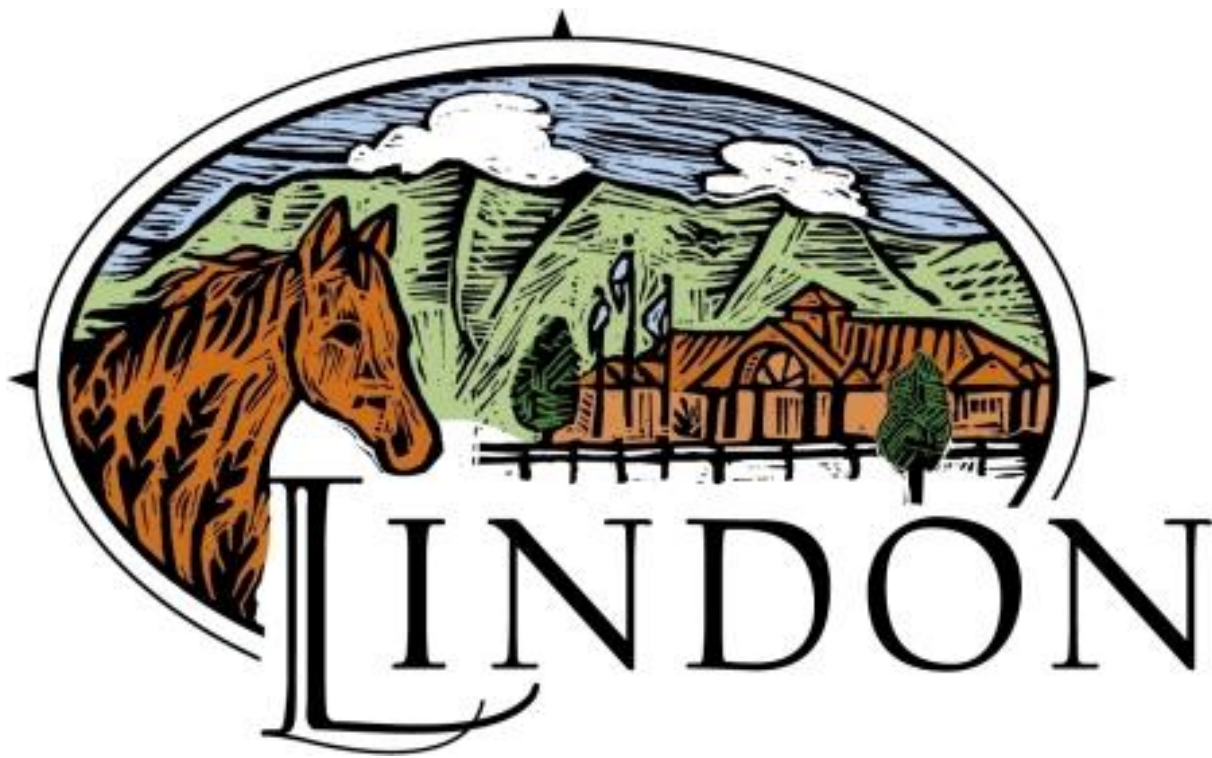


Lindon City Planning Commission Staff Report



September 26, 2017

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, September 26, 2017**, 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:

AGENDA

Invocation: By Invitation

Pledge of Allegiance: By Invitation

1. Call to Order

2. Approval of minutes

Planning Commission 9/12/2017; and Joint Work Session City Council and Planning Commission 9/19/2017.

3. Public Comment

(30 minutes)

4. Public Hearing — Ordinance Amendment, Lindon City Code (LCC) 17.48.025

(Continued from Planning Commission meeting(s): August 22, 2017, September 12, 2017)

The Lindon City Council has requested an amendment to LCC 17.48.025, regulating the Lindon Village Commercial zone, regarding the maximum acreage any given land use can occupy within the zone.

(30 minutes)

5. General Discussion — Lindon City General Plan (chapter review)

Staff will present information regarding the Lindon City General Plan update and review the Land Use section. No formal action will be taken at this time.

6. New Business from Commissioners

7. Planning Director Report

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.

Posted By: Brandon Snyder, Associate Planner

Date: September 21, 2017

Time: 11:00 a.m.

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



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

Item I: Call to Order

September 26, 2017 Lindon City Planning Commission Meeting

Roll Call:

Sharon Call, Excused

Steve Johnson

Rob Kallas

Charlie Keller

Mike Marchbanks

Mike Vanchiere

Bob Wily

Item 2: Approval of Minutes

9/12/2017 Planning Commission Meeting

9/19/2017 Joint Work Session City Council and Planning Commission (PENDING)

The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, September 12, 2017 beginning at 7:00 p.m.** at the Lindon City Center, City Council Chambers, and 100 North State Street, Lindon, Utah.

REGULAR SESSION – 7:00 P.M.

Conducting: Sharon Call, Chair
Invocation: Mike Marchbanks, Commissioner
Pledge of Allegiance: Rob Kallas, Commissioner

PRESENT

Sharon Call, Chairperson
Bob Wily, Commissioner
Rob Kallas, Commissioner
Mike Marchbanks, Commissioner
Charlie Keller, Commissioner
Steven Johnson, Commissioner
Hugh Van Wagenen, Planning Director
Brandon Snyder, Associate Planner
Kathy Moosman, City Recorder

EXCUSED

Mike Vanchiere, Commissioner

1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.

2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the Planning Commission meeting held on August 22, 2017 were reviewed.

COMMISSIONER WILY MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF AUGUST 22, 2017 AS PRESENTED. COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

CURRENT BUSINESS –

4. **Public Hearing — Zone Map Amendment & Ordinance Adoption, 400 North 2800 West, LCC 17.54 Regional Commercial (RC) Zone** (*Continued from Planning Commission meetings: 07/25/2017 and 08/22/2017*) Lindon City requests review and approval of a Zone Map Amendment from General Commercial Auto (CG-A8) to Regional Commercial (RC), on multiple parcels located at approximately 400 North 2800 West. Lindon City also requests approval of an amendment to Lindon City Code by way of adopting 17.54 Regional Commercial Zoning Ordinance, to address development regulations, activities and uses in the RC zone. These items may be continued for further

2 review. Recommendations will be forwarded to the City Council for final
approval. (Pending Ordinance 2017-#11-O).

4

COMMISSIONER KELLER MOVED TO OPEN THE PUBLIC HEARING.
6 COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.

8

Hugh Van Wagenen, Planning Director, gave a brief background of this agenda
10 item noting the Regional Commercial zone will have design standards similar to
commercial zones, but may also allow warehouse mold and distribution uses. He noted
12 this item was reviewed and continued from the July 25, 2017 and August 22, 2017
Planning Commission meetings. He explained that all changes from the previous draft are
14 in red with some small administrative changes in the land use table. He then referenced
the Regional Commercial Zone draft changes since the last meeting followed by
16 discussion (southwest corner of the I-15 Interchange). He also referenced the parcels in
the Zone Map amendment to reclassify from General Commercial-Auto (CG-A8) to
18 Regional Commercial. He noted all property owners have been notified and staff has
been in touch with several residents. He also discussed development standards (UDOT
20 corridors) including street crossings, landscaping berms, cross sections, street lighting,
affected roads, and UDOT corridor widening. Chairperson Call called for any public
22 comments at this time.

Mr. Richard Doxey, representing doTerra, asked for clarification of the
24 fenestration interpretation (primary façade 60%, main entrances). He then showed and
explained their renderings. Mr. Van Wagenen stated it is for primary entrances and was
26 left in the draft. Mr. Doxey also asked for confirmation that their intended use is clearly
in the standard land use table (wholesale trade component category of drug sundry's). He
28 noted they looked at OSHA requirements and food is not in that category. They have
vitamins, cosmetics and foods so this would not preclude them from over the counter
30 drugs. Mr. Van Wagenen confirmed this is the category they have classified them in
conceptually since beginning their talks, so they are on the same page. Mr. Doxey also
32 asked for clarification (section .070 sub part #8/landscaping) that refers to a perimeter
landscaping strip requirement to be 8 ft. wide around all buildings noting there will be
34 plenty of landscaping but not around the loading docks. Mr. Van Wagenen confirmed it
has always been interpreted to apply to any section without a loading/unloading dock.

36 Mark Weldon asked about front loading vs. rear loading buildings and screening.
Mr. Van Wagenen referenced the site design and maintenance section where it states it
38 cannot be visible from a public street (screened with a wall or vegetation). Mr. Weldon
referenced to the Mountain Tech buildings. Mr. Van Wagenen stated one difference was
40 that those doors were not required to be screened so that is the one difference and they we
can talk further about this language. Mr. Weldon stated they are trying to protect the
42 integrity of their property and also the neighbors. There was then some discussion
regarding the screening language in the draft.

