

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **May 10, 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: Bob Wily, Commissioner
10 Pledge of Allegiance: Charlie Keller, Commissioner

12 **PRESENT** **ABSENT**

13 Sharon Call, Chairperson
14 Bob Wily, Commissioner
15 Mike Marchbanks, Commissioner
16 Rob Kallas, Commissioner
17 Matt McDonald, Commissioner
18 Charles Keller, Commissioner
19 Hugh Van Wagenen, Planning Director
20 Brandon Snyder, Associate Planner
21 Kathy Moosman, City Recorder

22

Special Attendee:

24 Councilmember Matt Bean

- 26 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
28 2. **APPROVAL OF MINUTES** – The minutes of the regular Planning Commission
29 meeting of April 26, 2016 were reviewed.

30

31 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE
32 REGULAR MEETING OF APRIL 26, 2016 AS PRESENTED. COMMISSIONER
33 MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.
34 THE MOTION CARRIED.

36 3. **PUBLIC COMMENT** –

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

40

CURRENT BUSINESS –

42

- 43 4. **Site Plan — Dastrup Auto.** Devin Dastrup requests site plan approval for a 2.3
44 acre used car lot, including a new 1,512 square ft. building located at
45 approximately 475 North State in the General Commercial Auto (CG-A) zone.

46

47 Hugh Van Wagenen led this discussion by stating this is a request by Devin
48 Dastrup (who is in attendance) for site plan approval of a 2.3 acre used car lot, including

2 a new 1,512 square ft. building located at approximately 475 North State in the General
Commercial Auto (CG-A) zone (the previous Patch's Majestic Metals location).

4 He explained the site was recently granted a rezone request from General
Commercial to General Commercial Auto, which allows used car sales and earlier this
6 year, Ordinance 2016-3-O governing vehicle sales sites was passed by the City Council.
He noted this new ordinance applies to this particular application. He mentioned a couple
8 of updates received today regarding the square footages (2,176) and fencing that were not
included in the staff report which will also affect the parking somewhat.

10 Mr. Van Wagenen reminded the Commission that automotive sales requires one
parking space for every 250 square feet of showroom and office plus one per employee.
12 With the change in square footage they will be providing 14 stalls (9 guest stalls, 5
employee stalls) and with the 2 required bike stalls provided that meets the code. He
14 added the Mr. Dastrup has had conversations with the neighboring property owner,
Lindon Nursery, and they have an agreement regarding the shared property line and
16 access.

18 Mr. Van Wagenen noted the required 20 foot landscape strip along State Street is
being provided with the requisite trees every 30 feet on center with a grass berm that
meets all requirements. He added that the interior landscaping must be provided at 40
20 square feet per required stall with one tree per 10 stalls. Sufficient trees are provided, but
only 640 square feet of interior landscaping is being called out with an additional 40
22 square feet that needs to be verified. The CG zone requires a minimum of 20% open
space on the site. This site requires 19,938 s.f. of open space and 22,610 s.f. is provided,
24 a large area of which is the detention basin at the rear of the lot.

26 Mr. Van Wagenen stated in the CG zone the architectural design standards state
that brick, stone, or decorative concrete block must be 85% of the building façade.
Windows and doors (fenestration) may also count toward the 85% requirement.

28 The architect has provided the following material percentages:

- 30 • Brick: 66.5%
- Windows and Doors: 27%
- 32 • Stucco: 6.5%

34 He mentioned the building being proposed is a one part commercial block type
building which is an acceptable form in the Standards. Although specific colors are not
specified in the elevations, all colors need to meet the color palette in the Design
Standards. He noted the building is within the 48 foot height limit in the CG zone. He
36 mentioned there are some engineering issues that will need to be resolved before the
plans are finalized and staff will ensure all requirements are met.

38 Mr. Van Wagenen also mentioned a letter received from John and Whimpey
Bayless, property owners to the west, regarding concerns of providing a landscape berm
40 in place of a masonry wall. Mr. Van Wagenen then read the code regarding fencing. He
noted the Bayless's want to see the masonry wall put in while Mr. Dastrup would prefer
42 putting in a landscaping screen or a chain link fence with slats. Mr. Van Wagenen noted
there is a large drainage ditch that runs between the properties that runs year round with
44 some large cottonwood trees that currently buffers the property but may need to be
removed.

