

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **April 26, 2016 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: Mike Marchbanks, Commissioner
10 Pledge of Allegiance: Charlie Keller, Commissioner

12 <u>PRESENT</u>	<u>ABSENT</u>
13 Sharon Call, Chairperson	13 Bob Wily, Commissioner
14 Mike Marchbanks, Commissioner	
15 Rob Kallas, Commissioner	
16 Matt McDonald, Commissioner	
17 Charles Keller, Commissioner	
18 Hugh Van Wagenen, Planning Director	
19 Brandon Snyder, Associate Planner	
20 Kathy Moosman, City 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 Planning Commission
25 meeting of April 12, 2016 were reviewed.

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27 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
28 OF THE REGULAR MEETING OF APRIL 12, 2016 AS PRESENTED.
29 COMMISSIONER KELLER SECONDED THE MOTION. ALL PRESENT VOTED IN
30 FAVOR. THE MOTION CARRIED.

32 3. **PUBLIC COMMENT** –

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

36 **CURRENT BUSINESS** –

- 38
39 4. **Continued Public Hearing — Street Master Plan Amendment (Approx. 350**
40 **East 500 North)**. Robert Williamson requests preliminary approval of a proposed
41 amendment to the Lindon City Street Master Plan Map to remove a master planned
42 road connection located at approximately 350 East 500 North in the Single Family
43 Residential (R1-20) zone. The road connection was planned to connect future 500
44 North Street from 200 East with the proposed 350 East street (Continued from
45 4/12/2016).

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2 COMMISSIONER MCDONALD MOVED TO OPEN THE PUBLIC HEARING.
3 COMMISSIONER KELLER SECONDED THE MOTION. ALL PRESENT VOTED IN
4 FAVOR. THE MOTION CARRIED.

6 Mr. Van Wagenen led this discussion by stating this item has been continued
7 several times now and is a request to remove a master planned road connection from the
8 Street Master Plan Map; a section of the Williamson and Spencer property so the road
9 from 200 East would cul-de-sac into the Spencer property rather than going all the way
10 through. If eliminated, the connection limits traffic circulation and would also provide
11 one additional lot to the Williamson Farms Subdivision.

12 Mr. Van Wagenen explained there are four impacted owners, but three are heavily
13 involved. He further explained no substantial updates have been received regarding an
14 agreement on the future of the road. He noted the roadway in question was put on the
15 Street Master Plan during the 2000-2001 General Plan update. He noted that a review of
16 the different development scenarios were presented at the previous meetings and after
17 much discussion the applicant requested a continuation in order to discuss a possible
18 solution with the neighbors. Mr. Van Wagenen expressed that with the amount of time
19 that has passed from the initial application staff recommends maintaining the status quo
20 and to leave the road on the master plan and recommend denial to the City Council. At
21 this time he turned the time over to Todd Dudley, architect representing the applicant, for
22 comment.

23 Mr. Dudley agreed that we have heard all the discussion points at this time. He
24 noted that the Williamson's have made some attempts to purchase the property and made
25 offers with some discussion and they have countered back and forth but they have not
26 come to a resolution; so at this point they have heard everything and there is no further
27 discussion needed. Mr. Dudley pointed out this item has been before the Commission
28 three times and he feels everything has been said and feels it should just move forward.
29 Mr. Van Wagenen re-iterated that staff's recommendation is to maintain the status quo
30 and leave the road on the Street Master Plan. Chairperson Call called for any public
31 comment at this time.

32 **Blake Spencer:** Mr. Spencer mentioned his concerns about the road being eliminated as
33 they would be landlocked. He noted they want to be able to move on that if they can and
34 pointed out they can't build another home with a road there. Mr. Spencer also asked if
35 there has ever been a limitation on flag lots. Mr. Van Wagenen stated under the current
36 ordinance there cannot be back to back flag lots but there is no restriction in area
37 coverage. Mr. Spencer asked about the sewer requirements. Mr. Dudley stated the ground
38 slopes west and the sewer would have to slope east and is 3 to 4 ft. deep at the property
39 line (preliminary numbers). Mr. Dudley also clarified that the Spencer property is not
40 landlocked as they have access now; the ability to develop is more accurate.

