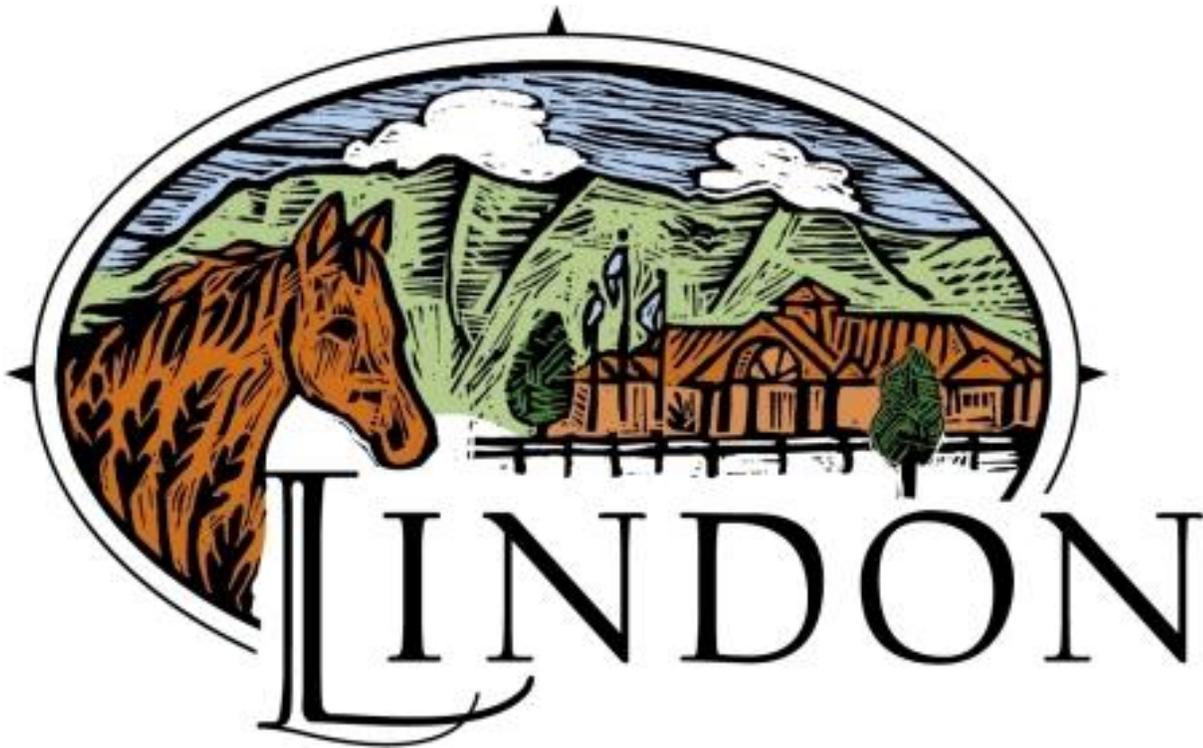


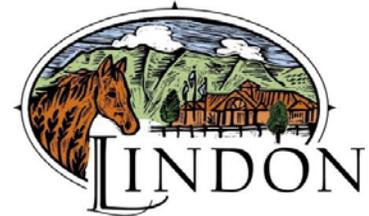
Lindon City Planning Commission Staff Report



February 10, 2015

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, February 10, 2015** in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at **8:00 P.M.** This meeting may be held electronically to allow a commissioner to participate by video or teleconference. The agenda will consist of the following:

AGENDA

Invocation: By Invitation

Pledge of Allegiance: By Invitation



Scan or click here for link to download agenda & staff report materials.

1. **Call to Order**
2. **Approval of minutes from January 27, 2015**
3. **Public Comment**

*(Review times are estimates only.)
(20 minutes)*

4. **Amended Site Plan — Scott’s Provo GM, approx. 347 South 1250 West**

Mandy Ogaz of Scott’s Miracle-Gro requests site plan approval for the addition of a 1,768 square foot modular office building to the existing site at approximately 347 South 1250 West in the Light Industrial (LI) zone.

(20 minutes)

5. **Public Hearing — Ordinance Amendment, Lindon City Code 17.49.070 & 17.50.070 Arch. Design**
Lindon City requests approval of an amendment to Lindon City Code 17.49.070 and 17.50.070. The proposed amendment will modify architectural requirements in the Light Industrial (LI) and Mixed Commercial (MC) zones.

(20 minutes)

6. **Public Hearing — Ordinance Amendment, Lindon City Code 17.48 Commercial Zones**
Lindon City requests approval of an amendment to Lindon City Code 17.48. The proposed amendment will modify minimum lot or development size along the 700 North Commercial Corridor.

7. **New Business (Reports by Commissioners)**
8. **Planning Director Report**

Adjourn

Staff Reports and application materials for the agenda items above are available for review at the Lindon City Planning Department, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our Staff may be contacted directly at (801) 785-7687. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City-sponsored public meetings, services programs or events should call Kathy Moosman at 785-5043, giving at least 24 hours notice.

Posted By: Jordan Cullimore
Time: ~11:00 am

Date: February 6, 2015
Place: Lindon City Center, Lindon Public Works, Lindon Community Center

Item I: Call to Order

February 10, 2015 Planning Commission meeting.

Roll Call:

Sharon Call
Rob Kallas
Mike Marchbanks
Matt McDonald
Andrew Skinner
Bob Wily

Item 2: Approval of Minutes

Planning Commission – Tuesday, January 27, 2015

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **January 27, 2015 at 7:00 p.m.** at the Lindon City Center, City Council Chambers, 100
4 North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Sharon Call, Chairperson
9 Invocation: Mike Marchbanks, Commissioner
10 Pledge of Allegiance: Rob Kallas, Commissioner

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

- 22 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
- 24 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of January 13,
25 2015 were reviewed.

26
27 COMMISSIONER WILY MOVED TO APPROVE THE MINUTES OF THE
28 REGULAR MEETING OF JANUARY 13, 2015 AS PRESENTED. COMMISSIONER
29 MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.
30 THE MOTION CARRIED.

32 3. **PUBLIC COMMENT** –

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

36 **CURRENT BUSINESS** –

- 38
39 4. **Site Plan** – *Lindon Tech Center, Approx. 600 North 2000 West.* Andrew
40 Bollschweiler requests site plan approval of an 81,884 square foot office/warehouse
41 on Lot 1 and an 81,883 square foot office/warehouse on Lot 2 of the Lindon Tech
42 Center subdivision at approximately 600 North 2000 West in the Mixed Commercial
(MC) zone.

43
44
45 Hugh Van Wagenen, Planning Director, opened the discussion by giving a brief
46 summary of this agenda item. He explained this is a request by Andrew Bollschweiler
(who is in attendance) for site plan approval of a two phase office/warehouse project
48 consisting of two buildings of 81,884 square feet each on approximately 11 acres with

2 one 81,884 square foot office/warehouse located on Lot #1 and an 81,883 square foot
office/warehouse located on Lot #2 of the Lindon Tech Center subdivision located at
4 located at approximately 600 North 2000 West in the Mixed Commercial (MC) zone.

6 Mr. Van Wagenen explained that a northern portion of this site was re-zoned from
General Commercial to Mixed Commercial (even though a large portion was already
8 mixed commercial) several months ago that was based on a concept given at the time of a
similar office/warehouse project; the orientation has changed from that concept but the
10 general spirit still applies. He noted that most office/warehouse uses are permitted or
conditionally permitted in the MC zone. He added that the project will be built in two
12 phases with phase one consisting of the building along the 2000 West frontage and phase
two consisting of the building directly to the east of phase one depending on how long it
takes to get the tenants in line.

14 Mr. Van Wagenen re-iterated that these buildings will be about 81,884 square feet
each and on separate lots of 5.65 acres and 5.61 acres respectively. He noted the next
16 agenda item to be discussed is the subdivision application. Mr. Van Wagenen stated the
parking standards have been met for both buildings and there is adequate bike parking
18 stalls provided (16 stalls on each building); a parking summary is included in the staff
report.

20 He further explained that in the Mixed Commercial Zone warehousing uses
require one parking stall per 500 square feet while office uses require one stall per 350
22 square feet. Bicycle parking is required at an 8% ratio to the total number of parking
stalls up to 16 bike stalls. ADA parking spaces are based on the total number of vehicles
24 spaces. The square footage and correlating parking requirements for each building is
below:

26

- **Building One**

28 *Office: 20,000 square feet (57 stalls)*

Warehouse: 61,884 square feet (124 stalls)

30 *Total Parking Required/ Provided:*

181/181 Total ADA Spaces Required/Provided:

32 *6/6 Total Bicycle Spaces Required/Provided: 14/16*

- **Building Two**

34 *Office: 21,000 square feet (60 stalls)*

Warehouse: 60,884 square feet (122 stalls)

36 *Total Parking Required/Provided: 182/182*

Total ADA Spaces Required/Provided: 6/6

38 *Total Bicycle Spaces Required/Provided: 14/16*

40 Mr. Van Wagenen commented that the proposed location is south of the Forever
Green building on 700 North. He noted the 20 ft. standard landscape strip along the
42 frontage has been provided. Mr. Van Wagenen stated that Mr. Bollschweiler is making a
unique request tonight in regards to the overall interior landscaping.

