The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, June 14, 2011** beginning at 7:00 p.m. in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

Conducting: Matt Bean, Chairperson  
Invocation: Sharon Call  
Pledge of Allegiance: Angie Neuwirth

**PRESENT**  
Matt Bean, Chairperson  
Ron Anderson, Commissioner  
Christian Burton, Commissioner  
Sharon Call, Commissioner  
Angie Neuwirth, Commissioner  
DelRay Gunnell, Commissioner  
Carolyn Lundberg, Commissioner  
Adam Cowie, Planning Director  
Woodworth Mataele, Assistant Planner  
Debra Cullimore, City Recorder

The meeting was called to order at 7:03 p.m.

**APPROVAL OF MINUTES** – The minutes of the meeting of May 24, 2011 were reviewed.

COMMISSIONER NEUWIRTH MOVED TO APPROVE THE MINUTES OF THE MEETING OF MAY 24, 2011. COMMISSIONER LUNDBERG SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

**PUBLIC COMMENT** –

Chairperson Bean called for comments from any audience member who wished to address any issue not listed as an agenda item. There was no public comment.

**CURRENT BUSINESS** –

1. **Site Plan** – Castle Park – Eric Barzeele – 110 & 126 South Main Street. This is a request by Eric Barzeele for approval of a Site Plan to convert an existing property into a commercial reception center facility called ‘Castle Park’. Issues regarding parking, occupancy restriction, landscaping, fencing, etc. will be discussed during the meeting. Recommendations will be forwarded to the City Council for final action.

   Eric and Amy Barzeele were present as representatives for this application. Mr. and Mrs. Barzeele were joined by the civil engineer for this project, Fred Clark. Mr.

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Cowie explained that this application is a recommendation to the City Council from the Planning Commission. He explained that the subject property is the former Hatfield residence, and that the site has been used for non-commercial large group gatherings such as charitable events. The Barzeesles are requesting to change the use from residential to a commercial reception center. Engineering review of the proposed site plan has shown significant issues with proposed parking. Compliance with parking standards is required prior to final approval of the application.

Mr. Cowie suggested that the Commission consider other site plan issues specifically listed in the code. He reviewed the site located at 110 North Main Street. He explained that the large residential structure is located on a separate parcel, with the castle structure and a second residential structure located on a separate parcel. The applicant is requesting to maintain the current residential use on the second parcel. City Code does not specifically prohibit the continuation of the existing residential use.

Mr. Cowie observed that the previous property owner created some striped parking stalls along the street frontage. However, the parking stalls were for private use and not approved by the City. Required parking must be contained to the site and does not include any on street parking. Although on street parking is not prohibited, it can not be counted toward minimum parking requirements. City Code allows some reduction in required parking based on specific criteria, such as proximity to transit stops and on-site bicycle parking. Based on calculations, 228 stalls will be required for the proposed use. The current parking plan includes the minimum number of stalls, but does not include the required 10 foot landscape buffer around the parking area. If the required landscaping is installed, it would be necessary to reduce the number of parking stalls. The City Engineer and project engineer have discussed parking issues and several options to meet minimum requirements. Mr. Cowie suggested that the Planning Commission consider other site plan issues and make a recommendation to the City Council pending compliance with minimum parking standards to be reviewed by the City Council prior to final approval.

Mr. Cowie went on to review other site elements. He explained that there is an existing 8-10 foot masonry wall around the perimeter of the site, as well as trees every fifteen feet. The site also includes an existing vegetative screen between the proposed commercial site and the adjacent residential use. The property frontage currently includes a 12 foot landscape strip and masonry fencing stained to have the appearance of a wood fence. City ordinance outlines specific landscaping and fencing requirements including a 20 foot landscape strip and white vinyl two rail fencing along the property frontage. However, the Planning Commission has authority to consider exceptions and variations to landscaping and fencing requirements. Mr. Cowie presented a photograph of the property frontage. The applicant is requesting to leave the existing landscaping and fencing in place along the frontage. Curb, gutter and sidewalk improvements will be required along the frontage. The Commission will discuss the street width and exact placement of street improvements in another agenda item later in the meeting.

Mr. Cowie went on to review other elements of the site plan, including recommended cross easements between parcels which will allow shared parking. The cross easement would be recorded on the plat for each parcel. Mr. Cowie also noted that a seven foot masonry fence is typically required between commercial property and residential zones or uses. The site currently includes a vegetative hedge, which the
applicant is requesting to leave in place. The Planning Commission has the authority to allow exceptions to the fencing requirement.

