

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
3 **January 13, 2015 at 7:00 p.m.** at the Lindon City Center, City Council Chambers, 100  
4 North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Sharon Call, Chairperson  
9 Invocation: Matt McDonald, Commissioner  
10 Pledge of Allegiance: Bob Wily, Commissioner

12 **PRESENT** **ABSENT**

13 Sharon Call, Chairperson  
14 Andrew Skinner, Commissioner – arrived 7:13  
15 Bob Wily, Commissioner  
16 Mike Marchbanks, Commissioner  
17 Rob Kallas, Commissioner  
18 Matt McDonald, Commissioner  
19 Hugh Van Wagenen, Planning Director  
20 Jordan Cullimore, Associate Planner  
21 Kathy Moosman, City Recorder

22  
23 Special Attendee:  
24 Matt Bean, Councilmember

- 26 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.  
28 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of December 9,  
29 2014 were reviewed.

30  
31 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES  
32 OF THE REGULAR MEETING OF DECEMBER 9, 2014 AS PRESENTED.  
33 COMMISSIONER WILY SECONDED THE MOTION. ALL PRESENT VOTED IN  
34 FAVOR. THE MOTION CARRIED.

36 3. **PUBLIC COMMENT** –

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

40 **CURRENT BUSINESS** –

- 41  
42 4. **Plat Amendment:** *Homesteads @ Coulson Cove, Plat D, Approx. 750 North*  
43 *Coulson Drive.* Stephen Phelon of ESP Excavation requests approval of a plat  
44 amendment to create Plat D of Homesteads at Coulson Cove at approximately 750 North  
45 Coulson Drive. The plat amendment includes a vacation of Lots 13, 14, and 15 of  
46 Homesteads @ Coulson Cove Plat B. The subdivision is located in the Single Family  
47 Residential (R1-12) zone.  
48

2 Jordan Cullimore, Associate Planner, opened the discussion by giving a brief  
overview of this agenda item. He explained this is a request by Stephen Phelon (who is  
4 in attendance) of ESP Excavation who is requesting approval of a plat amendment to  
create Plat D of Homesteads @ Coulson Cove at approximately 750 North Coulson  
6 Drive. The plat amendment includes a vacation of Lots 13, 14, and 15 of Homesteads at  
Coulson Cove Plat B. The subdivision is located in the Single Family Residential (R1-  
8 12) zone.

10 Mr. Cullimore explained that after Plat B of Homesteads @ Coulson Cove was  
recorded, it was discovered that there were discrepancies between the ownership deed  
12 descriptions and the property lines described on the plat. He noted this plat amendment  
simply harmonizes and reflects the lot lines identified on the recorded plat with the actual  
ownership deed descriptions of the parcels. Mr. Cullimore added that the resulting lots  
14 will remain compliant to city standards and Lindon City Code dimensional requirements;  
this is just a formality and a technical correction. Mr. Cullimore then referenced the  
16 existing Homesteads @ Coulson Cove Plat B Subdivision with proposed changes and the  
proposed Homesteads @ Coulson Cove Plat D Subdivision followed by discussion.

18 Mr. Phelon commented that this is a pretty basic and straightforward plat  
amendment. Commissioner Kallas inquired if this action will be making a new  
20 subdivision. Mr. Cullimore stated that it is not making a new subdivision but because the  
lines need to be adjusted the three (3) lots have to be vacated from the recorded plat B  
22 and create Plat D. There was then some additional discussion regarding this plat  
amendment.

24 Chairperson Call called for any further comments or discussion. Hearing none she  
called for a motion.

26  
28 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE  
APPLICANT'S REQUEST FOR APPROVAL OF A PLAT AMENDMENT TO  
VACATE LOTS 13, 14, AND 15 OF HOMESTEADS AT COULSON COVE PLAT B  
30 AND CREATE PLAT D OF HOMESTEADS AT COULSON COVE WITH NO  
CONDITIONS. COMMISSIONER MCDONALD SECONDED THE MOTION. THE  
32 VOTE WAS RECORDED AS FOLLOWS:

34 CHAIRPERSON CALL AYE

36 COMMISSIONER WILY AYE

38 COMMISSIONER KALLAS AYE

COMMISSIONER MARCHBANKS AYE

COMMISSIONER MCDONALD AYE

THE MOTION CARRIED UNANIMOUSLY.

