

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **April 12, 2016 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: Rob Kallas, Commissioner
10 Pledge of Allegiance: Matt McDonald, Commissioner

12 <u>PRESENT</u>	<u>ABSENT</u>
Sharon Call, Chairperson	Bob Wily, Commissioner
14 Mike Marchbanks, Commissioner	
Rob Kallas, Commissioner	
16 Matt McDonald, Commissioner	
Charles Keller, Commissioner	
18 Hugh Van Wagenen, Planning Director	
Brandon Snyder, Associate Planner	
20 Kathy Moosman, City Recorder	

22 **Special Attendee:**
Councilmember Matt Bean

- 24
1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
 - 26 2. **APPROVAL OF MINUTES** – The minutes of the regular Planning Commission
28 meeting of February 23, 2016 and the Joint Work Session four minutes of March 8,
2016 were reviewed.

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32 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
OF THE REGULAR MEETING OF FEBRUARY 23, 2016 AND THE JOINT WORK
SESSION MEETING OF MARCH 8, 2016 AS AMENDED. COMMISSIONER
34 MCDONALD SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.
THE MOTION CARRIED.

36 3. **PUBLIC COMMENT** –

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

42 **CURRENT BUSINESS** –

- 44 4. **Public Hearing — Street Master Plan Amendment (Approx. 350 East 500**
46 **North)**. Robert Williamson requests preliminary approval of a proposed amendment
to the Lindon City Street Master Plan Map to remove a master planned road
connection located at approximately 350 East 500 North in the Single Family

2 Residential (R1-20) zone. The road connection was planned to connect future 500
4 North Street from 200 East with the proposed 350 East street.

6 COMMISSIONER MARCHBANKS MOVED TO OPEN THE PUBLIC
8 HEARING. COMMISSIONER KELLER SECONDED THE MOTION. ALL PRESENT
10 VOTED IN FAVOR. THE MOTION CARRIED.

12 Hugh Van Wagenen, Planning Director led this discussion by explaining the
14 applicant, Robert Williamson is requesting approval of a Street Master Plan Map
16 amendment to remove a master planned road connection located at approximately 350
18 East 500 North in the R1-20 zone. He noted that Mr. Todd Dudley is in attendance
20 representing Mr. Williamson tonight. He further explained if eliminated, the connection
22 limits traffic circulation and creates a cul-de sac on the future 500 North Street and
24 eliminating the connection also provides one additional lot to the Williamson Farms
Subdivision. Mr. Van Wagenen mentioned this item was first considered in February of
this year and at that meeting there were concerns voiced from representatives of the
Toomer property located to at the 200 East connection of the future 500 North roadway.
Based on these concerns, the Commission moved to continue the item so that the affected
parties could get together and work out a mutually agreeable solution to how these
changes would happen regarding the east to west road on 500 North. This item was
continued because the property owners in the area were not on the same page with the
east west road on 500 north. There has been efforts to get everyone on the same page,
however, no consensus has been agreed upon to date.

26 Mr. Van Wagenen stated they have been in contact with the property owners who
28 are affected by this planned roadway. He then referenced a summary of those positions as
staff understands them as follows:

30 **Williamson Property:** Mr. Williamson would still like the connection from his property
32 to be eliminated but does not want the road to go away completely from its 200 East
connection.

34 **Toomer Property:** Ms. Toomer would like to see the road eliminated and has applied for
36 a Street Master Plan Map amendment indicating as much. If access is needed to develop
the Spencer property, she would prefer that access to come from the Williamson
property. Patti Toomer has made application to not have the road go through her property
(next agenda item).

40 **Spencer Property:** Mr. and Mrs. Spencer have spoken with staff and provided a letter
42 regarding their position. They want to preserve the ability to develop their property and
44 the road is essential to do so. They do not need the entire road to be built, but need access
46 from either the Toomer property or the Williamson property and need that to be
preserved in some fashion. The Spencer's are not here tonight but they did meet with
staff last week and submitted a letter indicating they don't care which way the access is
but they want to preserve it in order to develop their property in the future.

48 **Matthews Property:** Staff has spoken to Robert Matthews who is the family
representative on the property. Although the future road would be required for additional

2 development on the property, Mr. Matthews did not express a concern one way or
4 another if the road were to stay or be eliminated.

6 Mr. Van Wagenen then referenced and explained the drawings of how the
8 Spencer property could potentially develop if a connection from either side of 500 North
10 is eliminated. He noted the street in question is designated as a local street on the Plan
12 and the street was called out as a future road in the 2006 General Plan but may have been
14 considered well before that. He also mentioned the status quo now and pointed out the
16 two options on the screen. Based on the letters received and the positions and
18 perspectives of the affected property owners it does not appear there is a consensus or
20 understanding on how this should change so staff feels, if that is the case; the status quo
22 should remain the same as what is currently on the books and what is currently required
24 and unless there is a change and there is not an agreement on how that change should
26 take place.

