

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **April 9, 2019 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: Scott Thompson, Commissioner
10 Pledge of Allegiance: Jared Schauers, Commissioner

12 <u>PRESENT</u>	<u>EXCUSED</u>
Sharon Call, Chairperson	Steven Johnson, Commissioner
14 Mike Marchbanks, Commissioner	
Rob Kallas, Commissioner	
16 Scott Thompson, Commissioner	
Jared Schauers, Commissioner	
18 Mike Florence, Planning Director	
Anders Bake, Associate Planner	
20 Kathryn Moosman, Recorder	

- 22 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
- 24 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the
26 Planning Commission meeting of March 26, 2019 were reviewed.

28 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
OF THE REGULAR MEETING OF MARCH 26, 2019 AS PRESENTED.
30 COMMISSIONER THOMPSON SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

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

36 **CURRENT BUSINESS** –

- 38 4. **Site Plan and One Lot Minor Subdivision Approval for Mountain Tech**
40 **South Lot 4. Approximately 400 N. 2800 W.** Mark Weldon, on behalf of WICP
West Mountain Tech South, requests site plan and one lot subdivision approval
42 for a 100,000 square foot office/warehouse building in the Regional Commercial
zone. (Parcel#14:059:0040)

46 Michael Florence, Planning Director, led this discussion by giving a brief
overview explaining the applicant, Mr. Mark Weldon (who is in attendance), is seeking
48 site plan and minor subdivision approval for Mountain Tech South Lot 4 located at
approximately 400 North 2800 West. Mr. Florence mentioned at the February 12th
Planning Commission meeting Mr. Weldon presented a concept for Lot #4. The purpose

2 of the concept plan was to review the building orientation and site improvements. He
4 noted Mr. Weldon proposed to orient the building towards the interior of the development
6 instead of the street. The purpose of the change was to not have the building oriented to
the sewer plant and instead create a “campus” design for the project (DoTerra was
approved for a similar design).

8 Mr. Florence explained that Mr. Weldon is also proposing additional landscaping
and a masonry or concrete screening wall along 400 North (Lot 4 is 7.3 acres). The
10 proposal is to add a one story, 99,000 square foot office/warehouse building on the site.
The Lindon City Street Master Plan map shows both Vineyard Connector and local
12 streets 600 North and 2800 West bisecting the southwest corner of the property. He noted
Mr. Weldon is working with UDOT and Lindon City on the feasibility of preserving the
appropriate right-of-way for both of these roads.

14 Mr. Florence pointed out the proposed office warehouse building is very similar
to the buildings that have previously been approved on lots one and two which are tilt-up
16 concrete buildings. He indicated the planning commission seemed supportive at the
concept meeting of allowing the building to be oriented towards the interior of the
18 development. He noted because of this Mr. Weldon has provided greater architectural
detail in the form of additional windows along the side of the building that faces 2800
20 West. Also, similar to the other approved buildings, there will be metal awnings that
overhang each window and entryway as well as wall articulation on each façade. The
22 building height of the office building is 40’. The proposed building meets the minimum
setback of 30’ from each property line. He noted Mr. Weldon will also be installing the
24 Washington Postlite at 100’ spacing along 400 North and 2800 West.

26 Mr. Florence stated the City Engineer is working through any technical issues
related to the plat and civil engineering plans and will ensure all engineering related
issues are resolved before final approval is granted. Mr. Florence added for lots 1-3 Mr.
28 Weldon provided a traffic study and circulation analysis. The study particularly looked at
the intersection of 2800 West 600 North, future levels of service, and UDOT
30 improvements.

32 Mr. Florence commented that the Planning Commission approved the previous
phase with the following traffic related conditions:

- 34 1. Proposed and future access roads in and out of the site will be constructed as
proposed in the traffic study;
- 36 2. The applicant will continue to work with Lindon City and UDOT on designing
and dedicating the appropriate right-of-way on the Mountain Tech South property
to accommodate the intersection signal;
- 38 3. Property will be dedicated on the Mountain Tech South plat to accommodate the
66’ right-of-way on 2800 West and 400 North and improvements installed on the
40 Mountain Tech South property;
- 42 4. The developer will continue to work with UDOT to further study the acceleration
and deceleration lanes on 600 North.

