

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
4 **May 12, 2015 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: Rob Kallas, Commissioner  
10 Pledge of Allegiance: Bob Wily, Commissioner

|  |                              |
|--|------------------------------|
| 12 <b><u>PRESENT</u></b>               | <b><u>ABSENT</u></b>         |
| Sharon Call, Chairperson               | Andrew Skinner, Commissioner |
| 14 Bob Wily, Commissioner              |                              |
| Mike Marchbanks, Commissioner          |                              |
| 16 Rob Kallas, Commissioner            |                              |
| Matt McDonald, Commissioner            |                              |
| 18 Hugh Van Wagenen, Planning Director |                              |
| Jordan Cullimore, Associate Planner    |                              |
| 20 Kathy Moosman, City Recorder        |                              |

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

- 24
- 26 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
  - 28 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of April 14, 2015  
were reviewed.

30 COMMISSIONER MCDONALD MOVED TO APPROVE THE MINUTES OF  
32 THE REGULAR MEETING OF APRIL 14, 2015 AS PRESENTED. COMMISSIONER  
MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.  
THE MOTION CARRIED.

34 3. **PUBLIC COMMENT** –

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

40 **CURRENT BUSINESS** –

- 42 4. **Site Plan** – *Intermountain Precision Casting, approx. 1200 West 400 North.* Todd  
44 Veenker of Intermountain Precision Casting requests site plan approval of an  
industrial building at approximately 1200 West 400 North in the Light Industrial (LI)  
zone.

46  
48 Hugh Van Wagenen, Planning Director, led this discussion by explaining Todd  
Veenker is in attendance representing Intermountain Precision Casting and is requesting

2 site plan approval of an industrial building at approximately 1200 West 400 North in the  
Light Industrial (LI) zone. Mr. Van Wagenen stated Mr. Veenker is proposing to  
4 construct an 8,508 square foot concrete tilt-up office/manufacturing building on Lot 7  
Lakeview Industrial Park Plat A with the lot being located in the Light Industrial zone.  
6 He noted that Intermountain Precision Casting owns and operates the building to the east.  
He went on to say this request would allow them to expand their existing operation,  
8 although it will be a standalone building.

Mr. Van Wagenen explained the building will consist of 6,747 s.f. of  
10 manufacturing space (1 stall per 750 sf) and 2,475 sf of office space (1 stall per 350 sf).  
This requires 9 stalls and 7 stalls respectively for a total of 16 stalls, which includes one  
12 ADA stall. He noted Mr. Veenker is providing 9 on-site parking spaces with the  
remaining 7 stalls to be provided via a shared parking agreement with MS Industrial  
14 Properties that has an existing parking lot on the south side of 400 North. He mentioned  
that City Code allows for shared parking agreements, but the agreement would have to be  
16 perpetual with no expiration date. He stated this perpetual agreement has not yet been  
provided to the City and should be a condition of approval. He noted that two bicycle  
18 parking stalls are required in the LI zone and only one is currently shown.  
He then referenced the summary of parking requirements as follows:

- 20 • Vehicle Spaces Required: 16
- Vehicle Space Provided: 16 (9 on-site, 7 off-site)
- 22 • Bicycle Spaces Required: 2
- Bicycle Spaces Provided: 1

24  
Mr. Van Wagenen further explained the Light Industrial zone requires a 20'  
26 landscaped strip along all street frontages with trees planted within the strip every 30' on  
center. He noted that thirty percent of the frontage landscaping may be landscaped with  
28 non-living materials other than grass. He stated that Mr. Veenker is proposing grass and  
gravel in the parkstrip, with the gravel area taking up about 25% of the area; this is within  
30 code parameters. However, only one tree is being shown in the landscape strips. Three  
trees are required on the southern park strip (97 ft. /30 ft.) and 5 trees on the west  
32 parkstrip (139 ft. /30 ft.). Mr. Van Wagenen stated that meeting this requirement should  
also be a condition of approval.

