Lindon City Planning Commission Staff Report

October 9, 2018

Notice of Meeting
Lindon City Planning Commission

LINDON

The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, October 9, 2018,** 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:

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

AGENDA

Invocation: By Invitation

Pledge of Allegiance: By Invitation

1. **Call to Order**
2. **Approval of minutes**
   Planning Commission 09/11/2018
3. **Public Comment**

(10 minutes)

4. **Extension Site Plan Approval – Lindon Self Storage, ~860 West 200 South**
   Susan Palmer, Ridgepoint Management Group LLC, on behalf of Lindon Self Storage LLC, seeks a 12-month extension of the site plan approval for the Lindon Self Storage Site Plan, a forty-six (46) unit self-storage project, to be located at approximately 860 West 200 South in the Light Industrial (LI) zone. LCC 17.12.210 allows for an applicant to request up to a 12-month extension of the final approval. The current site plan approval expires in November 2018. No changes to the previously approved site plan are being proposed.

(10 minutes)

5. **Extension Final Plat and Improvement Plans — Lindon Self Storage, ~860 West 200 South**
   Susan Palmer, Ridgepoint Management Group LLC, on behalf of Lindon Self Storage LLC, seeks a 12-month extension of the final plat and plan(s) approval for the Lindon Self Storage Subdivision, Plat A, a forty-six (46) unit self-storage major condominium project, to be located at approximately 860 West 200 South in the Light Industrial (LI) zone. LCC 17.12.210 allows for an applicant to request up to a 12-month extension of the final approval. The current approval expires in November 2018. No changes to the previously approved final plat and plan(s) are being proposed. Recommendation(s) will be forwarded to the City Council.

(15 minutes)

6. **Site Plan — Cisco's Custom Welding, 154 South 1800 West**
   Francisco Terriquez requests site plan approval for a 14,400 square foot office/warehouse building in the Light Industrial (LI) zone. The subject property is located at 154 South 1800 West (Utah County Parcel #48-245-0006; Lot 6, Plat A, Ostler Industrial Park Subdivision).

(15 minutes)

7. **Conditional Use Permit — Two Dudes Towing, 1060 West 400 North**
   Marc Palmer, Two Dudes Towing/Action Parking Enforcement LLC, request conditional use permit (CUP) approval for an impound yard at 1060 West 400 North (Utah County Parcel #45-111-0002; Lot 2, Plat A, Lakeview Industrial Park Subdivision), in the Light Industrial (LI) zone.

(20 minutes)

8. **Site Plan/Conditional Use Permit — Lindon Ridge Apartments, ~45 S. Main Street**
   Julie Smith, on behalf of the Christensen's, requests preliminary site plan approval for senior housing apartments at a density of 30 units/acre as a conditional use on the property located at approximately 45 S. Main St., in the Senior Housing Facility Overlay (SHFO) zone. Total land area of ~3.44 acres. Recommendation(s) will be forwarded to the City Council.

(20 minutes)

9. **Site Plan/Conditional Use Permit — Walker Farms, ~26 South 500 East**
   Mike Jorgensen requests preliminary site plan approval for a reception center as a conditional use on the property located at approximately 26 South 500 East, in the Commercial Farm (CF) zone. Recommendations will be forwarded to the City Council for final approval.

Notice of Meeting
Lindon City Planning Commission

LINDON

10. New Business from Commissioners

11. 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: October 3, 2018

Time: 8:30 a.m.
Place: Lindon City Center, Lindon Police Station, Lindon Community Center

Item 1: Call to Order

Lindon City Planning Commission Meeting October 9, 2018

Roll Call:

Sharon Call
Steve Johnson
Rob Kallas
Charlie Keller
Mike Marchbanks
Mike Vanchiere

Item 2: Approval of Minutes

Lindon City Planning Commission Meeting September 11, 2018

The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, September 11, 2018 beginning at 7:00 p.m.** at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

REGULAR SESSION – 7:00 P.M.

Conducting:	Sharon Call, Chairperson
Invocation:	Steven Johnson, Commissioner
Pledge of Allegiance:	Porter Bruce, Scout Troop1215

PRESENT	**EXCUSED**
Sharon Call, Chairperson	Mike Vanchiere, Commissioner
Rob Kallas, Commissioner	Charlie Keller, Commissioner
Mike Marchbanks, Commissioner	
Steven Johnson, Commissioner	
Hugh Van Wagenen, Planning Director	
Brandon Snyder, Associate Planner	
Kathy Moosman, Recorder	

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 of August 28, 2018 were reviewed.

COMMISSIONER JOHNSON MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF AUGUST 28, 2018 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. **Conditional Use Permit — JSR Inc.** Jeremy and Kara Stone, JSR Inc., request conditional use permit (CUP) approval to breed and sell exotic reptiles (boa constrictors and ball pythons) at 106 South 300 East – Lindon in the Residential Single-Family (R1-20) zone.

Brandon Snyder, Associate Planner, noted the applicant, Jeremy Stone, with JSR Inc., is in attendance to request a conditional use permit to breed and sell exotic reptiles (boa constrictors and ball pythons) at 106 South 300 East in the Residential Single-Family zone. Mr. Snyder stated the applicant relocated from 278 East 70 South to 106 South 300 East (across the fence from their previous residence) and the applicant is trying to get their business license transferred to the new address. Mr. Snyder noted the previously approved conditional use permit does not automatically transfer. Mr. Snyder

then presented information provided by the applicant that indicates the accessory building they are using is a metal detached garage located in the back corner of the property.

Mr. Snyder stated the existing residence was built in 1979 and the existing accessory building was built in 2000 by way of building permit #3592; the building is 1,440 square feet in area (30'X48"). Mr. Snyder indicated that Lindon City records (Code Enforcement and Police) do not show any regular or ongoing nuisance complaints related to smells or loose animals. He noted when they first started operating there were a few concerns with smells but those were resolved. He noted the police have been called out regarding alarms, theft and burglary.

Mr. Snyder explained that wild and exotic animals are regulated by Lindon City Code, which indicates that wild and exotic animals, as defined in this title, shall only be authorized in Lindon City by issuance of a conditional use from the Planning Commission. The potential allowance of wild and/or exotic animal species and the quantities of said species are subject to approval on a case-by-case basis. Conditions of approval may be imposed by the Planning Commission as deemed necessary to protect the public health, safety, and welfare including, but not limited to, increased setbacks, fencing, size and type of enclosure or structure, etc. He stated third party public notices were mailed on August 30, 2018 and no public comments have been received at this time.

Mr. Snyder further explained the purpose and intent of the animal control ordinance is to provide a reasonable opportunity for the residents of Lindon to maintain animals on their property within the constraints and limits of this provision. It shall also be the purpose of this ordinance to provide regulations, constraints, and limits on the number of animals kept and the manner in which the animals are maintained in order to minimize the impact on neighboring property owners.

Mr. Snyder noted Lindon City also recognizes that the keeping of animals and livestock is inherently associated with odors, animal excrete, flies, and some noises. Unless otherwise stated within this Title, a reasonable level of tolerance will be permitted for these inherent characteristics such as odors, flies, and animal noises that are common to the keeping of animals and livestock in order to protect, preserve, and maintain the rights of land owners to raise animals on their properties. He then turned the time over to the applicant for comment.

Mr. Stone addressed the Commission at this time. He explained the current building was constructed by the previous owner, and they have modified the building by insulating the walls and ceiling to accommodate the temperature control they need to maintain their business. They also permanently disabled the use of the two overhead garage doors and insulated all around them as well to maintain adequate temperature control. He indicated that all business is conducted in this structure and not in the main family dwelling and the accessory building was existing on the property at the time of purchase. He stressed the fact that this is not a new business, as they moved into their previous home and accessory building in November 2005, and completed construction of their home in March 2006. He noted they do volunteer work with scouts with merit badges etc. He also has security cameras for fear of theft issues and monitors his operation every step of the way. He also has signatures from all of his neighbors. Mr. Stone stated they also keep all federal and state licenses up to date and consistent and pay all state and federal taxes.

Mr. Stone stated they have maintained business licenses in Orem prior moving to Lindon, and also in Lindon since they moved in 2006. The new location is located on the

back corner of their property, with a large empty lot surrounding the structure. They have always been closed to the public and they employ two contractors who live in their neighborhood so they walk to work. They have deliveries made from time to time, but nothing unusual or that would impact the neighborhood in any way. He explained they breed and sell exotic reptiles, boa constrictors and ball pythons, through their website. They do not have a store front, and never intend to have a store front.

Mr. Stone stated the lot next to their building is sufficient to accommodate the type of parking that would be required to handle the demand that causes no disruption to the neighborhood. He noted their website is www.boaconstrictor.com. They are not keeping any other animals off site and all are contained in their building. They have a tap in the building for irrigation water, and a French drain was installed to dispose of any waste water they may have to deal with. They are not impacting the sewer capacity or disposing of any hazardous or dangerous liquids. They have been operating out of Lindon for the past twelve years and just want to continue with their quiet online presence. They love it here in Lindon and just want to continue to run their business in a legal and approved way. He also stated, for the record, the comments (letter) received by the Commission is absolutely false and defamatory.

Commissioner Kallas asked staff if there is any way to get the designation pulled from the previous house as it is such a specific and narrow conditional use. Mr. Snyder stated generally a conditional use can be revoked if it is not being in compliance.

Chairperson Call commented that she understands they have been operating since 2017 and they are just now getting a request for a Conditional Use Permit. Mrs. Stone explained they had a problem with their server so they did not get notification from the city and when received it in the mail they immediately paid the application fees and filled out the paperwork. When they became aware they could not just transfer the business license they immediately contacted the city and they came out to inspect the property and set this meeting up; their business license is now current and up to date. Mr. Stone stated he is only using a small storage shed with the permission of the new owner but does not keep animals at that location; he has three part time employees.

Chairperson Call questioned city permits and state and federal regulations. Mr. Stone stated he has all federal and state licenses noting inspections can be done randomly but are generally done once a year. Commissioner Kallas commented the Commission needs to think about what is in the best interest of citizens and the community. He pointed out the use is not a problem unless there are issues with the neighbors. He does have an issue of both locations having conditional use permits. Chairperson Call stated she does not want to see several locations created and because of the conditional use permit another snake operator could locate on the other property that would create an impact. Chairperson Call stated this is not a public hearing but called for any comments at this time.

Lori Peters, resident in attendance, addressed the Commission at this time. She stated her property borders the property in question and they see everything that happens there. Ms. Peters expressed her opposition to approve a new Conditional Use Permit at this location. She stated this operation has been unappealing for several years as they are venting towards their property that causes an odor nuisance. She noted other neighbors have concerns but they don’t feel comfortable coming to the meeting to address the applicant and the issues. She pointed out the applicant does not have all the proper building permits.

Ms. Peters stated there are the nuisances of smells and burning fires at night and dead rats on the side of their shed; these things have been ongoing since 2004. She respects Mr. Stone's business but feels it should be placed in a more appropriate area and not in a residential area. It should be more isolated because it is a unique business that comes with unique situations around it and should be located in a more industrial or business area because over the past 14 years it has not been a good experience.

Chairperson Call asked Ms. Peters what conditions she would suggest the Commission put on this use to mitigate her issues or concerns. Mr. Peters stated she would ask the following:

1. How to police and monitor the business
2. What is housed in the building and if the building is appropriate for the use
3. How to manage the unpleasantries with venting and the odors.
4. Fires at night

Mr. Snyder reminded the Commission to focus on what a conditional use permit identifies with the impacts on property or a neighborhood. He noted any valid concerns are followed up by complaints and pointed out at the last location the city did not receive a lot of complaints on this business. He suggested that potential odor sources could be clarified. He indicated the main thing to consider is what the impacts are related to the public safety, health and welfare of the community. He noted the code does not distinguish a number of animals that can be housed.

Mr. Don Harvie addressed the Commission at this time. Mr. Harvey stated he is the next-door neighbor of Mr. Stone and he has not been aware of any odors or smells in the past 13 years. He added this operation has not been a problem and expressed he sees nothing negative about it.

Commissioner Marchbanks asked staff if there have been any reports to the city as there is another snake facility that was previously approved in Lindon in a commercial zone that backs up to residential. Mr. Snyder stated there has only been one complaint. Commissioner Marchbanks suggested to Mr. Stone to keep the rats in a fenced area. Commissioner Johnson stated it appears there are things that can be mitigated like the storage of the rats, the odors/smells and noise.

Blake Campbell, resident in attendance stated the general thing about odor mitigation may be to address the scrubbers or reroute the venting.

Chairperson Call pointed out the Commission cannot issue a Conditional Use Permit until City inspections are completed. Her concerns are as follows:

1. City inspections performed
2. Venting inspected by the Building Official
3. Potential odors mitigated
4. Business is operated from one location including rodent storage

Mr. Stone stated he would be happy to have all inspections performed and to comply with all requests listed above.

Ms. Peters re-iterated that she would like to know, for her peace of mind, how many and what type of snakes are held there and who is going to control and monitor it. She re-iterated that she strongly opposes this CUP because it's in a residential area and

this operation is on a much larger scale. She feels it is not prudent to approve another CUP on this business in a residential area.

Mr. Snyder pointed out the Commission has the right to continue this item for further discussion. Commissioner Johnson also suggested that Mr. Stone provide information on a standard to help put a number on the animals allowed. Mr. Stone indicated there are federal guidelines. Mr. Stone also pointed out there has not been one problem from his business with nuisances and he has followed all regulations and requirements. He would be happy to pull federal records if the Commission would like to review them to see if they are in compliance.

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

COMMISSIONER KALLAS MOVED TO CONTINUE THE APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT TO BREED AND SELL EXOTIC REPTILES (BOA CONSTRICTORS AND BALL PYTHONS) OUT OF THE ACCESSORY BUILDING ONLY, LOCATED AT 106 SOUTH 300 EAST, IN THE RESIDENTIAL SINGLE-FAMILY (R1-20) ZONE TO GIVE STAFF TIME TO INSPECT THE PROPERTY AND REVIEW ANY CONDITONS THAT MAY BE MITIGATED AND ALLOW MR. STONE THE OPPORTUNITY TO PROVIDE MORE INFORMATION REGARDING NUMBERS ALLOWED. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

5. **Public Hearing — Zoning Map Amendment, 150 S. Geneva Rd.** Adam Pulver, BMC, requests approval of a Zoning Map Amendment to reclassify a parcel from Residential Single Family (R1-20) to the Light Industrial (LI) zone. Parcel ID #14:065:0131 Anderson Lumber Company (BMC Stock Holdings, Inc.). Total land area of 1.25 acres. Recommendation(s) will be forwarded to the City Council. (Pending Ordinance 2018-17-O).

