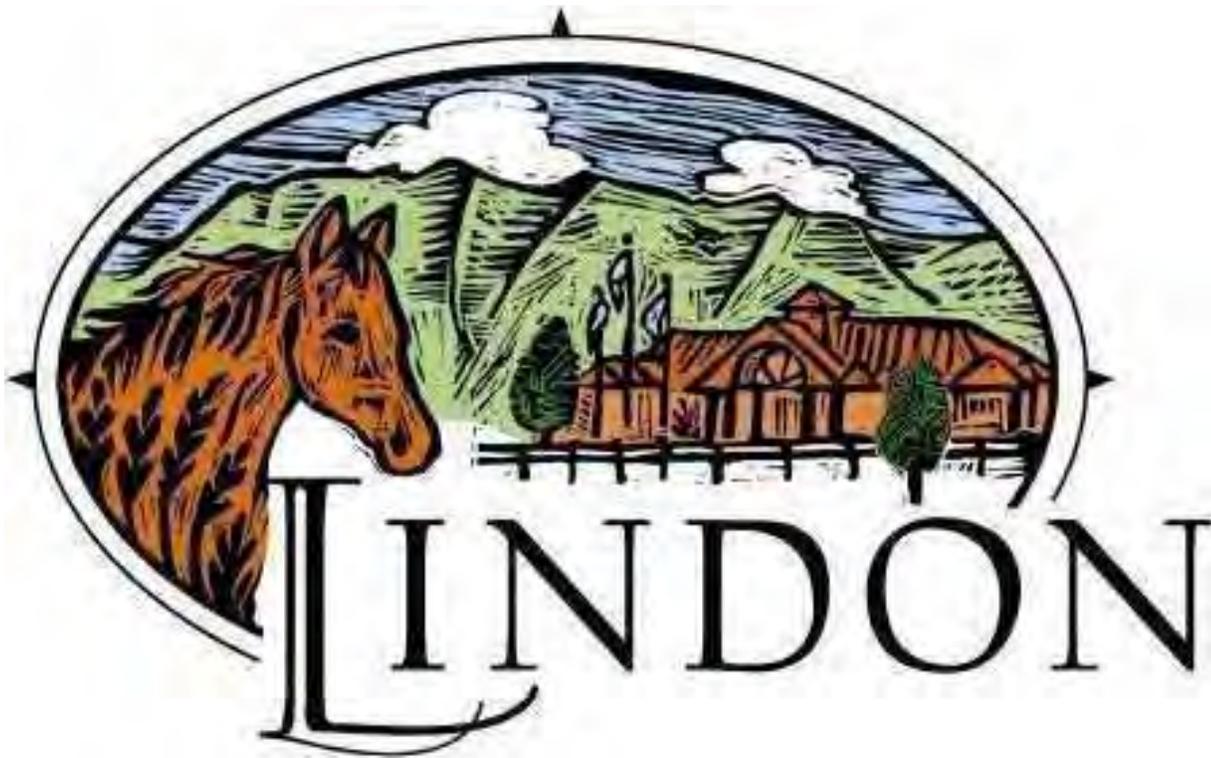


Lindon City Planning Commission Staff Report



February 11th, 2020

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on Tuesday, February 11, 2020, in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at 7:00 p.m. This meeting may be held electronically to allow a commissioner to participate by video or teleconference. The agenda will consist of the following items:

Agenda

Invocation: By Invitation

Pledge of Allegiance: By Invitation



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

1. Call to Order
2. Approval of minutes
Planning Commission 1/28/2020
3. Public Comment
4. Conditional Use Permit approval for Radical Classics – 122 N. 1800 W. Unit #8
Bret Madsen on behalf of Radical Classics is requesting conditional use permit approval to operate an auto repair business located at 122 N. 1800 W. Unit #8 (10 minutes)
5. Public hearing for a Planning Commission recommendation to the Lindon City Council to amend Lindon City Code 17.47.040 to increase the allowable height in the Research and Business zone to four stories and sixty feet. Application is made by Mecca Holdings, LLC. (20 minutes)
6. MS Properties Site Plan Approval – 430 N. 1200 W.
MS Industrial Properties, LLC requests site plan approval for warehouse building located in the Light Industrial zone. Parcel #'s 45:111:0009 and 45:111:0010 (20 minutes)
7. MS Properties Amended Plat – 430 N. 1200 W.
MS Industrial Properties, LLC requests a plat amendment approval to consolidate two lots into one. Parcel #'s 45:111:0009 and 45:111:0010 (5 minutes)
8. MS Properties Amended Site Plan – 1325 W. 500 N.
MS Industrial Properties, LLC requests amended site plan approval for an outdoor construction storage yard. Parcel # 14:063:0052 (15 minutes)
9. MS Properties Amended Site Plan – 1325 W. 500 N.
MS Industrial Properties, LLC requests conditional use permit approval for an outdoor construction storage yard. Parcel # 14:063:0052 (5 minutes)
10. New Business from Commissioners
11. Planning Director Report
- General City updates

Adjourn

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

Notice of Meeting

Lindon City Planning Commission



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

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

Posted By: Kathryn Moosman, City Recorder

Date: 2/7/2020

Time: 5:00 pm

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

Lindon City
100 North State Street
Lindon, UT 84042-1808



TEL 801-785-7687
FAX 801-785-4510
www.lindoncity.org

Item 1- Call to Order

Sharon Call
Mike Marchbanks
Rob Kallas
Steve Johnson
Scott Thompson
Jared Schauers
Renee Tribe

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **January 28, 2020 beginning at 7:00 p.m.** at the Lindon City Center, City Council
Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 7:00 P.M.**

8 Conducting: Sharon Call, Chairperson
Invocation: Renee Tribe, Commissioner
10 Pledge of Allegiance: Mike Marchbanks, Commissioner

12 **PRESENT** **EXCUSED**

Sharon Call, Chairperson
14 Mike Marchbanks, Commissioner
Rob Kallas, Commissioner
16 Steven Johnson, Commissioner
Scott Thompson, Commissioner
18 Jared Schauers, Commissioner
Renee Tribe, Commissioner
20 Mike Florence, Planning Director
Anders Bake, Associate Planner
22 Kathy Moosman, City Recorder

24 **Special Attendee:** Councilmember Mike Vanchiere

- 26 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
28 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the
Planning Commission meeting of January 14, 2020 were reviewed.

30 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
32 OF THE REGULAR MEETING OF JANUARY 14, 2020 AS PRESENTED.
COMMISSIONER SCHAUERS SECONDED THE MOTION. ALL PRESENT
34 VOTED IN FAVOR. THE MOTION CARRIED.

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

40 **CURRENT BUSINESS** –

- 42 4. **Nicolson Construction Site Plan Approval – 950 West 150 North.** Nicolson
Construction requests site plan approval for two office/warehouse buildings
44 located in the Light Industrial Zone; Parcel #14:065:00215.

46 Anders Bake, Associate Planner, led this agenda item by stating the applicant’s
business partner, Ben Young is in attendance as representative of the item. They are
48 requesting site plan approval for two office/warehouse buildings located in the Light

2 Industrial Zone; Parcel #14:065:00215. For site plan approval, the Planning Commission
will be evaluating whether the site plan and building meet Title 17 development
4 regulations.

6 Mr. Bake explained the proposed Site Plan includes the construction of two
buildings and will be the final phase of a three-phase project on the Nicolson
Construction properties. This property is not part of a subdivision but was recently
8 combined with another lot (phase 1) to meet the minimum lot size requirements. He
noted most of the public improvements and landscaping around this project were installed
10 as part of previous phases. The buildings will be constructed for uses allowed in the Light
Industrial zone which include office, warehouse, manufacturing, and sales.

12 Mr. Bake indicated the parking stalls provided around the two buildings meet the
minimum parking standards which are based on the floor area and the use of each
14 building. He noted Section 17.18.078 of the Lindon City parking code states that the
maximum number of parking stalls allowed on a site is no more than 130% of the
16 minimum required spaces, unless more spaces are needed to prevent adverse impacts of
overflow parking onto adjacent streets and properties. The site has a total of 6 more
18 parking stalls than the maximum amount of spaces allowed but staff feels that the
additional stalls are not excessive and recommends approval of the parking lot plan. Mr.
20 Bake noted the site provides adequate traffic circulation for customers and trucks through
the site. All traffic will enter and exit the site from 150 North and no access easements
22 will be needed.

24 Mr. Bake pointed out the Light-Industrial zone requires a landscaping plan
showing details on specific types and locations of trees and ground cover. Mr. Young has
provided a landscaping plan showing existing and proposed landscaping on the site. A
26 20-foot wide landscaped strip along public streets, with trees planted every 30 feet on
center, is required. The majority of the landscaped strip was installed as part of previous
28 phases of this development except for trees that will be added along 150 North.

30 Mr. Bake indicated the Light Industrial Zone requires 25% of the exterior of all
buildings be covered with brick, decorative block, stucco, wood, or other similar
32 materials as approved by the Planning commission. He noted the applicant has stated that
the buildings will have a limestone block exterior on all sides that is similar to what was
34 used on the Lindon City Public Safety building. Building elevation renderings have been
provided but according to the applicant they do not accurately show the color of the
36 limestone block and the block will be an earth tone as required in the architecture
ordinance.

38 Mr. Bake went on to say the building entrances are internal to this development to
match the existing building on this lot that was constructed as part of the development's
40 first phase. The side and back walls of the building will have visual variation with
windows and sections of darker colored block. There will also be additional trees planted
42 to add variation to the back wall of the south building that faces the street. Mr. Young
proposes to install a canopy over the main entryway on the South building but does not
44 show canopies over the entrances on the North building.

46 Mr. Bake stated Staff recommends that canopies be added to the two main
entrances on the North building to match the proposed South building and the existing
buildings on the Nicolson Construction properties. Staff also recommends that the two
48 buildings have framing around their windows similar to what has been done on existing
Nicolson Construction buildings. These two recommendations have been included in the

2 suggested motion as a condition of approval. He noted additional information regarding
the building design has been provided tonight by Mr. Young.

4 Mr. Bake explained there is an existing pre-cast fence behind the landscaping on
Geneva Road that screens the current storage yard. The building will replace the storage
6 yard but the fencing is proposed to remain. He noted the minimum development size for
the Light Industrial zone is one acre. The two proposed buildings meet the setback
8 requirements for the Light Industrial Zone.

10 Mr. Bake stated the City Engineer is working through technical issues related to
the site plan and will conduct a final review if the planning commission grants final site
12 plan approval. He noted staff feels that the applicants proposed plans for the two
buildings and surrounding site will be an improvement to the area. He pointed out the site
14 plan is compatible with the existing sites built in the previous two phases and will create
a cohesive overall development. With the proposed changes to the architecture of the two
16 buildings, they will meet the Light Industrial Zone standards and the goals for Mixed
Commercial developments outlined in Lindon's General Plan.

18 Mr. Bake then presented an Aerial photo of the site, View from Geneva Road,
Photos of buildings from previous phases, Site plan, Landscape plan, and Building
elevations followed by discussion. He then turned the time over to Mr. Young for
20 comment.

22 Mr. Young addressed the Commission at this time. Mr. Young stated he has been
with Mr. Nicolson throughout this project and has worked with him for over 20 years.
He explained this new building will be a "show model" as that is what Mr. Nicolson
24 specializes in (exteriors etc.). He added on the Nicolson #1 building the front is really
fancy and on the side of the building where the doors face the elevation without the
26 awnings towards the business parking (industrial) and he really doesn't want the awnings
there as it would take away from the other building. He noted the windows are recessed
28 so they would not need to be framed. Mr. Young then showed material examples
followed by discussion.

30 Chairperson Call commented the building is earth tones and questioned how it
would contrast with what is around the windows as they would like to see some contrast.
32 Mr. Young stated the contrast is in the recessed decorative panels to give it definition.
Chairperson Call also questioned why canopies above the entrances would take away
34 from the other building. Mr. Young explained because the one facing is more industrial
and basically a shop with roll up doors and down the side it is just tin. Mr. Florence
36 pointed out that typically we like to have entrances facing the street, but these two
buildings were proposed this way a long time ago when the other building was built and
38 he is going off of the recent plans.

40 Commissioner Kallas pointed out he can see where the entrances and
embellishments are facing north because that is where the parking lot is, but still it is a
pretty flat, horizontal top building with very few embellishments facing the street.

42 Commissioner Marchbanks questioned Mr. Florence, with the exterior, if this
would meet the code without asking them to do anymore than what they are doing. Mr.
44 Florence stated the ordinance states 25% minimum of the exterior of all buildings shall be
covered with brick, decorative blocks, wood or other similar materials. He then read the
46 code section. Commissioner Johnson stated he thinks it is a beautiful building for the
light industrial area and he also does not feel the applicant should be mandated to change
48 the building with embellishments etc.

