

Lindon City Planning Commission Staff Report



April 14th, 2020

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, April 14, 2020**, in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at **6:00 p.m.** **Due to Covid-19, the meeting will be broadcast electronically through Facebook Live at www.facebook.com/lindoncity. Through Facebook Live, the public will be able to make comments and ask questions.** Please contact the Community Development Department with any questions. The agenda will consist of the following items:

Agenda

Invocation: By Invitation

Pledge of Allegiance: By Invitation



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

1. Call to Order

2. Approval of minutes

Planning Commission 3/24/2020

3. Public Comment

4. Murdock Hyundai Site Plan and Conditional Use Permit Approval – 424 S. Lindon Park Drive.

Murdock Hyundai requests site plan & conditional use permit approval to expand their existing car dealership on to the vacant property located at 424 S. Lindon Park Drive in the Planned Commercial 1 (PC-1) zone. Parcel # 46:786:0001 (15 minutes)

5. Conditional Use Permit – 1155 W. 135 S.

Penske Truck Leasing Co, L.P. requests conditional use permit approval for a truck rental business, that will include auto repair, in the light Industrial (LI) zone. Parcel # 14:065:0076 (15 minutes)

6- Discussion of Draft Ordinance Amendment for the Planned Residential Development Overlay Zone (15 minutes)

7. New Business from Commissioners

8. Planning Director Report

- General City updates

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. 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.

The above notice/agenda was posted in three public places within Lindon City limits and on the State <http://www.utah.gov/pmn/index.html> and City www.lindoncity.org websites.

**The duration of each agenda item is approximate only*

Posted By: Kathryn Moosman, City Recorder

Date: 4/10/2020

Time: 5:00 pm

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

2 The Lindon City Planning Commission held a regularly scheduled *electronic meeting* on
4 **Tuesday, March 24, 2020 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: Jared Schauers, Commissioner
10 Pledge of Allegiance: Anders Bake

12 **PRESENT** **EXCUSED**

Sharon Call, Chairperson
14 Mike Marchbanks, Commissioner
Rob Kallas, Commissioner
16 Steven Johnson, Commissioner
Scott Thompson, Commissioner
18 Jared Schauers, Commissioner
Renee Tribe, Commissioner
20 Mike Florence, Planning Director
Anders Bake, Associate Planner
22 Kathryn Moosman, City Recorder

24 **Special Attendee:** Councilmember Vanchiere

- 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 meeting of the
Planning Commission meeting of February 25, 2020 were reviewed.

30 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE
32 REGULAR MEETING OF FEBRUARY 25, 2020 AS PRESENTED.
COMMISSIONER THOMPSON SECONDED THE MOTION. ALL PRESENT
34 VOTED IN FAVOR. THE MOTION CARRIED.

- 36 3. **PUBLIC COMMENT** – Chairperson Call called for comments from any
audience member who wished to address any issue not listed as an agenda item.
38 There were no public comments.

40 **CURRENT BUSINESS** –

- 42 4. **Conditional Use Permit – 282 E. 680 N.** Karli Hutchings requests conditional
use permit approval for an in-home child care business in the low density
44 residential (R1-20) zone. Parcel # 49:233:0044

46 Anders Bake, Planning Associate, led this agenda item by giving an overview
stating the applicant, Karli Hutchings is in attendance to request a conditional use permit
48 for an in-home child care business in the low density residential (R1-20) zone at 282 East

2 680 North. He noted the Lindon City Standard land Use Table indicates that Child Day
4 Care – 5 to 16 children (4 or less not regulated) requires a conditional use permit in the
6 residential (R1-20) zone. He stated Ms. Hutchings has been approved by the Utah
Department of Health for a Family Child Care License that permits the licensee a total
capacity of 16 children. Ms. Hutchings is also required to maintain her state license in
addition to the Lindon City home occupation business license.

8 Mr. Bake indicated Ms. Hutchings has applied for a home occupation business
10 license which can be approved after Conditional Use Permit approval is granted. A home
12 occupation business must follow the regulations found in section 17.04.400 of the Lindon
City Code. He stated notices were mailed on March 12, 2020 to adjoining property
owners in accordance with Lindon City Code. He indicated Staff has received one verbal
comment from a neighbor who was concerned about the traffic impacts that this business
14 may have on the neighborhood.

16 Mr. Bake explained the Home Occupation requirements in the Lindon City Code
section 17.04.400 state that “The purpose and intent of this section is to allow gainful
18 occupations, professions, activities, or uses that are clearly customary, incidental, and
secondary to the residential use of the property and which do not alter the exterior of the
property or affect the residential character of the neighborhood.”

20 Mr. Bake then referenced the table identifying the requirements in section
17.04.400 of the Lindon City Code and whether or not the proposed business is in
22 compliance with these requirements followed by discussion.

24 Mr. Bake pointed out Lindon City Code Section 17.20.060 provides that a
conditional use may be denied when: a. "Under circumstances of the particular case, the
26 proposed use will be detrimental to the health, safety, or general welfare of persons
residing or working in the vicinity, or injurious to property or improvements in the
vicinity, and there is no practical means available to the applicant to effectively mitigate
28 such detrimental effects;" or, b. "The applicant cannot or does not give the Planning
Commission reasonable assurance that conditions imposed, incident to issuance of a
30 conditional use permit will be complied with."

32 Mr. Bake went on to say the Utah Department of Health also regulates child care
centers and family child care providers in the state of Utah. Ms. Hutchings currently
34 holds a license with the Utah Department of Health that is classified as a Home-Based
Licensed Family. She has held this license since 2011 and has run a child care business
36 from her home in Orem. This Family License allows for the following: Child care is
provided in a private home for up to 16 children (unless otherwise determined by the
city), including the provider's own children less than four years old. Providers must be at
38 least 18 years old. Two qualified caregivers are required when there are more than eight
children in care and when there are more than two children less than two years old in
40 care. With two caregivers, providers can care for up to (but not more than) four children
less than two years old. A compliant outdoor play area is required. The Utah Department
42 of Health conducts at least one announced inspection and one unannounced inspection
every year. He noted there are no reported violations on Ms. Hutchings inspection
44 records. Ms. Hutchings has also stated that she has a part time employee that she will
continue to use whenever there are more than eight children in the home in order to
46 comply with the State license requirements.

2 Ms. Hutchings then described her business description noting they have made,
and will continue to make, extra efforts to minimize the impacts that the business may
4 have on the surrounding neighborhood as she wants to be a good neighbor.

6 Mr. Bake then presented the Business description, Interior Building layout and an
Aerial photo of the site and surrounding area followed by discussion.

10 Chairperson Call called for any further comments or discussion from the
Commission. Hearing none she called for a motion.

12
14 COMMISSIONER SCHAUERS MOVED TO APPROVE THE APPLICANTS
REQUEST FOR A CONDITIONAL USE PERMIT TO USE THE RESIDENTIAL
PROPERTY LOCATED AT 282 EAST 680 NORTH FOR AN IN-HOME CHILD
16 CARE BUSINESS WITH THE FOLLOWING CONDITIONS: THE APPLICANT
WILL COMPLY WITH THE HOME OCCUPATION REQUIREMENTS FOUND IN
18 LINDON CITY CODE SECTION 17.04.400; 2. NO MORE THAN 6 VEHICLES MAY
BE PARKED AT THE RESIDENCE AT ONE TIME; 3. THE BUSINESS WILL BE
20 OPERATED BY A RESIDENT OF THE HOME; 4. NO MORE THAN 500 SQUARE
FEET OR TWENTY-FIVE PERCENT OF THE TOTAL FLOOR SPACE,
22 WHICHEVER IS LESS, SHALL BE USED FOR THE CHILD CARE BUSINESS; 5.
THE APPLICANT WILL MEET ALL REQUIREMENTS TO MAINTAIN A CHILD
24 CARE LICENSE WITH THE UTAH DEPARTMENT OF HEALTH; 6. THE
APPLICANT WILL HAVE AT LEAST TWO QUALIFIED CAREGIVERS WHEN
26 THERE ARE MORE THAN EIGHT CHILDREN IN CARE AND WHEN THERE ARE
MORE THAN TWO CHILDREN LESS THAN TWO YEARS OLD IN CARE; 7.
28 HOURS OF OPERATION WILL BE LIMITED TO MONDAY TO FRIDAY FROM
7:30 A.M. TO 5:30 P.M.; 8. OUTDOOR ACTIVITIES WILL BE LIMITED TO 10:30
30 A.M. TO 11:30 A.M. AND 4:00 P.M. TO 5:00 P.M.; 9. PARENTS/GUARDIANS WILL
BE REQUIRED TO SIGN A PICK-UP/DROP-OFF CONTRACT WHICH REQUIRES
32 THEM TO FOLLOW SPEED LIMIT, PARKING REQUIREMENTS, NOISE LEVELS
AND RESPECTING NEARBY RESIDENTS; 10. THE APPLICANT WILL
34 CONTINUALLY MAINTAIN A STATE OF UTAH CHILD CARE LICENSE AND
LINDON CITY HOME OCCUPATION LICENSE; AND 11. ALL ITEMS OF THE
36 STAFF REPORT. COMMISSIONER MARCHBANKS SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:

38 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
40 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER JOHNSON	AYE
42 COMMISSIONER THOMPSON	AYE
COMMISSIONER SCHAUERS	AYE
44 COMMISSIONER TRIBE	AYE

THE MOTION CARRIED UNANIMOUSLY.

- 46
48 **5. Lake View West Site Plan Approval – 81 N. 1800 W.** Lake View West requests
site plan approval for two office/warehouse buildings located in the Light
Industrial zone. Parcel # 14:061:0115
50

2 Mike Florence, Planning Director led this agenda item by giving a summary of
the key issues noting the applicant is seeking site plan approval for two industrial
4 buildings which will be approximately 35,000 square feet each. He noted Lot 1 is 4.34
acres and the proposal is to construct two, one story office/warehouse buildings on the
6 site. Originally, this property was going to be a second phase of storage units. The
storage units to the north received site plan approval in 2017. The Lindon City Street
8 Master Plan map shows the Vineyard Connector replacing 2000 West at some point. The
applicant has worked with both UDOT and the City to provide a sufficient building
10 setbacks and plan for this future road improvement. The property also has a large Central
Utah Water Conservancy District easement on the west portion of the site. He noted the
12 applicant has identified this easement on the site plan and plat.

Mr. Florence stated the City parking code, 17.18.078, only allows a maximum a
14 30% increase above the required parking. The planning director recommends the increase
in parking due to the fact that some parking may be removed for outdoor storage or if the
16 future Vineyard Connector needs additional lane width and Staff included this as a
condition of approval.

Mr. Florence noted the proposed building meets the minimum setback of 20' from
18 the front property line. The minimum lot area in the Light Industrial West zone is 1 acre;
the applicant's lot is 4.34 acres. The applicant will not be required to add additional street
20 lighting and previous developments have installed lighting that meet the spacing
22 requirements.

Mr. Florence stated per LCC 17.49.070 - Twenty-five percent (25%) minimum of
24 the exterior of all buildings (except as permitted in 17.49.070(4)) shall be covered with
brick, decorative block, stucco, wood, or other similar materials as approved by the
26 Planning Commission. Precast concrete or concrete tilt-up buildings also meet the
architectural treatment requirement, subject to the standards in section 17.49.070(2).