Mr. Cowie went on to review proposed storm drainage for the site. He stated that new site development typically requires connection to the storm water system, and on site detention. However, due to the lack of storm water infrastructure in this area, connection to the storm water system would be excessively burdensome and is not feasible at this time. The applicant is requesting that storm water be retained rather than detained on the site in a ‘mote’ structure around the existing castle structure on the site. Run off from the site will travel on the surface to the mote where it will be detained. Storm water is currently detained at this location. The proposed storm water plan has been reviewed by the City Engineer and appears to be feasible pending final engineering of the plan. Mr. Cowie noted that storm water from Main Street currently runs off to the unfinished shoulders and percolates into the ground. With the required installation of curb, gutter and sidewalk improvements, natural percolation will be eliminated. Staff recommends that a condition of approval be a finalized storm water agreement between the City and the applicant that storm water from Main Street along the property frontage also be retained on the site.

The Commission went on to discuss specific elements of the site plan with the applicants, including the existing asphalt area on the south end of the site will be used as part of the parking area. The applicants noted that the main building was constructed to commercial standards, and only a few minor upgrades will be required for commercial use of the building. Mr. and Mrs. Barzeele noted that they intend to continue the existing residential use in the residential portion of the main dwelling. The Commission also discussed various options for reconfiguring parking and adding additional parking areas to meet minimum standards. Mr. Cowie noted that minimum required parking as calculated by the City is based on anticipated use at the site rather than on square footage. Commissioner Call inquired as to whether a shared parking agreement with the bank located on the east side of Main Street may be feasible. Mr. Cowie stated that a parking agreement may be possible, but that there may be safety and ADA accessibility concerns related pedestrian travel across the public street.

Chairperson Bean invited comments regarding this application from audience members. Maxine Smith, residing at 260 South 280 West, expressed concern regarding ground water issues in the area. She also expressed concern regarding potential noise impacts to neighboring residential properties from this proposed commercial use. Ms. Smith was also concerned about potential narrowing of the Main Street right-of-way, which will be considered as a separate agenda item.

David Lee, owner of the neighboring property located at 181 South Main, expressed support of the proposed storm retention plan, noting that storm drainage in the area is inadequate. Mr. Lee also expressed concern regarding the proposed narrowing of the Main Street. He noted that future commercial uses in the area may increase traffic flow.

Lindon resident Sherrie Aucoine expressed concern regarding safety issues related to on street parking, particularly if the right-of-way is narrowed. She also expressed concern regarding the proposed storm water retention plan and the setback of the main structure. Ms. Smith agreed with concerns regarding on-site storm water retention. She noted that the drainage/irrigation ditch in the area is frequently at capacity,
and that available facilities may not be adequate to manage large storm events.

Chairperson Bean reiterated that the storm retention plan will be reviewed and approved by the City Engineer prior to final approval.

Chairperson Bean suggested that the Commission discuss and make a decision regarding site plan issues other than parking. The Commission discussed the request to leave the existing landscape strip located along the 130 South frontage. There was general agreement among the Commission that the existing landscaping was adequate and appropriate for the neighborhood. The Commission also noted that existing interior landscaping is in compliance with ordinance requirements.

The Commission went on to discuss existing fencing along 130 South. Mr. Cowie reiterated that the Commission does have the authority to waive landscaping and fencing requirements. He noted that similar exceptions have been made at other locations throughout the City, including the main street frontage of AmBank located on the east side of Main Street. Following discussion, the Commission felt that the existing fencing would be adequate with no modifications.

Ms. Aucoin inquired as to whether input has been received from AmBank regarding the possible narrowing Main Street and potential impacts to bank traffic and customers. Mr. Cowie reviewed noticing which was conducted prior to this meeting, including a mailed notice to affected property owners, noticing in the newspaper, and on site fliers. Chairperson Bean observed that all noticing requirements have been met, and that all property owners have had adequate opportunity to express any concerns they may have regarding this application.

The Commission went on to discuss typical requirements for seven foot masonry fence between commercial property and existing residential zones or uses. The applicants noted that the adjacent residential use is currently for sale, and that it may be reasonable to determine appropriate screening when a future use is determined.

Commissioner Neuwirth expressed concern regarding safety issues if there is no fence between the uses. Mr. Barzeele explained that a chain link fence is located next to the existing hedge. He suggested that the Commission allow an extension of the existing chain link fence and hedge along the common boundary of the two uses. The Commission agreed that extension of the chain link fence and hedge would be a reasonable solution.

