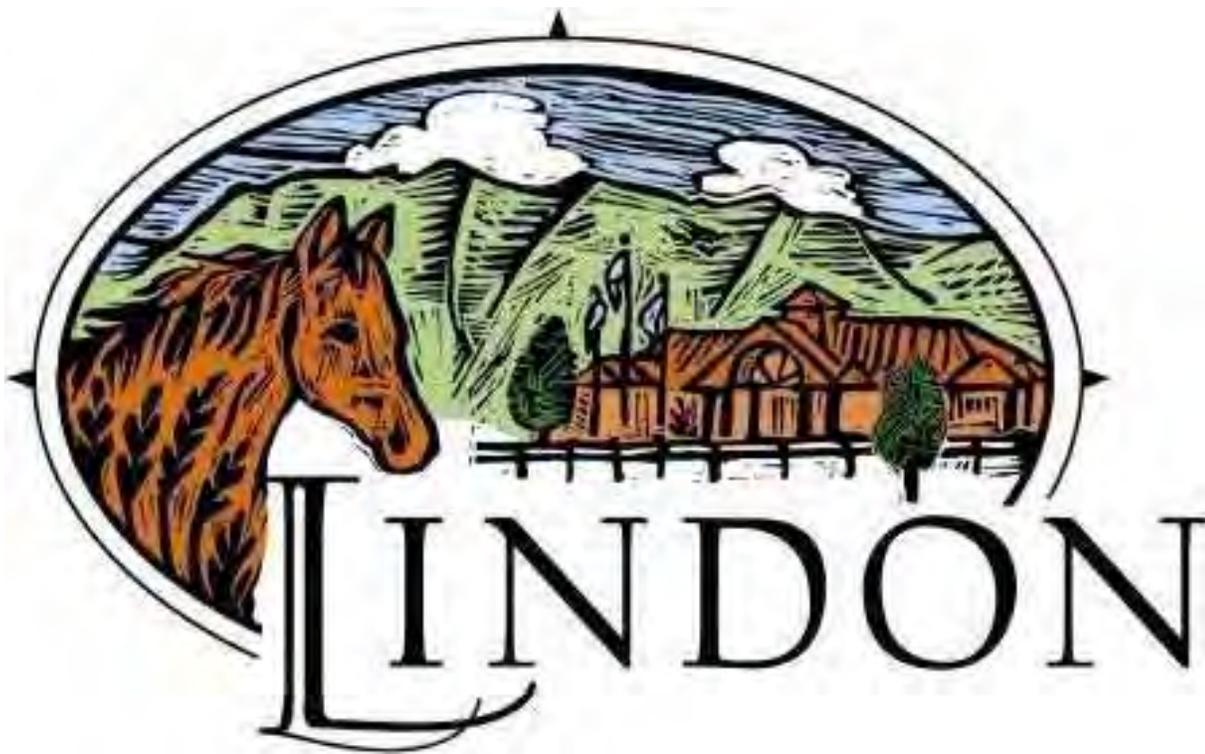


Lindon City Planning Commission Staff Report



June 25, 2019

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on Tuesday, June 25, 2019, in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at 7:00 p.m. This meeting may be held electronically to allow a commissioner to participate by video or teleconference. The agenda will consist of the following items:

AGENDA

Invocation: By Invitation

Pledge of Allegiance: By Invitation



Scan or click here for link to download agenda & staff report materials.

1. Call to Order
2. Approval of minutes
Planning Commission 6/11/2019
3. Public Comment
4. Conditional Use Permit approval for outdoor construction material storage – Nicolson Construction. Application for conditional use permit located at 1550 W. 20 S. (Utah County Parcel # 14:061:0081), in the Lindon City Light Industrial (LI) zone. (20 minutes)
5. Public Meeting for consideration to remove condition of approval number three for the Mountain Tech South Lot 4 minor subdivision granted on April 9, 2019. The subdivision is located at approximately 400 N 2800 W. (Utah County Parcel # 67:056:0004), in the Lindon City Regional Commercial zone. (15 minutes)
6. New Business from Commissioners
7. Planning Director Report
- General City updates

Adjourn

Staff Reports and application materials for the agenda items above are available for review at the Lindon City Planning Department, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our Staff may be contacted directly at (801) 785-7687. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City-sponsored public meetings, services programs or events should call Kathy Moosman at 785-5043, giving at least 24 hours notice.

The above notice/agenda was posted in three public places within Lindon City limits and on the State <http://www.utah.gov/pmn/index.html> and City www.lindoncity.org websites.