44 Mr. Florence commented Mr. Weldon has agreed to plan for and install
improvements on their property to accommodate the traffic signal and is currently
46 working with the City and UDOT on the intersection design (the developer previously
made the improvements for Mountain Tech 3) and Mr. Weldon and the City have agreed
48 to work with the other property owners to install the remaining improvements. Mr.

2 Weldon is dedicating 9 feet on 400 North and 14 feet on 2800 West and improving the
right-of-way on his half of the street. When the remaining properties develop the right-of-
4 way will be developed to it full 66' width and a center turn lane will be installed. Mr.
Florence commented Mr. Weldon will need to continue to work with UDOT on studying
6 the acceleration and deceleration lanes on 600 North.

8 Mr. Florence made note that the Lindon City Street Master Plan map shows both
Vineyard Connector and local streets 600 North and 2800 West bisecting the southwest
10 corner of the property. He indicated that Mr. Weldon is also working with UDOT and
Lindon City on the feasibility of preserving the appropriate right-of-way for both of these
12 roads. This would require the location of the building to be adjusted. However, if the
Vineyard Connection alignment changes, then Mr. Weldon will need to file for the
appropriate applications to amend the street master plan as needed.

14 Mr. Florence then presented for discussion the Lot 4 Site Plan, Subdivision Plat,
Architectural Renderings, office building and parking structure, Landscaping and
16 Emergency Vehicle circulation plan.

18 Mr. Florence stated after speaking with Mr. Weldon and Brian Haws, City
Attorney, they recommend adding some conditions that they would like to change in the
motion. He then went over the listed conditions included in the staff report noting they
20 would like to strike condition number three. Mr. Haws spoke on condition number four
regarding the road alignment noting we need to amend the master plan road. He then
22 stated the change on condition of approval #4 as follows:

*The applicant will file an application to amend the Lindon street master plan map
24 and Lindon city staff will recommend that the planning commission and city council
approve the change application to move the master plan road to accommodate a 66 foot
26 roadway matching the current road alignment and as set forth in the applicant's
submitted plats 1, 2, 3, and 4. Mr. Florence then turned the time over to the applicant for
28 comment.*

30 Mr. Haws explained procedure will need to be followed and to notice the public
hearing that will go before the city council and suggested adding condition to the motion
that states no building permit will be issued until the amended street master plan is
32 completed in order to allow Mr. Weldon to do the prep work and to also include that we
will work to process the permit as expeditiously as possible and to include that verbiage
34 as a condition in the motion as well. Mr. Weldon expressed that he would like the
building permit as soon as possible.

36 At this time, Commissioner Marchbanks made a recommendation and proposed to
allow Mr. Weldon and Mr. Haws to extend this discussion to the conference room in
38 order to work out the language details on the motion. The commission was in agreement
to amend the agenda order to allow Mr. Weldon and Mr. Haws time to have discussion
40 regarding this matter in the conference room.

42 COMMISSIONER KALLAS MOVED TO AMEND THE AGENDA ORDER
AND CONTINUE AGENDA ITEM NUMBER FOUR UNTIL AFTER THE NEXT
44 TWO AGENDA ITEMS. COMMISSIONER MARCHBANKS SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

46 CHAIRPERSON CALL AYE
COMMISSIONER KALLAS AYE
48 COMMISSIONER MARCHBANKS AYE

2 COMMISSIONER THOMPSON AYE
COMMISSIONER SCHAUERS AYE
4 THE MOTION CARRIED UNANIMOUSLY.

6 *The agenda order was resumed at this time (8:00 pm) and the item was continued
for further discussion.*

8

10 Mr. Haws explained the conditions discussed with Mr. Weldon noting they agreed
to strike condition #3 and to amend condition #4 (see motion below).

12 Chairperson Call called for any further comments or discussion from the
Commission. Hearing none she called for a motion.

