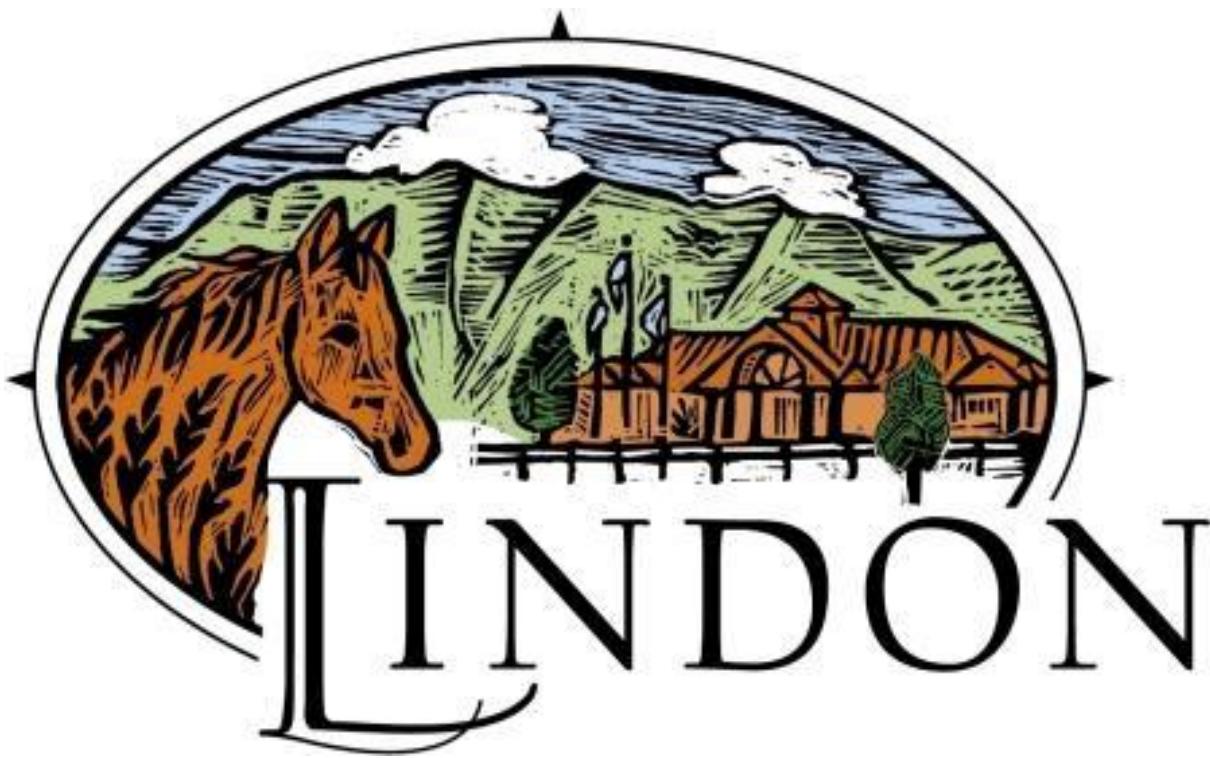


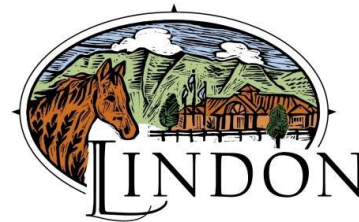
# **Lindon City Planning Commission Staff Report**



April 26, 2016

# Notice of Meeting

## Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, April 26, 2016**, in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at **7:00 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

#### 1. Call to Order

#### 2. Approval of minutes

Planning Commission 04/12/2016

#### 3. Public Comment



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

(Review times are estimates only.)  
(45 minutes)

#### 4. Public Hearing — Street Master Plan Amendment (Approx. 350 East 500 North)

Robert Williamson requests preliminary approval of a proposed amendment to the Lindon City Street Master Plan Map to remove a master planned road connection located at approximately 350 East 500 North in the Single Family Residential (R1-20) zone. The road connection was planned to connect future 500 North street from 200 East with the proposed 350 East street. *(Continued from 4/12/2016)*

(15 minutes)

#### 5. Public Hearing — Street Master Plan Amendment (Approx. 200 East 500 North)

Patti Toomer requests preliminary approval of a proposed amendment to the Lindon City Street Master Plan Map to remove a master planned road connection located at approximately 200 East 500 North in the Single Family Residential (R1-20) zone. The road connection was planned to connect future 500 North street from 200 East with the proposed 350 East street. *(Continued from 4/12/2016)*

(15 minutes)

#### 6. Annual Review of Group Home Facility — Housing Authority of Utah County, 306 East 400 North

This is a required annual review of a group home operated by the Housing Authority of Utah County. The facility was previously approved to provide housing for up to three (3) physically disabled adults. No changes are proposed to the facility at this time. This is only a review of the current use to ensure conformance with Lindon City Code and conditions of approval.

(15 minutes)

#### 7. Annual Review of Group Home Facility — Lindon Care & Training Center, 680 N. State St.

This is a required annual review of a group home for disabled adults operated by RHA Health Services of Utah. The facility provides housing for multiple tenants. No changes are proposed to the facility as this is only a review of the current use to ensure conformance with City Code.

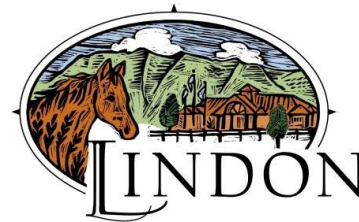
(15 minutes)

#### 8. Annual Review of Group Home Facility — Timpview Residential Treatment Center, 200 N. Anderson Lane

This is a required annual review of a juvenile group home approved for up to 16 youth not over the age of 18. The facility provides housing and social activities for the youth. This is a review of the current conditions of the facility to ensure conformance with City Code.

# Notice of Meeting

## Lindon City Planning Commission



(15 minutes)

### 9. Annual Review of Group Home Facility — Reflections Recovery Center, 145 South 200 East

This is a required annual review of a residential substance use disorder and mental health recovery center approved for up to 16 residents located in the R1-20 zone. This is a review of the current conditions of the facility to ensure conformance with City Code.

(15 minutes)

### 10. Conditional Use Permit — Two Dudes Towing/Action Parking Enforcement LLC

Marc Palmer requests conditional use permit approval for an impound yard to be located at 154 South 1800 West in the Light Industrial (LI) zone.

(15 minutes)

### 11. Aquatherm Site Plan

GBR Capital requests site plan approval for the proposed Aquatherm office/warehouse, 73,000 sq. ft., to be located at approximately 850 West 600 North in the Mixed Commercial (MC) zone.

(15 minutes)

### 12. Aquatherm Minor Subdivision

GBR Capital requests approval of a one (1) lot subdivision, including dedication of public right-of-way, at approximately 850 West 600 North in the Mixed Commercial (MC) zone.

(15 minutes)

### 13. New Business from Commissioners

(15 minutes)

### 14. 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](http://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:** Brandon Snyder

**Date:** April 22, 2016

**Time:** ~9:00 am

**Place:** Lindon City Center, Lindon Police Station, Lindon Community Center

## **Item I: Call to Order**

April 26, 2016 Planning Commission meeting.

### **Roll Call:**

Sharon Call

Rob Kallas

Mike Marchbanks

Matt McDonald

Bob Wily (excused)

Charlie Keller



## **Item 2: Approval of Minutes**

Planning Commission Meeting — 04/12/2016

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
4 **April 12, 2016 beginning at 7:00 p.m.** at the Lindon City Center, City Council  
Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Sharon Call, Chairperson  
Invocation: Rob Kallas, Commissioner  
10 Pledge of Allegiance: Matt McDonald, Commissioner

12 <b><u>PRESENT</u></b>	<b><u>ABSENT</u></b>
Sharon Call, Chairperson	Bob Wily, Commissioner
14 Mike Marchbanks, Commissioner	
Rob Kallas, Commissioner	
16 Matt McDonald, Commissioner	
Charles Keller, Commissioner	
18 Hugh Van Wagenen, Planning Director	
Brandon Snyder, Associate Planner	
20 Kathy Moosman, City Recorder	

22 **Special Attendee:**  
Councilmember Matt Bean

- 24
- 26 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
- 28 2. **APPROVAL OF MINUTES** – The minutes of the regular Planning Commission  
meeting of February 23, 2016 and the Joint Work Session four minutes of March 8,  
2016 were reviewed.

30

32 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES  
OF THE REGULAR MEETING OF FEBRUARY 23, 2016 AND THE JOINT WORK  
SESSION MEETING OF MARCH 8, 2016 AS AMENDED. COMMISSIONER  
34 MCDONALD SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.  
THE MOTION CARRIED.

36

38 3. **PUBLIC COMMENT** –

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

42 **CURRENT BUSINESS** –

- 44 4. **Public Hearing — Street Master Plan Amendment (Approx. 350 East 500**  
46 **North).** Robert Williamson requests preliminary approval of a proposed amendment  
to the Lindon City Street Master Plan Map to remove a master planned road  
connection located at approximately 350 East 500 North in the Single Family

2 Residential (R1-20) zone. The road connection was planned to connect future 500  
4 North Street from 200 East with the proposed 350 East street.

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

10 Hugh Van Wagenen, Planning Director led this discussion by explaining the  
12 applicant, Robert Williamson is requesting approval of a Street Master Plan Map  
14 amendment to remove a master planned road connection located at approximately 350  
16 East 500 North in the R1-20 zone. He noted that Mr. Todd Dudley is in attendance  
18 representing Mr. Williamson tonight. He further explained if eliminated, the connection  
20 limits traffic circulation and creates a cul-de sac on the future 500 North Street and  
22 eliminating the connection also provides one additional lot to the Williamson Farms  
24 Subdivision. Mr. Van Wagenen mentioned this item was first considered in February of  
this year and at that meeting there were concerns voiced from representatives of the  
Toomer property located to at the 200 East connection of the future 500 North roadway.  
Based on these concerns, the Commission moved to continue the item so that the affected  
parties could get together and work out a mutually agreeable solution to how these  
changes would happen regarding the east to west road on 500 North. This item was  
continued because the property owners in the area were not on the same page with the  
east west road on 500 north. There has been efforts to get everyone on the same page,  
however, no consensus has been agreed upon to date.

26 Mr. Van Wagenen stated they have been in contact with the property owners who  
28 are affected by this planned roadway. He then referenced a summary of those positions as  
staff understands them as follows:

30 **Williamson Property:** Mr. Williamson would still like the connection from his property  
32 to be eliminated but does not want the road to go away completely from its 200 East  
connection.

34 **Toomer Property:** Ms. Toomer would like to see the road eliminated and has applied for  
36 a Street Master Plan Map amendment indicating as much. If access is needed to develop  
the Spencer property, she would prefer that access to come from the Williamson  
property. Patti Toomer has made application to not have the road go through her property  
(next agenda item).

40 **Spencer Property:** Mr. and Mrs. Spencer have spoken with staff and provided a letter  
42 regarding their position. They want to preserve the ability to develop their property and  
44 the road is essential to do so. They do not need the entire road to be built, but need access  
from either the Toomer property or the Williamson property and need that to be  
preserved in some fashion. The Spencer's are not here tonight but they did meet with  
staff last week and submitted a letter indicating they don't care which way the access is  
but they want to preserve it in order to develop their property in the future.

46 **Matthews Property:** Staff has spoken to Robert Matthews who is the family  
48 representative on the property. Although the future road would be required for additional

development on the property, Mr. Matthews did not express a concern one way or another if the road were to stay or be eliminated.

Mr. Van Wagenen then referenced and explained the drawings of how the Spencer property could potentially develop if a connection from either side of 500 North is eliminated. He noted the street in question is designated as a local street on the Plan and the street was called out as a future road in the 2006 General Plan but may have been considered well before that. He also mentioned the status quo now and pointed out the two options on the screen. Based on the letters received and the positions and perspectives of the affected property owners it does not appear there is a consensus or understanding on how this should change so staff feels, if that is the case; the status quo should remain the same as what is currently on the books and what is currently required and unless there is a change and there is not an agreement on how that change should take place.

He then referenced for discussion the relevant General Plan policies to consider in determining whether the requested change will be in the public's best interest as follows:

- a. It is the "purpose of the transportation plan is to balance future demands generated by the Land Use element with future roadway improvements, thereby developing a long-range transportation system plan which would efficiently support future land development."
- b. The Street Plan states the "inherent in a long-range projection is the potential for variation due to unforeseen economic, political, social, and technological changes."
- c. "The goal of the transportation plan is to have a balanced circulation system which provides for safe and efficient movement of vehicles..."
- d. "Planning shall minimize localized traffic congestion and operational problems and ensure adequate access to and circulation around commercial...areas..."

At this time Mr. Van Wagenen re-iterated that staff recommends that no change in the Master Plan be recommended at this time as the affected property owners have not come to an agreement on how the future road should change. Mr. Van Wagenen then presented an aerial photo of the proposed area. He then turned the time over to Mr. Dudley for comment.

Mr. Dudley, representing Mr. Williamson, explained a couple of engineering concerns that come into play 1) the sewer; the property slopes drastically east to west and drops 6-8 ft. and the sewer is only about 9 ft. deep now, so in order to have a cul-de-sac coming from the east down on the Spencer's property you couldn't sewer it unless easements are granted and 2) now with a downhill cul-de-sac the water will flow down with nowhere to go unless another easement is granted and a storm drain pipe and a catch basin is inserted in the bottom of the cul-de-sac and run through the Toomer's property all the way to 2<sup>nd</sup> east. Engineering wise to do that scenario it would not help the Spencer's. He noted they looked at several different concepts and layouts and the one that benefits the most is the one if everyone wants to develop. Which would be the cheapest way and everyone would get lots with no issues and the easiest way; everyone would need to be on board for it to work the best.

Chairperson Call called for any public comment at this item. There were several residents in attendance who addressed the Commission as follows:

2 **Jonathan Lock:** Mr. Lock mentioned one other thing here that may help with the  
negotiations. He noted Delayne Donathorne is the owner of the property on the south  
4 side. They don't like the idea of the road but he would be happy to purchase the adjacent  
parcel which may help with some of the negotiations and to help shift things around. If  
6 purchased the road could be slid over and give up the easement to help make room for the  
additional loss of the cul-de-sac etc. Chairperson Call stated he would have to discuss  
8 that possibility with the neighbors.

10 **Patches Hansen:** Ms. Hansen commented there have been no negotiations for payment  
of ground lost if the road goes through. Mr. Van Wagenen stated roadways are built  
12 when development happens and then the city takes over the improvements and are  
responsible after that. With the Williamson Farms development they would be  
14 responsible to build the roadway and the stub and would stop there until the Spencer's  
wanted to develop and continue on until Mrs. Toomer wanted to develop and so forth.  
16 As far as compensation goes, it is up to the different developers. A reimbursement  
agreement through the city is a possibility with the party building the road. What would  
18 not happen, in his experience, is the city condemning any land and forcing a road through  
a property owners land. If there were a building permit issued that would trigger the  
20 requirement for the installation of improvements. Compensation and the cost of building  
the road would be worked out between those benefitting from the roadway being built.

22 **Renée Hanson:** Ms. Hanson asked if the Toomer's have just one building lot and is she  
24 wanting it to be a cul-de-sac in order to have two building lots. Mr. Van Wagenen stated  
in the scenario with the roadway on there the Williamson's have two lots that shrink and  
26 become corner lots and the Spencer's have three lots and the Toomer's have one and a  
half lots and the Matthews would have one lot. There was then some discussion regarding  
28 potential scenarios including flag lots.

30 **Delayne Donathorne:** Mr. Donathorne stated if the existing road (going east and west)  
then he would be in favor of the cul-de-sac and unless all three parties agree and in any  
32 scenario unless you continue the road it appears the sewer and the engineering drainage  
will not work.

34 Mr. Van Wagenen stated staff feels there has been plenty of time for the parties  
36 involved to work this out and would recommend making a recommendation to the City  
Council to deny this item.

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

42 At this time Chairperson Call stated it would be her recommendation, until the  
44 landowners can come to an agreement and to follow staff's directive and recommend  
denial to the City Council and leave the master plan the way it is. Mr. Dudley clarified  
46 that the Spencer's property is not landlocked. They have access now and they will  
continue to have access until this is developed and they couldn't do additional lots.

2 Mr. Van Wagenen clarified if approved the only way to develop the Spencer piece  
is to go through the Toomer piece and she is not interested in developing. By approving  
4 this the road would have to come through the Toomer property and if denied there would  
be the stub road which may cause some engineering issues. Mr. Dudley stated they are  
6 not being forced to put the road in. There was then some general discussion including  
drainage and sewer issues and eliminating the stub on the master planned road.

8 Mr. Van Wagenen clarified if the stub goes out and the master planned roadway  
on the next item goes away essentially not having it on the plan access for the Spencer  
10 piece to develop and if Mrs. Toomer or anyone else comes in and wants a flag lot there is  
nothing there to prohibit them from doing that and preserving any right of way to get to  
12 the Spencer's property any longer; that is a real potential if the road goes away. The  
master planned road says if there is no development that is going to occur unless the road  
14 is built. The Toomer and Spencer properties are tied and as long as it is on the plan there  
is something preserved there that doesn't allow development that would cut the Spencer's  
16 off on both ends. Commissioner Marchbanks pointed out, in his opinion, the stub is  
worthless but at least it leaves some options open; no matter if there is a stub or a cul-de-  
18 sac. At least the stub will allow them to develop.

Ms. Toomer commented there is a 12 ft. road through the Matthews property and  
20 if they wanted to develop in the back of their house they would let the sewer go through  
their land.

22 Chairperson Call expressed her opinion is to follow staff's direction and leave the  
master plan as is until these things can get worked out between the property owners and  
24 she would call for a motion for denial. There was then some additional discussion by the  
Commission regarding this issue.

26 At this time Mr. Dudley commented that the applicant, Mr. Williamson is  
comfortable to table this request for two weeks to see if they can get on the same page  
28 with the neighboring property owners.

Chairperson Call asked if there were any further questions or comments from the  
30 Commission. Hearing none she called for a motion.

32 COMMISSIONER MARCHBANKS MOVED TO CONTINUE THE  
APPLICANT'S REQUEST TO REMOVE THE STREET CONNECTION IDENTIFIED  
34 AT APPROXIMATELY 350 EAST 500 NORTH FROM THE STREET MASTER  
PLAN. COMMISSIONER KALLAS SECONDED THE MOTION. THE VOTE WAS  
36 RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
38 COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
40 COMMISSIONER MCDONALD	AYE
COMMISSIONER KELLER	AYE
42 THE MOTION CARRIED UNANIMOUSLY.	

44 5. **Public Hearing—Street Master Plan Amendment (Approx. 200 East 500 North).**  
Patti Toomer requests preliminary approval of a proposed amendment to the Lindon  
46 City Street Master Plan Map to remove a master planned road connection located at  
approximately 200 East 500 North in the Single Family Residential (R1-20) zone.

2 The road connection was planned to connect future 500 North Street from 200 East  
4 with the proposed 350 East street.

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

12 Mr. Van Wagenen noted this item is a request to remove the master planned road  
14 connection and since the previous item was continued he would recommend that the  
Commission also continue this item. Chairperson Call called for any public comment on  
this agenda item. Patches Hansen commented that it appears they can't approve or deny  
one without the other so they approve continuation of this item. Patti Toomer re-iterated  
she prefers to keep it the way it currently is on the master plan.

16 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.  
18 COMMISSIONER KELLER SECONDED THE MOTION. ALL PRESENT VOTED IN  
FAVOR. THE MOTION CARRIED.

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

24 COMMISSIONER KALLAS MOVED TO CONTINUE THE APPLICANT'S  
26 REQUEST TO REMOVE THE STREET CONNECTION IDENTIFIED AT  
APPROXIMATELY 350 EAST 500 NORTH. COMMISSIONER KELLER  
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE

28 COMMISSIONER KALLAS AYE

COMMISSIONER MARCHBANKS AYE

30 COMMISSIONER MCDONALD AYE

COMMISSIONER KELLER AYE

32 THE MOTION CARRIED UNANIMOUSLY.

34 6. **Conditional Use Permit— Roach/Weaver (R2 Overlay).** Ed Weaver and Richard  
36 Roach request conditional use permit and subdivision approval of an R2 Overlay  
project for a twin home to be located at 319 North 135 West in the Residential Single  
Family (R1-20) zone.

38 Brandon Snyder, Associate Planner, gave some background of this item stating  
40 the applicants, Ed Weaver and Richard Roach (who are in attendance) are proposing to  
construct a twin home on the lot located at 319 North 135 West (the old titling house  
42 property). He explained the proposal is to be regulated under Lindon City Code 17.46 R2  
Overlay Zone. He pointed out the purpose of the R2 Overlay Zone is to provide  
44 'moderate income housing', as defined by the Utah State Code, and thereby achieve a  
reasonable opportunity for a variety of housing types, to meet the needs of people  
46 desiring to live and fully participate in all aspects of neighborhood and community life in  
Lindon.



2 Mr. Snyder explained this Overlay zone establishes a place where, two (2) and  
3 three (3) family dwelling units can be constructed. He noted it shall also be the purpose  
4 of this ordinance to establish a means whereby multi-family housing can be distributed  
5 throughout the City and throughout the individual R2 Overlay planning districts. Except  
6 for accessory apartments (either internal or detached), R2 Overlay projects and  
7 applications shall be considered a Conditional Use and regulated as such. (LCC Section  
8 17.49.020). Unless specifically provided for otherwise in this chapter, R2 Overlay  
9 projects and accessory apartments are subject to the regulations of the underlying zoning  
10 district in which they are constructed. (LCC Section 17.46.025).

