

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **October 27, 2015 beginning with a work session at 6:00 p.m.** at the Lindon City
4 Center, City Council Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:00 P.M.

8 Conducting: Hugh Van Wagenen, Planning Director

10 **PRESENT**

ABSENT

Sharon Call, Chairperson

Mike Marchbanks, Commissioner

12 Rob Kallas, Commissioner

Matt McDonald, Commissioner

14 Bob Wily, Commissioner

Andrew Skinner, Commissioner

16 Hugh Van Wagenen, Planning Director

18 Hugh Van Wagenen, Planning Director presented the Standard Land Use Table to
19 the Planning Commission to compare and contrast the permitted, conditionally permitted,
20 and non-permitted uses in the General Commercial and Mixed Commercial zones
21 (highlighted in yellow) in preparation for the General Plan and Zone Map change
22 requests by Mr. Leonard Lee. The General Plan and Zone Map requests are agenda items
23 that will be reviewed during the Planning Commission regular session.

24

REGULAR SESSION – 7:00 P.M.

26

Conducting: Sharon Call, Chairperson

28 Invocation: Andy Skinner, Commissioner

Pledge of Allegiance: Bob Wily, Commissioner

30

PRESENT

ABSENT

32 Sharon Call, Chairperson

Bob Wily, Commissioner

34 Rob Kallas, Commissioner

Matt McDonald, Commissioner

36 Andrew Skinner, Commissioner

Mike Marchbanks, Commissioner

38 Hugh Van Wagenen, Planning Director

Kathy Moosman, City Recorder

40

1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.

42

2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of October 13,
44 2015 were reviewed.

46

COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE
REGULAR MEETING OF OCTOBER 13, 2015 AS PRESENTED. COMMISSIONER

2 MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.
THE MOTION CARRIED.

4

3. **PUBLIC COMMENT** –

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Chairperson Call called for comments from any audience member who wished to
8 address any issue not listed as an agenda item. There were no public comments.

10 **CURRENT BUSINESS** –

12 4. **Public Hearing** – *General Plan Map Amendment, approx. 115/117/119 South State*
14 *Street.* Leonard Lee of L.A. Enterprises requests approval of a General Plan Map to
16 change the General Plan Designation of property located at 115/117/119 South State
Street (Utah County Tax IDs 14:070:0204 & 14:070:0306) from Commercial (CG) to
Mixed Commercial (MC). The Commission will consider the request and make a
recommendation to the City Council.

18

COMMISSIONER SKINNER MOVED TO OPEN THE PUBLIC HEARING.
20 COMMISSIONER MCDONALD SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

22

Hugh Van Wagenen, Planning Director, led the discussion by explaining this item
24 was continued from the October 13, 2015 meeting so that a review of the Standard Land
Use Table regarding the General Commercial and Mixed Commercial zones could be
26 accomplished. He noted that review was done during the work session prior to this
meeting. Mr. Van Wagenen stated this item was also considered by the Planning
28 Commission on August 25, 2015 at which time the Commission voted to continue the
item until a time could be arranged to tour the properties in question. He noted that tour
30 took place during a work session prior the regularly scheduled meeting on October 13,
2015. Mr. Van Wagenen explained that a comparison of uses between the MC and CG
32 zones was also requested by the Commission (he then reviewed the recommendations
from the work session).

34

Mr. Van Wagenen further explained that the applicant, Mr. Leonard Lee (who is
in attendance) has owned the existing structures on the subject parcels for many years.
36 County records indicate that the structures were constructed in 1988. The buildings have
typically housed light manufacturing, and other industrial related, uses. Similar uses have
38 continued to operate from the structures over the years. He went on to say that presently,
these buildings are in the General Commercial zone, which is now a zone that is
40 predominantly oriented toward office and retail uses only. Consequently, as prospective
industrial tenants have attempted to obtain business licenses from the City to operate out
42 of the structures, staff has had to conduct research to determine whether the buildings
have nonconforming rights to the specific uses proposed since the current zoning does
44 not allow for manufacturing and light industrial uses.

