

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
4 **May 24, 2016 beginning at 7:00 p.m.** at the Lindon City Center, City Council  
Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Sharon Call, Chairperson  
Invocation: Matt McDonald, Commissioner  
10 Pledge of Allegiance: Mike Marchbanks, Commissioner

|                                        |                        |
|----------------------------------------|------------------------|
| 12 <b><u>PRESENT</u></b>               | <b><u>ABSENT</u></b>   |
| Sharon Call, Chairperson               | Bob Wily, Commissioner |
| 14 Mike Marchbanks, Commissioner       |                        |
| Rob Kallas, Commissioner               |                        |
| 16 Matt McDonald, Commissioner         |                        |
| Charles Keller, Commissioner           |                        |
| 18 Hugh Van Wagenen, Planning Director |                        |
| Brandon Snyder, Associate Planner      |                        |
| 20 Kathy Moosman, City Recorder        |                        |

22 **Special Attendee:**  
Councilmember Matt Bean

- 24
- 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  
meeting of May 10, 2016 were reviewed.

30 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES  
OF THE REGULAR MEETING OF MAY 10, 2016 AS AMENDED.  
32 COMMISSIONER MCDONALD SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

34 3. **PUBLIC COMMENT** –

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

40 **CURRENT BUSINESS** –

- 42 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  
44 building site on Lot 7, Plat A, Meadows at Bald Mountain in the Residential Single  
Family (R1-12) zone.

46  
48 Hugh Van Wagenen led this discussion by stating this is a request by Brandon  
Jones (who is in attendance) for approval for an exemption from the Hillside Ordinance

2 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. He noted this is a unique  
4 application and the first request of its kind which and exemption has been applied for  
since the code was adopted. He added because of the minimum number of lots left there  
6 have been requests to have some exemptions to the hillside ordinance and the footprints  
notated on the plats.

8 Mr. Van Wagenen explained that any lot subject to the Hillside Ordinance has a  
restricted primary building area (indicated on the subdivision plat). He went on to say  
10 that recently, the City adopted an ordinance that allows for exemptions from all or part of  
the Hillside Ordinance (subject to a geotechnical report) that refers to the specific request.  
12 Mr. Van Wagenen stated Mr. Jones is requesting to increase the primary building  
envelope by 10 ft. on both side lot lines and by 10 ft. on the back lot line. He noted the  
14 primary building site is determined at the time of subdivision and has to meet the  
requirements included in LCC Section 17.57.060 (building site requirements). Mr. Van  
16 Wagenen then referenced for discussion the applicant's letter of petition, the Meadows at  
Bald Mountain Plat A Lot 7 with primary building area, the HSB Ten Concept Site Plan,  
18 the finished grades, and the slope analysis.

Mr. Van Wagenen commented that Mr. Jones has also provided all the relevant  
20 documentation to support this request. He stated the City Engineer has reviewed this  
request and has taken no exception to the geotechnical report provided. Mr. Van  
22 Wagenen explained that Planning Commission approval is required to formally grant the  
exemption and if approved, a document will be recorded on the lot at Utah County stating  
24 the approved exemption. Mr. Van Wagenen made note that staff recommends approval of  
this request. He then turned the time over to Mr. Jones for comment.

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

Mr. Jones stated he is requesting approval to have the side yard setbacks reduced  
32 to the standard 10 ft. setback requirements and have the envelope extended 10 ft.  
towards the East side of the property so that he can construct a single family residence  
34 without impeding on the Rocky Mountain Power right of way power easement. He noted  
he has provided a site plan that shows the proposed changes to the building envelope as  
36 well as a study conducted by Earthtec Engineering. He added that he and his wife love  
the area and location and they are excited to get started with building.

38 Commissioner Kallas asked for some background on the purpose behind the  
previous hillside ordinance. Mr. Van Wagenen then gave some background on the  
40 reasoning's behind the hillside ordinance. He noted they were trying to minimize the area  
of the hillside and also to keep development separated as much as possible from each  
42 separate site.