14

16 CHAIRPERSON CALL MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR ONE LOT MINOR SUBDIVISION AND SITE PLAN APPROVAL
WITH THE FOLLOWING CONDITIONS: 1. FINAL DESIGN OF THE
18 OFFICE/WAREHOUSE BUILDING IS TO COMPLY WITH LINDON CITY DESIGN
STANDARDS; 2. THE DEVELOPER WILL CONTINUE TO WORK WITH THE
20 CITY ENGINEER TO MAKE FINAL TECHNICAL CHANGES TO THE PLAT AND
FOR FINAL ENGINEERING APPROVAL; 3. THE APPLICANT WILL FILE AN
22 APPLICATION TO AMEND THE LINDON CITY STREET MASTER PLAN MAP
AND LINDON CITY STAFF WILL RECOMMEND THAT THE PLANNING
24 COMMISSION AND CITY COUNCIL APPROVE THE CHANGE APPLICATION TO
MOVE THE MASTER PLAN ROAD TO ACCOMMODATE A 66 FOOT ROADWAY
26 MATCHING THE CURRENT ROAD ALIGNMENT AND AS SET FORTH IN THE
APPLICANT'S SUBMITTED PLATS 1, 2, 3, AND 4. LINDON CITY STAFF ALSO
28 AGREES TO PROCESS THE CHANGE APPLICATION WITH A GOAL OF
HAVING A FINAL DECISION WITHIN 60 TO 90 DAYS AND TO PROCESS THE
30 APPLICATION AS EXPEDITIOUSLY AS POSSIBLE; 4. THE APPLICANT WILL
CONTINUE TO WORK WITH LINDON CITY AND UDOT ON DESIGNING AND
32 DEDICATING THE APPROPRIATE RIGHT-OF-WAY ON THE MOUNTAIN TECH
SOUTH PROPERTY TO ACCOMMODATE THE INTERSECTION SIGNAL; 5.
34 PROPERTY WILL BE DEDICATED ON THE MOUNTAIN TECH SOUTH PLAT TO
ACCOMMODATE THE 66' RIGHT-OF-WAY ON 2800 WEST AND
36 IMPROVEMENTS INSTALLED ON THE MOUNTAIN TECH SOUTH PROPERTY.
COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS
38 RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE
40 COMMISSIONER KALLAS AYE
COMMISSIONER MARCHBANKS AYE
42 COMMISSIONER THOMPSON AYE
COMMISSIONER SCHAUERS AYE
44 THE MOTION CARRIED UNANIMOUSLY.

46 5. **My Fast P.C. Conditional Use Permit. 350 S 400 W.** The applicant requests
conditional use permit approval to operate a call center/computer repair business
48 in the Research and Business zone (Parcel #40:283:0002).

2 Anders Bake, Planning Associate, led this discussion by stating the applicant,
Colleen Staehli, (My Fast PC Controller), is in attendance as representative of this item.
4 He stated to review a conditional use permit and conditions to mitigate the impacts of a
proposed use. He noted the applicant requests approval to use Suite 101 of the office
6 building located at 350 S 400 West for a call center/computer repair business. Mr. Bake
explained the Lindon City Standard Land Use Table states that Direct Selling
8 Organizations (Call Centers are a conditional use in the Research and Business zone). He
noted the subdivision plat was recorded in 1999.

10 Mr. Bake further explained the existing building was constructed in 2001 and no
changes are proposed to the site or building at this time. He added that notices were
12 mailed on March 26, 2019 to adjoining property owners in accordance with Lindon City
Code and staff has received no public comments back at this time. Mr. Bake indicated
14 there is an existing concrete tilt-up office building on the site. He noted the existing
parking lot is sufficient for the required 13 parking stalls. He then turned the time over to
16 the applicant for comment. Ms. Staehli explained their business plan noting there will be
shift work so there should be sufficient parking at the location.

18 There was then some general discussion with the applicant regarding parking,
number of employees, and a description of their business plan. Following discussion, the
20 commission was in agreement to have the applicant check their lease to ensure that an
adequate parking allowance is provided and to work with staff on that issue.

22 Mr. Bake then presented the description of the business plan, site plan, and an
aerial photo of the site and surrounding area followed by discussion.

24 Chairperson Call called for any further comments or discussion from the
Commission. Hearing none she called for a motion.

