

Lindon City

Planning Commission

Staff Report



May 14, 2024

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on Tuesday, May 14, 2024, in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at 6:00 p.m. This meeting may be held electronically to allow a commissioner to participate by video or teleconference. Meetings are broadcast live at www.youtube.com/LindonCity. 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 4/23/2024
3. Public Comment
4. Amended Site Plan Approval – 1600 W. 200 S.
AE Controls requests amended site plan approval from the Lindon City Planning Commission to construct a new 8,100 square foot warehouse building. (Parcel 34:759:0001). (15 minutes)
5. Open and Public Meetings Training – Lindon City Attorney Brian Haws. (20 minutes)
6. 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 Britni Laidler at 785-1971, giving at least 24 hours' notice.

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

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

Posted By: Britni Laidler, City Recorder

Date: 05/10/2024 Time: 5:00 pm

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

Notice of Meeting
Lindon City Planning Commission



Item 1 – Call to Order

Sharon Call
Mike Marchbanks
Rob Kallas
Steve Johnson
Scott Thompson
Jared Schauers
Karen Danielson

The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, April 23, 2024 beginning at 6:00 p.m.** at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

REGULAR SESSION – 6:00 P.M.

Conducting: Steve Johnson, Chairperson
Invocation: Steve Johnson, Chairperson
Pledge of Allegiance: Karen Danielson, Commissioner

PRESENT

Steve Johnson, Chairperson
Rob Kallas, Commissioner
Mike Marchbanks, Commissioner
Jared Schauers, Commissioner
Sharon Call, Commissioner
Karen Danielson, Commissioner
Michael Florence, Community Development Director
Brian Haws, City Attorney
Britni Laidler, City Recorder

EXCUSED

Scott Thompson, Commissioner

1. CALL TO ORDER – The meeting was called to order at 6:00 p.m.

2. APPROVAL OF MINUTES –The minutes of the regular meeting of the Planning Commission meeting of April 9, 2024 were reviewed.

COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF APRIL 9, 2024 AS PRESENTED. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

CURRENT BUSINESS –

4. Design Review Approval – Church of Jesus Christ of Latter-Day Saints – 610 W. 100 S. The applicant requests Design Review approval to construct a steeple on the chapel building located at 610 W. 100 S. The purpose of the planning commission review for this application is due to the height of the proposed steeple. The Lindon City code allows a steeple to be up to a height of 55’ in height. Heights greater than 55’ must be approved by the planning commission. The applicant is proposing a 72’ steeple. (14:066:0059).

Mike Florence, Community Development Director presented this item noting that Jim Robock was present to represent the applicant. He stated that The Church of Jesus Christ of

2 Latter-Day Saints is petitioning to construct a roof steeple on the chapel located at 610 W. 100 S.
Mr. Florence then presented designs of the steeple to the commission, noting that the applicant is
4 requesting a height of 72' for the steeple, which is higher than allowed 55'. He then presented the
Lindon city code in regards to the height of the steeple as follows:

- 6
8 • 17.04.230 Penthouse or roof structures for the housing of elevators, stairways, tanks,
ventilating fans or similar equipment required to operate and maintain the building, and
10 attached structures such as fire or parapet walls, skylights, towers, steeples, chimneys,
wireless or television masts, theater lofts, or similar structures may be erected 10 (10) feet
12 above the zone height limits, but no space above the height limit shall be allowed for
purposes of providing additional floor space, nor shall such increased height be in
14 violation of any other ordinance or regulation of Lindon City. *A church may have
architectural features, similar to those listed above, erected up to 50% of the building
height or 20' above the zone height limit, whichever is greater.* (Ord. 2010-4, amended,
16 2010; Ord. 2003-3, amended, 2003; Ord. 111 §1, amended, 1985; Prior code §12-101-25)
- 18 • 17.44.100 No lot or parcel of land in the R1-20 and R1-12 zones shall have a building or
structure used for dwelling which exceeds a maximum average height of thirty-five feet
20 (35'), measuring the four (4) corners of the structure from finished grade to the highest
point of the roof structure. The planning director and chief building official shall be
22 responsible for designating and identifying the four (4) corners of a structure. *The height
of churches in some cases may exceed thirty-five feet (35') and shall be reviewed and may
24 be approved by the planning commission if the planning commission finds that no
neighboring property owner will be substantially damaged by the approval of such.* No
26 dwelling shall be erected to a height less than one (1) story above grade.

