

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **April 14, 2015 at 8:00 p.m.** at the Lindon City Center, City Council Chambers, 100
4 North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 8:00 P.M.

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

12 **PRESENT** **ABSENT**

13 Sharon Call, Chairperson
14 Bob Wily, Commissioner
15 Rob Kallas, Commissioner
16 Mike Marchbanks, 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 March 24,
29 2015 were reviewed.

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31 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE
32 REGULAR MEETING OF MARCH 24, 2015 AS AMENDED. 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
43 4. **Site Plan** – *Timpview Business Park, approx. 143 North 1800 West.* Ryan Bybee with
44 Timpview Business Park requests site plan approval of an office/warehouse building
45 at approximately 143 North 1800 West in the Light Industrial (LI) zone.

46
47 Jordan Cullimore, Associate Planner, led this discussion by explaining that Ryan
48 Bybee and Trevor Sharp are in attendance as representatives of this application. He

2 further explained the applicant is proposing to construct a 49,248 square foot concrete
tilt-up office/warehouse building on lot #1 of Ostler Industrial Park Plat "D" located in
4 the Light Industrial zone. He noted the applicant is also proposing that 10% - 15% of the
49,248 square foot building will be used as office space, which means the building will
6 include 4,900 square feet of office space and 44,100 square feet of warehouse. Mr.
Cullimore further explained the parking ratio for office space is 1/350 square feet and the
8 ratio for warehouse space is 1/1000 square feet. Consequently, the required number of
spaces is 58, with at least 3 ADA accessible stalls. The applicant is also proposing 90
10 parking stalls with 4 ADA spaces of which meets the minimum requirement.
Additionally, the Code requires 3 bicycle parking stalls. This site plan does not currently
12 propose bicycle parking and staff is recommending that this requirement be included as a
condition of approval.

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

- 16 • Vehicle Spaces Required: 58
- Vehicle Space Provided: 90
- 18 • Bicycle Spaces Required: 3
- Bicycle Spaces Provided: 0

20 Mr. Cullimore went on to say that the Light Industrial zone requires a 20'
22 landscaped strip along all street frontages with trees planted every 30' on center. He
noted that thirty percent of the frontage landscaping may be landscaped with non-living
24 materials other than grass. He mentioned that the Planning Commission may approve
proposed changes or alterations to this requirement as long as there is not any net loss of
26 landscaping. Mr. Cullimore stated that the applicant's landscaping proposal takes a more
water-wise approach than what is required by Code. The proposal does not include 70%
28 of grass cover, but it does include at least 70% or more of live plant coverage. Mr.
Cullimore directed the Planning Commission to consider whether to approve this
30 proposed alteration if they deem it appropriate.

Mr. Cullimore discussed that Code requires that interior landscaping must be
32 provided at 40 square feet per required stall and that at least 75% of the ground cover
must consist of living vegetation. This site proposes 90 parking stalls, which will require
34 at least 3,600 square feet of interior landscaping, exclusive of the required landscaped
strip along street frontage. He noted the submitted landscaping plan proposes 3,663
36 square feet of interior landscaping, with at least 77% of the ground cover consisting of
living vegetation. He noted the landscaping plan complies with the square footage and
38 ground cover requirement. The code also requires 1 interior tree per 10 required parking
stalls and the proposed site plan includes 9 interior trees which satisfies this requirement.

40 Mr. Cullimore went on to say the Code also requires that all buildings in the Light
Industrial Zone must be "aesthetically pleasing, well-proportioned buildings which blend
42 with the surrounding property and structures." He noted the applicant is proposing to
construct a painted concrete tilt up building, which is allowed by the Code, subject to the
44 following standards:

- 46 • Painted or colored concrete exteriors are permitted if the shade of each color is
consistent and if the building is also finished with additional architectural details
48 such as entrance canopies, wrought iron railings and finishes, shutters, multi-level

2 porches, metal shades, and metal awnings. The building proposed by the applicant
4 will include painted tilt-up finishes, as will also incorporate metal sunshades and
brick finishes on the exterior. Elevations and an artist’s rendering of the proposed
6 building are included in the packets.

