

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **June 22, 2021 beginning at 6:00 p.m.** at the Lindon City Center, City Council
4 Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 6:00 P.M.**

8 Conducting: Sharon Call, Chairperson
9 Invocation: Rob Kallas, Commissioner
10 Pledge of Allegiance: Mike Marchbanks, Commissioner

12	<u>PRESENT</u>	<u>EXCUSED</u>
	Sharon Call, Chairperson	Scott Thompson, Commissioner
14	Rob Kallas, Commissioner	
	Mike Marchbanks, Commissioner	
16	Steven Johnson, Commissioner	
	Jared Schauers, Commissioner	
18	Renee Tribe, Commissioner	
	Mike Florence, Economic Development Director	
20	Anders Bake, Associate Planner	
	Kathryn Moosman, City Recorder	

22 **Special Attendee:**
24 Councilmember Vanchiere – via remotely

- 26 1. **CALL TO ORDER** – The meeting was called to order at 6:00 p.m.
- 28 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the
30 Planning Commission meeting of June 8, 2021 were reviewed.

32 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
34 OF THE REGULAR MEETING OF JUNE 8, 2021 AS AMENDED. COMMISSIONER
36 TRIBE SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE
38 MOTION CARRIED.

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

40 **CURRENT BUSINESS** –

- 42 4. **Conditional Use Permit – Willis Diesel – 1279 West 300 South.** Trevin Willis
44 requests conditional use permit approval to use a portion of the property located at
46 1279 W 300 S., Lindon Utah for an auto repair business. (Parcel numbers:
45:241:0026)

2 Anders Bake, Associate Planner led this agenda item by stating the applicant
Trevin Willis (who is in attendance) is requesting conditional use permit approval to use
4 a portion of the property located at 1279 W 300 S., Suite 5 for an auto repair business.

Mr. Bake indicated the Standard Land Use Table requires that businesses doing
6 vehicle repair in the Light Industrial Zone obtain a Conditional Use Permit. The
proposed business, Willis Diesel, will perform all work indoors and within their unit. He
8 noted notices were mailed on June 11, 2021 to adjoining property owners in accordance
with Lindon City Code and Staff has received no public comment back at this time.

10 Mr. Bake stated Willis Diesel will be using one of six commercial units in the
building; the property is in the Lindon Harbor Industrial Park Plat "A" Subdivision. He
12 noted this subdivision was recorded in August 1997 and the building was completed in
November 2020 and the building and site comply with Lindon City Code requirements.
14 He noted the applicant is not planning to do any construction on the building and will not
be required to make any changes to the building or site.

16 Mr. Bake stated there are six parking stalls available on the property that are
allotted to this business unit. The business will have two employees working at the
18 property and customers will only come to the property to drop off and pick up vehicles.
He pointed out, based on the business description that was provided, it is expected that
20 this business will have a minimal impact on surrounding properties and will be
compatible with other uses in the Light Industrial Zone. Mr. Bake then presented the
22 Business description, Site Plan and Liquid Waste plan followed by some general
discussion.

24 Following some additional discussion, the Commission was in agreement this
appears to be a pretty straightforward request and an appropriate use for the location.

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

28
COMMISSIONER JOHNSON MOVED TO APPROVE THE APPLICANT'S
30 REQUEST FOR A CONDITIONAL USE PERMIT TO USE THE PROPERTY
LOCATED AT 1279 W 300 S SUITE 5 FOR AN AUTO REPAIR BUSINESS, WITH
32 THE FOLLOWING CONDITIONS: 1. VEHICLES MAY NOT BE STORED
OUTDOORS FOR LONGER THAN 72 HOURS UNLESS THE OWNER IS WAITING
34 ON DELIVERY OF PARTS; 2. NO AUTOMOBILE PARTS WILL BE STORED
OUTSIDE OF THE BUILDING; 3. THE APPLICANT WILL COMPLY WITH ALL
36 OF THE LIGHT INDUSTRIAL SPECIAL PROVISIONS REQUIREMENTS FOUND
IN SECTION 17.49.090 OF THE LINDON CITY CODE; AND 4. ALL ITEMS OF THE
38 STAFF REPORT. COMMISSIONER MARCHBANKS SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:

40 CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
42 COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE
44 COMMISSIONER SCHAUERS	AYE
COMMISSIONER TRIBE	AYE
46 THE MOTION CARRIED UNANIMOUSLY.	

