

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
3 **March 13, 2018 beginning at 7:00 p.m.** at the Lindon City Center, City Council  
4 Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 7:00 P.M.**

8 Conducting: Sharon Call, Chairperson  
9 Invocation: Charlie Keller, Commissioner  
10 Pledge of Allegiance: Rob Kallas, Commissioner

12 <b><u>PRESENT</u></b>	<b><u>EXCUSED</u></b>
13 Sharon Call, Chairperson	13 Steven Johnson, Commissioner
14 Mike Marchbanks, Commissioner	
15 Rob Kallas, Commissioner	
16 Charlie Keller, Commissioner	
17 Mike Vanchiere, Commissioner – arrive 8:05	
18 Hugh Van Wagenen, Planning Director	
19 Brandon Snyder, Associate Planner	
20 Kathy Moosman, Recorder	

- 22 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
- 24 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the  
25 Planning Commission meeting of February 27, 2018 were reviewed.

26  
27 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES  
28 OF THE REGULAR MEETING OF FEBRUARY 27, 2018 AS PRESENTED.  
29 COMMISSIONER KELLER SECONDED THE MOTION. ALL PRESENT VOTED IN  
30 FAVOR. THE MOTION CARRIED.

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

36 *At this time Chairperson Call requested that the agenda order be changed to move*  
37 *to agenda item #5 and then return to the regular agenda order. The Commission was in*  
38 *agreement to amend the agenda order.*

40 **CURRENT BUSINESS** –

- 42 4. **Minor Subdivision — Fryer Lane Subdivision, Plat A, 285 East 200 North.**  
43 Gary Fryer requests preliminary plan approval of a two (2) lot minor subdivision  
44 plat, which will include dedication of a public street. The subdivision will consist  
45 of 1.07 acres (Utah County Parcel #14-071-0244) in the Single Family Residential  
46 (R1-20) zone. Lot 2 is a proposed flag lot.

2 Brandon Snyder, Associate Planner gave a brief background of this item stating  
3 this is a request to create two lots in the Single Family Residential (R1-20) zone. The  
4 Lindon City Street Master Plan Map (September 2016), indicates 200 North is a Local  
5 Street. The local street cross-section is 50' in width (34' of asphalt). He noted the Single  
6 Family Residential Zones (R1) are established to provide areas for the promotion of an  
7 environment for family life by providing for the establishment of one (1) family detached  
8 dwellings on individual lots that are separate and sheltered from non-residential uses  
9 found to be inconsistent with traditional residential lifestyles customarily found within  
10 Lindon City's single-family neighborhoods. He explained that public improvements  
11 (curb, gutter, and sidewalk) already exist along the south side of 200 North (Browns  
12 Homestead Subdivision, Plat A) and this proposal includes the installation of the public  
13 improvements on the north side. He indicated that Flag lot regulations are found in  
14 Lindon City Code 17.32.320 Flag Lots.

15 Mr. Snyder went on to say the Planning Director and City Attorney are currently  
16 working with the property owners to address all code violations. He stated the minimum  
17 lot size in the R1-20 zone is 20,000 square feet and (Lot 1) is 20,114 square feet. The  
18 minimum lot size in the R1-20 zone for a flag lot is 20,000 square feet (building area)  
19 which does not include the area of any driveway access (flag pole) for the flag lot and  
20 (Lot 2) is a total of 23,468 square feet with a building area of 20,153 square feet. The  
21 minimum lot frontage along a public street is 50 feet and (Lot 1) is 152 feet. The  
22 minimum lot frontage along a public street for a flag lot is 25 feet in order to provide  
23 access and (Lot 2) is 25 feet. The minimum lot width of one hundred (100) feet  
24 (measured at front yard setback) and (Lot 1) is 152 feet. The minimum lot depth is 100  
25 feet and Lot 1 is 132 feet and Lot 2 is 113 feet. The maximum lot width/depth ratio is no  
26 more than three times as long as it is wide (both lots comply).

27 Mr. Snyder stated staff has determined that the proposed subdivision complies or  
28 will be able to comply before final approval with all remaining land use standards. He  
29 noted the City Engineer is addressing engineering standards and all engineering issues  
30 will be resolved before final approval is granted. He pointed out that this is a pretty  
31 straightforward minor subdivision request.

