

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **May 8, 2012** beginning at 7:00 p.m. in the Lindon City Center, City Council Chambers,
4 100 North State Street, Lindon, Utah.

5 Conducting: Sharon Call, Chairperson
6 Invocation: Angie Neuwirth, Commissioner
7 Pledge of Allegiance: Del Ray Gunnell, Commissioner

8 **PRESENT**

ABSENT

9 Sharon Call, Chairperson
10 Del Ray Gunnell, Commissioner
11 Carolyn Lundberg, Commissioner
12 Mike Marchbanks, Commissioner
13 Angie Neuwirth, Commissioner
14 Rob Kallas, Commissioner
15 Adam Cowie, Planning Director
16 Woodworth Mataele, Planner II
17 Kathryn Moosman, City Recorder

Ron Anderson, Commissioner

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

19 **APPROVAL OF MINUTES** – The minutes of the regular meeting of April 24, 2012
20 were reviewed.

21 COMMISSIONER NEUWIRTH MOVED TO APPROVE THE MINUTES OF
22 THE REGULAR MEETING OF APRIL 24, 2012. COMMISSIONER MARCHBANKS
23 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
24 CARRIED.

25 **PUBLIC COMMENT** –

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

28 **CURRENT BUSINESS** –

- 29 **1. Conditional Use Permit:** *Planet Power Toys, LLC – 1342 West 200 South.*
30 This is a request by Lynn Clingo with Planet Power Toys, LLC for approval
31 of a Conditional Use Permit to sell scooters, recreation vehicles, and boats in
32 the LI (light industrial) zone. The applicant has previously acquired a C.U.P.
33 in 2011 to operate at 420 North 1200 West, Suite E, but now is looking to
34 relocate to the subject location. The Lindon City Standard Land Use Table
35 requires this type of operation to acquire a C.U.P. to operate within the LI
36 zone.

2 Chairperson Call invited the applicant, Lynn Clingo with Planet Power Toys
3 forward. Mr. Mataele opened the discussion by explaining this is a request for approval
4 of a Conditional Use Permit to sell scooters, recreation vehicles, and boats within the LI
5 (Light Industrial) zone. He went on to say that the applicant previously acquired a
6 Conditional Use Permit in 2011 to operate at 420 North 1200 West, but he would like to
7 relocate his business to 1342 West 200 South. Mr. Mataele noted that the Standard Land
8 Use Table currently requires this type of operation to acquire a Conditional Use Permit to
9 operate at this location in the LI zone. Mr. Mataele further explained that Conditional
10 Use Permits are site specific, therefore the applicant is required to reapply for a CUP at
11 his new location. Mr. Mataele noted the proposed business has outgrown the previous
12 location and the applicant feels this new lot would be a better fit for his business. Mr.
13 Mataele added that other than a change in property, the applicant is not proposing any
14 drastic changes to what has previously come before the Commission a year ago. Mr.
15 Mataele further discussed that Planet Power Toys was previously located at 1135 North
16 State Street in Orem, where they were in operation for two years prior to moving to
17 Lindon last year. He went on to say the business intends to operate Tuesday through
18 Friday from 9 a.m. to 6 p.m., and possibly some Saturdays. They also anticipate
19 employing a total of three (3) employees.

20 Mr. Mataele noted the applicant has indicated that the majority (90%) of his sales
21 is done online, but the new location is projected to increase their retail sales on site to
22 roughly 50%. Mr. Mataele further noted that the applicant does not perceive an increase
23 in light, noise, odor, dust, or pollution generated by his business. Mr. Mataele stated that
24 after reviewing the application, staff feels there is adequate off-street parking provided
25 for this land use, and also feels there is adequate storage for this type of proposed land
26 use, therefore staff does not have any concerns. Mr. Mataele did mention one
27 recommended condition added to the motion, that there not be any product displayed
28 within the first 20' of the front landscaping strip. Mr. Mataele then presented photos of
29 the site and building location. He asked if there were any questions or comments
30 regarding this Conditional Use Permit.