****The duration of each agenda item is approximate only*

Posted By: Kathryn Moosman, City Recorder

Date: 6/21/2019

Time: 5:00 pm

Place: Lindon City Center, Lindon Police Station, Lindon Community Center

Item 1 – Call to Order

Sharon Call – Chair

Mike Marchbanks

Steve Johnson

Bob Kallas

Scott Thompson

Jared Schauers

Renee Tribe

Item 2 – approval of Minutes

Planning Commission 6/11/2019

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **June 11, 2019 beginning at 7:00 p.m.** at the Lindon City Center, City Council
Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 7:00 P.M.**

8 Conducting: Sharon Call, Chairperson
Invocation: Mike Marchbanks, Commissioner
10 Pledge of Allegiance: Steven Johnson, Commissioner

12 <u>PRESENT</u>	<u>EXCUSED</u>
Sharon Call, Chairperson	Scott Thompson, Commissioner
14 Mike Marchbanks, Commissioner	
Rob Kallas, Commissioner	
16 Steven Johnson, Commissioner	
Jared Schauers, Commissioner	
18 Mike Florence, Planning Director	
Brian Haws, City Attorney	
20 Noah Gordon, City Engineer	
Kathryn Moosman, Recorder	

22
24 **Special Attendee:**
Matt Bean, Councilmember

- 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 meeting of the
30 Planning Commission meeting of May 28, 2019 were reviewed.

32 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
OF THE REGULAR PLANNING COMMISSION MEETING OF MAY 28, 2019 AS
34 AMENDED. COMMISSIONER KALLAS SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

40 **CURRENT BUSINESS** –

- 42 4. **Continuing Business - The Wild Oak Site Plan Approval - Lee Johnson.**
44 Application for site plan approval for a new reception center located at 450 W.
Gillman Lane. (Utah County Parcel # 14-067-0051), in the Lindon City General
Commercial Storage (CG-S) zone.

46
48 Michael Florence, Lindon City Planning Director, gave a brief overview of this
agenda item explaining the applicant, Mr. Lee Johnson made site plan application

2 approval for a new reception center located at 450 West Gillman Lane. Mr. Florence
explained that tonight, the planning commission will be evaluating whether the site plan
4 and building meet Title 17 development regulations and Commercial Design Standards.
At this time, Carly and Derick Olson came forward as representatives of the application.

6 Mr. Florence stated the applicant proposes to remodel an existing storage building
at 450 West Gillman Lane for use as a Reception Center. He noted the building currently
8 does not have any water or sewer utilities to the building and the utilities will be added to
the building and property along with a fire hydrant at the entrance of the property.

10 Mr. Florence stated the planning commission continued this item from the May
21, 2019 meeting to give the applicant time to update the site and building design
12 requirements as well as for city staff to evaluate the safety concerns on Gillman Lane and
the intersection at Gillman Lane and State Street of which Mr. Florence discussed.

14 Mr. Florence stated the applicant's site plan meets vehicle parking requirements
of one stall per 3½ person capacity in the building of facility, based on maximum use of
16 all facilities at the same time. He indicated in receiving updated square footage
calculations from the applicant's architect, the parking was increased from 61 on-site
18 stalls to 68. Mr. Florence explained the site plan provides adequate site circulation for the
proposed use and all drive isles meet parking lot specifications. A hammerhead turn-
20 around is proposed and has been approved by the fire marshal.

22 Mr. Florence noted the applicant has removed all perimeter light poles from the
site plan and will mainly be using building lighting. The only lighting not attached to the
building are entry lights mounted on the entry gate and some ground level lighting
24 pointed up to the oak tree near the building entrance. All building door entry lighting will
be low level lights. Lights for the parking lot and outdoor space will be directed at a 45-
26 degree angle to limit light trespassing onto adjoining properties. He pointed out since the
exterior perimeter light poles were removed staff did not find it necessary to require a
28 photometric study.

30 Mr. Florence went on to say that the planning commission may still make this a
requirement if found to be necessary. Staff could review the photometric study with the
building plans and if it is found that lighting is causing an impact then staff has
32 recommended a condition that the applicant will redirect lighting or find other means of
shielding the lighting from adjoining properties. He then showed photos of the proposed
34 lighting plan.

36 Mr. Florence commented that the proposed reception center shares a west, south
and portions of an east property line with a residential use and zone. The applicant is
proposing a 7' masonry fence along all property lines shared with residential properties.
38 The applicant will also be providing 10' of landscaping behind the masonry fence where
adjacent to residential. He noted since the ditch is near the property line, the fence may
40 need to be moved back slightly so that the city has the appropriate width to maintain the
ditch and to pipe the ditch in the future. He noted staff will finalize with the applicant the
42 final details of the location of the fence.

44 Mr. Florence indicated the site and landscape plans have been updated from the
previous plans reviewed by the planning commission. He noted the applicant will be
providing a minimum of 20 feet of landscaping along Gillman Lane as well as curb,
46 gutter and sidewalk improvements. He stated that the landscape plan meets the final site
landscape percentages. He added a final review of all required trees and vegetation will
48 be completed with the final plan review.

2 Mr. Florence explained that buildings in the General Commercial Storage zone
are required to meet the Lindon Commercial Design Standards. Under the commercial
4 design standards commercial development should pick one of three building forms: one-
part commercial block, two-part commercial block, and central block buildings. The
6 proposed building most aligns with the one-part commercial block building. He then
referenced the standards for such a building in the Commercial Design Standards.

