

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **May 9, 2017 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: Charlie Keller, Commissioner
10 Pledge of Allegiance: Bob Wily, Commissioner

12 **PRESENT** **EXCUSED**
Sharon Call, Chairperson Mike Vanchiere, Commissioner
14 Rob Kallas, Commissioner
Mike Marchbanks, Commissioner
16 Bob Wily, Commissioner
Charles Keller, Commissioner
18 Steven Johnson, Commissioner
Hugh Van Wagenen, Planning Director
20 Brandon Snyder, Associate Planner
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 meeting of the
26 Planning Commission meetings of April 11, 2017 were reviewed.

28 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE
30 REGULAR MEETING OF APRIL 11, 2017 AS AMENDED. COMMISSIONER WILY
32 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
CARRIED.

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

38 **CURRENT BUSINESS** –

- 40 4. **Public Hearing — General Plan Amendment, 725 North 2800 West.** Mark
42 Weldon, WICP West Orem #3 (3/4), LLC, requests a General Plan Land Use
44 Map Amendment from Commercial to Mixed Commercial, on property (north
5.5 acres) located at 725 North 2800 West, and identified by Utah County
Parcel ID #13:063:0085. Recommendations will be forwarded to the City
Council (Pending Ordinance #2017-3-O).

46 Hugh Van Wagenen, Planning Director, explained due to a public hearing noticing
error that did not announce this in a local newspaper, this item cannot be acted upon until

2 the May 23, 2017 meeting. However, notices were sent to surrounding property owners
announcing the item would be discussed on May 9. Additionally, the applicant is eager to
4 get some feedback on the proposal. With that in mind, staff recommends that this item be
treated as a concept review which would allow the proper noticing to take place while
6 still providing the applicant a chance to speak to the application and receive feedback.
Located on the Lindon border with American Fork (interchange) and this property is
8 currently surrounded by General Commercial property to the south and east and Mixed
Commercial property to the north. The Mixed Commercial property to the north was
10 rezoned in 2015 from General Commercial to Mixed Commercial (on upper portion) in
order to accommodate development of a flex office/warehouse project.

12 Mr. Van Wagenen noted the current development proposal would construct a flex
office/warehouse if the General Plan and zoning designations were approved. Flex
14 office/warehouse typically serves businesses that require space in which light assembly,
packaging, and shipping activities will occur. The conceptual layout shows this land as
16 part of the larger Mountain Tech campus. Building #1 is operational (office) with
Building #2 (office) under construction. Building #3 would be the flex space that this
18 application would allow to happen while Building #4 would be an additional office on the
corner of 600 North (PG Boulevard) and 2800 West.

20 Mr. Van Wagenen further explained the applicant's proposed use for the flex
building is not allowed in the CG zone, but it is in the MC zone. The applicant will
22 requests the appropriate zoning under the next item on the agenda. City Code requires
that any zone change must be consistent with the City's General Plan Designation. The
24 current General Plan designation is Commercial, so the General Plan map must first be
modified for the rezone request to be possible. Accordingly, the applicant is requesting
26 that the General Plan designation be changed to Mixed Commercial to permit the zone
change and allow the desired uses. Mr. Van Wagenen also presented an aerial photo of
28 the proposed area to be re-classified and the conceptual site plan followed by some
general discussion.

30 Mr. Van Wagenen stated the General Plan currently designates the property under
the category of Commercial. This category includes retail and service oriented
32 businesses, and shopping centers that serve community and regional needs. The applicant
requests that the General Plan designation of the property be changed to Mixed
34 Commercial, which includes the uses in the General Commercial designation, as well as
light industrial and research and business uses. Mr. Van Wagenen also reviewed for
36 discussion the relevant General Plan policies to consider in determining whether the
requested change will be in the public interest. Mr. Van Wagenen then turned the time
38 over to Mr. Thorsen for comment.

40 Mr. Thorsen spoke to the application noting Mr. Van Wagenen summed it up
well. He noted the main reason for request is because of the proposed development to the
42 north. The office warehouse will basically be a transition with dock facing dock and
office facing office. If the area to the north is zoned the same as these properties there
wouldn't be the need for a zone change request.

44 Commissioner Marchbanks commented that it makes sense to let them make their
own buffer with the transition and he doesn't see any reason why the seller can't do their
46 own transition. Chairperson Call expressed her concerns with giving up any commercial
property as we are trying to boost our commercial base and that area could be valuable

2 and she would like to see it retained as commercial. Commissioner Kallas also voiced his
4 concerns that if this piece of property is down-zoned to make accommodations for this
6 development. Were just moving the development closer to the road and traffic (truck) is
8 an issue and will continue to be a problem. Mr. Thorsen stated more so than zoning of
10 what is to the north is what's been approved to be built there and the developer to the
12 north has docks facing south. Mr. Van Wagenen asked if the concerns are because the
zone is getting downgraded or is the type of building or the use. Commissioner Kallas
stated this concern is the use adding the building itself looks very nice. Commissioner
Marchbanks commented there will be less traffic (trips) than if this were a proposed 3
story office building. There was then some general discussion regarding traffic issues,
including ingress and egress, and the alignment of the Vineyard Connector and the future
signalized light.