2 Commissioner Kallas agreed it is a nice building but pretty bland especially to the
4 street side. He added he has long voiced opinion that Geneva Road will be as important
6 as 700 North and is going to be a really nice commercial corridor someday and with the
8 new temple coming to the area that will really enhance it. He thinks we need to make
sure that it meets the code, but we should also make sure that these buildings look as nice
as possible cause it's really going to be important for the city; a few embellishments are
not that expensive.

10 Chairperson Call commented that staff's recommendation is to have the canopies
12 of the two main entrances as it would dress it up. Mr. Florence added they don't have to
14 be big or expensive and then all four buildings entrances would match. Mr. Florence
stated the applicant has done a great job with the trees and landscaping with a nice block
wall along Geneva Road. Chairperson Call stated she agrees with Commissioner Kallas'
comments that Geneva Road will become a very important street to Lindon. She added as
far as everything else it looks terrific and will be a nice addition to the city.

16 Following some additional discussion, Chairperson Call stated she is hearing that
18 several of the commissioners would like to see the entrance canopies and that the
window treatments are fine. She is hearing the majority of the Commission would like to
remove condition #5 from the motion (*applicant will provide staff with revised building
elevation plans that include framing around the windows and a canopy over the two main
entrances of the north building*).

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

24
26 COMMISSIONER JOHNSON MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS:
28 1. THE APPLICANT WILL CONTINUE TO WORK WITH THE CITY ENGINEER
TO MAKE ALL FINAL CORRECTIONS TO THE ENGINEERING DOCUMENTS; 2.
30 THE PLANS WILL MEET DEVELOPMENT SPECIFICATIONS AS FOUND IN THE
LINDON CITY DEVELOPMENT MANUAL; 3. THE APPLICANT WILL COMPLY
WITH ALL BONDING REQUIREMENTS IF NECESSARY; 4. FINAL DESIGN WILL
32 MEET THE TITLE 17 STANDARDS FOR INDUSTRIAL BUILDINGS; 5. ALL
ITEMS OF THE STAFF REPORT. COMMISSIONER THOMPSON SECONDED THE
34 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

36 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
38 COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
40 COMMISSIONER SCHAUERS	AYE
COMMISSIONER TRIBE	AYE

42 THE MOTION CARRIED UNANIMOUSLY.

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

48 Chairperson Call mentioned the joint meeting with the City Council will be held
on February 4th at 6 pm to discuss commercial depths and transitional housing zones on

2 deep parcels along the state street corridor and TOD for the 700 North Corridor. She
4 noted the Commission will also be given the Open & Public Meetings Training
/Harassment Prevention Training by the City Attorney.

6 8. **Planning Director Report** –

- 8 • State Street deep lot discussion at the next city council meeting
- 8 • February 11th Planning Commission meeting MS properties two agenda
10 items (projects) boundary line adjustment and site plan approval.
- 10 • Zone Change – residential to research and business zone
- 12 • CUP

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

16 **ADJOURN** –

18 COMMISSIONER THOMPSON MADE A MOTION TO ADJOURN THE
20 MEETING AT 8:03 PM. COMMISSIONER MARCHBANKS SECONDED THE
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

22 Approved – February 11, 2020

24

26

Sharon Call, Chairperson

28

30 _____
Michael Florence, Planning Director

Item 4: Conditional Use Permit – Auto Repair Business Bret Madsen/Radical Classics

Date: 2/11/2020
Applicant: Bret Madsen
Presenting Staff: Anders Bake

General Plan: Light Industrial
Current Zone: Light Industrial -
West

Property Owner: Vinedo LLC
Address: 122 North 1800 West
Unit#8
Parcel ID: 45:397:0008
Lot Size: 0.051 acres

Type of Decision: Administrative
Council Action Required: No



SUMMARY OF KEY ISSUES

To review a conditional use permit for an auto repair business and conditions to mitigate the impacts of a proposed use.

MOTION

I move to (*approve, deny, continue*) **the applicant's request** for a conditional use permit to use the property located at 122 North 1800 West Unit 8 for an auto repair business, with the following conditions:

1. Vehicles may not be stored outdoors for longer than 72 hours unless the owner is waiting on delivery of parts;
2. No automobile parts will be stored outside of the building;
3. The applicant will comply with the proposed waste management plan;
4. All items of the staff report.

OVERVIEW

1. Bret Madsen requests conditional use permit approval to operate an auto repair business at 122 North 1800 West Unit #8. The proposal requires a conditional use permit in the Light Industrial zone.
2. The proposed business, Radical Classics, will focus on modifying classic vehicles and will perform all work indoors and within their unit.
3. Notices were mailed on January 31st 2020 to adjoining property owners in accordance with Lindon City Code Section 17.14.50 Third Party Notice. Staff has received no public comment(s) at this time.

SURROUNDING ZONING AND LAND USE

North: LI – industrial office/warehouse

East: LI – empty lot

South: LI – industrial warehouse

West: LI – industrial storage units

DEVELOPMENT STANDARDS

Building, Site, and Landscaping

Radical Classics will be using a commercial unit in the Lindon West Office/Warehouse Condominiums Subdivision. This subdivision was recorded on November 29th 2004. The Condominium units were constructed in 1974. The building and site comply with Lindon City Code requirements. The applicant is not planning to do any construction on the building and will not be required to make any changes to the building or site.

Parking

There are 4 reserved parking stalls available for Mr. **Madsen's** business as well as additional parking spaces available to all customers of the condominium subdivision. Outdoor vehicle storage is also prohibited as part of the condominium's requirements. The business has two owners and no employees which will allow the business to meet its parking needs.

STAFF ANALYSIS

Based on the business description that was provided, it is expected that this business will have a minimal impact on surrounding properties and will be compatible with other uses in the Light Industrial Zone.

EXHIBITS

1. Business description
2. Building street view
3. Aerial photo of the site and surrounding area
4. Building measurements

1. Radical Classics Business Description

Radical Classics is a business that specifically deals with the modifying aspect of classic vehicles. The work includes electrical, suspension, brakes, drivetrain upgrades, taking a classic car and making it more reliable and fun car to drive. Generally, the hours will be 8am to 5pm Monday through Friday. There will be times in which we will be working earlier or later depending on deadlines for vehicles. There are no employees, just two owners. The work will be done all inside the warehouse. The facility in which the shop is located does not allow any vehicles being worked on outside. Parking will be only a few spots that are needed.

Radical Classics has been in operation for a couple years in Pleasant Grove, Utah. It is currently being operated out of one of the **owners' personal shops at his house. There will be some noise** associated with the daily operations, but general normal conversation at normal speaking levels will be able to be held at all times. We have already talked with one of the neighbors and introduces ourselves, let them know what we will be doing and they have no issues with our business. Generally, we have a vehicle brought in, and it will stay with us for a little while and then give it back to the owner and bring **in the next vehicle. We don't store the vehicles that are in line** at the shop, we go and pick them up at **the owners' house usually when we are ready.**

The only water that will be used will be to clean the floors at times and wash vehicles. There will not be a big need or a high usage of water and sewer capacity will not be an issue.

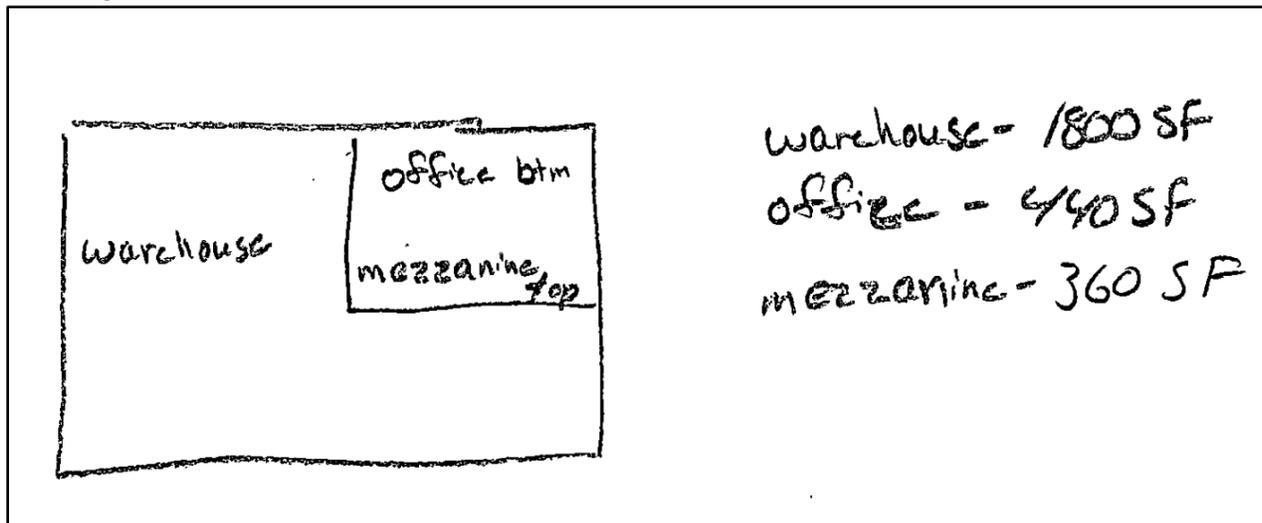
2. Building Street View



3. Aerial photo of the site and surrounding area



4. Building Measurements



Item: 5 - Ordinance Amendment Height Amendment for the Research and Business (RB) Zone

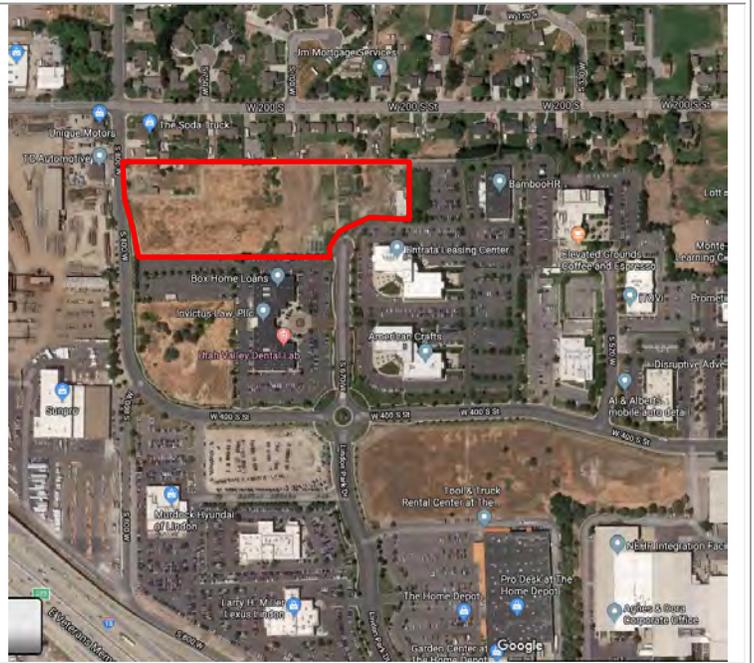
Date: February 11, 2020
Applicant: Mecca Holdings, LLC
Presenting Staff: Michael Florence

Type of Decision: Legislative

Council Action Required: Yes, the planning commission is the recommending body on this application.

Motion

I move to recommend (*approval, denial, to continue*) (of) ordinance amendment 2020-___-O (*as presented, or with changes*).



Overview:

Mecca Holdings, LLC is proposing a new office building on the vacant lots at 345 S. 800 W. and 338 S. 670 W. The applicant is petitioning the planning commission for a recommendation to the city council to increase the allowable height in the Research and Business zone from 48 feet and three stories to 60 feet and four stories. Staff sent notices to all residential property owners who abut the property where the applicant is proposing the office building.

Purpose of Request and General Information

- The purpose of the request is that the applicant has a current tenant, Bamboo HR, which leases another building in the Canopy Business Park and will be expanding their operations and bringing on additional employees;
- The applicant would like to construct just one building instead of two smaller buildings to accommodate the tenant;
- The property is currently being used as a community garden;
- Currently, the Research & Business zone has a combination of 2 and 3 story buildings;
- This is the last remaining property to be developed in the Research and Business zone;
- The applicant will be adding a large open space area for the use of the tenant's employees that is adjacent to a number of single-family homes, see site plan.

General Plan Considerations

When reviewing ordinance changes the planning commission should also consider the goals of the general plan.

