

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **November 27, 2012** beginning at 7:00 p.m. in the Lindon City Center, City Council
4 Chambers, 100 North State Street, Lindon, Utah.

5 Conducting: Sharon Call, Chairperson
6 Invocation: Del Ray Gunnell, Commissioner
7 Pledge of Allegiance: Mike Marchbanks, Commissioner

8 **PRESENT**

ABSENT

9 Sharon Call, Chairperson
10 Ron Anderson, Commissioner
11 Del Ray Gunnell, Commissioner
12 Carolyn Lundberg, Commissioner
13 Mike Marchbanks, Commissioner
14 Rob Kallas, Commissioner
15 Adam Cowie, Planning Director
16 Hugh Van Wagenen, Assistant Planner
17 Kathryn Moosman, City Recorder

18 The meeting was called to order at 7:00 p.m.

19 **APPROVAL OF MINUTES** – The minutes of the regular meeting of November 13,
20 2012 were reviewed.

21 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE
22 REGULAR MEETING OF NOVEMBER 13, 2012 AS AMENDED. COMMISSIONER
23 MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.
24 THE MOTION CARRIED.

25 **PUBLIC COMMENT** –

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

28 **CURRENT BUSINESS** –

- 29 **1. MINOR SUBDIVISION:** *Meine Plat A- 36 South 300 East.* This is a
30 request by David Meine for approval of a minor subdivision in order to create
31 a hammerhead turnaround access point for two parcels at 36 South 300 East.
32 The new subdivision plat will be titled Meine Plat A. The subject properties
33 are located within the Single Family Residential Zone (R1-20).
34 Recommendations from the Planning Commission will be forwarded to the
35 City Council.

36 Adam Cowie, Planning Director, opened the discussion by stating this is a request
37 by David Meine for approval of a minor subdivision in order to create a hammerhead
38 turnaround access point for two parcels at 36 South 300 East. He noted that the new

subdivision will be titled Meine Plat A. He further noted that the subject properties are located in the single family residential zone (R1-20).

Mr. Cowie further explained that this one lot subdivision will dedicate land to Lindon City in order for a hammerhead turnaround to be constructed as required per Fire Code. He went on to say that in anticipation of the required turnaround at his location, the street Master Plan was recently updated to reflect the future construction of the hammerhead turnaround. He added that currently 300 East dead ends as a stub street at the southeast corner of Mr. Meine's property at 36 South 300 East. Mr. Cowie noted that the southwest corner of the Eggett property also has frontage along 300 East at the stub, although the main access to that lot is from Center Street.

Mr. Cowie stated that the future hammerhead will allow for construction of a home on the Meine property and give the Eggett property the possibility of subdividing into two buildable lots at a future date. He noted that because there is a possibility that the Eggett property could be further subdivided, its boundaries are not included in this plat. Mr. Cowie noted that staff recommends the proposed conditions that the Meine Plat a minor subdivision, be approved contingent upon adoption by the City Council of amendments to LCC 17.44.050 – Lot Frontage, which addresses minimum lot frontage for hammerhead turnarounds.

Mr. Cowie then showed photos of the subject properties. He noted that the utility stubs will be provided into the lots to accommodate future development. He added that there is currently an agricultural barn with an issued permit and a fire hydrant at the end of the street. Mr. Cowie also noted in order for the building department to issue a permit for a dwelling there needs to be an improved turnaround installed. Mr. Cowie explained that the frontage requirement is not met unless the City Council approves the recommendation from the Planning Commission to change the ordinance to the 25 ft. of frontage; so if there is a motion to approve tonight, the motion is subject to the Council approving the 25 ft. of frontage. He added that with the change the lot would meet the minimum 25 ft. of frontage and minimum lot size. Mr. Cowie stated that there will be no street improvements along the Austin's property at this time. He noted that he spoke with the Fire Department inspectors and they feel this will work as proposed and would not be detrimental to their access and they did not anticipate any concerns. There was then some general discussion between Mr. Cowie and the Commissioners regarding this item.