46

Mr. Van Wagenen stated that Mr. Lee is requesting that the general plan
46 designation, and, in the next item, the zoning classification, be changed from Commercial
to Mixed Commercial to allow other light industrial, manufacturing, and
48 office/warehousing uses in the buildings. The General Plan currently designates the

2 property under the category of Commercial. This category includes retail and service
oriented businesses, and shopping centers that serve community and regional needs. Mr.
4 Lee also requests that the General Plan designation of the property be changed to Mixed
Commercial, which includes the uses in the General Commercial designation, as well as
6 light industrial and research and business uses.

8 Chairperson Call noted that the Commission has reviewed this item over several
meetings including a tour of the property and have spent time reviewing the different land
uses to allow more uses of the property in question. She called for any public comment at
10 this time. There were no public comments at this time. Commissioner Kallas commented
that his questions and concerns were answered and resolved through the tour and the
12 work session and feels the Commission is looking at the best option.

14 Chairperson Call added that it would be very difficult to leave it commercial and
put the restrictions the commission would want on the property, but with the historical
use of the building, if it is changed to the mixed commercial then the uses can be limited.
16 Chairperson Call asked how the new changes to the Standard Land Use Table will now
be applied to the property in question. Mr. Van Wagenen explained now that there is a
18 written document with the proposed changes in the next agenda item, if approved, will be
part of the motion and it will then be up to staff to ensure that follow-up is done with the
20 restrictions on that specific parcel.

22 Chairperson Call stated that it appears that the Commission has resolved the
concerns on this property. Commissioner McDonald expressed that he is not thrilled
about this change but knows it is a unique parcel within the city that lends itself to be
24 mixed commercial. He also suggested to review the Land Use Table changes discussed in
the work session prior to a motion. Mr. Van Wagenen suggested reviewing the proposed
26 changes prior to the zone change amendment as it is more applicable as specific land use
changes come with the zone change itself. There was then some general discussion by
28 the Commission regarding this item. Mr. Van Wagenen then referenced for discussion an
aerial photo of the proposed area to be re-classified, photos of the existing structures and
30 the use Comparison: CG to MC.

32 Chairperson Call asked if there were any further questions or comments from the
Commission. Hearing none she called for a motion.

34 COMMISSIONER WILY MOVED TO RECOMMEND APPROVAL TO THE
CITY COUNCIL THE APPLICANT'S REQUEST TO CHANGE THE GENERAL
36 PLAN DESIGNATION OF THE LOTS IDENTIFIED BY UTAH COUNTY PARCEL
#14:070:0204 AND 14:070:0306 FROM COMMERCIAL TO MIXED COMMERCIAL.
38 COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

40	CHAIRPERSON CALL	AYE
	COMMISSIONER WILY	AYE
42	COMMISSIONER KALLAS	AYE
	COMMISSIONER MARCHBANKS	AYE
44	COMMISSIONER MCDONALD	AYE
	COMMISSIONER SKINNER	AYE
46	THE MOTION CARRIED UNANIMOUSLY.	

2 5. **Public Hearing: Zone Map Amendment, approx. 115/117/119 South State Street.**
Leonard Lee of L.A. Enterprises requests approval of a Zone Map amendment to
4 rezone property located at 115/117/119 South State Street (Utah County Tax IDs
14:070:0204 & 14:070:0306) from Commercial (CG) to Mixed Commercial (MC).
6 The Commission will consider the request and make a recommendation to the City
Council.

8

Chairperson Call mentioned that Commissioner McDonald previously requested a
10 review of the decisions made on the proposed Standard Land Use changes discussed in
the prior work session. The Commission was in agreement to review the proposed
12 changes. Mr. Van Wagenen then gave an overview of the proposed changes followed by
some brief discussion.

14 Chairperson Call asked if there were any questions or comments from the
Commission. Hearing none she called for a motion.

16

COMMISSIONER WILY MOVED TO RECOMMEND APPROVAL OF THE
18 APPLICANT'S REQUEST TO CHANGE THE ZONING DESIGNATION OF THE
LOTS IDENTIFIED BY UTAH COUNTY PARCEL #14:070:0204 & 14:070:0306
20 FROM GENERAL COMMERCIAL (CG) TO MIXED COMMERCIAL (MC) WITH
CHANGES AS INDICATED IN THE STANDARD LAND USE TABLE.

