The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, September 9, 2025 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.**

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

| **PRESENT** | **EXCUSED** |
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| Steve Johnson, Chairperson | Britni Laidler, City Recorder |
| Rob Kallas, Commissioner | Scott Thompson, Commissioner |
| Jared Schauers, Commissioner | |
| Mike Marchbanks, Commissioner | |
| Sharon Call, Commissioner | |
| Karen Danielson, Commissioner | |
| Ryan Done, Commissioner | |
| Michael Florence, Community Dev. Director | |
| Brittany Wilde, City Planner | |
| Whitney Hatfield, Deputy Recorder | |

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 August 12, 2025 were reviewed.

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF AUGUST 12, 2025 AS PRESENTED. COMMISSIONER CALL 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.

*Chairperson Johnson noted that items 5 and 6 on the agenda had been continued from the previous meeting, and based on the city attorney's recommendation, the commission would address item 7 first and then return to items 5 and 6.*

COMMISSIONER KALLAS MOVED TO AMEND THE LINDON CITY PLANNING COMMISSION REGULAR MEETING AGENDA TO ITEM 7 TO BE HEARD BEFORE ITEMS 5 AND 6. COMMISSIONER DONE SECONDED THE MOTION. THE MOTION CARRIED.

**CURRENT BUSINESS** –

4. **Conditional Use Permit Approval– Home Occupation Daycare** Wendy McGarr has made an application for a conditional use permit at a residential property located at 730 E. 100 N. (Parcel # 52:380:004).

Brittany Wilde, City Planner, presented this item and noted that the applicant Wendy McGarr was present to address any questions the commission may have. Ms. Wilde noted that Ms. McGarr is requesting a conditional use permit to operate a preschool from her home located at 730 E. 100 N. Ms. Wilde went on to explain that the home occupation must follow the regulations found in section 17.04.400 of the Lindon City Code, and noted that a March 2022 ordinance amendment removed the maximum number of children requirement, so that residential daycare capacities could be governed by the Utah Department of Health and Human Services.

The applicant provided a floor plan showing they would use 269.5 square feet of the basement, well under the 500 square foot or 25% maximum allowed. The applicant indicated they would have 9 students, with 2 walking and 2 carpooling, resulting in about 6 cars for drop-off and pick-up. The main concern raised by staff was regarding traffic, as the code allows 5 vehicles per hour for a home occupation. Ms. Wilde suggested the applicant would need to stagger drop-off times to meet this requirement. Ms. McGarr addressed the commission clarifying that they have 9 students enrolled, with 2 walking and 2 carpooling, resulting in 6 cars. She also stated that she had observed traffic that day and saw about 3 cars at 9:00 AM and the rest at 9:15 AM when school started.

Commissioner Kallas expressed concern that 6 cars would still exceed the 5 vehicle per hour limit in the code. He addressed the impact that parking problems could have on neighbors. The commissioners discussed different parking options, including using the driveway to reduce street parking. Following general discussion, the commission advised the applicant to stagger the pickup times to comply with code requirements. Chairperson Johnson confirmed that enforcement would be complaint-driven and encouraged the applicant to be courteous to neighbors.

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

COMMISSIONER CALL MOVED TO APPROVE THE APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT TO USE THE RESIDENTIAL PROPERTY LOCATED AT 730 E 100 N FOR AN IN-HOME PRESCHOOL BUSINESS, WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL COMPLY WITH THE HOME OCCUPATION REQUIREMENTS FOUND IN LINDON CITY CODE SECTION 17.04.400; 2. THE BUSINESS WILL ONLY BE OPERATED BY A RESIDENT OF THE HOME; 3. NO MORE THAN 6 VEHICLES MAY BE PARKED AT THE RESIDENCE AT ONE TIME; 4. THE BUSINESS WILL NOT GENERATE MORE THAN FIVE VEHICLES OF TRAFFIC TO THE RESIDENCE DURING ANY HOUR. THE HOME OCCUPATION SHALL NOT GENERATE ANY TRAFFIC BEFORE 8:45 A.M. OR AFTER 12:15 P.M.; 5. DROP OFF/PICK UP FOR THE STUDENTS WILL ONLY OCCUR ON THE PROPERTY, OR DIRECTLY IN FRONT OF THE PROPERTY; 6. HOURS OF OPERATION FOR THE HOME OCCUPATION BUSINESS WILL BE BETWEEN 9:00 A.M. AND 12:00 P.M. IF THE

BUSINESS EXCEEDS THESE HOURS THEY WILL MAKE APPLICATION TO AMEND THEIR CONDITIONAL USE PERMIT. 7. THE APPLICANT WILL CONTINUALLY MAINTAIN A LINDON CITY HOME OCCUPATION LICENSE; AND 8. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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| CHAIRPERSON JOHNSON | AYE |
| COMMISSIONER CALL | AYE |
| COMMISSIONER KALLAS | AYE |
| COMMISSIONER MARCHBANKS | AYE |
| COMMISSIONER SCHAUERS | AYE |
| COMMISSIONER DANIELSON | AYE |
| COMMISSIONER DONE | AYE |

THE MOTION CARRIED UNANIMOUSLY.