Mr. Florence noted the applicant's proposal provides a mix of materials including
28 thin brick, split faced CMU, Smooth faced CMU, and composite siding. The applicant
also provides varying rooflines along the building faces and varying façade articulation.
30 The applicant is providing identified entryways that also include canopies. Canopies are
also proposed over many of the windows. The building height is approximately 33 feet to
32 the tallest parapet; the maximum height in the LI-W zone is 48 feet.

Mr. Florence noted the City Engineer is working through technical issues related
34 to the plat and civil engineering plans and will ensure all engineering related issues are
resolved before final approval is granted. Mr. Florence indicated the proposed
36 development meets site circulation requirements and the applicant does have a shared
secondary access with Timpanogos Indoor Soccer. He added when the Vineyard
38 Connector is constructed to its full width this access may be lost. However, the main
access for this development is from 1800 West.

Mr. Florence went on to say this will be the second development that the
42 applicant has developed in Lindon. The other project is located at 1396 West 200 South.
He noted the applicant provides great architectural detail and design on his buildings.
44 Developments in this area are well designed office/warehouse buildings and this project
will continue this same standard. Mr. Florence then presented the Site Plan and
46 Architectural Renderings and referenced the conditions to include in the motion followed
by some general discussion. Chairperson Call stated it appears everything is in
48 compliance and meets all requirements.

2 Chairperson Call called for any further comments or discussion from the
Commission. Hearing none she called for a motion.

4
6 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANTS
REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS:
8 1. THE DEVELOPER WILL CONTINUE TO WORK WITH THE CITY ENGINEER
TO MAKE FINAL TECHNICAL CHANGES TO THE PLAT AND FOR FINAL
10 ENGINEERING APPROVAL; 2. PARKING RATIOS ARE APPROVED AS PER THE
SITE PLAN; 3. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER
12 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

14 CHAIRPERSON CALL	AYE
14 COMMISSIONER KALLAS	AYE
16 COMMISSIONER MARCHBANKS	AYE
16 COMMISSIONER JOHNSON	AYE
18 COMMISSIONER THOMPSON	AYE
18 COMMISSIONER SCHAUERS	AYE
20 COMMISSIONER TRIBE	AYE

20 THE MOTION CARRIED UNANIMOUSLY.

22 **6. Lake View West Minor Subdivision Approval – 81 North 1800 West Lake**
View West request minor subdivision approval for a two-lot subdivision. Parcel #
24 14:061:0115

26 Mr. Florence opened this agenda item by explaining the applicant is seeking
minor subdivision approval to split one lot into two parcels. The existing storage units
28 will be on Lot 2 and the new development on Lot 1. Lot one will consist of 4.34 acres,
Lot 2 will consist of 5.79 acres. The proposal is to construct two, one story
30 office/warehouse buildings on the site. Originally, this property was planned to be a
second phase of storage units.

32 He noted the storage units to the north received site plan approval in 2017. The
Lindon City Street Master Plan map shows the Vineyard Connector replacing 2000 West
34 at some point. He noted the applicant has worked with both UDOT and the City to
provide a sufficient building setback and to plan for this future road improvement. The
36 property also has a large Central Utah Water Conservancy District easement on the west
portion of the site. He then identified this easement on the site plan and plat.

38 Mr. Florence stated the City Engineer is working through technical issues related
to the plat and civil engineering plans and will ensure all engineering related issues are
40 resolved before final approval is granted. Staff has determined that the proposed
subdivision complies, or will be able to comply before final plat approval, with all
42 remaining subdivision and land use standards. The City Engineer is addressing
engineering standards and all engineering issues will be resolved before final plat
44 approval is granted.

46 Chairperson Call called for any further comments or discussion from the
Commission. Hearing none she called for a motion.

2 COMMISSIONER KALLAS MOVED TO THE APPLICANT’S REQUEST
4 FOR MINOR SUBDIVISION APPROVAL AT 81 NORTH 1800 WEST WITH THE
6 FOLLOWING CONDITIONS: 1. THE APPLICANT WILL CONTINUE TO WORK
8 WITH THE CITY ENGINEER TO MAKE ALL FINAL CORRECTIONS TO THE
10 ENGINEERING DOCUMENTS AND PLAT; 2. THE PLANS AND PLAT WILL
12 MEET RELEVANT SPECIFICATIONS AS FOUND IN THE LINDON CITY
14 DEVELOPMENT MANUAL; 3. ALL ITEMS OF THE STAFF REPORT.
16 COMMISSIONER TRIBE SECONDED THE MOTION. THE VOTE WAS

18 RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
COMMISSIONER SCHAUERS	AYE
COMMISSIONER TRIBE	AYE

18 THE MOTION CARRIED UNANIMOUSLY.

20 **7. Intermountain Precision Casting Plat Amendment Approval – 1156 West 400**

22 **North.** Intermountain Precision Casting requests plat amendment approval to
24 combine two existing lots into one in Lindon’s Light Industrial (LI) zone. Parcel
#’s 45:111:0007, 45:111:0006

26 Mr. Bake led this agenda item by explaining Blake and Todd Veenker with
28 Intermountain Precision Casting are requesting approval to consolidate two existing
30 parcels into one lot. These parcels are currently lots six and seven in the Lakeview
32 Industrial Park subdivision. The applicant, Intermountain Precision Casting, owns both
34 parcels that will be amended as part of the application for one lot. He noted the Plat
Amendment will allow the applicant to combine the existing buildings that are on the two
lots. The building on the East lot was constructed in 1980 and the building on the West
lot was constructed in 2015. The proposed plat amendment is located in the Light
Industrial (LI) Zone. The existing lots do not comply with current lots size, landscaping
and parking requirements. Each of the noncompliance issues have been addressed by the
applicant.

36 Mr. Bake indicated Lindon City Code 17.32.00 references Utah Code for
38 requirements amending a subdivision plat. Under Utah Code 10-9a-608, an applicant may
petition the Land Use Authority (Planning Commission) to join two or more of the
petitioner fee owner’s contiguous lots.

40 Mr. Bake indicated Section 17.16.030 of the Lindon City Code states the
42 following regarding amendments, additions, enlargements and moving of nonconforming
parcels or uses as follows:

- 44 1. All nonconforming parcels, lots, buildings, structures, or uses shall not be added
46 to, enlarged in any manner, moved to another location on the lot, or have parcel
lines moved, changed, or adjusted, except as provided by subsection 2 of this
section.

- 2 2. The Planning Commission may authorize the expansion, alteration, or
enlargement of a nonconforming use, structure, building, parcel, or lot, or
4 movement of parcel lines, only after holding a public hearing and finding that:
- 6 a. the expansion, alteration or enlargement of the nonconforming building,
structure, parcel, lot, or use will to reasonable extent bring the property,
8 building, structure, parcel, lot or use as close as reasonably possible to
conformance with requirements and regulations of the zone in which the
nonconformity is located; and
 - 10 b. the proposed change does not impose any unreasonable burden upon the
lands located in the vicinity of the nonconforming use or structure or
12 violate the development policies adopted in the Lindon City Master Plan;
and
 - 14 c. the use, building, or structure, existing or proposed, will be brought into
compliance, where possible, with design and architectural standards of the
16 zone where proposed.

18 Mr. Bake stated the subject property is a nonconforming lot because of current lot
size, light Industrial landscaping, and parking requirements. The applicant has provided
20 information addressing each of the nonconforming issues on this lot and the efforts they
have made to reasonably come into compliance. The subject lots do not fully comply
22 with the following city code requirements:

24 Mr. Bake stated Section 17.49.080 of the Lindon City Code requires that the
minimum lot size for a lot in the Light Industrial zone be 1 acre. The lakeview Industrial
26 Park subdivision was recorded in 1985 which was before the 1-acre minimum lot size
requirement was in place. The subject lots are 0.46 acres and 0.39 acres making them
28 legal non-conforming according to this requirement. The application to combine the two
lots will create a larger lot that will be more in compliance.

30 Mr. Bake went to say current Lindon City Code requires that for developments in
the Light Industrial Zone a landscaped strip twenty (20) feet in width shall be planted
32 with grass and maintained in a living, growing condition along all public street frontages.
This requirement is not being met on the East lot along 400 North. The light Industrial
34 zone requires that a development provide 40 square feet of interior landscaping per
parking stall which is not fully in compliance on the subject properties.

36 Mr. Bake pointed out the off-street parking section of the City Code requires that
the properties provide a total of 17 off street parking stalls; 17 parking stalls are provided
38 but many of the requirements for the size of parking spaces and aisles are not being met
on the East lot. He pointed out while the East property is non-conforming as to
40 landscaping and parking the plat, amendment does bring the project closer into
compliance by consolidating the two lots which makes the overall lot size larger. Staff
42 has reviewed with the applicant the possibility of adding additional landscaping and
parking which is not feasible without reducing one or the other and staff recommends the
44 planning commission allow the lot consolidation.

46 Mr. Bake added the City Engineer is working through technical issues related to
the plat and will conduct a final review if the planning commission approves the plat
48 amendment. Mr. Bake then presented the Applicants request to amend a nonconforming
lot, Aerial Image of parcels, Plat and Lakeview Industrial Park subdivision followed by
some general discussion. He then turned the time over to the applicant for comment.

2 Mr. Todd Veenker clarified they are not combining the two buildings they are just
4 building a tunnel between the two so the conveyor can deliver product from one building
to the other. He noted there will not be any increase in the square footage in the
buildings and this will not increase the need for any additional parking.

6 Chairperson Call called for any further comments or discussion from the
Commission. Hearing none she called for a motion.

8
10 COMMISSIONER THOMPSON MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR PRELIMINARY APPROVAL OF LAKEVIEW INDUSTRIAL PARK
12 PLAT " G " WITH THE FOLLOWING CONDITIONS: 1. PRIOR TO PLAT
RECORDING AND OCCUPANCY OF ANY NEW DEVELOPMENT WITHIN THIS
14 PLAT, THE APPLICANT MUST UPDATE THE FINAL PLAT MYLAR TO
INCLUDE NOTARIZED SIGNATURES OF OWNERS' CONSENT TO
DEDICATION CONSISTENT WITH ITEM ONE ABOVE; AND OBTAIN
16 SIGNATURES OF ALL ENTITIES INDICATED ON THE SUBDIVISION PLAT
ATTACHED HERETO; 2. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER
18 JOHNSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

20 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
22 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER JOHNSON	AYE
24 COMMISSIONER THOMPSON	AYE
COMMISSIONER SCHAUERS	AYE
26 COMMISSIONER TRIBE	AYE

THE MOTION CARRIED UNANIMOUSLY.

28
30 **8. Lindon Treasury B Major Subdivision Approval – Approximately 200 West**
130 South. Jeff Bastian request major subdivision approval for a 4-lot single
32 family residential subdivision located in the R1-20 zone. Parcel #'s 14:069:0301,
14:069:0140

34 Mike Florence this agenda item by explaining Jeremy Ackley is in attendance as
representative of this item. He noted the applicant is seeking preliminary major
36 subdivision approval for a 4-lot single family home development. The applicant will be
connecting 130 South and dedicating new access right-of-way.

