

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
3 **May 25, 2010** in the Lindon City Center, City Council Chambers, 100 North State Street,  
4 Lindon, Utah.

5 Conducting: Matt Bean, Vice Chairperson

6 Invocation: Christian Burton

7 Pledge of Allegiance: Sharon Call

8 **PRESENT**

**ABSENT**

10 Ron Anderson, Commissioner

12 Matt Bean, Commissioner/Vice Chairperson

Christian Burton, Commissioner

14 Sharon Call, Commissioner

Gary Godfrey, Commissioner

16 Mark Johnson, Commissioner

Angie Neuwirth, Commissioner

18 Adam Cowie, Planning Director

Debra Cullimore, City Recorder

Gary Godfrey, Chairperson

Woodworth Mataele, Asst. Planner

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

22 **APPROVAL OF MINUTES** – The minutes of the meeting of May 11, 2010 were  
24 reviewed.

26 COMMISSIONER CALL MOVED TO APPROVE THE MINUTES OF THE  
28 MEETING OF MAY 11, 2010. COMMISSIONER NEUWIRTH SECONDED THE  
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

30 **PUBLIC COMMENT** –

32 Commissioner Bean called for comments from any audience member who wished  
34 to address an issue not listed as an agenda item. There was no public comment.

**CURRENT BUSINESS** –

- 36 1. **Conditional Use Permit** – *Ace Disposal Inc. – 1155 West 135 South*. This is a  
38 request by Ruben Garza with Ace Disposal, Inc. for a Conditional Use Permit for  
40 a light maintenance garage for garbage and recycling trucks located in the LI  
42 Zone at the old ‘Indian Oil’ site. The applicant is looking to expand from their  
current location across the street 1160 West 135 South. The Lindon City  
Standard Land Use Table requires this use in the LI zone to acquire a Conditional  
Use Permit.

44 Ruben Garza was present as the representative for this application. Mr. Cowie  
46 explained that this an application by Ace Disposal for a Conditional Use Permit on the

2 old 'Indian Oil' site, which was previously a used oil processing facility. The property  
3 was foreclosed on, and is currently owned by a bank. Ace Disposal is considering  
4 purchasing the property for a storage and maintenance facility associated with their  
5 current storage facility located across the street at 1160 West 135 South. The existing  
6 fence is currently under repair. Ace is proposing to use the existing garage bays on the  
7 site for maintenance and repair on company vehicles. Some small containers will also be  
8 stored on the site, but containers will not be stacked.

9 Mr. Cowie reviewed recommended conditions of approval for this application as  
10 follows:

- 11 1. Lindon City must obtain written verification from Utah DEQ that the site is in  
12 conformance with all applicable federal and/or stat standards, and that any  
13 contamination on the property has been resolved to an acceptable level as  
14 determined by the DEQ.
- 15 2. Written verification from DEQ that all above ground oil containers and  
16 underground tanks have been property cleaned, decommissioned and/or removed  
17 from the property.
- 18 3. Inspections of the building, electrical and mechanical systems have occurred and  
19 all safety and/or building violations at the site have been resolved to the  
20 satisfaction of the Lindon City Chief Building Official and the Orem City Fire  
21 Inspector. Any inspections by the Building official will require a \$100.00  
22 Inspection fee. Inspections by Orem Fire may also have a fee.
- 23 4. Inspections of the sewer and utility connections to the city have been completed  
24 and any necessary corrections have been resolved to the satisfaction of the Public  
25 Works Director or his appointed designees.
- 26 5. All required zoning standards, including landscaping maintained in a living state  
27 along the street frontage, shall be inspected by Lindon Planning Department staff  
28 and found to be in conformance with Lindon City Code.
- 29 6. No stacking of dumpsters or containers.
- 30 7. No auto body or heavy engine repair of trucks will be permitted on site (light  
31 maintenance only).
- 32 8. No storage of inoperable vehicles.

33 Commissioner Bean inquired as to whether the existing tanks on the site will be  
34 removed. Mr. Garza stated that the tanks will be removed in the future, but not prior to  
35 Ace taking occupancy of the site. He explained that the tanks can not be removed until  
36 warmer weather.