The Commission then discussed the storm water agreement which would be a condition of approval. Mr. Barzeele stated that he is willing to retain run off from his property frontage along Main Street, but does not want to take responsibility for drainage from other properties. Mr. Cowie noted that storm drainage would require engineering approval prior to final site plan approval.

Commissioner Lundberg suggested that existing fencing on Main Street also be left in place, but be painted white to better match white two rail fencing typically required for commercial development. There was general agreement among the Commission that painting the existing fencing could be a reasonable solution.

Chairperson Bean noted that parking requirements are not yet resolved. He inquired as to whether the Commission felt comfortable forwarding this application to the City Council pending finalized parking plans. Commissioner Call noted that this property is very unique, and that finding a solution to the parking issue would allow
beneficial use of the property in the future rather than the site being vacant for an
indefinite period of time. Mr. Cowie noted that several options are available, and that
parking will be discussed and finalized with the engineers prior to City Council review of
this application.

The Commission discussed specific conditions of approval which should be
included in the motion. Chairperson Bean called for further comments or discussion
from the Commission. Hearing none, he called for a motion.

COMMISSIONER BURTON MOVED TO APPROVE THE CASTLE PARK
SITE PLAN APPLICATION WITH THE FOLLOWING CONDITIONS:

1. THAT THE APPLICANT ENTER INTO A STORM WATER AGREEMENT
   WITH THE CITY REGARDING STORM WATER RETENTION FOR MAIN
   STREET.

2. THAT A CROSS EASEMENT BE RECORDED BETWEEN SEPARATE
   PARCELS AND THE BARN LOCATED ON 140 SOUTH MAIN STREET.

3. THAT A REDUCTION IN LANDSCAPING REQUIREMENTS FROM 20
   FEET TO 12 FEET BE PERMITTED ALONG 130 SOUTH.

4. THAT A VEGATATIVE SCREEN AND CHAIN LINK FENCING BE
   PERMITTED IN LEIU OF SEVEN FOOT MASONRY FENCE BETWEEN
   THE EXISTING RESIDENTIAL USE AND COMMERCIAL USE.

5. THAT NO MODIFICATION IS REQUIRED FOR THE EXSITNG FENCING
   ON 130 SOUTH.

6. THAT THE FINAL PARKING PLAN BE APPROVED BY THE CITY
   ENGINEER PRIOR TO CITY COUNCIL REVIEW AND APPROVAL OF
   THIS APPLICATION.

COMMISSIONER CALL SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

   and 126 South Main Street. This is a request by Eric Barzeele for approval of a
   General Plan change to the properties located at 110 and 126 South Main
   Street. The applicant is proposing to convert the remaining portions of these
   parcels from ‘Residential Low” to ‘Commercial’ to accommodate a
   commercial reception center facility. Recommendations will be forwarded to
   the City Council for final action.

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

Mr. Mataele explained that this application was triggered by the site plan
application which changes the use of the subject property from residential to commercial.
The proposed change in the General Plan will reflect the commercial use of the property.
Chairperson Bean inquired as to whether the General Plan amendment would
remain in place if the Barzzees are unable to complete this project. Mr. Cowie stated
that the proposed General Plan change is still reasonable regardless of the specific
commercial use on the property. Commissioner Gunnell observed that the property was previously zoned for commercial use and was changed to residential use at the previous property owner’s request.

Chairperson Bean called for public comment. Ms. Smith inquired as to whether the residential use of the existing barn could continue if the property is zoned for commercial use. Mr. Cowie explained that existing commercial or residential uses can continue in commercial zones.

Chairperson Bean called for further public comment. There was no additional public comment. He called for further comments or discussion from the Commission. Hearing none, he called for a motion.

COMMISSIONER CALL MOVED TO APPROVE THE BARZEELE GENERAL PLAN AMENDMENT APPLICATION AND RECOMMEND APPROVAL TO THE CITY COUNCIL. COMMISSIONER NEUWIRTH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

3. **Public Hearing** – Zone Change – Castle Park – Eric Barzeele – 110 & 126 South Main Street. This is a request by Eric Barzeele for approval of a zone change to the properties located at 110 and 126 South Main Street. The applicant is proposing to convert the remaining portions of these parcels from R1-20 to CG to accommodate a commercial reception center facility. Recommendations will be forwarded to the City Council for final action.