- Maintain and enhance the pleasing appearance and environmental quality of existing residential neighborhoods by avoiding encroachment of land uses which would adversely impact residential areas (i.e. increased traffic, noise, visual disharmony, etc.) and by providing adequate screening and buffering of any adjacent commercial or industrial development including parking and service areas.
- Encourage development of commercial facilities, such as hotels, restaurants and vehicle-related services at transportation interchanges.
- Carefully limit any negative impact of commercial facilities on neighboring land use areas, particularly residential development.
- The relationship of planned land uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.
- Developed areas should be protected and revitalized by promoting new development and the adaptive reuse of existing community resources.
- Transitions between different land uses and intensities should be made gradually with compatible uses, particularly where natural or man-made buffers are not available.
- Growth should be guided to locations contiguous to existing development to provide city services and transportation in a cost-effective and efficient manner.
- Commercial and industrial uses should be highly accessible, and developed compatibly with the uses and character of surrounding districts.

Height Comparison Table Per Zone

Zone	Height Requirement
Research and Business	No building shall be constructed to a height exceeding three (3) stories with a maximum height of forty-eight (48) feet.
Commercial General	48'
Commercial General – A	48'
Commercial General – A8	80'
Commercial General - S	48'
PC-1 and PC-2	No building or structure shall be higher than forty-eight feet (48') including mechanical appurtenances, which shall be properly screened, above the average grade of the street/sidewalks adjacent to the property within the PC-1 Zone.
Lindon Village	48'
Mixed Commercial	48'
Regional Commercial	80'

Analysis

The adjacent Canopy Business Park has been a very successful office development for Lindon City and the businesses there employ a significant number of employees. Staff feels that one of the main items that the planning commission needs to consider is if the increase in height to 60' (4 stories) rather than 48' (3 stories) will have more impact on the adjacent residential properties. The Research and Business zone currently requires a 30' setback from all property lines. The applicant's site plan shows the building setback approximately 65' from the closest corner of the building to the residential zone and 183' from the furthest corner. The Research and Business zone also requires 15' of landscaping on the commercial side of the masonry wall when abutting residential. There are three existing buildings in the Canopy Business Park that are adjacent to residential uses. Those buildings are two- and three-story buildings and have a setback range of approximately 57' to 92' feet from the residential zone. See attachment

Staff has identified a number of options for the planning commission to consider for this application:

- Move the proposed recommendation forward to the City Council. However, staff recommends adding language which would require greater setbacks for a four-story building. For example, a four-story building would have a minimum setback for 60' instead of 30' which is required for a three-story building;
- Move the proposed recommendation forward to the City Council but require the applicant to relocate the building on the site and recommend specific setback requirements. For example, the building is proposed to be on an angle for better views of Mount Timpanogos. The building could be moved so that it sits square on the site and then adopt a larger setback requirements.
- Recommend denial of the application due to neighborhood impacts of increasing the height.

Proposed Ordinance Amendment

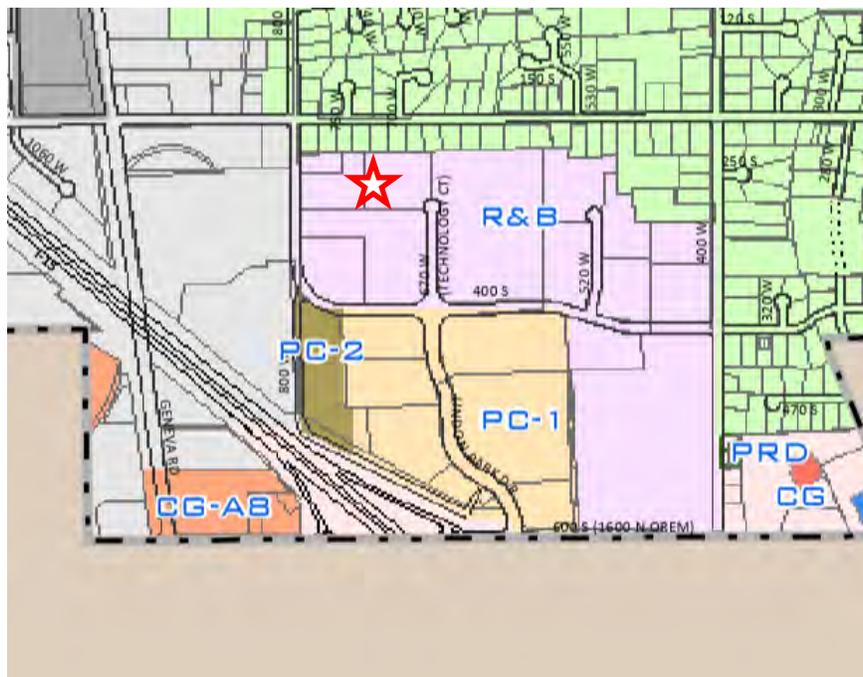
17.47.040 (4)

Building height. No building shall be constructed to a height exceeding ~~three (3)~~ four (4) stories with a maximum height of ~~forty eight (48)~~ sixty (60) feet.

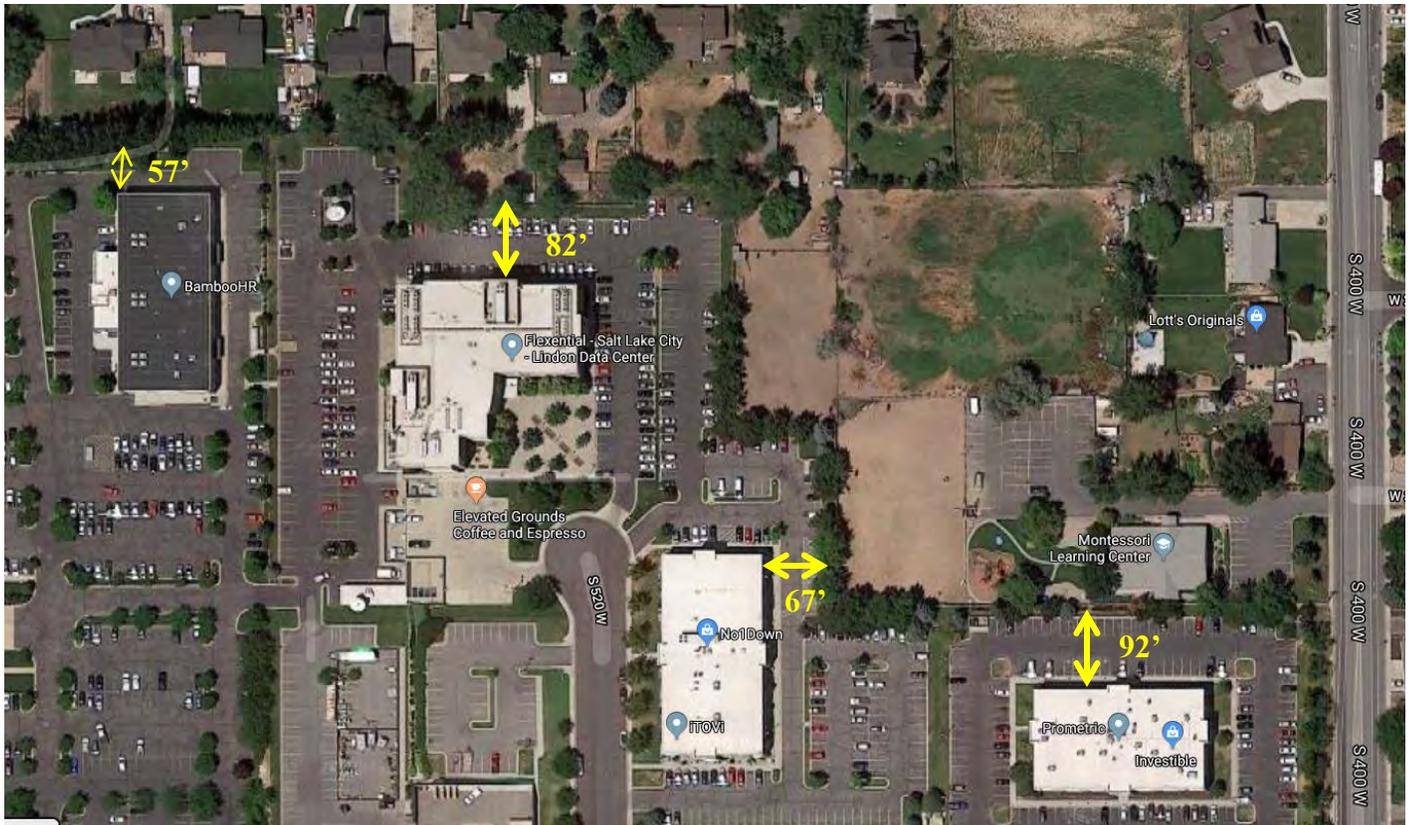
Exhibits

- Zoning map of Research and Business zone area
- Picture of the existing site
- Aerial photo
- Aerial Photo showing proximity of other building in the business park to residential
- Existing buffering between office uses and residential
- Site plan
- Renderings
- Proposed buffering illustration
- Letter from the applicant

Zoning Map



Aerial Photo showing proximity of other building in the business park to residential



Existing buffering between office uses and residential







FOOTPRINT: 39,948 SF
4 STORIES TOTAL: 159,793 SF
PARKING: 5.7 PER 1KSF
LOT AREA: 11.45 AC

BUSINESS PARK

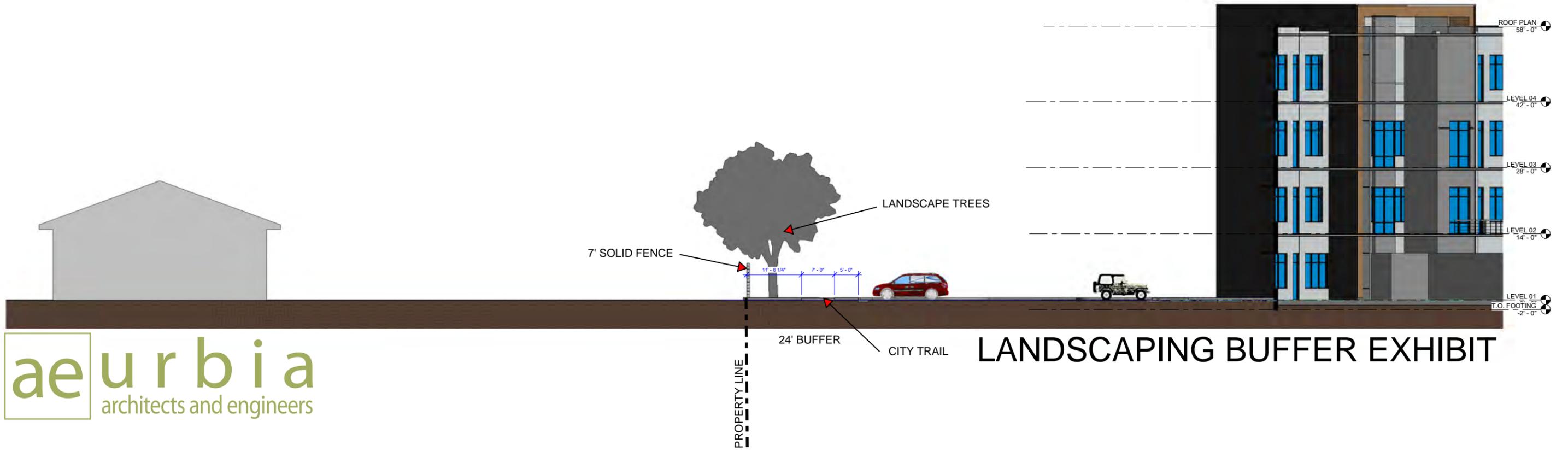
PICKLEBALL COURTS











909 W South Jordan Parkway
South Jordan, UT 84094
February 4, 2020

Lindon city
100 North State Street,
Lindon, UT 8404

SUBJECT: Suggested ordinance change for the Research & Business (R&B) Zone

Here is the sub-section of the 17.47.040 ordinance as it currently is adopted.

4. Building height. No building shall be constructed to a height exceeding three (3) stories with a maximum height of forty-eight (48) feet.

We are proposing the following changes to this ordinance:

*4. Building height. No building shall be constructed to a height exceeding **four** (4) stories with a maximum height of **sixty** (60) feet.*

Let us know if you have any questions about this change.

Sincerely,



Shawn Eaton
AE Urbia Project Manager

Item: 6 Site Plan Approval – MS Properties Maintenance Building 430 North 1200 West

Date: February 11, 2020

Project Address: 430 North 1200 West
Applicant: MS Industrial Properties LLC
Property Owner: MS Industrial Properties LLC
General Plan: Light Industrial
Current Zone: Light Industrial

Parcel ID: 45:111:0010 and 45:111:0009

Type of Decision: Administrative
Council Action Required: No
Presenting Staff: Anders Bake



Summary of Key Issues

1. For site plan approval, the planning commission will be evaluating whether the site plan and building meet Title 17 development regulations.

Overview

1. The subject property contains an existing building and is used by MS properties for equipment storage. The proposed project will include the construction of a larger building that will be attached to the back end of the existing building. The building will mainly be used for equipment maintenance.
2. The proposed Site Plan also includes improvements to the landscaping and parking to bring the site into compliance with current Light Industrial requirements.
3. The proposed Site Plan covers two lots in the Lakeview Industrial Park subdivision. The applicant has applied for a Plat Amendment to combine the two lots into one.