22 COMMISSIONER SKINNER SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

24 CHAIRPERSON CALL	AYE
COMMISSIONER WILY	AYE
26 COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
28 COMMISSIONER MCDONALD	AYE
COMMISSIONER SKINNER	AYE

30 THE MOTION CARRIED UNANIMOUSLY.

32 Chairperson Call directed Mr. Lee to work with staff on any future tenants. At this
time Chairperson Call called for any public questions or comments. Hearing none she
34 called for a motion to close the public hearing.

36 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.
COMMISSIONER MCDONALD SECONDED THE MOTION. ALL PRESENT
38 VOTED IN FAVOR. THE MOTION CARRIED.

40 6. **Minor Subdivision** – *Homesteads at Coulson Cove, Plat E, and approx. 731 North*
42 *Coulson Drive.* Jeff Wilson requests approval of a three (3) lot subdivision in the
Single Family Residential (R1-12) zone on .99 acres.

44 Mr. Van Wagenen led this discussion by noting the area for lots 27 and 28 on the
plat of Homesteads at Coulson Cove has not been platted, although the frontage is
46 improved. He noted that new ownership of this and the surrounding property have now
made it possible to plat this area. Kaylene Wilson was in attendance as representative of
48 the agenda item.

Mr. Van Wagenen then referenced the lot requirements as follows:

- Minimum lot size in the R1-12 zone is 12,000 square feet (.28 acre). The subdivision will create three lots. Lot 27 is currently shown as 11,994 square feet, lot 28 is currently shown as 11,979 square feet, and lot 29 is shown as 19,193 square feet in area. Lots 27 and 28 are currently short of the 12,000 square foot minimum. Meeting that minimum should be a condition of approval.
- Frontage requirements are met for all lots.
- Curb, gutter, and sidewalk is currently installed and appropriate utilities will be installed for lots 27 and 28.

Mr. Van Wagenen stated that staff has determined that the proposed subdivision complies with all remaining land use standards. He noted the City Engineer is addressing engineering standards. All engineering issues will be resolved before final plat approval is granted.

Mr. Van Wagenen then presented an aerial photo of the proposed subdivision and the preliminary plan followed by some general discussion. Mr. Van Wagenen commented that staff has no concerns with the condition of adjusting the property lines. Chairperson Call stated that this seems to be a pretty straightforward minor subdivision.

Chairperson Call asked if there were any further questions or comments from the Commission. Hearing none she called for a motion.

COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANTS REQUEST FOR APPROVAL OF A THREE LOT RESIDENTIAL SUBDIVISION TO BE KNOWN AS HOMESTEADS AT COULSON COVE PLAT E, WITH THE CONDITION THAT LOTS 27 AND 28 MEET THE MINIMUM 12,000 SQUARE FOOT REQUIREMENT. COMMISSIONER MCDONALD SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER WILY	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER MCDONALD	AYE
COMMISSIONER SKINNER	AYE

THE MOTION CARRIED UNANIMOUSLY.

7. **Public Hearing** – *General Plan Map Amendment, approx. 500 North Anderson Lane.* Ken Watson of Ivory Development is requesting a General Plan Land Use Map Amendment from Mixed Commercial to Residential-High. Residential-High is defined as greater than 3.6 dwelling units per acre. The subject properties are located at approximately 500 North Anderson Land, identified by Utah County Parcel IDS #14:063:0061, #14:063:0006, #14:063:0048, #14:063:0046, #14:063:0047, #14:063:0042, #14:063:0012 and approximately 150 North 1700 West, which is a portion of the parcel identified by Utah County Parcel ID #14:063:0068 and are within the Mixed Commercial (MC) zone.

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

2 Mr. Van Wagenen gave a brief history of this agenda item stating that over a year
ago Ivory Development approached the City regarding a master planned residential
4 community west of Geneva Road, adjacent to the Creekside community, on the Anderson
Dairy Farm. Subsequent to that time, there have been numerous work sessions with Ivory
6 Development, City Staff, the Planning Commission and City Council to review and
comment on a concept plan developed by Ivory Development. He noted there was also a
8 public open house earlier this year in which Ivory Development presented the concept to
the Creekside neighborhood. The latest version of that concept is included as Attachment
10 3 in the staff packets. The entire project is about 137 acres, of which about 92 acres is
currently designated as Residential-High on the General Plan Land Use Map. This
12 request would change the remaining 45 acres of the project to Residential-High from its
current designation of Mixed Commercial. This is a first step in a multi-step process that
14 would make the concept plan a reality (including open houses and public hearings). In
addition to this General Plan change being approved, there will need to be zoning map
16 approval along with approval of a new ordinance governing the zone change. More than
likely, there will be a development agreement entered into between Ivory Development
18 and the City requiring additional review by the Planning Commission and City Council.