8 Mr. Cullimore also stated the Code requires buildings in the LI zone to be earth-
tone colors. The proposed structure satisfies setback and height requirements in the LI
10 zone. He noted that the City Engineer is working through technical issues related to the
site and will ensure all engineering related issues are resolved before final approval is
granted.

12 Mr. Cullimore then referenced an aerial photo of the site and surrounding area,
14 photos of the site, site/landscaping plan, elevations and rendering of proposed building
and the earth-tone color palette. At this time, Mr. Cullimore called for any questions or
comments from the Commission.

16 Chairperson Call asked the applicants what type of vegetation they are
considering. Mr. Bybee replied that the plan lists all the types of vegetation and materials
18 they plan to use (mostly ground covers and low bushes/shrubs and trees). Commissioner
Kallas asked if they have their tenants in place. Mr. Bybee stated they have several
20 people looking at occupying the building, one company by the name of Coverstar with
another potential tenant being an insulation company. Commissioner Wily commented
22 that it looks like it will be a nice tilt up building.

24 Chairperson Call commented that it appears the parking is fine, the interior
landscaping is fine, and the open space and architectural standards are all met and it also
meets the required setbacks and height requirements in the Light Industrial zone.
26 Commissioner McDonald pointed out that it appears the only concession they are asking
for is the use of light vegetation instead of grass. Mr. Bybee stated they are motivated to
28 maintain it and keep it nice.

Following some general discussion Chairperson Call called for any further
30 comments or questions from the Commissioners. Hearing none she called for a motion.

32 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT’S
REQUEST FOR SITE PLAN APPROVAL WITH THE EXCEPTION OF GRASS
34 BEING SUBSTITUTED WITH 70% OF LIVE SHRUBERY AND TREES.
COMMISSIONER SKINNER SECONDED THE MOTION. THE VOTE WAS
36 RECORDED AS FOLLOWS:

38 CHAIRPERSON CALL	AYE
COMMISSIONER WILY	AYE
COMMISSIONER KALLAS	AYE
40 COMMISSIONER MCDONALD	AYE
COMMISSIONER SKINNER	AYE
42 COMMISSIONER MARCHBANKS	ABSTAIN

THE MOTION CARRIED UNANIMOUSLY.

44
46 *Commission Marchbanks abstained from voting on this item due to a conflict of interest.*

48 5. **Site Plan** – Interstate Grating Office Addition, approx. 1820 West 200 South. Rob
Simons with Interstate Gratings requests site plan approval of a 5,208 sq. ft. office

2 additional to the existing structure at approximately 1820 West 200 South in the Light
Industrial (LI) zone.

4

6 Hugh Van Wagenen, Planning Director, opened this agenda item by noting Mike
Clark is in attendance tonight as representative of Interstate Gratings instead of Rob
8 Simons. Mr. Van Wagenen explained the applicants are requesting site plan approval of
a 5,208 sq. ft. office additional to the existing structure at approximately 1820 West 200
10 South in the Light Industrial (LI) zone. He noted the applicants were here not too long
ago for an addition on this campus that was approved and the company is doing well and
they are now looking for an increase of office space with an addition that will be adjacent
12 to the existing office. The previous required parking equaled 125 stalls and in order to
bring this into compliance this office addition will require 16 additional stalls (one stall
14 for every 350 sq. ft. of floor area) and the required increase has been provided. He noted
that five ADA parking spaces will also be provided on the site and will meet the code for
16 the entire campus.

