

Lindon City Planning Commission Staff Report



June 11, 2024

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

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, August 13, 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 7/09/2024

3. Public Comment

4. Site Plan Approval – Mountain Tech North 4 – 625 N 2800 W

WICP is requesting site plan approval from the Lindon City Planning Commission to construct a new 61,000 square foot building (Parcel 67:013:0004). (20 minutes)

5. 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: 08/09/2024 **Time:** 5:00 pm

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

The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, July 9, 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: Rob Kallas, Commissioner
Pledge of Allegiance: Jared Schauers, Commissioner

PRESENT

Steve Johnson, Chairperson
Scott Thompson, Commissioner–*appeared virtually*
Rob Kallas, Commissioner
Jared Schauers, Commissioner
Michael Florence, Community Development Director
Brittain Corbett, City Planner
Britni Laidler, City Recorder

EXCUSED

Karen Danielson, Commissioner
Sharon Call, Commissioner
Mike Marchbanks, Commissioner

1. **CALL TO ORDER** – The meeting was called to order at 6:11 p.m.

2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the Planning Commission meeting of June 25, 2024 were reviewed.

COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF JUNE 25, 2024 AS PRESENTED. COMMISSIONER SCHAUERS 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. **Public hearing for a recommendation to the Lindon City Council to amend the Lindon City Zoning Map from Heavy Industrial (HI) to Light Industrial (LI).** The applicant requests a recommendation from the Lindon City Planning Commission to the city council to amend the Lindon City Zoning Map from Heavy Industrial to Light Industrial at 1075 West Center Street.

Brittain Corbett, City Planner, presented this item. Jonathan Flores, the architectural designer for this project, was present to answer any questions the commission may have. Mr. Corbett noted that the applicant is seeking site plan approval for a new IMS Masonry headquarters. The planned area of development encompasses two non-compliant parcels in the Heavy Industrial zone, for the applicant to be compliant, they are also applying for a zoning map amendment to rezone the area properties as Light Industrial. The applicants plan on

consolidating the two parcels, so that the lot area requirements for the Light Industrial zone are met with 1.85 acres.

Mr. Corbett stated that the current general plan designation for this area is Heavy Industrial with Light Industrial planned as its future land use. He then presented the designations for the proposed Light Industrial zone verses the current Heavy Industrial zone as follows:

- Light Industrial (Proposed) - Light Industrial areas include business parks, low impact manufacturing, assembling, warehousing and wholesaling, in addition to a limited amount of supporting commercial, retail, and service uses. These areas should be compatible with surrounding land uses, with light industrial uses providing transitions between heavy industrial and residential uses, for example. Special site and architectural design treatments and standards should be applied to ensure future development meets the buildout vision for these districts.
- Heavy Industrial (Current) - Heavy industrial uses support intensive, high-impact industrial activities such as manufacturing, warehousing, assembly, and outdoor storage involving large-scale machinery and structures. A single district is located in the city on the west side of Geneva Road. Uses should be designed and implemented to minimize impact on the community, taking into account the preservation of natural resources and viewsheds, and minimizing use-generated impacts such as pollution, noise, and traffic. The application of transitional land uses along the edges of this district and the application of physical buffering techniques, such as walls and landscape screens, will help offset the impacts of heavy industry to adjacent and nearby uses.

Following general discussion Chairperson Johnson called for a motion to open the public hearing.

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

Chairperson Johnson asked if there was any public present that would like to make any comments, hearing none he called for a motion to close the public hearing.

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

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

COMMISSIONER SCHAUERS MOVED TO RECOMMEND APPROVAL
ORDINANCE 2024-13-O TO AMEND THE LINDON CITY ZONING MAP FROM HEAVY INDUSTRIAL (HI) TO LIGHT INDUSTRIAL (LI) FOR PARCELS 14:065:0048 AND 14:065:0049 AS INDICATED IN THE ADOPTING ORDINANCE WITH THE FOLLOWING

2 CONDITIONS: 1. WORKING WITH THE CITY TO OBTAIN SITE PLAN APPROVAL 2.
ALL ITEMS OF THE STAFF REPORT. COMMISSIONER KALLAS SECONDED THE
4 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON JOHNSON AYE

6 COMMISSIONER KALLAS AYE

COMMISSIONER SCHAUERS AYE

8 COMMISSIOENR THOMPSON AYE

THE MOTION CARRIED UNANIMOUSLY.

10
12 **5. Site Plan Approval – IMS Masonry – 1075 West Center Street.** The applicant requests
site plan approval from the Lindon City Planning Commission to build a new office
14 building for the industrial business IMS Masonry at 1075 W Center. (Parcels
14:065:0048, 14:065:0049)

16 Mr. Corbett presented this item and noted that the applicant is proposing to construct a 2-
story building with an area of 7,685 square feet. The building will be used for business and office
18 purposes to free up space for other operations at their other building located at 335 South 1250
West in Lindon. The property adjacent to this proposed development is also applying for a
20 zoning map amendment, making the majority of this block Light Industrial (LI). The Future
Land Use Map details the eventual rezoning of the entire southern block to be Light Industrial.
22 He continued to present the parking and landscaping requirements for this site as follows:

24 Parking requirements

Required	Provided	Compliant?
Office/Retail – 1 stall per 350 sq ft 48	44 required	Yes
Stalls meet parking dimension requirements.	All stalls meet dimension and ADA requirements	Yes
Drive isle 24' width	30' & 26'	Yes
Bicycle parking. 2 required	4	Yes

26 Landscaping Standards

Interior Parking Lot Landscaping Standards	Compliant?
A parking lot with 10 or more required parking spaces shall provide at least 40 sq ft of interior landscaped area for each parking space. 48 x 40= 1,920 sq ft required.	Yes. 3,141 sq ft provided
The landscape materials shall consist of at least 75% living vegetation, and 25% of xeriscape materials.	Yes. Currently verifying with developers
The interior layout must meet one or a combination of parking lot landscape layout standards found in the parking code	Yes, the project provides both landscape islands and perimeter parking lot landscaping.
Trees must be installed within the interior parking lot landscaping areas at a ratio of 1 tree for every 10 required parking stalls.	Yes

Required Site Landscaping	Provided	Compliant?
A landscape strip 20 ft in width from the back of the sidewalk	23'	23'
The landscaping strip must be 70% waterwise vegetation and 30% other ground covers. Also to not exceed 20% of total landscaped area.	About 40% of total landscaped area. Verifying with developers on waterwise vegetation	No, the applicant will need to reduce the amount of lawn area to meet the maximum 20% lawn requirement.
Trees must be planted every 30 ft on center along public streets.	Trees are planted every 30 ft, but are not on center	No, the applicant must center the trees 10 ft from the edges of all landscaped and bermed areas. Trees will also need to be removed from the clear-view area.