Mr. Van Wagenen explained the concept plan shows the entire project and
20 outlines the specific areas that are under consideration in this application. There is also a
modified plan looking at just the northeast area. This plan contemplates commercial
22 development that may need additional depth from 700 North than what is shown on the
overall concept plan. The City has expressed a desire to keep this option in order to
24 accommodate future commercial development. Mr. Van Wagenen then referenced a
written comment from Shaun Houston of 473 North 1200 west, that has been received
26 and is included in the staff packets along with a letter from UIS (Universal Industrial
Sales).

Mr. Van Wagenen further explained that the General Plan currently designates the
28 property under the category of Mixed Commercial. This category includes retail and
service oriented businesses, and shopping centers that serve community and regional
30 needs, as well as light industrial and research and business uses. The applicant is
requesting that the General Plan designation of the property be changed to Residential-
32 High, which refers to a density of greater than 3.6 dwelling units per acre. Mr. Van
Wagenen then referenced the relevant General Plan policies to consider in determining
34 whether the requested change will be in the public interest as follows:

- 36 a) It is the purpose of the Residential-High category to provide modest amounts of
high density, residential development.
- 38 b) The goal of housing and residential areas in Lindon City is to provide a housing
and living environment that supports and complements the unique rural quality
40 and character of Lindon City.

i. Objectives of this goal are to:

- 42 1. Maintain and enhance the pleasing appearance and environmental quality of
existing residential neighborhoods by avoiding encroachment of land uses which
44 would adversely impact residential areas (i.e. increased traffic, noise, visual
disharmony, etc.) and by providing adequate screening and buffering of any
46 adjacent commercial or industrial development including parking and service
areas.
- 48 2. Consider flexibility in housing development design and density in the R3 zone.

2 3. Encourage creative approached to housing development which will maintain and
protect natural resources and environmental features.

4 4. Provide for the unique community needs of the elderly, disabled, and children.

c. Applicable city-wide land use guidelines:

6 i. The identity of Lindon should be strengthened by land uses which contribute to
the unique character of the community.

8 ii. The relationship of planned land uses should reflect consideration of existing
development, environmental conditions, service and transportation needs, and
10 fiscal impacts.

12 iii. A variety of housing types should be provided where appropriate, and innovative
development patterns and building methods that will result in more affordable
housing should be encouraged.

14 iv. Transitions between different land uses and intensities should be made gradually
with compatible uses, particularly where natural or man-made buffers are not
16 available.

18 v. Land use patterns should be encouraged that reduce travel distances for
employment and essential services, limit pollution, allow for alternative modes of
transportation, and conserve energy.

20

Mr. Van Wagenen then presented the map showing requested General Plan Land
22 Use Map change, an aerial photo of the proposed area to be re-classified, the Ivory
Development Concept Plan, and the modified plan for the northeast area. He then turned
24 the time over to Mr. Watson, representative of Ivory Development, for comment.

Mr. Watson stated that it has been a long process to get to this point. They have
26 had meetings with staff, the planning commission, city council and the public trying to
get as much information out as possible. This plan is the same as what was previously
28 presented. They feel this plan is very harmonious with the adjacent residents and the
culture of the community and provides an environment that is a rural and high quality
30 residential housing. Ivory feels this community provides four stages of living with this
project 1. Apartments 2. Townhomes 3. Nice quality homes 4. Retirement years/adult
32 communities. This a quality land use that will continue to contribute to the unique
character of the community and strengthens the community values. Mr. Watson stated he
34 would be happy to answer any questions at this time.

