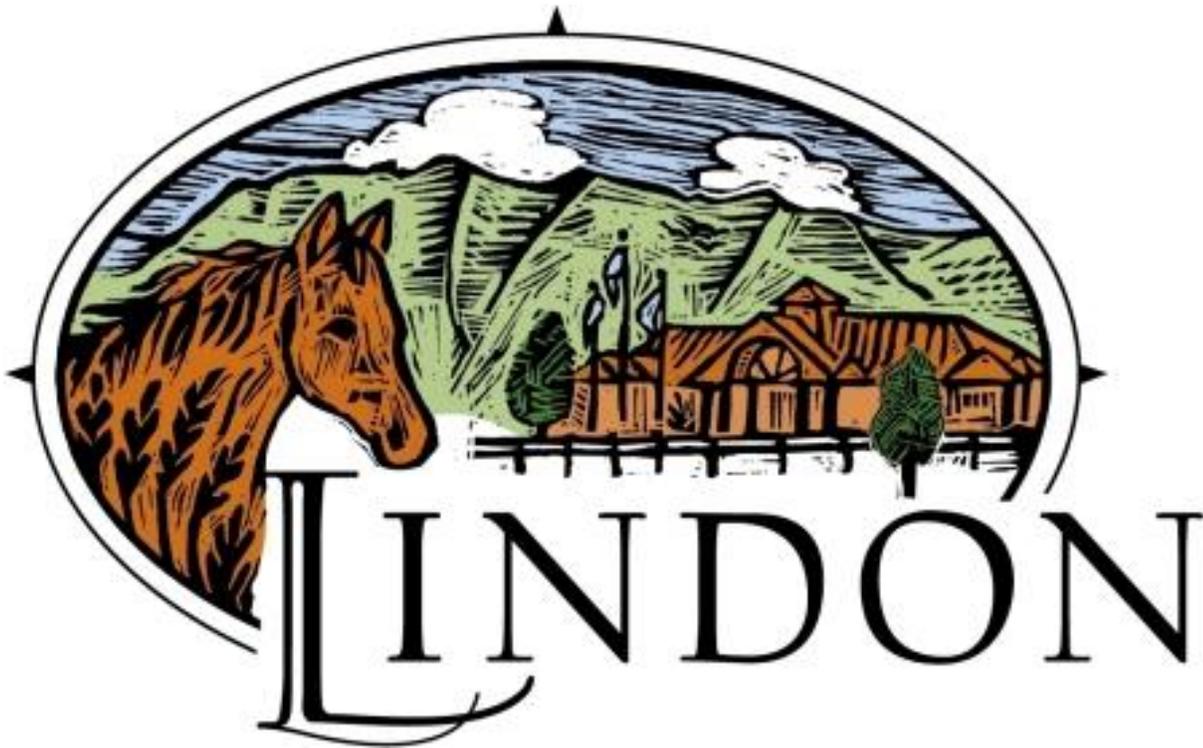


Lindon City Planning Commission Staff Report



January 26, 2016

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, January 26, 2016**, 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

Planning Commission 1/12/16

3. Public Comment



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

*(Review times are estimates only.)
(15 minutes)*

4. Site Plan and Conditional Use Permit —Timp Storage

Arnim Way, Davies Design Build, requests conditional use permit (CUP) and site plan approval for Timp Storage, to be located at 405 S. Geneva Rd. in the Light Industrial (LI) zone. The proposal includes storage units, office space, caretaker dwelling, and an outdoor storage area.

(15 minutes)

5. Minor Subdivision—West Lindon Business Park

Ed Daley requests a one lot subdivision in order to dedicate Right of Way along 2800 West for the West Lindon Business Park at approximately 730 North 2800 West in the Mixed Commercial zone.

(15 minutes)

6. Site Plan—West Lindon Business Park

Ed Daley requests site plan approval for two office/warehouse buildings, 21,567 and 36,686 square feet respectively at approximately 730 North 2800 West in the Mixed Commercial zone.

(15 minutes)

7. Public Hearing—Street Master Plan Amendment, 700 North 2800 West

Staff requests approval of a Street Master Plan Map amendment to remove a master planned road located at approximately 700 North 2800 West in Mixed Commercial and General Commercial zones. The road was planned to give access to an interior parcel, but recent development activity has shown adequate access is available from 600 North.

(30 minutes)

8. Public Hearing—General Plan Amendment, MS Properties

The applicant is requesting a General Plan Land Use Map Amendment from Mixed Commercial to Industrial or Commercial to Industrial on subject properties located in various locations and identified by Utah County Parcel IDs #s 140620027, 140620051, 140630031, 140630067, 140640131, 140640139, 140640143, 140640144, 140650024, 140650051, 140650167, 170210059, 451110002, 451110003, 451110004, 451110005, 451110006, 451110007, 451110008, 451110009, 451110010, 451110011, 451110012, 451110013, 451110014, 451110015, 451110016, 451110018, 451110025, 457440026, 454740027, 454750027, 454940028, 140630053, 140630039, 140630037, 140630055, 140640145, 451110001, 450630052, 465180001, 465180002, 465180003, 465180004, 465180005, 465180006, 465180007, 465180008, 465180009, 465180010, 451110008.

(30 minutes)

9. Public Hearing—Ordinance Amendment, 17.48, Vehicle Sales Site Requirements

Lindon City is considering an City Code amendment to enact specific site requirements for vehicle sales lots in Commercial zones. Landscaping, display areas, buildings, and customer/employee parking are among the items being considered.

Notice of Meeting

Lindon City Planning Commission



(20 minutes)

10. Public Hearing—Zone Map Amendment, CG-A to CG

Lindon City Council requests approval of a Zone Map amendment to reclassify the following parcels from General Commercial-Auto (CG-A) to General Commercial, to not allow used automobile sales on the lots: 453710016, 453710018, 372370002, 140700310, 140700040, 140700041, 140700199, 140700257.

(20 minutes)

11. Public Hearing—Zone Map Amendment, CG to CG-A, Utah Valley Auto Brokers

Jeff Peterson requests approval of a Zone Map amendment to reclassify Utah County Parcel ID #14:068:0263, owned by Intermountain Fire Place Store, LLC from General Commercial (CG) to General Commercial A (CG-A), to allow used automobile sales on the lot. 460 North State Street

(20 minutes)

12. Public Hearing—Zone Map Amendment, CG to CG-A, Dastrup Auto

Devin Dastrup requests approval of a Zone Map amendment to reclassify Utah County Parcel ID #14:067:0052 from General Commercial (CG) to General Commercial A (CG-A), to allow used automobile sales on the lot. 475 North State Street

(10 minutes)

13. Planning Commission Chair Elections

The Planning Commission will elect both a Chair and Vice-chair for the 2016 calendar year.

14. New Business from Commissioners

15. 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: Hugh Van Wagenen

Date: January 22, 2016

Time: ~3:00 pm

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

Item I: Call to Order

January 26, 2016 Planning Commission meeting.

Roll Call:

Sharon Call
Rob Kallas
Mike Marchbanks
Matt McDonald
Bob Wily
Charlie Keller

Item 2: Approval of Minutes

Planning Commission Meeting — 1/12/16

2 Industrial on several parcels in the vicinity of Geneva Road, from approximately 400
South to 500 North.

4

Hugh Van Wagenen, Planning Director, stated this item has been continued until
6 the January 26, 2016 Planning Commission Meeting and will not be reviewed tonight.
He noted that although third party notices were mailed appropriately, a newspaper notice
8 was not published in accordance with public hearing requirements and the applicant is
considering including other properties not currently represented in the application.

10 Chairperson Call asked if there were any questions or comments from the
Commission. Hearing none she called for a motion to continue.

12

COMMISSIONER MCDONALD MOVED TO CONTINUE THE GENERAL
14 PLAN LAND USE MAP AMENDMENT (AGENDA ITEM #4) TO THE NEXT
MEETING. COMMISSIONER WILY SECONDED THE MOTION. THE VOTE WAS
16 RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
18 COMMISSIONER WILY	AYE
COMMISSIONER KALLAS	AYE
20 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER MCDONALD	AYE

22 THE MOTION CARRIED UNANIMOUSLY.

24 5. ****Continued Site Plan: West Lindon Business Park, 730 North 2800 West. This***
item is continued until the January 26, 2016 Planning Commission Meeting and will
26 *not be reviewed tonight.* Ed Daley requests site plan approval for two
office/warehouse buildings, 21,567 and 36,686 square feet respectively, located in the
28 Mixed Commercial (MC) zone.

30 Mr. Van Wagenen stated this item is also continued until the January 26, 2016
Planning Commission Meeting and will not be reviewed tonight. He noted this will allow
32 a subdivision request to be noticed and presented at the same time as the site plan
application in addition to allowing the site plan to receive some minor modifications
34 before it is presented to the Planning Commission.

36 Chairperson Call asked if there were any questions or comments from the
Commission. Hearing none she called for a motion continue.

38 COMMISSIONER KALLAS MOVED TO CONTINUE THE SITE PLAN FOR
WEST LINDON BUSINESS PARK (AGENDA ITEM #5) UNTIL THE NEXT
40 MEETING. COMMISSIONER MCDONALD SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

42 CHAIRPERSON CALL	AYE
COMMISSIONER WILY	AYE
44 COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
46 COMMISSIONER MCDONALD	AYE

THE MOTION CARRIED UNANIMOUSLY.

48

2 6. **Conditional Use Permit** – *Adventure Academy Childcare, 442 North 400 East.*
3 Sharae Wallentine requests approval of a conditional use permit (CUP) for child day
4 care and preschool services in the Single Family Residential (R1-20) zone. The
5 proposal will serve a maximum of 16 children.

6
7 Brandon Snyder, Associate Planner, led this discussion by giving a brief
8 background of this agenda item. He explained that Sharae Wallentine is in attendance
9 tonight to request approval of a conditional use permit (CUP) for child day care and
10 preschool services in the Single Family Residential (R1-20) zone. Mr. Snyder noted the
11 proposal will serve a maximum of 16 children. He then referenced an aerial photo of the
12 property. He noted the residence is located at 442 North 400 East and has an unfinished
13 basement. He then went through the findings of fact noting the residence is owner
14 occupied and the home was constructed with a Lindon City building permit #1697 in
15 2015. He noted the Lindon City Standard Land Use Table by Zone indicates that Child
16 Day Care - 5 to 16 children (4 or less not regulated) requires a conditional use permit in
17 the R1-20 zone. He mentioned that required third party public notices per Lindon City
18 Code were mailed and no public comments have been received by staff at this time.

19 Mr. Snyder explained that Ms. Wallentine has been approved by the Utah
20 Department of Health for a Family Child Care License. The license permits the licensee a
21 total capacity of 16 children. The license also indicates that this number includes the
22 provider's own children under the age of four; the applicant has two children, which
23 neither is under the age of four. He noted Ms. Wallentine is also required to maintain the
24 State license and is considering providing care for children between the ages of 3 months
25 to 11 years old. Mr. Snyder further explained Ms. Wallentine's proposed site has already
26 passed the Lindon City final fire inspection.

27 Mr. Snyder noted a Lindon City business license is required after Planning
28 Commission approval of a Conditional Use Permit is given, but prior to providing child
29 day care and is required to maintain it. Ms. Wallentine has already applied for a Lindon
30 City home occupation business license. He noted a home occupation does allow for
31 additional care givers that are required by the State. He added the intent of a home
32 occupation is to be secondary to the residential use of the property.

33 Mr. Snyder went on to say that Utah State Code defines a conditional use as "a
34 land use that, because of its unique characteristics or potential impact on the
35 municipality, surrounding neighbors, or adjacent land uses, may not be compatible in
36 some areas or may be compatible only if certain conditions are required that mitigate or
37 eliminate the detrimental impacts." He further noted that Section 10-9a-507 of the Utah
38 State Code requires municipalities to grant a conditional use permit "if reasonable
39 conditions are proposed, or can be imposed, to mitigate the reasonably anticipated
40 detrimental effects of the proposed use in accordance with applicable standards." Once
41 granted, a conditional use permit runs with the land. State Code further provides that a
42 conditional use permit application may be denied only if "the reasonably anticipated
43 detrimental effects of a proposed conditional use cannot be substantially mitigated by the
44 proposal or the imposition of reasonable conditions to achieve compliance with
45 applicable standards."

46 He then referenced Lindon City Code Section 17.20.060 that provides that a
conditional use may be denied when the following applies:

- 2 • Under circumstances of the particular case, the proposed use will be detrimental
4 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
6 practical means available to the applicant to effectively mitigate such detrimental
effects;" or,
- 8 • The 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."

10

12 Ms. Wallentine addressed the Commission at this time. She stated they are
licensed with the State for up to 16 children and plan to employ one to two part-time
14 employees. She stated they have widened their driveway to accommodate their own
vehicles along with employee and client vehicles. She pointed out that the road they live
16 on is wider than most and it has enough space between the sidewalk and the road for
clients to park and safely walk their children up to the house if the driveway is full. They
can also fit up to five cars on the driveway at a time, not including their own vehicles.

18 Ms. Wallentine stated they will operate between the hours of 7:30 am to 5:30 pm
with most drop offs occurring between the hours of 7:30 am to 10:00 am and pickups
20 between 3:00 pm and 6:00 pm. They will be using their kitchen, family room, front room,
three bedrooms for infant naps, bathrooms, upstairs loft and bedroom; not all of these
22 spaces will be used at the same time. They are also in the process of building a back yard
play facility. Commissioner McDonald stated this appears to be a pretty straightforward
24 request. Chairperson Call agreed stating she had no further questions.

26 Chairperson Call asked if there were any further questions or comments from the
Commission. Hearing none she called for a motion.