28 Mr. Florence noted that the roof height of the existing chapel is 28' and the height limit in
the R1-20 zone is 35'. He referenced Lindon ordinance 17.04.230 which allows an architectural
30 feature, such as a steeple, to be erected up to 50% of the building height or 20' above the zone
limit height, whichever is greater. Using the zone limit height of 35' the steeple under that code
32 could be up to 55' in height. He then stated however, ordinance 17.44.100 allows the planning
commission to approve heights greater than allowed in the zone if the planning commission finds
34 that no neighboring property owners will be substantially damaged by the approval.

36 Chairperson Johnson asked for any public comment from the citizens present. The
following comments were made:

38 Mike Helm – Mr. Helm stated he has worked in the billboard industry for 20 years, and they live
40 and die by codes, and his issue is that the steeple is permitted to go up to 55' in the code.
However, they are asking for an exception to go to 72'. Mr. Helm then stated that he is
42 concerned with this steeple obstructing his view of Timpanogos Mountain, he continued to say
he would rather the steeple be the 55' that is allowed, and not the 72' to help maintain some of
44 his view. He closed by stating if we are not going to give the same exceptions to citizens, we
shouldn't give it to a steeple that isn't even usable space
46

2 David Toussaint – Mr. Toussaint stated that his home is right across the street from the Church,
noting that it has been there all this time, and the current steeples haven't faltered in any way,
4 and wants to know why it needs to have a new steeple now. He then voiced that the steeple
would obstruct the view for him and surrounding neighbors.

6
Commissioner Call inquired why they need to add a steeple at this time. Mr. Robock
8 addressed those questions stating it is for two reasons, the first is to make it more structurally
sound, and the second is to standardize all churches. Commissioner Kallas then asked for
10 clarification on the amount above code this steeple would be going. Mr. Florence stated it would
be an increase of 17' above of what is currently permitted.

12
Chairperson Johnson asked for clarification on the code and what is built into the code
14 versus what is not. Brian Haws, City Attorney, addressed those questions for greater
clarification, noting the exception in 17.44.10 has written in, that the planning commission can
16 go above the allowed, as long as they do not find that no neighboring property owner will be
substantially damaged by the approval of such. Mr. Robock then presented to the commission a
18 rendering of the view from a corner near the church where he had rendered the steeple on top to
show what he stated would be a lack of obstruction. The commission took time to review those
20 pictures, with general discussion following.

22 Mr. Helm then addressed the commission again, noting the confusion with the code. He
stated that the beauty of the planning commission is to enforce code. Mr. Toussaint then
24 addressed the commission again stating that the view from the whole neighborhood would be
impacted by this steeple, and the commission needs to consider the whole neighborhood.
26 Commissioner Kallas stated that he doesn't see the steeple to be distracting from the view, noting
that the objection appears to be more on principle than the view. Commissioner Marchbanks
28 stated that he remembered when that specific church was built, and the neighborhood at that time
was upset that it didn't get a steeple at that time, now that it is getting one, there are people upset
30 about it. Commissioner Schauers stated that the difference between 55' verses 72' presents a
minimal change to the view, so he doesn't find this as substantially damaging. General
32 discussion amongst the commission followed.

34 Chairperson Johnson called for any further comments or discussion from the
Commission. Hearing none he called for a motion.

