

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **June 13, 2017 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: Steven Johnson, Commissioner

12 **PRESENT** **EXCUSED**
13 Sharon Call, Chairperson Charlie Keller, Commissioner
14 Mike Marchbanks, Commissioner
15 Bob Wily, Commissioner
16 Rob Kallas, Commissioner
17 Steven Johnson, Commissioner
18 Mike Vanchiere, Commissioner
19 Hugh Van Wagenen, Planning Director
20 Brandon Snyder, Associate Planner
21 Kathy Moosman, City Recorder

- 22
- 23 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
 - 24
 - 25 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the Planning
26 Commission meetings of May 23, 2017 were reviewed.

28 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
29 OF THE REGULAR MEETING OF MAY 23, 2017 AS PRESENTED.
30 COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED
31 IN FAVOR. THE MOTION CARRIED.

- 32
- 33 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.
35 There were no public comments.

36 **CURRENT BUSINESS** –

- 38
- 39 4. **Major Subdivision — Parkview Towns at Anderson Farms Subdivision,**
40 **300 North 1610 West.** Ken Watson, on behalf of Ivory Development, LLC,
41 seeks preliminary approval of a twenty-nine (29) lot townhome subdivision,
42 including dedication of public streets, at approximately 300 North 1610 West,
43 in the Anderson Farms Planned Development (AFPD) zone. Recommendations
44 will be forwarded to the City Council for final approval.

46 Hugh Van Wagenen, Planning Director, gave some background of the agenda
47 item stating this is the third phase of the Anderson Farms Planned Development which
48 was approved by Development Agreement between Lindon City and Ivory Development

2 in June of 2016. He explained that Parkview Towns consists of 29 townhome units in
what is considered Parcel C of the Anderson Farms concept plan. He noted the
4 Development of Anderson Farms is governed by the Anderson Farms Master
Development Agreement and all plats that come forward; all standards are referred to
6 here are a part of that Agreement. Mr. Van Wagenen stated the average lot size of the
townhomes is 1,577 s.f. with the largest lot being 1,691 s.f. and the smallest being 1, 474
8 s.f. These lots are consistent with the concept plan for the townhomes. This is the first
phase of the townhomes, which will eventually consist of 125 units and new roads will be
10 built to serve the subdivision; however they will be private roads or drives.

Mr. Van Wagenen stated this plat will require a combination sewer, ground water,
12 and pressure irrigation system pump station with associated off-site lines to be built (they
were also required for Plat A) and once built, this infrastructure will serve the remainder
14 of the development. He pointed out that these systems will need to be operational before
any certificates of occupancy are approved. He then referenced the recommended
16 conditions of approval to include in the motion. He added that no park improvements are
required at this time and will be triggered by a certain threshold. He noted Mr. Watson
18 provided elevations (after the staff report was sent) of what the townhomes will look like
including materials used and façade breakup. Mr. Van Wagenen then presented for
20 discussion an aerial photo of the proposed subdivision, the Preliminary Parkview Towns
at Anderson Farms Plat, Photo of existing site, Overall townhome concept (Parcel C),
22 Street cross sections, and off-site utility maps.

Mr. Van Wagenen then turned the time over to Mr. Ken Watson, representing
24 Anderson Development to speak on the overall project and product.

Mr. Watson gave a quick overview of the townhome subdivision and
26 improvements. He stated the pump house is 70% complete and is ahead of schedule. The
off-site improvements are well underway and both should be done by mid-July. The plat
28 is recorded and they will be getting building permits into the city soon. He then
presented the townhome renderings and orientation for review. He noted the plans are
30 into staff now for approval. He also presented the color scheme (hardy board) followed
by discussion. He also discussed the square footage of the units noting the basements will
32 be unfinished. The units will have two car garages with a lot of landscaping on the
project.

Chairperson Call asked for clarification that these things are the same as what was
34 outlined in the Development Agreement. Mr. Watson confirmed that statement. Mr.
36 Watson then presented a list of options that potential home buyers can come in and buy.