11 Mr. Snyder stated the City Engineer and applicant are working through technical  
12 issues related to the proposal and staff will ensure all issues are resolved before final  
13 engineering approval is granted. He noted third party notices were mailed on March 31,  
14 2016, to the adjoining property owners and staff has received no public comment. He  
15 then referenced the table including the property information including the minimum  
16 requirements for the proposed site.

17 Mr. Snyder noted the required front setbacks, street-side yard setbacks, and all  
18 common areas shall be permanently landscaped. A six foot (6') high sight obscuring  
19 fence shall be erected on the perimeter, except the front yard setback, of all R2 projects  
20 and will maintain a single-family residential appearance for R2 multifamily projects.  
21 Earth tone colors and no more than one front door and garage facing the street.  
22 He then referenced the applicable laws and standards of review. Mr. Snyder then  
23 referenced the proposed subdivision plat, the front elevation and landscape plans and the  
24 site plan followed by some general discussion.

25 Chairperson Call commented it seems there has to be a distance between the R2  
26 Overlay zones and questioned if this meets the requirement. Mr. Snyder stated the  
27 preliminary analysis has been done on this property and it meets all the requirements.  
28 Chairperson Call called for any public comment at this time.

29 **Darla Hurst:** Ms. Hurst mentioned she is confused on the R2 overlay and the distance  
30 between two of them in one area. Mr. Snyder pulled up the R2 overlay map and  
31 explained the distance and proximity aspect noting the requirements are met.  
32

33 Chairperson Call stated it appears the lot is a non-issue and this meets all  
34 requirements including frontage, parking, building heights, fencing, architectural designs  
35 and will maintain a single family residential appearance and is within the spacing  
36 guidelines and as far as a conditional use permit it cannot be denied as all conditions have  
37 been met. Mr. Snyder noted there has been a variance granted on this property. The  
38 applicant's noted they will be residing in the residence.

39 Chairperson Call asked if there were any further questions or comments from the  
40 Commission. Hearing none she called for a motion  
41

42  
43 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE  
44 APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT FOR THE ROACH  
45 WEAVER TWIN HOME R2 OVERLAY PROJECT AND ASSOCIATED  
46 RESIDENTIAL MINOR SUBDIVISION, TO BE KNOWN AS THE ROACH-  
WEAVER TWIN HOME SUBDIVISION, PLAT A, TO BE LOCATED AT 319

2 NORTH 135 WEST WITH NO CONDITIONS. COMMISSIONER MCDONALD  
3 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

4 CHAIRPERSON CALL AYE  
5 COMMISSIONER KALLAS NAY  
6 COMMISSIONER MARCHBANKS AYE  
7 COMMISSIONER MCDONALD AYE  
8 COMMISSIONER KELLER AYE

9 THE MOTION CARRIED FOUR TO ONE.

10  
11 **7. Minor Subdivision — Virgil Allred Subdivision, Plat A, (127 South 400 East).**

12 GayFawn Mikesell requests approval of a two (2) lot residential subdivision,  
13 including dedication of public right-of-way, at 127 South 400 East in the Single  
14 Family Residential (R1-20) zone.

15 Mr. Snyder gave an overview of this agenda item explaining GayFawn Mikesell  
16 (who is in attendance) is requesting approval of a two (2) lot residential subdivision,  
17 including dedication of public right-of-way, at 127 South 400 East in the Single Family  
18 Residential (R1-20) zone.

19 Mr. Snyder stated this subdivision creates two residential lots from a previous  
20 parcel. Currently, the parent parcel is divided into multiple parcels due to unapproved  
21 divisions of land. He noted this subdivision proposal will address and remedy those  
22 divisions. He mentioned the multiple parcels include: 14-073-0229: Lynne F and Melanie  
23 Mikesell, 14-073-0230: GayFawn A Mikesell, 14-073-0231: GayFawn A Mikesell, 14-  
24 073-0232: Virgil U Allred, and 14-073-0233: Virgil U Allred. The proposal is south of  
25 the Leo Carter Subdivision, Plat A, and north of the Speed Subdivision, Plat A.

26 Mr. Snyder explained the minimum lot size in the R1-20 zone is 20,000 square  
27 feet and the minimum lot width is one hundred (100) feet (measured at front yard  
28 setback). The maximum lot width/depth ratio is no more than three times as long as it is  
29 wide. He pointed out that the Planning Commission may approve up to a 20% increase in  
30 depth if they determine that the proposal is the best use of the property and in the best  
31 interest to the City and surrounding properties. (The applicant is requesting an increase of  
32 15% depth for Lot 1).

33 Mr. Snyder further explained that curb and gutter improvements already exist  
34 along the 500 East street frontage and full improvements are required along the 400 East  
35 street frontage as well as the sidewalk along the 500 East street frontage. He added that  
36 staff has determined that the proposed subdivision complies, or will be able to comply  
37 before final approval with all remaining land use standards. He noted the City Engineer is  
38 addressing engineering standards and all engineering issues will be resolved before final  
39 approval is granted. He then referenced the proposed subdivision and the aerial  
40 photograph of the site followed by some general discussion.

41 Chairperson Call asked if there were any further questions or comments from the  
42 Commission. Hearing none she called for a motion

43  
44 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S  
45 REQUEST FOR APPROVAL OF A TWO (2) LOT RESIDENTIAL SUBDIVISION,  
46 TO BE KNOWN AS THE VIRGIL ALLRED SUBDIVISION, PLAT A, WITH NO  
47 CONDITIONS AND RECOMMENDING THAT THE WIDTH TO DEPTH RATIO BE  
48

2 ALLOWED WITH THE 15% INCREASE. COMMISSIONER MARCHBANKS  
3 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

4 CHAIRPERSON CALL AYE

COMMISSIONER KALLAS AYE

6 COMMISSIONER MARCHBANKS AYE

COMMISSIONER MCDONALD AYE

8 COMMISSIONER KELLER AYE

THE MOTION CARRIED UNANIMOUSLY.

10  
11 8. **Plat Amendment — Lakeside Business Park Subdivision, Plat B, (Approx. 225**  
12 **South 1430 West).** Rob Tubman, MS Properties, requests approval of a plat  
13 amendment to combine two (2) subdivision lots. The proposed Lakeside Business  
14 Park Subdivision, Plat B, includes a vacation of Lot 1, Plat A, Lakeside Business Park  
15 Subdivision, and Parcel A, Plat A of the UDOT Questar Subdivision. The subdivision  
16 is located at approximately 225 South 1430 West in the Light Industrial (LI) zone.

17 Mr. Snyder led this discussion by explaining the applicant, Mr. Rob Tubman  
18 (who is in attendance), is requesting that these two lots be combined into one to  
19 accommodate an additional drive approach (access) to the site. The site plan (NuStar)  
20 was approved by the Planning Commission on July 14, 2015. He noted the approved site  
21 plan indicated a fire department crash gate access in the NE corner and this proposal will  
22 allow for an additional drive approach (in the NE corner) for access and deliveries to the  
23 site. He noted the minimum lot size in the LI zone is one acre.

24 Mr. Snyder mentioned that staff has determined that the proposed subdivision  
25 complies with all remaining land use standards and requirements. He stated the City  
26 Engineer is addressing engineering standards and all engineering issues will be resolved  
27 before final approval is granted. He then referenced the approved site plan, proposed  
28 subdivision and proposed access plan followed by some general discussion. Mr. Tubman  
29 commented that the existing landscaping will tie in. He noted the fire trucks couldn't turn  
30 around safely and that is what triggered the crash gate. Chairperson Call stated she didn't  
31 have any questions at this time and thanked Mr. Tubman for coming in.

32 Chairperson Call asked if there were any questions or comments from the  
33 Commission. Hearing none she called for a motion

34  
35 COMMISSIONER MCDONALD MOVED TO APPROVE THE APPLICANT'S  
36 REQUEST FOR APPROVAL OF A PLAT AMENDMENT TO VACATE LOT ONE,  
37 PLAT A, LAKESIDE BUSINESS PARK, AND PARCEL A, PLAT A OF THE UDOT  
38 QUESTAR SUBDIVISION AND CREATE THE LAKESIDE BUSINESS PARK  
39 SUBDIVISION, PLAT B WITH NO CONDITIONS. COMMISSIONER  
40 MARCHBANKS SECONDED THE. THE VOTE WAS RECORDED AS FOLLOWS:

41 CHAIRPERSON CALL AYE

COMMISSIONER KALLAS AYE

43 COMMISSIONER MARCHBANKS AYE

COMMISSIONER MCDONALD AYE

45 COMMISSIONER KELLER AYE

THE MOTION CARRIED UNANIMOUSLY.

2       **10. Site Plan — 200 South Business Park, (Approx. 1540 West 200 South).**

4       Trevor Sharp requests site plan approval for the proposed 200 South Business  
6       Park office/warehouse, 8,016 sq. ft., to be located at approximately 1545 West  
8       200 South in the Light Industrial (LI) zone.

10       Mr. Van Wagenen explained the applicant, Trevor Sharp (who is in attendance) is  
12       proposing to construct an 8,016 square foot office/warehouse building on Lot 1 of  
14       Burbridge Industrial Subdivision Plat A. The lot is located in the Light Industrial zone  
16       where there was an old building from many years ago, but now only a pad remains (just  
18       under an acre). The lot is a nonconforming legal lot and therefore doesn't meet the  
20       typical one acre minimum requirement.

22       He noted Mr. Van Wagenen is proposing that 10% of the 8,016 square foot  
24       building will be used as office space, which means the building will include 810 square  
26       feet of office space and 7,206 square feet of warehouse. The parking ratio for office space  
28       is 1/350 square feet and the ratio for warehouse space is 1/1000 square feet.  
30       Consequently, the required number of spaces is 11, with at least 1 ADA accessible stall  
32       and it meets all parking requirements (12 stalls).

34       Mr. Van Wagenen stated the Light Industrial zone requires a 20' landscaped strip  
36       along all street frontages with trees planted within the strip every 30' on center. Thirty  
38       percent of the frontage landscaping may be landscaped with non-living materials other  
40       than grass. He noted the Planning Commission can approve proposed changes or  
42       alterations to this requirement as long as not net loss of landscaping occurs. Mr. Van  
44       Wagenen stated Mr. Sharp's landscaping proposal takes a more water-wise approach than  
46       what is required by Code and the proposal does not include 70% of grass cover and trees  
48       are not centered in the park strip because the area is also acting as a detention basin. The  
Planning Commission needs to consider whether to approve these proposed alterations.

Mr. Van Wagenen stated the Code requires that interior landscaping must be  
provided at 40 square feet per stall and that at least 75% of the ground cover must consist  
of living vegetation. The site proposes 12 parking stalls, which will require at least 480  
square feet of interior landscaping, exclusive of the required landscaped strip along street  
frontage. The submitted landscaping plan proposes 556 square feet of interior  
landscaping, with a mix of living and non-living material. Actual percentages have not  
been provided at this time and so it is difficult to determine if the code is being met. The  
code also requires 1 interior tree per 10 required parking stalls. The proposed site plan  
includes 1 interior tree to satisfy this requirement.

He added the Code requires that all buildings in the Light Industrial Zone must be  
"aesthetically pleasing, well-proportioned buildings which blend with the surrounding  
property and structures." The applicant is proposing to construct a metal building, which  
is allowed by the Code, subject to the following standards:

- Twenty-five percent (25%) minimum of the exterior of all buildings shall be covered with brick decorative block, stucco, wood, or other similar materials as approved by the Planning commission.
- The Commission may approve ribless, metal, flat-faced, stucco embossed metal sandwich panel buildings when the Commission finds that the building is aesthetically pleasing, adequately trimmed, contrasted with different colors, is well proportioned, blends with the surrounding property. The building proposed by the applicant will include painted metal walls of Regal Blue and Slate Gray

2 with Yellow overhead doors, and will also incorporate metal sunshades and  
4 concrete masonry unit (CMU) wainscoting on the exterior. Elevations and an  
6 artist's rendering of the proposed building are included in attachment 4 for  
review.

8 Mr. Van Wagenen stated the Code requires buildings in the LI zone to be earth-  
tone colors. Examples of earth tone colors. The proposed structure satisfies setback (20  
feet front and 0 feet all others) and height requirements (48 feet) in the LI zone.

10 He noted the City Engineer is working through technical issues related to the site  
and will ensure all engineering related issues are resolved before final approval is  
12 granted. Mr. Van Wagenen then presented an aerial photo of the site and surrounding  
area, site/landscaping plan, letter from landscape architect, elevations and rendering of  
14 the proposed building, and the earth-tone color palette followed by some general  
discussion. He then turned the time over to Mr. Sharp for comment.

16 Mr. Sharp stated that essentially the building is a spec building and will be used as  
a for sale or lease project. The Commission had questions regarding the presented colors  
18 of the building noting it appears it does not meet the color palette. Chairperson Call also  
mentioned the landscaping issue including detention needs to be considered as there are  
20 exceptions they are requesting. Mr. Van Wagenen pointed out the Commission has the  
ability to have the colors presented toned down. Mr. Sharp stated there will be some  
22 grading work done on the site and he can guarantee the site will look much better when  
complete. Following discussion the Commission was in agreement to approve the  
24 frontage landscaping request if the interior landscaping meets the requirements (75/25  
percent) and with the condition that they meet the color palette requirements.

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

28 *At this time Commissioner Marchbanks recused himself from this item citing a conflict of*  
30 *interest. However, he did remain on the dais but abstained from voting.*

32 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S  
REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS:  
34 1) THE LANDSCAPING FRONTAGE BE APPROVED AS SHOWN IN THE FRONT  
AND 2) THE 75/25 PERCENT REQUIREMENT BE MET IN THE BACK AND 3)  
36 THE BUILDING COLORS MEET THE COLOR PALETTE. COMMISSIONER  
MCDONALD SECONDED THE MOTION. THE VOTE WAS RECORDED AS  
38 FOLLOWS:

40 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	ABSTAIN
42 COMMISSIONER MCDONALD	AYE
COMMISSIONER KELLER	AYE
44 THE MOTION CARRIED UNANIMOUSLY.	

46 **10. Minor Subdivision — Tams-Zyto Subdivision, Plat A, (Approx. 1126 West  
and 1172 West 700 North).** Tia Crow, on behalf of Tom Stuart, 1100 West

2 Street LLC, requests approval of a two (2) lot subdivision at 1126 West and 1172  
4 West 700 North in the General Commercial (CG) zone.

6 Mr. Snyder opened the discussion by giving a brief history of this agenda item.  
8 He noted Tom Stuart, Jaron Smith and Scott Thorson were in attendance representing this  
10 item. He explained this proposal creates two subdivision lots out of one parcel to  
12 accommodate Tams and Zyto and their respective buildings. He noted the parcel  
14 currently contains both the Zyto and Tams buildings, both of which buildings are  
16 currently under construction. He noted the minimum lot size in the CG zone is 20,000  
square feet (.459 acre). Lot 1 (Zyto) at 1172 West 700 North, will be 2.317 acres. Lot 2  
(Tams) at 1126 West 700 North, will be 3.306 acres. He explained the frontage and  
access requirements are met for both lots and the lots will have shared access as required  
per UDOT's access management plan for 700 North. He added the right-of-way  
improvements were previously installed and the remaining improvements are being  
completed as per the approved site plans.

18 Mr. Snyder stated the applicant has provided a parking analysis which indicates  
20 each lot has been provided with adequate parking spaces to comply with the Lindon City  
22 Code parking requirements based on their use and staff has determined that the proposed  
24 subdivision complies with all remaining land use standards. He noted the City Engineer is  
addressing engineering standards and all engineering issues will be resolved before final  
approval is granted. He also referenced the proposed subdivision and the site plan  
followed by some general discussion. Chairperson Call stated this appears to meet all  
requirement and is pretty straightforward.

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

28 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE  
30 APPLICANT'S REQUEST FOR APPROVAL OF A TWO (2) LOT COMMERCIAL  
SUBDIVISION, TO BE KNOWN AS THE TAMS-ZYTO SUBDIVISION PLAT A  
WITH NO CONDITIONS. COMMISSIONER KELLER SECONDED THE MOTION.  
32 THE VOTE WAS RECORDED AS FOLLOWS:  
CHAIRPERSON CALL AYE  
34 COMMISSIONER KALLAS AYE  
COMMISSIONER MARCHBANKS AYE  
36 COMMISSIONER MCDONALD AYE  
COMMISSIONER KELLER AYE  
38 THE MOTION CARRIED UNANIMOUSLY.

40 **11. Minor Subdivision — Lindon Harbor Industrial Park Subdivision, Plat E,**  
42 **(Approx. 328 South 1250 West).** Arnim Way, Davies Design Build, on behalf  
of Enoch Jurgens, Sky Guy LLC, requests approval of a one (1) lot subdivision at  
approximately 328 South 1250 West in the Light Industrial (LI) zone.

44 Mr. Snyder led this discussion by explaining this proposal creates a one (1) lot  
46 subdivision by vacating and combining all of the existing units and common area of the  
Boswell-Olsen Business Condominiums, Plat A which would take it back to a standard  
48 subdivision lot. He explained the property currently contains the Scenic Solutions

2 building (unit 1), and they are looking to combine the property to accommodate an  
4 second building with a design and layout that is not compatible with the existing recorded  
6 condominium plat (units 2-7). He noted the minimum lot size in the LI zone is 1 acre and  
8 all frontage requirements are met and staff has determined that the proposed subdivision  
10 complies with all remaining land use standards. He noted staff has reviewed this with the  
12 City Engineer is addressing engineering standards and all engineering issues will be  
14 resolved before the final plat is approved. He then presented the proposed subdivision  
16 and an aerial photo followed by some general discussion.

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

22 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE  
24 APPLICANT'S REQUEST TO VACATE THE BOSWELL/OLSEN BUSINESS  
26 CONDOMINIUMS PLAT A AND APPROVE A ONE (1) LOT SUBDIVISION, TO BE  
28 KNOWN AS LINDON HARBOR INDUSTRIAL PARK SUBDIVISION, PLAT E.  
30 WITH NO CONDITIONS. COMMISSIONER KALLAS SECONDED THE MOTION.  
32 THE VOTE WAS RECORDED AS FOLLOWS:

34 CHAIRPERSON CALL	AYE
36 COMMISSIONER KALLAS	AYE
38 COMMISSIONER MARCHBANKS	AYE
40 COMMISSIONER MCDONALD	AYE
42 COMMISSIONER KELLER	AYE
44 THE MOTION CARRIED UNANIMOUSLY.	

46 **12. Site Plan — Scenic Solutions, (Approx. 328 South 1250 West).** Arnim Way,  
48 Davies Design Build, on behalf of Enoch Jurgens, Sky Guy LLC, requests site  
plan approval of an approximately 35,820 sq. ft. office/warehouse building on the  
proposed lot, Lindon Harbor Industrial Park Subdivision, Plat E, at 328 South  
1250 West in the Light Industrial (LI) zone.

Mr. Snyder explained this item is related to the previous item that was just  
approved. He noted Arnim Way is in attendance as representative of this agenda item. He  
noted this proposed building will be used for office/warehouse/production for fabricated  
metal products and cabinets and similar furniture/fixtures) – indoor storage and  
production only, which are permitted uses in the Light Industrial (LI) zone. The intent of  
the Light Industrial (LI) zone is to provide areas in appropriate locations where light  
manufacturing, industrial processes and warehousing not producing objectionable effects  
may be established, maintained, and protected. The regulations of this district are  
designed to protect environmental quality of the district and adjacent areas. (LCC Section  
17.49.020). Staff, the City Engineer and the applicant are working through technical  
issues related to the site and City Staff will ensure all issues are resolved before final  
Engineering approval is granted. He then referenced the table showing the property  
information including the minimum requirements on the proposed site.

Mr. Snyder further explained the LI zone requires that a landscaped strip twenty  
(20) feet in width shall be planted with grass, and trees planted every thirty (30') feet on  
center along all public street frontages. No fencing regulations apply as the site is not  
adjacent to a residential use or residential zone. The building exterior is to be block,



2 which complies with Lindon City Code materials and percentages requirements. The  
applicant's elevations indicating building colors is included in the staff report. He then  
4 referenced for discussion the site plan and elevation plan. He then turned the time over to  
Mr. Way for comment. Mr. Way explained they make backdrops and stage items,  
6 cabinets and similar furniture and fixtures. The height of the building is critical for them  
because of the backdrop heights. They plan to use a local manufacturing and to use a  
8 "thin wall" precast silicone (insulated) based product and similar to a precast concrete tilt  
up (which can be painted and texturized). The product is earthquake resistant and the  
10 building will be stamped concrete block. Mr. Snyder read the code regarding this product  
and listed examples. Chairperson Call stated this appears to meet all requirements and  
12 doesn't have any questions.

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

16 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S  
REQUEST FOR SITE PLAN APPROVAL WITH THE CONDITION THAT THE  
18 BUILDING MEETS THE COLOR PALETTE. COMMISSIONER MCDONALD  
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

20 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
22 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER MCDONALD	AYE
24 COMMISSIONER KELLER	AYE

THE MOTION CARRIED UNANIMOUSLY.

### 26 **13. New Business: Reports by Commissioners –**

28 Chairperson Call called for any new business or reports from the Commission.  
30 There were no comments or new business from the Commission.

### 32 **Planning Director Report–**

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

- Dog kennel location requirements - clarification.
- 36 • Question on Performance Motors location expansion of zone.
- Update on Ivory Development.
- 38 • Update on Public Safety Building.