32 Mr. Snyder then referenced the applicable codes as follows:

33 *LCC 17.32.320 Flag Lots.*

- 34
- 35 1. Purpose. Flag lots are intended to allow reasonable utilization of property that has  
36 sufficient acreage for development but lacks the required street frontage. Flag lots  
37 may be considered on parcels where the extension of public streets cannot or  
38 should not be extended due to the disruption of sensitive lands and natural  
39 features, or potential of significant impacts to the surrounding neighborhood that  
40 would be caused by a public street. Although standard frontage requirements and  
41 public roadways are encouraged, the intent of this ordinance is to allow flag lots if  
42 the development is the most harmonious to the existing subdivision layout and/or  
43 is the least disruptive configuration for the neighborhood. Additionally, flag lots  
44 may be considered for properties that have topographic constraints, off lot  
45 configuration, constraints caused by the built environment, etc. for which access  
46 by a public road is not feasible. It is not the intent of this ordinance to promote flat

- 2 lots in order to merely ‘maximize’ the number of potential lots within a  
subdivision or to alleviate subdividing hardships that are self-imposed.
- 4 2. Flag lots are only permitted when one of the following two circumstances exists:
- 6 a. At the time of application, development using standard public streets is not  
possible. The property has specific constraints that limit access, public  
8 street frontage, and/or construction of a standard public roadway. These  
abnormal constraints may be restrictive topography, constraints caused by  
10 built environment, irregular lot configuration, ownership limitations,  
environmental constraints such as wetlands, springs, ditches, or canals,  
etc.
- 12 b. Development using standard public streets is possible, but not in the best  
interest of the public.
- 14 3. In order to demonstrate that this circumstance exists, the applicant shall provide  
conceptual development plans showing the development with and without the  
16 proposed flag lot that demonstrate that each of the following characteristics is  
present:
- 18 a. The design of the flag lot is harmonious and compatible with the  
configuration of the overall subdivision and/or neighborhood and will not  
20 adversely affect the living environment of the surrounding area.
- 22 b. Standard public street construction would cause disruption to the  
neighborhood in a significant physical or aesthetic manner, therefore  
making the flag lot access preferable to a public street.
- 24 c. Development of the flag lot will decrease public infrastructure while still  
providing in-fill development and efficient use of the land that is  
26 compatible with Lindon City development standards
- 28 4. Frontage, driveway and development procedures apply as follows:
- 30 a. Prior to recording the subdivision plat, the developer shall post a bond  
with the City to cover installation of the driveway and utilities to the end  
of the ‘flag pole’ portion of the lot.
- 32 b. Prior to issuance of a building permit for a dwelling on the flag lot,  
installation of road base for the driveway and utilities shall be installed to  
at least the end of the ‘flag pole’ portion of the lot.
- 34 c. The driveway serving the flag lot must have a surface traversable by a fire  
truck that is at least twenty (20) feet wide, of which 16 feet must be paved  
36 with a hard surface prior to the issuance of a Certificate of Occupancy for  
the proposed dwelling. Where a fire hydrant is located along the ‘flag  
38 pole’ portion of the lot the width of the lot adjacent to the fire hydrant  
must be thirty-one (31) feet wide (rather than 25 feet wide), and the  
40 surface traversable by a fire truck must be at least 26 feet wide (rather than  
twenty (20) feet wide).
- 42 d. Prior to issuance of a Certificate of Occupancy for a dwelling on a flag lot,  
the edges of the driveway area (flag pole) that are not paved shall be  
44 landscaped and properly maintained. Such landscaping shall not hinder  
emergency vehicle access to the property.
- 46 e. No parking or storage of any kind shall be allowed on the designated  
driveway.

- 2 f. A flag lot driveway shall not serve more than one lot and shall have no  
4 more than one dwelling unit and an accessory apartment per lot. Other  
6 than accessory apartments, R2 Overlay projects are not permitted on flag  
8 lots.
- 6 5. Setbacks for the residence on the flag lot shall be defined as follows: Front yard  
8 setback shall be 30 feet, rear yard setback shall be 30 feet, and side yard setbacks  
10 shall be 15 feet on each side yard of the dwelling unit. Minimum setbacks shall be  
12 noted on the subdivision plat.
- 10 6. In addition to the minimum requirements above, the Planning Commission and  
12 City Council may impose additional conditions on flag lots including, but not  
14 limited to, the following:
- 14 a. Fencing and screening requirements.
  - 16 b. Installation of one or more fire hydrants or other safety related items.
  - 16 c. Installation of curb and/or gutter along private drives.
  - 18 d. Other conditions that increase the compatibility of the proposed project  
with existing conditions and surroundings.

18 Mr. Snyder then presented an aerial of the site, the proposed subdivision and  
20 photos followed by some general discussion. He then turned the time over to the  
22 applicant for comment. Todd Dudley, was in attendance representing Gary Fryer, the  
24 applicant. He noted this is a good size lot and it is his understanding that they want it to  
face Mt. Timpanogos. Mr. Snyder also mentioned an email sent to the commission with  
some public comments.