34 Mr. Van Wagenen went on to say the Code requires that interior landscaping must  
be provided for parking lots exceeding 10 stalls at 40 square feet per required stall and  
36 that at least 75% of the ground cover must consist of living vegetation. The site proposes  
9 on-site parking stalls, which will require at least 360 square feet of interior landscaping,  
38 exclusive of the required landscaped strip along street frontage; this seems appropriate as  
7 required stalls are being provided off-site. Mr. Van Wagenen stated the submitted  
40 landscaping plan proposes 395 square feet of interior grass turf landscaping and the  
landscaping plan complies with the intent of the interior landscaping requirement.

42 Mr. Van Wagenen commented that the Code requires that all buildings in the  
Light Industrial Zone must be “aesthetically pleasing, well-proportioned buildings which  
44 blend with the surrounding property and structures.” He stated that Mr. Veenker is  
proposing to construct a painted concrete tilt up building, which is allowed by the Code,  
46 and is subject to the following standards:

- 2 • Painted or colored concrete exteriors are permitted if the shade of each color is  
4 consistent and if the building is also finished with additional architectural details  
6 such as entrance canopies, wrought iron railings and finishes, shutters, multi-level  
porches, metal shades, and metal awnings.

8 Mr. Van Wagenen explained that the building proposed by Mr. Veenker will  
include painted tilt-up finishes, and will also incorporate a metal entrance canopy and  
10 brick finishes on the exterior. He noted the elevations and an artist's rendering of the  
proposed building are included in the packets. He mentioned that the Code requires  
12 buildings in the LI zone to be earth-tone colors. Mr. Van Wagenen stated that this  
proposed structure satisfies setback and height requirements in the LI zone.

14 He went on to say that Mr. Veenker is also proposing that an existing dumpster on  
the lot to the east be used as a shared dumpster between the two facilities. He noted a  
16 shared dumpster agreement must be provided to the City and should also be a condition  
of approval. Mr. Van Wagenen stated the City Engineer is working through several small  
18 technical issues related to the site and they will ensure all engineering related issues are  
resolved before final approval is granted. Mr. Van Wagenen then referenced an aerial  
20 photo of the site and surrounding area, photos of the site, site/landscaping plan, elevations  
and rendering of the proposed building and the earth-tone color palette followed by  
discussion. Mr. Van Wagenen then turned the time over to Mr. Veenker for comment.

22 Mr. Veenker stated he has a proposed parking agreement with Martin Snow from  
MS Properties and also a secondary proposal on other parking opportunities so either way  
24 they feel confident they can resolve any parking issues. Chairperson Call asked about the  
issue of the required trees. Mr. Veenker mentioned when they originally submitted the  
26 application they considered a zeroscape option with a variance, but since that time they  
have elected to maintain adhering to the current ordinance in place. He noted they did a  
28 preliminary layout that falls right in line with what Mr. Van Wagenen indicated above.  
He added that they anticipate providing the required trees and also any other comments or  
30 issues from the Planning Department. Mr. Veenker also addressed the shared dumpster  
issue stating they will provide some literature on this issue noting it will show two  
32 dumpsters on the application, as they have a need for two dumpsters.

34 Commissioner Kallas asked for clarification on the architectural feature. Mr.  
Veenker stated the feature serves several different functions: a) It will serve as an entry  
and b) It will provide some shading. Commissioner Kallas also asked the applicant if they  
36 would be opposed to putting in metal anchored awnings on the front two windows as it  
may be helpful for shade and would satisfy the requirement. Mr. Veenker replied  
38 awnings can be effective for shade and stated they would not be opposed to adding the  
awnings; it would not be a difficult thing to entertain. Mr. Veenker mentioned, in regards  
40 to the acid stain, that they originally proposed to acid stain the entire building, but have  
since changed from that because of the adjacent facility (galvanizing plant) that actually  
42 has detrimental effects on the materials that would fade over time so they felt they could  
get truer colors from the paint. Commissioner McDonald inquired if they will be doing  
44 the same type of work in both buildings. Mr. Veenker confirmed that statement stating  
they are just expanding.