Chairperson Call also asked about the park and when the threshold will be
38 triggered. Mr. Watson stated when they reach 66 % of single family units the threshold
will be triggered to build the park. There was then some additional discussion including
40 buffering, setbacks and accesses. Chairperson Call also mentioned that these things have
been previously reviewed many times by the Commission.

Chairperson Call asked if there were any further comments. Hearing none she
42 called for a motion.

44
COMMISSIONER WILY MOVED TO RECOMMEND TO THE CITY
46 COUNCIL APPROVAL OF THE APPLICANTS REQUEST FOR APPROVAL OF A
20 LOT RESIDENTIAL TOWNHOME SUBDIVISION WITH THE FOLLOWING
48 CONDITIONS: 1. DEVELOPER BE RESPONSIBLE TO PUMP GROUNDWATER

2 COLLECTED BY THE LAND DRAIN SYSTEM UNTIL THE GROUNDWATER
PUMP STATION IS OPERATIONAL. 2. OFF-SITE SEWER, GROUND WATER,
4 AND PRESSURE IRRIGATION SYSTEM PUMP STATION AND OFF-SITE SEWER
FORCE MAIN AND PRESSURE IRRIGATION LINE SHALL BE CONSTRUCTED
6 AND FUNCTIONAL BEFORE ANY HOMES CAN BE OCCUPIED OR CULINARY
WATER SERVICE IS PROVIDED TO ANY HOMES. COMMISSIONER
8 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

10 CHAIRPERSON CALL AYE
COMMISSIONER MARCHBANKS AYE
12 COMMISSIONER KALLAS AYE
COMMISSIONER WILY AYE
14 COMMISSIONER JOHNSON AYE
COMMISSIONER VANCHIERE AYE
16 THE MOTION CARRIED UNANIMOUSLY.

18 5. **Minor Subdivision — Washburn Industrial Subdivision, Plat A, 500 North
Geneva Road.** Jeremy Washburn requests preliminary approval of a one lot
20 subdivision plat consisting of 2.8 acres (Utah County Parcel #14:064:0148),
with road dedication on 500 North, in the Mixed Commercial zone.

22

Mr. Van Wagenen opened this agenda item by explaining this plat will leave a
24 remainder parcel of approximately 10.9 acres. He noted the remainder parcel is not
included in the subdivision plat because it can be further subdivided. He stated the
26 minimum lot size in the MC zone is 1 acre (43,560 sq. ft.) and the lot created by this
subdivision will be 2.8 acres. Lot #1 is a corner lot and has well over the 100 feet of
28 frontage required at 370 feet along Geneva Road and 383 feet on 500 North. Mr. Van
Wagenen then presented for discussion an aerial photo of the proposed subdivision,
30 photos of the existing site and the preliminary subdivision plan. He noted the area has
historically been used as horse pasture.

32 Mr. Van Wagenen explained that there will be road dedication on 500 North will
be improved with asphalt widening, curb, gutter and a four foot sidewalk. The existing
34 irrigation/storm drain ditch along Geneva Road (UDOT controlled) will be piped and
does meet frontage requirements. He stated the City Engineer is addressing engineering
36 standards and all engineering issues will be resolved before final approval is granted. He
also mentioned the two recommended conditions to include in the motion adding this will
38 not go to the city council. He then turned the time over to Mr. Washburn for comment.

Mr. Washburn stated his family bought the farm 45 years ago and they believe
40 this is a good use for the property and fits the zone and will be a beautiful addition to the
neighborhood. He noted their application for permit with the Army Corp of Engineers has
42 been submitted. Mr. Washburn stated Fezarri Bicycles is going to occupy the building
which is a Lindon homegrown company. Mr. Van Wagenen pointed out the next item on
44 the agenda is the site plan. Chairperson Call stated that this is a permitted use in the
mixed commercial zone and appears to meet all the requirements and as far as approval
46 we just need to place the two recommended conditions from staff.

Chairperson Call asked if there were any further comments. Hearing none she
48 called for a motion.