26 Chairperson Call noted this is not a public hearing but the Commissioners will  
hear any comments at this time. There were several residents in attendance who  
addressed the commission as follows:

28 **Jim Jensen:** Mr. Jensen stated he lives across the street to the south of the property in  
30 question. He questioned if the street is going to be widened (full-width road) with  
sidewalk curb and gutter. Mr. Snyder confirmed that statement. He also stated because it  
32 is a flag lot it will be a private lane not a through street; in essence it will be a driveway.  
Mr. Snyder also read the code section LCC 17.32.320 Flag Lots.

34 **Mort Ireland:** Mr. Ireland stated he is happy that the street will be widened with a  
36 sidewalk, but this property has been a source of frustration to the neighborhood for many  
years. He has concerns if it is built and then some family member moves in and the back  
38 lot with all the junk stays as it has been and is never cleaned up; this is a concern; he  
would like to see it cleaned up (the Quonset hut removed specifically). Mr. Snyder  
40 pointed out that any nuisance violations would be provided to the city attorney for  
ongoing compliance.

42 **Mike Schwartz:** Mr. Schwartz commented that he assumes that the Quonset hut would  
44 have to be removed.

46 Chairperson Call pointed out this meets the ordinance requirements with nothing  
48 out of compliance as far as the two-lot subdivision approval. Mr. Snyder stated one  
condition that would be appropriate would be to require that the Quonset hut be removed

2 before the recordation of the plat. He pointed out fencing/screening is not a standard  
4 requirement but the Planning Commission or City Council may impose the  
fencing/screening requirement if they so choose.

6 Chairperson Call asked if there were any further comments or discussion.  
Hearing none she called for a motion.

8 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE  
10 APPLICANT’S REQUEST FOR PRELIMINARY PLAN APPROVAL OF A TWO (2)  
12 LOT RESIDENTIAL SUBDIVISION, TO BE KNOWN AS FRYER LANE  
14 SUBDIVISION, PLAT A, WITH THE FOLLOWING CONDITION THAT PRIOR TO  
RECORDATION OF THE PLAT THE QUONSET HUT BE REMOVED FROM THE  
PROPERTY AND ANY AND ALL VIOLATIONS WITH THE CITY WILL BE  
REMEDIED. COMMISSIONER KALLAS SECONDED THE MOTION. THE  
VOTE WAS RECORDED AS FOLLOWS:

16 CHAIRPERSON CALL AYE  
18 COMMISSIONER MARCHBANKS AYE  
20 COMMISSIONER KALLAS AYE  
COMMISSIONER KELLER AYE  
THE MOTION CARRIED UNANIMOUSLY.

22 5. **Concept Review — Premier Building Supply, 40 North Geneva Road.** John  
24 Colaizzi requests feedback before applying for a Conditional Use Permit to  
operate a storage yard for home trusses and, eventually, a building to operate  
garage door distribution.

26  
28 Brandon Snyder, Associate Planner began by giving a brief overview of this item  
noting a Concept Review allows applicants to quickly receive Planning Commission  
and/or City Council feedback and comments on proposed projects. He noted no formal  
30 approvals or motions are given, but general suggestions or recommendations are typically  
provided. Mr. Snyder stated this proposal is located at approximately 40 North Geneva  
32 Road. He explained Premier Building Supply is currently operating a truss plant on the  
property to the south across Center Street. He noted this location is not large enough to  
34 meet current business demand and they would like to expand to the property to the north  
to use as storage for the trusses. He pointed out that no building would be erected at this  
36 time. Chairperson Call invited the applicant, Mr. John Colaizzi forward at this time.

38 Mr. Snyder pointed out that outdoor storage is a conditionally permitted use in the  
Light Industrial zone. He added at some point in the future, the company would like to  
locate their garage door distribution operation to this site as well which would involve a  
40 new site plan and building and require additional approvals from the City. He stated Mr.  
Colaizzi is looking for feedback on how a Conditional Use Permit application would be  
42 received by the Planning Commission. Mr. Snyder then referenced applicable laws and  
standards of review. Mr. Snyder also presented a map of the current location of Premier  
44 Building Supply and 40 N. Geneva Rd. and the applicant’s comments and concept sketch  
followed by discussion. He then turned the time over to the applicant for comment. Mr.  
46 Colaizzi addressed the Commission at this time.