Chairperson Call stated her biggest concern would be to make sure that the lots are  
44 safe and also for the lots below them as well. Commissioner Keller inquired about the  
neighbors on the north and south sides and if they have been abiding by this ordinance.  
46 Mr. Jones stated his property and the neighbor to south were the only ones whose  
property applied to the hillside ordinance; the neighbor to the north did not have to abide  
48 by the same hillside ordinance.

Chairperson Call pointed out that the City Engineer has reviewed the documentation and he feels comfortable with it and has the ability to make that call. Mr. Van Wagenen re-iterated this is new but it has been reviewed thoroughly by the engineering department and they have no concerns with this request and takes no exception to it. Chairperson Call expressed her opinion that as long as the city engineer has reviewed and evaluated this she is comfortable with approval. Commissioner McDonald agreed stating as long as we can rely on staff's recommendation he would be comfortable with approval. Mr. Van Wagenen noted once approved this document will be recorded at the County stating the exemption has been granted so the building envelope shown on the plat has officially been increased.

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

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE APPLICANT'S REQUEST FOR APPROVAL OF A HILLSIDE EXEMPTION ON LOT 7, MEADOWS AT BALD MOUNTAIN PLAT A WITH NO CONDITIONS OTHER THAN STAFF REVIEW. COMMISSIONER KELLER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

|                         |     |
|-------------------------|-----|
| CHAIRPERSON CALL        | AYE |
| COMMISSIONER KALLAS     | AYE |
| COMMISSIONER MARCHBANKS | AYE |
| COMMISSIONER MCDONALD   | AYE |
| COMMISSIONER KELLER     | AYE |

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

**5. Major Subdivision—Lakeview Townhomes Plat A – 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.

Mr. Van Wagenen opened this discussion by stating this item is a request by Chris Knapp of Ridgeway Construction (who is in attendance) is seeking subdivision approval for Lakeview Townhomes Plat A, a five (5) unit townhome project located in the Planned Residential Development Overlay (PRD) zone (west of Maeser Academy). He noted a new Planned Residential Development ordinance (PRD) (Lindon City Code 17.76) was recently created to govern property within commercial zones that do not accommodate traditional development patterns. He explained this ordinance and accompanying zoning allow for multi-family projects with very specific parameters. He pointed out this application is the first under which the new ordinance is being applied. He added that the next agenda item is the site plan for this project and any additional requirements will be reviewed with the site plan. Mr. Van Wagenen stated this project meets all requirements.

Mr. Van Wagenen further explained there is an access easement on the north end of the property that will provide access to Maeser Academy. He noted the property owners have worked out an access agreement that is shown on the plat and the site plan will reflect it also. He noted this subdivision already has improved street frontage, but they will be making driveway cuts for the associated driveways. He mentioned that the City Engineer is addressing engineering standards and issues will be resolved before final

2 approval is granted. He added that Maeser Academy will be coming in to discuss their  
3 site improvements. He also mentioned that the Planning Commission recommendation  
4 will have to go to the City Council. He then turned the time over to Mr. Knapp for  
comment.

6 Chairperson Call commented that another access will help to alleviate some of the  
7 traffic flow issues associated in the area. Commissioner Kallas asked Mr. Knapp if he  
8 plans to sell the townhome units. Mr. Knapp confirmed that statement adding there will  
also be an HOA agreement in place.

10 Commissioner Marchbanks expressed his concerns about the access easement to  
11 Maeser Academy and the traffic problems it may bring to 400 West if this is not designed  
12 as a public street. He agrees this may alleviate some of the traffic congestion but he feels  
the traffic off of 600 South already poses safety issues and he doesn't want to see more  
14 traffic problems created from this proposed access. There was then some additional  
discussion regarding this access easement.

16 Mr. Knapp commented that he has done the research and the cost analysis. Mr.  
17 Van Wagenen then referenced for discussion an aerial photo of the proposed subdivision  
18 and the preliminary plan. He also discussed the site plan showing the areas in question.  
Commissioner Marchbanks expressed that he agrees that there needs to be something in  
20 place to alleviate these traffic issues from the poor initial design work done when the  
school went in; he hopes there is enough input and open mindedness to work it out as to  
22 not make an already bad situation worse.