Chairperson Call called for any public comment at this time. Several residents in
36 attendance addressed the Commission as follows:

38 **Shawn Monsen:** Mr. Monsen stated he is here representing Universal Industrial Sales
owner Martin Snow. Mr. Monsen stated that UIS is located across the street from the
40 development. He noted that UIS provides 10 million in payroll, \$500,000 in property
taxes and nearly a million dollars in sales tax revenues and has contracts with 45 vendors
42 in Lindon with over 8 million in sales and UIS is a key component to the tax base and the
economic development of Lindon City. Mr. Monsen stated the problem with this
44 proposed amended change is that they will be putting residential directly next to an
industrial manufacturing facility. There are odors, noise, traffic, associated with an
46 industrial area and it is simply not a safe place for resident's being directly across the
street. Universal brings in 35 inmates from the jail to work and they feel the residents will
48 eventually start complaining to UIS and the city. He re-iterated it is their concern that this

2 is not a safe place for children, and they will need buffering to avoid this type of conflict
between an industrial and residential use. He feels the Master Plan is a solid plan and has
4 natural buffering and nothing has changed in the past 5 years.

6 **Martin Snow:** Mr. Snow stated he is the owner of UIS. They started building here 32
years ago when it was a heavy industrial use and in those days there was industrial
8 property from Pleasant Grove through to Provo. There was a lot of
manufacturing/industrial jobs and uses and as we change those zones over increasingly to
10 residential we start losing jobs and we start to force out skilled labor. Mr. Snow pointed
out that basically the Master Plan change is just one step from a zone change. Mr. Snow
12 commented that 20 years ago he built the nicest commercial buildings in the area where
they have since put in residential property. He added that they have had a lot of
14 complaints because of the added residential properties being put in the area and they
spend a lot of time trying to mitigate these issues and the city expects them to take care of
16 the issues. He just wants to make sure everyone understands if this goes through they
don't want to be the ones trying to mitigate these issues.

18 **Shalonna Barney:** Ms. Barney expressed her concerns that the west side is the only high
20 density area in the city and feels we are separating our community and allowing a small
portion of our city to become a large portion of the city and she would like to see it
22 spread out so we can continue with the sense of community and keep the feel of Lindon
and this kind of development will not contribute to upgrading our city. There is industrial
24 areas around our neighborhood and mixed commercial to the west (the Fieldstone
Development). They would like bigger lots in the area and those people who want to
26 come here will go somewhere else. Ms. Barney expressed that she really feels that putting
everything in that one area will change the feel of Lindon they need to spread it out.

28 **Ron Anderson:** Mr. Anderson stated he owns the property in question and commented
30 that there have been some valid comments brought up tonight. Mr. Anderson expressed
that he feels Ivory is spreading this out and he feels this will be a nice development. He
32 added that Mr. Snow is already there and he has some legitimate concerns and he hopes
that some of these issues can be mitigated with buffers and rock walls etc. Mr. Anderson
34 commented that this development has been discussed a lot and he hopes it can be worked
out and the issues can be mitigated.

36 **Celeste Livingston:** Ms. Livingston commented that there are only a few houses for sale
38 in Lindon and she would like a little bigger house and if something had to go in she
would like it to be Ivory Homes because they are quality homes and it would be nicer that
40 businesses going in. She added that personally this would be a would be a step up for her
and her family as there are very few that are the next step up, although she would suggest
42 having 1/3 acre lots available also to give more options.

44 **Adam McDaniel:** Mr. McDaniel commented that Ivory provides better options for the
area in question. He feels the previous Council created a residential island in Lindon and
46 they are always asked what the Lindon plan for growth and expansion for the area. He
feels it is right to expand the residential opportunities in Lindon.

48

2 **Kenna Bartholomew:** Ms. Bartholomew stated that she attended the last meeting for the
zoning on a warehouse which is right behind her house. She noted that she moved into
4 the area knowing there was industrial in her neighborhood. The high density is the
smaller lots and not all of them are townhomes, but she supports having more of that
6 around her because it gives them less industrial that has rules they have to live by. If they
feel they can sell those homes it will just add to their neighborhood and there will be
8 more families and will make their neighborhood safer. And if they are willing to build the
rock wall that separates the industrial and residential and stick to their standards she feels
10 it will be a nice development in Lindon.

12 Chairperson Call asked if there were any public comments from the Commission.
Hearing none she called for a motion to close the public hearing.