- 2 a. Painted or colored concrete exteriors are permitted. The shade of each color must be consistent.
- 4 b. Bare concrete exteriors are not permitted.
- 6 c. The exterior of a concrete tilt-up building shall be finished with additional architectural details such as entrance canopies, wrought iron railings and finishes, shutters, multi-level porches, metal shades, and metal awnings.

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 10 Mr. Van Wagenen went on to say this is a concrete tilt-up building with specific colors called out in the elevations as Network Grey and Rock Bottom. All colors need to meet the color palette in the Design Guidelines. Entrance canopies, entrance pop outs, windows and tilt wall reveals provide architectural accents for the building. The building is within the 48 foot height limit in the LI zone, the highest point of the parapet wall being about 34 feet. He noted there are some engineering issues that will need to be resolved before the plans are finalized and staff will ensure all requirements are met. He also stated the recommended conditions to be included in the motion. He also mentioned an issue that just came up with Ron Anderson’s water head gate noting they will need to be able to access/pull water once it is piped and this issue should be included as a fourth condition in the motion. Mr. Van Wagenen then presented an aerial photo of the site and surrounding area, photographs of the existing site, the site plan, landscaping plan, architectural elevations and color palette followed by discussion.

22 Chairperson Call stated it appears the architectural guidelines/standards are met that are spelled out in the MC zone. She noted it appears that the parking, bike parking, landscaping, frontage, interior landscaping, required open space, and the parameter landscaping are all met. Mr. Watson stated as far as the architectural standards go they are going above the base of what is required as they want to this to look nice as to attract business (essential owner occupied) and will be long term. He pointed out they have made several additions at their own expense and they are going “green” and energy efficient as to have a minimal environmental impact. They are also going over and beyond with the bike parking at this facility.

30 Chairperson Call asked if there were any further comments or discussion. Hearing none she called for a motion.

34 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANTS
 36 REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS:
 38 WASHBURN INDUSTRIAL PLAT A BE RECORDED. 2. DITCH PIPING WILL NOT
 40 BEGIN UNTIL APPROPRIATE PERMITS ARE OBTAINED FROM THE ARMY
 42 CORP OF ENGINEERS. 3. ANY CHANGES ALONG GENEVA ROAD REQUIRED
 BY UDOT WILL BE INCORPORATED INTO THE IMPROVEMENTS AND 4. THE
 HEADGATE ON THE SOUTHWEST OF THE PROJECT BE MAINTAINED SO
 WATER USERS CAN HAVE ACCESS FOR USE. COMMISSIONER
 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
 FOLLOWS:

44 CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
46 COMMISSIONER KALLAS	AYE
COMMISSIONER WILY	AYE
48 COMMISSIONER JOHNSON	AYE

2 COMMISSIONER VANCHIERE AYE
THE MOTION CARRIED UNANIMOUSLY.

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7. **Continued Public Hearing — General Plan Amendment, 725 North 2800**

6 **West.** Mark Weldon, WICP West Orem #3 (3/4), LLC, requests a General Plan
Land Use Map Amendment from Commercial to Mixed Commercial, on
8 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
10 the City Council (Pending Ordinance 2017-3-O).

12 COMMISSIONER MARCHBANKS MOVED TO OPEN THE PUBLIC
HEARING. COMMISSIONER WILY SECONDED THE MOTION. ALL PRESENT
14 VOTED IN FAVOR. THE MOTION CARRIED.

16 Mr. Van Wagenen gave a brief history explaining this item was reviewed but not
acted on in the May 9, 2017 Planning Commission meeting and continued again from the
18 May 23, 2017 meeting. He explained this property is located on the Lindon border with
American Fork this property is currently surrounded by General Commercial property to
20 the south and east and Mixed Commercial property to the north. The Mixed Commercial
property to the north was rezoned in 2015 from General Commercial to Mixed
22 Commercial in order to accommodate development of a flex office/warehouse project.
Meeting minutes from the June 24, 2014 and July 14, 2015 Planning Commission
24 meetings were requested to understand and review why the property directly north of the
subject property was reclassified as Mixed Commercial property.