46 Mr. Van Wagenen then referenced an aerial photo of the site and surrounding
area, site plan, architectural rendering and elevations, landscaping plan and the color

2 palette followed by discussion. Mr. Van Wagenen then turned the time over to Mr.
3 Dastrup for comment.

4 Mr. Dastrup expressed that they are anxious to get started on the project. He
5 mentioned in regards to the masonry fence there is a large elevation difference between
6 the back of their property and the Bayless property (between 6 ft. - 8 ft. elevation
7 difference); the width of the ditch is about 6 ft. wide. Basically they feel there is an
8 adequate buffer as there is a minimum of 45 ft. to their property line to where the
9 pavement starts and 90 ft. on the other side along with the “no man’s land” additional
10 footage. He added they can also build the berm up higher on both sides. Mr. Dastrup
11 stated they would rather have the landscaping than a concrete fence as they feel it will
12 look better and cost less.

13 Chairperson Call commented that she can understand why the Bayless’s would
14 want the masonry fence between the properties but pointed out it is the code unless the
15 Commission makes an exception. Mr. Dastrup stated he would be happy to put in a chain
16 link fence as he personally feels they look better than masonry and along with some nice
17 landscaping it would provide a better buffer.

18 Chairperson Call pointed out if the business changes in the future or became a
19 different use the concrete buffer would not be there between the commercial and
20 residential uses. Mr. Van Wagenen said if someone repurposed the site for a different
21 permitted use and used the existing buildings or buildings that will be built on the site it
22 would probably not come before this body until they start operating. Mr. Dastrup stated
23 they would not be able to get rid of the retention basis because that is solely there for the
24 purpose of water collection for the entire parcel. Mr. Van Wagenen confirmed that should
25 not be diminished in any way.

26 Commissioner Wily pointed out that there is a public policy reason for the
27 requirement and the Planning Commission can waive the requirement but it should be for
28 a compelling reason. He went on to say the Planning Commission doesn’t make the
29 policy but applies the ordinances that are in place; this is an ordinance that is in place and
30 it is their job to determine if there is a good enough reason to waive it; he does not
31 believe there is.

32 Chairperson Call commented if the adjacent property owner was in agreement it
33 may make a difference, but they are not in agreement. Commissioner Marchbanks
34 pointed out the only time these waivers have been done (to his recollection) up to this
35 point is between residential uses and churches. Mr. Dastrup asked what the Commission
36 feels is an adequate buffer. Chairperson Call commented that the issue here is what has
37 been expressed by the adjacent residential property owner of what the code is and unless
38 there is a real reason not to follow that code. Commissioner Keller agrees the neighbor’s
39 request to maintain the code is a good reason to follow the code.

40 Commissioner Marchbanks commented that he does not read the ordinance as an
41 either/or and it is clear that the masonry wall is the requirement and it will also be
42 required on the south boundary as that decision was previously made (on the Fryer
43 property). There was then some additional discussion regarding the implementation of a
44 masonry wall or to allow the landscaping buffer. Mr. Van Wagenen re-iterated the
45 Commission may approve a landscaping screen in lieu of a masonry fence if the required
46 findings are met.

47 Mr. Dastrup voiced his concerns of maintaining the area with a concrete fence if
48 the large trees were to fall or the ditch were to flood. Commissioner McDonald stated he

2 realizes the masonry fence may present challenges. Chairperson Call observed that the
Commissioners seem to be in agreement on this issue. She pointed out that the other
4 items on the site plan meets all requirements and it looks great. Commissioner Kallas
commented that he can understand Mr. Dastrup's advantages and desires of what he
6 wants to do but at the same time the Commission feels like their hands are tied and it
would be hard for them not to look at both the neighbor's comments and the code. He
8 added that it appears they are going above and beyond in order to make a nice facility.
Mr. Dastrup stated they feel they have been trying to do their very best from day one.

