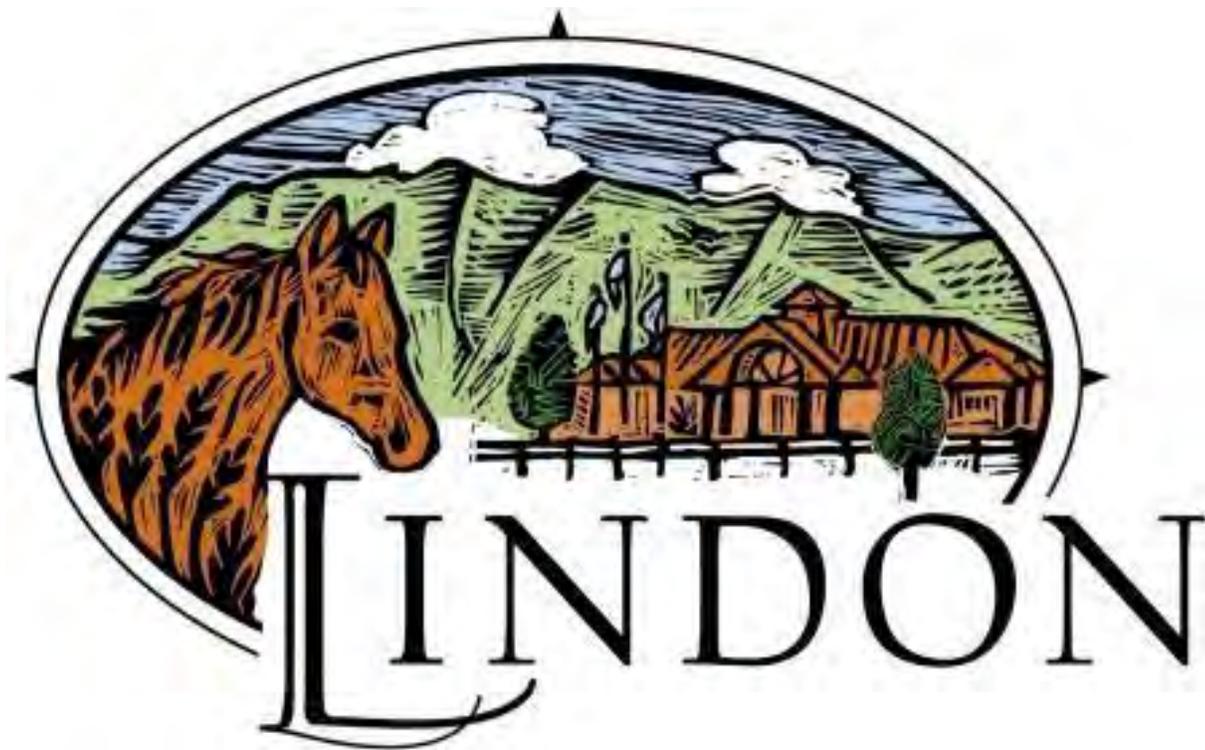


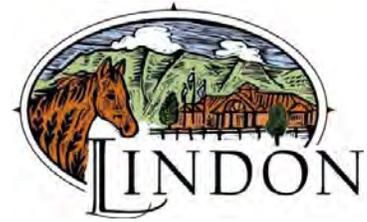
Lindon City Planning Commission Staff Report



May 24, 2016

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, May 24, 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 05/10/2016

3. Public Comment



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

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

4. Hillside Exception — HSB Ten LLC, 608 North 800 East

Brandon Jones requests an exemption from the Hillside Ordinance in order to increase the primary building site on Lot 7, Plat A, Meadows at Bald Mountain in the Residential Single Family (R1-12) zone.

(15 minutes)

5. Major Subdivision — Lakeview Townhomes Plat, 531 South 400 West

Chris Knapp of Ridgeway Construction seeks subdivision approval for Lakeview Townhomes Plat A, a five (5) unit townhome project located in the Planned Residential Development Overlay (PRD) zone.

(15 minutes)

6. Site Plan — Lakeview Townhomes Site, 531 South 400 West

Chris Knapp of Ridgeway Construction seeks site plan approval for Lakeview Townhomes, a five (5) unit townhome project located in the Planned Residential Development Overlay (PRD) zone.

(15 minutes)

7. Site Plan — Lakeview North Holdings, 1396 West 200 South

Joel Pilling, Cowie Construction, on behalf of Lakeview Holdings North LLC, requests site plan approval of office(s)/warehouse(s) approximately 71,936 sq. ft., to be located at 1396 West 200 South in the Light Industrial (LI) zone.

(15 minutes)

8. New Business from Commissioners

(10 minutes)

9. 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
Time: ~3:00 pm

Date: May 20, 2016
Place: Lindon City Center, Lindon Police Station, Lindon Community Center

Item I: Call to Order

May 24, 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 — May 10, 2016

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **May 10, 2016 beginning at 7:00 p.m.** at the Lindon City Center, City Council
4 Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Sharon Call, Chairperson
9 Invocation: Bob Wily, Commissioner
10 Pledge of Allegiance: Charlie Keller, Commissioner

12 **PRESENT** **ABSENT**

13 Sharon Call, Chairperson
14 Bob Wily, Commissioner
15 Mike Marchbanks, Commissioner
16 Rob Kallas, Commissioner
17 Matt McDonald, Commissioner
18 Charles Keller, Commissioner
19 Hugh Van Wagenen, Planning Director
20 Brandon Snyder, Associate Planner
21 Kathy Moosman, City Recorder

22

Special Attendee:

24 Councilmember Matt Bean

- 26 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
28 2. **APPROVAL OF MINUTES** – The minutes of the regular Planning Commission
29 meeting of April 26, 2016 were reviewed.

30

31 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE
32 REGULAR MEETING OF APRIL 26, 2016 AS PRESENTED. COMMISSIONER
33 MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.
34 THE MOTION CARRIED.

36 3. **PUBLIC COMMENT** –

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

40

CURRENT BUSINESS –

42

- 43 4. **Site Plan — Dastrup Auto.** Devin Dastrup requests site plan approval for a 2.3
44 acre used car lot, including a new 1,512 square ft. building located at
45 approximately 475 North State in the General Commercial Auto (CG-A) zone.

46

47 Hugh Van Wagenen led this discussion by stating this is a request by Devin
48 Dastrup (who is in attendance) for site plan approval of a 2.3 acre used car lot, including

2 a new 1,512 square ft. building located at approximately 475 North State in the General
Commercial Auto (CG-A) zone (the previous Patch's Majestic Metals location).

4 He explained the site was recently granted a rezone request from General
Commercial to General Commercial Auto, which allows used car sales and earlier this
6 year, Ordinance 2016-3-O governing vehicle sales sites was passed by the City Council.
He noted this new ordinance applies to this particular application. He mentioned a couple
8 of updates received today regarding the square footages (2,176) and fencing that were not
included in the staff report which will also affect the parking somewhat.

10 Mr. Van Wagenen reminded the Commission that automotive sales requires one
parking space for every 250 square feet of showroom and office plus one per employee.
12 With the change in square footage they will be providing 14 stalls (9 guest stalls, 5
employee stalls) and with the 2 required bike stalls provided that meets the code. He
14 added the Mr. Dastrup has had conversations with the neighboring property owner,
Lindon Nursery, and they have an agreement regarding the shared property line and
16 access.

18 Mr. Van Wagenen noted the required 20 foot landscape strip along State Street is
being provided with the requisite trees every 30 feet on center with a grass berm that
meets all requirements. He added that the interior landscaping must be provided at 40
20 square feet per required stall with one tree per 10 stalls. Sufficient trees are provided, but
only 640 square feet of interior landscaping is being called out with an additional 40
22 square feet that needs to be verified. The CG zone requires a minimum of 20% open
space on the site. This site requires 19,938 s.f. of open space and 22,610 s.f. is provided,
24 a large area of which is the detention basin at the rear of the lot.

26 Mr. Van Wagenen stated in the CG zone the architectural design standards state
that brick, stone, or decorative concrete block must be 85% of the building façade.
Windows and doors (fenestration) may also count toward the 85% requirement.

28 The architect has provided the following material percentages:

- Brick: 66.5%
- Windows and Doors: 27%
- Stucco: 6.5%

30
32 He mentioned the building being proposed is a one part commercial block type
building which is an acceptable form in the Standards. Although specific colors are not
34 specified in the elevations, all colors need to meet the color palette in the Design
Standards. He noted the building is within the 48 foot height limit in the CG zone. He
36 mentioned there are some engineering issues that will need to be resolved before the
plans are finalized and staff will ensure all requirements are met.

38 Mr. Van Wagenen also mentioned a letter received from John and Lindsey
Bayless, property owners to the west, regarding concerns of providing a landscape berm
40 in place of a masonry wall. Mr. Van Wagenen then read the code regarding fencing. He
noted the Bayless's want to see the masonry wall put in while Mr. Dastrup would prefer
42 putting in a landscaping screen or a chain link fence with slats. Mr. Van Wagenen noted
there is a large drainage ditch that runs between the properties that runs year round with
44 some large cottonwood trees that currently buffers the property but may need to be
removed.

46 Mr. Van Wagenen then referenced an aerial photo of the site and surrounding
area, site plan, architectural rendering and elevations, landscaping plan and the color

2 palette followed by discussion. Mr. Van Wagenen then turned the time over to Mr.
Dastrup for comment.

4 Mr. Dastrup expressed that they are anxious to get started on the project. He
mentioned in regards to the masonry fence there is a large elevation difference between
6 the back of their property and the Bayless property (between 6 ft. - 8 ft. elevation
difference); the width of the ditch is about 6 ft. wide. Basically they feel there is an
8 adequate buffer as there is a minimum of 45 ft. to their property line to where the
pavement starts and 90 ft. on the other side along with the “no man’s land” additional
10 footage. He added they can also build the berm up higher on both sides. Mr. Dastrup
stated they would rather have the landscaping than a concrete fence as they feel it will
12 look better and cost less.

Chairperson Call commented that she can understand why the Bayless’s would
14 want the masonry fence between the properties but pointed out it is the code unless the
Commission makes an exception. Mr. Dastrup stated he would be happy to put in a chain
16 link fence as he personally feels they look better than masonry and along with some nice
landscaping it would provide a better buffer.

18 Chairperson Call pointed out if the business changes in the future or became a
different use the concrete buffer would not be there between the commercial and
20 residential uses. Mr. Van Wagenen said if someone repurposed the site for a different
permitted use and used the existing buildings or buildings that will be built on the site it
22 would probably not come before this body until they start operating. Mr. Dastrup stated
they would not be able to get rid of the retention basis because that is solely there for the
24 purpose of water collection for the entire parcel. Mr. Van Wagenen confirmed that should
not be diminished in any way.

26 Commissioner Wily pointed out that there is a public policy reason for the
requirement and the Planning Commission can waive the requirement but it should be for
28 a compelling reason. He went on to say the Planning Commission doesn’t make the
policy but applies the ordinances that are in place; this is an ordinance that is in place and
30 it is their job to determine if there is a good enough reason to waive it; he does not
believe there is.

32 Chairperson Call commented if the adjacent property owner was in agreement it
may make a difference, but they are not in agreement. Commissioner Marchbanks
34 pointed out the only time these waivers have been done (to his recollection) up to this
point is between residential uses and churches. Mr. Dastrup asked what the Commission
36 feels is an adequate buffer. Chairperson Call commented that the issue here is what has
been expressed by the adjacent residential property owner of what the code is and unless
38 there is a real reason not to follow that code. Commissioner Keller agrees the neighbor’s
request to maintain the code is a good reason to follow the code.

40 Commissioner Marchbanks commented that he does not read the ordinance as an
either/or and it is clear that the masonry wall is the requirement and it will also be
42 required on the south boundary as that decision was previously made (on the Fryer
property). There was then some additional discussion regarding the implementation of a
44 masonry wall or to allow the landscaping buffer. Mr. Van Wagenen re-iterated the
Commission may approve a landscaping screen in lieu of a masonry fence if the required
46 findings are met.

48 Mr. Dastrup voiced his concerns of maintaining the area with a concrete fence if
the large trees were to fall or the ditch were to flood. Commissioner McDonald stated he

2 realizes the masonry fence may present challenges. Chairperson Call observed that the
Commissioners seem to be in agreement on this issue. She pointed out that the other
4 items on the site plan meets all requirements and it looks great. Commissioner Kallas
commented that he can understand Mr. Dastrup's advantages and desires of what he
6 wants to do but at the same time the Commission feels like their hands are tied and it
would be hard for them not to look at both the neighbor's comments and the code. He
8 added that it appears they are going above and beyond in order to make a nice facility.
Mr. Dastrup stated they feel they have been trying to do their very best from day one.

