

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **January 26, 2016 beginning at 7:00 p.m.** at the Lindon City Center, City Council
Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Sharon Call, Chairperson
Invocation: Mike Marchbanks, Commissioner
10 Pledge of Allegiance: Rob Kallas, Commissioner

12 **PRESENT** **ABSENT**

Sharon Call, Chairperson
14 Mike Marchbanks, Commissioner
Rob Kallas, Commissioner
16 Bob Wily, Commissioner
Matt McDonald, Commissioner
18 Charles Keller, Commissioner
Hugh Van Wagenen, Planning Director
20 Brandon Snyder, Associate Planner
Kathy Moosman, City Recorder

22

1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
- 24
2. **APPROVAL OF MINUTES** – The minutes of the regular Planning Commission
26 meeting of January 12, 2016 were reviewed.

28 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
OF THE REGULAR MEETING OF JANUARY 12, 2016 AS PRESENTED.
30 COMMISSIONER WILY SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

32

34 3. **PUBLIC COMMENT** –

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

38 **CURRENT BUSINESS** –

- 40 4. **Site Plan and Conditional Use Permit** – *Timp Storage*. Arnim Way, Davies Design
Build, requests a conditional use permit (CUP) and site plan approval for Timp
42 Storage, to be located at 405 S. Geneva Rd. in the Light Industrial (LI) zone. The
proposal includes storage units, office space, caretaker dwelling, and an outdoor
44 storage area.

46 Brandon Snyder, Associate Planner, led this discussion by stating Arnim Way
with Davies Design Build (who is in attendance), is requesting a conditional use permit
48 (CUP) and site plan approval for Timp Storage, to be located at 405 S. Geneva Rd. in the

2 Light Industrial (LI) zone. The proposal includes storage units, office space, caretaker
dwelling, and an outdoor storage area. Mr. Snyder stated Mr. Way is proposing
4 construction of a new storage unit facility with office space. Mr. Snyder noted these uses
are permitted in the LI zone subject to site plan approval. Mr. Way is also interested in
6 having an on-site caretaker dwelling and providing an area for outdoor storage/RV
parking. Mr. Snyder stated those uses require a conditional use permit (CUP) and the
8 Lindon City Land Use Table indicates that the outdoor storage area shall be limited to
15% of the total storage space and limited to the storage of personal recreational vehicles.
10 He noted the storage area will be in the southeast corner in association with the gas
easement. This area is less than 15% of the site. Mr. Way is currently in the process of
12 removing the existing buildings and cleaning up the site. He will also develop the site in
phases and will comply with the timing and other restrictions of city code.

14 Mr. Snyder explained that due to the nature of the proposed use Mr. Way is
requesting that no commercial dumpster (with an enclosure) be located on the site.
16 Generally multi-family developments and non-residential uses provide on-site dumpsters
within a trash enclosure. He noted that Mr. Way is also proposing that the caretaker
18 dwelling and office be served by a single residential container. Lindon City code does
require that when a dumpster is provided that it is located within a trash enclosure located
20 to the rear of the main building and that the enclosure be sight obscuring (fence or wall).
He added that this site will not be allowed to accumulate any trash or garbage. Mr.
22 Snyder further explained that Mr. Way will need to remove any discarded or abandoned
items from the site. He mentioned that third party notices were provided to the adjoining
24 property owners in accordance with city code and staff has received no public comment
at this time.

26 Mr. Snyder went on to say that city staff (Planning and Engineering) reviewed the
proposal and provided review comments (feedback and corrections). He added that city
28 staff is working with Mr. Way to work through technical issues related to the site and will
ensure all issues are resolved before final approval of the plans is granted; the Fire
30 Marshal has indicated that the submitted plans meet fire codes.

32 Mr. Snyder noted that the LI zone requires that a landscaped strip twenty (20) feet
in width shall be planted with grass and trees along all public street frontages and this
requirement is provided. Mr. Snyder also referenced that no fencing regulations apply as
34 the site is not adjacent to a residential use or residential zone. He added that Mr. Way will
be constructing the buildings to the property lines and will be utilizing the existing
36 elevated wall along I-15 and the entrance will have a security gate. The gas easement and
storage area is not visible from the street and I-15 and it is currently surrounded by a
38 chain link fence and a site-obscuring panel wall that was installed by Harley Davidson.

40 Mr. Snyder stated the building exterior is to be block, stucco and a rock wainscot,
which complies with Lindon City Code. The applicant's elevations indicate that the
building and walls will be earth-tone colors.

42 Mr. Snyder then referenced for discussion the applicable laws and standards of
review as follows:

- 44 • State Code defines a conditional use as "a land use that, because of its unique
46 characteristics or potential impact on the municipality, surrounding neighbors, or
adjacent land uses, may not be compatible in some areas or may be compatible
only if certain conditions are required that mitigate or eliminate the detrimental
48 impacts."

- 2 • Section 10-9a-507 of the State Code requires municipalities to grant a conditional
4 use permit "if reasonable conditions are proposed, or can be imposed, to mitigate
6 the reasonably anticipated detrimental effects of the proposed use in accordance
8 with applicable standards." Once granted, a conditional use permit runs with the
10 land.
12 • State Code further provides that a conditional use permit application may be
14 denied only if "the reasonably anticipated detrimental effects of a proposed
16 conditional use cannot be substantially mitigated by the proposal or the
18 imposition of reasonable conditions to achieve compliance with applicable
20 standards." Utah Code § 10-9a-507.

12 Mr. Snyder reminded the Commission that tonight they are reviewing the site plan
14 in its entirety and the two items that require conditions are the caretaker dwelling portion
16 and the outdoor storage portion. Mr. Snyder called for any questions or comments for
18 staff at this time.

18 Chairperson Call asked what the timeline is for the different phases and how
20 many total units will there be when completed. Mr. Way replied that there will be 563
22 units and Phase I (front portion) will be completed by July or August at the latest if
24 everything goes well. He noted they will stabilize it a little before starting Phase II,
26 however, they will put in the fencing along the outside perimeter of Phase II for security
28 reasons. Commissioner Wily asked if the open storage is for RV's and boats etc. Mr.
Way stated while they are waiting for Phase II to be started the only other portion of the
property with room for storage is the small triangle in the back which is right up against
the freeway where there will be a small amount of actual outdoor storage; the plan has
always been to house those inside the units themselves. Commissioner Wily also inquired
if Mr. Way plans to live in the caretaker facility. Mr. Way stated he will not be living in
the caretaker apartment but there will be someone living there for security reasons.