26 Mr. Van Wagenen further explained the current development proposal would
construct a flex office/warehouse as part of a corporate campus concept if the General
28 Plan and zoning designations were approved. Flex office/warehouse typically serves
businesses that require space in which light assembly, packaging, and shipping activities
30 will occur. The conceptual layout shows this land as part of the larger Mountain Tech
campus. Building 1 is operational (office) with building 2 (office) under construction.
32 Building 3 would be the flex space that this application would allow to happen while
Building 4 would be an additional office on the corner of 600 North (PG Boulevard) and
34 2800 West. A parking deck is also being envisioned on the site. The applicant's proposed
use for the flex building is not allowed in the CG zone, but it is in the MC zone. He
36 mentioned that Mr. Weldon is requesting the appropriate zoning under the next item on
the agenda.

38 Mr. Van Wagenen further explained that City Code requires that any zone change
must be consistent with the City's General Plan Designation. The current General Plan
40 designation is Commercial, so the General Plan map must first be modified for the rezone
request to be possible. Therefore, Mr. Weldon is requesting that the General Plan
42 designation be changed to Mixed Commercial to permit the zone change and allow the
desired uses. The General Plan currently designates the property under the category of
44 Commercial. He noted this category includes retail and service oriented businesses, and
shopping centers that serve community and regional needs. Mr. Weldon is requesting that
46 the General Plan designation of the property be changed to Mixed Commercial, which
includes the uses in the General Commercial designation, as well as light industrial and
48 research and business uses.

2 Mr. Van Wagenen then referenced Relevant General Plan policies to consider in
determining whether the requested change will be in the public interest. Mr. Van
4 Wagenen also presented for discussion an aerial photo of the proposed area to be re-
classified, the current General Plan Land Use Map, conceptual site plan, photos of
6 existing site and draft Ordinance 2017-3-O. He then turned the time over to Mr. Weldon
for comment on the proposed project.

8 Mr. Weldon commented that they have done a lot of work on this project and the
four story tower is currently going up and the building to the south (Jive Communication)
10 is going in. He stated they have a concept of building a high bay warehouse that looks
like an office building that is for one whole campus. Mr. Weldon stated their preference
12 would be to have office on the Mountain Tech side and move the industrial to the south
of Pleasant Grove Blvd. He noted the issue is where they have some very expensive
14 office buildings and tenants in the two buildings that border the highway, and the tenants
have asked if they can shield any future construction. They plan to operate a clean
16 campus facility that will look like an office building with a warehouse with high end
industry that will bring a lot of jobs. The challenge will be how to facilitate developing
18 this if they are able to have a mixed use for the 40 acres. Depending on what happens on
Mountain Tech north he would like the right to put the office warehouse at that location.
20 They are in due diligence with the 40 acres below them and are prepared to close on the
property.

22 Mr. Weldon went on to say they have a big investment in the two office buildings
and want the right to shield from the Blind Man and don't want to see the trucks and want
24 to accommodate the existing tenants as they are both 10 year tenants (Global Payments
and Jive Communications). Mr. Weldon commented that he is not asking for anything
26 that the city has not already granted to others and is simply asking what has already been
granted to the property to the north of him. He pointed out they are a long term player
28 and have spent a lot of money and brought a lot of jobs to Linton.

30 Mr. Van Wagenen pointed out that the item before the Commission tonight is not
in regards to the 40 acre piece of property.

32 **Ed Daley:** Mr. Daley stated he is the land owner to the north. He also agreed that the
Blind Man business is a problem and an eyesore in the city and needs to be cleaned up.
34 He feels comfortable with what Mr. Weldon is proposing as he builds a very nice flex
space and Class A office space building and he feels what he is asking for is very
36 reasonable.

38 Commissioner Vanchiere voiced his concern of the proliferation of flex space and
questioned if a development agreement may be a thought. He feels the council wants to
40 make sure there is not too much flex space. Mr. Van Wagenen reminded the Commission
they are the advisors to the city council and as advisors they have ample opportunity to
42 advise in their role and not to plan on or predict what the city council will do.

