

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **September 10, 2013 at 7:00 p.m.** at the Lindon City Center, City Council Chambers,
4 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

7 Conducting: Sharon Call, Chairperson
8 Pledge of Allegiance: Del Ray Gunnell, Commissioner
9 Invocation: Rob Kallas, Commissioner

10 **PRESENT**

11 Sharon Call, Chairperson
12 Del Ray Gunnell, Commissioner
13 Carolyn Lundberg, Commissioner - arrived 8:25
14 Mike Marchbanks, Commissioner
15 Rob Kallas, Commissioner
16 Vaughan Austin, Commissioner
17 Hugh Van Wagenen, Planning Director
18 Kathryn Moosman, City Recorder

10 **ABSENT**

11 Ron Anderson, Commissioner

- 19 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
20
21 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of August 27,
22 2013 were reviewed.
23

24
25 COMMISSIONER GUNNELL MOVED TO APPROVE THE MINUTES OF
26 THE REGULAR MEETING OF AUGUST 27, 2013 AS CORRECTED.
27 COMMISSIONER AUSTIN SECONDED THE MOTION. ALL PRESENT VOTED IN
28 FAVOR. THE MOTION CARRIED.
29

30 3. **PUBLIC COMMENT** –

31
32 Chairperson Call called for comments from any audience member who wished to
33 address any issue not listed as an agenda item. There were no public comments.
34

35 **CURRENT BUSINESS** –

- 36
37 4. **SITE PLAN**: *Sam White Office/Warehouse, 93 South 1800 West.* This is a
38 request by Sam White for site plan approval for a 20,000 square foot
39 office/warehouse building on 1.59 acres in the Light Industrial (LI) zone.
40

41
42 Hugh Van Wagenen, Planning Director, gave a brief overview of this agenda
43 item. He explained this is a request by Sam White for approval of a site plan for a 20,600
44 square foot office/warehouse building on 1.59 acres in the Light Industrial (LI) zone. He
45 further explained the site plan appears to meet all city ordinances with regards to parking,
46 landscaping, and architectural requirements. He noted that this proposed development fits
in the zone and meets setback, landscaping and parking requirements. He stated that the

2 applicant has submitted conceptual drawings and noted that there will be a shared access
3 between Mr. White's existing building and the proposed new building.

4 Mr. Van Wagenen explained that it is advised to review the architectural elevation
5 drawings submitted by the applicant; he noted the attached applicable code. He also
6 mentioned that the landscape plan shows "native landscape" along the east edge of the
7 property. Chairperson Call inquired what "native Landscape is referring to, especially in
8 any areas being counted towards interior parking lot landscaping. Mr. White noted that
9 with some of the adjacent buildings, they have observed that over time, the native
10 landscape is what is basically existing there adjacent to the canal which has overtaken the
11 area and is difficult to irrigate. So, what they have presented is to try to keep that part
12 native and definitive line where the grass would begin. Mr. White commented that the
13 reason for the interior parking lot landscaping is to break up the asphalt, he added there is
14 a lot of greenery coming off of the stream coming off the back that produces a lot of
15 breakup from the asphalt. He went on to say to the south is a section of wetland that is
16 designated by the Army Corps of Engineers, so there is a lot of interior landscaping going
17 on with the native landscape. Chairperson Call expressed her biggest concern is that there
18 is something other than just the native landscaping in place; that is why the ordinance was
19 written the way it is to ensure there was more than just weeds.

20 Mr. Van Wagenen mentioned that along a parking lot, if the landscaping is not
21 part of the required 20 ft. landscape strip on the frontage, the perimeter of the parking can
22 count towards the interior landscaping requirement if it is within 10 ft.

23 Mr. Van Wagenen then referenced applicable architectural and landscaping codes as
24 follows:

25 **17.18.085 Interior Landscape Required**

- 26 1. For all required parking lots in any zones, interior parking lot landscaping
27 is required as follows:
28 (a) Any parking lot that has 10 or greater required parking spaces shall
29 provide at least 40 square feet of interior landscaped area for each
30 parking space.
31 (b) The landscape materials shall consist of at least 75% living vegetation
32 including ground cover, trees, and shrubbery. The remaining 25% may
33 consist of xeriscape (desert landscaping) materials.