16 He then referenced for discussion the relevant General Plan policies to consider in
18 determining whether the requested change will be in the public's best interest as follows:

- 18 a. It is the "purpose of the transportation plan is to balance future demands
20 generated by the Land Use element with future roadway improvements, thereby
22 developing a long-range transportation system plan which would efficiently
24 support future land development."
- 22 b. The Street Plan states the "inherent in a long-range projection is the potential for
24 variation due to unforeseen economic, political, social, and technological
26 changes."
- 26 c. "The goal of the transportation plan is to have a balanced circulation system
28 which provides for safe and efficient movement of vehicles..."
- 28 d. "Planning shall minimize localized traffic congestion and operational problems
and ensure adequate access to and circulation around commercial...areas..."

30 At this time Mr. Van Wagenen re-iterated that staff recommends that no change in
32 the Master Plan be recommended at this time as the affected property owners have not
34 come to an agreement on how the future road should change. Mr. Van Wagenen then
presented an aerial photo of the proposed area. He then turned the time over to Mr.
Dudley for comment.

36 Mr. Dudley, representing Mr. Williamson, explained a couple of engineering
38 concerns that come into play 1) the sewer; the property slopes drastically east to west and
40 drops 6-8 ft. and the sewer is only about 9 ft. deep now, so in order to have a cul-de-sac
42 coming from the east down on the Spencer's property you couldn't sewer it unless
44 easements are granted and 2) now with a downhill cul-de-sac the water will flow down
46 with nowhere to go unless another easement is granted and a storm drain pipe and a catch
basin is inserted in the bottom of the cul-de-sac and run through the Toomer's property
all the way to 2nd east. Engineering wise to do that scenario it would not help the
Spencer's. He noted they looked at several different concepts and layouts and the one that
benefits the most is the one if everyone wants to develop. Which would be the cheapest
way and everyone would get lots with no issues and the easiest way; everyone would
need to be on board for it to work the best.

48 Chairperson Call called for any public comment at this item. There were several
residents in attendance who addressed the Commission as follows:

2 **Jonathan Lock:** Mr. Lock mentioned one other thing here that may help with the
negotiations. He noted Delayne Donathorne is the owner of the property on the south
4 side. They don't like the idea of the road but he would be happy to purchase the adjacent
parcel which may help with some of the negotiations and to help shift things around. If
6 purchased the road could be slid over and give up the easement to help make room for the
additional loss of the cul-de-sac etc. Chairperson Call stated he would have to discuss
8 that possibility with the neighbors.

10 **Patches Hansen:** Ms. Hansen commented there have been no negotiations for payment
of ground lost if the road goes through. Mr. Van Wagenen stated roadways are built
12 when development happens and then the city takes over the improvements and are
responsible after that. With the Williamson Farms development they would be
14 responsible to build the roadway and the stub and would stop there until the Spencer's
wanted to develop and continue on until Mrs. Toomer wanted to develop and so forth.
16 As far as compensation goes, it is up to the different developers. A reimbursement
agreement through the city is a possibility with the party building the road. What would
18 not happen, in his experience, is the city condemning any land and forcing a road through
a property owners land. If there were a building permit issued that would trigger the
20 requirement for the installation of improvements. Compensation and the cost of building
the road would be worked out between those benefitting from the roadway being built.

22 **Renée Hanson:** Ms. Hanson asked if the Toomer's have just one building lot and is she
24 wanting it to be a cul-de-sac in order to have two building lots. Mr. Van Wagenen stated
in the scenario with the roadway on there the Williamson's have two lots that shrink and
26 become corner lots and the Spencer's have three lots and the Toomer's have one and a
half lots and the Matthews would have one lot. There was then some discussion regarding
28 potential scenarios including flag lots.

30 **Delayne Donathorne:** Mr. Donathorne stated if the existing road (going east and west)
then he would be in favor of the cul-de-sac and unless all three parties agree and in any
32 scenario unless you continue the road it appears the sewer and the engineering drainage
will not work.

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36 Mr. Van Wagenen stated staff feels there has been plenty of time for the parties
involved to work this out and would recommend making a recommendation to the City
Council to deny this item.