44 Commissioner Marchbanks stated we need to keep the conversation on the right
side of the road and he feels this is what was envisioned in the area and perhaps utilizing
a development agreement may be a good idea. Commissioner Vanchiere stated it is
46 incumbent on the Planning Commission to ask the questions. He noted he has listened to
both sides of the argument and he feels Mr. Weldon would go above and beyond and he
48 feels comfortable sending it on to the City Council.

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

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

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10 Commissioner Wily commented this is a first class developer when you look at
everything they have done and the nice developments in Lindon. He also pointed out
12 what is being proposed here is very clear and he feels we should make this change as
there are timing issues for the developer and certainly there are questions that may come
up to the council but there are no red flags to prevent the Commission from making the
14 change on the General Plan and the zoning; the concept has been presented.

16 Commissioner Kallas agreed with that statement adding he does have concerns
that there is nothing proposed or a submitted site plan. Commissioner Johnson also
agreed with Commissioner Wily's statement.

18 Following additional discussion, the Commission was in agreement to
recommend approval of Mr. Weldon's requested General Plan change. The Commission
20 felt that because of the locations proximity to the MC zone to the north, American Fork's
Planned Industrial zone to the west and keeping 600 North frontage as General
22 Commercial along with the submitted concept plan were enough reasons to recommend
approval of this request to the city council.

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

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28 COMMISSIONER WILY MOVED TO RECOMMEND TO THE CITY
COUNCIL APPROVAL OF ORDINANCE 2017-3-O AS PRESENTED.
COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS
30 RECORDED AS FOLLOWS:

32 CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
34 COMMISSIONER WILY	AYE
COMMISSIONER JOHNSON	AYE
36 COMMISSIONER VANCHIERE	AYE

THE MOTION CARRIED UNANIMOUSLY.

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40 **8. Continued Public Hearing — Zone Map Amendment, 725 North 2800 West.**

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

46 COMMISSIONER MARCHBANKS MOVED TO OPEN THE PUBLIC
HEARING. COMMISSIONER JOHNSON SECONDED THE MOTION. ALL
48 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Mr. Van Wagenen stated he doesn't have anything to add from the previous conversation that was just approved with no further information to provide.

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

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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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COMMISSIONER VANCHIERE MOVED TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF ORDINANCE 2017-4-O AS PRESENTED. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER WILY	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER VANCHIERE	AYE

THE MOTION CARRIED UNANIMOUSLY.

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9. Architecture (Building Elevation) Review – Zyto, 1172 West 700 North.

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Tia Crow, Tome Stuart Construction, requests building elevation review and approval for an office building, 3 story, 46,600 square feet), at 1172 West 700 North, in the Lindon Village Commercial zone. The site plan was previously approved by the Planning Commission on January 13, 2015.

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Mr. Van Wagenen , explained the applicant, Tia Crow, received Planning Commission site plan approval to construct a 46,060 square foot office building (2.3 acres) on January 13, 2015. He noted the Planning Commission approval included the presented building elevations including architectural treatments. Upon completion of the exterior of the building it became evident that the approved elevations were not followed. He noted a temporary certificate of occupancy was issued April 24, 2017 after a cash bond was posted in the amount of \$44,495.20 to cover the architectural treatments that have not been completed. He then referenced the discrepancies from the approved elevations and what was actually built including the Granite Veneer columns on all sides of the building, aluminum awnings on the south and north elevations.

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Mr. Van Wagenen further explained the café seating on the west elevation was not constructed because the tenant plans changes upon build out and no café was constructed. The paint color on the building is white and even though white is not an approved color in the Commercial Design Standards color palette. He noted other projects have been required to repaint buildings when they have not met original approvals and/or the color palette. Tom Stuart Construction was also the developer on the

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2 adjacent TAMS building and failed to comply with approved building elevations on that
project. With regards to the ZYTO building, staff recommends Tom Stuart Construction
4 follow through with what was presented and approved by the Planning Commission
regarding site plan elevations. Mr. Van Wagenen then referenced for discussion the
6 discrepancies to approved elevations, constructed building photographs, and the
commercial design guidelines color palette. He then turned the time over to the applicant
8 for comment.