34 **17.49.070 Architectural Design**

- 35 1. Twenty-five percent (25%) minimum of the exterior of all buildings (except
36 as permitted in 17.40.070(2)) shall be covered with brick, decorative block,
37 stucco, wood, or other similar materials as approved by the Planning
38 Commission. Colored pre-cast concrete or colored tilt-up buildings also meet
39 the architectural treatment requirement. (These architectural treatment
40 standards are not applicable in the HI zone).
41 (a) With the consent of the property owner, the Planning Commission
42 may allow some or all of the required architectural treatment on a
43 proposed building or addition to be transferred to a pre-existing
44 building or structure, or transferred to one or more sides of a proposed
45 structure, which may be more visible from a public street. Said transfer
46 of architectural treatment would need to improve the overall visual
47 character of the area in a greater manner than if the treatment is only
48

2 applied to the less visible building, addition, or side of the structure
3 being considered. No net loss of treatment should occur. When
4 considering a transfer of the architectural treatment, the Planning
5 Commission should be conscious of visual site lines of adjacent
6 buildings and properties to determine if they would be negatively
7 impacted by a Planning Commission decision to allow transfer of the
8 architectural treatment on the proposed structures.

- 9
10 2. All exterior building materials in the LI, HI and T zones shall be earth-tone
11 colors. A sample color palette of acceptable earth-tone colors is found in the
12 Appendix of the Lindon City Commercial Design Guidelines.

13
14 Chairperson Call commented that she thinks this will be a nice development and
15 an improvement to the area. There was then some general discussion regarding this issue.
16 Commissioner Kallas inquired how much area that has been discussed would have to be
17 landscaped to meet the ordinance. Mr. Van Wagenen replied that he is not sure of the
18 total at this time. Mr. White commented that he will have his engineer evaluate it and get
19 the exact figures.

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

22 COMMISSIONER KALLAS MOVED TO APPROVE THE SAM WHITE
23 20,600 SQUARE FOOT OFFICE/WAREHOUSE SITE PLAN ON 1.59 ACRES
24 LOCATED AT 93 SOUTH 1800 WEST WITH THE CONDITION THAT THE
25 MINIMUM LANDSCAPING REQUIREMENT FOR A PROJECT THIS SIZE BE
26 MET. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE
27 WAS RECORDED AS FOLLOWS:

28 CHAIRPERSON CALL AYE
29 COMMISSIONER GUNNELL AYE
30 COMMISSIONER MARCHBANKS AYE
31 COMMISSIONER KALLAS AYE
32 COMMISSIONER AUSTIN AYE
33 THE MOTION CARRIED WITH TWO ABSENT.

- 34
35 5. **PLAT AMENDMENT:** *John Bodine, 44 North 1200 East.* This is a request for a
36 two lot plat amendment to be known as Canberra Hills Plat W. The amendment
37 will shift property boundaries between adjacent lot owners.

38
39 Mr. Van Wagenen gave a brief overview of this agenda item and noted this is
40 request by John Bodine for a two (2) lot plat amendment to be known as Canberra Hills
41 Plat W. He explained that the plat amendment will readjust lot lines between two
42 adjacent property owners in order to accommodate setback requirements to the lot to the
43 west. He added that the new lots meet applicable ordinances for platted lots. Mr. Van
44 Wagenen also presented photos of the lots in question.

45 Mr. Van Wagenen further explained that this is basically a property line
46 adjustment, as it has encroached into Mr. Bodine's side yard and to make the setbacks
47 work they are doing a plat amendment. Mr. Van Wagenen noted that the new lot meets
48 Lindon City setback requirements, so there is no encroachment on the required setbacks.

Mr. Van Wagenen stated that staff has no concerns with this amendment. Mr. Van Wagenen further stated that part of the plat amendment is granting the easement back to the neighbor's property. Commissioner Marchbanks commented that this is basically being rotated to meet the setback requirements. Mr. Van Wagenen confirmed that statement. There was then some general discussion regarding this request.