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40 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.
COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

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44 At this time Chairperson Call stated it would be her recommendation, until the
landowners can come to an agreement and to follow staff's directive and recommend
denial to the City Council and leave the master plan the way it is. Mr. Dudley clarified
46 that the Spencer's property is not landlocked. They have access now and they will
continue to have access until this is developed and they couldn't do additional lots.

2 Mr. Van Wagenen clarified if approved the only way to develop the Spencer piece
4 is to go through the Toomer piece and she is not interested in developing. By approving
6 this the road would have to come through the Toomer property and if denied there would
8 be the stub road which may cause some engineering issues. Mr. Dudley stated they are
10 not being forced to put the road in. There was then some general discussion including
12 drainage and sewer issues and eliminating the stub on the master planned road.

8 Mr. Van Wagenen clarified if the stub goes out and the master planned roadway
10 on the next item goes away essentially not having it on the plan access for the Spencer
12 piece to develop and if Mrs. Toomer or anyone else comes in and wants a flag lot there is
14 nothing there to prohibit them from doing that and preserving any right of way to get to
16 the Spencer's property any longer; that is a real potential if the road goes away. The
18 master planned road says if there is no development that is going to occur unless the road
is built. The Toomer and Spencer properties are tied and as long as it is on the plan there
is something preserved there that doesn't allow development that would cut the Spencer's
off on both ends. Commissioner Marchbanks pointed out, in his opinion, the stub is
worthless but at least it leaves some options open; no matter if there is a stub or a cul-de-
sac. At least the stub will allow them to develop.

20 Ms. Toomer commented there is a 12 ft. road through the Matthews property and
22 if they wanted to develop in the back of their house they would let the sewer go through
24 their land.

22 Chairperson Call expressed her opinion is to follow staff's direction and leave the
24 master plan as is until these things can get worked out between the property owners and
26 she would call for a motion for denial. There was then some additional discussion by the
28 Commission regarding this issue.

26 At this time Mr. Dudley commented that the applicant, Mr. Williamson is
28 comfortable to table this request for two weeks to see if they can get on the same page
with the neighboring property owners.

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

32 COMMISSIONER MARCHBANKS MOVED TO CONTINUE THE
34 APPLICANT'S REQUEST TO REMOVE THE STREET CONNECTION IDENTIFIED
36 AT APPROXIMATELY 350 EAST 500 NORTH FROM THE STREET MASTER
PLAN. COMMISSIONER KALLAS SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

38 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
40 COMMISSIONER MCDONALD	AYE
COMMISSIONER KELLER	AYE

42 THE MOTION CARRIED UNANIMOUSLY.

44 5. **Public Hearing—Street Master Plan Amendment (Approx. 200 East 500 North).**
46 Patti Toomer requests preliminary approval of a proposed amendment to the Lindon
City Street Master Plan Map to remove a master planned road connection located at
approximately 200 East 500 North in the Single Family Residential (R1-20) zone.

2 The road connection was planned to connect future 500 North Street from 200 East
4 with the proposed 350 East street.

6 COMMISSIONER KALLAS MOVED TO OPEN THE PUBLIC HEARING.
8 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
10 VOTED IN FAVOR. THE MOTION CARRIED.

12 Mr. Van Wagenen noted this item is a request to remove the master planned road
14 connection and since the previous item was continued he would recommend that the
16 Commission also continue this item. Chairperson Call called for any public comment on
18 this agenda item. Patches Hansen commented that it appears they can't approve or deny
one without the other so they approve continuation of this item. Patti Toomer re-iterated
she prefers to keep it the way it currently is on the master plan.

20 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.
22 COMMISSIONER KELLER SECONDED THE MOTION. ALL PRESENT VOTED IN
24 FAVOR. THE MOTION CARRIED.

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

30 COMMISSIONER KALLAS MOVED TO CONTINUE THE APPLICANT'S
32 REQUEST TO REMOVE THE STREET CONNECTION IDENTIFIED AT
APPROXIMATELY 350 EAST 500 NORTH. COMMISSIONER KELLER
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
28 COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
30 COMMISSIONER MCDONALD	AYE
COMMISSIONER KELLER	AYE

32 THE MOTION CARRIED UNANIMOUSLY.

34 6. **Conditional Use Permit— Roach/Weaver (R2 Overlay).** Ed Weaver and Richard
36 Roach request conditional use permit and subdivision approval of an R2 Overlay
38 project for a twin home to be located at 319 North 135 West in the Residential Single
Family (R1-20) zone.