30 Commissioner Kallas asked what the perimeter fencing will consist of. Mr. Way
32 stated most of the perimeter will be block CMU same as the exterior of the building and
34 against the I-15 freeway it will be the existing chain-link fence. Commissioner Kallas
36 also asked what the elevation is between the surface of I-15 and his surface. Mr. Way
38 stated it is retained by concrete block and is very high (30-40 ft.). Commissioner Kallas
also asked what the landscaping will be on the Geneva road frontage. Mr. Way stated it
will be trees 30 ft. on center with grass and shrubs around the building; typical of city
requirements. Commissioner Keller asked if there will be fencing up against the Harley
Davidson south side. Mr. Way confirmed there is an existing chain link fence which will
be replaced by the block wall.

40 Chairperson Call asked staff if the fencing is actually required. Mr. Snyder
42 confirmed the fencing is not required for the use because it doesn't border residential.
44 Mr. Way stated they are planning to do the block wall regardless for security reasons.
46 Chairperson Call asked staff what conditions need to be put on the caretaker dwelling.
Mr. Snyder stated staff didn't actually foresee anything that would need to be mitigated
with the caretaker dwelling and there are not any conditions that would be reasonable; he
confirmed no condition will need to be listed. Commissioner Wily stated there would
have to be a detrimental impact that the Commission would try to counterbalance.
Commissioner McDonald commented that it appears the site plan is in compliance.

2 Chairperson Call agreed the landscaping is provided, there are no fencing regulations that
4 apply and the architectural standards have been met and the elevations comply and the
6 caretaker dwelling requires no conditions so it appears it meets all requirements.
8 Commissioner Kallas questioned staff when determining the surface materials with the
6 caretaker facility if that is considered a separate building or is it factored in with the rest
of the storage facility. Mr. Snyder confirmed the design standards indicate that the
caretaker facility meets the percentage.

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

12 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
14 APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT AND FOR SITE
16 PLAN APPROVAL FOR TIMP STORAGE LOCATED AT 405 SOUTH GENEVA
ROAD WITH THE CONDITION THAT THE OPEN STORAGE AREA BE LIMITED
EXCLUSIVELY TO RECREATIONAL VEHICLES. COMMISSIONER MCDONALD
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

18 CHAIRPERSON CALL AYE
COMMISSIONER WILY AYE
20 COMMISSIONER KALLAS AYE
COMMISSIONER MARCHBANKS AYE
22 COMMISSIONER MCDONALD AYE
COMMISSIONER KELLER AYE
24 THE MOTION CARRIED UNANIMOUSLY.

26 5. ***Continued Minor Subdivision** – *West Lindon Business Park*. Ed Daley requests a
28 one lot subdivision in order to dedicate Right of Way along 2800 West for the West
Lindon Business Park at approximately 730 North 2800 West in the Mixed
Commercial zone.

30
32 Hugh Van Wagenen, Planning Director, stated this item is continued until the
February 9, 2016 Planning Commission Meeting and will not be reviewed tonight. He
34 noted there are some last minute changes to the subdivision that were not ready at the
time of the staff report.

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

38 COMMISSIONER MCDONALD MOVED TO CONTINUE THE MINOR
40 SUBDIVISION FOR WEST LINDON BUSINESS PARK (AGENDA ITEM #5) UNTIL
THE NEXT MEETING. COMMISSIONER KALLAS SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:

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

2 6. ***Continued Site Plan** – *West Lindon Business Park*. Ed Daley requests site plan
approval for two office/warehouse buildings, 21,567 and 36,686 square feet
4 respectively at approximately 730 North 2800 West in the Mixed Commercial zone.

6 Mr. Van Wagenen stated this item is also continued until the February 9, 2016
Planning Commission Meeting and will not be reviewed tonight. He noted there are some
8 last minute changes to the site that were not ready at the time of the staff report.

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

12 COMMISSIONER KALLAS MOVED TO CONTINUE THE SITE PLAN FOR
WEST LINDON BUSINESS PARK (AGENDA ITEM #6) UNTIL THE NEXT
14 MEETING. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

16 CHAIRPERSON CALL AYE
COMMISSIONER WILY AYE
18 COMMISSIONER KALLAS AYE
COMMISSIONER MARCHBANKS AYE
20 COMMISSIONER MCDONALD AYE
COMMISSIONER KELLER AYE
22 THE MOTION CARRIED UNANIMOUSLY.

24 7. **Public Hearing** – *Street Master Plan Amendment, 700 North 2800 West*. Staff
requests approval of a Street Master Plan Map amendment to remove a master
26 planned road located at approximately 700 North 2800 West in Mixed Commercial
and General Commercial zones. The road was planned to give access to an interior
28 parcel, but recent development activity has shown adequate access is available from
600 North.

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

34 Hugh Van Wagenen, Planning Director, opened this discussion by giving a brief
36 background of this agenda item. He noted that Jocelyn Crowther with JUB Engineers in
in attendance tonight to answer any questions regarding this request. He explained
38 Lindon City staff is requesting approval of a Street Master Plan Map amendment to
remove a master planned road located at approximately 700 North 2800 West in the
40 Mixed Commercial and General Commercial zones. He explained that the road was
planned to give access to an interior parcel, but recent development activity has shown
42 that adequate access is available from 600 North. Mr. Van Wagenen then referenced an
aerial photo of the proposed area where the street is planned with affected properties
44 Identified and the traffic circulation for Parcel #14:054:0127.

Mr. Van Wagenen further explained the street in question was added to the Street
46 Master Plan after the Vineyard Connector alignment was announced by UDOT. Mr. Van
Wagenen stated the construction of the Vineyard Connector will require the realignment
48 of the Pleasant Grove/Lindon interchange as it heads west and that realignment may

2 affect the access to parcel #14:054:0127. He further explained that the road in question
4 was placed on the Plan in order to preserve access to parcel #14:054:0127 and recent
6 development activity on parcel #14:054:0127 has shown that the parcel can be accessed
8 through 600 north. The street also traverses two other properties in order to serve parcel
10 #14:054:0127; parcel #s 13:063:0085 and 13:063:0095 and both parcel #13:063:0085 and
12 #13:063:0095 have frontage on 2800 west and do not need the street in question to access
14 their respective properties. He went on to say that Parcel #13:063:0095 is developing and
16 having a master planned road on the property affects the design of the site. He added that
18 the street in question is designated as a local street on the Plan.

20 Mr. Van Wagenen then referenced for discussion the relevant general plan
22 policies to consider in determining whether the requested change will be in the public
24 interest as follows:

- 26 a. It is the “purpose of the transportation plan to balance future demands generated
28 by the Land Use element with future roadway improvements, thereby developing
30 a long-range transportation system plan which would efficiently support future
32 land development.”
- 34 b. The Street Plan states the “inherent in a long-range projection is the potential for
36 Variation due to unforeseen economic, political, social, and technological
38 changes.”
- 40 c. “The goal of the transportation plan is to have a balanced circulation system
42 which provides for safe and efficient movement of vehicles.”
- 44 d. “Planning shall minimize localized traffic congestion and operational problems
46 and ensure adequate access to and circulation around commercial areas.”