18 Mr. Van Wagenen explained that Lindon City Code 17.18.085 requires interior
parking lot landscaping at a rate of 40 sq. ft. for every parking space, or 5,640 sq. ft. for
20 this site. Approximately 4,550 sq. ft. is provided leaving the site short about 1,090 sq. ft.
of interior landscaping. Also, Lindon City Code 17.18.085 requires one tree to be planted
for every 10 parking spaces so an increase of 16 spaces will require two new trees to be
22 planted. Mr. Van Wagenen noted the office addition will match the existing elevations of
the building on 200 South and there are no outstanding engineering issues. Mr. Van
24 Wagenen then referenced an aerial photo of the site and surrounding area, photographs of
the existing site and the site plan documents followed by some general discussion.

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

28

30 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
APPLICANT'S REQUEST FOR SITE PLAN APPROVAL OF A 5,200 SQUARE
32 FOOT OFFICE ADDITION TO INTERSTATE GRATINGS WITH THE CONDITION
THAT THEY COMPLY WITH INTERIOR PARKING LOT LANDSCAPING
REQUIREMENTS INCLUDING NEW TREES WITH NO ADDITIONAL
34 CONDITIONS. COMMISSIONER MCDONALD SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

36 CHAIRPERSON CALL AYE
COMMISSIONER WILY AYE
38 COMMISSIONER KALLAS AYE
COMMISSIONER MCDONALD AYE
40 COMMISSIONER SKINNER AYE
COMMISSIONER MARCHBANKS AYE

42 THE MOTION CARRIED UNANIMOUSLY.

44 6. **Site Plan** – Joyner Business Park, Lot 9, Plat G, approx. 947 West 500 North. Bill
West of Knight West Construction requests site plan approval of a 20,000 sq. ft.
46 office/warehouse building at approximately 947 West 500 North in the Light
Industrial (LI) zone.

48

2 Mr. Cullimore led this agenda item by explaining this is a proposal by Bill West
(who is present for this item) of Knight West Construction. He noted that Mr. West is
4 proposing to construct a 20,000 square foot office/warehouse building on lot 9 of Joyner
Business Park Plat "G" in the Light Industrial zone (last undeveloped lot).

6 Mr. Cullimore stated that Mr. West is proposing 2,000 square feet of office space
and 18,000 square feet of warehouse. He further stated that the parking ratio for office
8 space is 1/350 square feet and the ratio for warehouse space is 1/1000 square feet.
Consequently, the required number of spaces is 24, with at least 1 ADA accessible stall.
10 He noted that is proposing 25 parking stalls with 2 ADA spaces and the proposal satisfies
the minimum requirement. Additionally, the Code requires 2 bicycle parking stalls and
12 the site plan currently proposes 4 bicycle stalls to meet this requirement.

14 Mr. Cullimore then referenced the Summary of Parking Requirements as follows:

- 16 • Vehicle Spaces Required: 24
- Vehicle Space Provided: 25
- 18 • Bicycle Spaces Required: 2
- Bicycle Spaces Provided: 4

20 Mr. Cullimore noted that this site does not include public frontage and the only
required landscaping on this lot involves interior landscaping. Mr. Cullimore further
22 explained that Code requires that interior landscaping must be provided at 40 square feet
per required stall and that at least 75% of the ground cover must consist of living
24 vegetation. The site proposes 25 parking stalls, which will require at least 1,000 square
feet of interior landscaping. He noted that Mr. West's submitted landscaping plan
26 proposes 1,005 square feet of interior landscaping and the finalized plans will note that at
least 75% of the ground cover will consist of living vegetation. The code also requires 1
28 interior tree per 10 required parking stalls with the proposed site plan including at least 4
interior trees that will satisfy this requirement.