5. **Public Hearing – Development Agreement.** Review and consider a recommendation for approval of a development agreement for the properties located at 231 S. 800 W., 345 S. 800 W., and 338 S. 670 W. (Parcel #'s 17:015:0076, 45:386:0015, 45:329:0013) to construct four office/warehouse buildings and modify by agreement specifications. Application made by West Land Development LLC.

Mike Florence, Community Development Director, presented this agenda item and noted that James Burlington and Troy Dana were present to address any questions the commission may have. He then presented the proposed development agreement for Westland Development LLC regarding properties at 231 S 800 W, 345 S. 800 W. and 338 S. 670 W. He reminded the commission that this agreement was requested at the previous meeting. Mr. Florence stated that the developer proposes to construct four office/warehouse buildings totaling approximately 132,000 square feet. Mr. Florence then outlined the key provisions of the development agreement:

1. The developer would construct buildings consistent with the concept site plan and architectural plans presented, which included two wood construction buildings (A and B) with black and white brick and grayish wood panel, and two concrete tilt-up buildings (C and D).
2. One point of discussion was the building setback from residential properties. The code typically requires a 40-foot setback, but the developer requested a 30-foot setback. Mr. Florence explained the developer's rationale: no parking would be located between buildings and residences, landscaping would be provided on both sides of the trail, and the property had various easements that made the standard setback challenging.
3. A minimum 7-foot wall would be constructed as a buffer between commercial and residential properties.
4. Only down-directed lighting would be permitted on the north elevation of buildings A and C, and a photometric study would be required to ensure no light spillover into the residential neighborhood.
5. No overhead doors would be installed on the north elevations of buildings A and C.

6. Buildings A and B would have west building entrances oriented to 800 West.
7. Trees meeting city development requirements would be planted every 30 feet along buildings A and C.
8. No outdoor storage would be permitted between buildings A and C and the residential properties.
9. Certain uses would be prohibited, including convenience stores, gas stations, dance clubs, music venues, exhibit halls, convention centers, amusement parks, and various recreational facilities.

Mr. Burlington and Mr. Dana addressed various questions from the commission regarding the proposed development. They confirmed that there would be no windows on the north-facing sides of buildings A and C to ensure the privacy of nearby residents, explaining that any windows present would be clerestory windows, which are set high and mainly serve to allow natural light while preventing views into neighboring backyards. This design choice effectively mitigates potential privacy concerns for the residents adjacent to the development. Additionally, they discussed the logistical considerations related to the site, such as the decision to maintain a 30-foot setback from the residential properties. This decision was influenced by several factors, including the existing easements and drainage lines on the property, which make a larger setback challenging. They assured the commission that despite the reduced setback, the design, including landscaping and a minimum 7-foot wall, would serve as adequate buffers between the development and the residential areas. This choice was intended to balance the need for privacy and the practical considerations of developing the site while complying with city codes and ordinances.

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

Chairperson Johnson asked for any public comment, the following comments were made:

<u>Luke Gillman -</u> commented on the trail that runs behind the properties, noting that it had recently been redone but lacked landscaping on the residential side where it was extended. He highlighted how the trail used to turn, and up until there, it had about 4 feet of landscaping on both sides, which ended abruptly when the trail was straightened out. The absence of landscaping in the newly extended section of the trail made the area look quite bare and unappealing. Mr. Gillman also raised concerns about the developer's plans to install a 7-foot concrete wall on the property line, stating that it might look peculiar and out of place next to the existing 6-foot vinyl fences that line the backyards of the neighboring homes. He questioned whether the existing fences would be removed or if the new wall would be constructed immediately adjacent.

<u>Caleb Gillman -</u> expressed concerns about the potential impact of light from clerestory windows facing north, which might shine into the backyards of adjacent residential properties during nighttime operations. He voiced unease about businesses that might operate within the development, particularly if those involved activities that could generate dust or other emissions, such as a countertop business or similar industrial uses. Mr. Gillman emphasized a preference for skylights instead of any windows on the north-facing sides of buildings A and C, suggesting that

skylights would mitigate the potential light pollution while still allowing natural light into the spaces. He underlined the importance of ensuring that any operational aspects of the proposed development would not negatively affect the residential environment nearby.

Mr. Florence addressed these concerns by explaining the limited types of manufacturing that would be permitted, noting that businesses like countertop fabrication that produce significant dust would not be allowed in this zone. He emphasized that indoor production should be organized in such a way that it does not produce objectionable noise, odors, dust, or other externalities that could negatively affect surrounding properties.

Chairperson Johnson asked for any other public comments, hearing none he called for a motion to close the public hearing.