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 KALLAS MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS
16 1. THE PROPERTY LINE EASEMENTS BETWEEN THE DASTRUP PROPERTY
AND THE LINDEN NURSERY PROPERTY ARE IN PLACE AND 2. THE
18 BLOCK/CONCRETE/MASONRY WALL BE BUILT ON THE WEST END OF THE
PROPERTY. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

20 CHAIRPERSON CALL AYE

COMMISSIONER KALLAS AYE

22 COMMISSIONER WILY AYE

COMMISSIONER MARCHBANKS AYE

24 COMMISSIONER MCDONALD AYE

COMMISSIONER KELLER AYE

26 THE MOTION CARRIED UNANIMOUSLY.

28 5. **Major Subdivision—Lindon Self - Storage.** Susan Palmer of Ridgepoint
Management Group seeks subdivision approval for Lindon Self-Storage Plat A, a
30 forty-six (46) unit self-storage condominium project located at approximately 860
West 200 South in the Light Industrial (LI) zone.

32
34 Mr. Van Wagenen opened the discussion by stating this item is a request by Susan
Palmer (who is in attendance) of Ridgepoint Management Group who is seeking
36 subdivision approval for Lindon Self-Storage Plat A, a forty-six (46) unit self-storage
condominium project located at approximately 860 West 200 South in the Light
Industrial (LI) zone (previous Fezzari Bicycle location). He noted that Victor Hansen,
38 Engineer on the project, is also in attendance to address this item.

40 Mr. Van Wagenen explained the minimum lot size in the LI zone is one acre.
Condominium units do not need to meet this requirement, but the site does
(approximately 2.3 acres). He noted this subdivision does not front on a public street but
42 does have an existing access easement through the neighboring property to 200 South.
There are no public improvements required for this subdivision due to its location. He
44 mentioned that staff has determined that the proposed subdivision complies, or will be
able to comply before final approval, with all remaining land use standards. He noted the
46 City Engineer is addressing engineering standards and all engineering issues will be
resolved before final approval is granted. Mr. Van Wagenen then referenced an aerial
48 photo of the proposed subdivision and the preliminary plan followed by some general

2 discussion. He noted the next item on the agenda is the site plan for this proposed self-
4 storage facility. He then turned the time over to Mr. Hansen for comment.

4 Mr. Hansen followed up on Mr. Van Wagenen’s comments stating this is a self-
6 storage condominium style project with a little different spin as these units will
8 eventually be owner occupied and sold individually (with actual title to the unit) as a
10 storage unit and they will not be rental units. The units are larger than average and more
12 for RV storage with a pull through drive on some of the units. He noted there are several
14 other facilities similar to this in the state with a “man cave” concept which is a little bit
16 unique from other storage facilities and will be all indoor storage. Mr. Hansen explained
18 the proposed site location including the easements involved. They plan to provide power
20 and gas to the units but no water or gas. There will also be a “clubhouse” that will have a
22 restroom and kitchen facilities. He noted there will be an HOA fee and CC&R’s in place
24 to regulate use and restrictions of the units. There will be an automated entry gate with a
26 code/card/key used for entrance to the facility; there will be no on site manager and it will
not be staffed but they may outsource with a property management company.

18 Mr. Van Wagenen pointed out there are 40 ft. offsets from the residential and a
20 retaining wall and pasture areas etc. so the neighbors will not be affected and it will meet
22 all code requirements. He added that notices were sent per code to the neighboring
24 properties and they have not had any feedback to date.

22 Chairperson Call stated that this appears to meet the parking, bike parking,
24 landscaping, easements, access, setbacks and height requirements. All other requirements
26 will be discussed in the site plan item which is the next agenda item. She noted this will
go on to the City Council as it is a major subdivision application.

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

28 COMMISSIONER WILY MOVED TO RECOMMEND TO THE CITY
30 COUNCIL APPROVAL OF THE APPLICANT’S REQUEST FOR A 46 UNIT
32 CONDOMINIUM PLAT TO BE KNOWN AS LINDON SELF STORAGE WITH NO
CONDITIONS. COMMISSIONER MCDONALD SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

34 CHAIRPERSON CALL AYE
36 COMMISSIONER KALLAS AYE
38 COMMISSIONER MARCHBANKS AYE
COMMISSIONER WILY AYE
COMMISSIONER MCDONALD AYE
COMMISSIONER KELLER AYE
THE MOTION CARRIED UNANIMOUSLY.

