

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **April 11, 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: Mike Marchbanks, Commissioner
10 Pledge of Allegiance: Rob Kallas, Commissioner

12 **PRESENT** **EXCUSED**

Sharon Call, Chairperson
14 Rob Kallas, Commissioner
Mike Marchbanks, Commissioner
16 Bob Wily, Commissioner
Charles Keller, Commissioner
18 Steven Johnson, Commissioner
Mike Vanchiere, Commissioner
20 Hugh Van Wagenen, Planning Director
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 meeting of the
26 Planning Commission meetings of March 14, 2017, and March 28, 2017 were
reviewed.

28

COMMISSIONER KELLER MOVED TO APPROVE THE MINUTES OF THE
30 REGULAR MEETING OF MARCH 14, 2017 AND MARCH 28, 2017 AS
PRESENTED. COMMISSIONER KALLAS SECONDED THE MOTION. ALL
32 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

34 3. **PUBLIC COMMENT** – Chairperson Call called for comments from any
audience member who wished to address any issue not listed as an agenda
36 item. There were no public comments. Chairperson Call also welcomed the
scout troop in attendance.

38

CURRENT BUSINESS –

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4. **Site Plan Amendment — Wadley Farms, 47 East 400 North.** Alan Colledge
42 requests amended site plan approval for a 5,500 square foot addition to the
Wadley Farms Castle, to be located at approximately 47 East 400 North (Utah
44 County Parcel #14:071:0160) in the Commercial Farm zone.

46 Hugh Van Wagenen, Planning Director, opened this discussion by inviting the
applicant, Alan Colledge, forward. He began by giving some background of this

2 application noting this is an amended site plan application for an approximately 5,000
square foot addition to an existing approximately 9,000 square foot building know as the
4 Castle with new total square footage of about 14,500 square feet. The site is located in
the Commercial Farm (CF) zone which allows commercial buildings up to 35 feet in
6 height with architectural elements as high as 45 feet. The “Castle” is an event center
building essentially constructed to accommodate large groups at one time. He then
8 presented an aerial photo showing the north side of the existing structure where the
proposed addition wing will be and the view looking south. He noted the addition will
10 match the Castle as it currently exists.

Mr. Van Wagenen stated they are providing vehicle parking for up to 1,645
12 persons with 470 ADA spaces (2% of total) with 20 Bicycle spaces (8% of total vehicle
spaces or 16 max) is not required in the CF zone. He noted the Commercial Farm zone
14 requires a six (6) foot high site obscuring fence to be constructed and maintained along
any property line between a residential use or residential zone and a commercial building
16 in the CF zone when the commercial building is closer than 30' from the property line.
The fence shall be placed along the property line at an area parallel to the commercial
18 building and shall extend a minimum of 50' along the property line from both directions
from the ends of the building. There is also an existing eight (8) foot masonry wall
20 extends beyond the required 50 feet for the new addition. A chain link fence with a site
obscuring fabric also extends from the southern end of the existing building to the
22 masonry wall.

Mr. Van Wagenen went on to say any commercial structure closer than 30' to a
24 residential use or residential zone shall provide a minimum 10' wide tree-lined buffer
from the commercial building to the adjacent residential use or zone. Trees shall be
26 planted at least every 10' along the buffer area adjacent to the residential use or
residential zone. He noted there are no plans for a tree-lined buffer have been provided
28 for the new addition. Mr. Van Wagenen then referenced the rendering and picture of
existing building. He noted the Commercial Farm zone does not have any architectural
30 standards. He noted there are no changes to any utility or other surface improvements that
require engineering review on this amendment.

Mr. Van Wagenen further stated staff received an email from a neighbor who
32 wished to remain anonymous. The email stated concerns about the expanding nature of
the commercial operations of Wadley Farms including the expanding parking lot,
34 continued construction, and noise from events on the farm. He added that there were also
letters submitted today showing support of the addition and the farm.
36

Mr. Van Wagenen then referenced for discussion an aerial photo of the site and
38 surrounding area, photographs of the existing site and building, the parking plan,
architectural rendering and elevations, and the fencing and screening diagram. He then
40 turned the time over to Mr. Colledge for his presentation and comment.

Mr. Colledge gave a brief presentation showing the history of Wadley Farms
42 including their long term goals to maintain the history and legacy of the property. He
noted they need more space in the Castle for storage and for entertaining larger
44 audiences. They are also considering the idea of a “farm to table” concept and perhaps
have a small restaurant. In the last three months they have hosted several entertainment
46 personalities including the “piano guys” and Lexi Walker and Jenny Oaks. This helps to

2 make a unique venue for Lindon and helps to maintain the “little bit of country” feel in
the city.