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

Hugh Van Wagenen, Planning Director, stated the applicant, Adam Pulver, with BMC Stock Holdings, is in attendance to request approval to rezone the parcel from Residential (R1-20) to the Light Industrial (LI) zone. The applicant is requesting the rezone so that the zoning would match with the two adjacent parcels (West and Southwest). The applicant also proposes to combine the parcels and will be replacing some of the existing structures in the near future. A new structure will be placed partially into the current area of the subject parcel. The parcel was created and purchased by

Anderson Lumber in April 1997 and the property has been used since at least 2000 for outdoor storage.

Mr. Van Wagenen indicated the Single-Family Residential Zones are established to provide areas for the encouragement and promotion of an environment for family life by providing for the establishment of one-family detached dwellings on individual lots that are separate and sheltered from non-residential uses found to be inconsistent with traditional residential lifestyles customarily found within Lindon City's single-family neighborhoods.

Mr. Van Wagenen noted staff found minutes from 1997 indicating a previous rezoning from residential, however, they could not locate the files for when it was rezoned back to residential; this took place between 1999 and 2001. He pointed out that required Public Hearing Notices were mailed on August 30, 2018 and no public comments have been received at this time.

Mr. Van Wagenen explained that currently the LI zone requires a minimum lot area of 1 acre and 100 feet of frontage. He noted the Light Industrial (LI) zone allows for the potential uses related to Manufacturing, Wholesale Trade, Retail Trade, and Services. Mr. Van Wagenen then referenced the relevant General Plan information to consider in determining whether the requested change will be in the public interest.

Commissioner Marchbanks commented he attended meetings back when these properties were sold. His only concern is when these were rezoned there was requirement that block wall fencing be put up against the residential and perhaps the fencing has been pushed off because of the zoning. He feels this would be the time to look at the fencing when we have a transition between residential and commercial. Mr. Van Wagenen replied conditions can be placed on a re-zone and requiring that a wall being placed could be a condition. Mr. Pulver stated they would like to put the fence in after the foundation is in for the building.

Chairperson Call called for any public comments at this time. Several residents in attendance addressed the Commission as follows:

Diane Campbell, resident in attendance, stated she owns property to the north of the property in question. She said the property to the east is being leased by the commercial property to the south where storage units will be. To the north of that commercial property there is a piece currently being leased now with the condition to buy the property. She questioned when they buy this property will they be required to install a commercial fence and if so she would like a privacy fence. She also questioned if they even need to go to the expense to put fencing on the east side as it will be commercial to commercial. She would suggest putting one on the west side of her property and Mr. Hill's property as there is quite an elevation change from her property to this parcel; it is paved not dirt. She noted there is also about a 3 or 4 ft. difference in the fence height. She added where the property line is the applicant had a surveyor come out to make sure the fence is on their side.

Commissioner Marchbanks stated the property line issue will be resolved as it gets platted and recorded. Mr. Pulver stated they plan to install the required masonry fencing wherever there are residential zones which will be a site plan requirement.

Valerie and Jim King, residents in attendance, commented that it is their understanding that the people who bought the property behind them don't know what the property will look like or development into over the next year.

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

COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER JOHNSON 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 JOHNSON MOVED TO RECOMMEND APPROVAL OF THE PROPOSED ZONING MAP AMENDMENT WITH THE CONDITION TO COMBINE THE PARCEL WITH ADJOINING PARCELS PRIOR TO FUTURE LAND USE DEVELOPMENT APPROVALS. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

6. **Public Hearing — Ordinance Amendment, Lindon City Code 8.20 Public Nuisances.** Lindon City requests approval of an amendment to Lindon City Code Section 8.20.030 Nuisance – Definition subsection (2)(cc) Inappropriate Noise. The proposal would address potential hours during which Inappropriate Noises are not allowed. Recommendations will be forwarded to the City Council for final approval. (Pending Ordinance 2018-9-O) (Item continued from 8/28/2018)

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

Mr. Van Wagenen noted this is the fourth meeting that a draft is before the Commission tonight. Clarification on where noise is measured from, conflicts with the Commercial Farm noise measurement, allowing Heavy Industrial to operate at 85 dBA at night, and stipulating indoor noise levels have all been addressed with this latest draft. He noted a copy of the ordinance draft has also been given to Police Chief Adams. Staff will also inform the Commission of any feedback Chief Adams may provide.

Mr. Van Wagenen then referenced the sound level chart for context. He noted the Commission also requested that some base noise level measurements be taken in areas of the City and he then presented a chart showing the results of those measurements. Additionally, Mr. Van Wagenen presented a part of the City's zoning map displaying the different sound allowances for day/night in context. There was then some general discussion by the Commission regarding the sound level chart and noise level measurements for day/night context. Following discussion, the Commission was in agreement to add language regarding agricultural activities.

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

COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER JOHNSON 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 OF ORDINANCE AMENDMENT 2018-9-O AS PRESENTED WITH THE ADDITIONAL SENTENCE REGARDING AGRICULTURAL ACTIVITIES. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

7. **Discussion Item — Lindon City General Plan, Land Use.** Planning Staff will review the Land Use section of the General Plan with the Planning Commission. This is an informative discussion item only. No motions will be made.

Mr. Van Wagenen presented information regarding the Lindon City General Plan update by giving an overview of the Land Use section of the document. He noted this is an informative discussion only with no formal action being taken at this time. There was then some general discussion regarding the land use section of the general plan including moderate income housing and accessory apartments. Mr. Van Wagenen noted the city has done great things in Lindon but it may not be enough in providing for low income levels. The state is waiting for cities to be proactive on this issue or they may mandate compliance.

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

9. **<u>New Business: Reports by Commissioners</u> –** Chairperson Call called for any new business or reports from the Commissioners.

Chairperson Call mentioned the elevations of Mr. Jorgensen's building and how it would it affect the setbacks. Mr. Van Wagenen stated the site plan will still come before the Commission as it has not been finalized and the building heights will be addressed through the Building Department. Chairperson Call also brought up the issue of a resident's high water bill and also the water pooling (drainage) on her neighbor's property. Mr. Van Wagenen stated he brought the issue up at staff meeting and the Public Works Director will be checking into the issue. Chairperson Call also mentioned the Conditional Use Permit for the snake facility discussed tonight. She questioned if it can

be revoked on the second location. Mr. Van Wagenen stated he will check with the city attorney to see if we are able to legally revoke the original conditional use permit; staff will also research what the options are. The Commission also agreed to schedule a field trip to view the snake facility. Commissioner Johnson mentioned the street light issue requirements as there are some street lights that are capped and shine out and into residential homes and there have been some complaints.

10. **Planning Director Report –** Tonight is Mr. Van Wagenen's last meeting as he has accepted another position with the Wasatch Front Regional Council in Salt Lake City.

At this time the Commission thanked Mr. Van Wagenen for his good works and contributions to the city noting they will miss his expertise and friendship. They also gave him a card and wished him the best in his future endeavors. Mr. Van Wagenen thanked the Commission noting it has been a great pleasure and opportunity to work with them these past six years.

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 9:50 PM. COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – September 25, 2018

_____
Sharon Call, Chairperson

_____
Hugh Van Wagenen, Planning Director

Item 3: Public Comment

1 - Subject _____
Discussion

_____
_____
_____

2 - Subject _____
Discussion

_____
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_____

3 - Subject _____
Discussion

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_____
_____

Item 4: Extension Site Plan Approval – Lindon Self Storage ~860 West 200 South

Susan Palmer, Ridgepoint Management Group LLC, on behalf of Lindon Self Storage LLC, seeks a 12-month extension of the site plan approval for the Lindon Self Storage Site Plan, a forty-six (46) unit self-storage project, to be located at approximately 860 West 200 South in the Light Industrial (LI) zone. LCC 17.12.210 allows for an applicant to request up to a 12-month extension of the final approval. The current site plan approval expires in November 2018. No changes to the previously approved site plan are being proposed.

Applicant: Susan Palmer **Presenting Staff**: Brandon Snyder **General Plan**: Mixed Commercial **Current Zone**: Light Industrial (LI) **Property Owner**: Lindon Self Storage LLC **Address**: 860 West 200 South **Parcel ID**: 14-065-0188, 14-065-0211 (portion), 14-065-0212, and 14-065-0213 **Lot Size**: 2.33 acres **Type of Decision**: Administrative **Council Action Required**: No	**SUMMARY OF KEY ISSUES** 1. Whether the request for site plan approval of a 46-unit self-storage complex complies with applicable land use requirements. **MOTION** I move to (*approve, deny, continue*) the applicant's request for a 12-month extension of the site plan approval for the Lindon Self Storage Site Plan with the following conditions (if any): 1. City Council approval of the plat and plans extension request.

** **No changes to the previously approved site plan are being proposed.** **

(Information below provided from the 2016 staff report.)

DISCUSSION & ANALYSIS

Parking Standards

In the LI zone stalls are required for every 200 feet of office space. This project will have an office space of 1,000 square feet. No requirement is needed for the storage units.

Summary of Parking Requirements

- Vehicle Spaces Required: 5
- Vehicle Space Provided: 6
- Bicycle Spaces Required: 2
- Bicycle Spaces Provided: 2

Landscaping Standards

Landscaped Strip Along Frontage

There is no street frontage for this project and therefore no 20-foot landscape strip requirement. Access is through the neighboring lot to the south (Fezzari Bicycles), that does front on 200 South. An access easement is already in place.

There is also no minimum landscaping requirement in the LI zone and there are not enough required parking stalls to initiate parking lot landscaping.

Architectural Standards

Building Materials

The Code requires that all buildings in the Light Industrial Zone must be "aesthetically pleasing, well-proportioned buildings which blend with the surrounding property and structures." The applicant is proposing to construct a concrete masonry unit building, with desert colors. All buildings in the LI zone are subject to the following standards:

- Twenty-five percent (25%) minimum of the exterior of all buildings shall be covered with brick decorative block, stucco, wood, or other similar materials as approved by the Planning commission.

Elevations of the proposed buildings are included in attachment 4 for review.

Building Color

The Code requires buildings in the LI zone to be earth-tone colors. The applicant is proposing to construct a concrete masonry unit building, with desert colors.

Dimensional Standards

The site is located adjacent to a residential zone and all structures must be 40 feet away from said zone. The proposed structure satisfies setback (20 feet front and 40 feet from residential zones) and height requirements (48 feet) in the LI zone.