41 **Rod Povey:** Mr. Povey asked if there is any reason why the sewer can't go to the lane
42 that Mr. Spencer is using now and out to the road. Mr. Dudley stated it is a matter of the
43 flow.

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48 Chairperson Call observed that it sounds like there hasn't been any kind of a
resolution or agreement worked out by the affected property owners. Mr. Dudley added

2 the next item on agenda is Patti Toomer’s request to eliminate the road. There may not be
4 an agreement between the Williamson’s and Mrs. Toomer on a property purchase but
they are in agreement that they both want the road eliminated.

6 Chairperson Call asked if there were any further public questions or comments.
Hearing none she called for a motion to close the public hearing.

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

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

14
16 Commissioner McDonald stated it is unfortunate the property owners have been
unable to come to an agreement but he is inclined to follow staff’s recommendation and
18 leave it as status quo and forward their recommendation of denial on to the City Council;
this will move it forward. Commissioner Keller asked if they deny the request would it
20 be imposed on the Williamson’s to stub the road in as they develop. Mr. Van Wagenen
stated in the event a denial happens and the road has to stay through there has been
22 conversation about leaving out lots 8 and 9 of the subdivision and subdivide in phases;
the Williamson’s can go ahead and develop.

24 COMMISSIONER MCDONALD MOVED TO RECOMMEND TO THE CITY
26 COUNCIL DENIAL OF THE APPLICANT’S REQUEST TO REMOVE THE STREET
CONNECTION IDENTIFIED AT APPROXIMATELY 350 EAST 500 NORTH FROM
THE STREET MASTER PLAN. COMMISSIONER KELLER SECONDED THE
28 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

34 THE MOTION CARRIED UNANIMOUSLY.

36 5. **Continued Public Hearing—Street Master Plan Amendment (Approx. 200**
38 **East 500 North).** Patti Toomer requests preliminary approval of a proposed
amendment to the Lindon City Street Master Plan Map to remove a master planned
40 road connection located at approximately 200 East 500 North in the Single Family
Residential (R1-20) zone. The road connection was planned to connect future 500
42 North Street from 200 East with the proposed 350 East street (Continued from
4/12/2016).

44 COMMISSIONER MCDONALD MOVED TO OPEN THE PUBLIC
HEARING. COMMISSIONER KELLER SECONDED THE MOTION. ALL PRESENT
46 VOTED IN FAVOR. THE MOTION CARRIED.

2 Mr. Van Wagenen noted this item is a request by Mrs. Toomer to remove the
master planned road connection from 200 east as not to impact her property. It is the
4 same premise as the previous item that the property owners are trying to get together on a
consensus with no success at this time regarding this request.

6 **Rod Povey:** If Mrs. Toomer got the road removed and made it a flag lot how many lots
8 could she have. Mr. Van Wagenen stated she could have one flag lot.

10 Chairperson Call asked if there were any further public questions or comments.
Hearing none she called for a motion to close the public hearing.

12 COMMISSIONER KELLER MOVED TO CLOSE THE PUBLIC HEARING.
14 COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

16 Chairperson Call stated since the previous item was denied she would recommend
18 that the Commission also recommend denial of this item to the City Council.

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

22 COMMISSIONER KALLAS MOVED TO RECOMMEND TO THE CITY
24 COUNCIL DENIAL OF THE APPLICANT'S REQUEST TO REMOVE THE STREET
CONNECTION IDENTIFIED AT APPROXIMATELY 350 EAST 500 NORTH ON
26 THE STREET MASTER PLAN WITH NO CONDITIONS. COMMISSIONER
KELLER SECONDED THE MOTION. THE VOTE WAS RECORDED AS
28 FOLLOWS:

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

34 THE MOTION CARRIED UNANIMOUSLY.

- 36 6. **Annual Review of Group Home Facility — Housing Authority of Utah**
38 **County, 306 East 400 North.** This is a required annual review of a group home
operated by the Housing Authority of Utah County. The facility was previously
40 approved to provide housing for up to three (3) physically disabled adults. No
changes are proposed to the facility at this time. This is only a review of the
42 current use to ensure conformance with Lindon City Code and conditions of
approval.

