

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **May 24, 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: Matt McDonald, Commissioner
10 Pledge of Allegiance: Mike Marchbanks, Commissioner

12 <u>PRESENT</u>	<u>ABSENT</u>
13 Sharon Call, Chairperson	13 Bob Wily, Commissioner
14 Mike Marchbanks, Commissioner	
14 Rob Kallas, Commissioner	
16 Matt McDonald, Commissioner	
16 Charles Keller, Commissioner	
18 Hugh Van Wagenen, Planning Director	
18 Brandon Snyder, Associate Planner	
20 Kathy Moosman, City Recorder	

22 **Special Attendee:**
23 Councilmember Matt Bean

- 24
- 25 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
 - 26 2. **APPROVAL OF MINUTES** – The minutes of the regular Planning Commission
28 meeting of May 10, 2016 were reviewed.

30 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
31 OF THE REGULAR MEETING OF MAY 10, 2016 AS AMENDED.
32 COMMISSIONER MCDONALD SECONDED THE MOTION. ALL PRESENT
33 VOTED IN FAVOR. THE MOTION CARRIED.

34 3. **PUBLIC COMMENT** –

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

40 **CURRENT BUSINESS** –

- 42 4. **Hillside Exception — HSB Ten LLC, 608 North 800 East.** Brandon Jones
44 requests an exemption from the Hillside Ordinance in order to increase the primary
46 building site on Lot 7, Plat A, Meadows at Bald Mountain in the Residential Single
47 Family (R1-12) zone.

48 Hugh Van Wagenen led this discussion by stating this is a request by Brandon
49 Jones (who is in attendance) for approval for an exemption from the Hillside Ordinance

2 in order to increase the primary building site on Lot 7, Plat A, Meadows at Bald
4 Mountain in the Residential Single Family (R1-12) zone. He noted this is a unique
6 application and the first request of its kind which and exemption has been applied for
8 since the code was adopted. He added because of the minimum number of lots left there
10 have been requests to have some exemptions to the hillside ordinance and the footprints
12 notated on the plats.

8 Mr. Van Wagenen explained that any lot subject to the Hillside Ordinance has a
10 restricted primary building area (indicated on the subdivision plat). He went on to say
12 that recently, the City adopted an ordinance that allows for exemptions from all or part of
14 the Hillside Ordinance (subject to a geotechnical report) that refers to the specific request.
16 Mr. Van Wagenen stated Mr. Jones is requesting to increase the primary building
18 envelope by 10 ft. on both side lot lines and by 10 ft. on the back lot line. He noted the
primary building site is determined at the time of subdivision and has to meet the
requirements included in LCC Section 17.57.060 (building site requirements). Mr. Van
Wagenen then referenced for discussion the applicant's letter of petition, the Meadows at
Bald Mountain Plat A Lot 7 with primary building area, the HSB Ten Concept Site Plan,
the finished grades, and the slope analysis.

20 Mr. Van Wagenen commented that Mr. Jones has also provided all the relevant
22 documentation to support this request. He stated the City Engineer has reviewed this
24 request and has taken no exception to the geotechnical report provided. Mr. Van
26 Wagenen explained that Planning Commission approval is required to formally grant the
exemption and if approved, a document will be recorded on the lot at Utah County stating
the approved exemption. Mr. Van Wagenen made note that staff recommends approval of
this request. He then turned the time over to Mr. Jones for comment.

26 Mr. Jones explained because of the Hillside Protection Zone there has been a
28 building envelope created on this parcel that gives a standard front yard setback of 30 ft.,
30 but has doubled the requirements for the side yard setbacks from the standard 10 ft. on
each side to 20 ft. on each side. This lot also has power poles situated in the front of the
property and a right of way that runs with it.

32 Mr. Jones stated he is requesting approval to have the side yard setbacks reduced
34 to the standard 10 ft. setback requirements and have the envelope extended 10 ft.
36 towards the East side of the property so that he can construct a single family residence
without impeding on the Rocky Mountain Power right of way power easement. He noted
he has provided a site plan that shows the proposed changes to the building envelope as
well as a study conducted by Earthtec Engineering. He added that he and his wife love
the area and location and they are excited to get started with building.