2 **5. Public Hearing: Recommendation to the Lindon City Council to amend**
3 **ordinance 18.03.030 relating to Gasoline Price Signs – Impact Signs.**

4 Impact Signs on behalf of Holiday Oil requests an amendment to ordinance
5 18.03.030 to allow for electronic changeable copy for gasoline pricing
6 advertising.

10 COMMISSIONER MARCHBANKS MOVED TO OPEN THE PUBLIC
11 HEARING. COMMISSIONER KALLAS SECONDED THE MOTION. THE MOTION
12 CARRIED UNANIMOUSLY.

14 Mike Florence, Economic Development Director, led this agenda item by
15 explaining the applicant, Impact Signs on behalf of Holiday Oil, is requesting an
16 amendment to the city sign code. He noted Holiday Oil is currently under construction
17 for a new convenience store located at the corner of Geneva Road and 700 North. The
18 applicant's purpose in requesting this ordinance amendment is that they feel the
19 electronic changeable copy signs are safer and easier for employees since they will not
20 need to go out near the road to change out pricing in bad weather. It also allows the
21 corporate office to change the pricing from headquarters when they change all the other
22 price changers at other locations.

23 Mr. Florence noted a new sign type has been created called Gasoline Price Signs.
24 He noted these signs would be specific to gasoline stations only to allow for electronic
25 changeable copy for gasoline pricing. He indicated that currently, the city does not
26 permit any type of electronic copy or message center signs. Mr. Florence stated the
27 proposed amendment would allow Gasoline Price Signs with the following regulations:

- 28 1. Gasoline Price Signs require a sign permit from the city and are only permitted on
29 the premises of a gasoline service station.
- 30 2. Permitted only as a monument sign and shall be included in the overall permitted
31 square footage calculation for the sign area as determined in this chapter.
- 32 3. Gasoline price signs are permitted to have electronic or manual changeable copy.
- 33 4. Electronic changeable copy shall change only to update gasoline prices.
34 Electronic changeable copy shall not scroll, flash, fade in or out, show video, or
35 transition through multiple fuel prices.
- 36 5. The electronic changeable copy sign area for each individual price shall not
37 exceed six (6) square feet.
- 38 6. Gasoline Price Signs shall be located along arterial or collector streets only as
39 identified on the Lindon City Street Master Plan Map. A business is only allowed
40 one Gasoline Price Sign along an arterial or collector street unless located on a
41 corner lot where each abutting street is an arterial or connector street, the business
42 then may have one Gasoline Price Sign on each arterial or collector street.
- 43 7. Such signs shall be installed with automatic dimmers to adjust the brightness of
44 the electronic changeable copy throughout the day and night.

46 Mr. Florence stated for the ordinance amendment there are three sections of the
47 sign code that are proposed to be amended and are outlined as follows:

- 48 • Adding the definition of Gasoline Price Sign

18.03.020 – Definitions

- 2 “Gasoline Price Sign” A sign which is used to advertise the price of
gasoline at gasoline service stations.
- 4 • Copy Signs – Electronic or Mechanical. Adding a reference that Electronic
Changeable Copy Signs are allowed with specific regulations under the Gasoline
6 Price Sign type requirements.

8 **18.03.030 – Specific Regulations by Sign Type**

Changeable Copy Signs – Electronic or Mechanical.

- 10 1. Electronic Changeable Copy signs (such as LED’s or flat-panel digital
technologies) and mechanically changeable copy signs are only permitted in the
12 T-zone along the I-15 freeway corridor or as a Gasoline Price Sign. See specific
Electronic Changeable Copy Sign regulations for Gasoline Price Signs under
14 Gasoline Price Sign type.