30 Mr. Cullimore also noted the Code requires that all buildings in the Light
Industrial Zone must be "aesthetically pleasing, well-proportioned buildings which blend
32 with the surrounding property and structures." The code also requires the following:

- 34 • Twenty-five percent (25%) minimum of the exterior of all buildings (except as
permitted in 17.49.070(4)) shall be covered with brick, decorative block, stucco,
wood, or other similar materials as approved by the Planning Commission.
36 Precast concrete or concrete tilt-up buildings also meet the architectural treatment
requirement, subject to the standards in section 17.49.070(2).
- 38 • Subsection 17.49.070(2) allows concrete tilt-up buildings subject to the following
requirements:
 - 40 ○ Bare concrete exteriors are permitted if the concrete color is consistent and
if the building is also finished with additional architectural details such as
42 entrance canopies, wrought iron railings and finishes, shutters, multi-level
porches, metal shades, and metal awnings.
 - 44 ○ Painted or colored concrete exteriors are also permitted if the shade of
each color is consistent and if the building is also finished with additional
46 architectural details such as entrance canopies, wrought iron railings and
finishes, shutters, multi-level porches, metal shades, and metal awnings.

2 Mr. Cullimore went on to say that the applicant has indicated that the building
will be either a concrete tilt-up building with 25% of the exterior finished with rock
4 wainscot, or a building with metal insulated panels that have a textured stucco finish with
25% of the exterior finished with rock wainscot or split face block. He noted that an
6 artist's rendering of what the building will look like is included in the packets. Mr.
Cullimore advised the Commission to consider whether they are comfortable approving
8 the site plan with the understanding that either proposal may be pursued, or if the
applicant needs to commit to one of the proposals before receiving approval.

10 Mr. Cullimore stated the Code requires buildings in the LI zone to be earth-tone
colors. He further noted that the proposed structure satisfies setback and height
12 requirements in the LI zone. He mentioned that the City Engineer is working through the
technical issues related to the site and will ensure all engineering related issues are
14 resolved before final approval is granted. Mr. Cullimore then referenced for discussion an
aerial photo of the site and surrounding area, photos of the site, site plan, rendering of the
16 proposed building and the earth tone color palette followed by discussion.

18 Mr. West commented that this project was previously approved in 2012 and was
put on hold but with the market as it is now they are ready to move ahead with the
project. He noted they will meet all code requirements and will ensure it will be a very
20 nice looking building; he feels this be a nice addition to the business park. Chairperson
Call commented that it appears that either proposal will meet all requirements. Following
22 discussion the Commission was in agreement to allow Mr. West to choose either/or
proposal as long as staff ensures that what is built is in compliance. Mr. Cullimore
24 confirmed they will ensure it will be in compliance.

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

28 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
APPLICANT'S REQUEST FOR SITE PLAN APPROVAL WITH THE CONDITION
30 THAT THEY WORK WITH STAFF ON WHICH DIRECTION THEY CHOOSE AND
TO MEET ALL ARCHITECTURAL STANDARDS FOR EITHER SCENARIO.
32 COMMISSIONER WILY SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

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

40 THE MOTION CARRIED UNANIMOUSLY.

42 7. **Conditional Use Permit** – *Premier Marine, approx. 226 South 125 West*. Aaron
Davis requests approval of a conditional use permit for a boat mechanic shop (vehicle
44 repairs) at approximately 226 South 1250 West in the Light Industrial (LI) zone.

46 Mr. Cullimore explained that Aaron Davis and Robert Hack are in attendance
representing this application. He noted the applicants are requesting approval of a
48 conditional use permit for a boat mechanic shop (vehicle repair) at approximately 226

2 South 1250 West in the Light Industrial (LI) zone. Mr. Cullimore explained that Mr.
3 Davis is proposing to operate a boat repair shop at the location identified above. He
4 mentioned that this use is classified under “vehicle repair” in Lindon’s Standard Land
5 Use Table and “vehicle repair” is conditionally permitted in the Light Industrial (LI)
6 zone. He noted that Mr. Davis’ business description is included in the packets.

