

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **July 22, 2014 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: Mike Marchbanks, Vice Chair

Invocation: Bob Wily, Commissioner

10 Pledge of Allegiance: Andy Skinner, Commissioner

12 **PRESENT**

Mike Marchbanks, Commissioner

14 Rob Kallas, Commissioner

Bob Wily, Commissioner

16 Matt McDonald, Commissioner

Andrew Skinner, Commissioner

18 Hugh Van Wagenen, Planning Director

Jordan Cullimore, Associate Planner

20 Kathy Moosman, City Recorder

ABSENT

Sharon Call, Chairperson

Ron Anderson, Commissioner

22 **Special Attendee:**

Matt Bean, Councilmember

24

1. **CALL TO ORDER** – The meeting was called to order at 7:04 p.m.

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2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of July 8, 2014
28 were reviewed.

30 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE
REGULAR MEETING OF JULY 8, 2014 AS WRITTEN. COMMISSIONER WILY
32 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
CARRIED.

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3. **PUBLIC COMMENT** –

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At this time Vice Chair Marchbanks welcomed and introduced the two new
38 Planning Commissioners, Andy Skinner and Matt McDonald. The new Commissioners
then gave a brief introduction and background of themselves to the Commission. Vice
40 Chair Marchbanks called for comments from any audience member who wished to
address any issue not listed as an agenda item. There were no public comments.

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CURRENT BUSINESS –

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4. **Minor Subdivision** – *Noah's Life, Approx. 1976 W. 700 N.* Shaun Young of
46 Reynolds Construction requests preliminary subdivision approval, including
dedication of public streets, of a two (2) lot subdivision in the General Commercial
48 (CG) zone at approximately 1976 West 700 North.

2 Jordan Cullimore, Associate Planner, led the discussion by giving a brief
summary of this agenda item stating the applicant, Rob Reynolds with Reynolds
4 Construction is requesting preliminary subdivision approval, including dedication of
public streets, of a two (2) lot subdivision in the General Commercial (CG) zone at
6 approximately 1976 West 700 North. Vice Chair Marchbanks invited the applicants
forward.

8 Mr. Cullimore then gave a brief overview stating the proposed subdivision
involves two existing parcels. Parcel #47:254:0003 is currently lot 3 of the existing
10 Noah's Center Subdivision, Plat A. Parcel #14:057:0073 is an un-subdivided parcel with
a metes and bounds description. He mentioned the proposed subdivision will vacate lot 3
12 of Noah's Center Subdivision, plat A, and create three new parcels. He noted the
proposed subdivision will include two of the parcels as lots in the subdivision. The
14 remaining parcel will not be included in the subdivision, but will become a 90.997 sq. ft.
un-subdivided parcel. He went on to say that Lot #1 of the proposed subdivision will
16 become the site for a Noah's Life Events Center.

18 Mr. Cullimore stated that the applicant will voluntarily dedicate 8,710 square feet
of land as public right-of-way for a future master planned collector street. He noted the
City will not require the applicant to install the public street improvements at this time.
20 He added the street is not necessary to mitigate impacts created by the subdivision.
Mr. Cullimore then referenced the following analysis for discussion:

22 *Lot Requirements*

- Minimum lot size in the CG zone is 20,000 square feet.
 - Lot 1 will be 88,552 square feet.
 - Lot 2, because of the street right-of-way dedication, will be substandard at
26 13,742 square feet. If the subdivision is approved, the City will designate
Lot 2 as a legal nonconforming buildable lot since the right-of-way
28 alignment will make the lot nonconforming and is beyond the developer's
control.

30 *Other Requirements*

- Staff has determined that the proposed subdivision complies with all remaining
32 land use standards.
- The City Engineer is addressing engineering standards. All engineering issues
34 will be resolved before final approval is granted.

36 Mr. Cullimore stated this is pretty straightforward and meets the minor
subdivision requirements. Mr. Cullimore then referenced aerial photos of the site and
surrounding area, photographs of the existing site and site plan and the architectural
38 renderings followed by some general discussion. Vice Chair Marchbanks inquired who
will own the non-conforming lot. Mr. Reynolds stated they own the lot. Vice Chair
40 Marchbanks commented that is important because of the size of the lot and to also make
it viable and buildable later on.