38 Commissioner Kallas asked for some background on the purpose behind the
40 previous hillside ordinance. Mr. Van Wagenen then gave some background on the
42 reasoning's behind the hillside ordinance. He noted they were trying to minimize the area
of the hillside and also to keep development separated as much as possible from each
separate site.

44 Chairperson Call stated her biggest concern would be to make sure that the lots are
46 safe and also for the lots below them as well. Commissioner Keller inquired about the
48 neighbors on the north and south sides and if they have been abiding by this ordinance.
Mr. Jones stated his property and the neighbor to south were the only ones whose
property applied to the hillside ordinance; the neighbor to the north did not have to abide
by the same hillside ordinance.

2 Chairperson Call pointed out that the City Engineer has reviewed the
documentation and he feels comfortable with it and has the ability to make that call. Mr.
4 Van Wagenen re-iterated this is new but it has been reviewed thoroughly by the
engineering department and they have no concerns with this request and takes no
6 exception to it. Chairperson Call expressed her opinion that as long as the city engineer
has reviewed and evaluated this she is comfortable with approval. Commissioner
8 McDonald agreed stating as long as we can rely on staff's recommendation he would be
comfortable with approval. Mr. Van Wagenen noted once approved this document will be
10 recorded at the County stating the exemption has been granted so the building envelope
shown on the plat has officially been increased.

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 MARCHBANKS MOVED TO APPROVE THE
APPLICANT'S REQUEST FOR APPROVAL OF A HILLSIDE EXEMPTION ON
18 LOT 7, MEADOWS AT BALD MOUNTAIN PLAT A WITH NO CONDITIONS
OTHER THAN STAFF REVIEW. COMMISSIONER KELLER SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

26
28 **5. Major Subdivision—Lakeview Townhomes Plat A – 531 South 400 West.**

Chris Knapp of Ridgeway Construction seeks subdivision approval for Lakeview
Townhomes Plat A, a five (5) unit townhome project located in the Planned
30 Residential Development Overlay (PRD) zone.

32 Mr. Van Wagenen opened this discussion by stating this item is a request by Chris
Knapp of Ridgeway Construction (who is in attendance) is seeking subdivision approval
34 for Lakeview Townhomes Plat A, a five (5) unit townhome project located in the Planned
Residential Development Overlay (PRD) zone (west of Maeser Academy). He noted a
36 new Planned Residential Development ordinance (PRD) (Lindon City Code 17.76) was
recently created to govern property within commercial zones that do not accommodate
38 traditional development patterns. He explained this ordinance and accompanying zoning
allow for multi-family projects with very specific parameters. He pointed out this
40 application is the first under which the new ordinance is being applied. He added that the
next agenda item is the site plan for this project and any additional requirements will be
42 reviewed with the site plan. Mr. Van Wagenen stated this project meets all requirements.

44 Mr. Van Wagenen further explained there is an access easement on the north end
of the property that will provide access to Maeser Academy. He noted the property
owners have worked out an access agreement that is shown on the plat and the site plan
46 will reflect it also. He noted this subdivision already has improved street frontage, but
they will be making driveway cuts for the associated driveways. He mentioned that the
48 City Engineer is addressing engineering standards and issues will be resolved before final

2 approval is granted. He added that Maeser Academy will be coming in to discuss their
3 site improvements. He also mentioned that the Planning Commission recommendation
4 will have to go to the City Council. He then turned the time over to Mr. Knapp for
comment.

6 Chairperson Call commented that another access will help to alleviate some of the
7 traffic flow issues associated in the area. Commissioner Kallas asked Mr. Knapp if he
8 plans to sell the townhome units. Mr. Knapp confirmed that statement adding there will
also be an HOA agreement in place.

10 Commissioner Marchbanks expressed his concerns about the access easement to
11 Maeser Academy and the traffic problems it may bring to 400 West if this is not designed
12 as a public street. He agrees this may alleviate some of the traffic congestion but he feels
the traffic off of 600 South already poses safety issues and he doesn't want to see more
14 traffic problems created from this proposed access. There was then some additional
discussion regarding this access easement.

16 Mr. Knapp commented that he has done the research and the cost analysis. Mr.
17 Van Wagenen then referenced for discussion an aerial photo of the proposed subdivision
18 and the preliminary plan. He also discussed the site plan showing the areas in question.
Commissioner Marchbanks expressed that he agrees that there needs to be something in
20 place to alleviate these traffic issues from the poor initial design work done when the
school went in; he hopes there is enough input and open mindedness to work it out as to
22 not make an already bad situation worse.