Mr. Mataele explained that the proposed zone change is in compliance with the General Plan amendment and affects the same parcels. Chairperson Bean called for public comment, or comments or discussion from the Commission. Hearing none, he called for a motion.

COMMISSIONER NEUWIRTH MOVED TO APPROVE THE ERIC BARZEELE ZONE CHANGE APPLICATION. COMMISSIONER LUNDBERG SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

4. **Public Hearing** – Main Street Width – between State Street and 200 South. This item is a City initiated request to consider a change to the long-range Street Master Plan Map along Main Street (between State Street and 200 South). The change will narrow the width of the road right-of-way from 66’ wide to 50’ wide. This change will affect the maps at the City but will not consist of any physical street improvements at this time. The City intends to vacate the excess 8’ wide strip on each side of the road and deed that area to the adjacent properties. A similar process occurred several years ago on a section of Main Street on the north side of State Street (adjacent to Francom Motors and Walkers Gas Station). Recommendations will be forwarded to the City Council for final action.
Mr. Cowie explained that the proposed narrowing of Main Street was approved as a recommendation to the City Council by the Planning Commission as part of the recently completed General Plan update. The City Council has not yet reviewed the recommendation or taken action on General Plan amendments at this time. Mr. Cowie explained that the final street right-of-way must be established to coincide with this application to allow curb, gutter and sidewalk improvements to be installed in the appropriate location. Mr. Cowie clarified that this proposed modification would affect street maps only, and that no physical changes to the street are planned at this time. He explained that the current 66 foot right-of-way is designed for collector streets which handle much higher volumes of traffic than this section of roadway. The proposed narrowing allows a 34 foot wide asphalt width. The proposed narrowing would also lower street maintenance costs to the City.

Mr. Cowie went on to review the configuration of the intersection of Main Street and State Street, which has been identified by UDOT as having some safety concerns. The City is anticipates a realignment of the intersection to a 90 degree angle at some time in the future. However, the intersection alignment is not affected by the road width.

The Commission discussed a potential increase in traffic volume due to the commercial use, and possible safety issues associated with the narrower width. Ms. Smith, Ms. Aucoin and Mr. Lee agreed with concerns expressed by the Commission. Mr. Cowie presented photographs of the existing roadway, and outlined the right-of-way lines for the current and proposed street width. He also reviewed other collector streets in the City with 66 foot right-of-way, which typically carry much higher traffic volumes.

Commissioner Burton stated that he would like to see the street width narrowed, as a narrower roadway tends to calm traffic speed. He inquired as to whether it may be possible to continue this item pending engineering review of alternate plans. Mr. Cowie stated that the Barzeeles could bond for street improvements until the street right-of-way is finalized.

Chairperson Bean called for further public comment. There was no additional public comment. He called for further comments from the Commission. Hearing none, he called for a motion to close the Public Hearing.

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

COMMISSIONER BURTON MOVED TO APPROVE THE NARROWING OF MAIN STREET FROM STATE STREET TO 200 SOUTH FROM A 66 FOOT RIGHT-OF-WAY TO A 50 FOOT RIGHT-OF-WAY.

THE MOTION FAILED DUE TO LACK OF A SECOND.

Following further discussion, the Commission requested that staff work with the City Engineer to determine whether a width between the existing 66 foot right-of-way and the proposed 50 foot right-of-way would be possible. They felt that the 50 foot width may not be adequate to address parking, traffic flow and safety concerns related to
commercial use of the adjacent property. Mr. Cowie will follow up with the City Engineer to determine whether an alternate width would be possible.

COMMISSIONER NEUWIRTH MOVED TO CONTINUE CONSIDERATION OF THE NARROWING OF MAIN STREET FROM MAIN STREET TO 200 SOUTH PENDING ENGINEERING RECOMMENDATIONS FOR A POSSIBLE ALTERNATIVE STREET CROSS SECTION. COMMISSIONER CALL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

NEW BUSINESS – Reports by Commissioners

Commissioners gave no reports at this meeting.

PLANNING DIRECTOR’S REPORT –

Mr. Cowie reported on the dedication of the Monument To Freedom on Memorial Day, as well as on the Community Center ribbon cutting ceremony which was held on June 2, 2011.

ADJOURN –

COMMISSIONER NEUWIRTH MOVED TO ADJOURN THE MEETING AT 10:17 P.M. COMMISSIONER LUNDBERG SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – July 12, 2011

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Matt Bean, Chairperson

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Adam Cowie, Planning Director