• Proposed Language for Gasoline Price Sign

16 **18.03.030 – Gasoline Price Sign Requirements**

- 18 1. Gasoline Price Signs require a sign permit from the City and are only permitted
on the premises of a gasoline service station.
- 20 2. Permitted only as a monument sign and shall be included in the overall permitted
square footage calculation for the sign area as determined in this chapter.
- 22 3. Gasoline price signs are permitted to have electronic or manual changeable copy.
- 24 4. Electronic changeable copy shall change only to update gasoline prices.
Electronic changeable copy shall not scroll, flash, fade in or out, show video, or
transition through multiple fuel prices.
- 26 5. The electronic changeable copy sign area for each individual price shall not
exceed six (6) square feet.
- 28 6. Gasoline Price Signs shall be located along arterial or collector streets only as
identified on the Lindon City Street Master Plan Map. A business is only allowed
one Gasoline Price Sign along an arterial or collector street unless located on a
30 corner lot where each abutting street is an arterial or connector street, the business
then may have one Gasoline Price Sign on each arterial or collector street.
- 32 7. Such signs shall be installed with automatic dimmers to adjust the brightness of
the electronic changeable copy throughout the day and night.
- 34

36 Mr. Florence went on to say as staff has reviewed the applicant’s proposal, the
sign type would be limited to gasoline service stations only and the electronic portion for
each advertised pricing area are limited in size to six square feet. These signs will not be
38 allowed to flash, show video, or transition through different pricing. He noted one benefit
to these signs is that the sign does look for more professional as there are times when the
40 numbers look worn or are missing for manual changeable copy signs.

42 Mr. Florence pointed out with electronic signs there are always concerns about
brightness. He noted city staff requested information from the applicant and received the
following response: the electronic components have a photo controlled “eye” that updates
44 constantly 24 hours a day so the lighting is not too dim or bright.

46 Mr. Florence made note that Lindon City has two existing gasoline convenience
stores and the new Holiday Oil under construction. All three stores are located on corners
as well as located on arterial or collector streets. The 7-11 (located at 700 N. and State
48 Street has monument signs located on both 700 N. and State which could be converted to

2 the Electronic Changeable Gasoline Price Signs if desired. This store just installed a new
4 monument sign on State Street due to a vehicle hitting the previous sign. The 7-11 Store
6 at State and Center has a non-conforming detached sign. For this store to install Gasoline
Price Signs they may be required to remove the existing sign since it is non-conforming.
The new Holiday Oil is proposing monument signs for both 700 N. and Geneva.

8 Mr. Florence then presented pictures of existing signs at existing convenience
stores in Lindon, the draft ordinance with the changes highlighted and the Holiday Oil
sign plans followed by discussion.

10 Commissioner Johnson commented he is comfortable with this application, but he
would like to have further discussion on the sign ordinance as far as restrictions etc. as to
12 allow electronic copy signs in the city. Mr. Florence stated we can have further
conversation with the council on this issue. Chairperson Call stated she doesn't have a
14 problem with this proposal because the language is very specific and very tight.

Following some additional discussion, the Commission agreed this request is
16 completely reasonable and looks more professional. They were in agreement this
ordinance amendment meets all requirements and to recommend approval to the city
18 council with the conditions as listed in the motion.

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

22 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.
COMMISSIONER SCHAUERS SECONDED THE MOTION. THE MOTION
24 CARRIED UNANIMOUSLY.

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

28 COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL TO
30 THE CITY COUNCIL ORDINANCE AMENDMENT #2021-9-O AS PRESENTED.
COMMISSIONER TRIBE SECONDED THE MOTION. THE VOTE WAS
32 RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
34 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
36 COMMISSIONER JOHNSON	AYE
COMMISSIONER SCHAUERS	AYE
38 COMMISSIONER TRIBE	AYE
THE MOTION CARRIED UNANIMOUSLY.	

40
42 **6 & 7. Site Plan & Conditional Use Permit Approval – Pür Pickle – 195**
North State Street; Pür Pickle, LLC requests site plan and conditional use permit
44 approval for a one story, 9,421 square foot, private athletic facility consisting of
four pickleball courts at 195 North State Street. (Parcel number: 45:567:0002)

46 Anders Bake, Associate Planner opened this agenda item by explaining for site
plan approval, the planning commission will be evaluating whether this site plan and
48 building meets the Title 17 development regulations and commercial design standards.