48 Mr. Van Wagenen went on to say if the road stays on the plan there is no timeline
as to when it will be constructed to serve parcel #14:054:0127 even though the site is
already developing. He noted that access to the site is not ideal, but it is functional;
Lindon, UDOT and the developer have worked to confirm this during that site’s approval
process. The street does not appear necessary for parcel #14:054:0127 to develop. If the
road is removed from the Plan, parcel #s 13:063:0085 and 13:063:0095 will not have the
encumbrance of a road that was contemplated to serve only one parcel. He noted the City
Engineer endorses this request for removal of the street from the Master Plan under these
circumstances. At this time Mr. Van Wagenen called for any questions from the
Commission.

Commissioner Marchbanks asked for clarification if it is planned when Phase II
of the current development takes place if there will be other options into the property
currently under development. Mr. Van Wagenen replied it will not be into the property
but there will be intersection improvements, most likely a roundabout of some sort. Mr.
Van Wagenen noted there was a traffic study done that was shared with the city and
UDOT. There was then some general discussion by the Commission regarding this issue.
Commissioner Kallas commented that he understands the reason for the right-in right-out
but feels that this design/access road seems extremely awkward. Chairperson Call asked
if keeping that master planned road would solve that issue. Commissioner Keller asked if
the property owners have any concerns about the access. Mr. Van Wagenen stated notices
were sent to the affected property owners noting one property owner has an application
submitted and they have a preference to remove the road and is moving forward
regardless of the roadway; there has been no other comments from the owners.

2 Chairperson Call inquired, because this is a master planned road, if there is a reason why
4 this has to be done right now before we see how things development around it. Mr. Van
6 Wagenen replied it affects what the property owner, who is developing now, wants to do
8 with their property and it becomes more complicated with a road that doesn't serve them,
10 so they prefer to remove it. If there wasn't development happening now with an
12 application submitted it would not be so critical.

14 Following some additional discussion Chairperson Call asked if there were any
16 further questions or comments. Hearing none she called for a motion.

18 COMMISSIONER KALLAS MOVED TO RECOMMEND TO THE CITY
20 COUNCIL APPROVAL OF THE APPLICANT'S REQUEST TO REMOVE THE
22 STREET IDENTIFIED AT APPROXIMATELY 700 NORTH 2800 WEST FROM THE
24 STREET MASTER PLAN WITH NO CONDITIONS. COMMISSIONER
26 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
28 FOLLOWS:

30 CHAIRPERSON CALL	AYE
32 COMMISSIONER WILY	AYE
34 COMMISSIONER KALLAS	AYE
36 COMMISSIONER MARCHBANKS	AYE
38 COMMISSIONER MCDONALD	AYE
40 COMMISSIONER KELLER	AYE

42 THE MOTION CARRIED UNANIMOUSLY.

44 8. **Public Hearing** – *General Plan Amendment, MS Properties*. The applicant is
46 requesting a General Plan Land Use Map Amendment from Mixed Commercial to
48 Industrial or Commercial to Industrial on subject properties located in various
locations and identified by Utah County Parcel IDs #s 140620027, 140620051,
140630031, 140630067, 140640131, 140640139, 140640143, 140640144,
140650024, 140650051, 140650167, 170210059, 451110002, 451110003,
451110004, 451110005, 451110006, 451110007, 451110008, 451110009,
451110010, 451110011, 451110012, 451110013, 451110014, 451110015,
451110016, 451110018, 451110025, 457440026, 454740027, 454750027,
454940028, 140630053, 140630039, 140630037, 140630055, 140640145,
451110001, 450630052, 465180001, 465180002, 465180003, 465180004,
465180005, 465180006, 465180007, 465180008, 465180009, 465180010,
451110008.

46 Mr. Van Wagenen led this discussion by giving a brief background of this agenda
48 item. He explained the applicant, MS Properties is requesting a General Plan Land Use
Map Amendment from Mixed Commercial to Industrial or Commercial to Industrial on
subject properties located in various locations and identified by the parcel numbers listed
above. Mr. Van Wagenen stated the applicant representative, Shawn Monsen is in
attendance to address the Commission at this time.

Mr. Monsen explained that UIS along with these other industries have a long
established history in this area and are asking for an amendment to the general plan. He
then gave a brief history of UIS Industrial. He noted they also purchase and utilize
services from other businesses in Lindon. He reminded the Commission that UIS is a
significant contributor to the economic well-being of Lindon City along with the other

2 applicants. Mr. Monsen stated they are here tonight to ask for a General Plan Land Use
Map Amendment because 1) the General Plan Map provides a vision for the City and
4 they want to make sure they communicate clearly to the city that they are committed to
continue doing business at their current locations in Lindon City as they have invested
6 hundreds of millions of dollars and 2) If the General Plan Map were to turn into a Zoning
Map essentially many of those uses currently going on in that area would become a non-
8 conforming use and that is a concern.

10 Mr. Monsen further explained part of this is driven by some intimations or
comments made by the city to the industrial side about not responding or attending to
12 notices/meetings regarding the proposed Ivory Development. He noted they explained
why that happened, but the point is they are interested in being long term, good standing
14 citizens and contributing members of the City which has been proven by their roots here
and the investments they have made in the buildings and development of those parcels
and 3) they are trying to figure out what the city feels on their commitment; does the city
16 want them to be here or not. They feel this is a good gauging ground to see if the city's
vision is the same as their vision.

18 Mr. Van Wagenen went on to explain that the applicant would like the General
Plan Land Use Map to reflect the current Zoning Map. He noted as listed above, many
20 additional property owners are in support of this application. Currently, all the parcels
requesting the change are zoned either Light Industrial or Heavy Industrial. The current
22 status of these parcels on the General Plan Land Use Map ranges from Mixed
Commercial to Research & Development to Commercial to Parks – Public Facilities. The
24 current General Plan Land Use Map does not have a Heavy Industrial area identified on
the Map. However, Heavy Industrial is referred to in the General Plan under the
26 Industrial Land Uses section. Mr. Van Wagenen then presented an aerial photo of the
proposed area to be re-classified, the current General Plan Land Use Map and the current
28 Zoning Map.

30 Mr. Van Wagenen noted the General Plan currently designates one property under
the category of Commercial. This category includes retail and service oriented
businesses, and shopping centers that serve community and regional needs. The General
32 Plan currently designates one property under the category of Parks — Public Facilities.
This category refers to open space property owned by the city and designated for public
34 use — primarily recreation (parks & trail systems) or public works and government
facilities. The General Plan currently designates several properties under the category of
36 Mixed Commercial. This category includes general commercial, low intensity light
industrial, and research and business uses. The General Plan currently designates several
38 properties under the category of Research & Development.