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

### 42 **ADJOURN –**

44 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE MEETING AT  
46 9:35 P.M. COMMISSIONER KELLER SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

2

Approved – April 26, 2016

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Sharon Call, Chairperson

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10

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Hugh Van Wagenen, Planning Director

### Item 3: Public Comment

1 - Subject \_\_\_\_\_  
Discussion

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2 - Subject \_\_\_\_\_  
Discussion

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3 - Subject \_\_\_\_\_  
Discussion

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## Item 4: Continued Public Hearing — Street Master Plan Map Amendment Approx. 350 East 500 North

**Applicant:** Robert Williamson  
**Presenting Staff:** Hugh Van Wagenen  
  
**General Plan:** Residential Single Family  
**Current Zone:** R1-20  
  
**Property Owners:** David & Barbara Spencer;  
Williamson West Haven LLC  
**Address:** ~350 East 500 North  
**Parcel ID:** 14:071:0139, 14:071:0115, 14:071:0116  
  
**Type of Decision:** Legislative  
**Council Action Required:** Yes

### **SUMMARY OF KEY ITEMS**

1. Whether to recommend approval to the City Council to remove the identified road connection from the Street Master Plan.

**Ordinance:** # 2016-11-O

### **MOTION**

I move to recommend to the City Council (*approval, denial, continuance*) of the applicant's request to remove the street connection identified at approximately 350 East 500 North from the Street Master Plan with the following conditions (if any):

- 1.

### **OVERVIEW**

The applicant requests approval of a Street Master Plan Map amendment to remove a master planned road connection located at approximately 350 East 500 North in the R1-20 zone. If eliminated, the connection limits traffic circulation and creates a cul-de sac on the future 500 North street. Eliminating the connection also provides one additional lot to the Williamson Farms Subdivision.

This item was continued from the previous meeting. As of the writing of this staff report, no substantial updates have been received regarding an agreed understanding on the future of the roadway.

The roadway in question was put on the Street Master Plan during the 2000-2001 General Plan update.

### **APRIL 12 MEETING**

A thorough review of the different development scenarios was given. After much discussion, the applicant requested a continuation of the item in order to discuss a possible solution with the affected neighbors.

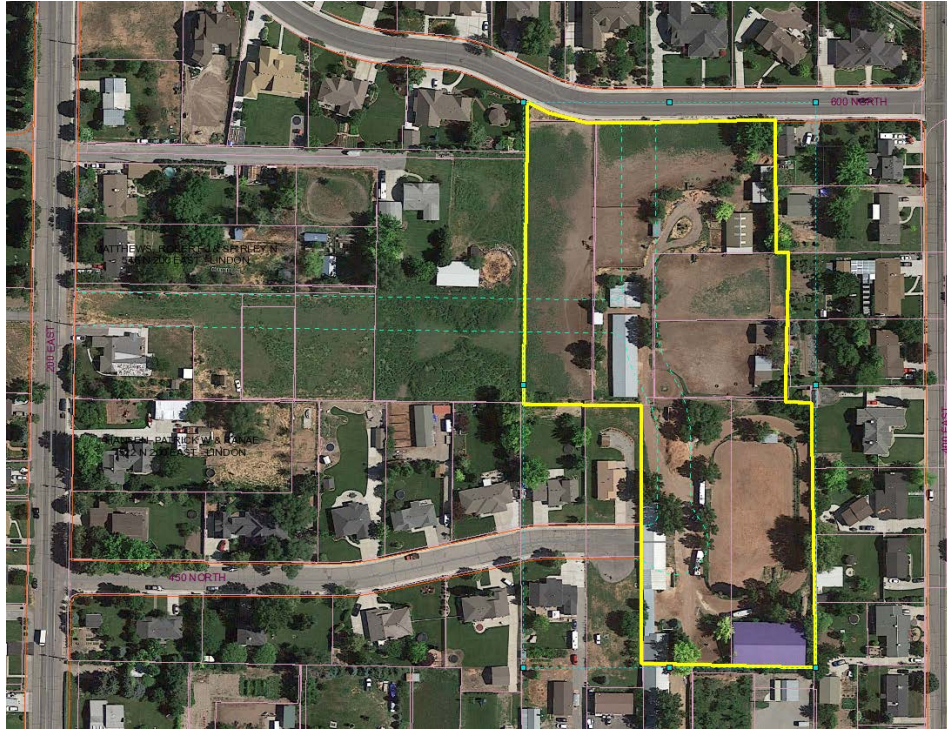
### **FEBRUARY MEETING**

This item was first considered in February of this year. At that meeting there was concern voiced from representatives of the Toomer property located to at the 200 East connection of the future 500 North roadway. Based on these concerns, the Commission moved to continue the item so that the affected parties could get together and work out a mutually agreeable solution. However, no such solution has been agreed upon.

## **PROPERTY OWNERS' POSITIONS**

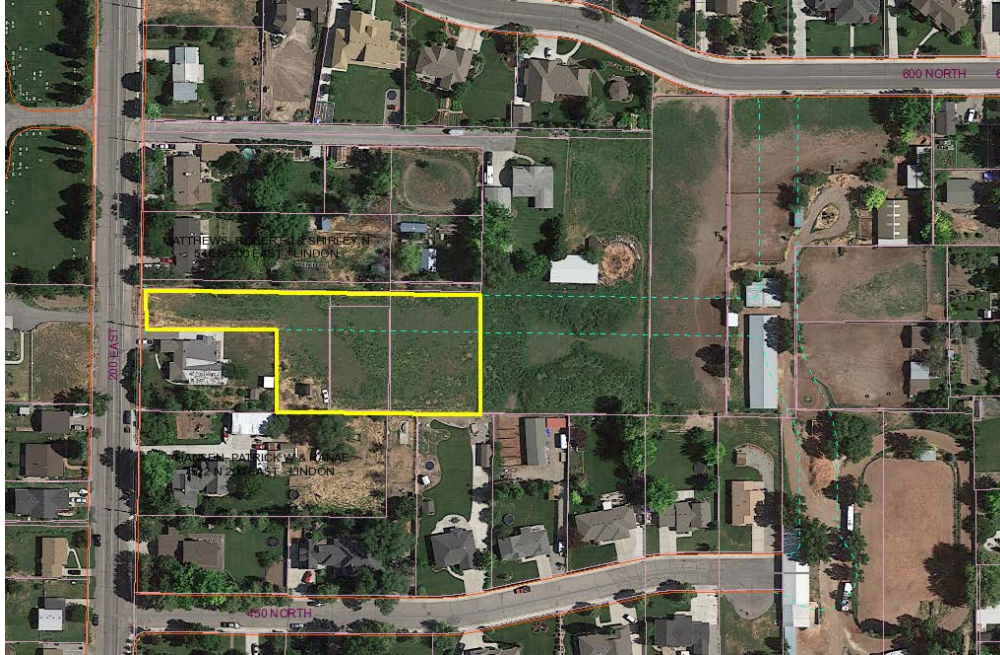
Staff has been in contact with the property owners who are affected by the planned roadway. Below is a summary of those positions as staff understands them.

**Williamson:** The Williamson property is highlighted in the image below. Mr. Williamson would still like the connection from his property to be eliminated but does not want the road to go away completely from its 200 East connection.

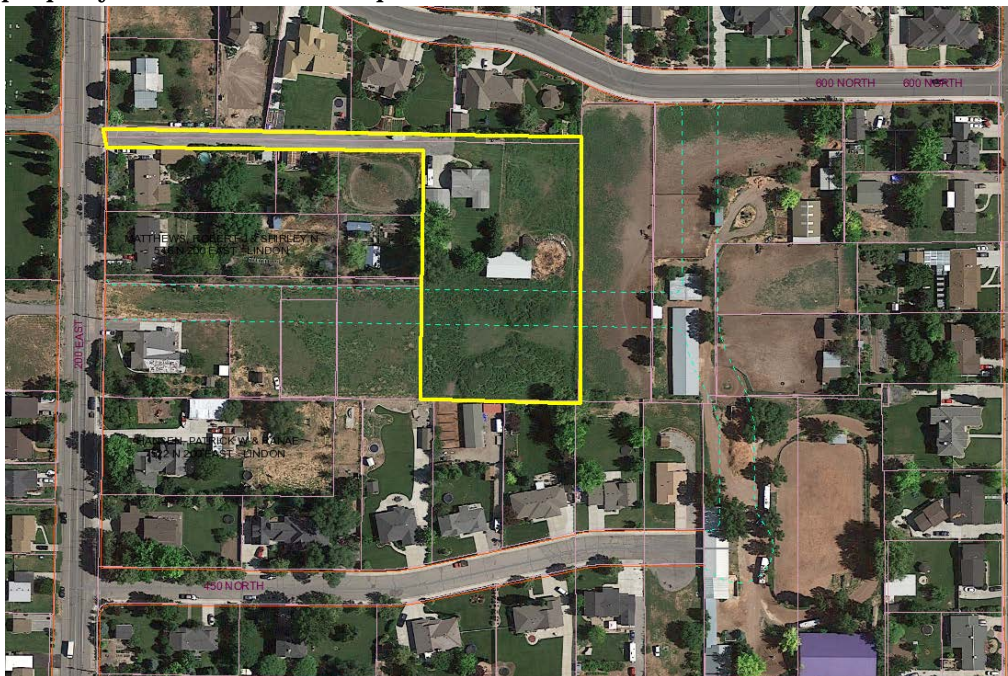


**Toomer:** The Toomer property is highlighted in the image below. Ms. Toomer would like to see the road eliminated and has applied for a Street Master Plan Map amendment indicating as much. If access is needed to develop the Spencer property, she would prefer that access to come from the Williamson property. Please see the attached letter from Ms. Toomer.





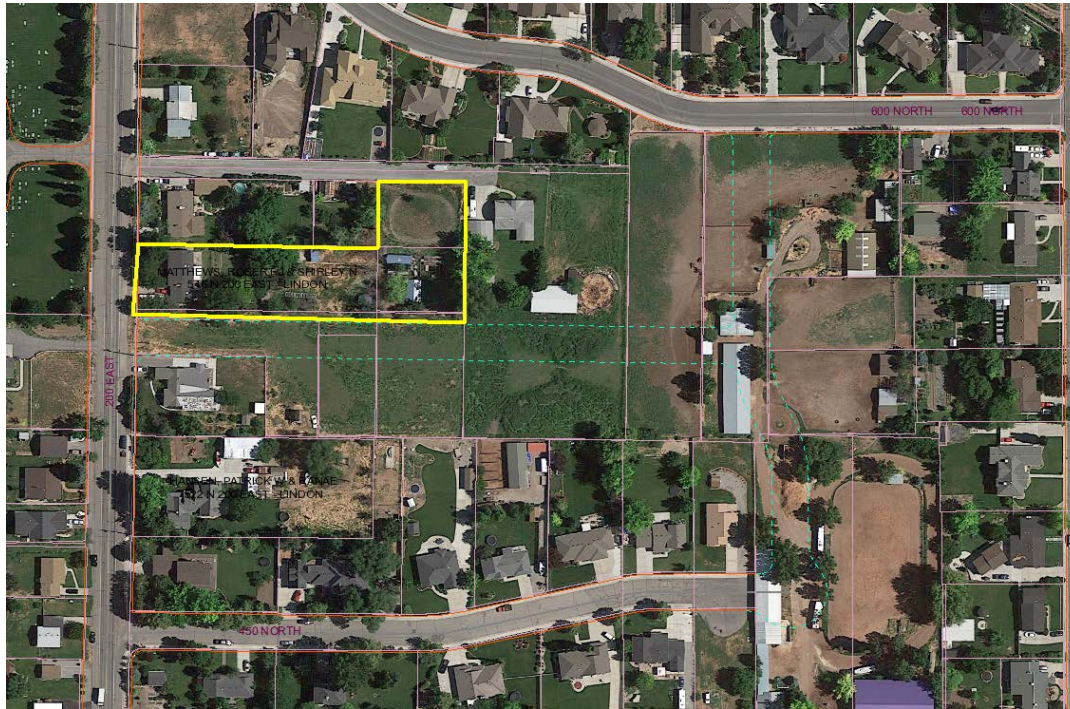
**Spencer:** The Spencer property is highlighted in the image below. Mr. and Mrs. Spencer have spoken with staff and provided a letter regarding their position (attached). They want to preserve the ability to develop their property and the road is essential to do so. They do not need the entire road to be built, but need access from either the Toomer property or the Williamson property and need that to be preserved in some fashion.



**Matthews:** The Matthews property is highlighted in the image below. Staff has spoken to Robert Matthews who is the family representative on the property. Although the future road



would be required for additional development on the property, Mr. Matthews did not express a concern one way or another if the road were to stay or be eliminated.



### **DRAWINGS OF POTENTIAL DEVELOPMENT OPTIONS**

Please see attached drawings for how the Spencer property could potentially develop if a connection from either side of 500 North is eliminated.

### **FINDINGS OF FACT**

1. The street in question is designated as a local street on the Plan.
2. The street was called out as a future road in the 2006 General Plan but may have been considered well before that.

### **ANALYSIS**

1. Relevant General Plan policies to consider in determining whether the requested change will be in the public interest:
  - a. It is the “purpose of the transportation plan...to balance future demands generated by the Land Use element with future roadway improvements, thereby developing a long-range transportation system plan which would efficiently support future land development.”
  - b. The Street Plan states the “inherent in a long-range projection is the potential for variation due to unforeseen economic, political, social, and technological changes.”
  - c. “The goal of the transportation plan is to have a balanced circulation system which provides for safe and efficient movement of vehicles...”



- d. "Planning shall minimize localized traffic congestion and operational problems and ensure adequate access to and circulation around commercial...areas..."
2. *Staff recommends that no change in the Master Plan be recommended at this time as the affected property owners have not come to an agreement on how the future road should change.*

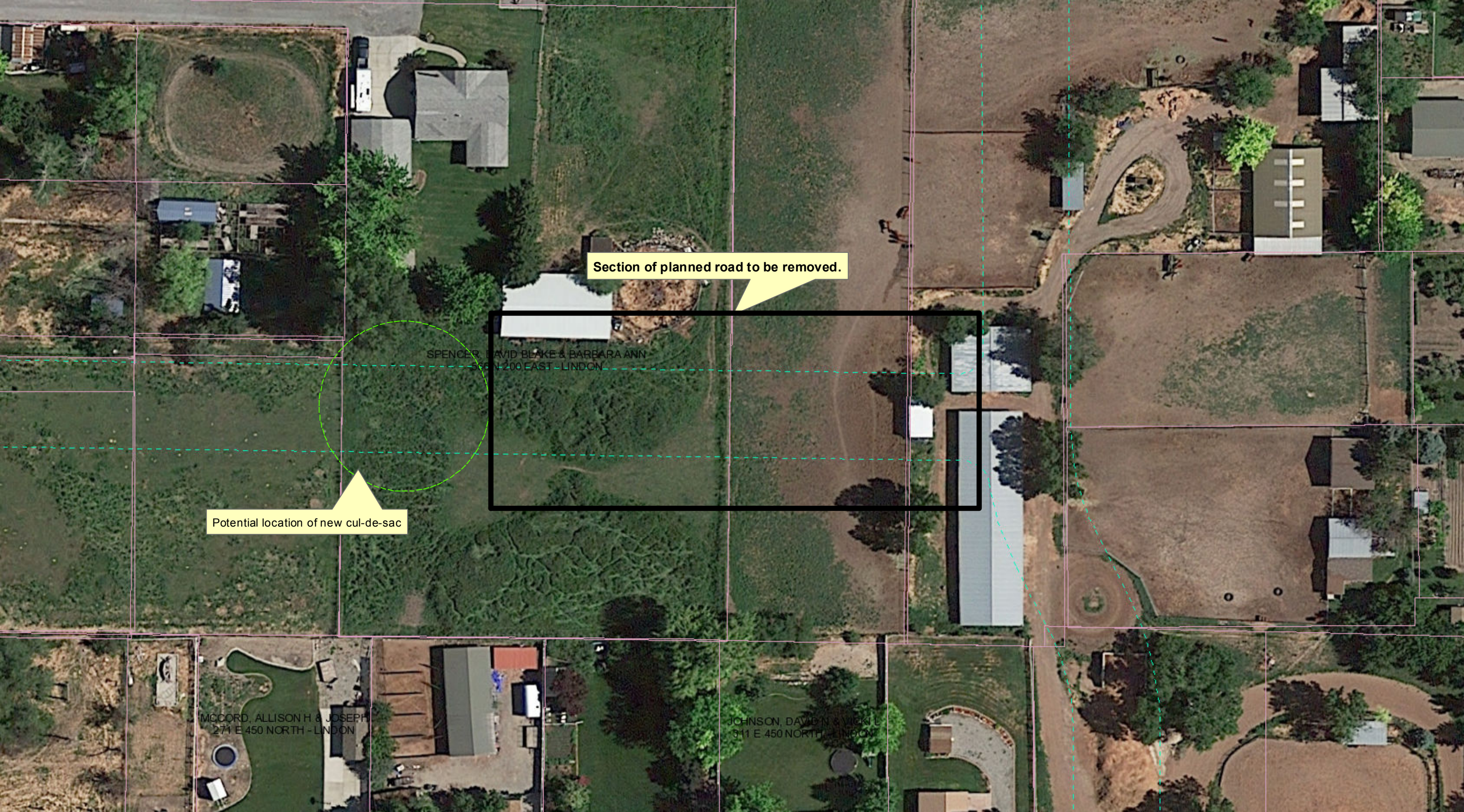
**MOTION**

See above.

**ATTACHMENTS**

1. Aerial photo of the proposed area where the applicant is requesting the street connection to be removed
2. Development options if future road is eliminated
3. Patti Jo Toomer Letter
4. Blake and Barbara Spencer Letter





Section of planned road to be removed.