4 Chairperson Call questioned the tree buffer. Mr. Colledge explained the properties
he owns and the borderlines. He noted they are putting pine trees in on the left (other
6 side of the fence) that will obscure and provide a buffer. Mr. Van Wagenen read the code
language pertaining to landscaping in the Commercial Farm zone and the intent of the
8 code to provide the buffer. He noted the landscape easement on the flag lot is in favor of
the farm lot and castle and what is maintained there. Commissioner Marchbanks
10 questioned if there could be a landscape easement being that he owns both properties and
would it be a permanent solution that couldn’t go away. Chairperson Call asked if that
12 would need to be a condition of approval. Mr. Van Wagenen confirmed that statement.

Commissioner Marchbanks also suggested planting climbing ivy instead of trees.
14 Commissioner Keller questioned if there are any other options. Mr. Van Wagenen stated
he is not an arborist so he is not sure what species would fit in that space etc., but it could
16 be researched. He explained the stated purpose is to create the visual buffer and the code
is pretty clear about what the standard is. Commissioner Kallas stated he doesn’t believe
18 it’s reasonable to expect trees to be planted there as they will not thrive. Commissioner
Kallas also suggested researching other options including the ivy covered trellis etc. Mr.
20 Van Wagenen stated if there is a landscape easement done it would need a property
description of the area of the land being preserved that would mirror what is in the
22 ordinance and in the event the property is sold that easement would remain and it would
not remove any square footage from the property but would restrict it to that landscape
24 easement.

Commissioner Wily questioned if Mr. Colledge decides to sell the residential lot
26 and remove the easement couldn’t he come in and ask that the easement be removed and
provide some alternative buffering. Mr. Van Wagenen confirmed that is a possibility.

28 Chairperson Call asked how the condition would be worded. Mr. Van Wagenen
stated the condition of approval should state that the 10 ft. wide landscape easement
30 adjacent to the castle be provided on the property with serial #403750001 and be
reviewed by staff before being recorded. Mr. Colledge disclosed the lot behind him is his
32 retirement and he is not sure how this easement would be handled by the Bank of Utah.
He added that he could certainly plant the English Ivy that would make a great green
34 screen buffer and he will also put in the trees. Commissioner Keller questioned if this
ordinance we are dealing with now is fairly new. Mr. Van Wagenen stated it has been on
36 the books for 6 years. At this time Chairperson Call asked if there were any other public
comments.

38 Russell Rogers, a neighbor to the property in question, asked why the buffer has
to obscure the building as it is a nice looking building. Chairperson Call stated it is
40 because it is commercial up against residential and it is what the ordinance states.

Neighbor, Ben Woods, commented that he loves the view of their buildings and
42 the whole Wadley Farms properties.

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

46 **COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT’S
REQUEST FOR A 5,500 SQUARE FOOT ADDITION TO THE COMMERCIAL**

2 BUILDING WITH THE CONDITION THAT THE LANDSCAPING REQUIREMENT
4 EAST OF THE BUILDING AND WEST OF THE ROCK TRENCH AND THE TREE
6 LINED AREA BE LOOKED AT AND IF THERE IS NO FEASIBLE SOLUTION
8 THEN TO GRANT A VARIANCE ON THE EAST SIDE ONLY DUE TO THE
10 HEIGHT OF THE STRUCTURE AND THE GRADE DIFFERENTIAL TO THE EAST
12 AND ALSO THAT IT IS MEETING THE SPIRIT OF THE CODE. COMMISSIONER
14 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
16 FOLLOWS:

10 CHAIRPERSON CALL AYE
12 COMMISSIONER KALLAS AYE
14 COMMISSIONER MARCHBANKS AYE
16 COMMISSIONER WILY AYE
18 COMMISSIONER KELLER AYE
20 COMMISSIONER JOHNSON AYE
22 COMMISSIONER VANCIERE AYE
24 THE MOTION CARRIED UNANIMOUSLY.

18
20 **5. Site Plan Amendment – MS Industrial Properties, 1325 West 500 North.**

20 Robert Tubman, MS Industrial Properties, requests site plan approval for the
22 Press Brake Building addition (for indoor pipe storage), to be located at 1325
24 West 500 North, in the Light Industrial (LI) zone. The site plan and conditional
use permit were previously approved by the Planning Commission on January
11, 2011.

26 Mr. Van Wagenen led this discussion by inviting the applicant, Mr. Robert
28 Tubman representing MS Industrial Properties, forward. He began by giving some
30 background of this application noting that Mr. Tubman is proposing to construct an
32 addition of 40,950 sq. ft., (8 acres) to the existing warehouse (Press Brake Building). The
34 applicant has indicated that the purpose of the expansion is for indoor storage only and
that there is no increase in employees. He noted there is still room to the south of the
building for future parking spaces. He explained the intent of the Light Industrial (LI)
zone is to provide areas in appropriate locations where light manufacturing, industrial
processes and warehousing not producing objectionable effects may be established,
maintained, and protected.