Mr. Corbett stated that the site will have access from West Center Street from two access points, noting that the west access is planned to have a gate. He then presented renderings of the potential building to the commission and discussed the following architectural standards:

Building Design and Architectural Standards

Design Element	Design Standard Requirement	Applicants Proposal
Building Materials	Concrete Pre-cast	Building is primarily concrete block. Design will need to indicate 25% of building exterior covered with brick, decorative block, stucco, wood, or other material approved by Planning Commission.
Color	All exterior building materials in the LI, HI and T zones shall be earth-tone colors.	Earth tone colors.

Mr. Corbett stated that the building requirements for Light Industrial (LI) zones are required to be aesthetically pleasing, well proportioned, and blend with surrounding properties and structures, and stated the city will continue to work with the applicant to ensure design standards are met. He also noted that the city finds the proposed building to be aesthetically pleasing, sporting a modern industrial style that has been rising in popularity. The building provides excellent fenestration through a variety of windows on all sides. Additionally, the variety of colors on all sides of the building show the applicant is mindful of how it will be viewed by people using Geneva Road. General discussion on the planned landscaping followed.

Commissioner Kallas inquired about screening for mechanical equipment. The applicant stated that they will screen equipment if it is required. Mr. Florence noted that it isn't required in the Light Industrial zone, so it will be up to the applicant if they choose to screen it. Discussion of the future BRT rail and potential public trail followed.

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

COMMISSIONER KALLAS MOVED TO APPROVAL THE APPLICANT'S REQUEST FOR SITE PLAN APPROVAL LOCATED AT 1075 WEST CENTER STREET WITH THE FOLLOWING CONDITIONS: 1. THE TWO PARCELS WILL BE CONSOLIDATED INTO ONE PARCEL PRIOR TO THE FINAL SITE PLAN APPROVAL. 2. THE APPLICANT WILL CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL FINAL CORRECTIONS TO THE ENGINEERING PLANS; 3. THE PLANS WILL MEET DEVELOPMENT SPECIFICATIONS AS FOUND IN THE LINDON CITY DEVELOPMENT MANUAL; 4. IF REQUIRED, COMPLETE (OR POST AN ADEQUATE IMPROVEMENT COMPLETION ASSURANCE), WARRANT AND POST REQUIRED WARRANTY ASSURANCE FOR ALL REQUIRED PUBLIC INFRASTRUCTURE IMPROVEMENTS; 5. FINAL BUILDING AND SITE DESIGN WILL MEET THE REQUIREMENTS OF THE LIGHT INDUSTRIAL ZONE AND APPLICABLE DEVELOPMENT REQUIREMENTS AS FOUND IN TITLE 17 OF THE LINDON CITY CODE; 6. THE SITE WILL MEET LANDSCAPE REQUIREMENTS; 7. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER SCHAUERS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON JOHNSON	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER SCHAUERS	AYE
COMMISSIONER THOMPSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

6. Public hearing for a recommendation to the Lindon City Council to amend the Lindon City Zoning Map from Heavy Industrial (HI) to Light Industrial (LI). The applicant requests a recommendation from the Lindon City Planning Commission to the city council to amend the Lindon City Zoning Map from Heavy Industrial to Light Industrial at 1093 West Center Street (14:065:0077).

Mike Florence, Community Development Director presented this item, noting that the applicant Craig Olsen was present to answer any questions. The applicant is requesting the zone be changed from Heavy Industrial to Light Industrial, stating that this request is for estate planning purposes. The applicant is petitioning to subdivide the subject property into two lots, with Lot 1 being 1.12 acres, and Lot 2 being 1.57 acres. Mr. Florence noted that The Heavy Industrial zone requires a minimum lot size of 3 acres per lot, so this is the reason the property owner is petitioning to change the zoning of the property from Heavy Industrial to Light Industrial, which the minimum lot size for the Light Industrial requirement is one acre. Mr. Florence closed by stating that the applicant is not proposing any new development with this application.

Commissioner Kallas requested clarification on the reasoning for this request. The applicant answered those questions regarding the estate planning purposes. Chairperson Johnson called for a motion to open the public hearing.

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

6 Chairperson Johnson asked if there was any public present that would like to make any
comments, hearing none he called for a motion to close the public hearing.

8
COMMISSIONER SCHAUERS MOVED TO CLOSED THE PUBLIC HEARING.
10 COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

12
Chairperson Johnson called for any further comments or discussion from the
14 Commission. Hearing none he called for a motion.

16 COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL
ORDINANCE 2024-14-O TO AMEND THE LINDON CITY ZONING MAP FROM HEAVY
18 INDUSTRIAL (HV) TO LIGHT INDUSTRIAL (LV) FOR THE PROPERTY LOCATED AT
1093 W. CENTER WITH THE FOLLOWING CONDITIONS: 1. ZONE MAP AMENDMENT
20 APPROVAL IS CONDITIONED UPON THE APPLICANT RECEIVING MINOR
SUBDIVISION APPROVAL FROM THE PLANNING COMMISSION AND RECORDING
22 THE SUBDIVISION PLAT WITHIN ONE YEAR FROM SUBDIVISION APPROVAL. 2.
ALL ITEMS OF THE STAFF REPORT. COMMISSIONER SCHAUERS SECONDED THE
24 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON JOHNSON	AYE
26 COMMISSIONER KALLAS	AYE
COMMISSIONER SCHAUERS	AYE
28 COMMISSIOENR THOMPSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

30
7. **Minor Subdivision Plat Approval – Olsen Industrial Park Plat B – 1093 West
Center Street.** The applicant requests minor subdivision approval to create a two-lot
subdivision out of an existing 2.39-acre parcel. (Parcel 14:065:0077).

