

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
3 **September 27, 2011** beginning at 7:00 p.m. in the Lindon City Center, City Council  
4 Chambers, 100 North State Street, Lindon, Utah.

5 Conducting: Matt Bean, Chairperson  
6 Invocation: Chris Burton, Commissioner  
7 Pledge of Allegiance: Del Ray Gunnell, Commissioner

8 **PRESENT**

**ABSENT**

9 Matt Bean, Chairperson  
10 Ron Anderson, Commissioner  
11 Chris Burton, Commissioner  
12 Sharon Call, Commissioner  
13 Angie Neuwirth, Commissioner  
14 Carolyn Lundberg, Commissioner  
15 DelRay Gunnell, Commissioner  
16 Adam Cowie, Planning Director  
17 Woodworth Mataele, Planning Assistant  
18 Kathryn Moosman, City Recorder

19 The meeting was called to order at 7:05 p.m.

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21 **APPROVAL OF MINUTES** – The minutes of the regular meeting of August 23, 2011  
22 were reviewed.

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25 COMMISSIONER CALL MOVED TO APPROVE THE MINUTES OF THE  
26 REGULAR MEETING OF AUGUST 23, 2011 AS CORRECTED OR AMENDED.  
27 COMMISSIONER GUNNELL SECONDED THE MOTION. ALL PRESENT VOTED  
28 IN FAVOR. THE MOTION CARRIED.

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30 **PUBLIC COMMENT** –

31 Chairperson Bean called for comments from any audience member who wished to  
32 address any issue not listed as an agenda item. There was no public comment.

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35 **CURRENT BUSINESS** –

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37 **Concept Plan** – *Pull N Save – 1411 West 200 South* – This is a request by Kelly  
38 Pierson with Pull N Save for review of a concept plan for an automotive parts and  
39 recycling facility in the LI (Light Industrial) zone. Staff feels that the most similar  
40 land use listed in the ‘Standard Land Use Table’ would be for a ‘wrecking yard’,  
41 which is not permitted in any zone within Lindon. The applicant will need to  
42 amend the current Standard Land Use Table to allow this land use within the  
43 subject zone. This item will be forwarded to the City Council for review at their  
44 next available meeting.

2 Chairperson Bean invited the applicants forward. Mr. Mataele opened the  
discussion by stating this is a request by Kelly Pierson, with Pull-N-Save in West  
4 Valley City, for review of a concept plan for a proposed automotive parts and  
recycling facility in the LI (Light Industrial) zone. He further noted that Mr. Pierson is  
6 here to receive feedback and input from the Commission regarding this Concept Plan.  
The applicant is interested in a vacant parcel located on the west side of I-15 and south  
8 of 200 south. He also noted that staff feels this type of facility is most similar to a  
“wrecking yard”, which is not currently permitted in the Standard Land Use Table in  
10 any zone within Lindon City. Mr. Mataele further discussed that this facility is  
unique because the customer pulls the parts from the vehicles themselves. He also  
12 noted that the applicant would have to submit an application to amend the current  
Standard Land Use Table to allow this land use within the subject zone.

14 Mr. Mataele went on to say that Mr. Pierson’s family has owned and operated this  
business since 1919, with facilities in both Arizona and in Utah. The applicant has also  
16 provided a letter about the self-service oriented used auto parts company. He went on to  
say that this facility would be a self service oriented use operation where the customers  
18 enter the facility/yard with their own tools and pull their own parts. Mr. Mataele noted  
that the operation consists of removing all hazardous materials before the cars are set in  
20 the yard, with the cars being recycled after being in the yard for approximately 60-90  
days. Mr. Mataele then showed some photos of the applicant’s facility in West Valley  
City. He then turned the time over to the applicant to provide any additional information.