- 40 5. **Site Plan** – *ZYTO Technologies/Tams Solutions, approx. 1100 West 700 North.*  
42 Barrett Morley, on behalf of Stay ZYTO LLC, requests site plan approval of a  
44 46,060 square foot office building and a 51,970 square foot retail/office building on  
a 5.61 acre site at approximately 1100 West700 North in the General Commercial  
(CG) zone.

46 Mr. Cullimore led this agenda item by explaining this is a request by Barrett  
Morley, on behalf of Stay ZYTO LLC, who is in attendance to address the Commission  
48 tonight. He explained the applicant proposes to construct a 46,060 square foot office  
building and a 49,480 square foot retail/office building on a 5.61 acre site at

2 approximately 1100 West 700 North in the General Commercial (CG) zone as both  
3 businesses are growing and they are in need of additional space. He noted that retail and  
4 office uses are permitted in the General Commercial (CG) zone.

5 Mr. Cullimore further explained that the total required number of spaces for the  
6 various spaces in the two buildings is 251 required spaces with 7 ADA accessible spaces.  
7 The applicant is proposing 252 parking spaces with 10 accessible parking stalls which  
8 means the requirements are met. Additionally, the Code requires 18 bicycle parking  
9 stalls. The site plan proposes to install 18 bicycle parking stalls, and meets the  
10 requirement.

11 Mr. Cullimore then referenced the summary of parking requirements *as follows*:

- 12 • Vehicle Spaces Required: 251
- 13 • Vehicle Space Provided: 252
- 14 • Bicycle Spaces Required: 18
- 15 • Bicycle Spaces Provided: 18

16  
17 Mr. Cullimore also referenced the landscape strip along the frontage explaining  
18 that the 700 North Corridor has a specific street cross section which includes a narrower  
19 landscaped strip than is typically required in the CG zone because there is a landscaped  
20 median on 700 North. He noted the landscaping plan for this site complies with the  
21 required cross section, as it relates to the proposed dimensions. Mr. Cullimore then  
22 referenced the 700 North Tree Plan explaining that 700 North also includes a specific tree  
23 plan along the corridor. He noted the submitted landscaping plan also matches and  
24 reflects the required 700 North Tree Plan and is in compliance with all frontage  
25 requirements.

26 Mr. Cullimore then referenced the Interior Landscaping explaining the interior  
27 landscaping must be provided at 40 square feet per required stall. He explained that the  
28 site has 252 parking stalls, which will require at least 10,800 square feet of interior  
29 landscaping, exclusive of the required landscaped strip along street frontage. He noted the  
30 submitted landscaping plan proposes 24,822 square feet of interior landscaping, which  
31 exceeds the interior landscaping requirement. He noted the interior landscaping  
32 requirements include 1 interior tree per 10 parking stalls. The number of required trees for  
33 this site is 26, and the landscaping plan proposes 37 trees, which satisfies the requirement  
34 as well and noted the applicant has done a good job with this landscaping aspect.

35 Mr. Cullimore then referenced the total open space requirement explaining that  
36 Lindon City Code requires that a minimum of 20% of the lot be maintained in permanent  
37 landscaped open space. He noted the landscaping plan indicates that just over 21% of the  
38 site is landscaped (51,632/244,301) so they are compliant in this regard as well.

39 Mr. Cullimore then referenced Lindon's Commercial Design guidelines  
40 explaining that the guidelines govern architectural treatments in the CG zone, identify  
41 masonry building materials, such as brick, stone, and colored decorative concrete block  
42 (including fenestration) as the preferred primary building material with good accents; and  
43 brick, stone, colored decorative concrete block, stucco, wood/cement fiber siding, and  
44 timbers as secondary materials.

45 Mr. Cullimore noted that an architect's rendering of the structures and elevation  
46 details are included in attachment 4 (included in the packets). The building materials  
47 proposed for the exterior of the 46,060 square foot office building include sandstone  
48

2 veneer, granite veneer, and painted tilt-up. He added that the proposed exterior of the  
4 49,480 square foot retail/office building includes Split-face CMU, brick-pattern  
6 formliner, and painted concrete tilt-up. He noted that it is staff's opinion that the proposed  
8 combination of materials and fenestration for each building properly satisfies the building  
10 materials requirements of the Commercial Design Guidelines.