42 Mr. Reynolds addressed the commission at this time stating he feels that Mr.
Cullimore explained and covered the main points. He also stated they dedicated the
44 ground that was recommended and thought it wise and prudent to the development of the
road and in the best interest of the community and agreed to do it. Vice Chair
46 Marchbanks asked if it will be their intent to develop the lot immediately or later if
needed. Mr. Reynolds stated they will do that later if needed.

2 Following some additional general discussion, Vice Chair Marchbanks called for
a motion.

4 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR APPROVAL OF A TWO LOT SUBDIVISION WITH THE NO
6 CONDITIONS. COMMISSIONER WILY SECONDED THE MOTION. THE VOTE
WAS RECORDED AS FOLLOWS:

8 VICE CHAIR MARCHBANKS AYE
COMMISSIONER KALLAS AYE
10 COMMISSIONER WILY AYE
COMMISSIONER MCDONALD AYE
12 COMMISSIONER SKINNER AYE
THE MOTION CARRIED UNANIMOUSLY.

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5. **Site Plan** – *Noah's Life, Approx. 1976 W. 700 N.* Shaun Young of Reynolds
16 Construction requests site plan approval of a 10,300 square foot commercial building
on lot 1 of the Noah's Life subdivision, located at approximately 1976 West 700
18 North in the General Commercial (CG) zone.

20 Hugh Van Wagenen, Planning Director, led the discussion by explaining this is a
request by Rob Reynolds of Reynolds Construction for site plan approval of a 10,300
22 square foot (approximately 2 acres) commercial building on lot #1 of the Noah's Life
subdivision, located at approximately 1976 West 700 North in the General Commercial
24 (CG) zone. Mr. Van Wagenen noted that wedding reception centers are permitted by
right in the CG zone. Mr. Van Wagenen explained the required parking ratio for
26 reception centers is 1 space/3.5 occupants at maximum occupancy. He noted the
submitted site plan used the calculation of 1 space/200 square feet, which is not the
28 correct ratio; maximum occupancy is listed at 432 persons and consequently, 123 spaces
will be required. Mr. Van Wagenen noted that LCC Section 17.18.077 allows for a
30 reduction in required stalls if the applicant can show that comparative uses do not require
more than what the applicant is proposing, and if the reduction is approved then the
32 applicant must provide a parking land bank for future potential uses; this land bank must
be landscaped. Mr. Van Wagenen further discussed the applicant could use lot 2 of the
34 subdivision as this land bank for the additional 37 spaces if they can show that the
number of spaces provided is sufficient based on comparative uses.

36 Mr. Van Wagenen went on to say that additionally, the site currently proposes 6
bicycle parking spaces and if the 123 space requirement is followed, the applicant will
38 need to provide an additional 4 parking stalls. Mr. Van Wagenen stated that staff
recommends, as a condition of approval, a requirement that the applicant resolve the
40 vehicle and bicycle parking issue in accordance with code requirements. He then
referenced the requirements followed by some general discussion:

42 **Summary of Parking Requirements:**

- 44 • Vehicle Spaces Required: 123 (Unless comparable use can be provided)
• Vehicle Space Provided: 86
46 • Bicycle Spaces Required: 10
• Bicycle Spaces Provided: 6

2 **Landscaping Standards:**

4 *Landscaped Strip Along Frontage:*

6 Mr. Van Wagenen noted the 700 North Corridor has a specific street cross section which includes a narrower landscaped strip than is typically required in the CG zone because there is a landscaped median on 700 North. The landscaping plan for this site complies with the required cross section, as it relates to the proposed dimensions.

8 *700 North Tree Plan:*

10 Mr. Van Wagenen stated the 700 North also includes a specific tree plan along the corridor. The submitted landscaping plan does not match the tree plan for 700 North. Staff recommends, as a condition of approval, a requirement that the landscaping plan be modified to incorporate the trees identified in the 700 North Tree Plan.

12 *Interior Landscaping:*

14 Mr. Van Wagenen added that the interior landscaping must be provided at 40 square feet per required stall. The site provides generous amounts of on-site landscaping, but the specific minimum amount to be required will be contingent upon how the parking requirement is addressed above. Staff recommends, as a condition of approval, that adequate interior landscaping be provided once the parking requirement is established.

20 **Architectural Standards:**

22 Mr. Van Wagenen mentioned that Lindon's Commercial Design guidelines, which govern architectural treatments in the CG zone, identify masonry building materials, such as brick, stone, and colored decorative concrete block as the preferred primary building material; and brick, stone, colored decorative concrete block, stucco, wood/cement fiber siding, and timbers as secondary materials. The building materials proposed for the exterior of the structure include brick, porcelain tile, and cast stone. It is staff's opinion that these materials properly satisfy the materials requirement of the Commercial Design Guidelines.