38 Mr. Florence stated the Lindon City Streets Master Plan map identifies connecting
130 South as well as a future north/south road connecting 130 South to 40 South. The
40 applicant, will only be installing a portion of the new north/south road. He noted the
future development will connect to this partially installed road; the proposed 4-lots meet
42 the minimum lot size for the R1-20 zone.

44 Mr. Florence indicated the City Engineer is working through technical issues
related to the plat and civil engineering plans and will ensure all engineering related
issues are resolved before final approval is granted. Mr. Florence then presented and
46 Aerial photo, Vicinity map and Plat followed by some general discussion. He noted the
planning commission is recommending approval to the city council. He then went over

2 the conditions to include in the motion. Chairperson Call stated this appears to be pretty
straightforward and meets all requirements.

4 Douglas and Dorothy Olsen (241 West 40 South) addressed the Commission at
this time. They stated they have no concerns with Mr. Ackley’s development, but they
6 do have concerns with the proposed piece on the north and when it’s developed. They
also expressed their concerns with the width of 40 South as it is very narrow and can be
8 hazardous as cars continually speed up and down the road and people park on the road.
They have called the police several times. They inquired if the city can look at this issue
10 and put it on the master plan to widen the road in the future? Chairperson Call stated
these are legitimate concerns and referred the Olsen’s to city staff regarding this issue.
12 Mr. Florence stated he will be in contact to discuss the situation.

Chairperson Call called for any further comments or discussion from the
14 Commission. Hearing none she called for a motion.

16 COMMISSIONER MARCHBANKS MOVED TO RECOMMEND TO THE
CITY COUNCIL APPROVAL OF THE APPLICANT’S REQUEST FOR
18 PRELIMINARY APPROVAL OF LINDON TREASURY PLAT B. WITH THE
FOLLOWING CONDITIONS: 1. THE APPLICANT WILL CONTINUE TO WORK
20 WITH THE CITY STAFF TO MAKE ALL FINAL CORRECTIONS TO THE
ENGINEERING DOCUMENTS AND PLAT; 2. PRIOR TO PLAT RECORDING THE
22 APPLICANT WILL PROVIDE STAFF WITH A FINAL PLAT MYLAR TO INCLUDE
NOTARIZED SIGNATURES OF OWNER’S CONSENT TO DEDICATION,
24 OBTAIN SIGNATURE OF ALL ENTITIES INDICATED ON THE ATTACHED
SUBDIVISION PLAT; 3. COMPLETE (OR POST AN ADEQUATE IMPROVEMENT
26 COMPLETION ASSURANCE), WARRANT AND POST REQUIRED WARRANTY
ASSURANCE FOR ALL REQUIRED PUBLIC INFRASTRUCTURE
28 IMPROVEMENTS; 4. THE PLANS AND PLAT WILL MEET AND BE
CONSTRUCTED AS PER THE RELEVANT SPECIFICATIONS AS FOUND IN THE
30 LINDON CITY DEVELOPMENT MANUAL; 5. THE CONNECTING PORTION OF
130 S. AS WELL AS THE IDENTIFIED SEGMENT OF 200 W., AS IDENTIFIED ON
32 THE PLAT, WILL BE DEDICATED TO LINDON CITY; 6. PRIOR TO FINAL
APPROVAL THE APPLICANT SHALL PLACE PERMANENT SURVEY
34 MONUMENTS IN THE SUBDIVISION; 7. ALL ITEMS OF THE STAFF REPORT.
COMMISSIONER SCHAUERS SECONDED THE MOTION. THE VOTE WAS
36 RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
38 COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
40 COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
42 COMMISSIONER SCHAUERS	AYE
COMMISSIONER TRIBE	AYE

44 THE MOTION CARRIED UNANIMOUSLY.

46 **9. Lindon Harbor Industrial Condominium Approval – 220 South 1250 West**
Dennis and Burl Franco request major subdivision approval for a commercial
48 condominium subdivision to subdivide the two existing buildings into nine

2 condominium units. The project is located in the light industrial zone. Parcel #
45:241:0001

4

Mr. Florence led this agenda item by explaining Jared Hunt is representing this
6 agenda item tonight. He noted the applicant is seeking preliminary major subdivision
approval for a 9-unit industrial condominium development. The two buildings are
8 existing and no new development is occurring with this proposal. He pointed out
condominium developments follow Utah Code Title 57, Chapter 8 for dividing property
10 as well as Lindon City major subdivision requirements and processes.

Mr. Florence stated the applicant has provided letters from both an architect and
12 an attorney stating that the application follows the Utah Condominium Code Title 57
Chapter 8. He noted the proposed development meets the one-acre minimum lot size
14 requirement for the LI zone. The applicant has provided Covenants, Conditions and
Restrictions (CC&R's) for the development. A condominium plat includes sheets
16 identifying both the internal floor area and vertical space.

Mr. Florence noted the City Engineer is working through technical issues related
18 to the plat and civil engineering plans and will ensure all engineering related issues are
resolved before final approval is granted. Mr. Florence then presented an Aerial photo,
20 Plats and the Compliance letters followed by general discussion. Chairperson Call stated
this appears to be pretty straightforward and the Commission's recommendation will go
22 on to the City Council.

Chairperson Call called for any further comments or discussion from the
24 Commission. Hearing none she called for a motion.

26 COMMISSIONER SCHAUERS MOVED TO RECOMMEND TO THE CITY
COUNCIL APPROVAL OF THE APPLICANT'S REQUEST FOR PRELIMINARY
28 APPROVAL OF THE LINDON HARBOR INDUSTRIAL CONDOMINIUM PLAT
WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL CONTINUE
30 TO WORK WITH CITY STAFF TO MAKE ALL FINAL CORRECTIONS TO THE
PLAT FOR RECORDING; 2. PRIOR TO PLAT RECORDING THE APPLICANT
32 WILL PROVIDE STAFF WITH A FINAL PLAT MYLAR TO INCLUDE
NOTARIZED SIGNATURES OF OWNER'S CONSENT TO DEDICATION AND
34 OBTAIN SIGNATURES OF ALL ENTITIES INDICATED ON THE ATTACHED
SUBDIVISION PLAT; 3. THE PLANS AND PLAT WILL MEET AND BE
36 CONSTRUCTED AS PER THE RELEVANT SPECIFICATIONS AS FOUND IN THE
LINDON CITY DEVELOPMENT MANUAL; 4. FINAL COVENANTS,
38 CONDITIONS AND RESTRICTIONS WILL BE RECORDED WITH THE
SUBDIVISION PLAT; 5. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER
40 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

42 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
44 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER JOHNSON	AYE
46 COMMISSIONER THOMPSON	AYE
COMMISSIONER SCHAUERS	AYE
48 COMMISSIONER TRIBE	AYE

2 THE MOTION CARRIED UNANIMOUSLY.

4 10. **New Business: Reports by Commissioners** – Chairperson Call called for any
6 new business or reports from the Commissioners. There were no new reports from
the commission.

8 Chairperson Call called for any further comments or discussion from the
10 commission, hearing none she moved on to the next agenda item.

11. **Planning Director Report** –

- 12 • Housing Committee Update and Recommendations from Commission –
14 Mr. Florence went over the list and asked the commissioners to email him
any recommendations or feedback they may have regarding the update.

16 Mr. Florence also mentioned the cannabis regulations and the boundary at 200
18 South. He noted there is the potential of a medical cannabis facility that is looking at
locating south of 200 South. Mr. Florence asked if the Commission would be willing to
20 look at it again for additional boundary recommendations or go with the set boundaries.
Following discussion, the commission was in agreement to leave the boundaries as they
are set as long as they are in compliance.

22 Mr. Florence also asked the commissioners about moving the planning
commission meeting time to 6 pm. Following discussion, the Commission was in
24 agreement to move the meeting time to 6 pm on Tuesday's. Mr. Florence stated this will
not go into effect until the second meeting in April.

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

28 **ADJOURN** –

30
32 COMMISSIONER SCHAUERS MADE A MOTION TO ADJOURN THE
MEETING AT 9:00 PM. CHAIRPERSON CALL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

34

Approved – April 14, 2020

36

38

Sharon Call, Chairperson

40

42

Michael Florence, Planning Director

Item 4: Site Plan & Conditional Use Permit Approval. Murdock Hyundai – 424 S. Lindon Park Drive

Date: April 14, 2020

Applicant: Murdock Auto Group

Presenting Staff: Michael Florence

General Plan: Commercial
Current Zone: Planned Commercial 1 (PC-1)

Property Owner: Murdock Hyundai, LLC

Parcel ID: 46:786:0001

Type of Decision: Administrative

Council Action Required: No



SUMMARY OF KEY ISSUES

1. The applicant is seeking site plan and conditional use permit approval to expand the current Murdock Hyundai dealership.

OVERVIEW

1. Lot size: 3.34 acres;
2. The proposal is to expand the existing Murdock Hyundai dealership to include the proposed vacant lot. The vacant lot will be improved and used as display area only;
3. Lindon City Code 17.48.200, Vehicle Sales Lot, requires that a minimum 1,000 square foot building be on the same property as the sales lot. Because the vacant property is a distinct lot, the Murdock Group will be filing for a plat amendment to consolidate this new lot with the existing dealership property. Staff included, as a condition of approval, that the plat amendment happen prior to the final site inspection.

MOTION

I move to (*approve, deny, continue*) the applicant's request for site plan approval with the following conditions:

1. The developer will continue to work with the City Engineer to make final technical changes to the engineering documents;
2. The applicant will continually meet all vehicle sales lot requirements as found in 17.48.200
3. Prior to final inspection and approval of the site improvements, the applicant will file and obtain approval for a plat amendment to consolidate the properties into one lot;
4. If required, complete (or post an adequate improvement completion assurance), warrant and post required warranty assurance for all required public infrastructure improvements;
5. All items of the staff report

Surrounding Zoning and Land Use

North: Research and Business (RB) zone – office building & vacant lot

South: Planned Commercial 1 (PC-1) – Murdock Dealership

East: Planned Commercial 1 (PC-1) – Vacant lot

West: Planned Commercial 2 (PC-2) – Murdock Dealership

Development Standards

Parking & Display Area

Required	Required/Provided
Customer Parking	Customer parking is provided at the existing dealership building
Meet parking dimension requirements	Provided – Marked stalls for each vehicle
All vehicles will be displayed or stored on the lot	Compliant
Display lot will be surfaced	Lot will be surfaced with asphalt
No vehicle displays in the landscaping, drive access or sidewalk	Compliant
No merchandise displayed higher than 10 feet	Compliant

Landscaping Standards

*final review will be completed with the building permit submittal

Required Site Landscaping	Compliant
20 landscape strip along public streets	Yes
70% vegetation	Yes
Trees planted 30 foot on center	Yes, perimeter trees have already been planted
20% of each lot maintained in landscaping	Yes

Minimum lot area – Minimum required is one acre. The proposed site is 3.3 acres

Lighting – Perimeter street lighting has previously been installed. The applicant will be adding parking lot lighting for the display area

Engineering Requirements

The City Engineer is working through technical issues related to the civil engineering plans and will ensure all engineering related issues are resolved before final approval is granted.

