The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, October 11, 2011** beginning at 7:00 p.m. in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

Conducting: Matt Bean, Chairperson

Invocation: Sharon Call, Commissioner

Pledge of Allegiance: Angie Neuwirth, Commissioner

**PRESENT**

Matt Bean, Chairperson
Ron Anderson, Commissioner
Chris Burton, Commissioner
Sharon Call, Commissioner
Angie Neuwirth, Commissioner
Del Ray Gunnell, Commissioner
Adam Cowie, Planning Director
Kathryn Moosman, City Recorder

**ABSENT**

Carolyn Lundberg, Commissioner

The meeting was called to order at 7:05 p.m.

**APPROVAL OF MINUTES** – The minutes of the regular meeting of September 27, 2011 were reviewed.

COMMISSIONER BURTON MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 27, 2011 AS CORRECTED OR AMENDED. COMMISSIONER NEUWIRTH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

**PUBLIC COMMENT** –

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

**CURRENT BUSINESS** –

1. **Amended Site: Nicholson Construction** – 150 N. Geneva Road – This is a City request by Brian Jacobson with Nicholson Construction for approval of an amended site plan to complete an addition to an existing building in the LI (Light Industrial) zone. Per LLC 17.17.130, any addition that exceeds 30% of the existing buildings square footage, the site shall be brought into substantial compliance with all current city codes and ordinances. The commission will discuss all pertinent requirements triggered by this proposal.

This item was not discussed as the applicant withdrew the application prior to the meeting. Staff gave a brief overview of the issues involved on the site, then Chairman Bean suggested the commission move onto the next agenda item.
2. **Continued Public Hearing** – Ordinance addition; LCC Section 17.38 – “Bonds for Completion of Improvements to Real Property” – This is a City initiated ordinance change to the Lindon City Code Section 17.38 ‘Bonds for Completion of Improvements to Real Property’. Recommendations from the Planning Commission will be made to the City Council for final approval.

COMMISSIONER CALL MOVED TO RE-OPEN THE PUBLIC HEARING. COMMISSIONER NEUWIRTH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mr. Cowie gave an overview regarding a spreadsheet that was compiled from information gathered from cities that were contacted on their bond processes. He also noted that it was somewhat difficult to gather the information because every city had a different answer to the same questions. He went on to say that Lindon currently requires a 110% bond, which is 100% of the cost plus a 10% warranty that is held; which is currently held for 2 years, but will soon be reduced to a one year warranty. Mr. Cowie also noted that the spreadsheet indicated that some cities had higher percentages than Lindon City, and some also required processing fees and some required a cash amount upfront. Others required a percentage of the bond to be posted. He further added that this is an issue that will need some further discussion with staff.

Mr. Cowie also reviewed the administration fees on the spreadsheet; some of cities stated that their administration fees were covered under the percentage amount and some cities charged a set fee. Mr. Cowie noted that one of the questions asked was regarding public works fees; the majority of cities collect them through the bond process. He also added that there was a list of inspection fees on the spreadsheet; most if the cities have their inspectors keep track of their hours and times and then the city invoices the developer for the cost of inspection hours. Mr. Cowie went on to say that staff would meet with the Public Works Director and staff from that department and look at their different inspections, and get their average times and estimates and come up with a number.

Mr. Cowie further discussed that the 10% warranty amount has been adequate for Lindon, and obviously a lot of the other cities surveyed were higher. Mr. Cowie concluded by advising the Commission to consider these potential ideas, and noted that they will be reviewed again after an internal study is done on costs and time involved on the different types of inspections; which will probably not come back to the Commission until December.

COMMISSIONER NEUWIRTH MOVED TO CONTINUE THE ORDINANCE ADDITION CHANGES TO LLC SECTION 17.38, “BONDS FOR COMPLETION OF IMPROVEMENTS TO REAL PROPERTY”. COMMISSIONER BURTON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

3. **Continued Public Hearing** – Ordinance addition; LCC Section 17.18 “Off Street Parking” – This is a City initiated ordinance change to the Lindon City Code
Section 17.18 “Off Street Parking”. Recommendations from the Planning Commission will be made to the City Council for final approval.

Mr. Cowie began by stating that the off street parking ordinance is included in the packets, and further noted that the underlined sections are changes made and strikeouts are sections removed, and the highlighted areas are minor changes made since the last meeting. Mr. Cowie went through some photos showing landscape strips and parking throughout the city. Mr. Cowie then questioned the commission if sidewalks should be included with the parking lot when determining if landscaping adjacent to the walk should be counted towards interior landscaping. The commission was in agreement that a sidewalk would be part of the parking lot and adjacent landscaping should be acceptable as interior landscaping. He also noted that the way the ordinance is currently written 40 square feet of landscaping is required for every space. Mr. Cowie then showed photos of businesses in Lindon and their parking landscaping.