8 Mr. Florence stated the City Engineer is working through all technical issues
related to the site plan and will conduct a final review if the planning commission grants
10 site plan approval tonight. Mr. Florence clarified that the Wild Oak Reception Center is a
permitted use in the General Commercial Storage Zone and the updated site and
12 landscape plans appear to meet all city regulations. He also pointed out that a final review
will be completed prior to issuance of a building permit.

14 Mr. Florence also brought up that staff had requested that the applicant work with
Dastrup Auto to see if they could work out an agreement for additional parking and
16 according to the applicant, they were unable to come to an agreement. The applicant does
however meet the parking standard of providing 68 stalls for the reception center use. If
18 parking becomes a problem, according to City Code 17.18.010, Lindon City has the
ability to require additional parking for uses that have regularly over-flowed their
20 minimum required parking spaces when such overflow has created a nuisance or safety
hazard within the community. Such over-flow parking issues shall be considered a
22 nuisance by the City, and if left uncorrected, may result in the revocation of an active
business license.

24 Mr. Florence went on to say the planning commission requested that the city
engineer and police department conduct a review of Gillman Lane to determine what
26 safety improvements could be made to improve the street. The recommendation for
Gillman Lane to is add “no parking – tow away zone” signs along the street so if vehicles
28 park along Gillman Lane then the police department will have authority to tow vehicles.
It will be the responsibility of the applicant to pay for these signs and will need to work
30 with the planning director and city engineer to determine distance to install the signs.

32 Mr. Florence stated Staff also recommends that a sign(s) be installed either on the
reception center property or across the street directing vehicles to exit to State Street. In
regards to the intersection of State Street and Gillman Lane, city staff have been
34 discussing options with UDOT on possible design improvements to this area. UDOT has
provided feedback to the City on the proposals and has asked that the city now put an
36 engineering design together for UDOT to evaluate. He noted this item will continue to be
worked out as the City and UDOT come up with a final plan.

38 Mr. Florence then presented an aerial photo, updated building elevations, updated
site plan, updated landscaping plan, first and second level floor plans, parking
40 calculations, and lighting plan followed by discussion.

42 Chairperson Call mentioned the conditions and if the parking is not deemed to be
adequate should it be a condition included in the motion. Mr. Florence stated it is already
44 included in the code. Chairperson Call stated residents have concerns with the noise and
she understands that there is a noise ordinance (nuisance) in place and one in process that
goes further, and if anything about the noise issue should be included as a condition.

46 Brian Haws, City Attorney explained this is a conditional use and the city is
limited on conditions that can be put in as there is already a mechanism in place to take
48 care of any noise through the nuisance ordinance that is currently in place. He is not

2 concerned about putting that in as a condition as the applicant will be required to follow
the noise ordinance just like any other business in the city.

4 Commissioner Schauer asked staff how many signs will be required and what are
the costs as that may be problematic for the applicant. Mr. Florence said that has not
6 been determined yet and will need to be evaluated. Ms. Olson stated it would be great to
know a cap as to add it to their budget. She noted they will also put a map on their
8 website and pointed out google maps leads through State Street. Mr. Haws stated they
will work with the city engineer to come up with a number as it goes with the parking
10 requirements and overflow use of the streets as this street can't take any overflow.

12 Commissioner Kallas asked about the condition of directing traffic back out to
State Street and what mitigating measures will UDOT take regarding the right in and
right out. Mr. Haws stated UDOT is working with the city on the State Street access and
14 perhaps reconstructing the drive approach; they can't do anything without UDOT's
approval.

16 Mr. Olson pointed out they can only control their controllables. He indicated that
Mr. Florence has been very helpful with the site plan and they will be happy to continue
18 to work with staff to fulfill all of the requirements. Ms. Olson commented that she has
worked with a lot of weddings and with 68 parking stalls (and is one of the max) she is
20 very confident with their parking and that they won't have the overflow parking issues.

22 Chairperson Call stated even though this is not a public hearing she will hear
public comment at this time.

24 **Lori Estevan:** Ms. Estevan stated the parking lot lighting is not the issue it is the street
lights. She asked if the city will be putting more lights in on Gillman Lane. Mr. Florence
26 stated at this point there will not be any new street lights going in. Ms. Estevan noted
when Dastrup came in they removed the trees and it became very exposed and now the
28 noise travels through and without the tree buffer it is worse. She hopes they will be
putting in trees on the west side too so that will not be such a problem.

30 Mr. Olson stated they love the trees that border the ditch and they will also have a
32 7ft masonry fence to provide a buffer; they don't want to cut down any trees. Ms. Olson
added their goal is to have it be secluded so it looks like a garden area.

34 **Jennifer Gardner:** Ms. Gardner stated she is not understanding where any overflow
36 parking can go. And with the noise, safety and traffic issues, she just can't see this
working out.