Ms. Crow stated she works for Tom Stuart Construction and started working with
10 Zyto Technologies in 2014 to build this building when they came up with this concept.
She noted Zyto Technologies is a long term tenant in Lindon City and they are a global
12 technology company and very innovative. She went on to say as they have built this
building there have been many changes (as they came up with new ideas) and they
14 usually build more quickly, but this project has taken longer because of these ongoing
changes. She pointed out the changes were because of the the tenant not the developer.
16 Ms. Crow commented they are happy to do the awnings on the front of the building as
requested and they are happy with the building and the way it looks; clean and simple.
18 She commented that Zyto Technologies will be here in Lindon long term to continue to
grow their business.

Chairperson Call stated the concern is that the finished product is not what was
20 approved on the site plan. And as far as the color of the building, the awning, the granite
vener columns and the other treatments they are an issue. Commissioner Kallas
22 commented that white is not in the color palette and that should have been understood by
the builder; he would suggest following staff's recommendation. Commissioner
24 Marchbanks agreed with that statement and would agree to hold up the certificate of
occupancy until the changes are completed. Commissioner Wily agreed that the proposal
26 looked better and white is not in the color palette and must be changed. There was then
some additional discussion regarding the awnings and treatments.
28

Mr. Van Wagenen reminded the Commission when this was approved there was
30 design guidelines and they must be held to those standards and what was approved. Mr.
Van Wagenen summarized what he is hearing from the Commission is that they need to
32 ensure that the color of the building meets the color palette and the awnings on the south
side or front of the building are put in place and also the column treatments. There was
34 then some additional discussion regarding this issue. Chairperson Call directed Ms. Crow
to work with staff on these issues unless there are dramatic changes and then it would
36 need to come back before the Commission and to follow the approved site plan other than
the changes made tonight.

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

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COMMISSIONER MARCHBANKS MOVED TO DENY THE REQUEST TO
42 NOT MAKE ARCHTECTURAL CHANGES AND STICK TO THE ORIGINAL
APPROVED SITE PLAN WITH THE FOLLOWING EXCEPTIONS: 1. AWNINGS
44 ON THE REAR NORTH ELEVATION AND 2. THE PAINT COLOR NEEDS TO
MATCH THE COLOR PALETTE AND 3. ADDITIONAL AWNINGS AND
46 COLUMNS NEED TO BE ADDED TO MATCH THE ORIGINAL SUBMITTED
ARCHITECUTURAL PLAN AND 4. NO COLUMNS OR WINDOW TREATMENTS

2 ON THE NORTH SIDE OF THE BUILDING. COMMISSIONER KALLAS
3 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

4 CHAIRPERSON CALL AYE

COMMISSIONER MARCHBANKS AYE

6 COMMISSIONER KALLAS AYE

COMMISSIONER WILY AYE

8 COMMISSIONER JOHNSON AYE

COMMISSIONER VANCHIERE AYE

10 THE MOTION CARRIED UNANIMOUSLY.

12 10. **Concept Review — Utah County Chiropractic, 790 North 200 East.** Shirl A.
13 Stone requests a concept review of a proposed chiropractic office with health and
14 wellness services to be located at 790 North 200 East (identified by Utah County
15 Parcel ID #52:782:0001), in the R1-20 Residential Zone.