40 Mr. Van Wagenen noted this category is for areas of very light industrial uses
with the character of a high-tech research park, corporate offices, and/or commercial uses
which are compatible with surrounding properties. Depending on specific business
42 activities, this type of development is viewed as particularly helpful for buffering
between residential and other uses. The applicant requests that the General Plan
44 designation of certain properties be changed to Light Industrial, which accommodates
manufacturing, industrial processes, and warehousing uses not producing objectionable
46 effects. The Light Industrial designation also allows some appropriate related retail uses
such as gasoline service stations. The applicant requests that the General Plan designation

2 of certain properties be changed to Heavy Industrial, which accommodates areas where
heavy manufacturing industrial processes necessary to the economy may be conducted.

4 Mr. Van Wagenen also stated the General Plan is different from the zoning map
as it is a vision for the city and where they see land use going in the future (5-25 year
6 outlook) whereas the zoning map governs today and what is currently happening. The last
General Plan review was in 2011 and it is on the schedule for review and update this
8 year.

10 Chairperson Call mentioned that she understands these concerns and she would
suggest the Commission certainly take into account some of these issues/concerns when
12 reviewing the General Plan. Commissioner Kallas asked for clarification from Mr.
Monsen with the concerns in wanting to change the General Plan Map. Mr. Monsen
14 stated if the zoning were to parallel and match the General Plan Map, as it currently
stands, many of the uses that are currently allowed will become non-conforming uses.
16 Commissioner Kallas pointed out the uses would still continue. Mr. Monsen agreed to
that statement noting it would restrict the ability to expand and grow.

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

20 **Melvin Radmall:** Mr. Radmall stated he does steel fabrication in Lindon and purchased
his property as a Light Industrial use. He voiced his concerns that he feels we should be
22 making more industrial property not taking it away and this change may impact his
ability to sell his property in the future.

24 **Scott Robbins:** Mr. Robbins stated he lives in the Pheasant Brook subdivision. He
26 questioned what the difference is between the light industrial and the mixed commercial
use. He and his neighbors who live on 800 West have concerns with impacts from the
28 noise and other issues as it is very loud and it is a problem.

30 **Lonnie Bigelow:** Ms. Bigelow stated she also lives on 800 West (10 years) and voiced
her concerns about how this change will affect the residents. She stated that the zoning is
32 the same, however, there are violations (noise, garbage, lights, etc.) that occur daily.
There are a lot of problems now and they would like to know what will change for
34 residents and what it will entail for them on their street; they would like to resolve the
issues that so far have not been mitigated. She noted that they would like to have these
36 issues addressed perhaps on another agenda as they have been subject to these issues for
a long time.

38 **Rob Tubman:** Mr. Tubman (MS Properties) stated this is a Segway to a much bigger
40 issue as when these things are discussed these are the types of voices that need to be
heard when considering putting residential up against industrial. They are here tonight
42 because they were concerned when they first heard about this and now they don't want
this to slip away from them. He feels the dialogue needs to remain open and they want to
44 make sure that Lindon, as a whole, are in with the industrial businesses that have been
here for a long time. The concern is with the Standard Land Use table, which is what the
46 Planning Department goes by, that if the General Plan map changes and supersedes the
current zoning the Mixed Commercial zone where UIS is located the fabrication of metal
48 products will not be permitted. They are extremely concerned about the future and for all

2 intensive purposes the future is right here on the screen tonight and it eradicates industry
4 from Geneva Road.

4

6 **Tucker Woods:** Mr. Woods brought up the Light Industrial area between 800 West and
8 Geneva Road. He expressed his main concern is what will go on there that is not already
going on and what are you trying to zone it to. They want to know if this change is
approved what will go there that is not already going on.

10 *Mr. Van Wagenen addressed this question explaining the General Plan Map is a vision
12 document and a guideline only. This request is to make the existing zoning designation so
14 what is regulated now will be reflected on the General Plan as the guiding document. The
request is not to increase intensity but just to make the guiding document match the
existing permissions on the property.*

16 **Laura Robbins:** Ms. Robbins mentioned the noise ordinance along with garbage and
18 other issues that are not in compliance and stated if these things are not being controlled
now how will we control more in the future. It is not within the levels it should be and
20 how will it be controlled is a huge problem. She expressed that they do not want
businesses to go away but they have to learn to live together and everyone needs to
follow the rules.

22

24 **Martin Snow:** Mr. Snow stated he owns MS Properties and UIS. He mentioned when
they attended an earlier meeting regarding zoning they basically wanted to put housing
right next to Heavy and Light Industrial use and the topic of conflicts and buffers came
26 up. He feels the city needs to buffer between residential and industrial. He mentioned that
the topic was brought up if there were any issues at hand between existing residential and
28 it was said there was not. Mr. Snow stated he disagreed with that statement. They feel
they were there first and there needs to be an adequate buffer between residential and
30 industrial and it needs to be mitigated in a different way. They don't want to see this
problem continue to occur with the proposed Ivory Development. This current zoning is
32 not changing, what they are asking for is a General Use Map change because when
everyone bought their property the zoning was all industrial (either light or heavy). In
34 2011 the city changed the plan and it adversely affected all of the property owners (210
acres) and they want the zoning for the General Plan to remain the same as the current
36 use. It is not a zoning change it is a matter of division in the future which could be
detrimental on land use and property values.

38

40 **Jared Johnson:** Mr. Johnson expressed, in his opinion, if this changes it does nothing
but help the residents. He feels it will be a lighter use and there will be less industrial.

42 Chairperson Call stated some of these concerns are valid points as far as
44 compliance but cannot be addressed in this meeting tonight but can be addressed at
another time with city staff. Mr. Van Wagenen stated these concerns are being addressed
and to contact city staff with any issues.

46 Commissioner Keller asked for clarification between the zoning map and the
48 general plan land use map. Mr. Van Wagenen explained again that the general plan land
use map is a vision document and is broader in nature and to look at what the city will

2 look like in 5-20 years; it is a fluid document and does not regulate use on property today.
4 The map that regulates use today is the zoning map to see what is allowed in what part of
6 town and what can be done with your own property. This change is so the existing
8 zoning and intensity that is there is reflected on the vision document going forward.

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

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

Commissioner Kallas questioned staff what the disadvantage is with the vision document that would be changed back to industrial. Mr. Van Wagenen then presented what the map would look like if approved. He noted it depends on the practical nature of the change as the underlying zoning is what it is and how well does that reflect the vision of the city. Commissioner Kallas stated he is not interested in driving these industries out as they are vital to our community, but he feels we are talking about two different things (Ivory and 800 West). He questioned if perhaps we should wait until the General Plan (vision document) is going to be reviewed in the fall, maybe this discussion should wait until after that review takes place and then bring the proposal back before making a decision; changing it now may not be the right time.