46 Following some general discussion Chairperson Call called for any further  
comments or questions from the Commissioners. Hearing none she called for a motion.  
48

2 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S  
3 REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS:  
4 1. A PARKING AGREEMENT EITHER ACCESS, PERPETUAL OR CONDITIONAL  
5 PERMISSION BE WORKED OUT SUITABLE TO STAFF REQUIREMENTS AND 2.  
6 TWO BICYCLE STALLS BE PROVIDED AND 3. TREES BE DESIGNED TO MEET  
7 CITY REQUIREMENTS AND 4. THAT ARCHITECTURAL FEATURES ON THE  
8 BUILDING BE ADDED TO MEET CITY REQUIREMENTS AND 5. DUMPSTER  
9 ARRANGEMENTS BE MADE FOR AN ADDITIONAL DUMPSTER AS  
10 INDICATED. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE  
11 VOTE WAS RECORDED AS FOLLOWS:

12 CHAIRPERSON CALL AYE  
13 COMMISSIONER WILY AYE  
14 COMMISSIONER KALLAS AYE  
15 COMMISSIONER MCDONALD AYE  
16 COMMISSIONER MARCHBANKS AYE  
17 THE MOTION CARRIED UNANIMOUSLY.

18  
19 5. **Site Plan** – *Prodigy Promos, approx. 122 South 1380 West.* Eli McQueen of Big-D  
20 Construction requests site plan approval of an office/warehouse building at  
21 approximately 1200 West 1380 South in the Light Industrial (LI) zone.

22  
23 Jordan Cullimore, Associate Planner, opened this agenda item by noting Eli  
24 McQueen of Big-D Construction (who is in attendance) is proposing to construct a  
25 16,320 office/warehouse building on lot 1 of Jacobsen Commercial Subdivision Plat B  
26 (adjacent to the Burton Lumber site). He noted this will be the second building placed on  
27 the lot, which is located in the Light Industrial (LI) zone.

28 Mr. Cullimore noted the proposed structure will consist of 6,070 square feet of  
29 office space and 10,250 square feet of warehouse space. He added the required parking  
30 ratio for office space is 1/350 square feet and the ratio for warehouse space is 1/1000  
31 square feet in the Light Industrial zone. Mr. Cullimore mentioned, according to these  
32 ratios, the total number of required parking stalls is 29, with at least 2 ADA accessible  
33 stalls. He commented that Mr. McQueen is proposing 29 parking stalls with 3 ADA  
34 spaces which satisfies the minimum requirement. Additionally, the Code requires 2  
35 bicycle parking stalls and the site plan proposes a bicycle rack with 2 slots to meet this  
36 requirement.

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

- 38 • Vehicle Spaces Required: 29
- 39 • Vehicle Space Provided: 29
- 40 • Bicycle Spaces Required: 2
- 41 • Bicycle Spaces Provided: 2

42  
43 Mr. Cullimore explained the Light Industrial zone requires a 20' landscaped strip  
44 along all street frontages with trees planted within the strip every 30' on center. He noted  
45 that thirty percent of the frontage landscaping may be landscaped with non-living  
46 materials other than grass; the proposed site plan satisfies these requirements. He added  
47 that the Code also requires that interior landscaping must be provided at 40 square feet  
48 per required stall and that at least 75% of the ground cover must consist of living

2 vegetation. He commented that this site proposes 29 parking stalls, which will require at  
4 least 1,160 square feet of interior landscaping, exclusive of the required landscaped strip  
along street frontage.

6 Mr. Cullimore explained that the submitted landscaping plan proposes 3,112  
square feet of interior landscaping with 2,580 square feet of living vegetation, which  
8 easily exceeds the minimum square footage requirement and meets the 75% living  
vegetation requirement for interior landscaping. He added that the code also requires 1  
interior tree per 10 required parking stalls and the proposed site plan includes 4 interior  
10 trees to satisfy this requirement.

