

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **February 10, 2015 at 8:00 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: Bob Wily, Commissioner
10 Pledge of Allegiance: Matt McDonald, Commissioner

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

22 **Special Attendee:**
23 Matt Bean, Councilmember

- 26 1. **CALL TO ORDER** – The meeting was called to order at 8:00 p.m.
28 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of January 27,
29 2015 were reviewed.

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31 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE
32 REGULAR MEETING OF JANUARY 27, 2015 AS PRESENTED. COMMISSIONER
33 WILY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE
34 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. **Amended Site Plan** – *Scott’s Provo GM, approx. 347 South 1250 West.* Andrew
43 Mandy Ogaz of Scott’s Miracle-Gro requests site plan approval for the addition
44 of a 1,768 square foot modular office building to the existing site at
45 approximately 347 South 1250 West in the Light Industrial (LI) zone.

2 Jordan Cullimore, Associate Planner, opened the discussion by giving a brief
summary of this agenda item. He explained this is a request by Andrew Mandy Ogaz of
4 Scott's Miracle-Gro who is requesting site plan approval for the addition of a 1,768
square foot modular office building to the existing site at approximately 347 South 1250
6 West in the Light Industrial (LI) zone.

8 Mr. Cullimore explained the applicant recently took over the existing Wolf
Mountain facility. He noted there are existing structures and uses on the property that will
continue to be used and operated by Scott's. He noted this proposal amends the existing
10 site by increasing the total building square footage on the lot by 14.7%. Mr. Cullimore
went on to say when such an increase of square footage occurs, the Lindon City Code
12 (LCC) requires that the proposed building comply with current architectural treatment
requirements, and that the site comply with current parking standards and the site is
14 located within the Light Industrial (LI) zone.

16 Mr. Cullimore then gave a summary on the parking noting the number and
configuration of parking complies with Code requirements as follows:

- 18 • Required: 22 spaces; 1 ADA
- 20 • *The site plan shows they have provided: 22 spaces; 1 ADA*
- 22 • Required Bicycle Stalls: 2
- 24 • *The site plan shows a bike rack will be provided*

26 Mr. Cullimore then referenced the interior parking lot landscaping requirement as
follows:

- 28 • The Code requires 40 square feet of interior landscaping per stall for a total of 880
square feet of interior landscaping. The Code also requires 1 interior tree per 10
30 stalls, for a total, in this case, of 3 trees.
- 32 • The submitted site plan does not specifically indicate that this requirement has
been met. The applicant has informed staff that an updated site plan showing
34 compliance will be presented to the Planning Commission at the February 10th
Planning Commission meeting. This may need to be a condition upon approval.

36 Mr. Cullimore then referenced the architectural standards followed by discussion:

- 38 • The Light Industrial zone requires that at least 25% of the exterior of the building
be covered with brick, decorative block, stucco, wood, or other similar materials
34 as approved by the Planning Commission. This building does have the wood slats
so in that regard it meets the requirement.
- 40 • The exterior finish of the proposed structure is composed of wood. The applicant
will provide illustrations of the exterior building materials at the next Planning
42 Commission meeting.

44 Mr. Cullimore then referenced an aerial photo of the site and surrounding area,
photographs of the existing site and the site plan followed by some general discussion.

46 At this time, Chairperson Call invited Mr. Shane Williams, representative for the
applicant, forward to address the Commission. Chairperson Call asked if Mr. Williams
48 had any additional comments to add to Mr. Cullimore's summary. Mr. Williams stated
that they responded to all of the comments sent back on the plans and expressed his only
concern is that it seems, per the engineer's comments on the plans, that this application is
being treated like a new lot or site plan and not just a trailer being brought to the site.

2 Mr. Cullimore stated they will work with the city engineer to address those
3 technical issues on the back end. Commissioner Kallas asked if city code allows a trailer
4 to be brought in without a foundation and footings. Mr. Cullimore stated that it doesn't
5 state specifically in the light industrial zone and it doesn't speak to foundations or
6 otherwise but state code has requirements for modular structures. He stated that may be
7 something to discuss with the building official as to what the requirements are in order
8 for it to qualify as a permanent structure.

9 Mr. Williams commented that they have changed their direction noting the reason
10 they are bringing the trailer in is because the existing warehouse had an office built inside
11 (not by permit and not by code) so they encouraged them to take it out and to build
12 something up to code inside and they chose to go with a trailer instead due to time
13 restraints. Mr. Williams explained they are also considering building a permanent fixture
14 (the trailer is a temporary solution) but they do not have a timeline as yet. Mr. Williams
15 stated the trailer is scheduled to arrive on February 17th.

