

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **January 10, 2017 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: Bob Wily, Commissioner
10 Pledge of Allegiance: Rob Kallas, Commissioner

12 **PRESENT** **EXCUSED**

Sharon Call, Chairperson
14 Mike Marchbanks, Commissioner
Rob Kallas, Commissioner
16 Bob Wily, Commissioner
Charles Keller, Commissioner
18 Steven Johnson, Commissioner
Hugh Van Wagenen, Planning Director
20 Brandon Snyder, Associate Planner
Kathy Moosman, City Recorder

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1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.

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2. **APPROVAL OF MINUTES** – The minutes of the regular Planning Commission
26 meeting of December 13, 2016 were reviewed.

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COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
OF THE REGULAR MEETING OF DECEMBER 13, 2016, AS AMENDED.
30 COMMISSIONER KELLER SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

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

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CURRENT BUSINESS –

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4. **Minor Subdivision — Momberger Subdivision, Plat A, 81 West 600 North.**
40 Glenn Momberger requests preliminary plan approval of a two (2) lot residential
minor subdivision, at

42

Brandon Snyder, Associate Planner, opened the discussion by stating Nathan
44 Momberger is in attendance as representative of this item. Mr. Snyder then gave some
background noting this proposed subdivision was continued from the last meeting and the
46 family has re-drawn the plans. He noted an existing home is located on lot #2 where
sidewalk, curb and gutter improvements already exist along the street frontage. He then

2 mentioned the requirements of the R1-20 zone. He noted that staff will verify that any
4 remaining structures will be removed or comply with setback standards. He stated the
6 City Engineer is addressing the engineering standards and all issues will be resolved
8 before final plat approval is granted. He mentioned that previously, the City Engineer has
requested that the Planning Commission discuss the existing concrete-lined irrigation
ditch that runs to the east of the subdivision and with this proposal, the only ditch under
review is the earthen ditch in the rear yard.

10 Mr. Snyder pointed out the Lindon City Development Manual indicates that as
12 part of the preliminary plan review that the applicant show the following on the plans:
14 Location and dimensions of existing and proposed irrigation system consisting of open
16 ditches located on, adjacent to, or within 100 feet of the proposed subdivision, as well as
18 plans for relocation, covering, or other safety precautions. He explained that when an
irrigation ditch is crossed, piped or modified, approval of the owner/operator should be
documented. He mentioned that the City Engineer has also indicated that the ditch on the
east side of the subdivision is an irrigation company ditch. Mr. Snyder stated staff has
received correspondence from the irrigation company and has asked the applicant to
follow-up with the Irrigation Company. (To determine if the earthen ditch is still needed
or in use).

20 Mr. Snyder went on to explain where an existing irrigation system consisting of
22 open ditches is located on or adjacent to or within one hundred feet (100') of a proposed
24 subdivision, complete plans for relocation or covering or other safety precautions shall be
26 submitted with an application for preliminary approval of a plat. He noted that all
28 pressure irrigation systems in or within one hundred feet (100') of a proposed subdivision
shall be identified and otherwise color-coded as to pipe and valve color to meet state
standards and regulations. He then referenced the preliminary plan and subdivision plat
followed by some general discussion. Mr. Snyder stated this is a pretty straightforward
subdivision from staff's perspective and they have no major concerns. He then turned the
time over to Mr. Momberger for comment.

30 Mr. Momberger stated he really has no comments as Mr. Snyder covered it very
32 well. He noted that he views this is a simple request as they meet all the requirements.
34 He stated there is an earthen ditch that has been abandoned for the past 4 years and they
36 are confirming with the water master on this and they are waiting to hear back from him
38 but he is aware of the request. Chairperson Call asked if the ditch can be filled in. Mr.
Snyder explained where the earthen ditch is located. Mr. Momberger stated they are
hoping the ditch will be filled in and if the water master requires it they will put a culvert
in, but it is unlikely it will interfere with the house footprint. Commissioner Wily asked
when they turned the water out into the earthen ditch (in the past) if it serviced more than
the one lot west of the property. Mr. Momberger stated he believes it runs further west
and it is not piped but is a complete earthen ditch. Mr. Snyder stated staff has reached out
to the irrigation company and the only input needed tonight is if the Commission feels it
is necessary, they can put a condition in the motion that the applicant will work with the
irrigation company to resolve the need for any improvements or easements. Chairperson
Call stated this appears to be pretty straightforward but she would recommend adding the
one condition as discussed.