Mr. Meine commented that when he bought the lot in 2007 he understood that the road was going to go through, so for him to build the barn he brought in stubs for himself and the Eggett's, including culinary water, irrigation water, and the City had him build the other half of the street, which cost him \$58,000 to complete the work. He added that he and the Eggett's have had some discussions and the Eggett's have been very gracious regarding this issue. Chairperson Call commented if this issue goes to the City Council they will be looking at approving the hammerhead and the subdivision. Commissioner Kallas inquired if the improvements and the hammerhead will become a city street. Mr. Cowie confirmed that statement.

Chairperson Call asked if there were any public comments. Robert Parker, neighboring resident in attendance, voiced his concerns regarding the easement frontage. Mr. Parker stated that the reason they bought his home and property in Lindon was for the open space and he is concerned about homes being built and encroaching on the open space, and he also inquired how big the home Mr. Meine will be building on the lot. Mr. Cowie replied that cul-de-sacs with hammerheads allow the frontage requirement to be

2 measured at an angle, so even though it is not 100 ft. deep, with the street frontage it does
3 meet the frontage requirement. He added that the maximum coverage on a lot is 40%,
4 which is the same as any lot in the zone, with a height of 35 ft. He added that there have
5 been no exceptions made on this property. Mr. Meine stated that the proposed plan is to
6 build a rambler spec home on the site. Bernie Eggett, property owner, stated that they do
7 own the bigger piece of property involved and part of their concerns are that if they
8 develop they may have to get a variance because the property may be smaller than what
is required, if a variance would be granted at all.

9 Chairperson Call commented that she feels this subdivision meets all of the
10 requirements, and she is not sure on what basis the commission cannot give approval.
11 Mr. Cowie confirmed that statement. He added that this is an administrative decision
12 subject to the ordinance amendment approved at the last meeting. Mr. Cowie stated that
13 once it is platted and constructed a building permit will be issued with the same
14 regulations as the rest of the neighborhood.

15 Chairperson Call asked if there were any further questions or comments from the
16 commissioners. Being no further comments she called for a motion.

17 COMMISSIONER LUNDBERG MOVED TO APPROVE THE MINOR
18 SUBDIVISION FOR MEINE PLAT A CONTINGENT UPON ADOPTION BY THE
19 CITY COUNCIL OF AMENDMENTS TO LCC 17.44.050 – LOT FRONTAGE AND
20 RECOMMEND APPROVAL TO THE CITY COUNCIL. COMMISSIONER
21 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
22 FOLLOWS:

23 CHAIRPERSON CALL	AYE
24 COMMISSIONER KALLAS	AYE
25 COMMISSIONER ANDERSON	AYE
26 COMMISSIONER LUNDBERG	AYE
27 COMMISSIONER MARCHBANKS	AYE
28 COMMISSIONER GUNNELL	AYE
29 THE MOTION CARRIED UNANIMOUSLY.	

- 30
31
32 **2. PUBLIC HEARING:** *Zoning Map Amendment – 370 North State Street.* This
33 is a request by Kevin G. Long, representing Chili Dips LLC, for approval of a
34 zone change from CG to CG-A on 1.37 acres of property located at 370 North
35 State Street (formerly Alpine Power Sports). If approved, the change would
36 allow for used automobile sales to occur on the property. Recommendations
37 from the Planning Commission will be forwarded to the City Council.
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39 COMMISSIONER ANDERSON MOVED TO OPEN THE PUBLIC HEARING.
40 COMMISSIONER GUNNELL SECONDED THE MOTION. ALL PRESENT VOTED
41 IN FAVOR. THE MOTION CARRIED.
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43 Hugh Van Wagenen, Associate Planner, opened the discussion by explaining that
44 this item is a request by Kevin G. Long who represents Chili Dips LLC, for approval of a
45 zoning change from CG to CG-A on 1.37 acres of property located at 370 North State
46 Street (formerly Alpine Power Sports). He added that if approved, the change would
allow for used automobile sales to occur on the property as a permitted use. He further

2 stated that no other change in permitted uses on the property will occur if the zoning map amendment is approved.