Staff Analysis

Over the years there have been a number of proposed uses for this site. Murdock Hyundai currently uses the property for inventory storage. Recently, the Larry H. Miller Group proposed an office use of the site but then backed out of the project. Murdock Hyundai has been a great business partner and this expansion will help further their success in Lindon City.

EXHIBITS

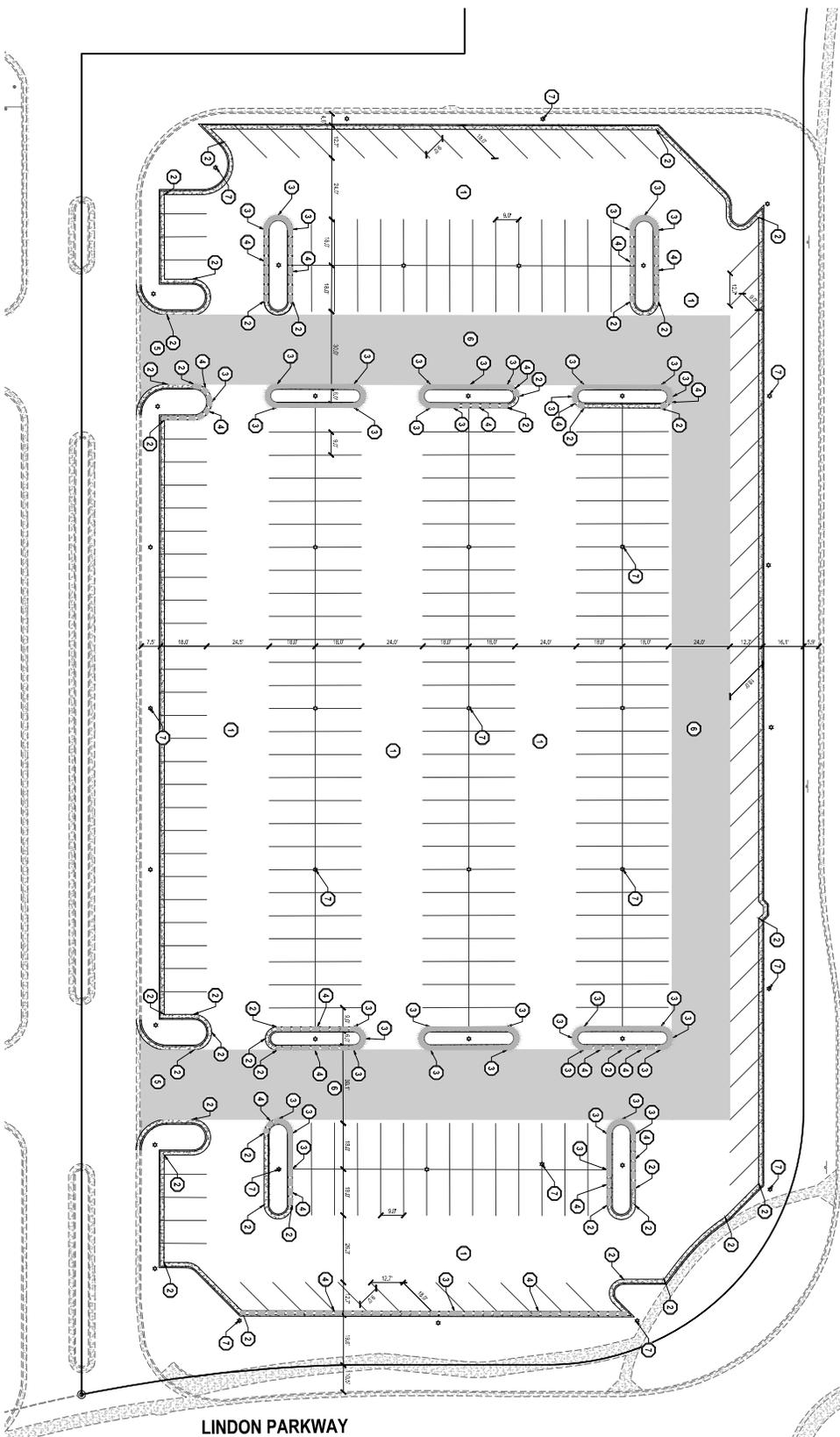
1. Site Plan
2. Landscape Plan



BENCHMARK
 NORTHWEST CORNER OF SECTION 4, TOWNSHIP 35 SOUTH, RANGE 11 WEST, COUNTY OF KANE, UTAH. ELEV. = 4222.2'

PARKING COUNT
 STALLS = 311
PARKING LANDSCAPING
 REQUIRED = 12,440.00 SQFT
 PROVIDED = 12,448.59 SQFT

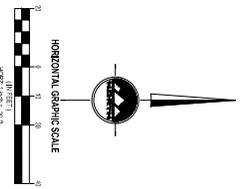
400 SOUTH STREET



LINDON PARKWAY

- GENERAL NOTES**
1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
 2. ALL IMPROVEMENTS SHALL COMPLY WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 3. ALL IMPROVEMENTS SHALL COMPLY WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION, COLOR, FINISH, AND SCORE PATTERNS.
 4. ALL IMPROVEMENTS SHALL COMPLY WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION, COLOR, FINISH, AND SCORE PATTERNS.
 5. ALL IMPROVEMENTS SHALL COMPLY WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION, COLOR, FINISH, AND SCORE PATTERNS.
 6. ALL IMPROVEMENTS SHALL COMPLY WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION, COLOR, FINISH, AND SCORE PATTERNS.
 7. THE CONTRACTOR IS TO VERIFY AND RESURFACE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNALS, UNLESS OTHERWISE NOTED ON THESE PLANS.

- SCOPE OF WORK:**
1. PROVIDE ALL MATERIALS AND LABOR FOR THE FOLLOWING PER THE SPECIFICATIONS, UNLESS OTHERWISE NOTED ON THESE PLANS:
 2. ALL IMPROVEMENTS SHALL COMPLY WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 3. ALL IMPROVEMENTS SHALL COMPLY WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 4. ALL IMPROVEMENTS SHALL COMPLY WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 5. ALL IMPROVEMENTS SHALL COMPLY WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION.
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 8. ALL IMPROVEMENTS SHALL COMPLY WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 9. ALL IMPROVEMENTS SHALL COMPLY WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 10. ALL IMPROVEMENTS SHALL COMPLY WITH THE STANDARD SPECIFICATIONS FOR CONSTRUCTION.



MURDOCK CARS OF LINDON
NEW ADDITION
 452 SOUTH LINDON PARK DRIVE
 LINDON, UTAH

ENSGN
 THE STANDARD IN ENGINEERING

TOOLE
 193 N. Main Street, Unit 1
 Tooele, UT 84395
 Phone: 435.841.3599
 Fax: 435.841.3599

SALT LAKE CITY
 Phone: 801.255.0259

LAVYTON
 Phone: 801.547.1100

CEDAR CITY
 Phone: 435.863.1553

RICHFIELD
 Phone: 435.892.2899

WWW.ENSGN.COM

C-100

SITE PLAN

DATE: 08/20/2018
 DRAWN BY: C. CHAMBERLAIN
 CHECKED BY: C. CHAMBERLAIN



BENCHMARK
 REFERENCED CORNER OF SECTION 4
 INTERSECTION OF SOUTH LINDON PARKWAY AND 400 SOUTH STREET
 ELEV. - 4250.0'

SCOPE OF WORK:
 PREPARE LANDSCAPE CONSTRUCTION DOCUMENTS FOR THE FOLLOWING PROJECTS:
 1. PREPARE LANDSCAPE CONSTRUCTION DOCUMENTS FOR THE FOLLOWING PROJECTS:
 2. INSTALL 1" PEDESTAL PLANTERS WITH 1" PLANTERS AND 1" PLANTERS
 3. MORE DETAIL REQUIRED

Qty	Symbol	Material / Description
1	(Symbol)	1" PLANTER
1	(Symbol)	1" PLANTER

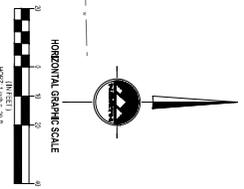
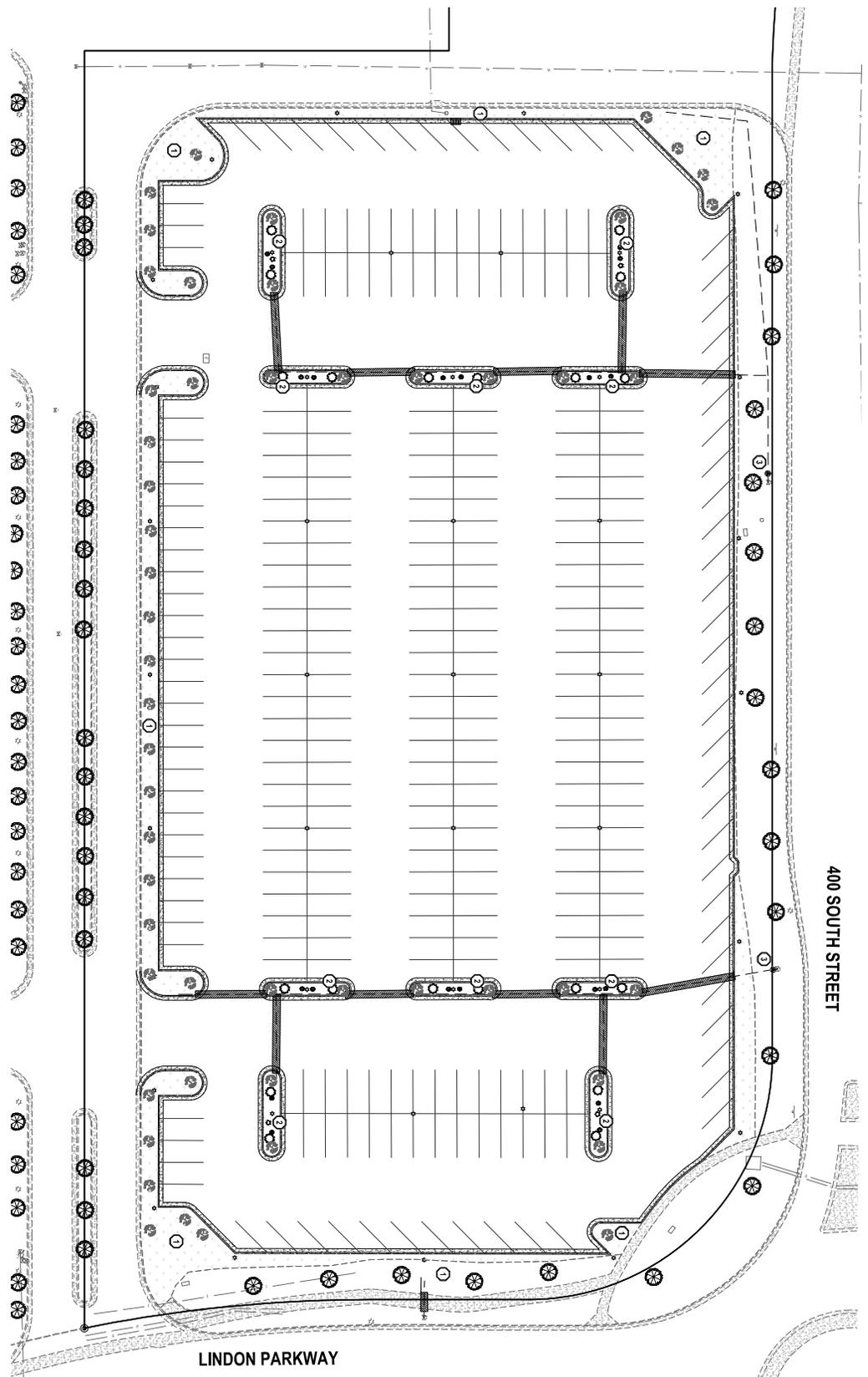
Symbol	Description	Quantity
(Symbol)	1" PLANTER	1
(Symbol)	1" PLANTER	1