22 Chairperson Bean asked the applicant about their current operation in West  
Valley City, and what, if anything, would be different here in Lindon City. Mr. Pierson  
24 stated that they have been in operation for 6 ½ years in West Valley City and noted that  
they went through a detailed process with West Valley City, regarding permits and  
26 licenses, before being approved; he also noted that he assumed the process would be  
similar here in Lindon. Mr. Pierson also stated that everything they do within their  
28 operation is environmentally safe, i.e., taking care of the hazardous fluids etc. He also  
commented that West Valley City initially had some concerns about the operation being a  
30 “wrecking yard” with hazardous materials i.e., oil, antifreeze etc., but went on to say that  
that they do operate by the book, as far as environmentally, and are also in compliance  
32 with the DMV, the State of Utah, and the EPA; everything they do is clean and green.  
Mr. Pierson also noted that they invested a lot of money to get started in West Valley  
34 City, and they are anticipating doing the same thing in Lindon. He also pointed out that  
they have taken great precautions, as far as the appearance of the building, to ensure that  
36 it is organized, clean, and well taken care of.

38 Mr. Pierson further discussed that their operation is very similar, but larger, than  
“Pick and Pull”, a similar facility here in Utah. He also noted that the facility property in  
West Valley City was ideal for their operation which included 2.5 acres of wetlands  
40 which are still undisturbed. Mr. Pierson also stated the the Army Corps of Engineers had  
the applicants do an independent survey to determine if the property had wetlands and the  
42 survey determined that there were wetlands on the property. He further noted that the  
wetlands have not been disturbed, as any kind of pollutants, because they have oil and  
44 water separators in the yard so any drainage is taken care of. Mr. Pierson also noted that  
all hazardous materials are purchased by licensed vendors, and reiterated that this is a  
46 clean operation.

2 Mr. Pierson added clarification that that the “Pick and Pull” facility is not very  
3 organized, and their facility is very organized and clean in comparison. He further added  
4 that they will do things to improve the look of the area and make the building  
5 aesthetically nice with a nice front to it. Mr. Pierson added that they are expecting the  
6 City would want something similar to the West Valley City operation with a nice store  
7 front. Commissioner Neuwirth asked the applicant if there would be a fence that would  
8 screen the perimeter. Mr. Pierson replied that that there would be an 8 ft. steel fence  
9 around the perimeter, except in the front where it will be a prefab concrete fence (that  
10 looks like stone) that is also 8 ft high. Commissioner Neuwirth also inquired how they  
11 manage which cars that have been there the longest. Mr. Pierson replied that each section  
12 has a “floating row” and is managed by the type of vehicle, so it is a rotation system. He  
13 further noted that they are connected with the DMV server which allows them to issue  
14 permits right on the site, which is more accurate. Chairperson Bean inquired if they ever  
15 sell an entire vehicle or just part them out. Mr. Pierson replied that they part out two cars  
16 at a time, where they remove valuable parts which are stored inside, and then the fluids  
17 are drained and the rest of the car stays in the yard. He also noted that they try to sell  
18 every part while it is in the yard which is better than recycling and crushing. Mr.  
19 Pierson also added that they have a “Post Dismantle” area in the hold lot where they  
20 separate the motors and the transmissions. They also have a large claw on their front  
21 loader that crushes the car body, which is all done on a big concrete slab, and by the time  
22 they are done the car is dead and actually doesn’t exist anymore.

23 Commissioner Lundberg asked if the hazardous materials could possibly taint the  
24 water supply because of the proximity to the wetlands, and if any testing on the water had  
25 been done. The applicant replied that they have never had any problems with any  
26 contamination issues. Commissioner Call pointed out that “wrecking yards” are not  
27 permitted on the Standard land Use Table, and inquired as to what the history was, or  
28 reason why, Lindon has not permitted this use in the past. Mr. Cowie responded by  
29 stating that this use has not been permitted as long as he has been at with the City, and  
30 further noted he was not aware of the history of why this use is not permitted, other than  
31 assuming it is for aesthetic issues, and also for what types of businesses the City Council  
32 and Planning Commission wanted to see in the Light Industrial Zone. Mr. Cowie also  
33 commented that any uses that have auto body, dismantled vehicles, or inoperable vehicles  
34 etc., in the Land Use Table, are required to be behind screened fences.