14
16 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.
COMMISSIONER WILY SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

18
20 Chairperson Call asked if there were any further questions or comments from the
Commission. Commissioner Kallas asked Ivory representatives if they have given
thought to the residential butting up against the industrial and if they feel confident they
22 can market the development. Mr. Watson stated they will build the wall to mitigate any
issues and confirmed they feel confident they can market the homes as they have done
24 this in other communities and they don't want to cause any problems with the neighbors.
Chairperson Call pointed out that the Commission has had a lot of discussion prior to this
26 meeting on this development with a lot of questions asked and many meetings with Ivory.
There was some brief discussion by the Commission. Following discussion Chairperson
28 Call called for a motion.

30 COMMISSIONER MCDONALD MOVED TO RECOMMEND TO THE CITY
COUNCIL APPROVAL OF THE APPLICANT'S REQUEST TO CHANGE THE
32 GENERAL PLAN DESIGNATION OF THE AREA IDENTIFIED ON THE
ATTACHED MAP FROM MIXED COMMERCIAL TO RESIDENTIAL HIGH.
34 COMMISSIONER WILY SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

36 CHAIRPERSON CALL AYE
COMMISSIONER WILY AYE
38 COMMISSIONER KALLAS AYE
COMMISSIONER MARCHBANKS AYE
40 COMMISSIONER MCDONALD AYE
COMMISSIONER SKINNER AYE
42 THE MOTION CARRIED UNANIMOUSLY.

44 8. **Concept Review** – *Dastrup Auto Inc.; Zone Change, 475 North State Street.* Devin
46 Dastrup requests feedback on a General Commercial to General Commercial-Auto
zone change proposal on the 2.3 acre lot located at 475 North State. The change
would allow used cars to be sold on the property. No action will be taken.

48

2 Mr. Van Wagenen explained that Devin Dastrup is in attendance and is requesting
4 feedback on a General Commercial to General Commercial-Auto zone change proposal
6 on the 2.3 acre lot located at 475 North State. He noted this change would allow used cars
8 to be sold on the property. the lots in question currently do not allow for used auto sales.
10 He noted that Mr. Dastrup is interested in either lot and is looking for feedback from the
Commission on a possible zone change. He noted that no motion is necessary as this item
is a concept review and for discussion only. Mr. Van Wagenen then referenced for
discussion aerial photos and the sketch of possible layouts. He then turned the time over
to Mr. Dastrup for comment.

12 Mr. Dastrup commented that they are interested in the property that was Patch's
14 Majestic Metals with the idea to redevelop it into a car lot. There is a shop still there
16 which is a good structure. The initial plan is to renovate the home into an office and use
the eastern portion as a car lot and keep the repairs in the back. The second plan (long-
term) would be to build rental or storage units in the back. The property behind was
rezoned for storage units which they feel would be a good use for the property. Central
Banks currently owns the property and they are holding strong for the asking price.

18 Chairperson Call voiced her concerns that there may be too many used car lots on
20 State Street (from previous councils). Mr. Van Wagenen then showed photos of the
property and current used auto sales zones on the zone map. Commissioner Wily
commented that the lots seem to be scattered now and the question may be are there too
22 many used cars lots.

24 Mr. Dastrup stated they have an average asking price of \$13,500. They try to stay
10 years old and newer to have a nice range to offer and to keep things updated. They
currently have an internet sales operation in Orem. Their inventory is 25 to 30 vehicles
26 and they hope to grow to 60 to 70 vehicles and they feel the property would house that
number without feeling congested as it has a lot of frontage and narrows in the back. The
28 property is run down and is in need of beautification and a facelift. He and his brother
will run it and it is a cash operation with no doubt. They want to expand to a more
30 prominent location and a good location for their concept.

32 Chairperson Call pointed out at the last meeting there were two concept reviews
for used car sales on State Street. Commissioner Marchbanks stated he would be open
34 minded for this concept on this unique particular property because the neighbors are not
high retail. He considers this to be a retail sales business that would generate revenue to
the city. He noted he is not sure, without seeing more information, about the storage in
36 the back property. Commissioner Kallas commented that there is a stigma with an old
house as the sales office. He added there have been several presented with a nice sales
38 offices but he is not so sure about an old house. He would suggest making it look more
like a commercial building. Mr. Dastrup stated that ultimately he would like to demolish
40 the house and build a new building. Commissioner Wily commented that he feels he may
persuade the Council that this is the best use of the property. Mr. Dastrup commented
42 that the property is in foreclosure and there are time frames he is looking at.
Commissioner McDonald commented that he is not opposed to used car lots on State
44 Street. There was then some additional discussion by the Commission regarding this
item. Chairperson Call stated that she feels the Commission has given sufficient
46 feedback to Mr. Dastrup and thanked him for coming and noted that the Council has been
quite conservative on used car lots.

