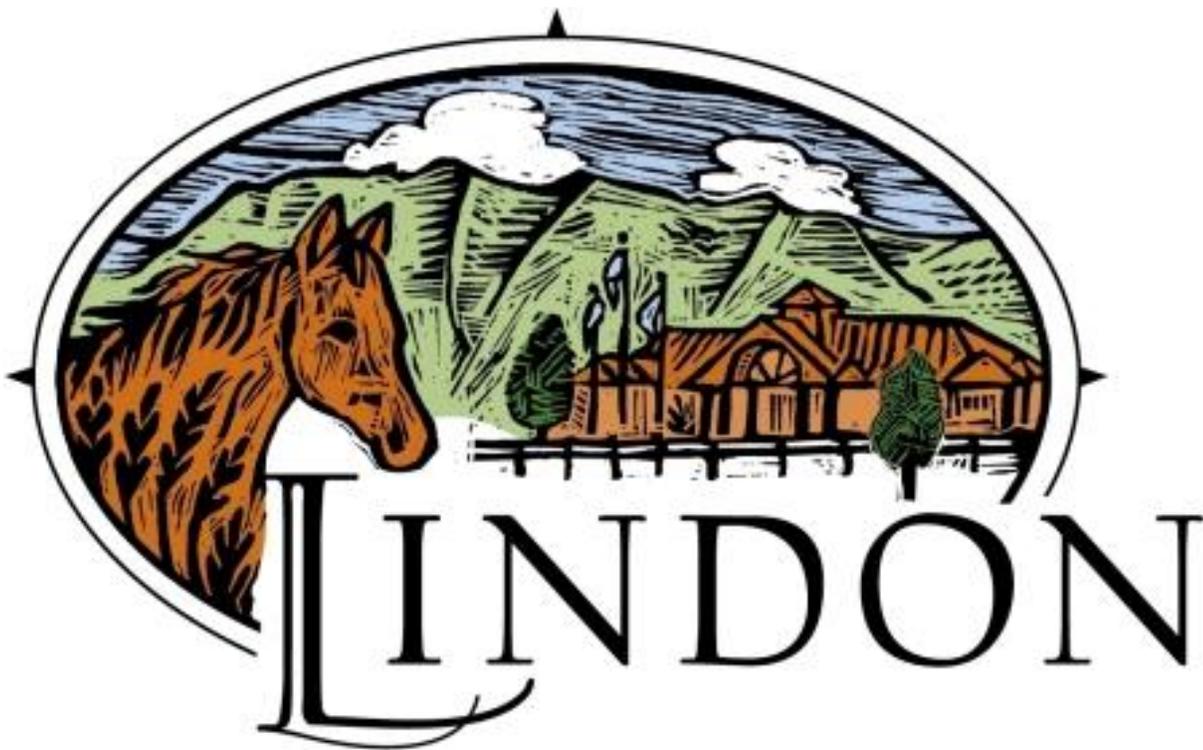


Lindon City Planning Commission Staff Report



June 10, 2014

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, June 10, 2014** 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:

AGENDA

Invocation: By Invitation

Pledge of Allegiance: By Invitation

1. **Call to Order**
2. **Approval of minutes from May 27, 2014**
3. **Public Comment**



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

4. **Conditional Use Permit — Banzai Skatepark, 220 South 1250 West** *(Review times are estimates only.)*
(30 minutes)
Jase Bennett requests approval of a conditional use permit to operate an indoor skatepark in a structure located at 220 South 1250 West in the Light Industrial (LI) zone. Indoor skateboard parks are conditionally approved in the LI zone.
5. **Concept Review — American Legacy Publishing Office/Warehouse with flagpole** *(20 minutes)*
Kevin Carter, of American Legacy Publishing, requests feedback on a proposal to receive approval for and subsequently construct an office/warehousing facility with a 500 foot flagpole on property in Lindon. No official motions will be made.
6. **New Business (Reports by Commissioners)**
7. **Planning Director Report**

Adjourn

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

Posted By: Jordan Cullimore

Time: ~11:00 am

Date: June 6, 2014

Place: Lindon City Center, Lindon Public Works, Lindon Community Center

Item I – Call to Order

June 10, 2014 Planning Commission meeting.

Roll Call:

Ron Anderson
Sharon Call
Rob Kallas
Mike Marchbanks
Bob Wily

Item 2 – Approval of Minutes

Planning Commission – Tuesday, May 27, 2014.

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **May 27, 2014 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: Mike Marchbanks, Commissioner
10 Pledge of Allegiance: Rob Kallas, Commissioner

12 **PRESENT**

ABSENT

Sharon Call, Chairperson
14 Ron Anderson, Commissioner
Rob Kallas, Commissioner
16 Mike Marchbanks, Commissioner
Bob Wily, Commissioner
18 Hugh Van Wagenen, Planning Director
Jordan Cullimore, Associate Planner
20 Kathryn Moosman, City Recorder

- 22 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
24 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of May 13, 2014
26 were reviewed.

COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE
28 REGULAR MEETING OF MAY 13, 2014 AS AMENDED. COMMISSIONER WILY
30 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
CARRIED.

32 3. **PUBLIC COMMENT** –

34 Chairperson Call called for comments from any audience member who wished to
address any issue not listed as an agenda item. There were no public comments.

36 **CURRENT BUSINESS** –

- 38 4. **Public Hearing: General Plan Amendment** – *Rossi Project, Approximately 600*
40 *North 2000 West.* Brent Skidmore requests a General Plan map Amendment to
42 change the General Plan designation of property located at approximately 600 North
2000 West from Commercial to Mixed Commercial. The applicant intends to
44 establish office/warehouse uses on the site. Recommendations will be made to the
City Council at their next available meeting after review by the Planning
Commission.

46

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

4
6 Jordan Cullimore, Associate Planner, led the discussion by giving a brief
summary of this agenda item stating the applicant, Brent Skidmore, who is attendance, is
8 requesting a General Plan Map Amendment to change the General Plan designation of
property located at approximately 600 North 2000 West from Commercial to Mixed
10 Commercial. Mr. Cullimore noted the applicant intends to establish office/warehouse
uses on this site. He added that the recommendations will be made to the City Council at
12 their next available meeting after review by the Planning Commission. He mentioned the
property owners are Brent & Marsha Skidmore and Melvin & Mary Frandsen Family
LLC.

14 Mr. Cullimore opened the discussion by explaining the agenda items (#4 and #5)
are similar to each other and will piggy back off one another. He noted the first item is
16 the General Plan Amendment which is in conjunction with item #4 which is the Zoning
Map Amendment. He noted that with any zone change request State Statute and City
18 Code requires that any zone change be in accordance with the General Plan designation
on the General Plan map. Mr. Cullimore then showed some renditions of the proposed
20 office warehousing site plan. Mr. Cullimore explained that the complex will likely serve
businesses that require office/warehousing space in which light assembly, packaging, and
22 shipping activities will occur. He stated that this type of use is best situated in the light
industrial or mixed commercial zones. Mr. Cullimore then presented the aerial photo of
24 the proposed area to be re-classified and photographs of the existing site, the conceptual
site plan and the conceptual architectural renderings.

