

The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, February 28, 2023 beginning at 6:00 p.m.** at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

REGULAR SESSION – 6:00 P.M.

Conducting: Sharon Call, Chairperson
Invocation: Mike Marchbanks, Commissioner
Pledge of Allegiance: Renee Tribe, Commissioner

PRESENT

Sharon Call, Chairperson
Mike Marchbanks, Commissioner
Scott Thompson, Commissioner – via zoom
Jared Schauers, Commissioner
Renee Tribe, Commissioner
Mike Florence, Economic Development Director
Mary Barnes, Associate Planner
Kathryn Moosman, Recorder

EXCUSED

Steven Johnson, Commissioner
Rob Kallas, Commissioner

Special Attendee: Councilmember Van Broderick

1. CALL TO ORDER – The meeting was called to order at 6:00 p.m.

2. APPROVAL OF MINUTES – The minutes of the regular meeting of the Planning Commission meeting of January 24, 2023 were reviewed.

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF JANUARY 24, 2023 AS PRESENTED. COMMISSIONER TRIBE SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

3. PUBLIC COMMENT – Chairperson Call called for comments from any audience member who wishes to address any issue not listed as an agenda item. There were no public comments.

CURRENT BUSINESS –

4. Minor Subdivision Approval – Murnin Estates Plat A – 690 N. 200 E.

The applicant requests minor subdivision approval for a two-lot subdivision for Murnin Estates Plat A at 690 N. 200 E. (Parcel ID #14:042:0195)

Mary Barnes, Associate Planner, led this agenda item stating the applicant, Mr. Paul Murnin (who is in attendance) is seeking minor subdivision approval to create a two-lot subdivision of which one lot will be a flag lot.

Ms. Barnes explained that Murnin Estates Plat A will create a two-lot subdivision at 690 North 200 East, Lindon; Lot 1 currently has an existing home on it, which was built in 1903 and

proposed lot 2 is currently vacant and is proposed as a 32,808 square foot flag lot. She stated Mr. Murnin will be putting in full street improvements along 200 East and this property borders one of the City's secondary water ponds. She noted the lot size residential requirements and the subdivision requirements are met.

Ms. Barnes stated 200 East has been master-planned as a minor collector with a 66' right of way and Mr. Murnin will be dedicating 2,272 sq ft within the roadway to Lindon City, and putting in curb, gutter, sidewalk, and asphalt as required in the 66' street cross-section from the Lindon Development Manual.

Ms. Barnes further explained Staff has determined that the proposed subdivision complies, or will be able to comply before final plat approval, with all remaining land use standards. She noted the City Engineer is addressing engineering standards and all engineering issues will be resolved before final plat approval is granted.

Ms. Barnes then presented an Aerial Photo, Subdivision Plat and the Road Improvements Cross Section followed by some general discussion.

Mr. & Mrs. Pinegar, residents in attendance, stated they live directly north of the property in question. They had questions regarding if the property is going to be two lots now and also if it will be two single house dwellings. Ms. Barnes confirmed that statement. Mr. Pinegar also asked what the access to the flag lot is. Ms. Barnes confirmed the access is off of 200 East with a 30 ft. lane. It was also clarified the zoning will not change and it will be two residential lots.

Following some additional discussion, the Commission agreed this meets all requirements and is in compliance with the items considered. They were also in agreement to approve this Minor Subdivision for Murnin Estates Plat A with the conditions in the motion as recommended by staff.

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

COMMISSIONER SCHAUERS MOVED TO APPROVE THE APPLICANTS REQUEST FOR MINOR SUBDIVISION APPROVAL LOCATED AT 690 N. 200 E. WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL FINAL CORRECTIONS TO THE ENGINEERING DOCUMENTS AND PLAT; 2. COMPLETE (OR POST AN ADEQUATE IMPROVEMENT COMPLETION ASSURANCE), WARRANT AND POST REQUIRED ASSURANCE FOR ALL REQUIRED PUBLIC INFRASTRUCTURE IMPROVEMENTS; 3. PRIOR TO PLAT RECORDING, THE APPLICANT WILL UPDATE THE FINAL PLAT MYLAR TO INCLUDE NOTARIZED SIGNATURES OF OWNERS' CONSENT TO DEDICATION; AND OBTAIN SIGNATURES OF ALL ENTITIES INDICATED ON THE SUBDIVISION PLAT ATTACHED HERETO; 4. THE PLANS AND PLAT WILL MEET AND BE CONSTRUCTED AS PER APPLICABLE SPECIFICATIONS AS FOUND IN THE LINDON CITY DEVELOPMENT MANUAL; ALL ITEMS OF THE STAFF REPORT. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER THOMPSON	AYE