12 Mr. Cullimore went on to say the Commercial Design Guidelines indicate that  
14 earth tones are generally preferred over harsh or loud colors, except where more vibrant  
16 colors are used to create a special effect that works well with the adjacent context. The  
18 Design Guidelines include a color palette for reference in determining compliance with  
20 this requirement. He noted the color palette has been included as attachment 5 in the  
22 packets for reference. He mentioned that the renderings of the building that illustrate the  
24 building colors are also included in attachment 4 (in the packets) for review.

26 Mr. Cullimore then mentioned that the City Engineer is working through the  
28 technical issues related to the site and he has indicated there are not any significant issues  
30 and he will ensure all engineering related issues will be resolved before final approval is  
32 granted. Mr. Cullimore then referenced the aerial photo of the site and surrounding area,  
34 the site plan, the landscaping plan, the architectural rendering & elevations and the  
36 commercial design guidelines color palette followed by some general discussion.

38 Commissioner Kallas inquired if the tilt up concrete will be painted and if the  
40 columns will be split faced block. Mr. Morley confirmed the tilt up concrete will be  
42 painted in portions and noted the split faced block may actually be a thin brick style but  
44 will look like block. Commissioner McDonald asked if the blocks will also be painted.  
46 Mr. Morley replied that at this point they will probably not paint the blocks.

48 Commissioner Kallas asked if staff feels this proposal meets city requirements.  
Mr. Cullimore confirmed that staff feels the proposal is compliant. Chairperson Call  
stated that this appears to meet the architectural and color palette standards. She added  
that she sees the only thing that can be questioned is the architectural standards because  
this is permitted in the general commercial zone and the parking, landscaping, open space  
and tree plan requirements are all met and it does meet the color palette. Commissioner  
Wily pointed out that the Zyto building obviously meets the fenestration percentage  
requirement and the Tams building does as well. Mr. Cullimore stated there is not a  
specific fenestration requirement but it is included in the primary building material  
package. He added regarding the Zyto building the only thing that could not be  
considered primary building material would be the painted tilt up areas and it also has a  
lot of windows to work with as well as the primary building accents. Commissioner Wily  
also inquired if they expect the two buildings to be fully occupied. Mr. Morley replied  
that they will be fully occupied but they would like to have the option of leasing out if  
necessary.

Commissioner Kallas commented that this appears to be a very nice looking  
building but added the 700 north corridor is very important to the city and voiced his  
concerns that they want to see the buildings look nice as this may set a precedent for  
future buildings. Mr. Morley commented that they have worked hard to come up with a  
design that looks good and fits in the neighborhood.

Adam Ford, General Counsel for Zyto, addressed the Commission at this time.  
Mr. Ford stated the reason they decided to go with granite and sandstone is that they  
brought the granite rock in from Utah at an additional cost to them because they want the  
building to look nice, and to ensure that the façade looks great they brought sandstone in

2 from southern Utah which also has some meaning. He added that this will be a beautiful  
building and they are very excited about it.

4 Commissioner McDonald asked if there were any further recommended  
conditions from staff. Mr. Van Wagenen commented that when the original submittal  
6 from the applicant (as far as landscaping and architecture treatments) came back to Mr.  
Morley with the review comments they immediately made the improvements to come  
8 into compliance. He added that staff has been very impressed with the way the applicant  
has handled the process and staff feels this will be a good start for 700 north.

10 Commissioner Kallas inquired on the east property line where it comes to the  
railroad track does the landscaping take it right to the property line. Mr. Morley  
12 confirmed that it will go right up to their property line. Commissioner Marchbanks asked  
what business Zyto and Tams does. Mr. Morley stated Zyto is a medical software  
14 company that supports and sells to medical professionals and the Tams business is a  
computer recycling business that refurbishes and re-sells computers.