38 Chairperson Call clarified that per city code they can't require any more parking.

40 **Angie Neuwirth:** Ms. Neuwirth mentioned the overflow parking at the Noah's event
42 center. She also pointed out that the city will need to fix the corner to address the traffic
flow. She pointed out that Google maps takes you down 400 West and Lakeview and
44 onto Gillman Lane. If you're in Orem it will take you on State Street which is a concern
due to the amount of traffic generated. Until a resolution is found to create some sort of a
46 lane to the traffic light the only solution to this problem is to create a good left turn for
northbound traffic. There will also be a noise issue and because it is commercial it can be
48 at a higher level of 65 decibels and if it can cross at 70 decibels that is not okay. If that is

2 how it is going to be there needs to be some controls to mitigate the noise issue; the city
code is what needs to be changed.

4 Ms. Olson clarified that the majority of the music will be inside and they will do
their best to control the noise and follow the nuisance ordinance.

6 Chairperson Call stated it appears the applicants are trying really hard to do
everything they can as to not have a tremendous impact on the neighborhood and they
8 have taken measures to work with the residents to mitigate the concerns. She added the
city is working with UDOT to mitigate safety concerns with the traffic etc. and the
10 commission is just looking to see if it meets the code.

12 **Sandra Christensen:** Ms. Christensen stated Google maps takes you up 800 West or
400 West and Lakeview to Gillman Lane not through State Street. The traffic coming
14 from the south to the north would have to make a U-turn on State Street which will be a
big safety concern; Gillman Lane is already too narrow for two cars.

16 **Darrin Jones:** Mr. Jones asked at what point in time will the city gather information
18 from UDOT on a traffic study and how does the process work and do we wait to approve
the construction.

20 Mr. Florence stated he talked to UDOT about the right in and right out and they
22 will put the engineering design together and require a traffic study so it all works
together. They will put some designs together and make some recommendations. He
24 pointed out this is more of a general problem and not the applicant's problem or
responsibility; we will look at this as a city directive.

26 **Aryan Cochran:** Ms. Cochran stated her concerns is for her neighborhood and for the
28 safety of her neighbors. She believes that this can't be approved before a traffic study is
done as this is a very serious issue. They also need to redo the red curb paint by Los
30 Hermanos.

32 **Annie Hansen:** Ms. Hansen stated they called the city and UDOT and were told that it
wasn't Lindon City's responsibility to paint red curb on no parking areas so they did it
34 themselves.

36 Commissioner Kallas asked staff to explain to the residents the process of how a
road gets widened with curb and gutter when properties develop. Mr. Florence explained
38 if it is a new road the standard width is 50 ft. for the road profile and when a developer
come in, they dedicate it on the plat and are required to install curb, gutter and sidewalk.
40 Commissioner Kallas stated he is hearing that some of the residents on Gillman bonded
for curb, gutter and sidewalk improvements. He added that really the issue is that the road
42 is so narrow; can we reject this project because the road is not wide enough. Mr. Florence
pointed out that Gillman Lane is a public street and you can run into issues with existing
44 uses.

46 **Kevin Gillman:** Mr. Gillman stated he had to give up 5 ft. of his frontage to the city for
future curb and gutter improvements.

48

2 Mr. Haws clarified it comes down to the nature of the application that this is a
3 permitted use and the city is restricted on what kind of conditions can be imposed and
4 what we can do. Any conditions imposed have to be reasonably related to the scope. To
5 address these issues and to make this applicant address these issues would not pass the
6 Nolan/Dolan Standard constitutional question that would force the applicant to make
7 improvements on the Lane. We can't hold back their application because it is a permitted
8 use why the city works it out.

9 Chairperson Call pointed out the events at the center are only held for short time
10 periods with a few hour blocks several times a week; it will not be an all day impact
11 every day. Commissioner Johnson agreed the applicant did a great job in addressing the
12 concerns and updating their plan. He also understands the comments heard tonight and
13 the issues with Gillman Lane. He would recommend to address the city council to get
14 these issues resolved. He pointed out that we can't hold up any application that meets the
15 code and there is an appropriate way to address the issue as their hands are tied. He
16 appreciates everything that has been done and comments heard and the applicant has met
17 the code.

18 Commissioner Kallas commented that the city is turning a little more
19 development than country and with that comes growing pains. There are a number of
20 streets in the city that are half streets and hard to maneuver and someday they will be full
21 streets. Our codes are not out of line, but we are having growing pains and having issues
22 with a few streets. He agrees the applicants are trying to meet the codes and he believes
23 they have. There is a definite issue with Gillman Lane and it needs to be made wider and
24 safer but that will come in time.

25 Commissioner Marchbanks stated this has been a hard issue. He believes with
26 every application they hear the concerns about potential traffic issues; which is the most
27 legitimate issue. This also brings to the forefront that we need to prioritize, from the
28 city's standpoint, areas that need to be focused on and remediated in the city to be safer.
29 He believes the applicant's true intent is to not bring an unsafe facility or problems into
30 the area and they are doing this responsibly. This is a small event center compared to
31 some in the city and it dictates the required parking. We understand the legal
32 ramifications and it meets the code with the changes made. He feels we need to be good
33 neighbors and make this an amenity rather than a distraction.

34 Chairperson Call stated she appreciates the residents being here and their
35 concerns are the commission's number one concern as to what can be done to mitigated
36 the issues but we need to act on this and she believes it will be a nice reception center.
37 She then called for further public comments or discussion. Hearing none she called for a
38 motion to close the public hearing.