2 COMMISSIONER SCHAUERS AYE
COMMISSIONER TRIBE AYE
4 THE MOTION CARRIED UNANIMOUSLY

6 **5. Amended Site Plan Approval – Complete Restoration Garage – 1342 W. 200 S.**

8 The applicant requests amended site plan approval to construct a new two-story accessory
building, replacing the current accessory building. The lot will also be brought into
substantial compliance with City Code. (Parcel ID #43:159:0001)

10
12 Ms. Barnes also led this agenda item stating the applicant, Jerry Pennock along with Dan
Goodwin are in attendance for this item. She stated Mr. Pennock is requesting a site plan
amendment to construct a new 9,800 sq ft two-story accessory building which will replace the
14 current accessory building towards the back of the property. Ms. Barnes noted according to the
amended site plan code, when a new building is added to a property, the property has to come
16 into substantial compliance with relevant city codes.

18 Ms. Barnes stated according to city records, the original site plan was approved by the
planning commission in 2004, and the front office building on this parcel was built in 2006. At
that time, the current accessory building was an existing barn. In the ensuing years, the current
20 accessory building has been converted from a barn into a storage facility for the Complete
Restoration business.

22 Ms. Barnes indicated this amended site plan will replace the current accessory building
with a newer and larger, and improved accessory building. Lindon City Code 17.17.130
24 Amended Site Plans states that a new building or a building replacing an existing structure on a
property will trigger the requirement for the property to come into substantial compliance with
26 City Code. This new accessory building will have 5,817 sq ft of storage area, 2,344 sq ft of
upstairs private recreation area, and 3,568 sq ft of downstairs private recreation area, including a
28 pickleball court. She noted the amended site plan requirements are met.

30 Ms. Barnes explained the parking standards are based on the zone and the different uses
in the building and their respective square footage. Because the recreation area for the new
accessory building is for Complete Restoration employees only, staff has not required the
32 parking spaces that would usually be required for a recreation use. She then referenced the list
explaining the parking requirements for the property. She noted in total, 20 parking spaces are
34 required for this site, and 22 have been provided on the site. Per Lindon City's Development
Manual, with one existing ADA parking spot has been provided in the front parking lot.

36 Ms. Barnes further explained this lot has an existing access agreement and easement with
the lot to the north and the lots to the east. She added Complete Restoration employees are
38 permitted to enter into Lot 1 from 1380 by cutting through Lot 2, 3, and 4 by way of an
easement. UDOT has also provided an easement out to 200 South through their right of way that
40 will ensure full circulation and vehicular access to the Complete Restoration property. Lindon
City Code section 17.49.060 governs landscaping standards for industrial zones. Currently, there
42 is no landscaping on the site.

44 Ms. Barnes indicated UDOT's right of way runs approximately 40 ft back from the
existing curb and gutter on 200 South. Currently, to be able to put in a 20 ft landscaping strip
along 200 South, the applicant would have to go through an extensive encroachment permit with
46 UDOT, which will take a considerable amount of time and money to get approved. Additionally,
UDOT does not allow trees to be planted in this right of way, due to the number of utility lines

2 that are running through the right of way. There also is a definite possibility that this
encroachment permit could get denied by UDOT.

4 Ms. Barnes noted in the 2004 planning commission meeting for the original site plan, the
planning commission acknowledged the difficulty of working with UDOT on landscaping in
6 their right of way. One of the conditions of approval for the original site plan was as follows:
that 20-ft of landscaping, curb, and gutter be installed adjacent to the full width of frontage on
8 200 S with the provision that it may be reduced and credit may be given for landscaping placed
in the UDOT right of way, **or** landscaping placed elsewhere on the lot in a location visible from
10 I-15 at a minimum width to match the total square footage of the original requirement.

12 Ms. Barnes went on to say that Staff cannot locate the actual landscaping plan records of
what was decided, whether it was to landscape the front or focus on landscaping along I-15.
Historical aerial imagery, however, shows grass planted in the entire front yard area of this lot,
14 including the UDOT right of way. After speaking to the applicant, this grass was pulled out in
2020 and the current decorative rock was put in because the grass required a large amount of
16 water to maintain. This means that for 16 years, this property had about 5,643 sq ft of grass;
there was never a landscaping strip along I-15.

18 Ms. Barnes stated the applicant has proposed to landscape the front 10' of the actual
Complete Restoration property. This landscaping would include trees and water-wise vegetation,
20 and a small fence is proposed on the front property line and this fence will work to clearly
delineate UDOT and the applicant's property.