12 Mr. Cullimore further explained that the Code requires that all buildings in the  
Light Industrial Zone must be “aesthetically pleasing, well-proportioned buildings that  
will blend well with the surrounding property and structures.” The code also requires the  
14 following requirements:

- 16 • 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.  
18 Precast concrete or concrete tilt-up buildings also meet the architectural treatment  
requirement, subject to the standards in section 17.49.070(2).  
20

22 Mr. Cullimore went on to explain that the proposed structure will be constructed  
entirely of concrete block or split face concrete block to meet this requirement. The Code  
also requires buildings in the LI zone to be earth-tone colors. He noted the proposed  
24 structure satisfies setback and height requirements in the LI zone.

26 Mr. Cullimore stated the City Engineer is working through the technical issues  
related to the site and they will ensure all engineering related issues are resolved before  
final approval is granted. Mr. Cullimore then referenced for discussion an aerial photo of  
28 the site and surrounding area, photos of the site, site plan, landscaping plan, colored  
elevations of proposed building and the earth-tone color palette followed by some general  
30 discussion. Mr. Cullimore then turned the time over to the applicant for comments.

32 Commissioner Kallas inquired what the nature of their business is (Prodigy  
Promos). Mr. McQueen stated they do advertising (t-shirts, vinyl), for workout facilities,  
fun runs etc. He added they are expanding their warehouse to get a “flow” to their  
34 facility. There was then some brief discussion regarding concrete tilt up and split face  
block options. Mr. Cullimore stated staff will put something together to address this issue  
36 and bring it back for further discussion. Chairperson Call observed this appears to meet,  
and in some areas exceed, all requirements and codes.

38 Following discussion Chairperson Call asked if there were any further questions  
or comments. Hearing none she called for a motion.  
40

42 COMMISSIONER MCDONALD MOVED TO APPROVE THE APPLICANT’S  
REQUEST FOR SITE PLAN APPROVAL WITH NO CONDITIONS.  
COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS  
44 RECORDED AS FOLLOWS:

|                          |     |
|--------------------------|-----|
| 46 CHAIRPERSON CALL      | AYE |
| COMMISSIONER WILY        | AYE |
| COMMISSIONER KALLAS      | AYE |
| 48 COMMISSIONER MCDONALD | AYE |

2 COMMISSIONER MARCHBANKS AYE  
THE MOTION CARRIED UNANIMOUSLY.

4

6 6. **\*Continued\* Public Hearing:** *Ordinance Amendment – 17.57 Hillside Protection*  
*District. This item has been continued to the next available Planning*  
8 **Commission meeting.** Brandon Jones requests approval of an ordinance amendment  
to LCC 17.57 Hillside Protection District to allow lots meeting certain conditions to  
be exempted from the requirements of the Hillside Protection District.

10

12 Mr. Cullimore stated this item has been continued to the next Planning  
Commission meeting in order to allow the City Engineer to gather more information  
14 regarding the Hillside Protection District. Chairperson Call asked if there were any  
questions or comments. Hearing none she called for a motion to continue this agenda  
item.

16

18 COMMISSIONER MARCHBANKS MOVED TO CONTINUE ORDINANCE  
AMENDMENT 17.57 HILLSIDE PROTECTION DISTRICT TO THE NEXT  
MEETING. COMMISSIONER MCDONALD SECONDED THE MOTION. THE  
20 VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE

22 COMMISSIONER WILY AYE

COMMISSIONER KALLAS AYE

24 COMMISSIONER MCDONALD AYE

COMMISSIONER MARCHBANKS AYE

26 THE MOTION CARRIED UNANIMOUSLY.

28 7. **Public Hearing** – *Ordinance Amendment, 17.76 PRD Overlay Zone.* Chris Knapp of  
Ridgeway Construction requests approval of an Ordinance Amendment to enact  
30 Lindon City Code (LCC) 17.76 Planned Residential Development Overlay (PRD  
Overlay) Zone. This overlay zone would permit multi-family development on  
32 commercial properties to which the overlay zone is applied.