37 Mr. Cowie presented photographs of other Ace Disposal sites and facilities. He  
38 stated that Ace has indicated that they intend to develop this site in a similar manner. The  
39 Commission discussed environmental clean up which is required on the site. Mr. Garza  
40 stated that the environmental clean up is the responsibility of the current owner, and that  
41 the majority of clean up will be completed prior to Ace occupying the site.

42 Commissioner Bean asked if parking is adequate for company vehicles and  
43 employees. Mr. Cowie stated that parking on site is more than adequate. Mr. Cowie  
44 inquired as to whether any garbage trucks would be left full of trash on site over night.  
45 Mr. Garza stated that all trucks will be emptied daily, and that leaving trucks full would  
46 be a fire hazard.

2 Commissioner Bean called for further comments or discussion. Hearing none, he called for a motion.

4 COMMISSIONER ANDERSON MOVED TO APPROVE THE ACE  
6 DISPOSAL INC. CONDITIONAL USE PERMIT WITH CONDITIONS AS  
8 PREVIOUSLY DISCUSSED (LISTED ABOVE). COMMISSIONER NEUWIRTH  
SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION  
CARRIED.

10 Commissioner Bean noted that Conditional Use Permits are reviewable upon  
12 complaint. He explained that if concerns or issues arise and are not adequately addressed  
in a timely manner, the Conditional Use Permit is subject to review and possible  
revocation.

14 Mr. Cowie reported that property owners within 300 feet of the subject property  
16 were noticed by mail about this application, and that the City received no response to  
noticing.

18 **NEW BUSINESS** – Reports by Commissioners

20 Commissioner Call reported an issue that another resident made her aware of  
22 regarding signage and locks at a City water tank. Mr. Cowie stated that Public Works is  
aware of the situation, and that it was his understanding that necessary repairs have been  
24 completed. Mr. Cowie will forward the report to Public Works for any necessary follow  
up. Mr. Cowie noted that water samples are taken daily to ensure the water supply is  
26 safe. He suggested that Commissioner Call inform neighbors in the area of the water  
tank that it is appropriate to call the police if they have concerns regarding any activity in  
the area of the water tank.

28 Commissioner Anderson reported that pipes which have been installed as part of  
the I-15 Core project are not installed properly and are causing drainage to back into his  
30 farm fields. Mr. Cowie stated that the existing drainage pipes have been installed  
temporarily, and that finished pipes will be completed to engineering specifications  
32 before the project is complete.

34 **PLANNING DIRECTOR'S REPORT** –

36 Mr. Cowie reported on the following items:

- 38 1. The Utah Primary Election will be held June 22, 2010. The Planning  
40 Commission for June 8, 2010 was not included in the annual meeting schedule  
because of a misunderstanding regarding the date of the Primary Election. A  
Special Planning Commission meeting will be scheduled for June 8, 2010, and the  
meeting scheduled for June 22, 2010 will be cancelled.
- 42 2. The City has received an application for relocation of an existing billboard located  
44 in the T-zone along I-15. Billboards are primarily regulated by state law, and the  
City has little authority to regulate signs beyond the regulations in state code.
3. The Commission discussed address discrepancies on Google Maps.

2 4. Ocean Express Carwash, formerly Scrubbs, has approached the City regarding the  
3 possibility of a structure at the facility which has the appearance of a whale. The  
4 Commission discussed how the Commercial Design Guidelines would be applied  
5 to such a structure, or whether it would be classified as a statue sign. The  
6 Commission expressed concern regarding the appearance of the proposed  
7 structure on the commercial corridor.

8 **ADJOURN** –

10 COMMISSIONER NEUWIRTH MOVED TO ADJOURN THE MEETING AT  
11 8:10 P.M. COMMISSIONER BURTON SECONDED THE MOTION. ALL PRESENT  
12 VOTED IN FAVOR. THE MOTION CARRIED.

14 Approved – June

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Matt Bean, Vice Chairperson

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24 Adam Cowie, Planning Director