28 COMMISSIONER MCDONALD MOVED TO RECOMMEND APPROVAL
OF THE APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT TO
30 PROVIDE CHILD DAY CARE AND PRESCHOOL SERVICES IN THE
APPLICANT'S RESIDENCE LOCATED AT 442 NORTH 400 EAST IN THE SINGLE
32 FAMILY RESIDENTIAL (R1-20) ZONE WITH NO ADDITIONAL CONDITIONS.
COMMISSIONER WILY SECONDED THE MOTION. THE VOTE WAS
34 RECORDED AS FOLLOWS:

36 CHAIRPERSON CALL	AYE
COMMISSIONER WILY	AYE
COMMISSIONER KALLAS	AYE
38 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER MCDONALD	AYE
40 THE MOTION CARRIED UNANIMOUSLY.	

42 7. **Conditional Use Permit Modification** – *Avalon Senior Apartments, 179 North State*
44 *Street.* Jeff Southard of Southhaven Homes requests a change to the timing of
installation of the fencing requirement along the northern border of Avalon Senior
46 Apartments adjacent to the vacant commercial lot owned by A Perfect Development.
The request is to install fencing once it is known what type of development will be
occurring on the vacant property.

48

2 Mr. Van Wagenen led this discussion by giving a brief background of this agenda
item. He explained that Jeff Southard of Southhaven Homes is requesting a change to the
4 timing of installation of the fencing requirement along the northern border of his property
and adjacent to the vacant commercial piece to the north owned by A Perfect
6 Development. This request is to install the fencing once it is known what type of
development will be occurring on the vacant property. He noted when the SHFO zone
8 was created, there was discussion on fencing requirements, and at that time, both the
Commission and Council ultimately felt that such projects should be fenced around their
10 entire perimeter, regardless of adjacent uses or zones.

12 Mr. Van Wagenen reminded the Commission that Mr. Southard recently received
approval to modify the fencing code of the Senior Housing Facilities Zone to allow the
Planning Commission the ability to approve exceptions to fencing requirements in this
14 zone. He noted that senior housing projects are considered conditional uses and any
modification of a conditional use needs to be approved by the Planning Commission.

16 Mr. Van Wagenen went on to say that one building of the Avalon Senior Housing
project is nearly complete and they are finalizing the site improvements. Mr. Southard
18 would like the fencing requirement along his north border adjacent to the vacant
commercial property be delayed until it is known what will develop on the vacant
20 property. If approved, the request would allow an appropriate type of fence to be installed
that compliments both developments in the future with regards to type, material, color,
22 etc. The Senior Housing Facilities Overlay code was recently modified to allow the
Planning Commission to approve delayed timing of fence construction based on
24 appropriate circumstances and Mr. Southard is asking that the Planning Commission
exercise that ability in this instance (on the Avalon project, this would specifically apply
26 to its northern border). Mr. Southard has indicated that he has spoken to Brigham
Ashton, the owner of the adjacent commercial property to the north about delaying the
28 installation of any fence and Mr. Ashton is in agreement with this request.

30 Mr. Van Wagenen then referenced the Avalon site plan showing the area in
question and an aerial image of the requested affected area followed by discussion. He
then turned the time over to Mr. Southard for comment.

32 Mr. Southard referenced the wall (fence) he put up along with Jared Osmond on
his facility. He noted he walked the property with Mr. Ashton (within the last 6 weeks)
34 who indicated since they don't know what they are developing on his property and since
they don't know what will be developed there may require some type of retaining wall
36 then it couldn't be put in near the property line after they have put in the 8 ft. fence. Mr.
Southard stated that initially he didn't think he had to do the fence but in clarifying with
38 staff the ordinance indicates he does have to put in the fence so that is why he has
initiated this request. He noted they are asking for a delay in the timing based on
40 whenever the adjacent property develops, which could be 5 months or 5 years, they just
don't know. The type of fence that would go there is a possible issue also as there is
42 wrought iron currently in place, but dependent on the use and what develops it may be
they will want to install an 8 ft. wall. Mr. Southard pointed out they are not asking to
44 push that burden on to whomever develops, but they are assuming there is way to record
some type of document with the county so the public record shows whose burden it is so
46 it doesn't shift to someone else.

48

2 Mr. Van Wagenen stated more than likely recording a document (notice
document) with approval from the city may be an option to make it clear in the future.
4 Commissioner Kallas commented when this issue was reviewed before he was
uncomfortable with changing the ordinance to accommodate this request, however, he
6 liked what the Commission did by changing the ordinance as to delay it. Personally he
doesn't have a problem with delaying it but he feels when it is developed and there
8 should be a recorded agreement that states it needs to come before the Commission to
determine what kind of fence will be put in; he is comfortable with that provision.

10 Chairperson Call agreed stating the Commission talked about that at the last
meeting and she would like to have some kind of an approval process when the fence is
12 put in and there should be some kind of documentation stating it is the property owner's
responsibility. Commissioner Wily suggested it would be good to have a letter from
14 Brigham Ashton stating he is in agreement so there is something official on record at the
city. Mr. Southard stated he believed Mr. Ashton was noticed about the public meeting
16 but he will ask for something in writing. Commissioner Wily thinks it would be
beneficial and in both parties best interest to have a letter on file.

18 Chairperson Call asked if this is authorizing a delay and if it should come back
before this body for approval before the fencing is put in. Commissioner Kallas
20 questioned if the property goes undeveloped for 10 years and then there is a desire to
build something different than what the ordinance allows would he be required to come
22 back before this body. Mr. Southard agreed that makes sense but only if the fence doesn't
meet the ordinance and noted that seems to be reasonable.

24 Mr. Van Wagenen confirmed that the current ordinance requires a site obscuring
fence. Chairperson Call questioned if they approve the delay with a conditional use
26 permit with a waiver what conditions would need to be imposed other than the
documentation agreement with Brigham Ashton. Commissioner McDonald stated, for
28 clarification, he went back to the prior minutes that stated Mr. Van Wagenen asked Mr.
Southard to obtain a statement in writing from Mr. Ashton verifying that the adjacent
30 property owner is not being impacted; he feels this would be a good condition to include
in the motion. Mr. Southard would suggest having the letter from Mr. Ashton and also
32 something recorded on his property so there are two different documents in place.

34 Mr. Van Wagenen stated a notice recorded on the Avalon property that states at
the time when the property to the north is developed there will be a fence
required/installed would be beneficial; he will work with Mr. Southard on the language
36 but that is the intent. Commissioner Wily asked if it will be filed on both properties so
both are aware so there will be a paper trail. Mr. Van Wagenen confirmed that statement.

38 Chairperson Call asked if there were any further questions or comments from the
Commission. Hearing none she called for a motion.

40
42 COMMISSIONER WILY MOVED TO RECOMMEND APPROVAL OF THE
APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT MODIFICATION
44 FOR AVALON SENIOR APARTMENTS LOCATED AT 179 NORTH STATE
STREET WITH THE FOLLOWING CONDITIONS 1. THE APPLICANT PROVIDE A
46 LETTER TO THE CITY FROM THE PROPERTY OWNER TO THE NORTH
AGREEING TO THE FENCING REQUIREMENT DELAY AND 2. A NOTICE BE
PREPARED BY STAFF AND FILED ON BOTH THE APPLICANT'S PROPERTY
48 AND THE PROPERTY TO THE NORTH INDICATING THAT THE OBLIGATION

2 OF BUILDING THE FENCE (WHENEVER IT IS BUILT) BELONGS TO THE
3 APPLICANT OR HIS SUCCESSOR. COMMISSIONER MARCHBANKS
4 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

5 CHAIRPERSON CALL	AYE
6 COMMISSIONER WILY	AYE
7 COMMISSIONER KALLAS	AYE
8 COMMISSIONER MARCHBANKS	AYE
9 COMMISSIONER MCDONALD	AYE

10 THE MOTION CARRIED UNANIMOUSLY.

12 8. **Site Plan** – *Children’s Corner Pediatric Dental and Taylor Orthodontics, 195 North*
13 *State Street*. Rob Taylor requests site plan approval for an office building to be
14 located at 195 North State Street in the General Commercial (CG) zone.

16 Mr. Snyder led this discussion by giving a brief background of this agenda item.
17 He explained that Rob Taylor (who is attendance) is requesting site plan approval for an
18 office building to be located at 195 North State Street in the General Commercial (CG)
19 zone. He noted Mr. Taylor is proposing to construct a 12,000 square foot two story office
20 building on the lot located at 195 N. State Street; the building will have 6,000 square feet
21 per level. The structure will include two suites used for orthodontic and pediatric dental
22 services, which are both permitted uses in the General Commercial (CG) zone. The site’s
23 main access and parking lot (19 stalls) will be off of State Street. Additional parking (8
24 stalls) is provided off of 200 North to the west of the building, by way of a recorded
25 shared parking lot agreement.

26 Mr. Snyder explained that the intent of the General Commercial (CG) zone is to
27 provide areas within the City where commercial and service uses may be located (LCC
28 Section 17.48.010 General Provisions) and site plan review is required for all new
29 development within a non-residential zone per Lindon City code Section 17.17.110. Mr.
30 Snyder noted that the planning staff, the city engineer and the applicant are working
31 through the technical issues related to the site and city staff will ensure that all issues are
32 resolved before final engineering approval is granted. He noted that a third party notice
33 was provided on December 29, 2015 to the adjoining property owners in accordance with
34 Lindon City Code and staff has received no written public comment at this time.

35 Mr. Snyder further explained that the CG Zone requires that a landscaped strip
36 twenty (20) feet in width shall be planted with grass along all public street frontages. The
37 landscaping plan complies with these and all other landscaping requirements except the
38 berming noted below. The noted the CG zone requires landscaped berms within the
39 required landscaped strips along public street frontages and unless otherwise approved by
40 the Planning Commission, the landscaped berm shall be at least three (3) feet high along
41 all public street frontages. He added that the landscaping requirements concerning
42 berming can be changed and/or altered upon approval of the Planning Commission at the
43 site plan review stage of an application. He noted that Mr. Southard (adjacent property
44 owner) is requesting there be no berm along 200 North due to the topography and
45 existing meandering sidewalk. He is also proposing retaining walls near the building and
46 parking lot along 200 North.

47 Mr. Snyder mentioned that Lindon City code requires that the architectural
48 character, street scape, site design and other amenities in the CG zone be consistent with

2 the Lindon City Commercial Design Guidelines and all sides of the buildings shall
3 receive design consideration consistent with the Commercial Design Guidelines. He
4 noted the building exterior is to be brick with trim and accents in stucco and aluminum
5 and this proposal complies with the Commercial Design Guidelines. Mr. Snyder then
6 referenced for discussion the site plan, landscaping plan, elevations and the colored
7 rendering. He then turned the time over to Mr. Taylor for comment.

8 Commissioner Kallas asked if the parking agreement is perpetual. Mr. Taylor
9 confirmed that statement stating it is an easement. Commissioner McDonald asked if the
10 entrance is in the back. Mr. Taylor confirmed that statement. Chairperson Call asked how
11 many offices they plan to occupy at the location. Mr. Taylor stated there are two suites
12 (2,500 sq. ft. each). Chairperson Call stated she has no further questions at this time and
13 thinks this will be a very nice addition to the city. Commissioner Marchbanks agreed
14 stating this looks great to him. Commissioner Wily commented that he agrees this looks
15 beautiful and will be a nice addition. Chairperson Call stated she has no problem with the
16 berming issue adding that it should be included as a condition in the motion. Chairperson
17 Call directed the applicant to work the technical issues out with staff. Mr. Taylor
18 confirmed they will work with city staff and noted they are hoping to start in the spring.
19 He then thanked the Commission for their time and consideration in this matter.

20 Chairperson Call asked if there were any further questions or comments from the
21 Commission. Hearing none she called for a motion.

22
23 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE
24 APPLICANT'S REQUEST FOR SITE PLAN APPROVAL WITH THE NOTATION
25 THAT THE BERM REQUIREMENT BE WAIVED. COMMISSIONER MCDONALD
26 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

27 CHAIRPERSON CALL	AYE
28 COMMISSIONER WILY	AYE
29 COMMISSIONER KALLAS	AYE
30 COMMISSIONER MARCHBANKS	AYE
31 COMMISSIONER MCDONALD	AYE

32 THE MOTION CARRIED UNANIMOUSLY.

34 9. **Discussion Item/Work Session** – *Ivory Development Anderson Farms*. The
35 Planning Commission will discuss various aspects of the proposed Master
36 Development Agreement between Lindon City and Ivory Development (Ivory
37 Homes) and associated concept plans for the Anderson Farms residential
38 development. This is a discussion item and work session for Commission members.
39 No public comment will be taken at this time. Future public meetings will be held on
40 this item in which public comment will be taken.

41
42 Mr. Van Wagenen led this discussion by stating this is an opportunity for the
43 Planning Commission to discuss the Anderson Farms Master Planned Community as
44 proposed by Ivory Development. He noted this is a discussion item, not a public hearing,
45 so no public comment and no action will be taken by the Commission regarding the Ivory
46 project tonight. He noted there will be future public hearings held where the public will
be able to comment on the application/project.

2 Mr. Van Wagenen then gave some background noting the project encompasses
4 about 137 acres with single family homes, townhomes, active adult homes, apartments
6 and a regional park. In total, approximately 921 units are planned for the community.
8 Total build out would take about 10 years. Over a year ago, Ivory Development
10 approached the City regarding a master planned residential community west of Geneva
12 Road, adjacent to the Creekside community, on the Anderson Dairy Farm. Since that
14 time, there have been numerous work sessions with Ivory Development, City Staff, the
Planning Commission and City Council to review and comment on a concept plan
developed by Ivory Development. There was also a public open house earlier this year in
which Ivory Development presented the concept to the Creekside neighborhood. He then
referenced the latest exhibits for the draft development agreement for the project. Mr.
Van Wagenen also referenced the table showing the meetings including dates and
locations.