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

38 Mr. Cullimore explained that the applicant, Chris Knapp (who is in attendance),  
recently approached the Planning Commission and City Council through a concept  
40 review requesting feedback on a proposal to construct multi-family housing on the lots  
located at 520/530 South 400 West. He noted that based upon the feedback received  
42 from the Planning Commission and City Council, Mr. Knapp subsequently applied for an  
ordinance amendment to create a zone that will accommodate the applicant's project  
44 proposal. Mr. Cullimore then referenced the draft ordinance noting this ordinance will  
create a zone that should accommodate Mr. Knapp's request. Mr. Cullimore pointed out  
46 that additionally, at the request of future applicants, the City Council could potentially  
apply the overlay zone to other commercial properties where appropriate. He noted that

2 the City Engineer has reviewed these processes and feels comfortable with them and will  
accommodate all engineering and technical requirements that need to be considered.

4 Mr. Cullimore then referenced the highlights of the proposed ordinance as follows:

- 6 • The purposes of the proposed ordinance include creating diverse and unique  
housing options, and effectively using unique commercial properties that do not  
naturally accommodate traditional commercial development patterns.
- 8 • The zone may only be applied to commercial zones through a zone map  
amendment approved by the City Council.
- 10 • The proposed ordinance would allow multi-family developments at a density of  
10 units to the acre, and the maximum allowable size of a development would be  
12 one (1) acre because of the intent to keep these projects smaller.
- 14 • The development standards, including height, setbacks, landscaping, parking, and  
architectural treatment requirements are described in section 17.76.110 of the  
proposed ordinance.

16  
18 Mr. Cullimore also referenced the proposed PRD Overlay Ordinance followed by  
some general discussion. Commissioner Kallas asked for clarification of the theory of  
this ordinance noting currently there is not an ordinance for multi-family housing other  
20 than in residential zones with the R2 Overlay. He questioned if this amendment is opening  
the door for a variety of multi-family housing units sprinkled throughout the city (mainly  
22 along State Street); could this be done for just this parcel as to not require an ordinance  
amendment. Mr. Cullimore stated because these are legal-non conforming lots a re-zone  
24 could be done and go to the R1-20 zone, but part of the problem is that the district these  
lots would be included in (in the residential zone) is full, as there is a multi-family  
26 allowance. He stated the alternative thought with these non-traditional commercial  
properties was to create an ordinance that would allow the City Council to permit  
28 residential units on those lots in certain instances. He commented that the crux of this is  
that it is totally at the discretion of the City Council, so it does not open it up to  
30 residential development or will be spotty throughout the commercial zone.

32 Chairperson Call pointed out with these types of applications the City Council  
would have the final authority and questioned if the applications would come before the  
Planning Commission first. Mr. Cullimore confirmed that statement stating the Planning  
34 Commission would be the recommending body so they would look at it first to ensure it  
was in the public interest and then recommend their decision to the City Council.

36 Commissioner Wily commented that keeping these as a small and unique  
situation along with developers working with staff to meet the requirements will monitor  
38 it. He noted the Planning Commission can make the decision whether to send it on to the  
City Council or not so he feels this won't get overused. Mr. Cullimore agreed with that  
40 statement noting that more than likely it won't get overused. Commissioner McDonald  
questioned exterior finishes and the residential guidelines. Mr. Cullimore stated  
42 residential areas are not regulated by architectural design guidelines only in commercial  
zones. There was then some additional discussion regarding this issue. Mr. Cullimore  
44 stated there are a number consistent measures in place to ensure all requirements are  
conformed with and that it is in the public interest. Councilmember Bean asked for  
46 clarification from staff if this proposed overlay zone is the same as any other overlay  
zone including the Senior Housing Facility Overlay zone, as they can be placed any place  
48 in the city with a recommendation from the Commission and approval or not from the

2 City Council. Mr. Van Wagenen replied that the bottom line is if it is not in the public's  
4 best interest then it will not be approved. Commissioner Wily commended staff for the  
nicely laid out ordinance and great work.