16 Chairperson Call commented if this is not going to be the permanent structure
17 then it seems there should be some type of a timeline for determination. Mr. Cullimore
18 suggested continuing this item to address these issues as they may need to issue a
19 temporary site plan and then address the actual improvements later.

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

22
23 COMMISSIONER KALLAS MOVED TO CONTINUE THE APPLICANT'S
24 REQUEST FOR SITE PLAN APPROVAL OF A 1,768 SQUARE FOOT BUILDING
25 AT 347 SOUTH 1250 WEST (TEMPORARY BUILDING) TO GIVE STAFF TIME TO
26 ANALYZE THE CODE TO SEE IF IT MEETS THE REQUIRED STANDARDS AND
27 TO WORK OUT THE DETAILS. COMMISSIONER MARCHBANKS SECONDED
28 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

29 CHAIRPERSON CALL	AYE
30 COMMISSIONER WILY	AYE
31 COMMISSIONER KALLAS	AYE
32 COMMISSIONER MARCHBANKS	AYE
33 COMMISSIONER MCDONALD	AYE
34 COMMISSIONER SKINNER	AYE

35 THE MOTION CARRIED UNANIMOUSLY.

- 36
37 5. **Public Hearing** – *Ordinance Amendment, Lindon City Code 17.49.070 & 17.50.070*
38 *Architectural Design*. Lindon City requests approval of an amendment to Lindon
39 City Code 17.49.070 & 17.50.070. The proposed amendment will modify
40 architectural requirements in the Light industrial (LI) and Mixed Commercial (MC)
41 zones.

42
43 COMMISSIONER SKINNER MOVED TO OPEN THE PUBLIC HEARING.
44 COMMISSIONER MCDONALD SECONDED THE MOTION. ALL PRESENT
45 VOTED IN FAVOR. THE MOTION CARRIED.

46
47 Mr. Cullimore led this agenda item by giving a brief overview stating on August
48 26, 2014, the Planning Commission considered different types of concrete tilt-up

2 buildings and discussed Lindon City’s architectural standards for such buildings in the
4 Mixed Commercial (MC) and Light Industrial (LI) zones. At that time the Commission
6 discussion the Commission recommended the following changes:

8 Recommendations for the LI zone:

- 10 1. Allow bare concrete buildings as long as such buildings incorporate additional
12 architectural accents.
- 14 2. Allow painted or colored concrete buildings as long as the individual colors are
16 consistently shaded. Do not require additional accents for painted or colored
18 concrete buildings.

20 Recommendations for the MC zone:

- 22 1. Prohibit bare concrete buildings.
- 24 2. Allow painted or colored concrete buildings as long as the color shades are
26 consistent. Require that the buildings also incorporate additional architectural
28 accents.

30 Mr. Cullimore noted that the proposed amendment seeks to codify and clarify the
32 Commission’s recommendations. Mr. Cullimore then referenced the proposed
34 amendment followed by some general discussion.

36 Chairperson Call commented that she believes this is what was discussed
38 previously and she has a good understanding of this issue. Commissioner McDonald
40 mentioned the only thing he can see that may arise in the code is the term “consistent”
42 and he feels it is vague and could be subjective. Mr. Cullimore commented that it is a
44 directive and we won’t know until it is built how it will look. Mr. Van Wagenen stated it
46 is hard to police the code and interpret it as it is in the “eye of the beholder”.

48 Commissioner Kallas brought up the previous item and mentioned that the spirit
of the whole ordinance is to get something nice built, and pointed out that we need to
make sure we are not opening doors for a lot of trailers in the industrial areas. Mr. Van
Wagenen re-iterated they will have discussion with the building official on making the
trailer permanent. There was then some lengthy discussion regarding this issue.
Commissioner McDonald stated he is fine with these changes but feels it may need some
clarification as to include a mix of elements. Commissioner Kallas agreed but would
recommend looking at what the current ordinance is regarding modular foundations. Mr.
Cullimore pointed out with this item they are considering the architectural standards
(wood) in the industrial zone and if they feel this is a good change they could strike it
right now or look into it further.