36 Mr. Van Wagenen stated the regulations of this district are designed to protect
38 environmental quality of the district and adjacent areas. The property was development
under prior approvals for site plan and conditional use permit and subdivision. He then
referenced the conditions of approval from January 11, 2011, included the following:

- 40 a) Evergreen trees be installed every fifteen feet along both frontages,
- 42 b) That 64 paved parking stalls are provided, (That number was determined to be
adequate based off of the anticipated employees and that the south area can
provide for future expansion of parking if necessary.)
- 44 c) That lighting be lowered, shielded and contained to the site on the north side of
the building,
- 46 d) Accent stripe (as applicable) be an earth tone, not bright red,
- e) That the windows on the north elevation be tinted, and

2 f) That the architectural treatments be shifted to the north elevation.

4 Mr. Van Wagenen noted the Planning Staff, the City Engineer and the applicant
are working through issues related to the site and City Staff will ensure all issues are
6 resolved before final Engineering approval is granted. He noted third party notices were
provided on March 31, 2017 to the adjoining property owners in accordance with city
8 code and staff has received no public comment at this time.

10 Mr. Van Wagenen explained the existing landscaping was previously installed in
conformance with the requirements of the LI zone and per the requirements of the
conditional use permit approval of 2011. He noted the applicant is proposing to install an
12 eight (8') foot Owell pre-cast masonry wall along both street frontages behind the street
frontage landscaping. The north and west building exterior elevations will be entirely of
14 insulated (metal sandwich) panel walls to match the existing, which complies with
Lindon City Code materials and percentages requirements as they are the elevations that
16 are the most visible to the street and adjoining residential areas (minimum 25% brick,
decorative block, stucco, or wood). The south elevation will continue the exposed pre-
18 fabricated metal wall. Mr. Tubman has noted they will match the existing colors. The
elevations will also include tinted windows to match the existing windows.

20 Mr. Van Wagenen then referenced for discussion the site plan and elevations. He
then turned the time over to Mr. Tubman for comment. Mr. Tubman commented that
22 staff has done an excellent job presenting the submitted information. He stated the Owell
pre-cast wall will be a neutral tone stain (tan) which is very common and meant to blend
24 in. Commissioner Vanchiere asked what percentage of outside storage (when complete)
will be able to be housed inside. Mr. Tubman stated everything west of the existing
26 building will go in the Press Brake Building. He then described the development of the
fabrication process noting it is fluid and constantly moving. Commissioner Vanchiere
28 commented that he visited the site and it appears to be clean, orderly and well maintained
for this type of business.

30 Chairperson Call then went over the prior conditions with Mr. Tubman including
discussion on the painted band, parking stalls and lighting. She noted that staff has
32 recommended if there is an increase of employees the parking issue will need to be
brought back before the Commission for review. Mr. Tubman stated that is not a
34 problem.

36 Ron Anderson, neighboring property owner commented he is not here tonight to
oppose. He noted he was in the meeting when this was originally done and it was his
understanding (from the minutes) that the band was not going to be put on the building at
38 all and if it was to be put on they were to use earth tone color not the bright red; but they
were under the assumption that it was agreed it wouldn't be there at all. He noted that he
40 and the neighbors would rather not have a band at all. Mr. Van Wagenen said it very well
could have been a condition if a band was going on that it would be earth tone color and
42 not red. Mr. Anderson said he was under the assumption that they agreed there would not
be a band at all.

44 There was some then some discussion of the cross traffic with Mr. Van Wagenen
stating he believes it is good and they will have the engineers check it. Mr. Anderson
46 stated as far as the parking is concerned that is not a problem, however it could become
an issue with semi trucks parking on the street. He has concerns that by closing it in it

2 concept that has a standard local public street has also been submitted. This proposal has
3 six lots and two that would be located in directly in the Hollow.

4 Mr. Van Wagenen noted that the Hollow is designated as a Sensitive Area within
5 the City and is subject to additional regulations for development. In addition to these
6 concepts Mr. Van Wagenen also discussed information from the City Engineer including
7 issues with the floodplain and detention. He noted Lots 1 and 2 would have some
8 challenges and additional reviews to make those buildable lots if that's the direction Mr.
9 McCann chooses to go. He added the existing house is being demolished so adjustments
10 to the flood plain have been made (FEMA) to portions of the property. He reminded the
11 Commission these issues will have to be addressed regardless of how the property
12 develops.

13 Mr. Van Wagenen then presented for discussion an aerial showing existing lot
14 lines and sensitive area, the preferred concept with private lane and the alternate concept
15 with public roadway. Mr. Van Wagenen then turned the time over to the applicant for
16 comment.