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17 Brandon Snyder, Associate Planner, led this discussion by explaining a Concept
18 Review allows applicants to quickly receive Planning Commission and/or City Council
19 feedback and comments on proposed projects with no approvals or motions given, but
20 general suggestions or recommendations are typically provided. Although not mandatory,
21 a Concept Review is recommended for all large development projects. The proposal is for
22 property located at 790 North 200 East in the R1-20 Residential zone. He noted the
23 property is Lot 1, Plat A, of the STX2 Subdivision. The subdivision was approved on
24 10/20/1998 and recorded 09/03/1999. He explained the property has most recently been
25 used by Priddis Music for a music recording business. A Conditional Use Permit was
26 approved by the Lindon City Planning Commission for Priddis Music on October 13,
27 1999. The Lindon City ordinances in effect at that time (October 1998), allowed
28 Professional Offices, when harmonious with the general character of the district where
29 located, in the residential zones by way of a conditional use permit.

30 Mr. Snyder explained the applicant would like to utilize the property for a
31 chiropractic office. Services offered would also include health and wellness classes. The
32 applicant would like to hold classes weekly. Each class would possibly have 10-20
33 attendees and would be held in the evening beginning at 7 pm. It is unclear at this time if
34 the applicant would utilize the existing residence as a dwelling unit or an office.

35 Mr. Snyder stated presently Lindon City Code no longer allows professional
36 offices in the residential zones and business activities are regulated by Lindon City Code
37 17.04.400 Home Occupations. He noted the applicant and staff have discussed the
38 concern that the proposal would not comply with the current home occupation
39 regulations. There are concerns with the number of employees, hours of operation,
40 number of vehicular trips/traffic generated, and parking. He noted given the unique
41 history of the parcel, the applicant would like feedback from Lindon City regarding other
42 options to accommodate his proposal. The proposal would possibly require changes to
43 Lindon City Code or designation of a new overlay zone. The current Lindon City
44 Standard Land Use Table does not specifically list chiropractic services.

45 Mr. Snyder went on to say the most similar uses listed, are not permitted in
46 residential zones (Massage Therapy/Personal Care Health Spa & Medical, Dental, and
47 Health Clinic Services / small, outpatient type services). The standard land use table
48 provides for the regulation and administration of land uses in the various zones in the

2 City. Section II of the Land Use Table describes the purpose and intent of the R1-20 as
4 follows: R1-20 (Residential-Low). It is the purpose of this zone to provide areas of low
6 density, residential neighborhoods of essentially spacious and un-crowded character to
8 promote the benefits of open, rural atmosphere, and to provide for areas where larger
10 animals are permitted. Mr. Snyder then referenced the Lindon City General Plan that
12 indicates the objectives of the Lindon City Community Vision.

8 Mr. Snyder further explained the residential land uses include a range of
10 residential classifications including low, medium, and high density. Density is expressed
12 in dwelling units per acre (DU/AC) for single or multiple family dwellings. Zoning
14 regulations may allow in residential areas a limited number of nonresidential uses, such
16 as places of worship, neighborhood parks, schools, etc. He pointed out the goal of
18 housing and residential areas in Lindon City are to provide a housing and living
20 environment that supports and complements the unique rural quality and character of
Lindon City. Objectives of this goal are to maintain and enhance the pleasing appearance
and environmental quality of existing residential neighborhoods by avoiding
encroachment of land uses which would adversely impact residential areas (i.e. increased
traffic, noise, visual disharmony, etc.) and by providing adequate screening and buffering
of any adjacent commercial or industrial development including parking and service
areas.

22 Mr. Snyder further discussed that the Single Family Residential Zones (R1) are
24 established to provide areas for the encouragement and promotion of an environment for
26 family life by providing for the establishment of one (1) family detached dwellings on
28 individual lots that are separate and sheltered from non-residential uses found to be
inconsistent with traditional residential lifestyles customarily found within Lindon City's
single-family neighborhoods. A major home occupation requires the owner to live onsite.
Mr. Snyder then presented for discussion the Priddis Music Site Plan, Priddis Music Staff
Report and Minutes and Lindon City Codes. Mr. Snyder then turned the time over to the
applicant for comment.