40
42 6. **Site Plan — Lindon Self-Storage.** Susan Palmer of Ridgepoint Management
44 Group seeks site plan approval for Lindon Self-Storage, a forty-six (4) unit self
storage condominium project to be located at approximately 860 West 200 South
in the Light industrial (LI) zone.

46 Mr. Van Wagenen also led this discussion by stating Susan Palmer is now seeking
site plan approval for the Lindon Self-Storage condominium project that was previously

2 approved (subdivision) to be located at approximately 860 West 200 South in the Light
industrial (LI) zone.

4 Mr. Van Wagenen noted in the LI zone stalls are required for every 200 feet of
office space and this project will have an office space of 1,000 square feet. He added that
6 no requirement are needed for the storage units. He then referenced the summary of
parking requirements as follows:

- 8 • Vehicle Spaces Required: 5
- Vehicle Space Provided: 6
- 10 • Bicycle Spaces Required: 2
- Bicycle Spaces Provided: 2

12 Mr. Van Wagenen explained there is no street frontage for this project and
14 therefore no 20 ft. landscape strip is required. He noted that access is through the
neighboring lot to the south (Fezzari Bicycles) that does front on 200 South and an access
16 easement is already in place. There is also no minimum landscaping requirement in the
LI zone and there are not enough parking stall to initiate parking lot landscaping. The
18 Code requires that all buildings in the Light Industrial Zone must be “aesthetically
pleasing, well-proportioned buildings which blend with the surrounding property and
20 structures.” He explained that the applicant is proposing to construct a concrete masonry
unit building, with color palette desert colors. Mr. Van Wagenen stated all buildings in
22 the LI zone are subject to the following standards:

- 24 • Twenty-five percent (25%) minimum of the exterior of all buildings shall be
covered with brick decorative block, stucco, wood, or other similar materials as
approved by the Planning commission.

26 Mr. Van Wagenen further explained that Code requires buildings in the LI zone to
28 be earth-tone colors and the building will meet the requirement. He noted the site is
located adjacent to a residential zone and all structures must be 40 feet away from a
30 residential zone. Mr. Van Wagenen mentioned the proposed structure satisfies the
setbacks (20 ft. front and 40 ft. from residential zones) and height requirements (48 ft.) in
32 the LI zone. He noted the City Engineer is working through technical issues related to the
site and will ensure all engineering related issues are resolved before final approval is
34 granted.

36 Mr. Hansen stated they are proposing a masonry fence around the perimeter
which will be made of 6 ft. concrete panels that will be on top of a 12 ft. retaining wall on
one side and 4 ft. on another side so it will be taller that the required 7 ft. fence.

38 Mr. Van Wagenen then referenced an aerial photo of the site and surrounding
area, site plan, elevations and renderings of the proposed building and the earth-tone
40 color palette followed by some general discussion.

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

44 COMMISSIONER KELLER MOVED TO APPROVE THE APPLICANT’S
46 REQUEST FOR SITE PLAN APPROVAL WITH THE CONDITION THAT THE
MAJOR SUBDIVISION IS APPROVED BY THE CITY COUNCIL.
48 COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

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

10 7. **Conditional Use Permit – Bonati Child Day Care.** Eliana M. Bonati requests
approval of a conditional use permit (CUP) for child day care and preschool
12 services to be located at 343 North 750 West in the Single Family Residential (R1-
20) zone. The proposal will serve a maximum of 16 children.

14
16 Brandon Snyder, Associate Planner, led this agenda item by stating Eliana Bonati
(who is in attendance) is requesting approval of a conditional use permit (CUP) for child
day care and preschool services to be located at 343 North 750 West in the Single Family
18 Residential (R1-20) zone. He noted this proposal will serve a maximum of 16 children.
He mentioned that Ms. Bonati has indicated that she will live in the residence (corner lot)
20 that was constructed in 1998 with an addition to the side of the home being added in 2009
and a rear patio added in 2012. The proposed name of the business is Prince and Princess
22 in Training. The applicant is also proposing that no further modifications to the home or
property will be made at this time and the activities will mainly take place in the
24 recreation room and the family room found on the main level.

26 Mr. Snyder stated the Lindon City Standard Land Use Table by zone indicates that
Child Day Care - 5 to 16 children (4 or less not regulated) requires a conditional use
permit in the R1-20 zone. He added that third party public notices were mailed on April
28 29, 2016 and no public comments have been received by staff to date.