44 Mr. Van Wagenen explained that subsection 17.48.030(4) requires a 20 foot
landscaped berm along public street frontages, of which at least 70% is planted in grass.
46 He noted the Code also requires that trees be planted within the strip every 30 feet on
center. Building #1 is located along the public frontage of 2000 West and has the required

2 landscape strip with grass and trees every 30 feet on center. Building #2 does not have
any public street frontage.

4 Mr. Van Wagenen further explained that the interior landscaping must be
provided at 40 square feet per required stall. He mentioned that although each building is
6 providing sufficient on-site parking, the interior landscaping requirement is not being met
on each site respectively. He noted that Mr. Bollschweiler is proposing to make up the
8 deficiencies in interior landscaping for Buildings #1 and #2 with the construction of the
future phase three office building project so that the site as a whole meets the
10 requirements. Mr. Van Wagenen then referenced a summary of required and provided
interior parking lot landscaping per building as shown below.

- 12 • **Building One**
Interior Parking Lot Landscaping Required/Provided (40 square feet per stall):
14 *4,208/7,240 square feet Deficient: 3,032 square feet.*
- 16 • **Building Two**
Interior Parking Lot Landscaping Required/Provided (40 square feet per stall):
18 *6,440/7,280 square feet Deficient: 840 square feet.*

20 Mr. Van Wagenen pointed out that the total deficiency for the two sites is 3,872
square feet. He noted that in order to ensure that the deficient landscaping is made up in
phase three, the applicant is proposing to place a note on the required plat indicating the
22 minimum landscaping requirements for each lot, which would include the 3,872 square
feet of interior landscaping in addition to whatever is required by the provided parking
24 stalls for that phase. Mr. Van Wagenen gave the following example, a note on the plat
could state, “Lot #3 (phase three) to provide the following minimum parking lot
26 landscaping area: what is required by code (40 square feet per stall) plus an additional
3,872 square feet of parking lot landscaping.”

28 Mr. Van Wagenen further discussed that the Code requires a minimum of 15% of
each lot be maintained in permanent landscaped open space. Building #1 and Building #2
30 are deficient in this area with Building #1 providing 10.13% (24,922 square feet of
36,904 square feet required) and Building #2 providing 11.33% (27,711 square feet of
32 36,682 square feet required). Mr. Van Wagenen re-iterated that the applicant is proposing
that these deficiencies be made up in future phase three of the overall project and be
34 ensured by placing a note on the plat. He noted the total deficiency is 20,953 square feet
of landscaped open space. He added that Phase three is a 202,986 square foot lot and will
36 require a minimum of 30,448 square feet of overall landscaping. If phase three is allowed
to “absorb” the deficiencies in phases one and two, the plat note could state, “Lot #3 to
38 provide the following minimum overall landscaping area: 51,401 square feet (20,953
square feet plus 30,448 square feet).

40 Mr. Van Wagenen further discussed that all other landscaping requirements have
been met for both buildings, including landscape buffers from adjacent zones and
42 landscaping around the buildings. Mr. Van Wagenen explained that the MC zone the
architectural design requirement states that all structures shall be aesthetically pleasing,
44 well-proportioned building that blend with the surrounding property and structures. All
structures in the zone shall have finished of brick, decorative block, stucco, wood,
46 concrete tilt-up or other materials and designs approved within the Lindon City
Commercial Design Guidelines, or as otherwise approved by the Planning Commission.
48 Both Building #1 and Building #2 are virtually identical. The building materials proposed

2 for the exterior of the structure include grey concrete tilt-up panels with varying
3 sandblasting applied, 5% black tinted concrete tilt-up panels, and aluminum accent
4 canopies. The building height is 40 feet high which is within the 48 foot limit. Mr. Van
5 Wagenen stated that the biggest question tonight is if the Commission is comfortable
6 allowing the landscaping to be shifted to future Phase 3, outside of this question, height is
7 met, parking itself is met and the overall landscaping for buildings #1 and #2 is met.

8 Mr. Van Wagenen added that the City Engineer is working through technical
9 issues related to the site and will ensure all engineering related issues are resolved before
10 final approval is granted. Mr. Van Wagenen then referenced an aerial photo of the site
11 and surrounding area, photographs of the existing site, site plan documents, architectural
12 rendering and elevations and the landscaping plan. Mr. Van Wagenen then turned the
13 time over to Mr. Bollschweiler followed by some general discussion.

14 Mr. Bollschweiler commented that Phase 3 is not being presented tonight but they
15 will be submitting that within a week so it will end up being built concurrently with
16 Building #1 so the landscaping discussed will be put in at the same time. Commissioner
17 Kallas inquired what the reasoning is for so much landscaping being deferred. Mr.
18 Bollschweiler stated it is because of the layout and they are trying to get as much parking,
19 per city ordinance, as possible and also to keep more open space and to stay away from
20 the residential as much as possible. Mr. Van Wagenen stated that in industrial zones the
21 parking standards are different and the lot size and layout plays a role.

22 Chairperson Call mentioned they are naming the project “Lindon Tech Center”
23 and inquired what they will be doing in the buildings. Mr. Bollschweiler stated that
24 buildings one and two will be office warehouse (specs) and Building three will be strictly
25 office; they do not know what will be in there at this time; 1/3 of Building one is already
26 leased.

27 Commissioner Kallas asked who will control the signage criteria of the building
28 and if that will be approved through the city. Mr. Van Wagenen confirmed that statement.
29 Mr. Bollschweiler noted that the elevation plan shows where the signage will go and
30 where it is intended to go and as part of the leasing it will need to be approved.
31 Commissioner Kallas asked what controls the city has regarding signage and what is put
32 in their CC&R’s and what signage is allowed. Mr. Van Wagenen stated that the only
33 thing the city has jurisdiction over is included in Title 18 of the Lindon City Code;
34 CC&R’s are outside of city jurisdiction but a sign permit is required from the city and is
35 approved by staff.

36 Chairperson Call asked for input on the change and exception on the interior
37 landscaping issue. Commissioner Kallas commented that all the landscaping is in the
38 back where no one can see it but it does provide a buffer against the residential area and
39 questioned if it would be better served where the public can see it. Mr. Van Wagenen
40 then pointed out on the screen exactly where the landscaping will be located.

41 Chairperson Call expressed her opinion where this is all one campus and as long
42 as the interior landscaping, as a whole, is adequate and meets the ordinance she feels
43 comfortable with this; if the buildings were individual and not one campus she may feel
44 differently. Chairperson Call stated that she has no other concerns. Commissioner Wily
45 agreed that he is fine with this and it looks like it will be a nice project.

46 Commissioner Marchbanks pointed out that there could end up being separate
47 owners from either of the two other buildings. He added that he doesn’t have a problem
48 with less landscaping in the industrial areas as it saves water and he has no problem if it

2 is blatantly included on the plat. He added that he thinks it would be more appropriate to
4 go heavy on the landscaping around the Class A office than the industrial area as it may
not be a campus forever; the theme is set in stone as it is built and there should not be any
concerns about who ends up owning it.

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

8
10 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
11 APPLICANT'S REQUEST FOR A TWO-PHASE SITE PLAN APPROVAL OF TWO
12 81,884 SQUARE FOOT OFFICE/WAREHOUSE BUILDINGS REFERRED TO AS
13 LINDON TECH CENTER WITH THE FOLLOWING CONDITIONS: 1. LINDON
14 TECH CENTER SUBDIVISION NEEDS TO BE APPROVED AND RECORDED.
15 AND 2. ANY DEFICIENCIES IN LANDSCAPING ON PHASES 1 AND 2 NEED TO
16 BE REMEDIATED IN THE FUTURE PHASE 3 THROUGH NOTES ON THE LINDON
17 TECH CENTER SUBDIVISION PLAT 3. COMMISSIONER SKINNER
18 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

18 CHAIRPERSON CALL AYE
19 COMMISSIONER WILY AYE
20 COMMISSIONER KALLAS AYE
21 COMMISSIONER MARCHBANKS AYE
22 COMMISSIONER SKINNER AYE
23 THE MOTION CARRIED UNANIMOUSLY.