44 Commissioner Wily pointed out we can send it to the city council the way it is now
and make the changes later. Commissioner Marchbanks agreed we should move this item
46 on to the city council stating he likes the discretion given as it is not the only property
impacted by major power lines and other issues that need to be dealt with. He doesn't
48 want to see us be locked in a box by language put in a new ordinance as there are not a

lot of geographic properties left. He would also suggest recommending approval to the City Council as this ordinance goes far enough to ensure that things are done to a different standard than what has been done in the past.

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

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

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

COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL TO THE CITY COUNCIL ORDINANCE #2017-11-O WITH NO CONDITIONS. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

5. **Site Plan — CR&T Office Building, 681 North 2000 West.** Heidi Gosar, CR&T, on behalf of Tim Aguilar, Omega 8 Holdings LLC, requests site plan approval for a 9,700 square foot office building to be located at approximately 681 North 2000 West (Utah County Parcel #47:254:0004, Lot 4, Plat A, Noah's Center Subdivision) in the Lindon Village Commercial zone.

Mr. Van Wagenen led this discussion by stating the applicant, Tim Aguilar is in attendance and proposing to construct a 9,700 square foot office building on 1.1 acres. He noted the lot is located in the Lindon Village Commercial (LVC) zone and the site is on Lot 4, Plat A, Noah's Center Subdivision and will include some existing improvements. He pointed out the site will require some additional sidewalk extensions to property lines. He then referenced the Parking Standards/Requirements noting they have been met.

Mr. Van Wagenen explained the required 20 foot landscape strip along 2000 West is being provided with the requisite trees; however, the applicant would like to cluster the trees rather than have them every 30 feet on center in order to protect the Mt. Timpanogos view shed to the east. He noted that 700 North has a specific tree planting schedule that must be followed; the latest plan is close, but not exact on tree types.

Mr. Van Wagenen stated the interior landscaping must be provided at 40 square feet per required stall with one tree per 10 stalls. With the proposed 38 stalls, that equates to 1,520 square feet and 4 trees required. There is 1,797 s.f. of landscaping and 4 trees

provided. Required Open Space the LVC zone requires a minimum of 20% open space on the site. This site requires 9,322 s.f. of open space and 23,655 s.f. is provided.

Mr. Van Wagenen went on to say all building in the LVC zone must meet Lindon City Design Standards. The building materials proposed are brick and concrete fiberboard for the primary materials and stucco and woodgrain siding as secondary materials with black metal trim for the doors and windows. He noted the colors appear to meet the color palette requirements but staff is not sure of the placement of mechanical units but they must be visually screened. Also, there does not appear to be a cornice treatment on the parapet wall/roof, as required and these items need to be addressed. He noted the building is within the 48 foot height limit in the LVC zone, the highest point of the parapet wall being 30 feet. He added there are some engineering issues that will need to be resolved before the plans are finalized and staff will ensure all requirements are met.

Mr. Van Wagenen then referenced an aerial photo of the site and surrounding area, site plan, landscaping plan, architectural elevations and the color palette followed by discussion. He then turned the time over to the applicant for comment.

Mr. Aguilar explained the cornice treatment on the parapet stating they didn't know exactly what was required with height and shape but they are flexible and will be happy to comply with any requirement. Mr. Van Wagenen explained modern cornice treatments and showed some photos. Following some general discussion the commission was in agreement that because the cornice treatment isn't specified in the code to allow the architect to recommend a modification of what would look good with the contemporary theme they are proposing and to allow staff to approve the cornice treatment. There was also some discussion on parking, landscaping and the dumpster enclosure requirements. The Commission also agreed it is a good use of an irregular shaped lot and they have taken care of all the amenities and have done a good job. Chairperson Call pointed out it appears to meet the intent of the ordinance with the conditions listed and will be a nice addition to the area.

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

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE APPLICANT'S REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS: 1. LANDSCAPING REQUIREMENTS MUST BE MET AND 2. MECHANICAL UNITS MUST BE VISUALLY SCREENED AND 3. PARAPET MUST HAVE A CORNICE TREATMENT WORKED OUT WITH STAFF TO MEET THE INTENT OF THE ORDINANCE. COMMISSIONER KALLAS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

6. Public Hearing — Zone Map Amendment, Request: Commercial Farm Zone

2 **Walker Farms of Lindon, 55 South 400-500 East.** Mike Jorgensen requests
approval of a Zone Map Amendment to reclassify multiple parcels from
4 Residential Single Family (R1-20) to the Commercial Farm (CF) zone on the
following parcels: 47:184:0002 (Michael B & Jill Jorgensen 55 South 400 East),
6 14:073:0201 (Michael & Jill Jorgensen 85 South 400 East), 47:184:0003 (Michael
B & Jill Jorgensen 53 South 500 East), and 14:073:0028 (Michael B Jorgensen on
8 behalf of MJ Real Estate Holdings LLC 484 East Center Street). Total land area
of 5.19 acres. Recommendation(s) will be forwarded to the City Council (Pending
10 Ordinance 2017-____-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 an overview of this item explaining the Commercial Farm
(CF) zone was created in 2011 to provide encouragement of agricultural production and
18 associated commercial activities that are compatible with and/or promote agricultural
uses within the city. Although the intent of the zone is to promote agricultural uses within
20 the city, the zone may be utilized as a holding zone to allow reasonable options for
income from agricultural and/or commercial uses for a period of time before developing
22 the land in conformance with the General Plan Land Use Map. The applicant is
requesting a rezone of the subject properties in order to build a reception/event center
24 while raising and breeding alpacas and selling alpaca wool.

Mr. Van Wagenen noted the applicant (Mike and Jill Jorgensen) who are in
26 attendance have provided a brief business plan and concept site plan for the property. He
then referenced the submitted Business Plan for the Commercial Farm as follows:

- 28 • We will have 14 alpacas. Our intent is to sell the offspring as breeding pairs, or
what's called a starter pack. This will consist of a pregnant female and an
30 unrelated male. We can also sell the wool which can be quite expensive and
highly sought after.
- 32 • The reception/event center will be an additional revenue source for the alpaca
operation. This is a conditionally permitted use in the CF zone. One of the main
34 requirements for CF zone consideration is listed in LCC 17.51.015 and states:

36 Mr. Van Wagenen then referenced the Agricultural Production Requirements as follows:

- 38 1. At least 40% of the property must be maintained in active agricultural
production and be managed in such a way that there is a reasonable expectation
of profit. Land used in connection with a farmhouse, such as landscaping,
40 driveways, etc., cannot be included in the area calculation for agricultural
production eligibility.
- 42 2. For the purposes of this chapter, "agricultural production" shall be defined as
the production of food for human or animal consumption through the raising of
44 crops and/or breeding and raising of domestic animals and fowl (except
household pets) in such a manner that there is a reasonable expectation of profit.
46 The application does meet the requirements for lot area, lot width, lot depth, and
lot frontage.

48

2 Mr. Van Wagenen went on to say the parcels presented are not currently under
identical ownership as required in LCC 17.51.020 noting this should be a requirement if
4 an approval is recommended. He added the concept site plan does show the existing
single family home in addition to a caretaker dwelling that is currently being restored
6 (Center and 500 East). He noted the caretaker dwelling being restored has nonconforming
setbacks due to the age of the original construction.

8 Mr. Van Wagenen stated although the application appears to meet the
requirements for the properties in question to be rezoned, this is a legislative action.
10 Therefore, the Planning Commission is not obligated to recommend approval if the
Commission decides the request is not in the best interest of the public and Lindon City.

12 Mr. Van Wagenen pointed out in looking to the future the home on this site will
have to be associated with the proposed reception/event center because of the minimum
14 size requirements of the Commercial Farm zone. He added as we have recently seen with
other properties, this can be problematic when the current owner moves on and the
16 property is sold to future operators. If the applicant's request is granted, a separate site
plan application will need to be submitted to ensure all site requirements are met
18 regarding parking, landscaping, fencing, building height, etc.

Mr. Van Wagenen then referenced for discussion an Aerial photo of the proposed
20 area to be rezoned, Current Zoning Map, Conceptual Site Plan, Applicant provided
information on alpaca farming and LCC 17.51 Commercial Farm Zone. Mr. Van
22 Wagenen then turned the time over to Mr. & Mrs. Jorgensen to speak on their request.

Mr. Jorgensen gave a handout depicting the proposed buildings including the
24 locations and uses of the buildings. He also listed the animals they will raise located at
the property noting the amounts meet the code. He explained their vision is to create a
26 mini "Wheeler Farm" for uses for field trips, petting zoo, pumpkin patch etc. They are
also proposing an "event barn" to use for vintage fairs, weddings, family reunions,
28 parties, antique sales etc. He also explained the ownership of the properties noting they
can transfer ownership as required.