Motion

I move to (*approve, deny, continue*) **the applicant's request for site plan approval** with the following conditions:

1. The applicant will continue to work with the City Engineer to make all final corrections to the engineering documents;
2. The plans will meet development specifications as found in the Lindon City Development Manual;
3. Final design will meet the Title 17 standards for industrial buildings;
4. The applicant will comply with all bonding requirements, if applicable;
5. The project will meet all general and interior landscaping requirements as found in 17.49.060 and 17.18.085;
6. The applicant will meet parking requirements of Title 17.18;
7. A Plat Amendment to combine parcels 45:111:0010 and 45:111:0009 will receive Planning Commission approval and be recorded with the Utah County Records Office;
8. All items of the staff report.

Surrounding Zoning and Land Use

North: Light Industrial – office/warehouse use

East: Light Industrial – office and industrial storage uses

South: Light Industrial – office/warehouse use

West: Light Industrial – office/warehouse and industrial storage uses

Site Development Standards

Parking

The applicant is proposing to use the parking standard for a manufacturing building and not for an auto repair building. The reasoning for this is that the building will be used as a fleet maintenance building and not open to the public. The auto repair parking standard is one stall per 300 square feet of floor area excluding bay areas, plus five (5) stalls per single bay/shop. Under the auto repair code the building would require 79 parking spaces.

The proposed Site Plan identifies 13 striped parking stalls on concrete surfacing and additional space on the property for up to 30 parking stalls. The parking code requires the site to have 23 parking stalls, based on the floor area of the buildings. The parking stalls must be striped and surfaced with asphalt, concrete or other binder pavement. Section 17.18.007(4.) of the City Code allows the city to consider reducing the amount of required parking if they are provided evidence of similar uses that accommodate their parking needs with fewer available spaces (see attachment 1). The applicant was made aware of this provision but has not provided the necessary documentation that would allow for 10 less parking stalls than what is required.

Area of Existing and Proposed Buildings	Required Parking	Parking Provided
17,300 square feet	1 per 750 sq. ft. - 23	13 spaces provided with a potential of 30 – not compliant

Traffic Circulation

The site provides adequate traffic circulation for customers and trucks through the site. Vehicles will be able to enter and exit the site from two drive approaches on 1200 West.

Landscaping Standards

City Staff is currently waiting for the applicant to provide updated site and landscaping plans after the **planning and engineering staff's first** review of these plans. Mainly, the applicant still needs to provide a landscape plan and update the site plan to include interior landscaping as required in 17.18.085. Staff made these conditions of approval of the planning commission is comfortable with these items being approved at a staff level.

Landscaping Standards	Provided	Compliance
20-foot landscaping strip along public street frontages	20 feet	yes
70% grass cover and 30% other ground covers for landscaped area, trees every 30 feet along landscaping berm	Applicant will need to provide a landscape plan	no
40 square feet of interior parking lot landscaping per parking space	Applicant will need to provide on site plan	no

Building Design and Architectural Standards

The proposed building addition will have an exterior of painted metal panel with plastered concrete the bottom six feet. The colors for the new building will be earth tone. The East and West elevations of the new building will have numerous metal panel roll-up doors to accommodate the fleet maintenance.

The existing building that will remain and has a metal exterior. The applicant will install stucco over the existing metal panels to a height of six feet to match the plastered concrete portion of the new building.

Buildings in the Light Industrial zone are required to have 25% of the exterior of all buildings covered with brick, decorative block, stucco, wood, or other similar material. The Light Industrial Architectural Design requirements provide options for the Planning Commission to consider other types of architecture. Section 17.49.070(4.) states the following:

The Planning Commission may approve ribless, metal, flat-faced stucco embossed, metal sandwich panel buildings when the Planning Commission finds that the building is aesthetically pleasing, adequately trimmed, contrasted with different colors, is well proportioned, blends in with surrounding property, and has a similar look to that achieved by 17.49.070(1). The exterior appearance of such buildings shall primarily be or earth tone colors.

The Planning Commission may also approve the transfer of architectural treatments to a pre-existing building as explained in section 17.49.070 (1.a.):

With the consent of the property owner, the Planning Commission may allow some or all of the required architectural treatment on a proposed building or addition to be transferred to a pre-existing building or structure, or transferred to one or more sides of a proposed structure, which may be more visible from a public street. Said transfer of architectural treatment would need to improve the overall visual character of the area in a greater manner than if the treatment is only applied to the less visible building, addition, or side of the structure being considered. No net loss of treatment should occur. When considering a transfer of the architectural treatment, the Planning Commission should be conscious of visual site lines of adjacent buildings and properties to determine if they would be negatively impacted by a Planning Commission decision to allow transfer of the architectural treatment on the proposed structures.

This provision may apply to the MS Properties site because the applicant will be adding stucco to the existing building which will be the most visible improvement from the street and match the design of the new building behind it. Adding the stucco to the front elevation of the existing building appears to be **approximately 23% from staff's measurements. The applicant is also adding stucco to the north and south elevations of the existing building that the commission could consider.**

Development Size and Setbacks

The minimum development size for the Light Industrial zone is one acre. The lots contained in this Site Plan are an acre each but will be combined into one lot through a Plat Amendment. The existing and new buildings meet the minimum setback requirements for the light Industrial zone.

Engineering Requirements

The City Engineer is working through technical issues related to the site plan and will conduct a final review if the planning commission grants final site plan approval.

Staff Analysis

The proposed site plan will bring improvements to this property including additional landscaping and an organized parking lot. The proposed architectural plans will improve the existing building and create a consistent architectural pattern for the property. Staff will continue to work with the applicant and their engineers to ensure that review comments are addressed and that the site meets city requirements.

Exhibits

1. City Parking Code section 17.18.077 (4.)
2. Aerial photo
3. Street view
4. Site plan
5. Building elevations
6. Colored building renderings

City Parking Code Section 17.18.077 (4.)

4. Comparative use reductions

A comparable reduction in the amount of required parking may be considered if the City receives credible documentation of existing similar uses that have fewer parking spaces which reasonably accommodates the similar use. However, in order to accommodate the range of uses that may occur over time on the property, any site which is given a reduction in the number of parking spaces required under the table found in Section 17.18.070, which reduction was allowed due to comparisons of other existing similar uses, shall provide on the same or adjacent property (or through a shared parking agreement) the area needed to accommodate the total **amount of required parking spaces according to the table found in Section 17.18.070. This “parking land-bank”** shall be landscaped in a manner that can reasonably be transitioned into future parking spaces without **disruption to the uses or circulation of traffic on the property. If the ‘land-bank’ area is landscaped, said** landscaping shall not count towards other required perimeter or interior landscaping requirements. Storm drainage and other engineering considerations on the site shall be designed to accommodate the full number of stalls required in the table found in Section 17.18.070.

Aerial photo



Street view photos





NORTH
1" = 20'

North quarter corner
Section 30
Township 5 South
Range 2 East
S.R. & M.

North 89°27'57" East along the Section line (Basis of Bearings)

Northeast corner
Section 30
Township 5 South
Range 2 East
S.R. & M.

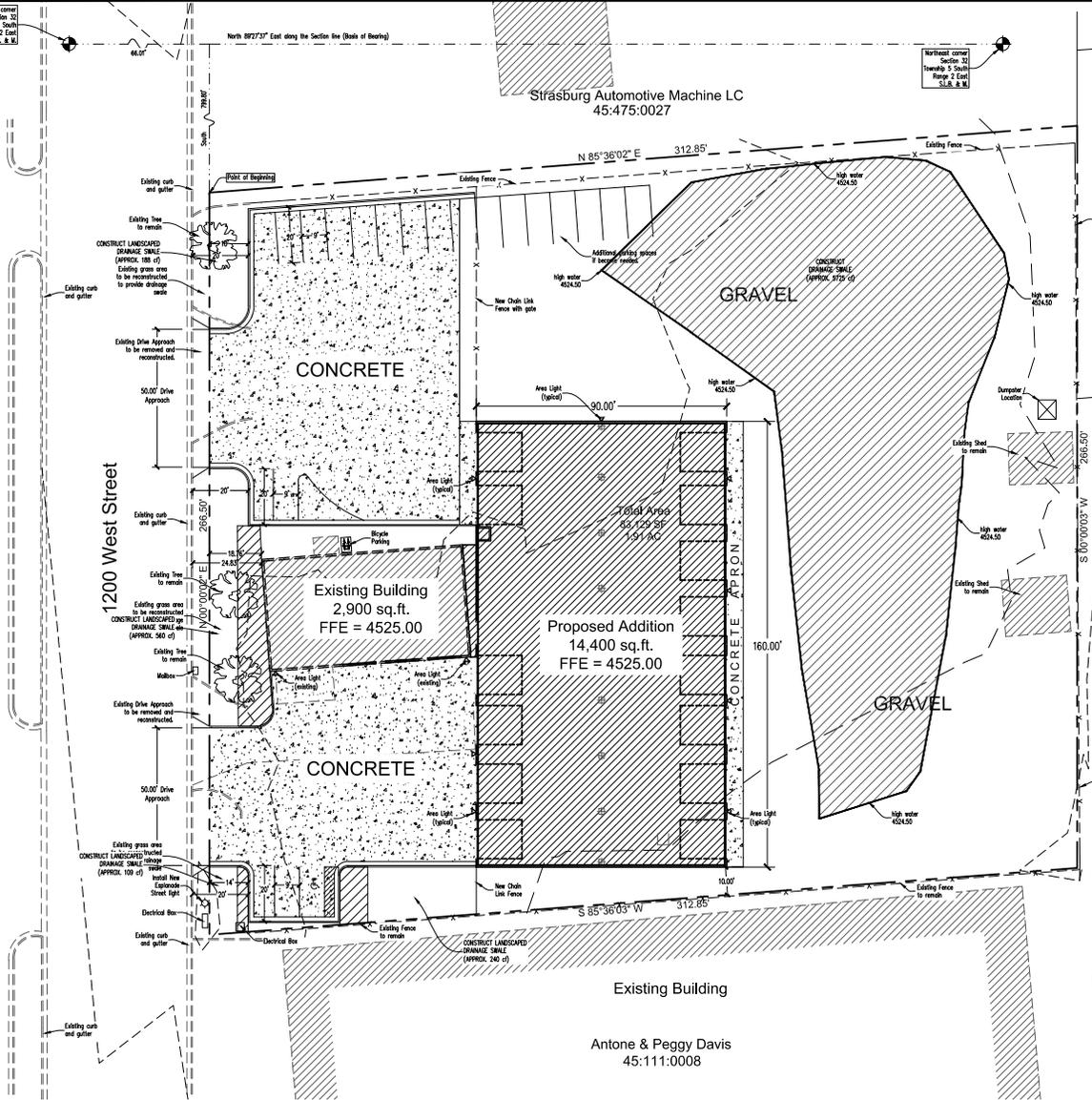
Strasburg Automotive Machine LC
45:475:0027

Collodge Incorporated
45:111:0015

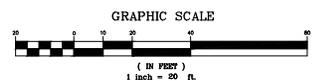
MS Business Properties Group 2
45:111:0016

Existing Building

Antone & Peggy Davis
45:111:0008



Parking Lot Landscaping contributing area.



GRAPHIC SCALE

(1" IN FIELD)
1 inch = 20 ft.



DUDLEY AND ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
363 EAST 1200 SOUTH, OREM, UTAH
801-224-1252

MS MAINTENANCE BUILDING
Site Plan

Utah

City

Revisions

Date:	12-5-2019
Scale:	1" = 20'
By:	TD
Tracing No.:	L

Sheet No.
C - 2.0

Know what's below. **811**
Call 811 before you dig.
BLUE STAKES OF UTAH
UTILITY INFORMATION CENTER, INC.
www.bluestakes.org
1 800 662 4111

CAUTION!! Notice to contractors

The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. The information is not to be considered exact or complete. The Contractor must verify the utility location center at least 48 hours prior to any excavation to request the exact location of the utilities in the field. It shall be the responsibility of the Contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plan.

Item 7: Plat Amendment – MS Properties Maintenance Building 430 North 1200 West

Date: February 11, 2020

Project Address: 430 North 1200 West
Applicant: MS Industrial Properties LLC
Property Owner: MS Industrial Properties LLC
General Plan: Light Industrial
Current Zone: Light Industrial

Parcel ID: 45:111:0010 and 45:111:0009
Lot Sizes: 1 acre

Type of Decision: Administrative
Council Action Required: No
Presenting Staff: Anders Bake



Overview

1. MS Industrial Properties is petitioning to consolidate two existing parcels into one lot. These parcels are currently lots nine and ten in the Lakeview Industrial Park subdivision.
2. The applicant, MS Industrial Properties LLC, owns both parcels that will be amended as part of the application for one lot. The Plat Amendment will allow the applicant to construct a new building on the lot.
3. The proposed plat amendment is located in the Light Industrial Zone (LI) zone and meets minimum lot size and frontage requirements.