40 Brandon Snyder, Associate Planner, gave some background of this item stating
42 the applicants, Ed Weaver and Richard Roach (who are in attendance) are proposing to
44 construct a twin home on the lot located at 319 North 135 West (the old tithing house
46 property). He explained the proposal is to be regulated under Lindon City Code 17.46 R2
Overlay Zone. He pointed out the purpose of the R2 Overlay Zone is to provide
'moderate income housing', as defined by the Utah State Code, and thereby achieve a
reasonable opportunity for a variety of housing types, to meet the needs of people
desiring to live and fully participate in all aspects of neighborhood and community life in
Lindon.

2 Mr. Snyder explained this Overlay zone establishes a place where, two (2) and
3 three (3) family dwelling units can be constructed. He noted it shall also be the purpose
4 of this ordinance to establish a means whereby multi-family housing can be distributed
5 throughout the City and throughout the individual R2 Overlay planning districts. Except
6 for accessory apartments (either internal or detached), R2 Overlay projects and
7 applications shall be considered a Conditional Use and regulated as such. (LCC Section
8 17.49.020). Unless specifically provided for otherwise in this chapter, R2 Overlay
9 projects and accessory apartments are subject to the regulations of the underlying zoning
10 district in which they are constructed. (LCC Section 17.46.025).

11 Mr. Snyder stated the City Engineer and applicant are working through technical
12 issues related to the proposal and staff will ensure all issues are resolved before final
13 engineering approval is granted. He noted third party notices were mailed on March 31,
14 2016, to the adjoining property owners and staff has received no public comment. He
15 then referenced the table including the property information including the minimum
16 requirements for the proposed site.

17 Mr. Snyder noted the required front setbacks, street-side yard setbacks, and all
18 common areas shall be permanently landscaped. A six foot (6') high sight obscuring
19 fence shall be erected on the perimeter, except the front yard setback, of all R2 projects
20 and will maintain a single-family residential appearance for R2 multifamily projects.
21 Earth tone colors and no more than one front door and garage facing the street.
22 He then referenced the applicable laws and standards of review. Mr. Snyder then
23 referenced the proposed subdivision plat, the front elevation and landscape plans and the
24 site plan followed by some general discussion.

25 Chairperson Call commented it seems there has to be a distance between the R2
26 Overlay zones and questioned if this meets the requirement. Mr. Snyder stated the
27 preliminary analysis has been done on this property and it meets all the requirements.
28 Chairperson Call called for any public comment at this time.

29 **Darla Hurst:** Ms. Hurst mentioned she is confused on the R2 overlay and the distance
30 between two of them in one area. Mr. Snyder pulled up the R2 overlay map and
31 explained the distance and proximity aspect noting the requirements are met.

32 Chairperson Call stated it appears the lot is a non-issue and this meets all
33 requirements including frontage, parking, building heights, fencing, architectural designs
34 and will maintain a single family residential appearance and is within the spacing
35 guidelines and as far as a conditional use permit it cannot be denied as all conditions have
36 been met. Mr. Snyder noted there has been a variance granted on this property. The
37 applicant's noted they will be residing in the residence.

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

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44 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
45 APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT FOR THE ROACH
46 WEAVER TWIN HOME R2 OVERLAY PROJECT AND ASSOCIATED
RESIDENTIAL MINOR SUBDIVISION, TO BE KNOWN AS THE ROACH-
WEAVER TWIN HOME SUBDIVISION, PLAT A, TO BE LOCATED AT 319

2 NORTH 135 WEST WITH NO CONDITIONS. COMMISSIONER MCDONALD
3 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

4 CHAIRPERSON CALL AYE
5 COMMISSIONER KALLAS NAY
6 COMMISSIONER MARCHBANKS AYE
7 COMMISSIONER MCDONALD AYE
8 COMMISSIONER KELLER AYE

9 THE MOTION CARRIED FOUR TO ONE.

10

11 **7. Minor Subdivision — Virgil Allred Subdivision, Plat A, (127 South 400 East).**

12 GayFawn Mikesell requests approval of a two (2) lot residential subdivision,
13 including dedication of public right-of-way, at 127 South 400 East in the Single
14 Family Residential (R1-20) zone.

15 Mr. Snyder gave an overview of this agenda item explaining GayFawn Mikesell
16 (who is in attendance) is requesting approval of a two (2) lot residential subdivision,
17 including dedication of public right-of-way, at 127 South 400 East in the Single Family
18 Residential (R1-20) zone.

19 Mr. Snyder stated this subdivision creates two residential lots from a previous
20 parcel. Currently, the parent parcel is divided into multiple parcels due to unapproved
21 divisions of land. He noted this subdivision proposal will address and remedy those
22 divisions. He mentioned the multiple parcels include: 14-073-0229: Lynne F and Melanie
23 Mikesell, 14-073-0230: GayFawn A Mikesell, 14-073-0231: GayFawn A Mikesell, 14-
24 073-0232: Virgil U Allred, and 14-073-0233: Virgil U Allred. The proposal is south of
25 the Leo Carter Subdivision, Plat A, and north of the Speed Subdivision, Plat A.