44 Mr. Snyder led this discussion by stating this is the required annual review for
group homes approved within the City to determine that the facility is in compliance with
46 the Conditional Use Permit conditions and/or local ordinances (Lindon City Code 17.70
Group Homes) regulating these types of facilities. This facility is operated by the
48 Housing Authority of Utah County and is located at the entrance to Hollow Park on 400

2 north. He noted a CUP was approved for this facility in 2003 to allow permanent
residence of up to 3 physically disabled adults and their care takers. The following
4 conditions were imposed in 2003:

- 6 1. The occupancy of the home be limited to three adult persons with disabilities.
- 8 2. That the park access in front of the home be painted red and signed for no
stopping or parking. *(It was determined in the 2006 review that this item had
not been completed, but would not be required unless parking along the
entrance road becomes a problem)*
- 10 3. That the number of parking spaces be reviewed upon complaint.

12 Mr. Snyder stated Ms. Lynell Smith is in attendance tonight representing the
Housing Authority. He noted a copy of the minutes from the 2015 annual review and the
14 2015 incident report for the facility from the Police Department. He mentioned that Chief
Cody Cullimore has indicated that the incidents reported in 2015 appear to be normal
16 incidents for such a facility and it is not causing a disproportionate impact on public
safety. Mr. Snyder then asked Chairperson Call to confirm with the facility representative
18 the following questions per current ordinances:

20 Chairperson Call then confirmed the following statements with Ms. Smith as
follows:

- 22 1. That the facility is only providing housing for those with disabilities and their
care takers;
*Ms. Smith confirmed that they provide housing only for those with
24 disabilities and their care takers.*
- 26 2. That the applicants have adequate insurance coverage for the facility/vehicles
and liability coverage for third part individuals
*Ms. Smith confirmed they have adequate insurance coverage and the city
28 has a copy of the policy.*
- 30 3. That no individuals currently housed in the facility pose a direct threat to others
safety within the group home or to the community in general.
*Ms. Smith confirmed that no individuals currently housed pose a direct
32 threat to others and they have adequate staffing levels; she provided a
letter to the city.*

34 Mr. Snyder noted that no motion is necessary unless there is a change in the
36 conditions or additional conditions imposed. Chairperson Call thanked Ms. Smith for
attending and for her work at the facility. Ms. Smith thanked the Commission for their
38 time and for their support over the years. Chairperson Call asked if there were any further
questions or comments from the Commission. Hearing none she moved on to the next
40 agenda item.

- 42 7. **Annual Review of Group Home Facility – Lindon Care & Training Center,
680 N. State Street.** This is a required annual review of a group home for disable
44 adults operated by RHA Health Services of Utah. The facility provides housing for
multiple tenants. No changes are proposed to the facility as this is only a review of
46 the current use to ensure conformance with City Code.

48 Mr. Snyder explained this is also an annual required review. He noted that Deanna

2 Lundy is in attendance tonight representing the Lindon Care & Training Center.

4 He noted this facility located at 680 North State Street has been in existence for
6 many years; they believe prior to any ordinance regulating such businesses in Lindon. In
8 2006 the facility received final site plan approval for a new office building on the
10 property – and at that time they agreed to meet with the City on an annual basis for the
12 yearly reviews as required by the current ordinance. He noted the facility houses disabled
adults and provides and coordinates job training opportunities for the tenants. He noted a
copy of the minutes from the 2015 annual review has been included along with the 2015
incident report for the facility from the Police Department. Chief Cody Cullimore has
indicated that the incidents reported in 2015 appear to be normal incidents for such a
facility and it is not causing a disproportionate impact on public safety.