26 Mr. Cullimore then presented an overview stating the applicant proposes to
develop these parcels with a site configuration similar to the site plan concept shown as
28 attachment 3 (in the staff report). He went on to say the structures' architectural design
will be similar to the structures portrayed in attachment 4 (in the staff report). He stated
30 the site currently includes two lots, with the southern lot being split zoned between MC
and CG. He explained that when a lot is split zoned, the more restrictive zone, which is
32 the CG zone, controls the entire lot. Mr. Cullimore further explained the northern lot is
also zoned CG, and the applicant's proposed use is not allowed in the CG, but it is in the
34 MC zone. Consequently, the applicant requests that the two lots be rezoned to the MC
zone. Mr. Cullimore reiterated that Lindon City Code requires that any zone change must
36 be consistent with the City's General Plan Designation. He added that the General Plan
mirrors the current zoning, so the applicant is requesting that the General Plan
38 designation be changed to permit the zone change and allow their desired uses.

40 Mr. Cullimore then presented the findings of fact to consider as follows:

- 42 1. The General Plan currently designates the property under the category of General
Commercial. This category includes retail and service oriented businesses, and
shopping centers that serve community and regional needs.
- 44 2. The applicant requests that the General Plan designation of the property be
46 changed to Mixed Commercial, which includes the uses in the General
Commercial designation, as well as light industrial and research and business
uses.

48 Mr. Cullimore then presented the Analysis for consideration as follows:

1. Relevant General Plan policies to consider in determining whether the requested change will be in the public interest:
 - a) It is the purpose of the commercial area to provide areas in appropriate locations where a combination of business, commercial, entertainment, and related activities may be established, maintained, and protected.
 - b) Commercial use areas should be located along major arterial streets for high visibility and traffic volumes.
 - c) The goal of commercial development is to encourage the establishment and development of basic retail and commercial stores which will satisfy the ordinary and special shopping needs of Lindon citizens, enhance the City's sales and property tax revenues, and provide the highest quality goods and services for area residents.
 - i. Objectives of this goal are to:
 1. Expand the range of retail and commercial goods and services available within the community.
 2. Promote new office, retail, and commercial development along State Street and 700 North.
 - d) Applicable city-wide land use guidelines:
 - i. The relationship of planned land uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.
 - ii. Transitions between different land uses and intensities should be made gradually with compatible uses, particularly where natural or man-made buffers are not available.
 - iii. Commercial and industrial uses should be highly accessible, and developed compatibly with the uses and character of surrounding districts.

Mr. Skidmore, the applicant, addressed the Commission at this time. He commented that he does not know the differentiation between agenda items #4 and #5 so he will approach both at the same time. He noted that this is a family owned property and he would like to see light commercial and office warehouse in the area. He added that he feels it is appropriate to request the mixed use on both parcels and he feels this development will enhance the road.

Chairperson Call commented that she feels the issue is whether to keep the land strictly commercial or mixed commercial. She called for any public comment at this time.

Curtis Miner, with Curtis Miner Architecture, was in attendance and approached the Commission at this time. He noted that he is working with Mr. Skidmore and the developers on this project. Mr. Miner then shared his comments on why this proposed development is an appropriate use for this property. He commented that they understand that 700 north is a commercial corridor and the City wants to preserve it, as that, as long as it functions correctly. He explained how a Commercial development works and noted that Commercial developers evaluated this piece of property and they realized that this would be a good transition piece. The property would work as commercial and the main factor commercial developers use to determine is traffic factors. 700 North will have the traffic advantage but 2000 west will not. Additionally the lot is too deep going east to west. This will be a well done office warehouse/use with storefront. He noted that where

2 the transition happens depends on traffic, transportation etc. He noted that they must be
3 careful how this develops. He added that the building will screen the property.

4 Pete Rossi, developer, addressed the Commission at this time. Mr. Rossi asked
5 the Commission to consider how properties develop. He commented that this corridor has
6 had interest by developers over the years and a lot have failed. This is a well located
7 corridor and interchange. The market is a great indicator of developing and will dictate
8 by itself. He noted the question is what is going to come to this area, and in his opinion
9 this is a major interchange that has yet to play out. Mr. Rossi stated that in order for a
10 retail establishment to succeed it is driven by traffic counts. So, the road to the west will
11 never carry any significant amount of traffic. He feels it will be a long time out before
12 700 North generates any significant retail.

13 Mr. Rossi commented that what would kick start the area is a good transitional
14 flex space between the Noah's building and any future development. He also explained
15 that the parcels run east to west and because of that configuration, they could never space
16 plan that property for anything but flex space because of the depth of the lot and land
17 locking issues. Mr. Rossi stated that this is great ground and the configuration is perfect
18 for what they are proposing and it will bring quality tenants to the area as it has freeway
19 access and great visibility.

20 Commissioner Kallas commented that the City does not expect all retail on the
21 700 North corridor. He added that the question is if we change the zone have we painted
22 our future and is a consideration. There was then some additional general discussion.
23 Chairperson Call invited public comment at this time. There were several residents in
24 attendance to address the Commission as follows:

25 **Jocelyn Soderstrom:** Ms. Soderstrom inquired how "light industrial" the building will
26 be. She also mentioned that she has concerns regarding the noise and the hours of
27 operation. Mr. Rossi stated that the development will be low impact Light Industrial and
28 the bays will be on the interior and he doesn't think the neighbors any noise because it is
29 in a concrete building. He added there will be typical business hours.

30 **Jacob Ryan:** Mr. Ryan stated that he owns the old Noah's building. He noted they
31 purchased and converted the building to one hundred percent office use. He further noted
32 that they have secured a tenant for the entire space "Forever Green", which is an
33 International Company and this is their International Headquarters. Mr. Ryan mentioned
34 that he appreciates the developer's transparency and commented that Curtis Miner has
35 designed a wonderful product. Mr. Ryan did comment that he is slightly concerned about
36 the product going in there and realizes the concerns of the neighbors. Mr. Ryan stated
37 that he supports the project but he does not want it to look like an industrial building. He
38 concluded by stating he is indifferent of supporting it until they know what is going in
39 there and if it is the best use of the property.

40 **Jason Dodge:** Mr. Dodge commented that the building is hard to envision and he feels it
41 is getting a bad rap when thrown into the light industrial realm. He noted that it is a flex
42 base development, which is a great use for the property. Mr. Dodge feels the argument is
43 the 700 North corridor is not impacted by pushing the zoning to the north because it will
44 be the last to fill in. As far a kick starting the corridor, this is a nice tilt up building with a
45 glass front and he feels it will be a great start for the 700 North corridor.