40 COMMISSIONER THOMPSON MOVED TO CLOSE THE PUBLIC HEARING.
41 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
42 VOTED IN FAVOR. THE MOTION CARRIED.

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

46 COMMISSIONER JOHNSON MOVED TO MOVED TO APPROVE THE
48 APPLICANT'S REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING

2 CONDITIONS: 1. THE APPLICANT WILL CONTINUE TO WORK WITH THE CITY
ENGINEER TO MAKE ALL FINAL CORRECTIONS TO THE ENGINEERING
4 DOCUMENTS; 2. THE APPLICANT WILL WORK WITH THE CITY ON
PROVIDING THE APPROPRIATE WIDTH FOR A STORM DRAIN/IRRIGATION
6 ACCESS AND MAINTENANCE EASEMENT; 3. THE PLANS WILL MEET
RELEVANT SPECIFICATIONS AS FOUND IN THE LINDON CITY
8 DEVELOPMENT MANUAL; 4. THE APPLICANT WILL COMPLY WITH ALL
BONDING REQUIREMENTS; 5. FINAL DESIGN WILL MEET THE COMMERCIAL
10 DESIGN STANDARDS; 6. DUE TO THE NARROW WIDTH OF GILLMAN LANE
AND THE POTENTIAL FOR OVERFLOW PARKING ON THE STREET THE
12 APPLICANT WILL PAY FOR NO PARKING SIGNS FOR A DISTANCE TO BE
DETERMINED BY THE PLANNING DIRECTOR AND CITY ENGINEER; 7. IF
14 LIGHTING IS FOUND TO CAUSE AN IMPACT ON ADJOINING PROPERTIES IT
WILL BE REDIRECTED OR MEASURES TAKEN TO MINIMIZE IMPACTS; 8.
16 APPLICANT WILL WORK WITH STAFF TO INSTALL APPROPRIATE SIGNS
DIRECTING VEHICLES TO STATE STREET WHEN LEAVING THE RECEPTION
18 CENTER; 9. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER SCHAUERS
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

20 CHAIRPERSON CALL AYE
COMMISSIONER KALLAS AYE
22 COMMISSIONER MARCHBANKS AYE
COMMISSIONER JOHNSON AYE
24 COMMISSIONER SCHAUERS AYE

THE MOTION CARRIED UNANIMOUSLY.

26

28 5. **Public Hearing** - Recommendation to the Lindon City Council to amend Lindon
City Code Chapter 17.32.120 regarding subdivisions conforming to the City's
General Plan and Lindon City Street Master Plan Map. Application is made by
30 Lindon City.

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

36 Mr. Florence gave a brief overview of this item explaining Lindon City is
proposing an amendment to the subdivision code to allow arterial and major collectors to
38 remain on the General Plan Street Master Plan Map when property is subdivided;
17.32.120 currently requires the street layout of all subdivisions to conform to the City's
40 General Plan and the Lindon City Street Master Plan Map. Mr. Florence noted that
enforcing this requirement is generally in the best interest of the residents of Lindon City,
42 as it provides predictability and applies sound planning and engineering to the
development of City streets. However, there may be limited times where the street
44 master plan map calls for an arterial or major collector, but circumstances and conditions
related to an application for a development would not require a developer to construct an
46 arterial or major collector roadway at the time of application. UDOT has expressed that it
is important for when they seek road funding that future streets be on the City's master
48 plan.

2 Mr. Florence added it may still be in the best interest of Lindon City to continue
to identify the location and alignment of the right-of-way for the future arterials and/or
4 major collectors; it is important to give the Land Use Authority the ability to act in these
limited circumstances and to approve a land use applications' street lay out that may vary
6 from the street master plan map, if there is a compelling public purpose to do so.

8 Brian Haws, City Attorney, commented there are certain times that developers
will propose a development, and because of the scope and the size and location of
10 existing roads the city can't force them to build an arterial or collector road. Under the
current ordinance the developer has to do a general plan amendment to get it fixed. But in
12 certain circumstances, and what we are encountering with Mark Weldon's development,
it is in the city's best interest to leave the master plan as it is and not require him to build
those roads at that time. We do have to find that there are compelling reasons to do that
14 and to meet the public's best interest.

Mr. Florence then read the code as follows:

16 1. The Street layout shall conform to the Lindon City General plan and official Lindon
City Street Master Plan Map adopted by the planning commission and city council.

18 a. Upon the finding of a compelling public purpose, the Land Use Authority may
approve a subdivision plan with a street layout that varies from the street master
20 plan map, provided that there is an existing roadway which provides adequate
traffic flow and street connectivity to and from the proposed subdivision and
22 maintaining the street master plan map's current configuration serves the public
purpose of identifying the location and alignment of the right-of-way of future
24 arterials and major collectors.

26 b. A land use application which do not require a subdivision approval, but which
still requires approval of a street design and/or construction as part of the
application process under Chapter 17.17 of this Title, shall likewise have a street
28 lay that conforms to the Lindon City General Plan and official Lindon City Street
Master Plan Map, subject to the provisions of subsection (1)(a) of this Section.