Chairperson Call agreed she is not prepared to make a change to the general plan right now. She noted she appreciates the input from the residents and property owners and it certainly brings a lot of information to the Commission. Before taking any action she would like to wait until the general plan is reviewed and take these things into consideration at that time.

Commissioner Wily feels the timing is perfect as the general plan is up for renewal and the whole process will require public input with a committee and hearings etc. It is good to have this input now that will feed into that process that is forthcoming.

Commissioner McDonald commented we should consider that the general plan has been changed before and why is this circumstance different, however, he does like the idea of obtaining additional input and information from more citizens. He doesn't want to send the signal that the city is forcing out industry and does not want industrial businesses in the city; he know that is not what the city wants. Hopefully whatever direction is taken that is not the message that we are sending because we need both industrial and residential but he realizes there will always be some type of conflict.

Chairperson Call stated as far as the residents are concerned their complaints are valid and staff will work with them to mitigate some of these issues. Chairperson Call she re-iterated that she is not ready to make a decision to change the General Plan tonight and she would recommend continuing this item until more information is obtained and the general plan is reviewed. Commissioner McDonald asked if this is continued will it still go to the City Council. Mr. Van Wagenen stated only with approval of recommendation will it go to the city council.

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

2 COMMISSIONER KALLAS MOVED TO CONTINUE THE APPLICANT'S
3 REQUEST TO CHANGE THE GENERAL PLAN DESIGNATION OF THE LOTS
4 IDENTIFIED IN THE STAFF REPORT TO LIGHT INDUSTRIAL UNTIL THE
5 PERIOD WHERE THE GENERAL PLAN IS REVIEWED AND UPDATED.

6 COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS
7 RECORDED AS FOLLOWS:

8	CHAIRPERSON CALL	AYE
	COMMISSIONER WILY	AYE
10	COMMISSIONER KALLAS	AYE
	COMMISSIONER MARCHBANKS	AYE
12	COMMISSIONER MCDONALD	AYE
	COMMISSIONER KELLER	AYE

14 THE MOTION CARRIED UNANIMOUSLY.

16 9. **Public Hearing** – *Ordinance Amendment, 17.48, Vehicle Sales Site Requirements.*

17 Lindon City is considering a City Code amendment to enact specific site requirements
18 for vehicle sales lots in Commercial zones. Landscaping, display areas, buildings, and
19 customer/employee parking are among the items being considered.

20
21 COMMISSIONER KALLAS MOVED TO OPEN THE PUBLIC HEARING.
22 COMMISSIONER MCDONALD SECONDED THE MOTION. ALL PRESENT
23 VOTED IN FAVOR. THE MOTION CARRIED.

24
25 Mr. Van Wagenen led this discussion by explaining that over the last several
26 months the Planning Commission and City Council have been discussing used car lots
27 along State Street. These discussions stemmed from concept reviews received from
28 applicants looking to change zoning designations on specific lots to allow used vehicles
29 sales. As part of these discussions, per direction of the City Council and Planning
30 Commission it was contemplated to have specific site requirements for vehicle sales lots
31 in commercial zones and this ordinance (included in the staff report) is a draft of possible
32 requirements.

33 Mr. Van Wagenen noted that Lindon already has landscaping, parking, and design
34 requirements for new sites being developed. However, the requirements in this ordinance
35 would be additional requirements for not only newly developed vehicle sales lots, but
36 also sites converting to vehicular sales lots from in commercial zones where such sales
37 are allowed. This ordinance in its current form would not apply to vehicle sales lots
38 outside of commercial zones. This ordinance draft references sections of code found in
39 17.18 Off-Street Parking as many parking standards are covered in that section of the
40 code. He noted this will also prevent having to update two sections of code if standards in
41 17.18 are amended.

42 He went on to say with this ordinance it is possible to require all existing vehicle
43 sales lots to come into compliance after a certain period of time. However, it is typical to
44 allow previously approved uses to continue under the previous requirements unless they
45 choose to expand their operation in some manner. An assessment of existing used vehicle
46 sales lots was conducted for reference in developing the draft requirements in the
47 ordinance.

2 Mr. Van Wagenen then referenced the ordinance draft section 17.48.200 which
states Vehicle Sales Lots Sales lots for automobiles, RVs, boats, trailers, motorcycles,
4 ATVs, and similar vehicles shall only be conducted in appropriate zones according to the
Standard Land Use Table and shall be fully improved to comply with current city
6 standards, including fully paved display area, permanent sales office built to the current
building code, landscaping, streetlights and permanent signage.

8 Mr. Van Wagenen also referenced the following additional standards that shall apply:

- 10 1) Business License: Prior to the issuance of any business license, an applicant shall
first obtain site plan approval from City Staff regarding the requirements in this
Chapter and Section. Vehicle Sales Lot site plan applications are subject to an
12 application fee as stated in the Lindon City Fee Schedule. Site plan submittals
must meet the requirements contained in the Lindon City Land Development
14 Policies, Standards, Specifications, and Drawings Manual.
- 16 2) Minimum Lot Size: One (1) acre
- 18 3) Minimum Frontage on a Public Street: Two hundred (200) feet; double frontage
lots may count all frontage toward this requirement.
- 20 4) Parking Spaces: See 17.18 Off-Street Parking for minimum number of stalls for
employees and customers.
 - 22 a) Dimensions shall meet requirements set forth in 17.18.020 Size of
parking spaces and aisles.
 - 24 b) Stalls must be clearly designated as “Customer” or “Employee” with
an upright pole sign placed at the top of each customer and employee
26 parking space in order to differentiate from display stalls. These spaces
shall not be used for parking vehicles which are for sale or for the
display of any merchandise.
- 28 5) Parking Lot: See 17.18.080 Parking lot maintenance and design.
- 30 6) Display Spaces:
 - 32 a) Dimensions shall meet requirements set forth in 17.18.020 Size of parking
spaces and aisles.
 - 34 b) All automobiles and other vehicles which are for sale at the auto lot shall be
parked in the automobile showroom or in a parking space which is specifically
36 designated for displaying merchandise for sale.
 - 38 c) All vehicles for sale shall be parked and stored solely within the automobile
lot.
- 40 7) Display Lot: See 17.18.080 Parking lot maintenance and design.
- 42 8) Display Area:
 - 44 a) No merchandise shall be permitted to be stored on any required
landscaped area, drive access, sidewalk or other public right of way or in
46 any manner deemed a safety hazard to the general public.
 - 48 b) No merchandise displayed shall exceed ten (10) feet in height as measured
from the grade of the nearest public sidewalk.
- 9) Interior Landscaping:
 - a) Landscaping within the interior of the parking/display lot shall
be required at forty (40) square feet per required
customer/employee parking stall and twenty (20) square feet
per vehicle display space. See 17.18.085(2)(f) for interior
landscaping layout standards.

