILING NUMBER 6819-81, THENCE ALONG SAID LOT 1 FOR THE FOLLOWING 3 COURSES: 1) SOUTH 7°06'00" EAST A DISTANCE OF 121.62 FEET TO A POINT ON A NON-TANGENT CURVE, 2) ALONG AN ARC 47.23 FEET OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 175.00 FEET, THE CHORD OF WHICH IS SOUTH 64°48'30" WEST FOR A DISTANCE OF 47.09 FEET 3) ALONG AN ARC 14.24 FEET TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, THE CHORD OF WHICH IS SOUTH 84°16'18" WEST FOR A DISTANCE OF 13.71 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF SANDHILL ROAD AS RECORDED IN ENTRY NUMBER 877112006; THENCE FOLLOWING SAID RIGHT OF WAY FOR THE FOLLOWING 2 COURSES: 1) NORTH 31°59'27" WEST A DISTANCE OF 95.60 FEET, 2) ALONG AN ARC 68.16 FEET TO THE RIGHT, HAVING A RADIUS OF 1462.00 FEET, THE CHORD OF WHICH IS NORTH 30°39'19" WEST FOR A DISTANCE OF 68.15 FEET, THENCE NORTH 89°15'42" EAST A DISTANCE OF 2.36 FEET, THENCE NORTH 28°27'00" WEST A DISTANCE OF 96.99 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 0.90 ACRES (39,398 SF) AND 3 LOTS.

NOTE: BASIS OF BEARING IS NAD 83 HORIZONTAL DATUM, NORTH 89°34'24" WEST IN BETWEEN THE SOUTH QUARTER CORNER AND SOUTHWEST CORNER OF SAID SECTION 27.

DATE _____ JAXON T. BROWN
(SEE SEAL BELOW)

OWNER'S DEDICATION

KNOW ALL BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 20____.

CORPORATION

SIGNATURE _____ PRINT NAME _____

TITLE _____ WESTLAND PROPERTIES, LLC

SIGNATURE _____ PRINT NAME _____

TITLE _____ SUPERIOR REAL ESTATE AND RENOVATORS

PRIVATE

SIGNATURE (RANDY POND) _____ PRINT NAME _____

SIGNATURE (TERESA POND) _____ PRINT NAME _____

ACCEPTANCE BY CITY OF OREM

THE CITY OF OREM, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND, INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC

THIS _____ DAY OF _____, A.D. 20____

APPROVED BY COMMUNITY DEVELOPMENT DIRECTOR _____

APPROVED BY ENGINEER (SEE SEAL BELOW) _____ ATTEST CLERK-RECORDER (SEE SEAL BELOW) _____

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE OREM CITY PLANNING COMMISSION

DIRECTOR-SECRETARY _____ CHAIRPERSON, PLANNING COMMISSION _____ RESOLUTION NO. _____


COUNTY RECORDER

PLAT A
ROLLING SAND SUBDIVISION

A RESIDENTIAL SUBDIVISION
INCLUDING A VACATION OF LOT 1, TUCKER PLAT "B" SUBDIVISION
OREM CITY _____ UTAH COUNTY, UTAH

SCALE: 1" = 20 FEET

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY-COUNTY ENGINEER SEAL CLERK-RECORDER SEAL

	Planning Commission January 7 th , 2025	4.3 Johnson Farms Rezone
	PUBLIC HEARING – ZONING MAP AMENDMENT Request to amend Article 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone of the property located generally at 1738 South Geneva Road from OS5, Open Space to C2, Community Commercial. (Approximately 4.43 acres)	Prepared By: Jared Hall Applicant: Washburn Associates

Notices:

Posted in 2 public places
Posted on City Webpage and City hotline
Posted at Utah.gov/pmn
156 notices sent to property owners within a 1,000-foot radius

Site Information:

General Plan Designation:

Community Commercial

Current Zone: **OS5**

Acreage: **4.43**

Neighborhood: **Lakeview**

Action:

The Planning Commission is an advisory body in legislative applications and should forward a recommendation to the City Council to approve or deny the requested Zone Map Amendment or may vote to continue the hearing to a future date to allow for further review, additional information, or public comment as may be needed to make a decision.

REQUEST: The applicant requests the Planning Commission forward a recommendation to the City Council to amend Section 22-5-3(A) and the zoning map of the City of Orem by changing the zone approximately 4.43 acres from the OS5, Open Space zone to the C2, Community Commercial zone located generally at 1738 South Geneva Road.

PREVIOUS REVIEW: The application was reviewed by the Planning Commission at a public hearing on November 5th, 2025, and subsequently by the City Council at a hearing on December 9th, 2025. The City Council directed the applicant to return with the same request coupled with a development agreement that would limit the allowed uses in the requested C2 Zone. The public hearing dates have been re-scheduled for the application to be reviewed again by both the Planning Commission and City Council with the inclusion of a draft development agreement.

BACKGROUND: The applicant is requesting approval to rezone the property at approximately 1738 South Geneva Road from OS5, Open Space to C2, Community Commercial with the intent to develop the property commercially. The application to rezone includes a concept plan for a “Flex Retail” project.

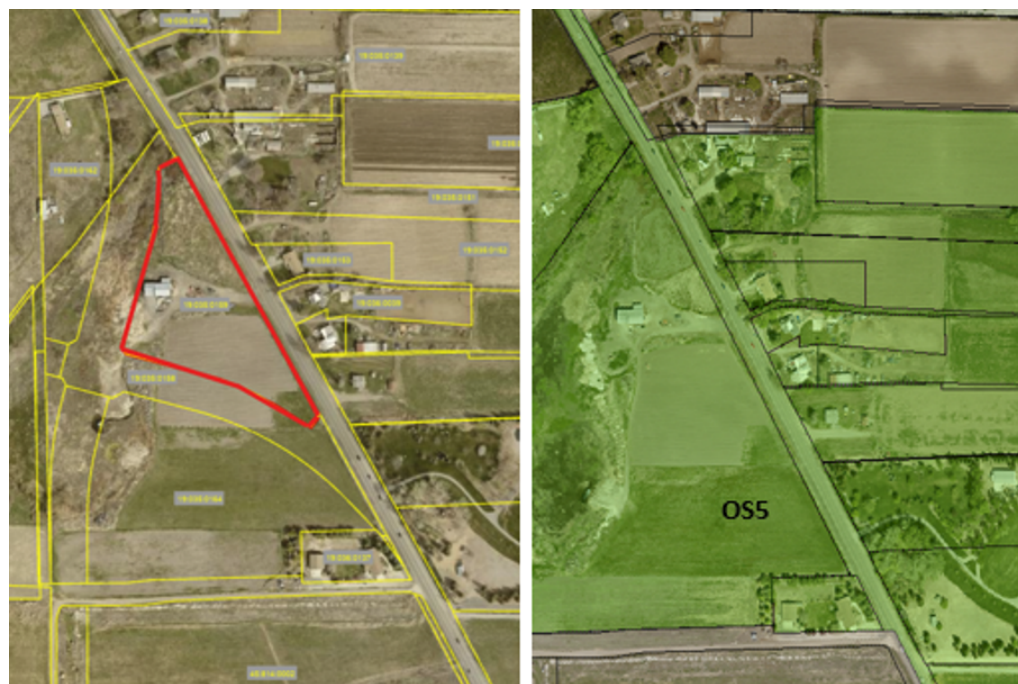


Figure 1: Subject Property aerial and zoning map

REVIEW & ANALYSIS:

General Plan – The property is designated “Community Commercial” on the Future Land Use Map. The requested zoning (C2, Commercial) is listed as one of the preferred zones for this land use designation.