34
This item was presented in agenda item #6.

36
COMMISSIONER SCHAUERS MOVED TO APPROVE THE APPLICANT'S
38 REQUEST FOR MINOR SUBDIVISION APPROVAL FOR SUBDIVISION LOCATED AT
1093 W. CENTER WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL
40 CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL FINAL
CORRECTIONS TO THE PLAT; 2. PRIOR TO PLAT RECORDING, THE APPLICANT
42 WILL UPDATE THE FINAL PLAT MYLAR TO INCLUDE NOTARIZED SIGNATURES OF
OWNERS' CONSENT TO DEDICATION; AND OBTAIN SIGNATURES OF ALL ENTITIES
44 INDICATED ON THE SUBDIVISION PLAT ATTACHED HERETO; 3. THE PLAT WILL
MEET APPLICABLE SPECIFICATIONS AS FOUND IN THE LINDON CITY
46 DEVELOPMENT MANUAL; 4. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER
KALLAS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON JOHNSON AYE
COMMISSIONER KALLAS AYE
COMMISSIONER SCHAUERS AYE
COMMISSIONER THOMPSON AYE
THE MOTION CARRIED UNANIMOUSLY.

8. Public hearing for a recommendation to the Lindon City Council to amend the General Plan Future Land Use Map Amendment from Low Density Residential to Light Industrial for the rear portions of the properties located at 88 S. 800 W. and 96 S. 800 W. The planning commission will hold a public hearing to consider a recommendation to amend the Lindon City General Plan Future Land Use Map from Low Density Residential to Light Industrial. The front portions of the property will remain Low Density Residential. The application is made by Lindon City.

Mr. Florence presented this item along with agenda item 9, noting that applicants and property owners, Brandon Hill and Diane Campbell were present. Applicants are requesting to change the Zoning Map designation of the rear portions of the subject properties from Single-Family Residential R1-20 to Light Industrial (LI) as well as amending the General Plan Future Land Use Map Amendment from Mixed Commercial to Light Industrial.

Mr. Florence stated that this request comes after the city council approved the zone change from Single-Family Residential to Mixed Commercial on May 6, 2024 and an issue came to light with the zoning requirement for Mixed Commercial. He continued on stating that the Mixed Commercial zone requires 100' of street lot frontage. Mr. Florence stated that the lot size for each of the residential lots is approximately 1.79 acres, approximately .95 acres of each of the rear yards are proposed to be rezoned from Residential R1-20 to Light Industrial. Mr. Florence noted that the front portions of the lots will remain Residential R1-20 and will have a lot size of approximately .84 acres, and if the zone and general plan amendments are approved, the two property owners of the adjacent property purchaser will file a subdivision application with the city.

Mr. Florence addressed the uniqueness of the situation as currently the land use map of the general plan has the rear portions of these two properties designated as Mixed Commercial while the zoning of the surrounding three properties is Light Industrial. He then stated that this zone change would also meet future general plan goals.

Following general discussion Chairperson Johnson called for a motion to open the public hearing.

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

Chairperson Johnson asked if there was any public present that would like to make any comments, hearing none he called for a motion to close the public hearing.

2 COMMISSIONER KALLAS MOVED TO CLOSED THE PUBLIC HEARING.
COMMISSIONER SCHAUERS SECONDED THE MOTION. ALL PRESENT VOTED IN
4 FAVOR. THE MOTION CARRIED.

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

8
COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL ORDINANCE
10 2024-12-O TO AMEND THE LINDON CITY GENERAL PLAN FUTURE LAND USE MAP
FROM LOW DENSITY RESIDENTIAL TO LIGHT INDUSTRIAL FOR THE REAR
12 PORTIONS OF THE PROPERTIES LOCATED AT 88 & 96 S. 800 W. AS IDENTIFIED IN
THE ATTACHED ADOPTING ORDINANCE WITH THE FOLLOWING CONDITIONS: 1.
14 GENERAL PLAN FUTURE LAND USE MAP AMENDMENT APPROVAL IS
CONDITIONED UPON SUBDIVISION APPROVAL AND RECORDING THE
16 SUBDIVISION PLAT WITHIN ONE YEAR FROM CITY COUNCIL APPROVAL. 2. ALL
ITEMS OF THE STAFF REPORT. COMMISSIONER SCHAUERS SECONDED THE
18 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON JOHNSON AYE

20 COMMISSIONER KALLAS AYE

COMMISSIONER SCHAUERS AYE

22 COMMISSIOENR THOMPSON AYE

THE MOTION CARRIED UNANIMOUSLY.

24
**9. Public hearing for a recommendation to the Lindon City Council for
26 Reconsideration of a Zoning Map Amendment to amend the zoning map of the
rear portions of the properties located at 88 S. 800 W. and 96 S. 800 W. from
28 Single-Family Residential (R1-20) to Light Industrial (LI).** On May 6, 2024 the City
Council rezoned the subject properties from Single-Family Residential to Mixed
30 Commercial. However, the Mixed Commercial Zone requires a minimum or 100' of lot
frontage which conflicts with the surrounding zoning. The planning commission and city
32 council will reconsider the rezone map amendment from Single-Family Residential (R1-
20) to Light Industrial (LI). Application is made by Diane and Blake Campbell and
34 Brandon and Holly Hill.

36 This item was presented in agenda item #8.

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

42 Chairperson Johnson asked if there was any public present that would like to make any
comments, hearing none he called for a motion to close the public hearing.

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

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

COMMISSIONER SCHAUERS MOVED TO RECOMMEND APPROVAL THE RECONSIDERATION OF ORDINANCE 2024-07-O TO AMEND THE LINDON CITY ZONING MAP FROM SINGLE-FAMILY RESIDENTIAL R1-20 TO LIGHT INDUSTRIAL FOR THE REAR PORTIONS OF THE PROPERTIES LOCATED AT 88 & 96 S. 800 W. AS IDENTIFIED IN THE ATTACHED ADOPTING ORDINANCE WITH THE FOLLOWING CONDITIONS: 1. ZONE MAP AMENDMENT APPROVAL IS CONDITIONED UPON SUBDIVISION APPROVAL AND RECORDING THE SUBDIVISION PLAT WITHIN ONE YEAR FROM CITY COUNCIL APPROVAL. 2. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER KALLAS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON JOHNSON	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER SCHAUERS	AYE
COMMISSIONER THOMPSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

10. Planning Director Updates

- Next meeting August 13th
- General City Updates

ADJOURN –

COMMISSIONER THOMPSON MOVED TO ADJOURN THE MEETING AT 7:09 PM. COMMISSIONER SCHAUERS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved, August 13, 2024

Steven Johnson, Chairperson

Michael Florence, Community Development Director

Item 4: Site Plan Approval – Mtn Tech North 4 – 625 N. 2800 W.