14 Mr. Snyder then asked Chairperson Call to confirm with the facility representative
the following questions per current ordinances:

16 Chairperson Call then confirmed the following statements with Ms. Lundy as
18 follows:

1. That the facility is only providing housing for those with disabilities and
their care takers;

20 *Ms. Lundy confirmed they provide housing for those with disabilities and
22 can house up to 66 individuals. The staff ratio is 1 to 8 (a.m. hours) and 1
to 16 (p.m. hours) as required by the state. They do have several juveniles
in attendance at this time.*

2. That the applicants have adequate insurance coverage for the facility/vehicles/and
liability coverage for third party individuals;

26 *Ms. Lundy confirmed she will provide a copy of the insurance to the City.*

3. That no individuals currently housed in the facility pose a direct threat to others
safety within the group home or to the community in general.

28 *Ms. Lundy stated that they generally do not pose a threat to themselves or
30 others, and if they have an incident (sexual or otherwise) they will remove
them if necessary.*

32 Mr. Snyder noted that no motion is necessary unless there is a change in the
34 conditions or additional conditions imposed. Chairperson Call thanked Ms. Lundy for her
attendance and for her service to the community. Ms. Lundy thanked the Commission for
36 their time and for their support of the facility over the years.

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

40 **8. Annual Review of Group Home Facility – Timpview Residential Treatment
Center, 200 North Anderson Lane.** This is a required annual review of a
42 juvenile group home approved for up to 16 youth not over the age of 18. The
facility provides housing and social activities for the youth. This is a review of the
44 current conditions of the facility to ensure conformance with city code.

46 Mr. Snyder stated this is also an annual review for the group home operated by
Alliance Youth Services noting this facility has had several past owners. Mr. Snyder

2 mentioned that Jim Otteson , Devin Jensen and Jared Young are in attendance as
representatives of this agenda item tonight.

4 Mr. Snyder explained In March 2005 a CUP was issued for a juvenile group home
facility. It was approved for housing up to 12 youth that are not over the age of 18. He
6 then referenced the list of revised conditions which were imposed during annual reviews
(included in the staff report). He further explained that in 2013, the operator of Heritage
8 Youth Services worked with Brian Haws, Attorney for Lindon City, to clarify what type
of youth is accepted into the facility. Based upon Mr. Haws' recommendation conditions
10 13 through 19 (on the list included in the report) were added to replace conditions 2 and
8. Also, in December 2013, Heritage Youth Services applied for and received approval of
12 an expansion of the nonconforming use of the Timpview RTC. The expansion consisted
of a remodel/addition of the existing home and an increase in residents from 12 to 16,
14 with one additional staff with two conditions of approval as follows:

- 16 1. The septic tank upgrade have the capacity to accommodate the additional
residents and staff as proposed by the expansion;
- 18 2. Prior to occupancy of the new addition, the water issue be remediated that has
been flooding the Anderson Property. The expansion is presently on hold because
20 the facility is unable to comply with County Health Department requirements
related to septic and sewer.

22 Mr. Snyder noted that no known citizen initiated complaints about the facility
24 have been received during the previous year. He added that a copy of the minutes from
the 2015 annual review and the 2015 incident report for the facility from the Police
26 Department is included in the staff report. Chief Cody Cullimore has indicated that the
incidents reported in 2015 appear to be normal incidents for such a facility and it is not
28 causing a disproportionate impact on public safety.

30 Mr. Snyder then asked Chairperson Call to confirm with the facility
representatives the following questions per current ordinances:

32 Chairperson Call then confirmed the following statements with the representatives
as follows:

- 34 1. That the facility is only providing housing for those with disabilities and their care
36 takers;

Mr. Otteson confirmed that statement.

