

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **June 14, 2011** beginning at 7:00 p.m. in the Lindon City Center, City Council Chambers,
4 100 North State Street, Lindon, Utah.

5 Conducting: Matt Bean, Chairperson

6 Invocation: Sharon Call

7 Pledge of Allegiance: Angie Neuwirth

8 **PRESENT**

ABSENT

9 Matt Bean, Chairperson

10 Ron Anderson, Commissioner

11 Christian Burton, Commissioner

12 Sharon Call, Commissioner

13 Angie Neuwirth, Commissioner

14 DelRay Gunnell, Commissioner

15 Carolyn Lundberg, Commissioner

16 Adam Cowie, Planning Director

17 Woodworth Mataele, Assistant Planner

18 Debra Cullimore, City Recorder

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

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

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

25 **PUBLIC COMMENT** –

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

28 **CURRENT BUSINESS** –

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

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

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

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

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

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

43 Mr. Cowie went on to review other elements of the site plan, including
44 recommended cross easements between parcels which will allow shared parking. The
45 cross easement would be recorded on the plat for each parcel. Mr. Cowie also noted that
46 a seven foot masonry fence is typically required between commercial property and
47 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.

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

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

10 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
12 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
14 side of Main Street. Following discussion, the Commission felt that the existing fencing would be adequate with no modifications.

16 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
18 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
20 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
22 have regarding this application.

The Commission went on to discuss typical requirements for seven foot masonry
24 fence between commercial property and existing residential zones or uses. The Commission discussed possible options for a reasonable barrier in that area. The
26 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.
28 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
30 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
32 Commission agreed that extension of the chain link fence and hedge would be a reasonable solution.

34 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
36 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
38 approval prior to final site plan approval.

Commissioner Lundberg suggested that existing fencing on Main Street also be
40 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
42 painting the existing fencing could be a reasonable solution.

Chairperson Bean noted that parking requirements are not yet resolved. He
44 inquired as to whether the Commission felt comfortable forwarding this application to the City Council pending finalized parking plans. Commissioner Call noted that this
46 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.

2. **Public Hearing** – *General Plan Change – Castle Park – Eric Barzeele – 110 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 Barzeeles are unable to complete this project. Mr. Cowie stated that the proposed General Plan change is still reasonable regardless of the specific

2 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.

4 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
6 commercial use. Mr. Cowie explained that existing commercial or residential uses can
continue in commercial zones.

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

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

- 16
- 18 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
20 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.
22 Recommendations will be forwarded to the City Council for final action.

24 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
26 public comment, or comments or discussion from the Commission. Hearing none, he
called for a motion.

28

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

- 34 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
36 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'
38 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
40 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
42 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
44 City Council for final action.

2 Mr. Cowie explained that the proposed narrowing of Main Street was approved as
4 a recommendation to the City Council by the Planning Commission as part of the
6 recently completed General Plan update. The City Council has not yet reviewed the
8 recommendation or taken action on General Plan amendments at this time. Mr. Cowie
10 explained that the final street right-of-way must be established to coincide with this
12 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.

14 Mr. Cowie went on to review the configuration of the intersection of Main Street
16 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.

18 The Commission discussed a potential increase in traffic volume due to the
20 commercial use, and possible safety issues associated with the narrower width. Ms.
22 Smith, Ms. Aucoin and Mr. Lee agreed with concerns expressed by the Commission. Mr.
24 Cowie presented photographs of the existing roadway, and outlined the right-of-way lines
26 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 Barzees could bond for street improvements until the street right-of-way
is finalized.

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

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

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

40 THE MOTION FAILED DUE TO LACK OF A SECOND.

42 Following further discussion, the Commission requested that staff work with the
44 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

Matt Bean, Chairperson

Adam Cowie, Planning Director