Mr. Van Wagenen explained tonight the Planning Commission will be discussing
the various aspects of the proposed Master Development Agreement between Lindon
City and Ivory Development (Ivory Homes) and associated concept plans for the
Anderson Farms residential development. He further explained this discussion was
spurred by the City Council's desire to discuss the project without being "presented to"
with no time limit and no public input etc., with the desire to just have a discussion and
get everything out on the table; the Council wanted the Commission to have the same
opportunity. He noted there will be no direction from staff on what to discuss, but they
would encourage the Commission to discuss and converse on issues they would like to
cover with no interruptions with no decisions being made. Mr. Van Wagenen noted that
Ken Watson with Ivory Development is in attendance to listen and to get a feel for what
they are thinking about on the project and noted staff is also available to answer any
questions. He re-iterated there will be no public comment. Mr. Van Wagenen mentioned
the Commission may want to discuss some target issues such as single family doors,
traffic, parking, and buffering to the industrial. He then turned the time over to the
Commission for discussion.

Commissioner Kallas commented that the plan changed a little from the last
session with the commercial (off of 700 North) being expanded deeper into the project.
He asked Mr. Van Wagenen to expand on the development of that request and explain
what the thinking is on that issue. Mr. Van Wagenen pulled up the exhibit on the screen
for reference. He noted that there has been interest from a developer that would
accommodate at least one big box user on the parcel for commercial use and would also
make better road access/accommodation for traffic in the area. There was then some
discussion of HOA's and management of the different areas of the project.

Chairperson Call commented that she was aware of the commercial expansion
area but was not aware of the additional townhomes until she heard it in a presentation at
the 700 North Committee meeting and questioned how many additional townhomes are
being proposed; which, in her opinion, has a financial aspect. Mr. Van Wagenen stated
there are 42 units with 57 single family homes in that area. Commissioner Marchbanks
pointed out it is not only financial as there are some logistics there as well because of
buffering issues; it changes the dynamic.

Mr. Van Wagenen re-iterated that the city has been approached by a developer,
but if it doesn't pan out Ivory can go back to the original concept. Commissioner Kallas
asked what Ivory would prefer. Mr. Van Wagenen replied it is dependent on the

2 commercial piece as there are pros and cons. Chairperson Call asked if the large
commercial user doesn't come in she would prefer that it go back to the single family
4 home concept/plan rather than the additional townhomes. Mr. Van Wagenen stated that
option "c" is not available at this time. He added there certainly has been a big push from
6 the city to reserve that commercial space as it could be very beneficial from a tax
base/service base perspective. Commissioner McDonald expressed his opinion on the
8 deeper commercial end that even though it is unknown, as we look at the entire 700
North Corridor, and assuming the potential commercial user is significant, it could be the
10 "launching pad" to draw others; we should do something or it stays as it is and he is not
opposed.

12 Commissioner Marchbanks commented that it sounds like the flow of the phasing
allows the city to vet the commercial out a little further; he doesn't have a problem with
14 the plan the way it is and feels the traffic flow would probably be better. Commissioner
McDonald agreed with that statement. He also asked if the traffic study has been
16 completed. Mr. Van Wagenen stated the City Engineer is still reviewing the traffic study
as it is about understanding what improvements at what stage of the development i.e.,
18 when do the roads get built, when does the traffic escalate, traffic light installation, etc.;
the commercial piece will change the traffic patterns. Ultimately the City Engineer feels
20 comfortable that all issues can be addressed to handle the traffic load in the development
as anticipated for the project. There was then some discussion regarding the traffic study
22 and traffic issues.

Chairperson Call asked if the current plan shows the townhomes feathering into
24 the apartments rather than the three stories right on the street of the 10 ft. setback. Mr.
Van Wagenen referenced exhibit F and noted he does not believe the plan has changed so
26 the plan reflects the number of units shown on the existing exhibit. Commissioner Wily
asked for an update on the pump station issue. Mr. Van Wagenen stated the Council did
28 not discuss the pump station at the last meeting but noted staff is getting more
comfortable with the idea to make it happen, but no official decision has been made as
30 yet. Commissioner Wily also asked about the issues of residential adjacent to the
industrial areas and if that issue has been resolved with buffering measures etc. Mr. Van
32 Wagenen stated Ivory is being proactive with this issue including the implementation of
an 8 ft. wall, triple paned glass, setbacks of the homes, landscaping, road positioning etc.
34 to mitigate these issues.

Chairperson Call stated one of her biggest concerns is the buffering and if Ivory
36 can provide a definitive list of what they will do for buffering these areas to protect both
the residents and the industrial business owners would be very beneficial. There was
38 then some discussion on setbacks and buffering issues and options. Chairperson Call
further stated she has had real concerns with the 5 ft. setbacks all along and likes that it
40 has been increased to 6 ft.; but she would like to see more. Commissioner Kallas
commented that he is not sure 1 ft. makes a big difference as those who are moving in
42 realize this and feels they are looking for a larger home not necessarily a larger lot.
Commissioner Wily agreed stating he really doesn't have an issue with the 5 ft. setback
44 simply because when they toured the Ivory properties where they saw examples he
thought they looked great and feels they would be very marketable; it is just something
46 new to Lindon. Chairperson Call expressed her concerns at how this overall project will
impact the community and how it will change the feel of Lindon. There was then some
48 discussion regarding the Alpine School District and their decision to not build a school in

2 the area at this time but they are considering remodeling the Lindon Elementary school
4 into a “super school.” Mr. Van Wagenen stated it may be helpful to have Mark
Christensen come to have a discussion with the Planning Commission regarding the
traffic study and traffic impacts.

6 Mr. Van Wagenen then asked the Commission how they feel about another joint
work session with the City Council and if they feel it would be necessary. Following
8 discussion the Commission was in agreement that another joint session is not necessary
and feel that all the important questions have been addressed. Mr. Van Wagenen stated
10 the development agreement will be coming when finalized for a vote, most likely in
February. Chairperson Call expressed her opinion that some of the language and
12 terminology in the development agreement is very subjective. Mr. Van Wagenen stated it
is a difficult balancing act.

14 Commissioner Kallas commented that everyone is hopeful that this will be a great
development and a pride of the city and the developer will do a good job. We have to
16 trust that they will do a good job and he feels it will look much better than mixed
industrial in that area and he feels it is hard to restrict them or direct them anymore.
18 Commissioner Wily agreed with that statement. Commissioner Marchbanks commented
the advantage is that we know that Ivory is a company with a 40 year track record that
20 has had no disasters and history shows us that; we know what we are getting with Ivory.

22 Commissioner McDonald commented that the specifics should be left to the
professionals, meaning we can’t restrict them too much and the market will dictate what
they do; he sees a lot of positives though. Chairperson Call agrees it will be a nice
24 development. Chairperson Call commented that Councilmember Hoyt mentioned in the
last meeting that Pleasant Grove and Highland have issued moratoriums on apartment
26 buildings in their cities and banks have stopped lending for them. Several of the
Commissioners stated they have not heard that specific information. There was then some
28 discussion on moratoriums on apartments in other cities and the demand for that type of
housing. Commissioner Marchbanks commented that the demographics have changed
30 immensely and they are being absorbed which shows there is a change in lifestyles and
demographics.

32 Mr. Van Wagenen concluded by giving a quick review stating some of the
concerns of the Council are setbacks, the number of apartment doors vs. single family
34 homes, traffic flow, parking, street parking and buffering. Chairperson Call commented
that she feels the City Council has some of the same concerns as this body and are
36 addressing those concerns and ultimately they have the final vote. Following some
additional discussion the Commission was in agreement that additional joint work
38 sessions are not warranted and to move forward with the project towards a vote.

40 Chairperson Call asked if there were any further questions or comments from the
Commission. Hearing none she moved on to the next agenda item.

42 **8. New Business: Reports by Commissioners** – Chairperson Call called for any
44 comments or discussion from the Commissioners.

46 Chairperson Call asked when the Ivory Development Agreement will be coming
before the Commission. Mr. Van Wagenen stated it may be coming before the
Commission sometime in February. Chairperson Call also mentioned the discounts on
48 purchased library cards from Pleasant Grove and Orem City. She questioned if there

2 could be a similar reimbursement negotiated with the Pleasant Grove Recreation Center.
Mr. Van Wagenen replied that Lindon City would have to set it up so there would be no
4 negotiating. Mr. Van Wagenen stated he will bring the issue up in staff meeting. He did
point out that Lindon has a recreation center. Chairperson Call also asked when the
6 Commission will be voting on the Chairperson position. Mr. Van Wagenen stated that
will be done at the next meeting. Commissioner Marchbanks brought up the issue of
8 used car lots on State Street followed by discussion. Commissioner Kallas asked if the
Spring Gardens Senior Care Facility that is under construction on 700 north is being built
10 as it was approved as it appears to be very large. Mr. Van Wagenen stated that it is being
built according to approved plans.

12 Chairperson Call called for any further comments or discussion. Hearing none she
moved on to the next agenda item.

14

11. **Planning Director Report**– Mr. Van Wagenen reported on the following items
16 followed by discussion:

- 18 • Charlie Keller will be at the next meeting.
- Ordinances reviewed on January 8th were approved by the Council.
- 20 • League training will be held on January 23rd in Provo.

20

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

24 **ADJOURN** –

26 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE
MEETING AT 9:30 P.M. COMMISSIONER WILY SECONDED THE MOTION.
28 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

30

Approved – January 26, 2016

32

Sharon Call, Chairperson

34

36

Hugh Van Wagenen, Planning Director

Item 3: Public Comment

1 - Subject _____
Discussion

2 - Subject _____
Discussion

3 - Subject _____
Discussion

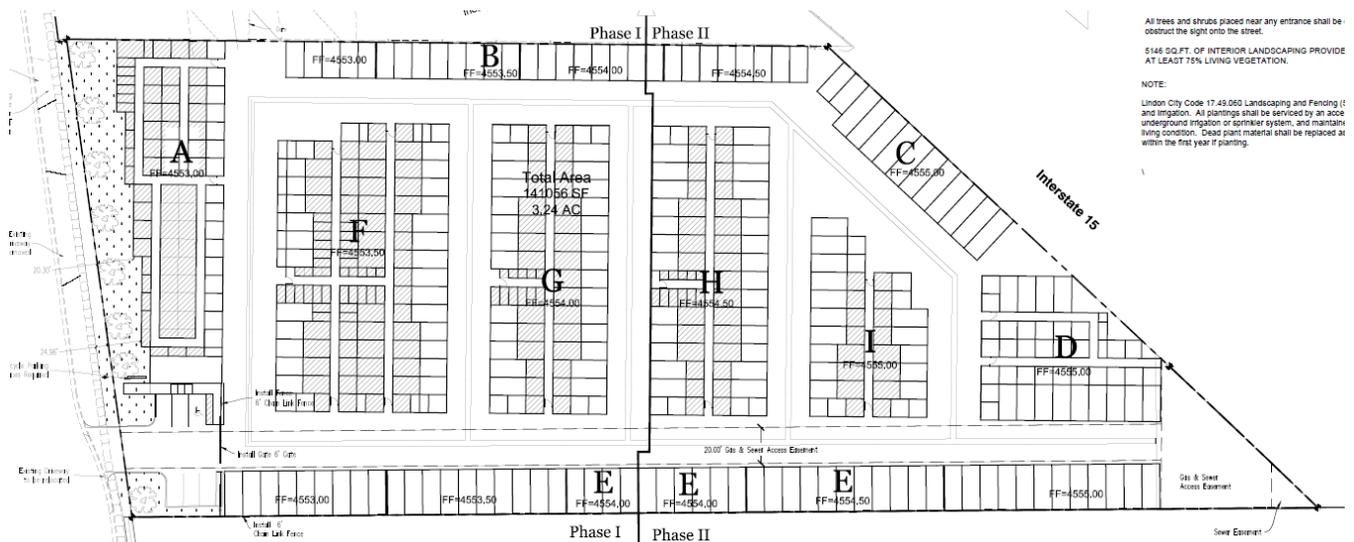
Item 4: Conditional Use Permit & Site Plan Approval — Timp Storage located at 405 S. Geneva Rd.

Arnim Way, Davies Design Build, requests conditional use permit (CUP) and site plan approval for Timp Storage, to be located at 405 S. Geneva Rd. in the Light Industrial (LI) zone.

<p>Applicant: Arnim Way, Davies Design Build Presenting Staff: Brandon Snyder</p>	<p>SUMMARY OF KEY ISSUES</p>
<p>General Plan: Commercial Zone: Light Industrial (LI)</p>	<ol style="list-style-type: none"> Whether the request for site plan approval complies with applicable land use requirements. Whether to approve the applicant's request for a conditional use permit (caretaker dwelling and outdoor storage) at the location identified. Whether to impose reasonable conditions to mitigate potential detrimental impacts.
<p>Property Owner: Timp Storage LLC (Registered Agent: Steven Davies) Proposed Address: 405 S. Geneva Rd. Parcel ID: 17-021-0052 Lot Sizes: 3.25 acres</p>	<p>MOTION</p>
<p>Type of Decision: Administrative Council Action Required: No</p>	<p>I move to (<i>approve, deny, continue</i>) the applicant's request for a conditional use permit and for site plan approval for Timp Storage located at 405 S. Geneva Road, with the following conditions (if any):</p> <ol style="list-style-type: none">

BACKGROUND

The applicant is proposing construction of a new storage unit facility with office space. These uses are permitted in the LI zone subject to site plan approval. The applicant is also interested in having an on-



site caretaker dwelling and providing an area for outdoor storage/RV parking. Those uses require a conditional use permit (CUP). The Lindon City Land Use Table indicates that the outdoor storage area shall be limited to 15% of the total storage space and limited to the storage of personal recreational vehicles. The storage area will be in the southeast corner in association with the gas easement. This area is less than 15% of the site.