Motion

I move **to (approve, deny, continue) the applicant's request for preliminary approval of Lakeview Industrial Park Plat " F "** with the following conditions:

1. Prior to plat recording and occupancy of any new development within this plat, the applicant must update **the final plat Mylar to include notarized signatures of owners' consent to dedication** consistent with item one above; and obtain signatures of all entities indicated on the subdivision plat attached hereto;
2. All items of the staff report.

Surrounding Zoning and Land Use

North: Light Industrial – office/warehouse use

East: Light Industrial – office and industrial storage uses

South: Light Industrial – office/warehouse use

West: Light Industrial – office/warehouse and industrial storage uses

Subdivision Standards

Lindon City Code 17.32.00 references Utah Code for requirements amending a subdivision plat. Under Utah Code 10-9a-608, an applicant may petition the Land Use Authority (Planning Commission) to join two or more of the **petitioner fee owner's contiguous lots**.

10-9a-608. Vacating, altering, or amending a subdivision plat.

(2) Unless a local ordinance provides otherwise, the public hearing requirement of Subsection (1)(c) does not apply and a land use authority may consider at a public meeting an owner's petition to vacate or amend a subdivision plat if:

(a) the petition seeks to:

(i) join two or more of the petitioner fee owner's contiguous lots;

(ii) subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;

(iii) adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join in the petition, regardless of whether the lots or parcels are located in the same subdivision;

(iv) on a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or

(v) alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not:

(A) owned by the petitioner; or

(B) designated as a common area; and

(b) notice has been given to adjacent property owners in accordance with any applicable local ordinance.

Engineering Requirements

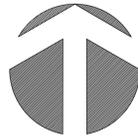
The City Engineer is working through technical issues related to the plat and will conduct a final review if the planning commission approves the plat amendment.

Exhibits

1. Aerial Image of parcels
2. Plat
3. Lakeview Industrial Park subdivision

Aerial Image of Parcels





NORTH
1" = 30'



Strasburg Automotive Machine LC
45:475:0027

Colledge Incorporated
45:111:0015

MS Business Properties Group 2
45:111:0016

Antone & Peggy Davis
45:111:0008

Total Area
83,129 SF
1.91 AC

1200 West Street

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

Surveyor's Certificate

I, Roger D. Dudley, do hereby certify that I am a registered land surveyor, and that I hold certificate No. 147082 in accordance with Utah Code, Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I further certify that at the request of the owner of the below-described land, I performed a survey of said land in accordance with Section 17-23-17 of the Utah Code; that the boundary description below correctly describes the land surface upon which will be constructed Plat "A" Roy's Circle Subdivision. That I have verified all measurements, and that the reference markers shown on said plat are located as shown and are sufficient to readily retrace or reestablish this survey.

Boundary Description

Commencing at the Southwest corner of Lot 27, Plat "D", Lakeview Industrial Park as shown on record in the office of the Utah County Recorder, said point also located North 89°27'37" East along the Section line 66.01 feet and South 799.80 feet from the North quarter corner of Section 32, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence North 85°36'02" East 312.85 feet; thence South 00°00'00" East 266.50 feet; thence South 85°36'03" West 312.85 feet; thence North 00°00'00" East 266.50 feet to the point of beginning.

Area = 138,792 sq.ft. or 3.18 Acres

Basis of Bearing is North 89°27'37" East along the Section line along the Section line from the North quarter corner to the Northeast corner of said Section 32.

Date _____ Surveyor _____
(See Seal Below)

Owner's Dedication

The undersigned owners ("owner" without regard to number or gender) of the above-described land hereby certifies that: owner has caused a survey to be made of said land and to be prepared for the owner hereby consents to the concurrent dedication of the plat and Declaration and hereby submits the described land to the provisions and requirements of the declaration, owner hereby dedicates any public streets reflected on the map for the use by the general public.

In witness hereof we have hereunto set our hands this ____ day of _____ A.D. 20__.

Acknowledgement

STATE OF UTAH } S.S.
COUNTY OF UTAH }
The foregoing instrument was acknowledged before me this ____ day of _____, 2016, by _____, who represented that he is the owner of the above-described property and has the authority to execute this instrument.

My Commission Number _____ Signed (a Notary Public Commissioned in Utah)
My Commission Expires _____ Print name of Notary _____

Acceptance by Legislative Body

The City of Lindon, County of Utah, approves this Subdivision subject to the Conditions and Restrictions stated herein, and hereby accepts the dedication of all streets, easements and other parcels of land intended for perpetual use of the public this ____ day of _____, A.D. 20__.

Mayor/Planning Commission Chair _____ City Engineer _____
Planning Director _____ City Recorder _____
City Attorney _____
Attest _____

Conditions of Approval

Plat " F "

Lakeview Industrial Park

Including a Vacation of Lots 9 & 10, Plat "A"
Lakeview Industrial Park

Subdivision

Lindon City, _____ Utah County, Utah
Scale: 1" = 30 Feet

Occupancy Restriction Notice
It is unlawful to occupy any building within this subdivision without first having obtained a certificate of occupancy issued by the City.

Notice of Lindon City Housing Ordinance
All potential buyers of lots within this plat are hereby notified of the Lindon City R2 Overlay Ordinance. Under this ordinance there is potential for small, localized multifamily housing projects in this neighborhood consisting of single family planned unit developments, duplexes, triplexes and accessory apartments. Conditions Covenants and Restrictions (C.C.&Rs) which prohibit this type of housing in specific subdivisions are considered illegal and in violation of Lindon City Code. Please contact the Lindon City Planning Department at (801) 785-7687 for details regarding this Ordinance.

City Engineer's Certificate
I Mark L. Christensen as the Lindon City Engineer, have inspected the foregoing plat and legal description and find them to be correct, and do hereby give the approval of said plat on this ____ day of _____, 20__.
Lindon City Engineer (see seal)

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDER SEAL
-----------------	--------------------	---------------------------	---------------------



NORTH 1/4 CORNER SECTION 32 T 52, R 2 E EAST 742.92

Map Filing # 3255

37021

RECORDED AT THE REQUEST OF PROVO LAND TITLE CO.

1985 DEC 23 AM 11:41

NINA B. REID UNION PACIFIC UTAH COUNTY RECORDER RAILROAD

SURVEYOR'S CERTIFICATE

I, K. EDWARD GIFFORD, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 5958 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH...

BOUNDARY DESCRIPTION

Table with columns: COURSE, DISTANCE, REMARKS. Contains boundary data for the subdivision.

COMMENCING AT A POINT LOCATED EAST 742.92 & SOUTH 444.62 FEET FROM THE NORTH ONE QUARTER CORNER OF SECTION 32, TOWNSHIP 5 SOUTH, RANGE 2 EAST...

AREA = 24.779 ACRES

BASIS OF BEARING = UTAH STATE PLANE COORDINATE SYSTEM

5-13-83 DATE K. Edward Gifford SURVEYOR

OWNERS' DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HERETO SET OUR HANDS THIS 4th DAY OF JUNE, A.D. 1985

Notary Public section with signatures and names of witnesses and owners.

STATE OF UTAH COUNTY OF UTAH

ON THE 4th DAY OF JUNE, A.D. 1985, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

ACCEPTANCE BY LEGISLATIVE BODY THE CITY COUNCIL of Lindon City

CITY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 2nd DAY OF July, A.D. 1985.

Signatures of city officials: Mayor, City Clerk, and Board of Health members.

BOARD OF HEALTH APPROVED SUBJECT TO THE FOLLOWING CONDITIONS

CITY-COUNTY HEALTH DEPARTMENT

PLANNING COMMISSION APPROVAL APPROVED THIS 2nd DAY OF July, A.D. 1985, BY THE PLANNING COMMISSION

DIRECTOR-SECRETARY William E. Johnson CHAIRMAN, PLANNING COMMISSION

PLAT "A" LAKEVIEW INDUSTRIAL PARK

LINDON SUBDIVISION UTAH COUNTY, UTAH

SCALE: 1" = 60 FEET

Professional seals for Surveyor, Notary Public, City-County Engineer, and Clerk-Recorder.



"T" TABLE with columns: No, BEARING, DIST.

CURVE DATA with columns: No, CHD. BEARING, CHD. DIST., DELTA, RADIUS, ARC, TANGENT.



3255-34

Item: 8 Amended Site Plan Approval – MS Properties Storage Yard 1325 West 500 North

Date: September 24, 2019

Project Address: 1325 West 500 North
Applicant: MS Industrial Properties LLC
Property Owner: MS Industrial Properties LLC
General Plan: Light Industrial
Current Zone: Light Industrial

Parcel ID: 45:494:0028 and 45:063:0052

Type of Decision: Administrative
Council Action Required: No
Presenting Staff: Anders Bake



Summary of Key Issues

1. For amended site plan approval, the planning commission will be evaluating whether the site plan and building meet Title 17 development regulations for expanding a development.

Overview

1. The purpose of the storage expansion is to allow the applicant to more easily align the metal poles with the building to the east for manufacturing;
2. The existing building and site were approved by the planning commission in 2011 with the following conditions:
 - a. **That 10' tall evergreen trees be installed on the north and west property frontage every 15' on center, excluding clear vision areas at drive entrances and on the corner of the site as required by ordinance**
 - b. That the 64 paved parking stalls shown on the site plan are adequate due to the number of employees anticipated at the site and area to provide future expansion of parking if necessary
 - c. That lighting be lowered, shielded and contained to the site on the north side of the building
 - d. That the color of the accent stripe be changed from red to an earth tone
 - e. That windows on the north elevation be tinted
 - f. That the exception allowing all architectural treatments to be applied to the north elevation is approved by the planning commission.
3. The subject property contains two parcels with an existing building on the North property that is used by MS properties for manufacturing. The South portion of this property is used for outdoor storage. MS properties has recently purchased the south property and would like to expand their storage area into this property;
4. The project will include bringing in gravel surfacing and the installation of a retaining wall on the South property line;
5. The applicant will also be required to make public improvements to Anderson Lane.

Motion

I move to (*approve, deny, continue*) **the applicant's request for** amended site plan approval with the following conditions:

1. The applicant will continue to work with the City Engineer to make all final corrections to the engineering documents;
2. The plans will meet development specifications as found in the Lindon City Development Manual;
3. The applicant will comply with all bonding requirements if necessary;
4. All items of the staff report.

Surrounding Zoning and Land Use

North: Anderson Farms Planned Development – future residential

East: Light Industrial – warehouse and commercial storage uses

South: Light Industrial – residential/farm

West: R1-12 – residential/farm

Site Development Standards

Street Improvements

The Amended Site Plan is considered a change in use and an expansion of an existing development. This will require the applicant to install street improvements to Anderson Lane along the South property. These improvements will include expanding the pavement width of the road, extending the culinary water line, and piping a ditch that runs along the East side of Anderson Lane. A section of right-of-way for Anderson Lane will also need to be dedicated to Lindon City. These improvements are not specified on the attached copy of the Amended Site Plan but the applicant has been made aware of these requirements.

Lighting, Landscaping and Fencing Improvements

Lighting is not proposed to be extended into the proposed storage yard. A twenty-foot-wide landscaping strip with trees planted every 30 feet is required along public roads in the Light Industrial Zone. **Top reduce potential noise issues, the planning commission in 2011 required that 10' evergreen trees be planted at 15'** on center. Staff has recommended that this condition be continued through the site with the conditional use permit. A landscaping strip and masonry fence was installed along Anderson Lane on the North property when it was developed. The applicant will be required to continue the landscaping strip and wall along Anderson Lane on the South property as part of this Amended Site Plan.

Site Changes

The Amended Site Plan includes gravel surfacing that will cover the South property. A block retaining wall will be installed along the South property line of the South property and an existing retaining wall on the north property line will be removed. There are no new buildings proposed for this site or additional changes to the North property.

Development Size and Setbacks

The minimum development size for the Light Industrial zone is one acre. The lots contained in this Amended Site Plan are eight acres and five acres. The existing building meets the minimum setback requirements for the light Industrial zone.

Engineering Requirements

The City Engineer is working through technical issues related to the site plan and will conduct a final review if the planning commission grants final site plan approval.