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

8 COMMISSIONER MARCHBANKS MOVED TO RECOMMEND APPROVAL  
10 TO THE CITY COUNCIL ORDINANCE AMENDMENT 2015-11-O AS  
PRESENTED. COMMISSIONER WILY SECONDED THE MOTION. THE VOTE  
WAS RECORDED AS FOLLOWS:

12 CHAIRPERSON CALL AYE  
13 COMMISSIONER WILY AYE  
14 COMMISSIONER KALLAS AYE  
15 COMMISSIONER MCDONALD AYE  
16 COMMISSIONER MARCHBANKS AYE  
17 THE MOTION CARRIED UNANIMOUSLY.

18

19 *Chairperson Call returned to this agenda item from agenda item #9 to amend the*  
20 *previous recorded motion. She then called for an amended motion as follows.*

22 COMMISSIONER KALLAS MOVED TO AMEND THE  
23 RECOMMENDATION FOR APPROVAL OF ORDINANCE AMENDMENT 2015-11-  
24 O IN SECTION 17.76.110 8B TO READ PATIO LIMITED COMMON AREA  
25 FENCES THE PATIO COMMON AREA ADJACENT TO THE REAR DWELLING  
26 UNIT MAY BE ENCLOSED WITH A 6 FT. HIGH MAXIMUM FENCE AND TO  
27 STRIKE THE REST OF THE PARAGRAPH. COMMISSIONER MARCHBANKS  
28 SECONDED THE 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 MARCHBANKS AYE  
34 THE MOTION CARRIED UNANIMOUSLY.

36 8. **Public Hearing** – *Zone Map Amendment, approx. 520/530 South 400 West.* Chris  
37 Knapp of Ridgeway Construction requests approval of a Zone Map Amendment to  
38 apply the Planned Residential Development Overlay (PRD Overlay) Zone to parcels  
40 located at approximately 520/530 South 400 West in the General Commercial (CG)  
Zone. The application of the PRD Overlay Zone would permit multi-family housing  
units on the properties.

42

43 Mr. Cullimore also led this discussion by stating since the ordinance has been  
44 approved in the previous action, Chris Knapp is now requesting approval to apply the  
PRD Overlay zone to the lots at 520/530 South 400 West so that he can move forward  
46 with his proposal. Mr. Cullimore explained that any recommendation made by the

2 Planning Commission to the City Council would be subject to the PRD Overlay zone  
being approved and enacted by the City Council.

4 Mr. Cullimore stated 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  
6 subsection states that the “planning commission shall recommend adoption of a proposed  
amendment only where the following findings are made:

- 8 o The proposed amendment is in accord with the master plan of Lindon  
City;
- 10 o Changed or changing conditions make the proposed amendment  
reasonably necessary to carry out the purposes of the division.”

12  
14 Mr. Cullimore explained that the stated purpose of the General Commercial Zone  
is to “promote commercial and service uses for general community shopping.” Further,  
the “objective in establishing commercial zones is to provide areas within the City where  
16 commercial and service uses may be located.” Commercial zones include the CG, CG-A,  
CG-A8, CG-S, PC-1, and PC-2 zones.

18 Mr. Cullimore then referenced an aerial photo and photographs of the proposed  
lots to be reclassified and the conceptual site plan and conceptual renderings followed by  
20 some general discussion. Mr. Cullimore noted that once all the processes are in place Mr.  
Knapp will come back to the Commission with a PRD site plan and final plat application  
22 for approval of the project. Mr. Knapp asked at this time if the site plan and elevations  
included are applicable to the process now. Mr. Cullimore stated he will have to come  
24 back to the Commission with the final site plan after approval from the Council. Mr.  
Knapp also mentioned they are considering putting in patios. Mr. Cullimore stated that  
26 shouldn’t be an issue and read the section in the ordinance regarding the limited common  
area. He noted if this is something that will not work for Mr. Knapp’s project should that  
28 section be stricken from the ordinance. There was then some discussion by the  
Commission regarding the patio, fence, and limited common area. Mr. Cullimore stated  
30 the previous motion could be amended to include that the patio may be limited to  
common area and fences the patio common area adjacent to the rear dwelling unit may be  
32 enclosed with a 6 ft. high (maximum) fence.