24 Mr. Van Wagenen noted even with the access easement on the plat, Maeser will  
still have to submit their traffic flow plan for review by the City. He noted these are  
legitimate concerns but it should not be scrutinized in regards to approval of this  
26 subdivision. He noted that staff feels from an engineering and traffic flow standpoint this  
will be better in the long run. He stated this will be an agreement between the two  
28 property owners and is not a public access easement and the city will not have  
responsibility for the easement. Chairperson Call observed as far as this situation with a  
30 major subdivision proposal and the evaluations that staff has done, this appears to meet  
all requirements.

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

34  
36 COMMISSIONER MCDONALD MOVED TO RECOMMEND TO THE CITY  
COUNCIL APPROVAL OF THE APPLICANT'S REQUEST FOR A FIVE UNIT  
38 TOWNHOME PLAT TO BE KNOWN AS LAKEVIEW TOWNHOMES PLAT A  
WITH NO CONDITIONS. COMMISSIONER KELLER SECONDED THE MOTION.  
THE VOTE WAS RECORDED AS FOLLOWS:

|                            |     |
|----------------------------|-----|
| 40 CHAIRPERSON CALL        | AYE |
| COMMISSIONER KALLAS        | AYE |
| 42 COMMISSIONER MARCHBANKS | NAY |
| COMMISSIONER MCDONALD      | AYE |
| 44 COMMISSIONER KELLER     | AYE |

THE MOTION CARRIED FOUR TO ONE WITH ONE ABSENT.

46  
48 *Commissioner Marchbanks stated he voted no because of his concerns with the  
access easement to Maeser Academy and the traffic and safety issues it would bring to*

2 400 West and he wants to make sure this new access won't create more traffic problems.  
He would also like to see Maeser Academy's proposed site improvements first.

4  
6 6. **Site Plan — Lakeview Townhomes Site, 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  
8 Development Overlay (PRD) zone.

10 Mr. Van Wagenen also led this discussion by stating Mr. Knapp is now seeking  
site plan approval for the Lakeview Townhomes Site a five unit townhome project  
12 located in the Planned Residential Development Overlay (PRD) zone to be located at  
approximately 531 South 400 West. This application is the first under which the new  
14 ordinance is being applied. The previous agenda item just approved was the subdivision  
plat associated with the project. He noted this project meets all requirements including  
16 minimum area, elevations, footprint, setbacks, landscaping, lighting, and parking  
(including guest parking). He pointed out the project must also conform to the Lindon  
18 City Commercial Design Guidelines. He then turned the time over to Mr. Knapp for  
comment.

20 Mr. Knapp distributed handouts showing the elevations and the townhome exterior  
finishes noting they followed the design guidelines in the code. Chairperson Call stated  
22 the colors certainly fit the color palette and this appears to be a nice looking project.  
There was then some additional discussion regarding the site plan including fencing and  
24 landscaping.

Commissioner Kallas questioned staff why site plans are reviewed before the city  
26 council has approved the subdivision. Mr. Van Wagenen stated that can certainly be  
included as a condition in the motion. Mr. Van Wagenen stated this site already has  
28 improved street frontage, but they will be making driveway cuts for the associated  
driveways. He noted a street light will also be installed on 400 West near the parking lot  
30 entrance. He added that the City Engineer is addressing the engineering standards and all  
engineering issues will be resolved before final approval is granted. Mr. Van Wagenen  
32 then presented an aerial photo of the proposed subdivision, the site plan, landscaping and  
lighting plans and elevations followed by some general discussion.

34 Chairperson Call observed that the fencing and building materials meet the color  
palette so she has no problem with approval of this site plan application. Chairperson Call  
36 asked if there were any further questions or comments from the Commission. Hearing  
none she called for a motion.