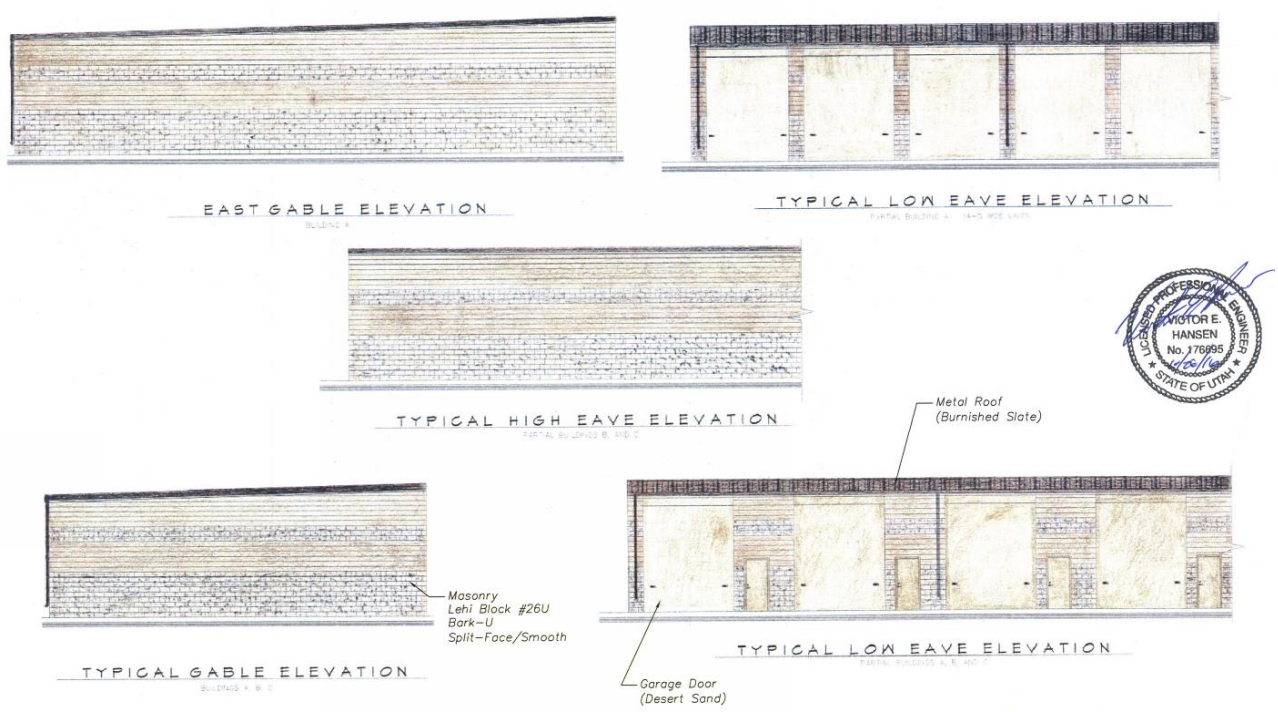
Engineering Requirements

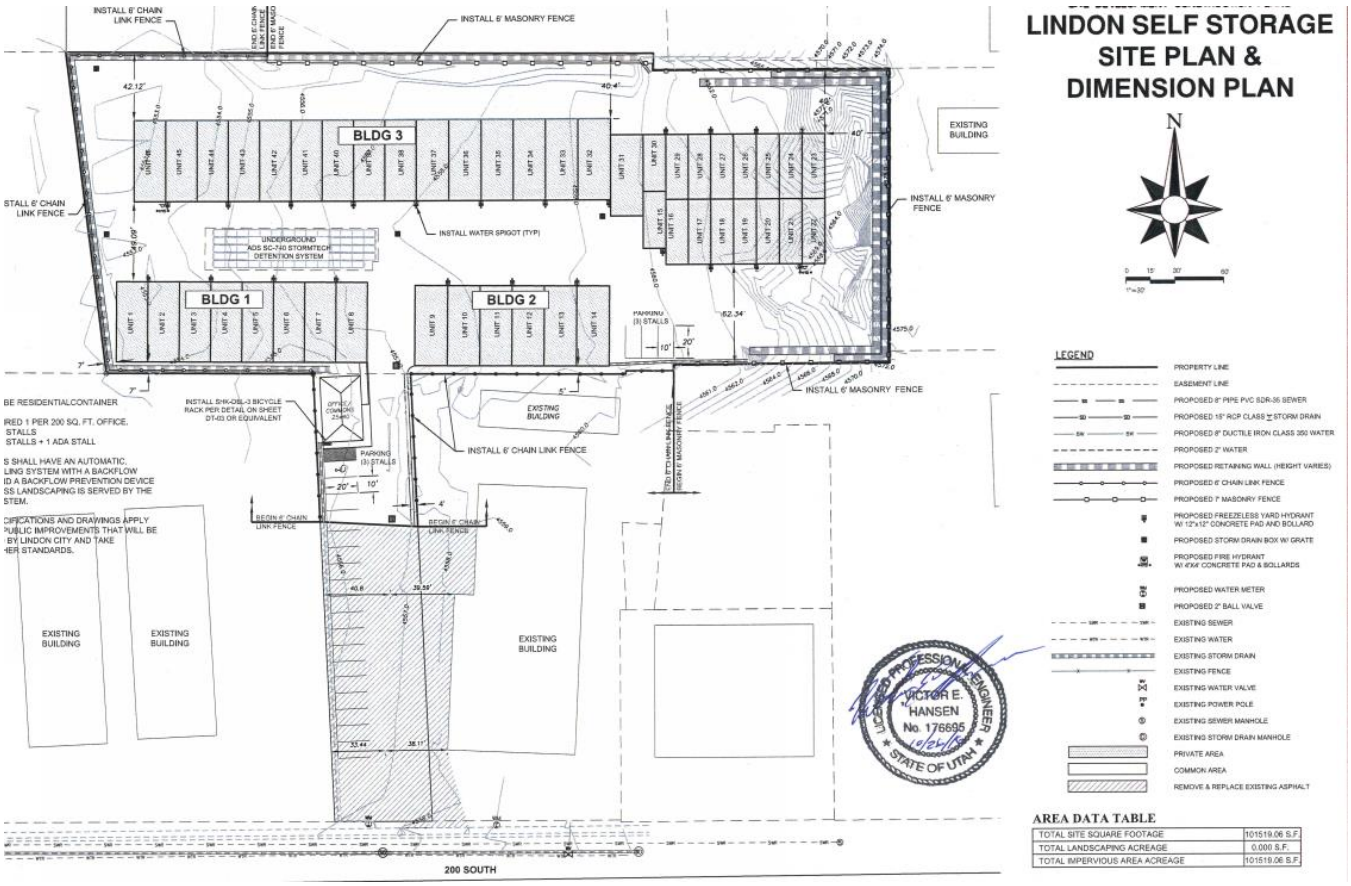
The City Engineer is working through technical issues related to the site and will ensure all engineering related issues are resolved before final approval is granted. *(The City Engineer approved and finalized the plans on 11/3/2016.)*

ATTACHMENTS

1. Aerial photo (site)
2. Elevations
3. Site Plan
4. Planning Commission minutes 05/10/2016

SWENSON, SUSAN ELIZABETH & KAY PAUL
96 S 800 WEST - LINDON
ANDERSON LUMBER COMPANY
101 S GENEVA RD - LINDON
100 SOUTH
STOFFERS, CRAIG
122 S 800 WEST - LINDON
BECK, MATT & BECKY
775 W 100 SOUTH - LINDON
Lindon Self Storage Subdivison and Site Plan
NIELSEN, ROBERT L & ERIN B
136 S 800 WEST - LINDON
HARVEY, CRAIG R & CAROLYN
127 S 800 WEST - LINDON
GENEVA
LINDON SELF STORAGE LLC
860 W 200 SOUTH - LINDON
800 WEST
ASTON, JOHN B
161 S 800 WEST - LINDON
BRADFORD, DOUGLAS R & CHRISTA
170 S 800 WEST - LINDON
GALE INDUSTRIES INC
175 S GENEVA RD - LINDON
JC OLSEN VENTURES LLC
850 W 200 SOUTH - LINDON
200 SOUTH


EAST GABLE ELEVATION
TYPICAL LOW EAVE ELEVATION
TYPICAL HIGH EAVE ELEVATION
LICENSED PROFESSIONAL ENGINEER
VICTOR E. HANSEN
No. 176695
STATE OF UTAH
Metal Roof
(Burnished Slate)
Masonry
Lehi Block #26U
Bark-U
Split-Face/Smooth
TYPICAL GABLE ELEVATION
TYPICAL LOW EAVE ELEVATION
Garage Door
(Desert Sand)


LINDON SELF STORAGE
SITE PLAN &
DIMENSION PLAN
N
BLDG 1
BLDG 2
BLDG 3
INSTALL 6' CHAIN LINK FENCE
INSTALL 6' MASONRY FENCE
INSTALL WATER SPIGOT (TYP)
UNDERGROUND ADS SC-740 STORMTECH DETENTION SYSTEM
EXISTING BUILDING
INSTALL SHK-DSL-3 BICYCLE RACK PER DETAIL ON SHEET DT-03 OR EQUIVALENT
PARKING (3) STALLS
BEGIN 6' CHAIN LINK FENCE
200 SOUTH
LEGEND
PROPERTY LINE
EASEMENT LINE
PROPOSED 8" PIPE PVC SDR-35 SEWER
PROPOSED 15" RCP CLASS V STORM DRAIN
PROPOSED 8" DUCTILE IRON CLASS 350 WATER
PROPOSED 2" WATER
PROPOSED RETAINING WALL (HEIGHT VARIES)
PROPOSED 6' CHAIN LINK FENCE
PROPOSED 7' MASONRY FENCE
PROPOSED FREEZELESS YARD HYDRANT W/ 12"x12" CONCRETE PAD AND BOLLARD
PROPOSED STORM DRAIN BOX W/ GRATE
PROPOSED FIRE HYDRANT W/ 4'X4' CONCRETE PAD & BOLLARDS
PROPOSED WATER METER
PROPOSED 2" BALL VALVE
EXISTING SEWER
EXISTING WATER
EXISTING STORM DRAIN
EXISTING FENCE
EXISTING WATER VALVE
EXISTING POWER POLE
EXISTING SEWER MANHOLE
EXISTING STORM DRAIN MANHOLE
PRIVATE AREA
COMMON AREA
REMOVE & REPLACE EXISTING ASPHALT
AREA DATA TABLE
TOTAL SITE SQUARE FOOTAGE 101519.06 S.F.
TOTAL LANDSCAPING ACREAGE 0.000 S.F.
TOTAL IMPERVIOUS AREA ACREAGE 101519.06 S.F.
VICTOR E. HANSEN
No. 176695
STATE OF UTAH

discussion. He noted the next item on the agenda is the site plan for this proposed self-storage facility. He then turned the time over to Mr. Hansen for comment.

Mr. Hansen followed up on Mr. Van Wagenen's comments stating this is a self-storage condominium style project with a little different spin as these units will eventually be owner occupied and sold individually (with actual title to the unit) as a storage unit and they will not be rental units. The units are larger than average and more for RV storage with a pull through drive on some of the units. He noted there are several other facilities similar to this in the state with a "man cave" concept which is a little bit unique from other storage facilities and will be all indoor storage. Mr. Hansen explained the proposed site location including the easements involved. They plan to provide power and gas to the units but no water or gas. There will also be a "clubhouse" that will have a restroom and kitchen facilities. He noted there will be an HOA fee and CC&R's in place to regulate use and restrictions of the units. There will be an automated entry gate with a code/card/key used for entrance to the facility; there will be no on site manager and it will not be staffed but they may outsource with a property management company.

Mr. Van Wagenen pointed out there are 40 ft. offsets from the residential and a retaining wall and pasture areas etc. so the neighbors will not be affected and it will meet all code requirements. He added that notices were sent per code to the neighboring properties and they have not had any feedback to date.

Chairperson Call stated that this appears to meet the parking, bike parking, landscaping, easements, access, setbacks and height requirements. All other requirements will be discussed in the site plan item which is the next agenda item. She noted this will go on to the City Council as it is a major subdivision application.

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

COMMISSIONER WILY MOVED TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE APPLICANT'S REQUEST FOR A 46 UNIT CONDOMINIUM PLAT TO BE KNOWN AS LINDON SELF STORAGE WITH NO CONDITIONS. COMMISSIONER MCDONALD SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

6. **Site Plan — Lindon Self-Storage.** Susan Palmer of Ridgepoint Management Group seeks site plan approval for Lindon Self-Storage, a forty-six (4) unit self storage condominium project to be located at approximately 860 West 200 South in the Light industrial (LI) zone.

Mr. Van Wagenen also led this discussion by stating Susan Palmer is now seeking site plan approval for the Lindon Self-Storage condominium project that was previously

approved (subdivision) to be located at approximately 860 West 200 South in the Light industrial (LI) zone.

Mr. Van Wagenen noted in the LI zone stalls are required for every 200 feet of office space and this project will have an office space of 1,000 square feet. He added that no requirement are needed for the storage units. He then referenced the summary of parking requirements as follows:

- Vehicle Spaces Required: 5
- Vehicle Space Provided: 6
- Bicycle Spaces Required: 2
- Bicycle Spaces Provided: 2

Mr. Van Wagenen explained there is no street frontage for this project and therefore no 20 ft. landscape strip is required. He noted that access is through the neighboring lot to the south (Fezzari Bicycles) that does front on 200 South and an access easement is already in place. There is also no minimum landscaping requirement in the LI zone and there are not enough parking stall to initiate parking lot landscaping. The Code requires that all buildings in the Light Industrial Zone must be "aesthetically pleasing, well-proportioned buildings which blend with the surrounding property and structures." He explained that the applicant is proposing to construct a concrete masonry unit building, with color palette desert colors. Mr. Van Wagenen stated all buildings in the LI zone are subject to the following standards:

- Twenty-five percent (25%) minimum of the exterior of all buildings shall be covered with brick decorative block, stucco, wood, or other similar materials as approved by the Planning commission.

Mr. Van Wagenen further explained that Code requires buildings in the LI zone to be earth-tone colors and the building will meet the requirement. He noted the site is located adjacent to a residential zone and all structures must be 40 feet away from a residential zone. Mr. Van Wagenen mentioned the proposed structure satisfies the setbacks (20 ft. front and 40 ft. from residential zones) and height requirements (48 ft.) in the LI zone. He noted the City Engineer is working through technical issues related to the site and will ensure all engineering related issues are resolved before final approval is granted.

Mr. Hansen stated they are proposing a masonry fence around the perimeter which will be made of 6 ft. concrete panels that will be on top of a 12 ft. retaining wall on one side and 4 ft. on another side so it will be taller that the required 7 ft. fence.

Mr. Van Wagenen then referenced an aerial photo of the site and surrounding area, site plan, elevations and renderings of the proposed building and the earth-tone color palette followed by some general discussion.

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

COMMISSIONER KELLER MOVED TO APPROVE THE APPLICANT'S REQUEST FOR SITE PLAN APPROVAL WITH THE CONDITION THAT THE MAJOR SUBDIVISION IS APPROVED BY THE CITY COUNCIL. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

7. **Conditional Use Permit – Bonati Child Day Care.** Eliana M. Bonati requests approval of a conditional use permit (CUP) for child day care and preschool services to be located at 343 North 750 West in the Single Family Residential (R1-20) zone. The proposal will serve a maximum of 16 children.

Brandon Snyder, Associate Planner, led this agenda item by stating Eliana Bonati (who is in attendance) is requesting approval of a conditional use permit (CUP) for child day care and preschool services to be located at 343 North 750 West in the Single Family Residential (R1-20) zone. He noted this proposal will serve a maximum of 16 children. He mentioned that Ms. Bonati has indicated that she will live in the residence (corner lot) that was constructed in 1998 with an addition to the side of the home being added in 2009 and a rear patio added in 2012. The proposed name of the business is Prince and Princess in Training. The applicant is also proposing that no further modifications to the home or property will be made at this time and the activities will mainly take place in the recreation room and the family room found on the main level.

Mr. Snyder stated the Lindon City Standard Land Use Table by zone indicates that Child Day Care - 5 to 16 children (4 or less not regulated) requires a conditional use permit in the R1-20 zone. He added that third party public notices were mailed on April 29, 2016 and no public comments have been received by staff to date.

Mr. Snyder further explained that the applicant will need approval from the Utah Department of Health for a Family Child Care License (total capacity of 16). The license generally indicates that this number includes the provider's own children under the age of four. Mr. Snyder noted that Ms. Bonati has indicated that she has no children, within that age group. The applicant is required to maintain the State license and the applicant's business outline is included in the staff report. The application indicates business hours from 7:30 am to 5:30 pm and there will be one assistant.

Mr. Snyder noted Ms. Bonati's proposed site recently passed the Lindon City Final Fire Inspection. He added that a Lindon City business license (home occupation) is required after Planning Commission approval is given, but prior to providing child day care services and the applicant will be required to maintain a Lindon City business license. Mr. Snyder explained the intent is that the proposed child day care/preschool (home occupation) is to be secondary to the residential use of the property. The property meets the on-site parking requirements for the proposal in addition to the residential parking requirements (2 spaces per dwelling (garage), one per outside employee and one per ten children). He added that the property has 150' of frontage along 750 West, and 100' of frontage along 320 North. He then turned the time over to the applicant for comment.

Ms. Bonati addressed the Commission at this time. She explained that she has been operating a daycare/preschool in Orem and has a license for 16 children. She noted

Item 5: Extension Final Plat and Improvement Plans Lindon Self Storage, ~860 West 200 South

Susan Palmer, Ridgepoint Management Group LLC, on behalf of Lindon Self Storage LLC, seeks a 12-month extension of the final plat and plan(s) approval for the Lindon Self Storage Subdivision, Plat A, a forty-six (46) unit self-storage major condominium project, to be located at approximately 860 West 200 South in the Light Industrial (LI) zone. LCC 17.12.210 allows for an applicant to request up to a 12-month extension of the final approval. The current approval expires in November 2018. No changes to the previously approved final plat and plan(s) are being proposed. Recommendation(s) will be forwarded to the City Council.

Applicant: Susan Palmer **Presenting Staff**: Brandon Snyder **General Plan**: Mixed Commercial **Current Zone**: Light Industrial (LI) **Property Owners**: Lindon Self Storage LLC **Address**: 860 West 200 South **Parcel IDs**: 14-065-0188, 14-065-0211 (portion), 14-065-0212, and 14-065-0213 **Subdivision Acreage**: 2.33 acres **Type of Decision**: Administrative **Council Action Required**: Yes	**SUMMARY OF KEY ISSUES** 1. Whether the request for subdivision plat (46-unit condominium) approval complies with applicable land use regulations. **MOTION** I move to recommend (*approval, denial, continuance*) of the applicant's request for a 12-month extension of the final plat and plan approval for the Lindon Self Storage Subdivision, Plat A, with the following conditions (if any): 1.

**** No changes to the previously approved site plan are being proposed. ****

(Information below provided from the 2016 staff report.)

DISCUSSION & ANALYSIS

Lot Requirements

- Minimum lot size in the LI zone is 1 acre. Condominium units do not need to meet this requirement, but the site does. This site is over 2 acres.