Commissioner Marchbanks commented that in most places wood exteriors are not
appropriate but there are some themes and facades that lend themselves to wood
exteriors, like the Linden Nursery Barn, for example. Mr. Cullimore stated that is why he
feels this should be looked at further to perhaps define what type of wood etc.
Commissioner Kallas re-iterated that he feels that staff should research the ordinance to
make sure we are not opening the door for a lot of modular trailers in the light industrial
areas. Mr. Van Wagenen agreed that the changes could be made tonight or continue the
item and perhaps tweak the code so there is a mix of elements and not just the 25%

2 requirement of anything, as Commissioner McDonald suggested, and noted that
historically this body has been sensitive to the person building the building. Mr.
4 Cullimore stated he will bring back language for that potential.

6 Following some additional discussion regarding this issue Chairperson Call called
for a motion.

8 COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL OF
ORDINANCE AMENDMENT #2015-6-O AS PRESENTED WITH STAFF CHANGES
10 AS NOTED. COMMISSIONER MCDONALD SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

12 CHAIRPERSON CALL AYE
COMMISSIONER WILY AYE
14 COMMISSIONER KALLAS AYE
COMMISSIONER MARCHBANKS AYE
16 COMMISSIONER MCDONALD AYE
COMMISSIONER SKINNER AYE
18 THE MOTION CARRIED UNANIMOUSLY.

20 6. **Public Hearing** – *Ordinance Amendment, Lindon City Code 17.48 Commercial*
22 *Zone.* Lindon City requests approval of an amendment will modify minimum lot
or development size along the 700 north commercial corridor.

24 Mr. Cullimore gave a brief summary of this item explaining there have been
several discussions of changing the minimum lot size on 700 north among the Planning
26 Commission, City Council and staff regarding how to best promote high quality, orderly
development along 700 North in Lindon. He noted this amendment proposes to increase
28 the minimum lot size along 700 North commercial corridor to one (1) acre to discourage
piece mill development to achieve these goals. He explained this also proposes a
30 requirement to preserve access from lots on 700 North to the specified access points that
are identified in the 700 North Access Management Plan.

32 Mr. Cullimore noted with the current lot standard someone could come in a sub-
divide and create ½ acre lots as long as they provided access to all of them. He then
34 presented photos depicting the area in question. He noted the changes being proposed is
to increase the minimum lot size to an acre, apply all of the dimensional standards in the
36 existing commercial table, and provide ingress and egress access points. Mr. Cullimore
then referenced the proposed amendment followed by discussion.

38 Commissioner Kallas voiced his concerns that one acre may be too small. Mr.
Van Wagenen commented that staff feels, depending on how it is developed, that some
40 business owners want to own their own pad and some are happy with leasing, so the
question is what do we want to constrict by putting on minimum lot sizes. Commissioner
42 Kallas stated he see that point but what we don't want is a lot of one acre parcels along
the frontage with the back areas turning into multi-use buildings etc. Mr. Cullimore
44 noted, per prior discussions, they are trying to find some middle ground to have control
but to also have flexibility. Commissioner Marchbanks commented that we don't want to
46 prohibit people from owning an acre but more of the planning and cohesiveness so it will
all come together. He further noted that perhaps an acre does feel too small and maybe
48 this ordinance isn't getting where we want it to be from a planning standpoint because he

2 doesn't want to exclude ownership for even less than an acre; fast food businesses and
gas stations can locate on ¾ of an acre.

4 Mr. Cullimore questioned if this will be a stop-gap measure or disaster planning
or to put a moratorium on it. Commissioner Kallas stated there needs to be a well written
6 plan for the area and he is afraid if this is changed to one acre it could be a disaster,
because once something is built you have lost your potential to maximize the highest and
8 best use for the property.

10 Mr. Van Wagenen stated that "plan" can mean a lot of different things and that is
why staff brought this issue to the bodies to get a directive and understanding of what
they have in mind as they do not want to plan out of fear of what development they want.
12 Commissioner Kallas commented that he would feel better by just saying there is a
minimum of five acre lots and then have some type of exception in place where they
14 could sell off a pad site. Commissioner Marchbanks agreed stating we don't want to tie
developer's hands by not being able to sell site pads. Mr. Cullimore stated one option that
16 was looked at is the potential of identifying a master site planned area that would restrict
the one and two lot developments. Commissioner Kallas commented that he would feel
18 better about this option rather than the one acre parcel. There was then some lengthy
discussion by the Commission regarding this issue.

