

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **May 11, 2021 beginning at 6:00 p.m.** at the Lindon City Center, City Council
Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 6:00 P.M.**

8 Conducting: Sharon Call, Chairperson
Invocation: Jared Schauers, Commissioner
10 Pledge of Allegiance: Mike Marchbanks, Commissioner

12 **PRESENT** **EXCUSED**

Sharon Call, Chairperson
14 Rob Kallas, Commissioner
Mike Marchbanks, Commissioner
16 Steven Johnson, Commissioner
Jared Schauers, Commissioner
18 Scott Thompson, Commissioner
Renee Tribe, Commissioner
20 Mike Florence, Planning Director
Anders Bake, Associate Planner
22 Kathryn Moosman, City Recorder

24 **Special Attendee:**
Councilmember Vanchiere

26

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

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32 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the
Planning Commission meeting of April 27, 2021 were reviewed.

34 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
OF THE REGULAR MEETING OF APRIL 27, 2021 AS PRESENTED.

36 COMMISSIONER SCHAUERS SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

38

40 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.

42

44 **CURRENT BUSINESS** –

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4. **Public hearing for a recommendation to the City Council to amend the
Lindon City zoning map to General Commercial–A for the property located
at approximately 550 N. State Street.** Rhino Realty LLC (Low Book Sales)
requests a recommendation from the Lindon City Planning Commission for a
Zoning Map Amendment at approximately 550 N. State Street (Parcel number

2 14:067:0187 and a portion of 14:068:0304). The Zone Map Amendment request is
4 to change the zoning on the property to General Commercial-A.

6 COMMISSIONER MARCHBANKS MOVED TO OPEN THE PUBLIC
8 HEARING. COMMISSIONER THOMPSON SECONDED THE MOTION. THE
MOTION CARRIED UNANIMOUSLY.

10 Anders Bake, Associate Planner led this agenda item by stating the applicants
12 from Low Book Sales are in attendance and requesting to rezone the subject parcel from
General Commercial to General Commercial-A for the expansion of the Low Book Sales
dealership. He noted used automobile dealerships are not permitted in the General
Commercial Zone but are permitted in the General Commercial-A Zone.

14 Mr. Bake indicated the zoning map amendment request was originally part of the
16 Lindon Heights development with Elwood Holdings LLC that included an application for
a zone change to the General Commercial-A and the Planned Residential Development
(PRD) Overlay zones for a residential townhome and commercial development. The
18 applicant, Rhino Realty LLC (Low Book Sales), has decided to separate their request for
a Zone Map amendment from Elwood Holdings LLC who is proposing other commercial
20 uses on State Street and residential townhomes.

22 Mr. Bake stated this request will now be considered separately from the Lindon
Heights project and not relate to Elwood Holdings LLC zone map amendment and
24 general plan street masterplan amendment request. He added if the planning commission
and city council vote to approve the rezone request the applicant will be required to come
back for site plan and subdivision approval from the planning commission.

26 Mr. Bake went on to say that properties in the General Commercial-A Zone
follow the same development requirements as properties in the General Commercial
28 Zone found in Section 17.48 of the Lindon City Code. The only difference between these
two zones is that "Used Vehicle Sales Lots" are not permitted in the General Commercial
30 Zone but are a permitted use in the General Commercial-A Zone.

32 Mr. Bake stated the Low-Book Sales property to the North of the subject property
is in the General Commercial A Zone. There are currently twelve properties in the State
Street Corridor with the General Commercial-A zoning designation. The subject
34 property has a Commercial designation in the Lindon General Plan Map and the
minimum lot size for a lot in the CG-A zone is 20,000 square feet which this property
36 will meet.

38 Mr. Bake commented that the General Commercial-A Zone requires a minimum
lot size of 20,000 square feet; the subject parcel meets this requirement with 83,504
square feet. He noted all property owners of the subject property have signed their
40 consent for the applicant to make this application. He added public hearing notices as
required per city code were published in the Daily Herald newspaper on April 28, 2020
42 with no public comments received back at this time. Mr. Bake also read the conditions as
listed in the motion.