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

12
14 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS
16 1. THE PROPERTY LINE EASEMENTS BETWEEN THE DASTRUP PROPERTY
AND THE LINDEN NURSERY PROPERTY ARE IN PLACE AND 2. THE
18 BLOCK/CONCRETE/MASONRY WALL BE BUILT ON THE WEST END OF THE
PROPERTY. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

20 CHAIRPERSON CALL AYE
COMMISSIONER KALLAS AYE
22 COMMISSIONER WILY AYE
COMMISSIONER MARCHBANKS AYE
24 COMMISSIONER MCDONALD AYE
COMMISSIONER KELLER AYE

26 THE MOTION CARRIED UNANIMOUSLY.

28 5. **Major Subdivision—Lindon Self - Storage.** Susan Palmer of Ridgepoint
Management Group seeks subdivision approval for Lindon Self-Storage Plat A, a
30 forty-six (46) unit self-storage condominium project located at approximately 860
West 200 South in the Light Industrial (LI) zone.

32
34 Mr. Van Wagenen opened the discussion by stating this item is a request by Susan
Palmer (who is in attendance) of Ridgepoint Management Group who is seeking
subdivision approval for Lindon Self-Storage Plat A, a forty-six (46) unit self-storage
36 condominium project located at approximately 860 West 200 South in the Light
Industrial (LI) zone (previous Fezzari Bicycle location). He noted that Victor Hansen,
38 Engineer on the project, is also in attendance to address this item.

40 Mr. Van Wagenen explained the minimum lot size in the LI zone is one acre.
Condominium units do not need to meet this requirement, but the site does
(approximately 2.3 acres). He noted this subdivision does not front on a public street but
42 does have an existing access easement through the neighboring property to 200 South.
There are no public improvements required for this subdivision due to its location. He
44 mentioned that staff has determined that the proposed subdivision complies, or will be
able to comply before final approval, with all remaining land use standards. He noted the
46 City Engineer is addressing engineering standards and all engineering issues will be
resolved before final approval is granted. Mr. Van Wagenen then referenced an aerial
48 photo of the proposed subdivision and the preliminary plan followed by some general

2 discussion. He noted the next item on the agenda is the site plan for this proposed self-
storage facility. He then turned the time over to Mr. Hansen for comment.

4 Mr. Hansen followed up on Mr. Van Wagenen’s comments stating this is a self-
storage condominium style project with a little different spin as these units will
6 eventually be owner occupied and sold individually (with actual title to the unit) as a
storage unit and they will not be rental units. The units are larger than average and more
8 for RV storage with a pull through drive on some of the units. He noted there are several
other facilities similar to this in the state with a “man cave” concept which is a little bit
10 unique from other storage facilities and will be all indoor storage. Mr. Hansen explained
the proposed site location including the easements involved. They plan to provide power
12 and gas to the units but no water or gas. There will also be a “clubhouse” that will have a
restroom and kitchen facilities. He noted there will be an HOA fee and CC&R’s in place
14 to regulate use and restrictions of the units. There will be an automated entry gate with a
code/card/key used for entrance to the facility; there will be no on site manager and it will
16 not be staffed but they may outsource with a property management company.

18 Mr. Van Wagenen pointed out there are 40 ft. offsets from the residential and a
retaining wall and pasture areas etc. so the neighbors will not be affected and it will meet
all code requirements. He added that notices were sent per code to the neighboring
20 properties and they have not had any feedback to date.

22 Chairperson Call stated that this appears to meet the parking, bike parking,
landscaping, easements, access, setbacks and height requirements. All other requirements
will be discussed in the site plan item which is the next agenda item. She noted this will
24 go on to the City Council as it is a major subdivision application.

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

28 COMMISSIONER WILY MOVED TO RECOMMEND TO THE CITY
COUNCIL APPROVAL OF THE APPLICANT’S REQUEST FOR A 46 UNIT
30 CONDOMINIUM PLAT TO BE KNOWN AS LINDON SELF STORAGE WITH NO
CONDITIONS. COMMISSIONER MCDONALD SECONDED THE MOTION. THE
32 VOTE WAS RECORDED AS FOLLOWS:

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

40
42 6. **Site Plan — Lindon Self-Storage.** Susan Palmer of Ridgepoint Management
Group seeks site plan approval for Lindon Self-Storage, a forty-six (4) unit self
storage condominium project to be located at approximately 860 West 200 South
44 in the Light industrial (LI) zone.

46 Mr. Van Wagenen also led this discussion by stating Susan Palmer is now seeking
site plan approval for the Lindon Self-Storage condominium project that was previously

2 approved (subdivision) to be located at approximately 860 West 200 South in the Light
industrial (LI) zone.

4 Mr. Van Wagenen noted in the LI zone stalls are required for every 200 feet of
office space and this project will have an office space of 1,000 square feet. He added that
6 no requirement are needed for the storage units. He then referenced the summary of
parking requirements as follows:

- 8 • Vehicle Spaces Required: 5
- Vehicle Space Provided: 6
- 10 • Bicycle Spaces Required: 2
- Bicycle Spaces Provided: 2

12 Mr. Van Wagenen explained there is no street frontage for this project and
14 therefore no 20 ft. landscape strip is required. He noted that access is through the
neighboring lot to the south (Fezzari Bicycles) that does front on 200 South and an access
16 easement is already in place. There is also no minimum landscaping requirement in the
LI zone and there are not enough parking stall to initiate parking lot landscaping. The
18 Code requires that all buildings in the Light Industrial Zone must be “aesthetically
pleasing, well-proportioned buildings which blend with the surrounding property and
20 structures.” He explained that the applicant is proposing to construct a concrete masonry
unit building, with color palette desert colors. Mr. Van Wagenen stated all buildings in
22 the LI zone are subject to the following standards:

- 24 • Twenty-five percent (25%) minimum of the exterior of all buildings shall be
covered with brick decorative block, stucco, wood, or other similar materials as
approved by the Planning commission.

26 Mr. Van Wagenen further explained that Code requires buildings in the LI zone to
28 be earth-tone colors and the building will meet the requirement. He noted the site is
located adjacent to a residential zone and all structures must be 40 feet away from a
30 residential zone. Mr. Van Wagenen mentioned the proposed structure satisfies the
setbacks (20 ft. front and 40 ft. from residential zones) and height requirements (48 ft.) in
32 the LI zone. He noted the City Engineer is working through technical issues related to the
site and will ensure all engineering related issues are resolved before final approval is
34 granted.

36 Mr. Hansen stated they are proposing a masonry fence around the perimeter
which will be made of 6 ft. concrete panels that will be on top of a 12 ft. retaining wall on
one side and 4 ft. on another side so it will be taller that the required 7 ft. fence.

38 Mr. Van Wagenen then referenced an aerial photo of the site and surrounding
area, site plan, elevations and renderings of the proposed building and the earth-tone
40 color palette followed by some general discussion.

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

44 COMMISSIONER KELLER MOVED TO APPROVE THE APPLICANT’S
46 REQUEST FOR SITE PLAN APPROVAL WITH THE CONDITION THAT THE
MAJOR SUBDIVISION IS APPROVED BY THE CITY COUNCIL.
48 COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

2 CHAIRPERSON CALL AYE
COMMISSIONER KALLAS AYE
4 COMMISSIONER MARCHBANKS AYE
COMMISSIONER WILY AYE
6 COMMISSIONER MCDONALD AYE
COMMISSIONER KELLER AYE
8 THE MOTION CARRIED UNANIMOUSLY.

10 7. **Conditional Use Permit – Bonati Child Day Care.** Eliana M. Bonati requests
approval of a conditional use permit (CUP) for child day care and preschool
12 services to be located at 343 North 750 West in the Single Family Residential (R1-
20) zone. The proposal will serve a maximum of 16 children.

14
16 Brandon Snyder, Associate Planner, led this agenda item by stating Eliana Bonati
(who is in attendance) is requesting approval of a conditional use permit (CUP) for child
day care and preschool services to be located at 343 North 750 West in the Single Family
18 Residential (R1-20) zone. He noted this proposal will serve a maximum of 16 children.
He mentioned that Ms. Bonati has indicated that she will live in the residence (corner lot)
20 that was constructed in 1998 with an addition to the side of the home being added in 2009
and a rear patio added in 2012. The proposed name of the business is Prince and Princess
22 in Training. The applicant is also proposing that no further modifications to the home or
property will be made at this time and the activities will mainly take place in the
24 recreation room and the family room found on the main level.

26 Mr. Snyder stated the Lindon City Standard Land Use Table by zone indicates that
Child Day Care - 5 to 16 children (4 or less not regulated) requires a conditional use
permit in the R1-20 zone. He added that third party public notices were mailed on April
28 29, 2016 and no public comments have been received by staff to date.

30 Mr. Snyder further explained that the applicant will need approval from the Utah
Department of Health for a Family Child Care License (total capacity of 16). The license
generally indicates that this number includes the provider’s own children under the age of
32 four. Mr. Snyder noted that Ms. Bonati has indicated that she has no children, within that
age group. The applicant is required to maintain the State license and the applicant’s
34 business outline is included in the staff report. The application indicates business hours
from 7:30 am to 5:30 pm and there will be one assistant.

36 Mr. Snyder noted Ms. Bonati’s proposed site recently passed the Lindon City
Final Fire Inspection. He added that a Lindon City business license (home occupation) is
38 required after Planning Commission approval is given, but prior to providing child day
care services and the applicant will be required to maintain a Lindon City business
40 license. Mr. Snyder explained the intent is that the proposed child day care/preschool
(home occupation) is to be secondary to the residential use of the property. The property
42 meets the on-site parking requirements for the proposal in addition to the residential
parking requirements (2 spaces per dwelling (garage), one per outside employee and one
44 per ten children). He added that the property has 150’ of frontage along 750 West, and
100’ of frontage along 320 North. He then turned the time over to the applicant for
46 comment.

48 Ms. Bonati addressed the Commission at this time. She explained that she has
been operating a daycare/preschool in Orem and has a license for 16 children. She noted

2 they have just purchased this home in Lindon and want to continue to operate at this new
location and are excited to have a permanent location and to be helpful to the community.
4 Ms. Bonati explained they provide the drop-off facilities with a driveway area which will
help to avoid any traffic or safety issues. They are in compliance with all State
6 requirements relating to daycare operation and will also comply with any Lindon City
codes relating to a home daycare/preschool operation.

8 Ms. Bonati stated she feels they will not create any unreasonable level of
disruption with the adjoining neighbors and the neighborhood. She noted the drop off
10 times are staggered and there won't be too many children being dropped off at the same
time. Their play equipment will be located in the back of the house with no loud speaker
12 so noise issues will not be a problem or disturb the neighboring residents. She wants to
be a good neighbor and addition to the community and provide working parents a safe
14 and fun place to have their children while they are working. She added she has never had
any safety issues in the past.

16 Chairperson Call noted this is not a public hearing but called for any public
comment from audience members at this time. There were several in attendance who
18 addressed the Commission as follows:

20 **Darrin Miller:** Mr. Miller stated there is a school bus stop including a kindergarten stop
two houses to the north of the proposed day care. He has concerns about this because
22 there are kids crossing the street to the bus stop and parents may be driving too fast
through the neighborhood to drop their kids off at the preschool and it could pose a safety
24 issue. He also has concerns of kids staying at the house or wandering the neighborhood.

26 **Sandra Christensen:** Ms. Christensen stated there is another day care a block over from
this location in the same subdivision (Rachel Thacker) and there has not been any of
28 these concerns or problems at that location that she is aware of.

30 **Ann:** She noted they have a very quiet relationship with that particular house because
there haven't been people in there for a while. She wanted Ms. Bonati to be aware that
32 they have two dogs that are excitable and may bark through the fence at the children
when they are outside (they have a secondary fence) so they shouldn't bother the kids.
34 She also stated to please let her know if there are any problems or issues.

36 **Cameron Larsen:** Mr. Larsen expressed his concerns, as a potential buyer of a home
across the street from the daycare regarding traffic and safety issues associated with the
38 preschool. He commented that this daycare going in may affect his decision of whether to
buy a home in the area because he doesn't want to buy across from a business.

40 **Jody Draney:** Ms. Draney agreed with the traffic concerns and also mentioned that they
42 don't know who the people or their background that will be coming and going into the
neighborhood and the potential to attract predators to daycares. She feels that this
44 business does not benefit anyone in the neighborhood in a residential area.

46 Chairperson Call commented that as far as the guidelines on Conditional Use
Permits she doesn't feel this cannot be approved but it can be reviewed based on
48 complaints. If there are any issues with noise, safety, etc., they can be brought to the city

2 to be addressed. There was then some general discussion by the Commission regarding traffic and access flows.

4 Commissioner Kallas asked what the State recommended ratio is of adults to children. Mr. Snyder stated it depends on the age of the children and is dictated by the type of license issued to the applicant. He added that city code states there is an allowance of 5 to 16 children and when the State does their annual review they will ensure she is in compliance.

8 Commissioner Wily commented that it appears this application meets the requirements and he does not see any unusual characteristics that would warrant any restrictions imposed on this conditional use. Commissioner McDonald agreed with that statement noting this seems to be nothing out of the ordinary that may pose a risk or a problem and pointed out this request is similar to others that have been approved in the past. Commissioner Kallas expressed his concerns with the additional traffic but feels there is nothing that can be done to mitigate it. He also brought up the issue of more applications coming in for daycares in other areas in the city and his concerns that once the CUP is in place it stays with the property. Mr. Snyder stated that currently there is no separation requirement for this type of use.

18 Chairperson Call surmised that she does not see how the Commission can deny this conditional use because all the state and city licenses are in place but it can come back before this board if there are any problems or issues. Commissioner Marchbanks stated he feels this is a one of the better lots for accommodating a preschool.