Current Zoning – This property is currently zoned as OS5. OS5 allows for low density residential development at a rate of one home per five acres, some cultural and educational public uses (such as churches, primary schools, museums and libraries), and uses related to agriculture.

Proposed Zoning – Rezoning the property to C2 would permit a variety of commercial and retail uses at this property, including but not limited to automobile dealerships, restaurants, retail shopping centers, and other similar uses. The applicant has proposed entering into a development agreement with the city in conjunction with the requested zone change that would further limit the allowable uses and the hours of operation on the site in order to mitigate potential negative impacts on the surrounding area.

Development Agreement – The proposed development agreement has been attached with this report for your review. The agreement would:

- 1) Set the concept plan and elevations as the required development. These documents are attached as exhibits to the development agreement.
- 2) Limit hours of operation for businesses on the site to between 5:00 a.m. and 12:00 a.m. (midnight).
- 3) Limit the permitted uses. Outdoor storage of any kind would be prohibited, and the following uses normally allowed in the C2 Zone would not be permitted:

5513 Tires and Tubes

SLU 5511 Motor Vehicles New and Used

SLU 5512 Motor Vehicle Vehicles Used

SLU 5530 Gasoline Service Station With or Without Store

SLU 5920 Cannabis Pharmacy

SLU 5940 Retail Tobacco Specialty Business

SLU 5944 Cigars – Cigarettes

SLU 6112 Pawn Shops

SLU 6214 Laundromats

SLU 6232 Tattoos & Body Piercing

SLU 6411 Automobile Wash

SLU 6412 Auto Lube and Tune Up

SLU 6413 Automobile Repair

SLU 6414 Auto Body Repair and Paint

SLU 6317 Animal Kennels and Runs

SLU 6615 Building Construction – General Contractor, Office & Storage

SLU 6625 Landscaping Services, Office & Storage

Concept Plan – The retail project is proposed to include six buildings, designed to resemble farm-like structures. Each structure is designed to be divided into smaller units, ranging from 1,000 ft² to 6,000 ft².

The concept includes units for both sale and lease. A total of 135 parking spots are included in the concept site plan.

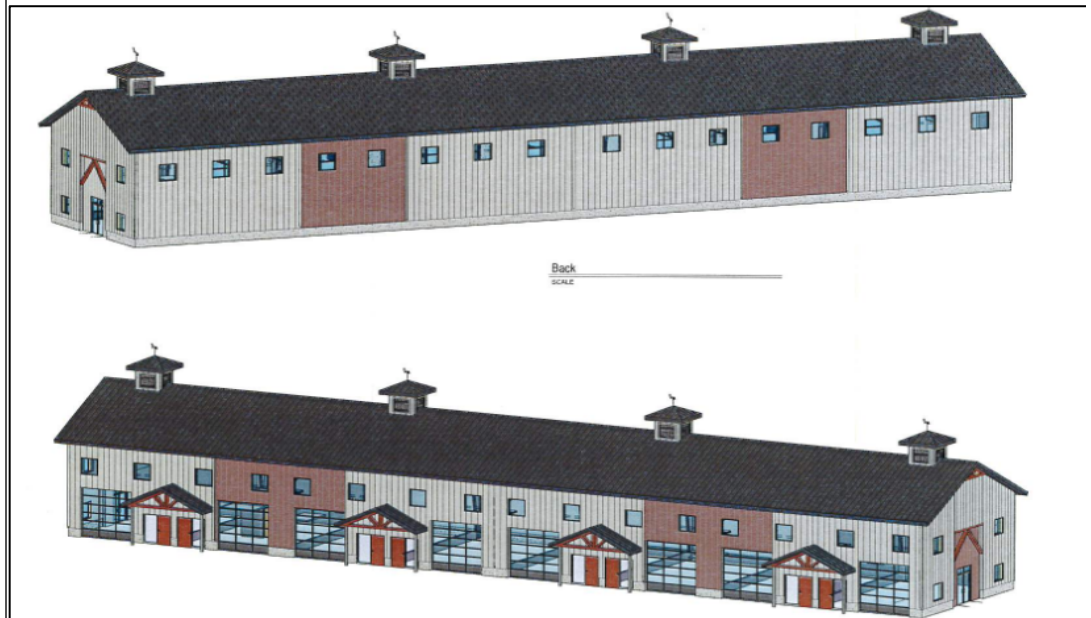


Figure 2: Concept Elevations of potential flex retail buildings

NOTE: Concept plans are required as part of a rezone application but are not considered binding documents. Any structure, plans, or uses that meet C2 requirements will be allowed in this location if a C2 rezone is passed.

Road Realignments – Several roadway projects in this area will have potential impacts to the future development of the subject property. Brief descriptions of the planned realignments are included here for review.

- **Geneva Road Widening at Orem Temple**
The Utah Department of Transportation (UDOT) is widening the road near 1493 South Geneva Road. Roadway improvements are anticipated to impact traffic near the Johnson Farms location and are designed to eventually tie into a planned intersection at 1738 South Geneva.
- **UDOT Intersection at 1738 South Geneva**
UDOT has plans to construct an intersection at the Johnson Farms location. Property has already been deeded for the future project. The property owners and UDOT deeded the property for future development in February 2025. There is currently no listed start date.
- **Lakeview Parkway Road Development**
Orem City is acquiring property to build a Lakeview Parkway connection from Provo through Southwest Orem. This road will be partially connected to the 1738 South Geneva intersection at the Johnson Farms location.

- **Lakeview Place Project**

A property directly south of the Johnson Farms project was rezoned from OS5 to M1 in 2020 and was approved for a new warehousing project. Project start date is dependent upon the Lakeview Parkway road development.