The applicant is currently in the process of removing the existing buildings and cleaning up the site. The applicant will develop the site in phases and will comply with the timing and other restrictions of Lindon City Code Section 17.17.125 Site Plan – Phased development. Due to the nature of the proposed use the applicant is requesting that no commercial dumpster with enclosure be located on the site. Generally multi-family developments and non-residential uses provide on-site dumpsters within a trash enclosure. The applicant is proposing that the caretaker dwelling and office be served by a single residential container. Lindon City codes do require that when a dumpster is provided that it is located within a trash enclosure located to the rear of the main building and that the enclosure be sight-obscuring (fence or wall). The site will not be allowed to accumulate any trash or rubbish. The applicant will need to remove any discarded or abandoned items from the site.

Third party notices were provided on January 15, 2016, to the adjoining property owners in accordance with Lindon City Code Section 17.14.50 Third Party Notice. Staff has received no public comment at this time.

Table 1. Surrounding Land Uses and Zoning

Surrounding Uses	North Valdez Painting	South Harley Davidson	East I-15	West Vacant (future Blackcliff Industrial Park)
Aerial Photo				
Site Zoning	Light Industrial (LI)			
Surrounding Zones	North Light Industrial (LI)	South (CG-A8) General Commercial	East I-15	West Light Industrial (LI)

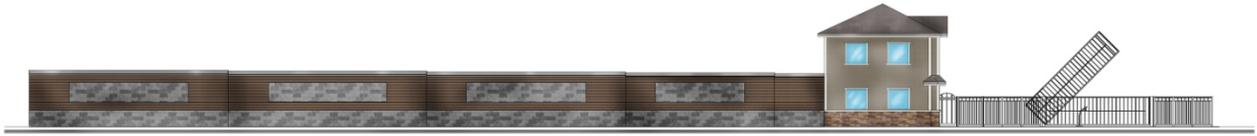
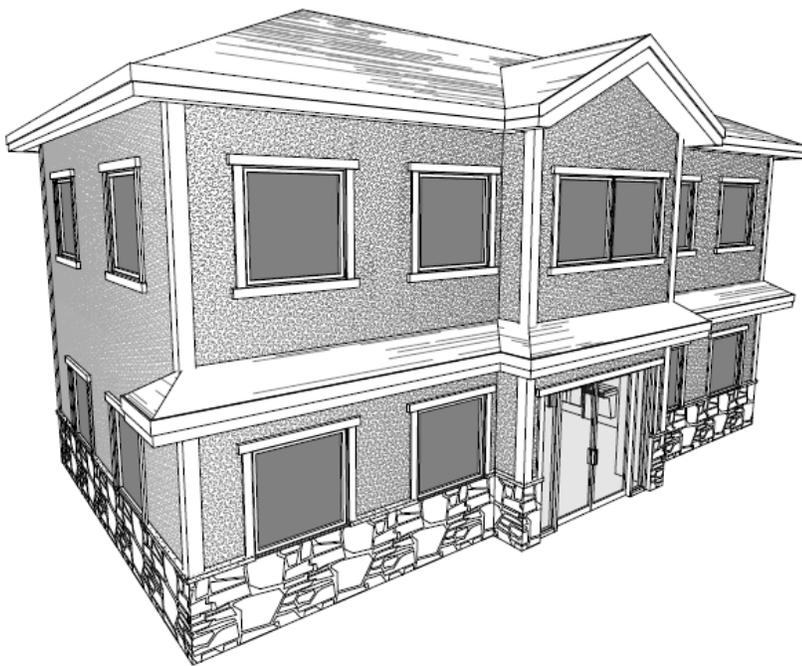


Table 2. Property Information (Light Industrial zone LCC Chapter 17.49)

	Minimum Requirement	Proposed Site
Lot area	1 acre	3.25 acres
Lot frontage	100 feet	267 feet
Building height	Max: 48'	25' 3"
Onsite parking stalls and bicycle stalls	6 stalls (caretaker 2, Office 4) 3 bicycle stalls	6 stalls 3 bicycle stalls
Building setbacks		
Front	20 feet	20 feet
Rear	0 feet	0 feet
Side (interior)	0 feet (20 feet if without one hour firewall)	0 feet



Perspective



FRONT ELEVATION



LEFT SIDE ELEVATION

REVIEW AND DISCUSSION

City Staff (Planning and Engineering) reviewed the proposal and provided review comments (feedback and corrections) on January 19, 2016. City Staff and the applicant are working through technical issues related to the site and will ensure all issues are resolved before final approval of the plans is granted. The Fire Marshal has indicated that the submitted plans meet fire codes.

Landscaping and Fencing Standards

Landscaped Strip The LI zone requires that a landscaped strip twenty (20) feet in width shall be planted with grass and trees along all public street frontages. *This is provided.*

Fencing No fencing regulations apply as the site is not adjacent to a residential use or residential zone. The applicant will be constructing the buildings to the property lines and will be utilizing the existing elevated wall along I-15. The entrance will have a security gate. The gas easement and storage area is not visible from the street and I-15. It currently is surrounded by a chain link fence and a site-obscuring panel wall that was installed by Harley Davidson.

Architectural Standards

Building Materials and Color

The building exterior is to be block, stucco and a rock wainscot, which complies with Lindon City Code. The applicant's elevations indicate that the building and walls will be earth-tone colors.

ANALYSIS

Applicable laws and standards of review

- 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.

**Item 5: *Continued* Minor Subdivision
West Lindon Business Park, Victory Quarry Plat A
730 North 2800 West**

This item is continued until the February 9, 2016 Planning Commission Meeting and will not be reviewed tonight. There are some last minute changes to the subdivision that were not ready at the time of the staff report.

Ed Daley requests minor subdivision approval in order to dedicate road right of way along 2800 West, located at 730 North 2800 West in the Mixed Commercial (MC) zone.

**Item 6: *Continued* Site Plan — West Lindon Business Park
730 North 2800 West**

This item is continued until the February 9, 2016 Planning Commission Meeting and will not be reviewed tonight. There are some last minute changes to the site that were not ready at the time of the staff report.

Ed Daley requests site plan approval for two office/warehouse buildings, 21,567 and 36,686 square feet respectively, located in the Mixed Commercial (MC) zone.

Item 7: Public Hearing — Street Master Plan Map Amendment Approx. 700 N. 2800 W.

Applicant: City Staff
Presenting Staff: Hugh Van Wagenen

General Plan: Mixed Commercial, General Commercial

Current Zone: Mixed Commercial, General Commercial A8 (CG-A8)

Property Owners: NPI International Inc; WICP West Orem LLC; Jacqueline A Dowdy et al

Address: ~700 North 2800 West

Parcel ID: 13:063:0085, 14:054:0127, 13:063:0095

Road Area: 1 acre

Type of Decision: Legislative
Council Action Required: Yes

SUMMARY OF KEY ITEMS

1. Whether to recommend approval to the City Council to remove the identified road from the Street Master Plan.

Ordinance: # 2016-1-O

MOTION

I move to recommend to the City Council (*approval, denial, continuance*) of the applicant's request to remove the street identified at approximately 700 North 2800 West from the Street Master Plan with the following conditions (if any):

- 1.
- 2.
- 3.

OVERVIEW

Staff requests approval of a Street Master Plan Map amendment to remove a master planned road located at approximately 700 North 2800 West in Mixed Commercial and General Commercial zones. The road was planned to give access to an interior parcel (#14:054:0127), but recent development activity has shown adequate access is available from 600 North.

FINDINGS OF FACT

1. The street in question was added to the Street Master Plan after the Vineyard Connector alignment was announced by UDOT.
2. Construction of the Vineyard Connector will require the realignment of the Pleasant Grove/Lindon interchange as it heads west. That realignment may affect the access to parcel #14:054:0127.
3. The road in question was placed on the Plan in order to preserve access to parcel #14:054:0127.
4. Recent development activity on parcel #14:054:0127 has shown that the parcel can be accessed via 600 North.
5. The street in question traverses two other properties in order to serve parcel #14:054:0127; parcel #s 13:063:0085 and 13:063:0095.
6. Both parcel #13:063:0085 and #13:063:0095 have frontage on 2800 West and do not need the street in question to access their respective properties.
7. Parcel #13:063:0095 is developing and having a master planned road on the property does affect the design of the site.
8. The street in question is designated as a local street on the Plan.

ANALYSIS

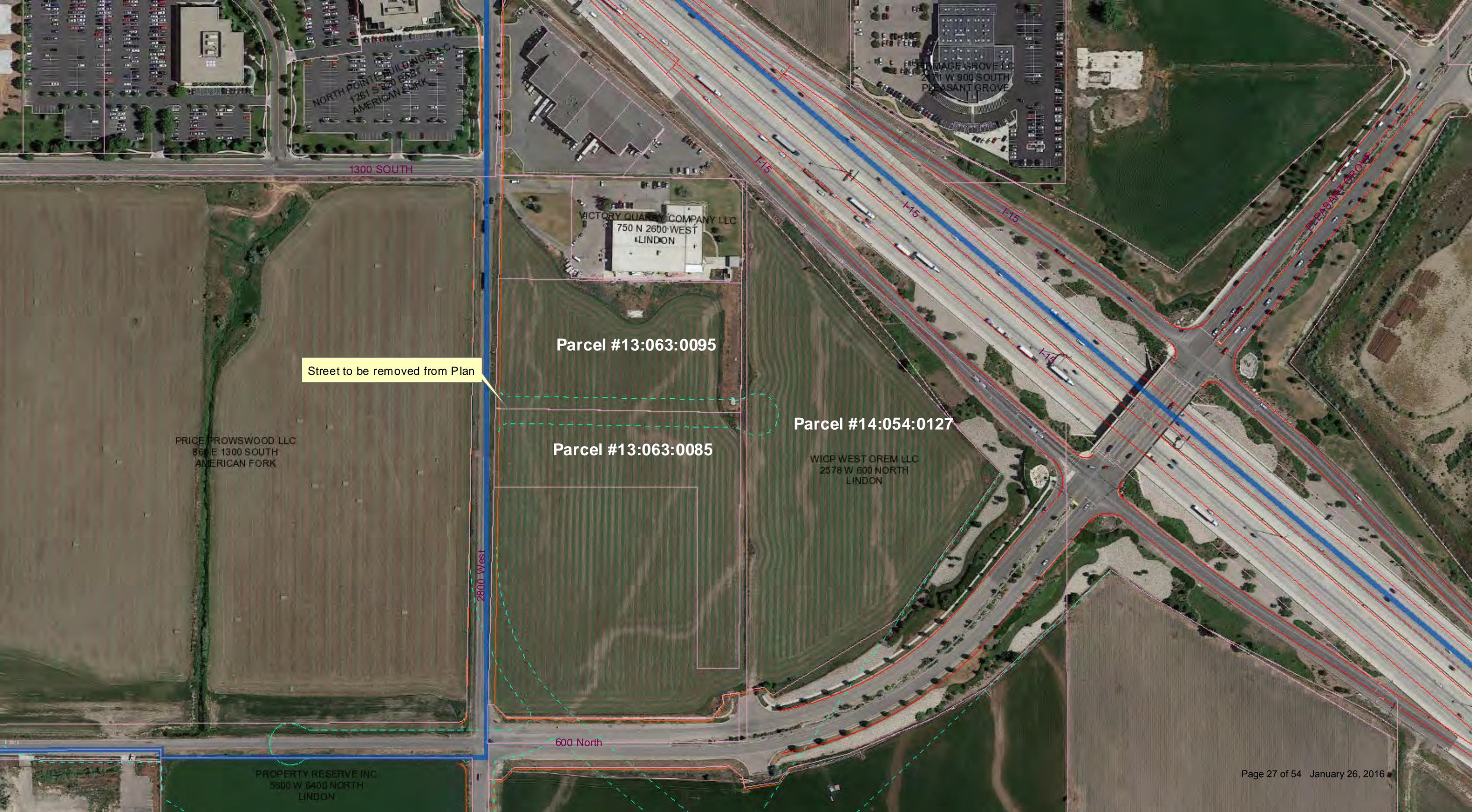
1. Relevant General Plan policies to consider in determining whether the requested change will be in the public interest:
 - a. It is the “purpose of the transportation plan...to balance future demands generated by the Land Use element with future roadway improvements, thereby developing a long-range transportation system plan which would efficiently support future land development.”
 - b. The Street Plan states the “inherent in a long-range projection is the potential for variation due to unforeseen economic, political, social, and technological changes.”
 - c. “The goal of the transportation plan is to have a balanced circulation system which provides for safe and efficient movement of vehicles...”
 - d. “Planning shall minimize localized traffic congestion and operational problems and ensure adequate access to and circulation around commercial...areas...”
2. If the road does stay on the Plan there is no timeline as to when it will be constructed to serve parcel #14:054:0127 even though the site is already developing. Access to the site is not ideal, but it is functional; Lindon, UDOT and the developer have worked to confirm this during that site’s approval process.
3. The street does not appear necessary for parcel #14:054:0127 to develop.
4. If the road is removed from the Plan, parcel #s 13:063:0085 and 13:063:0095 will not have the encumbrance of a road that was contemplated to serve only one parcel.
5. The Lindon City Engineer endorses removal of the street from the Master Plan.

MOTION

See above.