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

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE TWO (2) LOT PLAT AMENDMENT REQUEST TO BE KNOWN AS CANBERRA HILS PLAT W AS PRESENTED. COMMISSIONER AUSTIN SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER GUNNELL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER AUSTIN	AYE

THE MOTION CARRIED WITH TWO ABSENT.

6. **MAJOR SUBDIVISION:** *Anderson Geneva Development, Inc. 600 South Geneva Road.* This is a request for a three (3) lot subdivision to be known as Eastlake at Geneva North Commercial Subdivision. It is located in the General Commercial – Auto (CG-A8) zone on approximately 6 acres..

Mr. Van Wagenen This a request for a three (3) lot subdivision to be known as Eastlake at Geneva North Commercial Subdivision, which is located in the General Commercial - Auto (CG-A8) zone on approximately 6.52 acres directly west of the Harley Davidson dealership. He noted that the application meets applicable codes, however, there are some issues regarding Lot 2 that need to be presented to the Planning Commission.

Mr. Van Wagenen went on to say this lot is currently labeled non-buildable on the plat. He went on to say the applicant is hopeful that future access to Geneva Road will be available after the railroad right of way is abandoned. At any time this lot is modified to be a buildable lot, the owner would have to provide utilities and access/frontage and replat the lot. No utilities are being proposed to Lot 2 at this time. However, on the current plat there is a "28' Private Street Right of Way" extending from 600 South through Lot 1 to Lot 2, thus providing future access to Lot 2. The applicant is proposing that this 28' private street right of way be considered for required frontage in the zone.

Mr. Van Wagenen LCC 17.04.180 does allow required frontage to be on a private street or right of way as approved by the Planning Commission. However, if the proposed frontage is a private street, the street has to be built to public standards according to LCC 17.32.120 (6). Mr. Van Wagenen commented that this might impact the future owner of Lot 1 and might be more infrastructure than is needed in this instance. If the frontage is labeled a private right of way, there needs to be a Planning Commission determination as to what should be constructed on the ground; i.e. paved asphalt, curb, gutter, sidewalk, width, etc.

Mr. Van Wagenen noted that staff recommends that the "28' Private Street Right of Way" be relabeled as a "Private "Right of Way and Utility Easement." This allows Lot

2 to retain the possibility of having access and utilities serviced through Lot 1 in the
2 future. Mr. Van Wagenen further noted that staff does not have a recommendation as to
4 what should be constructed for a “Private Right of Way” and leaves that as a discussion
4 for the Planning Commission.

6 Mr. Van Wagenen went on to say that Lot 1 does extend north along the
6 northwest border of the plat and terminates with a small “head” on the northern most
8 point on the plat. This is in place so that a future development on Lot 1 will have access
8 to the Travel Influence (T) zone along Interstate 15 for sign purposes.

10 Mr. Van Wagenen stated that Lot 3 contains utilities for the Central Utah Water
10 Conservancy District and is labeled a utility lot in anticipation of the City passing an
12 ordinance exempting utility lots from certain minimum requirements such as frontage. He
12 added that the ordinance is before the Planning Commission as Item 8 on the current
14 agenda, and that approval of LCC 17.32.350 should be a condition of approval for this
14 plat.

16 Mr. Van Wagenen then reviewed the code references as follows:

18 **17.04.180 Lot standards and street frontage.**

20 Except for condominiums and as otherwise provided in this division, every lot presently
20 existing or hereafter created shall have such area, width, and depth as required by this
22 division for the district in which such lot is located and shall have frontage upon a public
22 street or upon a private street or right-of-way approved by the planning commission,
24 before a building permit may be issued, provided that no lot containing five (5) acres or
24 less shall be created which is more than three (3) times as long as it is wide. (Ord. 2000-
11, Amended, 10/04/2000; Ord. no. 111 §1(part), 1985; prior code §12-101-20.)