30 Mr. Snyder further explained that the applicant will need approval from the Utah
Department of Health for a Family Child Care License (total capacity of 16). The license
generally indicates that this number includes the provider’s own children under the age of
32 four. Mr. Snyder noted that Ms. Bonati has indicated that she has no children, within that
age group. The applicant is required to maintain the State license and the applicant’s
34 business outline is included in the staff report. The application indicates business hours
from 7:30 am to 5:30 pm and there will be one assistant.

36 Mr. Snyder noted Ms. Bonati’s proposed site recently passed the Lindon City
Final Fire Inspection. He added that a Lindon City business license (home occupation) is
38 required after Planning Commission approval is given, but prior to providing child day
care services and the applicant will be required to maintain a Lindon City business
40 license. Mr. Snyder explained the intent is that the proposed child day care/preschool
(home occupation) is to be secondary to the residential use of the property. The property
42 meets the on-site parking requirements for the proposal in addition to the residential
parking requirements (2 spaces per dwelling (garage), one per outside employee and one
44 per ten children). He added that the property has 150’ of frontage along 750 West, and
100’ of frontage along 320 North. He then turned the time over to the applicant for
46 comment.

48 Ms. Bonati addressed the Commission at this time. She explained that she has
been operating a daycare/preschool in Orem and has a license for 16 children. She noted

2 they have just purchased this home in Lindon and want to continue to operate at this new
location and are excited to have a permanent location and to be helpful to the community.
4 Ms. Bonati explained they provide the drop-off facilities with a driveway area which will
help to avoid any traffic or safety issues. They are in compliance with all State
6 requirements relating to daycare operation and will also comply with any Lindon City
codes relating to a home daycare/preschool operation.

8 Ms. Bonati stated she feels they will not create any unreasonable level of
disruption with the adjoining neighbors and the neighborhood. She noted the drop off
10 times are staggered and there won't be too many children being dropped off at the same
time. Their play equipment will be located in the back of the house with no loud speaker
12 so noise issues will not be a problem or disturb the neighboring residents. She wants to
be a good neighbor and addition to the community and provide working parents a safe
14 and fun place to have their children while they are working. She added she has never had
any safety issues in the past.

16 Chairperson Call noted this is not a public hearing but called for any public
comment from audience members at this time. There were several in attendance who
18 addressed the Commission as follows:

20 **Darrin Miller:** Mr. Miller stated there is a school bus stop including a kindergarten stop
two houses to the north of the proposed day care. He has concerns about this because
22 there are kids crossing the street to the bus stop and parents may be driving too fast
through the neighborhood to drop their kids off at the preschool and it could pose a safety
24 issue. He also has concerns of kids staying at the house or wandering the neighborhood.

26 **Sandra Christensen:** Ms. Christensen stated there is another day care a block over from
this location in the same subdivision (Rachel Thacker) and there has not been any of
28 these concerns or problems at that location that she is aware of.

30 **Ann:** She noted they have a very quiet relationship with that particular house because
there haven't been people in there for a while. She wanted Ms. Bonati to be aware that
32 they have two dogs that are excitable and may bark through the fence at the children
when they are outside (they have a secondary fence) so they shouldn't bother the kids.
34 She also stated to please let her know if there are any problems or issues.

36 **Cameron Larsen:** Mr. Larsen expressed his concerns, as a potential buyer of a home
across the street from the daycare regarding traffic and safety issues associated with the
38 preschool. He commented that this daycare going in may affect his decision of whether to
buy a home in the area because he doesn't want to buy across from a business.

40 **Jody Draney:** Ms. Draney agreed with the traffic concerns and also mentioned that they
42 don't know who the people or their background that will be coming and going into the
neighborhood and the potential to attract predators to daycares. She feels that this
44 business does not benefit anyone in the neighborhood in a residential area.

46 Chairperson Call commented that as far as the guidelines on Conditional Use
Permits she doesn't feel this cannot be approved but it can be reviewed based on
48 complaints. If there are any issues with noise, safety, etc., they can be brought to the city

2 to be addressed. There was then some general discussion by the Commission regarding
traffic and access flows.