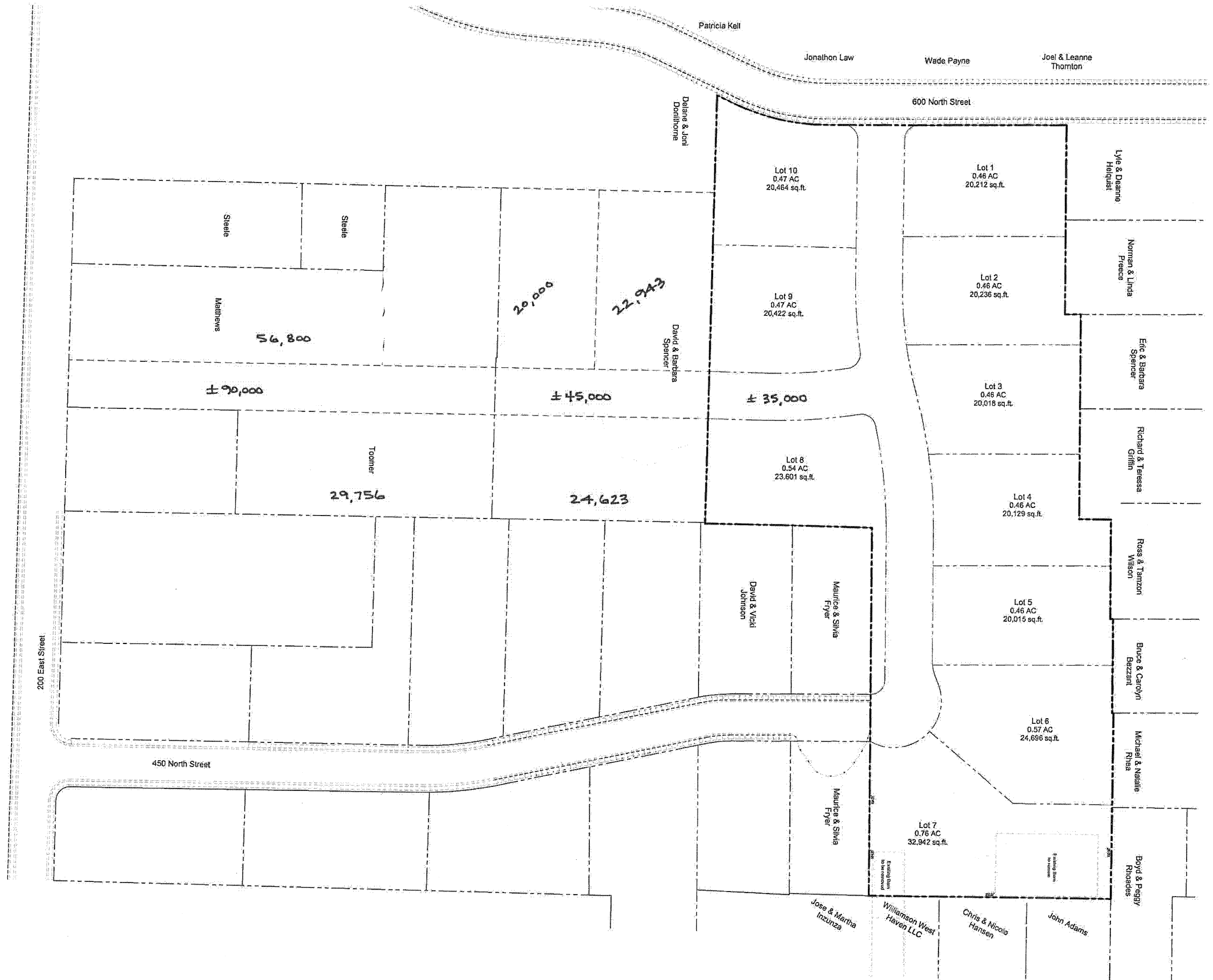
Potential location of new cul-de-sac

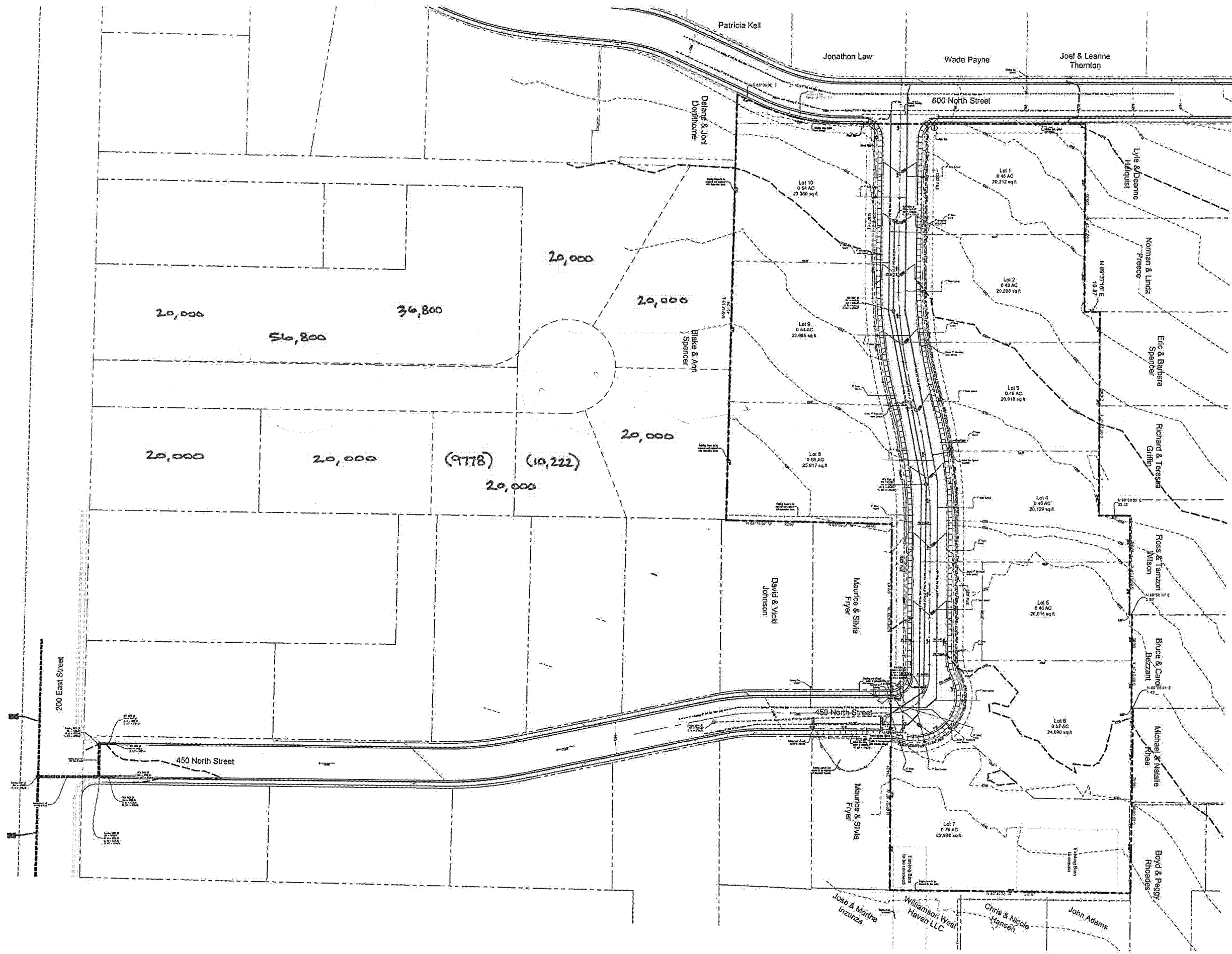
SPENCER, DAVID BLAKE & BARBARA ANN  
366 N 200 EAST - LINDON

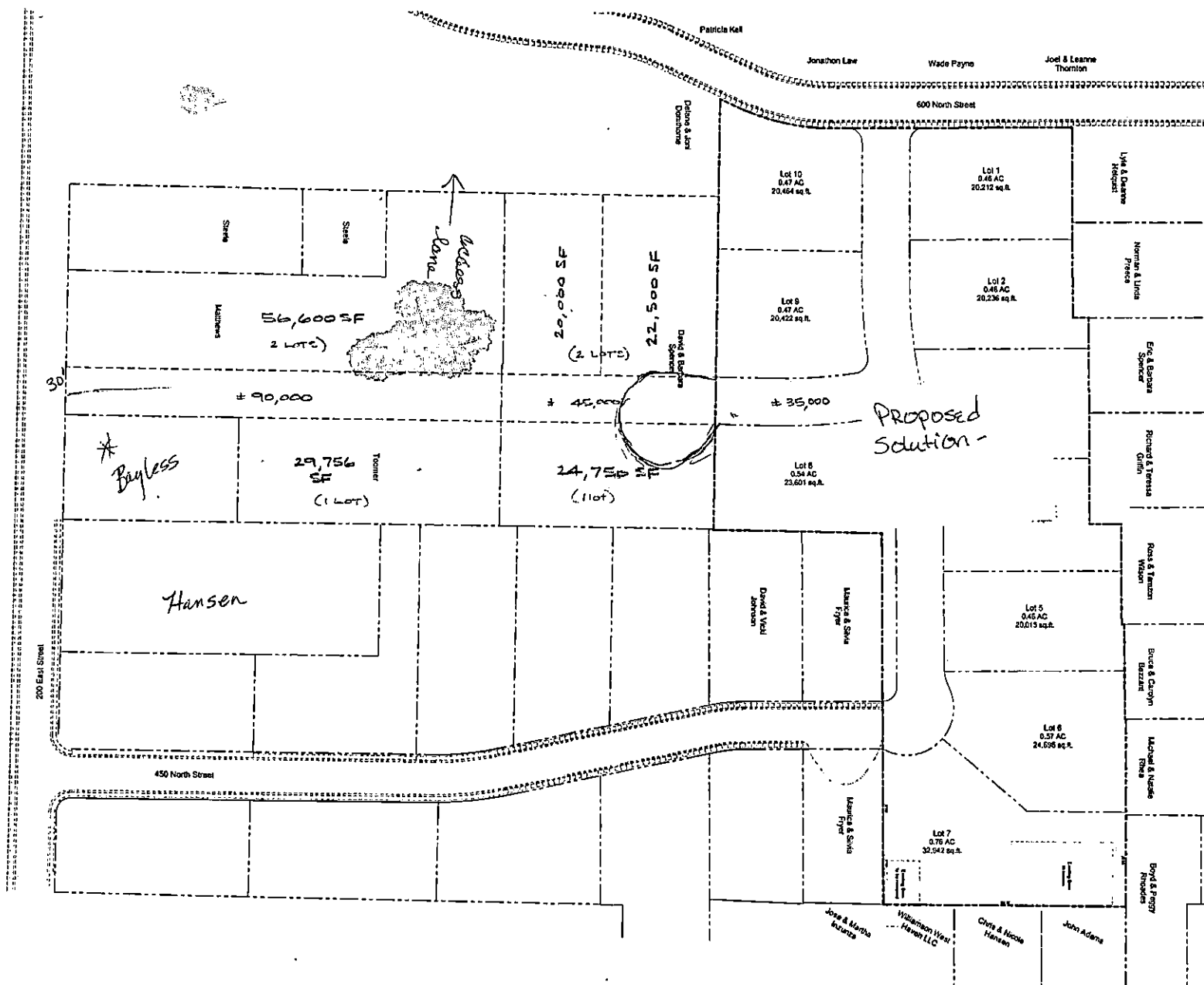
MCCORD, ALLISON H & JOSEPH  
271 E 450 NORTH - LINDON

JOHNSON, DAVID N & VICKI L  
311 E 450 NORTH - LINDON









Patti Jo Toomer  
1415 E 300 S  
Pleasant Grove, UT 84062

March 3, 2016

Lindon City Planning Department  
100 North State Street  
Lindon, Utah 84042

Dear Planning Commission,

I hereby state my objection to the proposed east-west road through my property to provide access to the proposed cul-de-sac west of the Williamson Farms Subdivision.

One of the options for the Williamson Farms Subdivision shows the east-west road remaining between lot 8 and lot 9. I propose that that road be used for access to the proposed cul-de-sac to be developed on the Blake Spencer property, thereby leaving my property as is.

Concern has also been expressed regarding access to the Matthews property. That property could be accessed via Blake Spencer's existing private lane running from 200 East.

Additionally, the only contact I have had from the private parties involved was a short visit by Blake Spencer before the recent city council meeting. I appreciated Hugh Van Wagenen and Brandon taking time to visit with me in the rehab center. However, my daughter was informed in the previous council meeting that we would have a meeting of all parties involved. I don't believe any action should be taken until that meeting takes place.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Jo Toomer", with a stylized circular flourish at the beginning.

Patti Jo Toomer

Community Development  
Lindon City

MAR 04 2016

RECEIVED

Community Development  
Lindon City

APR 04 2016

RECEIVED

April 4, 2016

Dear Lindon City Planning Committee,

I, David Blake Spencer and my wife Barbara Ann Spencer are unable to attend the planning meeting being held on the 12<sup>th</sup> day of April 2016.

We are concerned that the road on the city master plan has been requested to be eliminated. We do not want that to happen because this would land lock our property and eliminate the possibilities of ever being able to develop it.

We ask that you seriously consider our concerns.

We appreciate all you do.

Sincerely,

*David Blake Spencer*  
*Barbara Ann Spencer*



## Item 5: Public Hearing — Street Master Plan Map Amendment Approx. 200 East 500 North

**Applicant:** Patti Jo Toomer  
**Presenting Staff:** Hugh Van Wagenen

**General Plan:** Residential Single Family  
**Current Zone:** R1-20

**Property Owners:** David & Barbara Spencer;  
Williamson West Haven LLC; Pattie Jo Toomer  
**Address:** ~350 East 500 North  
**Parcel IDs:** 14:071:0139, 14:071:0115,  
14:071:0116, 14:071:0087, 14:071:0114,  
14:071:0089, 14:071:0212

**Type of Decision:** Legislative  
**Council Action Required:** Yes

### **SUMMARY OF KEY ITEMS**

1. Whether to recommend approval to the City Council to remove the identified road from the Street Master Plan.

**Ordinance:** # 2016-12-O

### **MOTION**

I move to recommend to the City Council (*approval, denial, continuance*) of the applicant's request to remove the street connection identified at approximately 350 East 500 North from the Street Master Plan with the following conditions (if any):  
1.

### **OVERVIEW**

The applicant requests approval of a Street Master Plan Map amendment to remove a master planned road located at approximately 200 East 500 North in the R1-20 zone. If eliminated, the amendment limits development of the Spencer and possibly Matthews properties. This application was submitted in response to the Williamson Farms subdivision proposal to eliminate the road connection from 350 East. The applicant does not wish any roadway to come through her property.

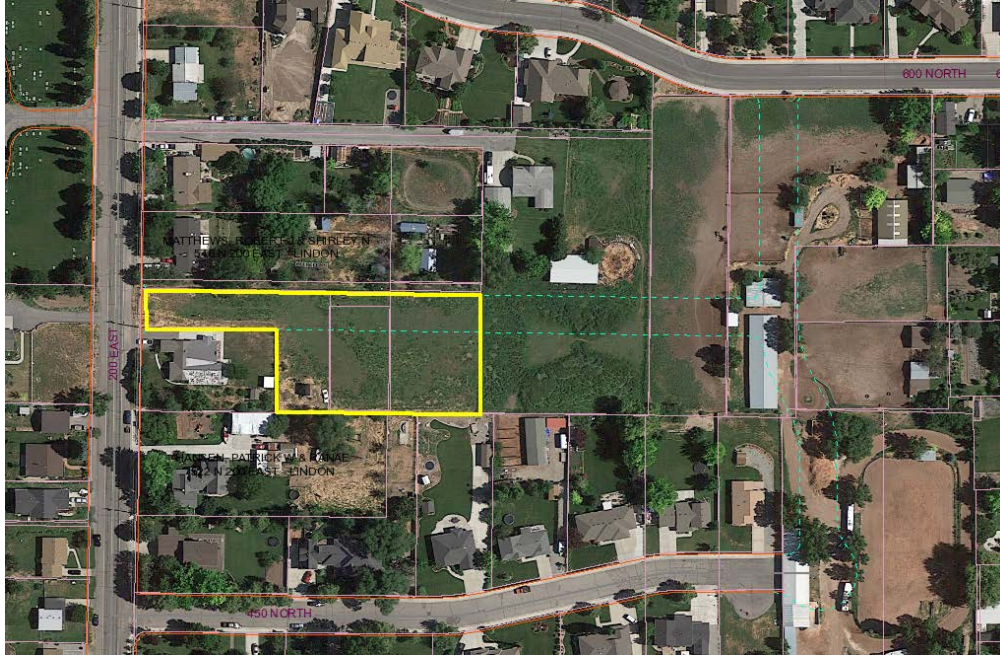
### **APRIL 12 MEETING**

This item was continued from the previous meeting to allow affected property owners to work out a solution. As of the writing of this staff report, no substantial updates have been received regarding an agreed upon understanding on the future of the roadway.

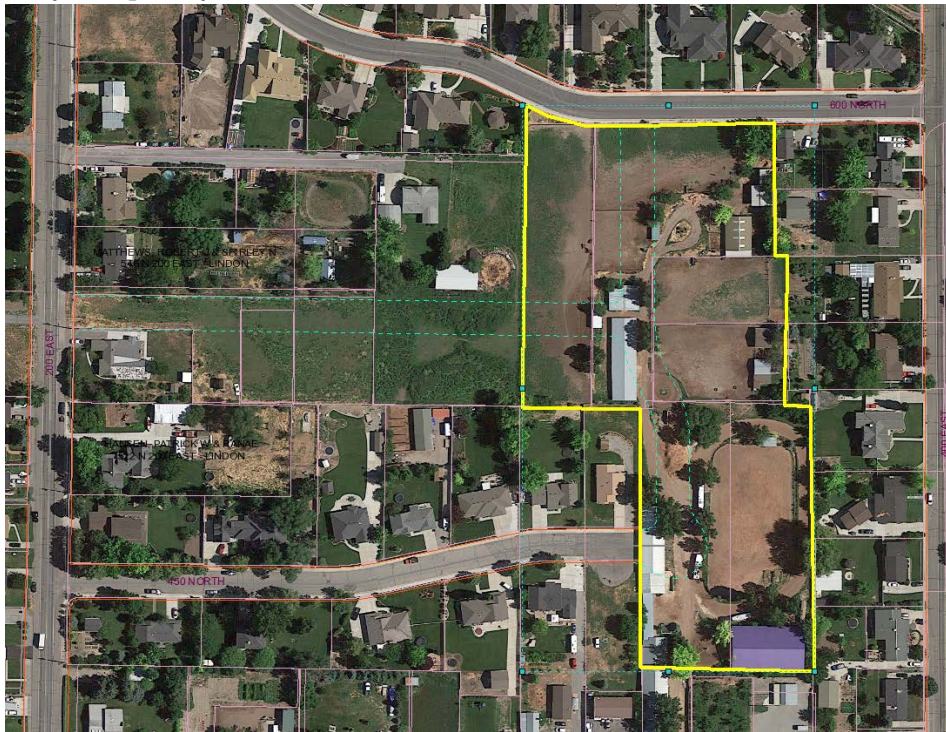
### **PROPERTY OWNERS' POSITIONS**

Staff has been in contact with the property owners who are affected by the planned roadway. Below is a summary of those positions as staff understands them. No agreement on any future change to the roadway has been agreed upon by the affected parties.

**Toomer:** The Toomer property is highlighted in the image below. Ms. Toomer would like to see the road eliminated and has applied for a Street Master Plan Map amendment indicating as much. If access is needed to develop the Spencer property, she would prefer that access to come from the Williamson property. Please see the attached letter from Ms. Toomer.



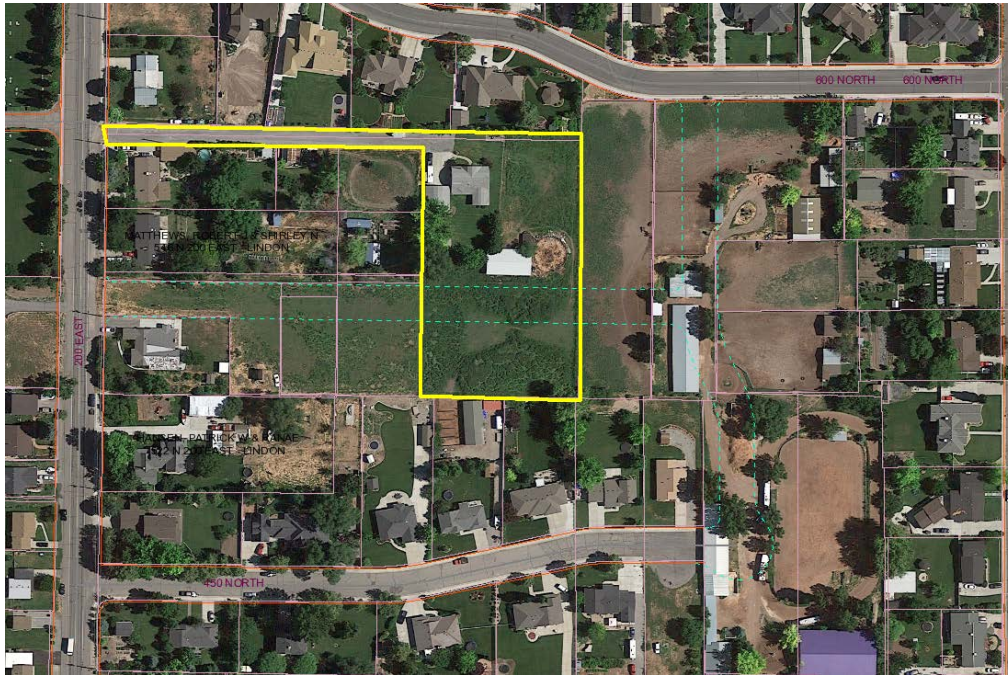
**Williamson:** The Williamson property is highlighted in the image below. Mr. Williamson would like the connection from his property to be eliminated but does not want the road to go away completely from its 200 East connection.



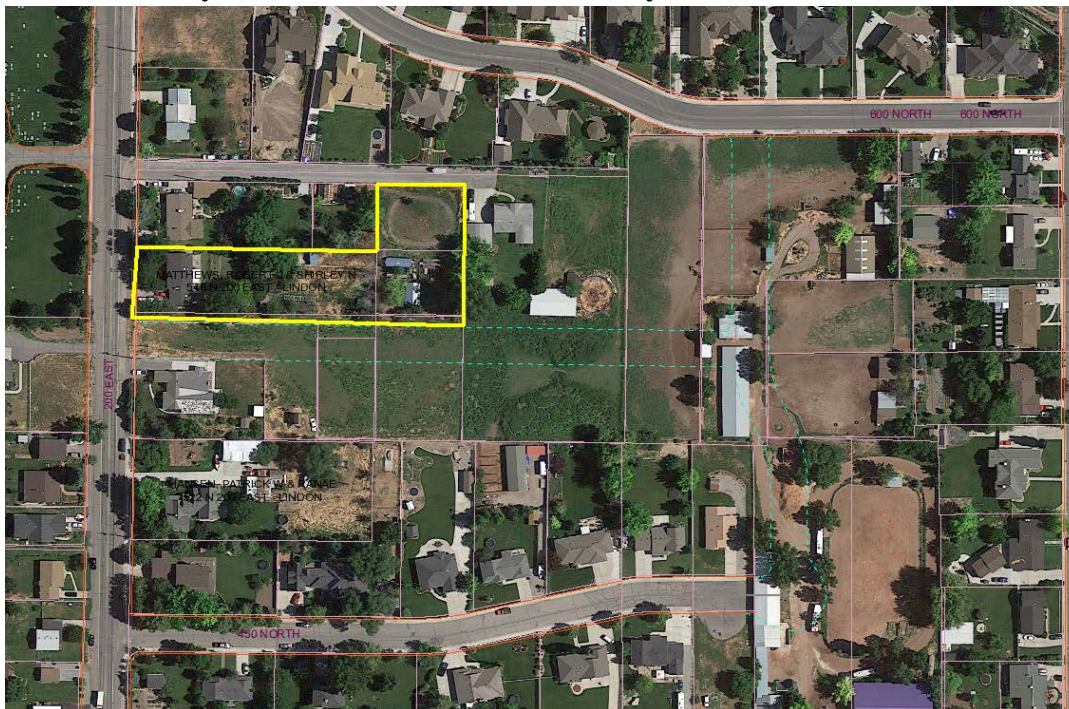
**Spencer:** The Spencer property is highlighted in the image below. Mr. and Mrs. Spencer have spoken with staff and provided a letter regarding their position (attached). They want to preserve the ability to develop their property and the road is essential to do so. They do not need



the entire road to be built, but need access from either the Toomer property or the Williamson property and need that to be preserved in some fashion.



**Matthews:** The Matthews property is highlighted in the image below. Staff has spoken to Robert Matthews who is the family representative on the property. Although the future road would be required for additional development on the property, Mr. Matthews did not express a concern one way or another if the road were to stay or be eliminated.



### **DRAWINGS OF POTENTIAL DEVELOPMENT OPTIONS**

Please see attached drawings for how property in the area could potentially develop with the road in place or if a connection from either side of 500 North is eliminated.

### **FINDINGS OF FACT**

1. The street in question is designated as a local street on the Plan.
2. The street was called out as a future road in the 2006 General Plan but may have been considered well before that.