26 Mr. Snyder explained the minimum lot size in the R1-20 zone is 20,000 square
27 feet and the minimum lot width is one hundred (100) feet (measured at front yard
28 setback). The maximum lot width/depth ratio is no more than three times as long as it is
29 wide. He pointed out that the Planning Commission may approve up to a 20% increase in
30 depth if they determine that the proposal is the best use of the property and in the best
31 interest to the City and surrounding properties. (The applicant is requesting an increase of
32 15% depth for Lot 1).

33 Mr. Snyder further explained that curb and gutter improvements already exist
34 along the 500 East street frontage and full improvements are required along the 400 East
35 street frontage as well as the sidewalk along the 500 East street frontage. He added that
36 staff has determined that the proposed subdivision complies, or will be able to comply
37 before final approval with all remaining land use standards. He noted the City Engineer is
38 addressing engineering standards and all engineering issues will be resolved before final
39 approval is granted. He then referenced the proposed subdivision and the aerial
40 photograph of the site followed by some general discussion.

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

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44 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S
45 REQUEST FOR APPROVAL OF A TWO (2) LOT RESIDENTIAL SUBDIVISION,
46 TO BE KNOWN AS THE VIRGIL ALLRED SUBDIVISION, PLAT A, WITH NO
47 CONDITIONS AND RECOMMENDING THAT THE WIDTH TO DEPTH RATIO BE
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2 ALLOWED WITH THE 15% INCREASE. COMMISSIONER MARCHBANKS
3 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

4 CHAIRPERSON CALL AYE

COMMISSIONER KALLAS AYE

6 COMMISSIONER MARCHBANKS AYE

COMMISSIONER MCDONALD AYE

8 COMMISSIONER KELLER AYE

THE MOTION CARRIED UNANIMOUSLY.

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8. **Plat Amendment — Lakeside Business Park Subdivision, Plat B, (Approx. 225
12 South 1430 West).** Rob Tubman, MS Properties, requests approval of a plat
14 amendment to combine two (2) subdivision lots. The proposed Lakeside Business
16 Park Subdivision, Plat B, includes a vacation of Lot 1, Plat A, Lakeside Business Park
Subdivision, and Parcel A, Plat A of the UDOT Questar Subdivision. The subdivision
is located at approximately 225 South 1430 West in the Light Industrial (LI) zone.

18

Mr. Snyder led this discussion by explaining the applicant, Mr. Rob Tubman
(who is in attendance), is requesting that these two lots be combined into one to
20 accommodate an additional drive approach (access) to the site. The site plan (NuStar)
was approved by the Planning Commission on July 14, 2015. He noted the approved site
22 plan indicated a fire department crash gate access in the NE corner and this proposal will
allow for an additional drive approach (in the NE corner) for access and deliveries to the
24 site. He noted the minimum lot size in the LI zone is one acre.

26

Mr. Snyder mentioned that staff has determined that the proposed subdivision
complies with all remaining land use standards and requirements. He stated the City
Engineer is addressing engineering standards and all engineering issues will be resolved
28 before final approval is granted. He then referenced the approved site plan, proposed
subdivision and proposed access plan followed by some general discussion. Mr. Tubman
30 commented that the existing landscaping will tie in. He noted the fire trucks couldn't turn
around safely and that is what triggered the crash gate. Chairperson Call stated she didn't
32 have any questions at this time and thanked Mr. Tubman for coming in.

34

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

36

COMMISSIONER MCDONALD MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR APPROVAL OF A PLAT AMENDMENT TO VACATE LOT ONE,
38 PLAT A, LAKESIDE BUSINESS PARK, AND PARCEL A, PLAT A OF THE UDOT
QUESTAR SUBDIVISION AND CREATE THE LAKESIDE BUSINESS PARK
40 SUBDIVISION, PLAT B WITH NO CONDITIONS. COMMISSIONER
MARCHBANKS SECONDED THE. THE VOTE WAS RECORDED AS FOLLOWS:

42 CHAIRPERSON CALL AYE

COMMISSIONER KALLAS AYE

44 COMMISSIONER MARCHBANKS AYE

COMMISSIONER MCDONALD AYE

46 COMMISSIONER KELLER AYE

THE MOTION CARRIED UNANIMOUSLY.