Staff Analysis

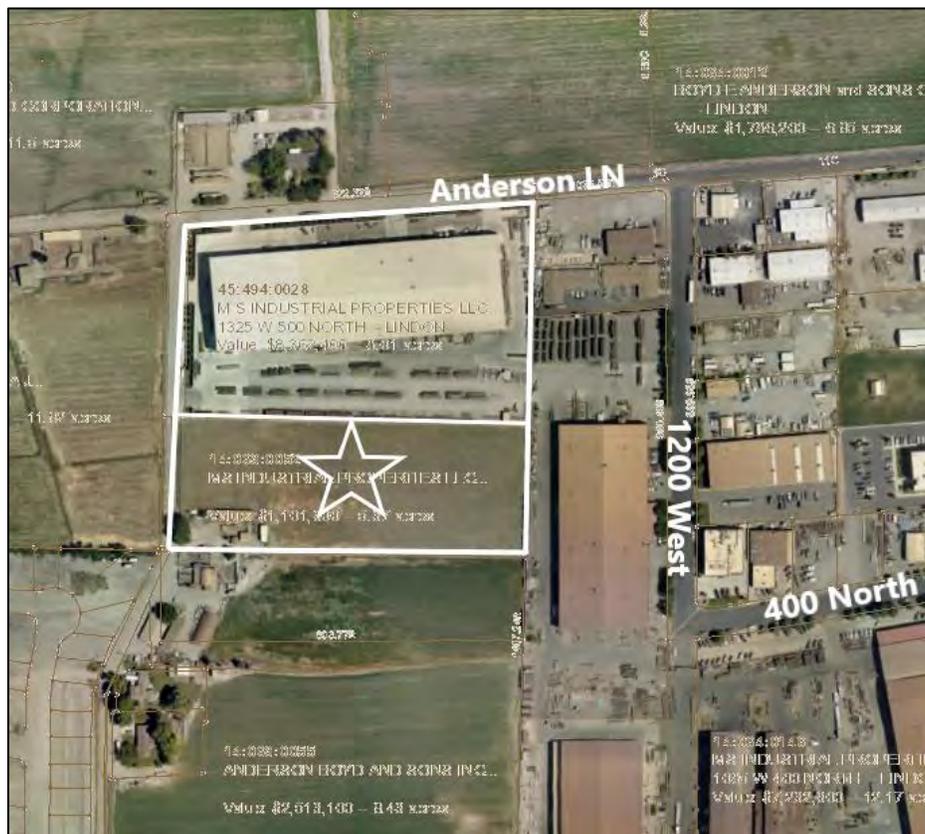
The proposed Amended Site Plan will bring important improvements to Anderson Lane that will link the existing improvements to the North with future Improvements that Ivory homes will install to the South. The required landscaping will create a buffer between an industrial use and nearby residential properties. It will also help visually connect the North and South properties and create a consistent streetscape for

Anderson Lane. Staff will continue to work with the applicant and their engineers to ensure that review comments are addressed and that the site meets city requirements.

Exhibits

1. Aerial photo
2. Street view
3. Site plan
4. 2011 planning commission meeting minutes

Aerial photo



Streetview Photo

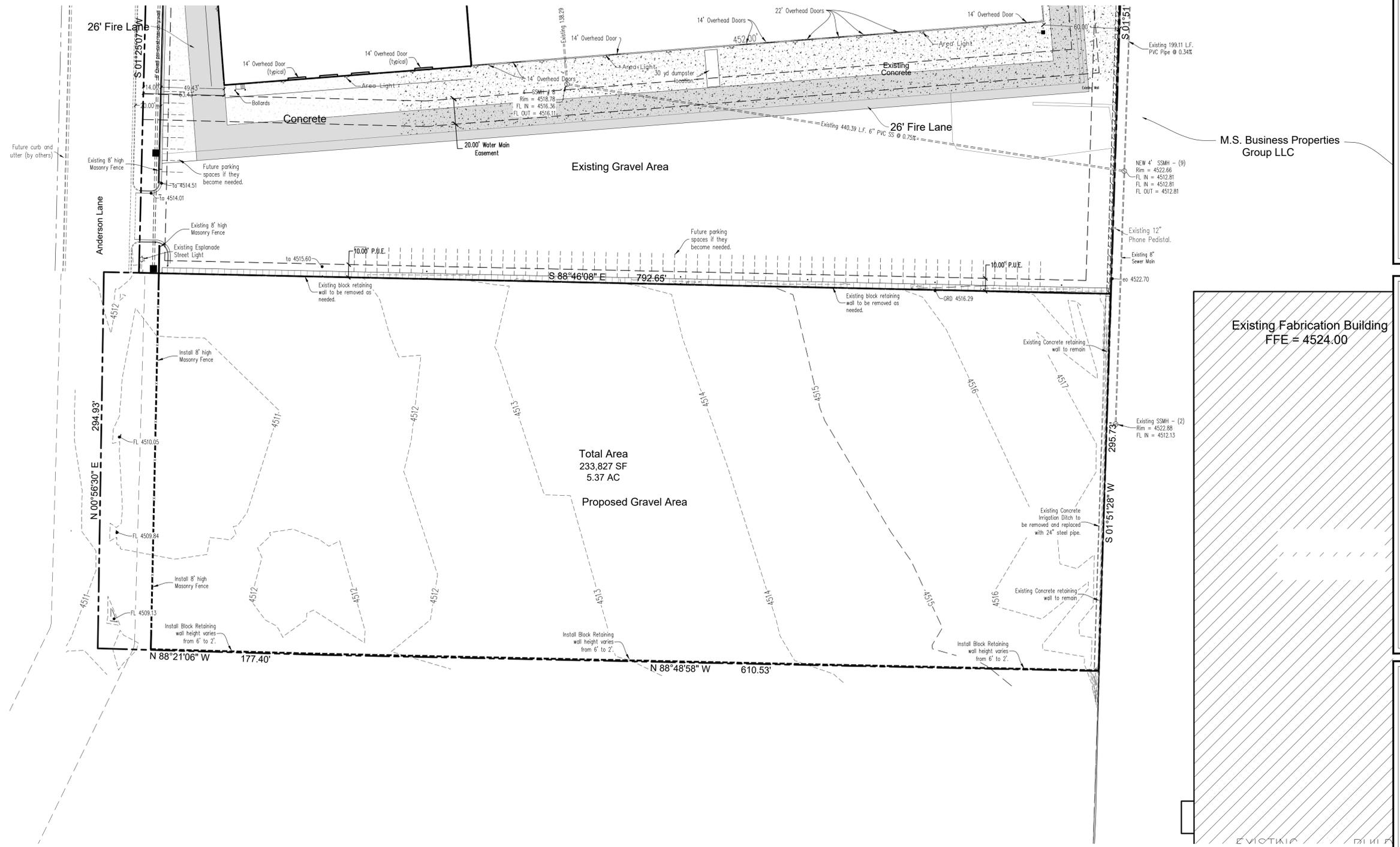


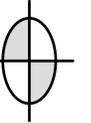


NORTH
1" = 40'

M.S. Properties Storage Yard

Lindon City Utah




Dudley and Associates, Inc.
Engineers Planners Land Surveyors
353 East 1200 South
Orem, Utah 84058 801-224-1252

M.S. Properties Storage Yard
Amended Site Plan
Utah
Lindon

REVISIONS

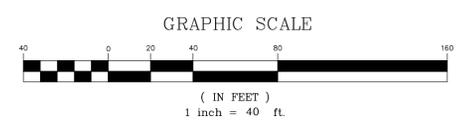
NO.	DATE	DESCRIPTION

DATE
12-17-2019
SCALE
1" = 40'
BY
TD
TRACING NO.
L -

SHEET No.
C - 2.0

Know what's below. 811
Call 811 before you dig.
BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC.
www.bluestakes.org
1-800-662-4111

CAUTION!!! Notice to contractors
The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. The information is not to be considered exact or complete. The Contractor must notify the utility location center at least 48 hours prior to any excavation to request the exact location of the utilities in the field. It shall be the responsibility of the Contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plan.



2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **January 11, 2011** beginning at 7:00 p.m. in the Lindon City Center, City Council
4 Chambers, 100 North State Street, Lindon, Utah.

5 Conducting: Matt Bean, Vice Chairperson

6 Invocation: Angie Neuwirth

7 Pledge of Allegiance: Ron Anderson

8 **PRESENT**

9 **ABSENT**

10 Ron Anderson, Commissioner

Gary Godfrey, Chairperson

11 Matt Bean, Commissioner/Vice Chairperson

12 Christian Burton, Commissioner

13 Sharon Call, Commissioner

14 Mark Johnson, Commissioner

15 Angie Neuwirth, Commissioner

16 Adam Cowie, Planning Director

17 Woodworth Mataele, Assistant Planner

18 Debra Cullimore, City Recorder

19 The meeting was called to order at 7:03 p.m.

20
21
22 **APPROVAL OF MINUTES** – The minutes of the meeting of December 14, 2010 were
23 reviewed.

24
25
26 COMMISSIONER NEUWIRTH MOVED TO APPROVE THE MINUTES OF
27 THE MEETING OF DECEMBER 14, 2010. COMMISSIONER JOHNSON
28 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
29 CARRIED.

30 **PUBLIC COMMENT** –

31
32
33 Commissioner Bean called for comments from any audience member who wished
34 to address an issue not listed as an agenda item. There was no public comment.

35 **CURRENT BUSINESS** –

- 36
37
38 1. **Site Plan** – *MS Properties, Utility Pole Building*. - This is a request by Martin
39 Snow with MS Properties for approval of a site plan to construct a 95,000 sq/ft
40 steel fabrication building for manufacturing processes associated with Universal
41 Industrial Sales. The new building will be located at approximately 1325 West
42 500 North in the Light Industrial (LI) zone.

43
44 Craig Whiteley and Leighton Jensen were present as the representatives for this
45 application. Mr. Cowie explained that this is a request by Martin Snow for approval of a
46 site plan which includes a 95,000 square foot steel fabrication facility. This use is a

2 Conditional Use in the LI zone. The Planning Commission has the authority to impose
3 conditions to mitigate concerns which may be associated with this use in this location.
4 The site is located at approximately 1325 West 500 North. An existing abandoned
5 residential structure will be removed from the site as part of the development project.

6 Mr. Cowie explained that City code requires 25% of each elevation of the
7 building to include 25% architectural treatments. Mr. Snow has made a request to move
8 all architectural treatments to the north facing façade. The three remaining elevations
9 would consist of standard ribbed metal siding. The front elevation would consist of
10 stamped metal panels. Mr. Jensen presented samples of the proposed architectural
11 materials. Mr. Cowie presented photographs of two buildings with the same architectural
12 treatments. He noted that two buildings have been approved in Lindon using the same
13 façade material. He also presented architectural drawings of the proposed elevations
14 submitted by the applicant.

15 Mr. Cowie went on to review the site plan details. He noted that the site plan
16 includes the required 20 foot landscape strip along the lot frontage on the north and west
17 property line. Four drive entrances will be provided to allow access to garage doors on
18 the building. Outdoor storage similar to existing storage will continue on the site. He
19 stated that a recommended condition of approval is to increase the density of the
20 landscaping along Anderson Lane to better screen the site from the neighboring
21 residential use (Kent Anderson home). Mr. Cowie noted that there is adequate parking
22 space provided on the site plan, but that based on square footage, 100 parking stalls
23 would technically be required. However, the unpaved slag area will allow for expansion
24 of parking stalls in the future if necessary. The applicant anticipates 50 employees at the
25 site, and is proposing 64 paved parking stalls at this time. Mr. Cowie stated that the 64
26 paved stalls shown on the site plan have been reviewed by the City Engineer and staff,
27 and that proposed parking appears to be adequate for this use given the capability to
28 expand parking in the future if necessary. He noted that City ordinance encourages
29 reduced parking areas in specific circumstances to decrease storm water runoff from the
30 site.

31 Mr. Cowie went on to review street alignment associated with this site plan and
32 the associated subdivision application which will also be reviewed at this meeting. Street
33 improvements will include curb and gutter improvements and new asphalt connecting to
34 the existing asphalt on Anderson Lane. He also reviewed proposed landscaping along the
35 north and west property lines.

36 Mr. Cowie stated that the Planning Commission should consider the placement of
37 architectural treatments as requested by the applicant. He also noted that typical
38 considerations associated with a Conditional Use Permit application include mitigation of
39 noise and light impacts to surrounding uses. Given the close proximity of the Anderson
40 home to this site, Mr. Cowie suggested that conditions be imposed to mitigate any
41 negative impacts, such as increasing landscaping density, closing garage doors on the
42 building as much as possible, directing lighting away from neighboring uses, and dust
43 control. Commissioner Neuwirth inquired as to whether site obscuring fence is required
44 for this use. Mr. Cowie stated that site obscuring fence will not be required.

45 Commissioner Anderson noted that he lives in close proximity to the site. He
46 noted that the site also borders the Mixed Commercial zone, and that an industrial use
may have a negative impact on neighboring uses as property develops in the future. Mr.