2 Chairperson Call called for any comments or questions from the Commissioners.
Hearing none she moved on to the next agenda item.

4
6 9. **Public Hearing – 40 Geneva LLC; 10 foot landscape strip, 40 North Geneva**
8 **Road.** Doug Lewis requests a concept review for a 10’ landscape strip rather than a
20’ strip along public frontage on the 1.5 acre lot located at 40 North Geneva Road,
due to lot size, lot shape and associated visibility requirements. No action will be
taken.

10 COMMISSIONER KALLAS MOVED TO OPEN THE PUBLIC HEARING.
12 COMMISSIONER MCDONALD SECONDED THE MOTION. ALL PRESENT
14 VOTED IN FAVOR. THE MOTION CARRIED.

16 Mr. Van Wagenen explained that recently the City adopted Section 17.76 of the
Lindon City code governing Planned Residential Development Overlays in commercial
zones. He noted the standards in that code section prohibited private drives for PRD
18 projects with the expectation that units would be accessed from a public roadway. He
noted there was an existing section of code in the parking ordinance (17.18.060)
20 prohibiting direct parking stall access for any development, excepting one and two family
dwellings. This existing ordinance requires any multi-family project to access parking
22 stalls from a private drive, as is evidenced in many of the R2 or old PUD projects in the
City.

24 Mr. Van Wagenen further explained that the conflict made it difficult to process
the first site plan application taking advantage of the PRD Overlay. He added that the
26 City Engineer is concerned with an increase of conflict areas that could result if direct
parking access were consistently available to PRD projects as more vehicles would be
28 pulling onto the street.

30 Mr. Van Wagenen noted the proposed amendment solves the conflict in the
existing code while allowing PRD projects to address parking stall access as other multi-
family projects have previously done. Mr. Van Wagenen then referenced the proposed
32 PRD Amendment to 17.76.110 followed by some general discussion. Chairperson Call
stated this amendment seems pretty straightforward and is fine with the change.
34 Commissioner Marchbanks agreed this seems to be a reasonable fix.

36 COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL OF
ORDINANCE AMENDMENT 2015-24-O AS PRESENTED. COMMISSIONER
38 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

40 CHAIRPERSON CALL AYE
COMMISSIONER WILY AYE
42 COMMISSIONER KALLAS AYE
COMMISSIONER MARCHBANKS AYE
44 COMMISSIONER MCDONALD AYE
COMMISSIONER SKINNER AYE
46 THE MOTION CARRIED UNANIMOUSLY.

2 Chairperson Call called for public comments or questions. Hearing none she
called for a motion to close the public hearing.

4
6 COMMISSIONER MCDONALD MOVED TO CLOSE THE PUBLIC
HEARING. COMMISSIONER SKINNER SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

8
10 **10. New Business: Reports by Commissioners –**

12 Chairperson Call called for any comments or discussion from the Commissioners.
Chairperson Call asked Councilmember Bean about the Council’s feelings on used car
lots as she would like to know where they stand so the Commission will know how to
14 direct the applicants. Councilmember Bean commented that he feels, due to the amount
of applications coming through, that the Council should have a discussion on this issue as
16 to be on the same page. This is a subjective issue because of the current zoning and
where we could expand. There was then some general discussion regarding this issue.
18 Chairperson Call called for any further comments or discussion. Hearing none she moved
on to the next agenda item.

20
22 **11. Planning Director Report–**

24 Mr. Van Wagenen reported on the following items followed by discussion:

- 24 • Upcoming election
- 26 • New Associate planner
- Annual Thanksgiving Dinner
- 28 • Holiday schedule
- Christmas staff party
- 30 • Thanks to Commissioner Skinner

32 Chairperson Call called for any further comments or discussion. Hearing none she
called for a motion to adjourn.

34 **ADJOURN –**

36 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE
MEETING AT 9:15 P.M. COMMISSIONER MCDONALD SECONDED THE
38 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

40 Approved – November 10, 2015

42
44 _____
Sharon Call, Chairperson

46 _____
Hugh Van Wagenen, Planning Director