22 Ms. Barnes stated the condition of the 2004 planning commission meeting says that if a
front 20' landscaping strip is not put in, the total landscaping along I-15 must match the total
24 square footage of the 20' frontage landscaping strip requirement. The square footage of a 20'
landscaping strip would be 2,297 sq ft. This amended site plan will be adding a total of 2,661 sq
26 ft of landscaping to the lot along I-15 and along the front of the property. This amended site plan
will be adding landscaping to an otherwise un-landscaped lot. The traditional 20' front
28 landscaping strip area is owned by another entity that generally has not permitted landscaping in
its right of way due to many reasons. She noted this solution will ensure the landscaping code is
30 being feasibly met, and that this lot will be substantially compliant.

32 Ms. Barnes made note that the buildings in the Light Industrial zone are required to
follow the architectural standards found in LCC 17.49.070. Buildings are required to have an
exterior with a minimum of 25% brick, decorative block, stucco, wood, or other similar materials
34 as approved by the Planning Commission. All exterior building materials in the LI zone shall be
earth-tone colors. She stated the current office building already meets these requirements with a
36 primarily tan-colored block façade.

38 Ms. Barnes commented that after calculating the approximate material square footage of
each side of the new accessory building, split-face block and smooth-face block make up at least
63% of the building's total façade. The block will be charcoal grey. Please see Exhibit 8 for an
40 example.

42 Ms. Barnes noted in regards to the roof color, the applicant has said that the roof of the
new accessory building will be painted using the same color as the current accessory building,
which is a more earthy red than what is shown on the colored elevations. The blue color can also
44 be found on Lindon's Utah Mountain Desert Color Palette. The accessory building on the
proposed site plan meets the development setback requirements, with a 242' setback that far
46 exceeds the minimum 20 ft front setback.

2 Ms. Barnes stated the City Engineer is working through technical issues related to the site
plan and will conduct a final review if the planning commission grants final amended site plan
4 approval. She added that this accessory building project will provide an updated building in the
light industrial area and will trigger landscaping improvements on the property. Staff believes
6 that this project is beneficial to Lindon because it will introduce a newer, nicer-looking building
onto Lindon's I-15 corridor. Additionally, it will be useful to the applicant, allowing Complete
8 Restoration to make better use of their property.

Ms. Barnes then presented an Aerial Map, Site Plan, Floor Plan, Subdivision Plat, Access
10 Easement, Landscaping Plan, Colored Elevations, Current Accessory Building, Building
Material Example and Original Site Plan followed by discussion.

12 Following some additional discussion on this issue including the landscaping and
parking, the Commission was in agreement to approve the amended site plan for the Complete
14 Restoration Garage located at 1342 W. 200 S. with the conditions as listed in the motion as
recommended by staff.

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

18 COMMISSIONER TRIBE MOVED TO APPROVE THE APPLICANT'S REQUEST
FOR AMENDED SITE PLAN APPROVAL TO CONSTRUCT A TWO-STORY ACCESSORY
20 BUILDING WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL
CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL FINAL
22 CORRECTIONS TO THE ENGINEERING DOCUMENTS; 2. THE PLANS WILL MEET
DEVELOPMENT SPECIFICATIONS AS FOUND IN THE LINDON CITY DEVELOPMENT
24 MANUAL; 3. FINAL EXTERIOR MATERIAL DESIGN IS APPROVED AS PROPOSED
AND WILL MEET THE ARCHITECTURAL BUILDING REQUIREMENTS IN ALL OTHER
26 ASPECTS; 4. THE APPLICANT WILL COMPLY WITH ALL BONDING REQUIREMENTS,
IF APPLICABLE; AND 5. A DEMOLITION PERMIT WILL BE OBTAINED FOR THE
28 EXISTING ACCESSORY BUILDING; AND 6. THE LANDSCAPING PLAN IS APPROVED
AS PRESENTED; AND 7. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER
30 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

32 CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
34 COMMISSIONER THOMPSON	AYE
COMMISSIONER SCHAUERS	AYE
36 COMMISSIONER TRIBE	AYE
THE MOTION CARRIED UNANIMOUSLY	

38
40 **6. New Business: Reports by Commissioners** – Chairperson Call called for any new
business or reports from the Commissioners.

42 Chairperson Call asked for updates on some items discussed at the last council meeting
including the secondary water meter installations, the arena improvements and renovation,
44 legislative updates and the Central Utah Water Conservancy District. Mr. Florence spoke on
these items and gave the Commission updates.

7. **Planning Director Report** - General City updates. Mr. Florence noted the draft for the landscape ordinance and the Kia Dealership site plan will be coming to the next planning commission meeting.

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

ADJOURN –

COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE MEETING AT 7:00 PM. COMMISSIONER TRIBE SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – March 14, 2023

Sharon Call, Chairperson

Michael Florence
Community Development Director