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

After discussion, the Commission agreed to the following modifications to the development agreement:

1. Change the required setback to a minimum of 30 feet for buildings A and C
2. Specify that only clerestory windows would be permitted on the north elevations of buildings A and C
3. Modify the landscaping requirement to state that both sides of the trail would be landscaped "where applicable"

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

COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL OF RESOLUTION 2025-22-R TO ADOPT THE DEVELOPMENT AGREEMENT BETWEEN WESTLAND DEVELOPMENT LLC AND LINDON CITY. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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| CHAIRPERSON JOHNSON | AYE |
| COMMISSIONER CALL | AYE |
| COMMISSIONER DONE | AYE |
| COMMISSIONER KALLAS | AYE |
| COMMISSIONER MARCHBANKS | AYE |
| COMMISSIONER SCHAUERS | AYE |
| COMMISSIONER DANIELSON | AYE |

THE MOTION CARRIED UNANIMOUSLY.

6. **Continued – General Plan Future Land Use Map Amendment**. West Land Development, LLC has made an application to amend the Lindon City General Plan Future Land Use Map

designation for the properties located at 231 S. 800 W., 345 S. 800 W., and 338 S. 670 W. (Parcel #'s 17:015:0076, 45:386:0015, 45:329:0013) from Flex Office to Flex Commercial.

Chairperson Johnson explained that this item had been continued from the previous meeting and a public hearing had already been held. He noted that the amendment would change the Lindon City General Plan Future Land Use Map designation for the properties located at 231 S. 800 W., 345 S. 800 W., and 338 S. 670 W. from Flex Office to Flex Commercial.

Having just approved the associated development agreement, the Commission proceeded directly to a vote without further discussion.

COMMISSIONER MARCHBANKS MOVED TO RECOMMEND APPROVAL ORDINANCE 2025-12-O TO AMEND THE LINDON CITY GENERAL PLAN FUTURE LAND USE FOR THE PROPERTIES LOCATED AT 231 S. 800 W., 345 S. 800 W., 338 S. 670 W. FROM FLEX OFFICE TO FLEX COMMERCIAL WITH THE FOLLOWING CONDITIONS: 1. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER DANIELSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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| CHAIRPERSON JOHNSON | AYE |
| COMMISSIONER CALL | AYE |
| COMMISSIONER DONE | AYE |
| COMMISSIONER KALLAS | AYE |
| COMMISSIONER MARCHBANKS | AYE |
| COMMISSIONER SCHAUERS | AYE |
| COMMISSIONER DANIELSON | AYE |

THE MOTION CARRIED UNANIMOUSLY.

7. **Continued – Zoning Map Amendment.** West Land Development LLC has made an application to amend the Lindon City Zoning Map designation on the properties located at 231 S. 800 W., 345 S. 800 W., and 338 S. 670 W. (Parcel #'s 17:015:0076, 45:386:0015, 45:329:0013) from Research & Business (R&B) to Regional Commercial (RG).

Chairperson Jophnson noted that this item had also been continued from the previous meeting with the public hearing already held and stated the amendment would change the Lindon City Zoning Map designation for the properties located at 231 S. 800 W., 345 S. 800 W., and 338 S. 670 W. from Research & Business (R&B) to Regional Commercial (RC).

Chairperson Johnson recommended adding a condition to ensure that the rezoning would be contingent on adherence to the conditions outlined in the development agreement. This was to ensure that the proposed changes to the Lindon City Zoning Map, from Research & Business (R&B) to Regional Commercial (RC) for the properties at 231 S. 800 W., 345 S. 800 W., and 338 S. 670 W., would align with the stipulations discussed and agreed upon with the applicant, Westland Development LLC. This precaution was proposed to prevent any deviations from the planned development, which involved constructing four office/warehouse buildings with particular architectural designs, setbacks, and use limitations that had been previously deliberated. Adding this condition was considered essential to provide clarity and ensure the community's understanding that any new zoning would strictly adhere to the parameters set by the development agreement.

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

COMMISSIONER DONE MOVED TO RECOMMEND APPROVAL ORDINANCE 2025-13-O TO AMEND THE LINDON CITY ZONING MAP FROM RESEARCH & BUSINESS TO REGIONAL COMMERCIAL WITH THE FOLLOWING CONDITIONS: 1. ALL ITEMS OF THE STAFF REPORT COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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| CHAIRPERSON JOHNSON | AYE |
| COMMISSIONER CALL | AYE |
| COMMISSIONER DONE | AYE |
| COMMISSIONER KALLAS | AYE |
| COMMISSIONER MARCHBANKS | AYE |
| COMMISSIONER SCHAUERS | AYE |
| COMMISSIONER DANIELSON | AYE |

THE MOTION CARRIED UNANIMOUSLY.

**8. Community Development Director**

- Next meeting September 23rd
- Misc. City Updates

**ADJOURN** –

COMMISSIONER MARCHBANKS MOVED TO ADJOURN THE MEETING AT 7:18 PM. COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved, September 23, 2025

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Steven Johnson, Chairperson

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Michael Florence, Community Development Director