30 Mr. Van Wagenen spoke on properties in Lindon developed for specific and
unique purposes (built to suit) noting they are now running into "exiting" issues in trying
32 to sell them and finding beneficial uses for these properties based on the unique build.
Mr. Jorgensen stated they have thought about this and where the barn is will be one
34 property and their home and they can consider dividing the property into two lots if they
ever want to sell. Mr. Van Wagenen explained the only way this can continue to operate
36 under the current ordinance in perpetuity going forward, is keeping the property
combined together if it meets the minimum and doesn't exceed it. Because this is the
38 minimum 5 acres in the farm zone, you couldn't take the existing home the Jorgensen's
live in and sell it off and continue to operate the event center. If any new buyer comes in
40 and buys and want to continue to operate the event barn they would have to buy the full 5
acres.

42 There was then some discussion of the options if the applicant decides to sell the
properties at some future date. Chairperson Call expressed one of her biggest concerns
44 because of the recent situation they have dealt with is trying to revert back to residential
once it has been developed as commercial. Mr. Jorgensen stated the ordinance speaks to
46 those issues. He added they are going into this with their eyes open and they understand
the implications.

2 Chairperson Call asked if there were any public comments. There were several
residents in attendance who addressed the commission at this time as follows:

4 **Boyd Walker:** Mr. Walker asked how many parking stalls they are proposing. Mr. Van
6 Wagenen stated they are proposing 72 proposed stalls with overflow grass parking
dependent on approval of the zone with no street parking.

8 **Judy Anderson:** Ms. Anderson stated this proposal is right next to her mother's house.
10 She expressed her concerns with the parking next to her property and that it will bring a
lot of traffic and cut down the value of her property. These are things to take into
12 consideration as it is a concern.

14 **Larry Anderson:** Mr. Anderson suggested putting the parking on the left of their old
house and to move to pumpkin patch so the parking is not right next to his mother's
16 house as that causes them some concerns. They need to put up a barrier or buffers. Mr.
Jorgensen stated this is the first draft and there are options they can consider.

18 *Chairperson Call pointed out the commission is not considering the site plan tonight only
20 whether to make the zone change or not.*

22 **Ann Johnson:** Ms. Johnson stated she talked to her neighbors and they didn't get noticed
about this meeting and she feels another public hearing should be held before a decision
24 is made. All of the neighbors should be allowed to have their voices and opinions heard
and it should be advertised more. She stated this is a big change with traffic, noise, influx
26 of crime and their property values going down. Rezoning to commercial is not a good
idea for our residential areas and once it starts it will continue. We also need to protect
28 our kids as the school is directly across the street. She stated the Jorgensen's bought their
property knowing it wasn't zoned commercial. None of this is needed or wanted in the
30 neighborhood and she is 100% opposed to this change.

32 **Eileen Nybo:** Ms. Nybo stated they moved to Lindon 25 years ago to live in a quiet
residential neighborhood. She mentioned her concerns with the school being across the
34 street from this proposal and with the parking and noise and traffic etc. She is against this
change and is 100% against this being in her neighborhood. She stated the Jorgensen's
36 bought residential and it should stay that way and if they want to do this type of business
go to a commercial area.

38 **Lucinda Preece:** Ms. Preece also brought up the issues of noise and traffic if this is
40 changed to commercial. They bought here in Lindon to have residential and she is against
this proposal. She opposes 100%.

42
Mr. Van Wagenen clarified the commercial farm zone requires a minimum of 5
44 acres and this proposal presented tonight is 5 acres and meets that requirement. The only
thing changing with this zone request is the ability to operate an event center. The event
46 center is the distinguishing factor (as they are allowed to have the alpaca business, farm
etc.) but because of the minimum acreage designation, at any time in the future, if they
48 wanted to sell a portion of the property (5 acres) or just the home piece, it would be in

2 violation of the zone and the ability to run any type of commercial event center on the
property and the business license would be null and void and no one would be allowed to
4 run an event center on this property. Or they could opt to divide the property into ½ acre
lots and sell building lots.

6 Mr. Jorgensen commented that this is a wonderful historic Lindon site and they are
going to extreme expense to restore the old historic Walker home and will ensure that this
8 will be a beautiful, nice addition and amenity to the city.

10 COMMISSIONER KELLER MOVED TO CLOSE THE PUBLIC HEARING.
COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
12 VOTED IN FAVOR. THE MOTION CARRIED.

14 Chairperson Call stated the question is if this proposal is the appropriate use in this
location with this amount of land. Commissioner Wily also asked what the standard is for
16 recommending approval or denial. Mr. Van Wagenen replied in this instance the
commission can consider the public comments presented tonight and consider the health,
18 welfare and safety of the neighborhood; anything presented or heard tonight can be
considered in the recommendation. Commissioner Johnson asked for clarification that
20 there is currently only one commercial farm in the city. Mr. Van Wagenen confirmed
that statement noting Wadley Farms is the only one and this would be the second.
22 Commissioner Johnson commented that Wadley Farms is much larger and this smaller
proposal may have less of an impact on the neighbors.

24 Commissioner Kallas commented that he knows the Jorgensen's and everything
they do is first class and the proposal looks very good, but he has concerns about more
26 commercial uses in residential areas in the city and the use of a reception/event center.

Commissioner Marchbanks stated he is in a quandary on this issue. He pointed out
28 that the whole purpose of the commercial farm zone was to maintain some farm feel and
history in the city. Things like this are what allows people to refurbish historic homes and
30 maintain a farm feel with animals etc. and this is what the zone was created for as these
are the components needed to make it work. He agreed that Wadley Farms is a much
32 larger facility and there have not been a lot of complaints or issues so he is confused.
Commissioner Keller feels like this is a nice proposal and plan but he is also torn with
34 putting commercial into a residential area. Commissioner Wily stated there are many
appealing components with this proposal and maybe the undesirable parts could be
36 mitigated with conditions.

Commissioner Johnson asked Mr. Van Wagenen by rezoning this property what
38 rights do we give the property. Mr. Van Wagenen referenced the permitted uses section
of the code and conditional uses and mitigating effects that would be tied to actual
40 concerns; there is a large hurdle to deny a conditional use. Commissioner Keller asked if
this was the same process Wadley Farms went through to change the zone. Mr. Van
42 Wagenen confirmed that statement. Mr. Jorgensen pointed out the ordinance currently
allows for what they are requesting so they feel to deny that would be unfair.

44 Commissioner Kallas stated he doesn't have a problem except for the issue of the
noise associated with the event center and he is not sure it could be mitigated. Mr.
46 Jorgensen pointed out the garden noise area is on their side of the building and would be
closer to their own home. Commissioner Wily pointed out this is not a question if this
48 application meets the requirements but a quasi legislative action and not a matter if the

2 requirements are met, this issue rests on if this proposal/change is in the best interest of
the city and the residents; he is not sure we can agree that it is or isn't in the best interest
4 of the city. Commissioner Johnson stated he feel these issues could be mitigated with
conditions and he would suggest sending it to the city council with approval.

6 Chairperson Call asked if the Commission should consider continuing this item in
order for more residents to be aware of the issue even though additional noticing cannot
8 be done. Mr. Van Wagenen stated he would feel uncomfortable with that as it would not
be treating this applicant the same as other applicants. He pointed out whatever
10 recommendation is made tonight (rather approval or denial) it will go on to the City
Council.

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

14
COMMISSIONER JOHNSON MOVED TO RECOMMEND TO THE CITY
16 COUNCIL APPROVAL OF THE APPLICANT'S REQUEST WITH THE CONDITION
THAT ALL PARCELS BE UNDER THE SAME OWNERSHIP AS REFLECTED ON
18 THE DEEDS. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

20 CHAIRPERSON CALL NAY

COMMISSIONER KALLAS NAY

22 COMMISSIONER MARCHBANKS AYE

COMMISSIONER KELLER NAY

24 COMMISSIONER JOHNSON AYE

COMMISSIONER WILY NAY

26 THE MOTION FAILED FOUR TO TWO.

28 THERE WERE NO ADDITIONAL MOTIONS MADE SO THE MOTION WAS
RECORDED AS AN EFFECTUAL DENIAL.

- 30
7. **Conditional Use Permit — Geo Automotive and Tire, 973 West 240 North,
32 Unit "B".** Heber G. Cordova, Geo Automotive and Tire, requests conditional use
permit (CUP) approval for general auto/vehicle repair services to be located at
34 973 West 240 North, Unit "B", in the Light Industrial (LI) zone.

36 Brandon Snyder, Associate Planner, gave some background of this item stating
the applicant Heber Cordova (who is in attendance) has requested approval for general
38 auto/vehicle repairs. The Lindon City Land Use Table indicates that "General
auto/vehicle repair" is a conditional use in the LI zone. The applicant provides vehicular
40 repair services mainly for used car dealerships. The applicant has been operating without
a business license or CUP since around March of this year. Mr. Snyder noted City
42 records (as of 08/29/2017) indicate two open/active business licenses for this location:
Auto City Deals (Used Vehicle Sales Lot and office only. No approval for general
44 auto/vehicle repair.), and Taylor Products (Bathroom accessories supply warehouse, i.e.
shower doors and mirrors). Car Finder (Used Vehicle Sales Lot) and Fine Line Footings
46 and Forms (Construction) were previously located on the site. The property is part of the
Mountainview Industrial Park L.C. Subdivision, which was recorded 06/13/2003 (file 00-

076-0 Mountainview). The plat indicates there are two easements: front (north) public utility easement (PUE) of ten (10') feet, and a rear (south) 25' drainage easement.