### **ANALYSIS**

1. Relevant General Plan policies to consider in determining whether the requested change will be in the public interest:
  - a. It is the “purpose of the transportation plan...to balance future demands generated by the Land Use element with future roadway improvements, thereby developing a long-range transportation system plan which would efficiently support future land development.”
  - b. The Street Plan states the “inherent in a long-range projection is the potential for variation due to unforeseen economic, political, social, and technological changes.”
  - c. “The goal of the transportation plan is to have a balanced circulation system which provides for safe and efficient movement of vehicles...”
  - d. “Planning shall minimize localized traffic congestion and operational problems and ensure adequate access to and circulation around commercial...areas...”
2. *Staff recommends that no change in the Master Plan be recommended at this time as the affected property owners have not come to an agreement on how the future road should change.*

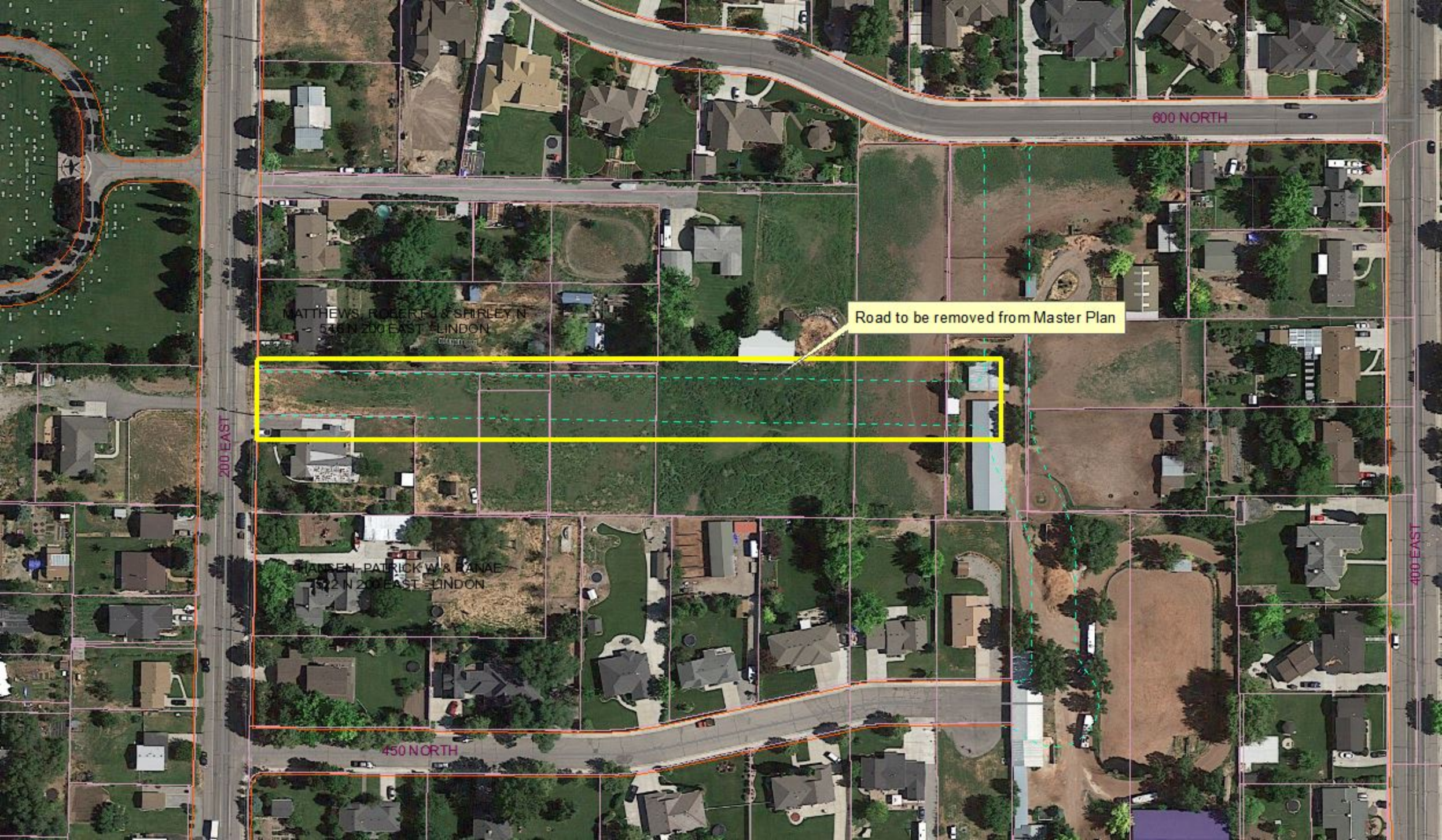
### **MOTION**

See above.

### **ATTACHMENTS**

1. Aerial photo of the proposed area where the applicant is requesting the street to be removed
2. Development options if future road is eliminated
3. Patti Jo Toomer Letter
4. Blake and Barbara Spencer Letter





600 NORTH

MATTHEWS, ROBERT J & SHIRLEY N  
546 N 200 EAST LINDON

Road to be removed from Master Plan

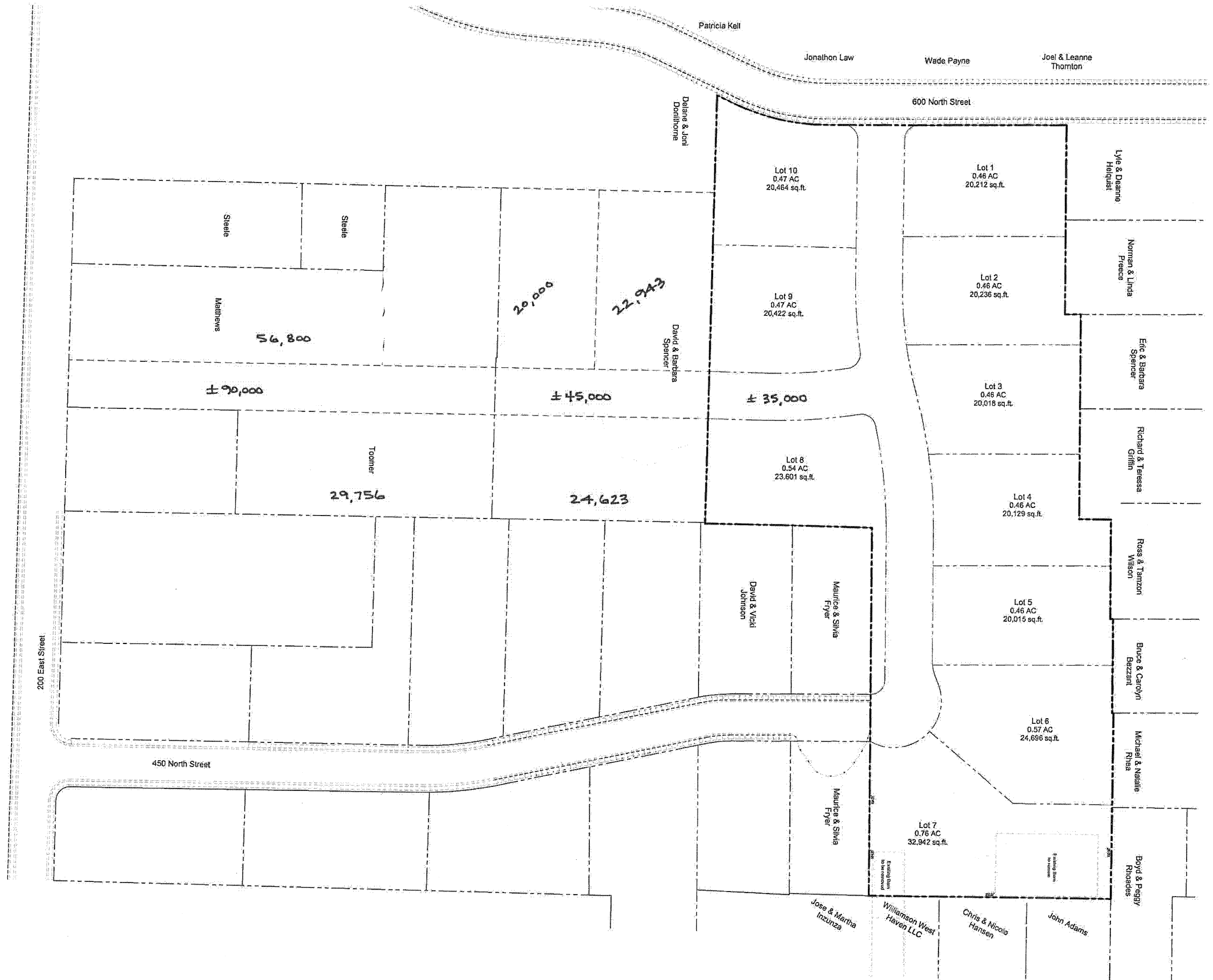
200 EAST

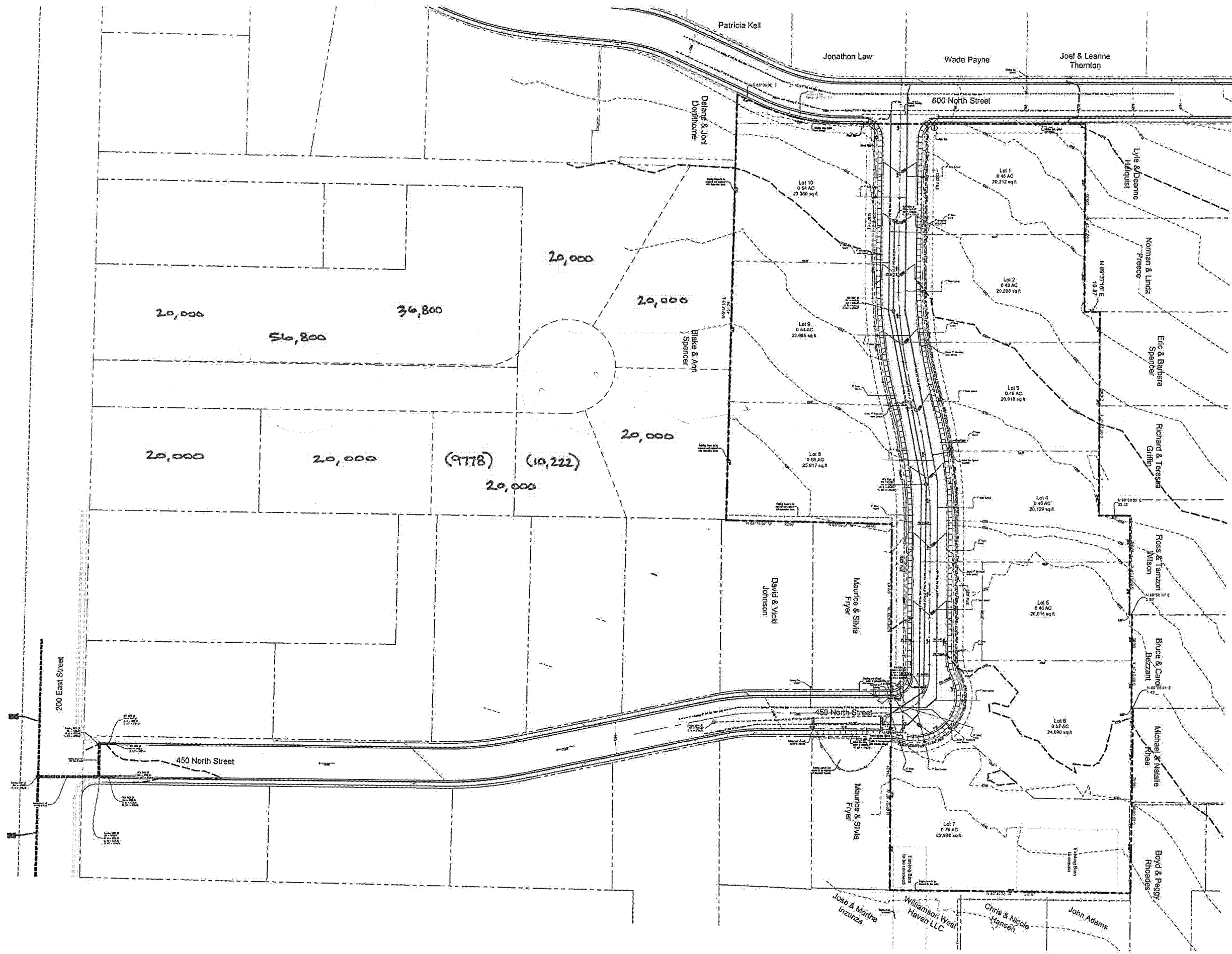
HANSEN, PATRICK W & RANAE  
1522 N 200 EAST LINDON

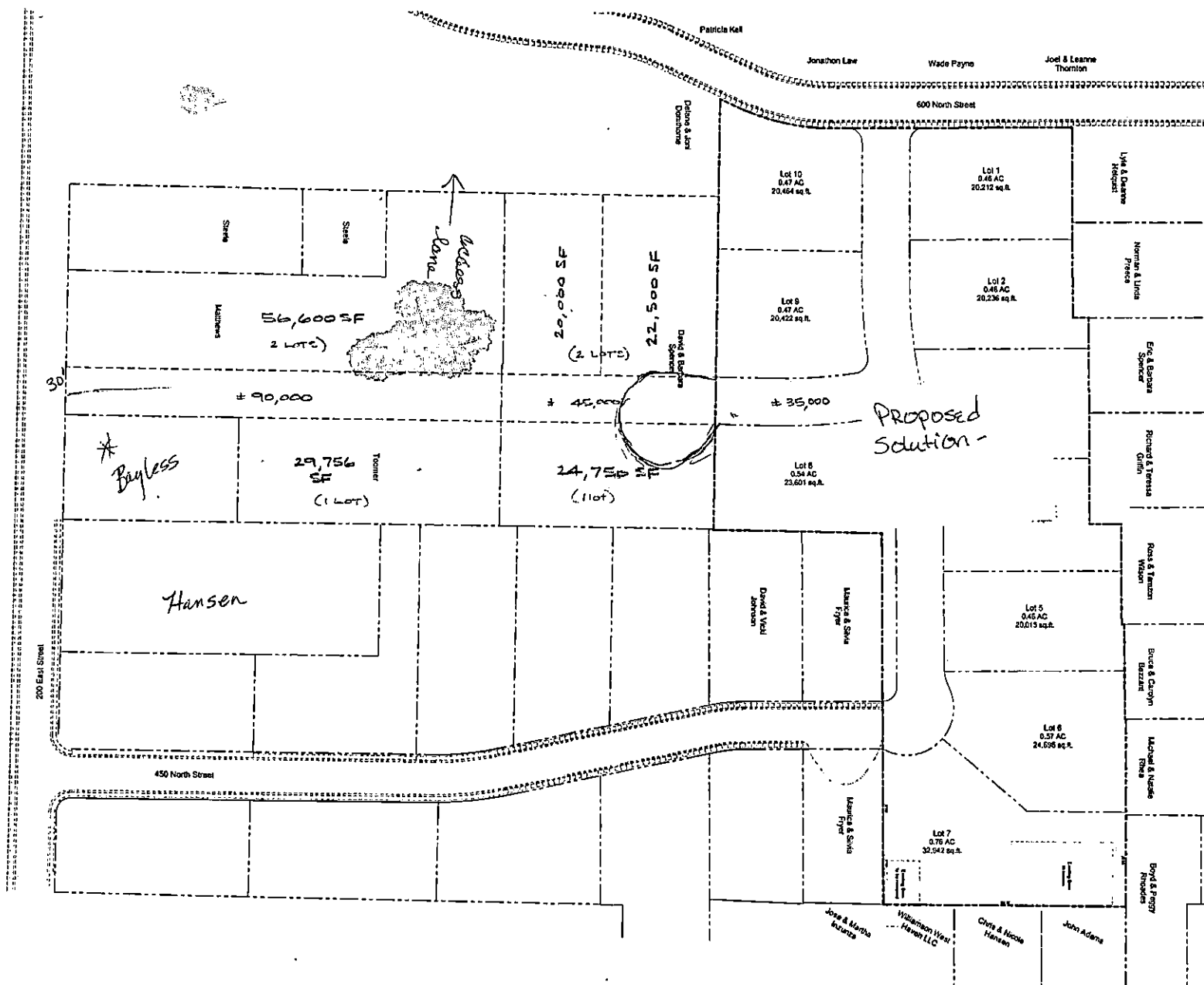
450 NORTH

400 EAST











Patti Jo Toomer  
1415 E 300 S  
Pleasant Grove, UT 84062

March 3, 2016

Lindon City Planning Department  
100 North State Street  
Lindon, Utah 84042

Dear Planning Commission,

I hereby state my objection to the proposed east-west road through my property to provide access to the proposed cul-de-sac west of the Williamson Farms Subdivision.

One of the options for the Williamson Farms Subdivision shows the east-west road remaining between lot 8 and lot 9. I propose that that road be used for access to the proposed cul-de-sac to be developed on the Blake Spencer property, thereby leaving my property as is.

Concern has also been expressed regarding access to the Matthews property. That property could be accessed via Blake Spencer's existing private lane running from 200 East.

Additionally, the only contact I have had from the private parties involved was a short visit by Blake Spencer before the recent city council meeting. I appreciated Hugh Van Wagenen and Brandon taking time to visit with me in the rehab center. However, my daughter was informed in the previous council meeting that we would have a meeting of all parties involved. I don't believe any action should be taken until that meeting takes place.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Jo Toomer".

Patti Jo Toomer

Community Development  
Lindon City

MAR 04 2016

RECEIVED

Community Development  
Lindon City

APR 04 2016

RECEIVED

April 4, 2016

Dear Lindon City Planning Committee,

I, David Blake Spencer and my wife Barbara Ann Spencer are unable to attend the planning meeting being held on the 12<sup>th</sup> day of April 2016.

We are concerned that the road on the city master plan has been requested to be eliminated. We do not want that to happen because this would land lock our property and eliminate the possibilities of ever being able to develop it.

We ask that you seriously consider our concerns.

We appreciate all you do.

Sincerely,

*David Blake Spencer*  
*Barbara Ann Spencer*

## Item 6: Annual Review of Group Home Facility Housing Authority of Utah County

<p><b>Applicant:</b> Housing Authority of Utah County</p> <p><b>Presenting Staff:</b> Brandon Snyder</p> <p><b>General Plan:</b> Residential Low</p> <p><b>Current Zone:</b> Single Family Res. (R1-20)</p> <p><b>Property Owners:</b> Lindon City Corp.</p> <p><b>Address:</b> 306 East 400 North</p> <p><b>Parcel ID:</b> 14:071:0304</p> <p><b>Lot Size:</b> 4.46 acres (includes City park)</p> <p><b>Type of Decision:</b> Administrative</p> <p><b>Council Action Required:</b> No</p>	<p><b>SUMMARY OF KEY ISSUES</b></p> <ol style="list-style-type: none"><li>1. This is an annual review to ensure the facility is operating in compliance with Lindon City Code requirements.</li></ol> <p><b>MOTION</b></p> <p>No motion necessary unless there is a change in the conditions or additional conditions imposed.</p>
--	--

### SUMMARY

This is the annual required review for group homes approved within the City to determine that the facility is in compliance with the Conditional Use Permit conditions and/or local ordinances (Lindon City Code 17.70 Group Homes) regulating these types of facilities.

This facility is operated by the Housing Authority of Utah County and is located at the entrance to Hollow Park on 400 North. A CUP was approved for this facility in 2003 to allow permanent residence of up to 3 physically disabled adults and their care takers. The following conditions were imposed in 2003:

1. The occupancy of the home be limited to three adult persons with disabilities.
2. That the park access in front of the home be painted red and signed for no stopping or parking. *(It was determined in the 2006 review that this item had not been completed, but would not be required unless parking along the entrance road becomes a problem)*
3. That the number of parking spaces be reviewed upon complaint.

A copy of the minutes from the 2015 annual review has been included for your review. Attachment 3 includes a 2015 incident report for the facility from the Police Department. Chief Cullimore has indicated that the incidents reported in 2015 appear to be normal incidents for such a facility. The facility is not causing a disproportionate impact on public safety.

\*\*\* Per current ordinances: Please confirm with the facility representative the following:

1. That the facility is only providing housing for those with disabilities and their care takers;
2. That the applicant's have adequate insurance coverage for the facility / vehicles / and liability coverage for third part individuals; and
3. That no individuals currently housed in the facility pose a direct threat to others safety within the group home or to the community in general.

Please also discuss staffing levels at the facility to ensure proper supervision & care for the tenants.

### ATTACHMENTS

1. Aerial & Site Photos
2. Minutes from 2015 Review
3. 2015 Incident Report



- 2        5. **Annual Review of Group Home Facility** – *Housing Authority of Utah County,*  
365 East 400 North. This is a required annual review of a group home owned by  
4        the Housing Authority of Utah County. The facility was approved to provide  
housing for up to three physically disable adults. No changes are proposed to the  
6        facility as this is only a review of the current use to ensure conformance with City  
Code and conditions of approval.

8  
10       Jordan Cullimore, Associate Planner, gave some background of this agenda item  
explaining this is the annual required review to determine that the facility is in  
12       compliance with the Conditional Use Permit conditions and local ordinances regulating  
these types of facilities. He mentioned that this facility is owned by the Housing  
14       Authority of Utah County and is located at the entrance to Hollow Park on 400 North. He  
noted a CUP was approved for this facility in 2003 to allow permanent residence of up to  
16       3 physically disabled adults and their care takers. Mr. Cullimore stated that Lynell Smith,  
Director of the Housing Authority of Utah County, is in attendance to answer any  
questions.