2 Mr. Bake explained the applicant is proposing to construct a one story, 9,421 square foot, private athletic facility consisting of four pickleball courts at 195 North State Street

4 Mr. Bake stated Mr. Mark Eddy with Pür Pickle is in attendance to request a conditional use permit & site plan approval to use the property and proposed building
6 located at 195 North State Street for private pickleball courts. He noted there will be four courts and four bathrooms with showers that will be available for club member use. He
8 noted the Standard Land Use Table lists several uses that are similar to the proposed use of the property including private tennis courts, recreation centers, and gymnasium &
10 athletic clubs; these three uses are listed as conditional uses in the General Commercial zone and require a conditional use permit.

12 Mr. Bake further explained that the parking standards are based on the zone and the different uses in the building and their respective square footage. The parking
14 requirements section of the Lindon City Code states that cultural, amusement and recreation uses requires one parking stall per three and one-half (3 ½) person capacity in
16 the building or facility, based on maximum use of all facilities at the same time. He added this proposed facility consists of four pickleball courts which would allow for a
18 maximum capacity of 16 people and be require 5 parking stalls.

20 Mr. Bake went on to say the proposed site plan provides seven parking stalls on the property. There is an existing access agreement that gives the subject property full
22 access to eight existing parking stalls that border this property. He indicated that city staff feels that the fifteen stalls available to the property will be sufficient for the use of this
24 building. He pointed out that staff has included a proposed condition that if the provided parking that becomes insufficient for the use of the property, then the applicant will
26 secure an agreement to provide additional, off site, parking for the subject property. He noted traffic circulation access to the subject property will be from 200 North and go
28 through the property at 275 West 200 North. He pointed out the applicant has worked with City Staff to provide adequate space in their parking lot for backing up out of the
parking stalls.

30 Mr. Bake stated the landscaping plan does not provide a sufficient landscaping strip along 200 North in the area shown below. This portion of the landscaping plan will
32 require Planning Commission approval according to section 17.48.030 of the Lindon City Code which states the following: "*Landscaping requirements concerning berming, trees, and landscape materials can be changed and/or altered (with regard to location and design) upon approval of the planning commission at the site plan review stage of an application. No net loss of landscaping should occur with any approved alterations. Other landscaping layouts consistent with the Lindon commercial design standards may also be considered by the planning commission.*"

38 Mr. Bake pointed out the sidewalk was already installed along 200 North from the previous development and the proposed landscaping plan does provide additional
40 landscaping to the East of the parking lot. He indicated that city staff supports the applicant's proposal and feel that they are making the most out of the site constraints and the existing conditions.

44 Mr. Bake further explained the proposed plan meets the minimum lot size requirement of 20,000 square feet; the site is 22,435 square feet. He indicated that all
46 building setback requirements are met. He noted under the commercial design standards, commercial development should pick one of three building forms: one-part commercial
48 block, two-part commercial block, and central block buildings; the proposed building

2 most aligns with the one-part commercial block building. He then referenced the standards for this type of building in the Commercial Design Standards.

4 Mr. Bake stated the City Engineer is working through any technical issues related to the site plan and will conduct a final review if the planning commission grants final
6 site plan approval. He added staff believes that this development will be an amenity to Lindon City as the facility will allow club members to schedule the facility for private
8 use and also provides four bathrooms and showers to club members.

Mr. Bake indicated there are two items identified that will need additional
10 Planning Commission review. The first is the portion of the landscaping strip along 200 North. The second is the fenestration on the primary façade of the building. He noted if
12 the commission is comfortable adding this as a condition of approval, then staff can do the final review once the plans are updated. He stated the applicant has provided a
14 memorandum with additional information regarding their business model and scheduling. He noted the applicant has also addressed the expected parking demands and traffic
16 circulation on this property.