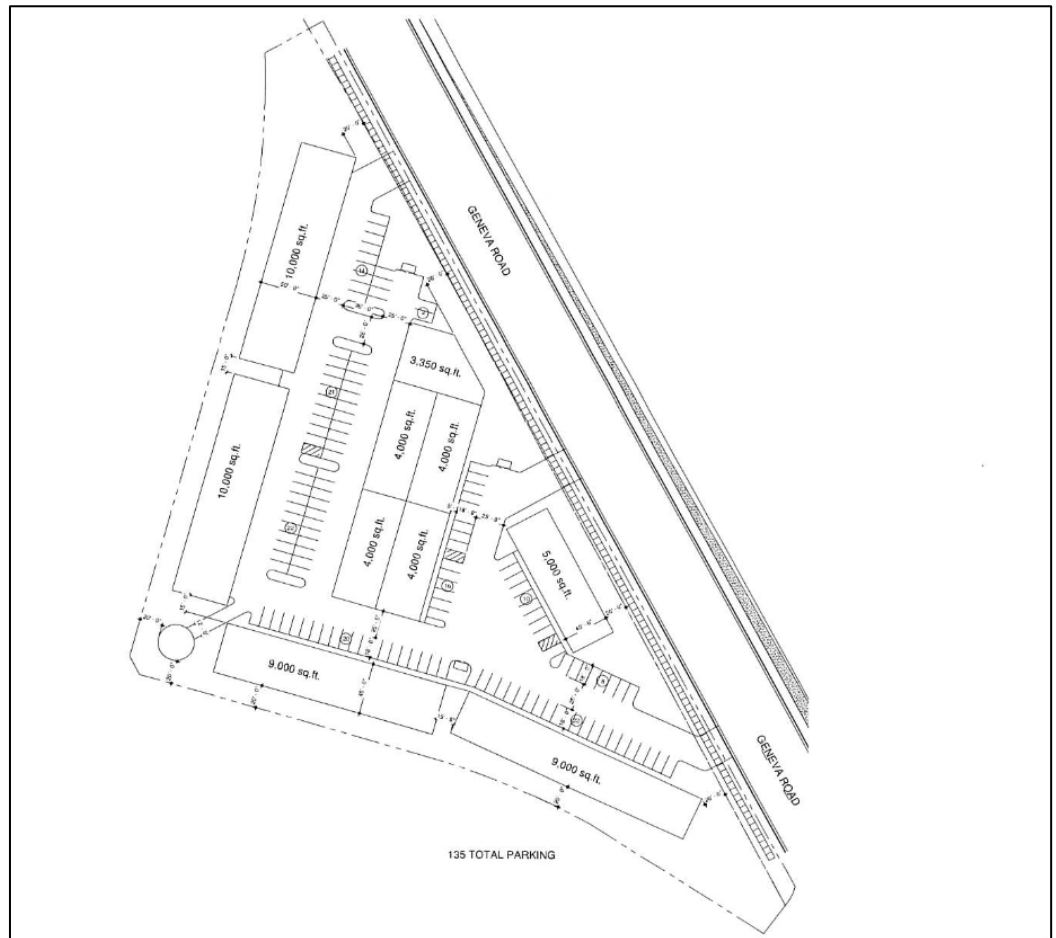


Figure 3: Concept Site Plan

Neighborhood Meeting: A neighborhood meeting is required for all zone map amendment applications. The applicants held the required meeting at Washburn and Associates, located at 825 North 900 West Orem, Utah, on September 11, 2025, at 6:00 PM. Neighbors within a 1,000-foot radius of the project were notified. A total of nine individuals attended. Minutes, a copy of materials discussed, and a copy of the notices mailed by Washburn Associates are attached to the agenda packet for review.

STATE REQUIRED PROCESS FOR LAND USE AMENDMENTS:

For land use amendments like the requested zone change, Utah State Code states that the “planning commission shall... review and recommend to the [Orem City Council (“Council”)] a proposed land use regulation that represents the planning commission's recommendation for regulating the use and development of land within all or any part of the area of the municipality. See Utah Code 10-9a-502(1)(d)(i).

The Council “may not make any amendment [to the land use ordinance or zoning map] unless the Council... first submits the amendment to the planning

commission for the planning commission's recommendation.” See Utah Code 10-9a-503(2).

ALTERNATIVE ACTIONS

After review and consideration of the application, the Planning Commission may:

Recommend Approval of the proposed amendment to the Zoning Map.

Recommend Denial of the proposed amendment to the Zoning Map.

Continue the Request to a future date for further review, additional information, or public comment.

ALTERNATIVE MOTIONS:

Motion to Approve or Deny

“I move that the Planning Commission forward a recommendation of [**choose APPROVAL or DENIAL**] to the City Council for the request to amend Article 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone of the property located generally at 1738 South Geneva Road from OS5, Open Space to C2, Community Commercial, approximately 4.43 acres

Motion to Continue the Request

“I move that the Planning Commission continue this request for further consideration to (choose another date as appropriate).”

DEVELOPMENT AGREEMENT

This Development Agreement is executed in duplicate this ____ day of _____, 2025, by and between the City of Orem, a municipal corporation and political subdivision of the State of Utah, with its principal offices located at 56 North State Street, Orem, Utah 84057 (hereinafter referred to as the “City”); The Shops at Johnson Farm, LLC, a Utah limited liability company with its principal address of 8383 S Mesa Drive, Sandy, UT, 84093 (hereinafter referred to as “Developer”); and the following additional individuals and entities (collectively hereinafter referred to as “Owners”):

1. Martell Keith Johnson, Trustee of the Martell Johnson Family Trust dated February 4, 2020, with an address of [ADDRESS]; and
2. Cheryl B. Johnson, an individual with an address of [ADDRESS]; and
3. Nancy L. Zabel, Trustee of the K. Allan and Nancy Zabel Family Trust 2001 dated April 20, 2001, with an address of [ADDRESS]; and
4. Philip D. Johnson, an individual with an address of [ADDRESS]; and
5. Wallace K. Johnson and Alice H. Johnson, Trustees of the A&W Johnson Trust dated November 6, 2018, with an address of [ADDRESS].

RECITALS

WHEREAS Owners are the owners of a parcel of property consisting of approximately 1.24 acres located at approximately 1738 South Geneva Road, Orem, Utah which is identified on the records of the Utah County Recorder as Tax ID # 19:035:0159 and which is more particularly described in Exhibit “A” (hereinafter referred to as the “Property”); and

WHEREAS Developer has a contract to purchase the Property, which is contingent on the Property being zoned C2; and

WHEREAS the Property is currently zoned OS5; and

WHEREAS Developer has filed an application with the City to rezone the Property from OS5 to the C2 zone in order to allow the development of a retail project on the Property as shown in the concept plan attached hereto as Exhibit “B” (the “Project”); and

WHEREAS in order to mitigate the potential negative impacts of the Project on neighboring property owners and to ensure that the development on the Property is constructed and used in conformance with Developer’s representations, Developer, the City, and Owners are willing to enter into this Development Agreement; and

WHEREAS the City, acting pursuant to its authority under Utah Code Section 10-20-101, *et. seq.*, and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, has elected to approve this Agreement.

COVENANTS

NOW, THEREFORE, in consideration of the promises and conditions set forth herein, and for other good and valuable consideration, the receipt of which is hereby acknowledged, the City, Owners, and Developer hereby agree as follows:

1. **Development in Conformance with Concept Plan.** The Parties acknowledge and agree that the concept plan, drawings and renderings that Developer presented to the City Council were a significant factor in the City Council's favorable consideration of Developer's request to rezone the Property to C2. The Property shall be developed in conformance with the concept plan, drawings and renderings attached hereto as Exhibit "B" including, but not limited to conformance with building location, building design, layout, lighting, landscaping, elevations and building finish materials. Exhibit "B" is attached hereto and by reference is made a part hereof.