- 38 2. That the applicants have adequate insurance coverage for the facility/vehicles
and liability coverage for third part individuals;

*Mr. Otteson confirmed he has provided all required proof of insurance to
City staff.*

- 42 3. That no individuals currently housed in the facility pose a direct threat to others
safety within the group home or to the community in general.

*Mr. Otteson confirmed that statement. He noted that if one of the
44 individuals housed at the facility is a threat to others they will recommend
46 that they be removed from the facility. They must meet the supervision
48 protocol. He added that they meet all staffing levels.*

2 Mr. Snyder noted that no motion is necessary unless there is a change in the
conditions or additional conditions imposed. There was then some general discussion
4 regarding this agenda item. Chairperson Call thanked the representatives for the
information and for their good work in the community. Following discussion Chairperson
6 Call asked if there were any further questions or comments. Hearing none she moved on
to the next agenda item.

8
9. **Annual Review of Group Home Facility — Reflections Recovery Center, 145
10 South 200 East.** This is a required annual review of a residential substance use
disorder and mental health recovery center approved for up to 16 residents located
12 in the R1-20 zone. This is a review of the current conditions of the facility to
ensure conformance with City Code.

14
16 Mr. Van Wagenen gave an overview of this agenda item explaining this is also a
required annual review for the Reflections Recover Center to determine if the facility is
in compliance with the Conditional Use Permit conditions and/or local ordinances
18 regulating these types of facilities. He noted this facility is owned managed by
Reflections Recovery Center and has been in operation since early 2015. He explained
20 the Planning Commission granted a reasonable accommodation request in February of
2015 allowing more than four individuals to occupy the home in the residential
22 neighborhood. He noted the Planning Commission Report of Action, including conditions
of operation, is included in the staff packet along with a copy of the Reasonable
24 Accommodation Order that has been recorded at Utah County for the property.

26 Mr. Van Wagenen stated that there has been no known citizen initiated complaints
about the facility received during the previous year. Mr. Van Wagenen further explained
as this is Reflections Recovery Center first annual review so there are no previous review
28 minutes included. He did note that the 2015 incident report for the facility from the Police
Department in included in the staff packet with only two incidents reported and the
30 facility is not causing a disproportionate impact on public safety and Chief Cody
Cullimore has no major safety concerns regarding the facility.

32 Mr. Van Wagenen then asked Chairperson Call to confirm with the facility
representatives the following questions per current ordinances:

34 Chairperson Call then confirmed the following statements with the representatives
as follows:

- 36 1. That the facility is only providing housing for those with disabilities and their care
takers;

38 *The representatives confirmed that statement.*

- 40 2. That the applicants have adequate insurance coverage for the facility/vehicles
and liability coverage for third part individuals;

42 *The representatives confirmed they have provided adequate insurance
coverage to city staff.*

- 44 3. That no individuals currently housed in the facility pose a direct threat to others
safety within the group home or to the community in general.

46 *The representatives confirmed that no individuals housed at the facility
pose a direct threat to others within the group home or to the community.
48 And their staffing levels are sufficient and comply with state requirements
(or higher).*

2

At this time Chris Clark, neighbor to the facility addressed the Commission. Mr. Clark stated he was in opposition to the facility going in at first but now feels the facility is a good neighbor and they have done everything they said they were going to do.

Lori Peters, neighbor to the facility (2 doors down from the facility) also addressed the Commission. Ms. Peters stated some of her ongoing concerns with the facility. She noted that the 17 ft. gate remains unlocked and it was understood it would be secure. Semi-trucks come and block the road and there are numerous cars that park there on visiting days. She has experienced discomfort from hearing vulgarity from patients and there are outdoor lights shining into yards (evening lights) and yard lights. There are also a lot of garbage cans on the street. Ms. Peters feels this has not been the best of situations to have as neighbors for them. She noted this is still a business in a residential area. The representatives stated they will be happy to address these valid concerns presented by Ms. Peters as they want to be good neighbors.