Mr. Bake then presented an aerial photo, site plan, building elevations,
18 landscaping plan, and the applicant's memorandum followed by discussion. He then turned the time over to the applicant for comment.

20 The applicant, Mr. Eddy, addressed the commission at this time. He explained Pür Pickle is a new company recently formed to pursue the development of a private
22 athletic club providing pickle ball courts to the community. He noted they have agreed to purchase the .52-acre parcel located at 195 North State Street. The planned facility will
24 have four pickle ball courts which will be scheduled for play by the club's members. Two of the courts will be scheduled on the half-hour with the other two scheduled at the top of
26 the hour to alleviate congestion at turn-over.

Mr. Eddy noted the facility will provide four bathroom/shower units for its
28 members and access will be granted by a key fob at the time of reservation. He noted there will be no employees needed to operate the facility. They anticipate peak-operating
30 hours to be prior to normal work hours (5 a.m. to 9 a.m.) and thereafter (6 p.m. to 10 p.m.) although members will be able to schedule during off-peak times. He pointed out
32 there will be no room in the design provided for spectators and as a result, reservations will only allow for four people per court or a maximum of sixteen players at any time.

34 Mr. Eddy stated they assume at turn-over, some may people may choose to use the bathroom/shower facilities that are provided. He noted they could also foresee people
36 pausing to talk in the lobby as they come and go. Mr. Eddy noted in speaking with city staff, they have determined that a conservative maximum occupancy would be 28 people
38 (16 players, 4 in showers, 8 in lobby). He added that members will access the site through an ingress/egress easement already on record and granted by the physician's plaza located
40 to the West of the site. He noted as part of that easement, up to 8 parking stalls were also granted to the site at the time the subdivision was developed. He then referenced the site
42 plan noting there are 9 parking stalls provided near the main entrance for a total of 17 parking stalls.

44 Mr. Eddy went on to say with the small number of maximum occupants and the fact that peak hours for the adjacent building are opposite of the peak hours for the
46 athletic club, they are not anticipating traffic congestion or any negative impacts on neighboring businesses. He pointed out as for odor, dust or pollution, the improvement of
48 this vacant lot will significantly decrease any of those concerns. He indicated after the

2 DRC meeting with city staff, there will be sufficient water and sewer capacity at this
location. He noted much of the design was anticipated at the time the subdivision was
4 first developed by the adjacent landowners. He concluded by stating he believes this will
be an improvement at this location and will be a nice amenity to the city.

6 There was then some general discussion including the fenestration on the primary
façade of the building. Staff noted the applicant will work with staff to ensure this
8 requirement is met. Following some additional discussion, the Commission was in
agreement this will be a beautiful building and a great addition to the city. They were in
10 agreement to approve this conditional use permit and site plan request with the conditions
as listed in the motion.

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

14
COMMISSIONER JOHNSON MOVED TO APPROVE THE APPLICANT'S
16 REQUEST FOR A CONDITIONAL USE PERMIT TO USE THE PROPERTY
LOCATED AT 195 NORTH STATE STREET FOR AN ATHLETIC CLUB
18 BUSINESS, WITH THE FOLLOWING CONDITIONS: 1. IF THE PARKING THAT IS
PROVIDED BECOMES INSUFFICIENT FOR THE USE OF THE PROPERTY, THE
20 APPLICANT WILL SECURE AN AGREEMENT TO PROVIDE ADDITIONAL OFF
SITE PARKING FOR THE SUBJECT PROPERTY; 2. THE APPLICANT WILL
22 COMPLY WITH ALL OF THE COMMERCIAL ZONING REQUIREMENTS FOUND
IN SECTION 17.48 OF THE LINDON CITY CODE; AND 3. ALL ITEMS OF THE
24 STAFF REPORT. COMMISSIONER MARCHBANKS SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:

26 CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
28 COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE
30 COMMISSIONER SCHAUERS	AYE
COMMISSIONER TRIBE	AYE
32 THE MOTION CARRIED UNANIMOUSLY.	