2 Following some additional discussion Chairperson Call asked if there were any
4 further questions or comments from the Commission. Hearing none she called for a
motion.

6 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
8 APPLICANT’S REQUEST FOR PRELIMINARY PLAN APPROVAL OF A
RESIDENTIAL MINOR SUBDIVISION INCLUDING THE LOT LINE
10 ADJUSTMENTS TO BE KNOWN AS MOMBERGER SUBDIVISION PLAT A WITH
THE FOLLOWING CONDITION: 1. THE EARTHEN DITCH BE VETTED OUT AS
12 TO WHETHER OR NOT IT NEEDS TO REMAIN IN SOME FASHION TO SERVE
THE WATER RIGHTS TO THE WEST. COMMISSIONER WILY SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

14 CHAIRPERSON CALL AYE
COMMISSIONER MARCHBANKS AYE
16 COMMISSIONER KALLAS AYE
COMMISSIONER WILY AYE
18 COMMISSIONER KELLER AYE
COMMISSIONER JOHNSON AYE

20 THE MOTION CARRIED UNANIMOUSLY.

22 5. **Major Subdivision — Anderson Farms Subdivision, Plat B, 330 North 1500**
24 **West.** Ken Watson, on behalf of Ivory Development, LLC, seeks preliminary plan
approval of a forty-eight (48) lot (and one parcel “A”) subdivision, including
26 dedication of public streets, at approximately 330 North 1500 West, in the
Anderson Farms Planned Development (AFPD) zone. Recommendations will be
forwarded to the City Council for final approval.

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30 Hugh Van Wagenen, Planning Director, gave an overview of this item stating the
applicant, Ken Watson is in attendance representing Ivory Development. He explained
32 this is the second phase of the Anderson Farms Planned Development which was
approved by the Development Agreement between Lindon City and Ivory Development,
34 last year. He mentioned that Plat B consists of 48 units in what is considered Parcel B of
the Anderson Farms concept plan.

36 Mr. Van Wagenen then gave some statistics noting the development of Anderson
Farms is governed by the Anderson Farms Master Development Agreement and all
standards referred to tonight is part of that Agreement. He noted the average lot size of
38 Plat B is 7,426 s.f. with the largest lot being 11,509 s.f. and the smallest being 6,127 s.f.
and these lots are consistent with the concept plan. Parcel A is a storm water detention
40 basin and is a non-buildable parcel. New roads will be built to serve the subdivision
including a portion of Anderson Blvd. which will tie in to the existing 500 North and the
42 associated round about. Curb, gutter and sidewalk will be installed along the new local
streets in addition to six foot planter strips. He added there are several different cross
44 sections for this phase.

46 Mr. Van Wagenen pointed out this second plat will require a combination sewer,
ground water, and pressure irrigation system pump station with associated off-site lines to
be built (they were also required for Plat A) and once built, this infrastructure will serve

2 the remainder of the development. He noted these systems will need to be operational
4 before any certificates of occupancy are approved and no park improvements are required
6 at this time. He then referenced an aerial photo of the proposed subdivision, the concept
8 plan, preliminary Anderson Farms Plat B, street cross sections and the off-site utility
maps followed by some general discussion. Mr. Van Wagenen made mention that the
Planning Commission will be making their recommendations to the City Council. He
then turned the time over to the applicant for comment.