Mr. Van Wagenen noted that no motion is necessary unless there is a change in the conditions or additional conditions imposed. There was then some general discussion regarding this agenda item. Chairperson Call thanked the representatives for the information and for their good work in the community. Following discussion Chairperson Call asked if there were any further questions or comments. Hearing none she moved on to the next agenda item.

22
10. Conditional Use Permit — Two Dudes Towing/Action Parking Enforcement

24 **LLC.** Marc Palmer requests conditional use permit approval for an impound yard to be located at 154 South 1800 West in the Light Industrial (LI) zone.

26
Mr. Snyder led this discussion by explaining the applicant, Mr. Marc Palmer (who is in attendance), is requesting approval of a conditional use permit for an impound yard to be located at 154 South 1800 West in the Light Industrial (LI) zone. He noted the applicant has requested to relocate his two businesses to the proposed site. He explained that Mr. Palmer will be using the north half of the site and proposes no structure or changes to the site at this time. He noted the site is currently used for storage and business license records indicate no current business licenses for this location. Mr. Snyder stated this use requires a conditional use permit in the LI zone as wrecking and salvage yards are not permitted in the LI zone.

36 Mr. Snyder stated staff recommends the following condition(s) of approval:

- 38
1. No repairing, servicing, salvaging, or dismantling of vehicles
 2. Applicant must maintain the sight-obscuring (chain link with slats) fence.

40 Mr. Snyder noted the existing site improvements (chain link fence with slats and gravel) were installed after approval by the Planning Commission of the Wernli Site Plan 06-433-2, on July 26, 2006. Mr. Palmer was required to install the sight-obscuring fence and gravel for the outdoor storage of equipment and machinery. The motion to approve the site plan at that time allowed for the use of a temporary storage container (shed) for storage purposes only. He explained that the intent was that the improvements (landscaping, parking, etc.) would be required and installed with the future construction of a permanent building. He added that the purpose of the Light Industrial (LI) district to provide areas in appropriate locations where light manufacturing, industrial processes and

2 warehousing not producing objectionable effects may be established, maintained, and
3 protected. The regulations of the district are designed to protect environmental quality of
4 the district and adjacent areas. He mentioned that third party notices were mailed to the
5 adjoining property owners in accordance with Lindon City Code and staff has received
6 no public comment at this time.

7 At this time Chairperson Call asked for some clarification on the parameters of
8 Conditional Use Permits followed by discussion. Mr. Van Wagenen stated Conditional
9 Use Permits may be a specific topic for another discussion and if they feel there are
10 conditions that need to be met tonight in order to minimize any detrimental effects this
11 business may have on the area to list them in the motion. Chairperson Call stated her
12 biggest concern is that it is not a permitted use in the area. Mr. Van Wagenen clarified it
13 is a conditioned use. Mr. Palmer stated they will just store cars there, he will not be
14 servicing or dismantling vehicles. He also feels this will be an improvement from where
15 they are currently located and noted the site obscuring fence is currently in place.

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

18
19 COMMISSIONER KELLER MOVED TO APPROVE THE APPLICANT'S
20 REQUEST FOR A CONDITIONAL USE PERMIT FOR AN IMPOUND YARD TO BE
21 LOCATED AT 154 SOUTH 1800 WEST WITH THE FOLLOWING CONDITIONS 1.
22 NO REPAIRING, SERVICING, SALVAGING, OR DISMANTLING OF VEHICLES
23 AND 2. APPLICANT MUST MAINTAIN THE SIGHT-OBSCURING (CHAIN LINK
24 WITH SLATS) FENCE. COMMISSIONER MARCHBANKS SECONDED THE
25 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

26 CHAIRPERSON CALL AYE
27 COMMISSIONER KALLAS AYE
28 COMMISSIONER MARCHBANKS AYE
29 COMMISSIONER MCDONALD AYE
30 COMMISSIONER KELLER AYE
31 THE MOTION CARRIED UNANIMOUSLY.