48

2 **Ed Rickers:** Mr. Rickers handed out conceptual drawings to the Commission. He stated
that he supports the idea that there are other businesses that would be attracted to this
kind of zoning change.

4
6 COMMISSIONER ANDERSON MOVED TO CLOSE THE PUBLIC HEARING.
COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

8
10 Chairperson Call commented that the question tonight is what would be the best
use of the land as far as changing the zoning. Commissioner Kallas questioned why the
zoning split the parcel. Mr. Van Wagenen explained the zoning was changed as the
12 parcels were shifted with the R2- Overlay.

14 Commissioner Anderson commented that something to consider is the mixed
commercial ordinance and what it allows in the standard land use table. Mr. Van
Wagenen mentioned that the city can reverse a re-zone if need be as it is city initiated.
16 Commissioner Kallas commented that he thinks the project looks nice but added that it is
hard to make a decision when the 700 North Corridor is the last portion of the city that
18 has great exposure and a great location; and if this project fits with the 700 North corridor
vision.

20 Mr. Van Wagenen commented that staff has had several requests for this type of
flex office space use in the area and there is a growing demand. Mr. Cullimore
22 commented that it seems the Commission has identified, through the discussion; the
question of how far to encroach into what is planned for general commercial before it
24 jeopardizes the plan. Chairperson Call commented that a comment was made that it may
be a long time before 700 North is developed. Commissioner Marchbanks commented
26 that he doesn't have a problem with the change and noted there is no question that 2000
west is different than 700 north, but he feels this is a compatible transition to what is
28 already there. He added that he is less concerned about the impact on the neighbors by
this development than a Maverick or Holiday Oil for instance.

30 Following some additional general discussion by the Commission, Chairperson
Call called for a motion.

32
34 COMMISSIONER KALLAS MOVED TO RECOMMEND TO THE CITY
COUNCIL APPROVAL OF THE APPLICANT'S REQUEST TO CHANGE THE
GENERAL PLAN DESIGNATION OF THE LOTS IDENTIFIED BY UTAH COUNTY
36 PARCEL #14:057:0052 AND #14:057:0061 FROM GENERAL COMMERCIAL TO
MIXED COMMERCIAL. COMMISSIONER MARCHBANKS SECONDED THE
38 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

40 CHAIRPERSON CALL	AYE
COMMISSIONER ANDERSON	AYE
COMMISSIONER MARCHBANKS	AYE
42 COMMISSIONER KALLAS	AYE
COMMISSIONER WILY	AYE
44 THE MOTION CARRIED UNANIMOUSLY.	

46 5. **Public Hearing: Zone Map Amendment** – *Rossi Project, Approximately 600 North*
48 *2000 West.* Brent Skidmore requests a Zone Map Amendment to change the zoning
designation of property located at approximately 600 North 2000 West from General

Commercial (CG) to Mixed Commercial (MC). The applicant intends to establish office/warehouse uses on the site. Recommendations will be made to the City Council at their next available meeting after review by the Planning Commission.

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

Chairperson Call commented that this issue already discussed in the previous agenda item. She called for any public comments or questions from the Commission. Hearing none she called for a motion to close the public hearing.

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

Mr. Van Wagenen directed the Commission to reference the previous discussion on the general plan amendment (agenda item #4) and to include it in the motion.

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

COMMISSIONER MARCHBANKS MOVED TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE APPLICANT'S REQUEST TO CHANGE THE ZONING DESIGNATION OF THE LOTS IDENTIFIED BY UTAH COUNTY PARCEL #14:057:0052 AND #14:057:0061 FROM GENERAL COMMERCIAL (GC) TO MIXED COMMERCIAL (MC) AS REFERENCED AND DISCUSSED FROM THE PREVIOUS AGENDA ITEM #4 CONSIDERATIONS. COMMISSIONER ANDERSON SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER ANDERSON	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER WILY	AYE

THE MOTION CARRIED UNANIMOUSLY.

5. **Concept Review** – *National Packaging Innovations, 750 North 2800 West*. Ed Daley, of National Packaging Innovations, requests feedback on a proposal to change the General Plan designation of Utah County Parcel #13:063:0057 from Mixed Commercial to Commercial and to rezone the property from General Commercial (CG-A8) to Mixed Commercial (MC). The applicant intends to establish office/warehouse uses on the site. No official motions will be made.

Jordan Cullimore, Associate Planner, opened the discussion by explaining this is a request by Ed Daley, who was in attendance, of National Packaging Innovations, for feedback on a proposal to change the General Plan designation of Utah County Parcel #13:063:0057 from Mixed Commercial to Commercial and to rezone the property from

2 General Commercial (CG-A8) to Mixed Commercial (MC). The applicant intends to
3 establish office/warehouse uses on the site. He noted that no official motions will be
4 made they are only looking for feedback from the Commission. Mr. Cullimore stated this
5 application is similar to the previous agenda items discussed tonight as it is a flex space
6 project.

7 He noted the applicant proposes to develop these parcels with a site configuration
8 similar to the site plan concept in attachment 3 (included in packets). The structures'
9 architectural design will be similar to the structures portrayed in attachment 4 (included
10 in packets). He noted the complex will likely serve businesses that require
11 office/warehousing space in which light assembly, packaging, and shipping activities will
12 occur. Mr. Cullimore stated the lot currently has a General Plan designation of General
13 Commercial and is zoned CG-A8. The applicant's proposed use is not allowed in the CG-
14 A8, but it is in the MC zone. Consequently, the applicant seeks feedback on a proposal to
15 rezone the lot to the MC zone. City Code requires that any zone change must be
16 consistent with the City's General Plan Designation. The General Plan mirrors the current
17 zoning, so the applicant would also request that the General Plan designation be changed
18 to permit the zone change. Mr. Cullimore inquired how the Commission views this
19 application and if they feel the same as the agenda items previously discussed.

20 Mr. Cullimore then presented an aerial photo of the proposed area to be re-
21 classified, photos of the existing site, a conceptual site plan, and a conceptual
22 architectural rendering.

23 The applicant, Mr. Daley, addressed the Commission at this time. He noted this
24 project is similar to the previous applications discussed but they will occupy it
25 themselves. Mr. Daley stated they are a packaging business including boxes, peanuts,
26 tape, shipping etc. and they will distribute them. They plan on having trucks come in and
27 also their own delivery vehicles. He stated they have been located in American Fork for
28 the past 7 years and have grown to a point where they need to relocate.

29 Commissioner Kallas commented that he has less of a problem with this
30 application than the previous agenda item. Commissioner Marchbanks agreed that he
31 does not have a problem with this proposal. Commissioner Anderson commented that
32 there is good access at the location. Chairperson Call stated that she has no concerns with
33 this application.