17 Mr. McCann stated this is a dream of their family to develop the property into
18 something beautiful for the property and the Hollow. They are looking to clean up the
19 hollow and its image to mirror the area. They plan to clean up the old buildings and in the
20 future develop beautiful estate lots and homes that will be in their family only. There are
21 legal restrictions stating no one outside the family can build on the property (per their
22 family trust). He then discussed the layouts presented. He noted the Hollow is a Lindon
23 tradition and they have no plans to not make it anything but what it is now. He stated the
24 concept of putting in a private road is because if they put in a public road it will push
25 back the lots and encroach in on the Hollow space as it goes down the hill and it will
26 encourage street parking from the school. They don't want to overpopulate it but have
27 the maximum number of family lots without infringing on the beauty of the Hollow and
28 to have a natural wild environment that is peaceable and enjoyable for years to come.

29 Commissioner Wily asked when they got the flood plain adjusted by FEMA did
30 they request that the south be excluded. Mr. McCann replied that the flood plain map he
31 has shows the current lines and was tested and they decided which sections would be
32 excluded and recorded it; this was done a year prior to the concept. They want to keep the
33 hollow as a sensitive area for everyone to enjoy.

34 Chairperson Call pointed out her understanding is that this property is
35 developable but there are a lot of regulations and "hoops" to jump through. Her other
36 concern is that the private road doesn't meet city code and city standards and at some
37 point there may be an expectation that the city maintain the road. Mr. Van Wagenen then
38 pointed out private roads and drives throughout the city. There was then some general
39 discussion including the hammerhead and the maintenance and responsibility of private
40 roads.

41 Commissioner Kallas questioned lot #2 and access to the lot. Mr. McCann
42 explained there will be a driveway off the lane to the house. Mr. Van Wagenen stated
43 there are challenges to lots 1 and 2 with the flood zone and they may not be viable lots.
44 He pointed out other examples of similar situations with private lanes noting whatever
45 happens with utilities would have to be very clear. Commissioner Kallas commented that
46 there are private lanes serving 3-8 homes in other areas and they are usually very nice and

2 maintained by the homeowners; sometimes we get in the cookie cutter mentality and he
feels we should consider this concept.

4 Commissioner Marchbanks agreed pointing out this concept is not too dissimilar
to Commissioner Kallas' private lane. He feels this is different than other examples
6 mentioned because this would truly be a private lane. Chairperson Call pointed out there
would have to be changes made in the roads, frontage, utilities etc., from what the current
8 code is. She went on to say as far as feedback what she is hearing from the Commission
that they are not necessarily opposed but there would be a lot of hurdles to cross; the
10 flood plain would be an issue and is still identified as sensitive land. Mr. Van Wagenen
stated it would have to be adjusted and if Mr. McCann is pushing for code revisions
12 would the commission be favorable. Chairperson Call observed from the discussion that
the Commission would be open to consider the changes to accommodate the request. Mr.
14 McCann stated he plans on taking this concept review to the City Council. He also
thanked the Commission for their time and feedback.

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

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- 20 7. **General Discussion — Lindon City General Plan.** Staff will present
information regarding the Lindon City General Plan update, specifically
22 introducing the pending survey for review. No formal action will be taken at
this time.

24 Mr. Van Wagenen opened this discussion by introducing the pending survey
questions for the General Plan update. Mr. Van Wagenen then went over the survey
26 questions followed by some general discussion. Following discussion the Commission
was in agreement to strike item (H) Prohibit development of vacant lands on question #7
28 and remove survey question #9 Land use buffering question. They also agreed to clarify
the verbiage on questions including "Animal Rights". There was also some discussion on
30 clarification of relaxing the ½ acre minimum lot sizes.

32 Mr. Van Wagenen noted there were approximately 740 responses from the last
survey. He noted that once the survey is ready it will be open quite awhile and they will
use several venues to get it out to the citizens to get a good cross section of feedback.

34 Following the review of the survey questions, the Commission was in agreement
that the survey includes some very good questions and will obtain a good cross section of
36 information from residents.

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

- 40 3. **New Business: Reports by Commissioners** – Chairperson Call called for any
new business or reports from the Commission. There were no comments.

- 42
- 44 4. **Planning Director Report** – Mr. Van Wagenen reported on the items listed
below followed by general discussion.

- 46
- Utah APA Conference (Brigham City, UT April 20-21, 2017)
 - Legislative session
 - 700 North overlay work (UDOT project)

2

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

4

6 **ADJOURN** –

8 COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE
10 MEETING AT 9:30 P.M. COMMISSIONER KELLER SECONDED THE MOTION.
ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – April 25, 2017

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Sharon Call, Chairperson

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Hugh Van Wagenen, Planning Director