- 24
25 5. **Minor Subdivision** – *Lindon Tech Center, Approx. 600 North 2000 West.* Andrew
26 Bollschweiler requests preliminary approval of a three (3) lot subdivision, including
27 dedication of public right of way at approximately 600 North and 2000 West in the
28 Mixed Commercial (MC) zone.

30 Mr. Van Wagenen led this agenda item by explaining this is a request by Andrew
31 Bollschweiler (who is attendance) for preliminary approval of a three (3) lot subdivision,
32 including dedication of public right of way at approximately 600 North and 2000 West in
the Mixed Commercial (MC) zone.

34 Mr. Van Wagenen then gave a brief overview stating the northern portion of the
35 project was recently rezoned from CG to MC based on a similar concept for an
36 office/warehouse project. He noted that most office/warehouse uses are permitted or
37 conditionally permitted in the MC zone. He pointed out that the previous item just
38 approved on the agenda was a phased site plan application for the two of the three lots.
39 Mr. Van Wagenen stated as part of that application, the applicant is desiring to make up
40 for landscaping deficiencies on lots one and two by placing appropriate notes on lot three
of this plat. He noted that all of the actual square foot percentages will be verified by staff
42 prior to recording of the plat.

43 Mr. Van Wagenen noted that the minimum lot size in the MC zone is 1 acre
44 (43,560 sq. ft.) and the lots created by this subdivision will be 5.6 acres (Lot 1), 5.6 acres
(Lot 2) and 4.7 acres (Lot 3). He added that Lots 1 and 3 meet the required public street
46 frontage of 100 feet and Lot 2 fronts on a private right of way as described in easement
notes One and Three; this is allowed per LCC 17.04.180.

2 Mr. Van Wagenen went on to say that staff has determined that the proposed
subdivision complies with all remaining land use standards. He noted the street
4 dedication along 2000 West is part of the subdivision and street improvements, including
pavement widening and curb, gutter, and sidewalk installation and will be constructed (all
6 the way along the north property line down to the intersection at 500 North) with
approval of the plat. Mr. Van Wagenen stated that the City Engineer is addressing
8 engineering standards and all engineering issues will be resolved before final approval is
granted. Mr. Van Wagenen the referenced an aerial photo of the proposed subdivision
10 and the preliminary plan followed by some general discussion.

Chairperson Call pointed out there has already been discussion on the landscaping
12 requirement so this appears that the major issue here it whether to approve the 3 lot
subdivision because these lots do meet the minimum lot size, frontage requirement, land
14 use standards, street dedication.

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

18 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR APPROVAL OF A THREE LOT SUBDIVISION TO BE KNOWN AS
20 LINDON TECH CENTER WITH THE FOLLOWING CONDITION: 1.
APPROPRIATE MINIMUM REQUIREMENTS FOR INTERIOR PARKING LOT
22 LANDSCAPING AND OVERALL LANDSCAPING TO MEET OVERALL SITE
REQUIREMENTS ARE RECORDED ON THE PLAT. COMMISSIONER
24 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

26 CHAIRPERSON CALL	AYE
COMMISSIONER WILY	AYE
28 COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
30 COMMISSIONER SKINNER	AYE

THE MOTION CARRIED UNANIMOUSLY.

- 32
34 6. **Public Hearing** – *Zone Map Amendment, approx. 53 North State Street.* Brandon
Pierce requests approval of a zone map amendment to reclassify Utah County
36 Parcel ID #14:069:0266 from General Commercial (CG) to General Commercial
A (CG-A) to allow used automobile sales on the lot.

38 COMMISSIONER WILY MOVED TO OPEN THE PUBLIC HEARING.
COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
40 VOTED IN FAVOR. THE MOTION CARRIED.

42 Jordan Cullimore, Associate Planner, led this agenda item by explaining Brandon
Pierce (who is in attendance) is requesting approval of a zone map amendment to
44 reclassify Utah County Parcel ID #14:069:0266 from General Commercial (CG) to
General Commercial A (CG-A) to allow used automobile sales on the lot.

46 Mr. Cullimore explained the principle difference between the General
Commercial (CG) and General Commercial A (CG-A) zones is that the CG does not
48 allow used car sales, while the CG-A does. He noted that the applicant currently operates

2 a used car lot (Performance Motors) at 17 North State Street in Lindon (just to the north
of the subject property). Recently, the landlord of the property where Performance
4 Motors currently operates informed the applicant that they would like to redevelop the
site and potentially add additional buildings to maximize its use potential which means
6 that Performance Motors will need to find a new location to operate.

8 Mr. Cullimore stated the applicant's business has done well in Lindon, and he
would like to stay in Lindon and continue to contribute and operate in the community.
Mr. Cullimore stated the property that is located directly south of the current location of
10 Performance Motors would serve the Mr. Pierce's needs but it is not zoned to allow used
car sales; Mr. Pierce is requesting that the lot be rezoned from CG to CG-A to allow him
12 to improve the site, construct a new building, and continue to operate Performance
Motors in Lindon. The applicants have also provided a conceptual model showing what
14 the building will look like. Mr. Cullimore gave made mention of an email sent by Mrs.
Elsa Marie Johnson that was not included in the staff report. This issue will go on to the
16 City Council.

18 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
subsection states that the "planning commission shall recommend adoption of a proposed
20 amendment only where the following findings are made:

- 22 • The proposed amendment is in accord with the master plan of Lindon City;
- Changed or changing conditions make the proposed amendment reasonably
24 necessary to carry out the purposes of the division."
- 26 • The stated purpose of the General Commercial Zone is to "promote commercial
and service uses for general community shopping." Further, the "objective in
28 establishing commercial zones is to provide areas within the City where
commercial and service uses may be located." Commercial zones include the CG,
CG-A, CG-A8, CG-S, PC-1, and PC-2 zones.

30 Mr. Cullimore then referenced an aerial photo of the proposed area to be re-
classified, photographs of the proposed area to be reclassified, photographs of the current
32 Performance Motors site, the current zoning of the area, the conceptual site plan and
Performance Motors financial information from 2012-2014 followed by some general
34 discussion by the Commission.

36 Mr. Pierce then showed the conceptual model, (approximately 1,000 square feet
per level). He stated that he has been in the used car business for 20 years and feels he
provides a good service. He noted they average between 35 and 50 cars on the lot and
38 they service their own cars and do light repairs. He went on to say they buy late model
cars (lease returns) that are still under warranty so they do not require a lot of repairs. Mr.
40 Pierce explained that their bays will all face west so the parking is in the front of the
building and there will be plenty of customer parking. He noted there are an additional
42 two employees besides himself. He mentioned that they currently lease the building they
are in and they need to do something different whether it be in Lindon or somewhere
44 else. He noted that the concerns of Mrs. Johnson are all issues with the previous owner.

46 Chairperson Call opened the meeting to public comment at this time. Several
residents in attendance addressed the Commission as follows:

2 **Lila Perry:** Ms. Perry stated that she is Mrs. Johnson's daughter. She mentioned that
they did not initially realize which property was being referenced, they thought it was the
4 property east of them which might make the email seem confusing. She also mentioned
their concerns about a light that is a nuisance and also the noise issues and the lack of
6 privacy are major issues. Ms. Perry stated they have had many issues with the noise and
have had to call the police at midnight.

8

10 **David Erickson:** Mr. Erickson mentioned that he is the seller of the property and noted
that he has a lot of roots in Lindon. He explained the Johnson family created a piece
there and made the parcel knowing there would be something commercial there someday.
12 He expressed his opinion that whatever is developed at that location there will be
something that will bother someone close by. He noted that this is second potential buyer
14 with the first being turned down by the city and questioned what to do to alleviate the
issue of nearby residential properties being bothered by the impact commercial
16 development on State Street; because of this he is hoping this request is approved.

18 **Karen Rowley:** Ms. Rowley mentioned that as far as the other home that adjoins the
property to the north is concerned, it will be demolished soon so there will be another
20 piece of commercial property. She also commented that it is her understanding that noise
is allowed during daylight hours. She expressed that she feels everyone should be
22 considerate in this matter.

24 **Elsa Marie Johnson:** Mrs. Johnson commented that she is aware that there would be
commercial business next to her at some point and she is not saying that they can't have
26 anything there, but a used car lot is not a nice building with a lot of cars and they will be
really close to her property. She understands that Lindon already has 6 used car lots on
28 State Street in Lindon and it was her understanding that there used to be a limit of 5 used
car lots. Mr. Cullimore explained there is a separate zone now that allows for used car
30 lots and there is not a maximum limit anymore.