34 Following some additional general discussion by the Commission, Chairperson
35 Call called moved on to the next agenda item.

36 6. NEW BUSINESS – Reports by Commissioners.

37 Chairperson Call called for any new business or reports from the Commissioners.
38 Commissioner Kallas inquired if there has been any more feedback from the Senior
39 Living development on Main Street. Mr. Van Wagenen stated Mr. Knighton, the
40 developer, is still involved but the new partner, Bryce Christensen, may have another
41 higher priority project so it is still on hold. Mr. Van Wagenen stated the Osmond Senior
42 Living is currently under construction but they have run into a problem with the 3rd story
43 but they are working through it. Mr. Van Wagenen further noted that the building permit
44 for the Avalon Senior Living Center plans are being reviewed and they plan to begin
45 construction in June.

46 Commissioner Kallas inquired if there has been any more thought regarding smaller
47 lot sizes in the city. Mr. Van Wagenen replied that there has not been any change of the
48

code but a discussion will be coming up in June. Commissioner Marchbanks asked if there are any recommendations on noxious trees like Russian olives, Cottonwoods, etc. Mr. Van Wagenen stated that they will check in to this issue. Chairperson Call commented that it looks nice where they laid the sod at Lindon View Park. Chairperson Call also mentioned that she will not be here at next meeting.

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

7. PLANNING DIRECTOR'S REPORT-

Mr. Van Wagenen had nothing to report at this meeting.

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

ADJOURN -

COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE MEETING AT 9:55 P.M. CHAIRPERSON CALL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – June 10, 2014

Sharon Call, Chairperson

Hugh Van Wagenen, Planning Director

Item 3 – Public Comment

1 - Subject _____
Discussion

2 - Subject _____
Discussion

3 - Subject _____
Discussion

Item 4: Conditional Use Permit — Banzai Skatepark, 220 South 1250 West

Brent Skidmore requests a Zone Map amendment to change the zoning designation of property located at approximately 600 North 2000 West from General Commercial (CG) to Mixed Commercial (MC). The applicant intends to establish office\warehousing uses on the site. Recommendations will be made to the City Council at their next available meeting after review by the Planning Commission. File 14-013-1.

Applicant: Jase Bennett
Presenting Staff: Jordan Cullimore

Zone: Light Industrial (LI)

Parcel ID: 45:241:0001
Parcel Address: 220 South 1250 West
Unit Address: 230 South 1250 West
Lot Size: 2.06 acres
Internal Unit Dimensions: 50' x 60'

Type of Decision: Administrative
Council Action Required: No

SUMMARY OF KEY ISSUES

1. Consider whether to approve the conditional use permit application for an indoor skatepark, which is conditionally permitted in the LI zone.
2. Determine reasonable and appropriate conditions that would mitigate negative impacts produced by the use, if any.

MOTION

I move to (*approve, deny, continue*) the applicant's conditional use permit to operate an indoor skatepark in a structure (Unit 230 South) located at 220 South 1250 West in the Light Industrial (LI) zone with the following conditions, if any:

- 1.
- 2.
- 3.

FINDINGS OF FACT

1. The proposed location of the indoor skatepark is located at 220 South 1250 West, which is in the Light Industrial (LI) zone.
2. Privately-owned, indoor skateboard parks are conditionally permitted in the LI zone.
3. The internal dimensions of the space are 50' x 60'.
4. Skatepark hours of operation will be 12:00pm to 8:00pm, Monday through Saturday.
5. The skatepark's target demographic is 8-20 year old males and females.
6. The business expects to serve 20 paying customers/day, average \$200/day in product sales, and \$50 a day in services (lessons) and entry fees. The business also expects to average 1 party or special event per week.
7. The space has access to 20 parking stalls, 10 of which are dedicated to the facility, and 10 more that are shared with the rest of the complex. There are 3 ADA accessible spaces.
8. For the 1st year of operation, there will be 1 employee during operating hours.
9. Presently, the facility contains 1 unisex restroom. Building Code requires such a facility to limit occupancy of the space at any given time to no more than 15 individuals. The number of occupants may be increased, as approved by the Chief Building Official, if separate restroom facilities are provided at a future date.

ANALYSIS

- State Code defines a conditional use as " a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts."
- Section 10-9a-507 of the State Code requires municipalities to grant a conditional use permit "if reasonable conditions are proposed, or can be imposed, to mitigate the

reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards." Once granted, a conditional use permit runs with the land.

- State Code further provides that a conditional use permit application may be denied only if "the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards." Utah Code § 10-9a-507.
- Additionally, the Lindon City Code provides that a conditional use may be denied when
 - "[U]nder circumstances of the particular case, the proposed use will be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity, and there is no practical means available to the applicant to effectively mitigate such detrimental effects;" or,
 - "[T]he applicant cannot or does not give the Planning Commission reasonable assurance that conditions imposed incident to issuance of a conditional use permit will be complied with."

MOTION

I move to (*approve, deny, continue*) the applicant's conditional use permit to operate an indoor skatepark in a structure (Unit 230 South) located at 220 South 1250 West in the Light Industrial (LI) zone with the following conditions, if any:

- 1.
- 2.
- 3.