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

26 COMMISSIONER MCDONALD MOVED TO APPROVE THE APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT TO PROVIDE CHILD DAY CARE AND PRESCHOOL SERVICES IN THE APPLICANTS RESIDENCE LOCATED AT 343 NORTH 750 WEST IN THE SINGLE FAMILY RESIDENTIAL (R1-20) ZONE WITH NO CONDITIONS. COMMISSIONER WILY SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

32 CHAIRPERSON CALL AYE
COMMISSIONER KALLAS AYE
34 COMMISSIONER MARCHBANKS AYE
COMMISSIONER WILY AYE
36 COMMISSIONER MCDONALD AYE
COMMISSIONER KELLER AYE

38 THE MOTION CARRIED UNANIMOUSLY.

40 *Commissioner Kallas made note that he voted aye but he does not want to see too many of these types of conditional uses as they run with the property.*

42

44 **8. Conditional Use Permit — All Wood Cabinet Doors.** Rodolfo Rodriquez requests conditional use permit approval for a cabinet shop to be located at 515 N. Geneva Rd. in the Mixed Commercial (MC) zone.

46

48 Mr. Snyder gave an overview of this agenda item explaining the applicant has requested approval to operate a wood shop/carpentry shop with a focus on cabinet doors.

2 He noted the applicant will occupy approximately 2,500 square feet of the existing
4 building. He explained that business license records indicate that the unit was last
occupied by Cobalt Fabricators, which closed in May 2014 and the applicant is not
proposing any changes to the site.

6 Mr. Snyder explained that the purpose of the MC zone is to provide areas in
appropriate locations where low intensity light industrial (contained entirely within a
8 building), research and development, professional and business services, retail and other
commercial related uses not producing objectionable effects may be established,
10 maintained and protected. He added that the regulations of this district are designed to
protect environmental quality, compatibility, competitiveness, and aesthetics of the
12 district and adjacent areas.

14 Mr. Snyder further explained that the Fire Inspector has indicated that cabinet
shops 2,500 square feet or larger require a sprinkler system and city code also requires a
dust collection system in the shop. He went on to say if the business plans on spraying
16 cabinets, drawers, doors or boxes, it will require a spray booth or spray room with a fire
suppression system protecting that area. Also if they are using rags to apply varnishes or
18 lacquer they will need a metal can with a tight fitting lid to put the used rags in.

20 Mr. Snyder mentioned that an inspection of the location will be required prior to
the issuance of the business license. He pointed out that the applicant has been
encouraged to contact and consult with the Building Official and the Fire Inspector to
22 determine whether the structure in which the business is planned will comply with all
applicable code requirements and what the expense will be.

24 Mr. Snyder noted the building is located at 515 N. Geneva Rd., in the Mixed
Commercial (MC) zone and Utah County records indicate the year built as 1998. Aerial
26 images indicate that the structures were located on the property prior to 1993. He stated
that third party public notices were mailed on April 29, 2016 and no public comments
28 have been received by staff at this time. He noted a Lindon City business license is
required after Planning Commission approval of the proposed CUP is given, but prior to
30 business activities. He added that the property meets the on-site parking requirements for
the proposed use. Mr. Snyder then referenced the applicants proposed use description
32 and exhibits followed by some general discussion. Mr. Snyder then turned the time over
to the applicant for comment.

34 Mr. Rodolfo stated this has been a family owned business for over 10 years where
they provide high quality cabinet doors. He noted their business hours will be from 7 am
36 to 5 pm and some weekends. They have three employees including the owner. They feel
there will be no increase in traffic, light, noise, odor or pollution generated from their
38 business. They plan to use dust collectors for any wood dust that may be released and the
shop will not discharge any process water. They feel their shop will not disturb any
40 neighboring businesses or surroundings.

42 Following discussion Chairperson Call observed that the biggest issue is to make
sure that all fire and safety codes are met and in compliance and the applicant will ensure
44 if there needs to be an additional fire sprinkler system in place. Mr. Snyder confirmed
that statement adding the fire inspector will set up an appointment to walk thru and
inspect the property and the process to see what applicable fire codes apply when
46 addressing any concerns.

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

2 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT’S
3 REQUEST FOR A CONDITIONAL USE PERMIT FOR A CABINET SHOP, INDOOR
4 STORAGE AND PRODUCTION ONLY, TO BE LOCATED AT 515 N. GENEVA
5 ROAD IN THE MIXED COMMERCIAL (MC) ZONE, WITH THE CONDITION
6 THAT ALL FIRE, HEALTH AND SAFETY CONDITIONS ARE MET.

7 COMMISSIONER KELLER SECONDED THE MOTION. THE VOTE WAS
8 RECORDED AS FOLLOWS:

9 CHAIRPERSON CALL AYE

10 COMMISSIONER KALLAS AYE

11 COMMISSIONER MARCHBANKS AYE

12 COMMISSIONER WILY AYE

13 COMMISSIONER MCDONALD AYE

14 COMMISSIONER KELLER AYE

15 THE MOTION CARRIED UNANIMOUSLY.

16
17 9. **Conditional Use Permit — CUWCD Pump House.** K.C. Shaw requests
18 approval for a pump house to be located at 486 S. Geneva Rd. in the Light
19 Industrial (LI) zone.

20
21 Mr. Snyder gave an overview of this agenda item explaining Mike Lindsey is in
22 attendance as representative of this application. He noted the applicant is proposing to
23 construct a CWP High Head Well Pump House (#13) to utilize approximately 65,000
24 acre-feet of surface and ground water rights. The well was previously constructed at this
25 site. The proposed use is for culinary water production and the water shares were
26 previously tendered with the recorded subdivision plat. The applicant indicates that there
27 will be no full time employees at this site however, the well house will be visited
28 periodically, perhaps once each day for operation and maintenance purposes. Traffic to
29 the site will be light and limited primarily to service vehicles. Every few years a small
30 crane or drilling rig may be required to perform maintenance on the well pump. The well
31 house will be constructed with noise attenuation features for the noise from the pump
32 motor. The water from the well will be treated using chemical chlorination injection at
33 the site.

34 Mr. Snyder stated there will be no process water that will be discharged into the
35 city’s sewer system and any water use associated with the site, such as irrigation, will be
36 provided from the District’s water supply. He explained that City Code indicates that site
37 plans for installation of public utility facilities (water wells, pump stations, and other
38 similar uses), are subject to Planning Commission approval as a conditional permitted
39 use. The purpose of the LI zoning district is to provide areas in appropriate locations
40 where light manufacturing, industrial processes and warehousing not producing
41 objectionable effects may be established, maintained, and protected. The regulations of
42 this district are designed to protect environmental quality of the district and adjacent
43 areas. The following uses are permitted in the LI zone: Culinary Water Treatment Plants
44 – Purification, Water Storage, and Water Pressure Control Stations. He noted the City
45 Engineer and the applicant are working through technical issues related to the proposal
46 and city staff will ensure all issues are resolved before final engineering approval is
47 granted. Mr. Snyder stated third party notices were mailed on April, 2016, to the
48 adjoining property owners and staff has received no public comment to date. Mr. Snyder

2 then referenced the table showing the property information (LCC Light Industrial 17.49).
He noted the minimum lot frontage requirements and added that the provided easement
4 documents are recorded ensuring perpetual access to the lot (*access is from the west via a
recorded easement*) and all other standards of the underlying zone may be imposed,
6 subject to review and consideration by the Commission of whether or not the standard or
condition is necessary in order to protect the public health, safety, welfare, and aesthetics
8 of the area, or is otherwise in the public interest.

Mr. Snyder explained the property has no public street frontage. Therefore, the
10 site is not required to install the landscaped strip twenty (20) feet in width. The site has
less than 10 parking stalls and therefore, no interior parking landscaping is required. The
12 on-site landscaping areas are landscaped with evergreen trees, shrubs, boulders, rock
mulch and cobble stone rock which complies with all applicable codes. He noted the
14 proposal also includes a chain link security fence and no other fencing is required as the
site is not adjacent to a residential use or zone. The structure exterior walls will be
16 constructed of entirely brick (or a decorative block) and these materials comply with the
materials standards and are of earth-tone colors. Mr. Snyder then referenced for review
18 the front elevation plan, a similar nearby existing facility, and the landscape and site
plans followed by some additional discussion. He then turned the time over to Mr.
20 Lindsey for comment.

Mr. Lindsey explained CUWCD is a regional water supplier and this particular
22 system is culinary water. Mr. Lindsey also mentioned the spur/track on Geneva Road
noting it is his understanding that the Anderson/Geneva is relocating the spur/track as it
24 comes under the viaduct so the radius property line shown on the site plan is to
accommodate the realignment of the railroad. He noted the building will be similar to the
26 facility located on 800 North and Geneva Road.

Chairperson Call stated this appears to meet all code requirements and she doesn't
28 see any reason not to approve this conditional use permit.

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

32 COMMISSIONER WILY MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR A CONDITIONAL USE PERMIT FOR A PUMP HOUSE (SITE
34 PLAN) TO BE LOCATED AT 486 S. GENEVA ROAD IN THE LIGHT INDUSTRIAL
(LI) ZONE WITH NO CONDITIONS. COMMISSIONER KALLAS SECONDED THE
36 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
38 COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
40 COMMISSIONER WILY	AYE
COMMISSIONER MCDONALD	AYE
42 COMMISSIONER KELLER	AYE

THE MOTION CARRIED UNANIMOUSLY.

44
46 **10. Site Plan — Lindon Reception Center.** Luis Sanchez, MSE Investment Corp.
requests site plan approval for a reception center to be located at 283 North 290
West in the General Commercial (CG) zone.
48

2 Mr. Snyder opened this discussion by explaining the applicant, Mr. Luis Sanchez
(who is in attendance), along with his architect, Mark Martin, is requesting approval of a
4 site plan for a reception center to be located at 283 North 290 West in the General
Commercial (CG) zone (vacant parcel) just over one acre. He noted that Mr. Sanchez is
6 proposing to construct a reception center facility which is a permitted use in that zone.
He noted that site plan review is required for all new development within a non-
8 residential zone per Lindon City code Section 17.17.110. Mr. Snyder stated that the
planning staff, the city engineer are working through technical issues related to the site
10 with Mr. Sanchez and staff will ensure all issues are resolved before final engineering
approval is granted. He stated that third party notices were provided on April 29, 2016, to
12 the adjoining property owners and staff has met with two residents near the proposal to
discuss and review the plans. He noted the residents indicated they were pleased with the
14 architecture and they feel the building and use will fit in nicely with the surrounding
homes.

16 Mr. Snyder then referenced the table showing the property information. He
explained the CG Zone requires that a landscaped strip twenty (20) feet in width shall be
18 planted with grass along all public street frontages. The site shall be a minimum of 20%
in landscaping and the landscaping plan and the interior landscaping plan complies with
20 these and all other landscaping requirements. He explained that Lindon City code
requires that architectural character, street scape, site design and other amenities in the
22 CG zone shall be consistent with the Lindon City Commercial Design Guidelines. All
sides of the buildings shall receive design consideration consistent with the Commercial
24 Design Guidelines of which the proposed building colors are earth tones. The building
exterior is to be stone with trim and accents in stucco and aluminum so this proposal
26 complies with the Commercial Design Guidelines. He then referenced the site plan,
landscape plan and elevations followed by some general discussion. He then turned time
28 over to the applicant for comment.

30 Mr. Mark Martin, project architect, addressed the Commission at this time. He
noted that there will be a back patio with a Gazebo but the primary uses will be indoor.
He noted they realize there are several other reception centers located in Lindon but feels
32 their facility will be a great addition to the city. He noted there will be street lights and
interior parking lights on the site. Mr. Martin stated there is currently an 8 ft. concrete
34 wall there and they will be adding a precast 6 ft. wall around the rest of the perimeter.
Mr. Martin stated they met with the City Engineer who indicated that he felt this did not
36 warrant a traffic study.

38 Chairperson Call stated this is not a public hearing but opened the meeting to
public comment at this time. There were several residents in attendance who addressed
the Commission as follows:

40 **Doug Christensen:** Mr. Christensen, neighbor adjacent to this proposed project,
42 expressed his concerns with potential traffic issues that may be associated with this
proposed facility. He feels there is no plan by the city to address these traffic issues and
44 by putting something like this in the area will enhance the problems that are already there
from traffic trying to turn on to State Street etc.

46 **Sandra Christensen:** Ms. Christensen stated there are already parking issues with the
48 Bella Vista Reception center with people parking on the street and other issues. She noted

2 would require a new ordinance. He noted that no motion is necessary as this item is for
4 discussion only. Mr. Van Wagenen then presented for discussion an aerial photo, sketch
of possible layouts and a letter submitted by Mr. Walker. He then turned the time over to
Mr. Walker for comment.

6 Mr. Walker addressed the Commission at this time. He explained he is asking for
support of a proposed housing development on his property located at 70 North 400 East
8 in Lindon. He and his wife are nearing retirement and they have found their current
home is much too large now. They own a 3 acre parcel of land that has been in their
10 family for over 60 years, the land means a lot to them and they would like to remain on
their land and in Lindon. Mr. Walker stated they are interested in making a 55 and older
12 community that would have 17 individual cottages designed specifically for this age
group.