4 Commissioner Kallas asked what the State recommended ratio is of adults to
children. Mr. Snyder stated it depends on the age of the children and is dictated by the
6 type of license issued to the applicant. He added that city code states there is an
allowance of 5 to 16 children and when the State does their annual review they will
8 ensure she is in compliance.

10 Commissioner Wily commented that it appears this application meets the
requirements and he does not see any unusual characteristics that would warrant any
restrictions imposed on this conditional use. Commissioner McDonald agreed with that
12 statement noting this seems to be nothing out of the ordinary that may pose a risk or a
problem and pointed out this request is similar to others that have been approved in the
14 past. Commissioner Kallas expressed his concerns with the additional traffic but feels
there is nothing that can be done to mitigate it. He also brought up the issue of more
16 applications coming in for daycares in other areas in the city and his concerns that once
the CUP is in place it stays with the property. Mr. Snyder stated that currently there is no
18 separation requirement for this type of use.

20 Chairperson Call surmised that she does not see how the Commission can deny
this conditional use because all the state and city licenses are in place but it can come
back before this board if there are any problems or issues. Commissioner Marchbanks
22 stated he feels this is a one of the better lots for accommodating a preschool.

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

26 COMMISSIONER MCDONALD MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR A CONDITIONAL USE PERMIT TO PROVIDE CHILD DAY CARE
28 AND PRESCHOOL SERVICES IN THE APPLICANTS RESIDENCE LOCATED AT
343 NORTH 750 WEST IN THE SINGLE FAMILY RESIDENTIAL (R1-20) ZONE
30 WITH NO CONDITIONS. COMMISSIONER WILY SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:

32 CHAIRPERSON CALL AYE
COMMISSIONER KALLAS AYE
34 COMMISSIONER MARCHBANKS AYE
COMMISSIONER WILY AYE
36 COMMISSIONER MCDONALD AYE
COMMISSIONER KELLER AYE

38 THE MOTION CARRIED UNANIMOUSLY.

40 *Commissioner Kallas made note that he voted aye but he does not want to see too
many of these types of conditional uses as they run with the property.*

42

44 **8. Conditional Use Permit — All Wood Cabinet Doors.** Rodolfo Rodriquez
requests conditional use permit approval for a cabinet shop to be located at 515 N.
Geneva Rd. in the Mixed Commercial (MC) zone.

46

48 Mr. Snyder gave an overview of this agenda item explaining the applicant has
requested approval to operate a wood shop/carpentry shop with a focus on cabinet doors.

2 He noted the applicant will occupy approximately 2,500 square feet of the existing
building. He explained that business license records indicate that the unit was last
4 occupied by Cobalt Fabricators, which closed in May 2014 and the applicant is not
proposing any changes to the site.

6 Mr. Snyder explained that the purpose of the MC zone is to provide areas in
appropriate locations where low intensity light industrial (contained entirely within a
8 building), research and development, professional and business services, retail and other
commercial related uses not producing objectionable effects may be established,
10 maintained and protected. He added that the regulations of this district are designed to
protect environmental quality, compatibility, competitiveness, and aesthetics of the
12 district and adjacent areas.

14 Mr. Snyder further explained that the Fire Inspector has indicated that cabinet
shops 2,500 square feet or larger require a sprinkler system and city code also requires a
dust collection system in the shop. He went on to say if the business plans on spraying
16 cabinets, drawers, doors or boxes, it will require a spray booth or spray room with a fire
suppression system protecting that area. Also if they are using rags to apply varnishes or
18 lacquer they will need a metal can with a tight fitting lid to put the used rags in.

20 Mr. Snyder mentioned that an inspection of the location will be required prior to
the issuance of the business license. He pointed out that the applicant has been
encouraged to contact and consult with the Building Official and the Fire Inspector to
22 determine whether the structure in which the business is planned will comply with all
applicable code requirements and what the expense will be.

24 Mr. Snyder noted the building is located at 515 N. Geneva Rd., in the Mixed
Commercial (MC) zone and Utah County records indicate the year built as 1998. Aerial
26 images indicate that the structures were located on the property prior to 1993. He stated
that third party public notices were mailed on April 29, 2016 and no public comments
28 have been received by staff at this time. He noted a Lindon City business license is
required after Planning Commission approval of the proposed CUP is given, but prior to
30 business activities. He added that the property meets the on-site parking requirements for
the proposed use. Mr. Snyder then referenced the applicants proposed use description
32 and exhibits followed by some general discussion. Mr. Snyder then turned the time over
to the applicant for comment.