32 Mr. Pierce commented that all of these issues happened before he was there and
noted they will close at 7 pm and they will do everything they can to be good neighbors.
34 He added that the bay doors will be shut quite often and they will work to resolve the
light issue; they will be respectful to the neighbors. Mrs. Johnson agreed they have been
36 good neighbors; much better than the previous owners.

38 Chairperson Call asked Councilmember Bean opinion on the expansion of used
car lots in the city. Councilmember Bean commented that this issue has ebbed and
flowed over the years with past Councils having specific feelings about this issue.
40 Chairperson Call expressed her concern that if this is re-zoned and Mr. Pierce left the
property then it could change. Mr. Pierce then gave a summary of the previous owner
42 (Kevin Gallagher) and what transpired at that time. Commissioner Marchbanks asked
what the current landlords are intending to do with the property when Mr. Pierce moves.
44 Mr. Pierce stated he understands that they would like to sell it.

46 **Don Blackholder:** Mr. Blackholder, agent for Mr. Pierce, explained when they started on
this property two years ago the tax assessment was \$19,200 a year and he was asked by
48 the present owners to appeal the tax assessment at the county. He stated that he explained

2 to the party hearing the appeal that this property next door is so far back off the road and
4 even though it is a nice building, it can't support itself as a car lot as the value is in the
6 building and land the two uses are incompatible for each other. It was used as a car lot
8 for almost 5 years until the city revoked the automotive status for the use and the county
10 saw the large lot of the blacktop with the building in the back of the property and the
12 county realized the property had been wounded by a large building in the back of a lot
and reduced the property taxes to \$12,000. In the end the best thing is to do away with a
car lot there and construct two buildings and do an office complex. He suggested this to
the new owners and they are taking it under consideration. Mr. Blackholder stated the
current owner would like to transfer the car lot rights to the adjacent property and this
would be an ideal property for Mr. Pierce.

14 **Mrs. Johnson:** Ms. Johnson voiced her opinion and concern that there are
16 already too many used car lots in the city and in her opinion she would rather see
18 something nice like the Osmond Senior Center instead. She also voiced her concerns that
with a new building with windows that overlook right into her yard and inhibits her
privacy.

20 Chairperson Call called for any comments or discussion. Hearing none she called
22 for a motion to close the public hearing.

24 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.
26 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

28 Commissioner Kallas inquired what is planned for the thin piece of side property
30 and if it will remain there. Mrs. Johnson commented that they use it as a driveway when
32 needed. Ms. Perry then gave a brief history of the family property. Commissioner
34 Marchbanks pointed out that the applicant is proposing a relatively low profile building
with only a few windows in the back without a pitched roof. His concern is that the
existing zoning could actually allow a 3-story office building which would have a lot of
windows overlooking her property. He noted that her property sits lower and with a 7 ft.
wall this may be the best neighbor possible looking at the options and with the least
impact; it also sounds like Mr. Pierce has been a good neighbor.

36 Commissioner Kallas would suggest that Mr. Pierce keep Mrs. Johnson's
38 concerns in mind when implementing the lighting on the new building. Mr. Van
Wagenen stated they will address the lighting issue appropriately. Commissioner Skinner
40 commented that it sounds like Mr. Pierce has been a good neighbor and good for Lindon
42 and he personally likes the idea of used car lots being congregated rather than spread
throughout the city. There was then some additional general discussion by the
Commission. Chairperson Call stated this issue will go to City Council who will make
the final determination.

44 Chairperson Call called for any comments or discussion. Hearing none she called
46 for a motion.

48 COMMISSIONER WILY MOVED TO RECOMMEND TO THE CITY
COUNCIL APPROVAL OF ORDINANCE #2015-4-O TO CHANGE THE ZONING

2 DESIGNATION OF THE LOT IDENTIFIED BY UTAH COUNTY PARCEL
#14:069:0266 FROM GENERAL COMMERCIAL (CG) TO GENERAL
4 COMMERCIAL A (CG-A) WITH NO CONDITIONS. COMMISSIONER SKINNER
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

6 CHAIRPERSON CALL AYE
COMMISSIONER WILY AYE
8 COMMISSIONER KALLAS AYE
COMMISSIONER MARCHBANKS AYE
10 COMMISSIONER SKINEER AYE
THE MOTION CARRIED UNANIMOUSLY.

- 12
14 7. **Minor Subdivision** – *Westlind Industrial Park, approx. 1450 West 70 South.* Jill
Einerson requests preliminary subdivision approval of a 3 lot industrial
16 subdivision, with common area, at approximately 1450 West 70 South in the
Light Industrial (LI) zone.

18 Mr. Cullimore led this agenda item by explaining this is a request by Jill Einerson
(who is in attendance) and requesting preliminary subdivision approval of a 3 lot
20 industrial subdivision, with common area, at approximately 1450 West 70 South in the
Light Industrial (LI) zone.

22 Mr. Cullimore stated that Ms. Einerson represents one of the current tenants of the
property, and would like to purchase their unit from the current property owner. He noted
24 that to do this transaction, the existing building must be condominiumized to create
unique parcel IDs for the units that will enable the units to be separately owned. Mr.
26 Cullimore stated there will be no additions or modifications to the building, and the
existing site will not be reconfigured. He noted the effect of the plat will be to simply
28 create two units within the structure that may be separately owned. He mentioned that
each unit will include an undivided interest in the identified common area.

30 Mr. Cullimore explained that since there will be no exterior additions or
modifications to the site or structures, staff has determined that the proposed subdivision
32 complies, or will be able to comply before final approval, with applicable land use
standards. He mentioned that the City Engineer is addressing engineering standards and
34 all engineering issues will be resolved before final approval is granted. Mr. Cullimore
noted that staff will ensure that the final plat complies with all requirements of the Utah
36 Condominium Ownership Act. Mr. Cullimore stated this is a pretty straightforward
request.

38 Mr. Cullimore then referenced an aerial photo of the proposed subdivision,
preliminary plan and photos of the existing site and structure followed by some general
40 discussion. Commissioner Marchbanks commented that he visited the proposed
subdivision site and stated they have done a beautiful job and it makes sense of what they
42 are trying to do as a business owner and he feels it brings continuity and consistency and
will be an advantage.

44 Chairperson Call called for any additional comments or discussion. Hearing none
she called for a motion.

46
48 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
APPLICANTS REQUEST FOR APPROVAL OF A TWO UNIT INDUSTRIAL

2 CONDOMINIUM SUBDIVISION WITH THE CONDITION THAT ALL
3 CONDOMINIUM CODES, STATE GUIDELINES AND BUILDING CONDITIONS
4 BE MET AND FOLLOWED THROUGH WITH STAFF. COMMISSIONER KALLAS
5 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

6 CHAIRPERSON CALL AYE
7 COMMISSIONER WILY AYE
8 COMMISSIONER KALLAS AYE
9 COMMISSIONER MARCHBANKS AYE
10 COMMISSIONER SKINNER AYE
11 THE MOTION CARRIED UNANIMOUSLY.

12
13 8. **Minor Subdivision** – *Ostler Industrial Park, approx. 124 South 1800 West.*
14 Brian Pittard requests preliminary subdivision approval of a 2 lot industrial
15 subdivision at approximately 124 South 1800 West in the light Industrial zone.

16
17 Mr. Cullimore led this agenda item by explaining this is a request by Brian Pittard
18 and who is requesting preliminary subdivision approval of a 2 lot industrial subdivision at
19 approximately 124 South 1800 West in the light Industrial zone. Mr. Cullimore stated
20 that Rob Webber representing the contractor and Mr. Pittard are in attendance to answer
21 and questions.

22 Mr. Cullimore explained that the existing lot is a 2.018 acre industrial site with an
23 existing industrial structure. He noted the northernmost area of the site is currently
24 undeveloped. The property owner would like to subdivide the existing lot and develop the
25 resulting undeveloped lot with another industrial structure. He noted that the site plan for
26 lot 2 will be discussed at the next agenda item. Mr. Cullimore further explained the
27 minimum lot size in the LI zone is 1 acre (43,560 sq. ft.). Lot 1 of the proposed
28 subdivision will be 1.02 acres and lot 2 will be exactly 1.00 acre and both lots will have
29 sufficient frontage along a public street that will meet code requirements.

30 Mr. Cullimore went on to say that staff has determined that the proposed
31 subdivision complies, or will be able to comply before final approval, with all remaining
32 land use standards. He noted that the required curb and gutter already exist along the
33 frontage of both proposed lots and the landscaping will be addressed with the site plan
34 application. Mr. Cullimore stated the City Engineer is addressing engineering standards
35 and all engineering issues will be resolved before final approval is granted.