Mr. Snyder explained the applicant is not proposing any changes to the site. The existing site plan was approved 08/25/2004 (Wasatch Building Supply 04-287-2). The approved site plan indicates the south area as a gravel storage yard and detention area. The site plan also shows the SW corner as being the location of a storm drain catch basin inlet. (This is the low point of the property. There should be no storage or dumping.) The existing building was constructed in 2005 (BP #a4695-2005). ~~ion~~ ~~Abused~~ permit (CUP) was previously granted on 06/14/2006, for Fine Line Footings & Forms and Taylor Products (file 06-424-1).

Mr. Snyder stated the approval included the condition that the site plan improvements be finalized and approved by City Staff prior to final occupancy. The discussion included the requirement that any junk, waste or scrap to be stored in the storage area would require site obscuring fencing. The minimum parking requirements for Geo Automotive are six (6) stalls (1/300 sq. ft. office and 5/service bay). The stalls must be asphalt or concrete per LCC 17.18.080. Per LCC 17.06.040, the Planning Commission may approve specific conditions allowing vehicle storage, of operable or inoperable vehicles beyond ten vehicles and for longer than seventy two hours when approved as part of a Conditional Use Permit.

Mr. Snyder noted third party public notices were mailed on September 1, 2017 and no public comments have been received at this time. The purpose of the of the LI zoning district is to provide areas in appropriate locations where light manufacturing, industrial processes and warehousing not producing objectionable effects may be established, maintained, and protected. The regulations of this district are designed to protect environmental quality of the district and adjacent areas. areas.

Mr. Snyder went on to explain that State Code definition of a conditional use. Mr. Snyder stated under circumstances of the particular case, the proposed use will be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity, and there is no practical means available to the applicant to effectively mitigate such detrimental effects; or, The applicant cannot or does not give the Planning Commission reasonable assurance that conditions imposed incident to issuance of a conditional use permit will be complied with. Mr. Snyder then turned the time over to the applicant for comment.

Mr. Cordova addressed the Commission at this time. He explained his proposal and site plan and access indicating he will keep a nice clean shop and will follow all requirements and will make sure all the rules are followed. He has cleaned up the site of garbage etc. and the parking has been laid out specifically. He has tried to comply with everything asked and will continue to do so to maintain everything legally. Chairperson Call stated it appears the conditions listed mitigate any concerns.

Following some general discussion Chairperson Call asked if there were any comments or discussion. Hearing none she called for a motion.

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT FOR GENERAL AUTO/VEHICLE REPAIR, TO BE LOCATED AT 973 WEST 240 NORTH, UNIT "B", IN THE LIGHT INDUSTRIAL (LI) ZONE, WITH THE FOLLOWING CONDITIONS 1. PROVIDE WRITTEN CONSENT FROM THE PROPERTY OWNER

GRANTING GEO AUTO CUSTOMERS AND EMPLOYEES ACCESS TO AND USE OF THE INTERIOR RESTROOM; 2. NO MORE THAN TEN (10) INOPERABLE VEHICLES OR THOSE BEING PARKED FOR REPAIRS FOR LONGER THAN SEVENTY-TWO HOURS SHALL BE KEPT ON THE PROPERTY, AND SHALL BE KEPT ONLY IN THE REAR GRAVEL STORAGE AREA PER LINDON CITY CODE (LCC) 17.06.040. (THIS EXCLUDES ANY VEHICLES THAT ARE STORED WITHIN THE BUILDING); 3. INSTALL VIEW-OBSCURING SLATS IN THE CHAIN LINK FENCE OF THE REAR GRAVEL STORAGE AREA TO OBSCURE THE STORAGE OF SUCH VEHICLES FROM THE ADJACENT PUBLIC STREET PER LCC 17-06-040; 4. NO OUTDOOR STORAGE IN THE VERY SW CORNER OF THE SITE (CURRENTLY FENCED OFF) WHERE THE SD CATCH BASIN IS LOCATED, AND 5. PROVIDE WRITTEN CONSENT FROM THE PROPERTY OWNER GRANTING GEO AUTO (CUSTOMERS AND EMPLOYEES) ACCESS TO AND USE OF SIX (6) PARKING STALLS IN THE ASPHALTED AND STRIPED PARKING LOT. COMMISSIONER WILY SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

8. Public Hearing — Ordinance Amendment, Lindon City Code (LCC)

17.48.025. (Continued from Planning Commission meeting: August 22, 2017).

The Lindon City Council requests approval of an amendment to LCC 17.48.025, regulating the Lindon Village Commercial zone, regarding the maximum acreage any given land use can occupy within the zone.

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

Mr. Van Wagenen stated the City Council has expressed concern that the Lindon Village Commercial zone will fill up before any substantial retail development is located on the corridor. This ordinance will restrict the land use make up in the zone to limit the amount of service/office related uses that can locate in the zone. Different options for implementing this request will be presented at the Planning Commission meeting. City

Mr. Van Wagenen then presented different land use mix examples from the cities of Cottonwood Heights and Lehi. He also referenced the ordinance language recently adopted and on the books by Pleasant Grove City to ensure retail development will be reviewed. He noted Mr. Michael Coutlee is here who represents the land north of 700 North to give insights and perspectives. There was then some lengthy discussion regarding the information presented included commercial ventures, uses, ratios and traffic counts. Chairperson Call stated looking at the examples there is a high percentage of office/warehouse space and that is a concern with the amount of property left for

2 development. Mr. Van Wagenen stated they have given some ideas of ratios of build out
4 and how to reserve space. Following discussion the Commission was in agreement to
continue this item for further discussion.

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

8 COMMISSIONER KELLER MOVED TO CLOSE THE PUBLIC HEARING.
10 COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.

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

14 COMMISSIONER KALLAS MOVED TO CONTINUE ORDINANCE
16 AMENDMENT 2017-13-0. COMMISSIONER MARCHBANKS SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

18 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
20 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER WILY	AYE
22 COMMISSIONER KELLER	AYE
COMMISSIONER JOHNSON	AYE
24 THE MOTION CARRIED UNANIMOUSLY.	

- 26 9. **General Discussion — Lindon City General Plan (chapter review).** In
28 preparation for updating the General Plan, City Staff will present a number of
review sessions based on the existing Plan. This is intended as a review only and
30 no updates, amendments, or changes are being presented. It is hoped that this
review will lay the groundwork for discussing the General Plan update that is
32 forthcoming. In order to become familiar with the purpose and goals of the
different non-residential land use designations in the City, please read the excerpts
from the current General Plan in attachment one.

34 Mr. Van Wagenen suggested continuing this item to the next meeting due to the
36 late hour of this meeting. He also suggested doing an in depth discussion/review on the
R2 Overlay zone at that meeting to ensure it is working as intended.

38 Chairperson Call called for any comments or discussion. Hearing none she
40 moved on to the next agenda item.

- 42 10. **New Business: Reports by Commissioners** – Chairperson Call called for any
new business or reports from the Commissioners. She mentioned the water tank
44 on 835 East and if there are plans to fence it. Mr. Van Wagenen stated it is his
understanding that there are plans to fence the area to ensure the water quality in
46 the tanks but there will be no barbed wire. Mr. Van Wagenen also gave an update
on the Udall swim lesson issue.

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

- APA-Utah Fall Conference at Park City October 5 & 6, 2017

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 10:45 PM. CHAIRPERSON CALL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – September 26, 2017

Sharon Call, Chairperson

Hugh Van Wageningen, Planning Director

Item 3: Public Comment

1 - Subject _____
Discussion

2 - Subject _____
Discussion

3 - Subject _____
Discussion

Item 4 : Ordinance Amendment, Lindon City Code 17.48 Commercial Zones, Lindon Village Zone

Applicant: Lindon City
Presenting Staff: Hugh Van Wagenen

Type of Decision: Legislative
Council Action Required: Yes

SUMMARY OF KEY ISSUES

1. Whether it is in the public interest to recommend approval of the proposed amendment to the City Council which would limit the amount of service/office related uses in the zone.

MOTION

I move to recommend (*approval, denial, continuation*) of ordinance amendment 2017-13-O (*as presented, with changes*).

BACKGROUND

The City Council has expressed concern that the Lindon Village Commercial zone will fill up before any substantial retail development is located on the corridor. This ordinance will restrict the land use make up in the zone to limit the amount of service/office related uses that can locate in the zone.

In the September 12, 2017 meeting, the Planning Requested a rough analysis of “retail corners” to determine how much land may be suited to retail development. That analysis is below.

ANALYSIS

Please see the table and graphic on the next page.