Date: August 13, 2024

Applicant: WICP

Presenting Staff: Michael Florence

General Plan: Flex Commercial

Current Zone: Mixed Commercial

Property Owner: WICP West
Orem #4 LLC

Parcel ID: 67:013:0004

Type of Decision: Administrative

Council Action Required: No

Project #: 24-026-2



SUMMARY OF KEY ISSUES

1. The applicant is seeking site plan approval for a new building in the Mixed Commercial zone

OVERVIEW

1. The applicant received a zone change for this property on February 5, 2024. The property was originally zoned Commercial General A8 and was rezoned to Mixed Commercial.
2. Also on February 5, 2024 Lindon City and the applicant entered into a development agreement (see attached) that outlines site and building requirements for the development.

MOTION

I move to (*approve, deny, continue*) the applicant's request for site plan approval for the property located at 625 N. 2800 W. with the following conditions:

1. The applicant will continue to work with the City Engineer to make all final corrections to the engineering plans;
2. The plans will meet zoning and 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 agreed upon requirements of the development agreement;
5. Pedestrian sidewalks and connections will be provided from the shared parking areas to the building at located 625 N. 2800 W. at per Lindon City Code 17.18.077;
6. A detailed site plan showing the location and number of parking spaces that are being shared will be provided. If not already recorded, shared accesses agreements will be recorded to ensure that shared parking can be used between parcels identified as follows: 67:013:0004, 67:013:0003, 46:960:0002, and 46:960:0001;
7. Eight bicycle parking spaces shall be provided as per Lindon City Code 17.18; and
8. All items of the staff report.

Surrounding Zoning and Land Use

North: MC – Mountain Tech North 3

East: CG-A8 – Mountain Tech North 2

South: RC – Wilson Tech 5

West: Planned Industrial – Vacant lot in American Fork

Site Development Standards

Parking

Parking standards are based on the zone and the different uses in the building and their respective square footage.

Required	Provided	Compliant?
118	94	Yes, with shared parking on adjoining properties owned by the applicant. However, the city needs to ensure that appropriate cross access easements are in place allowing for shared parking
Stalls meet parking dimension requirements.	Stall dimensions are met	Yes
Drive isle 24' width	24'	Yes
Bicycle parking. 8 required	0	No

Shared Parking and Pedestrian Connections

The development is required to provide a minimum of 118 parking stalls but is providing 94. However, during the development agreement and zone change amendments the applicant discussed using shared parking with the other adjoining properties owned by the applicant. The two office buildings to the east are required to have 485 parking stalls but the owner constructed 568 stalls (difference of 83 stalls). City staff have counted stalls on the property on two different occasions and there is typically over 200 stalls that are not being used by the tenants. According to Lindon City Code 17.18.077 for reduced or shared parking the following requirements must be met.

- A detailed site plan showing the location and number of parking spaces that are being shared.
- The shared spaces shall be no more than 350' away from the buildings or uses being served and shall have a safe and convenient pedestrian connection provided between the shared parking and the building or use. The shared parking allowance and/or pedestrian connection shall be signed and identified at both the use being served and the shared parking location;
- A legal instrument written to the satisfaction of Lindon City that may include easements or deed restrictions that guarantee access to the parking for both uses in perpetuity.

Landscaping Standards

Landscaping standards are based on the zone and the amount of parking.

Interior Parking Lot Landscaping Standards	Compliant?
A parking lot with 10 or more required parking spaces shall provide at least 40 sq ft of interior landscaped area for each parking space. $94 \times 40 = 760$ sq ft required.	Yes. 3,760 sq ft provided. Perimeter landscaping is existing and new parking lot landscape islands will be provided
The landscape materials shall consist of at least 75% living vegetation, and 25% of xeriscape materials.	Yes
The interior layout must meet one or a combination of the multiple layout standards found in the parking code	Yes, the project provides both landscape islands and perimeter parking lot landscaping.
Trees must be installed within the interior parking lot landscaping areas at a ratio of 1 tree for every 10 required parking stalls.	Yes

Required Site Landscaping	Provided	Compliant?
A minimum of 20% of the lot must be maintained in landscaped open space.	23%	Yes
A landscape strip 16-20 ft in width from the back of the sidewalk	25'	Yes
The landscaping strip must be 70% waterwise vegetation and 30% other ground covers.	70%	Yes
Trees must be planted every 30 ft on center along public streets.	Trees plantings meet the spacing requirements	Yes

Other Site Requirements

Requirements	Provided	Compliant?
Minimum Lot Size of 1 acre	3.9 acres	Yes
Building Setback • Front: 20' • Rear: 0' • Side: 0'	72' 47' 96'/108'	Yes
Pedestrian Connection from Sidewalk	Crosswalk	Yes. Shared parking sidewalk connections will need to be made
Street lights	Previously installed	Yes

Building Design and Architectural Standards

Architectural Design

The building architecture was approved by a development agreement with the zone change. The development is required to construct the exterior materials and building form as previously approved. The following table provides specifics as to the approved design.

Design Element	Proposed Design Element
Massing and Form	The proposed building will be a warehouse form building that will also allow for office and retail uses in the front entry area of the building. The building is proposed to have delivery truck docks on the west side of the building only. The building massing does vary on each façade to provide transition and reduce any monolithic appearances.
Height and Scale/Size	The overall height of the building is approximately 38'
Roofing	The building will have a flat roof. A decorative cornice treatment will sit on top of each parapet wall for each building elevation.
Exterior Walls and Surfacing (building Materials)	Exterior materials will be a combination of architectural metal panel and a natural aggregate stucco finish. The natural stucco finish is similar to the finish on the two office buildings across the street to the south.

Fenestration (windows and doors)	The proposed building has significant fenestration at both the ground level and upper level on three sides of the building.
Exterior Trim and Decorative Detailing	The building design provides for storefront windows to the ground, canopies over entry ways and windows, parapet cornice treatments and structural column features that provide architectural variety to the facades.