30 **Access Management:**

32 Mr. Van Wagenen explained the 700 North has a detailed access management plan that requires the access point for this site to be a shared access with the property to the east. The submitted site plan does not reflect this requirement. Staff recommends, as a condition of approval, that the applicant complete the necessary changes to establish their access along 700 North as a shared access with the property to the east.

36 **Street Lighting:**

38 Mr. Van Wagenen discussed that the Lindon's Development Manual requires Washington Postlight street lights to be installed every 100 feet along the 700 North street frontage. These street lights are not shown on the submitted site plan. Staff recommends, as a condition of approval, a requirement that the applicant provide street lights along 700 North in accordance with City requirements.

44 **Other Site Considerations:**

46 *Open Ditch:*

Mr. Van Wagenen explained that presently, a large open ditch runs along the northern boundary of the property. The City Engineer has recommended that the Planning

Commission consider safety concerns relative to the ditch, and impose any necessary conditions of approval to ensure user safety.

Obligation to Provide Irrigation Water:

Mr. Van Wagenen went on to say the site has an ongoing obligation to provide irrigation water to property south of 700 North. The City Engineer has indicated that this may require considerably more piping than is currently shown on the site plan submittal. Staff recommends, as a condition of approval, a requirement that the issue be resolved so as to preserve irrigation water access by properties south of 700 North.

Engineering Requirements:

Mr. Van Wagenen commented 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.

Mr. Van Wagenen summarized stating staff recommends the following conditions of approval:

1. Resolve the parking requirement issue, related to both vehicle and bicycle parking, with staff before the site plan is finalized.
2. Modify the landscaping plan to incorporate the 700 North Tree Plan.
3. Install adequate interior landscaping according to the parking standard, once it is established.
4. Complete necessary changes to the site plan to establish the access off of 700 North as a shared access point with the property to the East.
5. Provide Washington Postlight street lights every 100 feet along the 700 North street frontage according to City requirements.
6. Design and implement an irrigation line that preserves the interests of the property owners who rely on the irrigation water that runs through the property. Staff also recommends that the Planning Commission consider safety concerns relative to the open ditch along the north property line.

Mr. Van Wagenen then referenced the aerial photo of the site and surrounding area, photographs of the existing site, site plan, architectural renderings, landscaping plan and the 700 north tree plan followed by some general discussion.

Mr. Van Wagenen stated the building will look nice and meets the architectural guidelines and also includes a nice landscaping plan. He noted the engineering details need to be worked out as far as making sure the ditches and water for piping etc. are correct to keep the water accessible to users. He noted that Washington post streetlights will be used.

Mr. Reynolds commented on the following bullet points.

- Bicycle stalls-they have ten total in front of building.
- Landscape plan will be adjusted again to accommodate the additional bike stalls and a dozen more car stalls. They have also incorporated the trees.
- Irrigation concerns are being addressed with Mark Christensen and the best solution to resolve this issue is to pipe the ditch and tie it back in; it is a good solution. This course of action will resolve any safety issues also.
- Streetlights have been addressed.

- Limited access corridor has been addressed.

Mr. Van Wagenen concluded following discussion that staff feels they meet the parking requirements and bicycle parking on the latest submittal. He noted that the landscaping plan continues to evolve to make sure it meets city ordinances and the adequate interior landscaping requirements. He added they will have a shared access point that is proposed on the new submittal with an access agreement in place regarding entrances and exits. He noted the streetlights have been addressed. He further noted the irrigation line plan is in the works and they are finalizing the details. He went on to say that the safety concerns along the ditch have also been addressed and considered.

Commissioner Wily commented that he feels this will be a beautiful building with lush landscaping and it will set a nice tone for the development on 700 North. Vice Chair Marchbanks commented that he is comfortable with the parking arrangement.

Following some additional general discussion regarding this item Vice Chair Marchbanks called for a motion.