34 Mr. Rodolfo stated this has been a family owned business for over 10 years where
they provide high quality cabinet doors. He noted their business hours will be from 7 am
36 to 5 pm and some weekends. They have three employees including the owner. They feel
there will be no increase in traffic, light, noise, odor or pollution generated from their
38 business. They plan to use dust collectors for any wood dust that may be released and the
shop will not discharge any process water. They feel their shop will not disturb any
40 neighboring businesses or surroundings.

42 Following discussion Chairperson Call observed that the biggest issue is to make
sure that all fire and safety codes are met and in compliance and the applicant will ensure
44 if there needs to be an additional fire sprinkler system in place. Mr. Snyder confirmed
that statement adding the fire inspector will set up an appointment to walk thru and
inspect the property and the process to see what applicable fire codes apply when
46 addressing any concerns.

48 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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Mr. Snyder opened this discussion by explaining the applicant, Mr. Luis Sanchez (who is in attendance), along with his architect, Mark Martin, is requesting approval of a site plan for a reception center to be located at 283 North 290 West in the General Commercial (CG) zone (vacant parcel) just over one acre. He noted that Mr. Sanchez is proposing to construct a reception center facility which is a permitted use in that zone. He noted that site plan review is required for all new development within a non-residential zone per Lindon City code Section 17.17.110. Mr. Snyder stated that the planning staff, the city engineer are working through technical issues related to the site with Mr. Sanchez and staff will ensure all issues are resolved before final engineering approval is granted. He stated that third party notices were provided on April 29, 2016, to the adjoining property owners and staff has met with two residents near the proposal to discuss and review the plans. He noted the residents indicated they were pleased with the architecture and they feel the building and use will fit in nicely with the surrounding homes.

Mr. Snyder then referenced the table showing the property information. He explained the CG Zone requires that a landscaped strip twenty (20) feet in width shall be planted with grass along all public street frontages. The site shall be a minimum of 20% in landscaping and the landscaping plan and the interior landscaping plan complies with these and all other landscaping requirements. He explained that Lindon City code requires that architectural character, street scape, site design and other amenities in the CG zone shall be consistent with the Lindon City Commercial Design Guidelines. All sides of the buildings shall receive design consideration consistent with the Commercial Design Guidelines of which the proposed building colors are earth tones. The building exterior is to be stone with trim and accents in stucco and aluminum so this proposal complies with the Commercial Design Guidelines. He then referenced the site plan, landscape plan and elevations followed by some general discussion. He then turned time over to the applicant for comment.

Mr. Mark Martin, project architect, addressed the Commission at this time. He noted that there will be a back patio with a Gazebo but the primary uses will be indoor. He noted they realize there are several other reception centers located in Lindon but feels their facility will be a great addition to the city. He noted there will be street lights and interior parking lights on the site. Mr. Martin stated there is currently an 8 ft. concrete wall there and they will be adding a precast 6 ft. wall around the rest of the perimeter. Mr. Martin stated they met with the City Engineer who indicated that he felt this did not warrant a traffic study.

Chairperson Call stated this is not a public hearing but opened the meeting to public comment at this time. There were several residents in attendance who addressed the Commission as follows:

Doug Christensen: Mr. Christensen, neighbor adjacent to this proposed project, expressed his concerns with potential traffic issues that may be associated with this proposed facility. He feels there is no plan by the city to address these traffic issues and by putting something like this in the area will enhance the problems that are already there from traffic trying to turn on to State Street etc.

2 **Sandra Christensen:** Ms. Christensen stated there are already parking issues with the
4 Bella Vista Reception center with people parking on the street and other issues. She noted
6 the Lindon View Manager and the Bella Vista Manager also have concerns with the
parking. She suggested painting the curbs red as to not allow parking on the street. There
are also visibility issues with the green Quest telephone box on the bend.