Engineering Requirements

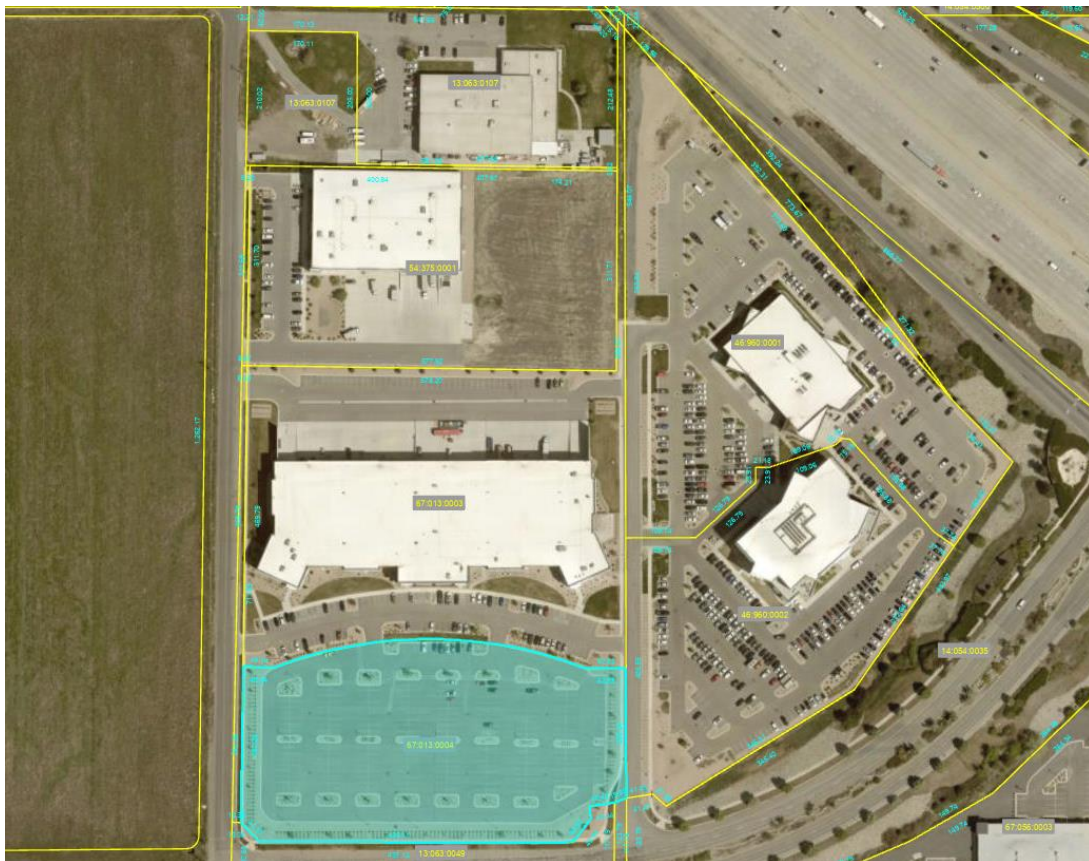
The City Engineer is working through technical issues related to the civil engineering plans and will ensure all engineering related issues are resolved before final approval is granted.

Staff Analysis

This building is well designed for the site and will offer opportunities for a variety of uses including office/warehouse and retail. During the zone change and development agreement approvals the council felt like the upgraded exteriors and design of the building was important to try and attract a restaurant or potential retail user for the site to keep in harmony with the original intent of the commercial zone. In addition, the Vineyard Connector will be a future parallel frontage road that will connect to 600 N. and drive additional traffic to this area.

EXHIBITS

1. Aerial photo
2. Site plan
3. Landscape plan
4. Architectural Renderings
5. Development Agreement





WHEN RECORDED, RETURN TO:

Lindon City
100 N. State Street
Lindon, UT 84042

ENT 41695-2024 PG 1 of 23
ANDREA ALLEN
UTAH COUNTY RECORDER
2024 Jun 25 09:54 AM FEE 40.00 BY TM
RECORDED FOR LINDON CITY

DEVELOPMENT AGREEMENT

This Development Agreement ("Agreement") is made and entered into this 17 day of June, 2024, by and between WICP WEST OREM 4 LLC ("Developer") and the City of Lindon ("City") regarding development of real property located at 625 North 2800 West (Parcel Number 67:013:0004), Lindon Utah ("Property"). See Exhibit A.

RECITALS

This agreement is made pursuant to the following facts and in light of good and valuable consideration, with which the parties agree to and acknowledge:

- A. Developer owns real property located at 625 North 2800 W. Parcel Number 67:013:0004) which consists of 3.9876 acres and is more particularly described on Exhibit A, attached hereto and incorporated here by reference (the "Property").
- B. The Property is currently zoned as Commercial General A-8.
- C. In August of 2023, the Developer submitted a land use application to amend the zoning of the property to Mixed Commercial.
- D. On February 5, 2024 the Lindon City Council approved a zone map amendment as shown on ordinance 2024-1-0 attached hereto as Exhibit B, subject to and conditioned upon the terms and conditions of this agreement.
- E. The Developer is willing to design and construct the building elevations and site in accordance with Exhibits C and D, attached hereto.
- F. The City Council has further authorized the Mayor of Lindon City to execute and deliver this agreement on behalf of the City.
- G. The City has the authority to enter into this agreement pursuant to Utah Code Section 10-9a-102(2) and relevant municipal ordinances and desire to enter into this agreement with the Developer for the purpose of guiding the development of the Property in accordance with the terms and conditions of this Agreement and in accordance with applicant City ordinances.
- H. The Parties desire to enter into this Agreement to specify the rights and responsibilities of the Developer to develop the Property as expressed in this Agreement and the rights and

responsibilities of the City to allow and regulate such development pursuant to the requirements of this Agreement.