10 Mr. Watson stated they are underway with Plat A with the utilities in the ground.
12 They are just waiting for some good weather to do the paving and concrete work, but it
14 will happen in the early spring. The pump station is designed and underway. The offsite
utilities are about 80% in. They own a 1/3 of the park now and will soon own another 1/3
of the park and once they buy property further to the north they will own all of the park
and will then build the park and the detention pond (detention pond will be first).

16 There was then some general discussion regarding building the phases (Plat A and
18 Plat B), the park, cross sections, paving and the pump station. Chairperson Call pointed
20 out what is being approved tonight is the 48 lot residential housing subdivision. Mr. Van
22 Wagenen added, by way of information, they have had some inquiries from residents in
24 the area about the roadway elevation that is already built. He clarified that there will be a
26 grade difference to accommodate the sewer (walkout basements) so the existing homes
will be a bit higher. Chairperson Call then mentioned the conditions that staff has
28 suggested be included in the motion as follows: 1. Address storm drainage concerns of
the city engineer. 2. Developer be responsible to pump groundwater collected by the land
drain system until the groundwater pump station is operational. 3. Off-site sewer, ground
water, and pressure irrigation system pump station and off-site sewer force main and
pressure irrigation line shall be constructed and functional before any homes can be
occupied or culinary water service is provided to any homes. Mr. Watson stated they are
aware of these items and all conditions will be completed and dealt with.

30 Chairperson Call asked if there were any further questions or comments from the
Commission. Hearing none she called for a motion.

32 COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL OF
34 THE APPLICANT'S REQUEST FOR APPROVAL OF A 48 LOT RESIDENTIAL
SUBDIVISION TO BE KNOWN AS ANDERSON FARMS PLAT B WITH THE
36 FOLLOWING CONDITIONS: 1. ADDRESS STORM DRAINAGE CONCERNS OF
THE CITY ENGINEER. 2. DEVELOPER BE RESPONSIBLE TO PUMP
38 GROUNDWATER COLLECTED BY THE LAND DRAIN SYSTEM UNTIL THE
GROUNDWATER PUMP STATION IS OPERATIONAL. 3. OFF-SITE SEWER,
40 GROUND WATER, AND PRESSURE IRRIGATION SYSTEM PUMP STATION
AND OFF-SITE SEWER FORCE MAIN AND PRESSURE IRRIGATION LINE
42 SHALL BE CONSTRUCTED AND FUNCTIONAL BEFORE ANY HOMES CAN BE
OCCUPIED OR CULINARY WATER SERVICE IS PROVIDED TO ANY HOMES.
COMMISSIONER KELLER SECONDED THE MOTION. THE VOTE WAS
44 RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
46 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE

2 COMMISSIONER WILY AYE
COMMISSIONER KELLER AYE
4 COMMISSIONER JOHNSON AYE
THE MOTION CARRIED UNANIMOUSLY.

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6. **Site Plan – Aquatherm Color Scheme Change, 825 West 600 North.**

8 Aquatherm requests review of a proposed color scheme change for the Aquatherm
office/warehouse, 73,000 sq. ft., located at 825 West 600 North in the Mixed
10 Commercial (MC) zone.

12 Mr. Van Wagenen led this discussion by stating the Aquatherm office/warehouse
building received architectural treatment approval April 26, 2016 with the proposed dark
14 gray, light gray, and emerald green (trim) colors. Since that time, the color scheme has
changed, with blue trim around the windows replacing some emerald trim. He noted the
16 developer is requesting permission to proceed with the new color scheme. Mr. Van
Wagenen stated for the MC zone the architectural design requirement states that concrete
18 tilt-up buildings shall comply with the following standards:

- 20 a. Painted or colored concrete exteriors are permitted. The shade of each
color must be consistent.
- 22 b. Bare concrete exteriors are not permitted.
- 24 c. The exterior of a concrete tilt-up building shall be finished with additional
architectural details such as entrance canopies, wrought iron railings and
finishes, shutters, multi-level porches, metal shades, and metal awnings.