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

6 Mr. Van Wagenen made mention that he made several changes to the draft per
discussion. There was then some additional discussion regarding other various used car
8 lots in the city including interior landscaping and parking. Mr. Van Wagenen stated this
discussion stems from conversations generally from this body and the City Council about
10 the concerns of citizens regarding the amount of used car lots in the city and trying to
address the aesthetic concerns. Commissioner Marchbanks stated he would recommend
12 eliminating the interior landscaping requirement based on it being triggered by display
parking spaces (striking #9 altogether). Commissioner McDonald stated he is not
14 opposed to interior landscaping to some extent because the main purpose is to make sure
these lots are appealing and not an eyesore and some interior landscaping could help with
16 that. He stated he would like to see some examples of existing car lots before making a
decision. Mr. Van Wagenen noted staff will make the changes and bring it back to the
18 next meeting. He added if they want to see examples etc. he would suggest continuing
this item to gather additional information.

20 Chairperson Call observed that the Commission seems to be in agreement with
the majority of the ordinance language but there are a few things they would like to look
22 at before making a recommendation to the city council as follows: 1) Interior landscaping
and/display parking 2) See examples of how that would appear. Commissioner Kallas
24 commented that staff has done a great job with the ordinance and it mitigates some of the
issues voiced by the community and he feels this should be done with that in mind.

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

28 COMMISSIONER MCDONALD MOVED TO CONTINUE ORDINANCE
30 AMENDMENT 2016-3-O TO ALLOW THE TIME TO GATHER ADDITIONAL
INFORMATION. COMMISSIONER WILY SECONDED THE MOTION. THE VOTE
32 WAS RECORDED AS FOLLOWS:

34 CHAIRPERSON CALL	AYE
COMMISSIONER WILY	AYE
COMMISSIONER KALLAS	AYE
36 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER MCDONALD	AYE
38 COMMISSIONER KELLER	AYE

THE MOTION CARRIED UNANIMOUSLY.

40
42 10. **Public Hearing** – *Zone Map Amendment, CG-A to CG*. Lindon City Council
requests approval of a Zone Map amendment to reclassify the following parcels from
44 General Commercial-Auto (CG-A) to General Commercial, to not allow used
automobile sales on the lots: 453710016, 453710018, 372370002, 140700310,
46 140700040, 140700041, 140700199, 140700257.

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

6 Mr. Van Wagenen stated over the last several months the Planning Commission
7 and City Council have been discussing used vehicle sales along State Street. A request
8 from the City Council that stemmed from those discussions was to consider rezoning
9 existing CG-A lots that do not currently operate a used vehicle sales business. He then
10 referenced the eight lots identified below fit that the description.

- 11 • There are currently seven used vehicle dealers on State Street in Lindon.
- 12 • Sixteen properties are currently zoned CG-A along State Street.
- 13 • Used vehicle sales business do create sales tax for Lindon.

14 Mr. Van Wagenen referenced the following table that summarizes the sales tax
15 contributions to the City from the seven dealerships during July 2014 to October 2015:

16	Total Auto Tax Rec'd	\$ 335,090.53
17	Total Sales Tax Rec'd	\$ 4,729,377.86
18	% from Auto	7.09%
19	Median per dealer per month	\$ 2,847.18
20	Average per dealer per month	\$ 4,528.88

21 Mr. Van Wagenen explained the difference in the median and average monthly
22 sales tax numbers. He noted this indicates there are one or two dealers that are producing
23 far more sales tax than the remaining dealerships. He also referenced Subsection
24 17.04.090(2) of the Lindon City Code that establishes the factors to review when
25 considering a request for a zone change. The subsection states that the “planning
26 commission shall recommend adoption of a proposed amendment only where the
27 following findings are made:

- 28 ○ The proposed amendment is in accord with the master plan of Lindon
29 City;
- 30 ○ Changed or changing conditions make the proposed amendment
31 reasonably necessary to carry out the purposes of the division.”

32 He noted the stated purpose of the General Commercial Zone is to “promote
33 commercial and service uses for general community shopping.” Further, the “objective in
34 establishing commercial zones is to provide areas within the City where commercial and
35 service uses may be located.” Commercial zones include the CG, CG-A, CG-A8, CG-S,
36 PC-1, and PC-2 zones.

37 Mr. Van Wagenen mentioned after receiving notification of the proposed zone
38 change, two owners approached City staff to voice opposition to the idea. Skip Dunn and
39 Royal West, owners of properties located at 569 N. State and 195 S. State and are not in
40 favor of the rezone. Although nothing in writing has been received from either owner,
41 they were very clear in their positions. Mr. Van Wagenen then presented the map of
42 properties under consideration of rezone and the current zoning map followed by
43 discussion.

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

2 **Royal West:** Mr. West voiced his concerns that there are two used car lots next to his
4 business and feels this will take away the possibility of ever selling his property; he has
no intention of selling for a used car lot.

6 **Jake Hoyt:** Mr. Hoyt inquired what efforts were made to contact the property owners.
Mr. Van Wagenen stated staff noticed the property owners within 300 ft. and the letter
8 clearly stated they can come and present their argument (even within 10 days of this
hearing tonight).

10 **Neil Dastrup:** Mr. Dastrup commented that what Mr. West said makes sense as his
12 property could be tied with the other property to allow them to expand. He added if the
property doesn't qualify would they have to re-qualify if they are not using it anyway and
14 would they have to pass the requirements to go back to a car dealership; if so why tie up
the auto dealership rights.

16 **Ray Tuckett:** Mr. Tuckett stated he owns property on State Street located at 460 North
18 State Street. He expressed that it has been discouraging because he is approached two or
three times a month that want to locate a car lot there; it hasn't gone anywhere because it
20 is not allowed. He feels that six or seven lots is not too many.

22 Commissioner Keller asked if we can conditionally approve this change only on
certain locations. Mr. Van Wagenen stated that could be added in the motion and exclude
24 the ones you do not want to see recommended. Commissioner Kallas commented that
this seems a little awkward discussing this when we are waiting for changes to the
26 previously discussed agenda item: why make a motion to accept or deny this until the
other item is considered. There was then some additional discussion by the Commission
28 regarding this issue.

At this time Chairperson Call asked for Councilmember Hoyt's opinion on this
30 issue. Councilmember Hoyt stated the majority of conversation came up during the
meeting when he had a conflict of interest. He did say that he feels the market dictates
32 but the Council doesn't want all used car lots on State Street either. Councilmember Bean
added that this issue is somewhat subjective, but when it came down to it the council at
34 that time felt the need to limit number the used car dealerships on State Street.
Chairperson Call commented she would recommend changing this as it would open it up
36 for the use but not create an overabundance.