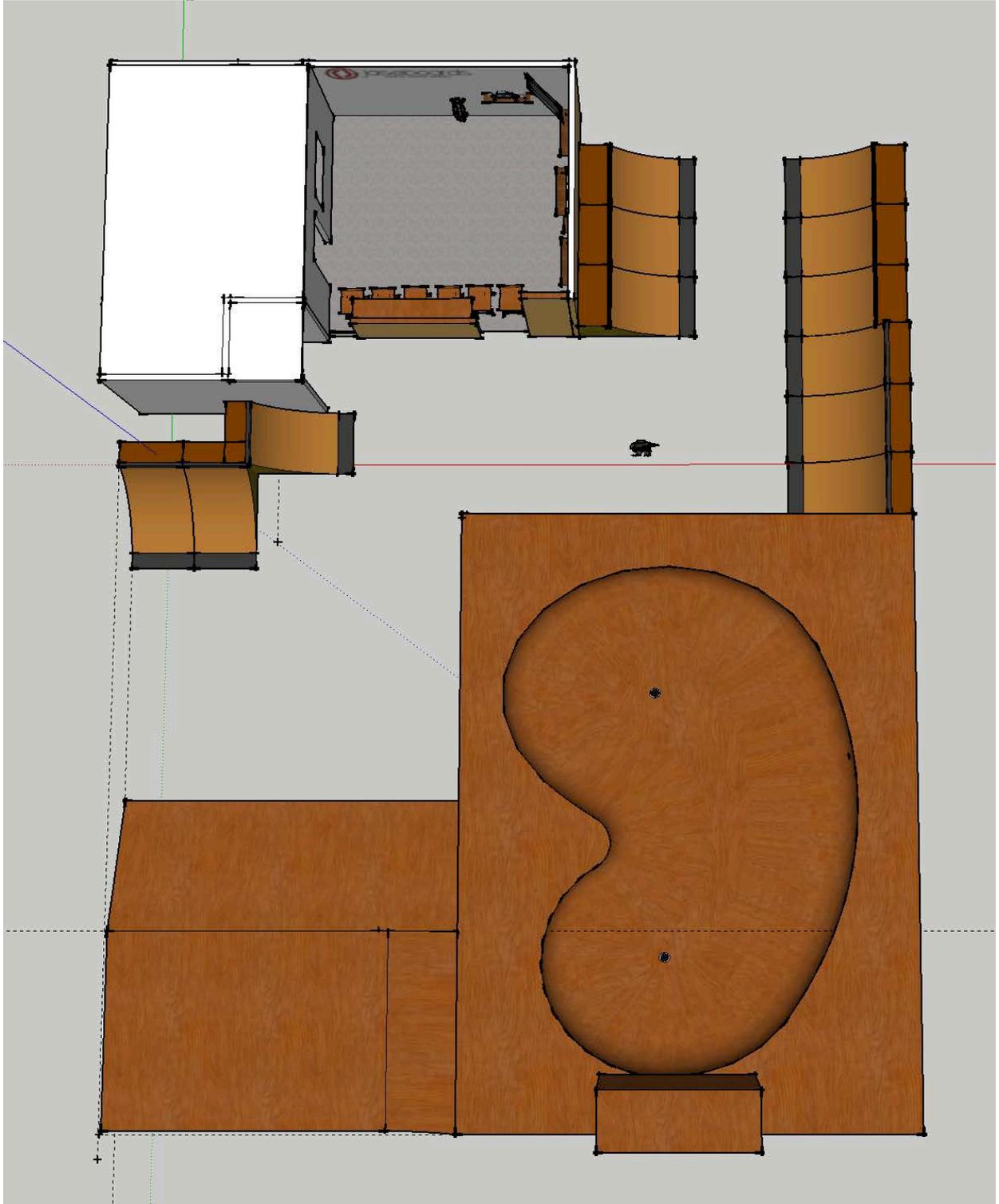
ATTACHMENTS

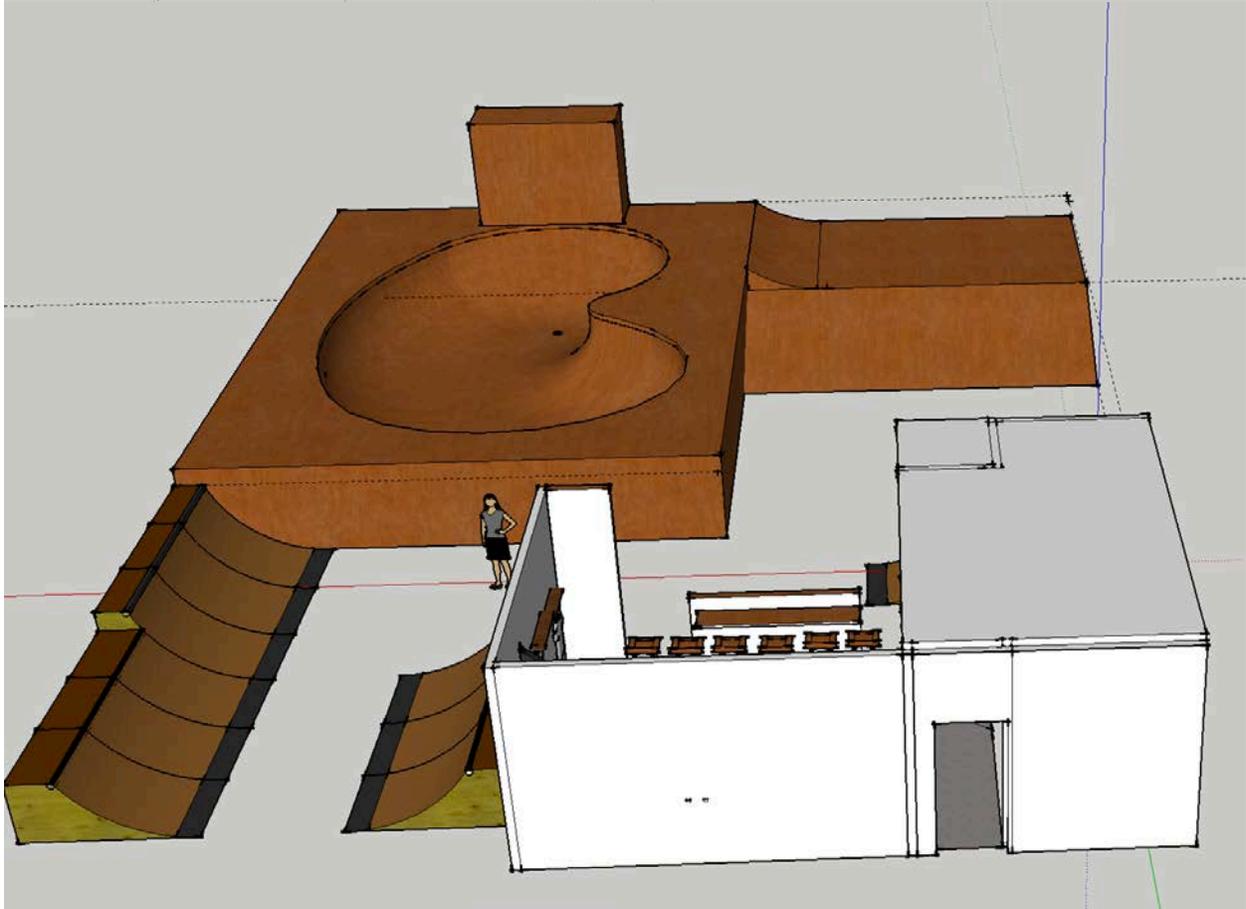
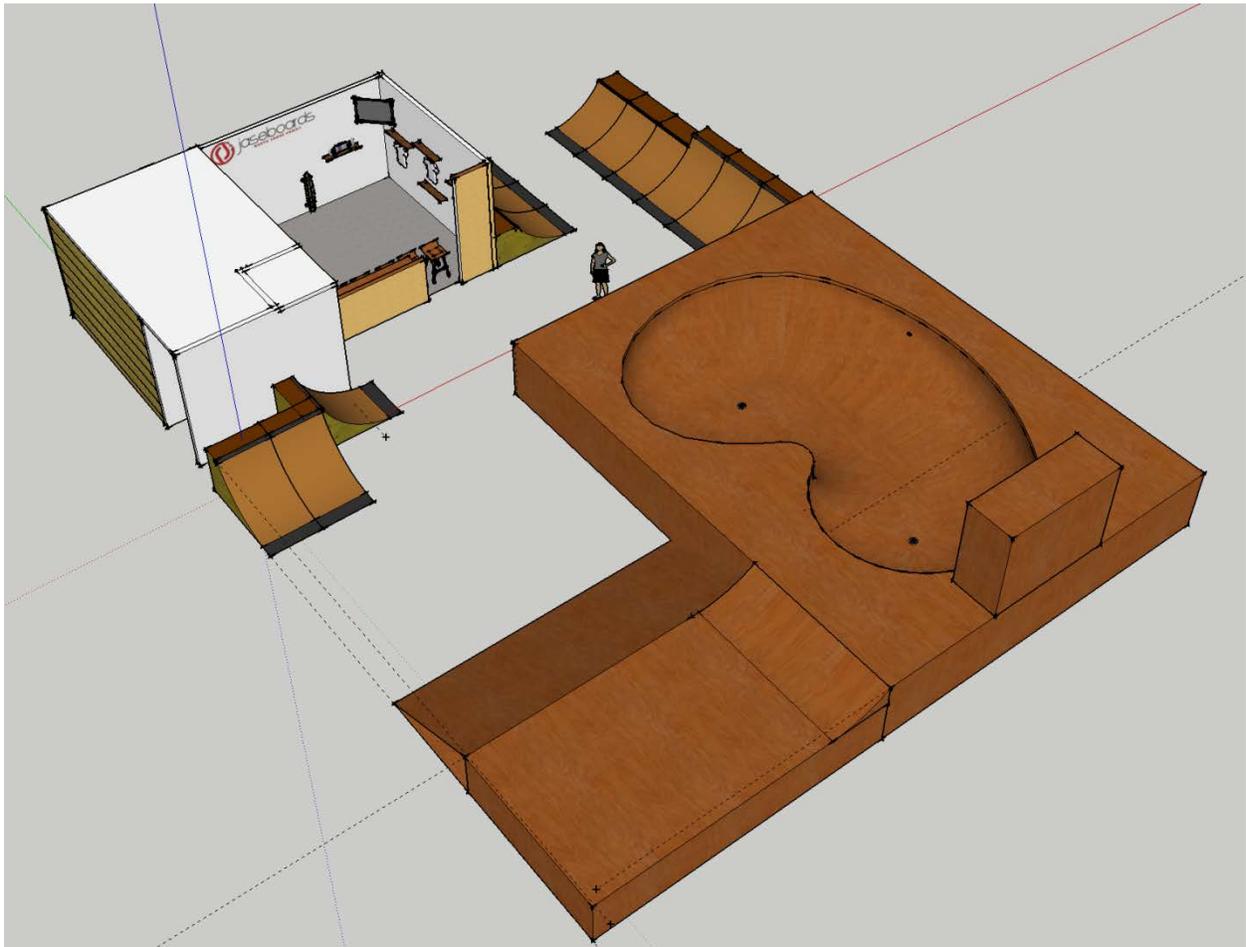
1. Aerial photo of the site
2. Photographs of the existing site
3. Skatepark Floor Plan