14 Mr. Walker noted he feels this would not only help himself and his wife to adjust
to the next stage of their lives but it would provide 16 other small homes to others older
16 citizens who want to remain in Lindon. He feels this is something that Lindon needs that
having this option would benefit other Lindon residents who want to remain here but in a
18 smaller more manageable home without so much ground to take care of. He is looking to
help provide the community with a solution to this growing need and to enable those of
20 this age group to stay in Lindon. He noted he would be selling the units and then have
common ground with a HOA.

22 Mr. Van Wagenen stated with something like this proposed project they would
have to re-write an ordinance to accommodate this type of vision. There was then some
24 general discussion regarding the conceptual building layouts and proposed site and
possible scenarios including a spot zone, overlay options, and re-writing the code to
26 accommodate future in-fill concepts to bring some blends within the city. Following
discussion Chairperson Call expressed that it appears that the majority of the
28 Commissioners would be opened minded to this type of concept. She noted the next step
would be to go before the City Council for their feedback and consideration.

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

32
34 13. **New Business: Reports by Commissioners** – Chairperson Call called for any
new business or reports from the Commission. There were no reports from the
Commission.

36
38 14. **Planning Director Report**–

Mr. Van Wagenen reported on the following items followed by discussion:

- 40 • Williamson Farms update.

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

44
46 **ADJOURN** –

2 COMMISSIONER MCDONALD MADE A MOTION TO ADJOURN THE
MEETING AT 10:30 P.M. COMMISSIONER KALLAS SECONDED THE MOTION.
4 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

6 Approved – May 24, 2016

8

10

Sharon Call, Chairperson

12

14

Hugh Van Wagenen, Planning Director

Item 3: Public Comment

1 - Subject _____
Discussion

2 - Subject _____
Discussion

3 - Subject _____
Discussion

Item 4: Hillside Exemption — HSB Ten LLC 608 North 800 East

<p>Applicant: Brandon Jones, HSB Ten LLC Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: Low Density Residential Current Zone: Residential Single Family 12,000 s.f. lots (R1-12)</p> <p>Property Owners: HSB Ten LLC Address: 608 North 800 East Parcel IDs: 46:566:0007 Site Acreage: 0.62 acres</p> <p>Type of Decision: Administrative Council Action Required: No</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <ol style="list-style-type: none">1. Whether to approve a Hillside Exemption request to increase the original primary building area as shown on Meadows at Bald Mountain Plat A Lot 7 by 10 feet on each side and 10 feet to the east. <p><u>MOTION</u></p> <p>I move to (<i>approve, deny, continue</i>) the applicant's request for approval of a Hillside Exemption on Lot 7, Meadows at Bald Mountain Plat A with the following conditions (if any):</p> <ol style="list-style-type: none">1.
--	---

BACKGROUND

Any lot subject to the Hillside Ordinance has restricted primary building areas as indicated on the subdivision plat. Recently, the City adopted an ordinance that allows for exemptions from all or part of the Hillside Ordinance, subject to a Geotechnical Report that speaks to the specific request. This is the first application under which an exemption has been applied for.

DISCUSSION & ANALYSIS

The applicant is requesting to increase the primary building envelope by 10 feet on both side lot lines and by 10 feet on the rear lot line. The primary building site is determined at the time of subdivision and has to meet the following requirements:

Section 17.57.060

Building site requirements.

- 1. Each lot or parcel of land shall contain a primary building site appropriate to accommodate the primary residential structure, which building site shall be outlined on the subdivision plat. The primary building site shall include a buildable area of sufficient size to allow not less than two thousand five hundred (2,500) square feet of footprint for the residential structure, after allowing for all required setbacks, and other requirements.*
- 2. Grading of the lot or parcel which is related to creation of the primary building site or construction of the structure shall not extend closer than twenty (20) feet from the lot or parcel boundary lines, nor more than thirty (30) feet, horizontally, in front, to the rear or to the side of the proposed structure unless a greater distance is approved by the planning commission upon a showing by the developer that a greater distance will not be contrary to the purpose of this chapter.*
- 3. The primary building site shall have a natural or manmade slope of twenty (20) percent or less.*

LCC 17.57.030 allows exemptions to these standards to be granted if:

3. Request for exemption or relief. An applicant may submit a request to exempt a lot or parcel that would otherwise be subject to this Chapter under subsection 2 above or seek relief, in whole or in part, from specific provisions of this Chapter as follows.

a. The applicant provides a statement containing the proposal and an explanation of the conditions unique to the lot or parcel which provide sufficient cause for the City to grant exemption or relief.

b. If seeking relief from specific provisions of this Chapter, the applicant identifies the specific provisions from which he or she is seeking relief, and the degree to which he or she is seeking relief for each.

c. The applicant provides a site plan showing the following:

i. Proposed improvements to the lot or parcel in sufficient detail to evaluate the proposal;

ii. Pre-development contours with areas of 30% and 40% slope shown; and

iii. Existing contours, if they differ from pre-development contours.

d. The applicant provides a report prepared by a geotechnical engineer licensed in the State of Utah containing the following:

i. The same site plan that was submitted by the applicant;

ii. A detailed analysis and discussion of the possible impacts of the applicant's proposal on slope stability, erosion, drainage, and other relevant engineering considerations (during construction, short term, and long term). If the applicant is seeking relief from specific provisions of this Chapter, the analysis and discussion shall address each point on which the applicant is seeking relief;

iii. Specific measures recommended by the geotechnical engineer to mitigate the impacts of the proposal; and

iv. The geotechnical engineer's opinion as to the effects of the applicant's proposal on the health, safety, and welfare of the general public and nearby residents, and on safety of property and improvements in the area.

4. Granting exemption or relief. The Planning Commission may grant the requested exemption or relief if:

a. The City Engineer reviews the geotechnical engineer's report and takes no exception to it; and

b. The Planning Commission finds that granting the requested exemption(s) or relief will not be injurious to the health, safety, and welfare of the general public or nearby residents, will not create an undue hazard to property and improvements, and will be consistent with the purposes of this Chapter identified in Section 17.57.010 above.

The applicant has provided all the relevant documentation to support his request. The City Engineer has taken no exception to the geotechnical report provided. Planning Commission approval is required to formally grant the exemption requested. If approved, a document will be recorded on the lot at Utah County stating the approved exemption. Staff recommends approval of the request.

ATTACHMENTS

1. Applicant's Letter of Petition
2. Meadows at Bald Mountain Plat A Lot 7 with primary building area

3. **HSB Ten Concept Site Plan**
4. **Finished Grades**
5. **Slope Analysis**

Lindon City Planning Department

I am writing in regards to lot 7 at the Meadows at Bald Mountain, that has an address of 608 North 800 East, Lindon Utah.

Currently this lot falls under the Hillside Protection Zone, I am writing today requesting exemption from the Hillside Protection Zone as per section 17.57.030 subsection 3 of the Lindon City Code

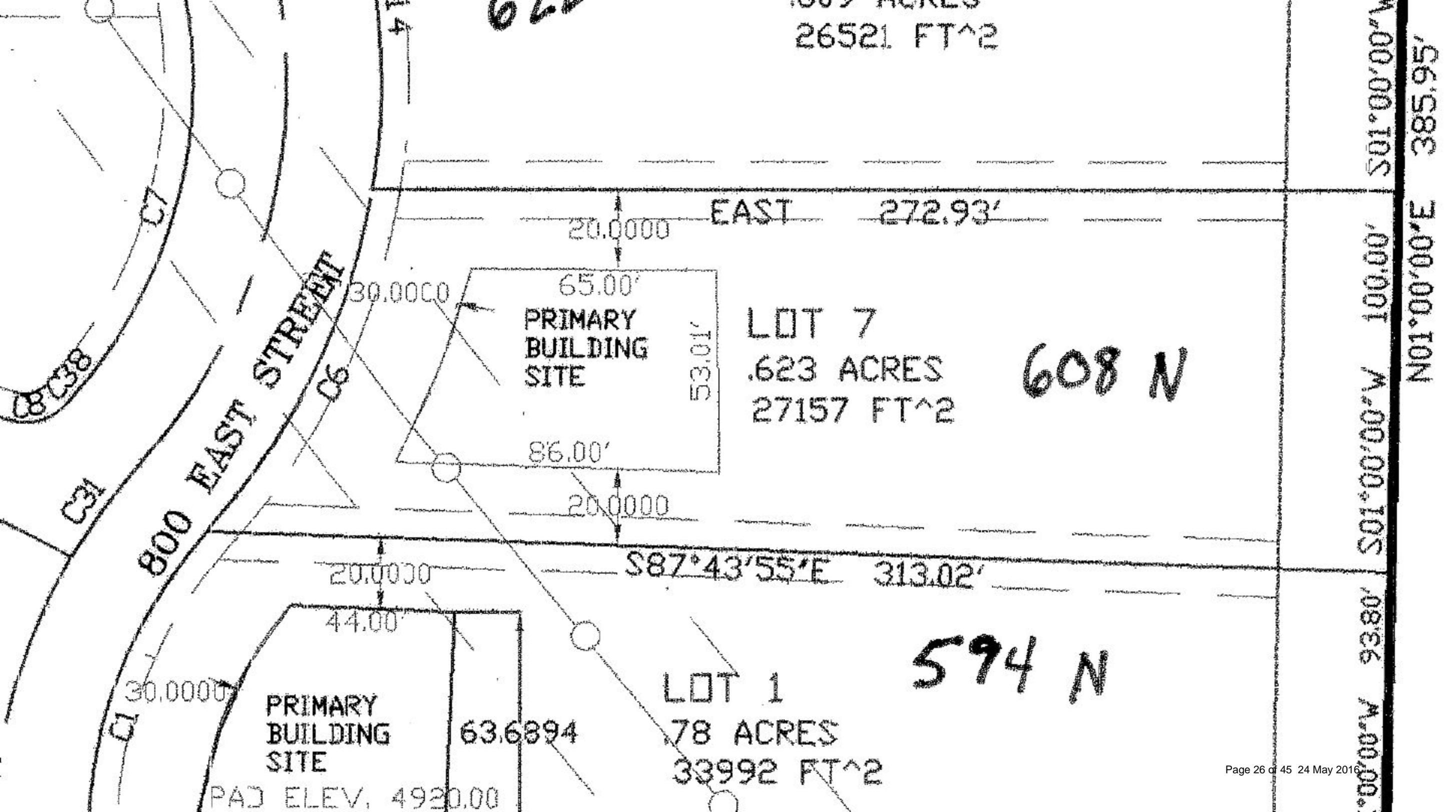
Because of the Hillside Protection Zone there has been a building envelope created on this parcel, this building envelope gives a standard front yard setback of 30 feet, but has doubled the requirements for the side yard setbacks from the standard 10 feet on each side to 20 feet on each side. This lot also has power poles situated in the front of the property and a right of way that runs with it.

I am petitioning the City to have the side yard setbacks reduced to the standard 10 foot setback requirements, and have the envelope extended 10 feet towards the East side of the property so that I can construct a single family residence without impeding on the Rocky Mountain Power right of way.

I have provided a site plan that shows the proposed changes to the building envelope as well as a study conducted by Earthtec Engineering.