2. **Limited Uses.** The Parties acknowledge and agree that the proposed uses and Developer's and Owners' willingness to limit uses on the Property were also a significant factor in the City Council's favorable consideration of Developer's request to rezone the Property to C2. Therefore, Developer agrees to maintain prohibitions on the following uses in the covenants, conditions, and restrictions (CC&Rs) for the Project, and pursuant to this agreement the following uses otherwise permitted in C2 zones shall not be permitted on the Property:

- SLU 5513 Tires and Tubes
- SLU 5511 Motor Vehicles New and Used
- SLU 5512 Motor Vehicle Vehicles Used
- SLU 5530 Gasoline Service Station With or Without Store
- SLU 5920 Cannabis Pharmacy
- SLU 5940 Retail Tobacco Specialty Business
- SLU 5944 Cigars – Cigarettes
- SLU 6112 Pawn Shops
- SLU 6214 Laundromats
- SLU 6232 Tattoos & Body Piercing
- SLU 6411 Automobile Wash
- SLU 6412 Auto Lube and Tune Up
- SLU 6413 Automobile Repair
- SLU 6414 Auto Body Repair and Paint
- SLU 6317 Animal Kennels and Runs
- SLU 6615 Building Construction – General Contractor, Office & Storage
- SLU 6625 Landscaping Services, Office & Storage
- Outdoor Storage of Any kind

3. **Hours of Operation.** Because of the proximity of the Property to residential uses, the hours of operation for all commercial development on the Property shall be limited to 5:00 a.m. to 12:00 a.m.(midnight). No business or other commercial activity shall take place on the Property between 12:00 a.m. to 5:00 a.m.

4. **Agreement Considered Mitigation of Impact.** In consideration of the covenants of Developer and Owners set forth in this Agreement, the City staff shall make a recommendation to the Orem City Council to consider the terms of this Development Agreement as sufficient mitigation of the potential adverse impacts resulting from the request to change the zoning designation of the Property from the OS5 zone to the C2 zone.

5. **No Guarantee of Rezone.** The City makes no representation that the request of Developer to have the Property rezoned will be approved by the Orem City Council. Therefore, this Agreement shall not be binding upon Developer unless the request for a rezone of the Property to the C2 zone is approved by the Orem City Council.

6. **No Limitation on Exercise of Police Power.** Nothing in this Agreement shall limit the future exercise of the police power by the City in enacting zoning, subdivision, development, transportation, environmental, open space, and related land use plans, policies, ordinances and regulations after the date of this Agreement.

7. **Compliance With All Applicable Laws.** Nothing in this Agreement shall be deemed to relieve any person or entity who develops the Property from the obligation to comply with all applicable requirements of the City necessary for approval and recordation of subdivision plats and a site plan (if applicable), including the payment of fees and compliance with all other applicable ordinances, resolutions, including the Orem City Zoning and Subdivision Ordinances and design and construction standards.

8. **Agreement to be Recorded.** Upon the approval of the rezone of the Property to the C2 zone by the Orem City Council, this Agreement may be recorded against the Property and shall be deemed to run with the land and shall be binding on all successors and assigns of Owners and Developer in the ownership or development of any portion of the Property.

9. **Indemnification.** Developer, and Owners, if Owners develop the Property, agree to indemnify and hold the City harmless from and against any demand, claim, action, damages or loss of any type arising or resulting from the development of the Property except such demands, claims, actions, damages, or losses that are caused by the City's (or its employees') own negligence or willful misconduct.

10. **Lawful Agreement.** The parties represent that each of them has lawfully entered into this Agreement, having complied with all relevant statutes, ordinances, resolutions, bylaws, and other legal requirements applicable to their operation. The parties further represent that each of them has authority to enter into this Agreement and that the individuals signing this Agreement on behalf of each party have authority to bind the party represented by the signing individual.

11. **Applicable Law.** This Agreement shall be interpreted pursuant to the laws of the State of Utah.

12. **Time of Essence**. Time shall be of the essence of this Agreement.

13. **Interpretation**. The invalidity of any portion of this Agreement shall not prevent the remainder from being carried into effect. Whenever the context of any provision shall require it, the singular number shall be held to include the plural number, and vice versa, and the use of any gender shall include the other gender. Should any provision of this Agreement require judicial interpretation, the Court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against one party, by reason of the rule of construction that a document is to be construed more strictly against the person who himself or through his agents prepared the same, it being acknowledged that both parties have participated in the preparation hereof.

14. **Modifications**. No oral modifications or amendments to this Agreement shall be effective, but this Agreement may be modified or amended by written agreement only.

15. **Assignment**. Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning the rights as well as the responsibilities under this Agreement.

16. **Relationship of Parties**. This Agreement does not create any joint venture, partnership, undertaking or business arrangement between the parties hereto, nor any rights or benefits to a third party.

17. **Incorporation of Recitals**. The Recitals to this Agreement are incorporated by reference into the Covenants section of this Agreement as if fully set forth herein.

18. **Electronic Transaction and Signature**. Each party agrees that this transaction may be conducted by electronic means. Each party agrees that the electronic signatures, whether digital or encrypted, of the parties included in this Agreement are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means any electronic sound, symbol, or process attached to or logically associated with a record and executed and adopted by a party with the intent to sign such a record, including facsimile or email electronic signatures.

Balance of page left intentionally blank.

SIGNED and ENTERED INTO this _____ day of _____, 2025.

City of Orem, by:

Brenn Bybee, Orem City Manager

ATTEST: _____
Teresa McKittrick, City Recorder

Martell Keith Johson, Trustee of the Martell Johnson
Family Trust, dated February 4, 2020 (as amended)

STATE OF UTAH)
 :ss.
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by Martell Johnson, as Trustee of the Martell Johnson Family Trust, dated February 4, 2020 (as amended), who proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument.

NOTARY PUBLIC

Cheryl B. Johnson

STATE OF UTAH)
 :ss.

COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by Cheryl Johnson, who proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument.

NOTARY PUBLIC

Nancy L. Zabel, Trustee of the K. Allan and Nancy Zabel Family Trust 2001, dated April 20, 2001 (as amended)

STATE OF UTAH)
 :ss.

COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by Nancy Zabel, as Trustee of the K. Allan and Nancy Zabel Family Trust 2001, dated April 20, 2001 (as amended), who proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument.

NOTARY PUBLIC

Philip D. Johnson

STATE OF UTAH)
 :ss.

COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by Philip Johnson, who proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument.

NOTARY PUBLIC

Wallace K. Johnson, Trustee of the A&W Johnson Trust
dated November 6, 2018 (as amended)

Alice H. Johnson, Trustee of the A&W Johnson Trust dated
November 6, 2018 (as amended)

STATE OF UTAH)
 :ss.

COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by Wallace Johnson and Alice Johnson, as Trustees of the A&W Johnson Trust dated November 6, 2018 (as amended), who proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument.

NOTARY PUBLIC

The Shops at Johnson Farm, LLC
By:

Title:

STATE OF UTAH)
 :ss.
COUNTY OF UTAH)

On this _____ day of _____, in the year 2025, personally appeared before me _____, whose identity is personally known to me or proven on the basis of satisfactory evidence and who affirmed that he is the _____ [Title] _____ of The Shops at Johnson Farm, LLC and that said document was signed by him in behalf of said LLC with the proper authority and having complied with the proper procedures, and said _____ acknowledged to me that said LLC executed the same.

NOTARY PUBLIC

EXHIBIT A
PROPERTY DESCRIPTION

EXHIBIT B
CONCEPT PLAN

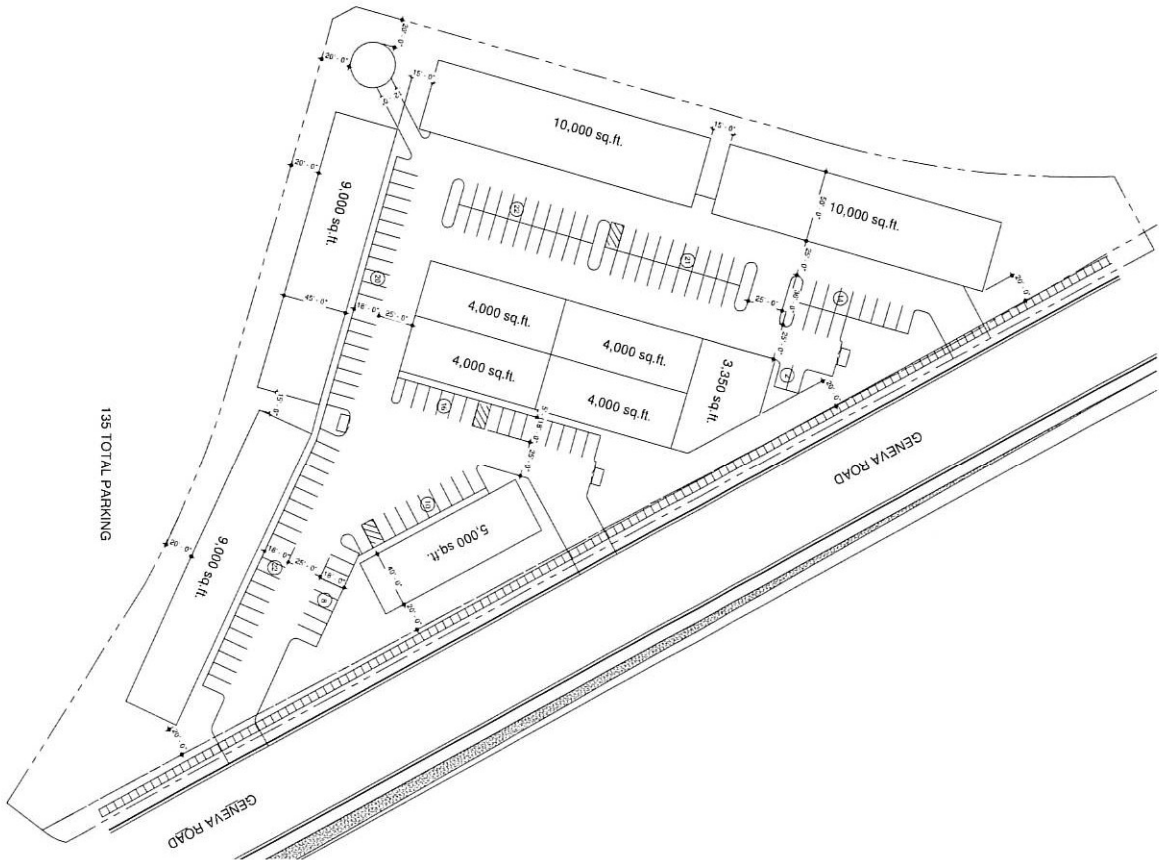
Legal Description

Commencing at a point located South 00°43'17" East along the Section line 444.87 feet and West 1848.51 feet from the East quarter corner of Section 28, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence along the arc of a 37.50 foot radius curve to the right 7.56 feet (chord bears South 31°12'54" West 7.54 feet); thence South 36°59'06" West 34.43 feet; thence along the arc of a 1800.00 foot radius curve to the left 181.48 feet (chord bears North 57°44'50" West 181.40 feet); thence along the arc of a 650.00 foot radius curve to the left 155.55 feet (chord bears North 67°29'29" West 155.18 feet); thence North 74°20'50" West 262.17 feet; thence North 29°05'03" West 18.47 feet; thence along Lakeview Parkway the following 3 courses: North 15°39'10" East 345.65 feet, along the arc of a 660.79 foot radius curve to the left 206.57 feet (chord bears North 06°37'22" East 205.73 feet), North 61°16'05" East 40.73 feet; thence along Geneva Road the following 4 courses: South 31°05'43" East 195.81 feet, South 28°43'00" East 179.24 feet, South 28°29'07" East 227.93 feet, South 29°08'01" East 275.55 feet to the point of beginning.

AREA=185,729 sq. ft. or 4.26 acres

ARCHITECTURAL SITE PLAN

SCALE 1"=100'



SITE TABULATION TABLE			
BUILDING	AREA	PERCENTAGE	
10,000 sq.ft.	10,000	21	
10,000 sq.ft.	10,000	21	
4,000 sq.ft.	4,000	8	
4,000 sq.ft.	4,000	8	
4,000 sq.ft.	4,000	8	
3,350 sq.ft.	3,350	7	
5,000 sq.ft.	5,000	11	
9,000 sq.ft.	9,000	19	
TOTAL SITE	135,000	100	