ATTACHMENTS

1. Aerial photo of the proposed area where the street is planned with affected properties identified
2. Traffic circulation for Parcel #14:054:0127



Street to be removed from Plan

NORTH POINT BUILDINGS
1261 S 1300 EAST
AMERICAN FORK

1300 SOUTH

VICTORY QUARRY COMPANY LLC
750 N 2600 WEST
LINDON

Parcel #13:063:0095

Parcel #13:063:0085

Parcel #14:054:0127

WICP WEST OREM LLC
2578 W 600 NORTH
LINDON

PRICE PROSWOOD LLC
860 E 1300 SOUTH
AMERICAN FORK

2800 West

600 North

PROPERTY RESERVE INC
5600 W 6400 NORTH
LINDON

PLEASANT GROVE LLC
2171 W 900 SOUTH
PLEASANT GROVE

PLEASANT GROVE

PRICE/PROVSWOOD LLC
860 E 1300 SOUTH
AMERICAN FORK

2800 West

WICP WEST OREM LLC
2578 W 800 NORTH
LINDON

PROPERTY RESERVE INC
5600 W 6400 NORTH
LINDON

PHOENIX GROVE
I-15

East bound traffic pattern to enter the site

Right turn in

Right turn out

Median preventing left turns from the site



Item 8: Public Hearing — General Plan Amendment MS Industrial Properties, several parcels

Applicant: MS Industrial Properties
Presenting Staff: Hugh Van Wagenen

General Plan: Mixed Commercial,
Commercial, Research & Development,
Parks-Public Facilities
Current Zone: Light Industrial; Heavy
Industrial

Property Owner(s):
Mike Lamb
Utah Pacific Bridge & Steel
Olsen Enterprises, Inc.
Stephen Spencer
Shadow Mountain Industrial Properties
MS Industrial Properties
Joseph D. Colledge
Darin Frampton
Shaun Houston
Lynn Roundy
Lindsey Strasburg
Intermountain Precision Castings, Inc.
James Smith
Antone Davis
Boyd Anderson & Sons Inc.
Sue Rose Trust
Whitely Family Trust
DMR Investments LLC

Parcel IDs:
140620027, 140620051, 140630031,
140630067, 140640131, 140640139,
140640143, 140640144, 140650024,
140650051, 140650167, 170210059,
451110002, 451110003, 451110004,
451110005, 451110006, 451110007,
451110008, 451110009, 451110010,
451110011, 451110012, 451110013,
451110014, 451110015, 451110016,
451110018, 451110025, 457440026,
454740027, 454750027, 454940028,
140630053, 140630039, 140630037,
140630055, 140640145, 451110001,
450630052, 465180001, 465180002,
465180003, 465180004, 465180005,
465180006, 465180007, 465180008,
465180009, 465180010, 451110008

Area Size: about 211 acres; 51 parcels
Type of Decision: Legislative
Council Action Required: Yes

SUMMARY OF KEY ITEMS

1. Whether to recommend approval of a request to change the General Plan designation of the subject lots from Commercial and Mixed Commercial to Light Industrial.

Ordinance: # 2016-2-0

MOTION

I move to recommend to the City Council (*approval, denial, continuance*) of the applicant's request to change the General Plan designation of the lots identified in the staff report to Light Industrial, with the following conditions (if any):

- 1.
- 2.
- 3.

OVERVIEW

The applicant would like the General Plan Land Use Map to reflect the current Zoning Map. As shown above, many additional property owners are in support of this application. Currently, all the parcels requesting the change are zoned either Light Industrial or Heavy Industrial. The current status of these parcels on the General Plan Land Use Map ranges from Mixed Commercial to Research & Development to Commercial to Parks – Public Facilities. See attached maps for reference.

The current General Plan Land Use Map does not have a Heavy Industrial area identified on the Map. However, Heavy Industrial is referred to in the General Plan under the Industrial Land Uses section.

FINDINGS OF FACT

1. The General Plan currently designates one property under the category of Commercial. This category includes retail and service oriented businesses, and shopping centers that serve community and regional needs.
2. The General Plan currently designates one property under the category of Parks – Public Facilities. This category refers to open space property owned by the city and designated for public use – primarily recreation (parks & trail systems) or public works and government facilities.
3. The General Plan currently designates several properties under the category of Mixed Commercial. This category includes general commercial, low intensity light industrial, and research and business uses.
4. The General Plan currently designates several properties under the category of Research & Development. This category is for areas of very light industrial uses with the character of a high-tech research park, corporate offices, and/or commercial uses which are compatible with surrounding properties. Depending on specific business activities, this type of development is viewed as particularly helpful for buffering between residential and other uses.
5. The applicant requests that the General Plan designation of certain properties be changed to Light Industrial, which accommodates manufacturing, industrial processes, and warehousing uses not producing objectionable effects. The Light Industrial designation also allows some appropriate related retail uses such as gasoline service stations.
6. The applicant requests that the General Plan designation of certain properties be changed to Heavy Industrial, which accommodates areas where heavy manufacturing industrial processes necessary to the economy may be conducted.

ANALYSIS

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 industrial to provide for employment and manufacture of materials which are essential to the economy of Lindon City and to provide areas in appropriate locations where a combination of research and development, manufacturing, and industrial processing and warehousing may be conducted.

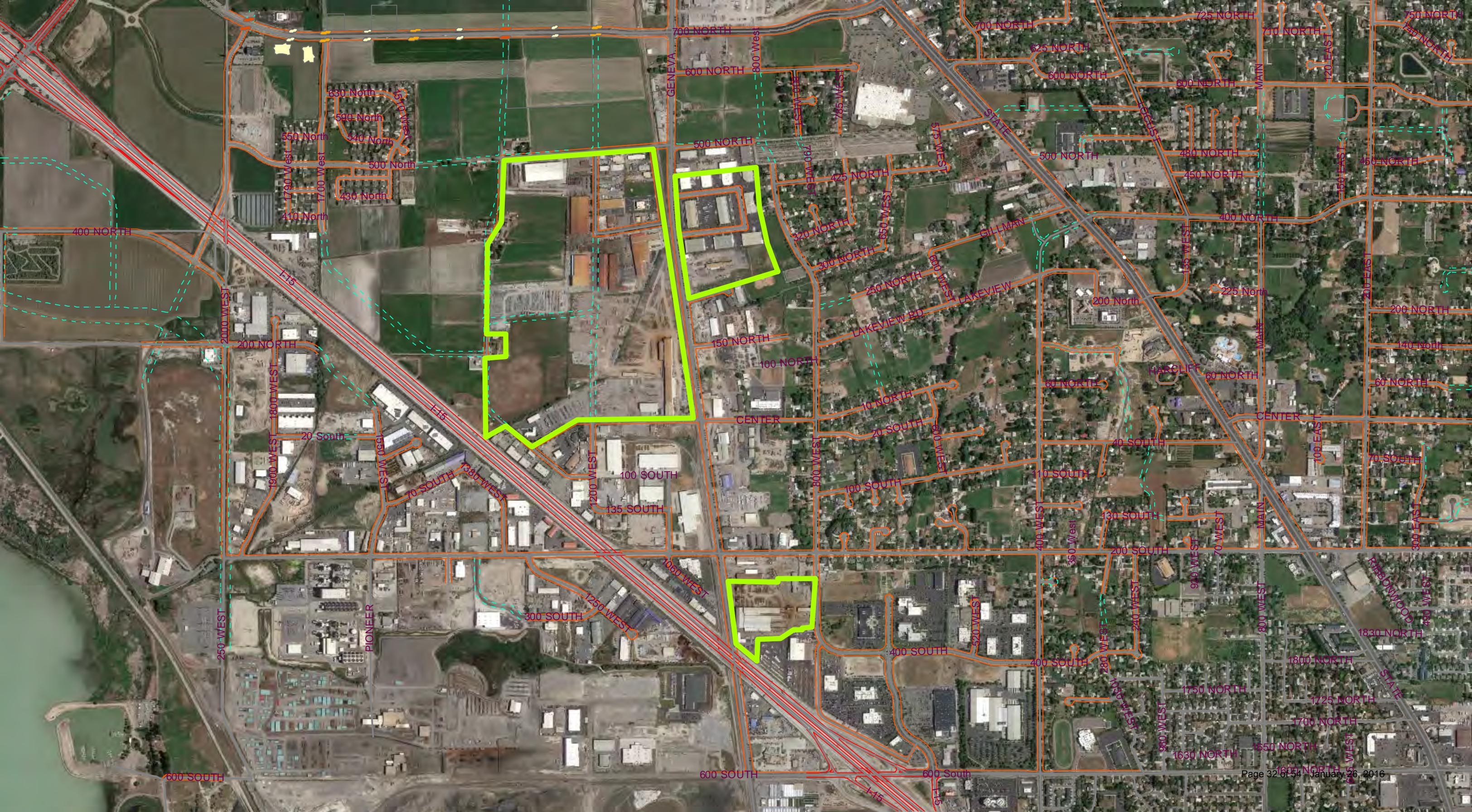
- b. The goal of industrial development is to promote employment opportunities, quality businesses, and environmentally clean industrial and technology development which will provide a diversified economic base and will complement local retail, commercial, and industrial establishments in harmony with the community's overall country image and identity as reflected in the Community Vision Statement.
 - i. Objectives of this goal are to:
 - 1. Encourage the development of high quality, aesthetically pleasing business park areas incorporating major landscape features.
 - 2. Identify those areas most appropriate for business park development in future growth areas, such as major highway access areas.
 - 3. Establish and enforce standards with respect to environmental concerns such as; noise, air quality, odor and visual.
 - 4. Increase the city's business base in the technology sector, building on the existing base and growing technology infrastructure, and consider expanding the Research and Development zones.
- c. 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.

MOTION

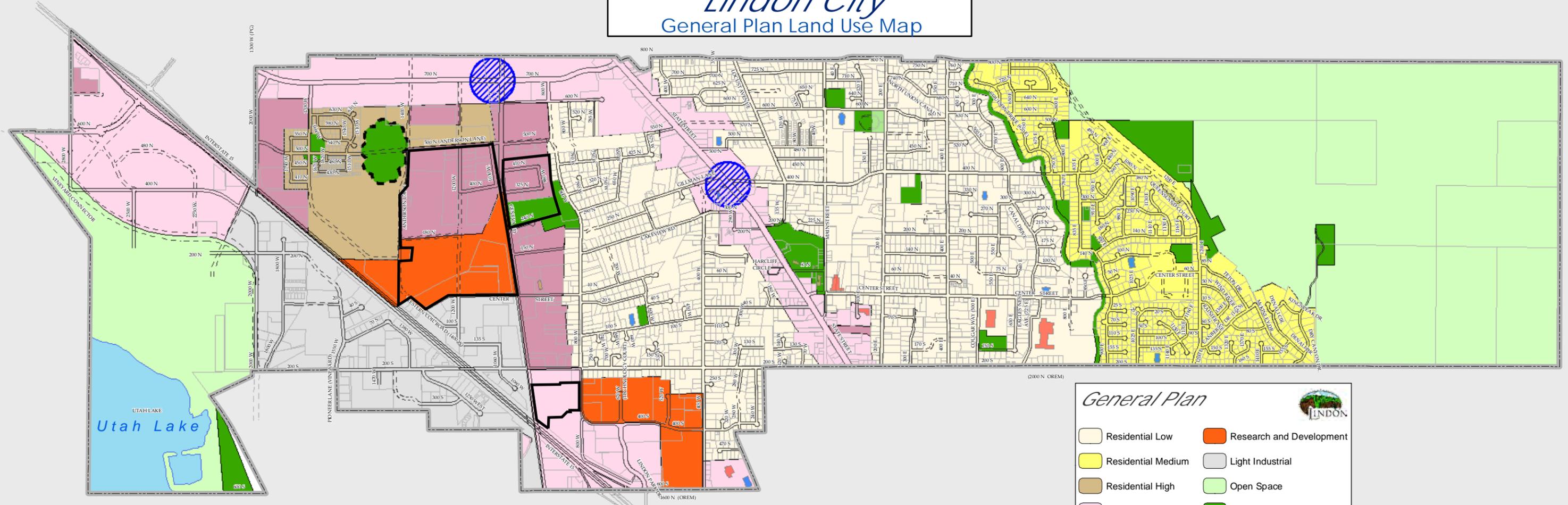
- 1. See above

ATTACHMENTS

- 1. Aerial photo of the proposed area to be re-classified.
- 2. Current General Plan Land Use Map
- 3. Current Zoning Map