Size of LVC	Size of LVC undeveloped	# corners at full movement intersections	# corners with future signals	# corners with existing signal	Total corners
175 acres	121.1	13	4	3	20

Hard corner acreage available using .7 acres as baseline
13.3

% of hard corners acres to total remaining acreage
11%

Item 5: General Discussion – Lindon City General Plan

Applicant: Lindon City

Presenting Staff: Brandon Snyder

Type of Decision: N/A

Council Action Required: Discussion

SUMMARY OF KEY ISSUES

Staff will present information regarding the Lindon City General Plan update and review the Land Use section. No formal action will be taken at this time.

R2 Overlay Zone

Lindon City Code 17.46

Lindon City
Planning Commission
09/26/2017

Adopted March 1998

- Ordinance drafted to address affordable housing
- Intended to update General Plan and Zoning ordinances to address moderate income housing needs (as directed by the State Legislature and Governor Leavitt)
- Conclusions of Land Use/Density Committee
 - Disperse multi-family throughout the community
 - Limit how many units as part of one project
 - Ordinance should provide for affordable housing
 - Allow accessory apartments
 - Limit number of units each year (tied to growth)
- Divide City into Districts (currently 18)
- PUD and High Density ordinances repealed

Districts (1998)

R2 Overlay Zone District Calculations

District 1

Total Acres	162
Total Allowable Acres	6.5
Total Allowable Units	39
Approved Units	8
Remaining Units	31

District 2

Total Acres	250
Total Allowable Acres	10
Total Allowable Units	60
Approved Units	34
Remaining Units	26

District 3

Total Acres	154
Total Allowable Acres	6.2
Total Allowable Units	37
Approved Units	4
Remaining Units	33

District 4

Total Acres	110
Total Allowable Acres	4.4
Total Allowable Units	26
Approved Units	30
Remaining Units	0

District 5

Total Acres	160
Total Allowable Acres	6.4
Total Allowable Units	38
Approved Units	18
Remaining Units	20

District 6

Total Acres	60
Total Allowable Acres	2.4
Total Allowable Units	14
Approved Units	12
Remaining Units	2

District 7

Total Acres	75
Total Allowable Acres	3
Total Allowable Units	18
Approved Units	8
Remaining Units	10

District 8

Total Acres	84
Total Allowable Acres	3.4
Total Allowable Units	20
Approved Units	4
Remaining Units	16

District 9

Total Acres	68
Total Allowable Acres	2.7
Total Allowable Units	16
Approved Units	12
Remaining Units	4

District 10

Total Acres	72
Total Allowable Acres	2.9
Total Allowable Units	17
Approved Units	4
Remaining Units	13

District 11

Total Acres	167
Total Allowable Acres	6.7
Total Allowable Units	40
Approved Units	58
Remaining Units	0

District 12

Total Acres	70
Total Allowable Acres	2.8
Total Allowable Units	17
Approved Units	16
Remaining Units	1

General Plan

- Residential-High = greater than 3.6 DU/AC: It is the purpose of this category to provide modest amounts of high density, residential development.
- Includes areas typically zoned R3 or R2-Overlay
 - R2 Overlay: This higher density residential development is to be spread throughout the entire community. The residential zones are divided into separate districts, with a specific number of multi-family units being allowed in each district based on a percentage of the land area in the district multiplied by the number of units allowed per acre. Accessory apartments are also regulated through this overlay zone. See Chapter 17.46 of the Lindon City Code for more details regarding high density in the City.

R2 Overlay Zone (2017)

- Purpose
 - provide ‘moderate income housing’
 - variety of housing types
 - distribute multi-family housing
- Project review
 - Conditional Use
- Design
 - The intent of the architectural styles and treatment requirements is to maintain the single-family residential appearance of R2 multi-family projects and to avoid obvious recognition that the structure is a duplex, twin home, or triplex.

R2 Overlay Zone (2017)

- District unit calculations
 - calculated by multiplying 4% of the total acreage within each district by six (6).
- Each dwelling unit approved as part of an R2 project, and each accessory apartment and its' associated single-family dwelling unit, shall be counted towards the capacity of the units permitted in each district. At such time as a district reaches the maximum permitted capacity of units that district will be closed to any further R2 Overlay projects. However, owner occupied single-family dwellings with accessory apartments shall continue to be permitted even if the district reaches its capacity.

R2 Overlay Zone (2017)

- Density
 - Maximum number of units allowed for any R2 Overlay project shall be four (4) units. Available multi-family projects include twin homes, condominiums, apartments, duplexes, triplexes, townhouses, or any other multi-family housing unit that has two or three units per structure. Detached single-family dwellings (one unit only) and projects with four units (4-plexes) are prohibited.
- Separation
 - R2 Overlay projects shall not be within seven hundred fifty (750) feet from any other approved R2 Overlay unit or other existing multi-family housing units, except for accessory apartments.

R-2 Overlay

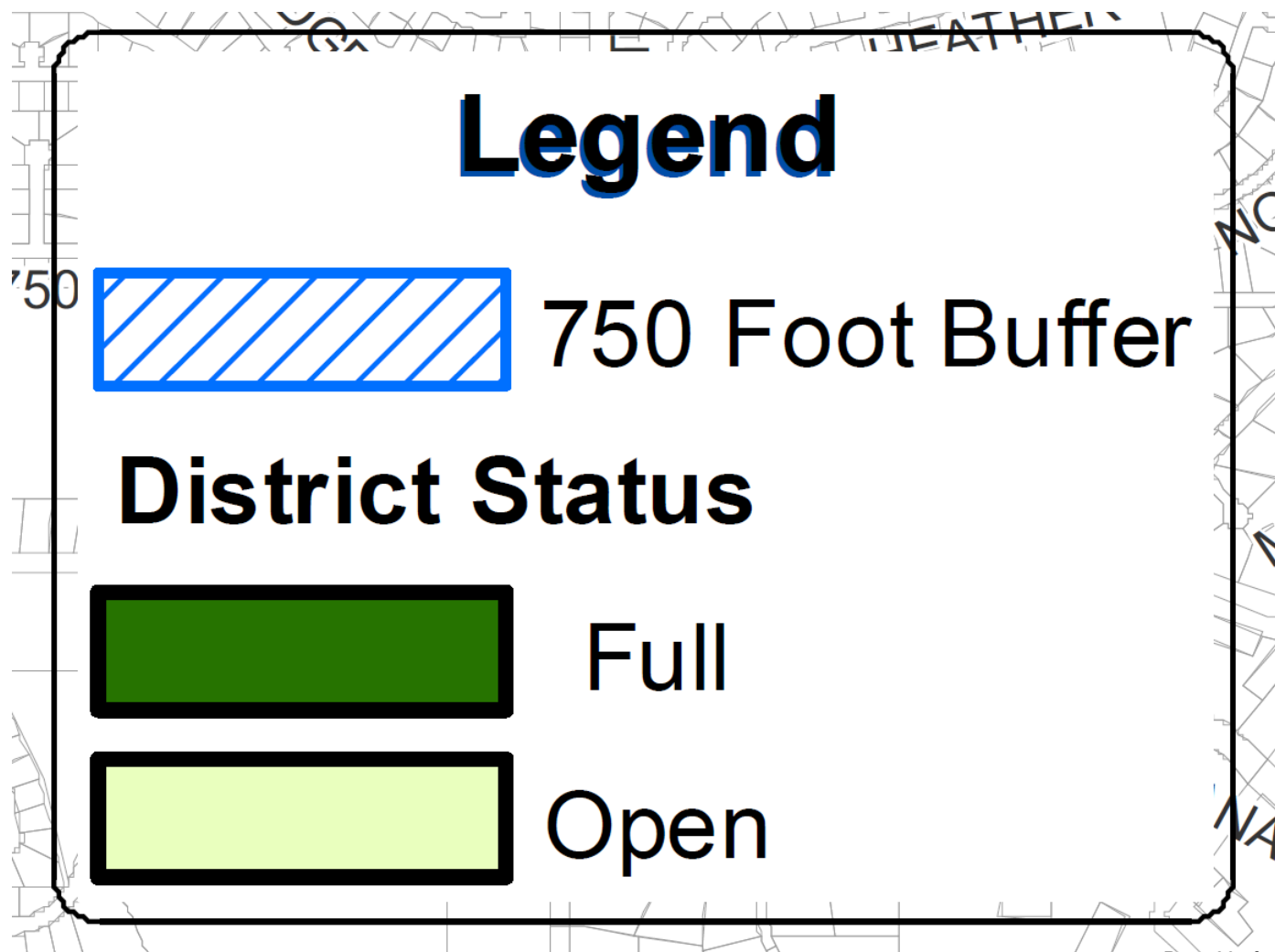
Legend

- 750 Foot Buffer
- District Status
 - Full
 - Open

Districts where R2 development is still permitted are shown in light green

Revised 01/16

The R2 Overlay [Zone](#) includes all residential [zones](#) in their entirety, and also all residential uses within non-residential [zones](#) that existed prior to April 1, 2011.