35 Mr. Cowie also mentioned that the applicant feels that their proposed facility is  
36 not quite a “wrecking yard”, but more of a retail operation, so he advised them to come  
37 and get opinions and feedback from the Planning Commission; he also noted that the City  
38 Council is interested in reviewing this concept as well, and discussion from this meeting  
39 will be forwarded to the City Council. Mr. Cowie commented that if the Commission  
40 feels this concept is something that may be compatible with the zone, then the applicant  
41 would have to apply for an ordinance change to change the land use table to allow it to be  
42 a Conditional Use in the Light Industrial Zone. Commissioner Call asked the applicants  
43 how other businesses in the area would feel about this type of business in the area, and if  
44 the applicants had talked to the neighboring businesses. Mr. Cowie stated that noticing is  
not required on a Concept Review since there is no official decision made and it is for  
discussion only.

2 Chairperson Bean inquired about the wetland issues south of the proposed  
3 location. Mr. Cowie responded that the wetland area along the street it is about 60 ft  
4 wide in that area and the applicants have proposed to incorporate their acquired street  
5 landscaping as part of the wetland vegetation, so there would be a greater setback, with  
6 the landscape buffer, than what is typically required, if they choose to do a similar design.  
7 Mr. Cowie further discussed that there is a master plan roadway which goes through the  
8 south portion of the property, and also a power line corridor; this issue would have to be  
9 addressed on how that would be accommodated. Commissioner Lundberg asked the  
10 applicant if there would be foreseeable changes to the business model at this point. The  
11 applicant stated that they do not see any changes at this point, and noted that they have  
12 grown since they opened in West Valley City, and have also done well in Arizona, but he  
13 also stated that things are getting stricter, as far as environmental issues, and they are  
14 accommodating these issues on every angle, but he doesn't see them changing their  
15 business model at this point. Mr. Pierson further noted that as time goes on, cars will  
16 change and materials will change, but people will still want parts instead of buying a new  
17 vehicle. He went on to say, that through their process, the State wants a dismantling  
18 permit and they want to know that there are not any hazardous materials.

19 Commissioner Call asked if the facility would have a site obscuring fence all  
20 around the yard. The applicant confirmed that there would be an 8 ft. fence.

21 Commissioner Anderson asked if there would be a large pile of crushed cars at any given  
22 time, waiting for trucks to haul them away. The applicant stated that they do so much  
23 volume that they may pile up for 2 or 3 days, but the trucks also come in every 2 or 3  
24 days for removal; however, they do between 600-800 cars per month, but they do not  
25 stockpile. Commissioner Anderson asked the applicant if their proposed building would  
26 be similar to the building in West Valley City. The applicant confirmed that it will look  
27 the same as the building in West Valley City.

28 Commissioner Anderson commented about his concerns, and if this use was  
29 allowed in the Light Industrial Zone it would also allow other wrecking yards to follow,  
30 and if approved, that the ordinance should be site specific. The applicants commented  
31 that this property in Lindon would work well but there is a concern if they have to pay for  
32 a road etc. which will cut into the property. Commissioner Call asked what other  
33 properties in Lindon they had considered. The applicant replied that they had looked at  
34 another parcel on 2000 west that would also fit their size requirements. Commissioner  
35 Burton asked what their business hours would be. Mr. Pierson replied that they would be  
36 open from 8:30 – 6:00 Monday through Saturday and from 9:00 – 4:00 on Sundays.

37 Chairperson Bean asked if there were any further questions or comments.  
38 Commissioner Call commented that she also had concerns if this use was allowed in the  
39 Light Industrial Zone that it may be a precedent for other wrecking yards to follow. The  
40 applicant stated that he could provide information from West Valley City for the  
41 Commission to review. Commissioner Neuwirth commented that she feels this type of  
42 use may work in that area, especially with the screened fencing. Commissioner  
43 Anderson agreed that if this is allowed in Lindon, that location would be the best fit for  
44 this particular use. Commissioner Call added that if a Conditional Use Permit was  
45 issued, the Commission could add whatever conditions they thought were appropriate for  
46 the use, and if those conditions were not met they would not be allowed to operate. The

applicant stated that those were the conditions of operation imposed at their facility in West Valley City.