30 Chairperson Call expressed her concerns with this proposal that it may require a
32 new overlay zone or a code change which is a concern if it is changed for one specific
34 residence. Mr. Snyder stated that it may be crafted in a way that it would work for this
36 location and may be applied to different locations throughout the city (spot zoning). She
38 would be more favorable if that was the case. Commissioner Marchbanks asked if Dr.
Stone had visited with any of the neighbors regarding this proposal. Dr. Stone said he
had talked to two of the neighbors with one being very positive and the other not having
an opinion one way or the other. Commissioner Kallas pointed out that a chiropractic
office is a pretty benign use but his personal opinion is that it needs to stay an owner
occupied business rather than changing the zone (spot change) to a commercial zone
because it may get a lot of resistance from the neighbors because it is a residential
neighborhood.

42 Tyler Cope addressed the Commission at this time and gave his PowerPoint
44 presentation. He noted when Mr. Priddis occupied this building he made a significant
46 improvements and is why Dr. Stone is looking at this property. He noted that becoming a
48 major home occupation may not be the right fit and although it is a nice remodel it is less
than what Dr. Stone is accustomed to. He pointed out that this property, as the code is
currently written, will likely become vacant or could possibly become a group home.
This is a misfit property and they would like some input from the Commission. He feels

2 there are two ways to approach this 1. Go back to what it was in 1999 and add some
conditions or 2. Create an overlay zone to allow additional suitable uses. He pointed out
4 the former Priddis Music had regular deliveries and that would not occur with the Stone
business; it was a heavier use that what they are proposing. He would suggest creating a
6 new zone altogether. Mr. Cope stated the key here is to come together and find a quick
solution that would be favorable for all and that would protect not only the property
8 rights but also protect the public interest.

10 Dr. Stone mentioned this is his realm and what he does in working with children
and families for the past 22 years and he is looking forward to bringing his healthcare
practice to Lindon citizens. He then showed slides of the inside of the Priddis building
12 noting it is a peaceful atmosphere for those seeking healthcare services. He also
mentioned some of the services he offers through his practice. He also noted the parking
14 noting they do not plan on having a large volume of traffic. He added there will be some
renovations in the building and converted to clinical rooms.

16 Chairperson Call commented this looks like a wonderful business and if approved
she would like to see the use of an overlay zone or the code rather than it being arbitrary
18 through a conditional use, but she would like to find a way to be able to allow this use.
There was then some general discussion by the Council regarding the possible use of an
20 overlay zone and other options. Mr. Van Wagenen stated if the general feeling is that the
Commission would like to make it work staff will try to find an option that will be an
22 amenable solution for all parties. Dr. Stone stated he is here to see if this is even a
possibility. Chairperson Call stated she is hearing the Commission is not opposed to the
24 use but there are extenuating circumstances associated with this unique property.

26 Following discussion the Commission was in agreement to direct staff to explore
the options to find a solution that may work. The applicant noted they will be going
before the city council for feedback. Dr. Stone thanked the Commission for their input on
28 this proposal. Mr. Snyder stated the next step would be to go before the City Council for
feedback.

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

32
34 **11. New Business: Reports by Commissioners** – Chairperson Call called for any
new business or reports from the Commission. Chairperson Call commented she
was approached by a resident about a property on Center Street by the canal and
36 the garden area where the fence juts out and they feel it is a concern for school
children who walk in the area. She questioned if there is way to require opening
38 up that section that juts out when the property sells as it is a safety hazard. Mr.
Van Wagenen stated when it sells and development occurs the improvements
40 will be done, curb gutter and sidewalk. Chairperson Call asked Councilmember
Bean to share information on the possible sale of the Geneva Resort lake
42 property discussed by the Council. Councilmember Bean noted there was a fair
size group in attendance at the meeting and they shared the need to keep the
44 property or that the proceeds needed to be used for another park. There was then
some general discussion regarding this issue.

46
48 **12. Planning Director Report** – Mr. Van Wagenen reported on the items listed
below followed by general discussion.

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- Home occupation ordinance for major home occupation overlay zone.

4

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

6

8 **ADJOURN** –

10

COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE MEETING AT 10:25 PM. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – June 27, 2017

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Sharon Call, Chairperson

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Hugh Van Wagenen, Planning Director