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28 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR A CONDITIONAL USE PERMIT FOR A CALL CENTER/
COMPUTER REPAIR BUSINESS TO BE LOCATED AT 350 SOUTH 400 WEST
30 SUITE 101, WITH THE FOLLOWING CONDITION: 1. BECAUSE OF THE
POTENTIAL HIGH PARKING USE FOR THIS TENANT AND TO ENSURE THERE
32 BE NO STREET PARKING ALLOWED TO HAVE STAFF REVIEW THE PARKING
SITUATION AFTER 6 MONTHS TO ENSURE THE PARKING STALLS PROVIDE
34 THE ADEQUATE PARKING ALLOWANCE. COMMISSIONER MARCHBANKS
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

36 CHAIRPERSON CALL AYE
COMMISSIONER KALLAS AYE
38 COMMISSIONER MARCHBANKS AYE
COMMISSIONER THOMPSON AYE
40 COMMISSIONER SCHAUERS AYE
THE MOTION CARRIED UNANIMOUSLY.

42
44 *At this time (8:00 pm) the agenda order was resumed to continue agenda item
number four.*

- 46 6. **Public Hearing: Continuing Business.** A recommendation to the Lindon City
Council to amend ordinance 14.64.100 to increase the allowable height and
48 square footage for detached accessory apartments. – Paul Johnson

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

6 Mr. Florence explained from the feedback obtained from the March 26, 2019
7 planning commission meeting staff made the following changes to the proposed
8 ordinance amendment as follows:

- 9 1. If a deck is constructed on the second story, the building setback will be measured
10 from the deck.
- 11 2. The maximum livable floor area is fifteen hundred (1,500) square feet or forty
12 (40) percent of the primary residence, whichever is less.
- 13 3. If an accessory apartment is connected to or constructed above a garage, the
14 apartment shall have a separate entrance from the garage area. This is an existing
15 building code requirement that is required in case there is a hazard such as a fire
16 in the garage that a tenant can safely get out of the apartment.

18 Mr. Florence indicated from the last meeting the planning commission
19 recommended changing the allowable square footage of a total 1,500 square feet or 40%
20 of the primary residence whichever is less. One item that staff thinks that the planning
21 commission should at least consider is a similar discussion on accessory apartment
22 heights. The question is would it be out of scale for a residential neighborhood to allow
23 two-story single-family accessory apartments when the primary residence is one story.
24 Detached accessory apartments are currently allowed to be 20 feet in height.

26 Mr. Florence noted Ordinance language could be inserted as follows:

- 28 • Detached accessory apartments are limited to the height ratio of the primary
29 residence. A one-story primary residence may have a single story detached
30 accessory apartment with a maximum height of twenty (20) feet. A two-story
31 primary residence may have a two-story detached accessory apartment with a
32 maximum height of thirty (30) feet.

34 Following some general discussion, the commission was in agreement to
35 recommend to the city council approval of the ordinance amendment as presented.
36 Chairperson Call asked if there were any public comments or discussion. Hearing none
37 she called for a motion to close the public hearing.

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

42 Chairperson Call called for any further comments or discussion from the
43 Commission. Hearing none she called for a motion.

46 COMMISSIONER THOMPSON MOVED TO RECOMMEND APPROVAL TO
THE CITY COUNCIL ORDINANCE AMENDMENT 2019-6-O AS PRESENTED.

2 COMMISSIONER SCHAUERS SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:
4 COMMISSIONER KALLAS AYE
COMMISSIONER MARCHBANKS AYE
6 COMMISSIONER THOMPSON AYE
COMMISSIONER SCHAUERS AYE
8 THE MOTION CARRIED UNANIMOUSLY.

10 7. **New Business: Reports by Commissioners** – Chairperson Call called for any
new business or reports from the Commissioners. There were no comments or
12 reports from the commission.

14 8. **Planning Director Report** –
• Discussion on the noise ordinance next meeting.

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

20 **ADJOURN** –

22 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE
MEETING AT 8:45 PM. COMMISSIONER MARCHBANKS SECONDED THE
24 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

26 Approved – May 14, 2019

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30 _____
Sharon Call, Chairperson

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Michael Florence, Planning Director