36 Mr. Cullimore then referenced an aerial photo of the proposed subdivision,
37 preliminary plan and site photos followed by some general discussion. Mr. Cullimore
38 stated that this is a pretty straightforward subdivision as it meets all code requirements.
39 Chairperson commented that she see no issues with this subdivision and has no concerns.

40 Chairperson Call called for any comments or discussion. Hearing none she called
41 for a motion.

42
43 COMMISSIONER WILY MOVED TO APPROVE THE APPLICANT'S
44 REQUEST FOR APPROVAL OF A TWO LOT INDUSTRIAL SUBDIVISION WITH
45 NO CONDITIONS. COMMISSIONER SKINNER SECONDED THE MOTION. THE
46 VOTE WAS RECORDED AS FOLLOWS:

47 CHAIRPERSON CALL AYE
48 COMMISSIONER WILY AYE

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

6

8 9. **Site Plan** – *Mix Right, approx. 124 South 1800 West.* Brian Pittard requests
10 site plan approval of a 9,375 square foot industrial building on lot 2 of the
proposed Ostler Industrial Park Plat “G” at approximately 124 South 1800
West in the light Industrial zone.

12 Mr. Cullimore stated this is the site plan of the proposed building in the
subdivision previously approved. He then gave a brief summary stating the applicant,
14 Mr. Pittard, proposes to construct a 9,375 square foot industrial building on lot 2 of Ostler
Industrial Park Plat “G”. He noted the lot is located in the Light Industrial zone. Mr.
16 Cullimore then referenced the parking standards explaining the industrial building will
include 1,375 square feet of office space and 8,000 feet of warehouse.

18 Mr. Cullimore explained that the parking ratio for office space is 1/350 sq. ft. and
the ratio for warehouse space is 1/1000 square feet. Consequently, the required number of
20 spaces is 12, which includes 1 ADA accessible stall. He noted that Mr. Pittard is
proposing 18 parking stalls, which satisfies the parking requirement and additionally, the
22 Code requires 2 bicycle parking stalls. He added the site plan proposes to install 2 bicycle
parking stalls, and meets the requirement.

24

He then referenced the summary of parking requirements as follows:

- 26 • Vehicle Spaces Required: 12
- Vehicle Space Provided: 18
- 28 • Bicycle Spaces Required: 2
- Bicycle Spaces Provided: 2

30

Mr. Cullimore then referenced the landscaped strip along the frontage explaining
32 that the Light Industrial zone requires a 20’ landscaped strip along all street frontages
with trees planted within the strip every 30’ on center. He further explained with the
34 interior landscaping the Code requires that interior landscaping must be provided at 40
square feet per required stall. He note the site has 18 parking stalls, which will require at
36 least 720 square feet of interior landscaping, exclusive of the required landscaped strip
along street frontage. Mr. Cullimore went on to say the submitted landscaping plan does
38 not propose any interior landscaping; code also requires 1 interior tree per 10 required
stalls. Mr. Cullimore mentioned that since the site plan does not propose interior
40 landscaping, this requirement is not being met so staff recommends, as a condition of
approval, that the applicant comply with interior landscaping requirements before final
42 approval is granted.

Mr. Cullimore then referenced the architectural standards stating the Code
44 requires that all buildings in the Light Industrial Zone must be “aesthetically pleasing,
well- proportioned buildings which blend with the surrounding property and structures.”
46 He noted that specifically, the following is required:

- 48 • A minimum of 25% of the exterior of the building must be covered with brick,
decorative block, stucco, wood, or other similar materials as approved by the

2 Planning Commission. The Planning Commission may also approve ribless,
metal, flat-faced, stucco embossed, metal sandwich panel buildings when the
4 Commission finds that such buildings are aesthetically pleasing. The Commission
may also allow that this architectural treatment be transferred to a more visible
6 side of the building if the transfer improves the overall visual character of the area
and if no net loss of treatment occurs.

- 8 • In the present case, the entire east elevation of the building, which faces the public
street will be finished with ribless, metal, flat-faced, stucco embossed, metal
10 sandwich paneling. The remaining three sides of the building each have less than
25% of the required architectural treatment, but when all 4 walls are considered
12 together, 40% of the building is finished with the required architectural treatment.
The Planning Commission may approve the proposed transfer of much of the
14 architectural treatment to the front of the building if the Commissioners feel the
transfer improves the overall visual character. The applicant submitted a board
16 illustrating the materials that will be displayed at Planning Commission for
review.

18
20 Mr. Cullimore went on to say that Code requires buildings in the LI zone to be
earth-tone colors. Colored elevations of the building will be displayed at the Planning
Commission meeting for compliance review. He noted the proposed structure meets
22 setback and height requirements of the LI zone. He added that the City Engineer is
working through technical issues related to the site and will ensure all engineering related
24 issues are resolved before final approval is granted. There was then some lengthy general
discussion regarding this issue. Mr. Cullimore stated some of these issues can be worked
26 out with the City Engineer at a development review meeting for further discussion.
Chairperson Call mentioned that as long as a condition is included in the motion some of
28 these issues can be worked out with staff. Mr. Cullimore confirmed that statement.

30 Mr. Cullimore then referenced an aerial photo of the site and surrounding area,
photos of the site, the site plan, and the earth-tone color palette.

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

34 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
APPLICANTS REQUEST FOR SITE PLAN APPROVAL WITH THE CONDITION
36 THAT THE MINIMUM INTERIOR LANDSCAPE REQUIREMENTS ARE MET
WITH STAFF AND THAT THE APPLICANT WORK OUT THE ADJUSTMENT
38 BETWEEN THE LANDSCAPING AND PARKING ISSUES AND MEET ALL
CONDITIONS. COMMISSIONER KALLAS SECONDED THE MOTION. THE
40 VOTE WAS RECORDED AS FOLLOWS:

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

2 10. **Minor Subdivision** – *Ruf Subdivision, approx., 1200 West 700 North*. Ben
4 Davis of UVM Building, LLC requests preliminary approval of a two (2) lot
6 commercial subdivision at approximately 1200 West 700 North in the General
Commercial (CG) zone.

8 Mr. Cullimore led this agenda item by explaining Ben Davis of UVM
10 Building, LLC (who is in attendance) is requesting preliminary approval of a two
12 (2) lot commercial subdivision at approximately 1200 West 700 North in the
14 General Commercial (CG) zone. Mr. Cullimore then gave some background
stating the existing lot is a 2.27 acre parcel. The applicant wishes to subdivide the
lot for future development. Curb and Gutter improvement currently exist along 700
North.

16 Mr. Cullimore then discussed the lot requirements as follows:

- 18 • Minimum lot size in the CG zone is 20,000 square feet (0.46 acre). Lot 1 of the
proposed subdivision will be exactly 1.0 acre and lot 2 will be exactly 1.26 acres.
- 20 • Both lots will have frontage along a public street.

22 Mr. Cullimore commented that staff has determined that the proposed subdivision
24 complies, or will be able to comply before final approval, with all remaining land use
standards. He noted that required curb and gutter already exist along the frontage of both
26 proposed lots and the sidewalk will be installed upon approval of the subdivision. He
pointed out that 700 North is a limited access street and cross-access easements must be
provided to accommodate ingress and egress on these lots. He added that the City
Engineer is addressing engineering standards and all engineering issues will be resolved
before final approval is granted.

28 Mr. Davis stated that they are addressing the cross easement issues with staff.
Mr. Davis then addressed the proposed use of the facility stating it will be a mortuary and
30 they are hoping to start as soon as possible. There was then some general discussion
regarding this agenda item. Mr. Cullimore stated this is a pretty straightforward
32 subdivision application. Mr. Cullimore then presented an aerial photo of the proposed
subdivision, site photo and the preliminary plan for reference.

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

36
38 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
APPLICANT’S REQUEST FOR APPROVAL OF A TWO LOT COMMERCIAL
SUBDIVISION WITH THE CONDITIONS THAT THEY MEET ALL STAFF
40 GUIDELINES AND BUILDING REQUIREMENTS. COMMISSIONER SKINNER
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

48

2 11. **Public Hearing** – *Ordinance Amendment, Lindon City Code 17.04.090.*
Lindon City requests preliminary approval of an amendment to Lindon City
4 Code 17.04.090. The proposed amendment would define when amendment
proceedings are formally initiated.

6
8 COMMISSIONER WILY MOVED TO OPEN THE PUBLIC HEARING.
COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

10
12 Mr. Cullimore led this agenda item by explaining Lindon City requests
preliminary approval of an amendment to Lindon City Code 17.04.090. The proposed
amendment would define when amendment proceedings are formally initiated.