26 17.32.120 (6)

28 Minimum roadway widths for private streets shall be determined by use, and shall meet
28 public street standards.

17.02.010 (157)

30 "Right-of-way" means that portion of land dedicated to public use for street and/or utility
30 purposes or maintained in private use for similar purposes.

32
34 The applicant, Jerry Grover, addressed the Commission at this time. Mr. Grover
34 gave a brief overview of their proposed subdivision. He also noted, for the record, that if
36 it is possible, if the boundaries don't change on the parcel or the plat, that it could be
36 approved administratively instead of having to go through the whole plat amendment
38 process because they are not changing any parcel boundaries or subdivision plat
38 boundaries. Mr. Grover mentioned the discussion on what the nature of it is; he noted
40 that it is their recommendation that it be considered to be a hard surface, concrete or
40 asphalt (more of a driveway) and that it be incorporated and consistent with whatever site
42 plan is proposed on either of the other two lots. Mr. Van Wagenen stated there are no
42 standards (construction) for a private right of way and it would be a Planning
44 Commission decision. And at the very least it reserves the right to have something built,
44 and putting this in now protects lot 2 in case the railroad tracks don't go away and there
46 will be access. Mr. Grover reiterated that they would anticipate that it is hard surface,
46 concrete, or asphalt, and is incorporated or consistent with whatever site plan is either
48 there or is proposed as the case may be. There was then some additional discussion
48 regarding this issue.

2 Chairperson Call commented that it appears that staff is recommending that the 28
3 ft. private street right of way is re-labeled as a private right of way and utility easement so
4 the back lot 2 can have the possibility of having the access. Mr. Van Wagenen stated that
5 the private street is labeled as a private street and has to be built to public standards.
6 Commissioner Kallas commented that he would like to know that if the railroad does go
7 away there is an actual right of way so the other lot is protected.

8 Todd Myers, representative of Maverik, Inc., asked to address the Commission at
9 this time to clarify a couple of issues. Mr. Myers noted, regarding the easement across
10 their property; they deal with a lot of cross access issues mainly because they have to get
11 farther from an intersection in order to have an access, and so to have a business or 3
12 businesses sharing one access is common in their business. Mr. Myers further explained
13 that what he sees with this easement is the requirement to not block the easement and
14 they would have to allow the building of a private street, but that would not be their cost.

15 He went on to say, in this particular situation there is curb and gutter on the west
16 side, with the rest of the area opened up and designed for diesel traffic, and must be
17 designed to carry the load of a diesel making turning movements. The material they will
18 put down on the entire rear area will be opened up and will be a lot wider than the 28 ft
19 (that will be seen on the next agenda item). Mr. Myers stated that the actual easement off
20 of the property line is about 10 ft. and curb and gutter will follow the easement. Mr.
21 Myers indicated that JUB Engineers recommended using slag because of drainage issues,
22 which is something they have not ever used in the past. Mr. Myers noted that he
23 currently has their Geotech Company looking into this issue. They have found if they
24 start with the slag and it doesn't work they can change over to a blacktop surface.
25 Following some additional discussion Chairperson Call noted that the following two (2)
26 conditions are recommended to be included in the motion:

- 27 1. Re-label as a private right of way the 28 ft right of way.
- 28 2. Lindon City ordinance be adopted prior to final approval.

29 Chairperson Call asked if there were further discussion or comments. Hearing
30 none she called for a motion.

31 COMMISSIONER GUNNELL MOVED TO APPROVE THE THREE (3) LOT
32 SUBDIVISION TO BE KNOWN AS EASTLAKE AT GENEVA NORTH
33 COMMERCIAL SUBDIVISION WITH THE FOLLOWING CONDITIONS: 1. THE
34 CURRENT 28' PRIVATE STREET RIGHT OF WAY BE RE-LABELED AS A
35 PRIVATE RIGHT OF WAY AND UTILITY EASEMENT AND 2. LINDON CITY
36 ORDINANCE 17.32.350, GOVERNING PUBLIC UTILITY LOTS, BE ADOPTED
37 PRIOR TO FINAL APPROVAL AND PLAT RECORDATION. COMMISSIONER
38 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
39 FOLLOWS:

40 CHAIRPERSON CALL	AYE
41 COMMISSIONER GUNNELL	AYE
42 COMMISSIONER MARCHBANKS	AYE
43 COMMISSIONER KALLAS	AYE
44 COMMISSIONER AUSTIN	AYE
45 THE MOTION CARRIED WITH TWO ABSENT.	