30 At this time, Chairperson Call asked if there were any public comments or discussion.
32

34 Angie Neuwirth asked for clarification that the width won't be there for the future
development, but they just don't have to install the actual improvements.

36 Mr. Haws confirmed that statement pointing out this lets us continue to designate
where the arterial will go. The alternative is if we don't amend this to allow this
exception then we have to amend the master planned road. This will allow us to let them
38 develop without the city having to purchase the road; this is restricted to arterial roads
and will be on a case by case analysis. Commissioner Kallas commented that this is a
40 good move to protect the city and the developer.

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

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

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

4
6 COMMISSIONER JOHNSON MOVED TO RECOMMEND APPROVAL TO
THE CITY COUNCIL ORDINANCE AMENDMENT 2019-10-O AS PRESENTED
WITH TYPO CHANGES AS RECOMMENDED. COMMISSIONER MARCHBANKS
8 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL AYE

10 COMMISSIONER KALLAS AYE

COMMISSIONER MARCHBANKS AYE

12 COMMISSIONER JOHNSON AYE

COMMISSIONER SCHAUERS AYE

14 THE MOTION CARRIED UNANIMOUSLY.

16 6. **New Business: Reports by Commissioners** – Chairperson Call called for any
new business or reports from the Commissioners.

18
20 Chairperson Call mentioned that entrance to the pool is free between 6-8 am.
There was also some general discussion regarding the proposed reception center that was
discussed tonight. Chairperson Call also mentioned a resident at 992 East 140 North
22 informed her there is a speedbump sign on her road speedbumps and the neighbor's tree
west of property blocks the sign. Mr. Florence stated he will check into the issue.

24 7. **Planning Director Report** –

- 26 • Next city council meeting the council will re-appoint Steve Johnson
- 28 • July 23rd meeting who will be attending? He will send out an email to follow
up on attendance.

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

32 **ADJOURN** –

34
36 COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE
MEETING AT 8:45 PM. COMMISSIONER SCHAUERS SECONDED THE MOTION.
ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

38
40 Approved – June 25, 2019

42 _____
Sharon Call, Chairperson

44
46 _____
Michael Florence, Planning Director

Item 4: Conditional Use Permit for Outdoor Storage of Construction Equipment Nicolson Construction

Date: 6/25/2019

Applicant: Nicolson Construction
Presenting Staff: Anders Bake

General Plan: Light Industrial
Current Zone: Light Industrial

Property Owner: Out of the Woods
Properties LLC

Address: 12 S 1550 W
Parcel ID: 14:061:0081
Lot Size: 4.6 acres

Type of Decision: Administrative
Council Action Required: No



SUMMARY OF KEY ISSUES

To review a conditional use permit for outdoor construction equipment storage and conditions to mitigate the impacts of a proposed use.

MOTION

I move to (*approve, deny, continue*) **the applicant's request for** a conditional use permit to use a portion of the property located at 12 S 1550 W for outdoor construction material storage, with the following conditions:

1. The property will be maintained free of weeds, garbage and debris at all times
2. The property will be used for storage of construction equipment only
3. Construction equipment will be stored in an organized manner and will not create a public nuisance
4. All items of the staff report.

OVERVIEW

1. Nicolson Construction requests approval to use a portion of the property located at 12 S 1550 W for outdoor storage. The applicant will primarily use the storage area for Scaffolding and construction equipment. City staff determined that this use relates most similarly to the trade of "Lumber & Construction Materials (outdoor storage is permitted)" in the Standard Land Use Table. This category is listed as a conditional use in the Light Industrial zone, requiring Nicolson Construction to apply for a Conditional Use Permit.
2. There is an existing 12,500 sq. ft. warehouse building on the property that was constructed in 2015 and is being used by Woods Crane Service.

3. The construction yard will be located in the west portion of the property behind the Woods Crane Service building and storage yard. The yard will be accessed on the south side from a private access that extends off 20 S. (see Site Plan)
4. The applicant plans to install a chain link fence around the roughly 2-acre area they will be using for their outdoor storage yard. No other changes to the property or existing building are proposed at this time. The applicant is not required to install a masonry wall due to the fact that they are not adjacent to residential properties. The proposed chain link fence will meet Light Industrial zoning requirements.
5. Notices were mailed on June 14th, **2019** to adjoining property owners in accordance with Lindon City Code Section **17.14.50** Third Party Notice. Staff has received no public comment(s) at this time.

SURROUNDING ZONING AND LAND USE

North: LI – future Autumn Grove office/warehouse buildings

South: LI - office/warehouse building

East: LI - Lindon Business Park

West: LI - Office Buildings

DEVELOPMENT STANDARDS

Parking

Woods Crane Service has 15 parking stalls on the property which meets current requirements. The proposed storage yard will only be used for the pickup and drop off of equipment and will not need any designated parking stalls.