Street Frontage

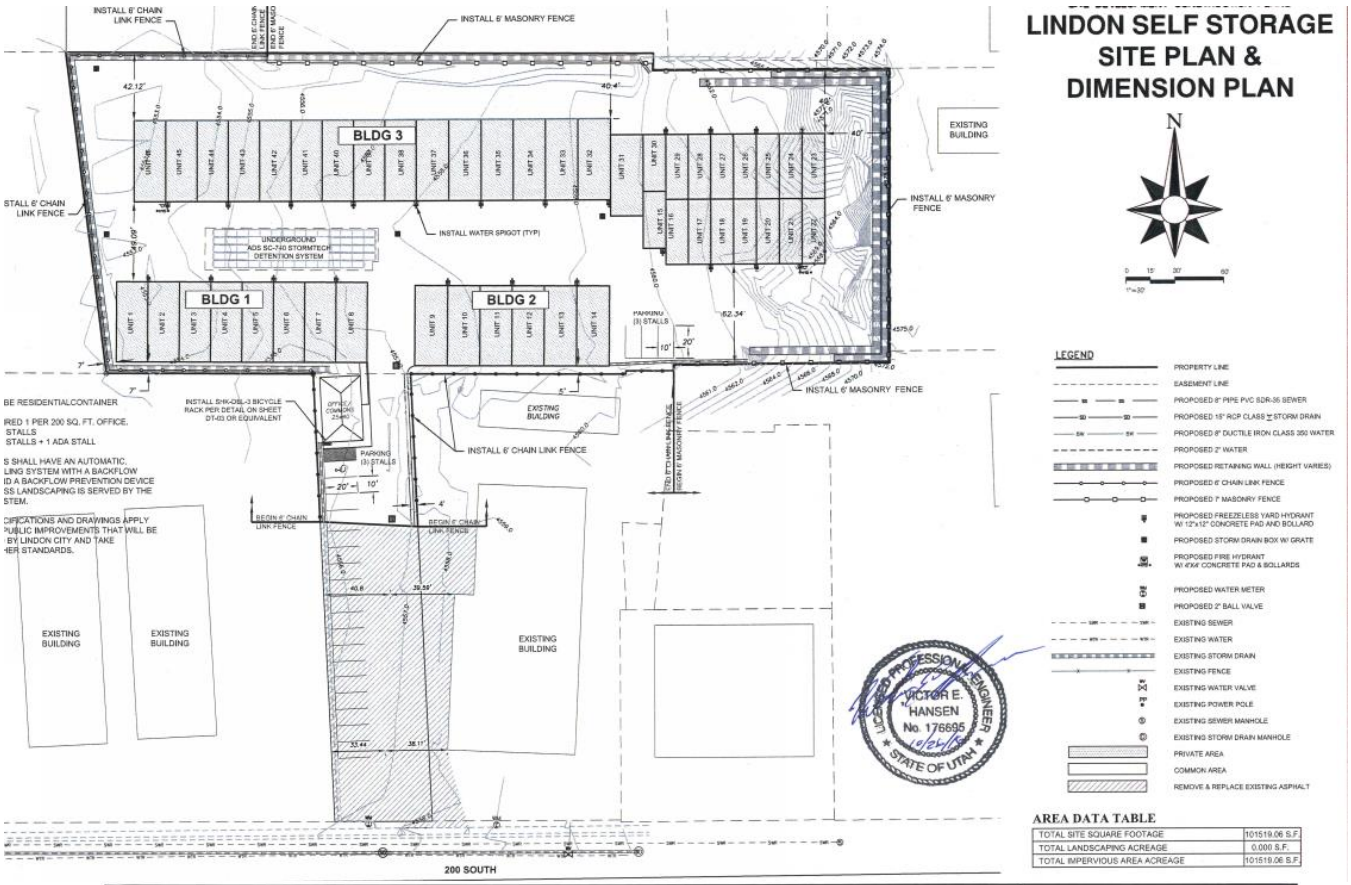
- This subdivision does not front on a public street but does have an existing access easement through the neighboring property to 200 South.

Other Requirements

- There are no public improvements required for this subdivision due to its location.
- Staff has determined that the proposed subdivision complies, or will be able to comply before final approval, with all remaining land use standards in LCC 17.32.
- The City Engineer is addressing engineering standards. All engineering issues will be resolved before final approval is granted. *(The City Engineer approved and finalized the plans on 11/3/2016.)*

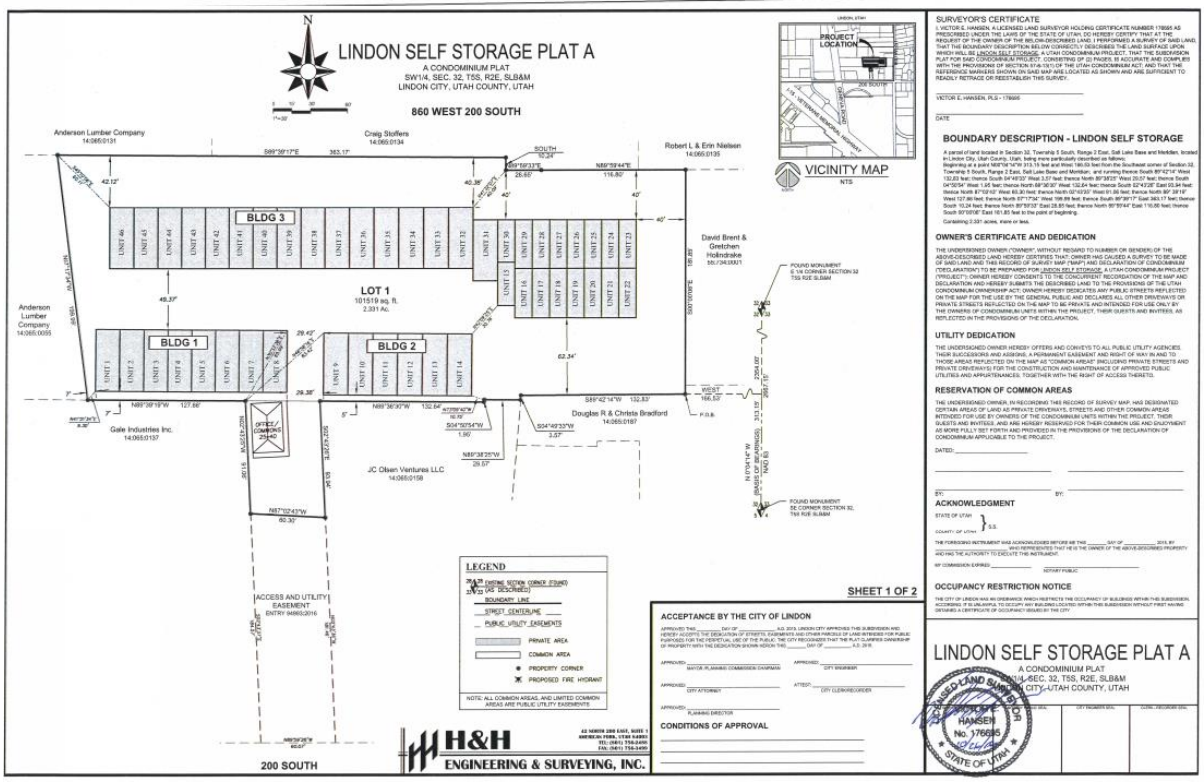
ATTACHMENTS

1. Aerial photo (site)
2. Preliminary plan.
3. Plat
4. Planning Commission minutes 05/10/2016



AREA DATA TABLE

TOTAL SITE SQUARE FOOTAGE	101519.06 S.F.
TOTAL LANDSCAPING ACREAGE	0.000 S.F.
TOTAL IMPERVIOUS AREA ACREAGE	101519.06 S.F.



realizes the masonry fence may present challenges. Chairperson Call observed that the Commissioners seem to be in agreement on this issue. She pointed out that the other items on the site plan meets all requirements and it looks great. Commissioner Kallas commented that he can understand Mr. Dastrup's advantages and desires of what he wants to do but at the same time the Commission feels like their hands are tied and it would be hard for them not to look at both the neighbor's comments and the code. He added that it appears they are going above and beyond in order to make a nice facility. Mr. Dastrup stated they feel they have been trying to do their very best from day one.

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

COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS 1. THE PROPERTY LINE EASEMENTS BETWEEN THE DASTRUP PROPERTY AND THE LINDEN NURSERY PROPERTY ARE IN PLACE AND 2.THE BLOCK/CONCRETE/MASONRY WALL BE BUILT ON THE WEST END OF THE PROPERTY. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
COMMISIONER WILY	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER MCDONALD	AYE
COMMISSIONER KELLER	AYE

THE MOTION CARRIED UNANIMOUSLY.

5. **Major Subdivision—Lindon Self - Storage**. Susan Palmer of Ridgepoint Management Group seeks subdivision approval for Lindon Self-Storage Plat A, a forty-six (46) unit self-storage condominium project located at approximately 860 West 200 South in the Light Industrial (LI) zone.

Mr. Van Wagenen opened the discussion by stating this item is a request by Susan Palmer (who is in attendance) of Ridgepoint Management Group who is seeking subdivision approval for Lindon Self-Storage Plat A, a forty-six (46) unit self-storage condominium project located at approximately 860 West 200 South in the Light Industrial (LI) zone (previous Fezzari Bicycle location). He noted that Victor Hansen, Engineer on the project, is also in attendance to address this item.

Mr. Van Wagenen explained the minimum lot size in the LI zone is one acre. Condominium units do not need to meet this requirement, but the site does (approximately 2.3 acres). He noted this subdivision does not front on a public street but does have an existing access easement through the neighboring property to 200 South. There are no public improvements required for this subdivision due to its location. He mentioned that staff has determined that the proposed subdivision complies, or will be able to comply before final approval, with all remaining land use standards. He noted the City Engineer is addressing engineering standards and all engineering issues will be resolved before final approval is granted. Mr. Van Wagenen then referenced an aerial photo of the proposed subdivision and the preliminary plan followed by some general

discussion. He noted the next item on the agenda is the site plan for this proposed self-storage facility. He then turned the time over to Mr. Hansen for comment.

Mr. Hansen followed up on Mr. Van Wagenen's comments stating this is a self-storage condominium style project with a little different spin as these units will eventually be owner occupied and sold individually (with actual title to the unit) as a storage unit and they will not be rental units. The units are larger than average and more for RV storage with a pull through drive on some of the units. He noted there are several other facilities similar to this in the state with a "man cave" concept which is a little bit unique from other storage facilities and will be all indoor storage. Mr. Hansen explained the proposed site location including the easements involved. They plan to provide power and gas to the units but no water or gas. There will also be a "clubhouse" that will have a restroom and kitchen facilities. He noted there will be an HOA fee and CC&R's in place to regulate use and restrictions of the units. There will be an automated entry gate with a code/card/key used for entrance to the facility; there will be no on site manager and it will not be staffed but they may outsource with a property management company.

Mr. Van Wagenen pointed out there are 40 ft. offsets from the residential and a retaining wall and pasture areas etc. so the neighbors will not be affected and it will meet all code requirements. He added that notices were sent per code to the neighboring properties and they have not had any feedback to date.

Chairperson Call stated that this appears to meet the parking, bike parking, landscaping, easements, access, setbacks and height requirements. All other requirements will be discussed in the site plan item which is the next agenda item. She noted this will go on to the City Council as it is a major subdivision application.

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

COMMISSIONER WILY MOVED TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE APPLICANT'S REQUEST FOR A 46 UNIT CONDOMINIUM PLAT TO BE KNOWN AS LINDON SELF STORAGE WITH NO CONDITIONS. COMMISSIONER MCDONALD SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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

THE MOTION CARRIED UNANIMOUSLY.

6. **Site Plan — Lindon Self-Storage.** Susan Palmer of Ridgepoint Management Group seeks site plan approval for Lindon Self-Storage, a forty-six (4) unit self storage condominium project to be located at approximately 860 West 200 South in the Light industrial (LI) zone.

Mr. Van Wagenen also led this discussion by stating Susan Palmer is now seeking site plan approval for the Lindon Self-Storage condominium project that was previously

Item 6: Site Plan — Cisco's Custom Welding 154 South 1800 West

Francisco Terriquez requests site plan approval for a 14,400 square foot office/warehouse building in the Light Industrial (LI) zone. The subject property is located at 154 South 1800 West (Utah County Parcel #48-245-0006; Lot 6, Plat A, Ostler Industrial Park Subdivision).

Applicant: Francisco Terriquez **Presenting Staff**: Brandon Snyder **General Plan**: Light Industrial **Zone**: Light Industrial (LI) **Property Owner**: Francisco Terriquez **Address**: 154 South 1800 West **Parcel ID**: 48-245-0006 **Lot Size**: 1.004 acres **Legal Description**: Lot 6, Plat A, Ostler Industrial Park Subdivision **Type of Decision**: Administrative **Council Action Required**: No	**SUMMARY OF KEY ISSUES** 1. Whether the request for site plan approval of office(s)/warehouse(s) complies with applicable land use requirements. **MOTION** I move to (*approve, deny, continue*) the applicant's request for site plan approval of a 14,400 square foot office/warehouse building located at 154 South 1800 West, in the Light Industrial (LI) zone, with the following conditions (if any): 1. Address remaining Staff review comments. 2.

BACKGROUND

1. The intent of the Light Industrial (LI) zone is to provide areas in appropriate locations where light manufacturing, industrial processes and warehousing not producing objectionable effects may be established, maintained, and protected. The regulations of this district are designed to protect environmental quality of the district and adjacent areas. (LCC Section 17.49.020).

REVIEW PROCESS

DRC Review

City Staff will ensure all issues are resolved before final Engineering approval is granted.

Public Comment

Third party notices were provided on September 27, 2018, to the adjoining property owners in accordance with Lindon City Code Section 17.14.50 Third Party Notice. Staff has received no public comment at this time.

Table 1. Property Information (Light Industrial(LI) zone LCC Chapter 17.49)

	Minimum Requirement	Proposed Site
Lot area	1 acre	1.004 acre(s)
Lot frontage	100 feet	205 feet+
Building height	Maximum 48'	Height: 22'

Onsite parking stalls and bicycle stalls	Vehicle: 19 stalls (office 1/350 sq. ft.; warehouse 1/1000 sq. ft.) Bicycle: 2	Vehicle: 19 Bicycle: 2
Building setbacks		
Front	20 feet	60'
Rear	0 feet	52'
Side	0 feet (or 20' without a one-hour firewall)	23' (north) and 39' (south)

DISCUSSION & ANALYSIS

Landscaping Standards

Landscaping Strip The LI zone requires that a landscaped strip twenty (20) feet in width shall be planted with grass, and trees planted every thirty (30') feet on center along all public street frontages. *The required amount of landscaping and trees are provided. The applicant is proposing to install groundcover other than grass (shrubs and grasses). The waterwise planting coverage will be at 65%.*

Lindon City Code 17.49.060 (3)(d) indicates, "Landscaping requirements concerning trees and landscape materials can be changed and/or altered (with regard to location and design) upon approval of the Planning Commission at the site plan review stage of an application. No net loss of landscaping should occur with any approved alterations.