COMMISSIONER WILY MOVED TO APPROVE THE APPLICANT'S REQUEST FOR SITE PLAN APPROVAL OF THE NOAH'S LIFE SITE PLAN WITH THE CONDITION THAT THE SIX STAFF RECOMMENDED CONDITIONS ARE INCORPORATED AS LISTED IN THE STAFF REPORT WHICH ARE CURRENTLY BEING ADDRESSED BY THE APPLICANT. COMMISSIONER SKINNER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

VICE CHAIR MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER WILY	AYE
COMMISSIONER MCDONALD	AYE
COMMISSIONER SKINNER	AYE

THE MOTION CARRIED UNANIMOUSLY.

6. **Public Hearing** – *General Plan Map Amendment, Approx. 750 N 2800 W.* Lindon City requests a General Plan map amendment to change the General Plan designation of Utah County Parcel #13:063:0057 (location at approximately 750 North 2800 West) from Mixed Commercial to Commercial. Recommendations will be made to the City Council at their next available meeting after Planning Commission Review.

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

Mr. Cullimore led this discussion by explaining Lindon City is requesting a General Plan map amendment to change the General Plan designation of Utah County Parcel #13:063:0057 (located at approximately 750 North 2800 West) from Mixed Commercial to Commercial. He noted that recommendations will be made to the City Council at their next available meeting after Planning Commission Review.

Mr. Cullimore explained that on July 1, 2014, the City Council approved a General Plan designation change on the subject property from Commercial to Mixed Commercial. He explained that members of the Council indicated that they were willing

2 to change the General Plan designation of the property because they believed that the
3 specific office/warehouse project presented by the applicant was in the public interest. He
4 commented that after approval was granted, the project fell through. He noted this is an
5 action to revert the General Plan designation to Commercial.

6 Mr. Cullimore then referenced the following Relevant General Plan policies to
7 consider in determining whether the requested change will be in the public interest:

- 8 a) It is the purpose of the commercial area to provide areas in appropriate locations
9 where a combination of business, commercial, entertainment, and related
10 activities may be established, maintained, and protected.
- 11 b) Commercial use areas should be located along major arterial streets for high
12 visibility and traffic volumes.
- 13 c) The goal of commercial development is to encourage the establishment and
14 development of basic retail and commercial stores which will satisfy the ordinary
15 and special shopping needs of Lindon citizens, enhance the City's sales and
16 property tax revenues, and provide the highest quality goods and services for area
17 residents.

18 i. Objectives of this goal are to:

- 19 (1) Expand the range of retail and commercial goods and services available
20 within the community.
- 21 (2) Promote new office, retail, and commercial development along State
22 Street and 700 North.

23 d) Applicable city-wide land use guidelines:

- 24 i. The relationship of planned land uses should reflect consideration of existing
25 development, environmental conditions, service and transportation needs, and
26 fiscal impacts.
- 27 ii. Transitions between different land uses and intensities should be made
28 gradually with compatible uses, particularly where natural or man-made
29 buffers are not available.
- 30 iii. Commercial and industrial uses should be highly accessible, and developed
31 compatibly with the uses and character of surrounding districts.

32 Mr. Cullimore then referenced the aerial photo of the proposed area to be re-
33 classified and photographs of the existing site followed by some general discussion.

34 Following additional discussion it was determined to continue the item for further
35 discussion to the next meeting as it will not affect the time frame. Vice Chair Marchbanks
36 asked if there were any further comments or discussion. Hearing none he called for a
37 motion.

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40 COMMISSIONER KALLAS MOVED RECOMMEND TO CONTINUE TO
41 THE NEXT MEETING THE APPLICANT'S REQUEST TO CHANGE THE
42 GENERAL PLAN DESIGNATION OF THE LOT IDENTIFIED BY UTAH COUNTY
43 PARCEL #13:063:0057 FROM MIXED COMMERCIAL TO COMMERCIAL TO THE
44 NEXT MEETING. COMMISSIONER WILY SECONDED THE MOTION. THE
45 VOTE WAS RECORDED AS FOLLOWS:

46 VICE CHAIR MARCHBANKS	AYE
47 COMMISSIONER KALLAS	AYE
48 COMMISSIONER WILY	AYE

COMMISSIONER MCDONALD AYE
2 COMMISSIONER SKINNER AYE
THE MOTION CARRIED UNANIMOUSLY.

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7. **Public Hearing** – *Zone Map Amendment, Approx. 750 N 2800 W.* Lindon City
6 requests a Zone map amendment to change the zoning designation of Utah County
Parcel #13:063:0057 (location at approximately 750 North 2800 West) from Mixed
8 Commercial (MC) to Commercial A8 (CG-A8). Recommendations will be made to
the City Council at their next available meeting after Planning Commission Review.