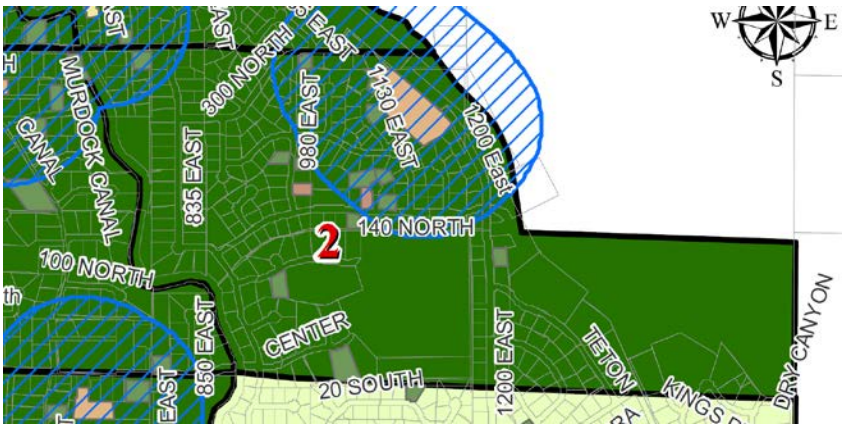


District 1



- Total acres 123
 - Max # units 29
 - Approved units 42
 - Remaining units -13
- Projects
 - Acc. Apt. 20
 - Duplex 1 (1992)

District 2



- Total acres 245
 - Max # units 59
 - Approved units 66
 - Remaining units -7
- Projects
 - Acc. Apt. 22
 - Other 11 twin homes (Canberra Oaks @ Queensland Court - 1997)

District 3

- Total acres 151
 - Max # units 36
 - Approved units 20
 - Remaining units 16
- Projects
 - Acc. Apt. 10



District 4



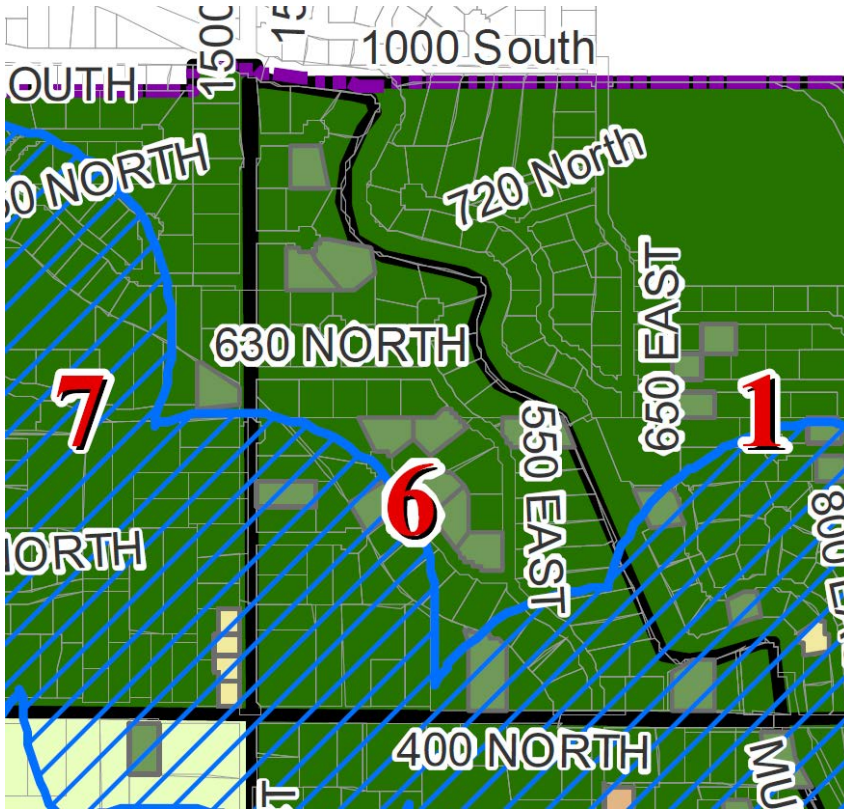
- Total acres 114
 - Max # units 27
 - Approved units 42
 - Remaining units -15
- Projects
 - Acc. Apt. 8
 - Duplex 2 (1988)
 - 4-plex 2 (1993)
 - Other 7 (Oak Canyon Estates – 1996)

District 5



- Total acres 160
 - Max # units 38
 - Approved units 39
 - Remaining units -1
- Projects
 - Acc. Apt. 12
 - Duplex 3 (amnesty and unknown dates)
 - Other 9 (Heritage Court - 1998)

District 6



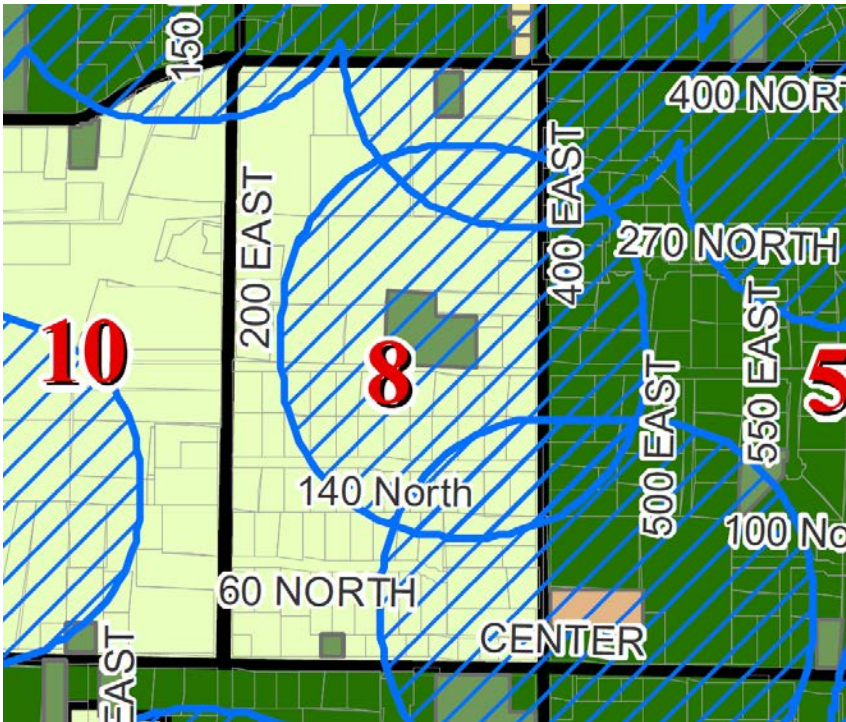
- Total acres 64
 - Max # units 15
 - Approved units 40
 - Remaining units -25
- Projects
 - Acc. Apt. 19
 - Duplex 1 (1994)

District 7



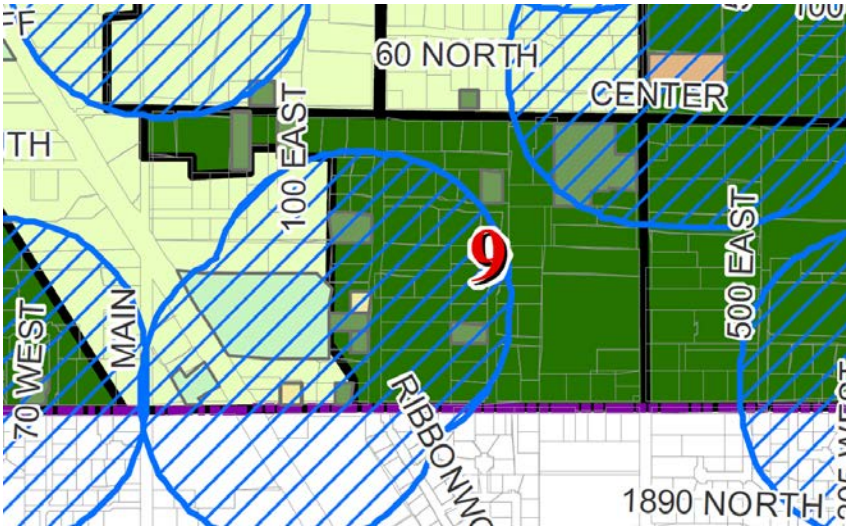
- Total acres 75
 - Max # units 18
 - Approved units 23
 - Remaining units -5
- Projects
 - Acc. Apt. 6
 - Duplex 4 (1960's)
 - Other 1 (tri-plex)