Interior Landscaping
Interior landscaping must be provided at 40 square feet per required stall with one tree per 10 stalls. *The required amount of interior landscaping and trees are provided. (Required 760 sq. ft., Provided 1,239 sq. ft.)*

Fencing Standards

Fencing No minimum fencing standards generally apply as the site is not adjacent to a residential use or residential zone. *Existing fencing in side and rear to remain. Applicant to install security gates.*

Architectural Standards

Building Materials and Color
The building exterior is decorative block (split faced), honed block, stone, with metal wall panels above the wainscot. The block and stone together total 32% on each elevation. The materials and percentages comply with Lindon City Code materials and percentages requirements (min. 25% brick, decorative block, stucco, or wood). The office/warehouse building colors will be earth tones (brown, tan, bronze, and slate). The elevations will also include aluminum store front windows and decorative roof trim. *(See attached elevations).*

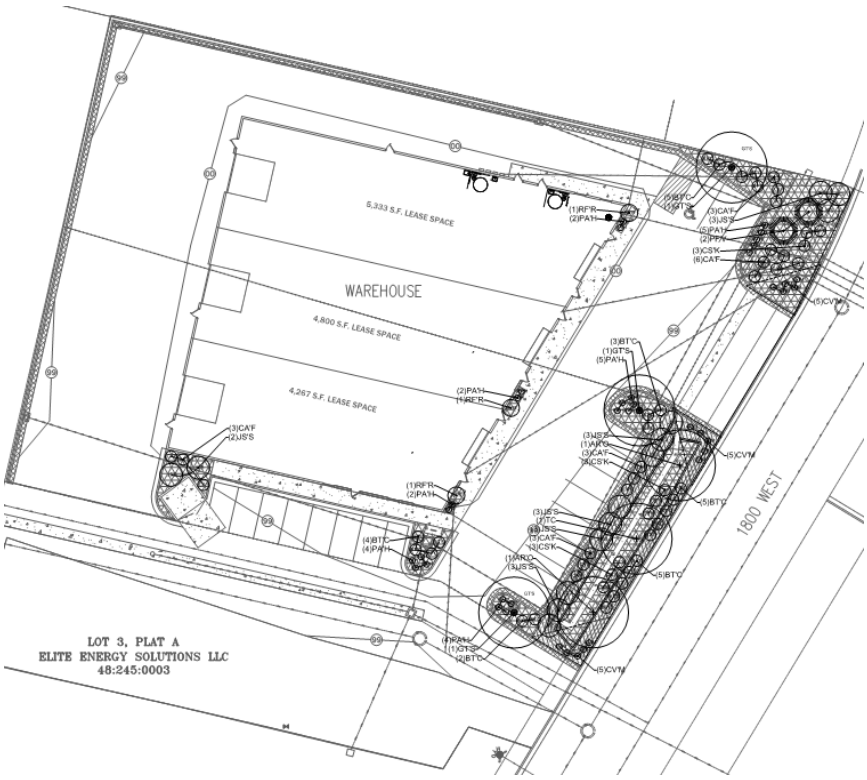
Special Provisions

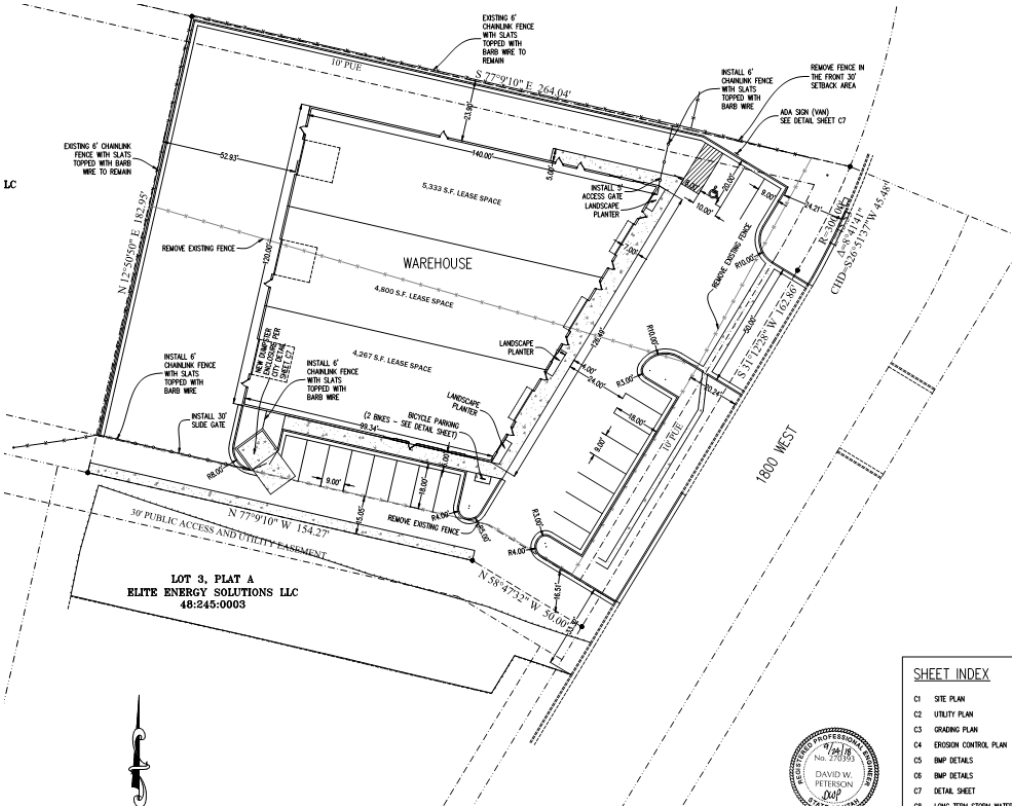
Solid Waste Storage Facility
The dumpster will be enclosed in split-faced masonry block to match the building. With 7'4" walls with sight obscuring steel gates.

ATTACHMENTS

1. Aerial (Site)
2. Picture
3. Landscape Plan(s)
4. Site Plan
5. Elevations

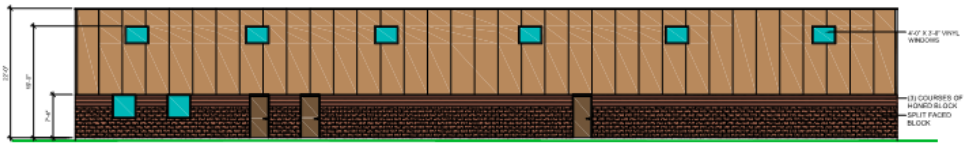
ACTION
PARKING
09.14.2018 11:21


WAREHOUSE
5,333 S.F. LEASE SPACE
4,800 S.F. LEASE SPACE
4,267 S.F. LEASE SPACE
1800 WEST
LOT 3, PLAT A
ELITE ENERGY SOLUTIONS LLC
48:245:0003


EXISTING 6' CHAINLINK FENCE WITH SLATS TOPPED WITH BARB WIRE TO REMAIN
10' PUE
S 77°9'10" E 264.04'
INSTALL 6' CHAINLINK FENCE WITH SLATS TOPPED WITH BARB WIRE
REMOVE FENCE IN THE FRONT 30' SETBACK AREA
ADA SIGN (VAN) SEE DETAIL SHEET C7
EXISTING 6' CHAINLINK FENCE WITH SLATS TOPPED WITH BARB WIRE TO REMAIN
N 12°50'40" E 183.95'
REMOVE EXISTING FENCE
5,333 S.F. LEASE SPACE
INSTALL 9' ACCESS GATE
LANDSCAPE PLANTER
WAREHOUSE
4,800 S.F. LEASE SPACE
4,267 S.F. LEASE SPACE
LANDSCAPE PLANTER
INSTALL 6' CHAINLINK FENCE WITH SLATS TOPPED WITH BARB WIRE
INSTALL 6' CHAINLINK FENCE WITH SLATS TOPPED WITH BARB WIRE
INSTALL 30' SLIDE GATE
BICYCLE PARKING (2 BIKES - SEE DETAIL SHEET)
REMOVE EXISTING FENCE
S 11°12'30" W 162.96'
R=30.00'
L=8.41'41"
CHD=S2°51'37"W 45.48'
10' PUE
1800 WEST
N 77°9'10" W 154.27'
30' PUBLIC ACCESS AND UTILITY EASEMENT
N 58°47'23" W 30.00'
LOT 3, PLAT A
ELITE ENERGY SOLUTIONS LLC
48:245:0003
SHEET INDEX
C1 SITE PLAN
C2 UTILITY PLAN
C3 GRADING PLAN
C4 EROSION CONTROL PLAN
C5 BMP DETAILS
C6 BMP DETAILS
C7 DETAIL SHEET
DAVID W. PETERSON

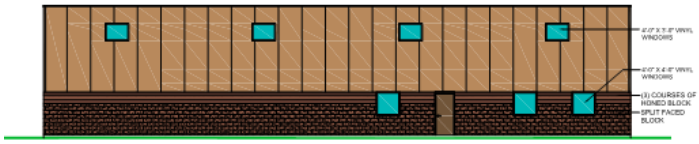
EAST ELEVATION

SCALE: 1/8" = 1'-0"



NORTH ELEVATION

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

WEST ELEVATION

SCALE: 1/8" = 1'-0"

Item 7: Conditional Use Permit — Two Dudes Towing 1060 West 400 North

Marc Palmer, Two Dudes Towing/Action Parking Enforcement LLC, request conditional use permit (CUP) approval for an impound yard at 1060 West 400 North (Utah County Parcel #45-111-0002; Lot 2, Plat A, Lakeview Industrial Park Subdivision), in the Light Industrial (LI) zone.

Applicant: Marc Palmer
Presenting Staff: Brandon Snyder

General Plan: Light Industrial
Zone: Light Industrial (LI)

Property Owner: Devco Leasing & Development LLC
Address: 1060 West 400 North
Parcel ID: 45-111-0002 (Lot 2, Plat A, Lakeview Industrial Park Subdivision)
Lot Size: 0.31 acre

Type of Decision: Administrative
Council Action Required: No

SUMMARY OF KEY ISSUES

1. Whether to approve the applicant's request for a conditional use permit.
2. Whether to impose reasonable conditions to mitigate potential detrimental impacts.

MOTION

I move to (*approve, deny, continue*) the applicant's request for a conditional use permit for an impound yard to be located at 1060 West 400 North, with the following conditions (if any):

1. Maintain existing landscaping (grass and trees),
2. All vehicles must be stored within the building or within the rear fenced area, and
3. Install view-obscuring/screening fencing on all sides.
4.

OVERVIEW

1. The applicant requests approval to use a portion of the existing site for towing and impound services. The proposal requires a conditional use permit in the LI zone. (Wrecking and salvage yards are not permitted in the LI zone.)
2. The purpose of the Light Industrial (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 the district are designed to protect environmental quality of the district and adjacent areas.
3. The existing building was constructed in approximately 1978. (Staff could not locate the original building permit or prior site plan records.) A permit was issued in 1992 for an interior remodel. (See BP #1377).
4. The subdivision plat was recorded in 1985.
5. The site is currently occupied by Alliance Solar (uses the building).
6. No changes are proposed to the site or building at this time.
7. Notices were mailed on September 28, 2018, 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.

ANALYSIS

Applicable laws and standards of review

- State Code defines a conditional use as "a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts."
- Section 10-9a-507 of the State Code requires municipalities to grant a conditional use permit "if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards." Once granted, a conditional use permit runs with the land.
- State Code further provides that a conditional use permit application may be denied only if "the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards." Utah Code § 10-9a-507.
- Lindon City Code Section 17.20.060 provides that a conditional use may be denied when:
    - "[U]nder 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,
    - "[T]he 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."

ATTACHMENTS

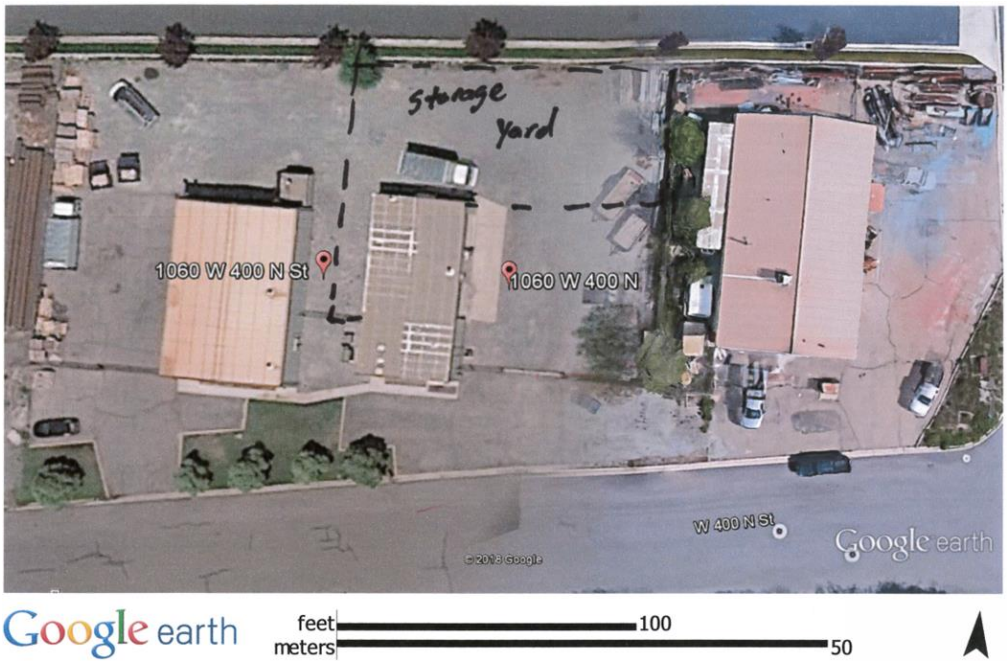
- APPLICANT'S DESCRIPTION OF THE PROPOSED USE
- AERIAL
- SITE PLAN
- PICTURES

CONDITIONAL LAND USE FOR 1060 W 400 N:

Two Dudes' Towing and Action Parking Enforcement LC will be moving from our current LINDON location at 154 S 100 W.

The yard will be open 8-5 M-F. There will not be any on site employees or additional parking needed. We will store vehicles until the insurance or owner retrieves them.

Privacy screening will be put up on the fence surrounding the area that will be the storage yard.