Landscaping Standards

The property currently meets the landscaping strip and tree requirements along 1550 W and the dedicated portion of 20 S. The proposed storage yard does not have frontage on a public street and therefore will not be required to install landscaping at this time.

Building Design and Architectural Standards

There is an existing concrete tilt-up office building on the site. The applicant does not propose any changes to the existing building at this time.

STAFF ANALYSIS

- The proposed use for this site will have a minimal impact on surrounding properties and is similar to other uses in the Light Industrial Zone.

EXHIBITS

1. Aerial photo of the site and surrounding area
2. Street View Photo
3. Site Plan



2000 W



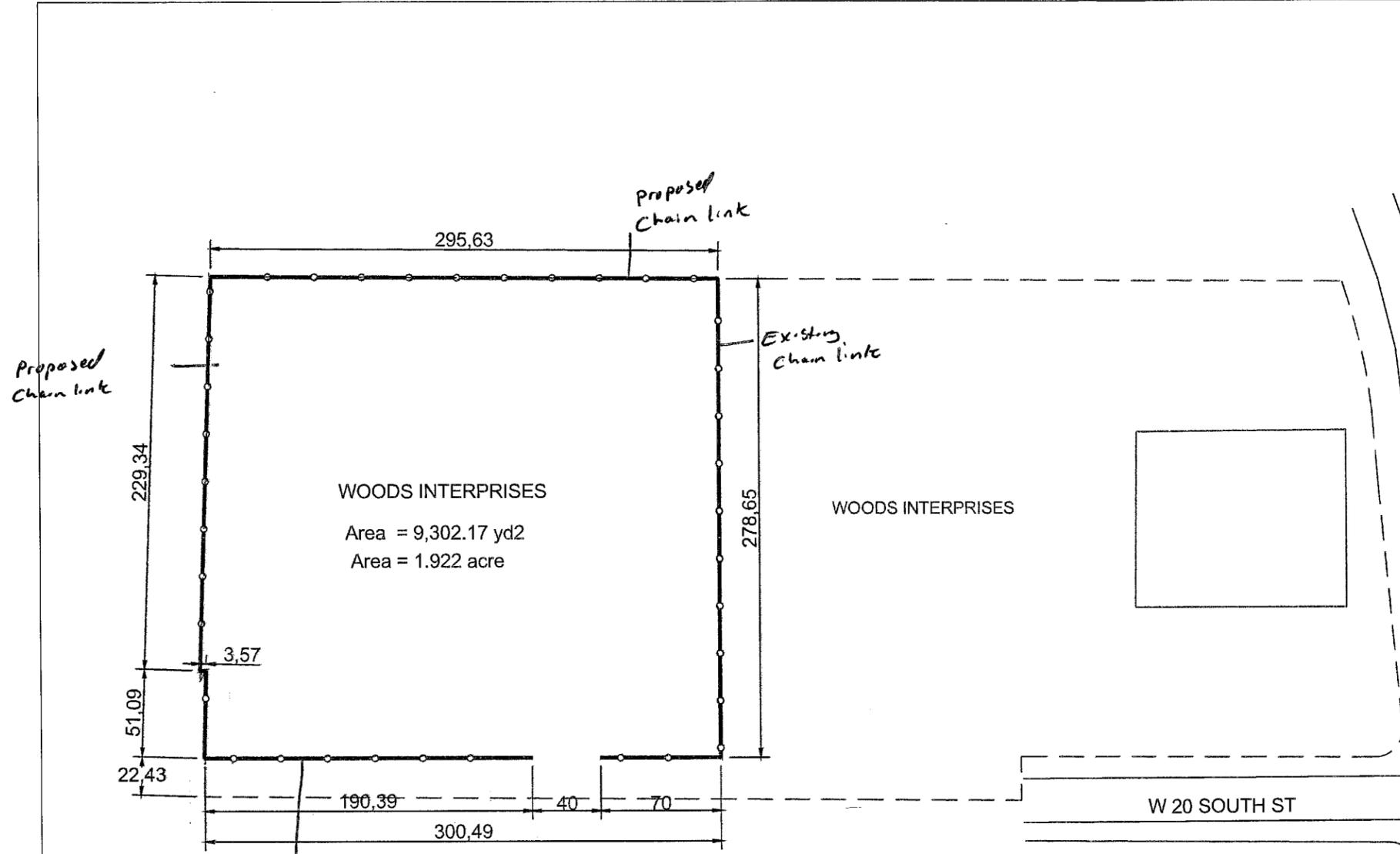
200 S

15:000:0000
100000000
1837 N 19 30 N 14 1 N WIDEYARD
WIND 301 1337 Acres

1-15

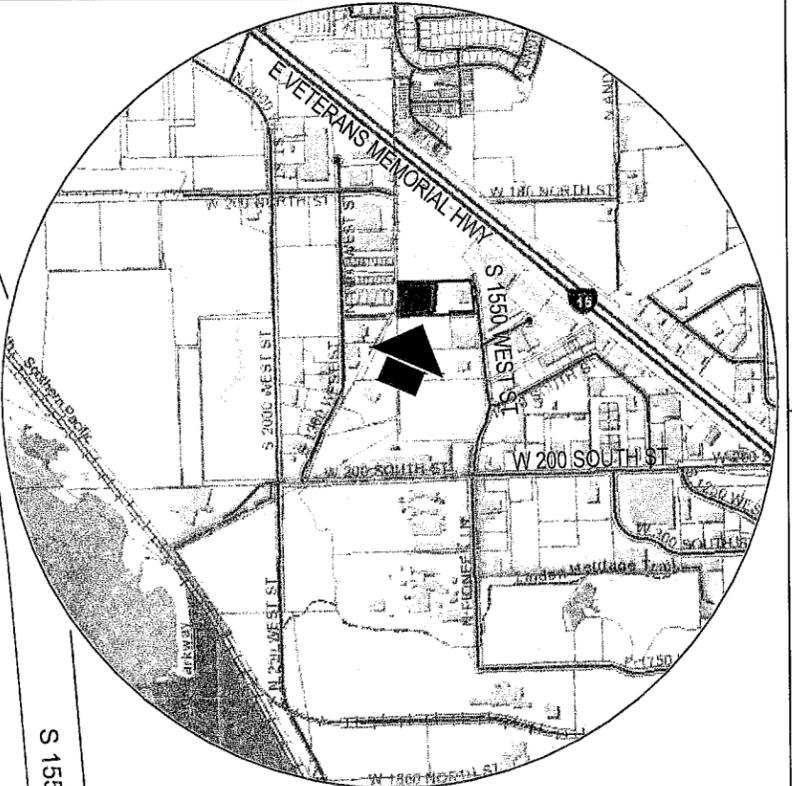


06.20.2019 11:32



Matrix Lot of Wood Interprises - - - - -
 Perimeter = 1,159.08 ft ————
 Area = 9,302.17 yd2
 Area = 1.922 acre

LOCATION OF FENCES



BUSINESS LOCATION



NEW CAST STONE
 LIGHTWEIGHT LIMESONE
 950 W. 150 N. LINDON, UT 84042
 Telephone: (801) 734-6895 Fax (801) 785-7328

Project:	FENCE
PART NUMBER (profile name + length)	---
QTY:

Customer:	NICOLSON CONSTRUCTION
Texture:	...
FT ² :	---

COMMUNITY DEVELOPMENT
 SHEET LINDON CITY
M-D-1
 DATE: 2/20/09

RECEIVED

Item: 5 - Consideration to Remove Condition of Approval Number Three for the Mountain Tech South Lot 4 Minor Subdivision

Date: June 25, 2019

Applicant: Lindon City

Presenting Staff: Michael Florence

Type of Decision: Administrative

Council Action Required: No

MOTION

I move to (*approve, deny, continue*) the removal of condition number 3 from the Mountain Tech South Lot 4 Minor Subdivision approval as granted on April 9, 2019 and to allow the Vineyard Connector future arterial road to remain identified on the Lindon City Street Master Plan Map with the findings of fact as specified in the staff report.

Overview:

- With a recommendation from the planning commission, the city council adopted ordinance amendment 17.32.120.
- The ordinance amendment allows arterial and major collectors to remain on the General Plan Street Master Plan Map when property is subdivided;
- 17.32.120 currently requires the street layout of all subdivisions to conform to the City's General Plan and the Lindon City Street Master Plan Map;