31 Commissioner Marchbanks asked the applicant how many total feet are in the
32 green space and if there is room to display his products. Mr. Clingo replied that the strip
33 is 50 ft. wide and 25 ft. deep; he confirmed there is room to display 4 wheelers, scooters
34 etc. Commissioner Marchbanks commented that it is nice to be able to let people know
35 what you are selling and great for advertisement purposes. Mr. Clingo replied it is there
36 intent and goal to generate more exposure and therefore more business by moving to this
37 location. Commissioner Gunnell asked if this will help the business by having the
38 vehicles displayed. The applicant replied that it will help generate more business by
39 having the freeway exposure. Chairperson Call inquired why the applicant previously
40 did 90% of his sales online and what has caused the shift to 50% of sales being done
41 onsite. Mr. Clingo stated that their goal is to still have the 90% online sales, but they do
42 need the freeway exposure, and they believe with the equipment outside, and also more
43 signage, they can generate more sales.

44 Commissioner Kallas asked if the new location will have a demonstration track as
part of the 4-wheeler and motorcycle sales. Mr. Clingo replied they will not have a
demonstration track but the customers can test drive vehicles in the back of the building.

Commissioner Kallas also asked the applicant if they will have a service department. Mr. Clingo confirmed they will do some service in the inside of the building.

Chairperson Call commented that if staff feels there are not any problems with this proposed use with noise, pollution, dust etc. and the applicant meets all conditions; she sees no reason not to approve to this Conditional Use Permit. Chairperson Call asked if there were any further questions or comments. Being no further comments she called for a motion.

COMMISSIONER NEUWIRTH MOVED TO APPROVE THE CONDITIONAL USE PERMIT FOR PLANET POWER TOYS LLC WITH THE CONDITION THAT THERE IS NO PRODUCT DISPLAYED WITHIN THE FIRST 20 FT. OF THE FRONT LANDSCAPING STRIP. COMMISSIONER LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE
COMMISSIONER KALLAS AYE
COMMISSIONER LUNDBERG AYE
COMMISSIONER MARCHBANKS AYE
COMMISSIONER GUNNELL AYE
COMMISSIONER NEUWIRTH AYE

THE MOTION CARRIED UNANIMOUSLY.

2. Discussion Item: *CG-Zones – Map Locations (used auto sales & zone height).*

This is a city initiated discussion item. Staff has been directed by the Council to look into possible changes to the CG (General Commercial) zone to permit a limited amount of used auto sales within specific locations of the zone.

Currently, the Lindon Standard Land Use table does not permit this type of land use within the CG zone. This discussion would review the creation of a possible new zone to accommodate this use as well as possible changes in height limits within specific areas of the City.

Adam Cowie, Planning Director, opened the discussion by explaining this is a city initiated discussion item. Mr. Cowie noted that staff has been directed by the City Council to look into possible changes to the CG (General Commercial) zone to permit a limited amount of used auto sales within specific locations of the zone. Mr. Cowie explained that currently the Lindon Standard Land Use Table does not permit this type of land use within the CG zone. He went on to say this discussion would review the creation of a possible new zone to accommodate this use, as well as possible changes in height limits within specific areas of the City. Mr. Cowie then stated the proposed new zones as follows: CG-A, CG-A6 and CG-A8. He noted these zones would incorporate the entire CG (General Commercial) code requirements with a few additions and changes to each zone specifically. Mr. Cowie then reviewed the specific additions as follows:

- **CG-A**
In addition to all CG requirements, this zone would permit used auto sales.
- **CG-A6**
In addition to all requirements above, this zone would have a height limit of 60'

2 • **CG-A8**

3 In addition to all requirements above, this zone would have a height limit
4 of 80'

5 Mr. Cowie stated this is a discussion item only to receive feedback from the
6 Planning Commission before staff will move forward with a public hearing and draft the
7 ordinance change. Mr. Cowie then reviewed a map depicting where these zones could
8 possibly be located within the City limits. There was then some general discussion
9 between the commissioners and Mr. Cowie regarding used auto sales locations, building
10 heights, parking ratios, signage and development on 700 North. Chairperson Call
11 commented that what Mr. Cowie has done is kept the zoning the same, but increased the
12 size and added a higher height restriction. In addition, there was a recommendation by
13 Commissioner Kallas to look into possibly increasing the minimum lot sizes for these
14 zones. Chairperson Call asked Councilmember Bean, who was in attendance, his opinion
15 on this issue. Councilmember Bean commented that all of the comments mentioned
16 tonight are well founded. He went on to say that the council has had a lot of discussion
17 regarding the development of the 700 North Corridor and, he feels this issue is worth
18 exploring because 700 North is a main commercial corridor to the city. Mr. Cowie noted
19 he will be providing more specific information regarding these issues at the next meeting.