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Item 8: Site Plan & Conditional Use Permit
Lindon Ridge Apartments, ~45 S. Main Street

Julie Smith, on behalf of the Christensen's, requests preliminary site plan approval for senior housing apartments at a density of 30 units/acre as a conditional use on the property located at approximately 45 S. Main St., in the Senior Housing Facility Overlay (SHFO) zone. Total land area of ~3.44 acres. Recommendation(s) will be forwarded to the City Council.

Applicant: Julie Smith
Presenting Staff: Brandon Snyder

General Plan: Commercial
Zone (base): General Commercial (CG)
Overlay Zone: Senior Housing Facility Overlay (SHFO)

Property Owner(s): Christensen, Richard & Sharon
Address: ~45 S. Main Street
Parcel ID: 14-070-0036, 0090, 0092, 0124, 0125, 0126, 0229, 0249, 0254, and 0320
Lot Size: 3.44 acres

Type of Decision: Administrative
Council Action Required: Yes

SUMMARY OF KEY ISSUES

1. Whether the proposal and request for site plan and conditional use permit approval complies with applicable land use requirements.

MOTION

I move to recommend to the Lindon City Council to (*approve, deny, continue*) the applicant's request for site plan approval for senior housing apartments at a density of 30 units/acre as a conditional use on the property located at approximately 45 S. Main St., in the Senior Housing Facility Overlay (SHFO) zone, with the following conditions (if any):

1. *Address remaining City review comments and finalize the plans with the City Engineer,*
2. *Clarify on the plans, by adding the details and location of, the on-site full-time management,*
3. *Recording of the required deed restriction relating to occupancy,*
4. *Address building material requirements (if deemed necessary by the Planning Commission that changes are needed),*
5. *Comply with Maintenance of Premises regulations found in Lindon City Code 17.75.040,*
6. *That the property and project (including the individual units) remain under single ownership. Individual dwelling units may not be developed or converted to condominiums and may not be sold separately from the rest of the development,*
7. *In order to address the necessary easements, and in order to ensure the combination of the multiple parcels involved in the project, record an approved subdivision plat prior to finalizing the plans with the Lindon City Engineer (or accomplish these items in another manner approved by the City Engineer and Planning Staff), and*
8. *Tender water shares or pay the fee in lieu of to the City.*

BACKGROUND

1. The applicant proposes 103 apartment units in the SHFO zone. The proposed density is 30 units per acre. The applicant is not proposing any outdoor storage or RV storage space.

2. The Senior Housing Facility Overlay regulations are found in Lindon City Code (LCC) chapter 17.75.
3. The Senior Housing Facility overlay provides standards for development which recognizes and accommodates the varied housing and lifestyle needs and desires of seniors age 55 and older. It promotes independence and a high quality of life to meet the physical and social needs of seniors by encouraging specialized design features, and convenient access to community and civic centers, support services, mass transit stations and stops, recreational facilities, and shopping centers. (LCC 17.75.005(1) Purpose)
4. The overlay is not for non-age restricted residential housing of any type including, but not limited to, apartments, condominiums, townhomes, single-family homes, twin homes, triplexes, fourplexes, etc. (LCC 17.75.005(3) Purpose)
5. Senior Housing Facilities are a conditional use in the SHFO zone. (LCC Section 17.75.015(2))
6. "Senior housing facility" as used in this chapter shall mean residential housing for persons age 55 and older in a multi-unit development under a single ownership that consists of apartment or independent living facilities and which are located within the MC and CG zones. (Lindon City Code (LCC) Section 17.75.010)
7. The SHFO zone was applied to the subject property by the City Council on July 16, 2013, by way of ordinance (2013-7-0). The text that regulates SHFO projects was also adopted the same day by way of ordinance (2013-5-0). (Files 13-23-0 and 13-24-8).
8. Application and Submittal Requirements (LCC 17.75.060): <u>The Lindon City Council shall be the final land use authority for all Senior Housing Facility applications. The City Council shall not render a decision on an application until the Planning Commission has reviewed the application and provided a recommendation to the City Council.</u> (Application for approval shall be subject to sections 17.12—Document Submission and Review, 17.20—Conditional Use Permits and all other applicable sections of the Lindon City Code.)
9. Unified Ownership. Senior housing development projects within the zone shall be under a single ownership, with respect to each development. Individual dwelling units may not be developed or converted to condominiums and may not be sold separately from the rest of the development. (LCC 17.75.030(17).

<u>REVIEW PROCESS</u>

DRC Review

Planning Staff, the City Engineer and the applicant are working through technical issues related to the site and City Staff will ensure all issues are resolved before final Engineering approval is granted.

Public Comment

Third party notices were mailed on September 28, 2018, to the adjoining property owners in accordance with LCC Section 17.14.50 Third Party Notice. Staff has received no written public comment at this time. The applicant and staff have reviewed the most recently revised plans with an adjoining property owner (Lee LA Enterprises).

DISCUSSION & ANALYSIS

Density

LCC 17.75.030(8): Density. The Senior Housing Facility Overlay may have a maximum density of 30 dwelling units per acre if full-time on-site management is present and one (1) indoor and one (1) outdoor common area/recreation space is provided within the facility. If full-time onsite management is not present or the two common area/recreation spaces are not provided, the maximum density shall be 15 dwelling units per acre. *The plans currently do not call out the presence of full-time on-site management. The applicant has indicated that it will be located on the first floor of one of the apartment buildings. (It will be required based on the requested density of 30 units per acre.) Amenities shown on the plans include the following-Indoor amenities: Fitness Room, Gathering Lounge, Theater Room. Outdoor amenities: Dog Park, Garden Boxes, Covered Sitting Areas, Outdoor Benches, Outdoor Smokers Lounge, Walking Path.*

Table 1. Property Information (Senior Housing Facility Overlay (SHFO) zone LCC Chapter 17.75.030)

	Minimum Requirement	**Proposed Site**
Project Acreage	Project acreage shall be a minimum of 2.5 acres but not larger than 5 acres.	3.44 acres (Area identified as future development is currently not in the SHFO zone).
Lot frontage	No minimum requirement	45.50' (State Street) and 40.02' (Main Street)
Building height	Maximum 48'	45'6"
Min. Dwelling Unit Size	700 sq. ft.	703 (1 bedroom), 930 (two bedrooms), and 1141 sq. ft. (three bedrooms).
Parking 1.10 parking stalls per unit (projects are encouraged to provide covered parking and adequate ADA stalls) *The applicant is going with wider parking stalls (10' instead of 9') to accommodate covered parking and ease of access. **Concrete paving in the parking lot.	Vehicle: 113 stalls ADA: 5 stalls Bicycle: 11	Vehicle: 142 stalls (1.35 per unit) (105 covered) ADA: 6 stalls Bicycle: 12
Building setbacks		
Front	40 feet	60 feet
Side or rear yard setback when adjacent to a non-residential zone	20 feet	22 feet (South) and 64 feet (East)
Side or rear yard setback when adjacent to a residential use or a	40 feet	79 feet (West) and 97 feet (North). The building

residential zone		nearest State Street is also 74 feet to the south of the Abbott's.
Street-side yard setback (corner lot) determined by type of adjacent street	Local street = 30 feet Collector street = 40 feet Arterial street = 40 feet	N/A

LCC 17.75.030(10): Occupancy Restrictions. The units are restricted to three (3) persons as the maximum number of occupants with a maximum unit size of three (3) bedrooms, with the following restrictions:

a. In one (1) bedroom units, the maximum number of occupants shall be two (2) persons;

b. The units are intended for, and to be occupied by, at least one person fifty five (55) years of age or older per unit with all occupants being at least 18 years of age;

> i. A unit may be occupied by the surviving spouse of a household, regardless of age, if the fifty five (55) years of age or older qualifying person has passed away, provided the surviving spouse was a resident of the unit at the time of that qualifying person's death;
>
> ii. Dependents of the deceased qualifying person may continue to reside in the unit if a surviving spouse of the qualifying person is remaining in the unit under the circumstances outlined in (8)(a)(i). Otherwise, dependents shall have a 90 day transition period during which they are able to remain in the unit following the qualifying person's death.

c. A deed restriction shall be recorded on the property indicating the occupancy restrictions in paragraphs 9 above.

Landscaping Standards

LCC 17.075.030 (5) Landscaping. (Unless called out differently, landscaping requirements shall be the same as those found in LCC 17.48.030, Landscaping within the general commercial zones.)

LCC 17.48.030

2. Interior parking lot landscaping 17.18.085: Interior landscaping must be provided at 40 square feet per stall with one tree per 10 stalls. *The required amount of interior landscaping and trees are provided.*

4. Landscaping Strip. Unless otherwise approved by the planning commission, a landscaped berm at least three feet (3') high and twenty feet (20') wide shall be planted with grass and maintained in a living, growing condition along all public street frontages. *The plans provide for the 20' of landscaping (grass) along State Street. However, the applicant requests to use the landscaped area as a drainage swale instead of the berm. The Planning Commission may approve of this modification.*

c. Trees shall be planted thirty feet (30') on center, centered ten feet (10') from the edges of the strip in all required landscaped and bermed areas. *The landscaping complies.*

7. Concrete curbing shall be provided between landscaped areas and off-street parking areas that are at least six inches (6") higher than the parking areas. *All landscaped areas are protected by raised (6") curbing*.

b. Open Space. A minimum of thirty percent (30%) of each project shall be maintained in permanent landscaped open space. *The landscaping areas equal 33%.*

Fencing Standards

LCC 17.75.030(6). Fencing. Seven foot (7') high, site obscuring fencing shall be installed along the perimeter of the property, regardless of whether it abuts existing residential or commercial properties or uses. The fence shall be constructed and maintained by the owner of the senior housing facility. Installation of fencing should not limit pedestrian access to vehicular access points. Such fencing will be constructed in a manner consistent with a residential character of the senior housing structure. The Planning Commission shall approve the style and design of any fencing before a conditional use permit is issued. Any exceptions to fence height, material, location and timing of installation shall be approved by the Planning Commission. A chain link fence with slats shall not be considered site obscuring for the purposes of this section.

The plans propose a 7' high masonry wall. (The wall is not proposed along State Street, and will end 25' from the drive entrance and crash gate exit for clear view purposes). The applicant requests that the wall not be required for a portion of the south property line adjacent to the Lee LA Enterprises building. The applicant desires to install a 3' high split rail or picket vinyl fence adjacent to the CMU block building. The intent is to beautify the adjacent building wall and grounds. The applicant wishes to discuss this request with the Planning Commission. (On the north side of the project, the required wall is shown on the plans where the applicant proposes a future north access point. The wall would not be removed until additional site plan approvals are given).

Architectural Standards

LCC 17.75.030(15): Architectural Design. The architectural design of a senior housing facility shall comply with architectural design guidelines as established in the underlying zone where the facility is proposed. Also, design should reflect the residential nature of the building use. *The underlying zone is the General Commercial (CG) zone. The CG zone requires architectural design to be consistent with the Lindon City Commercial Design Standards. It also requires attention to be given to all sides of the buildings. (LCC17.48.080)*

Building Materials and Color

Lindon Commercial Design Standards 5.2.4 and 5.3.1(4). Use of more durable materials is recommended. Stucco is generally a secondary material. Brick, Stone, or Colored Decorative Block should be utilized as the primary building material. (Primary generally means 85% or greater of the building). Cement Stucco, Wood, Architectural Metals, colored or decorative concrete, and cement board siding may be used as secondary (less than 40%) building materials, and on less visible facades. See Lindon City Codes 17.75.030(15) and 17.48.080. Fenestration can also be used to count toward the 85% of the

recommended building materials. *<u>"Other materials may be considered for use as a primary building material, based on review by the city."</u>*

Details to be provided by the applicant. Proposed elevations and materials shown below.

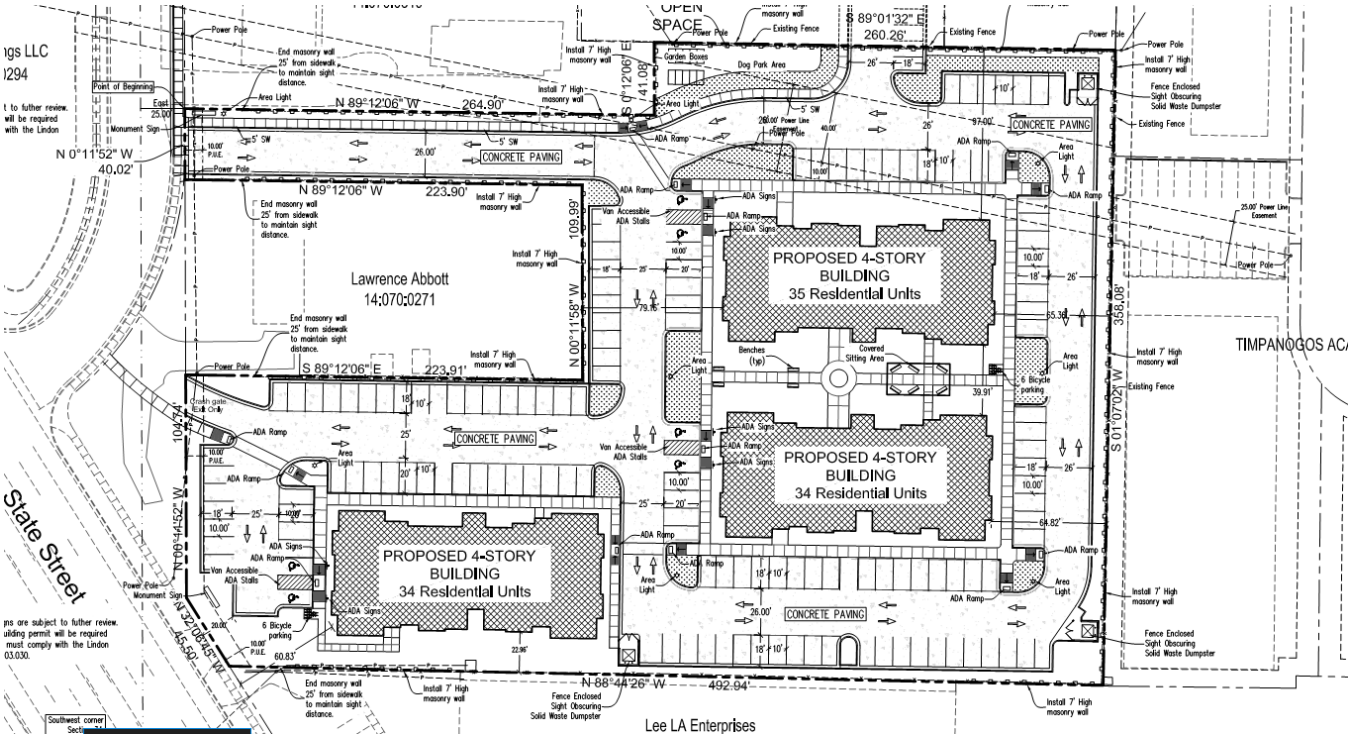
Lighting. All outside lighting shall be arranged and shielded as to prevent glare, nuisance, inconvenience or hazardous interference on adjoining streets or property. Street lights shall be installed on all public roads according to standards established in the Land Development Policies, Standard Specifications and Drawings manual. *The applicant is proposing wall lighting, parking lot area lights, and lighting under the covered parking. The lighting will be shielded and directional in order to comply.*