8 Mr. Cullimore then referenced the applicable laws and standards of review as follows:

- 9 • State Code defines a conditional use as "a land use that, because of its unique
10 characteristics or potential impact on the municipality, surrounding neighbors, or
11 adjacent land uses, may not be compatible in some areas or may be compatible
12 only if certain conditions are required that mitigate or eliminate the detrimental
13 impacts."
- 14 • Section 10-9a-507 of the State Code requires municipalities to grant a conditional
15 use permit "if reasonable conditions are proposed, or can be imposed, to mitigate
16 the reasonably anticipated detrimental effects of the proposed use in accordance
17 with applicable standards." Once granted, a conditional use permit runs with the
18 land.
- 19 • State Code further provides that a conditional use permit application may be
20 denied only if "the reasonably anticipated detrimental effects of a proposed
21 conditional use cannot be substantially mitigated by the proposal or the
22 imposition of reasonable conditions to achieve compliance with applicable
23 standards." Utah Code § 10-9a-507.
- 24 • Additionally, the Lindon City Code provides that a conditional use may be denied
25 when:
 - 26 ○ "Under circumstances of the particular case, the proposed use will be
27 detrimental to the health, safety, or general welfare of persons residing or
28 working in the vicinity, or injurious to property or improvements in the
29 vicinity, and there is no practical means available to the applicant to
30 effectively mitigate such detrimental effects;" or,
 - 31 ○ "The applicant cannot or does not give the Planning Commission
32 reasonable assurance that conditions imposed incident to issuance of a
33 conditional use permit will be complied with."

34 Mr. Cullimore then mentioned items for consideration as follows:

- 35 • The applicant’s business description.
- 36 • The parking requirement for a new site plan proposing to conduct vehicle repair is
37 1 per 300 square feet of floor area excluding pay areas, plus 5 per single vehicle
38 bay/shop. The space includes a 10x10 office space, but is otherwise a single
39 vehicle bay, so the parking requirement for a new site plan would be 5 spaces.
40 The applicant has indicated that he will have 6-7 spaces in front of his space that
41 he will have access to. There will be 2 employees with the hours of operation
42 being M-F 8 am to 6 pm, Saturday 8 am-6 pm and closed on Sunday.
- 43 • Staff has conferred with Chief Building Official Phil Brown. Mr. Brown indicated
44 that there won’t be any unresolvable building code issues created by the use, and
45 that he will ensure building code compliance before issuing a business license.
46

2 Mr. Cullimore then referenced for discussion an aerial photo of the area and site,
3 photographs of the site and the business description followed by discussion.

4 Commissioner Kallas questioned what type of fence is in the back of the facility.
5 Mr. Davis stated it is a 7' chain link fence with barb on top with a 5' concrete wall.
6 Commissioner Kallas also inquired what will be visible. Mr. Davis stated from the road
7 nothing will be visible. Commissioner Marchbanks stated he does not see visibility as
8 being an issue in that particular location. There was then some discussion of storage and
9 visibility of boats and materials at the facility.

10 Mr. Davis confirmed they will only be working on boats not any vehicles.
11 Commissioner Kallas asked how many boats they would feel comfortable storing. Mr.
12 Davis stated he feels they could store 8-10 boats comfortably without infringing on
13 neighboring properties and it would cover their needs. Mr. Cullimore stated a condition
14 could be to limit this to boat repair storage and to how many boats are stored.
15 Commissioner Marchbanks suggested to limit the boat storage to front and back use.
16 Following discussion the Commission was in agreement to limit the CUP to boats and not
17 vehicles repair and to limit the boat storage. Chairperson Call pointed out that anytime
18 there is a CUP and there are any complaints the Commission can re-evaluate the permit.