32
33 **11. Aquatherm Minor Subdivision — Approx. 850 West and 600 North.** GBR
34 Capital requests approval of a one (1) lot subdivision including dedication of
35 public right-of-way, at 850 West and 600 North in the Mixed Commercial (MC)
36 zone.

37
38 Mr. Van Wagenen opened this discussion by giving a brief history of this agenda
39 item. He noted the applicant, John Gardner is in attendance along with Bill Gould
40 (architect) as representatives of this item. He explained this lot is being subdivided from
41 a larger parcel that is over 23 acres and the rest of the parcel can be further subdivided
42 and is therefore not part of this plat. He noted the development of this property requires
43 street right of way dedication to the City. He went on to say the site is located in the
44 Mixed Commercial (MC) zone and will have an office/warehouse building. Review of
45 the site plan will be reviewed on another agenda item.

46 Mr. Van Wagenen explained the minimum lot size in the MC zone is one acre
47 (43,560 sq. ft.). He noted the lot created by this subdivision will be 4.5 acres and meets
48 the required public street frontage of 100 feet as over 800 feet is provided as it is a corner

2 lot with approximately 412 ft. of new public frontage is being constructed on 800 west.
He noted there are road improvements required along 2800 West including road
4 widening, curb, gutter, and sidewalk. He added that these improvements are shown on the
Aquatherm site plan that will be reviewed during the next agenda item. However, the
6 improvements will be required for subdivision approval, even if the site development
were to not happen.

8 Mr. Van Wagenen noted the City Engineer is addressing the engineering
standards and all engineering issues will be resolved before final approval is granted. Mr.
10 Van Wagenen then referenced an aerial photo of the proposed subdivision followed by
some general discussion. He noted there are no concerns by staff and this is a pretty
12 straightforward subdivision. Chairperson Call observed that the frontage and lot size meet
the requirements and the improvements will be addressed in the final plat stage.

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

16
18 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
APPLICANT'S REQUEST FOR APPROVAL OF A ONE (1) LOT SUBDIVISION TO
BE KNOWN AS AQUATHERM PLAT A WITH NO CONDITIONS.

20 COMMISSIONER MCDONALD SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

22 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
24 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER MCDONALD	AYE
26 COMMISSIONER KELLER	AYE

THE MOTION CARRIED UNANIMOUSLY.

28
30 **12. Aquatherm Site Plan — Approx. 850 West 600 North.** GBR Capital requests
site plan approval for the proposed Aquatherm office/warehouse, 73,000 sq. ft., to
32 be located at approximately 850 West 600 North in the Mixed Commercial (MC)
zone.

34 Mr. Van Wagenen explained this item is the same applicant as the previous agenda
item. They are proposing to construct a 73,000 square foot office/warehouse building at
36 850 West 600 North in the Mixed Commercial zone on what will be Lot 1 of Aquatherm
Subdivision Plat A in the Mixed Commercial zone (near the Vivint warehouse). He
38 noted this area has historically been used as pasture and road dedication and construction
for the future 800 West is occurring with the Aquatherm Subdivision.

40 Mr. Van Wagenen noted that general office requires one space for every 350
square feet with warehousing in the MC zone requiring one space for every 500 square
42 feet. Code allows a comparative use study to be provided in order to allow fewer than the
required stalls and the study should provide actual parking information for similar uses.
44 The bike parking in the MC zone requires an 8% ratio to required vehicular stalls up to
16 bike stalls and the total provided vehicle spaces is 122 which is fewer than what is
46 required for a 73, 300 s.f. building. He added that a comparative parking study needs to
be provided based on the Aquatherm's existing operations in another location.

2 Mr. Van Wagenen further explained the applicant has not provided this
information so that a reduction in the number of required stalls must be granted for the
4 project. If the reduction is granted, the applicant needs to show where future parking may
be located if necessary at a later date. He mentioned that 10 stalls are being provided at
6 the northwest corner of the building. This may or may not be adequate depending on the
results of any comparative parking use study. Also, a bike rack detail is required to
8 ensure it meets code.