IRRIGATION

Symbol	Description	Quantity
(Symbol)	1" PLANTER	1
(Symbol)	1" PLANTER	1

LANDSCAPE

Symbol	Description	Quantity
(Symbol)	1" PLANTER	1
(Symbol)	1" PLANTER	1



EN SIGN
 THE STANDARD IN ENGINEERING

TOOLE
 199 N. Main Street, Unit 1
 Ogden, UT 84401
 Phone: 435.863.8889

SALT LAKE CITY
 LAYTON
 Phone: 801.226.0259

CEDAR CITY
RICHFIELD
 Phone: 435.892.2893

MURDOCK CARS OF LINDON
NEW ADDITION
 452 SOUTH LINDON PARK DRIVE
 LINDON, UTAH

WWW.ENSIGNER.COM

3111 WEST OGDEN AVENUE
 OGDEN, UT 84401
 (435) 863-8889

LANDSCAPE PLAN

L-100

Item 5: Conditional Use Permit - Auto Repair Penske Truck Leasing Co, L.P.

Date: 4/14/2020

Applicant: Penske Truck Leasing Co, L.P.

Presenting Staff: Anders Bake

General Plan: Light Industrial
Current Zone: Light Industrial

Property Owner: Stalsberg Properties LLC.

Address: 1155 West 135 South

Parcel ID: 14:065:0076

Lot Size: 1.32 acres

Type of Decision: Administrative
Council Action Required: No



SUMMARY OF KEY ISSUES

To review a conditional use permit for auto repair as part of a truck rental business and conditions to mitigate the impacts of a proposed use.

MOTION

I move to (*approve, deny, continue*) the applicant's request for a conditional use permit to use the property located at 1155 West 135 South for a truck rental business that will include private equipment repair, with the following conditions:

1. All equipment maintenance, repairs, and washing will be limited to the businesses private and customer fleet and will not be open to the general public;
2. No automobile parts will be stored outside of the building;
3. Hours of operation will be 7 am to 5 pm Monday through Friday and 8 am to 2 pm on Saturday;
4. The applicant will comply with the proposed liquid waste management plan; and
5. All items of the staff report.

OVERVIEW

1. Penske Truck Leasing is proposing to operate their truck rental business at 1135 West 135 South in Lindon.
2. The proposed use of the property will be for the operation of motor vehicle and truck leasing including the housing, washing, maintaining to full capacity, and repairing of motor trucks. Penske will also operate an office from the site. The Standard Land Use Table in the Lindon City Code lists Equipment Rental & Leasing as a permitted use in the Light Industrial zone. However, General Auto/Vehicle Repair is listed as a conditional use in this zone. Because the applicant will be using the property for vehicle repair, they are required to obtain a Conditional Use Permit from the city. A liquid waste storage and management plan has been provided by the applicant.

3. Notices were mailed on April 3rd 2020 to adjoining property owners in accordance with Lindon City Code Section 17.14.50 Third Party Notice. Staff has received no public comments at this time.

SURROUNDING ZONING AND LAND USE

North: **HI** – outdoor industrial storage

East: **LI** – outdoor industrial storage

South: **LI** – outdoor industrial storage

West: **LI** – Office/Warehouse

DEVELOPMENT STANDARDS

Building, Site, and Landscaping

Penske Truck Leasing will be using a previously developed 1.32-acre property in Lindon's Light Industrial Zone. The property consists of a large parking area and an existing 8,000 square foot building. The building has five garage bays with four being used for equipment repair and one being used as a vehicle washing station. The building will also be used as an office and customer storefront. A 15-foot-wide landscaping strip lines the north end of the property along 135 South with well-maintained grass, bushes and trees. The applicant is not planning to do any construction on the building or site.

Parking

The applicant's business will not increase the parking requirements for the property and the applicant does not propose any changes to the parking lot at this time. The lot does not have any striped parking stalls but does provide space for up to 46 parked vehicles. This meets the parking requirement of 25 spaces for an industrial building with auto repair bays. The applicant was not required to provide engineering plans for the existing parking lot but the parking area is surfaced in asphalt and contains stormwater drains for run-off

STAFF ANALYSIS

Based on the business description that was provided, it is expected that this business will have a minimal impact on surrounding properties and will be compatible with other uses in the Light Industrial Zone.

EXHIBITS

1. Penske Business description
2. Site plan
3. Aerial photo of the site and surrounding area
4. Property photos
5. Proposed liquid waste management plan



Project Narrative

2/4/20

Penske Truck Leasing Co, L.P. ("Penske") is proposing to occupy the existing 8500 SF building consisting of an office core with (5) pull in garage bays and an existing Wash Bay located at 1135 W 135 S Lindon.

Penske's intended use of the premises is for "the operation of a motor vehicle and truck leasing, rental, including the housing, maintaining to full capacity and repairing of motor trucks outside parking and storage of such vehicles, motor vehicle repair shop and the storage for the benefit of our "internal customers only".

We conduct four essential functions from the facility: (1) Provide Local One-way rentals to the General Public and Commercial Industry, (2) Provide Full Service Lease(FSL) or Contract Maintenance(CM) to our contractual customers and (3) Provide maintenance and washing of our supporting fleet.

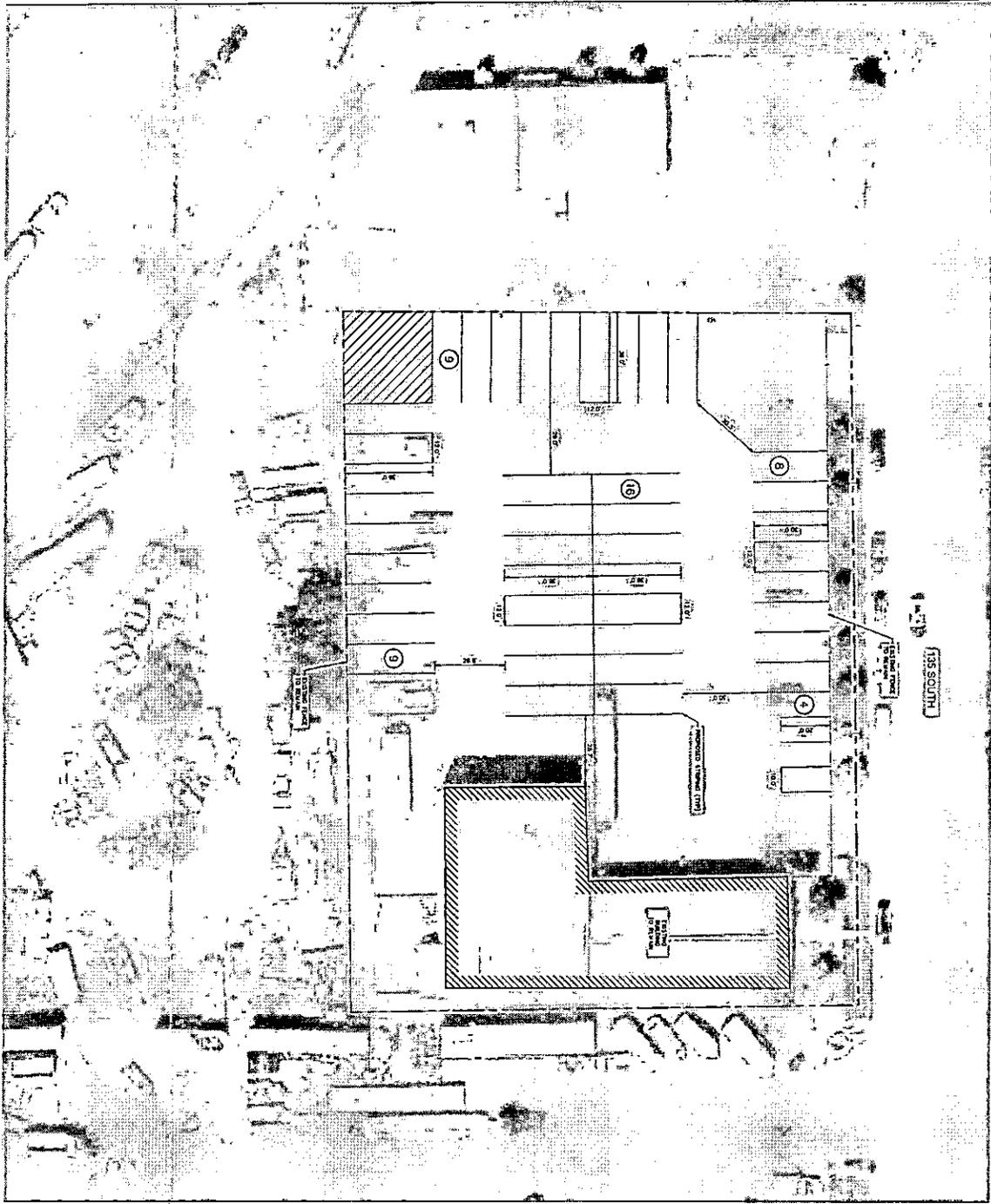
Penske will conduct truck and some trailer repairs consisting of general and preventative maintenance to our private and customer fleet (not open to the general public) such as clutches, oil changes, belt/bulb replacements, tune-ups, tire changes, etc. No major work such as framework, collision repair or Body Shop work, etc. would occur. All work is conducted within the facility.

A high-level overview of our maintenance operation/product lines for our location:

- Full Service Lease(FSL) –
 - 4, 5, and 6 year leasing of commercial transportation equipment
 - Equipment Type – Semi tractors / Box Trucks / Semi Trailers
 - The customer rate for this equipment guarantees all of the maintenance on these units. The customer understands what the monthly costs are in one essential rate. We assume all of the maintenance expense for these units.
 - Penske owns these Assets / We sell the units at the end of the lease agreement
- Contract Maintenance(CM)
 - Customer owns the unit and agrees to a set term (years of term vary)
 - Penske provides the maintenance at a contractually agreed upon labor and parts rate.
- Washing
 - Only Penske Vehicles and/or Customers can Wash on the premises. The location employees Customer Service Representatives dedicated to washing the trucks and is closed to the general public for these services.