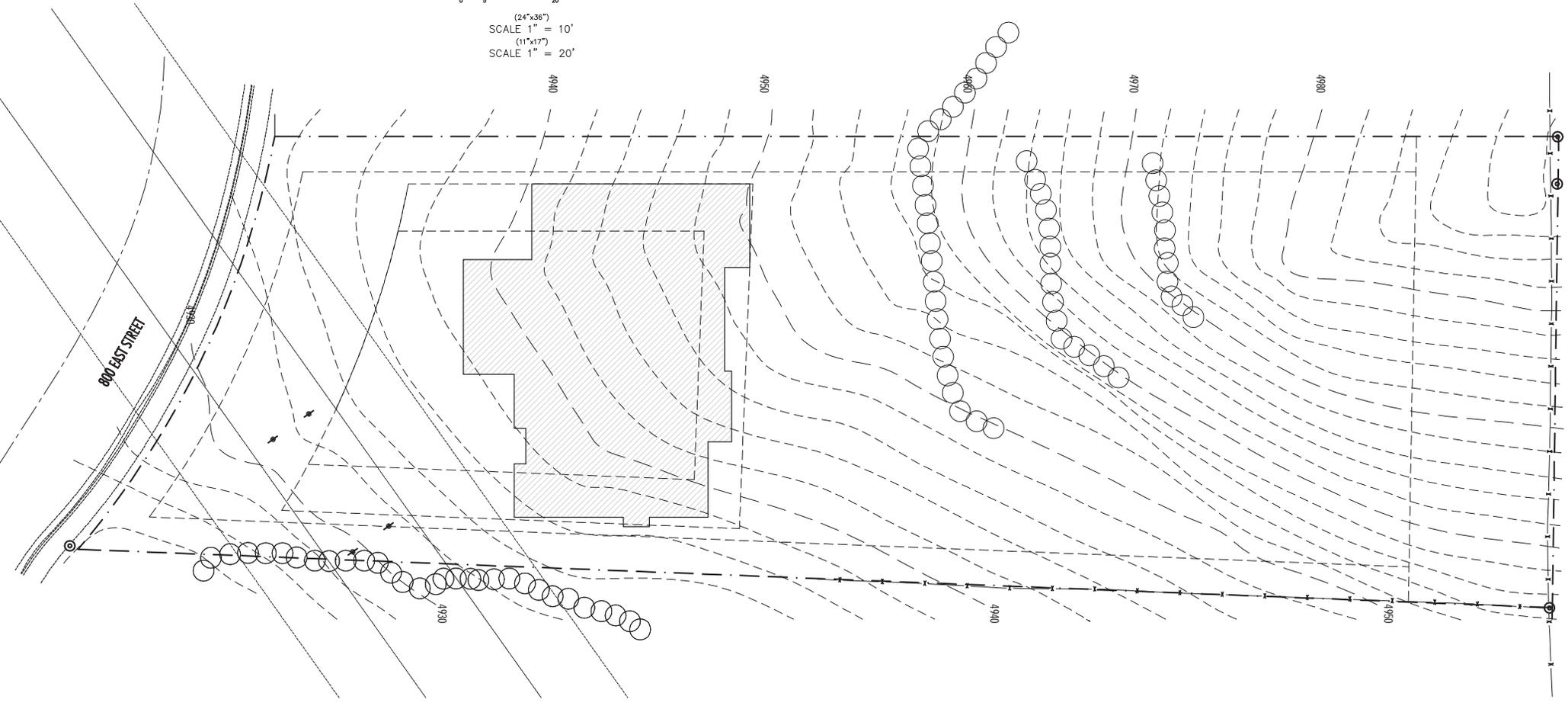
Thank you in advance for your consideration

Brandon Jones
83 N. 380 W.
Orem, Utah 84057
801-787-4202
bjones_42@hotmail.com



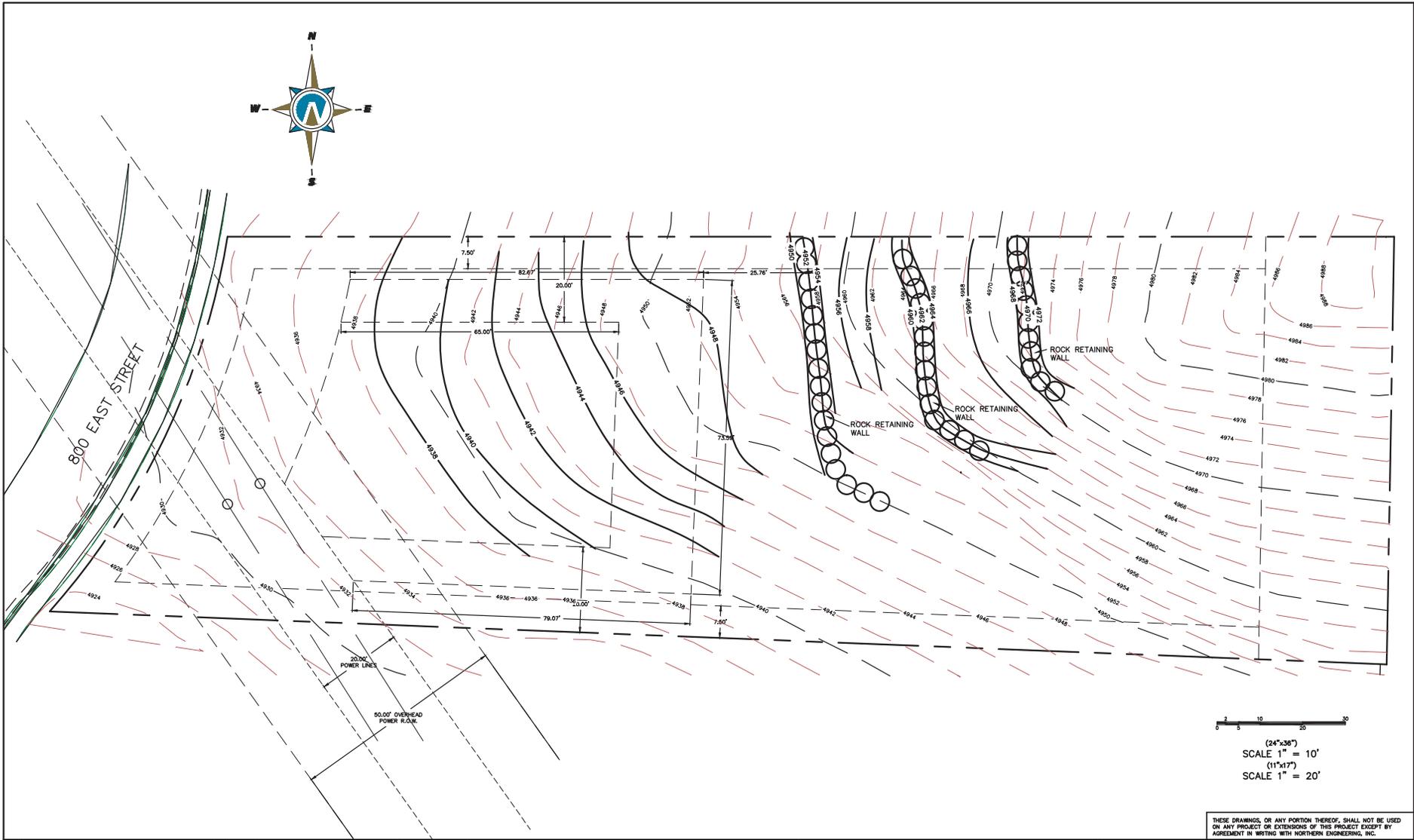


(24"x36")
SCALE 1" = 10'
(11"x17")
SCALE 1" = 20'



HSB TEN LLC - LINDON BUILDING LOT

SCALE: 1" = 20'



(24"x36")
 SCALE 1" = 10'
 (11"x17")
 SCALE 1" = 20'

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSION OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

5	DESIGNED BY:	DATE:
4	DRAWN BY:	DATE:
3	CHECKED BY:	DATE:
2	APPROVED:	DATE:
1	LODD FILE:	DATE:
NO.	REVISIONS	BY DATE REV. 0000 FILE



Northern
 ENGINEERING INC
 ENGINEERING-LAND PLANNING
 CONSTRUCTION MANAGEMENT

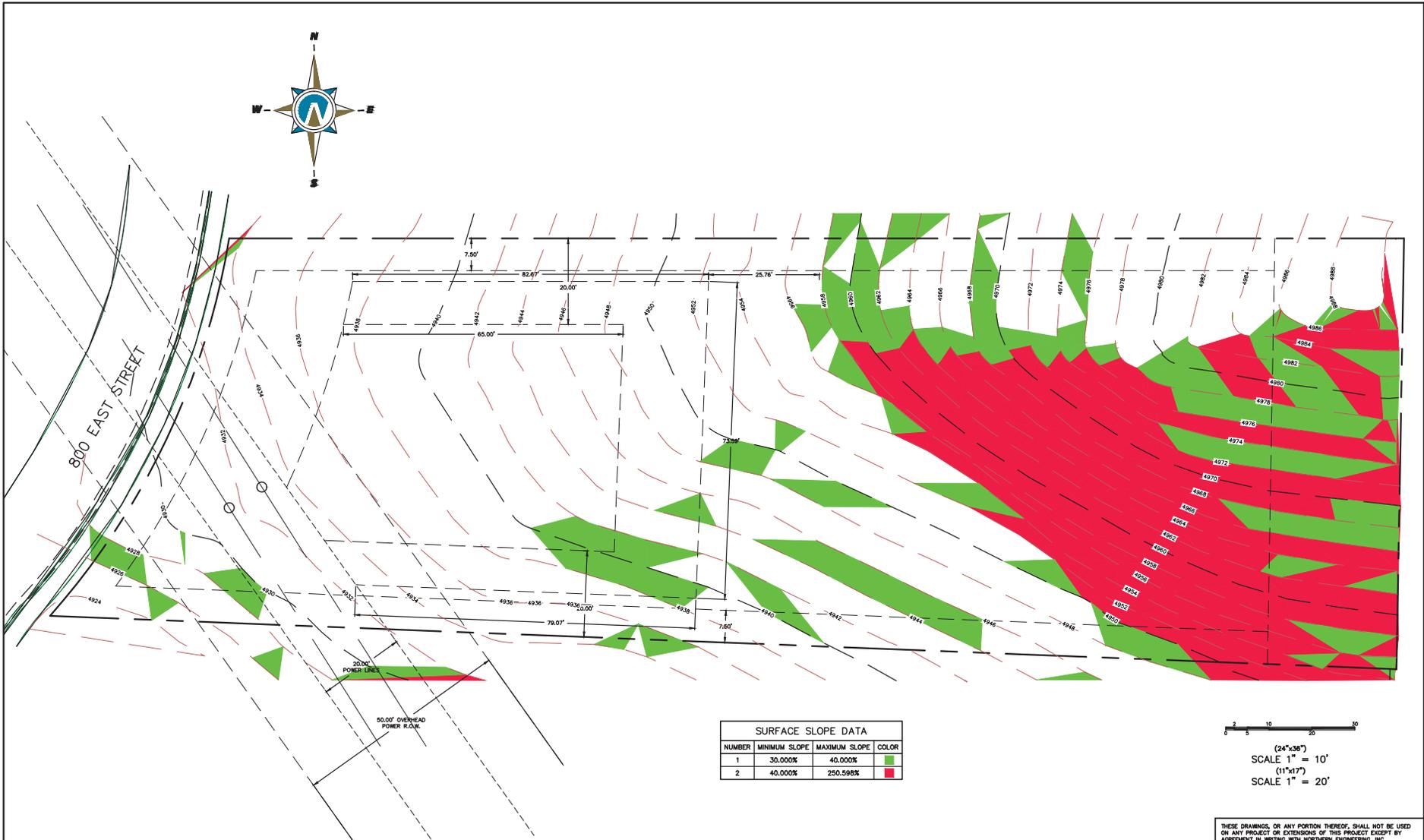
1040 E. 800 N.
 OREM, UTAH 84097
 (801) 802-8992

MEADOWS @ BALD MOUNTAIN

LOT 7 (608 NORTH)
 FINISHED GRADES
 LINDON, UTAH

JOB NO.
 11-068
 SHEET NO.
 2

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1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

MEADOWS @ BALD MOUNTAIN

LOT 7 (608 NORTH)
PRE DEVELOPMENT SLOPE ANALYSIS
LINDON, UTAH

JOB NO.
11-068
SHEET NO.
1

Item 5: Major Subdivision — Lakeview Townhomes 531 South 400 West

<p>Applicant: Chris Knapp, Ridgeway Construction Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: General Commercial Current Zone: Planned Residential Development Overlay (PRD)</p> <p>Property Owners: Ridgeway Construction Address: 531 South 400 West Parcel IDs: 17:016:0144; 17:016:0143 Subdivision Acreage: 0.55 acres</p> <p>Type of Decision: Administrative Council Action Required: Yes</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <p>1. Whether to recommend approval of a five unit townhome plat in the PRD zone.</p> <p><u>MOTION</u></p> <p>I move to recommend (<i>approval, denial, continuance</i>) of the applicant's request for approval of a five unit townhome plat to be known as Lakeview Townhomes Plat A with the following conditions (if any):</p> <p>1.</p>
---	--

BACKGROUND

This is a request for a five unit townhome project. In the not too distant past, a new Planned Residential Development ordinance (Lindon City Code 17.76) was created that could govern property within commercial zones that do not accommodate traditional development patterns. The ordinance and accompanying zoning allow for multi-family projects with very specific parameters. This application is the first under which the new ordinance is being applied. The following agenda item is the site plan associated with the project; additional requirements will be reviewed with the site plan.

DISCUSSION & ANALYSIS

<i>Requirement</i>	<i>Project</i>	<i>Meet Requirement?</i>
Density: 10 units/acre	5 units on ½ acre	Yes
Minimum Area: 20,000 s.f.	20,000 s.f.	Yes
Maximum Area: 43,560 s.f.	20,000 s.f.	Yes
Unit Footprint: no requirement	1,4145 s.f.	Yes

Easement

- There is an access easement on the north end of the property that will provide access to Maeser Academy. The property owners agreed on the easement and the plat and site plan reflect it accordingly.

Street Frontage

- This subdivision already has improved street frontage, but will be making driveway cuts for the associated driveways.

Other Requirements

- The City Engineer is addressing engineering standards. All engineering issues will be resolved before final approval is granted.