A-0.7

Johnson Farms
New Flex Buildings

Geneva Road, Salem

Johnson Farms
New Flex Buildings
Salem, Oregon
August 26, 2025

PRELIMINARY
NOT FOR
CONSTRUCTION

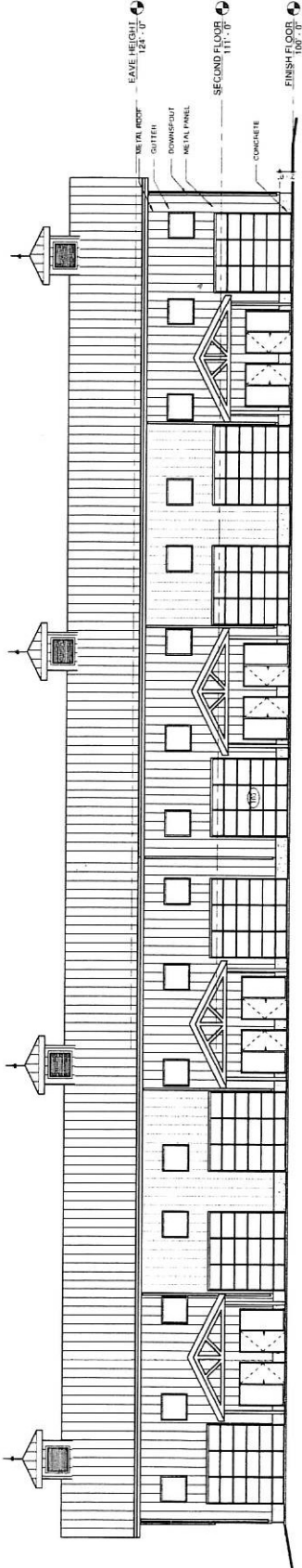


ARCHITECTURAL COALITION

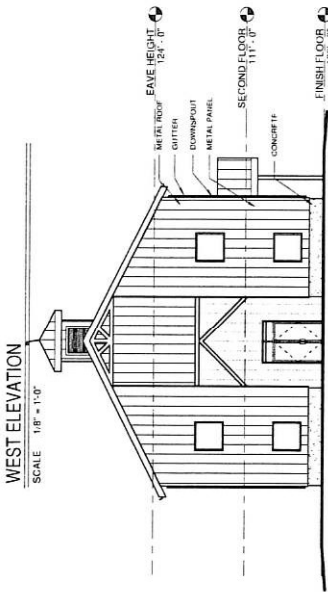
312 West 100 North, Suite 100, R4000, Salt Lake City, UT 84119



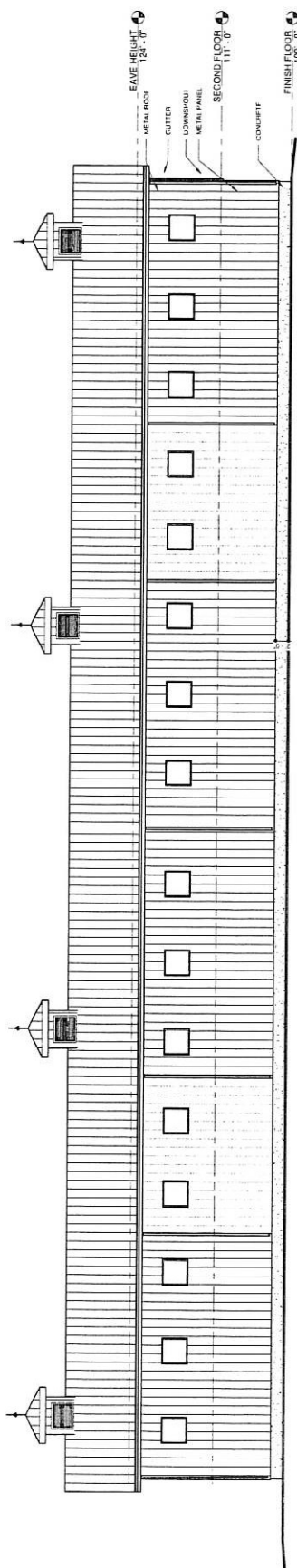




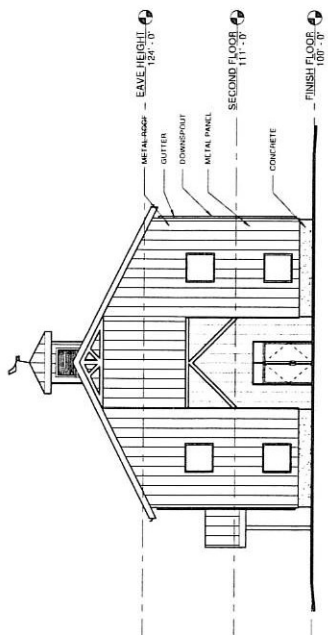
WEST ELEVATION
SCALE 1/8" = 1'-0"



NORTH ELEVATION
SCALE 1/8" = 1'-0"

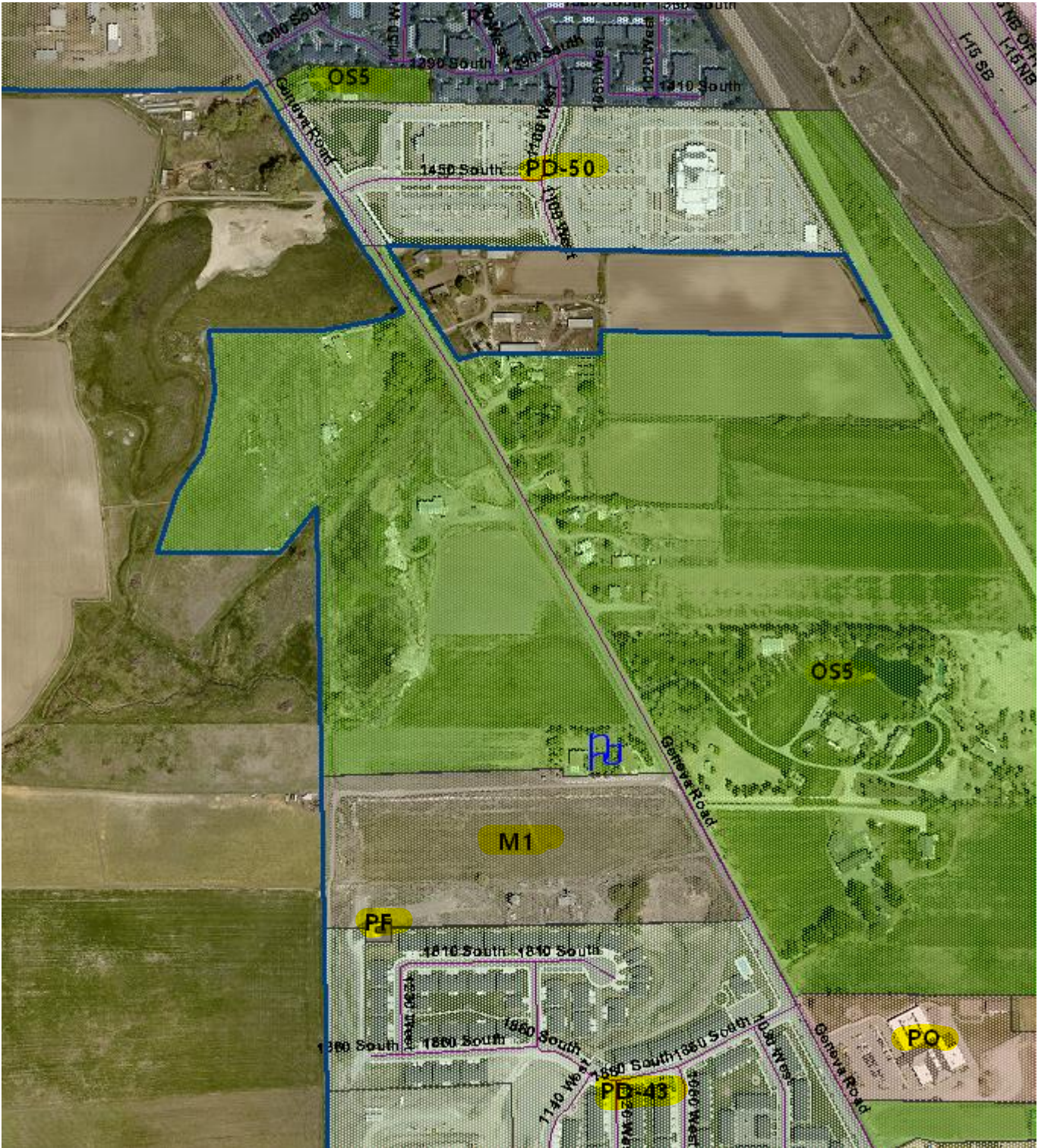


EAST ELEVATION
SCALE 1/8" = 1'-0"