24 Mr. Van Wagenen noted even with the access easement on the plat, Maeser will
still have to submit their traffic flow plan for review by the City. He noted these are
legitimate concerns but it should not be scrutinized in regards to approval of this
26 subdivision. He noted that staff feels from an engineering and traffic flow standpoint this
will be better in the long run. He stated this will be an agreement between the two
28 property owners and is not a public access easement and the city will not have
responsibility for the easement. Chairperson Call observed as far as this situation with a
30 major subdivision proposal and the evaluations that staff has done, this appears to meet
all requirements.

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

34
36 COMMISSIONER MCDONALD MOVED TO RECOMMEND TO THE CITY
COUNCIL APPROVAL OF THE APPLICANT'S REQUEST FOR A FIVE UNIT
38 TOWNHOME PLAT TO BE KNOWN AS LAKEVIEW TOWNHOMES PLAT A
WITH NO CONDITIONS. COMMISSIONER KELLER SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:

40 CHAIRPERSON CALL AYE
41 COMMISSIONER KALLAS AYE
42 COMMISSIONER MARCHBANKS NAY
43 COMMISSIONER MCDONALD AYE
44 COMMISSIONER KELLER AYE

THE MOTION CARRIED FOUR TO ONE WITH ONE ABSENT.

46
48 *Commissioner Marchbanks stated he voted no because of his concerns with the
access easement to Maeser Academy and the traffic and safety issues it would bring to*

2 400 West and he wants to make sure this new access won't create more traffic problems.
He would also like to see Maeser Academy's proposed site improvements first.

4

6 6. **Site Plan — Lakeview Townhomes Site, 531 South 400 West.** Chris Knapp of
Ridgeway Construction seeks subdivision approval for Lakeview Townhomes Plat
A, a five (5) unit townhome project located in the Planned Residential
8 Development Overlay (PRD) zone.

10 Mr. Van Wagenen also led this discussion by stating Mr. Knapp is now seeking
site plan approval for the Lakeview Townhomes Site a five unit townhome project
12 located in the Planned Residential Development Overlay (PRD) zone to be located at
approximately 531 South 400 West. This application is the first under which the new
14 ordinance is being applied. The previous agenda item just approved was the subdivision
plat associated with the project. He noted this project meets all requirements including
16 minimum area, elevations, footprint, setbacks, landscaping, lighting, and parking
(including guest parking). He pointed out the project must also conform to the Lindon
18 City Commercial Design Guidelines. He then turned the time over to Mr. Knapp for
comment.

20 Mr. Knapp distributed handouts showing the elevations and the townhome exterior
finishes noting they followed the design guidelines in the code. Chairperson Call stated
22 the colors certainly fit the color palette and this appears to be a nice looking project.
There was then some additional discussion regarding the site plan including fencing and
24 landscaping.

26 Commissioner Kallas questioned staff why site plans are reviewed before the city
council has approved the subdivision. Mr. Van Wagenen stated that can certainly be
included as a condition in the motion. Mr. Van Wagenen stated this site already has
28 improved street frontage, but they will be making driveway cuts for the associated
driveways. He noted a street light will also be installed on 400 West near the parking lot
30 entrance. He added that the City Engineer is addressing the engineering standards and all
engineering issues will be resolved before final approval is granted. Mr. Van Wagenen
32 then presented an aerial photo of the proposed subdivision, the site plan, landscaping and
lighting plans and elevations followed by some general discussion.

34 Chairperson Call observed that the fencing and building materials meet the color
palette so she has no problem with approval of this site plan application. Chairperson Call
36 asked if there were any further questions or comments from the Commission. Hearing
none she called for a motion.

38

40 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR A FIVE UNIT TOWNHOME PRD PROJECT TO BE KNOWN AS
LAKEVIEW TOWNHOMES WITH THE CONDITION THAT THE SUBDIVISION IS
42 APPROVED BY THE CITY COUNCIL. COMMISSIONER MCDONALD
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

44 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
46 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER MCDONALD	AYE
48 COMMISSIONER KELLER	AYE

2 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

4 7. **Site Plan – Lakeview North Holdings, 13986 West 200 South.** Joel Pilling,
6 Cowie Construction, on behalf of Lakeview Holding North LLC, requests site plan
8 approval of offices/warehouse at approximately 71,936 sq. ft., to be located at
1396 West 200 South in the Light Industrial (LI) zone.