- Enforcing this requirement is generally in the best interest of the residents of Lindon City, as it provides predictability and applies sound planning and engineering to the development of City streets;
- However, there may be limited times where the street master plan map calls for an arterial or major collector, but circumstances and conditions related to an application for a development would not require a developer to construct an arterial or major collector roadway at the time of application;
- UDOT has expressed that it is important for when they seek road funding that future streets be on the City's master plan;
- It is important to give the Land Use Authority the ability to act in these limited circumstances and to approve a land use applications' street layout that may vary from the street master plan map, if there is a compelling public purpose to do so.
- The Mountain Tech South Lot 4 Subdivision was approved with condition number three as stated below:
 - 3. The applicant will file an application to amend the Lindon City Street Master Plan Map and Lindon City staff will recommend that the planning commission and city council approve the change application to move the master plan road to accommodate a 66 foot roadway matching the current road alignment and as set forth in the applicant's submitted plats 1, 2, 3, and 4. Lindon City staff also agrees to process the change application with a goal of having a final decision within 60 to 90 days and to process the application as expeditiously as possible

Finding of Fact

- Upon a recommendation from the planning commission the City Council amended ordinance 17.32.120 to allow arterial and major collectors to remain on the General Plan Street Master Plan map when property is subdivided;
- A compelling public purpose exists to allow the Mountain Tech South Lot 4 subdivision to proceed without condition number 3 of amending the General Plan and the Lindon City Street Master Plan Map
- 400 North and 2800 West are existing public rights-of-way that currently provides adequate traffic flow and street connectivity to and from the proposed subdivision;
- Maintaining the street master plan map's current configuration serves the public purpose for identifying the future alignment of the Vineyard Connector arterial and major collector for the realignment of 400 N. and 2800 W.