ATTACHMENTS

1. Aerial photo of the proposed subdivision.
2. Preliminary plan.

Attachment 1



LAKEVIEW TOWNHOMES PLAT A

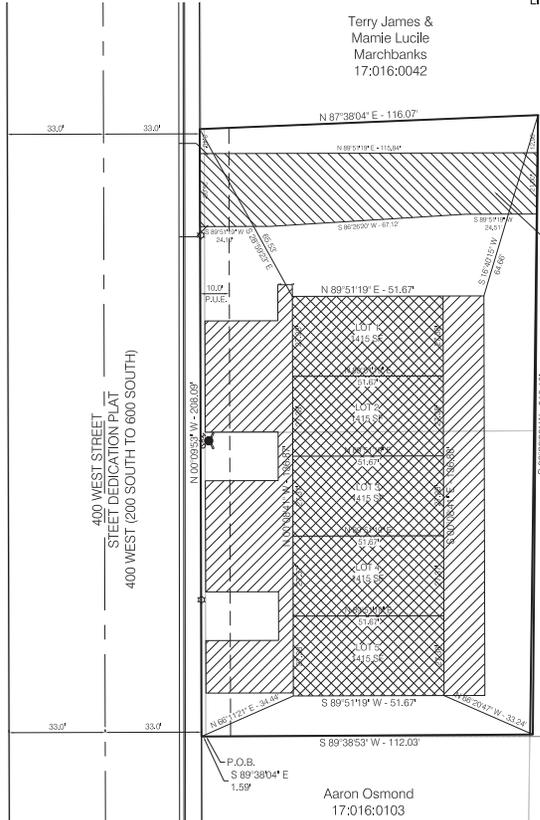
A PRD OVERLAY PROJECT
NE1/4, SEC. 4, T6S, R2E, SLB&M
LINDON CITY, UTAH COUNTY, UTAH

Terry James &
Mamie Lucile
Marchbanks
17:016:0042

David Wayne Rust
35:202:0010



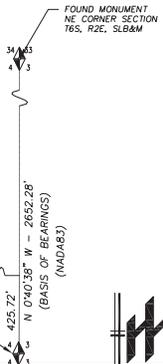
VICINITY MAP
NTS



Kairi G. Maeser
Preparatory Academy
461-903-0001

Aaron Ormond
17:016:0103

FOUND MONUMENT
E 1/4 CORNER SECTION 4
T6S, R2E, SLB&M



LEGEND

- 33 34 EXISTING SECTION MONUMENT (FOUND) (AS DESCRIBED)
- 4 3
- BOUNDARY LINE
- STREET CENTERLINE
- PUBLIC UTILITY EASEMENTS
- PRIVATE AREA
- LIMITED COMMON AREA
- COMMON AREA
- ACCESS EASEMENT FOR MAESER ACADEMY
- PROPERTY CORNER
- EXISTING FIRE HYDRANT
- PROPOSED STREET LIGHT
- EXISTING STREET LIGHT

H&H
ENGINEERING & SURVEYING, INC.

42 NORTH 200 EAST, SUITE 1
AMERICAN FORK, UTAH 84003
TEL: (801) 756-4488
FAX: (801) 756-4499

SURVEYOR'S CERTIFICATE

I, Victor E. Hansen, do hereby certify that I am a Registered Land Surveyor, and that I had Certificate Number 176905 in accordance with Utah Code, Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I further certify that at the request of the owner of the below-described land, I performed a survey of said land in accordance with Section 17-20-17 of the Utah Code; that the boundary description below correctly describes the land surface upon which will be constructed the Lakeview Townhomes Plat A, that I have verified all measurements and that the reference markers shown on said plat are located as shown and are sufficient to readily retrace or reestablish this survey.

Victor E. Hansen, PLS - 176905

Date

BOUNDARY DESCRIPTION - LAKEVIEW TOWNHOMES

A PARCEL OF LAND LOCATED IN SECTION 4, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, LOCATED IN LINDON CITY, UTAH COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a point N00°40'55"W 455.72 feet along the Section line and West 3641.54 feet from the East Quarter Corner of Section 4, Township 6 South, Range 2 East, Salt Lake Base and Meridian, and running thence S89°38'51"W 1.59 feet to the east line of 400 West Street Dedication Plat; thence N00°70'55"W 206.29 feet along street centerline; thence N87°39'04"E 116.07 feet to the Northwest Corner of Lot 1, Plat M, Maeser Academy Subdivision thence S00°29'50"W 212.19 feet along a boundary line agreement between Maeser Academy Subdivision and RidgeWay Construction Inc.; thence South 89°38'51"W 112.03 feet to the point of beginning.

Containing 0.5515 acres, more or less.

OWNER'S CERTIFICATE AND DEDICATION

The undersigned owner of the above described land hereby certifies that owner has caused a survey to be made of said land and have caused this plat and Declaration of Covenants Conditions and Restrictions (Declaration) to be prepared for the Lakeview Townhomes Plat A. Owner hereby consents to the concurrent recordation of the Plat and Declaration and hereby submits the described land to the provisions and requirements of the Declaration. Including the creation of the Association. The Association, owner hereby dedicates any public streets reflected on the map for the use by the general public and dedicates all other driveways or private streets reflected on the map to be private and intended for use only by members of the Association, their guests and invitees, as reflected in the provisions of the Declaration.

In witness hereof we have hereunto set our hands, this _____ day of _____, A.D. 20__

BY: _____

UTILITY DEDICATION

The undersigned owner hereby offers and conveys to Lindon City and all public utility agencies, their successors and assigns, a permanent easement and right of way in and to those areas reflected on the map as "common areas", private streets and private driveways for the construction, operation, replacement, and maintenance of Lindon City and approved public utilities and appurtenances, together with the right of access therefor.

NOTICE OF DECLARATION OF COVENANTS

This project, with its lots, dwellings, and common areas are subject to certain covenants, conditions and restrictions as contained in the Declaration of Covenants Conditions and Restrictions for the Lakeview Townhomes Plat A, which are recorded in the offices of the Utah County Recorder. said covenants, conditions and restrictions are intended to run with the land and to be binding upon all heirs, successors or assigns of the declarant in accordance with the recorded declaration.

CONVEYANCE OF COMMON AREAS

The undersigned owner in recording this plat, has designated certain areas of the land as private driveways, streets, limited common areas and other common areas as intended for the use by members of the Association, their guests and invitees. Such areas are to be conveyed to the appropriate parties, including the conveyance of common areas to the Association, by deed, to be recorded in the Utah County Recorder's Office, for the use and enjoyment by the owners of lots or dwellings in the Lakeview Townhomes Plat A project as more fully described in the Declaration of Covenants Conditions and Restrictions applicable to this project and recorded with this plat.

Date: _____

BY: _____

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF UTAH } S.S.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20__ BY _____ WHO REPRESENTED THAT HE IS THE OWNER OF THE ABOVE-DESCRIBED PROPERTY AND HAS THE AUTHORITY TO EXECUTE THIS INSTRUMENT.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

OCCUPANCY RESTRICTION NOTICE

The City of Lindon has an ordinance which requires the occupancy of buildings within this subdivision, according to its ordinance, to occupy any building located within this subdivision without first having obtained a certificate of occupancy issued by the City.

LAKEVIEW TOWNHOMES PLAT A

A PRD OVERLAY PROJECT
NE1/4, SEC. 4, T6S, R2E, SLB&M
LINDON CITY, UTAH COUNTY, UTAH

ROCKY MOUNTAIN POWER

1. Pursuant to Utah Code Ann. 54-3-227 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described therein.
2. Pursuant to Utah Code Ann. 17-27-2003(4)(c)(ii) Rocky Mountain Power accepts delivery of the PUE as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the public utility easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to allow this development. This approval does not affect any right that Rocky Mountain Power has under:
(1) a recorded easement or right-of-way,
(2) the law applicable to prescriptive rights,
(3) Title 54, Chapter 8a, Damage to Underground Utility Facilities or
(4) any other provision of law.

Rocky Mountain Power Date _____

QUESTAR GAS COMPANY

Questar approves this plat solely for the purpose of confirming that the plat contains public utility easements. Questar may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set forth in the owners declaration and the rules and does not constitute a guarantee of particular terms of natural gas service. For future information please contact Questar's Right-Of-Way Department at 1-800-366-6532.

Approved this ___ day of _____, 20__

Questar Gas Company

BY: _____

TITLE: _____

Comcast Cable
Approved this ___ Day of _____, 20__

By: _____ Title: _____

Century Link
Approved this ___ Day of _____, 20__

By: _____ Title: _____

Utopia
Approved this ___ Day of _____, 20__

By: _____ Title: _____

ACCEPTANCE BY THE CITY OF LINDON

APPROVED THIS ___ DAY OF _____, A.D. 20__ LINDON CITY APPROVES THE SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC. THE CITY RECOGNIZES THAT THE PLAT CLARIFIES OWNERSHIP OF PROPERTY WITH THE DEDICATION SHOWN HERON THIS ___ DAY OF _____, A.D. 20__

APPROVED: _____ APPROVED: _____

MAYOR/PLANNING COMMISSION CHAIR CITY ENGINEER

APPROVED: _____ ATTEST: _____

PLANNING DIRECTOR CITY RECORDER

APPROVED: _____

CITY ATTORNEY

CONDITIONS OF APPROVAL

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CITY RECORDER SEAL
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Item 6: Site Plan — Lakeview Townhomes PRD 531 South 400 West

<p>Applicant: Chris Knapp, Ridgeway Construction Presenting Staff: Hugh Van Wagenen</p> <p>General Plan: General Commercial Current Zone: Planned Residential Development Overlay (PRD)</p> <p>Property Owners: Ridgeway Construction Address: 531 South 400 West Parcel IDs: 17:016:0144; 17:016:0143 Site Acreage: 0.55 acres</p> <p>Type of Decision: Administrative Council Action Required: No</p>	<p><u>SUMMARY OF KEY ISSUES</u></p> <p>1. Whether to approve of a five unit townhome PRD project in the PRD zone.</p> <p><u>MOTION</u></p> <p>I move to (<i>approve, deny, continue</i>) the applicant's request for approval of a five unit townhome PRD project to be known as Lakeview Townhomes with the following conditions (if any):</p> <p>1.</p>
---	---

BACKGROUND

This is a request for a five unit townhome project. In the not too distant past, a new Planned Residential Development ordinance (Lindon City Code 17.76) was created that could govern property within commercial zones that do not accommodate traditional development patterns. The ordinance and accompanying zoning allow for multi-family projects with very specific parameters. This application is the first under which the new ordinance is being applied. The previous agenda item is the subdivision plat associated with the project.

DISCUSSION & ANALYSIS

<i>Requirement</i>	<i>Project</i>	<i>Meet Requirement?</i>
Density: 10 units/acre	5 units on ½ acre	Yes
Minimum Area: 20,000 s.f.	20,000 s.f.	Yes
Maximum Area: 43,560 s.f.	20,000 s.f.	Yes
Unit Footprint: no requirement	1,4145 s.f.	Yes
Height Max: 35 feet	~30 feet	Yes
Setbacks <ul style="list-style-type: none"> • Front 30 feet • Side 10 feet • Rear 30 feet 	<ul style="list-style-type: none"> • Front 30 feet • Side 13/60 feet • Rear 30 feet 	Yes Yes Yes
Fencing required at discretion of Planning Commission	Three retaining walls on the rear of the property, one of which is 6 feet high concrete wall	TBD
Landscaping 40% of site	41.2%, 9,766 s.f.	Yes
Parking 2 per unit + ½ guest per unit	2 garage spaces per unit + 6 guest spaces	Yes

Exterior Materials

- The project must conform to Lindon City Commercial Design Guidelines. **The Commission will want to ask and verify materials and colors being proposed for the project.**

Easement

- There is an access easement on the north end of the property that will provide access to Maeser Academy. The property owners agreed on the easement and the plat and site plan reflect it accordingly.

Street Frontage

- This site already has improved street frontage, but will be making driveway cuts for the associated driveways. A street light will be installed on 400 West near the parking lot entrance.