ATTACHEMENT 2



ATTACHEMENT 3





Item 5: Concept Review — American Legacy Publishing Office/Warehouse with flagpole

Kevin Carter, of American Legacy Publishing, requests feedback on a proposal to receive approval for and subsequently construct an office/warehousing facility with a 500 foot flagpole on property in Lindon. No official motions will be made. File 14-019-5.

Applicant: Kevin Carter
Presenting Staff: Jordan Cullimore

Type of Decision: None
Council Action Required: No

SUMMARY OF KEY ITEMS

1. This is a concept review to receive feedback from the Planning Commission regarding the applicant's proposal.

MOTION

No motion necessary.

OVERVIEW

The applicant proposes to construct an office/warehouse facility that would include a 500 ft. flagpole on site. A specific site has not been selected, but the applicant currently has a facility in Lindon and would like to remain in Lindon. Title 18 currently regulates flagpole height. The relevant provisions are highlighted in attachment 1. As currently written, the ordinance would not allow the applicant to construct a 500 ft. flagpole.

Consequently, the provisions regulating flagpole height would need to be amended to allow a flagpole at the height proposed by the applicant. The applicant is seeking feedback from the Planning Commission regarding the likelihood of passing an amendment proposal that would permit flagpoles to be constructed to the desired height (500 feet) in Lindon.

MOTION

No motion necessary.

ATTACHMENTS

1. Title 18 – Relevant provisions
2. Conceptual Renderings
3. Structure Comparison for Scale

Changeable Copy Signs – Electronic or Mechanical:

1. Electronic Changeable Copy signs (such as LED's or flat-panel digital technologies) and mechanically changeable copy signs are only permitted in the T-zone along the I-15 freeway corridor.
2. On-premise Electronic Changeable Copy signs shall not exceed fifty six (56) square feet in display area and shall be no larger than four and one-half feet (4.5') tall or wider than fourteen feet (14') long. On-premise Electronic Changeable Copy signs may be utilized as a wall sign, pole sign, or monument sign only. The coverage and size limitations for wall, pole or monument signs shall also apply to any proposed on-premise Electronic Changeable Copy sign.
3. Off-premise Electronic Changeable Copy and Mechanically Changeable Copy signs shall only be permitted upon billboards approved by Lindon City (See LCC 18.04) and shall not exceed six hundred seventy five (675) square feet in display area.
4. All off-premise Electronic Changeable Copy and Mechanically Changeable Copy signs are permitted for stationary messages only. The interval between message changes shall not be more frequent than at least eight seconds and the actual message rotation process shall be accomplished in three seconds or less by method of fading between messages or immediate change between messages. No flashing, scrolling video or other movement of sign message (copy) is permitted.
5. A four hundred foot (400') lineal separation distance (measured on the same side of the freeway - not a radius) is required between each on-premise Electronically Changeable Copy Sign. This may prohibit some businesses from being able to obtain a permit for this type of signage if a proposed sign is less than 400' from an existing on-premise Electronically Changeable Copy Sign.
6. A five hundred foot (500') lineal separation distance (measured on the same side of the freeway—not a radius) is required between each off-premise Electronic Changeable Copy Sign.
7. All Electronic Changeable Copy and Mechanically Changeable Copy signs shall conform to lighting standards found within LCC 18.02.090

Changeable Copy Signs - Manual:

1. Manually Changeable Copy signs require a sign permit from the City.
2. Manually Changeable Copy signs shall:
 - a. Only be used in connection with monument signs, or wall signs; and
 - b. Not have dimensions which exceed the requirements of the ordinance for monument, or wall signs.
3. Manually Changeable Copy signs are permitted in the CG, MC, PC-1, R&B, T-zone, and LI zones.