2 7. **SITE PLAN:** *Maverik, Inc.- 600 South Geneva Road.* This is a request for site
4 plan approval for a 5,018 square foot convenience store with gasoline and diesel
fuel sales. It is located in the General Commercial – Auto (CG-A8) zone on 4.55
acres.

6 Mr. Van Wagenen opened the discussion by explaining this is a request by Todd
8 Myers with Maverik, Inc. for site plan approval for a 5,018 square foot convenience store
10 with gasoline and fuel sales on 4.55 acres. As proposed, the Planning Commission will
need to make exceptions to the required trees in the landscape strip. He noted that staff
has recommendations for conditions of approval and other applicable ordinances have
been met.

12 Mr. Van Wagenen noted that the landscape strip along the street frontage requires
trees every 30 feet on center. He explained that this frontage would require nine trees;
14 none are shown along the frontage, but the nine trees are proposed elsewhere. Mr. Van
Wagenen stated the Planning Commission is given authority in the ordinance to approve
16 placement of the trees elsewhere on the lot. Incidentally, interior landscaping requires
three trees; there are three trees proposed along the parking lot in addition to the three
18 trees required for the frontage.

20 Mr. Van Wagenen then referenced the proposed conditions of approval as
follows:

- 22 i) Although it is shown on the plan, staff recommends that the east access be
24 required to be a right-in/ right-out access as a condition of approval. At some
point in the future, Vineyard (with whom Lindon shares 600 South) will put in
a raised median in the center of the road and this condition will keep this site
ahead of that construction.
- 26 ii) This site plan is dependent upon Eastlake at Geneva North Commercial
28 Subdivision receiving final approval and that should be a condition of
approval

30 Mr. Van Wagenen noted the rear of the site where the semi-truck fuel stations are
located is a proposed slag surface. The site (lot) does extend north along the northwest
32 border of the plat and terminates with a small “head” on the northern most point on the
plat. This is in place so that Maverik will have access to the Travel Influence (T) zone
34 along Interstate 15 for sign purposes. Mr. Van Wagenen instructed the commission to
please review the architectural elevations as you consider approval. He added that the
design does fall in line with the Lindon City Commercial Design Guidelines.

36 Mr. Van Wagenen then turned the time over to the applicant, Mr. Myers for
comment. Mr. Myers commented that this proposed store is similar to the store that just
38 opened in Pleasant Grove and Provo. He added that this site is bigger than traditional
Maverik stores (almost 3 times that size) because of the diesel facility areas that will be
40 selling diesel fuel and leasing liquefied natural gas, which is a great new product that they
have just started selling. Mr. Myers noted there is a possibility that they may add regular
42 fuel in the back area for travel trailers etc.

44 Mr. Myers explained that there is curb and gutter on the property line and 10 ft.
off the west and east property lines. Mr. Van Wagenen mentioned that using slag was
recommended by Lindon City Engineer, Mark Christensen for drainage issues. He added
46 that the drainage goes into the Vineyard system. Mr. Van Wagenen stated that staff does
not feel strongly about the slag and feels whatever works for Maverik and the City of
48 Lindon will be sufficient. Mr. Myers noted that trees would provide a buffer between the

2 diesel areas, but they are asking to not have trees in the diesel area. They have currently
4 laid out five dispensers for fuel plus additional room if necessary. He noted that one of
6 their concerns is when the tanker trucks come in their goal is to keep the trucks out of the
8 canopy area. He mentioned signage or painting would be preferred rather than a raised
10 curb.