18       Mr. Cullimore then referenced the following conditions that were imposed in 2003:

- 20       1. The occupancy of the home be limited to three adult persons with disabilities.  
22       2. That the park access in front of the home be painted red and signed for no  
stopping or parking. (*It was determined in the 2006 review that this item had not*  
24       *been completed, but would not be required unless parking along the entrance*  
road becomes a problem).  
26       3. That the number of parking spaces be reviewed upon complaint.

28       Mr. Cullimore added that a copy of the minutes from the 2014 annual review have  
been included in the packets and also a 2013-2014 incident report for the facility from the  
30       Police Department. Chief Cullimore has indicated that the incidents reported in 2014  
appear to be normal incidents for such a facility and it is not causing a disproportionate  
32       impact on public safety and nothing outstanding to report and no concerns.

34       Chairperson Call then confirmed with Ms. Smith the following criteria per ordinance:

- 36       1. That the facility is only providing housing for those with disabilities and their care  
takers;

38                *Ms. Smith confirmed their facility will only provide housing for those with*  
*disabilities and their care takers.*

- 40       2. That the applicant's have adequate insurance coverage for the facility/vehicles/  
and liability coverage for third part individuals; and

42                *Ms. Smith confirmed she has provided the required insurance to the city.*

- 44       3. That no individuals currently housed in the facility pose a direct threat to others  
safety within the group home or to the community in general.

46                *Ms. Smith confirmed that no individual housed at the facility poses a threat to*  
*others.*

2 Mr. Cullimore noted that no motion necessary unless there is a change in the  
conditions or additional conditions imposed. Chairperson Call thanked Ms. Smith for  
4 attending and for her work at the facility. Ms. Smith thanked the Commission for their  
time and for their support over the years.

6 Following some general discussion Chairperson Call called for any further  
comments or questions from the Commissioners. Hearing none she moved on to the next  
8 agenda item.

- 10 6. **Annual Review of Group Home Facility** – *Lindon Care & Training Center, 680*  
12 *North State Street.* This is a required annual review of a group home for disabled  
adults owned by RHA Community Services of Utah. The facility provides  
14 housing for multiple tenants. No changes are proposed to the facility as this is  
only a review of the current use to ensure conformance with City Code.

16 Mr. Cullimore explained this is the annual required review for the Lindon Care &  
Training Center to determine that the facility is in compliance with the Conditional Use  
18 Permit conditions and ordinances that regulated these facilities. He noted this facility is  
owned by RHA Community Services of Utah and is located at 680 North State Street.  
20 Mr. Cullimore stated the facility has been in existence for many years – we believe prior  
to any ordinance regulating such businesses in Lindon. He added that Christine  
22 Christensen and Deanna Lundy, are in attendance representing this application.

Mr. Cullimore noted that in 2006 the facility received final site plan approval for  
24 a new office building on the property, and at that time they agreed to meet with the City  
on an annual basis for the yearly reviews as required by the current ordinance. He went  
26 on to say the facility houses disabled adults and provides / coordinates job training  
opportunities for the tenants. He noted that a copy of the minutes from the 2014 annual  
28 review have been included and also the 2013-2014 incident report for the facility from  
the Police Department. Mr. Cullimore stated that Chief Cody Cullimore has indicated that  
30 the incidents reported in 2014 appear to be normal incidents for such a facility and the  
facility is not causing a disproportionate impact on public safety.

32 Chairperson Call then confirm the following statements with the facility representatives  
34 as follows:

- 36 1. That the facility is only providing housing for those with disabilities and  
their care takers;

38 *Ms. Christensen confirmed there are 62 individuals currently  
housed with 66 being capacity. The staff ratio is 1 to 8 (a.m. hours)  
and 1 to 16 (p.m. hours) as required by the state.*

- 40 2. That the applicants have adequate insurance coverage for the facility/  
vehicles/and liability coverage for third part individuals;

42 *Ms. Christensen confirmed she will provide a copy of the  
insurance to the City.*

- 44 3. That no individuals currently housed in the facility pose a direct threat to  
others safety within the group home or to the community in general.

46 *Ms. Christensen stated that they generally do not pose a threat to  
themselves or others, and if they have an incident they remove  
48 them if necessary. Brian Haws commented they have made good*

***Housing Authority of UT  
County 2015***

**Incident**

<b><u>#</u></b>	<b><u>Date</u></b>	<b><u>Nature</u></b>
15LI00651	2/25/2015	Or Medical
15LI01010	3/27/2015	Suspicious
15LI01089	4/1/2015	Agency Assist
15LI01234	4/11/2015	Abandoned 911
15LI01686	5/12/2015	Agency Assist
15LI01902	5/27/2015	Suspicious
15LI03062	8/16/2015	Suspicious
15LI04461	11/21/2015	Drugs

2015

Total = 8



## Item 7: Annual Review of Group Home Facility *Lindon Care & Training Center*

<p><b>Applicant:</b> RHA Health Services of Utah <b>Presenting Staff:</b> Brandon Snyder</p> <p><b>General Plan:</b> Commercial <b>Current Zone:</b> General Commercial (CG)</p> <p><b>Property Owners:</b> UT PACE RE LLC <b>Address:</b> 680 North State Street <b>Parcel ID:</b> 14:046:0052 <b>Lot Size:</b> 1.94 acres</p> <p><b>Type of Decision:</b> Administrative <b>Council Action Required:</b> No</p>	<p><b>SUMMARY OF KEY ISSUES</b></p> <ol style="list-style-type: none"><li>1. This is an annual review to ensure the facility is operating in compliance with Lindon City Code requirements.</li></ol> <p><b>MOTION</b></p> <p>No motion necessary unless new conditions are imposed to bring the facility into compliance with City Code.</p>
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### SUMMARY

This is the annual required review for group homes approved within the City to determine that the facility is in compliance with the Conditional Use Permit conditions and/or local ordinances regulating these types of facilities.

This facility located at 680 North State Street has been in existence for many years – we believe prior to any ordinance regulating such businesses in Lindon. In 2006 the facility received final site plan approval for a new office building on the property – and at that time they agreed to meet with the City on an annual basis for the yearly reviews as required by the current ordinance. The facility houses disabled adults and provides / coordinates job training opportunities for the tenants.

A copy of the minutes from the 2015 annual review has been included for your review. Attachment 3 includes a 2015 incident report for the facility from the Police Department. Chief Cullimore has indicated that the incidents reported in 2015 appear to be normal incidents for such a facility. The facility is not causing a disproportionate impact on public safety.

\*\*\* Per current ordinances: Please confirm with the facility representative the following:

1. That the facility is only providing housing for those with disabilities and their care takers;
2. That the applicant's have adequate insurance coverage for the facility / vehicles / and liability coverage for third part individuals; and
3. That no individuals currently housed in the facility pose a direct threat to others safety within the group home or to the community in general.

Please also discuss staffing levels at the facility to ensure proper supervision & care for the tenants.

### ATTACHMENTS

1. Aerial & Site Photos
2. Minutes from 2015 Review
3. 2015 Incident Report









2 Mr. Cullimore noted that no motion necessary unless there is a change in the  
conditions or additional conditions imposed. Chairperson Call thanked Ms. Smith for  
4 attending and for her work at the facility. Ms. Smith thanked the Commission for their  
time and for their support over the years.

6 Following some general discussion Chairperson Call called for any further  
comments or questions from the Commissioners. Hearing none she moved on to the next  
8 agenda item.

- 10 6. **Annual Review of Group Home Facility** – *Lindon Care & Training Center, 680*  
12 *North State Street.* This is a required annual review of a group home for disabled  
adults owned by RHA Community Services of Utah. The facility provides  
14 housing for multiple tenants. No changes are proposed to the facility as this is  
only a review of the current use to ensure conformance with City Code.

16 Mr. Cullimore explained this is the annual required review for the Lindon Care &  
Training Center to determine that the facility is in compliance with the Conditional Use  
18 Permit conditions and ordinances that regulated these facilities. He noted this facility is  
owned by RHA Community Services of Utah and is located at 680 North State Street.  
20 Mr. Cullimore stated the facility has been in existence for many years – we believe prior  
to any ordinance regulating such businesses in Lindon. He added that Christine  
22 Christensen and Deanna Lundy, are in attendance representing this application.

Mr. Cullimore noted that in 2006 the facility received final site plan approval for  
24 a new office building on the property, and at that time they agreed to meet with the City  
on an annual basis for the yearly reviews as required by the current ordinance. He went  
26 on to say the facility houses disabled adults and provides / coordinates job training  
opportunities for the tenants. He noted that a copy of the minutes from the 2014 annual  
28 review have been included and also the 2013-2014 incident report for the facility from  
the Police Department. Mr. Cullimore stated that Chief Cody Cullimore has indicated that  
30 the incidents reported in 2014 appear to be normal incidents for such a facility and the  
facility is not causing a disproportionate impact on public safety.

32 Chairperson Call then confirm the following statements with the facility representatives  
34 as follows:

- 36 1. That the facility is only providing housing for those with disabilities and  
their care takers;

38 *Ms. Christensen confirmed there are 62 individuals currently  
housed with 66 being capacity. The staff ratio is 1 to 8 (a.m. hours)  
and 1 to 16 (p.m. hours) as required by the state.*

- 40 2. That the applicants have adequate insurance coverage for the facility/  
vehicles/and liability coverage for third part individuals;

42 *Ms. Christensen confirmed she will provide a copy of the  
insurance to the City.*

- 44 3. That no individuals currently housed in the facility pose a direct threat to  
others safety within the group home or to the community in general.

46 *Ms. Christensen stated that they generally do not pose a threat to  
themselves or others, and if they have an incident they remove  
48 them if necessary. Brian Haws commented they have made good*

2 *improvements in finding mechanisms to find other places for the*  
4 *individuals when necessary with a good response time.*

6 Mr. Cullimore mentioned that no motion is necessary unless new conditions are  
8 imposed to bring the facility into compliance with City Code. Commissioner Wily  
commented that these facilities provide a great service to the community. Chairperson  
Call commented that they must meet state and federal guidelines.

10 There was then some general discussion by the Commission regarding this agenda  
item. Following discussion Chairperson Call asked if there were any further questions or  
comments. Hearing none she moved on to the next agenda item.

- 12  
14 8. **Concept Review** – *Lakeview Court Townhomes, approx. 520/530 South 400*  
16 *West.* Chris Knapp requests feedback on a proposal to adopt a PUD ordinance  
that would allow construction of townhomes (5 units) at 520/230 South 400 West  
in the General Commercial (CG) zone.

18 Mr. Cullimore opened the discussion by explaining this is a proposal by Chris  
Knapp who is requesting feedback on a proposal to adopt a PUD ordinance that would  
20 allow construction of townhomes (5 units) at 520/230 South 400 West in the General  
Commercial (CG) zone. The property in question is on two vacant non-conforming lots in  
22 the General Commercial (CG) zone located near the Maeser School. Mr. Cullimore stated  
they met with Mr. Cutler (previous applicant) a few times following up from the  
24 feedback at the last discussion, and for whatever reason the project of doing two twin  
homes will not work for him. Since that time, Mr. Knapp has indicated that he is  
26 interested in doing a similar project, but it was dis-similar enough that staff recommended  
coming in for a new Concept Review for feedback on his proposal. His proposal differs  
28 as he is proposing a townhome product (as opposed to twin homes) at approximately  
1,900 square ft. each with a price point around \$200,000 to \$220,000.

30 Mr. Cullimore noted that no motion necessary as this item is for feedback only.  
He then referenced for discussion an aerial photo of the land involved in the concept  
32 review along with zoning, photos of the existing lots and the applicant's concept site plan  
(3 alternative layouts) and elevation renderings. Mr. Cullimore explained that there is not  
34 an ordinance in place to accommodate this type of development so it is dependent on the  
feedback from the Commission and Council if Mr. Knapp will pursue proposing a PUD  
36 ordinance on an overlay onto the CG zone. This would need to come through an  
ordinance amendment with a recommendation to apply that zone to a specific lot or area.  
38 Mr. Cullimore stated that Mr. Knapp is just looking for feedback on this proposal from  
the Commission in considering the increase in density of the product. Mr. Cullimore  
40 asked if there were any questions at this time.

42 Commissioner Wily inquired about the driveways and if the stairs are inside the  
garage going up to the house. Mr. Knapp confirmed the stairs are in the garage going up  
to the house adding that the lot is an odd configuration with a steeper grade and what they  
44 are proposing is to keep the garages somewhat level with the road which would fit better  
with the landscape. Commissioner Marchbanks inquired how much net is in the backyard  
46 after the toe of the hill is removed. Mr. Knapp stated it would be close to 30 ft. to the  
retaining wall. Commissioner Kallas asked if their intent is to sell the units individually.  
48 Mr. Knapp confirmed they will be selling them as individual units with the grounds

## ***Lindon Care & Training 2015***

<u><b>Incident</b></u>			<u><b>Incident</b></u>		
<u><b>#</b></u>	<u><b>Date</b></u>	<u><b>Nature</b></u>	<u><b>#</b></u>	<u><b>Date</b></u>	<u><b>Nature</b></u>
15LI00153	1/15/2015	Abandoned 911	15LI02702	7/21/2015	Citizen Contact
15LI00196	1/20/2015	Citizen Dispute	15LI02960	8/9/2015	Mental Subject
15LI00258	1/25/2015	Welfare Check	15LI03048	8/15/2015	Citizen Contact
15LI00263	1/26/2015	Sex Offense	15LI03134	8/22/2015	Suspicious
15LI00314	1/30/2015	Sex Assault	15LI03135	8/22/2015	Suspicious
15LI00331	1/31/2015	Mental Subject	15LI03253	8/30/2015	Suspicious
15LI00828	3/11/2015	Missing Person	15LI03319	9/3/2015	Missing Person
15LI01169	4/6/2015	Citizen Dispute	15LI03358	9/6/2015	Mental Subject
15LI01210	4/9/2015	Assault	15LI03477	9/15/2015	Sex Offense
15LI01224	4/10/2015	Welfare Check	15LI03730	10/1/2015	Missing Person
15LI01330	4/18/2015	Citizen Contact	15LI03974	10/18/2015	Or Fire
15LI01344	4/20/2015	Citizen Contact	15LI04006	10/20/2015	Citizen Contact
15LI01366	4/21/2015	Mental Subject	15LI04273	11/7/2015	Assault
15LI01390	4/23/2015	Missing Person	15LI04363	11/14/2015	Citizen Contact
15LI01724	5/14/2015	Abandoned 911	15LI04458	11/21/2015	Welfare Check
15LI02044	6/5/2015	Suspicious	15LI04639	12/5/2015	Citizen Contact
15LI02156	6/13/2015	Sex Offense	15LI04648	12/7/2015	Or Fire Alarm
15LI02506	7/7/2015	Disorderly	15LI04692	12/9/2015	Welfare Check
15LI02591	7/13/2015	Or Medical	15LI04942	12/28/2015	Welfare Check
15LI02623	7/16/2015	Abuse-Child			
15LI02666	7/19/2015	1047 Suspicious			

2015

Total = 40



## Item 8: Annual Review of Group Home Facility *Timpview Residential Treatment Center*

<p><b>Applicant:</b> Alliance Youth Services  <b>Presenting Staff:</b> Brandon Snyder</p> <p><b>General Plan:</b> Research &amp; Development  <b>Current Zone:</b> Heavy Industrial (HI)</p> <p><b>Property Owners:</b> JY Enterprises Lindon LLC  <b>Address:</b> 200 North Anderson Lane (1400 West)  <b>Parcel ID:</b> 14:062:0026  <b>Lot Size:</b> 1.61 acres</p> <p><b>Type of Decision:</b> Administrative  <b>Council Action Required:</b> No</p>	<p><b>SUMMARY OF KEY ISSUES</b></p> <ol style="list-style-type: none"> <li>1. This is an annual review to ensure the facility is operating in compliance with Lindon City Code requirements.</li> </ol> <p><b>MOTION</b></p> <p>No motion is necessary if there are no changes to the conditions currently in place.</p>
---	--

### SUMMARY

This is the annual required review for group homes approved within the City to determine that the facility is in compliance with the Conditional Use Permit conditions and/or local ordinances regulating these types of facilities.

This facility is operated by Alliance Youth Services. The facility has had several past owners. In March 2005 a CUP was issued for a juvenile group home facility. It was approved for housing up to 12 youth that are not over the age of 18. Following is a list of revised conditions which were imposed during annual reviews:

1. Occupancy is limited to 12 youth.
- ~~2. No sex offenders reside at the home. (removed 2013)~~
3. No youth over the age of 18 reside at the home.
4. An alarm system on the windows and doors is installed. (completed & inspected in 2005)
- ~~5. No on-site schooling.~~ Any on-site instruction must be an accessory use and not a primary function of the facility. (updated 2009)
6. 15 mph speed limit signs be posted on Anderson Lane. (completed 2005)
7. A sign directing traffic to the group home be installed (so kids aren't dropped off at the Anderson residence). (completed 2007).
- ~~8. Supervision ratio shall be no less than one staff to six youth 24 hours per day. (removed 2013)~~
9. The site shall be open to visitation by police and city officials without notice.
10. Training shall be provided for employees and residents regarding the speed limit requirements and illegal trespassing on the neighboring private property.
11. The CUP shall be reviewed annually or upon change of Program Directors.
12. That all other requirements and limits as per city ordinance are adhered to.
13. The Applicant shall not accept any residents into its facility who are in the custody of, or under the supervision of, the State's Juvenile Justice Services. (added 2013)
14. The Applicant shall accept no residents into the facility who are designated as needing a care continuum level higher than a Level Five as defined by the State's Protocols and Standards Manual (a.k.a NOJOS the Utah Network on Juveniles Offending Sexually). (added 2013)

15. The Applicant shall adopt and implement policies and procedures for 24-hour awake supervision of all residents. (added 2013)
16. The Applicant shall maintain a resident to staff ratio no greater than 6 to 1. (added 2013)
17. The Applicant shall adopt and implement policies and procedures for behavior management consistent with those required by the Utah Administrative Code, R501-2-7, so as to help ensure the safety of the residents and the protection of the community. (added 2013)
18. The Applicant shall adopt and implement policies and procedures to ensure that all potential residents, including referrals from the Utah Division of Family and Child Services, are screened by Mental Health Professionals to ensure that the potential resident's history, level of risk, and treatment plans are consistent with a Level Five facility and that they do not pose or present an unreasonable risk to other residents or to the community. (added 2013)
19. That the Applicant shall adopt and implement policies and procedures to hold youth accountable for their behavior in the facility and while in the community and to provide a safe environment for the residents in which to get help. Such policies and procedures shall include provisions for the removal of a resident from the facility should their psychological condition worsen or should they become ungovernable in their current level of care. (added 2013)

In 2013, the operator Heritage Youth Services worked with Brian Haws, Attorney for Lindon City, to clarify what type of youth is accepted into the facility. Based upon Mr. Haws' recommendation conditions 13 through 19 above were added to replace conditions 2 and 8.

Also, in December 2013, Heritage Youth Services applied for and received approval of an expansion of the nonconforming use of the Timpview RTC. The expansion consisted of a remodel/addition of the existing home and an increase in residents from 12 to 16, with one additional staff. There were two conditions of approval: 1. The septic tank upgrade have the capacity to accommodate the additional residents and staff as proposed by the expansion; 2. Prior to occupancy of the new addition, the water issue be remediated that has been flooding the Anderson Property. The expansion is presently on hold because the facility is unable to comply with County Health Department requirements related to septic and sewer.

No known citizen initiated complaints about the facility have been received during the previous year. A copy of the minutes from the 2015 annual review has been included for your review. Attachment 3 includes the 2015 incident report for the facility from the Police Department. Chief Cullimore has indicated that the incidents reported in 2014 appear to be normal incidents for such a facility. The facility is not causing a disproportionate impact on public safety.

\*\*\* Per current ordinances: Please confirm with the facility representative the following:

1. That the facility is only providing housing for those with disabilities and their care takers;
2. That the applicant's have adequate insurance coverage for the facility / vehicles / and liability coverage for third part individuals; and
3. That no individuals currently housed in the facility pose a direct threat to others safety within the group home or to the community in general.

Please also discuss staffing levels at the facility to ensure proper supervision & care for the tenants.



## ATTACHMENTS

1. Aerial & Site Photos
2. Minutes from 2015 Review
3. 2015 Incident Report







Commissioner McDonald stated that he does not see it completely out of place at that location. Chairperson Call commented that this may be the best use of the land and may be something that could work. She added that the next step would be to go to the City Council for their feedback on this proposal. There was then some additional discussion regarding this issue.

Chairperson Call asked if there were any further questions or comments. Hearing none she moved on to the next agenda item.

7. **Annual Review of Group Home Facility** – *Heritage Youth Services/Timpview Residential Treatment Center, 200 North Anderson Lane*. This is a required annual review of a juvenile group home approved for up to 16 youth not over the age of 18. The facility provides housing and social activities for the youth and is located in the HI zone. This is a review of the current conditions of the facility to ensure conformance with City code.

Mr. Cullimore explained this is the annual required review for group homes approved within the City to determine that the facility is in compliance with the Conditional Use Permit conditions and local ordinances regulating these types of facilities. He commented that this facility is owned by Heritage Youth Services noting the facility has had several past owners. He added that Lynn Loftin and Corbin Lindy are in attendance as representatives of this agenda item tonight. He mentioned that in March 2005 the current owners were issued a CUP for a juvenile group home facility. It was approved for housing up to 12 youth that are not over the age of 18.