4 Mr. Van Wagenen then showed photos of the zoning map displaying the proposed lot along with aerial photographs of the site. He also presented photos from State Street. Mr. Van Wagenen noted that this is a legislative amendment allowing the Planning Commission and the City Council broad discretion while considering the requested change. He went on to say that the three other CG-A zones along State Street were recently created to allow used auto sales to continue around existing used auto sales businesses. He added that staff has no specific recommendations regarding the proposed request.

10 Jeremy Baker then addressed the Commission. He explained the intention of the use of the property. He noted his company, Auto Source Motors, is expanding to Utah County and the Lindon location is ideal for their purposes. He noted they sell between 12 100-120 vehicles per month. He added that this expansion would be strictly for used cars sales (late model vehicles, average sale price of \$14,000 per car) at this time and noted 14 that they plan on having around 40 vehicles as inventory on the lot at a time with some cars located in the rear of the building also. Mr. Baker stated there is sufficient lighting 16 at the location. He added they have signed a 5 year lease and are committed to the location. Mr. Long noted this proposed operation, at the initial projection, will generate 18 \$50,000 per year in local sales tax revenue which would be a great benefit to the city. There was then some general discussion regarding this issue.

20 Chairperson Call asked if there were any public comments or further discussion 22 from the commissioners. Hearing none she called for a motion.

24 COMMISSIONER KALLAS MOVED TO APPROVE THE ZONING MAP AMENDMENT AND RECOMMEND APPROVAL TO THE CITY COUNCIL WITH NO CONDITIONS. COMMISSIONER MARCHBANKS SECONDED THE MOTION. 26 THE VOTE WAS RECORDED AS FOLLOWS:

28 CHAIRPERSON CALL AYE
30 COMMISSIONER KALLAS AYE
COMMISSIONER ANDERSON AYE
32 COMMISSIONER LUNDBERG AYE
COMMISSIONER MARCHBANKS AYE
34 COMMISSIONER GUNNELL AYE
THE MOTION CARRIED UNANIMOUSLY.

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

40 **NEW BUSINESS** – Reports by Commissioners.

42 Chairperson Call called for any new business or reports from the Commissioners.
44 Chairperson Call suggested the names of Chris Wells, Steve Schade, Joe Stewart and Scott Pettis for the bike safety study to Mr. Van Wagenen. Commissioner Marchbanks mentioned the name of Joe Martel. Commissioner Kallas mentioned the name of Lynn Lemone. Mr. Van Wagenen stated that they will take the names into consideration. Mr.

2 Cowie stated that the funds will come from Federal Transportation grants that are specifically for planning programs for transportation.

4 Chairperson Call asked if there were any other new business or discussion. Being none she moved on to the next agenda item.

6 **PLANNING DIRECTOR'S REPORT** –

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

- 10 ● The Commission reviewed the Project Tracking List.
- 12 ● City Council Items:
 - Billboards & Sign Purpose/Lighting Ordinance.
 - Animal Ordinance.
 - 14 ● Subdivision plats for Heritage Trail.
 - CDA (Commercial Development Area) along 700 North.
- 16 ● Adam Cowie has been selected as the new City Administrator.
- 18 ● Annual Tree Lighting Ceremony – December 3, 2012 at 6:30 p.m. at Community Center.

20 Chairperson Call asked if there were any other comments or discussion. Being none she called for a motion to adjourn.

22 **ADJOURN** –

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26 COMMISSIONER LUNDBERG MADE A MOTION TO ADJOURN THE MEETING AT 8:45 P.M. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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30 Approved – December 11, 2012

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36 Sharon Call, Chairperson

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Adam Cowie, Planning Director