16 Chairperson Call called for any comments or discussion. Hearing none she called  
for a motion.

18  
20 COMMISSIONER WILY MOVED TO APPROVE THE APPLICANT'S  
REQUEST FOR SITE PLAN APPROVAL WITH NO CONDITIONS.  
COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS  
22 RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

- 30  
32 6. **Public Hearing** – *Ordinance Amendment, LCC 17.32.320 Flag Lots.* Rick  
Chatwin requests approval of an amendment to LCC 17.32.320 Flag lots. The  
34 proposed amendment would modify flag lot setback requirements to reflect typical  
setback requirements for standard lots in the R1 Single Family Residential zone  
(front/rear – 30 feet; side – 10 feet).

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

40  
42 Mr. Cullimore led this agenda item by explaining this is a request for approval of  
an amendment to LCC 17.32.320 Flag Lots by Rick Chatwin (who is in attendance). Mr.  
Cullimore noted the proposed amendment would modify flag lot setback requirements to  
44 reflect typical setback requirements for standard lots in the R1 Single Family Residential  
zone (front/rear – 30 feet; side – 10 feet).

46 Mr. Cullimore gave a brief overview explaining that the Planning Commission  
has authority to approve flag lots when certain criteria, identified in LCC 17.32.320, are  
48 satisfied. He explained that when the existing flag lot ordinance was passed, the City

2 Council at the time of passage expressed concerns that dwellings on flag lots could  
4 encroach on the privacy of neighboring dwellings because flag lots are typically situated  
6 behind standard lots. He went on to say in administering the ordinance, staff has observed  
8 that the more restrictive setback requirements do not appear to be necessary to preserve a  
reasonable level of privacy on neighboring lots. Mr. Cullimore stated that typical setbacks  
applied to flag lots would provide neighboring lots with the same space between homes  
that standard lots enjoy, and it would afford flag lot owners less restrictive buildable  
areas.

10 Mr. Cullimore explained that Mr. Chatwin would like to create a flag lot at  
approximately 200 South and 400 West in Lindon, but the more restrictive setbacks will  
12 make it difficult for him to situate his home the way he would like to on the lot.  
Consequently, he is requesting that the setback requirements on flag lots be modified to  
14 reflect the setback requirements on standard lots in the R1 Single Family Residential  
Zone.

16 Mr. Cullimore noted the current flag lot ordinance has the following setback  
requirements:

18 Front: 30 feet  
Rear: 50 feet  
20 Side: 20 feet

22 Mr. Cullimore noted the Standard setback requirements in the R1 Single Family  
Residential Zone are as follows:

24 Front: 30 feet  
Rear: 30 feet  
26 Side: 10 feet

28 Mr. Cullimore further discussed that because staff sees little reason to impose  
more restrictive setback requirements on flag lots they would recommend that the  
30 Planning Commission and City Council consider adjusting the height requirement on flag  
lots. Mr. Cullimore explained that the City Council, at the time the existing ordinance  
32 was passed, also restricted the height of dwellings on flag lots to 25 feet. Mr. Cullimore  
further explained that the Commission and Council may consider adjusting this  
34 requirement to reflect the height requirement of dwellings on typical residential (35 feet)  
for reasons similar to those previously discussed (it likely will not adversely affect  
36 adjacent standard lots, and it will allow flag lot owners greater flexibility). Mr. Cullimore  
then referenced the proposed amendment.

38 Mr. Cullimore explained it was this application that triggered the discussion of the  
more restrictive setbacks on flag lots. He noted that the question imposed on the  
40 Commission tonight, is if the more restrictive flag lot setbacks are warranted or if it  
makes sense to go ahead and apply the same setbacks that are applied to standard lots to  
42 flag lots. There was then some additional discussion by the Commission with Mr.  
Chatwin explaining the site plan etc. and the setback request. Mr. Cullimore then showed  
44 photos of the site showing the access to the lot, the barn to the north and where the house  
would be situated followed by additional discussion.

46 Mr. Cullimore then presented photos of flag lot examples in the city followed by  
some general discussion. Mr. Chatwin inquired how many flag lots are currently in the  
48 city. Mr. Cullimore stated there are a total of eight (8) flag lots located in the city with  
two (2) under the current ordinance.

2 Chairperson Call inquired if the reason of wanting to increase the height to 35 ft.  
on the flag lots is just to make it standard. Mr. Cullimore confirmed that statement noting  
4 with this application there was a lot of back and forth discussion because the property  
owner didn't like the grade, so if the Commission is comfortable with the 25 ft. then from  
6 staff's perspective they are comfortable with it as well, so the question is if we feel that  
there is not a need for it or if we feel it is necessary for the lower house height for flag  
8 lots as compared to a standard lot. Chairperson Call commented she is trying to  
understand why previous Commissions and City Council's approved that height limit.  
10 Councilmember Bean commented that the major issue was the privacy issue of existing  
homes.