8 **Ajune Johnson:** Ms. Johnson stated she is also a neighboring resident. She commented
10 that even though this is a commercial area there are residents that live there. Her house is
12 85 years old and was built in a residential area and she feels they should be grandfathered
14 in and be protected as they were there first. She sometimes feels the city is failing the
citizens who should be protected by rules and regulations. There are a lot of noise and
traffic issues with the commercial encroaching on the residential areas.

16 **Mark Johnson:** Mr. Johnson agrees that parking is an issue in the neighborhood with the
18 commercial properties in the area. He also asked about hours of operation. Mr. Martin
stated the hours will be from 6pm -9pm on weekdays and 6pm -10pm on the weekends.

20 Chairperson Call stated if any of these nuisance issues come up they can be
22 addressed through the Community Development department. She pointed out this area is
24 zoned general commercial and this is a permitted use in the area and it meets all
26 requirements. There was then some general discussion regarding street parking and road
width. Mr. Van Wagenen stated the Commission can certainly approve with a condition
to monitor the parking to ensure there are no detrimental parking impacts to the
neighboring properties. The Commission agreed that this looks to be a very nice building
and will be a great addition to the city and also agreed that the parking issues need to be
monitored.

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

32 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE SITE PLAN
34 FOR THE LINDON RECEPTION CENTER AT 283 NORTH 290 WEST IN THE
GENERAL COMMERCIAL (CG) ZONE WITH THE RECOMMENDATION THAT
36 THE STREET PARKING BE MONITORED AND IF THERE ARE ANY PROBLEMS
THEY MUST BE MEDIATED IMMEDIATELY. COMMISSIONER WILY
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

44 11. **Concept Review — Walker Senior Project.** Mr. Walker requests feedback on a
46 concept for 17 units built for individuals aged 55 and older on 3 acres located at 70
north 400 East. This is not currently a permitted use. Not action will be taken.

2 Mr. Van Wagenen opened this discussion by giving a brief history of this agenda
4 item. He explained that Mr. Larry Walker is requesting feedback on a 55 plus community
6 that would be located at approximately 70 North 400 East. He noted the current proposal
8 would require a new ordinance. He noted that no motion is necessary as this item is for
discussion only. Mr. Van Wagenen then presented for discussion an aerial photo, sketch
of possible layouts and a letter submitted by Mr. Walker. He then turned the time over to
Mr. Walker for comment.

10 Mr. Walker addressed the Commission at this time. He explained he is asking for
12 support of a proposed housing development on his property located at 70 North 400 East
14 in Lindon. He and his wife are nearing retirement and they have found their current
16 home is much too large now. They own a 3 acre parcel of land that has been in their
family for over 60 years, the land means a lot to them and they would like to remain on
their land and in Lindon. Mr. Walker stated they are interested in making a 55 and older
community that would have 17 individual cottages designed specifically for this age
group.

18 Mr. Walker noted he feels this would not only help himself and his wife to adjust
20 to the next stage of their lives but it would provide 16 other small homes to others older
22 citizens who want to remain in Lindon. He feels this is something that Lindon needs that
24 having this option would benefit other Lindon residents who want to remain here but in a
smaller more manageable home without so much ground to take care of. He is looking to
help provide the community with a solution to this growing need and to enable those of
this age group to stay in Lindon. He noted he would be selling the units and then have
common ground with a HOA.

26 Mr. Van Wagenen stated with something like this proposed project they would
28 have to re-write an ordinance to accommodate this type of vision. There was then some
30 general discussion regarding the conceptual building layouts and proposed site and
32 possible scenarios including a spot zone, overlay options, and re-writing the code to
accommodate future in-fill concepts to bring some blends within the city. Following
discussion Chairperson Call expressed that it appears that the majority of the
Commissioners would be opened minded to this type of concept. She noted the next step
would be to go before the City Council for their feedback and consideration.

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

36 13. **New Business: Reports by Commissioners** – Chairperson Call called for any
38 new business or reports from the Commission. There were no reports from the
Commission.

40 14. **Planning Director Report**–

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

- 44 • Williamson Farms update.

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

48 **ADJOURN** –

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COMMISSIONER MCDONALD MADE A MOTION TO ADJOURN THE MEETING AT 10:30 P.M. COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – May 24, 2016

Sharon Call, Chairperson

Hugh Van Wagenen, Planning Director