38  
COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S  
40 REQUEST FOR A FIVE UNIT TOWNHOME PRD PROJECT TO BE KNOWN AS  
LAKEVIEW TOWNHOMES WITH THE CONDITION THAT THE SUBDIVISION IS  
42 APPROVED BY THE CITY COUNCIL. COMMISSIONER MCDONALD  
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

|                            |     |
|----------------------------|-----|
| 44 CHAIRPERSON CALL        | AYE |
| COMMISSIONER KALLAS        | AYE |
| 46 COMMISSIONER MARCHBANKS | AYE |
| COMMISSIONER MCDONALD      | AYE |
| 48 COMMISSIONER KELLER     | AYE |

2 THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

4 7. **Site Plan – Lakeview North Holdings, 13986 West 200 South.** Joel Pilling,  
6 Cowie Construction, on behalf of Lakeview Holding North LLC, requests site plan  
8 approval of offices/warehouse at approximately 71,936 sq. ft., to be located at  
1396 West 200 South in the Light Industrial (LI) zone.

10 Brandon Snyder, Associate Planner, led this agenda by stating Joel Pilling is in  
12 attendance tonight representing this application. Mr. Pilling is proposing to construct two  
14 office/warehouse buildings, approximately 71,936 sq. ft. total. Mr. Snyder explained the  
16 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. He noted the regulations of this  
district are designed to protect the environmental quality of the district and all adjacent  
areas. He added that site plan review is required for all new developments within a non-  
residential zone per Lindon City code.

18 Mr. Snyder went on to say that the planning staff, city engineer and the applicant  
20 are working through the technical issues related to the site and City Staff will ensure all  
22 issues are resolved before final engineering approval is granted. He added that third party  
24 notices were provided on May 13, 2016 to the adjoining property owners in accordance  
with Lindon City Code and staff has received no public comment at this time. Mr. Snyder  
then referenced the Table including Property Information in the Light Industrial (LI) zone  
noting all requirements are met.

26 Mr. Snyder explained the LI zone requires that a landscaped strip twenty (20) feet  
28 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 must be provided at 40 square feet  
per required stall with one tree per 10 stalls. With the proposed 102 stalls, that equates to  
30 4,080 square feet and 10 trees required. Mr. Snyder stated the required amount of interior  
landscaping and trees are provided.

32 Mr. Snyder went on to say that no fencing regulations apply as the site is not  
34 adjacent to a residential use or residential zone. He noted 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  
36 wood). He added that the applicant has provided photos of an identical existing  
office/warehouse (located in Vineyard) indicating the building colors will be earth tones  
38 (gray). He stated the elevations will also include aluminum window systems, a smooth  
face CMU band, a decorative roof trim and steel canopies. He mentioned the dumpster  
40 will be enclosed in CMU block walls with metal sight obscuring gates. He then  
referenced for discussion the landscape plan and elevation plan. He then turned the time  
42 over to Mr. Pilling for comment.

44 Mr. Pilling commented that this will be a good looking building and they will try  
to make it look residential even though it is commercial and it will have a lot of curb  
appeal. He added they already have tenants arranged with some additional potential  
46 tenants on a waiting list. There was then some general discussion regarding this site plan  
application.

48 Chairperson Call observed this appears to meet all requirements and sees no

reason not to approve this site plan. Chairperson Call asked if there were any further questions or comments from the Commission, hearing none she called for a motion.

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE APPLICANT'S REQUEST FOR SITE APPROVAL OF AN OFFICE/WAREHOUSE LOCATED AT APPROXIMATELY 71,936 SQUARE FEET TO BE LOCATED AT 1396 WEST 200 SOUTH IN THE LIGHT INDUSTRIAL (LI) ZONE WITH NO CONDITIONS. COMMISSIONER KELLER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

|                         |     |
|-------------------------|-----|
| CHAIRPERSON CALL        | AYE |
| COMMISSIONER KALLAS     | AYE |
| COMMISSIONER MARCHBANKS | AYE |
| COMMISSIONER MCDONALD   | AYE |
| COMMISSIONER KELLER     | AYE |

THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

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

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

- June 30<sup>th</sup> is the employee pool party.
- Four applications received for the vacant councilmember position.
- Update on projects underway in the city.
- Tour of the Spring Gardens assisted living facility.

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

**ADJOURN** –

COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE MEETING AT 8:37 P.M. COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – June 14, 2016

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Sharon Call, Chairperson

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Hugh Van Wagenen, Planning Director