12 Commissioner Kallas voiced his concerns of changing the setback to 10 ft. on the  
side yards. Mr. Chatwin commented that is currently the setback on any lot in Lindon  
14 other than the three flag lots approved since 2006. Mr. Cullimore commented that what  
he is hearing from Commissioner Kallas is that he proposing giving the option of  
16 choosing which is the front and rear setback but to keep it more restrictive.  
Commissioner Kallas expressed that he would rather leave the side yards the way they  
18 are (20, 20) instead of 10 ft., but also allow some flexibility as far as designating which is  
the front. He also voiced his concerns if the ordinance is changed to fit this application it  
20 may cause problems with future applications. Mr. Cullimore inquired if it would be more  
palatable if the height restriction is maintained but the setbacks are loosened. He also  
22 inquired if the side yards are kept the same and have a 30 ft. front setback and a 30 ft.  
rear setback, if that would be an option.

24 Councilmember Bean noted there is a provision in the code that gives the  
Planning Commission and City Council the discretion to adjust something in the  
26 ordinance which is one way to consider this issue. Chairperson Call observed that  
Commissioner Kallas' concerns are if the ordinance is changed to benefit Mr. Chatwin  
28 that it may be detrimental in other situations. Mr. Van Wagenen asked the Commission if  
they are in agreement with the concerns of Commissioner Kallas. Commissioner Wily  
30 stated that he feels a special ordinance is not needed for flag lots but he is aware the  
Council has already ruled on this some time ago but he feels it is the neighbors  
32 expectations of what the setbacks are going to be and they should have the same  
expectation if it was a non-flag lot. On the other hand, there are so few of them in the city  
34 that there should be some way to handle them on a case by case basis.

Commissioner McDonald stated that he feels flag lots are not the best way to go  
36 and feels that because of the lot sizes in Lindon there has not been a lot of them but there  
could be more down the road with in-fill. He has concerns if this is done on a case by  
38 case basis that it could cause issues for the city in the future. Commissioner Marchbanks  
voiced, in his opinion, that flag lots are not a big issue and he is fine with it, but he would  
40 not be comfortable changing the setbacks on the front yard. He would also like the  
flexibility to look at them on a case by case basis. Chairperson Call commented that she  
42 is comfortable with the 20, 20, 30, and 30. Commissioner McDonald agreed with that  
statement. Commissioner Kallas stated that he would propose making a recommendation  
44 to change from the current 30, 50, 20, 20, to 30, 30, 20, and 20 and keep everything else  
the same.

46 Chairperson Call called for any comments or discussion. Hearing none she called  
for a motion to close the public hearing.

48

2 COMMISSIONER SKINNER MOVED TO CLOSE THE PUBLIC HEARING.  
3 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT  
4 VOTED IN FAVOR. THE MOTION CARRIED.

6 Chairperson Call called for any comments or discussion. Hearing none she called  
7 for a motion.

8  
9 COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL OF  
10 THE PROPOSED ORDINANCE AMENDMENT TO 17.32.320 WITH THE  
11 FOLLOWING CHANGES: 1. APPROVE THE CHANGE TO THE CURRENT  
12 SETBACKS FROM 30 FT. FRONT YARD, 50 FT. REAR YARD, 20 FT. SIDE YARD,  
13 20 FT. SIDE YARD TO 30 FT. FRONT YARD, 30 FT. REAR YARD, 20 FT. SIDE  
14 YARD, 20 FT. SIDE YARD, AND 2. CHANGE THE CURRENT FLAG LOT HEIGHT  
15 LIMITATION FROM THE CURRENT 25 FEET UP TO 35 FEET AND  
16 RECOMMEND APPROVAL TO THE CITY COUNCIL. COMMISSIONER WILY  
17 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

18 CHAIRPERSON CALL	AYE
19 COMMISSIONER WILY	AYE
20 COMMISSIONER KALLAS	AYE
21 COMMISSIONER MARCHBANKS	AYE
22 COMMISSIONER SKINEER	AYE
23 COMMISSIONER MCDONALD	AYE

24 THE MOTION CARRIED UNANIMOUSLY.

- 26 7. **Minor Subdivision** – *Olsen Industrial Park, approx. 325 South Geneva Rd.*  
27 Chris Olsen of Olsen Enterprises Inc., requests preliminary approval of a one (1)  
28 lot industrial subdivision that will leave an un-subdivided remainder piece at  
29 approximately 325 South Geneva Road in the Light Industrial (LI) zone.