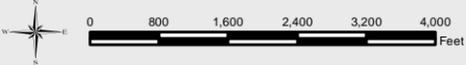
Lindon City General Plan Land Use Map



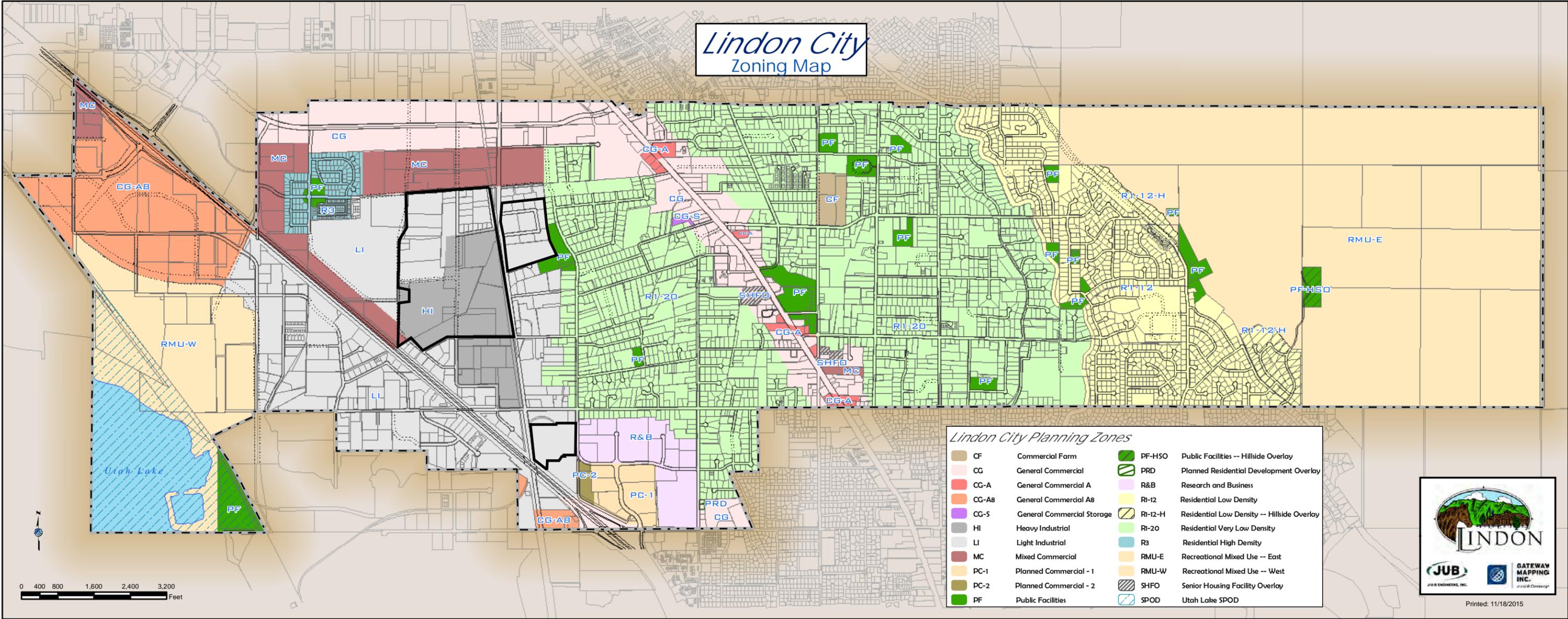
General Plan

- Residential Low
- Residential Medium
- Residential High
- Commercial
- Mixed Commercial

- Research and Development
- Light Industrial
- Open Space
- Parks - Public Facilities
- Transit Node



Lindon City Zoning Map



Lindon City Planning Zones

CF	Commercial Farm	PF-HSO	Public Facilities -- Hillside Overlay
CG	General Commercial	PRD	Planned Residential Development Overlay
CG-A	General Commercial A	R&B	Research and Business
CG-A8	General Commercial A8	R1-12	Residential Low Density
CG-S	General Commercial Storage	R1-12-H	Residential Low Density -- Hillside Overlay
HI	Heavy Industrial	R1-20	Residential Very Low Density
LI	Light Industrial	R3	Residential High Density
MC	Mixed Commercial	RMU-E	Recreational Mixed Use -- East
PC-1	Planned Commercial - 1	RMU-W	Recreational Mixed Use -- West
PC-2	Planned Commercial - 2	SHFO	Senior Housing Facility Overlay
PF	Public Facilities	SPOD	Utah Lake SPOD



Printed: 11/18/2015

Item 9: Public Hearing — Ordinance Amendment LCC 17.48 Vehicle Sales Lots Requirements

<p>Applicant: Lindon City Presenting Staff: Hugh Van Wagenen</p> <p>Type of Decision: Legislative Council Action Required: Yes</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <ol style="list-style-type: none">1. Whether it is in the public interest to recommend approval of the proposed amendment to the City Council. <p>Ordinance: # 2016-3-O</p> <p><u>MOTION</u> I move to recommend (<i>approval, denial, continuation</i>) of ordinance amendment 2016-3-O (<i>as presented, with changes</i>).</p>
--	--

BACKGROUND

Over the last several months the Planning Commission and City Council have been discussing used vehicle sales along State Street. These discussions stemmed from concept reviews received from applicants looking to change zoning designations on specific lots to allow used vehicles sales.

As part of the discussions, it was contemplated to have specific site requirements for vehicle sales lots in commercial zones. This ordinance is a draft of possible requirements.

DISCUSSION & ANALYSIS

Lindon already has landscaping, parking, and design requirements for new sites being developed. However, the requirements in this ordinance would be additional requirements for not only newly developed vehicle sales lots, but also sites converting to vehicular sales lots from in commercial zones where such sales are allowed. This ordinance in its current form would not apply to vehicle sales lots outside of commercial zones.

This ordinance draft references sections of code found in 17.18 Off-Street Parking as many parking standards are covered in that section of the code. This will also prevent having to update two sections of code if standards in 17.18 are amended.

With such an ordinance it is possible to require all existing vehicle sales lots to come into compliance after a certain period of time. However, it is typical to allow previously approved uses to continue under the previous requirements unless they choose to expand their operation in some manner.

An assessment of existing used vehicle sales lots was conducted for reference in developing the draft requirements in the ordinance.

ATTACHMENTS

1. Ordinance 2016-3-O Draft

17.48.200 Vehicle Sales Lots

Sales lots for automobiles, RVs, boats, trailers, motorcycles, ATVs, and similar vehicles shall only be conducted in appropriate zones according to the Standard Land Use Table and shall be fully improved to comply with current city standards, including fully paved display area, permanent sales office built to the current building code, landscaping, streetlights and permanent signage. The following additional standards shall also apply:

1. Business License: Prior to the issuance of any business license, an applicant shall first obtain site plan approval from City Staff regarding the requirements in this Chapter and Section. Vehicle Sales Lot site plan applications are subject to an application fee as stated in the Lindon City Fee Schedule. Site plan submittals must meet the requirements contained in the Lindon City Land Development Policies, Standards, Specifications, and Drawings Manual.
2. Minimum Lot Size: One (1) acre
3. Minimum Frontage on a Public Street: Two hundred (200) feet; double frontage lots may count all frontage toward this requirement.
4. Parking Spaces:
 - a. See 17.18 Off-Street Parking for minimum number of stalls for employees and customers.
 - b. Dimensions shall meet requirements set forth in 17.18.020 Size of parking spaces and aisles.
 - c. Stalls must be clearly designated as "Customer" or "Employee" with an upright pole sign placed at the top of each customer and employee parking space in order to differentiate from display stalls. These spaces shall not be used for parking vehicles which are for sale or for the display of any merchandise.
5. Parking Lot: See 17.18.080 Parking lot maintenance and design.
6. Display Spaces:
 - a. Dimensions shall meet requirements set forth in 17.18.020 Size of parking spaces and aisles.
 - b. All automobiles and other vehicles which are for sale at the auto lot shall be parked in the automobile showroom or in a parking space which is specifically designated for displaying merchandise for sale.
 - c. All vehicles for sale shall be parked and stored solely within the automobile lot.
7. Display Lot: See 17.18.080 Parking lot maintenance and design.
8. Display Area:
 - a. No merchandise shall be permitted to be stored on any required landscaped area, drive access, sidewalk or other public right of way or in any manner deemed a safety hazard to the general public.
 - b. No merchandise displayed shall exceed ten (10) feet in height as measured from the grade of the nearest public sidewalk.
9. Interior Landscaping:

- a. Landscaping within the interior of the parking/display lot shall be required at forty (40) square feet per required customer/employee parking stall and twenty (20) square feet per vehicle display space. See 17.18.085(2)(f) for interior landscaping layout standards.
 - b. One (1) tree for every ten (10) customer/employee parking stalls is required and one (1) tree for every twenty (20) vehicle display spaces.
10. Buildings:
 - a. Minimum 1,000 square foot building is required
 - b. Existing buildings transitioning to a vehicle sales office must be brought up to current Commercial Design Standards.
11. Storage: All parts and material incidental to the operation of dealership must be stored in a designated area and concealed from public view.
12. Repair and maintenance: Repair and/or maintenance of any vehicle/merchandise shall take place in an enclosed building.
13. Lighting: See 17.48.070 Site lighting
14. Signs on Vehicles: Signs placed on vehicles may not exceed two (2) square feet in size.

Item 10: Public Hearing — Zone Map Amendment

Applicant: Lindon City Presenting Staff: Hugh Van Wagenen General Plan: Commercial Current Zone: General Commercial Auto Requested Zone: General Commercial				<u>SUMMARY OF KEY ISSUES</u> 1. Whether to recommend approval of a request to change the zoning designation of the subject lots from General Commercial (CG-A) to General Commercial (CG).
Ordinance: # 2016-4-0				
<u>MOTION</u> I move to recommend to the City Council (<i>approval, denial, continuance</i>) of Ordinance 2016-4-0 to change the zoning designation of the subject lots from General Commercial (CG-A) to General Commercial (CG) with the following conditions (if any):				
<ol style="list-style-type: none"> 1. 2. 3. 				
Type of Decision: Legislative Council Action Required: Yes				

BACKGROUND

Over the last several months the Planning Commission and City Council have been discussing used vehicle sales along State Street. These discussions stemmed from concept reviews received from applicants looking to change zoning designations on specific lots to allow used vehicle sales. There were concerns that too many used vehicle dealerships were locating along State Street.

A request from the City Council that stemmed from those discussions was to consider rezoning existing CG-A lots that do not currently operate a used vehicle sales business. The eight lots identified here fit that description.

ANALYSIS

- There are currently seven used vehicle dealers on State Street in Lindon.
- Sixteen properties are currently zoned CG-A along State Street.
- Used vehicle sales business do create sales tax for Lindon. The following table summarizes those sales tax contributions to the City from seven dealerships during July 2014 to October 2015:

Total Auto Tax Rec'd	\$	335,090.53
Total Sales Tax Rec'd	\$	4,729,377.86
% from Auto		7.09%
Median per dealer per month	\$	2,847.18
Average per dealer per month	\$	4,528.88

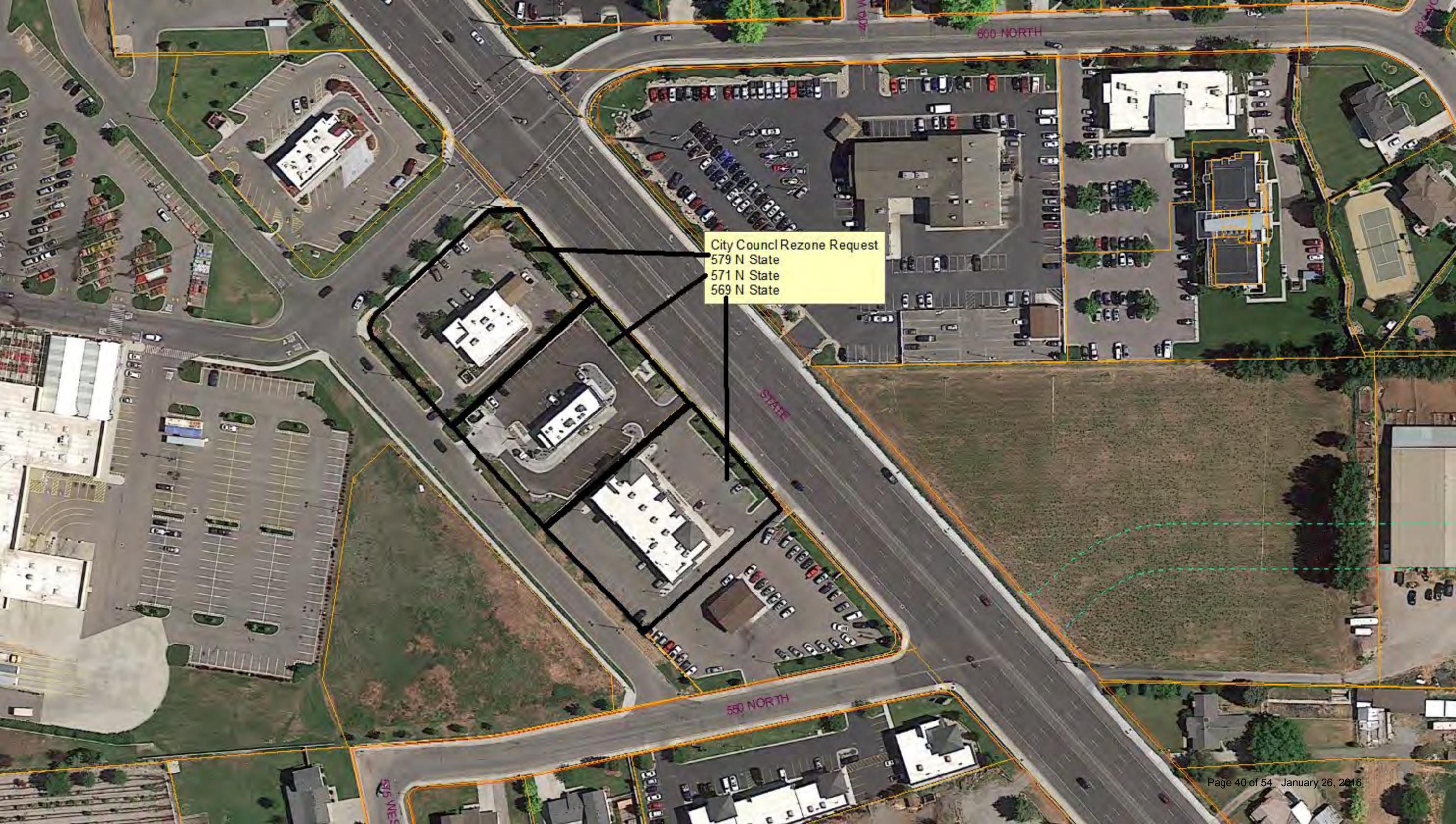
- Note the difference in the median and average monthly sales tax numbers. This indicates there are one or two dealers that are producing far more sales tax than the remaining dealerships.
- Subsection 17.04.090(2) of the Lindon City Code establishes the factors to review when considering a request for a zone change. The subsection states that the “planning commission shall recommend adoption of a proposed amendment only where the following findings are made:
 - The proposed amendment is in accord with the master plan of Lindon City;
 - Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of the division.”
- The stated purpose of the General Commercial Zone is to “promote commercial and service uses for general community shopping.” Further, the “objective in establishing commercial zones is to provide areas within the City where commercial and service uses may be located.” Commercial zones include the CG, CG-A, CG-A8, CG-S, PC-1, and PC-2 zones.