Chairperson Bean concluded by stating that he would be interested in knowing more detail about what West Valley City required for their approval, and also more about the Lindon City's ability to limit this Concept if it were eventually approved. He further noted that he felt the general feeling of the Commission would be some positive feedback, and also that this is a business that is needful. Chairperson Bean also voiced his concerns about making sure, when a decision is made, that long term ramifications are considered, because the west side of the City is a subject for future development; including some areas that are currently zoned industrial that may change in the future to some kind of a mixed use. He also stated that information from West Valley City may be something the applicant would want to bring to the City Council for their review. Mr. Cowie then recommended the applicants go to the next City Council meeting per this Concept Review. He also stated that staff would contact West Valley City to get information regarding the applicants Conditional Use Permit. Chairperson Bean then thanked the applicants for their time and hearing no further questions or comments moved on to the next agenda item.

1. **Continued Public Hearing** – *Ordinance Addition; LLC Section 17.38 “Bonds for Completion of Improvements to Real Property”* – This is a City initiated ordinance change to the Lindon City Code Section 17.38 ‘Bonds for Completion of Improvements to Real Property’. Recommendations from the Planning Commission will be made to the City Council for final approval.

COMMISSIONER ANDERSON MOVED TO OPEN THE PUBLIC HEARING.  
COMMISSIONER BURTON SECONDED THE MOTION. ALL PRESENT VOTED  
IN FAVOR. THE MOTION CARRIED.

Mr. Cowie discussed that staff is in the process of researching some other communities and getting comparables of other jurisdictions and gauging their process with their bonds; most of them that have responded, state that they have some fees or payments based on hourly rates. He further noted that staff is compiling this data into a spreadsheet, which is about complete, and will be brought back at a later meeting. Mr. Cowie noted that what staff is anticipating is bringing back a recommendation and adding it into the bond ordinance. Mr. Cowie also stated that currently it looks like specific amounts on the bonds, or an average rate for subdivisions, will be the recommendation; but the information is still being gathered and will be brought back in the spreadsheet for review.

COMMISSIONER NEUWIRTH MOVED TO CONTINUE THE ORDINANCE  
CHANGES TO ADDITION LLC SECTION 17.38 “BONDS FOR COMPLETION OF  
IMPROVEMENTS TO REAL PROPERTY”. COMMISSIONER LUNDBERG  
SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION  
CARRIED.

2. **Continued Public Hearing** – Ordinance addition; LCC Section

17.32,17.58,17.66.020 – Subdivisions – This is a City initiated ordinance change to the Lindon City Code Section 17.32 ‘Subdivisions – Special Requirements’, 17.58 ‘Dedications of Subdivisions’, 17.66.020 ‘Subdivision recordation and approval required’. Recommendations from the Planning Commission will be made to the City Council for final approval.

Mr. Cowie stated that this item will be continued again. He also noted that staff continues to work on drafting this section, and it may take several months to get through and may not be an item on the next agenda.

COMMISSIONER CALL MOVED TO CONTINUE THE ORDINANCE ADDITION CHANGES TO LLC SECTION 17.32, SUBDIVISIONS – SPECIAL REQUIREMENTS,” 17.58, DEDICATIONS OFSUBDIVISIONS, 17.66.020, SUBDIVISION RECORDATION AND APPROVAL REQUIRED “. COMMISSIONER LUNDBERG SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

3. **Continued Public Hearing**– Ordinance addition; LCC Section 17.18

“Off Street Parking –This is a City initiated ordinance change to the Lindon City Code Section 17.18 “Off Street Parking”. Recommendations from the Planning Commission will be made to the City Council for final approval.

Mr. Mataele stated that this issue had come up on some recent applications and he had researched some of these applications where they had looked at some issues with the off street parking ordinance; the “Castle Park” application is one of those instances. Mr. Mataele then went through some of the main issues that are currently written, and he went through the proposed changes as follows:

- Page #4 – **Reception Centers:** There have been some inquiries, and the City Engineer and staff feels like what is currently on the ordinance is adequate for reasonable parking requirements. The Planning Director and City Engineer and may also modify the required parking spaces when appropriate to avoid unreasonably excessive parking, or conversely to require additional parking for high demand uses. Broad flexibility is given to the Planning Director and the City Engineer in determining the appropriate number of spaces. Added one per three and one-half (3 ½) person capacity in the building or facility, based on maximum use of all facilities at a time.
- Page #5 – **Eating and Drinking Establishments:** Added one per two seats or one per 100 square feet of floor area, whichever is greater.
- Page #5 – **Alterations to Reduce Required Parking:** Allow developers to utilize with it tightened and added clarification.