30  
31 *Commissioner McDonald recused himself from the meeting at this time because of*  
32 *a potential conflict of interest with this agenda item.*

34 Mr. Cullimore led this agenda item by explaining this is a request by Chris Olsen  
35 of Olsen Enterprises Inc., who is requesting preliminary approval of a one (1) lot  
36 industrial subdivision that will leave an un-subdivided remainder piece at approximately  
37 325 South Geneva Road in the Light Industrial (LI) zone. Mr. Cullimore then gave some  
38 background stating that currently, Mountain States Steel and Sunroc both sit on the same  
39 parcel. He noted this proposed subdivision will separate the Sunroc site from the  
40 Mountain States Steel site so that the two pieces can be under separate ownership in order  
41 for Sunroc to purchase a portion of the Mountain States Steel property.

42 Mr. Cullimore then referenced for discussion the lot requirements as follows:

- 43 ■ Minimum lot size in the LI zone is 1 acre (43,560 sq. ft.). The lot created by this  
44 subdivision will be 9.81 acres. The remaining un-subdivided parcel upon which  
45 Mountain State Steel sits will be 16.1 acres and may be further subdivided at a  
46 future date.

47 Mr. Cullimore then referenced for discussion other requirements as follows:

- 48 ■ Staff has determined that the proposed subdivision complies, or will be able to  
comply before final approval, with all remaining land use standards.

- 2           ▪ The City Engineer is addressing engineering standards. All engineering issues  
4           will be resolved before final approval is granted. There is a possibility that street  
6           dedication may be required along the eastern boundary line, but such dedication  
8           will not disqualify the lot from meeting code requirements. The City Engineer is  
          reviewing the site to determine if the current right-of- way meets city standards,  
          or if dedication will be necessary.

10           Mr. Cullimore then referenced the aerial photo of the proposed subdivision and  
12           the preliminary plan followed by some additional discussion. Commissioner Marchbanks  
14           commented that this request seems pretty straightforward. Commissioner Kallas inquired  
16           if Sunroc and Mountain States are separately connected to all utilities. Mr. Olsen  
          confirmed the utilities are currently separate.

18           Chairperson Call called for any comments or discussion. Hearing none she called  
20           for a motion.

22           COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANTS  
24           REQUEST FOR APPROVAL OF A ONE LOT COMMERCIAL SUBDIVISION WITH  
26           NO CONDITIONS. COMMISSIONER MARCHBANKS SECONDED THE MOTION.  
28           THE VOTE WAS RECORDED AS FOLLOWS:

30           CHAIRPERSON CALL                    AYE  
32           COMMISSIONER WILY                    AYE  
34           COMMISSIONER KALLAS                 AYE  
36           COMMISSIONER MARCHBANKS            AYE  
38           COMMISSIONER SKINNER                AYE

40           THE MOTION CARRIED UNANIMOUSLY.

42           8. **Public Hearing** – *Ordinance Amendment, Lindon City Standard Land Use*  
44           *Table.* Lindon City requests approval of an amendment to the Lindon City  
46           Standard Land Use Table. The proposed amendment would establish legal  
48           services as a permitted use in the Research & Business (R&B) zone.

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

          Mr. Cullimore led this agenda item by explaining this is a request by Lindon City  
          staff for approval of an amendment to the Lindon City Standard Land Use Table. The  
          Business (R&B) zone. They had an application from a law firm recently who also  
          applied for a business license to operate in the Research & Business zone, at which time  
          staff discovered that legal services is not a permitted use in the R&B (in the canopy  
          section). He noted that staff has determined that designating legal services as a non-  
          permitted use in the R&B zone was an unintended oversight, as legal services appears to  
          be a compatible use with other permitted business and professional offices uses in the R&  
          B zone.