2 Jensen stated that the reason for requesting applying all architectural treatments to the
north façade is to mitigate visual impacts to neighboring properties, particularly
commercial properties and residential uses to the north.

4 Commissioner Call noted that there is currently a large amount of pipe stored on
the property. She inquired as to whether those materials would be moved to inside
6 storage when the building is completed. Mr. Whitely stated that there will be outdoor
storage on the site, but that most materials will be stored to the rear of the building rather
8 than on the street frontage. Commissioner Call inquired as to whether there may be
future development to the rear of the building which could be impacted by the outdoor
10 storage. Mr. Cowie reviewed Master Planned roads, which may open property to the
south for development in the future. He clarified that immediate development of those
12 properties is not anticipated. Commissioner Call noted that the property to the south is
zoned for industrial uses, and that similar uses may locate on adjoining properties in the
14 future.

16 Commissioner Neuwirth noted that there are currently mounds of dirt located
along the west property line. She inquired as to whether fencing could be installed along
the west side of the property to mitigate visual impacts resulting from outdoor storage to
18 the Creekside Meadows subdivision. Mr. Cowie explained that trees every 30 feet on
center will be required along the west frontage, but that there is no fencing requirement.
20 Martin Snow was present in the audience. He stated that he would prefer to install
evergreen trees along the north and west frontage, which will provide a better screen than
22 other types of trees. Commissioner Anderson noted that evergreen trees would also
provide some noise deadening effect.

24 Commissioner Anderson noted that as a Conditional Use, this use reviewable
upon complaint, and that if negative impacts are reported the City will take appropriate
26 action to mitigate those concerns. He noted that many of the concerns can be addressed
simply using common sense and being a good neighbor. He stated that no odors are
28 anticipated at the site, and that visual and sound impacts are his only concerns. He
observed that the insulated façade material will have some sound deadening effect as
30 well. Mr. Whiteley explained that the east doors will be the main delivery doors, and that
the doors facing the Anderson home will be used infrequently.

32 Commissioner Burton inquired as to the anticipated hours of operation, and
whether evening or weekend work is anticipated. Mr. Jensen stated that weekend and
34 evening work is possible. He stated that the break press machine will not generate a high
volume of noise. He stated that typical hours of operation are expected to be 6:00 a.m. to
36 4:30 p.m., but that hours will be adjusted to meet order demand.

38 Commissioner Burton inquired as to lighting plans for the site. Mr. Whiteley
stated that they anticipate lighting similar to existing buildings owned by the company.
Commissioner Burton asked if street lighting will be installed. Mr. Cowie stated that
40 three street lights will be installed along the street frontage. Mr. Whiteley stated that they
could direct the lighting toward the building rather than away from the building if the
42 City felt it would be appropriate. Commissioner Anderson suggested that lighting be
installed on the outer perimeter and directed back toward the building, or that it be put on
44 a timer system to turn off at a reasonable time. Mr. Whiteley suggested that shields be
installed on exterior lighting to direct light down to the ground and contain lighting to the

2 parking area. He stated that appropriate measures will be taken to contain lighting to the site.

4 Commissioner Burton asked if an intercom system will be installed, which could create noise impacts. The applicants stated that no intercoms will be installed.

6 Commissioner Call inquired as to the proposed number of employees. Mr. Whiteley stated that at maximum capacity the business will employ approximately 50, but that there will be substantially fewer employees initially.

8 Commissioner Call commented on the proposed 35 foot street width associated with the subdivision for this development. She inquired as to whether the proposed street width will provide adequate access for semi trucks to access the site. Mr. Whiteley stated that the business in using the existing 20 foot paved asphalt to access the site, and that the proposed 35 foot width will be adequate. Kent Anderson was present in the audience. Commissioner Call asked his opinion on the proposed street width. Mr. Anderson indicated that if the street were improved to the full 50 foot width it would significantly impact his front yard area. He expressed concern regarding the noise impacts, but noted that the business has been good to work with on other issues over the years.

16 Commissioner Bean asked Mr. Snow how long he has owned the subject property. Mr. Snow stated that he has owned this lot for approximately 9 years, but has owned the company since 1982. He stated that this site has been used for storage for approximately 8 years. He explained that pipe is manufactured only twice each year and must be bought in bulk and stored for use throughout the year. He stated that less outdoor storage is expected once the new building is completed.

22 Commissioner Bean asked for further discussion regarding the proposed variation to architectural requirements. He asked Mr. Snow the most compelling reason the Commission should consider granting this request. Mr. Snow explained that if the 25% requirement were followed, the view of the building from 700 North and neighboring commercial properties would be corrugated steel, as the architectural treatments would be installed along the bottom of the façade which would not be visible from 700 North. Mr. Jensen reviewed proposed façade materials. He stated that all elevations will be the same color, and will include a red accent strip around the perimeter of the building.

30 Commissioner Call inquired as to the employee entrance in relation to employee parking. She asked if employees would access the site prior to reaching the Anderson home. Mr. Jensen stated that employees will likely access the site from the east entrance which is the first entrance they come to. The Commission also discussed truck access to the site.

36 Mr. Snow noted that windows are proposed along the front elevation to improve the aesthetic look of the building. He inquired as to whether there is any concern regarding light from the interior impacting neighboring properties. The Commission felt that it may be appropriate to tint the windows on the north elevation to shield interior lighting.

40 Commissioner Burton requested clarification of architectural treatments. He inquired as to the possibility of an architectural feature with relief rather than a painted accent line. Mr. Cowie stated that the proposed panels create some visual interest. Commissioner Bean asked the height of the panels. Mr. Jensen stated that the panels will be the full height of the building. Windows will be approximately 5 feet wide and 10 feet high. The Commission discussed additional architectural details, including the parapet

2 wall. The roof height will be 42 feet to the ridgeline, approximately 4 feet above the
parapet. Commissioner Burton inquired as to rooftop mechanical equipment. The
applicants indicated that no rooftop mechanical equipment is anticipated.

4 Commissioner Bean requested clarification regarding typical architectural
requirements and whether the proposed architectural panels applied to 25% of each
6 elevation would meet the requirements of the code. Mr. Cowie stated that a wainscot of
architectural elements on each elevation is a typical light industrial building.

8 Commissioner Bean noted that the view from the north as opposed to undeveloped
properties from the south or west is a reason to consider allowing the requested relocation
10 of all architectural elements to the front façade. Commissioner Neuwirth stated that she
is in favor of allowing the location of all architectural treatments to the north façade. She
12 stated that she has some concerns related to the west side, but that those concerns could
be mitigated with a landscape barrier as discussed. Commissioner Call agreed that it
14 would be appropriate to relocate all architectural treatments to the south elevation
provided that the siding used on the other three sides matches the color of the south
16 façade. She also agreed that it would be appropriate to increase landscaping requirements
on the north and west frontage.

18 The Commission discussed the proposed red accent stripe. Commissioner
Anderson commented that the applicant has made considerable effort to enhance the look
20 of the building. He felt that the color of the accent stripe may detract from the overall
look of the building. Commissioner Call agreed. Commissioner Bean inquired as to
22 whether the applicant might consider changing to an earth tone color for the stripe. The
applicant felt that changing the color of the stripe would not be problematic.

24 The Commission went on to review appropriate conditions of approval, including
allowing the exception to architectural treatment requirements, installation of higher
26 density landscaping on the north and west frontage to mitigate impacts to the residential
use and provide screening and sound mitigation, allowing parking as proposed with 64
28 paved stalls, that lighting be shielded and contained to the site, that the color of the accent
stripe be earth toned rather than red.

30 The Commission went on to discuss specific landscaping requirements. Mr.
Cowie outlined the required 40 foot clear vision area at drive approaches and on the
32 corner. Following discussion, the Commission and the applicant agreed to install 10 foot
evergreen trees every 15 feet on center. Commissioner Bean called for further comments
34 or discussion. Hearing none, he called for a motion.

36 **COMMISSIONER CALL MOVED TO APPROVE THE SITE PLAN AND
CONDITIONAL USE FOR MS PROPERTIES UTILITY POLE BUILDING WITH
38 THE FOLLOWING CONDITIONS:**

- 40 1. THAT 10 FOOT TALL EVERGREEN TREES BE INSTALLED ON THE
NORTH AND WEST PROPERTY FRONTAGE EVERY 15 FEET ON
42 CENTER, EXCLUDING CLEAR VISION AREAS AT DRIVE ENTRANCES
AND ON THE CORNER OF THE SITE AS REQUIRED BY ORDINANCE.
- 44 2. THAT THE 64 PAVED PARKING STALLS SHOWN ON THE SITE PLAN
ARE ADEQUATE DUE TO THE NUMBER OF EMPLOYEES ANTICIPATED
46 AT THE SITE AND AREA TO PROVIDE FUTURE EXPANSION OF
PARKING IF NECESSARY.

3. THAT LIGHTING BE LOWERED, SHIELDED AND CONTAINED TO THE SITE ON THE NORTH SIDE OF THE BUILDING.
4. THAT THE COLOR OF THE ACCENT STRIPE BE CHANGED FROM RED TO AN EARTH TONE.
5. THAT WINDOWS ON THE NORTH ELEVATION BE TINTED.
6. THAT THE EXCEPTION ALLOWING ALL ARCHITECTURAL TREATMENTS TO BE APPLIED TO THE NORTH ELEVATION IS APPROVED BY THE PLANNING COMMISSION.

Commissioner Johnson inquired as to whether the Commission has the authority to require the color change to the accent stripe. Commissioner Neuwirth noted that while the Commission may not have the authority to require the color change, the applicant has expressed a willingness to comply with this request. Mr. Cowie noted that the Architectural Design Guidelines include a color palette for buildings located in the LI Zone which consist of earth tone colors. Commissioner Anderson noted that as a Conditional Use, the Commission has the authority to impose conditions which mitigate concerns. Due to the proximity of this site to commercially zoned property, the color of the accent stripe may have an impact on neighboring properties. He read from LCC 17.49.070, which specifies a requirement for earth tone colors as shown in the Commercial Design Guidelines color palette in the LI zone.

COMMISSIONER NEUWIRTH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

2. **Minor Subdivision** – *Lakeview Industrial Park, Plat E*. This is a request by Martin Snow with MS Properties for approval of a one-lot industrial subdivision in the LI zone. The 8-acre lot is located at 1325 West 500 North. Some street dedication and installation of public improvements will occur along portions of 500 North and Anderson Lane.

Mr. Cowie stated that this is a request by Martin Snow and MS Properties for approval of a one lot industrial subdivision in LI Zone consisting of one 8.03 acre parcel. Mr. Cowie explained that street, curb, gutter and storm water improvements will be installed as part of the project. He clarified that the Master Plan shows future storm water facilities along 500 North and extending down Anderson Lane, under I-15 and out to Utah Lake. However, storm water facilities have not yet been installed in Anderson Lane. The applicant is proposing as a temporary solution that storm water be collected in curb inlets, running toward Creekside Meadows. Staff recommends that as a condition of approval that the applicant prepare a development agreement which will require connection to future storm water facilities along Anderson Lane when they are installed. The City Engineer will review and approve the storm water proposal prior to construction.

Mr. Cowie also noted that the proposed partial street width of 35 feet must be approved by the Planning Commission. He noted that installation of full width streets are typically required as part of new development. However, in this case, the full width road would encroach approximately 6 feet into the Anderson property, in addition to property

Item: 9 Conditional Use Permit – MS Properties Storage Yard 1325 West 500 North

Date: February 11, 2020

Project Address: 1325 West 500 North
Applicant: MS Industrial Properties LLC
Property Owner: MS Industrial Properties LLC
General Plan: Light Industrial
Current Zone: Light Industrial

Parcel ID: 45:494:0028 and 45:063:0052
Lot Size: 13.4 acres

Type of Decision: Administrative
Council Action Required: No
Presenting Staff: Anders Bake



Summary of Key Issues

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

Overview

1. MS Industrial Properties requests conditional use permit approval to operate their business on the South property located at 1325 West 500 North (parcel ID #: 14:063:0052).
2. The applicant plans to use the property for construction material storage which requires a Conditional Use Permit in the Light Industrial Zone.
3. Notices were mailed on January 31st 2020 to adjoining property owners in accordance with Lindon City Codes Section 17.14.50 Third Party Notice. Staff has received no public comment(s) at this time.
4. The Special Provisions section of Lindon City code, 17.49.090, will apply to this site. The ordinance outlines practices which include items such as proper property maintenance, storage, fencing height and excessive dust, odor, and noise.