20 Chairperson Call noted there is no motion necessary for this discussion item.
21 Chairperson Call asked if there were any other questions or comments. Hearing none she
22 moved on to the next agenda item.

23 **NEW BUSINESS** – Reports by Commissioners.

24 Chairperson Call called for any new business or reports from the Commissioners.
25 Commissioner Lundberg mentioned a safety issue at Maeser High School where she has
26 children attending school. She noted that the LDS Church has discontinued allowing the
27 school's use of the parking lot for drop off and pick up of students due to neighborhood
28 complaints. She went on to say that this issue poses great concerns as a parent, and she
29 added that this is very unsafe and impractical. Commissioner Lundberg further noted that
30 the traffic flow does not facilitate 600 students, with only a one inlet and one outlet
31 driveway. She also stated that she did speak with a member of the School Board, and
32 they are very concerned as well. She also asked the school board member about utilizing
33 the front parcel and installing a large roundabout in the front of the school.

34 Commissioner Lundberg stated the school board member indicated that the school
35 did not have the funds to purchase the frontage piece when the school was built, so the
36 school does not own the property. The school board member also indicated that they will
37 try to do some kind of revision possibly this summer, but what they can do is limited.
38 Commissioner Lundberg also brought up the concerns of lighting on the street and also
39 the tremendous amount of traffic on 1600 North. She added that Maeser School would
40 like to work with the city to possibly add a crosswalk and lighting to make it safer for the
41 students to cross. Commissioner Lundberg requested any suggestions or collaboration
42 from the city that could be helpful in remedying this safety issue. Commissioner
43 Neuwirth added that many of these safety concerns were brought up and discussed in
44 depth during the schools site plan approval. Mr. Cowie stated that staff could meet with
45

2 the school board members at the Development Review Committee that meets every
3 Thursday at 1:00 for discussion, but ultimately it will be the school's responsibility. Mr.
4 Cowie noted that UDOT has plans for widening 1600 North, but not further than 400
5 West. He added that Orem City has future plans to widen 1600 North to the south; but
6 that will be a long time out.

7 Chairperson Call commented that she is approached by citizens, almost on a daily
8 basis, asking about the status of the Center Street crossing. Mr. Cowie noted that there is
9 one parcel, next to the church, with the potential to acquire some land. He added the City
10 received an appraisal on the property and the Mayor will be meeting with the individual
11 this week for discussion. Chairperson Call asked if there is an approximate date when the
12 connection is it going to happen. Mr. Cowie noted that he has been told it will happen
13 this summer. He added the City has applied for a license permit to cross the canal and
14 the engineering is moving forward. Mr. Cowie noted that the city has received a lot of
15 public comment regarding the crossing, and he added there is a link on the city website to
16 submit any public comment. He added most of the comments are in approval of the road
17 going through. Chairperson Call also noted an interesting article in the newspaper on
18 Eagle Mountain. The article stated that Eagle Mountain has purchased a wind farm in
19 Idaho to generate 25% of the energy for the city; but this will also raise the rates at the
20 city. Chairperson Call expressed her interest in any new training opportunities.

21 Chairperson Call asked if there were any other new business or discussion. Being
22 none she moved on to the next agenda item.

23 **PLANNING DIRECTOR'S REPORT** –

24 Mr. Cowie reported on City Council updates as follows:

- 25 ● The Commission reviewed the Project Tracking List.
- 26 ● Upcoming items:
 - 27 1. Continued Discussion with Timpview boy's group/waiting on
28 items from the City Attorney.
 - 29 2. Animal ordinance discussion. The City Council has asked staff to
30 look at modifications to the animal ordinance to make it more
31 clarified and understandable. The Planning Commission will be
32 discussing this issue. Mr. Cowie noted he will not recommend
33 changes in the number of animals currently allowed.
 - 34 3. Mixed Commercial architectural standard language. An Ordinance
35 Change will be recommended and will be coming before the
36 Commission.
37

38
39 Chairperson Call asked if there were any other comments or discussion. Being
40 none she called for a motion to adjourn.

41 **ADJOURN** –

2 COMMISSIONER NEUWIRTH MADE A MOTION TO ADJOURN THE
MEETING AT 8:20 P.M. COMMISSIONER MARCHBANKS SECONDED THE
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

4

6

Approved – May 22, 2012

8

10

12

Sharon Call, Chairperson

14

16

18

Adam Cowie, Planning Director