48

2 **10. Site Plan — 200 South Business Park, (Approx. 1540 West 200 South).**

3 Trevor Sharp requests site plan approval for the proposed 200 South Business
4 Park office/warehouse, 8,016 sq. ft., to be located at approximately 1545 West
5 200 South in the Light Industrial (LI) zone.

6
7 Mr. Van Wagenen explained the applicant, Trevor Sharp (who is in attendance) is
8 proposing to construct an 8,016 square foot office/warehouse building on Lot 1 of
9 Burbridge Industrial Subdivision Plat A. The lot is located in the Light Industrial zone
10 where there was an old building from many years ago, but now only a pad remains (just
11 under an acre). The lot is a nonconforming legal lot and therefore doesn't meet the
12 typical one acre minimum requirement.

13 He noted Mr. Van Wagenen is proposing that 10% of the 8,016 square foot
14 building will be used as office space, which means the building will include 810 square
15 feet of office space and 7,206 square feet of warehouse. The parking ratio for office space
16 is 1/350 square feet and the ratio for warehouse space is 1/1000 square feet.
17 Consequently, the required number of spaces is 11, with at least 1 ADA accessible stall
18 and it meets all parking requirements (12 stalls).

19 Mr. Van Wagenen stated the Light Industrial zone requires a 20' landscaped strip
20 along all street frontages with trees planted within the strip every 30' on center. Thirty
21 percent of the frontage landscaping may be landscaped with non-living materials other
22 than grass. He noted the Planning Commission can approve proposed changes or
23 alterations to this requirement as long as not net loss of landscaping occurs. Mr. Van
24 Wagenen stated Mr. Sharp's landscaping proposal takes a more water-wise approach than
25 what is required by Code and the proposal does not include 70% of grass cover and trees
26 are not centered in the park strip because the area is also acting as a detention basin. The
27 Planning Commission needs to consider whether to approve these proposed alterations.

28 Mr. Van Wagenen stated the Code requires that interior landscaping must be
29 provided at 40 square feet per stall and that at least 75% of the ground cover must consist
30 of living vegetation. The site proposes 12 parking stalls, which will require at least 480
31 square feet of interior landscaping, exclusive of the required landscaped strip along street
32 frontage. The submitted landscaping plan proposes 556 square feet of interior
33 landscaping, with a mix of living and non-living material. Actual percentages have not
34 been provided at this time and so it is difficult to determine if the code is being met. The
35 code also requires 1 interior tree per 10 required parking stalls. The proposed site plan
36 includes 1 interior tree to satisfy this requirement.

37 He added the Code requires that all buildings in the Light Industrial Zone must be
38 "aesthetically pleasing, well-proportioned buildings which blend with the surrounding
39 property and structures." The applicant is proposing to construct a metal building, which
40 is allowed by the Code, subject to the following standards:

- 41 • Twenty-five percent (25%) minimum of the exterior of all buildings shall be
42 covered with brick decorative block, stucco, wood, or other similar materials as
43 approved by the Planning commission.
- 44 • The Commission may approve ribless, metal, flat-faced, stucco embossed metal
45 sandwich panel buildings when the Commission finds that the building is
46 aesthetically pleasing, adequately trimmed, contrasted with different colors, is
47 well proportioned, blends with the surrounding property. The building proposed
48 by the applicant will include painted metal walls of Regal Blue and Slate Gray

2 with Yellow overhead doors, and will also incorporate metal sunshades and
4 concrete masonry unit (CMU) wainscoting on the exterior. Elevations and an
6 artist's rendering of the proposed building are included in attachment 4 for
7 review.

8 Mr. Van Wagenen stated the Code requires buildings in the LI zone to be earth-
9 tone colors. Examples of earth tone colors. The proposed structure satisfies setback (20
10 feet front and 0 feet all others) and height requirements (48 feet) in the LI zone.

11 He noted the City Engineer is working through technical issues related to the site
12 and will ensure all engineering related issues are resolved before final approval is
13 granted. Mr. Van Wagenen then presented an aerial photo of the site and surrounding
14 area, site/landscaping plan, letter from landscape architect, elevations and rendering of
15 the proposed building, and the earth-tone color palette followed by some general
16 discussion. He then turned the time over to Mr. Sharp for comment.

17 Mr. Sharp stated that essentially the building is a spec building and will be used as
18 a for sale or lease project. The Commission had questions regarding the presented colors
19 of the building noting it appears it does not meet the color palette. Chairperson Call also
20 mentioned the landscaping issue including detention needs to be considered as there are
21 exceptions they are requesting. Mr. Van Wagenen pointed out the Commission has the
22 ability to have the colors presented toned down. Mr. Sharp stated there will be some
23 grading work done on the site and he can guarantee the site will look much better when
24 complete. Following discussion the Commission was in agreement to approve the
25 frontage landscaping request if the interior landscaping meets the requirements (75/25
26 percent) and with the condition that they meet the color palette requirements.