36
COMMISSIONER DANIELSON MOVED TO APPROVE THE APPLICANT'S
38 REQUEST DESIGN REVIEW AT 610 W. 100 S WITH THE FOLLOWING FINDINGS: 1.
NO NEIGHBORING PROPERTY OWNER WILL BE SUBSTANTIALLY DAMAGED BY
40 THE APPROVAL OF THE STEEPLE ON THE CHAPEL BUILDING; 2. THE HEIGHT OF
THE STEEPLE AT 72' IS APPROVED AS PRESENTED; AND 3. ALL ITEMS OF THE
42 STAFF REPORT. COMMISSIONER CALL SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

44 CHAIRPERSON JOHNSON	AYE
COMMISSIONER KALLAS	AYE
46 COMMISSIONER SCHAUERS	AYE
COMMISSIONER MARCHBANKS	NAY

2 COMMISSIONER CALL AYE
COMMISSIONER DANIELSON AYE
4 THE MOTION CARRIED UNANIMOUSLY.

6 *Commission Marchbanks voiced the reasoning for his Nay vote as to show he is sympathetic to
the principle that they brought up, and to support his neighbors.*

8
10 **5. Site Plan Approval – 120 S. 1200 W.** The applicant requests site plan approval from the
Lindon City Planning Commission to construct a new office, retail and indoor air gun
range. (Parcel 14:065:0018)

12
14 Mr. Florence presented this item noting that the applicant was present. He continued by
stating that the applicant is seeking site plan and conditional use permit approval for a new air
gun business and building, noting that they will be moving their existing business from Orem to
16 Lindon. The building will have retail, office, warehouse, and air gun range areas. He reminded
the commission that at the end of 2023 the planning commission and city council amended
18 Appendix A Standard Land Use Table to allow for gun ranges in the Heavy Industrial Zone as a
conditional use. Mr. Florence then went over the requirements for parking, site landscaping and
20 building and architectural design.

22 Mr. Florence noted that the building has storefront windows, good fenestration, and entry
canopies. He stated that the building walls also articulate and are not flat along the length of the
building, he closed by noting there will also be a small cornice treatment along the roof line
24 which also articulates.

26 Commissioner Call asked for clarifications on some landscaping requirements and
minimum lot size. Mr. Florence then addressed those items.

28 Chairperson Johnson called for any further comments or discussion from the
Commission. Hearing none he called for a motion.

30 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S REQUEST
FOR CONDITIONAL USE PERMIT APPROVAL LOCATED AT 120 S. 1200 W. WITH THE
FOLLOWING CONDITIONS: 1. THE INDOOR GUN RANGE WILL BE USED FOR AIR
32 GUNS ONLY; 2. THE INDOOR GUN RANGE WILL BE OPERATED IN ACCORDANCE
WITH NATIONALLY RECOGNIZED STANDARDS AND OPERATING PRACTICES
34 REGARDING NOISE, PUBLIC HEALTH, AND SAFETY; 3. ANY WASTE FROM THE
SHOOTING RANGE WILL BE PROPERLY AND SAFELY DISPOSED; AND 4. ALL
36 ITEMS OF THE STAFF REPORT. COMMISSIONER MARCHBANKS SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

38 CHAIRPERSON JOHNSON AYE
COMMISSIONER KALLAS AYE
40 COMMISSIONER SCHAUERS AYE
COMMISSIONER MARCHBANKS AYE
42 COMMISSIONER CALL AYE
COMMISSIONER DANIELSON AYE
44 THE MOTION CARRIED UNANIMOUSLY.