District 8



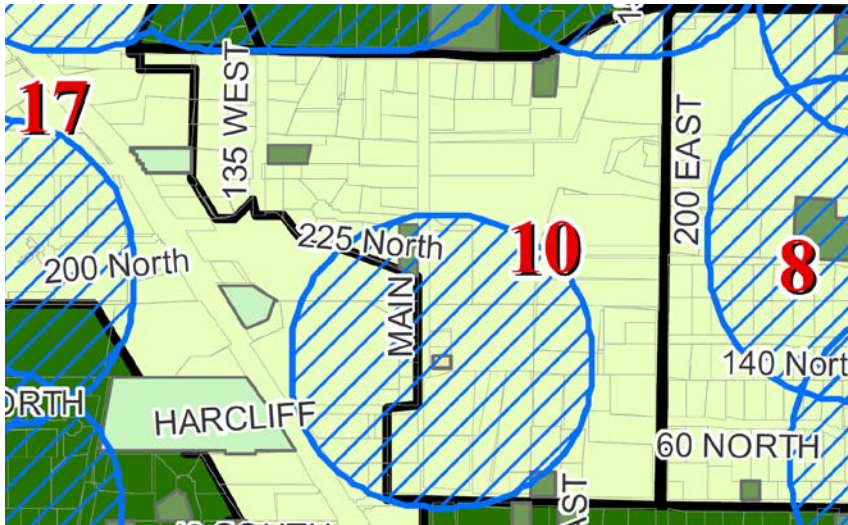
- Total acres 84
 - Max # units 20
 - Approved units 10
 - Remaining units 10
- Projects
 - Acc. Apt. 4
 - R2 project (twin home) 1
 - Schwartz Estates (2009)

District 9



- Total acres 65
 - Max # units 15
 - Approved units 20
 - Remaining units -5
- Projects
 - Acc. Apt. 9
 - Duplex 1 (1969)

District 10



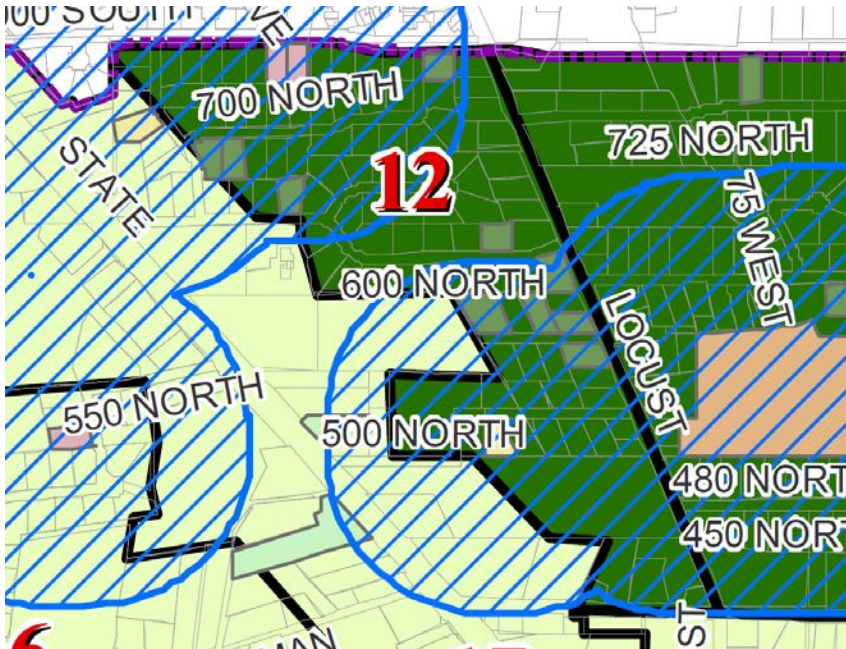
- Total acres 99
 - Max # units 23
 - Approved units 12
 - Remaining units 11
- Projects
 - Acc. Apt. 4
 - Duplex 1 (1953)
 - R2 project 1 (2016 twin home)

District 11



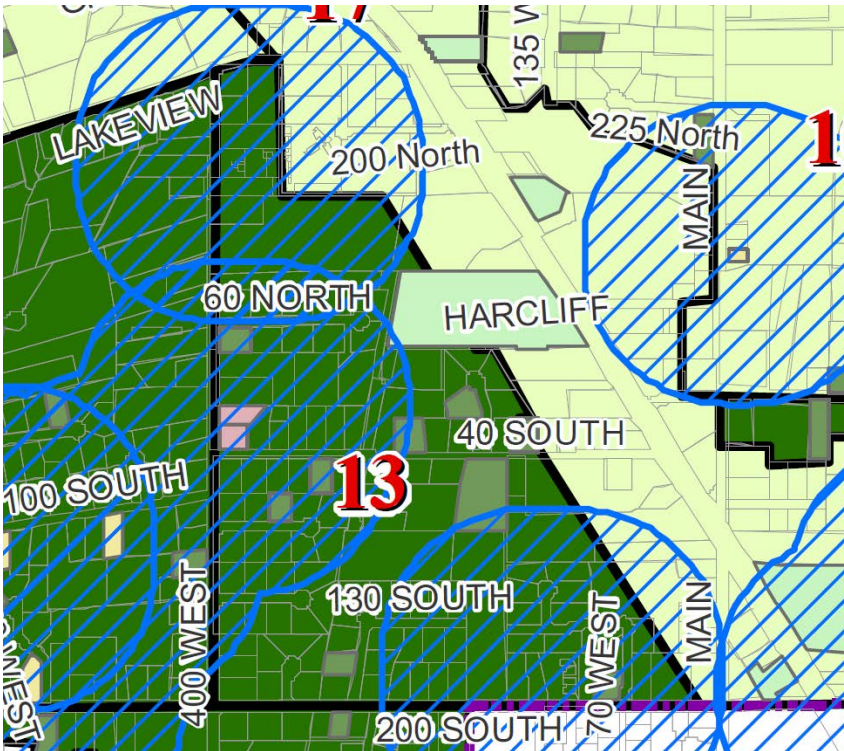
- Total acres 165
 - Max # units 39
 - Approved units 82
 - Remaining units -43
- Projects
 - Acc. Apt. 14
 - Duplex 2 (1990's)
 - Other 50 units (Green Valley Condos) 1994

District 12



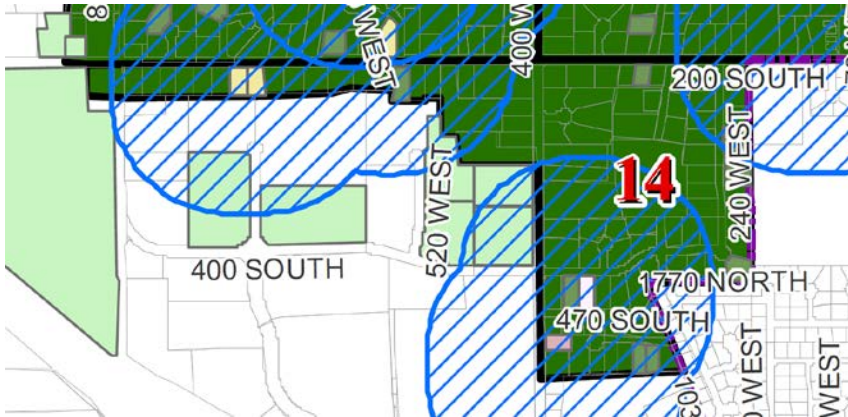
- Total acres 68
 - Max # units 16
 - Approved units 34
 - Remaining units -18
- Projects
 - Acc. Apt. 12
 - Duplex 1 (amnesty)
 - Tri-plex 2 (1995)
 - Other 1 twin home (1996)

District 13



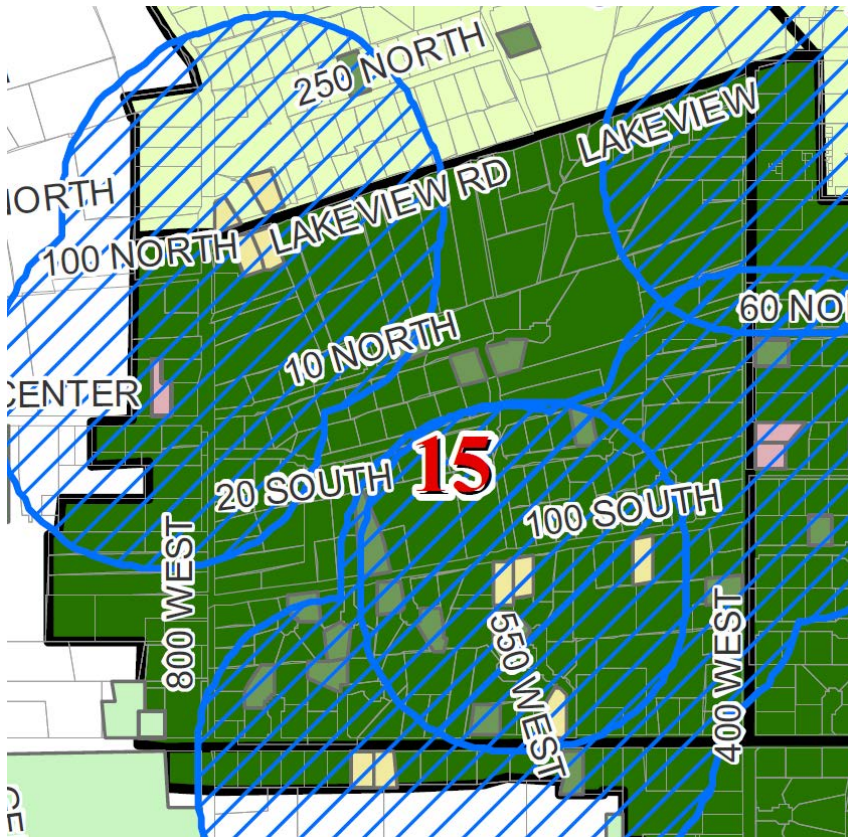
- Total acres 109
 - Max # units 26
 - Approved units 36
 - Remaining units -10
- Projects
 - Acc. Apt. 10
 - Tri-plexes 2 (1995)
 - R2 project 4 units (Westview Cottages – 2007)
 - R2 project 6 units (Lee Homestead – 2005)