14 Ed Daley, business owner in attendance, expressed his concerns if the road (2800
16 West) goes through to the corner piece it will create a problem for them. He mentioned
the UDOT traffic study done and the traffic flow onto Pleasant Grove Blvd. and will be a
major bottleneck with a lot of congestion and will need some improvements; this issue
18 may force them to leave Lindon.

20 Mr. Van Wagenen explained the reasoning behind the road stating it is the
opinion of the City Engineer that he is very interested in allowing traffic to get out on
2800 west, but agreed with Mr. Daley that it will cause additional traffic as the road is
undersized. He noted that American Fork City owns the west side of road and the east
side of the road is in Lindon. He noted that any developers will have to widen the road to
accommodate the traffic and the road itself would not stay in its current condition; this
would be the same for the American Fork side.

26 There was also discussion on what other developments could go on that piece.
Commissioner Wily commented he understands there is a general feeling there is too
28 much flex space going in but this is not taking any of the Lindon Village space and seems
appropriate for that piece and will be a good transition.

30 Chairperson Call mentioned she has talked to several City Council members who
have expressed their concerns of the amount of flex office space going in. We have given
32 some feedback with some commissioners having reservations in changing the general
plan with other feeling it would be appropriate. Mr. Van Wagenen stated this issue will
34 come before the Commission on May 23rd and asked if there are any issues or concerns
that need to be addressed by staff or the applicant before that time. This is just a concept
36 review tonight and a recommendation to the city council will be made on the 23rd.
Commissioner Johnson asked for the minutes for the reasoning on the previous zone
38 change. Mr. Van Wagenen stated he will send the minutes out to the Commission.

40 Chairperson Call asked if there were any further comments. Hearing none she
called for a motion to continue this item.

42 COMMISSIONER KELLER MOVED TO CONTINUE THIS ITEM DUE TO A
PUBLIC HEARING NOTICING ERROR, TO THE MAY 23, 2017 PLANNING
44 COMMISSION MEETING. COMMISSIONER MARCHBANKS SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

46 CHAIRPERSON CALL AYE
COMMISSIONER KALLAS AYE

2 COMMISSIONER MARCHBANKS AYE
COMMISSIONER WILY AYE
4 COMMISSIONER KELLER AYE
COMMISSIONER JOHNSON AYE
6 THE MOTION CARRIED UNANIMOUSLY.

8 **5. Public Hearing – Zone Map Amendment, 725 North 2800 West.** Mark
Weldon, WICP West Orem #3 (3/4), LLC, requests approval of a Zone Map
10 Amendment from General Commercial Auto (CG-A8) to Mixed Commercial
(MC), on property (~north 5.5 acres) located at ~725 North 2800 West, and
12 identified by Utah County Parcel ID #13:063:0085. Recommendations will be
forwarded to the City Council (Pending Ordinance 2017-4-O).

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16 Hugh Van Wagenen, Planning Director explained due to a public hearing noticing
error that did not announce this public hearing item in a local newspaper, this item cannot
18 be acted upon until the May 23, 2017 meeting. Mr. Van Wagenen stated this was
discussed in the previous item and recommended making a motion to continue this item
to the next meeting.

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

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

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28 Chairperson Call asked if there were any further comments. Hearing none she
called for a motion to continue this item.

30 COMMISSIONER KALLAS MOVED TO CONTINUE THIS ITEM DUE TO A
PUBLIC HEARING NOTICING ERROR, TO THE MAY 23, 2017 PLANNING
32 COMMISSION MEETING. COMMISSIONER KELLER SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:

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

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42 **6. Conditional Use Permit — Dastrup Auto Inc., 475 North State Street**
Devin Dastrup, Dastrup Auto Inc., requests conditional use permit approval for
44 auto lube & tune-up type services, to be located at 475 North State Street, and
identified by Utah County Parcel ID #14:067:0052, in the General Commercial
Auto (CG-A) zone.

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2 Brandon Snyder, Associate Planner, led this discussion by inviting the applicant,
Devin Dastrup, forward. He began by giving some background of this application noting
4 Mr. Dastrup is requesting a conditional use permit approval for auto lube & tune-up type
services, to be located at 475 North State Street, and identified by Utah County Parcel ID
6 #14:067:0052, in the General Commercial Auto (CG-A) zone.