26 Mr. Van Wagenen stated they have had several comments regarding the new paint
colors so they brought this back before the Commission for review. Mr. Van Wagenen
28 then referenced for discussion the original approved color scheme/palette and the new
proposed color scheme. Following some additional discussion Commissioner Kallas
30 recommended, in moving forward, that staff remind applicants to adhere to what was
approved. Chairperson Call mentioned her reasoning for going ahead with the colors is
32 because it is their company logo colors and suggested approving it but to make it clear
this is not protocol. Mr. Van Wagenen stated they will put the protocol in place.

34 Chairperson Call asked if there were any further questions or comments from the
Commission. Hearing none she moved on to the next agenda item.

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7. **Concept Review – Legacy Plaza, 730 N. State Street.** Roy Morgan, Roy’s Auto
38 Services, requests feedback on proposed improvements and zoning for automotive
repair at 730 N. State Street. The property is currently in the General Commercial
40 (CG) zone. General Auto/Vehicle Repair is not a permitted use in the CG zone. As
a concept review, feedback is requested but no formal action will be taken.

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44 Mr. Van Wagenen stated Mr. Roy Morgan is in attendance representing this
agenda item. He noted that commercial land uses provide a variety of goods and services
to the people and community and the purpose of the commercial area to provide areas in
46 appropriate locations where a combination of business, commercial, entertainment, and

2 related activities may be established, maintained, and protected. He noted commercial use
areas should be located along major arterial streets for high visibility and traffic volumes.

4 Mr. Van Wagenen stated the General Commercial category includes retail and
service oriented businesses, and shopping centers which serve community and regional
6 needs. Includes areas typically zoned CG, PC-1, and PC-2. The goal of commercial
development is to encourage the establishment and development of basic retail and
8 commercial stores which will satisfy the ordinary and special shopping needs of Lindon
citizens, enhance the City's sales and property tax revenues, and provide the highest
10 quality goods and services for area residents. Objectives of this goal are to accomplish
the following:

- 12 1. Expand the range of retail and commercial goods and services available within the
community.
- 14 2. Promote new office, retail, and commercial development along State Street and
700 North.
- 16 3. Encourage development of commercial facilities, such as hotels, restaurants and
vehicle related services at transportation interchanges.

18 Mr. Van Wagenen went on to say the Commercial Ordinance is established to
20 promote commercial and service uses for general community shopping. The objective in
establishing commercial zones is to provide areas within the City where commercial and
22 service uses may be located. These zones include the General Commercial Zones (CG,
CG-A, CG-A8, CG-S) Lindon Village Commercial Zone and the Planned Commercial
24 (PC-1 and PC-2) Zones. He noted that the applicant is essentially interested in
demolishing the buildings on site and re-developing the property to run an auto repair
26 business that specializes in Volvo's. He then referenced the concept plan. He then turned
the time over to the applicant for comment.

28 Mr. Morgan stated this is will be a non-traditional automotive shop and they will
run a nice, clean business. There will be a front and rear entrance so a future use for
30 office warehouse is a possibility. He noted the real question tonight is if this proposal is a
possibility to pursue according to this property use. Mr. Morgan stated, if approved, he
32 will re-locate his current shop from the Orem location to Lindon. Chairperson Call
questioned if this were to be approved would it be a conditional use (for automotive use)
34 on the property and if that condition would run with the property. Mr. Van Wagenen
stated if the Commission is in favor of this proposal it would require an ordinance/code
36 change to essentially open up automotive repair on the entire corridor or some other
means of allowing that use to happen on this site. Mr. Van Wagenen also pulled up the
38 google map of the existing property to gain a perspective.

Chairperson Call asked if an ordinance change would allow automotive shops all
40 along State Street and 700 North. Mr. Van Wagenen stated that would be the simplest
approach but they could also make it a permitted use and have specific paragraphs that
42 would address general vehicle repair where they would have to meet additional standards
to do that type of operation. Mr. Van Wagenen pointed out that the crux of the question
44 is if the Commission wants to entertain the idea of allowing general vehicle repair in the
general commercial zone or not.