19 Chairperson Call asked if there were any further questions or comments. Hearing
20 none she called for a motion.

21
22 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S
23 REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE A BOAT REPAIR
24 (NOT AUTO REPAIR) SHOP AT THE LOCATION REQUESTED WITH THE
25 FOLLOWING CONDITION 1. NOT MORE THAN 12 BOATS STORED AT ANY
26 ONE TIME IN THE REAR AND NOT MORE THAN 3 BOATS PARKED IN FRONT
27 OF THE BUILDING. COMMISSIONER MARCHBANKS SECONDED THE
28 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

35 THE MOTION CARRIED UNANIMOUSLY.

36
37 **8. Public Hearing** – *Ordinance Amendment, LCC 17.48 Commercial Zones*. This item
38 was continued from the March 24, 2015 Planning Commission meeting. Lindon
39 City requests approval of an Ordinance Amendment to LCC 17.48 Commercial
40 Zones that will increase the building height limit in the Planned Commercial 1 (PC-
41 1) zone. Recommendations will be made to the City Council at the next available
42 meeting.

43
44 COMMISSIONER KALLAS MOVED TO OPEN THE PUBLIC HEARING.
45 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
46 VOTED IN FAVOR. THE MOTION CARRIED.

2 Hugh Van Wagenen, Planning Director, opened the discussion by giving a brief
overview of this agenda item. Mr. Van Wagenen noted that Willy Blocker (representing
4 ownership) is in attendance tonight to address the Commission. Mr. Van Wagenen
explained this item was continued from the March 24, 2015 Planning Commission
6 meeting. He noted that this request is for approval of an Ordinance Amendment to LCC
17.48 Commercial Zones that will increase the building height limit in the Planned
8 Commercial 1 (PC-1) zone and recommendations will be made to the City Council at
their next available meeting.

10 Mr. Van Wagenen stated that Lindon City Code stated the purpose of the
Planned Commercial zones is to “provide for development of regional commercial
12 centers.” He noted that the Planned Commercial zones in Lindon have access to some of
the best telecommunications infrastructure in the United States. He also mentioned that
14 there is a lot of momentum in the area for both large and small technology companies as
evidenced by the activity in the Lehi area.

16 Mr. Van Wagenen explained that Lindon is ideally located to be a central node in
the expanding tech movement with the existing infrastructure mentioned above and also
18 as the Lehi area becomes over saturated. Mecca Holdings, owners of the Canopy Office
Park and one of the vacant lots in the Planned Commercial zones, has indicated that
20 increasing the current maximum building height from 48 feet to 110 feet would greatly
enhance their recruitment efforts with large tech companies. He noted that allowing a
22 100+ foot building in the Planned Commercial zones eliminates a barrier for a large
company looking to locate near world class telecommunications infrastructure, an I-15
24 interchange, and the middle of Utah Valley. Mr. Van Wagenen then referenced for
discussion aerial & zoning photos showing distances to the residential areas and the
26 conceptual size comparisons and also the proposed amendment.

Mr. Van Wagenen then turned the time over to Mr. Blocker to address the
28 Commission noting Mr. Blocker has also provided some drawings and renderings for
review. Mr. Blocker stated they own 10 acres north of Home Depot. He stated he asked
30 his architect as to what size building could be put there given the parameters of the city
i.e., building height, parking, landscaping etc. He also told the architect to orient the
32 building so it has a view of Mt. Timpanogos. Mr. Blocker pointed out that this will be a
landmark building and will give a lot of exposure to the City. He then referenced the
34 view lines pointing out that the parcel is a long narrow site. Mr. Blocker noted there is a
terrace included in the rendering which would also be a nice amenity. He stated the total
36 square footage of the building is 189,000 square feet noting the problem they are
running into is the cost of construction relative to the land and they would need a large
38 enough footprint to be able to do the job because the market is driving this and as a
result they would have to cut off a portion of the building and would need to go higher.

40 Chairperson Call inquired if a building of that size and height goes in how would
it impact the residents above the site as far as their view of lake, etc. Commissioner
42 McDonald stated the nice thing about this particular site is that the road goes up to 400
west and continues to climb up into the residential neighborhood. Mr. Blocker
44 referenced a photo showing the houses on the crest of the road stating the building will
not diminish their view of the lake as the existing structures currently block the view.
46 Mr. Van Wagenen stated that Mr. Blocker is aware that the neighbors will be notified of

2 this change. He noted there is a significant slope difference from where the building
would start to where the neighborhoods begin.