6 Following general discussion Chairperson Call stated that it seems the issues for
8 consideration are the right in right out only access; the subdivision receives final
10 approval, the slag issue, and the allowance for the trees. Commissioner Kallas noted that
12 he would recommend that the asphalt, not slag be required as it will be a cleaner
14 development. Mr. Myers stated that he will change his proposal from slag to asphalt.
16 Mr. Van Wagenen noted that staff feels that the main concern is the right in right out on
18 the access and final approval of the subdivision and staff does not feel strongly about the
20 slag issue.

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

18 COMMISSIONER KALLAS MOVED TO APPROVE THE REQUEST FOR
20 SITE PLAN APPROVAL FOR A 5,018 SQUARE FOOT MAVERIK CONVENIENCE
22 STORE LOCATED AT 600 SOUTH GENEVA ROAD ON 4.55 ACRES WITH THE
24 FOLLOWING CONDITIONS: 1. THE ALLOWANCE TO PLACE THE REQUIRED
26 TREES IN A DIFFERENT LOCATION THAN REQUIRED BY ORDINANCE, BUT
28 REQUIRE THE SAME AMOUNT OF TREES AND 2. THE ALLOWANCE TO USE
30 ASPHALT ON THE BACK LOT RATHER THAN GRAVEL OR SLAG AND 3.
32 ALLOW THE RIGHT IN RIGHT OUT TO BE PAINTED RATHER THAN RAISED
34 AND 4. THE EASTLAKE AT GENEVA NORTH COMMERCIAL SUBDIVISION
RECEIVE FINAL APPROVAL. COMMISSIONER AUSTIN SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

28 CHAIRPERSON CALL	AYE
30 COMMISSIONER GUNNELL	AYE
32 COMMISSIONER LUNDBERG	ABSTAIN
34 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER AUSTIN	AYE

34 THE MOTION CARRIED WITH 4 AYES AND ONE ABSTAINING.

36 8. **PUBLIC HEARING:** *Ordinance Amendment – 17.32.350 Public Utility Lots.*

38 This is a city initiated request to adopt ordinance language governing subdivision
40 lots to be used for public utility purposes. This ordinance would exempt such lots
42 from certain subdivision requirements, including minimum lot size.

44 COMMISSIONER LUNDBERG MOVED TO OPEN THE PUBLIC HEARING.
46 COMMISSIONER GUNNELL SECONDED THE MOTION. ALL PRESENT VOTED
48 IN FAVOR. THE MOTION CARRIED.

46 Mr. Van Wagenen opened the discussion by explaining this is a city initiated
48 request to adopt ordinance language governing subdivision lots to be used for public
utility purposes. He added that this ordinance would exempt such lots from certain
subdivision requirements, including minimum lot size, minimum frontage, and minimum

2 setbacks. Mr. Van Wagenen went on to say this ordinance allows for the efficient
3 subdivision of land so that utility infrastructure can be built on land that is required for a
4 project, rather than land that is dictated by traditional subdivision requirements. He noted
5 that such lots will not be considered buildable lots with the exception of designated utility
6 facilities. Mr. Van Wagenen noted that site plans for the construction of such facilities
7 will be reviewed by the Planning Commission as a conditional use.

8 Mr. Van Wagenen then referenced the code (17.32.350 Public Utility Lots)
9 As follows:

- 10 1. Public Utility Lot is defined as a lot or parcel used for public utility facilities,
11 including but not limited to Lindon City facilities, and may contain facilities
12 or uses such as natural gas pressure regulating stations, power substations,
13 communications antennae, power or telecommunication pedestals, water
14 wells, water reservoirs/tanks, storm drainage facilities, pump stations, trails or
15 pedestrian ways and related support facilities, and other similar uses. Public
16 Utility Lots shall not be considered buildable lots for the purpose of
17 constructing habitable buildings or structures intended for occupancy.
18 Construction of non-habitable structures for the purpose of housing utility
19 equipment or other similar uses is permitted.
- 20 2. Public Utility Lots shall be exempt from the following:
 - 21 a. Minimum lot size requirements.
 - 22 b. Minimum lot frontage requirements provided easement documents are
23 recorded ensuring perpetual access to the lot.
- 24 3. Notwithstanding section 2 above, all other standards of the underlying zone
25 may be imposed, subject to review and consideration by the Planning
26 Commission of whether or not the standard or condition is necessary in order
27 to protect the public health, safety, welfare, and aesthetics of the area, or is
28 otherwise in the public interest.
- 29 4. Regulation of uses shall apply as listed in the Standard Land Use Table (LCC,
30 Appendix A). This chapter is not intended to allow uses otherwise identified
31 in the Standard Land Use Table as not being permitted within a specific zone.
- 32 5. Site plans for installation of public utility facilities are subject to Planning
33 Commission approval as a Conditional Use.