- I. The Parties understand and intend that this agreement is a “development agreement” with the meaning of, and entered into pursuant to, the terms of Utah Code Ann.,

AGREEMENT

NOW THEREFORE, in consideration of the mutual covenants and promises of the parties contained herein, the parties agree as follows:

1. **Incorporation of Recitals.** The foregoing Recitals are hereby incorporated into this Agreement as a substantive part hereof.
2. **General Terms.** The City approves the zoning map amendment from Commercial General A-8 to Mixed Commercial as shown in Exhibit B with the following terms and conditions.
 - a. The building will be constructed with the design and materials as shown in Exhibit C.
 - b. The site will be constructed with the layout as shown in Exhibit D.
 - c. Sufficient grease traps be installed to adequately support a potential restaurant use.
3. **Reserved Powers.** The parties agree that the City reserves certain legislative powers to amend its Development Code to apply standards for development and construction generally applicable throughout the City. It is the intent of the Parties to vest the Developer with specific land use rights specifically defined in this Agreement and to require compliance by the Developer, their successors, heirs, designees, or assign, with all other generally applicable standards, conditions, and requirements enacted to protect the health, safety, and welfare of the current and future residents of the City.
4. **Binding Effect.** This Agreement shall run with the land and be binding upon and inure to the benefit of the successors, heirs, designees, and assigns of the parties hereto, and to an entity resulting from reorganization, consolidation, or merger of any party hereto. All rights, responsibilities and obligations under this Agreement shall be assumed by an successors or assigns or the Developer as a condition to the sale or assignment of any portion of the Property.
5. **Integration.** This agreement constitutes the entire agreement and understanding between the parties, and supersedes any previous agreement, representation, or understanding between the parties relating to the subject matter hereof; provided however, that the Development Code of the City shall govern procedures and standards for approval of all improvements and development contemplated herein.
6. **Modifications In Writing.** This Agreement may not be modified except by an instrument in writing signed by the parties hereto.

7. Governing Law. This Agreement shall be interpreted, construed, and enforced according to the laws of the State of Utah.
8. Cost of Enforcement. In the event of default on the part of any party this is Agreement, the defaulting party shall be liable for all costs and expenses incurred by the non-defaulting party in enforcing the provisions of this Agreement, whether or not legal action is instituted.
9. Notices. Any notices, requests and demands required or desired to be given hereunder shall be in writing and shall be served personally upon the party for whom intended, or if mailed, by certified mail, return receipt requested, postage prepaid, to such party at its address shown below:

To the Developer: WICP West Orem 4 LLC
625 N. 2800 W.
Lindon, UT 84042

To the City: Lindon City
Attention, Brian Haws
100 N. State
Lindon, UT 84042

LINDON CITY

DATED June 17th, 2024

WICP WEST OREM 4 LLC

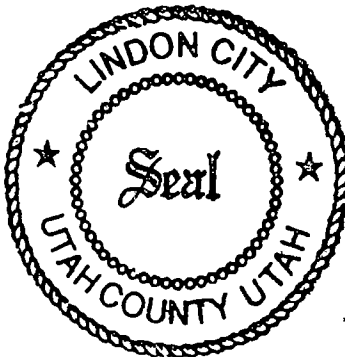
DATED JUNE 13, 2024

By: Carolyn Lundberg
CAROLYN LUNDBERG
Lindon City Mayor

By: Laura Welch
WICP WEST OREM 4 LLC - Laura Welch
Its: Manager

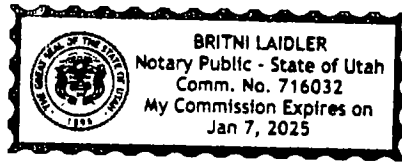
Attest:

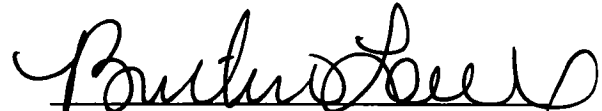
Britni Laidler
Britni Laidler, City Recorder



STATE OF UTAH)
 SS
COUNTY OF UTAH)

On this 17 day of June, 2024, personally appeared before me,
Carolyn Lundberg, known to be the individual described who executed
the within and foregoing instrument, and who duly acknowledged to me that he executed the
same.




Notary Public

STATE OF UTAH)

:ss.

COUNTY OF UTAH)

On the 13 day of June, 2024, personal appeared before me
Lauren Weldon, in his/her individual capacity as
Manager, of WICP WEST OREM 4 LLC, being duly sworn by me, did say
that he/she was duly authorized by the company to sign the foregoing instrument in behalf of said
company.

Shelly Church
NOTARY
My Commission Expires 05-03-2025

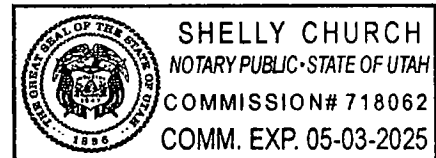


EXHIBIT A

Legal Description

Parcel Number: 67:013:0004

LOT 4, PLAT B, MOUNTAIN TECH SUB AREA 3.988 AC.



EXHIBIT B

Zone Map Amendment Ordinance 2024-01-O

ORDINANCE NO. 2024-01-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING THE ZONING MAP ON PROPERTY IDENTIFIED BELOW FROM COMMERCIAL GENERAL A8 (CG-A8) TO MIXED COMMERCIAL (MC) AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council is authorized by state law to amend the Lindon City zoning map; and

WHEREAS, on August 7, 2023, a land use application was submitted to Lindon City by WICP Orem West #4 LLC to rezone approximately 3.99 acres from Commercial General A-8 (CG-A8) to Mixed Commercial (MC); and

WHEREAS, on August 22, 2023, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

WHEREAS, after the public hearing, the Planning Commission further considered the proposed rezone, and recommended that the City Council adopt the zone map amendment of Mixed Commercial (MC); and

WHEREAS, the City Council finds that certain changes are desirous in order to implement the City's general plan goals of expanding the range of commercial goods, services, and employment opportunities available within the community; and

WHEREAS, WICP Orem West #4 LLC has prepared renderings and site plan exhibits to specify the building design, exterior building materials, and site layout and amenities of the proposed development as included Lindon City Resolution 2024-06-R; and

WHEREAS, the City Council finds that certain changes are desirous in order to implement the City's general plan goal of developing commercial uses that are highly accessible, and developed compatibly with the uses and character of the surrounding districts; and