14 Mr. Cullimore gave a brief summary stating this ordinance amendment was
initiated because of a recommendation from Lindon City Attorney, Brian Haws. Utah
16 State Code 10-9a-509(1)(a)(ii) states the following:

18 (1)(a)(ii) Except as provided in Subsection (1)(b), an applicant is entitled to
approval of a land use application if the application conforms to the requirements
of the municipality's land use maps, zoning map, a municipal specification for
20 public improvements applicable to a subdivision or development, and an
applicable land use ordinance in effect when a complete application is submitted
and all application fees have been paid, unless:

- 22
- 24 a. the land use authority, on the record, finds that a compelling,
countervailing public interest would be jeopardized by approving the
application; or
 - 26 b. in the manner provided by local ordinance and before the application is
submitted, the municipality has formally initiated proceedings to amend its
28 ordinances in a manner that would prohibit approval of the application as
submitted.

30
32 Mr. Cullimore explained that when determining whether existing or proposed
requirements apply to a specific application, the local municipality may define when
amendment proceedings have been “formally initiated”. He noted if the municipality has
34 formally initiated amendment proceedings before an applicant submits an application for
approval, the application will be subject to the proposed requirements if the amendment
36 is subsequently approved.

38 Mr. Cullimore noted that Mr. Haws represents another municipality in Utah
County that has not specifically defined when amendment proceedings are formally
initiated, and the ambiguity has resulted in litigation. Lindon’s Code does not presently
40 define when amendment proceedings are formally initiated, therefore, Mr. Haws has
recommended that we include a definition in the Code to avoid similar issues.

42 Mr. Cullimore then referenced the proposed amendment followed by some
general discussion. Chairperson Call called for any comments or discussion. Hearing
44 none she called for a motion to close the public hearing.

46 COMMISSIONER SKINNER MOVED TO CLOSE THE PUBLIC HEARING.
COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
48 VOTED IN FAVOR. THE MOTION CARRIED.

2

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

4

6

COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL OF THE PROPOSED ORDINANCE AMENDMENT TO 17.04.090 AS PRESENTED AND RECOMMEND APPROVAL TO THE CITY COUNCIL. COMMISSIONER WILY SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

8

10

CHAIRPERSON CALL AYE

COMMISSIONER WILY AYE

12

COMMISSIONER KALLAS AYE

COMMISSIONER MARCHBANKS AYE

14

COMMISSIONER SKINNER AYE

THE MOTION CARRIED UNANIMOUSLY.

16

12. Election of Planning Commission Chair and Vice-Chair – The Commission will hold elections for the positions of Chair and Vice-Chair for 2015.

18

20

Mr. Cullimore led this agenda item by explaining the Commission will hold elections for the positions of Chair and Vice-Chair for 2015. Mr. Van Wagenen then noted that the election for Chair and Vice-chair are held annually as outlined in LCC 17.08.050 Planning Commission Policies and Procedures:

22

24

1. Organization

26

a. Quorum - A quorum of at least four Planning Commission members must be present to hold a meeting and conduct business according to a legally prepared and posted agenda.

28

b. Chairman and Vice Chairman - The annual election of the Chairman and Vice Chairman shall take place once each year. Nominations for each office shall be received from the voting Commission members. The Chairman and Vice Chairman shall serve for a term of one year. In the event of absence or disability of the Chairman, the Vice Chairman shall preside. In the absence of both, the members shall appoint a Chairman for the meeting. The Vice Chairman shall succeed the Chairman for the period of the unexpired term if he or she vacates office before the term is completed. A new Vice Chairman shall be elected at the next regular meeting.

30

32

34

36

38

Chairperson Call asked Mr. Van Wagenen how he would like the Commission to handle the election process. Mr. Van Wagenen stated that it can be done formally with a paper ballot or informally. He noted the current chair of the Planning Commission is Sharon Call and the current Vice-chair is Mike Marchbanks.

40

42

Following some general discussion by the Commission it was determined to have Chairperson Call remain and Chair and Mike Marchbanks remain Vice-Chair of the Planning Commission for 2015.

44

46

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

48

2 COMMISSIONER KALLAS MOVED TO RE-ELECT SHARON CALL AS
4 CHAIR AND MIKE MARCHBANKS AS VICE CHAIR OF THE LINDON CITY
6 PLANNING COMMISSION FOR 2015. COMMISSIONER SKINNER SECONDED
8 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

6 CHAIRPERSON CALL AYE
8 COMMISSIONER WILY AYE
10 COMMISSIONER KALLAS AYE
12 COMMISSIONER MARCHBANKS AYE
14 COMMISSIONER SKINNER AYE
16 THE MOTION CARRIED UNANIMOUSLY.

18 **13. New Business (Reports by Commissioners) –**

20 Chairperson Call brought up the upcoming ICO tour. Mr. Van Wagenen stated he
22 will send out the tour details tomorrow. Commissioner Skinner asked for an update on
24 the controversial group home that was recently approved. Mr. Cullimore stated that it was
26 approved and they put up the fence and fire suppression system and they are moving
28 along and waiting for the state license.

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

34 **14. Planning Director Report–**

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

- 38 1. ICO Apartment Tour

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

44 **ADJOURN –**

COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE
MEETING AT 9:40 P.M. COMMISSIONER SKINNER SECONDED THE MOTION.
ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – February 10, 2015

Sharon Call, Chairperson

Hugh Van Wagenen, Planning Director

Item 3: Public Comment

1 - Subject _____
Discussion

2 - Subject _____
Discussion

3 - Subject _____
Discussion

Item 4: Amended Site Plan — Scott’s Provo GM, approx. 347 South 1250 West

Mandy Ogaz of Scott’s Miracle-Gro requests site plan approval for the addition of a 1,768 square foot modular office building to the existing site at approximately 347 South 1250 West in the Light Industrial (LI) zone.

<p>Applicant: Scott’s Miracle-Gro Presenting Staff: Jordan Cullimore</p> <p>General Plan: Light Industrial Current Zone: Light Industrial</p> <p>Property Owner(s): Hyponex Corporation Address: 347 South 1250 West Parcel ID: 55:658:0001 Lot Size: 5.95 acres</p> <p>Type of Decision: Administrative Council Action Required: No</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <p>1. Whether to approve a request for an amended site plan to add a 1,768 square foot building to the existing Scott’s site in the LI zone.</p> <p><u>MOTION</u></p> <p>I move to (<i>approve, deny, continue</i>) the applicant’s request for site plan approval of an 1,768 square foot building at 347 South 1250 West (if any):</p> <ol style="list-style-type: none">1.2.3.
--	---

BACKGROUND

1. The applicant recently took over the existing Wolf Mountain facility. There are exiting structures and uses on the property that will continue to be used and operated by Scott’s.
2. The applicant would like to add 1 1,768 square foot modular office building.
3. This proposal amends the existing site by increasing the total building square footage on the lot by 14.7%. When such an increase occurs, the Lindon City Code (LCC) requires that the proposed building comply with current architectural treatment requirements, and that the site comply with current parking standards.
4. The site is located within the Light Industrial (LI) zone.

DISCUSSION & ANALYSIS

Parking

Summary: The number and configuration of parking complies with Code requirements.

- Required: 22 spaces; 1 ADA
- Provided : 22 spaces; 1 ADA
- Required Bicycle Stalls: 2
- The site plan shows a bike rack will be provided

Interior Parking Lot Landscaping

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

Architectural Standards

- The Light Industrial zone requires that at least 25% of the exterior of the building be covered with brick, decorative block, stucco, wood, or other similar materials as approved by the Planning Commission.
- The exterior finish of the proposed structure is composed of wood. The applicant will provide illustrations of the exterior building materials at the February 10 Planning Commission meeting.