20 Mr. Van Wagenen mentioned that because we do have an Access Management
Plan we know where all the access points are. Commissioner Skinner commented that
22 coming up with a comprehensive plan that addresses these kinds of issues may help us
feel comfortable but it is more than just a 10 minute discussion. He questioned if there is
24 a way for staff to have a bit more time to present more ideas to draw from which would
help him to determine what the best comprehensive approach is. Mr. Cullimore
26 commented that it sounds like there is a desire to go to a master planned site plan
concept. Mr. Van Wagenen again pointed out what does "plan" mean, as there can be
28 many dimensions.

30 Commissioner McDonald questioned if 5 acres is enough and how many 5 acre
parcels are located there and mentioned that he does like the included egress portion.
Commissioner Marchbanks pointed out the reality is there are limited accesses there and
32 questioned if we are getting too concerned of solving a problem before it happens.
Chairperson Call commented that she agrees with Commissioner Kallas to have the 5
34 acre parcels and the master planning approach option. Commissioner Kallas would
suggest that staff do some research as to what other cities have done on freeway access
36 corridors.

38 Commissioner Marchbanks voiced his concerns that we don't want to put an
ordinance in place that excludes ownership of acreage within the development, but it has
to be planned based on accesses and noted he feels the land owners will ensure that it is 5
40 acre parcels. Commissioner Wily commented that it's a nice idea that the access points
will drive the development, but if someone comes in with a good idea he would hope the
42 city would certainly consider changing the access points. Mr. Van Wagenen stated that
the access points are under UDOT control and the city cannot change them.
44 Commissioner Wily commented that he does not expect that the landowners will be that
patient and could and would do something precipitous if a one acre limit was imposed.
46 Mr. Van Wagenen stated staff is understanding the message tonight and this is good
conversation to have to give staff direction and they will go back and take a look and
48 bring back some options including some minimum acreage size and master plan options.

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

6 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.
8 COMMISSIONER WILY SECONDED THE MOTION. ALL PRESENT VOTED IN
10 FAVOR. THE MOTION CARRIED.

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

16 COMMISSIONER MCDONALD MOVED TO RECOMMEND
18 CONTINUATION OF ORDINANCE #2015-5-O FOR FURTHER DISCUSSION.
20 COMMISSIONER MARCHBANKS THE MOTION. THE VOTE WAS RECORDED
22 AS FOLLOWS:

16	CHAIRPERSON CALL	AYE
18	COMMISSIONER WILY	AYE
20	COMMISSIONER KALLAS	AYE
22	COMMISSIONER MARCHBANKS	AYE
	COMMISSIONER MCDONALD	AYE
	COMMISSIONER SKINNER	AYE

24 THE MOTION CARRIED UNANIMOUSLY.

26 **7. New Business: Reports by Commissioners –**

28 Chairperson Call mentioned a resident who wants to submit an application for a
30 swim lesson business who will be contacting Mr. Cullimore. Mr. Cullimore stated that
32 he is aware of this issue and stated that he sent her an email outlining to her what they
34 will recommend to the Commission to ensure she is not exceeding the home occupation
36 requirements and will follow up on this issue. Chairperson Call also asked how the
38 Council felt about the car lot issue that was forwarded to them. Councilmember Bean
40 stated that the Council was overall positive but wanted to reduce the current zone at the
42 7-Eleven spot and recommended bringing the issue back before the Commission.

44 Commissioner Wily thanked Mr. Van Wagenen and Mr. Cullimore for arranging
46 the Ivory Tour and noted that it was very beneficial. Mr. Van Wagenen asked the
48 Commission if the format of the work session was good for everyone or if there would be
a better more productive way to approach it. Commissioner Skinner stated that he felt it
was helpful. Commissioner Marchbanks thought it was helpful to have a joint session
with the Council and it was very informative. Commissioner McDonald felt it was
beneficial for Ivory also.

Chairperson Call suggested a tour of the new Osmond facility, either as a group or
individually, would be beneficial. Mr. Van Wagenen stated that he would be happy to
arrange a tour if wanted. The Commission was in agreement to have Mr. Van Wagenen
arrange a tour of the Osmond Facility. Commissioner Kallas mentioned that the Osmond
facility is already at full capacity.

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

2 8. **Planning Director Report**–

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

- 6 1. Test of City Emails
2. Upcoming 700 North Work Session

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

10

ADJOURN –

12

14 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE
MEETING AT 10:15 P.M. COMMISSIONER MARCHBANKS SECONDED THE
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – February 24, 2015

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Sharon Call, Chairperson

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Hugh Van Wagenen, Planning Director