Location Information:

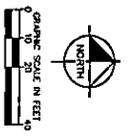
- Penske is planning to operate 1-shift from 7 am – 5 pm, M-F and 8am – 2pm on Saturday.
- We anticipate employment of approx. 7 associates at this location:
 - 2 – Office staff(rental, leasing, sales)
 - 3 – Fully certified diesel technicians
 - 2 – Service staff



SITE INFORMATION	
SITE ADDRESS	1184 W. 115 S
PARCEL NUMBER	14-003-0018
SITE AREA	51,048 SQ. FT. (1.16 AC)
EXISTING BUILDING AREA	34,543 SQ. FT.
CLIENT ZONING	LI LIGHT INDUSTRIAL
PROPOSED USE	LI LIGHT INDUSTRIAL (SHELL & CORE)
REQUIRED PARKING	42
AVAILABLE SPACES OF AVAILABLE	35
PROPOSED PARKING	42
PROPOSED TRAILER/STORAGE SPACES	0
PROPOSED CUSTOMER PARKING SPACES	4
TOTAL SPACES PROVIDED	46

LEGEND

NORTH BOUNDARY
 DOTTED LINE



DATE SP-1	DRAWN BY:	OC	03/17/2022
	DESIGNED BY:	OC	03/17/2022
	CHECKED BY:	OC	03/17/2022
	PROJECT No.:	031612021	
	SCALE:	AS SHOWN	

SITE PLAN
 PENSKE
 LONDON, UT

Kimley»Horn
 315 South State Street, Suite 402 | Salt Lake City, UT 84111 | Tel. No. (801) 373-2176







Penske Truck Leasing
1711 W. Greentree Dr.
Suite 117
Tempe, AZ 85284

Tel: 602-253-0041
Fax: 480-7754350

www.pensketruckleasing.com

April 10, 2020

Penske Truck Leasing Co, L.P. ("Penske") Automotive liquid waste storage management plan

Penske uses a variety of petroleum products that include engine oil, automatic transmission fluid, gear oil and engine coolant (antifreeze). Where there is need to replace these fluids, the waste fluids are to be stored in 55-gallon steel drums with secondary containment owned by Penske and approved for oil waste storage. The use of mobile catch containers will be placed under any vehicle having said mention fluids drained. At which time these containers are full, they will be evacuated into proper waste containers. When containers reach capacity, Safety-Kleen, Inc. will recover fluids for recycling.

In the event of a spill of any of these fluids, floor dry is in stock and on hand to absorb the fluids and then will be properly disposed of.

In purposed building applied for permit at 1135 West 135 South, there is a designated wash bay which includes a floor drain that is connected to an oil/water separator before the water is discharged into the sanitary sewer system. Said oil/water separator will be maintained as needed.

Penske has great concern and understanding of the environment and will use every possible solution to avoid pollution.

Lindon City has been approached by developers to building housing on the rear portions of the Lindon Nursery and Norton Property. The Planning Department made a housing presentation to both the Planning Commission and City Council to discuss whether the City should pursue this option. Subsequent to the presentations, the City set up two meetings with neighborhood representatives who live adjacent to both the Lindon Nursery and Norton Property. Representative of both the planning commission and city council also attended.

Staff has attached a summary sheet with housing recommendations that came from the housing committee meetings. The approach is to allowing housing on these deeper lots and to update Lindon City Code 17.76 – Planned Residential Development. The PRD zone currently allows multi-family residential to be constructed on General Commercial properties. The current maximum area allowed for development is one acre with 10 units per acre. Below are summary changes to the code and a draft ordinance for discussion purposes. With feedback from the commission, staff would like to set this item for a public hearing on April 28, 2020.

Summary Changes

- 17.76.030 – calls out types of housing and lot sizes allowed in the PRD zone
 - Lot size of smaller lot single family
 - Caps the number of units in a townhome building to six in a single row
- Consolidates site plan and subdivision sections of the code to make it less repetitive
- 17.76.070(2) - Maintains the density at 10 units per acre
- 17.76.070(5) - Maximum area
 - Divides development proposals into two project types:
 - Residential developments one acre or less
 - Residential developments larger than one acre which are part of a new or existing commercial development and establishes a minimum development size of one acre
- 17.76.070(5) - Establishes a commercial depth of 300'. This depth can be decreased only if viable commercial uses remain for the site, a commercial lot is irregularly shaped, the reduction doesn't limit future redevelopment opportunities of the commercial property
- 17.76.070 (5) - Requires developments over two acres and multiple buildings to provide two different building types differentiated through building materials, color, rooflines, and architectural features
- 17.76.070(7) - Identifies setbacks for residential development as part of new or existing commercial uses
 - 30' from any single-family residence property line, 20' front and rear setbacks, 10' side setbacks.
- 17.76.070(9) - 7' masonry or concrete perimeter fence as a buffer from single-family residential
- 17.76.070(10) - Trees planted as a buffer to single-family residence
- 17.76.070 (11) – Outlines types of lighting required

Summary Changes Continued:

- 17.76.070 (13) - Parking – requires parking in a garage. 75% of residential units have a two-car garage. 75% of the required visitor parking may be located on the drive-way
- 17.76.070 (16) - Creates architectural design standards for multi-family development

- 17.76.070 (20) – Sets a 20% required open space percentage. Open space to be designed as an integral part of any development
- 17.76.070 (21) – Requires attached units to contain enhanced sound attenuation and sound mitigation construction
- 17.76.070 (22) – Pedestrian connections throughout the development
- 17.76.070 (23) – Provides building frontage, orientation, and entrance requirements
 - Building entrances need to front a street, private driveway designed as a street or common open space
 - Building entrances to be the primary feature of the front façade to identify access to the individual units
 - Requires a stoop or front porch

Housing Committee Recommendation for Deep Commercial Lots

Commercial Depths

- Maintain at least a 300' foot commercial depth to preserve commercial land and commercial tax base

Residential Recommendations

- Transitions/Height from Commercial to Low Density Residential
 - The more stories the larger the setback needs to be
 - 3 story buildings – 80 - 90-foot setback
 - Max height two floors if less than 80 feet from single family
 - 7' wall needs to be installed
 - Have as an option to include accesses roads to act as a separation buffer between single family and new housing. This would require the use of rear loaded garage homes
 - 20-30 rear yard backs when adjacent to low density residential
- Land Uses
 - Preference of residential over storage or commercial uses
 - Mixed densities and housing types for residential. Housing ideas:
 - Single family next to single family, smaller lot single family, duplexes, tri-plexes, four-plexes, etc
- Buffers/Landscaping/Open Space
 - Trees are an important buffer
 - Open space keeps residential feel in the neighborhood
 - Require common area open space or larger rear yard areas when adjacent to single family
 - Require open spaces to be in usable size segments
- Parking
 - Require more than 2 stalls per lot – current city code
 - Require .5 stall per unit for visitor parking
 - Evaluate per bedroom parking ratio
- Development Size
 - One to three acres but consider requiring a minimum of three acres
- Design Standards
 - Main entrances should not face rear yards of low-density residential homes
 - Adopt residential design standards
- Other Items
 - Owner occupancy for residential is recommended but open to a few rentals
 - Maintain the goals and vision of the general plan and street master plan
 - Be careful with transitions
 - Well planned developments
 - Trees on the Norton property are not important and are a nuisance

Chapter 17.76

PLANNED RESIDENTIAL DEVELOPMENT OVERLAY (PRD OVERLAY) ZONE

Sections:

- 17.76.010 Purpose.
- 17.76.020 Applicability.
- 17.76.030 Permitted Uses, Building Types, and Densities.
- 17.76.040 ~~Site Plan and Final Plat.~~ Site Plan and Conditional Use Approval
- 17.76.050 ~~Form and Contents of the Site Plan and Amended Site Plan.~~ 17.76.070 Final Plat and Improvement Drawings.
- 17.76.060 ~~Site Plan Review and Approval for PRDs.~~ Building Permits
- 17.76.070 ~~Final Plat and Improvement Drawings.~~ Completion and Maintenance of Site
- 17.76.080 ~~Building Permits.~~ Development Standards and Requirements
- ~~17.76.090 Completion of Improvements.~~
- ~~17.76.100 Completion and Maintenance of Site.~~
- ~~17.76.110 Development Standards and Requirements.~~

17.76.010 Purpose.

1. The Planned Residential Development (PRD) Overlay Zone promotes the following purposes:
 - a. Create diverse and quality housing options in Lindon City.
 - b. Effectively develop unique commercial lots and parcels that do not naturally accommodate traditional commercial development patterns;
 - c. Allow for appropriate housing transitions from commercial properties to low density single family residential;
 - d. Improve the design and livability of residential buildings in the PRD Overlay Zone.
2. The purposes of the PRD Overlay are accomplished by:
 - a. Allowing densities higher than a typical low density residential development, as identified in the Lindon City Land Use Map;
 - b. Establishing standards for landscaping, building and site design, public safety, parking, aesthetics, traffic circulation, fencing, lighting, and other similar site improvements; and
 - c. Requiring standards that enable PRDs to fit into the surrounding development.

17.76.020 Applicability.

1. The PRD Overlay Zone may be applied to ~~any~~ lots or parcels in the General Commercial (CG) Zone after application and approval of a zone map amendment by the City Council after a recommendation from the Planning Commission.
2. ~~An application to apply the PRD Overlay Zone shall include a concept site plan, building elevations, and renderings showing the proposed project for the subject site. Any concept plan presented to the Planning Commission and City Council for approval shall first be reviewed by the Development Review Committee to ensure the proposal is technically feasible. When the City Council approves a zone map amendment applying the PRD Overlay Zone, the amendment shall~~

~~be accompanied by an approved concept site plan, including elevations and renderings, for each site included in the amendment. If a subsequently submitted site plan application proposes significant changes to the approved concept plan, the Planning Commission may deny the site plan application for noncompliance with the Lindon City Code. Significant changes include, but are not limited to, changes in density, parking ratios, landscaped open space, building height, mass, or location. Amended and moved to 17.76.040~~

17.76.030 Permitted Uses, Building Types, and Densities.

1. *Permitted Uses.* In addition to uses permitted or conditionally permitted in the underlying General Commercial (GC) zone, a Planned Residential Development (PRD) is a conditionally permitted use in the PRD Overlay Zone and is not permitted in any other zone.
2. PRDs may include detached single family, twin homes, ~~condominiums~~, multi-plex and townhouses. All buildings and units shall be subdivided into individual condominium units prior to issuance of a certificate of occupancy:
 - a. Detached Single Family lot sizes may be decreased to 4,000 square foot lots;
 - b. Townhomes building types shall be limited to a maximum of six (6) units in a single row within a single building.
3. Accessory apartments are not permitted in the PRD Overlay Zone

17.76.040 Zone Map Amendment, Site Plan and Conditional Use Permit Approval.

1. *Zone Map Amendment.* An application to apply the PRD Overlay Zone shall include a concept site plan, building elevations, and renderings showing the proposed project for the subject site. Any concept plan presented to the Planning Commission and City Council for approval shall first be reviewed by the Development Review Committee to ensure the proposal is technically feasible.
2. *Site Plan.*
 - a. ~~Anyone desiring to develop a~~ Proposed development in the Planned Residential Development (PRD) ~~in the PRD Overlay Zone~~ shall first submit a Land Use Application for site plan approval. The applicant shall provide all requirements of the site plan to the City before the City considers the application submitted and before action is taken. The application for a site plan shall include all necessary fees and documentation required by this Chapter.
 - ~~b. The Development Review Committee shall review the site plan and give its recommendations to the Planning Commission. Removed, repetitive with section (c)(i) below~~
 - ~~c. The Planning Commission is the land use authority for all PRD site plans. Removed, repetitive with section (c)(ii) below~~
 - b. The applicant shall submit the site plan for a PRD to the Planning Department according to site plan submittal requirements outlined in the Lindon City Land Development Policies, Standard Specifications and Drawings Manual (Development Manual). In addition to the items required in the Development Manual, a complete application shall include building elevations and renderings, open space percentages, site circulation, and project size and density. At that time the applicant shall pay a fee in an amount established by ~~Resolution of the City Council~~ in the most recently adopted Lindon City Consolidated Fee Schedule. No development, construction, revisions, or additions shall take place on the site until the Planning Commission has approved the site plan, the site plan is considered finalized by the City Engineer, and the developer has obtained the

appropriate permits. Applicants for amended site plans for PRDs shall follow the same procedures, pay the same fees, and be bound by the same development standards and requirements as applicants for site plans for PRDs. The Planning Director or designee has the authority to make minor amendments to the site plan where such amendments are in compliance with the ordinance and the site plan is not materially altered.