10 Brandon Snyder, Associate Planner, led this agenda by stating Joel Pilling is in
12 attendance tonight representing this application. Mr. Pilling is proposing to construct two
14 office/warehouse buildings, approximately 71,936 sq. ft. total. Mr. Snyder explained the
16 intent of the Light Industrial (LI) zone is to provide areas in appropriate locations where
light manufacturing, industrial processes and warehousing not producing objectionable
effects may be established, maintained, and protected. He noted the regulations of this
district are designed to protect the environmental quality of the district and all adjacent
areas. He added that site plan review is required for all new developments within a non-
residential zone per Lindon City code.

18 Mr. Snyder went on to say that the planning staff, city engineer and the applicant
20 are working through the technical issues related to the site and City Staff will ensure all
22 issues are resolved before final engineering approval is granted. He added that third party
24 notices were provided on May 13, 2016 to the adjoining property owners in accordance
with Lindon City Code and staff has received no public comment at this time. Mr. Snyder
then referenced the Table including Property Information in the Light Industrial (LI) zone
noting all requirements are met.

26 Mr. Snyder explained the LI zone requires that a landscaped strip twenty (20) feet
28 in width shall be planted with grass, and trees planted every thirty (30') feet on center
30 along all public street frontages. The required landscape strip along 200 South is being
provided with the requisite trees. Interior landscaping must be provided at 40 square feet
per required stall with one tree per 10 stalls. With the proposed 102 stalls, that equates to
4,080 square feet and 10 trees required. Mr. Snyder stated the required amount of interior
landscaping and trees are provided.

32 Mr. Snyder went on to say that no fencing regulations apply as the site is not
34 adjacent to a residential use or residential zone. He noted the building exterior is to be
entirely of decorative block (split face CMU), which complies with Lindon City Code
materials and percentages requirements (min. 25% brick, decorative block, stucco, or
wood). He added that the applicant has provided photos of an identical existing
office/warehouse (located in Vineyard) indicating the building colors will be earth tones
(gray). He stated the elevations will also include aluminum window systems, a smooth
face CMU band, a decorative roof trim and steel canopies. He mentioned the dumpster
will be enclosed in CMU block walls with metal sight obscuring gates. He then
referenced for discussion the landscape plan and elevation plan. He then turned the time
over to Mr. Pilling for comment.

44 Mr. Pilling commented that this will be a good looking building and they will try
46 to make it look residential even though it is commercial and it will have a lot of curb
appeal. He added they already have tenants arranged with some additional potential
tenants on a waiting list. There was then some general discussion regarding this site plan
application.

48 Chairperson Call observed this appears to meet all requirements and sees no

2 reason not to approve this site plan. Chairperson Call asked if there were any further
4 questions or comments from the Commission, hearing none she called for a motion.

6 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
8 APPLICANT’S REQUEST FOR SITE APPROVAL OF AN OFFICE/WAREHOUSE
10 LOCATED AT APPROXIMATELY 71,936 SQUARE FEET TO BE LOCATED AT
12 1396 WEST 200 SOUTH IN THE LIGHT INDUSTRIAL (LI) ZONE WITH NO
14 CONDITIONS. COMMISSIONER KELLER SECONDED THE MOTION. THE VOTE
16 WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
12 COMMISSIONER KALLAS	AYE
14 COMMISSIONER MARCHBANKS	AYE
16 COMMISSIONER MCDONALD	AYE
COMMISSIONER KELLER	AYE

16 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

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

22 9. **Planning Director Report**– Mr. Van Wagenen reported on the following items
followed by discussion:

- 24 • June 30th is the employee pool party.
- 26 • Four applications received for the vacant councilmember position.
- 28 • Update on projects underway in the city.
- Tour of the Spring Gardens assisted living facility.

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

32 **ADJOURN** –

34 COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE
36 MEETING AT 8:37 P.M. COMMISSIONER KALLAS SECONDED THE MOTION.
ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

38 Approved – June 14, 2016

40

42 _____
Sharon Call, Chairperson

44

46 _____
Hugh Van Wagenen, Planning Director