34
35 Mr. Van Wagenen commented that this is a city initiated item following requests
36 from Central Utah Water Conservancy District and Questar Gas that don't meet the
37 required standards. This action will adopt an ordinance for utility lots that don't meet the
38 standards for trails, walkways etc. These utility companies house certain types of
39 equipment with minimum lot size and frontage but this would still give the Planning
40 Commission and the City the flexibility to impose other standards as deemed, such as
41 setbacks or landscaping. Mr. Van Wagenen noted that these types of sites would be
42 conditional uses. Mr. Van Wagenen commented that this will be beneficial for the city
43 code and fire code and staff feels good about it, and it is their recommendation to approve
44 this ordinance amendment. There was then some additional discussion by the
45 Commission.

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

COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.
2 COMMISSIONER GUNNELL SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.

4
6 Chairperson Call asked if there were any further questions or comments. Hearing
none she called for a motion.

8 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
ORDINANCE AMENDMENT 17.32.350 PUBLIC UTILITY LOTS AS WRITTEN.
10 COMMISSIONER LUNDBERG SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

12 CHAIRPERSON CALL	AYE
COMMISSIONER GUNNELL	AYE
14 COMMISSIONER LUNDBERG	AYE
COMMISSIONER MARCHBANKS	AYE
16 COMMISSIONER KALLAS	AYE
COMMISSIONER AUSTIN	AYE

18 THE MOTION CARRIED UNANIMOUSLY.

20 9. **NEW BUSINESS** – Reports by Commissioners.

22 Chairperson Call called for any new business or reports from the Commissioners.
Commissioner Marchbanks inquired when the bed and breakfast issue will be on the
24 agenda again. Mr. Van Wagenen noted that staff will be doing the draft. Commissioner
Lundberg noted that she did some research, and there are some gray areas regarding bed
26 and breakfasts and noted that she feels something complicated is not needed. She added
that commercial works fine in commercial zones but not in a residential zone; acreage
28 size is also an issue. Mr. Van Wagenen mentioned that currently they are allowed in all
commercial zones.

30 Chairperson Call mentioned that there are some residents who have concerns about
trees coming down in the retention basins on 140 North in the recent storms. Mr. Van
32 Wagenen stated that the Tree Commission is having discussion regarding recommending
more durable trees. Mr. Van Wagenen will also bring the issue up with the Parks and
34 Recreation Director Heath Bateman.

Chairperson Call mentioned the Mayor's Open House to be held on October 17th at
36 her residence. She encouraged the Commissioners to attend. At this time, Commissioner
Austin let the Commissioners know that he has submitted his resignation from the
38 Planning Commission to Mayor Dain. He expressed that he has enjoyed being a member
of the Commission and expressed his appreciation and thanks for the friendships made.
40 Chairperson Call thanked Commissioner Austin on behalf of the Commission for his
service and friendship and wished him the best of luck.

42 Chairperson Call called for any further new business or reports from the
Commissioners. Hearing none she moved on to the next agenda item.

44
46 10. **PLANNING DIRECTOR'S REPORT** –

Mr. Van Wagenen reported on City Council updates as follows:

- 48 • City Council items:

- o Osmond Zone Change for Senior Housing
- o Osmond Subdivision
- Canopy Buildings – Proposed building heights

Chairperson Call asked if there were any other comments or discussion from the Commissioners. Being none she called for a motion to adjourn.

ADJOURN –

COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE MEETING AT 9:30 P.M. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – September 24, 2013

Sharon Call, Chairperson

Hugh Van Wagenen, Planning Director