4 Chairperson Call inquired what would happen to their project if the requested
height is not approved and it was limited to 80 ft. Mr. Blocker stated the project would
6 not be permitted and they could not go through with it because it would not “pencil out”
at 80 ft. He added that they would have to shorten the building and go up to get more
8 ground to facilitate enough parking; that is the tradeoff. Mr. Van Wagenen stated that
staff’s perspective is that making a landmark building located on an existing interchange
10 with an office park and other businesses in the area may be a great site for the in-fill with
the prominence it would bring to the city; not only with the infrastructure.

12 Chairperson Call asked staff if approving this at 110’ will also increase the height
limit for any area in the city. Mr. Van Wagenen referenced the zone map showing the
14 changes in the PC zones. He explained that there are currently 2 vacant parcels in the PC
zone (including the parcel in question) the other being the parcel across the street owned
16 by the Larry H. Miller Group. He noted that because of its size limitation it is not
practical to go up to provide parking for whatever the building space will be; currently
18 there is only the one “pocket” of PC zone in the city. Commissioner McDonald asked if
this is the only vacant PC1 zone in the city and mentioned the concerns with the traffic
20 issues with the office buildings. Mr. Blocker commented that the traffic issue and also
being on 1600 north is relative because being right off of the freeway interchange is their
22 selling point.

Councilmember Bean asked for confirmation what is driving the parking ratio and
24 what is the city requiring for the parking ratio. Mr. Blocker stated that the ratio is 2 per
thousand. Mr. Van Wagenen commented that it varies but 4 per thousand is the high end
26 of what the city requires and noted it is a market driven requirement. Councilmember
Bean commented that what Mr. Blocker is talking about is a market driven requirement
28 not a city requirement because they are looking at more productive work spaces with
more employees in smaller spaces so they need more parking. He noted the city does not
30 require underground parking and questioned if that is something they would consider so
they could meet their parking needs without having to go so high. Mr. Blocker confirmed
32 they have looked at underground parking but the costs would put the project completely
out of touch and it would not pencil out. Commissioner Kallas questioned what the
34 building heights are at Thanksgiving Point. Mr. Blocker stated he believes the tallest
building there is approximately 100 ft. Commissioner Marchbanks pointed out the high
36 costs of underground parking causes other effects and that is where it just wouldn’t pencil
out.

38 Councilmember Bean pointed out a lot of buildings are doing underground
parking and he feels if Mr. Blocker is asking to do something significantly different from
40 what the current zoning allows (more than doubling the building height) then it seems the
applicant should be willing to look at other ways to ameliorate the problem besides going
42 higher on the building. Chairperson Call agreed that a lot of new structures are utilizing
underground parking. Mr. Blocker stated they reached the water table at about 14 ft. on
44 the other building in the area which may also pose a problem in this proposed location
regarding underground parking. There was then some general discussion regarding the
46 parking issues. Mr. Blocker stated they would love to have the variance to be able to have
the flexibility, but if they cannot get approval they will deal with what they have because
48 they have already purchased the property.

2 Commissioner McDonald stated he likes the proposal and he sees it as the wave
of the future with being higher and bigger and seems like a good fit for the parcel and it
4 will not impact other areas of the city. Commissioner Wily agreed with that statement
adding that he likes the ideas of a beautiful Class A office structure with terrific visibility
6 from the freeway that would be an “anchor” to the Lindon Technology Park. He went on
to say that we are fortunate with the topography of the land that it will have little impact
8 on the residential community in the area, but will have a lot of impact from freeway
views. Chairperson Call stated we need to ensure that the residents in the area are notified
10 before it comes to the City Council. Mr. Van Wagenen asked if it would help to have a
building rendering showing how it would affect the skyline.