44 Commissioner Johnson inquired if the road goes through will there be problems
with the master plan. Mr. Florence stated the general plan says it will go through that
46 approximate location. Commissioner Johnson also asked once zoned General
Commercial A is there anything preventing it to be sold off later and that it can't be sold
48 as a separate car lot. Mr. Florence said that they would have to have a separate building

on that lot and UDOT would not give access so that is highly improbable. Chairperson Call mentioned one of the residents' comments was the issue of overflow parking in the neighborhood. The applicant stated this will amendment will be very helpful in alleviating that issue. Commissioner Kallas made it clear that the parking needs to be adhered to as they have had a lot of public comments on this issue. Mr. Florence stated the ordinance states they are required to provide employee and customer parking on their property.

Mr. Bake then presented an Aerial Photo, Surrounding Area Zoning Map, Surrounding Area General Plan Land Use Map and the Legal Description and exhibit followed by some general discussion.

Chairperson Call called for any public comments. Hearing none she called for a motion to close the public hearing.

COMMISSIONER JOHNSON MOVED TO CLOSE THE PUBLIC HEARING.
COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Commissioner Kallas commented that he feels very good about this zoning map amendment. He also asked for clarification on the percentage of the commercial for when the other developer comes back and how it meets the ordinance. Mr. Florence stated the ordinance states they will have to pull a building permit for 25% of the commercial and Elwood Holdings will have to pull a permit for 25% of what they are doing; this action does not change that. Chairperson Call agreed it will be good to have it separated out.

Following some additional discussion, the Commission was in agreement to recommend approval of this request to the city council with the conditions as listed in the motion.

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

COMMISSIONER MARCHBANKS MOVED TO RECOMMEND APPROVAL OF ORDINANCE #2021-6-O TO AMEND THE LINDON CITY ZONING MAP FROM GENERAL COMMERCIAL TO GENERAL COMMERCIAL-A LOCATED AT APPROXIMATELY 550 NORTH STATE STREET WITH PARCEL NUMBER 14:067:0187 AND A PORTION OF 14:068:0304 AS PRESENTED. COMMISSIONER SCHAUERS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER SCHAUERS	AYE
COMMISSIONER THOMPSON	AYE
COMMISSIONER TRIBE	AYE
THE MOTION CARRIED UNANIMOUSLY.	

2 **5. Public hearing for a recommendation to the Lindon City Council to**
3 **amend** the Standard Land Use Table for Wedding/Event Reception Center
4 uses. Lindon City requests a recommendation from the Lindon City Planning
5 Commission to set a 300-foot buffer between Wedding/Event Reception
6 Centers and any area zoned primarily for residential uses as measured from
7 property line to property line and to remove Wedding/Event Reception
8 Centers uses as an allowed use in the CG-S zone.

12 COMMISSIONER JOHNSON MOVED TO OPEN THE PUBLIC HEARING.
13 COMMISSIONER TRIBE SECONDED THE MOTION. THE MOTION CARRIED
14 UNANIMOUSLY.

16 Mike Florence, Planning Director led this agenda item by explaining the Lindon
17 City Council requested staff to evaluate how to reduce incompatible conflicts between
18 residential uses and future Wedding/Event Reception Center uses. He noted many of
19 these conflicts are associated with parking in residential areas, building light spillover,
20 outdoor music, and hours of operation; uses in commercial zones typically do not have
21 limits on hours of operation. He pointed out that the Lindon City Community
22 Development Department frequently receives complaints about conflicts between
23 Wedding/Event Reception Centers and residential uses. He added staff feels like a better
24 buffer between residential and future reception/event center uses will help to resolve
25 these conflicts.