          Mr. Cullimore further stated purpose of the R&B zone is to “provide an  
          aesthetically attractive working environment exclusively for conducive to the  
          development and protection of offices research and development institutions, and certain

2 specialized assembling and packaging uses as a secondary use to the primary function of  
the building.” Consequently, staff is recommending that legal services be designated as a  
4 permitted use in the R&B zone. Mr. Cullimore then referenced the proposed amendment  
followed by some general discussion. He also stated this is a pretty straightforward  
6 ordinance amendment and basically a formality.

8 Chairperson Call called for any comments or discussion. Hearing none she called  
for a motion to close the public hearing.

10 COMMISSIONER SKINNER MOVED TO CLOSE THE PUBLIC HEARING.  
COMMISSIONER WILY SECONDED THE MOTION. ALL PRESENT VOTED IN  
12 FAVOR. THE MOTION CARRIED.

14 Chairperson Call called for any comments or discussion. Hearing none she called  
for a motion.

16  
18 COMMISSIONER MARCHBANKS MOVED TO RECOMMEND APPROVAL  
OF THE PROPOSED ORDINANCE AMENDMENT TO THE LINDON CITY  
STANDARD LAND USE TABLE. COMMISSIONER KALLAS SECONDED THE  
20 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

22 CHAIRPERSON CALL AYE  
COMMISSIONER WILY AYE  
COMMISSIONER KALLAS AYE  
24 COMMISSIONER MARCHBANKS AYE  
COMMISSIONER SKINNER AYE  
26 COMMISSIONER MCDONALD AYE  
THE MOTION CARRIED UNANIMOUSLY.

28

30 9. **New Business (Reports by Commissioners)** –

30

32 Chairperson Call mentioned an article in the Utah Valley magazine titled “Seven  
Things about Lindon.” In the article, the author, Sharla Graff, Lindon resident, talks  
about the reasons she loves Lindon for example the Smoking Apple restaurant, the Pizza  
34 Factory, and the Utah College of Massage Therapy. The article also mentions that  
everyone in this town focuses so much on volunteerism and how everyone is welcome in  
36 Lindon. Chairperson Call also mentioned that the first of the year we do a vote for  
Planning Commission Chairperson. She mentioned her concerns with all of the  
38 development coming in that perhaps one of the other Commissioners who has more  
experience with development should be Chairperson as she is not sure she has the depth  
40 of knowledge with these types of developments.

42 Mr. Van Wagenen commented that a lot of the Chairperson’s job is to move the  
meeting forward and stated that he feels Chairperson Call does a great job in this  
44 position. The Commission was in agreement that Chairperson Call handles the position  
well. Mr. Cullimore stated that this issue can be brought to another meeting as a formal  
46 motion as an action item. Mr. Van Wagenen mentioned that there is still one vacancy on  
the Planning Commission with the vacancy Commissioner Ron Anderson left. He noted  
48 to contact Councilmember Bean or himself to make a recommendation. He added that a  
candidate to represent the west side of Lindon would be beneficial.

2 Chairperson Call also reported that she had a resident that expressed concerns  
about a basement being rented out without a permit. Mr. Cullimore stated that they will  
4 check in to the issue. Mr. Van Wagenen mentioned the recent Ivory Development  
meeting and asked Commissioner McDonald his thoughts about Ivory. Commissioner  
6 McDonald stated he thought it was productive and feels we are moving forward slowly.  
He noted it was helpful for him as well as the applicant and he feels more comfortable  
8 now with the amount of rooftops and feels it is the best option to date. There was some  
additional discussion by the Commission regarding this issue.

10 Chairperson Call called for any further comments or discussion. Hearing none she  
moved on to the next agenda item.

12  
14 **10. Planning Director Report**–

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

- 16 1. ICO Apartment Tour
- 18 2. Avalon Senior Living Update
3. Envision Utah “Build Your 2050 Utah”

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

22 **ADJOURN** –

24  
26 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE  
MEETING AT 9:25 P.M. COMMISSIONER MARCHBANKS SECONDED THE  
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

28  
30 Approved – January 27, 2015

32  
34 \_\_\_\_\_  
Sharon Call, Chairperson

36  
\_\_\_\_\_  
Hugh Van Wagenen, Planning Director