2 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE APPLICANT'S
4 REQUEST FOR SITE PLAN APPROVAL LOCATED AT 120 S. 1200 W. WITH THE
FOLLOWING CONDITIONS: 1. THE APPLICANT WILL CONTINUE TO WORK WITH
6 THE CITY ENGINEER TO MAKE ALL FINAL CORRECTIONS TO THE ENGINEERING
PLANS; 2. THE PLANS WILL MEET DEVELOPMENT SPECIFICATIONS AS FOUND IN
8 THE LINDON CITY DEVELOPMENT MANUAL; 3. IF REQUIRED, COMPLETE (OR
POST AN ADEQUATE IMPROVEMENT COMPLETION ASSURANCE), WARRANT AND
10 POST REQUIRED WARRANTY ASSURANCE FOR ALL REQUIRED PUBLIC
INFRASTRUCTURE IMPROVEMENTS; 4. FINAL BUILDING AND SITE DESIGN WILL
12 MEET THE REQUIREMENTS OF THE HEAVY INDUSTRIAL ZONE AND APPLICABLE
DEVELOPMENT REQUIREMENTS AS FOUND IN TITLE 17 OF THE LINDON CITY
14 CODE; 5. THE SITE WILL MEET LANDSCAPE REQUIREMENTS; 6. ALL ITEMS OF THE
STAFF REPORT. COMMISSIONER DANIELSON SECONDED THE MOTION. THE VOTE
16 WAS RECORDED AS FOLLOWS:

CHAIRPERSON JOHNSON	AYE
18 COMMISSIONER KALLAS	AYE
COMMISSIONER SCHAUERS	AYE
20 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER CALL	AYE
22 COMMISSIONER DANIELSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

- 24
- 26 **6. Continued Public hearing for a recommendation to the Lindon City Council to**
amend 17.02 – definitions and create and adopt ordinance 17.02.410 establishing a
small-scale market farm. Brian and Chelsea Beutler request a recommendation from the
28 planning commission to the city council to adopt a new ordinance that would allow small
scale urban farms (market farms), seasonal and pick-your-own horticultural sales, and
30 educational classes in a residential zone.

32 Mike Florence stated that he reached out to the applicant, and noted the applicant has
come down with illness. The commission agreed they wanted to continue the item to allow the
34 applicant to be present.

36 COMMISSIONER KALLAS MOVED TO CONTINUE THIS ITEM OF ORDINANCE
2024-6-O TO ALLOW THE APPLICANT TO BE PRESENT. COMMISSIONER CALL
38 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON JOHNSON	AYE
40 COMMISSIONER KALLAS	AYE
COMMISSIONER SCHAUERS	AYE
42 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER CALL	AYE
44 COMMISSIONER DANIELSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

7. Planning Director Updates

- General City Updates

New Business

Commissioner Danielsson voiced concern with parking on 700 N. Mr. Florence stated code enforcement has been working on this. Commissioner Call stated that the 1600 North project has moved up and UDOT is now buying houses on that street. General discussion followed.

ADJOURN –

COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE MEETING AT 7:15 PM. COMMISSIONER DANIELSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved, May 14, 2024

Steven Johnson, Chairperson

Michael Florence, Community Development Director

Item 4: Amended Site Plan Approval – Warehouse Building 1600 W. 200 S.

Date: May 14, 2024

Applicant: AE Controls
Presenting Staff: Michael
Florence

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

Property Owner: Vincent
Brothers LLC
Parcel ID: 34:759:0001
Lot Area: 1.2022 acres

Type of Decision:
Administrative
Council Action
Required: No



SUMMARY OF KEY ISSUES

1. The applicant is seeking amended site plan approval to construct a new 8,100 square foot warehouse building.
2. The planning commission approved a subdivision plat for this property on January 9, 2024 to clean up conflicting property lines.
3. According to the amended site plan code, when additional building square footage results in a 30% increase or more, the property is required to come into substantial compliance with relevant city codes and receive approval from the planning commission.

OVERVIEW

1. AE Controls currently operates out of the existing building
2. Lindon City Code 17.17.130 Amended Site Plans states that when an addition results in a 30% increase in building square footage, it will trigger the requirement for the property to come into substantial compliance with City Code. This addition is a 69% increase in square footage.

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. If required, complete (or post an adequate improvement completion assurance), warrant and post required warranty assurance for all required public infrastructure improvements;
4. Final building and site design will meet the Light Industrial ordinance and landscape requirements;
5. All fire code regulations shall be met; and
6. All items of the staff report.