PUBLIC COMMENT

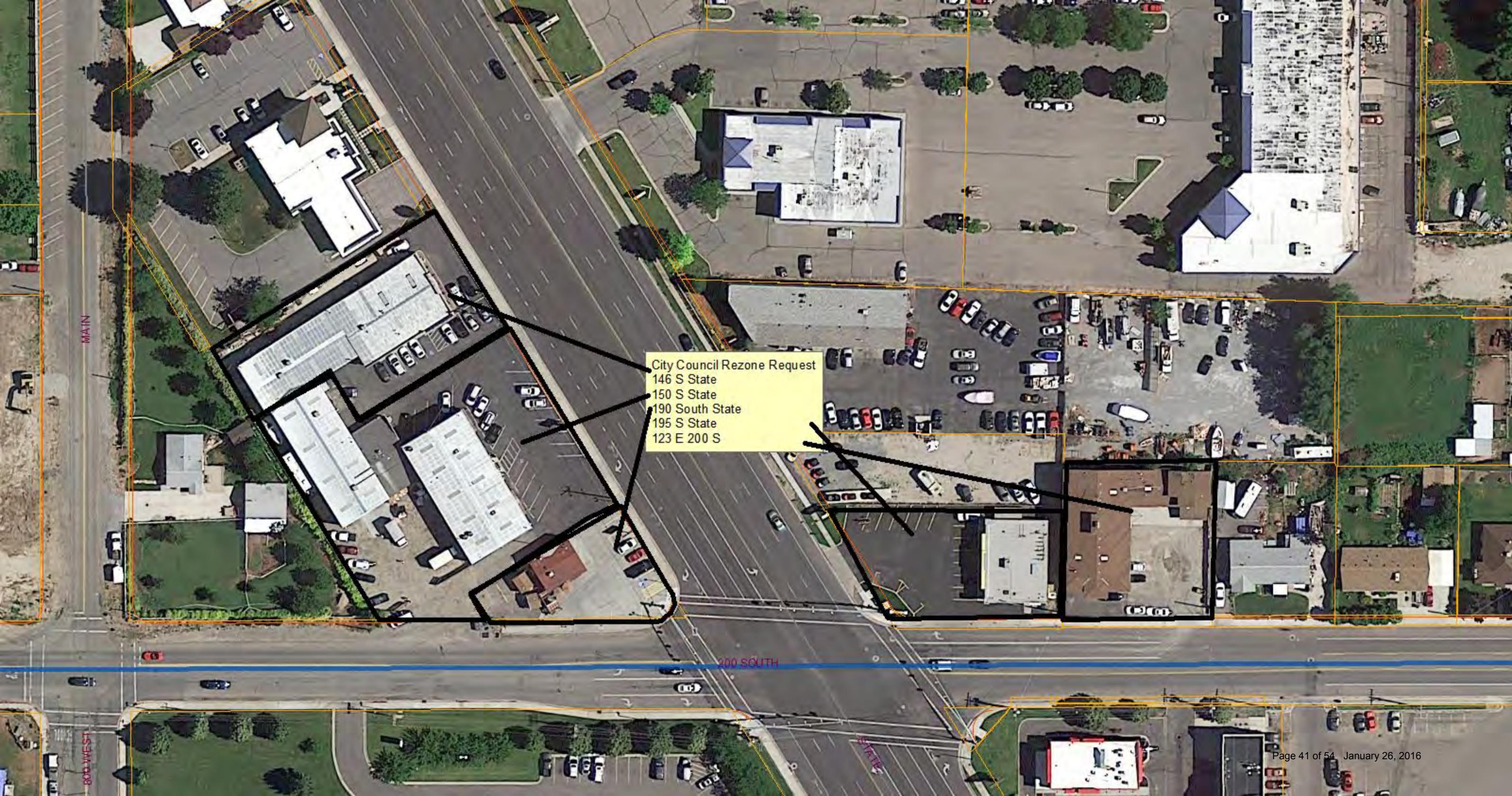
After receiving notification of the proposed zone change, two owners approached City staff to voice opposition to the idea. Skip Dunn and Royal West, owners of properties located at 569 N. State and 195 S. State respectively, are not in favor of the rezone. Although nothing in writing has been received from either owner, they were very clear in their positions.

ATTACHMENTS

1. Map of Properties under consideration of rezone
2. Current Zone Map

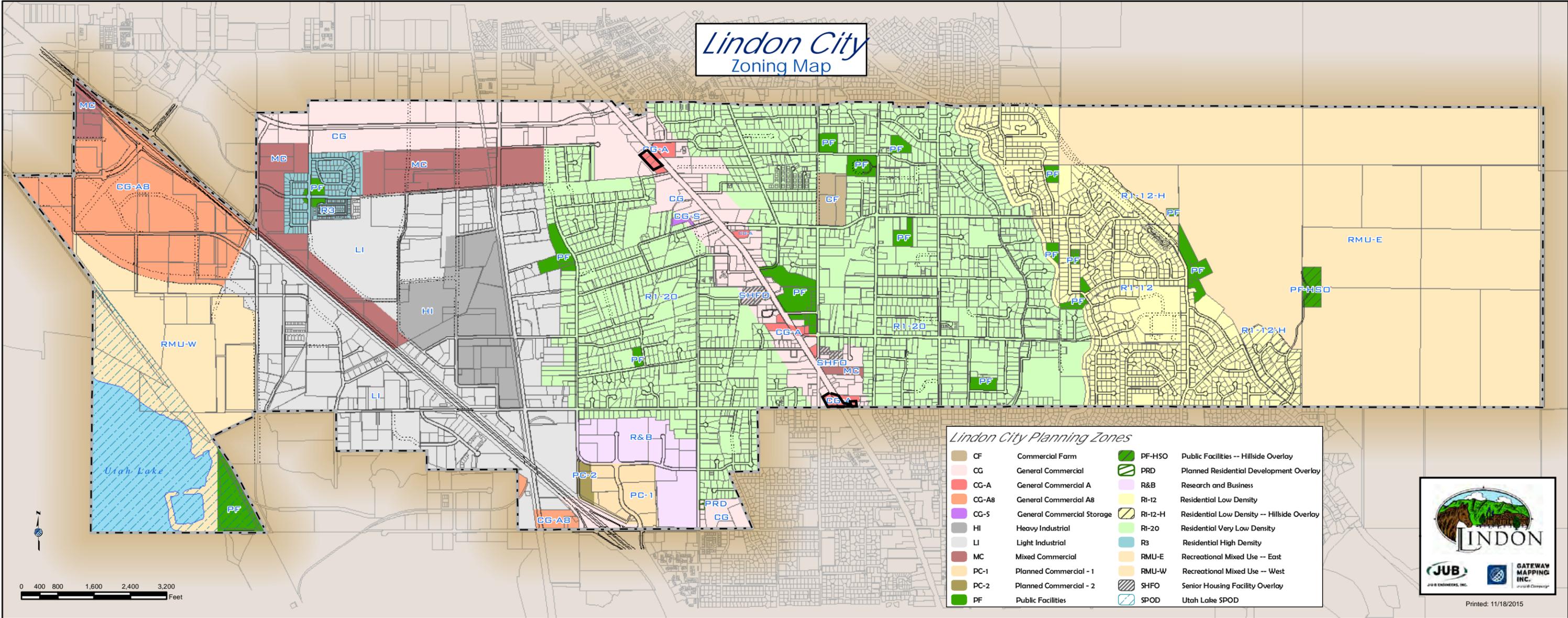


City Council Rezone Request
579 N State
571 N State
569 N State



City Council Rezone Request
146 S State
150 S State
190 South State
195 S State
123 E 200 S

Lindon City Zoning Map



Lindon City Planning Zones

CF	Commercial Farm	PF-HSO	Public Facilities -- Hillside Overlay
CG	General Commercial	PRD	Planned Residential Development Overlay
CG-A	General Commercial A	R&B	Research and Business
CG-A8	General Commercial A8	R1-12	Residential Low Density
CG-S	General Commercial Storage	R1-12-H	Residential Low Density -- Hillside Overlay
HI	Heavy Industrial	R1-20	Residential Very Low Density
LI	Light Industrial	R3	Residential High Density
MC	Mixed Commercial	RMU-E	Recreational Mixed Use -- East
PC-1	Planned Commercial - 1	RMU-W	Recreational Mixed Use -- West
PC-2	Planned Commercial - 2	SHFO	Senior Housing Facility Overlay
PF	Public Facilities	SPOD	Utah Lake SPOD



Printed: 11/18/2015

Item 11: Public Hearing — Zone Map Amendment 460 North State Street

<p>Applicant: Jeff Peterson Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: Commercial Current Zone: General Commercial (CG) Requested Zone: General Commercial Auto (CG-A)</p> <p>Property Owner(s): Intermountain Fire Place Store, LLC Address: 460 North State Street Parcel ID: 14:068:0263 Lot Size: 1.3 acres</p> <p>Type of Decision: Legislative Council Action Required: Yes</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <p>1. Whether to recommend approval of a request to change the zoning designation of the subject lot from General Commercial (CG) to General Commercial A (CG-A).</p> <p>Ordinance: # 2016-5-0</p> <p><u>MOTION</u></p> <p>I move to recommend to the City Council (<i>approval, denial, continuance</i>) to change the zoning designation of the lot identified by Utah County Parcel #14:068:0263 from General Commercial (CG) to General Commercial A (CG-A) with the following conditions (if any):</p> <p>1.</p>
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BACKGROUND

The principle difference between the General Commercial (CG) and General Commercial A (CG-A) zones is that the CG does not allow used car sales, while the CG-A does. The property in question was home to Hearth and Home stone products until the business moved nearly two years ago. Since that time, the property has been unoccupied.

ANALYSIS

- Subsection 17.04.090(2) of the Lindon City Code establishes the factors to review when considering a request for a zone change. The subsection states that the “planning commission shall recommend adoption of a proposed amendment only where the following findings are made:
 - The proposed amendment is in accord with the master plan of Lindon City;
 - Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of the division.”
- The stated purpose of the General Commercial Zone is to “promote commercial and service uses for general community shopping.” Further, the “objective in establishing commercial zones is to provide areas within the City where commercial and service uses may be located.” Commercial zones include the CG, CG-A, CG-A8, CG-S, PC-1, and PC-2 zones.

ATTACHMENTS

1. Aerial photo of the proposed area to be re-classified.
2. Street View of the proposed area to be reclassified.
3. Current zoning of the area.