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

36 COMMISSIONER MCDONALD MOVED TO RECOMMEND APPROVAL  
TO THE CITY COUNCIL APPROVAL OF ORDINANCE 2015-12-O APPLY THE  
38 PRD OVERLAY ZONE TO UTAH COUNTY PARCEL ID’S 17:016:0144 AND  
17:016:0143 WITH THE SITE PLAN ON PAGE 54. COMMISSIONER WILY  
40 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

2 *At this time Chairperson Call returned to agenda item #8 to call for an amendment to the*  
3 *previously recorded motion.*

4

5 9. **Public Hearing** – *Zone Map Amendment, Lindon City Community Center.* Lindon  
6 City requests approval of a Zone Map Amendment from General Commercial (CG)  
7 to Public Facilities (PF) on properties identified by Utah County Parcel IDs  
8 14:069:0045, 14:069:0105, 14:069:0070, and from Single Family Residential (R1-  
9 20) to Public Facilities (PF) on properties identified by Utah County Parcel IDs  
10 14:069:0069, 14:069:0261.

11 Mr. Cullimore led this agenda item by noting it is a staff initiated request. He  
12 noted the subject parcels of this request are owned by Lindon City and encompass the  
13 Lindon Community Center and a parking lot that is used for Aquatic Center parking. He  
14 commented that the Public Facilities zone is a catch-all zone for city owned and  
15 maintained property. Mr. Cullimore stated the City has never taken the steps to formally  
16 rezone these parcels to the Public Facilities zone; this is a request to take those steps and  
17 is essentially considered a housekeeping item to a degree.

- 18
- 19 • Subsection 17.04.090(2) of the Lindon City Code establishes the factors to review  
20 when considering a request for a zone change. The subsection states that the  
21 “planning commission shall recommend adoption of a proposed amendment only  
22 where the following findings are made:
    - 23 ○ The proposed amendment is in accord with the master plan of Lindon  
24 City;
    - 25 ○ Changed or changing conditions make the proposed amendment  
26 reasonably necessary to carry out the purposes of the division.”
  - 27 • The stated purpose of the General Commercial Zone is to “promote commercial  
28 and service uses for general community shopping.” Further, the “objective in  
29 establishing commercial zones is to provide areas within the City where  
30 commercial and service uses may be located.” Commercial zones include the CG,  
31 CG-A, CG-A8, CG-S, PC-1, and PC-2 zones.

32

33 Mr. Cullimore then referenced an aerial photo of the proposed area to be re-  
34 classified. Chairperson Call called for any comments or discussion from the  
35 Commissioners. Hearing none she called for a motion.

36

37 COMMISSIONER WILY MOVED TO RECOMMEND TO THE CITY  
38 COUNCIL APPROVAL OF ORDINANCE 2015-13-O TO CHANGE THE ZONING  
39 DESIGNATION OF THE SUBJECT LOTS FROM GENERAL COMMERCIAL (CG)  
40 AND SINGLE FAMILY RESIDENTIAL (R1-20) TO PUBLIC FACILITIES (PF)  
41 WITH NO CONDITIONS. COMMISSIONER MARCHBANKS  
42 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

43

|                            |     |
|----------------------------|-----|
| 44 CHAIRPERSON CALL        | AYE |
| 45 COMMISSIONER WILY       | AYE |
| 46 COMMISSIONER KALLAS     | AYE |
| 47 COMMISSIONER MCDONALD   | AYE |
| 48 COMMISSIONER MARCHBANKS | AYE |

2 THE MOTION CARRIED UNANIMOUSLY.

4 10. **Public Hearing** – *Ordinance Amendment, 8.24 Pheasant Hunting & 9.24 Weapons.*  
Lindon City requests approval of an Ordinance Amendment to LCC 8.24 Pheasant  
6 Hunting and 9.24 Weapons to clarify legal hunting areas within city limits.  
14:069:0261.