Other Requirements

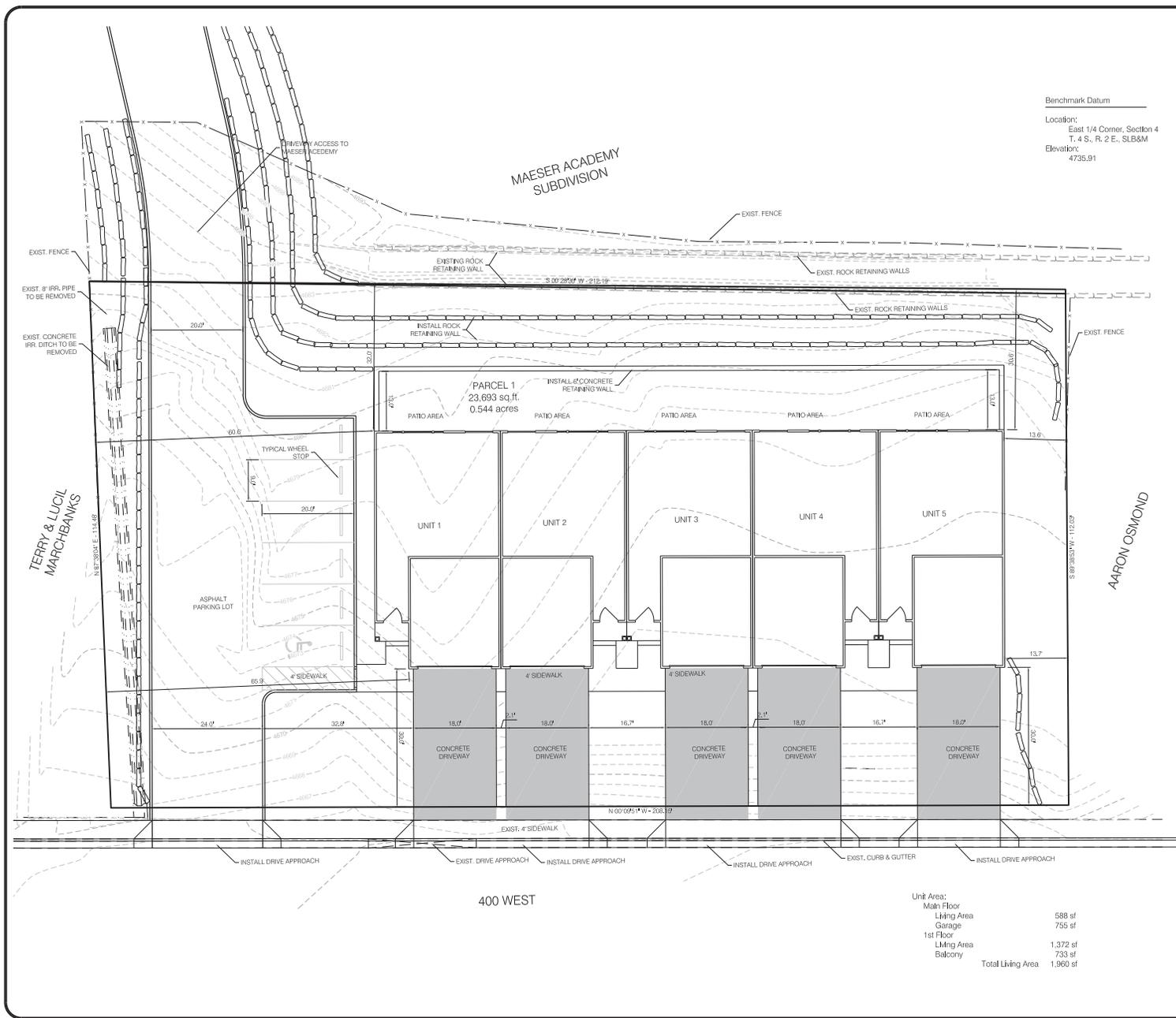
- The City Engineer is addressing engineering standards. All engineering issues will be resolved before final approval is granted.

ATTACHMENTS

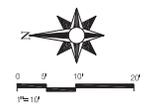
1. Aerial photo of the proposed subdivision
2. Site Plan
3. Landscaping and Lighting Plan
4. Elevations

Attachment 1





Benchmark Datum
 Location: East 1/4 Corner, Section 4
 T. 4 S., R. 2 E., SLB&M
 Elevation: 4735.91



Development Summary

Current Zoning: CG Overlay Zone

Development:
 Total Developed Area: 23,693 sq.ft.
 0.54 acres
 Total Number of Units: 5 units
 Density: 9.19 units/acre

Parking:
 Required Parking: 2 per Unit: 10 Stalls
 1/2 per Unit: 3 Stalls
 Required Parking Spaces: 13 Spaces
 Provided Parking:
 ADA Spaces: 1 Stall
 Open Spaces: 5 Stalls
 Garage Spaces: 10 Spaces
 Total Parking Spaces: 16 Spaces

Typical Building Construction:
 Type of Dwelling: Multi-Family Residential
 Type of Construction: Type 5, Non-Sprinkled
 Occupancy Classification: R2

Land Usage:
 Total Area: 23,693 sq.ft., 100%
 Building Area: 7,150 sq.ft., 30.2%
 Hardscape: 6,777 sq.ft., 28.6%
 Landscape: 9,766 sq. ft., 41.2%

- General Notes:
- The applicant is responsible for compliance with all requirements of the "Americans with Disabilities Act" (ADA).
 - All landscaped areas shall have an automatic, underground sprinkling system with a backflow prevention device and a backflow prevention device to the building, unless landscaping is served by the secondary water system.
 - Water meters are to be located behind back of walk or back of curb in an area that is accessible, not located behind fenced areas or under covered parking.
 - London Standard Specifications and Drawings apply to construction of public improvements that will be owned or maintained by London City and take precedence over other standards.
 - Each unit shall be serviced with individual residential type trash receptacles.
 - All construction shall be in accordance with London City Standards and Specifications, including, but not limited to, drive approaches, driveways, sidewalks, curbs, pavement, etc.

LEGEND

---	Section Line
---	Boundary Line
---	Lot Line
---	Center Line
---	Right-of-Way Line
---	Easement Line
---	Set Back Line
---	Existing Fence Line
---	Existing Major Contour Line
---	Existing Minor Contour Line

Unit Area:

Main Floor	588 sf
Living Area	755 sf
Garage	
1st Floor	
Living Area	1,372 sf
Balcony	733 sf
Total Living Area	1,960 sf

PROJECT NO.	15-456-01
DATE	Jul 10, 2015
HOR SCALE	As Noted
VER SCALE	As Noted
ENGINEER	VH
DRAFTED	ES
CHECKED	VH

LAKEVIEW TOWNHOMES
 531 SOUTH 400 WEST
 LONDON, UTAH

H&H
 ENGINEERING &
 SURVEYING, INC.

44 NORTH 900 EAST, SUITE 1
 AMERICAN FORK, UTAH 84303
 TEL: (409) 756-2424
 FAX: (409) 756-6499

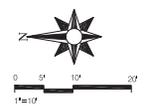
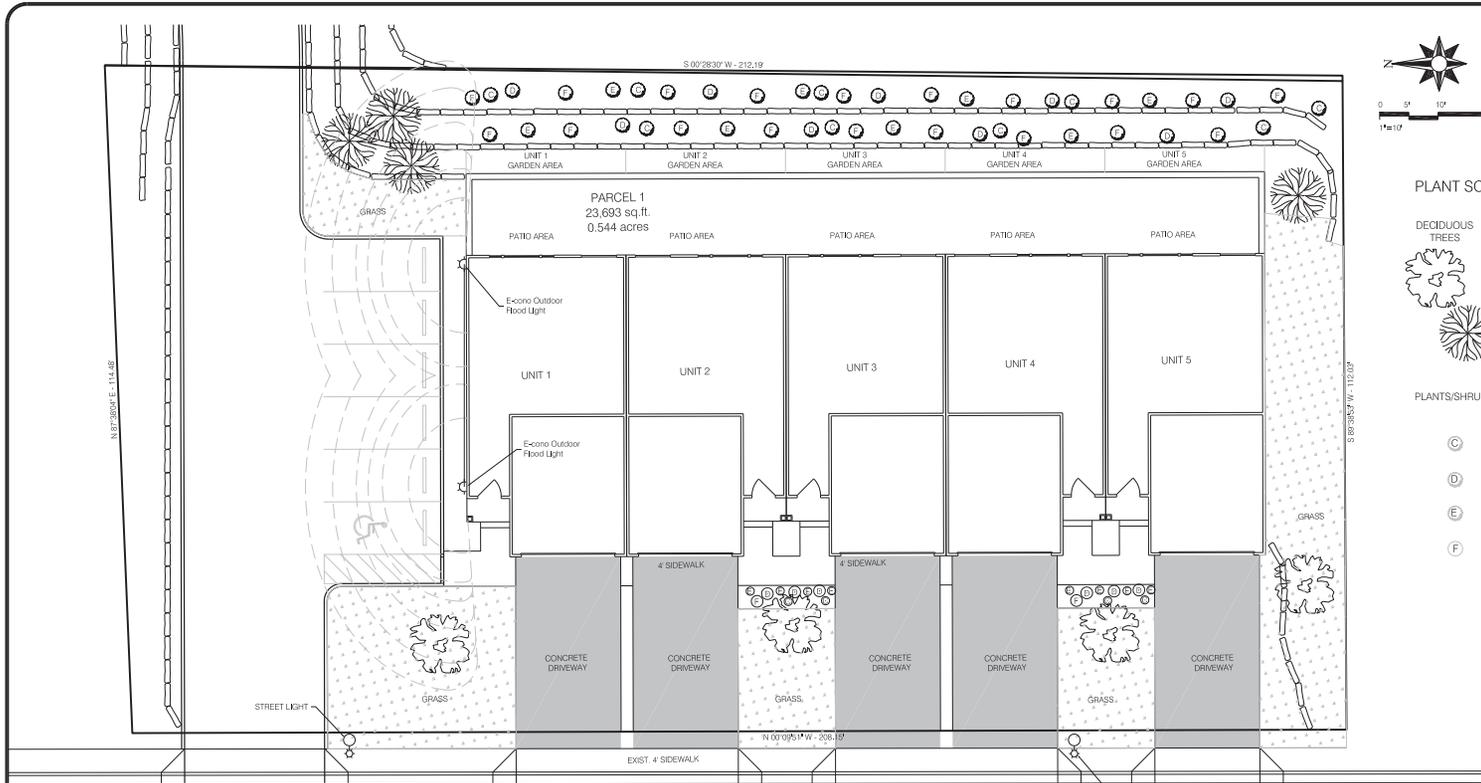
LAKEVIEW TOWNHOMES
 531 SOUTH 400 WEST
 LONDON, UTAH

PROJECT NAME

PROJECT NO.	15-456-01
DATE	Jul 10, 2015
HOR SCALE	As Noted
VER SCALE	As Noted
ENGINEER	VH
DRAFTED	ES
CHECKED	VH

TITLE
 SITE PLAN

3 OF 9
 SHEET
 C-03



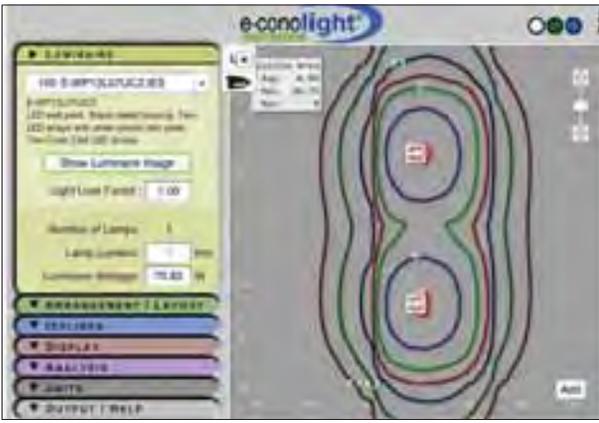
PLANT SCHEDULE

DECIDUOUS TREES		BOTANICAL NAME	COMMON NAME	CALIPER SIZE
		Pyrus Calleryana	Ornamental Pear	2"
		Prunus	Ornamental Plum	2"
PLANTS/SHRUBS		BOTANICAL NAME	COMMON NAME	CONTAINER SIZE
(C)		Phlox subulata	Emerald Phlox Creeping Phlox	1 gal
(D)		Weigela florida	Dwarf Variegated Weigela	5 gal
(E)		Spiraea japonica	Dwarf Cranberry Bush	5 gal
(F)		BOTANICAL NAME	Day Lillies Yellow	1 gal

Landscape Notes:

- Landscape Contractor shall be responsible for keeping records of quantities of plant material delivered to site and used. Quantity lists shall be distributed to owner.
- Planting areas shall receive 3" depth of shredded bark mulch. Contractor shall submit sample and/or substitutions to the owner for approval.
- Contractor shall verify all quantities on this plan.
- Contractor shall complete a soil test for project site soil and provide to the owner. Contractor shall follow recommendations from soil test to amend existing soil for landscaping use. Amendment of project site soil would be preferred, but if imported topsoil is used contractor shall provide soil test to owner prior to delivery.
- All planters adjacent to sidewalks are to have a finished topsoil grade of 4" below top of concrete walk/curb to allow for 3" depth of shredded bark/rock mulch.
- All lawn area to receive sod freshly cut from a local source same day as installation. Sod shall be a uniform dark green color and have a strong established root system. Each sod piece used shall not fall apart when hefted and placed.
- Automatic Irrigation system to be installed throughout entire project. Contractor shall provide head to head coverage with matched precipitation rates in sodded areas. Drip Irrigation to be used in shrub planter areas.

400 WEST



3	05/08/15	Checked/Label
2	05/08/15	City Comments #2
1	11/08/15	City Comments #1
NO	DATE	REVISION/NOTES

44 NORTH 400 WEST, SUITE 1
AMERICAN LAWN, LINDON, UTAH
TEL: (801) 736-6289
FAX: (801) 736-6499

H&H
ENGINEERING &
SURVEYING, INC.

LAKEVIEW TOWNHOMES
531 SOUTH 400 WEST
LINDON, UTAH

PROJECT NAME

PROJECT NO:	15-456-01
DATE:	Jul 10, 2015
HOR SCALE:	As Noted
VER SCALE:	As Noted
ENGINEER:	VH
DRAFTED:	ES
CHECKED:	VH

TITLE
LANDSCAPE & LIGHTING PLAN

1 OF 1
SHEET
LS-01

Attachment 4



Item 7: Site Plan — Lakeview North Holdings 1396 West 200 South

Joel Pilling, Cowie Construction, on behalf of Lakeview Holdings North LLC, requests site plan approval of office(s)/warehouse(s) approximately 71,936 sq. ft., to be located at 1396 West 200 South in the Light Industrial (LI) zone.