26 Mr. Florence stated the current buffering requirement is a 7' masonry wall between
27 a commercial and residential use or zone. He noted the City is proposing a buffer
28 separation of a minimum 500 feet from any area zoned primarily for residential use as
29 measured from property line to property line. The City is also proposing to remove
30 Wedding/Event Reception Center uses from the Commercial General – Storage zone. He
31 pointed out the intent of the CG-S zone was to allow for storage units in a commercial
32 zone and the City adopted specific design standards for storage units in the CG-S zone.

33 Mr. Florence went on to say that Lindon City has become a popular location for
34 Wedding/Event Reception Center business as there are currently eight such businesses
35 located in the City. He added the City wants to promote business in the community but
36 staff feels like the City also needs to have buffering standards in place to ensure
37 compatibility with neighboring residential uses.

38 Mr. Florence indicated the City was recently approached by another
39 Wedding/Event Reception Center use that potentially could have had a significant impact
40 on a surrounding residential neighborhood. The City is recommending that receptions
41 centers continue as a permitted use in all commercial zones with the exception of the
42 Commercial General-Storage zone. Mr. Florence then presented the 500' radius map and
43 the adopting ordinance followed by some general discussion.

44 At this time Chairperson Call asked the Commission if they want to go with the
45 500 ft. radius buffer recommendation or roll it back to 300 ft. or continue this item to
46 allow time to reevaluate it. Commissioner Johnson questioned if it would be better to
47 increase the parking requirement for these vs. doing something that eliminates them; he
48 leans towards the less harsh of the solutions. Commissioner Thompson commented that
49 he doesn't want it to look like we are trying to eliminate these types of venues but just
50 trying to mitigate the problems/complaints associated with them.

2 Mr. Florence stated we need to be clear and direct on our ordinances; we could
look at the parking and give some options to look at and also evaluate the buffer.
4 Commissioner Marchbanks pointed out that the amount of parking we hoped would work
at the facility on Gillman Lane is obviously not working. Commissioner Tribe pointed
6 out that Walker Farms and Wadley Farms don't get many complaints because they have
adequate parking. Commissioner Kallas stated he would like to see this come back with a
8 study for more options and look at a combination of the buffer and to also mitigate the
parking issue. Commissioner Johnson added he would also like the noise and lighting
10 issues addressed.

Following some additional discussion, the Commission was in agreement to
12 continue this item to allow more time to study the parking changes, lighting and noise
issues, and possibly reducing the radius buffer from 500 ft. to 300 ft.

14 Chairperson Call called for any public comments. Hearing none she called for a
motion to close the public hearing.

16 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.
18 COMMISSIONER THOMPSON SECONDED THE MOTION. THE MOTION
CARRIED UNANIMOUSLY.

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

24 COMMISSIONER MARCHBANKS MOVED TO CONTINUE ORDINANCE
AMENDMENT 2021-5-O TO LOOK AT PARKING CHANGES, NOISE AND
26 LIGHTING ISSUES AND REDUCING THE BUFFER RADIUS FROM 500 FT. TO
300 FT. COMMISSIONER THOMPSON SECONDED THE MOTION. THE VOTE
28 WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
30 COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
32 COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
34 COMMISSIONER SCHAUERS	AYE
COMMISSIONER TRIBE	AYE

36 THE MOTION CARRIED UNANIMOUSLY.

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

42 Commissioner Thompson asked for an update from the recent city council
discussion on the Norton Property proposed development. Councilmember Vanchiere
gave a brief update on the council work session noting they mainly had discussion on the
44 issue of whether to open the road or not and also the density issue. Chairperson Call
asked Mr. Florence about the pool passes and the facility rentals for the commissioners.
46 Mr. Florence stated he has not heard on the pool passes as yet and he indicated the
council approved/reinstated the park reservations for the commission.

6. **Planning Director Report** – General City Updates. Mr. Florence also went over the agenda items for the next meeting.

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

ADJOURN –

COMMISSIONER TRIBE MADE A MOTION TO ADJOURN THE MEETING AT 7:05 PM. COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – May 25, 2021

Sharon Call, Chairperson

Michael Florence, Planning Director