38 Chairperson Call asked if there were any further questions or comments from the
public. Hearing none she called for a motion to close the public hearing.

40 COMMISSIONER MCDONALD MOVED TO CLOSE THE PUBLIC
HEARING. COMMISSIONER KELLER SECONDED THE MOTION. ALL PRESENT
42 VOTED IN FAVOR. THE MOTION CARRIED.

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

46 COMMISSIONER MARCH BANKS MOVED RECOMMEND TO THE CITY
48 COUNCIL APPROVAL OF ORDINANCE 2016-4-O TO CHANGE THE ZONING

2 DESIGNATION OF THE SUBJECT LOTS FROM GENERAL COMMERCIAL (CG-
A) TO GENERAL COMMERCIAL (CG) WITH THE FOLLOWING EXCEPTIONS
4 THAT PARCELS ID #37:237:0002, SKIP DUNN PROPERTY AND ID #14:070:0199
KEY WEST PROPERTIES AS THE ONLY EXCEPTIONS. COMMISSIONER WILY
6 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE

8 COMMISSIONER WILY AYE

COMMISSIONER KALLAS AYE

10 COMMISSIONER MARCHBANKS AYE

COMMISSIONER MCDONALD AYE

12 COMMISSIONER KELLER AYE

THE MOTION CARRIED UNANIMOUSLY.

14

11. **Public Hearing** – *Zone Map Amendment, CG to CG-A, Utah Valley Auto Brokers.*

16

Jeff Peterson requests approval of a Zone Map amendment to reclassify Utah County
Parcel ID #14:068:0263, owned by Intermountain Fire Place Store, LLC from
18 General Commercial (CG) to General Commercial A (CG-A), to allow used
automobile sales on the lot, 460 North State Street.

20

COMMISSIONER KALLAS MOVED TO OPEN THE PUBLIC HEARING.

22

COMMISSIONER MCDONALD SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

24

Mr. Van Wagenen led this discussion by stating Jeff Peterson (who is in
26 attendance) is requesting approval of a Zone change to reclassify Utah County Parcel ID
#14:068:0263, owned by Intermountain Fire Place Store (Ray Tuckett), LLC from
28 General Commercial (CG) to General Commercial A (CG-A), to allow used automobile
sales on the lot located at 460 North State Street (3.5 acres). Mr. Van Wagenen stated the
30 principle difference between the General Commercial (CG) and General Commercial A
(CG-A) zones is that the CG does not allow used car sales, while the CG-A does. The
32 property in question was home to Hearth and Home stone products until the business
moved nearly two years ago and since that time, the property has been unoccupied.

34

Mr. Van Wagenen noted that Subsection 17.04.090(2) of the Lindon City Code
establishes the factors to review when considering a request for a zone change. The
36 subsection states that the “planning commission shall recommend adoption of a proposed
amendment only where the following findings are made:

38

○ The proposed amendment is in accord with the master plan of Lindon
City;

40

○ Changed or changing conditions make the proposed amendment
reasonably necessary to carry out the purposes of the division.”

42

Mr. Van Wagenen explained the stated purpose of the General Commercial Zone
is to “promote commercial and service uses for general community shopping.” Further,
44 the “objective in establishing commercial zones is to provide areas within the City where
commercial and service uses may be located.” Commercial zones include the CG, CG-A,
46 CG-A8, CG-S, PC-1, and PC-2 zones.

2 Mr. Van Wagenen then referenced an aerial photo of the proposed area to be re-
classified, the Street View of the proposed area to be reclassified and the Current zoning
4 of the area. He then turned the time over to the applicant for comment.

6 Mr. Peterson commented they have grown out of their current location in Orem
and they feel this is a perfect site for an auto dealership and it would serve them well. He
8 noted they only sell 2012 or newer cars and they carry 25 to 35 cars and they are hoping
to expand to 40 to 50 cars. They keep their cars nice and will keep the site very nice also.
10 There was then some general discussion by the Commission with Mr. Peterson regarding
this issue. Mr. Van Wagenen pointed out with the continuance of the ordinance anything
12 that might be affected by that ordinance is put on hold until that ordinance is approved
and until the hearings are over. He added that for this application, before the business
14 license could be issued, it would have to wait until the ordinance is vetted and would
apply to anyone from this point on because proceedings were initiated. Commissioner
16 Marchbanks asked if this could be approved subject to meeting all the guidelines of the
new ordinance once it is in place or to continue it; he would be fine either way.

18 Mr. Van Wagenen stated either way this zone change request would have to go to
the city council. Chairperson Call expressed that she would like to have the ordinance in
place first before approving additional businesses. Commissioner Wily stated he feels it
20 is the applicant's choice as they can be working on their site plan etc. as we are not really
making them wait on their plan but for site plan approval. Chairperson Call pointed out
22 that this will have to go to the city council for approval. Mr. Van Wagenen mentioned
that the ordinance states they do have to apply for a site plan that will come before the
24 commission.

26 Chairperson Call asked if there were any public questions or comments. Hearing
none she called for a motion to close the public hearing.

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

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

34 Commissioner Kallas commented that he sees no reason to continue this as the
36 ordinance change is being considered the application will be subject to it. This property
makes sense for a used car lot.

38 COMMISSIONER MARCHBANKS MOVED TO RECOMMEND TO THE
40 CITY COUNCIL APPROVAL TO CHANGE THE ZONING DESIGNATION OF THE
LOT IDENTIFIED BY UTAH COUNTY PARCEL #14:068:0263 FROM GENERAL
42 COMMERCIAL (CG) TO GENERAL COMMERCIAL (CG-A) WITH THE
CONDITION THAT THE APPLICANT MEET THE REQUIREMENTS OF THE NEW
44 ORDINANCE UNDER CONSIDERATION. COMMISSIONER MCDONALD
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

46 CHAIRPERSON CALL	AYE
COMMISSIONER WILY	AYE
48 COMMISSIONER KALLAS	AYE

2 COMMISSIONER MARCHBANKS AYE
COMMISSIONER MCDONALD AYE
4 COMMISSIONER KELLER AYE
THE MOTION CARRIED UNANIMOUSLY.

6

12. **Public Hearing** – *Zone Map Amendment, CG to CG-A, Dastrup Auto.* Devin Dastrup requests approval of a Zone Map amendment to reclassify Utah County Parcel ID #14:067:0052 from General Commercial (CG) to General Commercial A (CG-A), to allow used automobile sales on the lot, 475 North State Street.