8 Mr. Snyder explained that Mr. Dastrup is requesting approval for auto lube &
tune-up type services. The applicant is looking to lease out portions of the rear garage. He
10 noted tenants who have expressed interest offer the following services: safety and
emissions inspections (no repairs), auto window tinting, audio/video shop, and car
12 detailing. Mr. Snyder noted the Planning Director has determined that these types of uses
are most closely associated with Auto Lube & Tune-up services. The Lindon City Land
Use Table indicates that "Auto Lube & Tune-up" is a conditional use in the CG-A zone.
14 He noted Mr. Dastrup is not proposing any changes to the site and the minimum parking
and site requirements of Lindon City Code are met.

16 Mr. Snyder explained Mr. Dastrup will be utilizing the existing garage and rear
asphalt parking area and the existing garage was constructed in 1987. The existing garage
18 is currently being remodeled to add ADA compliant restrooms and offices. The site plan
for Dastrup Auto was approved by the Planning Commission May 10, 2016, with the
20 following conditions: the property line easements between the Dastrup property and the
Linden Nursery property are in place, and that a block/concrete/masonry wall be built on
22 the west end of the property.

24 Mr. Snyder stated third party public notices required per city code were mailed on
April 27, 2017 and no public comments have been received by Staff at this time. He
noted that Lindon City Code indicates that the Commercial Ordinance is established to
26 promote commercial and service uses for general community shopping. The objective in
establishing commercial zones is to provide areas within the City where commercial and
28 service uses may be located. He then went over the applicable laws and standards of
review followed by some general discussion. He then turned the time over to Mr.
30 Dastrup for comment.

32 Mr. Dastrup referenced his business plan noting their intent is to have a
conditional use permit to be allowed to lease out two spaces out of their shop. They
currently have two offices, each with a bathroom. The west office will be leased with the
34 westerly shop space and the east office will be leased with the one or two bays just east of
that office. They also have an interest to lease this space from a few different companies.
36 The first being Utah County Emissions and Inspections and they do safety and emissions
testing for a lot of the local dealers. Joe Ward is the owner and operator of this business.
38 He doesn't have any employees and really doesn't need any employees for what he does.
Joe typically comes to work, then drives to a local dealer and leaves his car there and
40 brings their car back to his location for inspections. He then returns and trades them out
for the next car and so forth; he has never had a vehicle over night.

42 Mr. Dastrup explained the second company who has an interest in leasing does
automotive tint. They would have vehicles dropped off for the tint to be applied. They
44 would have on to two bays depending on the lease agreement. Parking would be less than
4-5 cars at the most. The third company they have received interest in is an auto detailing
46 business. They would have vehicles dropped off for detail and the customer would come
3-4 hours later to pick it up.

2 Mr. Dastrup then explained the following measures they have taken to make sure
things are kept professional and clean as follows:

- 4 • Floor drains have been installed in all three of these bays, along with a grease trap
6 and sampling manhole.
- 8 • All utilities will be included in the rental price agreement. This will ensure their
businesses will never have issues with utilities.
- 10 • Hours of operation will be limited to 7am-8pm. Their hours of operation are
currently 9am-7pm.
- 12 • All of the office space that has been built out is ADA compliant.
- 14 • The office space has an all new HVAC system for comfort including central air
conditioning and heat.
- 16 • There is plenty of space for parking in the back half of the property for these types
of businesses.
- 18 • There is a compliant dumpster/surround for garbage which will be included in the
lease.
- 20 • All electrical has been updated and up to code.
- 22 • All lighting will be updated to LED for low energy consumption just like our
business and parking lights have been.
- 24 • There are five (5) fire extinguishers in the shop and will require the tenants to get
one for themselves.
- There is an added a bathroom on the far east side of the shop for our employees
use.

26 Mr. Dastrup concluded by stating this leased space will add sales tax revenue for
the city along with adding reputable businesses. He pointed out that any business
28 practices that take away from a peaceful area will not be allowed. He added they do not
want them to distract from their business in the least and anything that may detract from
30 that will not be allowed. There was then some general discussion by the Commission
regarding this request.

32 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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36 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT FOR AUTO LUBE
AND TUNE-UP TYPE SERVICES, TO BE LOCATED AT 475 NORTH STATE
38 STREET, IN THE GENERAL COMMERCIAL AUTO (CG-A), WITH NO
CONDITIONS. COMMISSIONER JOHNSON SECONDED THE MOTION. THE
40 VOTE WAS RECORDED AS FOLLOWS:

42 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER WILY	AYE
44 COMMISSIONER KELLER	AYE
COMMISSIONER JOHNSON	AYE
46 THE MOTION CARRIED UNANIMOUSLY.	

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

- 4. **Planning Director Report** – Mr. Van Wagenen reported on the items listed below followed by general discussion.
 - May 23 Joint Meeting; Geneva Park property sale
 - Pool passes
 - General plan survey
 - U of U student project

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

ADJOURN –

COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE MEETING AT 8:45 P.M. COMMISSIONER KELLER SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – May 23, 2017

Sharon Call, Chairperson

Hugh Van Wagenen, Planning Director