8  
Mr. Van Wagenen led this discussion by giving a brief overview of this agenda  
10 item. Mr. Van Wagenen noted the existing Lindon City Pheasant Hunting ordinance was  
adopted in 1985, when there was much more open space in Lindon than currently exists.  
12 The ordinance references a map from 1979 designating “No Hunting” areas. Mr. Van  
Wagenen stated this map is extremely out dated and requires updating with the amount of  
14 development that has occurred over the last 40 years. He noted this is basically a  
housekeeping item and will bring this into conformance.

16 Mr. Van Wagenen stated that with the map update, there are also small code and  
language changes to align hunting and weapons discharge in the City. He noted that  
18 Police Chief, Cody Cullimore has been consulted on these changes and supports them.  
Mr. Van Wagenen then referenced Ordinance 2015-14-O, the Hunting Zone Map 2015  
20 and the Hunting Zone Map from 1979 followed by some general discussion.

Commissioner Marchbanks questioned if there is a provision that allows slaughter  
22 houses to come to a residence to slaughter beef onsite which would involve discharging a  
firearm and asked if an exception should be provided for these instances. Mr. Van  
24 Wagenen stated that is a good point to bring up and he will consult with Chief Cullimore  
on this issue and bring something back to the Commission. He would recommend  
26 continuing this item to the next meeting. Commissioner McDonald inquired if this  
includes air soft guns and paintball guns also. Mr. Van Wagenen stated he will confer  
28 with Chief Cullimore on this issue also.

At this time Chairperson Call called for any public comment. Hearing none she  
30 called for a motion to close the public hearing.

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

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

38  
COMMISSIONER KALLAS MOVED TO RECOMMEND CONTINUATION  
40 OF ORDINANCE AMENDMENT 2015-14-O FOR FURTHER DISCUSSION WITH  
POLICE CHIEF CODY CULLIMORE. COMMISSIONER MCDONALD SECONDED  
42 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

|                          |     |
|--------------------------|-----|
| CHAIRPERSON CALL         | AYE |
| 44 COMMISSIONER WILY     | AYE |
| COMMISSIONER KALLAS      | AYE |
| 46 COMMISSIONER MCDONALD | AYE |
| COMMISSIONER MARCHBANKS  | AYE |

48 THE MOTION CARRIED UNANIMOUSLY.

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

4 Chairperson Call mentioned the swim passes for the Aquatics Center that are  
6 offered to employees and elected officials. Mr. Van Wagenen stated the Planning  
8 Commission is eligible for the free pass and noted that applications are available to fill  
10 out turn in. He also mentioned the Employee pool party will be held on Thursday, June  
12 25<sup>th</sup> at 6:00 pm at the Aquatics Center and noted families are also invited to attend.

14 Chairperson Call inquired what the city code is regarding parking a large trailer  
16 on the side of the road without reflectors. She asked if the trailer was reported and the  
18 owners moved the trailer onto their lawn from the road is that allowed. Mr. Van  
20 Wagenen stated there are requirements as to where they can be parked and a certain time  
22 limit (not more than 48 hrs.) without moving. Mr. Cullimore read the code stating it is  
24 unlawful for anyone to park or store any vehicle without being 30 ft. back unless behind a  
26 site obscuring fence. He noted this is for safety reasons as well as for zoning reasons for  
28 not being properly stored. Chairperson Call also mentioned the watering restrictions of  
30 not watering between 10 am to 6 pm. She noted that is no more rigid than what has been  
in place before.

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

22 10. **Planning Director Report**–

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

- Ivory work session May 26<sup>th</sup> at 6:00 pm.
- Osmond Senior Living tour was informative and it was good to see the facility  
first hand.

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

32 **ADJOURN** –

34 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE  
36 MEETING AT 9:05 P.M. COMMISSIONER MCDONALD SECONDED THE  
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

38 Approved – May 26, 2015

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42 \_\_\_\_\_  
Sharon Call, Chairperson

44

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