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

29 *At this time Commissioner Marchbanks recused himself from this item citing a conflict of
30 interest. However, he did remain on the dais but abstained from voting.*

31 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S
32 REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS:
33 1) THE LANDSCAPING FRONTAGE BE APPROVED AS SHOWN IN THE FRONT
34 AND 2) THE 75/25 PERCENT REQUIREMENT BE MET IN THE BACK AND 3)
35 THE BUILDING COLORS MEET THE COLOR PALETTE. COMMISSIONER
36 MCDONALD SECONDED THE MOTION. THE VOTE WAS RECORDED AS
37 FOLLOWS:

38 CHAIRPERSON CALL	AYE
39 COMMISSIONER KALLAS	AYE
40 COMMISSIONER MARCHBANKS	ABSTAIN
41 COMMISSIONER MCDONALD	AYE
42 COMMISSIONER KELLER	AYE
43 THE MOTION CARRIED UNANIMOUSLY.	

44
45 **10. Minor Subdivision — Tams-Zyto Subdivision, Plat A, (Approx. 1126 West
46 and 1172 West 700 North).** Tia Crow, on behalf of Tom Stuart, 1100 West

2 Street LLC, requests approval of a two (2) lot subdivision at 1126 West and 1172
4 West 700 North in the General Commercial (CG) zone.

6 Mr. Snyder opened the discussion by giving a brief history of this agenda item.
8 He noted Tom Stuart, Jaron Smith and Scott Thorson were in attendance representing this
10 item. He explained this proposal creates two subdivision lots out of one parcel to
12 accommodate Tams and Zyto and their respective buildings. He noted the parcel
14 currently contains both the Zyto and Tams buildings, both of which buildings are
16 currently under construction. He noted the minimum lot size in the CG zone is 20,000
square feet (.459 acre). Lot 1 (Zyto) at 1172 West 700 North, will be 2.317 acres. Lot 2
(Tams) at 1126 West 700 North, will be 3.306 acres. He explained the frontage and
access requirements are met for both lots and the lots will have shared access as required
per UDOT's access management plan for 700 North. He added the right-of-way
improvements were previously installed and the remaining improvements are being
completed as per the approved site plans.

18 Mr. Snyder stated the applicant has provided a parking analysis which indicates
20 each lot has been provided with adequate parking spaces to comply with the Lindon City
22 Code parking requirements based on their use and staff has determined that the proposed
24 subdivision complies with all remaining land use standards. He noted the City Engineer is
addressing engineering standards and all engineering issues will be resolved before final
approval is granted. He also referenced the proposed subdivision and the site plan
followed by some general discussion. Chairperson Call stated this appears to meet all
requirement and is pretty straightforward.

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

28 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
30 APPLICANT'S REQUEST FOR APPROVAL OF A TWO (2) LOT COMMERCIAL
32 SUBDIVISION, TO BE KNOWN AS THE TAMS-ZYTO SUBDIVISION PLAT A
WITH NO CONDITIONS. COMMISSIONER KELLER SECONDED THE MOTION.
34 THE VOTE WAS RECORDED AS FOLLOWS:
CHAIRPERSON CALL AYE
36 COMMISSIONER KALLAS AYE
COMMISSIONER MARCHBANKS AYE
COMMISSIONER MCDONALD AYE
COMMISSIONER KELLER AYE
38 THE MOTION CARRIED UNANIMOUSLY.

40 **11. Minor Subdivision — Lindon Harbor Industrial Park Subdivision, Plat E,**
42 **(Approx. 328 South 1250 West).** Arnim Way, Davies Design Build, on behalf
of Enoch Jurgens, Sky Guy LLC, requests approval of a one (1) lot subdivision at
approximately 328 South 1250 West in the Light Industrial (LI) zone.

44 Mr. Snyder led this discussion by explaining this proposal creates a one (1) lot
46 subdivision by vacating and combining all of the existing units and common area of the
Boswell-Olsen Business Condominiums, Plat A which would take it back to a standard
48 subdivision lot. He explained the property currently contains the Scenic Solutions

2 building (unit 1), and they are looking to combine the property to accommodate an
second building with a design and layout that is not compatible with the existing recorded
4 condominium plat (units 2-7). He noted the minimum lot size in the LI zone is 1 acre and
all frontage requirements are met and staff has determined that the proposed subdivision
6 complies with all remaining land use standards. He noted staff has reviewed this with the
City Engineer is addressing engineering standards and all engineering issues will be
8 resolved before the final plat is approved. He then presented the proposed subdivision
and an aerial photo followed by some general discussion.