48 Mr. Colaizzi stated they have a garage door department located in American Fork  
and they would like to consolidate it at the truss plant in Lindon. He noted they are

2 warehousing a lot of garage door panels right now and in the interim they are cramped at  
the Lindon facility and capacity is limited of what their current volume could be. He  
4 indicated they would be adding in the next 12 months an additional 12 million in sales to  
this location. He is asking for any feedback to make sure this is something that could  
6 work. Mr. Colaizzi stated the property is under contract pending a conditional use permit  
to store trusses on the site. There was then some discussion on landscaping requirements,  
8 the impact of truck traffic and also some renovations made to the sidewalk. Mr. Colaizzi  
stated they are willing to do whatever is required by the city to ensure that this works and  
10 they are in compliance. He pointed out prior to their purchase of the property it was a  
junk yard and they spent \$80,000 just cleaning up the property. He noted the storage of  
12 trusses will not present any hazards to individuals.

Commissioner Kallas asked staff if we can give a temporary permit so Mr.  
14 Colaizzi won't have to go to the expense of landscaping until he comes back with a site  
plan. Commissioner Marchbanks pointed out it wouldn't make sense to landscape before  
16 he builds. Chairperson Call stated there should be a time condition included if that  
occurs. Mr. Van Wagenen stated they can grant a CUP with conditions and if the  
18 conditions are not fulfilled within a certain time frame the CUP can be revoked.

There was then some additional discussion regarding possible landscaping  
20 conditions and screening. Mr. Colaizzi asked if the landscaping could be decorative rock  
or a xeriscape that wouldn't have to be watered that would be sufficient until the time  
22 they improve the property. Chairperson Call stated there are landscaping requirements  
and some percentage has to be living vegetation. Mr. Colaizzi pointed out they have  
24 given Ernest money (\$400,000) that will go hard on March 28<sup>th</sup>. Mr. Colaizzi stated they  
are hoping to be ready by the March 27<sup>th</sup> planning commission meeting so timing is  
26 pretty important. Following discussion, the Commission agreed they like the temporary  
permit option with a time restriction (2-year).

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

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- 32 **6. Discussion Item — Lindon City Street Cross-Sections.** Lindon City Planning &  
Economic Development Director, Hugh Van Wagenen, will review Lindon City  
Street Cross-Sections with the Planning Commissioners. This is an informative  
34 discussion item only. No motions will be made.

36 Mr. Van Wagenen explained for many years Lindon City has had a local street  
standard that has a combination pavement/curb/gutter/sidewalk. He pointed out that  
38 periodically developers in Lindon have requested a modification to that standard to  
include a parkstrip between the curb and the sidewalk. Staff is asking for Planning  
40 Commission feedback on a possible adoption to improve standard cross sections that does  
include a parkstrip.

42 Mr. Van Wagenen stated for discussion purposes tonight he has provided  
examples of different cities local street cross sections. He noted that currently, every  
44 street in the City is intended to be built out with full improvements on both sides of the  
road. He stated staff is requesting feedback on certain streets within Lindon that may be  
46 candidates to *not* install full street improvements at any time. He then referenced the  
examples as 135 West, 150 East, 300 West, Lakeview Road (north side), and Main Street  
48 between Center Street and 400 North followed by some general discussion.

2 Mr. Van Wagenen also referenced the following:

1. Local street standard widths
  - 4 a. Lindon
  - 6 b. Anderson Farms (Lindon)
  - 8 c. Bluffdale
  - 10 d. Provo
  - 12 e. Sandy
  - 14 f. Spanish Fork
  - 16 g. Springville
2. Lindon examples of existing parkstrips
  - 18 a. 10 South
  - 20 b. 200 South
  - 22 c. 550 North
  - 24 d. 850 East
3. Candidates for no future improvements
  - 26 a. 135 West
  - 28 b. 150 East
  - 30 c. 300 West
  - 32 d. Lakeview Road
  - 34 e. Main Street
4. Lindon Street Master Plan

24 Following some general discussion, the Commission was in agreement that they  
26 really like the park strips and agreed they would go well with the model of the city, but  
28 they also agreed there should be some restrictions in place. There was then some  
30 additional discussion including liability and negligence issues, park strip widths and  
32 easements. Mr. Van Wagenen stated they will gather more information and bring it back  
before the Commission for review.

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

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34 7. **New Business: Reports by Commissioners** – Chairperson Call called for any  
new business or reports from the Commissioners. There were no comments or  
reports from Commissioners at this time.

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38 8. **Planning Director Report** – Mr. Van Wagenen reported on the following items  
followed by discussion.

- 40 • Central Utah Valley Transportation Summit, Provo, UT, March 21, 2018
- 42 • American Planning Association-Utah Spring Conference, Hurricane, UT  
April 12-13, 2018
- 44 • Legislative Updates

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

48 **ADJOURN** –

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COMMISSIONER KELLER MADE A MOTION TO ADJOURN THE MEETING AT 8:50 PM. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – March 27, 2018

\_\_\_\_\_  
Sharon Call, Chairperson

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Hugh Van Wagenen, Planning Director