- c. The procedure for site plan approval shall be as follows:
 - i. Development Review Committee. The Planning Department shall forward the proposed site plan to the Development Review Committee for initial review. The Development Review Committee shall review the site plan, civil engineering, and architectural designs while considering whether it complies with the Lindon General Plan and all City ordinances, resolutions, and policies. The site plan and architectural designs shall comply with the Lindon General Plan and all City ordinances, resolutions, and policies before the Planning Commission can review the application.
 - ii. Planning Commission. The Planning Commission shall review the site plan and be the land use authority for all site plans for PRDs. The Planning Commission shall consider whether the proposed site plan complies with City ordinances, resolutions, policies, Lindon City Commercial Design Guidelines, and the General Plan when reviewing a site plan for a PRD.
- d. The applicant shall not amend or change any approved site plan without first following the procedure for approval of site plans.
- e. The Planning Commission may impose conditions or require further studies ~~on~~ of the site plan to mitigate dangerous hazards or evaluate potential impacts to public infrastructure or surrounding neighborhoods where there is substantiated evidence that a real safety hazard exists.

~~Final Plat.~~ **Moved to section 17.76.070(5) below**

- ~~a. The site plan must be approved by the Planning Commission before the final plat can be approved.~~
- ~~b. The developer shall submit a Land Use Application for final plat approval of all or part of the PRD together with all required fees. The final plat shall be prepared by the developer's surveyor and engineer.~~
- ~~e. The Development Review Committee shall review the final plat and give their recommendations to the Planning Director.~~
- ~~d. The Planning Director is the final approving authority for final plats and shall approve the application request if it meets the requirements of the approved site plan and all applicable City ordinances.~~
- ~~e. Failure to submit a final plat within two (2) years of the date of approval of the site plan shall terminate all proceedings and render approval of the site plan null and void. The final plat shall~~

~~expire and be void one (1) year after approval by the City, unless the Office of the Utah County Recorder has recorded the plat.~~

~~17.76.050 — Form and Contents of the Site Plan and Amended Site Plan.~~

~~The applicant shall submit the site plan for a PRD to the Planning Department according to site plan submittal requirements outlined in the Lindon City Land Development Policies, Standard Specifications and Drawings Manual (Development Manual). At that time the applicant shall pay a fee in an amount established by Resolution of the City Council. No development, construction, revisions, or additions shall take place on the site until the Planning Commission has approved the site plan, the site plan is considered finalized by the City Engineer, and the developer has obtained the appropriate permits. Applicants for amended site plans for PRDs shall follow the same procedures, pay the same fees, and be bound by the same development standards and requirements as applicants for site plans for PRDs. The Planning Director or designee has the authority to make minor amendments to the site plan where such amendments are in compliance with the ordinance and the site plan is not materially altered.~~ Moved to section 17.76.040(1)(b) above

~~17.76.060 — Site Plan Review and Approval for PRDs.~~ Moved to section 17.76.040(c) above

~~1. The procedure for site plan approval shall be as follows:~~

~~a. *Development Review Committee.* The Planning Department shall forward the proposed site plan to the Development Review Committee for initial review. The Development Review Committee shall review the site plan while considering whether it complies with the Lindon General Plan and all City ordinances, resolutions, and policies. The site plan shall comply with the Lindon General Plan and all City ordinances, resolutions, and policies before the Planning Commission can review the application.~~

~~b. *Planning Commission.* The Planning Commission shall review the site plan and be the land use authority for all site plans for PRDs. The Planning Commission shall consider whether the proposed site plan complies with City ordinances, resolutions, policies, Lindon City Commercial Design Guidelines, and the General Plan when reviewing a site plan for a PRD.~~

~~2. The applicant shall not amend or change any approved site plan without first following the procedure for approval of site plans.~~

~~3. The Planning Commission may impose conditions on the site plan to mitigate dangerous hazards where there is substantiated evidence that a real safety hazard exists.~~

17.76.070~~070~~050 Final Plat and Improvement Drawings.

1. The form and contents of the final plat and improvement drawings, (where applicable), shall contain all of the requirements of the found in Title 17.32 – Subdivisions-Special Requirements and the Lindon City Development Manual. The final plat shall also contain the following information:
 - a. A designation of common areas, limited common areas, and private ownership areas.
 - b. For condominiums, three dimensional drawings of buildings and building elevations. In the case where the PRD is a condominium project, the developer shall submit a written statement by an attorney who is licensed to practice in Utah. This written statement shall be the attorney's opinion that the condominium declaration, the subdivision plat and the other supporting documentation comply in all respects with the Utah Condominium Ownership Act (UCA Sec. 57-8-1, et seq.) as well as all applicable federal, state and local laws and ordinances and that when the office of the Utah County Recorder has recorded the condominium declaration and final plat, the proposed project will be a validly existing and lawful condominium project in all respects.
 - c. Plat restrictions, lot restrictions, and other information required by the Planning Commission or City Council.
2. PRD site plans may be built in phases as long as each phase of a PRD complies with all of the requirements of this ordinance. A phase of a PRD may not be less than twenty thousand (20,000) square feet.
3. The Planning Director shall approve the final plat of the PRD provided he/she finds that:
 - a. The applicant has redrawn the site plan to incorporate all the requirements as approved by the Planning Commission and has submitted the corrected site plan with the final plat.
 - b. The applicant has incorporated all of the improvements and conditions of the approved site plan into the final plat.
 - c. The City Engineer has marked the construction drawings of the PRD as finalized.
4. The City shall record the final plat after it obtains all of the required signatures and after it receives all of the required bonds, fees, and documents.
5. The procedure for subdivision shall be as follows:
 - a. The site plan must be approved by the Planning Commission before the final plat can be approved.
 - b. Subdivision approval shall be approved by the appropriate land use authority as found in 17.09.
 - c. The developer shall submit a Land Use Application for final plat approval of all or part of the PRD together with all required fees. The final plat shall be prepared by the developer's surveyor and engineer.
 - d. The Development Review Committee shall review the final plat and give their recommendations to the Planning Director.

- e. The Planning Director is the final approving authority for final plats and shall approve the application request if it meets the requirements of the approved site plan and all applicable City ordinances.
- f. Failure to submit a final plat within two (2) years of the date of approval of the site plan shall terminate all proceedings and render approval of the site plan null and void. The final plat shall expire and be void one (1) year after approval by the City, unless the Office of the Utah County Recorder has recorded the plat.

17.76.080~~060~~ Building Permits.

The City shall not issue a building permit for any project until the final plat has been recorded by the City.

~~17.76.090 Completion of Improvements.~~

~~The developer must complete all of the improvements required by the approved site plan for the final plat in accordance with the requirements outlined in Lindon City Code [17.38 Bonds for Completion of Improvements to Real Property](#).~~ **Already required in the Development Manual**

17.76.100~~070~~ Completion and Maintenance of Site.

Every PRD shall conform to the approved site plan. The applicant or any other person or entity shall not add any structures or make any improvements or changes to a PRD that did not appear on the approved site plan. The applicant and subsequent owners and applicable associations shall maintain all improvements shown on the site plan in a neat and attractive manner. Failure to complete or maintain a PRD in accordance with this Chapter and with the approved site plan is a violation of the terms of this Chapter. The City may initiate criminal and/or civil legal proceeding against any person, firm, entity or corporation, whether acting as principal, agent, property owner, lessee, lessor, tenant, landlord, employee, employer or otherwise, for failure to complete or maintain a PRD in accordance with this Chapter and with the approved site plan.

17.76.110~~080~~ Development Standards and Requirements.

The City requires the following development standards for all PRDs.

1. *Compliance with Lindon City Code.* A proposed PRD shall comply with the requirements of this Chapter, [the Lindon City Development Manual](#), and with all applicable Lindon City Code provisions and with conditions imposed by the Land Use Authority.
2. *Density.* A PRD may be developed at a maximum density of ten (10) dwelling units per gross acre.
3. *Height.* No lot or parcel of land in a PRD approved pursuant to the PRD Overlay Zone shall have a building or structure used for dwelling which exceeds a maximum average height of thirty-five (35) feet, measuring the four (4) corners of the structure from finished grade to the highest point

of the roof structure. The Planning Director and Chief Building Official shall be responsible for designating and identifying the four corners of a structure. No dwelling shall be erected to a height less than one (1) story above grade.