SOUTH ELEVATION
SCALE 1/8" = 1'-0"

Johnson Farms Rezone – Approximately 1738 S Geneva Road



Vicinity Map

Zone: OS5

Acres: 4.43 acres

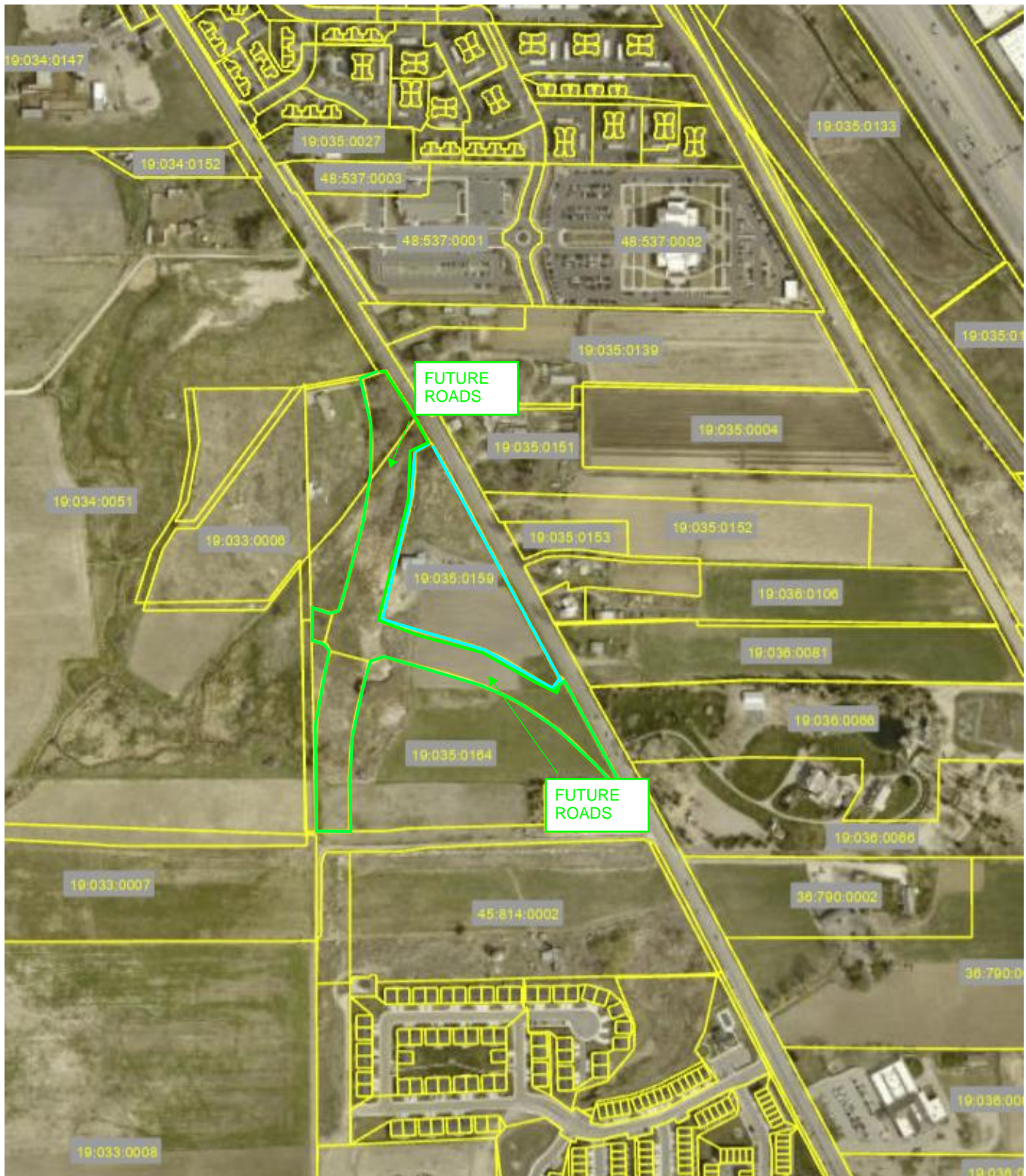


Johnson Farm Rezone – Approximately 1738 S Geneva Road

Current Street View



Johnson Farms Rezone – Approximately 1738 S Geneva Road

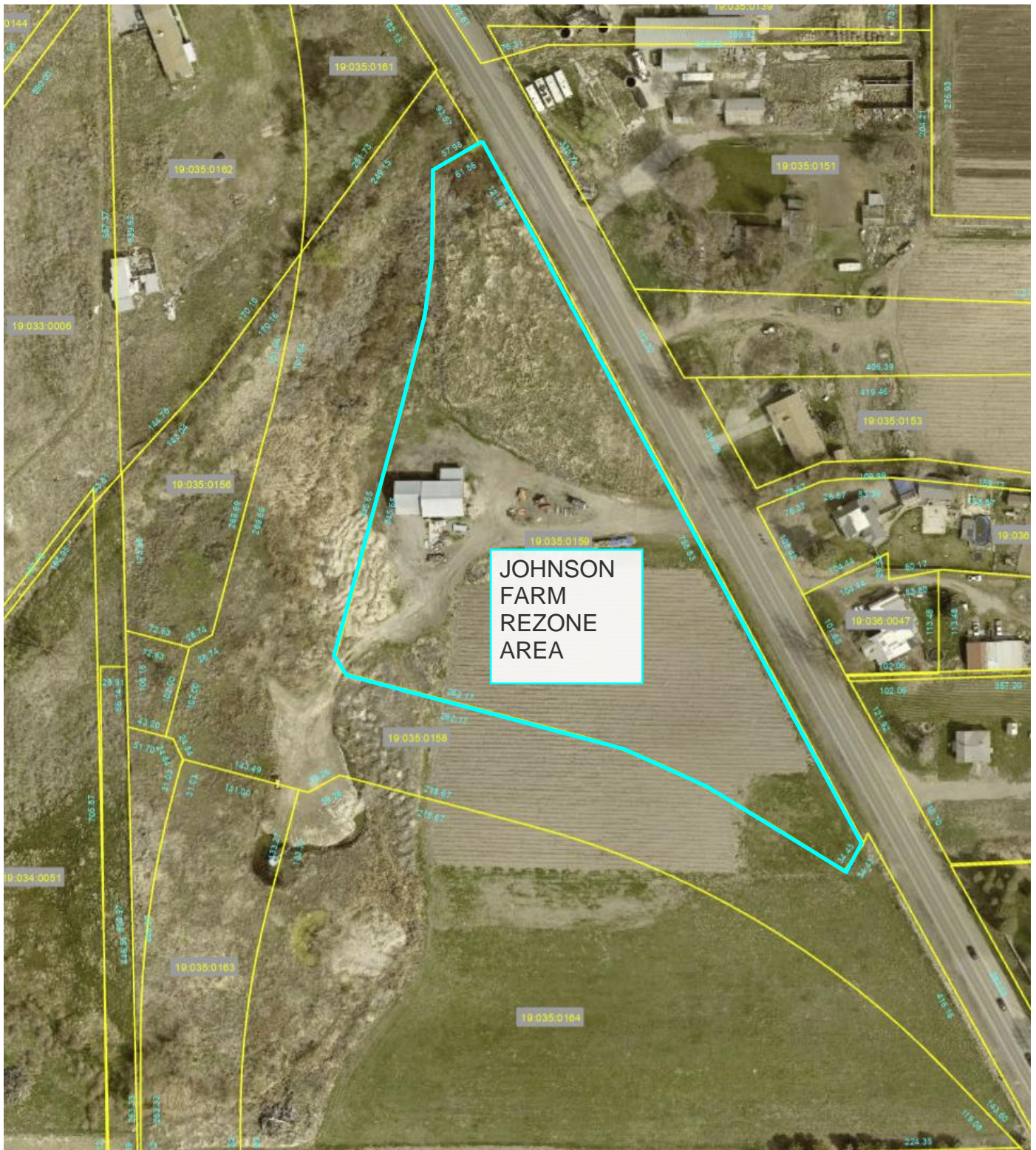


Vicinity Map

Zone: OS5