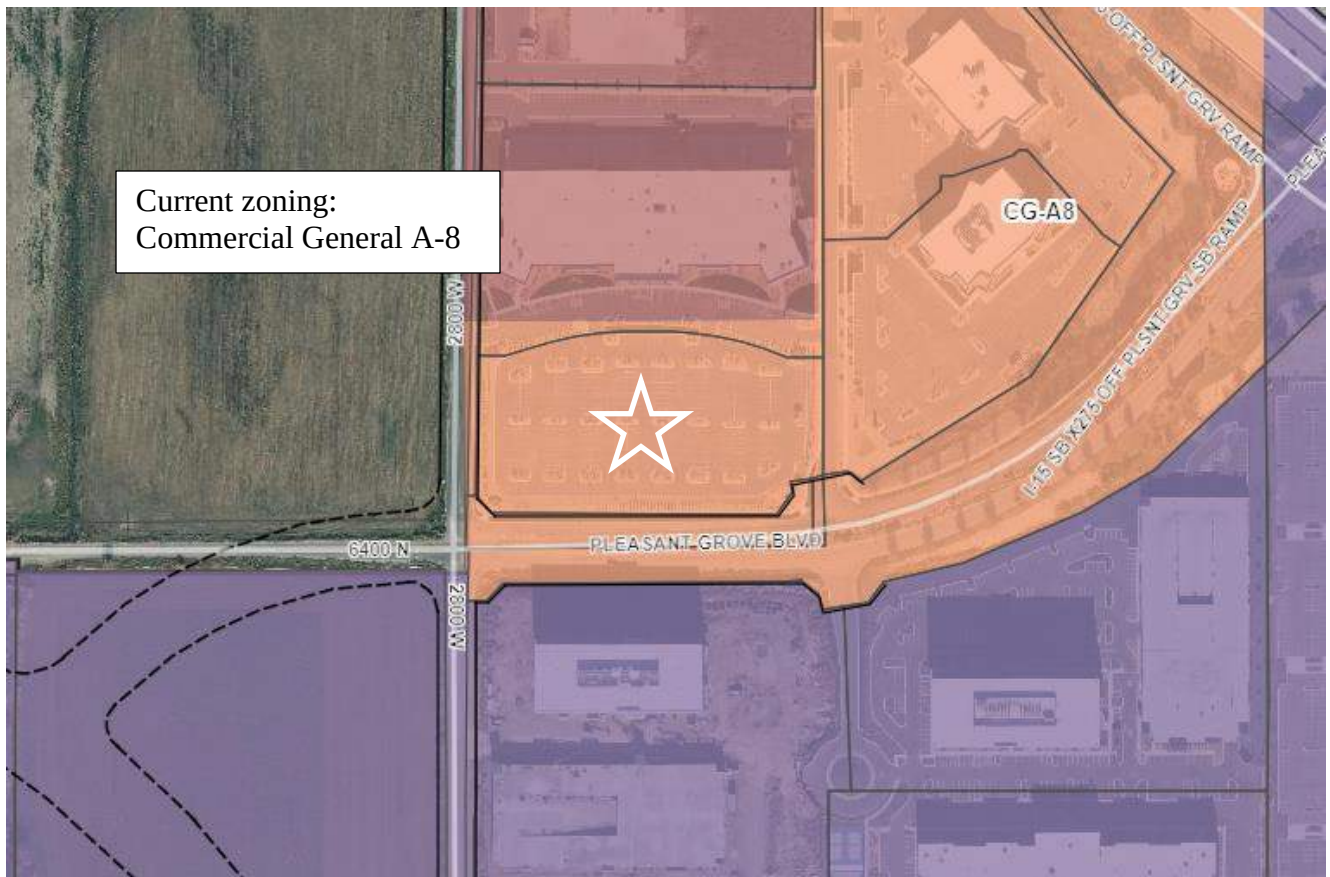
WHEREAS, the Council held a public hearing on September 18, 2023, to consider the recommendation and the Council received and considered all public comments that were made therein; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lindon, Utah County, State of Utah, as follows:

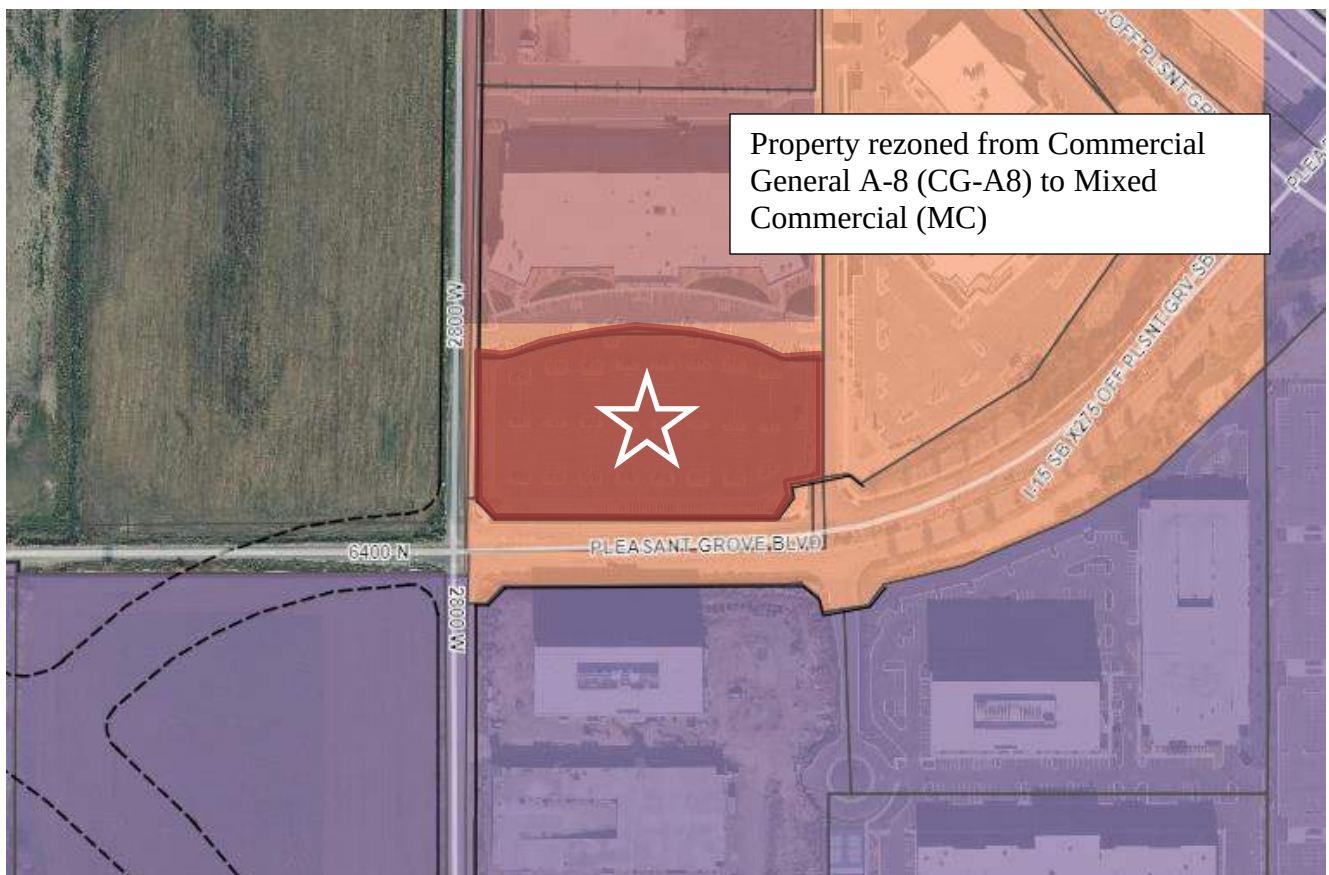
SECTION I: The Lindon City Zoning Map is hereby amended as follows:

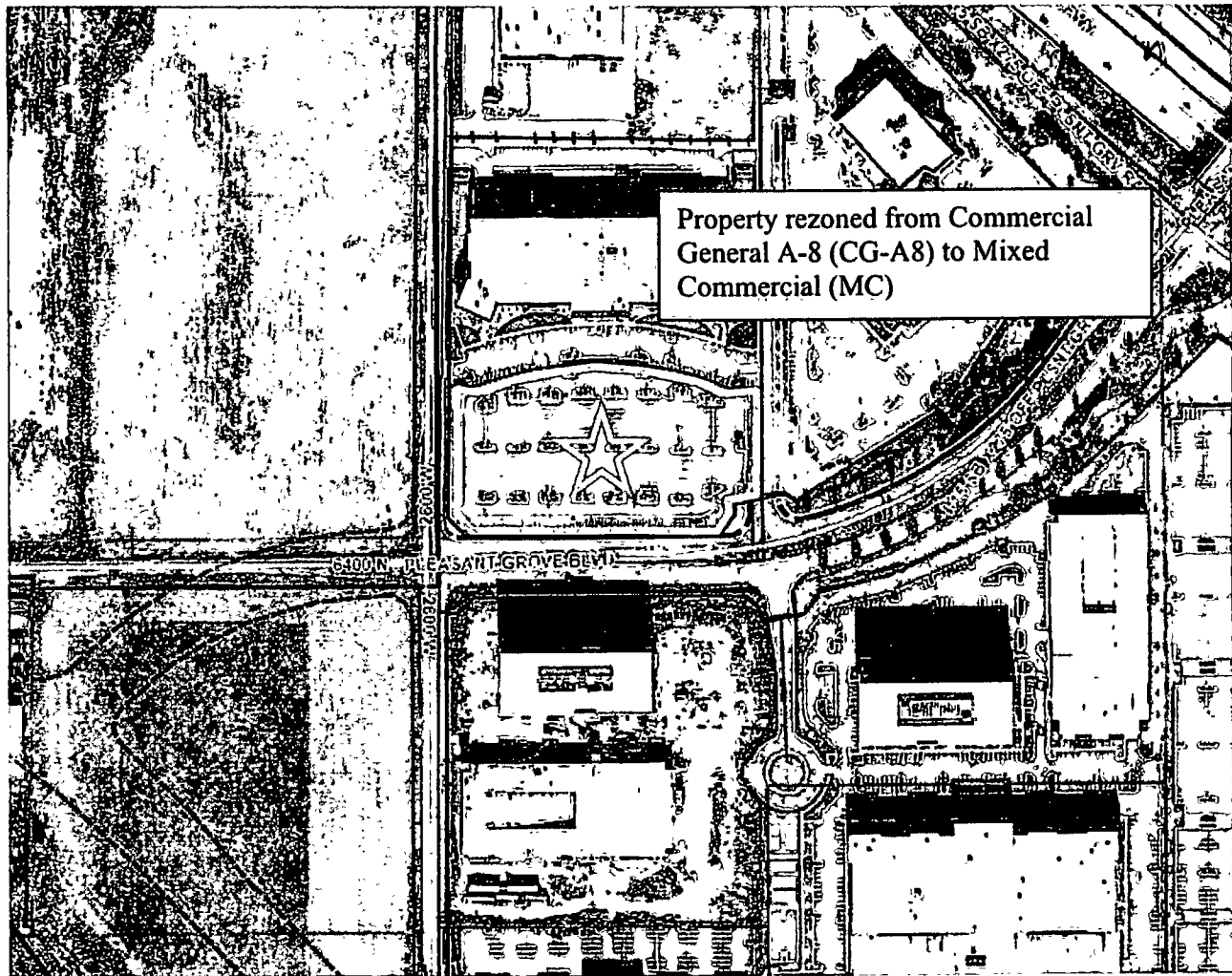
Parcel ID	Property Owner	Address
67:013:0004	WICP WEST OREM #4 LLC	625 N. 2800 W.

Current zoning:
Commercial General A-8



Property rezoned from Commercial
General A-8 (CG-A8) to Mixed
Commercial (MC)



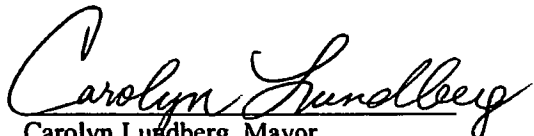


SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

SECTION III: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this 5 day of February, 2024.


Carolyn Lundberg, Mayor

ATTEST:


Britni Laidler
Lindon City Recorder

SEAL

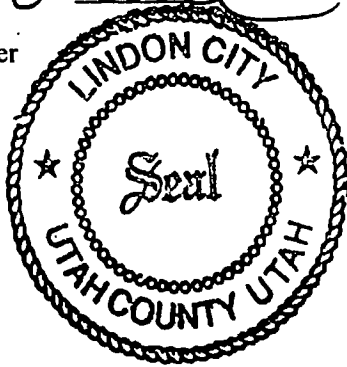


EXHIBIT C

Building Rendering and Materials



TERRANEO - GLACIER

TINTED GLAZING - CRYSTAL GRAY



2575 W 400 N
LONDON, UTAH 84042

SEAL

REFERENCES

A212

EXHIBIT D

Site Plan Design