4. *Minimum Area.* The minimum area required for any PRD shall be twenty thousand (20,000) square feet.
5. *Maximum Area.* The maximum allowable size for any PRD shall be one (1) acre with no more than ten (10) units where development is not part of an existing or new commercial use. Lindon City has a number of deep commercial lots that front State Street. Residential may be allowed on the rear portion of these lots following the development and entitlement requirements in this chapter and when the following requirements are met:
 - a. To preserve the commercial use zoning along State Street, a three hundred (300) foot commercial depth shall remain and residential uses are not allowed within this depth. The Planning Commission and City Council may consider a reduction in this depth upon evaluating the following:
 - i. Viable commercial options remain for the site;
 - ii. A commercial lot is irregularly shaped;
 - iii. The reduction does not limit future redevelopment opportunities of the commercial property.
 - b. The minimum area required for any PRD shall be one (1) acre;
6. Building Types. At least two different building types shall be included in projects larger than two acres and multiple buildings. Building types shall be differentiated through variations to building materials, color, rooflines, and the use of architectural features such as awnings, light fixtures and eave details
7. *Setbacks.* The following setbacks for primary structures shall apply in the PRD zone:
 - a. For residential developments one acre or less not including a commercial use as part of the project
 - i. *Front Setback.* 30 feet
 - ii. *Rear Setback.* 30 feet
 - iii. *Side Setbacks.* 10 feet. Twenty (20) feet combined between buildings. For interior units with common walls the setback is 0 feet.
 - iv. All primary structures within the PRD Overlay zone shall be set back at least ten (10) feet from any other primary structure.
 - b. For residential developments proposed for a property with new or existing commercial uses
 - i. buildings shall be setback a minimum thirty (30) feet from the abutting property line of any single-family residence or R1-20 zone and any commercial building.
 - ii. Side Setbacks: 10 feet and 6 feet for a combined total of 16 feet between buildings. For interior units with common walls the setback is 0 feet.
 - iii. Corner side setbacks 20 feet

- iv. Front: 20
 - v. Rear: 20
 - vi. ~~All primary structures within the PRD Overlay zone shall be set back at least ten (10) feet from any other primary structure~~
8. *Utilities.* Compliance with the Development Manual and applicable Lindon City Code provisions regarding utility connections to residential units is required. The public sewer system and the public water supply shall serve all dwellings. All utilities shall be underground. The developer shall individually meter natural gas and electricity for each individual dwelling. No water or sewer lines shall be located under covered parking areas. Wall-mounted and ground-based meters, HVAC, and utility equipment serving a building shall be located as close to each other as possible and fully screened from view. Screening shall be incorporated aesthetically into the design of the building.
9. *Fences.*
 - a. *Perimeter Fences.* A seven (7) foot masonry or concrete perimeter fence shall be required as a buffer when abutting single family residential or commercial uses. The Planning Commission may ~~require~~ allow alternative materials and location and placement of a perimeter fence, and may specify the height and construction materials used for the fence, around the development if the Commission finds that the fencing is necessary to mitigate reasonably anticipated detrimental impacts the development may create. ~~Fencing may also be required to buffer the surrounding residential neighborhoods from the PRD and to buffer the PRD from surrounding commercial and manufacturing uses.~~ Any fence erected around or within the development shall comply with Lindon City Code section [17.04.310](#), involving fencing standards. Any perimeter fencing shall have a consistent design throughout the project and shall consist of the same construction materials.
 - b. *Patio/Limited Common Area Fences.* A patio or limited common area adjacent to the rear of a dwelling unit may be enclosed with a maximum six-foot (6') high ~~maximum~~ fence.
10. *Landscaping.*
 - a. All land within a PRD not covered by buildings, driveways, sidewalks, structures, and patios shall be designated as common area and shall be permanently landscaped with trees, shrubs, lawn, or ground cover and maintained in accordance with good landscaping practice. All required setback areas adjacent to public streets shall be landscaped. All landscaping shall have a permanent underground sprinkling system.
 - b. At least forty percent (40%) of the net acreage (area of the development less public and private ~~streets~~ driveways) of the entire development shall remain permanently landscaped.
 - c. Trees shall be planted along any property line abutting single family residential with trees planted as a buffer every thirty (30) feet. Trees shall be a minimum two (2) inch caliper, measured one (1) foot above the ground and shall be at least six (6) feet in height. Tree species shall be planted as found in the Lindon City Tree Planting Guide. An eight (8)

foot landscaped area shall be provided for trees to be planted and allow for future tree growth.

11. *Lighting Plan.* All PRDs shall include a lighting plan for parking lots, pedestrian walkways and buildings. The lighting plan shall be designed to:
 - a. discourage crime;
 - b. enhance the safety of the residents and guests of the PRD;
 - c. prevent glare onto adjacent properties; and enhance the appearance and design of the project.
12. All PRD homeowners' associations and apartment owners are required to control and meter all outside lighting shown on the lighting plan except for front and back door lighting. The lighting plan shall designate which lighting shall be commonly metered to the association or owner.
13. *Parking.* There shall be a minimum of two (2) parking spaces provided for each dwelling, one of which shall be ~~covered~~ in a garage. At a minimum, seventy-five (75) percent of the residential units shall have a garage capable of parking two (2) vehicles. Required off-street parking spaces shall not be permitted within the ~~front yard or~~ street-side yard setbacks. There shall also be a minimum of one half (½) parking space for each dwelling for guest parking within the development. Guest parking shall be located on the same lot or parcel of the dwellings served. With approval of the land use authority, a development over one acre may count building unit driveways up to seventy-five (75) percent of the required spaces toward meeting the guest parking requirement. Parking ratios will be counted up the next whole number. All parking spaces shall measure at least nine (9) feet by eighteen feet (18'). Developers shall pave with asphalt and/or concrete all parking spaces, parking areas, and driveways and provide proper drainage. Drainage shall not be channeled or caused to flow across pedestrian walk ways. The architecture of all covered parking structures shall be the same as the architecture of the main structures within the PRD.
 - a. Direct access to each parking space shall be from a private driveway and not from a public street unless otherwise granted by the Planning Commission based on the following guidelines:
 - i. Topography or other development constraints on the project area are such that a private drive is impractical to serve the project.
 - ii. Traffic volumes, safety, and visibility on the public roadway will not create a dangerous situation for direct parking stall access.
 - iii. No more than six (6) units shall directly access any public roadway.
14. *Irrigation Systems.*
 - a. Where an existing irrigation system consisting of open ditches is located on or adjacent to or within one hundred (100) feet of a proposed subdivision, complete plans for relocation or covering or other safety precautions shall be submitted with an application for preliminary approval of a plat.

- b. All pressure irrigation systems in or within one hundred (100) feet of a proposed subdivision shall be identified and otherwise color-coded as to pipe and valve color to meet state standards and regulations.
15. ~~Storage Areas and Solid Waste Receptacles.~~ All ~~outside storage areas and all~~ solid waste receptacles which are not located within a building, shall be enclosed on at least three sides with the ~~same~~ similar materials as used on the exterior of the main structures within the PRD. Central waste receptacles shall only be permitted within a trash enclosure which meets standards found in the Development Manual. Trash enclosures shall be located in the side or rear of the dwelling units, ~~but not the streetside~~, and must be accessible for garbage trucks. ~~All individual garbage containers shall have the ability to be serviced from a public street.~~
16. ~~Exterior Finishing Materials~~ Architectural Design and Façade Design. The dwellings in a PRD shall comply with the Lindon City Commercial Design Guidelines. ~~The Planning Commission shall have the authority to determine compliance with the Design Guidelines.~~ The treatment of building design, materials and exteriors shall be architecturally and aesthetically pleasing and have unique individual, feel and sense of place, while still being architecturally compatible with the surrounding buildings and properties. Buildings within developments shall have a variety of building materials to architecturally set them apart and to create unique and separate buildings. Both vertical and horizontal elements shall be used, as appropriate, to give variety and architectural detail. All sides of buildings shall receive equal design consideration, particularly when fronting pedestrian ways, park or common open spaces, streets and adjacent single-family properties. The following architectural design requirements shall be applied:
- a. Buildings shall contain more than a single-color application and more than a single material application;
 - b. The following materials may be used as the primary exterior materials of a building consisting of at least sixty (60) percent: wood clapboard, cementitious fiber board, wood board and batten, wood siding, brick, stone, or similar material. The following secondary materials may be used: cementitious fiber board, brick, wood, stone, glass, architectural metal panel, or similar material. EIFS or stucco may be used for up to twenty (20) percent on the front façade of a building and forty (40) percent and the remaining building facades.
 - c. Each building shall include varied wall plains, recesses, or similar façade design in incorporate wall variation.
 - d. Changes in materials and color shall correspond to variations in building mass or shall be separated by a building element.
 - e. Identical buildings with only alternating color schemes should be minimized. Buildings should incorporate a variety of materials and architectural elements to provide variation among the building types.

- f. Eaves and rooflines are encouraged to emphasize vertical proportions. They should be broken up with gables, building projections, and articulation to emphasize the individual quality of the units.
 - g. Garage doors should be designed consistent with the overall style of the building. Material, pattern, and, color to be coordinated with the architectural style. Garages should be recessed from wall plane. Where garage doors are flush with facades, the facade should feature upper level building projections and decorative building elements such as trellises to provide interest and relief. For buildings with front loading garages, garage doors shall include windows to add variety to the door.
 - h. Stucco-textured foam trim molding should not be used as the only application to enhance building facades
 - i. All windows along the front façade shall incorporate at least one of the following:
 - i. mullions and/or transoms;
 - ii. trim or molding at least four inches in width;
 - iii. canopies, shutters, or awnings, proportional to window size;
 - iv. recessed inset from the front façade by at least two (2) inches.
 - j. the front façade of any residential building shall not face or front the rear yard or side yard of a single family home
17. *Roof Pitch.* All structures shall have a minimum roof pitch of five (5) rise to twelve (12) run.
18. *Homeowner's Association.* The applicant shall establish a home owners association for every PRD containing common or limited common property, with more than one owner for the purpose of maintaining the PRD. The homeowner's association, the individual property owners, and tenants shall maintain the PRD in accordance with the approved site plan.
19. *Existing Homes.* No PRD shall include an existing single-family dwelling. If a single-family dwelling exists on the property where a PRD is proposed, the applicant shall plat separately a lot containing the home. The plat shall comply with the requirements of the Lindon City Development Manual.
20. Open Space: development greater than one acre shall include common open space, according the following standards:
- a. At a minimum, (20) percent of the development site, excluding roads or private driveways and required setback areas, shall be in common open space. The land use authority may approve a reduction in the open space requirement by twenty (25) percent if the site is within one quarter mile, as measured at the closest property lines, of an existing Lindon City park or trail. Private balconies, porches, patios of a minimum sixty (60) square feet may be counted towards a maximum of ten (10) percent of the required open space percentage;
 - b. Open spaces should include both active and passives spaces including plazas, courtyards, paseos, landscaped detention basins, playgrounds, pavilions, pools, spa, pool

- deck, or other areas that can be made into useable areas, and interior spaces available to residents as common area such as a clubhouse;
- c. Open spaces should be designed to be an integral part of any development. A majority of the required open space shall be consolidated into a primary central and common open space area. Buildings shall be designed around the common open space edge. Majority open spaces shall not be located in perimeter outlying areas of the development;
 - d. Where appropriate, the planning commission may approve individual private yard areas in place of common open space. However, development with private open space shall have no net loss of the required open space percentage:
 - i. Rear-loaded buildings should provide private open space through porches, balconies, and small front yards;
 - ii. Front-loaded units should provide most private open space as enclosed rear yards.
21. Each attached unit must contain enhanced sound attenuation and sound mitigation construction;
22. Pedestrian Connections. The project site plan and development must connect each separate building with internal concrete walkways to provide safe and convenient pedestrian access to common areas and amenities. The width of internal walkways that are adjacent to parking stalls shall be no less than five feet. The width of internal walkways that are not adjacent to parking stalls shall be no less than four feet.
23. Frontage, Orientation and Entrances.
- a. Building entrances in priority shall front onto streets, private driveways designed as streets or common open spaces. Where an end unit fronts onto a street or private driveway designed as a street, center block residences may front onto a common open space, courtyard, paseos or landscaped pedestrian way;
 - b. In order to create neighborhood connections, all residential buildings shall have expansive windows, entryways, balconies, terraces or other architectural design features which are oriented to the street, pedestrian way or open spaces.
 - c. Building entrances shall be the primary feature of the front façade and identify access to individual units;
 - d. Stoops or front porches, raised a minimum of one foot above the adjacent grade, shall be provided at entrances that face a street, paseo, common open space area, or other public space.