Surrounding Zoning and Land Use

North: Light Industrial (LI) – Excavation equipment storage yard

South: Vineyard City – Power Plant

East: Light Industrial (LI) – Truck Repair (Fleet Services of Utah)

West: Light Industrial (LI) – Office/Manufacturing facility (Interstate Gratings)

Amended Site Plan Requirements

17.17.130(3) Required Improvements. When a site plan is required to be brought into substantial compliance with all current city codes and ordinances, the following issues shall receive specific review.

Code Requirement	Compliant with an amended site plan?
Landscaping;	Yes, applicant will be installing 20' of landscaping at the 200 S. entrance and replacing any trees that have died or been removed
Storage and exterior displays	Yes. All outdoor storage will be moved to the new warehouse
Off-Street Parking	Yes. See the parking section below.
Vehicular access and circulation	Yes.
Off-street loading and unloading	Yes. The applicant will need to install "No Parking and Fire Lane" signs
On-site surface water drainage	AE Controls is currently working with the city engineering department to resolve all surface water concerns. This has been added as a condition of approval
Off-site curb, gutter, and sidewalk	Yes. All public improvements are existing and have been installed
Piping of irrigation ditches	There is an open stormwater ditch on the property to the north but the applicant is not required to pipe the ditch on the neighbors property
Solid waste containers (trash enclosures)	Yes. A new enclosure will be constructed
Street Lights	Yes. A new streetlight will be installed at the corner of 1550 W. 200 S.
Fencing and/or screening	N/A. This property does not border residential; therefore, it does not have a fencing/screening requirement.
Architectural standards applicable to the zone in which the site is located	See the design standards section below.

Site Development Standards

Parking

The site is required to have 24 parking stalls to accommodate the existing site and new warehouse as identified in the following table. However, in reviewing parking demands of the business over the last 10 years it does appear, that at times, the business already uses the existing 25 parking stalls.

Parking Calculations				
Building	Use	Square Feet	Required	Stalls
Existing Building	Manufacturing	11,100 sq ft	1 stall per 750 sq ft	14
New Warehouse	Warehouse	8,100 sq ft	1 stall per 1,000 sq ft	8
Existing office	Office	630 sq ft	1 stall per 350 sq ft	2
Total stalls required				24

Building Design and Architectural Standards

Design Element	Applicants Proposal
Building Height: 48'	26' 6"
Setbacks	
Front: 20'	193'
Rear: 0'	10'
Side: 0'	10;
Side: 0'	87'

Metal building in the Light Industrial are allowed under the following ordinance if the below requirements are met:

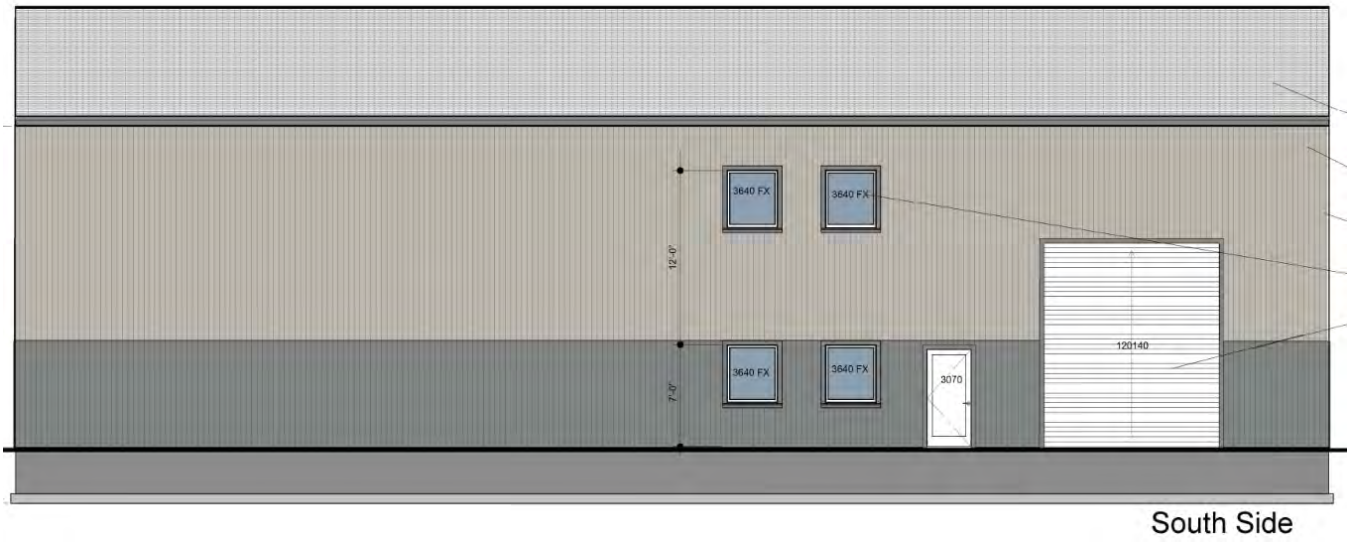
17.49.070. The Planning Commission may approve ribless, metal, flat-faced, stucco embossed, metal sandwich panel buildings when the Planning Commission finds that the building is aesthetically pleasing, adequately trimmed, contrasted with different colors, is well proportioned, blends in with surrounding property, and has a similar look to that achieved by 17.49.070(1). The exterior appearance of such buildings shall primarily be of earth tone colors. Applicants desiring to apply for this type of construction may consider the Lindon City Public Works building located at 946 West Center Street and the building located at 375 North 700 West in Pleasant Grove as examples of structures in compliance with this architectural design standard.

The applicant is providing contrasting colors to the front façade of the warehouse building. The exterior will have a metal ribbed panel. The ordinance gives material options of ribless, metal, flat-faced, stucco embossed, metal sandwich panel buildings. The Main existing building is also a ribbed metal panel. The buildings both to the east and west have metal ribbed panels but they also have a block wainscot or partial wall.

Existing AE Controls Building



Proposed New AE Controls Warehouse



Building to the east



Building to the west



Engineering Requirements

The City Engineer is working through technical issues related to the civil engineering plans and will ensure all engineering related issues are resolved before final approval is granted.

Staff Analysis

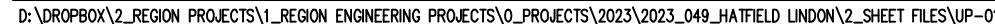
There are two items that city staff believe that the planning commission needs to closely evaluate. First, is the exterior material requirement to make sure that the building material requirements are met. Second, the applicant's property currently has 25 parking stalls and is required to have 24 parking stalls. One concern from city staff is that in reviewing aerial photos over the past 10 years it looks like every stall is being used and at times there are a few more vehicles on the site than there are available stalls. The applicant is meeting the city parking requirements per the square footage provided by the applicant's engineer.

EXHIBITS

1. Aerial Map
2. Proposed site plan
3. Renderings

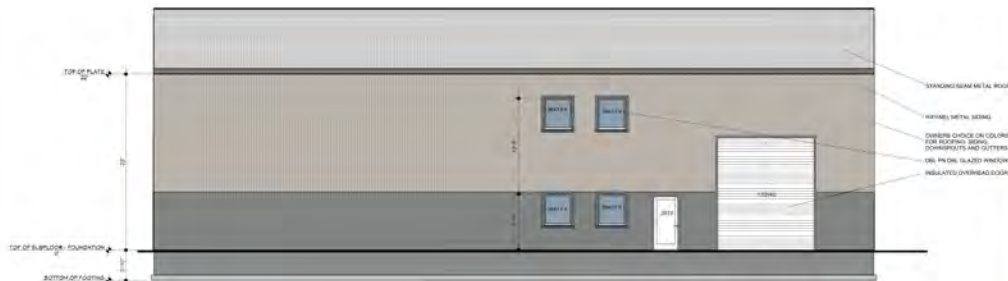
Exhibit 1: Aerial Map





SHEET NAME:
UTILITY PLAN

SHEET:
UP-01



South Side



North Side