Commissioner Call inquired about interior landscaping and if the parking could be reduced by 20%. Mr. Cowie stated that it applies for existing parking lots, not for new businesses. Mr. Cowie stated that one example that may come up is AmBank, where the required number of parking spaces, based on their building expansion, may not be able to fit on that site; but this would allow them to put in some landscaping that would meet the ordinance and still be able to reduce the number of parking spaces.

Mr. Cowie then stated that what staff is hoping for in the industrial zones or commercial zones or in a non-residential use in a residential zone, that we don’t have something that looks like the Kmart parking lot in Orem with only a 10 ft landscape strip and no other landscaping. If approved, the ordinance change would allow any perimeter landscaping that is 4 feet wider than the required perimeter landscaping to count toward the interior parking landscape requirements. Mr. Cowie stated that screening around a parking lot requires a 6 ft. fence. He further stated that the ordinance says that commercial and industrial zones requires a 7 ft. fence if adjacent to a residential use. He then asked the commission if the 6 ft. fence was sufficient or if they wanted to make it consistent with other zones and have a required 7 ft. fence screening the parking lot. The Commission was in agreement that a 6 ft. fence would be sufficient. Mr. Cowie then went over some additional changes and clarifications regarding landscaping and also went through a few more photos of industrial buildings etc. Mr. Cowie then inquired if there were any other questions or comments.

Mr. Cowie noted the two biggest changes were as follows:

1. One tree for every 10 spaces now required within interior landscaped areas.
2. Interior landscaping now required in all zones, including industrial zones.

Chairperson Bean asked if there were any further discussion or any public comment. Being none he called for a motion.

COMMISSIONER CALL MOVED TO APPROVE THE ORDINANCE CHANGES TO LCC SECTION 17.18 “OFF STREET PARKING” AND RECOMMEND APPROVAL TO THE CITY COUNCIL. COMMISSIONER BURTON
SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

COMMISSIONER ANDERSON MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER GUNNEL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

NEW BUSINESS – Reports by Commissioners

Chairperson Bean asked if there were any reports from the Commission. Commissioner Call inquired about the Pull and Save Concept Plan that came before the Commission at the last meeting. She also inquired if staff had received the information on the applicants Conditional Use Permit from West Valley City, regarding the wetlands, screened fencing, and the stacking of materials etc. Mr. Cowie stated that he did contact the Planning Director from West Valley City, and also stated that the applicant did not receive a favorable response from the City Council and has not submitted an application with Lindon City.

Commissioner Anderson also questioned the Pull and Save Concept review and Mike Dunn’s property. Mr. Cowie stated that Mike Dunn has a temporary site plan and is required to restore the landscaping at his property; he also has an additional temporary site plan for 18 months for the storage of equipment. Mr. Cowie added that Mr. Dunn also has a Conditional Use Permit for his rock crushing business and he is making progress at the property. Commissioner Gunnell asked what the height of the power plant addition will be. Mr. Cowie replied that they will be compacting the sub soils with the soil stock piles that are currently in place; then the soil will be removed so it will actually be the same level as the current power plant. He also noted that technically the power plant is in the town of Vineyard.

Chairperson Bean then asked if there were any other new business. Being none he moved on to the next item.

PLANNING DIRECTOR’S REPORT –

Mr. Cowie reported on City Council updates as follows:

• Pull and Save Concept Review.
• Grant was received for $100,000 to go towards the trail project.
• Meet the Candidate Night for the General Election will be held on October 20, 2011 at 6:00 pm at the Community Center.
• City Council went through the General Plan at the last meeting.
• Toby Bath came to the open session of the last City Council meeting to talk to the Council about investigating detached accessory apartments, which are currently not approved; and that potential is being evaluated and may be considered and would have to come through as an ordinance change.
• The Central Utah Water Conservancy District will be in attendance at the next City Council meeting to discuss the North Shore Aqueduct Project and are requesting approval for a Conditional Use Permit. They
are looking at pumping large amounts of water to the west side of the
valley, and are looking at property on 2000 west in Lindon. This item
will not be coming to the Planning Commission.

- The November 8th meeting is cancelled because of election night.
  November 22nd meeting is near Thanksgiving; four (4) commissioners
  are required to hold a meeting. Four commissioners confirmed they
  would be in attendance.

Chairperson Bean asked if there was any other new business. Being none he
called for a motion to adjourn.

**ADJOURN** –

COMMISSIONER NEUWIRTH MOVED TO ADJOURN THE MEETING
AT 8:35 P.M. COMMISSIONER BURTON SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – October 25, 2011

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Matt Bean, Chairperson

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Adam Cowie, Planning Director