46 Commissioner Marchbanks pointed out these small parcels are awkward and even
though there are hopes for great businesses to come in on State Street in the last five

2 years there have been mainly car dealerships some in. He pointed out that State Street is a
4 whole different animal from 700 North. He feels if the existing buildings were
6 demolished and a new maintenance facility put in it would definitely be an improvement
8 statement adding it seems that what is allowed on State Street is very restrictive. There
was then some additional discussion regarding this concept including the past reasons
that automotive repair shop use was eliminated along State Street.

10 Mr. Van Wagenen asked the Commission what would need to happen with the
12 ordinance to allow general vehicle repair and to mitigate the concerns of open ended
14 operations. Chairperson Call stated she feels standards would need to be set similar to the
used car lot standards to guarantee they meet the guidelines. There was then some
additional discussion of possible/suggested standards to put in place. Mr. Van Wagenen
stated the applicant intends to bring this concept to the City Council for feedback.

16 Following discussion the Commission agreed that this concept is something that
warrants further consideration and discussion and suggested that Mr. Morgan take this
concept to the City Council for review and feedback.

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20 **8. Review & Action — 2017 Chair and Vice-chair elections.** The Planning
Commission will hold elections for the positions of Chair and Vice-chair for 2017.

22 Hugh Van Wagenen, Planning Director, stated the election for the positions of
24 Chair and Vice-chair for 2017 was postponed from the last meeting in order to have a full
quorum. Following some general discussion the Commission was in agreement to elect
26 Sharon Call as Chairperson for 2017 and to elect Rob Kallas as the 2017 Vice-Chair. At
this time city staff and the Commission expressed their appreciation to Chairperson Call
for her willingness to serve and the professionalism she brings to the Chairperson
28 position.

30 Chairperson Call asked if there were any further questions or comments from the
Commission. Hearing none she called for a motion.

32 COMMISSIONER KALLAS MOVED TO ELECT SHARON CALL AS 2017
34 PLANNING COMMISSION CHAIR AND ROB KALLAS AS VICE CHAIR FOR
2017. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE
WAS RECORDED AS FOLLOWS:

36 CHAIRPERSON CALL AYE
COMMISSIONER MARCHBANKS AYE
38 COMMISSIONER KALLAS AYE
COMMISSIONER WILY AYE
40 COMMISSIONER KELLER AYE
COMMISSIONER JOHNSON AYE
42 THE MOTION CARRIED UNANIMOUSLY.

44 **12. New Business: Reports by Commissioners** – Chairperson Call called for any new
46 business or reports from the Commission. Commissioner Marchbanks asked when
the new Public Safety Building will be completed and occupied. Mr. Van
Wagenen stated he believes they will be in by the end of January noting there will

2 be an upcoming open house to dedicate the building. Chairperson Call asked for an
4 update on the recent boil order noting she attended the city council meeting where
6 they were briefed on the issue. Mr. Van Wagenen noted the city is taking proactive
8 steps to ensure this will not happen in the future including implementing a
10 chlorination process. Chairperson Call also commented that the employee
12 Christmas party was a very nice event with a large turnout. Commissioner
Johnson mentioned road conditions and asked for an update on roads.
Councilmember Bean stated the City Council will be having another discussion at
the next city council meeting on road maintenance including options for road
funding. He added that the Council is well aware of this issue and will be working
on this important issue in 2017.

14 13. **Planning Director Report** – Mr. Van Wagenen reported on the items listed below
16 followed by general discussion. The Commissioners also prioritized the items in
preferred order for future discussion as follows:

- 18 • Architectural standards – first priority
- General plan update – second priority
- 20 • LED signs – third priority

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

24 **ADJOURN** –

26 COMMISSIONER KELLER MADE A MOTION TO ADJOURN THE
28 MEETING AT 8:55 P.M. COMMISSIONER WILY SECONDED THE MOTION.
ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

30 Approved – January 24, 2017

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34 _____
Sharon Call, Chairperson

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38 _____
Hugh Van Wagenen, Planning Director