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

16 Mr. Van Wagenen led this discussion by stating Devin Dastrup (who is
attendance) is requesting approval of a Zone Map amendment to reclassify Utah County
18 Parcel ID #14:067:0052 from General Commercial (CG) to General Commercial A (CG-
A), to allow used automobile sales on the lot located at 475 North State Street. He noted
20 this item is similar to the request that was just considered.

Mr. Van Wagenen stated the principle difference between the General
22 Commercial (CG) and General Commercial A (CG-A) zones is that the CG does not
allow used car sales, while the CG-A does. The property in question was home to Patch's
24 Majestic Metals before an unfortunate fire burned the building to the ground. Since that
time there have been some business operations in the back, but nothing has happened
26 along the frontage. He noted that Dastrup Auto is currently located in Orem, but is
looking to locate in Lindon. The property was recently purchased and is now owned by
28 Dastrup Auto, Inc. He noted Mr. Dastrup's proposed site plan is attached. He also
mentioned a letter submitted to the commission prior to the meeting (copies distributed)
30 from the Mr. & Mrs. Esteban expressing their concerns with the site plan, traffic, noise
and light pollution.

32 Mr. Van Wagenen then presented an aerial photo of the proposed area to be re-
classified, the applicant's proposed site plan and the current zoning of the area followed
34 by discussion. He then turned the time over to the applicant for comment.

Mr. Dastrup referenced the site plan noting the parcel they have purchased. He
36 noted the intended use is a used car dealership including a shop. He added this is a light
industrial use with an existing home on the property to use as an office. He noted they
38 plan to use a white vinyl fence and implement the 20 ft. landscaping strip and streetlights.
Noise and light pollution will be minimal. He stated that he has talked with the neighbors
40 and expressed their plans to them and the neighbors seem supportive and favorable and
they feel it will be an improvement to the site. Mr. Dastrup stated he will also reach out to
42 the Esteban's to address their concerns. Mr. Dastrup then went over his site plan followed
by some general discussion. Following discussion the Commission felt this will be an
44 improvement to the property and agreed it will be aesthetically pleasing.

Chairperson Call asked if there were any further questions or comments from the
46 public. Hearing none she called for a motion to close the public hearing.

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

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

8
9 COMMISSIONER MARCHBANKS MOVED TO RECOMMEND TO THE
10 CITY COUNCIL APPROVAL TO CHANGE THE ZONING DESIGNATION OF THE
11 LOT IDENTIFIED BY UTAH COUNTY PARCEL #14:067:0052 FROM GENERAL
12 COMMERCIAL (CG) TO GENERAL COMMERCIAL A (CG-A) WITH THE
13 CONDITION THAT THE APPLICANT MEETS THE GUIDELINES OF THE NEW
14 ORDINANCE UNDER CONSIDERATION. COMMISSIONER KELLER
15 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

16 CHAIRPERSON CALL AYE
17 COMMISSIONER WILY AYE
18 COMMISSIONER KALLAS AYE
19 COMMISSIONER MARCHBANKS AYE
20 COMMISSIONER MCDONALD AYE
21 COMMISSIONER KELLER AYE
22 THE MOTION CARRIED UNANIMOUSLY.

24 **13. Planning Commission Chair Elections** – The Planning Commission will elect both
25 a Chair and Vice-chair for the 2016 calendar year.

26
27 Mr. Van Wagenen led this discussion by stating tonight the Planning Commission
28 will elect both a Chair and Vice-chair for the 2016 calendar year. He noted the current
29 chair of the Planning Commission is Sharon Call and the current Vice-chair is Mike
30 Marchbanks. The election for Chair and Vice-chair are held annually as outlined in LCC
31 17.08.050 Planning Commission Policies and Procedures as follows:

32 1. Organization

- 33 i) Quorum - A quorum of at least four Planning Commission members must be
34 present to hold a meeting and conduct business according to a legally prepared
35 and posted agenda.
- 36 ii) Chairman and Vice Chairman - The annual election of the Chairman and Vice
37 Chairman shall take place once each year. Nominations for each office shall be
38 received from the voting Commission members. The Chairman and Vice
39 Chairman shall serve for a term of one year. In the event of absence or disability
40 of the Chairman, the Vice Chairman shall preside. In the absence of both, the
41 members shall appoint a Chairman for the meeting. The Vice Chairman shall
42 succeed the Chairman for the period of the unexpired term if he or she vacates
43 office before the term is completed. A new Vice Chairman shall be elected at the
44 next regular meeting

46 Following some discussion the Commission was in agreement to approve Sharon
47 Call as Chair and Mike Marchbanks as Vice Chair for the 2016 Calendar year.

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

4

6 COMMISSIONER KALLAS MOVED TO APPROVE SHARON CALL AS
THE PLANNING COMMISSION CHAIR FOR THE 2016 CALENDAR YEAR AND
APPROVE MIKE MARCHBANKS AS THE VICE CHAIR. COMMISSIONER WILY
8 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE

10 COMMISSIONER WILY AYE

COMMISSIONER KALLAS AYE

12 COMMISSIONER MARCHBANKS AYE

COMMISSIONER MCDONALD AYE

14 COMMISSIONER KELLER AYE

THE MOTION CARRIED UNANIMOUSLY.

16

18 **14. New Business: Reports by Commissioners** – Chairperson Call called for any
comments or discussion from the Commissioners.

20 Chairperson Call welcomed Commissioner Keller to the Planning Commission
and asked him to introduce himself. Commissioner Keller introduced himself and
22 thanked the Commission for the opportunity to serve. Chairperson Call commented on an
email sent from Councilmember Lundberg about the apartment complexes and the
24 density and she would encourage the Commissioners to study it and to realize the scope
of it. Commissioner Kallas inquired is Alpine School District came to the City Council
26 meeting. Mr. Van Wagenen stated they did not attend the last meeting. He noted there
are concerns and issues with traffic flow etc. and how it may affect the residents.

28 Commissioner Marchbanks asked for updates regarding the Alpine School
District issue so the Commission can be informed and understand what they are going to
30 do. Mr. Van Wagenen stated he will send the concepts to the Commission when they
receive them and keep them in the loop.

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

34

36 **15. Planning Director Report**– Mr. Van Wagenen reported on the following items
followed by discussion:

- 38 • Wadley Farms Tour: working on a date end of February or March
- 40 • Rec Center Discounts follow up – talk about it at the budget kick off
meeting
- 42 • February 2, 2016 Joint Agenda Item with City Council: Ivory Anderson
Farms – will be issue focused.
- Development Agreement will be presented at the February 9th meeting.

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

46

ADJOURN –

48

2 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE
MEETING AT 11:00 P.M. COMMISSIONER MCDONALD SECONDED THE
4 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

6 Approved – February 9, 2016

8 _____
Sharon Call, Chairperson

10
12 _____
Hugh Van Wagenen, Planning Director