Mr. Cullimore then referenced the following list of revised conditions which were imposed during annual reviews:

1. Occupancy is limited to 12 youth.
2. ~~No sex offenders reside at the home.~~ (removed 2013)
3. No youth over the age of 18 reside at the home.
4. An alarm system on the windows and doors is installed. (completed & inspected in 2005)
5. ~~No on-site schooling.~~ Any on-site instruction must be an accessory use and not a primary function of the facility. (updated 2009)
6. 15 mph speed limit signs be posted on Anderson Lane. (completed 2005)
7. A sign directing traffic to the group home be installed (so kids aren't dropped off at the Anderson residence). (completed 2007).
8. ~~Supervision ratio shall be no less than one staff to six youth 24 hours per day.~~ (removed 2013)
9. The site shall be open to visitation by police and city officials without notice.
10. Training shall be provided for employees and residents regarding the speed limit requirements and illegal trespassing on the neighboring private property.
11. The CUP shall be reviewed annually or upon change of Program Directors.
12. That all other requirements and limits as per city ordinance are adhered to.
13. The Applicant shall not accept any residents into its facility who are in the custody of, or under the supervision of, the State's Juvenile Justice Services. (added 2013)
14. The Applicant shall accept no residents into its facility who are designated as needing a care continuum level higher than a Level Five as defined by the State's Protocols and Standards Manual (a.k.a NOJOS the Utah Network on Juveniles Offending Sexually). (added 2013)
15. The Applicant shall adopt and implement policies and procedures for 24-hour awake supervision of all residents. (added 2013)



- 2 16. The Applicant shall maintain a resident to staff ratio no greater than 6 to 1. (added 2013)
- 4 17. The Applicant shall adopt and implement policies and procedures for behavior  
management consistent with those required by the Utah Administrative Code, R501-2-7,  
6 so as to help ensure the safety of the residents and the protection of the community.  
(added 2013)
- 8 18. The Applicant shall adopt and implement policies and procedures to ensure that all  
potential residents, including referrals from the Utah Division of Family and Child  
10 Services, are screened by Mental Health Professionals to ensure that the potential  
resident's history, level of risk, and treatment plans are consistent with a Level Five  
12 facility and that they do not pose or present an unreasonable risk to other residents or to  
the community. (added 2013)
- 14 19. That the Applicant shall adopt and implement policies and procedures to hold youth  
accountable for their behavior in the facility and while in the community and to provide a  
16 safe environment for the residents in which to get help. Such policies and procedures  
shall include provisions for the removal of a resident from the facility should their  
18 psychological condition worsen or should they become un-governable in their current  
level of care. (added 2013)

20 Mr. Cullimore further explained that in 2013, Heritage Youth Services worked  
with Brian Haws, Attorney for Lindon City, to clarify what type of youth is accepted into  
22 the facility. Based upon Mr. Haws' recommendation conditions 13 through 19 above  
where added to replace conditions 2 and 8. Also, in December 2013, Heritage Youth  
24 Services applied for and received approval of an expansion of the nonconforming use of  
the Timpvieview RTC. He noted the expansion consisted of a remodel/addition of the  
26 existing home and an increase in residents from 12 to 16, with one additional staff. Mr.  
Loftin then gave an update on the remodel status noting they are exploring options at this  
28 point and they are open to solutions. There was then some discussion regarding the  
remodel status of the facility.

30 Mr. Cullimore then referenced the two conditions of approval as follows:

- 32 1. The septic tank upgrade have the capacity to accommodate the additional  
residents and staff as proposed by the expansion;
- 34 2. Prior to occupancy of the new addition, the water issue be remediated that has  
been flooding the Anderson Property. The expansion is presently on hold because  
36 the facility is unable to comply with County Health Department requirements  
related to septic and sewer.

38 Mr. Cullimore noted that no known citizen initiated complaints about the facility  
have been received during the previous year. A copy of the minutes from the 2014 annual  
40 review have been included in the packets and also a 2013-2014 incident report for the  
facility from the Police Department. Chief Cullimore has indicated that the incidents  
42 reported in 2014 appear to be normal incidents for such a facility. The facility is not  
causing a disproportionate impact on public safety.

44 Chairperson Call then confirmed with the facility representative the following:

- 46 1. That the facility is only providing housing for those with disabilities and their care  
takers; *Mr. Loftin confirmed that statement.*
- 48

- 2        2. That the applicants have adequate insurance coverage for the facility/vehicles/and  
4        liability coverage for third part individuals; *Mr. Loftin confirmed he has provided  
6        all required proof of insurance to the City along with his business license.*
- 6        3. That no individuals currently housed in the facility pose a direct threat to others  
8        safety within the group home or to the community in general. *Mr. Loftin  
10       confirmed that statement. He noted that if one of the individuals housed at the  
12       facility is a threat to others they will recommend that they be removed from the  
14       facility.*

12       There was then some general discussion regarding this agenda item including  
14       review of the attached police report and revised conditions. Chairperson Call thanked Mr.  
16       Loftin for the information and for his work in the community. Following discussion  
18       Chairperson Call asked if there were any further questions or comments. Hearing none  
20       she moved on to the next agenda item.

- 18       4. **Site Plan** – *Utah Valley Mortuary, approx. 1200 West 700 North.* Ben Davis of  
20       UVM Building, LLC requests site plan approval of a 7,096 square foot funeral  
22       home at approximately 1200 West 70 North in the General Commercial (CG)  
24       zone.

24       Hugh Van Wagenen, Planning Director, opened the discussion by giving a brief  
26       summary of this agenda item. He explained that Ben Davis of UVM Building, LLC is  
28       requesting site plan approval of a 7,096 square foot funeral home at approximately 1200  
30       West 70 North in the General Commercial (CG) zone. He noted that the applicants,  
32       Matt and Ben Davis, are present as representatives of this agenda item.

30       Mr. Van Wagenen gave some background as follows:

- 30       1. This is a site plan application for a ~7,000 square foot commercial building with a  
32       mortuary as intended use.  
32       2. The site is located in the General Commercial (CG) zone.  
34       3. The site will share access from 700 North with Noah's Life Event Center to the  
36       west.  
36       4. A previous application for a two lot subdivision on this site was recently approved  
38       by the Planning Commission. That plat has not yet been recorded. It is  
40       recommended that the recordation of that plat be a condition of approval for this  
42       site.

40       Mr. Van Wagenen noted that for assembly type uses one parking stall is required  
42       for every 3 ½ person occupancy capacity of the building. The site plans shows 37 stalls  
44       which would account for an occupancy of 129 persons in the building at any given time.  
46       This should be ample parking based on the usable square footage of the building which is  
about 5,100 square feet. Bicycle parking is required at an 8% ratio to the total number of  
parking stalls; in this case two bike stalls are required and four stalls are provided. Two  
ADA parking spaces are required based on the total number of vehicles spaces and two  
are provided.



## ***Heritage Youth Services 2015***

### **Incident**

<b><u>#</u></b>	<b><u>Date</u></b>	<b><u>Nature</u></b>
15LI00217	1/22/2015	Abandoned 911
15LI00227	1/22/2015	Or Medical
15LI00475	2/11/2015	Abandoned 911
15LI00614	2/23/2015	Medical
15LI00638	2/25/2015	Medical
15LI00951	3/22/2015	Agency Assist
15LI01367	4/22/2015	Abuse-Child
15LI01755	5/17/2015	Mental Subject
15LI01798	5/20/2015	Juvenile Problem
15LI01813	5/21/2015	Runaway
15LI02234	6/18/2015	Juvenile Problem
15LI02245	6/19/2015	Criminal Mischief
15LI03213	8/28/2015	Citizen Contact
15LI03381	9/8/2015	Mental Subject
15LI04768	12/16/2015	Sex Offense
15LI04863	12/22/2015	Or Medical

2015

Total = 16

## Item 9: Annual Review of Residential Treatment Center *Reflections Recovery Center*

<p><b>Applicant:</b> Ron Wentz <b>Presenting Staff:</b> Hugh Van Wagenen</p> <p><b>General Plan:</b> Low Density Residential <b>Current Zone:</b> R1-20</p> <p><b>Property Owners:</b> DAR2 LLC <b>Address:</b> 145 South 200 East <b>Parcel ID:</b> 53:208:0004 <b>Lot Size:</b> 1.3 acres</p> <p><b>Type of Decision:</b> Administrative <b>Council Action Required:</b> No</p>	<p><b>SUMMARY OF KEY ISSUES</b></p> <ol style="list-style-type: none"><li>1. This is an annual review to ensure the facility is operating in compliance with Lindon City Code requirements.</li></ol> <p><b>MOTION</b> No motion is necessary if there are no changes to the conditions currently in place.</p>
---	---

### SUMMARY

This is the annual required review for group homes approved within the City to determine that the facility is in compliance with the Conditional Use Permit conditions and/or local ordinances regulating these types of facilities.

This facility is owned managed by Reflections Recovery Center and has been in operation since early 2015. The Planning Commission granted a Reasonable Accommodation request in February of 2015 allowing more than four individuals to occupy the home in the residential neighborhood. The Planning Commission Report of Action, including conditions of operation, is attached below along with a copy of the Reasonable Accommodation Order that has been recorded at Utah County for the property.

No known citizen initiated complaints about the facility have been received during the previous year. As this is Reflections Recovery Center first annual review, there are no previous review minutes to attach. Attachment 4 includes a 2015 incident report for the facility from the Police Department. With only two incidents reported, the facility is not causing a disproportionate impact on public safety.

\*\*\* Per current ordinances: Please confirm with the facility representative the following:

1. That the facility is only providing housing for those with disabilities and their care takers;
2. That the applicant's have adequate insurance coverage for the facility / vehicles / and liability coverage for third part individuals; and
3. That no individuals currently housed in the facility pose a direct threat to others safety within the group home or to the community in general.

Please also discuss staffing levels at the facility to ensure proper supervision & care for the tenants.

### ATTACHMENTS

1. Aerial & Site Photos
2. Report of Action November 2014
3. Reasonable Accommodation Order February 2015
4. 2015 Incident Report



SANJINES, CELIA  
6 S 200 EAST - LINDON

CLARK, CHRISTOPHER A  
133 S 200 EAST - LINDON

ROBINSON, MARK A & AMBER A  
144 S 300 EAST - LINDON

ORGAN, MICHAEL  
S 200 EAST - LINDON

DAR2 LLC  
145 S 200 EAST - LINDON

LIAN, SPENCER & TANYAL  
164 S 300 EAST - LINDON

INVESTMENTS LLC  
E ST - LINDON

SSA PROPERTIES LLC  
216 E 200 SOUTH - LINDON

COOK, ROBERT T & JULIE  
176 S 300 EAST - LINDON

IN & ARNALEE  
ST - LINDON

CLAUNCH, DAVID J & MONICA L  
182 S 300 EAST - LINDON





04.20.2016 21:30



## Lindon City Planning Commission

# Report of Action

November 11, 2014

Item 4: Site Plan — Reflections Recovery Center, 145 South 200 East

Ron Wentz of Reflections Recovery Center seeks site plan approval for a residential substance use disorder and mental health recovery center for up to 16 residents at 145 South 200 East in the R1-20 (Single Family Residential) zone. This item was continued from the September 23, 2014 Planning Commission meeting. The Planning Commission will act as the final land use authority for this item and will make a final decision.

The following action was taken by the Planning Commission on the above described item at its regular meeting on November 11, 2014:

### SITE PLAN APPROVED REASONABLE ACCOMMODATION GRANTED

On a vote of 6:0, the Planning Commission approved the above noted application, with the following conditions:

1. The home shall not operate without first obtaining all required State and City licensing.

Also on a vote of 6:0, the Planning Commission, in accordance with the Federal ADA and FHA, granted the applicant an accommodation from the occupancy requirement in 17.70.040(6) of the Lindon City Code to allow up to 16 occupants instead of 4, with the following conditions:

1. Notice of the accommodation shall be recorded with Utah County;
2. This reasonable accommodation to LCC 17.70.040(6) allows 16 unrelated, disabled, individuals to occupy the dwelling;
3. The reasonable accommodation terminates when the dwelling is no longer used as a home for persons with a disability;
4. This reasonable accommodation does not run with the land; and
5. The dwelling must be operated to comply with building, health, and safety requirements, including state or local licensing laws where applicable.

Motion By: Ron Anderson

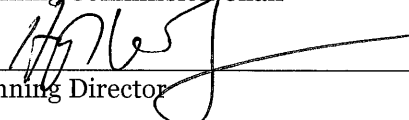
Second By: Mike Marchbanks

Votes in Favor of Motion: 6

Sharon Call was present as Chair.

- This decision includes facts of the case, analysis, conclusions, and recommendations outlined in the Staff Report and in the Approved Minutes of the November 11, 2014 Planning Commission meeting.

  
\_\_\_\_\_  
Planning Commission Chair

  
\_\_\_\_\_  
Planning Director

12/2/14



## ORDER

Based upon good cause showing, the Lindon City Planning Commission hereby **GRANTS** the request for Reasonable Accommodation from Lindon City Code 17.70.040(6) to allow up to 16 unrelated, disabled individuals to reside in the dwelling at 145 South 200 East, Lindon, Utah, (Utah County Parcel #53:208:0004) with the following legal description:

LOT 4, PLAT C, TROY ACRE SUBDV. AREA 1.293 AC.

This approval is subject to the following conditions:

1. Notice of the accommodation shall be recorded with Utah County;
2. This reasonable accommodation to LCC 17.70.040(6) allows 16 unrelated, disabled, individuals to occupy the dwelling;
3. The reasonable accommodation terminates when the dwelling is no longer used as a home for persons with a disability;
4. This reasonable accommodation does not run with the land; and
5. The dwelling must be operated to comply with building, health, and safety requirements, including state or local licensing laws where applicable.

The above listed requirements address Lindon City's concerns while allowing for the use of the property to accommodate the needs of the occupants with disabilities.

Dated this 24 day of February, 2015.

Sharon Call  
Sharon Call

Planning Commission Chairperson

Hugh Van Wageningen  
Hugh Van Wageningen  
Planning Director

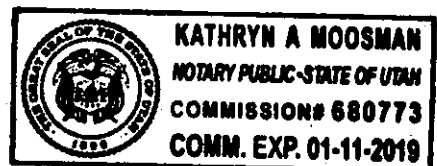
State of Utah )

§

County of Utah )

On this 24 day of February, in the year 2015, before me, Kathryn Moosman, a notary public, personally appeared Sharon Call and Hugh Van Wageningen, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same. Witness my hand and official seal.

Kathryn A. Moosman  
NOTARY PUBLIC



***Reflections Recovery Center***  
***2015***

**Incident**

<b><u>#</u></b>	<b><u>Date</u></b>	<b><u>Nature</u></b>
15LI01264	4/13/2015	Criminal Mischief
15LI03534	9/18/2015	Or Medical

2015

Total = 2

## Item I0: Conditional Use Permit — Two Dudes Towing/Action Parking Enforcement 154 South 1800 West

Marc Palmer requests conditional use permit (CUP) approval for an impound yard to be located at 154 South 1800 West in the Light Industrial (LI) zone.

<p><b>Applicant:</b> Marc Palmer, Two Dudes Towing/Action Parking Enforcement <b>Presenting Staff:</b> Brandon Snyder</p> <p><b>General Plan:</b> Light Industrial <b>Zone:</b> Light Industrial (LI)</p> <p><b>Property Owner:</b> Terriquez, Francisco <b>Address:</b> 154 South 1800 West <b>Parcel ID:</b> 48-245-0006 (Lot 6, Plat A, Ostler Industrial Park Subdivision) <b>Lot Size:</b> 1.005 acres</p> <p><b>Type of Decision:</b> Administrative <b>Council Action Required:</b> No</p>	<p><b><u>SUMMARY OF KEY ISSUES</u></b></p> <ol style="list-style-type: none"><li>1. Whether to approve the applicant's request for a conditional use permit (impound yard) at 154 South 1800 West.</li><li>2. Whether to impose reasonable conditions to mitigate potential detrimental impacts.</li></ol> <p><b><u>MOTION</u></b></p> <p>I move to (<i>approve, deny, continue</i>) the applicant's request for a conditional use permit for an impound yard to be located at 154 South 1800 West, with the following conditions (if any):</p> <ol style="list-style-type: none"><li>1.</li><li>2.</li></ol>
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### **OVERVIEW**

The applicant has requested to relocate his two businesses to the proposed site. The applicant will be using the north half of the site and proposes no structures or changes to the site at this time. The site is currently used for storage. Business license records indicate no current business licenses for this location. The applicant requests approval for an impound yard. This use requires a conditional use permit in the LI zone. Wrecking and salvage yards are not permitted in the LI zone. Staff recommends the following condition(s): 1. No repairing, servicing, salvaging, or dismantling of vehicles. 2. Applicant must maintain the sight-obscuring (chain link with slats) fence.

The existing site improvements (chain link fence with slats and gravel) were installed after approval by the Planning Commission of the Wernli Site Plan 06-433-2, on July 26, 2006. The applicant was required to install the sight-obscuring fence and gravel for the outdoor storage of equipment and machinery. The motion to approve the site plan at that time allowed for the use of a temporary storage container (shed) for storage purposes only. The intent was that the improvements (landscaping, parking, etc.) would be required and installed with the future construction of a permanent building.

The purpose of the Light Industrial (LI) district to provide areas in appropriate locations where light manufacturing, industrial processes and warehousing not producing objectionable effects may be established, maintained, and protected. The regulations of the district are designed to protect environmental quality of the district and adjacent areas.

Third party notices were mailed on April 13, 2016, to the adjoining property owners in accordance with Lindon City Code Section 17.14.50 Third Party Notice. Staff has received no public comment at this time.



## **ANALYSIS**

### *Applicable laws and standards of review*

- State Code defines a conditional use as "a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts."
- Section 10-9a-507 of the State Code requires municipalities to grant a conditional use permit "if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards." Once granted, a conditional use permit runs with the land.
- State Code further provides that a conditional use permit application may be denied only if "the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards." Utah Code § 10-9a-507.

## **ATTACHMENTS**

- APPLICANT'S PROPOSED USE DESCRIPTION AND EXHIBITS



---

**TWO DUDES' TOWING**

PO BOX 970581 OREM, UT 80497

Phone: (801) 785-3833

8 April, 2016


Lindon City  
100 N State St.  
Lindon, UT 84042

RE: Conditional use application

To Whom It May Concern:

This letter is to supplement the attached application. We are currently trying to re-locate our business from 421 S Geneva Rd to 154 S 1800 W. The new location is further west and currently already has a privacy fence around the property. We will be storing wrecked / police impounded vehicles at the property. This is a necessary service for the city; this will be a state certified impound yard.

Thank you,

  
Marc Palmer  
Two Dudes Towing

---

**TWO DUDES' TOWING**

421 S. Geneva Rd., Lindon, UT 84042

Phone: (801) 785-3833

1 April, 2016

Lindon City  
100 N State St.  
Lindon, UT 84042

#854 #1168


RE: Relocation of Two Dudes and Action Parking Enforcement

To whom it may concern:

I called the city office today and was asked to mail you this request to transfer my business licenses. Both the above mentioned businesses will be moving to a new location at 154 S 1800 W in Lindon.

Our mailing address is now at:  
PO BOX 970581  
Orem, UT 84097

Thank you,

  
Marc Palmer  
Two Dudes Towing



## Item 12: Minor Subdivision — Aquatherm Plat A ~600 North 800 West

<p><b>Applicant:</b> GBR Capital <b>Presenting Staff:</b> Hugh Van Wagenen</p> <p><b>General Plan:</b> Mixed Commercial (MC) <b>Current Zone:</b> Mixed Commercial</p> <p><b>Property Owner:</b> Betty Washburn <b>Address:</b> ~ 600 North 800 West <b>Parcel ID:</b> Subdividing 14:053:0154 <b>Size:</b> 4.5 acres</p> <p><b>Type of Decision:</b> Administrative <b>Council Action Required:</b> No</p>	<p><b><u>SUMMARY OF KEY ISSUES</u></b></p> <ol style="list-style-type: none"><li>1. Does the application for one lot subdivision in the Mixed Commercial (MC) zone meet City requirements?</li></ol> <p><b><u>MOTION</u></b></p> <p>I move to (<i>approve, deny, continue</i>) the applicant's request for approval of a one lot subdivision to be known as Aquatherm Plat A with the following conditions (if any):</p> <ol style="list-style-type: none"><li>1.</li><li>2.</li></ol>
---	--

### **BACKGROUND**

This lot is being subdivided from a larger parcel that is over 23 acres. The rest of the parcel can be further subdivided and is therefore, not part of this plat. The development of this property requires street right of way dedication to the City. The site is located in the Mixed Commercial (MC) zone. The site will have an office/warehouse building; review of the site plan will be considered on a different agenda item.

### **DISCUSSION & ANALYSIS**

#### *Lot Requirements*

- Minimum lot size in the MC zone is 1 acre (43,560 sq. ft.). The lot created by this subdivision will be 4.5 acres.

#### *Frontage Requirements*

- Lot 1 meets the required public street frontage of 100 feet as over 800 feet is provided as it is a corner lot.

#### *Other Issues*

- About 412 feet of new public frontage is being constructed for 800 West. There are road improvements required along 2800 West including road widening, curb, gutter, and sidewalk. These improvements are reflected in the Aquatherm site plan that will be reviewed during a another agenda item. However, the improvements will be required for subdivision approval, even if the site development were to not happen. Typically, improvements are reviewed by staff at the final plat stage of a subdivision application and not during preliminary plan approval as granted by the Planning Commission.
- The City Engineer is addressing engineering standards. All engineering issues will be resolved before final approval is granted.