<p>Applicant: Joel Pilling, Cowie Construction Presenting Staff: Brandon Snyder</p>	<p>SUMMARY OF KEY ISSUES</p>
<p>General Plan: Light Industrial Zone: Light Industrial (LI)</p>	<p>1. Whether the request for site plan approval of office(s)/warehouse(s) complies with applicable land use requirements.</p>
<p>Property Owner: Lakeview Holdings North LLC; Registered Agent: Joel D. Pilling Address: 1396 West 200 South Parcel ID: 14-062-0020 Lot Size: 5 acres Legal Description: N/A</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 site plan approval of office(s)/warehouse(s) approximately 71,936 sq. ft., to be located at 1396 West 200 South in the Light Industrial (LI) zone, with the following conditions (if any):</p> <ol style="list-style-type: none"> 1. 2.

BACKGROUND

1. The applicant proposes to construct two office/warehouse buildings, approximately 71,936 sq. ft. total.
2. The intent of the Light Industrial (LI) zone is to provide areas in appropriate locations where light manufacturing, industrial processes and warehousing not producing objectionable effects may be established, maintained, and protected. The regulations of this district are designed to protect environmental quality of the district and adjacent areas. (LCC Section 17.49.020).
3. Site plan review is required for all new development within a non-residential zone per Lindon City code Section 17.17.110.



REVIEW PROCESS

DRC Review

Planning Staff, the City Engineer and the applicant are working through technical issues related to the site and City Staff will ensure all issues are resolved before final Engineering approval is granted.

Public Comment

Third party notices were provided on May 13, 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. Property Information (Light Industrial(LI) zone LCC Chapter 17.49)

	Minimum Requirement	Proposed Site
Lot area	1 acre	5 acres
Lot frontage	100 feet	200 South (major collector): 349'
Building height	Maximum 48'	Height: 29'
Onsite parking stalls and bicycle stalls	Vehicle: 102 stalls (office 1/350 sq. ft.; warehouse 1/1000 sq. ft.) Bicycle: 4	Vehicle: 102 Bicycle: 4
Building setbacks		
Front	20 feet	50 feet +
Rear	0 feet	70 feet +
Side(s)	0 feet (or 20' without a one-hour firewall)	90 feet

DISCUSSION & ANALYSIS

Landscaping Standards

Landscaping Strip The LI zone requires that a landscaped strip twenty (20) feet in width shall be planted with grass, and trees planted every thirty (30') feet on center along all public street frontages. The required landscape strip along 200 South is being provided with the requisite trees.

Interior Landscaping

Interior landscaping must be provided at 40 square feet per required stall with one tree per 10 stalls. With the proposed 102 stalls, that equates to 4,080 square feet and 10 trees required. The required amount of interior landscaping and trees are provided.

Fencing Standards

Fencing No fencing regulations apply as the site is not adjacent to a residential use or residential zone.

Architectural Standards

Building Materials and Color

The building exterior is to be entirely of decorative block (split face CMU), which complies with Lindon City Code materials and percentages requirements (min. 25% brick, decorative block, stucco, or wood). The applicant has provided pictures of an identical existing office/warehouse indicating building colors to be earth tones (gray). The elevations will also include aluminum window systems, a smooth face CMU band, decorative roof trim, and steel canopies.

Special Provisions

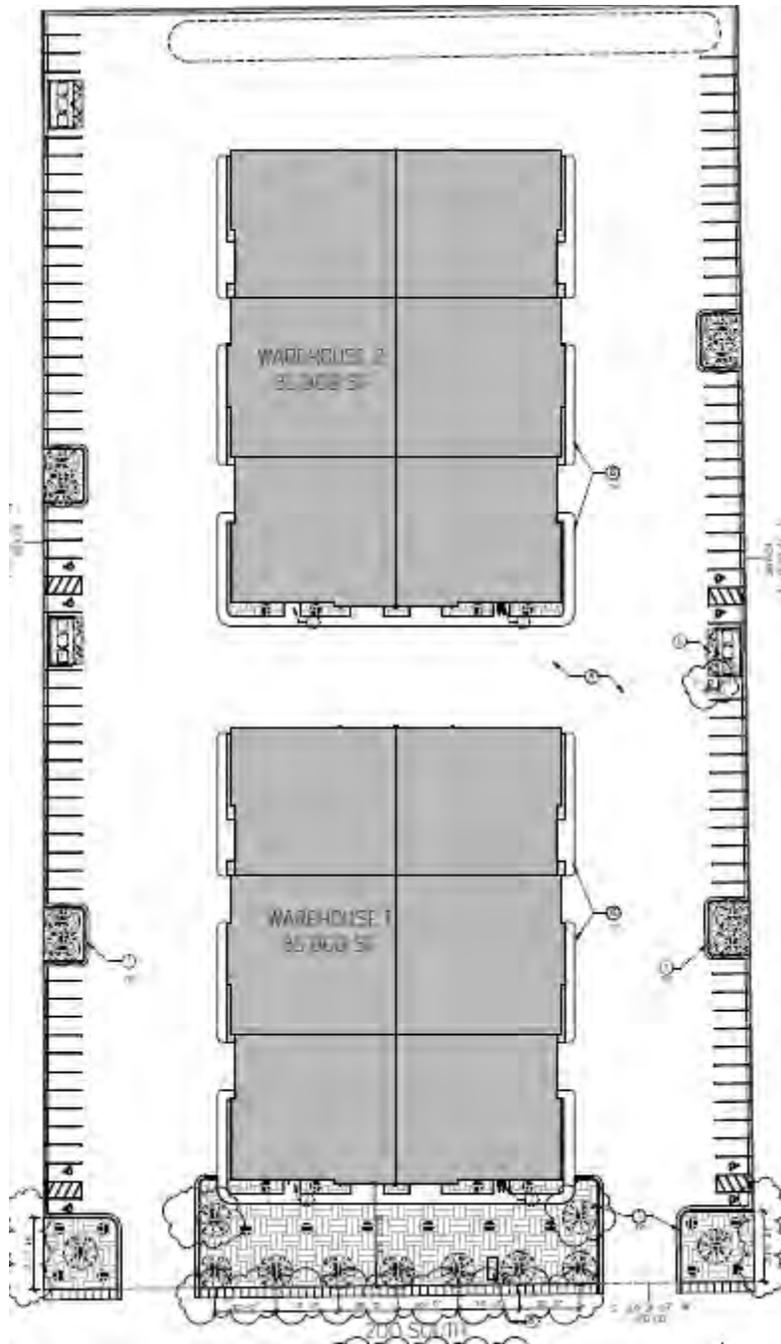
Solid Waste Storage Facility

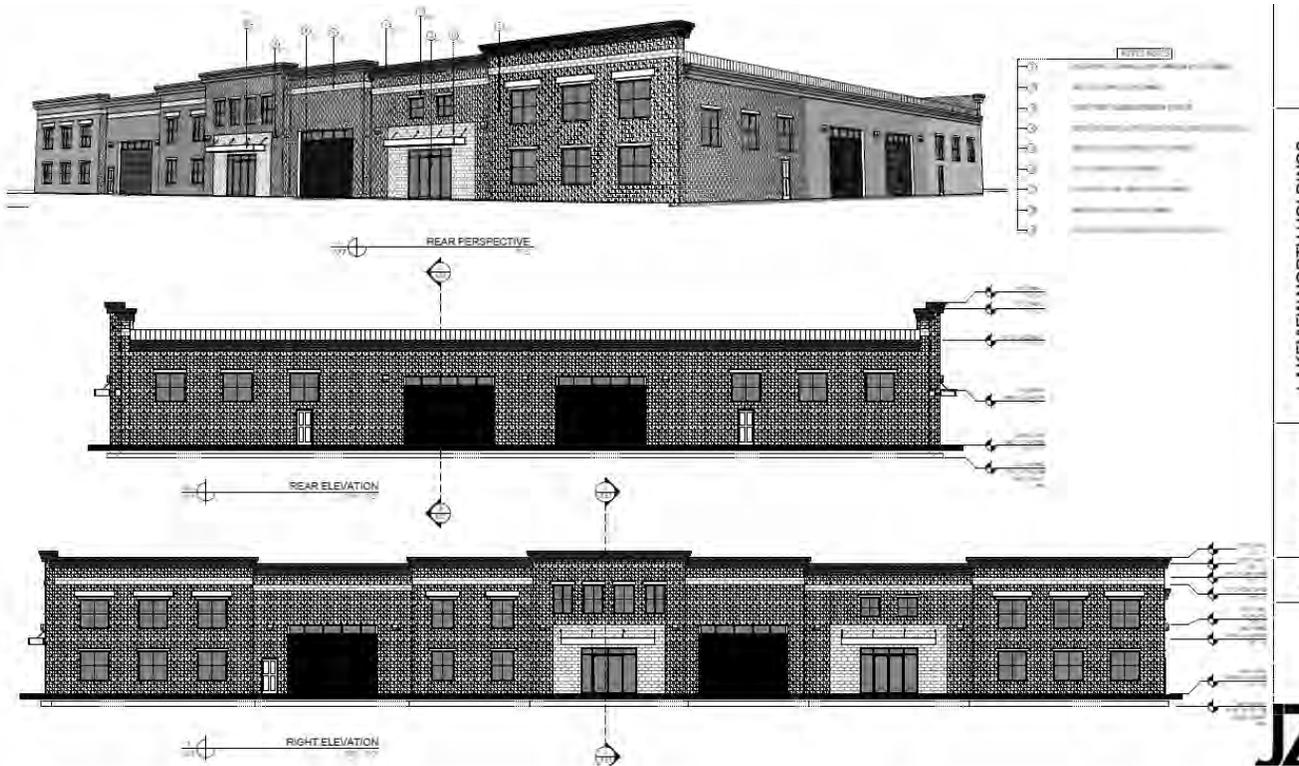
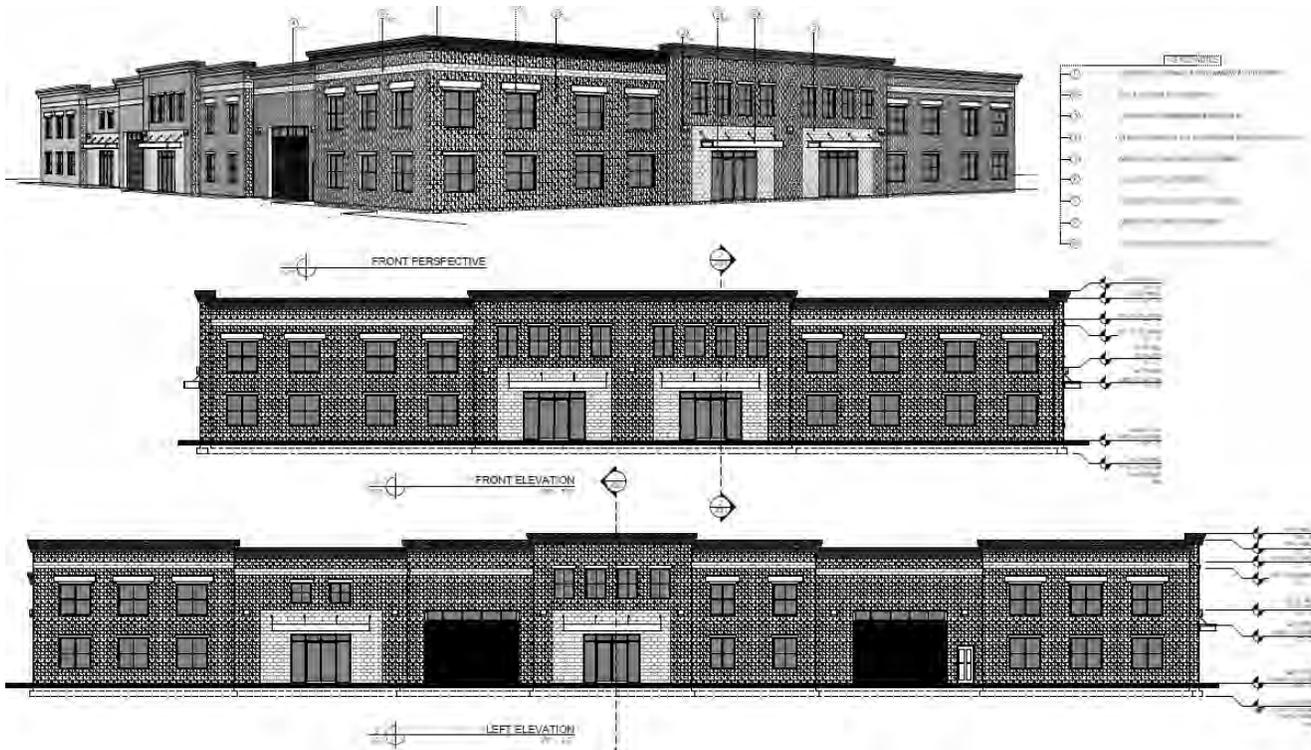
The dumpster will be enclosed in CMU block walls with metal sight obscuring gates.

ATTACHMENTS

- 1. Landscape Plan
- 2. Elevations







LAKEVIEW NORTH HOLDINGS

REAR AND RIGHT
SHEET PLANS & DETAILS

A2



Item 8: New Business (Planning Commissioner Reports)

Item 1 – Subject _____

Discussion

Item 2 – Subject _____

Discussion

Item 3 – Subject _____

Discussion

Item 9: Planning Director Report

•

Adjourn