Special Provisions

<u>Maintenance of Premises</u>

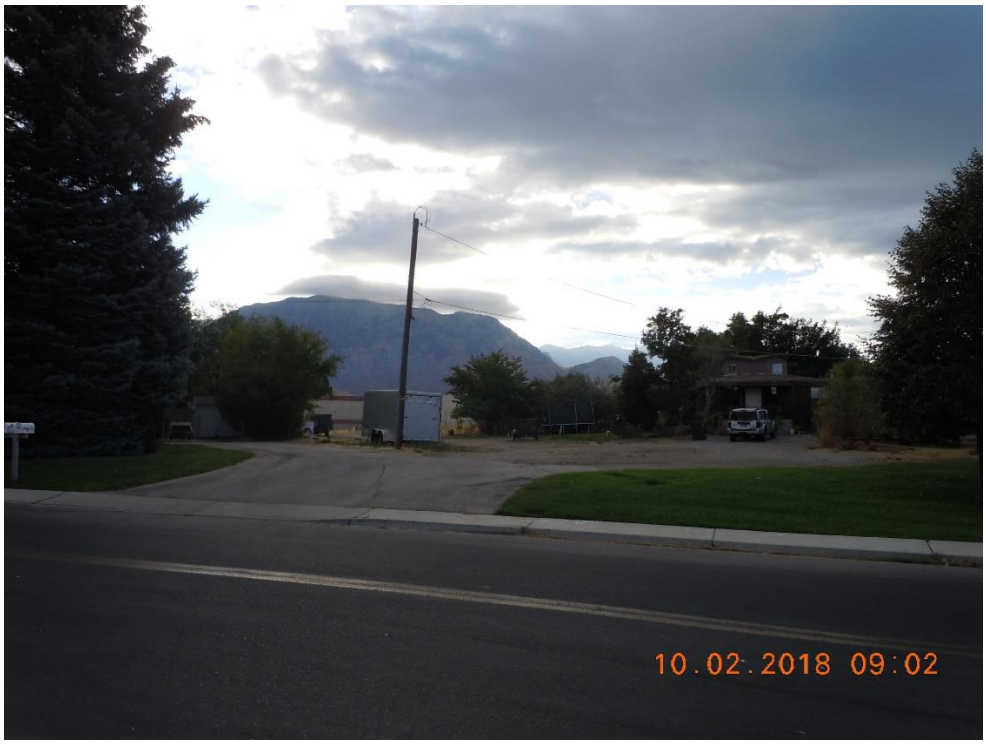
LCC 17.75.040(3): All solid waste storage facilities shall be enclosed with a masonry wall and constructed as per adopted City standards. The minimum access width to a solid waste storage facility shall be fifteen (15) feet. *The site plans comply.*

Timpanogos Academy


Lawrence Abbott
14:070:0271
PROPOSED 4-STORY BUILDING
35 Residential Units
PROPOSED 4-STORY BUILDING
34 Residential Units
PROPOSED 4-STORY BUILDING
34 Residential Units
CONCRETE PAVING
OPEN SPACE
Dog Park Area
Garden Boxes
Covered Sitting Area
Benches (typ)
Fence Enclosed Sight Obscuring Solid Waste Dumpster
Install 7' High masonry wall
End masonry wall 25' from sidewalk to maintain sight distance.
Existing Fence
Power Pole
Area Light
ADA Ramp
ADA Signs
Van Accessible ADA Stalls
6 Bicycle parking
Monument Sign
Point of Beginning
N 0°11'52" W 40.02'
N 89°12'06" W 264.90'
N 89°12'06" W 223.90'
S 89°12'06" E 223.91'
N 00°11'58" W 109.99'
S 00°12'06" E 141.08'
S 89°01'32" E 260.26'
S 01°07'02" W 358.08'
N 88°44'26" W 492.94'
N 09°14'52" W 104.74'
N 32°06'45" W 45.50'
25.00' Power Line Easement
TIMPANOGOS AC
State Street
Lee LA Enterprises

ATTACHMENTS

1. Current Site Conditions (pictures)



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Item 9: Site Plan/Conditional Use Permit — Walker Farms ~26 South 500 East

Mike Jorgensen requests preliminary site plan approval for a reception center as a conditional use on the property located at approximately 26 South 500 East, in the Commercial Farm (CF) zone. Recommendations will be forwarded to the City Council for final approval.

Applicant: Mike Jorgensen
Presenting Staff: Brandon Snyder

General Plan: Residential Low
Zone: Commercial Farm (CF)

Property Owner: MJ Real Estate Holdings LLC
Address: 26 South 500 East
Parcel ID: 14:073:0028, 0036, 0201, 0237, 47:184:000, and 0003
Lot Size: ~6.29 acres

Type of Decision: Administrative
Council Action Required: No

SUMMARY OF KEY ISSUES

1. Whether the proposed site plan and conditional use permit comply with applicable land use regulations.

MOTION

I move to recommend to the Lindon City Council to (*approve, deny, continue*) the site plan and conditional use permit for Walker Farms to be located at 26 South 500 East in the Commercial Farm (CF) zone approval with the following conditions (if any):

1. That the owner occupies one of the legal on-site residences in accordance with Lindon City Code 17.51.014 and 70,
2. That a deed restriction prohibiting the separation of the parcels be recorded in order to maintain the minimum five (5) contiguous acres (Lindon City Code 17.51.020 and 70),
3. That the project complies with noise limits, signage regulations, and animal regulations as required in Lindon City Code and specifically sections 17.51.145 and 150,
4. Prior to final approval that the applicant works with City Staff to address and correct the setback concerns and lot issues raised by recent unapproved divisions of land. *(Condition from rezoning 09/04/2018 CC)*, and
5. Provide a landscaping plan to meet applicable requirements of LCC 17.51.120(2) and 17.51.130(3).

BACKGROUND

1. The applicant proposes to construct an events barn (reception center) on the property. The applicant also proposes to utilize the existing home, on the corner of Center St. and 500 East, as a caretaker or farm-help accessory dwelling. Both of these uses require a conditional use permit in the CF zone per Lindon City Code (LCC) 17.51.012(2). Commercial Farm zoning regulations are outlined in LCC 17.51.
2. The applicant's existing residence and detached garage/workshop are included in the Walker Farms project.
3. An intent of the zone is to provide encouragement of agricultural production and associated commercial activities that are compatible with and/or promote agricultural uses within the city. Objectives of the zone include promoting and preserving agricultural production, promoting

agricultural open space throughout the city, and allowing associated commercial activities which could be used as additional revenue sources to help sustain and support agricultural industry within Lindon. (Lindon City Code (LCC) 17.51.010).

4. Lindon City Code (LCC) 17.09 Table #1 indicates that for projects in the CF zone, the Planning Commission will complete a preliminary review of the site plan and conditional use prior to a final review and decision by the City Council. (Recommendations from the Planning Commission review will be forwarded to the City Council.)
5. A large portion of the project area was initially rezoned by the City Council on October 3, 2017 (Ordinance 2017-14-O) from the R1-20 zone to the CF zone. The City Council rezoned additional property to the CF zone on September 4, 2018 (Ordinance 2018-16-O).

REVIEW PROCESS

DRC Review

Planning Staff, the City Engineer and the applicant are working through technical issues related to the site and City Staff will ensure all issues are resolved before final Engineering approval is granted.

Public Comment

Third party notices were mailed on September 28, 2018, to the adjoining property owners in accordance with Lindon City Code Section 17.14.50 Third Party Notice. No comments have been received.

Table 1. Property Information (LCC Commercial Farm 17.51)

	Minimum Requirement	**Proposed Site**
Lot area	5 acres	~6.29 acres
Lot width	100’	570’ (500 East)
Lot depth	100’	596’ (500 East to 400 East)
Lot frontage	50’	296’ (Center), 570’ (500 East), and 285’ (400 East)
Building height	Maximum 35’ (Reception Center)	Reception Center: 34’1”
Onsite parking stalls	Vehicle: 71 stalls (1/3 ½ person capacity in the building)	89 stalls (4 van accessible) Parking lots are asphalt.
Building setbacks	Setbacks below apply to Reception Center. (Existing residences)	
Front (East)	50’	58’
Rear (West)	20’	200’+
Side (South)	20’	300’+
Corner Side (North)	50’	112’
Agricultural Production Area	Min. 40%	40%

DISCUSSION & ANALYSIS

Agricultural production required. (Lindon City Code 17.51.015)

1. At least forty percent (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, driveways, etc., cannot be included in the area calculation for agricultural production eligibility. *40% met.*

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 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. *This was previously discussed during the rezoning of the property. The applicant raises and breeds alpacas. He also intends to sell the alpaca wool. The reception/event center can be an additional revenue source for the alpaca operation.*

Lot Area (LCC 17.51.020)
The minimum area of any lot or parcel of land in the CF zone shall be five (5) acres. Multiple parcels that total five (5) acres or more may qualify as meeting the minimum lot area without combining the parcels only when they are under identical legal ownership and are contiguous. A deed restriction prohibiting the separation of parcels may be required in order to maintain the minimum five (5) contiguous acres. *It is appropriate for the Planning Commission to discuss this potential requirement.*

Number of dwellings per lot. (LCC 17.51.070)
Not more than one (1) single-family dwelling with an accessory apartment, and one (1) caretaker's or farm-help dwelling, may be placed on a lot or parcel of land in the CF zone (or conglomeration of parcels necessary to meet minimum acreage requirements). In no case may the caretaker's or farm-help dwelling be sold as a separate, subdivided lot unless it meets all requirements of the underlying zone. Owner occupancy of a primary residence on the property is required to maintain a caretaker's or farm-help dwelling unit. *Project area contains applicant (owner) existing residence and another residence to be used as a caretaker's or farm-help dwelling (corner of 500 East and Center Street). Applicant has also recently bought two other existing residences that are adjacent to but not part of the project area.*

Lot Coverage (LCC 17.51.120)
1. In a CF zone, all buildings, including accessory buildings and structures, shall not cover more than forty percent (40%) of the area of the lot or parcel of land, or the conglomeration of parcels as defined in Section 17.51.020. *Currently less than 10%.*

2. At least forty percent (40%) of the front yard setback area of any lot shall be landscaped. On any lot, concrete, asphaltic, gravel, or other driveway surfaces shall not cover more than fifty percent (50%) of a front yard. *This requirement has not been met. Landscaping details are needed for the frontages along Center Street and 500 East.*

Parking (LCC 17.51.130)
2. Parking spaces in a CF zone are exempted from the surfacing, striping, and interior landscaping requirements as found in Chapter 17.18, but shall be provided with a dustless, hard surface material such as compacted gravel, asphalt, or concrete and shall be provided with a similar hard surfaced access from a public street. *Parking lots are asphalt.*

3. Notwithstanding Subsection (2) of this section, any off-street parking lot adjacent to a residential use or residential zone shall provide a minimum ten-foot (10') landscaped buffer from the parking lot to the adjacent residential use or zone. Trees shall be planted at least every ten feet (10') along the landscaped strip. Trees must be a minimum of two-inch (2") caliper measured one foot (1') off the ground and at least six feet (6') tall when planted. Trees shall be of a variety that will mature to a height of at least twenty feet (20') tall in order to provide a visual barrier between the parking lot and the residential use/zone. *This requirement has not been met.*

4. No required parking spaces shall be within thirty feet (30') of a front property line or street side property line.

5. All required ADA parking stalls shall be provided with smooth, hard surface asphalt or concrete paving with a similar surface provided as an ADA accessible pedestrian route between the parking spaces and any public buildings being accessed from the spaces. *Parking lots are asphalt*.

Architectural Standards

Building Materials and Color

There are no architectural design standards for the Commercial Farm (CF) zone. The applicant's proposed building elevations are provided below.

ATTACHMENTS

1. Pictures (2017 conditions)
2. Location
3. Site Plan (Overall Project Concept)
4. Layout (Reception Center Concept)
5. Elevations