ATTACHMENTS

1. Aerial photo of the site and surrounding area.
2. Photographs of the existing site.
3. Site Plan



Scott's Miracle-Gro
Amended Site Plan
Approx. 347 South 1250 West

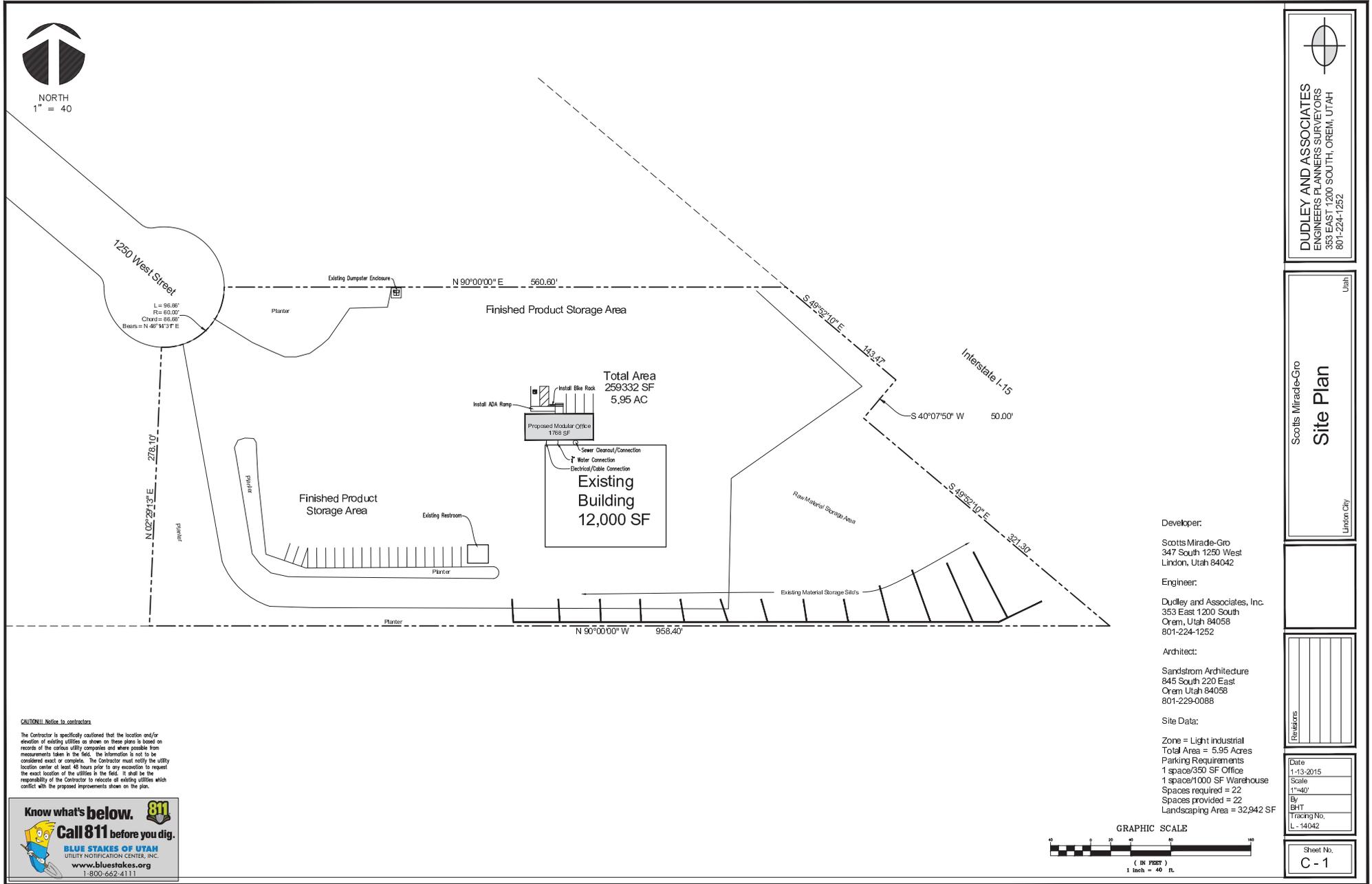




Attachment 3



NORTH
1" = 40'



CAUTION! Notice to contractors
The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. The information is not to be considered exact or complete. The Contractor must notify the utility location center at least 48 hours prior to any excavation to request the exact location of the utilities in the field. It shall be the responsibility of the Contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plan.

Know what's below. 811
Call 811 before you dig.
BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC.
www.bluestakes.org
1-800-662-4111

DUDLEY AND ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
353 EAST 1200 SOUTH, OREM, UTAH
801-224-1252

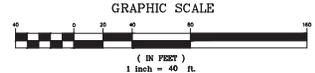
Scotts Miracle-Gro
Site Plan
Utah
Lindon City

Developer:
Scotts Miracle-Gro
347 South 1250 West
Lindon, Utah 84042

Engineer:
Dudley and Associates, Inc.
353 East 1200 South
Orem, Utah 84058
801-224-1252

Architect:
Sandstrom Architecture
845 South 220 East
Orem Utah 84058
801-229-0088

Site Data:
Zone = Light industrial
Total Area = 5.95 Acres
Parking Requirements
1 space/350 SF Office
1 space/1000 SF Warehouse
Spaces required = 22
Spaces provided = 22
Landscaping Area = 32,942 SF



Revisions	

Date	1-13-2015
Scale	1"=40'
By	BHT
Tracing No.	L-14042

Sheet No.
C - 1

Item 5: Public Hearing — Ordinance Amendment, Lindon City Code 17.49.070 & 17.50.070 Arch. Design

Lindon City requests approval of an amendment to Lindon City Code 17.49.070 and 17.50.070. The proposed amendment will modify architectural requirements in the Light Industrial (LI) and Mixed Commercial (MC) zones.

<p>Applicant: Lindon City Presenting Staff: Jordan Cullimore</p> <p>Type of Decision: Legislative Council Action Required: Yes</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <p>1. Whether it is in the public interest to recommend approval of the proposed amendment to the City Council.</p> <p><u>MOTION</u></p> <p>I move to recommend (<i>approval, denial, continuation</i>) of ordinance amendment 2015-6-O (<i>as presented, with changes</i>).</p>
--	--

DISCUSSION & ANALYSIS

On August 26, 2014, the Planning Commission considered examples of concrete tilt-up buildings and discussed Lindon City's architectural standards for such buildings in the Mixed Commercial (MC) and Light Industrial (LI) zones. The Commission determined that it would be in the public interest to adjust the standards to ensure structures will be well designed and aesthetically pleasing. The Commission recommended the following changes:

Recommendation for the LI zone:

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

Recommendations for the MC zone:

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

The proposed amendment seeks to codify the Commission's recommendations.

ATTACHMENTS

1. Proposed amendment

ORDINANCE NO. 2015-06-O

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AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING SECTIONS 17.49.070 & 17.50.070 OF THE LINDON CITY CODE TO MODIFY ARCHITECTURAL STANDARDS IN THE LIGHT INDUSTRIAL AND MIXED COMMERCIAL ZONES AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the proposed amendment will provide greater certainty and predictability in the land use application process; and

WHEREAS, the proposed amendment is consistent with the goal of the General Plan to ensure that new development is of high quality; and

WHEREAS, the Lindon City Planning Commission has recommended approval of an amendment to sections 17.49.070 and 17.50.070 of the Lindon City Code; and

WHEREAS, a public hearing was held on February 10, 2015, to receive public input and comment regarding the proposed amendment; and

WHEREAS, **no adverse comments were received during the hearing;** and

WHEREAS, the Council held a public hearing on **February XX, 2015** to consider the recommendation and **no adverse comments were received.**

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lindon, Utah County, State of Utah, as follows:

SECTION I: LCC sections 17.49.070 and 17.50.070 of the Lindon City Code are hereby amended to read as follows:

Section 17.49.070 Architectural design.

All buildings in the LI and HI zone shall be aesthetically pleasing, well-proportioned buildings, which blend with the surrounding property and structures. The following criteria shall be applied to all buildings and/or structures constructed in the LI, HI and T zones and any other construction requiring a building permit in the LI, HI and T zones as per the currently adopted building code for Lindon City:

1. Twenty-five percent (25%) minimum of the exterior of all buildings (except as permitted in 17.49.070(42)) shall be covered with brick, decorative block, stucco, wood, or other similar materials as approved by the Planning Commission. Precast concrete or concrete tilt-up buildings also meet the architectural treatment requirement, subject to the standards in section 17.49.070(2). Colored pre-cast concrete or colored tilt-up buildings also meet the architectural treatment requirement.—(These architectural treatment standards are not applicable in the HI zone). ~~Thirty percent~~
 - a. With the consent of the property owner, the Planning Commission may allow some or all of the required architectural treatment on a proposed building or addition to be transferred to a pre-existing building or structure, or transferred to one or more sides of a proposed structure, which may be more visible from a public street. Said transfer of architectural treatment would need to improve the overall visual character of the area in a greater manner than if the treatment is only applied to the less visible building, addition, or side of the structure being considered. No net loss of treatment should occur. When considering a transfer

of the architectural treatment, the Planning Commission should be conscious of visual site lines of adjacent buildings and properties to determine if they would be negatively impacted by a Planning Commission decision to allow transfer of the architectural treatment on the proposed structures.

2. Precast concrete or concrete tilt-up buildings are permitted in the LI zone and meet the architectural treatment requirement in subsection 1 above, subject to the following standards:

a. Bare concrete exteriors are permitted if the concrete color is consistent and if the building is also finished with additional architectural details such as entrance canopies, wrought iron railings and finishes, shutters, multi-level porches, metal shades, and metal awnings.

b. Painted or colored concrete exteriors are also permitted if the shade of each color is consistent. No additional architectural details are required on painted or colored exteriors.