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12 Mr. Cullimore led this discussion by explaining Lindon City is requesting a zone
map amendment to change the zoning designation of Utah County Parcel #13:063:0057
14 (location at approximately 750 North 2800 West) from Mixed Commercial (MC) to
Commercial A8 (CG-A8). He noted that recommendations will be made to the City
Council at their next available meeting after Planning Commission Review.

16 Mr. Cullimore explained that on July 1, 2014, the City Council approved a Zone
Map Amendment that changed the zoning of the subject property from Commercial A8
18 (CG-A8) to Mixed Commercial (MC). He noted that members of the Council indicated
that they were willing to change the zoning of the property because they believed that the
20 specific office/warehouse project presented by the applicant was in the best public
interest. He went on to say that after approval was granted, the project fell through and
22 this is an action to revert the zoning to Commercial A8 (CG-A8).

24 Mr. Cullimore then presented the analysis for discussion as follows:

- 26 • Subsection 17.04.090(2) of the Lindon City Code establishes the factors to review
when considering a request for a zone change. The subsection states that the
28 “planning commission shall recommend adoption of a proposed amendment only
where the following findings are made:
 - 30 ○ The proposed amendment is in accord with the master plan of Lindon
City;
 - 32 ○ Changed or changing conditions make the proposed amendment
reasonably necessary to carry out the purposes of the division.”
- 34 • The stated purpose of the General Commercial Zone is to “promote commercial
and service uses for general community shopping.” Further, the “objective in
36 establishing commercial zones is to provide areas within the City where
commercial and service uses may be located.”
- 38 • The purpose of the Mixed Commercial Zone is to “provide areas in appropriate
locations where low intensity light industrial (contained entirely within a
40 building), research and development, professional and business services, retail
and other commercial related uses not producing objectionable effects may be
established, maintained, and protected.

42 Mr. Cullimore then referenced the aerial photo of the proposed area to be rezoned,
and photographs of the existing site followed by some general discussion.

2 Following additional discussion by the commission it was determined to continue
3 this item to the next meeting for further discussion as it will not affect the time frame.
4 Vice Chair Marchbanks asked if there were any public comments or discussion. Hearing
5 none he called for a motion to close the public hearing.

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

10 Vice Chair Marchbanks asked if there were any further comments or discussion
11 from the commission. Hearing none he called for a motion.

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13 COMMISSIONER KALLAS MOVED TO RECOMMEND TO CONTINUE TO
14 THE NEXT MEETING THE APPLICANT'S REQUEST TO CHANGE THE ZONING
15 DESIGNATION OF THE LOT IDENTIFIED BY UTAH COUNTY PARCEL
16 #13:063:0057 FROM MIXED COMMERCIAL (MC) TO GENERAL COMMERCIAL
17 A8 (CG-A8). COMMISSIONER SKINNER SECONDED THE MOTION. THE VOTE
18 WAS RECORDED AS FOLLOWS:

19 VICE CHAIR MARCHBANKS	AYE
20 COMMISSIONER KALLAS	AYE
21 COMMISSIONER WILY	AYE
22 COMMISSIONER MCDONALD	AYE
23 COMMISSIONER SKINNER	AYE

24 THE MOTION CARRIED UNANIMOUSLY.

26 8. **NEW BUSINESS** – Reports by Commissioners.

28 Vice Chair Marchbanks called for any new business or reports from the
29 Commissioners. Hearing no comments or reports he moved on to the next agenda item.

30 9. **PLANNING DIRECTOR'S REPORT**–

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33 Mr. Van Wagenen reported on the following items followed by some general
34 discussion by the Commission.

- 35 • City Council/Planning Commission Joint Work Session: Tuesday, August
36 12th at 6:00 pm. For discussion on 700 North vision.
- 37 • Welcome new Commissioners, Andrew Skinner and Matt McDonald.
- 38 • Lindon Days coming August 4th – 9th.

40 Vice Chair Marchbanks called for any further comments or discussion. Hearing
41 none he called for a motion to adjourn.

42 **ADJOURN** –

2 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE
MEETING AT 8:40 P.M. COMMISSIONER MCDONALD SECONDED THE
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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6 Approved – August 12, 2014

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Mike Marchbanks, Vice Chairperson

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Hugh Van Wagenen, Planning Director