10 Mr. Van Wagenen noted the required 20 foot landscape strip along 600 North and
800 West is being provided with the requisite trees every 30 feet on center and a grass
berm. Interior landscaping must be provided at 40 square feet per required stall with one
12 tree per 10 stalls. With the proposed 117 stalls, that equates to 4,680 square feet and 12
trees required. There are 18 trees provided, but verification of interior landscaping square
14 footage is still needed. The MC zone requires a minimum of 15% open space on the site.
Mr. Van Wagenen stated this site requires 29,533 s.f. of open space and 30, 651 s.f. is
16 provided. The required 5 foot landscape strip around the perimeter of the buildings per
MC zone standards is being provided except where loading docks are located. He
18 explained for the MC zone the architectural design requirement states that concrete tilt-up
buildings shall comply with painted or colored concrete exteriors are permitted as
20 required noting the shade of each color must be consistent noting that bare concrete
exteriors are not permitted.

22 Mr. Van Wagenen stated the exterior of a concrete tilt-up building shall be
finished with additional architectural details such as entrance canopies, wrought iron
24 railings and finishes, shutters, multi-level porches, metal shades, and metal awnings.
Although specific colors are not called out in the elevations, it appears there are dark
26 gray, light gray, and emerald green (trim) colors being proposed. He added that all colors
need to meet the color palette in the Design Guidelines. He then referenced the elevations
28 included in the report. He noted the building is within the 48 foot height limit in the LI
zone, the highest point of the parapet wall being about 38 feet.

30 Mr. Van Wagenen noted there are some engineering issues that will need to be
resolved before the plans are finalized and staff will ensure all requirements are met.
32 Mr. Van Wagenen then referenced an aerial photo of the site and surrounding area, the
existing site, site plan, architectural rendering and elevations, landscaping plan, and color
34 palette followed by discussion.

Mr. Van Wagenen then turned the time over to Mr. Gardner for comment. Mr.
36 Gardner stated they are happy to be staying in Lindon as they have outgrown their current
location. He noted they have been working with Aquatherm for a year. He then
38 explained their product (hydrophobic pipe) stating they have 50 employees. Mr. Gardner
stated they are anxious to get moving forward as soon as possible and will do a great job
40 on the project. Chairperson Call mentioned that the parking issues seem to be worked out
and it appears this will be a great addition to the city.

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

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46 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR SITE PLAN APPROVAL WITH THE VERIFIED CONDITIONS.
COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS
48 RECORDED AS FOLLOWS:

2 CHAIRPERSON CALL AYE
COMMISSIONER KALLAS AYE
4 COMMISSIONER MARCHBANKS AYE
COMMISSIONER MCDONALD AYE
6 COMMISSIONER KELLER AYE
THE MOTION CARRIED UNANIMOUSLY.

8

10 13. **New Business: Reports by Commissioners** – Chairperson Call called for any
new business or reports from the Commission.

12 Chairperson Call asked for some clarification regarding Conditional Use Permits.
14 Mr. Van Wagenen explained the parameters of Conditional Use Permits. She also
mentioned the complaints heard tonight about the treatment facility and if those are
16 nuisance items that should be followed up on. Mr. Van Wagenen said he will check into
the issue noting there has been very little complaints since they opened. Commissioner
18 Kallas mentioned he has seen temporary signs tied to the two rail fencing along State
Street. Mr. Van Wagenen stated they are permitted temporarily. Commissioner Kallas
suggested that is something that should potentially be looked at in the future.

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22 14. **Planning Director Report**–

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

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- Councilmember vacancy due to the resignation of Councilmember Randi Powell.

26

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

30 **ADJOURN** –

32 COMMISSIONER MCDONALD MADE A MOTION TO ADJOURN THE
MEETING AT 9:25 P.M. COMMISSIONER MARCHBANKS SECONDED THE
34 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – May 10, 2016

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Sharon Call, Chairperson

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Hugh Van Wagenen, Planning Director