### **MOTION**

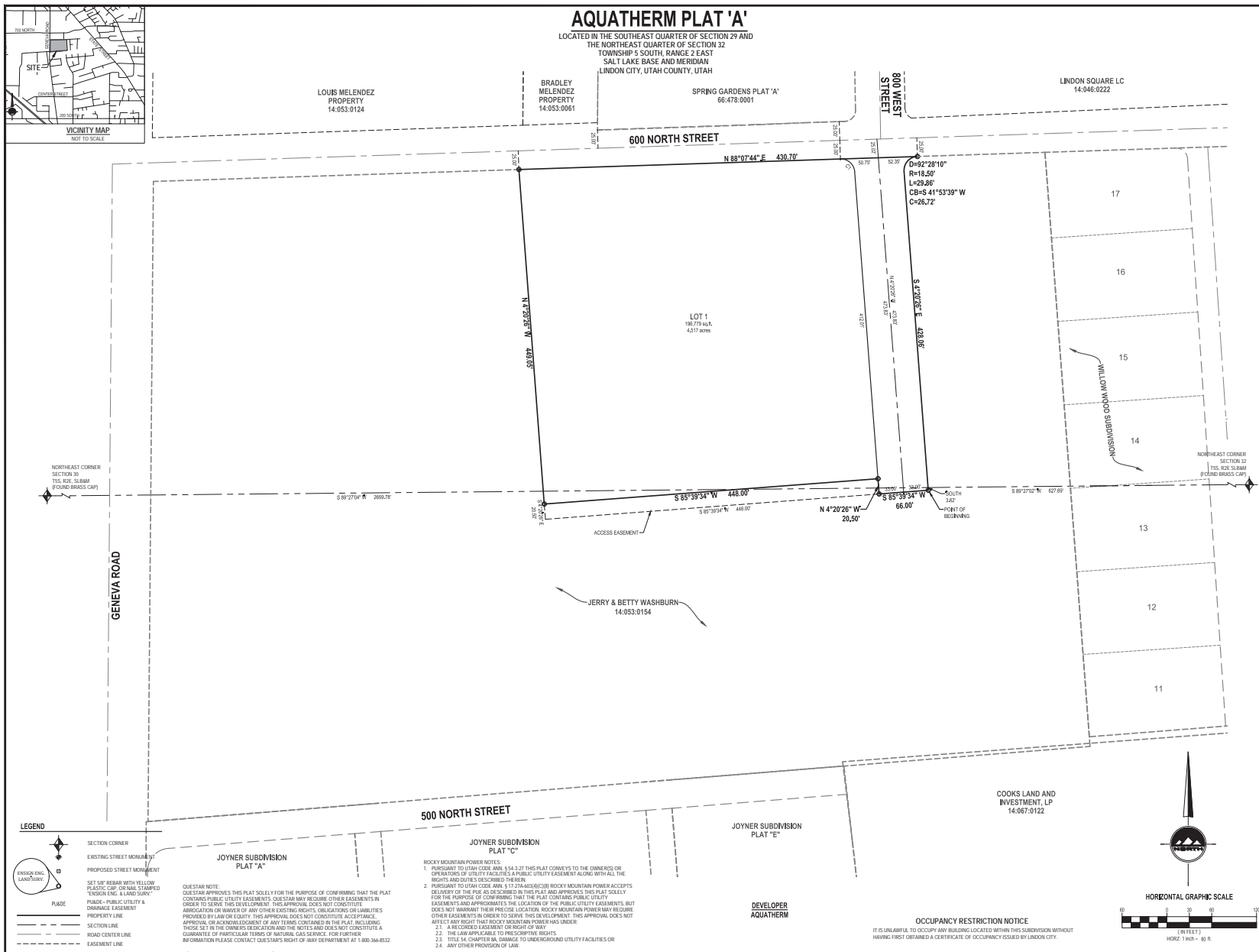
See above

**ATTACHMENTS**

1. Aerial photo of the proposed subdivision.
2. Aquatherm Plat A







## Item 11: Site Plan — Aquatherm Office/Warehouse, ~600 North 800 West

<p><b>Applicant:</b> GBR Capital  <b>Presenting Staff:</b> Hugh Van Wagenen</p> <p><b>General Plan:</b> Mixed Commercial  <b>Current Zone:</b> Mixed Commercial (MC)</p> <p><b>Property Owner:</b> Betty Washburn  <b>Address:</b> ~600 North 800 West  <b>Parcel ID:</b> Part of 14:053:0154  <b>Lot Size:</b> 4.5 acres</p> <p><b>Type of Decision:</b> Administrative  <b>Council Action Required:</b> No</p>	<p><b><u>SUMMARY OF KEY ISSUES</u></b></p> <ol style="list-style-type: none"> <li>Whether the request for site plan approval of a 73,297 square foot office/warehouse building complies with applicable land use requirements.</li> </ol> <p><b><u>MOTION</u></b></p> <p>I move to (<i>approve, deny, continue</i>) the applicant's request for site plan approval with the following conditions (if any):</p> <ol style="list-style-type: none"> <li>Verify parking requirements are being met for both vehicles and bicycles.</li> <li>Verify interior landscaping requirements are being met.</li> <li>Provide a bike rack detail according to code.</li> <li>Verify building colors meet the color palette.</li> <li></li> </ol>
--	--

### **BACKGROUND**

- The applicant proposes to construct a 73,297 square foot office/warehouse building on what will be Lot 1 of Aquatherm Subdivision Plat A.
- The lot is located in the Mixed Commercial zone.
- The area has historically been used as pasture.
- Road dedication and construction for the future 800 West is occurring with the Aquatherm Subdivision.

### **DISCUSSION & ANALYSIS**

#### **Parking Standards**

##### Requirements:

- General Office requires 1 space for every 350 square feet.
- Warehousing in the MC zone requires 1 space for every 500 square feet.
- Code allows a comparative use study to be provided in order to allow fewer than the required stalls. The study should provide actual parking information for similar uses.
- Bike parking in the MC zone requires an 8% ratio to required vehicular stalls up to 16 bike stalls.

##### Provided:

- Total provided vehicle spaces is **122** which is *fewer* than what is required for a 73, 300 s.f. building.
  - A comparative parking study needs to be provided based on the Aquatherm's existing operations in another location. The applicant has not provided this information so that a reduction in the number of required stalls be granted for the project.

- If the reduction is granted, the applicant needs to show where future parking may be located if necessary at a later date.
- Bike parking: **10** stalls are being provided at the northwest corner of the building. This may or may not be adequate depending on the results of any comparative parking use study. Also, a bike rack detail is required to ensure it meets code.

## **Landscaping Standards**

### Landscaped Strip Along Frontage

The required 20 foot landscape strip along 600 North and 800 West is being provided with the requisite trees every 30 feet on center and a grass berm.

### Interior Landscaping

Interior landscaping must be provided at 40 square feet per required stall with one tree per 10 stalls. With the proposed 117 stalls, that equates to 4,680 square feet and 12 trees required. There are 18 trees provided, but verification of interior landscaping square footage is still needed.

### Required Open Space

The MC zone requires a minimum of 15% open space on the site. This site requires 29,533 s.f. of open space and 30,651 s.f. is provided.

### Building Perimeter Landscaping

The required 5 foot landscape strip around the perimeter of the buildings per MC zone standards is being provided except where loading docks are located.

## **Architectural Standards**

For the MC zone the architectural design requirement states that 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.

Although specific colors are not called out in the elevations, it appears there are dark gray, light gray, and emerald green (trim) colors being proposed. All colors need to meet the color palette in the Design Guidelines (attachment six). Please see the attached elevations in attachment four. One entrance canopy, windows and tilt wall reveals provide architectural accents for the building.

The building is within the 48 foot height limit in the LI zone, the highest point of the parapet wall being about 38 feet.

## **Engineering Standards**

There are some engineering issues that will need to be resolved before the plans are finalized and staff will ensure all requirements are met.



**MOTION**

See above.

**ATTACHMENTS**

1. Aerial photo of the site and surrounding area.
2. Photograph of the existing site.
3. Site Plan
4. Architectural Rendering & Elevations
5. Landscaping Plan
6. Color Palette





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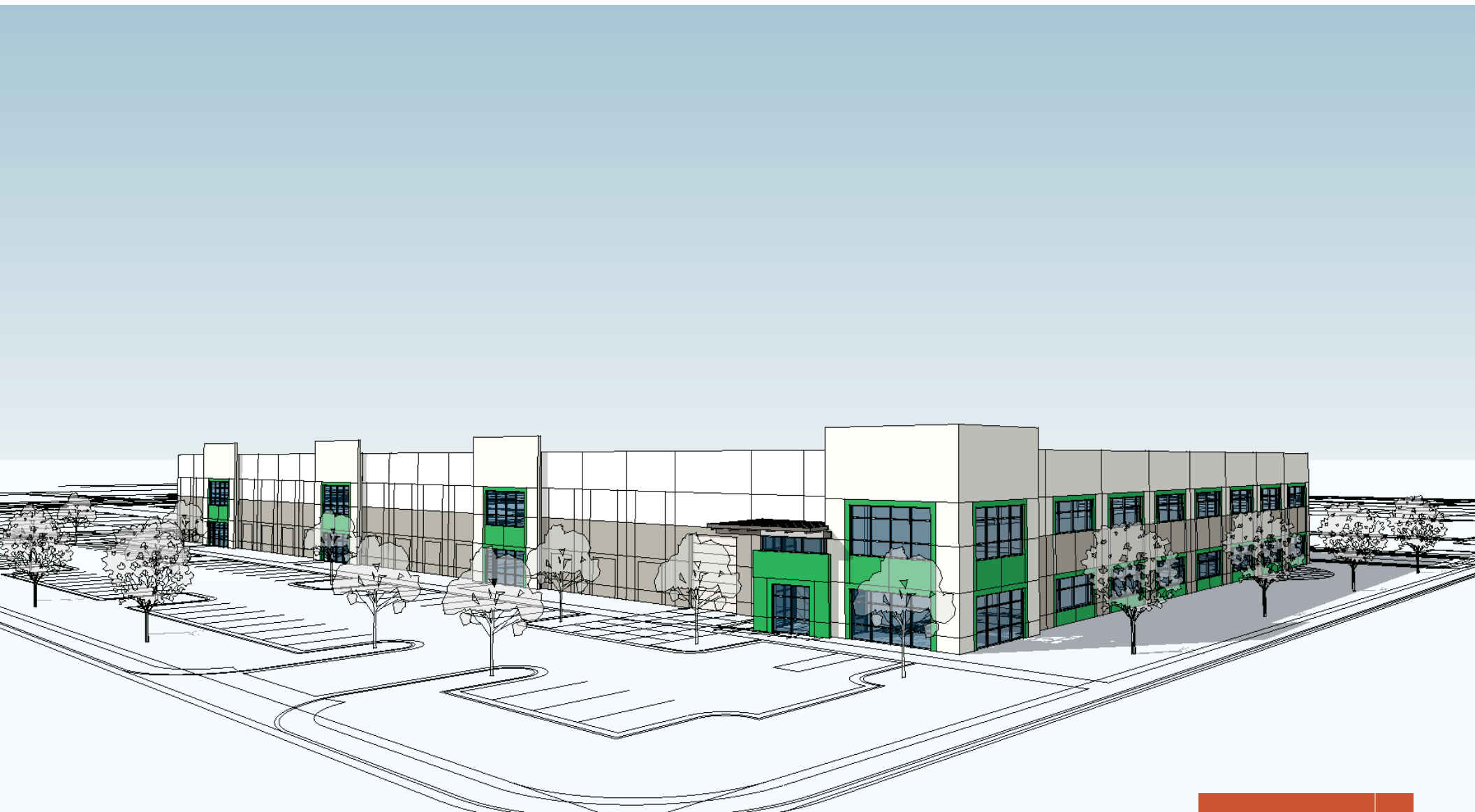


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# AQUATHERM - BUILDING PERSPECTIVE

INTERSECTION OF 800 WEST 600 NORTH - LINDON, UTAH

**GOULD+**  
ARCHITECTS





# AQUATHERM - BUILDING PERSPECTIVE

INTERSECTION OF 800 WEST 600 NORTH - LINDON, UTAH

**GOULD+**  
ARCHITECTS



# LINDON CITY LANDSCAPE ORDINANCE REQUIREMENTS

CODE SECTION	REQUIREMENTS	PROVIDED PER PLAN
17.48.030, #4 #4, AND #4a	ST. FRONTAGE 3' BERM W. 30% MAX. PLANTER AREAS	BERM 3' HT. AND 20' WIDTH 15% PLANTER AREAS IN FRONTAGE
17.48.030 #4c	FRONTAGE TREES 30FT O.C. AT 10FT FROM EDGE	44 TREES PROVIDED
17.48.030 #5	TREE SPECIES PER LINDON CITY PLANTING GUIDE & 2" DECID. & 6' EVERGR.	TREE SPECIES ARE PER LINDON CITY PLANTING GUIDE TREES ARE 2" DECID. AND 6' EVERGR.

PRELIMINARY  
LANDSCAPE PLAN  
SCALE: 1"=20'-0"



## PLANTING NOTES:

1. LANDSCAPE CONTRACTOR (L.C.) SHALL INSTALL 4" OF TOPSOIL IN ALL SOD AREAS. AREAS LABELED "R" (ROCK MULCH) SHALL ONLY HAVE TOPSOIL MIXED 50% IN THE PLANT PITS.
2. L.C. SHALL HAVE ALL UTILITIES STAKED BEFORE DIGGING. ANY DAMAGE SHALL BE REPAIRED BY L.C. AT HIS OWN EXPENSE WITH NO COST TO THE OWNER.
3. L.C. SHALL MAKE CERTAIN THAT ALL SOD AND PLANTS ARE PROPERLY WATERED WITH AUTOMATIC IRRIGATION.
4. L.C. SHALL COORDINATE HIS WORK WITH THE PROJECT MANAGER AND WITH ALL OTHER CONTRACTORS WORKING ON THE SITE.
5. THE FINISH GRADE OF ALL PLANTING AREAS SHALL BE SMOOTH, EVEN, CONSISTENT, FREE OF ANY HUMPS, DEPRESSIONS OR ANY OTHER GRADING IRREGULARITIES. THE FINISHED LANDSCAPE (i.e. SOD, ROCK MULCH, etc.) SHALL BE CONSTANTLY 1/2" BELOW ANY SURROUNDING CURB, WALKS, ETC.
6. L.C. SHALL KEEP THE STORAGE AREA, PAVEMENT AND PREMISES CLEAN AND NEAT AT ALL TIMES.
7. THE LANDSCAPE ARCHITECT OR OWNER SHALL INSPECT ALL PLANT MATERIALS ON SITE BEFORE INSTALLATION TO INSURE COMPLIANCE WITH SIZES AND TYPES. L.C. SHALL CALL FOR INSPECTION ONE WEEK PRIOR TO PLANTING. WATERING, PROTECTION AND CARING FOR PLANTS DURING THAT PERIOD SHALL BE THE RESPONSIBILITY OF THE L.C..
8. L.C. SHALL MAINTAIN ALL LAWN, PLANTS, ETC., FOR 30 DAYS FOLLOWING SUBSTANTIAL COMPLETION.
9. L.C. SHALL FURNISH ONE YEAR WRITTEN GUARANTEE FOR ALL PLANTS AND THE IRRIGATION SYSTEM.
11. ALL PLANTER AREAS SHALL RECEIVE DEWITT WEED BARRIER FABRIC
12. BERM SHALL BE 12" - 36" HEIGHT AS SHOWN AND CONSTRUCTED BY THE EXCAVATOR
13. ALL TREES IN SOD SHALL HAVE 4" BARK MULCH IN 3' TREE RINGS.

## PLANT SCHEDULE

KEY	BOTANICAL NAME	COMMON NAME	SIZE
TREES			
A	GLEDISIA T. IMPERIAL	IMPERIAL HONEYLOCUST	2" CAL
P	PLATANUS ACERIFOLIA	LONDON PLANE	2" CAL
M	MALUS SPRING SNOW	SPRING SNOW CRAB	3" CAL
B	PINUS LEUCODERMIS	BOSNIAN PINE	6-8' HT
J	ACER PALM. BLOODGOOD	RED JAPANESE MAPLE	6-8' HT

## SHRUBS

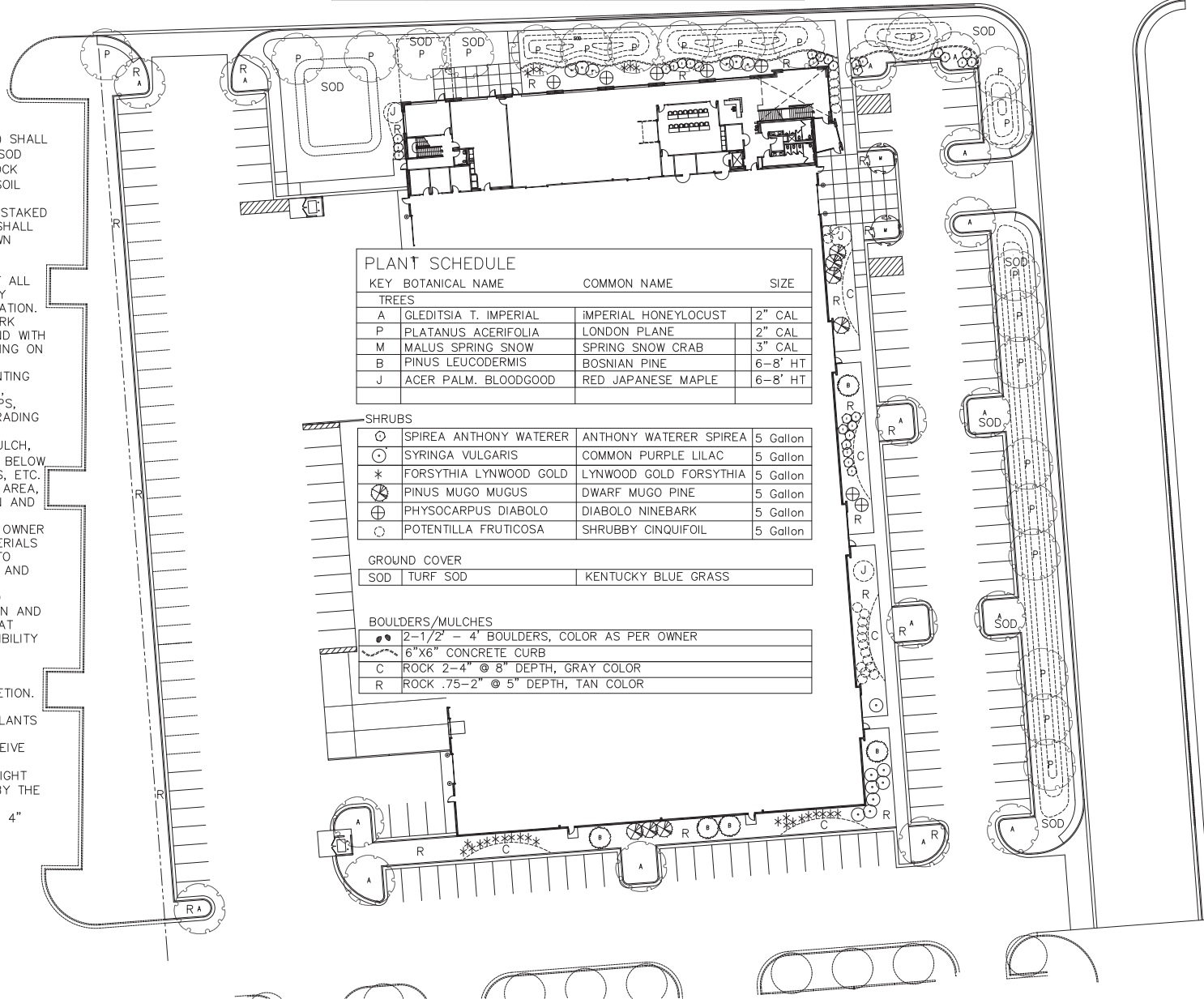
⊗	SPIREA ANTHONY WATERER	ANTHONY WATERER SPIREA	5 Gallon
⊙	SYRINGA VULGARIS	COMMON PURPLE LILAC	5 Gallon
*	FORSYTHIA LYNWOOD GOLD	LYNWOOD GOLD FORSYTHIA	5 Gallon
⊗	PINUS MUGO MUGUS	DWARF MUGO PINE	5 Gallon
⊕	PHYSOCARPUS DIABOLO	DIABOLO NINEBARK	5 Gallon
⊙	POTENTILLA FRUTICOSA	SHRUBBY CINQUIFOIL	5 Gallon

## GROUND COVER

SOD	TURF SOD	KENTUCKY BLUE GRASS
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## BOULDERS/MULCHES

●	2-1/2" - 4" BOULDERS, COLOR AS PER OWNER
⊗	6"x6" CONCRETE CURB
C	ROCK 2-4" @ 8" DEPTH, GRAY COLOR
R	ROCK .75-2" @ 5" DEPTH, TAN COLOR



GOULD+  
ARCHITECTS

5673 S. REDWOOD ROAD, SUITE 211  
SALT LAKE CITY, UTAH 84123

GOULD+ARCHITECTS, LLC (408)



150119

A NEW FACILITY FOR:

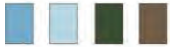
AQUATHERM

1501117

PRELIMINARY  
MARCH 21, 2016

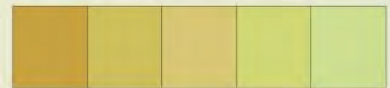
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#### IV. Utah Mountain Desert Color Palette



### Utah Mountain Desert Color Palette

#### Primary Colors



## Item 13: New Business (Planning Commissioner Reports)

Item 1 – Subject \_\_\_\_\_  
Discussion

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Item 2 – Subject \_\_\_\_\_  
Discussion

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Item 3 – Subject \_\_\_\_\_  
Discussion

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## Item 14: Planning Director Report

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**Adjourn**