- 2 • Page #6 – **Alterations to Reduce Required Parking:** Tightened #5 with  
regard to bicycle spaces. This shall be permitted at a one-to-one  
4 ratio of parking spaces to bicycle spaces
- 6 • Page #7 – **Interior Landscaping Required:** Tightened for trees and are more  
specific etc., i.e., 2 inch caliper and 6 feet tall. Between lines 33  
8 and 36 industrial zones are not aesthetically appealing; several City  
Council members mentioned landscape requirements and staff  
went through and got feedback on this issue and added the 10 ft.  
landscape strip.
- 10 • Page #9 & #10 –**Bicycle Parking:** Added in more flexibility for bike standards.

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14 COMMISSIONER NEUWIRTH MOVED TO CONTINUE THE ORDINANCE  
ADDITION; LCC SECTION 17.18 “OFF STREET PARKING”. COMMISSIONER  
16 LUNDBURG SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.  
THE MOTION CARRIED.

18 COMMISSIONER CALL MOVED TO CLOSE THE PUBLIC HEARING.  
20 COMMISSIONER GUNNELL SECONDED THE MOTION. ALL PRESENT VOTED  
IN FAVOR. THE MOTION CARRIED

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24 **NEW BUSINESS** – Reports by Commissioners

26 Chairperson Bean asked if there were any reports from the Commission.  
Commissioner Neuwirth informed the Commission that Jerry Washburn, Mayor of  
28 Orem City, had passed away from cancer. She also asked Mr. Cowie if there had been  
an event held at Castle Park. Mr. Cowie replied he was not aware of that. He also  
stated that Castle Park had not received their final certificate of occupancy.

30 Chairperson Bean then asked if there were any other new business. Being  
none he moved on to the next item.

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34 **PLANNING DIRECTOR’S REPORT** –

36 Mr. Cowie reported on City Council updates as follows:

- 38 • Senior Center Program Kickoff was very successful. They are serving  
40 40-50 seniors lunch daily and the program has been well received. He  
also noted that the building can be reserved, and that there will be a  
Thanksgiving Dinner hosted at the Community Center again this year.
- 42 • The Primary Election had a very good turnout. The successful  
candidates for the General Election are as follows: Jeff Acerson, Matt  
Bean, Randi Powell, Mike Marchbanks, Edward McGarr and Bruce  
Armstrong.
- 44 • Meet the Candidate Night for the General Election will be held on  
October 20, 2011 at 6:00 pm at the Community Center.

- 2 • Tri-City Medical Sign Ordinance Concept Review has gone to City  
4 Council but not to Planning Commission yet. They are looking at a  
6 group directional sign, primarily for their Urgent Care Facility, located  
8 off State Street. The City Council was in favor of looking at a new  
10 ordinance for this signage. This will be evaluated at a later date.
- 12 • Wadley Farms Concept Review – Alan Colledge. Mr. Colledge had an  
14 approved CUP 10 years ago when he remodeled his property. He  
16 currently has 17 acres, which is mostly agricultural ground. Mr.  
18 Colledge is requesting to expand the reception center to accommodate a  
20 300 person capacity, which will need an ordinance change. Mr. Cowie  
22 noted that this could be a potential farm zone which is currently zoned  
24 residential. The City Council felt strongly enough about preserving this  
property that they directed the planning staff to prepare an ordinance  
change for farm use. This will be coming to the Planning Commission  
the end of October for a CUP, Ordinance Change and a Zone Change.
- Climate Controlled Storage – City Council had a lukewarm response at  
the first meeting regarding this issue; however, at the second meeting  
the response was more positive. This will require an ordinance change  
and a zone change.
- The Planning Commission is required to adopt policies and procedures  
and it will be made available to the public on the website. City Council  
is required to do the same.
- Accessory apartment impact fees were decreased at the last City  
Council meeting.

26 Chairperson Bean asked if there was any other new business. Being none he  
called for a motion to adjourn.

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**ADJOURN** –

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32 COMMISSIONER NEUWIRTH MOVED TO ADJOURN THE MEETING  
34 AT 9:25 P.M. COMMISSIONER BURTON SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – October 11, 2011

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Matt Bean, Chairperson

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Adam Cowie, Planning Director