Directional Signs:

1. Directional signs require a sign permit from the City.
2. Only one (1) Directional sign is allowed for each City approved drive approach.
3. Directional signs shall:
 - a. Not exceed three feet (3') in height; and
 - b. Not exceed six (6) square feet in area.
4. Directional signs are permitted in all zones.

Flag Signs:

1. Except as noted in #9 below, no sign permit is required for Flags.

LINDON CITY CODE

2. Flags shall be kept in good repair (no frayed or torn edges, or excessive fading), or shall be required to be removed replaced.
3. All flag poles must be set back at least half the distance in fee of the flag pole height from any property line. (Setback = flagpole height /2).
4. A maximum of three (3) permanent flag poles may be permitted per lot.
5. A single flag pole, or 'primary' flag pole if more than one, shall only display national, state, municipal, or other governmental flags. "Secondary" poles may fly flags that have business logos or names (not advertisements), but such flags shall not exceed 3'x5' in size.
6. Flags and flag poles are permitted in all zones, and shall not exceed the maximum building height or the specific zone in which they are located except as specified in criteria number 7 and 8 below.
7. Except for number 8 below, in non-residential zones, one flag pole may be permitted to exceed the maximum building height of the zone if the following criteria are met:
 - a. The flag pole will only be used to display the U.S. flag.
 - b. A structure must be existing or approved for the lot.
 - c. The flag pole will not exceed the structures height by more than ten feet (10').
 - d. Regardless of any future changes to zone height limits, no flag pole shall exceed sixty feet (60') in height.
8. Along the freeway in the T-Zone, flag poles up to 100' tall may be permitted with a separation distance of ¼ mile radius between any other flag pole that exceeds the height limit imposed under number 1 through 7 above.
9. Flags in the T-zone that exceed the height limit as described in #7 above must obtain a sign permit.(Ord. 2007-3, adopted 2/07/2007 Ord. 2006-1, adopted 2/7/2006).

Flashing Signs:

1. Flashing Signs are prohibited in all zones within the City.

Garage Sale Signs:

1. No permit is required for Garage Sale signs.
2. Garage Sale signs shall:
 - a. Not exceed five (5) square feet in area;
 - b. Not be posted in public right-of-ways or on utility poles;
 - c. Be allowed on private property with the property owner's permission;
 - d. Not be posted more than forty-eight (48) hours before the beginning of the garage sale; and
 - e. Be removed within twenty-four (24) hours after the completion of the garage sale.
3. Failure to post or remove garage sale signs as set forth in this title may result in a citation being issued for each sign violation.
4. Garage Sale signs are permitted in all residential zones.

Government Signs:

1. No permit is required for Government signs.
2. Government signs are permitted in all zones.

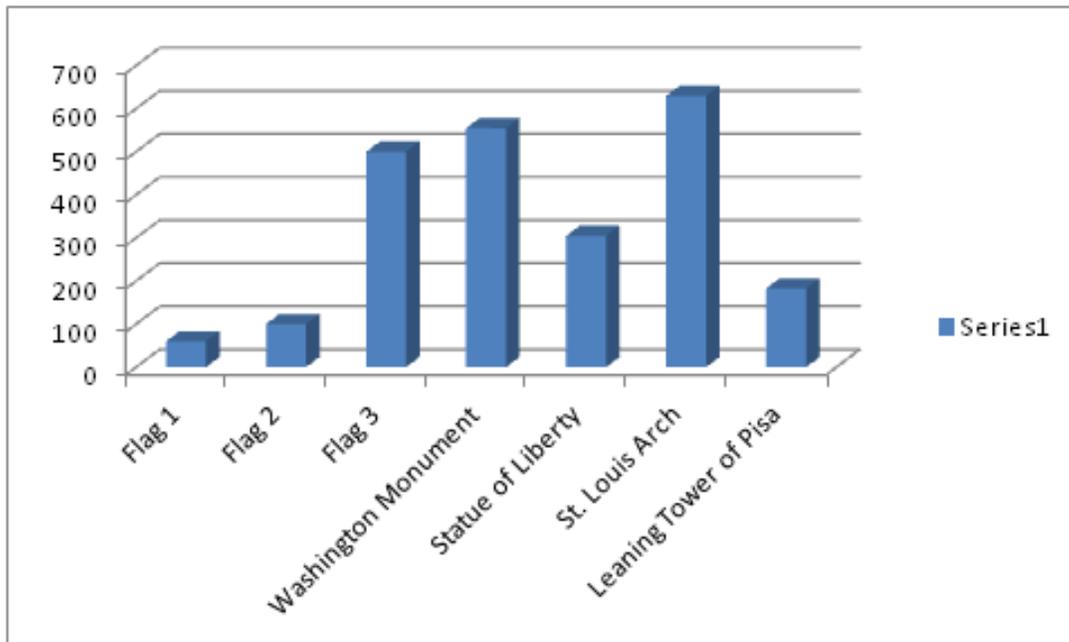
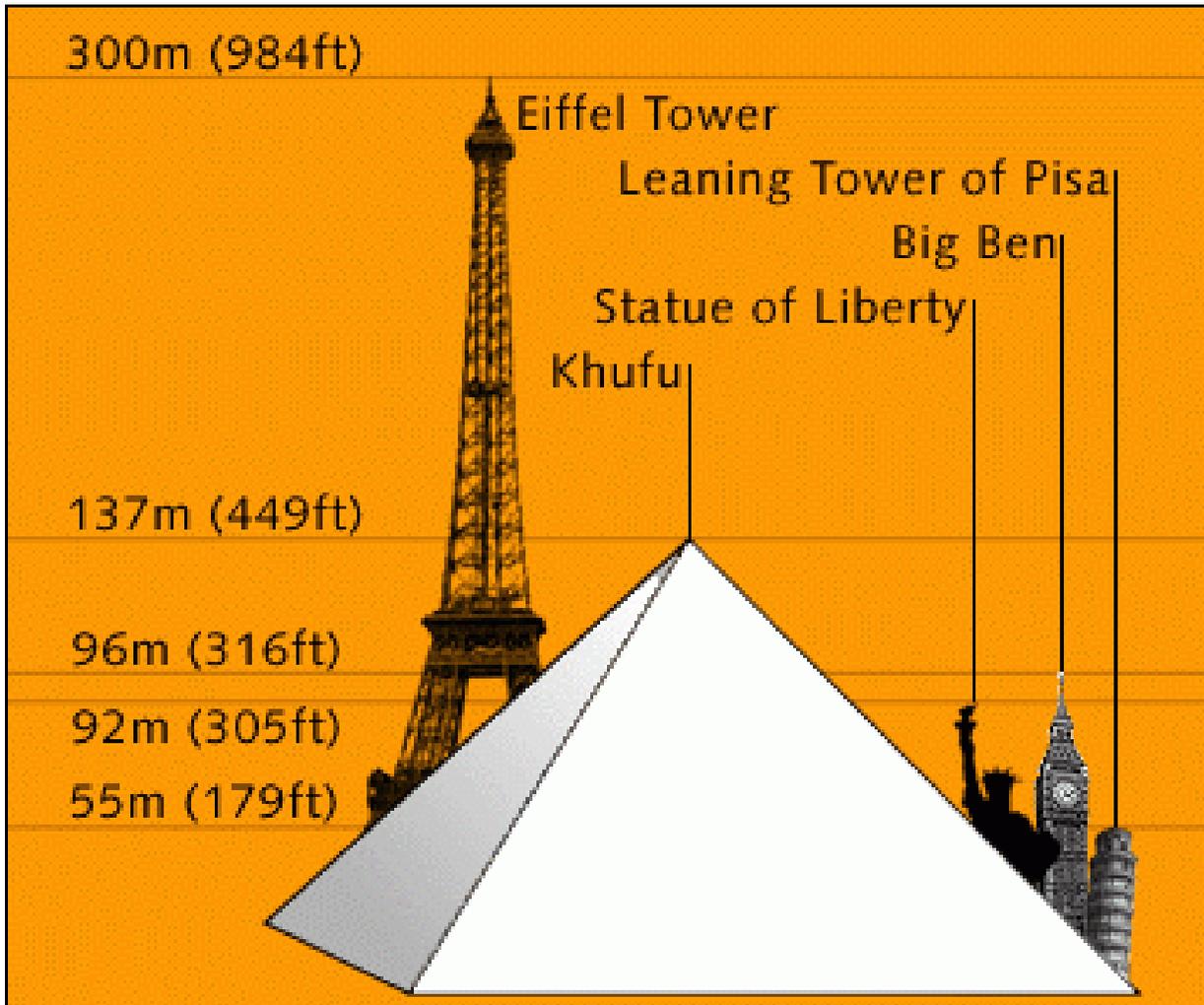
Holiday Signs:

1. No permit is required for Holiday signs.
2. Holiday signs shall:
 - a. Only be used with a national, state, or local holiday; and
 - b. Be removed within fifteen (15) days of the holiday.
3. Holiday signs are permitted in all zones.

ATTACHEMENT 2 – Conceptual Renderings



ATTACHMENT 3 – Structure Comparison for Scale



Item 6: New Business (Planning Commissioners Reports)

Item 1 –Subject _____
Discussion

Item 2 - Subject _____
Discussion

Item 3 - Subject _____
Discussion

Item 7: Planning Director Report

1. Pleasant Grove/Lindon Interchange
2. Lindon Pool Party
3. Center Traffic Signal
4. Osmond Assisted Living Update

Adjourn

PROJECT TRACKING LIST

APPLICATION NAME	APPLICATION DATE	APPLICANT INFORMATION	PLANNING COMM.	CITY COUNCIL
			DATE	DATE
Ordinance changes: LCC 17.38 'Bonds for Completion of Improvements to Real Property'	January 2014	City Initiated	Mar. 11	TBD
<i>City initiated ordinance changes needed to bring code into compliance with current practices and State laws.</i>				
Zone Change: Old Town Square	Feb 1, 2012	Scott Larsen	Feb. 14, continued	Pending
<i>Request for approval of a zone change for two parcels located at 873 West Center Street from R1-20 (Residential Low) to LI (Light Industrial).</i>				
Property Line Adjustment: LBA Rentals	Mar 12, 2012	Lois Bown-Atheling	N/A	N/A
<i>Request for approval of a property line adjustment to clean up existing parcels lines for five parcels in the CG zone at 162 & 140 South Main Street. This project is in conjunction with the Castle Park project.</i>				
Ordinance changes: LCC 17.32, 17.58, 17.66.020 'Subdivisions'	Nov. 2012	City Initiated	Nov. 13, Dec. 11, Jan. 8, Jan. 22	TBD
<i>City initiated ordinance changes needed to bring code into compliance with current practices and State laws.</i>				
Site Plan: Lindon Senior Apartments	Sept. 2013	Matt Gneiting	TBD	TBD
<i>Request for site plan approval for senior housing apartments on State & Main</i>				
Phased Subdivision: Highlands @ Bald Mountain	March 2014	Chad Clifford	N/A	N/A
<i>Application for Phase II of the Highlands @ Bald Mountain Subdivision. Because the entire subdivision was approved, this phase only requires staff approval.</i>				
Temp Site Plan: Sugar Sweet Produce	May 2014	Chris Jackson	N/A	N/A
<i>Season produce stand on the corner of 400 North and State Street.</i>				
General Plan Amendment: CG to MC	May 2014	Brent Skidmore	May 27	June 3
<i>Request to amend the general plan at ~650 North 2000 West, south of the Noah's building</i>				
Zoning Map Amendment: CG to MC	May 2014	Brent Skidmore	May 27	June 3
<i>Request to amend the zoning map at ~650 North 200 West, south of the Noah's building</i>				
Conditional Use Permit: Bonzai Skate Park	May 2014	Jason Bennett	June 10	N/A
<i>Request for a skate park located at 230 North 1250 West located in the LI zone.</i>				
Concept Review: National Packaging Innovations	May 2014	Curtis Miner	May 27	June 3
<i>Request for feedback regarding a general plan and zone map change from CG-A8 to MC at 750 North 2600 West.</i>				
NOTE: This Project Tracking List is for reference purposes only. All application review dates are subject to change.				
PC / CC Approved Projects - Working through final staff & engineering reviews (site plans have not been finalized - or plat has not recorded yet):				
Stableridge Plat D	Tim Clyde – R2 Project		Old Station Square Lots 11 & 12	
AM Bank – Site Plan	Joyner Business Park, Lot 9 Site Plan		Olsen Industrial Park Sub, Plat A (Sunroc)	
Lindon Gateway II	Freeway Business Park II		Lindon Harbor Industrial Park II	
West Meadows Industrial Sub (Williamson Subdivision Plat A)	Keetch Estates Plat A		Osmond Senior Subdivision	
Craig Olsen Site Plan	Valdez Painting Site Plan		Murdock Hyundai Site Plan	
LCD Business Center	Peterbilt CUP		Eastlake @ Geneva North Sub.	
Lindon Business Park Plat C	Avalon Senior Living Site Plan		Murdock Hyundai Plat Amendment	
Long Orchard Subdivision	Maxine Meadows Subdivision		Green Valley Subdivision	
Old Rail Estates Subdivision	Taco Bell Site Plan		Highlands @ Bald Mountain Phased Sub	
Interstate Gratings Site Plan	Woods Crane Service Site Plan			