Utah Valley Auto Brokers
Zone Change Request
460 North State Street
1.35 acres

550 NORTH
LINDON

OSTERGAARD, MACK R & IRENE W
550 N STATE
LINDON

CORP PRE S BISOP LDS CHURCH
320 W 500 NORTH
LINDON

314 N LOCUST AVE
LINDON

ATKINSON, JEFF DAVIES
506 N LOCUST AVE
LINDON

HEALEY, SCOTT MELVIN
539 N STATE
LINDON

500 NORTH

480 NORTH

PLATT, VALERIE Y & EDWARD B
535 N STATE
LINDON

HOWING GREEN LLC
531 N STATE
LINDON

500 NORTH

Utah Valley Auto Brokers
Zone Change Request
460 North State Street
1.35 acres

450 NORTH

PLATT, EDWARD L & MC KAY L
477 N STATE ST
LINDON

PATCH, ROBERT ALLEN
475 N STATE ST
LINDON

TOMLINSON, RICHARD D & MIRIAM N
445 N STATE
LINDON

CARSON, MELISSA ANN
350 W 400 NORTH
LINDON

HARPER, D & LISA B
218 W 400 NORTH
LINDON

GOMEZ, LUCRECIA C
200 W 400 NORTH
LINDON

ANDRUP, SHAWN
N LOJUST
LINDON

FRYER, CREIG VAN & MARY LUE
439 N STATE
LINDON

439 N STATE
LINDON

400 NORTH

LOWLESS, JONATHAN W & LINDSEY M
400 W GILLMAN L

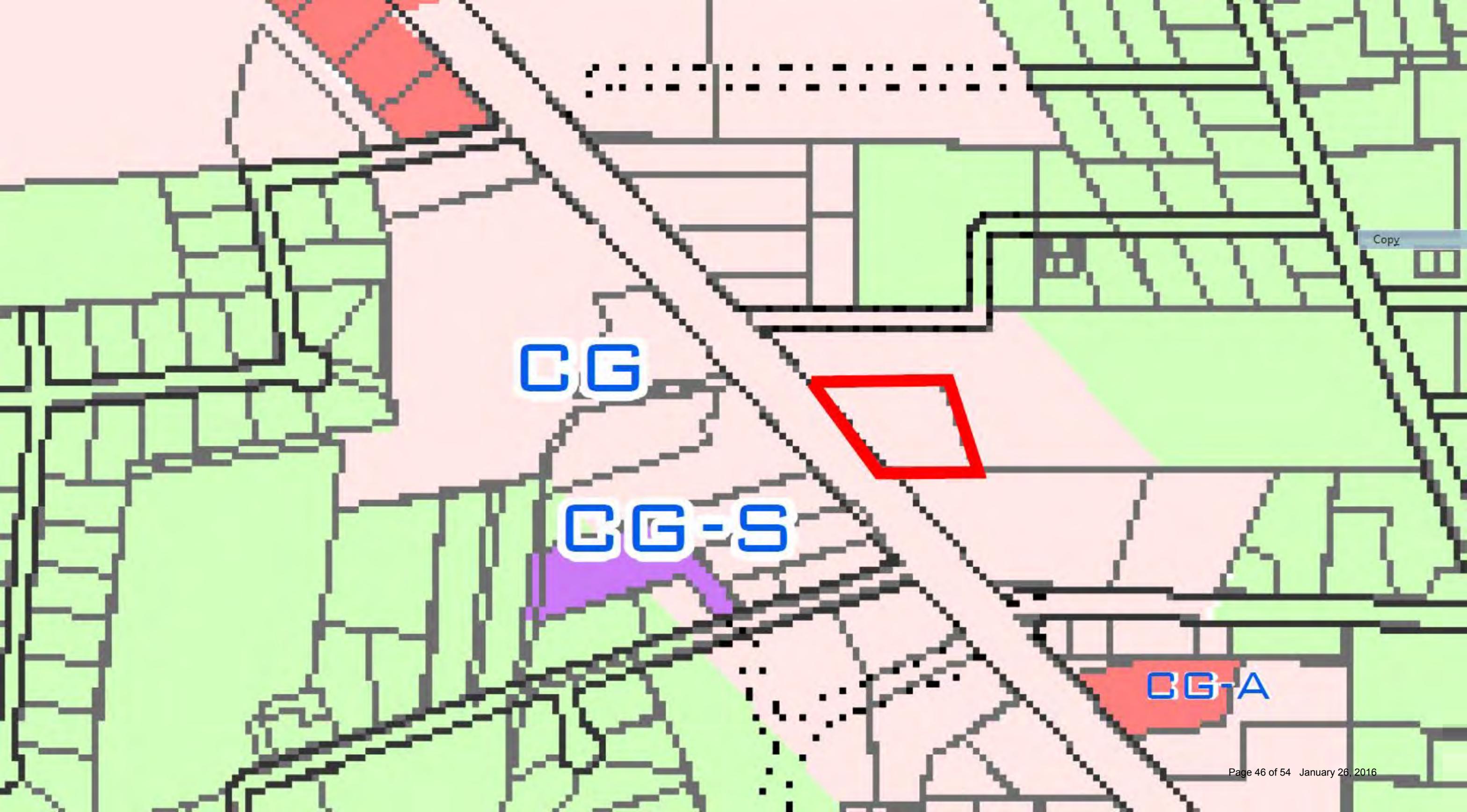
GILLMAN

470 WEST

LOWSHIP BIBLE CHURCH
750 N STATE
LINDON

HAUN, STEWART B
340 N STATE
LINDON





CG

CG-S

CG-A

Copy

Item 12: Public Hearing — Zone Map Amendment 475 North State Street

<p>Applicant: Devin Dastrup Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: Commercial Current Zone: General Commercial (CG) Requested Zone: General Commercial Auto (CG-A)</p> <p>Property Owner(s): Dastrup Auto, Inc. Address: 475 North State Street Parcel ID: 14:067:0052 Lot Size: 2.3 acres</p> <p>Type of Decision: Legislative Council Action Required: Yes</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <ol style="list-style-type: none">1. Whether to recommend approval of a request to change the zoning designation of the subject lot from General Commercial (CG) to General Commercial A (CG-A). <p>Ordinance: # 2016-6-0</p> <p><u>MOTION</u></p> <p>I move to recommend to the City Council (<i>approval, denial, continuance</i>) to change the zoning designation of the lot identified by Utah County Parcel #14:067:0052 from General Commercial (CG) to General Commercial A (CG-A) with the following conditions (if any):</p> <ol style="list-style-type: none">1.
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BACKGROUND

The principle difference between the General Commercial (CG) and General Commercial A (CG-A) zones is that the CG does not allow used car sales, while the CG-A does. The property in question was home to Patch's Majestic Metals before an unfortunate fire burned the building to the ground. Since that time there have been some business operations in the back, but nothing has happened along the frontage.

Dastrup Auto is currently located in Orem, but is looking to locate in Lindon at the location in question. The property was recently purchased and is now owned by Dastrup Auto, Inc. The applicant's proposed site plan is attached.

ANALYSIS

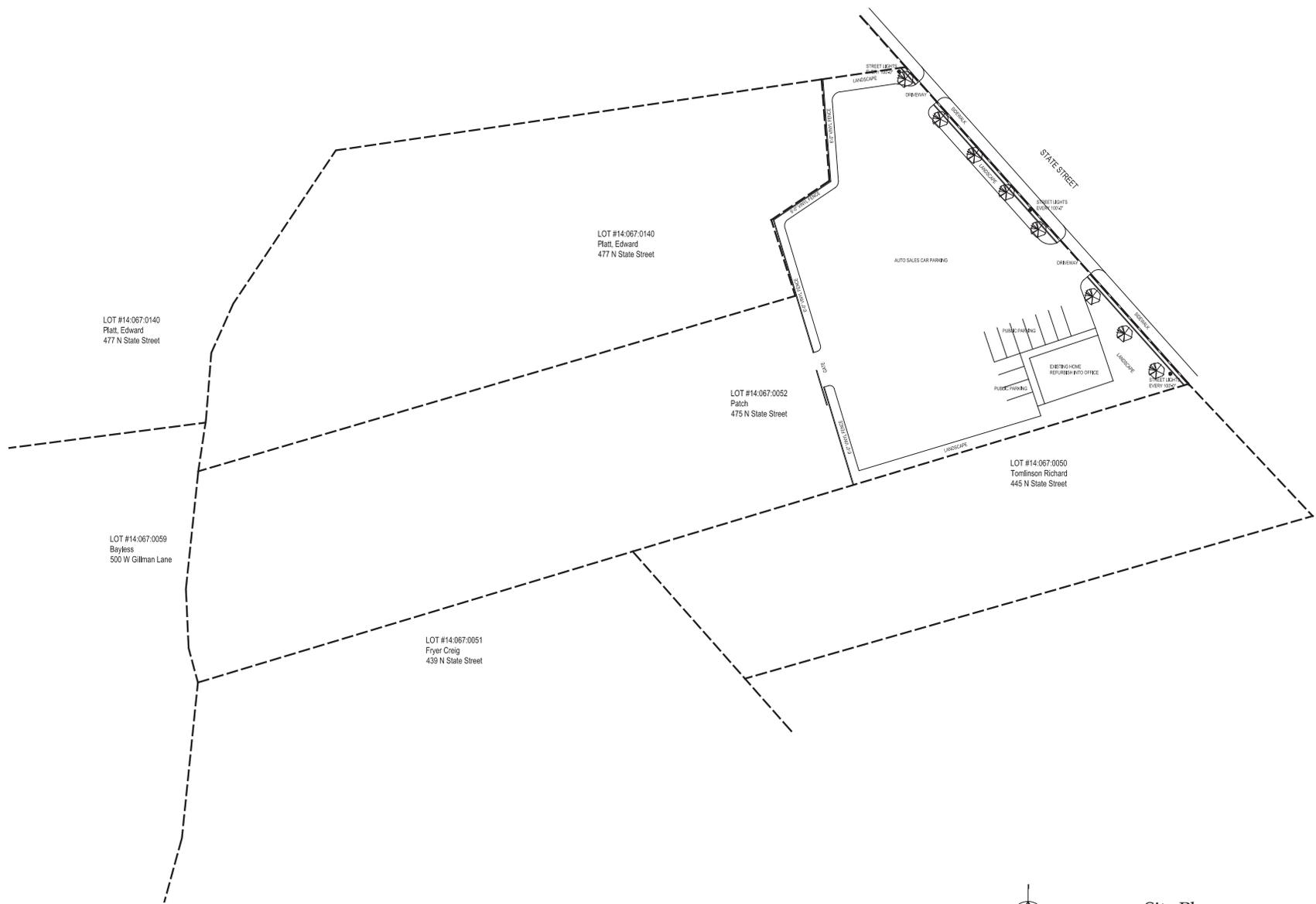
- Subsection 17.04.090(2) of the Lindon City Code establishes the factors to review when considering a request for a zone change. The subsection states that the "planning commission shall recommend adoption of a proposed amendment only where the following findings are made:
 - The proposed amendment is in accord with the master plan of Lindon City;
 - Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of the division."
- The stated purpose of the General Commercial Zone is to "promote commercial and service uses for general community shopping." Further, the "objective in establishing commercial zones is to provide areas within the City where commercial and service uses may be located." Commercial zones include the CG, CG-A, CG-A8, CG-S, PC-1, and PC-2 zones.

ATTACHMENTS

1. Aerial photo of the proposed area to be re-classified.
2. Applicant's proposed site plan
3. Current zoning of the area.



Dastrup Auto Inc
Zone Change Request
475 North State Street
2.29 acres



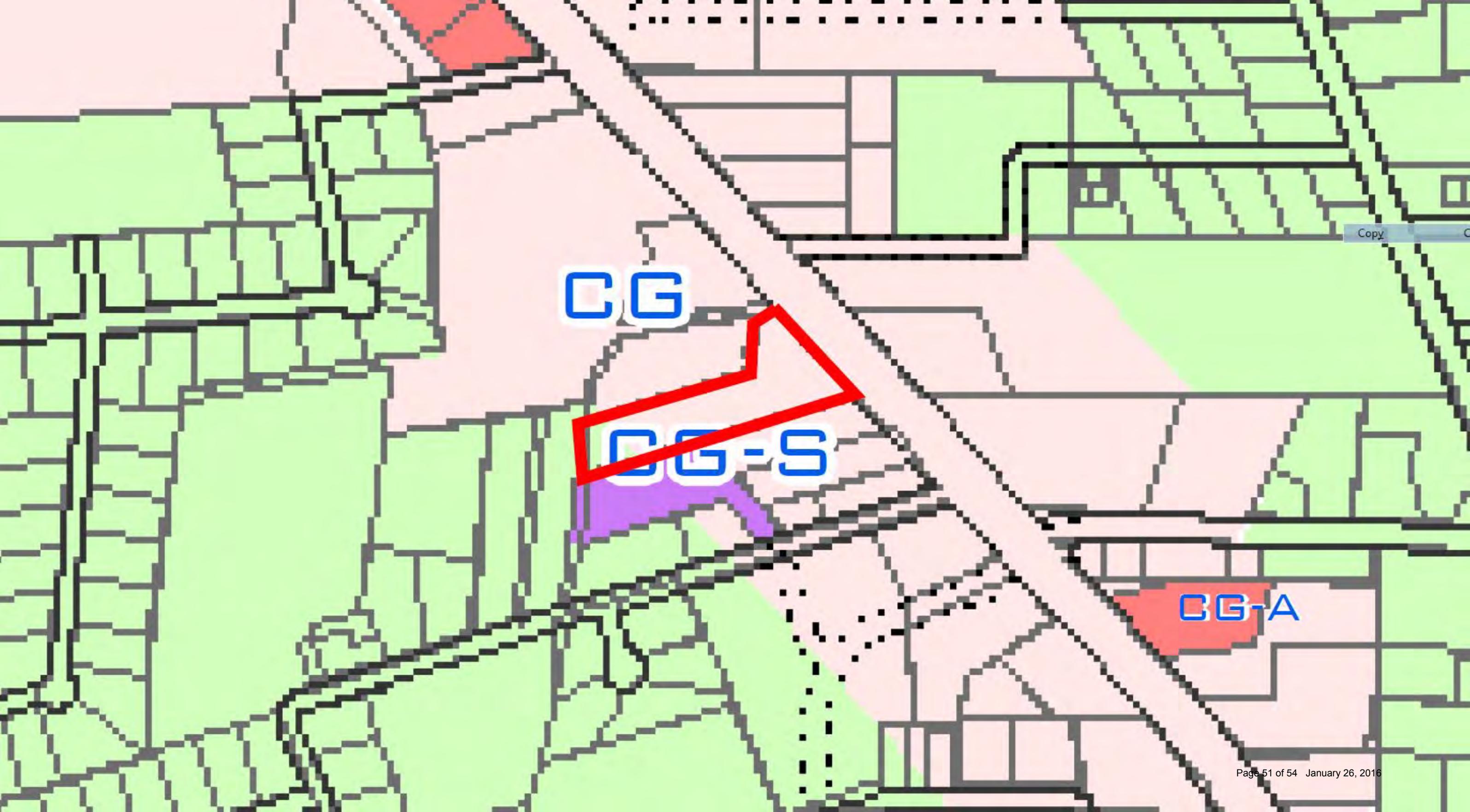
Site Plan
SCALE 1" = 30'-0"

PROJECT NOTES

PROJECT TITLE



Preliminary Site Plan	
DATE:	November 2015
REVISIONS:	
A1.0	



CG

CG-S

CG-A

Copy

Item 13: Election of Planning Commission Chair and Vice-chair

The current chair of the Planning Commission is Sharon Call. The current Vice-chair is Mike Marchbanks. Election for Chair and Vice-chair are held annually as outlined in LCC 17.08.050 Planning Commission Policies and Procedures:

1. Organization

- i) Quorum - A quorum of at least four Planning Commission members must be present to hold a meeting and conduct business according to a legally prepared and posted agenda.
- ii) *Chairman and Vice Chairman - The annual election of the Chairman and Vice Chairman shall take place once each year. Nominations for each office shall be received from the voting Commission members. The Chairman and Vice Chairman shall serve for a term of one year. In the event of absence or disability of the Chairman, the Vice Chairman shall preside. In the absence of both, the members shall appoint a Chairman for the meeting. The Vice Chairman shall succeed the Chairman for the period of the unexpired term if he or she vacates office before the term is completed. A new Vice Chairman shall be elected at the next regular meeting* [Emphasis added].

Item 14: New Business (Planning Commissioner Reports)

Item 1 – Subject _____
Discussion

Item 2 – Subject _____
Discussion

Item 3 – Subject _____
Discussion

Item 15: Planning Director Report

- Wadley Farms Tour: working on a date
- Rec Center Discounts follow up
- February 2, 2016 Joint Agenda Item with City Council: Ivory Anderson Farms

Adjourn