

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **April 13, 2010** in the Lindon City Center, City Council Chambers, 100 North State
4 Street, Lindon, Utah.

5 Conducting: Gary Godfrey, Chairperson

6 Invocation: Matt Bean

7 Pledge of Allegiance: Sharon Call

8 **PRESENT**

ABSENT

9 Gary Godfrey, Chairperson

10 Ron Anderson, Commissioner

11 Matt Bean, Commissioner

12 Chris Burton, Commissioner

13 Sharon Call, Commissioner

14 Woodworth Mataele, Assistant Planner

Mark Johnson, Commissioner

Angie Neuwirth, Commissioner

Adam Cowie, Planning Director

Debra Cullimore, City Recorder

15 The meeting was called to order at 7:00 p.m.

16 **APPROVAL OF MINUTES** – The minutes of the meeting of February 23, 2010 were
17 reviewed.

18 COMMISSIONER CALL MOVED TO APPROVE THE MINUTES OF THE
19 MEETING OF FEBRUARY 23, 2010. COMMISSIONER BURTON SECONDED THE
20 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

21 **PUBLIC COMMENT** –

22 Chairperson Godfrey called for comments from any audience member present
23 who wished to address an issue not listed as an agenda item. There was no public
24 comment.

25 **CURRENT BUSINESS** –

- 26
- 27 1. **Conditional Use Permit** – *Blackball Performance Cycle – 128 South 1380*
28 *West, Unit B.* This is a request by Jeffrey Pope for approval of a Conditional
29 Use Permit for a performance motorcycle shop. The applicant is proposing to
30 operate a performance motorcycle shop that specializes in V-twin
31 performance engine work and dyno-tuning located in the LI (Light Industrial)
32 Zone. The shop would also sell parts and accessories. The current “Lindon
33 City Standard Land Use Table” requires “motorcycle/auto repair shops” or
34 other similar uses to acquire a Conditional Use Permit in the LI Zone.

35 Jeffrey Pope was present as the representative for this application. Mr. Mataele
36 explained that this is a request for a Conditional Use Permit for a performance
37 motorcycle shop in the LI zone at 128 South 1380 West, Unit B. The Lindon City
38

Standard Land Use Table requires a Conditional Use Permit for this proposed use in the LI zone. Mr. Pope is proposing hours of operation Tuesday through Friday from 9:00 a.m. to 6:00 p.m. and Saturday from 9:00 a.m. to 4:00 p.m. with the shop closed on Sunday and Monday. The facility will employ only Mr. Pope and his partner. All repairs will be completed inside the shop. Existing parking exceeds parking requirements. The business will be located in the north unit of the existing building. Mr. Mataele presented photographs of the site. He stated that staff has no concerns regarding this application.

Chairperson Godfrey invited Mr. Pope to provide any additional information for consideration by the Commission. Mr. Pope stated that he had no additional information unless the Commission had specific questions. Commissioner Anderson observed that information submitted by the applicant indicates that concerns regarding noise and possible fumes from the business have been adequately addressed. He inquired as to whether the south unit of the building is currently occupied. Mr. Pope stated that the south unit is currently being used for warehousing and storage, but that there is not an operating business on site at this time.

Commissioner Call stated that she visited the site and it appears that the business is ready to open for operation. She inquired as to when Mr. Pope anticipates opening. Mr. Pope stated that the business is ready to open. He explained that he was unaware that a Conditional Use Permit was required at the time he submitted his application for a business license. He proceeded with preparations to open the business following required fire inspections, and subsequently became aware of the requirement for the Conditional Use Permit.

Commissioner Burton inquired as to whether all work done at the facility will be on Harley Davidson motorcycles. Mr. Pope stated that they are qualified to work on any fuel injected motorcycles, but that performance work will be done only on Harley Davidson motorcycles. He explained that he and his partner are factory trained Harley Davidson technicians. Commissioner Call inquired as to whether the business is affiliation with Timpanogos Harley Davidson. Mr. Pope stated that that this use will be an independent repair shop, not affiliated with the Harley Davidson Corporation.

Commissioner Bean observed that it appears that the site is in compliance with all requirements, such as parking and dumpster enclosure. He reiterated that it appears that noise and fume issues have been adequately addressed as well.

Chairperson Godfrey inquired as to whether test drives will take place outside the building or on local streets in the area. Mr. Pope stated that a diagnostic work will be done inside the facility. He stated that there may be occasional test drives on streets, but that the drives will take a route toward the freeway rather than residential areas.

Chairperson Godfrey went on to explain to Mr. Pope that Conditional Use Permits are reviewable upon complaint, and that if unforeseen concerns arise which are not adequately addressed, the Conditional Use Permit is subject to revocation. He expressed appreciation to Mr. Pope for locating the business in Lindon.

Commissioner Anderson observed that the proposed site appears to be an appropriate location for this use. Mr. Pope explained that it is an essential component of their business to run a neat, organized attractive shop to attract customers. He stated that there is adequate space inside the facility to store up to 30 bikes, which makes outdoor work or storage unnecessary. Commissioner Anderson noted that typical complaints

regarding this type of use are related to noise or dismantled vehicles outside the facility.
2 He encouraged Mr. Pope to be aware of possible impacts to neighbors.

4 Chairperson Godfrey called for further comments or discussion. Hearing none, he called for a motion.

6 COMMISSIONER BURTON MOVED TO APPROVE THE BLACKBALL
PERFORMANCE CYCLE CONDITIONAL USE PERMIT. COMMISSIONER BEAN
8 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
CARRIED.

10 **NEW BUSINESS** – Reports by Commissioners

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14 Commissioner Burton commented on the availability of dump passes from the
City, noting that he was unaware until recently that they were available to residents. The
Commission suggested that a notification be included in the utility bill reminding
16 residents that dump passes are available to residents.

18 Commissioner Call stated that she has heard complaints from several residents
regarding horse droppings on the trail. Councilmember Bayless was present in the
audience, and explained that residents can contact Public Works to clean up the trail, or
20 can use the droppings as fertilizer in their yards if they choose.

22 **PLANNING DIRECTOR'S REPORT** –

24 Mr. Mataele explained that Mr. Cowie is absent due to an illness. He presented
City Council minutes regarding LCC Title 17.17 which was approved by the City
26 Council with an amendment to Planning Commission recommendations which does not
require temporary agricultural uses to remove temporary structures when the temporary
28 site plan approval expires. The Commission discussed with Councilmember Bayless the
reasoning for this amendment. She explained that the Council felt that allowing
30 temporary agricultural structures to remain in place was appropriate to the 'little bit of
country' environment in Lindon. She noted that all sites would be subject to nuisance
32 ordinances, and that there are adequate tools in place to address problematic situations
which could degrade the look and feel of the City.

34 Mr. Mataele noted that the General Plan Committee has begun work on General
Plan revisions. He encouraged Commissioners to forward any suggestions or comments
36 regarding general plan updates to staff, Councilmember Bayless or General Plan
Committee members.

38 **ADJOURN** –

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42 COMMISSIONER BEAN MOVED TO ADJOURN THE MEETING AT
7:27 P.M. COMMISSIONER ANDERSON SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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46 Approved – May 11, 2010

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Gary Godfrey, Chairperson

Adam Cowie, Planning Director