12 Commissioner Kallas expressed that he does not see this as being an offensive
move or negative as it is right by the freeway and it appears to be a nice building.
14 However, he would suggest, when making an ordinance change like this, that the
developer attend a community meeting/open house to present the proposal to the
16 residents so they are made aware of it and to have their feedback heard. Commissioner
Skinner commented that the more information given to the residents the more likely they
18 are to warm up to the idea. He also feel this is a forward thinking plan and there are a lot
of benefits to be accrued with the City of Lindon becoming a tech center with the
20 infrastructure that is already there; it could be a win-win situation but also agrees the
neighbors should be involved. Commissioner Marchbanks gave some history stating he
22 spent 2 years going door to door to the neighbors in the area when that location was
originally developed and he feels if this is presented to them in a round table meeting
24 forum there is a good chance they will warm up to the idea; it would be short-sided to try
and circumvent that step.

26 Mr. Van Wagenen noted that staff has already done the appropriate noticing and
can notice more specifically if needed as to advertise some public meetings/open houses
28 etc. He noted this has been an ongoing discussion with Mr. Blocker for several years and
from what he is hearing tonight the feedback is to keep pursuing the proposal and have
30 more discussion and come to a potential decision. Mr. Van Wagenen would suggest
continuing this item tonight and noted it will come back as a concept review at a later
32 date.

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

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

40 Chairperson Call called for any further comments or discussion from the
Commissioners. Hearing none she called for a motion.

42 COMMISSIONER KALLAS MOVED TO RECOMMEND CONTINUATION
44 OF ORDINANCE AMENDMENT 2015-10-O TO A LATER DATE.
COMMISSIONER SKINNER SECONDED THE MOTION. THE VOTE WAS
46 RECORDED AS FOLLOWS:

48 CHAIRPERSON CALL AYE
COMMISSIONER WILY AYE

2 COMMISSIONER KALLAS AYE
COMMISSIONER MCDONALD AYE
4 COMMISSIONER SKINNER AYE
COMMISSIONER MARCHBANKS AYE
6 THE MOTION CARRIED UNANIMOUSLY.

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

10 Chairperson Call mentioned that she toured the new Reflections Treatment
12 facility and noted they did a very nice job and they already have several clients. Mr.
14 Cullimore mentioned that they received their state and city licenses last week and they
16 are in place. Chairperson Call added that she noticed they frosted the upper floor
18 windows that was not required and hired a neighbor across the street to do the painting so
it seems they are reaching out to have a good relationship with the neighbors. There was
then some additional discussion regarding the treatment center. Chairperson Call asked if
there has there been any efforts made to appoint a new Planning Commission member.
Mr. Van Wagenen stated they are still in the process and if anyone knows of a possible
candidate to please let him know.

20 Commissioner Wily mentioned at the last meeting they discussed the annual
22 reviews of group homes and if staff can approve those without a review if there are no
24 issues. Mr. Van Wagenen stated they are reviewing the group home ordinance along
with City Attorney, Brian Haws, and they are looking at re-vamping the ordinance and it
should be completed in the near future and will be brought back before the Commission.
Commissioner Wily also mentioned that Center Street looks much better with the bushes
and weeds cut off of the fence and noted it makes a big difference. Commissioner Kallas
asked about the status of the recent Kids Village application. Mr. Van Wagenen stated
that the applicant has pulled the application due to financial issues. Apparently they were
able to purchase their current building and are staying at that location.

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

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34 10. **Planning Director Report**–

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

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- Osmond Senior Living Tour – Tuesday, April 28th at 6:00pm

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

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42 **ADJOURN** –

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44 COMMISSIONER MCDONALD MADE A MOTION TO ADJOURN THE
MEETING AT 10:10 P.M. COMMISSIONER SKINNER SECONDED THE MOTION.
ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – April 28, 2015

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Sharon Call, Chairperson

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Hugh Van Wagenen, Planning Director