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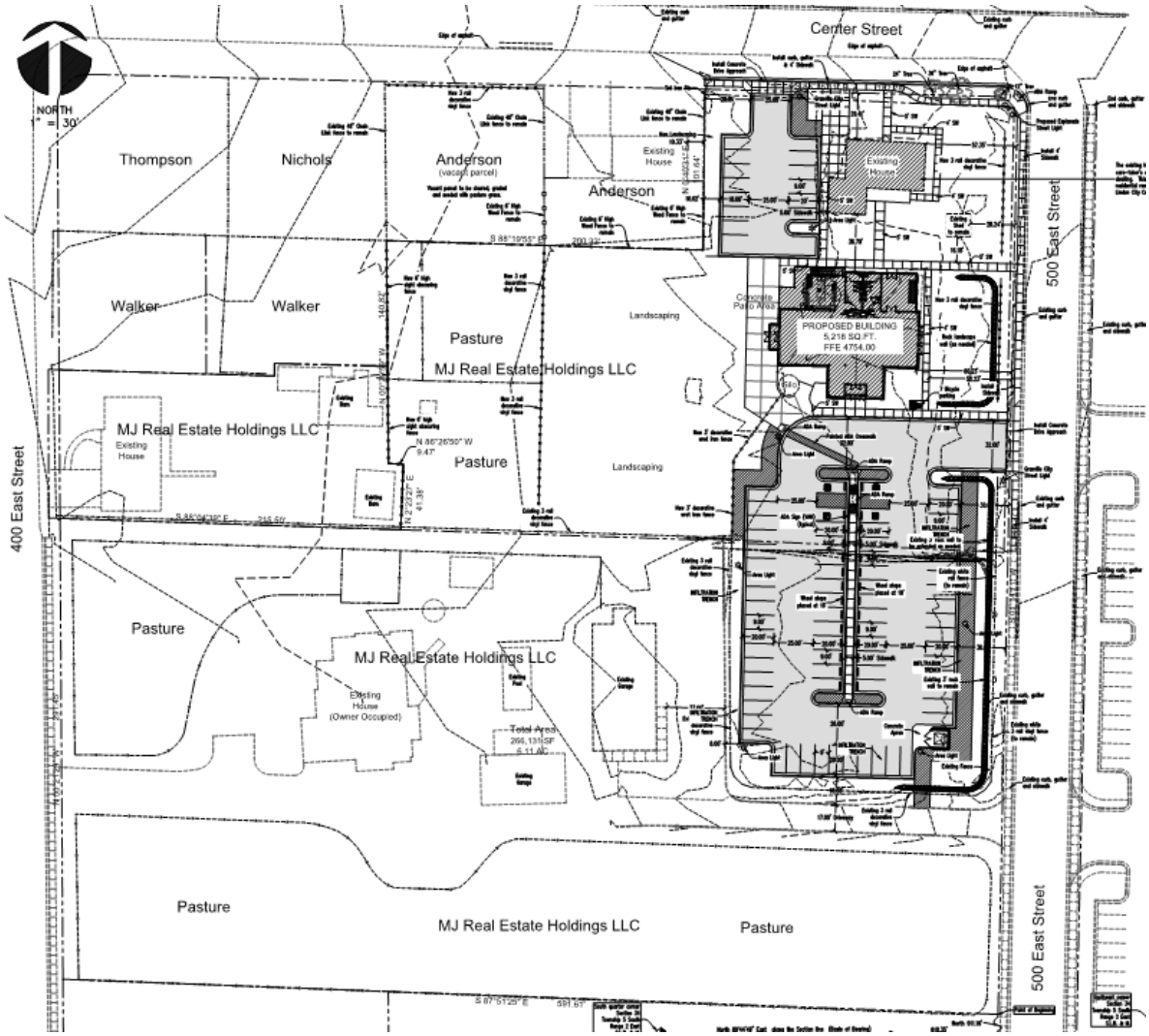
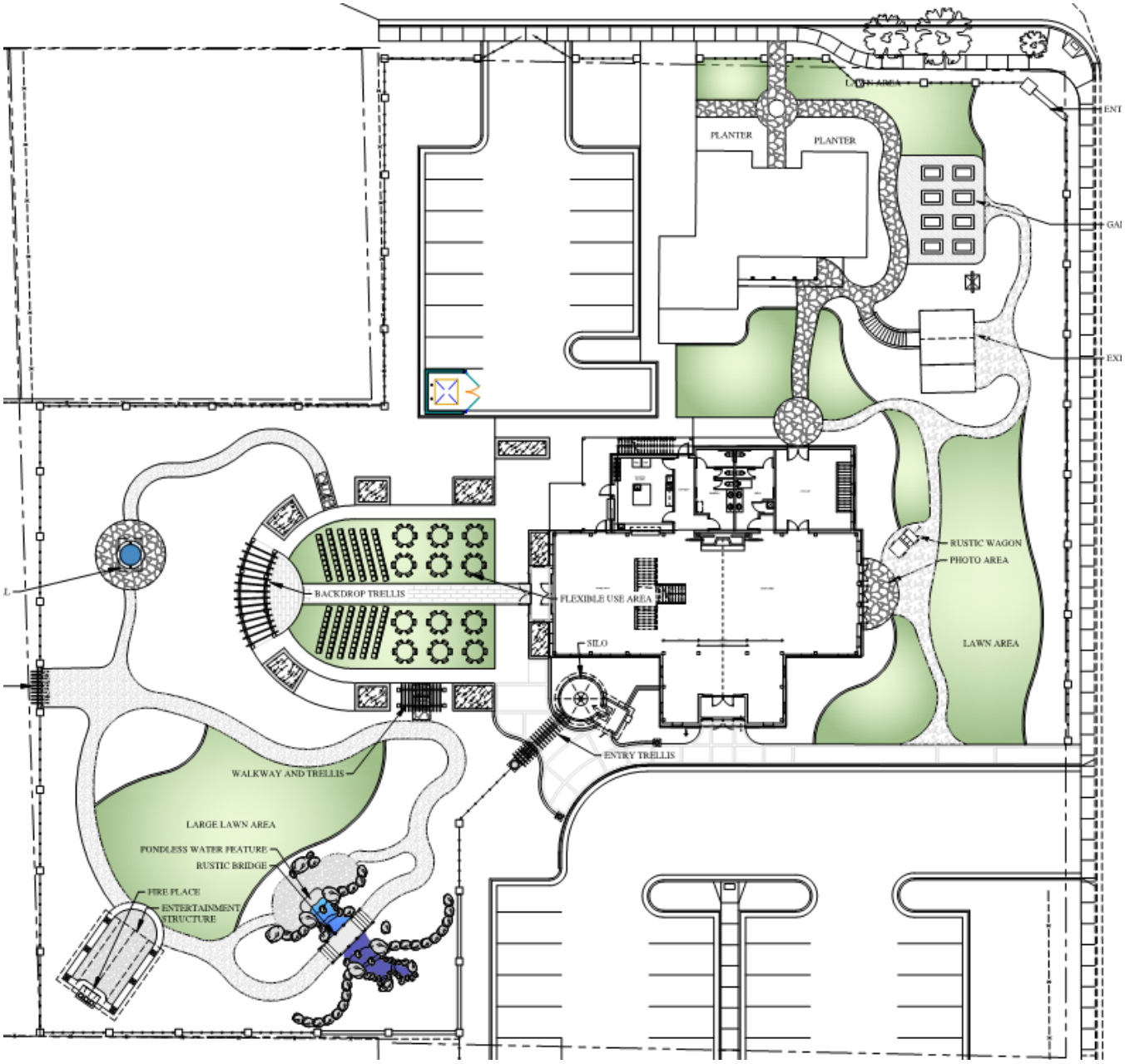
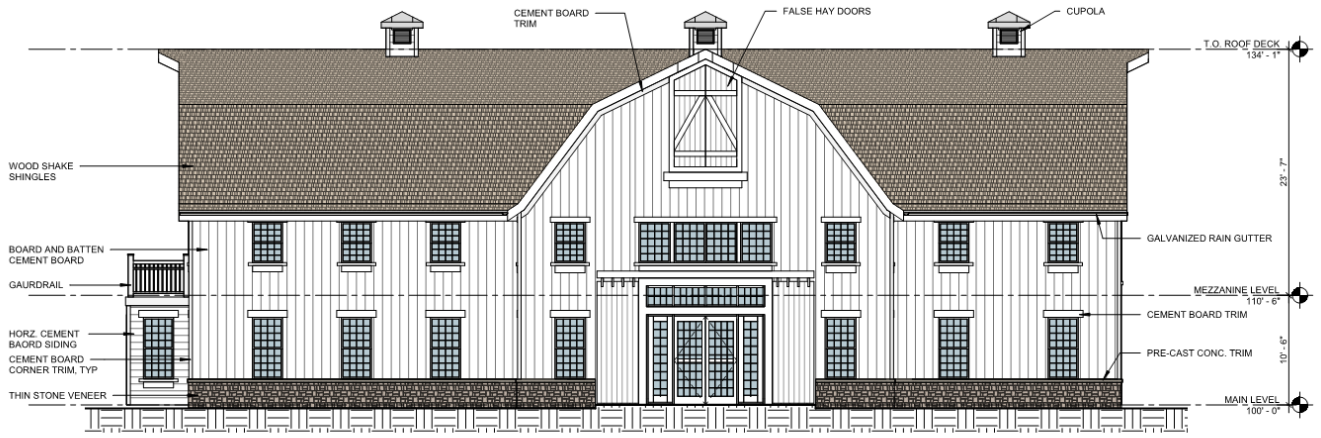
09.12.2017 10:38

09.12.2017 10:35

Rocky
Mountain
Elementary


Center Street
NORTH
1" = 30'
Thompson
Nichols
Anderson
(vacant parcel)
Anderson
Existing House
Existing House
Walker
Walker
Pasture
MJ Real Estate Holdings LLC
Landscaping
Concrete Patio Area
PROPOSED BUILDING
5,218 SQ.FT.
FFE 4754.00
MJ Real Estate Holdings LLC
Existing House
Pasture
Landscaping
400 East Street
500 East Street
Pasture
MJ Real Estate Holdings LLC
Existing House
(Owner Occupied)
Total Area
266,131SF
6.11 AC
Pasture
MJ Real Estate Holdings LLC
Pasture
500 East Street


PLANTER
PLANTER
RUSTIC WAGON
PHOTO AREA
BACKDROP TRELLIS
FLEXIBLE USE AREA
SILO
LAWN AREA
ENTRY TRELLIS
WALKWAY AND TRELLIS
LARGE LAWN AREA
PONDLESS WATER FEATURE
RUSTIC BRIDGE
FIRE PLACE
ENTERTAINMENT
STRUCTURE



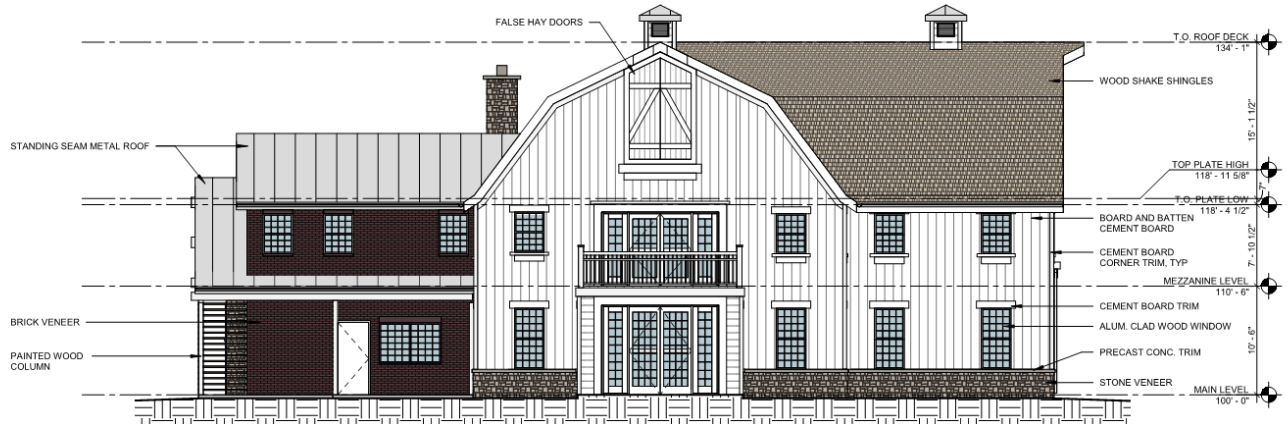
SOUTH ELEVATION

0 4 8 FT

08/23/2018 A1

JORGENSEN EVENT BARN

JSF



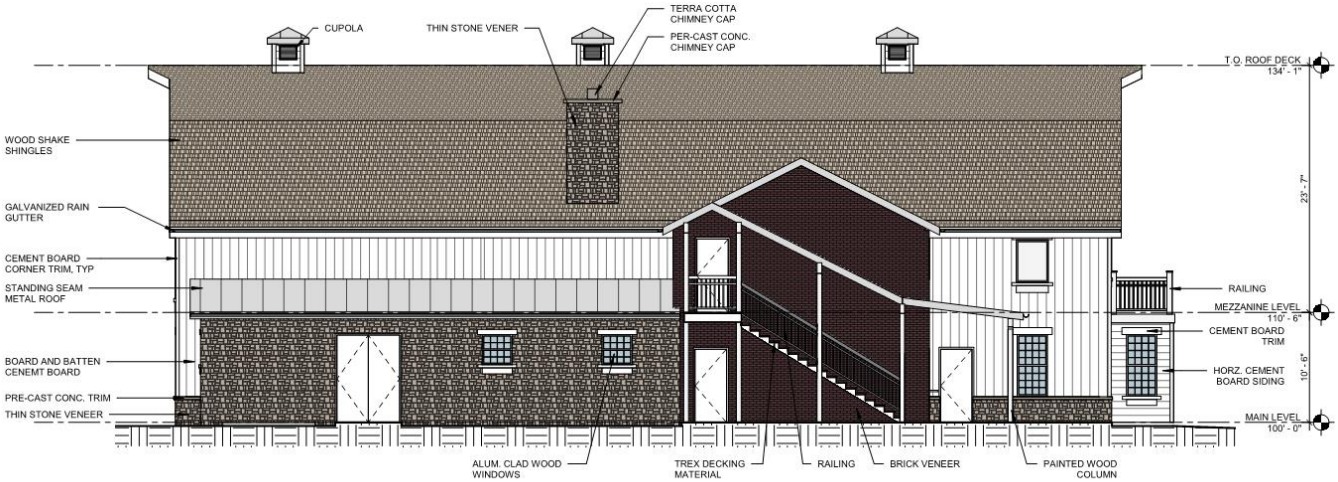
WEST ELEVATION

0 4 8 FT

08/23/2018 A2

JORGENSEN EVENT BARN

JSF



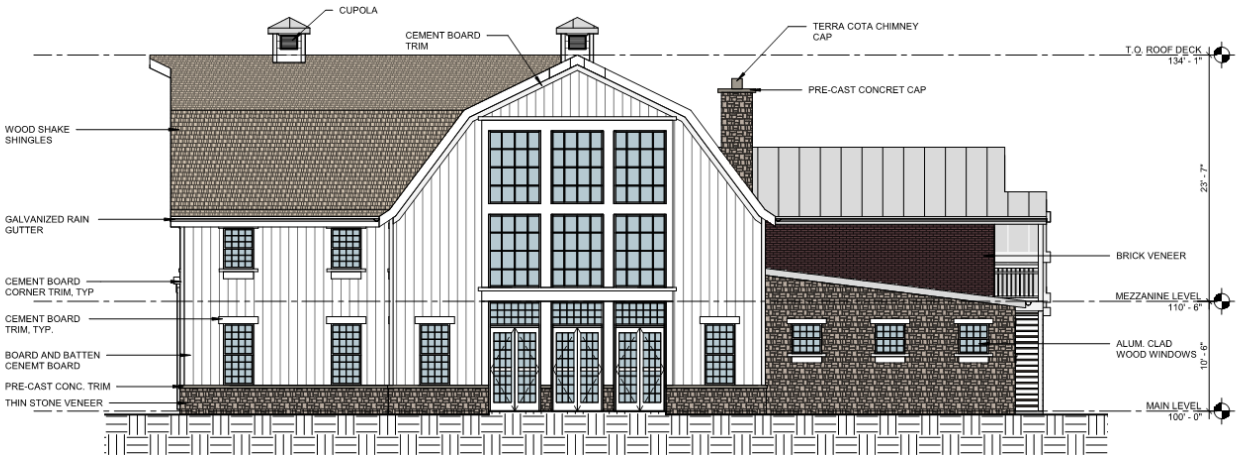
JORGENSEN EVENT BARN

NORTH ELEVATION

0 4 8 FT

08/23/2018 A3

JSF



JORGENSEN EVENT BARN

EAST ELEVATION

0 4 8 FT

08/23/2018 A4

JSF

Item 10: New Business (Planning Commissioner Reports)

Item 1 – Subject _____
Discussion

_____
_____
_____
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_____

Item 2 – Subject _____
Discussion

_____
_____
_____
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_____

Item 3 – Subject _____
Discussion

_____
_____
_____
_____
_____

Item 11: Planning Director Report

- **Hiring in process!**
- **Report from APA Utah Planning Conference (Sandy)**

Adjourn