Acres: 4.43 acres





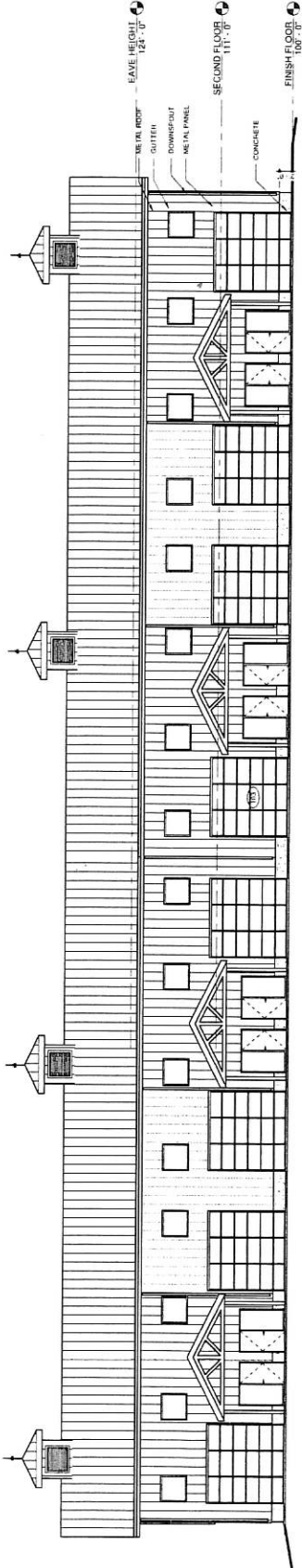
Vicinity Map

Zone: OS5

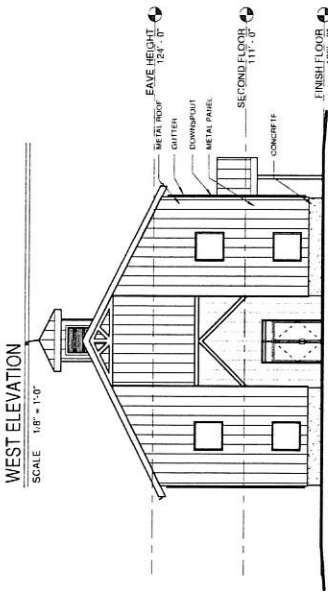
Acres: 4.43 acres



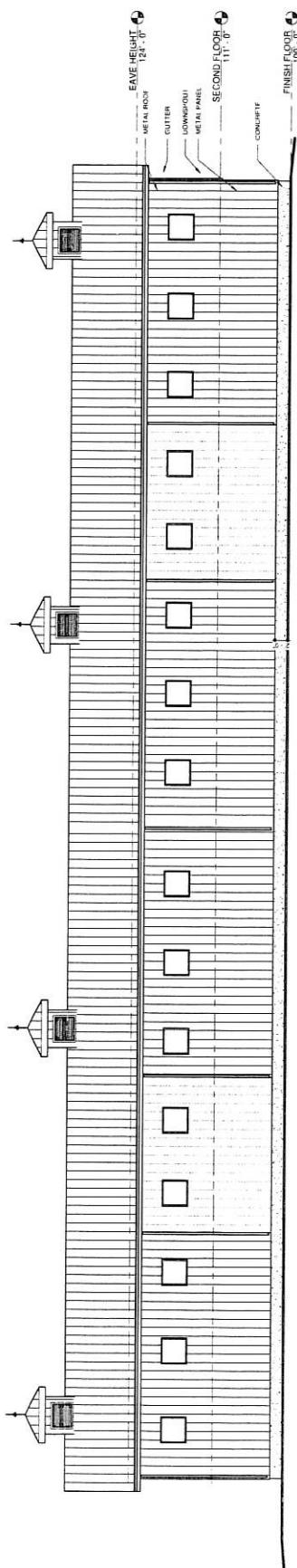




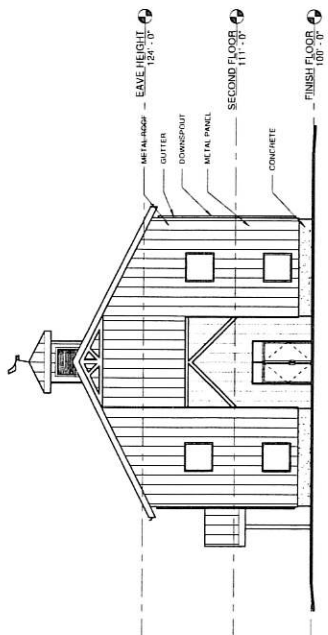
WEST ELEVATION
SCALE 1/8" = 1'-0"



NORTH ELEVATION
SCALE 1/8" = 1'-0"



EAST ELEVATION
SCALE 1/8" = 1'-0"



SOUTH ELEVATION
SCALE 1/8" = 1'-0"