Motion

I move to (*approve, deny, continue*) **the applicant's request** for a conditional use permit to use the property located at 1325 West 500 North for construction material storage with the following conditions:

1. The applicants will maintain the property as approved in the amended site plan;
2. The applicant will continually meet the Special Provisions requirements of Title 17.49.090 for industrial properties;
3. Ten (10) foot tall evergreen trees be installed fifteen (15) feet on center within the twenty (20) foot landscaped area along Anderson Lane in order to mitigate noise levels and further screen the outdoor storage area;
4. All items of the staff report.

Surrounding Zoning and Land Use

North: Anderson Farms Planned Development – future residential

East: Light Industrial – warehouse and commercial storage uses

South: Light Industrial – residential/farm

West: R1-12 – residential/farm

Development Standards

The storage yard will have a gravel base and used for outdoor storage of construction equipment. This will be an expansion of what is currently done on the property to the North. The proposed use may increase truck traffic and noise in the area. These impacts can be reasonably mitigated through the requirements outlined in the Amended Site Plan for this site and Title 17.49.090. Amended Site Plan requirements include widening the asphalt on Anderson Lane which will allow the road to handle increased traffic from this business. The applicant will also be required to install a twenty-foot-wide landscaping strip with trees every 30 feet along Anderson Lane **and a 6' fence** that will create a noise and visual buffer from nearby residential properties.

Industrial Zone Special Provisions 17.49.090 - Special Provisions.

1. Every site shall conform to the approved conditional use permit, site plan, or amended site plan. No structures or improvements may be added to a site that are not included on the approved site plan, original or amended. All emanates from the movement of motor vehicles. Premises shall be maintained in such a manner so as to avoid unreasonable interference with adjacent uses and to avoid public nuisances. Improvements shown on the approved site plan or amended site plan shall be maintained in a neat and attractive manner. Failure to complete or maintain a site in accordance with this chapter and with the approved site plan shall be a violation of this section. The City may initiate criminal and/or civil legal proceedings against any person, firm or corporation, whether acting as principal, agent, property owner, lessee, and employee or otherwise, for failure to complete or maintain a site in accordance with this chapter and with the approved site plan. Any violation of this chapter or any division thereof is punishable by a class B misdemeanor.
2. No person shall store junk, partially or completely dismantled vehicles, or salvaged materials in any industrial, manufacturing, or research and development zone, except as authorized by the Planning Commission or City Council, and as shown on an approved site plan, amended or original, meeting the following standards.
 - a. Any such authorized storage shall be done entirely within a building or an area enclosed by a site obscuring fence no less than six feet (6') in height.
 - b. None of these materials shall be stacked in a manner to exceed the fence height.
 - c. In all zones the Planning Commission may approve a landscaping screen in lieu of a fence, a fence other than a site obscuring fence or approve a fence height greater than six feet (6') if it makes the following findings:
 - i. The proposed fence/landscape screen provides an adequate buffer for the adjoining residential use;
 - ii. The appearance of the fence/landscape screen will not detract from the residential use and /or non-residential use of the property;
 - iii. The proposed fence/landscape screen will shield the residential use from noise, storage, traffic or any other characteristic of the non-residential use that is incompatible with residential uses.
 - iv. The Planning Commission may waive or adjust this fence/screening requirement upon findings that the fence is not needed to protect adjacent residential uses from adverse impacts and that such impacts can be mitigated in another appropriate manner.
3. All solid waste storage facilities shall be located at the rear of the main building or within an area enclosed with a sight-obscuring fence or wall measuring one foot (1') higher than the height of the solid waste container. The minimum access width to a solid waste storage facility shall be fifteen (15) feet.
4. No excessive dust, offensive odor, smoke, intermittent light, or noise shall be emitted which is discernible beyond the site or parcel boundary lines in question, except that which
5. No trash, rubbish, or weeds shall be allowed to accumulate on any lot in the LI or HI zones. The space around buildings and structures in the LI and HI zones shall be kept free from refuse, debris, and weeds. All waste shall be concealed from view from adjacent property, (Ord. 2008-4, amended, 2008; Ord. 98-9, amended, 2000)

Staff Analysis

The subject property is located in the Light Industrial Zone but surrounded by future residential development. The site plan requirements and provision in 17.49.090 outlined in the Industrial Zoning section of the Lindon City Code will allow the property to be used for the proposed industrial use and to sufficiently mitigate negative impacts.

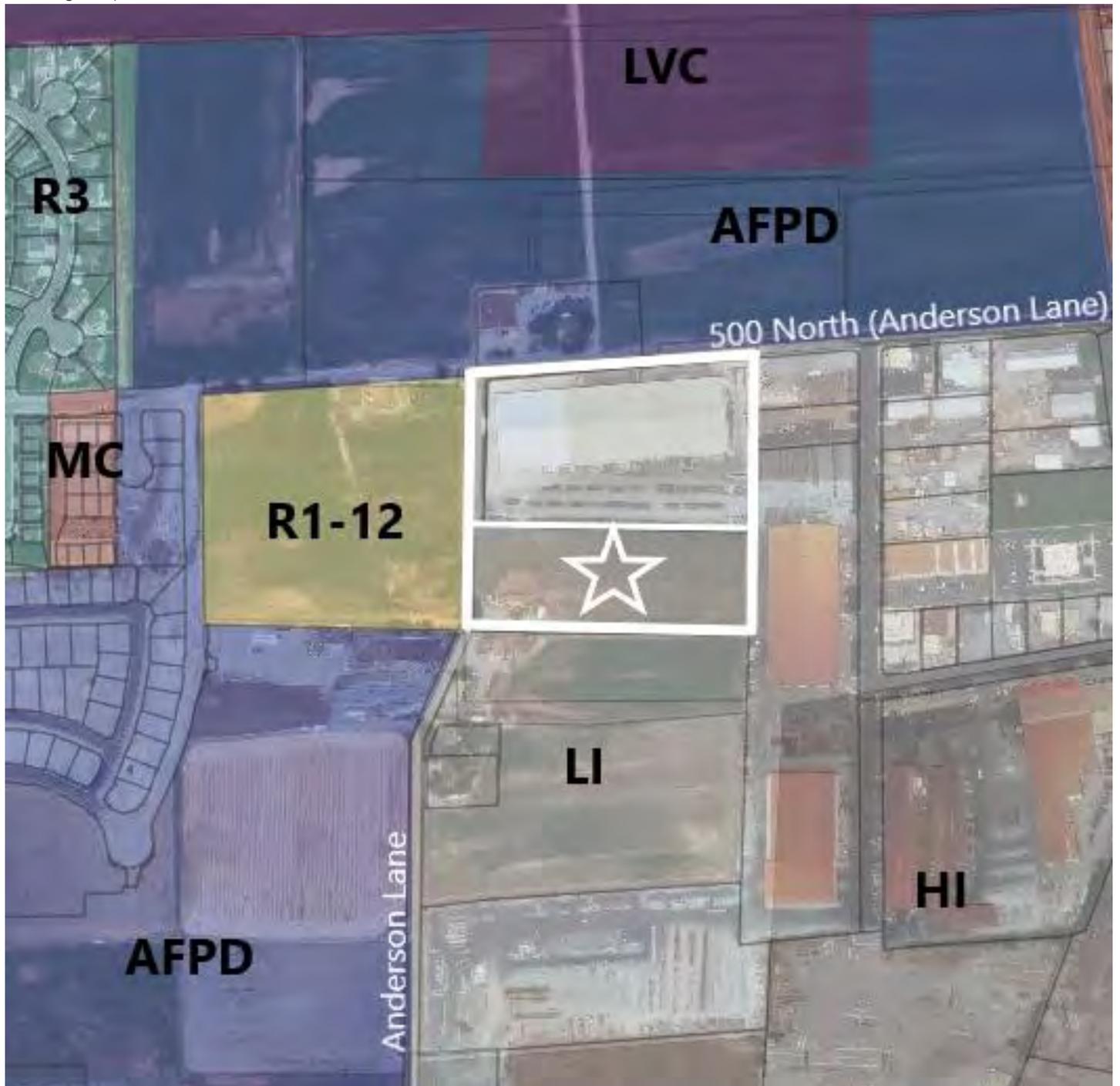
Exhibits

1. Aerial photo
2. Zoning Map
3. Site plan

Aerial photo



Zoning Map

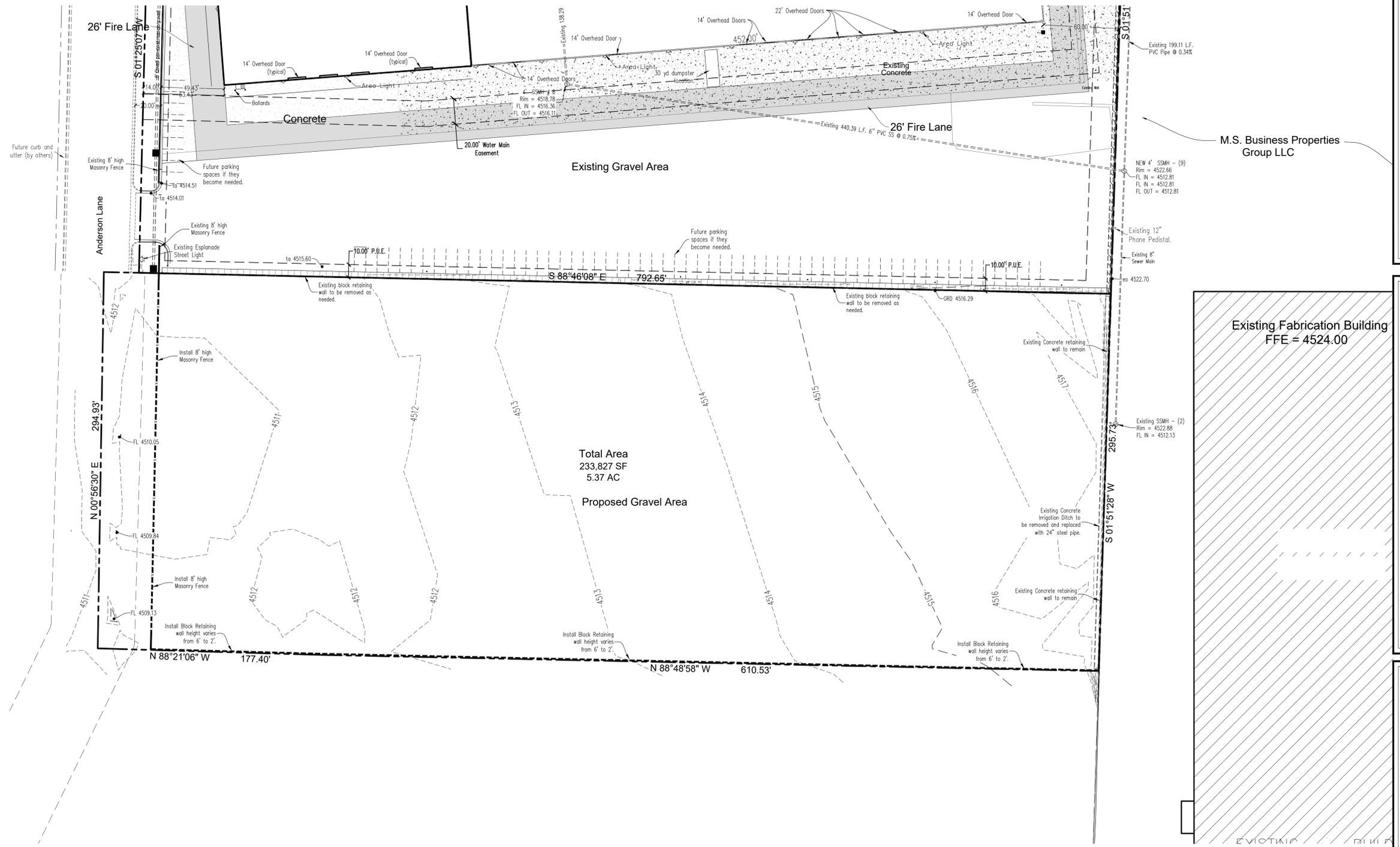


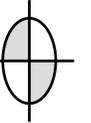


NORTH
1" = 40'

M.S. Properties Storage Yard

Lindon City Utah




Dudley and Associates, Inc.
Engineers Planners Land Surveyors
353 East 1200 South
Orem, Utah 84058 801-224-1252

M.S. Properties Storage Yard
Amended Site Plan
Utah
Lindon

REVISIONS

NO.	DATE	DESCRIPTION

DATE
12-17-2019
SCALE
1" = 40'
BY
TD
TRACING NO.
L -

SHEET No.
C - 2.0

Know what's below. 811
Call 811 before you dig.
BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER, INC.
www.bluestakes.org
1-800-662-4111

CAUTION!!! Notice to contractors
The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. The information is not to be considered exact or complete. The Contractor must notify the utility location center at least 48 hours prior to any excavation to request the exact location of the utilities in the field. It shall be the responsibility of the Contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plan.