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

12
14 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
16 APPLICANT'S REQUEST TO VACATE THE BOSWELL/OLSEN BUSINESS
18 CONDOMINIUMS PLAT A AND APPROVE A ONE (1) LOT SUBDIVISION, TO BE
KNOWN AS LINDON HARBOR INDUSTRIAL PARK SUBDIVISION, PLAT E.
WITH NO CONDITIONS. COMMISSIONER KALLAS SECONDED THE MOTION.

18 THE VOTE WAS RECORDED AS FOLLOWS:

20 CHAIRPERSON CALL	AYE
22 COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER MCDONALD	AYE
COMMISSIONER KELLER	AYE

24 THE MOTION CARRIED UNANIMOUSLY.

26 12. **Site Plan — Scenic Solutions, (Approx. 328 South 1250 West).** Arnim Way,
Davies Design Build, on behalf of Enoch Jurgens, Sky Guy LLC, requests site
28 plan approval of an approximately 35,820 sq. ft. office/warehouse building on the
proposed lot, Lindon Harbor Industrial Park Subdivision, Plat E, at 328 South
30 1250 West in the Light Industrial (LI) zone.

32 Mr. Snyder explained this item is related to the previous item that was just
approved. He noted Arnim Way is in attendance as representative of this agenda item. He
34 noted this proposed building will be used for office/warehouse/production for fabricated
metal products and cabinets and similar furniture/fixtures) – indoor storage and
36 production only, which are permitted uses in the Light Industrial (LI) zone. The intent of
the Light Industrial (LI) zone is to provide areas in appropriate locations where light
38 manufacturing, industrial processes and warehousing not producing objectionable effects
may be established, maintained, and protected. The regulations of this district are
40 designed to protect environmental quality of the district and adjacent areas. (LCC Section
17.49.020). Staff, the City Engineer and the applicant are working through technical
42 issues related to the site and City Staff will ensure all issues are resolved before final
Engineering approval is granted. He then referenced the table showing the property
44 information including the minimum requirements on the proposed site.

46 Mr. Snyder further explained the LI zone requires that a landscaped strip twenty
(20) feet in width shall be planted with grass, and trees planted every thirty (30') feet on
center along all public street frontages. No fencing regulations apply as the site is not
48 adjacent to a residential use or residential zone. The building exterior is to be block,

2 which complies with Lindon City Code materials and percentages requirements. The
3 applicant’s elevations indicating building colors is included in the staff report. He then
4 referenced for discussion the site plan and elevation plan. He then turned the time over to
5 Mr. Way for comment. Mr. Way explained they make backdrops and stage items,
6 cabinets and similar furniture and fixtures. The height of the building is critical for them
7 because of the backdrop heights. They plan to use a local manufacturing and to use a
8 “thin wall” precast silicone (insulated) based product and similar to a precast concrete tilt
9 up (which can be painted and texturized). The product is earthquake resistant and the
10 building will be stamped concrete block. Mr. Snyder read the code regarding this product
11 and listed examples. Chairperson Call stated this appears to meet all requirements and
12 doesn’t have any questions.

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

15 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT’S
16 REQUEST FOR SITE PLAN APPROVAL WITH THE CONDITION THAT THE
17 BUILDING MEETS THE COLOR PALETTE. COMMISSIONER MCDONALD
18 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

19 CHAIRPERSON CALL AYE
20 COMMISSIONER KALLAS AYE
21 COMMISSIONER MARCHBANKS AYE
22 COMMISSIONER MCDONALD AYE
23 COMMISSIONER KELLER AYE
24 THE MOTION CARRIED UNANIMOUSLY.

25

26 **13. New Business: Reports by Commissioners –**

27

28 Chairperson Call called for any new business or reports from the Commission.
29 There were no comments or new business from the Commission.

30 **Planning Director Report–**

31 Mr. Van Wagenen reported on the following items followed by discussion:

- 32 • Dog kennel location requirements - clarification.
- 33 • Question on Performance Motors location expansion of zone.
- 34 • Update on Ivory Development.
- 35 • Update on Public Safety Building.

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

38

39 **ADJOURN –**

40

41 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE MEETING AT
42 9:35 P.M. COMMISSIONER KELLER SECONDED THE MOTION. ALL PRESENT
43 VOTED IN FAVOR. THE MOTION CARRIED.

44

2

Approved – April 26, 2016

4

6

Sharon Call, Chairperson

8

10 Hugh Van Wagenen, Planning Director