District 14



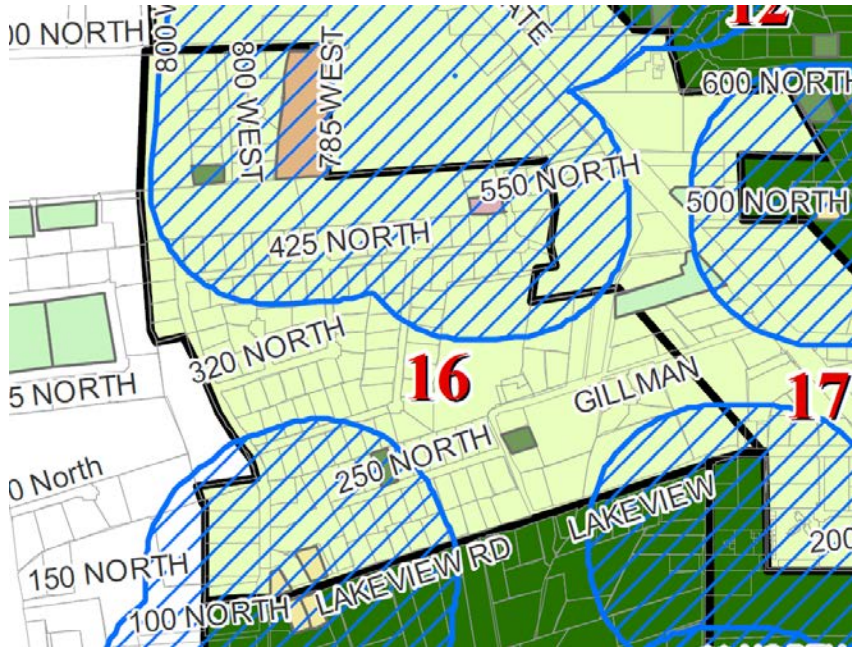
- Total acres 70
 - Max # units 16
 - Approved units 33
 - Remaining units -17
- Projects
 - Acc. Apt. 11
 - R2 project 6 units (2002)
 - Tri-plex 1 (1992)
 - Other 1 (twin home 1996)

District 15



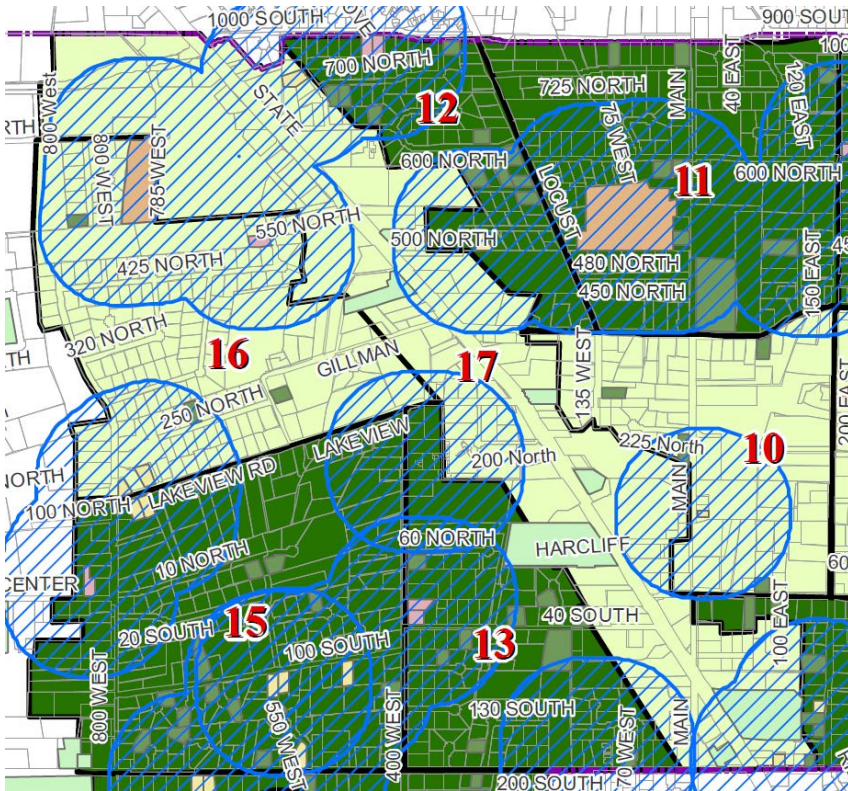
- Total acres 196
 - Max # units 47
 - Approved units 63
 - Remaining units -16
- Projects
 - Acc. Apt. 24
 - Duplex 5 (1993-95)
 - Duplex 1 (amnesty)
 - R2 project Tri-plex 1 (CUP 2000)

District 16



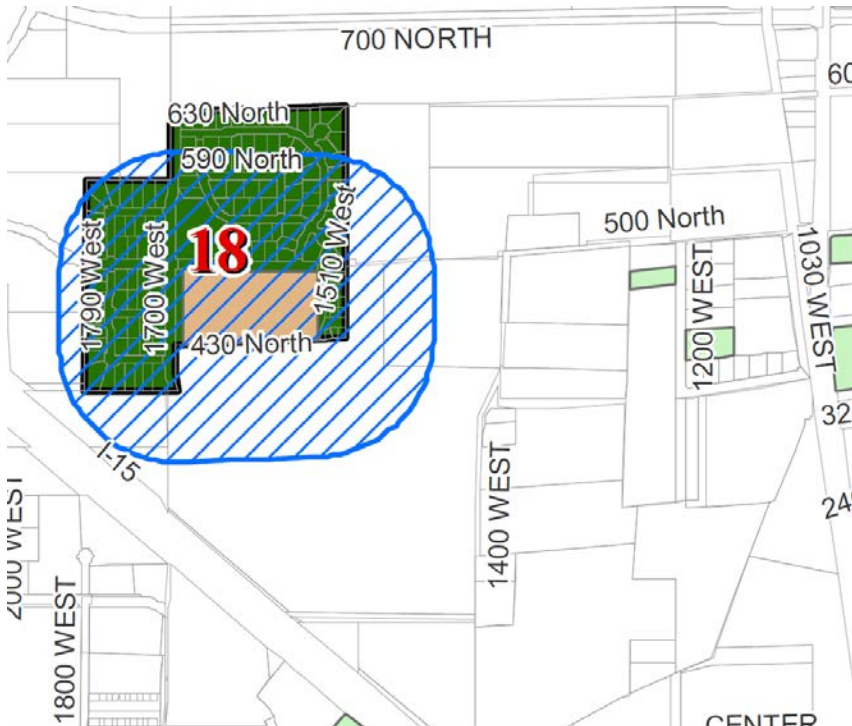
- Total acres 176
 - Max # units 42
 - Approved units 38
 - Remaining units 4
- Projects
 - Acc. Apt. 5
 - Mobile home park (25 units)
 - Tri-plex 1 (1997)

District 17 (State Street)



- Total acres 265
 - Max # units (N/A)
 - Approved units 4
 - Remaining units (N/A)
- Projects
 - Other 4 (amnesty)

District 18 (R3 Zone)



- Total acres 55
 - Max # units (N/A)
 - Approved units 54
 - Remaining units (N/A)
- Projects
 - Creekside Retirement

Is the intent of the ordinance being met?

- Purpose
 - provide ‘moderate income housing’
 - variety of housing types
 - distribute multi-family housing
- Items to consider: Anderson Farms (Ivory Homes), Senior Housing, R3 Overlay (Fieldstone and Creekside Retirement), and PRD Overlay (Knapp Townhomes)
- Total remaining capacity = 41 units

Item 6: New Business (Planning Commissioner Reports)

Item 1 – Subject _____
Discussion

Item 2 – Subject _____
Discussion

Item 3 – Subject _____
Discussion

Item 7: Planning Director Report

- APA-Utah Fall Conference @ Park City Oct. 5 & 6, 2017
- Discuss r-o-w improvements

Adjourn