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

3.4. The Planning Commission may approve ribless, metal, flat-faced, stucco embossed, metal sandwich panel buildings when the Planning Commission finds that the building is aesthetically pleasing, adequately trimmed, contrasted with different colors, is well proportioned, blends in with surrounding property, and has a similar look to that achieved by 17.49.070(1). The exterior appearance of such buildings shall primarily be of earth tone colors. Applicants desiring to apply for this type of construction may consider the Lindon City Public Works building located at 946 West Center Street and the building located at 375 North 700 West in Pleasant Grove as examples of structures in compliance with this architectural design standard.

(Ord 2015-6, amended XX/XX/2015; Ord 2008-8, amended 09/25/2008; Ord 2008-4, amended 2/19/2008; Ord. 2003-1, Amended, 02/18/03) (Ord. 98-9, Amended, 10/03/2000)

Section 17.50.070 Architectural Design

1. All structures in the MC zone shall be aesthetically pleasing, well-proportioned buildings that blend with the surrounding property and structures. All structures in the MC zone shall have finishes of brick, decorative block, stucco, wood, concrete tilt-up, or other materials and designs approved within the Lindon City Commercial Design Guidelines, or as otherwise approved by the Planning Commission.

2. Concrete tilt-up buildings shall comply with the following standards:

a. Painted or colored concrete exteriors are permitted. The shade of each color must be consistent.

b. Bare concrete exteriors are not permitted.

c. The exterior of a concrete tilt-up building shall be finished with additional architectural details such as entrance canopies, wrought iron railings and finishes, shutters, multi-level porches, metal shades, and metal awnings.

(Ord. 2015-6, amended XX/XX/2015; Ord. 2012-8 amended 6/19/12)

SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

SECTION III: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

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104 **SECTION IV:** This ordinance shall take effect immediately upon its passage and posting as
105 provide by law.

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107 PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this
108 _____ day of _____, 2015.

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112 _____
113 Jeff Acerson, Mayor

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117 ATTEST:
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119 _____
120 Kathryn A. Moosman,
121 Lindon City Recorder

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124 SEAL

Item 6: Ordinance Amendment, Lindon City Code 17.48 Commercial Zones

Lindon City requests approval of an amendment to Lindon City Code 17.48. The proposed amendment will modify minimum lot or development size along the 700 North Commercial Corridor.

Applicant: Lindon City
Presenting Staff: Jordan Cullimore

Type of Decision: Legislative
Council Action Required: Yes

SUMMARY OF KEY ISSUES

1. Whether it is in the public interest to recommend approval of the proposed amendment to the City Council.

MOTION

I move to recommend (*approval, denial, continuation*) of ordinance amendment 2015-5-0 (*as presented, with changes*).

DISCUSSION & ANALYSIS

There have been several discussions among Planning Commissions, City Council members, and staff regarding how to best promote high quality, orderly development along 700 North in Lindon. This amendment proposes to increase the minimum lot size along 700 North to 1 acre to discourage piecemeal development to achieve these goals. It also proposes a requirement to preserve access from lots on 700 North to the specified access points identified in the 700 North Access Management Plan.

ATTACHMENTS

1. Proposed amendment

ORDINANCE NO. 2015-05-O

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AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING SECTION 17.48.020 OF THE LINDON CITY CODE TO MODIFY MINIMUM LOT SIZE IN THE 700 NORTH COMMERCIAL CORRIDOR AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the proposed amendment is consistent with the goal of the General Plan to ensure that new development is of high quality; and

WHEREAS, the Lindon City Planning Commission has recommended approval of an amendment to section 17.48.020 of the Lindon City Code; and

WHEREAS, a public hearing was held on February 10, 2015, to receive public input and comment regarding the proposed amendment; and

WHEREAS, no adverse comments were received during the hearing; and

WHEREAS, the Council held a public hearing on February XX, 2015 to consider the recommendation and no adverse comments were received.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lindon, Utah County, State of Utah, as follows:

SECTION I: LCC section 17.48.020 of the Lindon City Code are hereby amended to read as follows:

Section 17.48.020 Zone ~~development-dimensional~~ standards.
Refer to Table 17.48.020 at the end of this Chapter for general dimensional standards in the various CG zones. The following applies to the area identified in Figure 1 (700 North Commercial Corridor) at the end of this Chapter: The following development standards apply, except as otherwise approved by the Planning Commission for site designs in the various CG zones that are consistent with the Lindon City Commercial Design Guidelines.
1. The minimum lot size in the 700 North Commercial Corridor is 1 acre.
2. All other dimensional standards in Table 17.48.020, except the minimum lot size, apply to lots in the 700 North Commercial Corridor.
3. Each lot in the 700 North Commercial Corridor must provide access from 700 North to adjacent lots through ingress and egress easements or public or private rights-of-way.

(See Table 17.48.020 page 7)

Ord. 2015-5, adopted XX/XX/2015; Ord. 2008-6, adopted 04/15/2008, Ord. 99-6, Amended, 10/04/2000; Ord. 98-6, Repealed and Replaced, 10/03/2000; Ord. 2006-10 Adopted 10/4/06; Ord. 2013-12 Amended 12/4/13)

80 PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this
81 _____ day of _____, 2015.

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86 _____
87 Jeff Acerson, Mayor

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90 ATTEST:

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94 Kathryn A. Moosman,
95 Lindon City Recorder

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SEAL

Item 7: New Business (Planning Commissioner Reports)

Item 1 – Subject _____
Discussion

Item 2 – Subject _____
Discussion

Item 3 – Subject _____
Discussion

Item 8: Planning Director Report

- Test of City Emails
- Upcoming 700 North Work Session

Adjourn

Annual Reviews				
APPLICATION NAME	APPLICATION DATE	APPLICANT INFORMATION	PLANNING COMM.	CITY COUNCIL
			DATE	DATE
Annual review - Lindon Care Center 680 North State Street (File # 05.0383.8) administrator@lindoncare.com	Existing use.	Lindon Care Center Manager: Christine Christensen 801-372-1970.	March 2015 Last Reviewed: 3/14	N/A
<i>Annual review of care center to ensure conformance with City Code. Care center is a pre-existing use in the CG zone.</i>				
Annual review of CUP - Housing Authority of Utah County - Group home. 365 E. 400 N. (File # 03.0213.1) lsmith@housinguc.org	Existing CUP	Housing Auth. Of Utah County Director: Lynell Smith 801-373-8333.	March 2015 Last Reviewed: 3/14	N/A
<i>Annual review of CUP to ensure conformance with City Code. Group home at entrance to Hollow Park was permitted for up to 3 disabled persons.</i>				
Heritage Youth Services - Timpview Residential Treatment Center. 200 N. Anderson Ln. (File # 05.0345) info@heritageyouth.com info@birdseyvertc.com	Existing CUP	HYS: Corbin Linde, Lynn Loftin 801-798-8949 or 798-9077	March 2015 Last Reviewed: 3/14	N/A
<i>Annual review required by PC to ensure CUP conditions are being met. Juvenile group home is permitted for up to 12 youth (16 for Timp RTC) not over the age of 18.</i>				

Grant Applications	
Pending	Awarded
Bikes Belong - Trail construction grant. Requested amount: \$10,000 o Status: NOT SELECTED FOR 2010. WILL RE-APPLY IN 2015.	MAG Bicycle Master Plan Study Awarded funds to hire consultant to develop bicycle master plan to increase safety and ridership throughout the city.
Land and Water – Trail construction grant. Requested amount: \$200,000 o Status: NOT SELECTED. RE-APPLY IN 2015.	EDC Utah 2014 — Awarded matching grant to attend ICSC Intermountain States Idea Exchange 2014.
Hazard Mitigation Grant / MAG Disaster Relief Funds- (pipe main ditch)	CDBG 2014 Grant – Senior Center Computer Lab (\$19,000)
FEMA Hazard Mitigation Grant – (pipe Main Ditch)	

Planning Dept - Projects and Committees			
On-going activities (2014 yearly totals)	Misc. projects	UDOT / MAG projects	Committees
Building permits Issued: 228 New residential units: 53	2010-15 General Plan implementation (zoning, Ag land inventory, etc.)	700 North CDA	Utah Lake Commission Technical Committee: Bi-Monthly
New business licenses: 74	Lindon Hollow Creek-Corps of Eng., ditch relocation	Lindon Bicycle Master Plan	MAG Technical Advisory Committee: Monthly
Land Use Applications: 64 Drug-free zone maps: 27	Lindon Heritage Trail Phase 3		Lindon Historic Preservation Commission: Bimonthly