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

36
COMMISSIONER SCHAUERS MOVED TO APPROVE THE APPLICANT'S
38 REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS:
1. THE APPLICANT WILL PROVIDE 60% FENESTRATION ON THE PRIMARY
40 FAÇADE OF THE BUILDING AT THE PEDESTRIAN LEVEL; 2. THE APPLICANT
WILL CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL FINAL
42 CORRECTIONS TO THE ENGINEERING DOCUMENTS; 3. THE PLANS WILL
MEET DEVELOPMENT SPECIFICATIONS AS FOUND IN THE LINDON CITY
44 DEVELOPMENT MANUAL; 4. FINAL DESIGN WILL MEET THE COMMERCIAL
DESIGN STANDARDS FOR COMMERCIAL SITES AND BUILDINGS; 5. THE
46 APPLICANT WILL COMPLY WITH ALL BONDING REQUIREMENTS, IF
APPLICABLE; AND 6. ALL ITEMS OF THE STAFF REPORT.

2 COMMISSIONER TRIBE SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

4 CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
6 COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE
8 COMMISSIONER SCHAUERS	AYE
COMMISSIONER TRIBE	AYE

10 THE MOTION CARRIED UNANIMOUSLY.

12 **8. Public hearing for a recommendation to the Lindon City Council to**
14 **amend the Lindon City zoning map to Light Industrial for the rear**
16 **portion of the property located at approximately 860 W. 200 S. Lindon**
18 **Self Storage, LLC** requests a recommendation from the Lindon City Planning
Commission for a zoning map amendment for the rear portion of the property
located at approximately 850 W. 200 S. (Parcel number 14:065:0158).

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

22
Mr. Bake led this discussion item by explaining this application was reviewed by
the Planning Commission on May 25, 2021 along with applications for a site plan, minor
subdivision, and major subdivision. He noted the applications were continued by the
commission in order to get more information on the CC&R's for the project and to get
answers to some questions that could not be answered during the meeting. He noted
included in this report is a list of these questions that city staff sent to the applicant along
with the applicant's responses (the responses include references to sections of the updated
CC&R's that are also attached to this report).

Mr. Bake further explained the applicant is requesting to rezone a portion the
subject parcel from Residential (R1-20) to Light Industrial (LI) for the development of a
storage unit facility. He pointed out that storage units are not permitted in the Residential
Zone but are permitted in the Light Industrial Zone. He noted the proposed development
received approval on May 10, 2016 for a 46-unit self-storage condominium project on the
subject property. Since their approval, the applicant did not meet development deadlines
and their entitlement for the project expired. The applicant is now proposing a similar
project but with additional property to be included to the project with a total of 75 storage
units.

Mr. Bake explained the property that was part of the 2016 approval was in the
Light Industrial zone, but the property that has been added in is currently in the R1-20
zone which is the reason for the zone map amendment request at this time; the subject
parcel is 3.05 acres with about half of the property zoned R1-20 and half zoned LI. He
noted the approval of this zone map amendment request would put all of the property in
the same zone. The planning commission will be making a recommendation to the city
council for this rezone request. He indicated the applicant will also be required to
received site plan and subdivision approvals for their project.

2 Mr. Bake stated in September of 2018 the BMC property, which is next to the
subject property at 145 South Geneva Road, received zone map amendment approval to
4 change a portion of their property from Residential (R1-20) to Light Industrial (LI).
These properties are both designated as Mixed Commercial in the Lindon City General
6 Plan which supports the proposed zone change.

Mr. Bake stated the following questions were sent to the applicant. The
8 applicant's responses to each question are shown in red. Some of the responses refer to a
section of the CC&R's for the project. He then gave a summary of the following
10 questions and answers from the applicant.

- Will each unit have individual thermostats? **Each unit will have the option to have individual thermostats for climate control.**
- What will be the office hours for the front office? **10-2 Monday thru Friday. Since this is not a commercial storage unit, these office hours are more to help individual owners with any concerns they may have. However, someone will be living on site.**
- Can you provide an estimate CC&R's fee that will be charged to owners and a breakdown of what the fee will be used for? **We do not have the fee at the moment as we are still working out what that will be. However, the dues will be utilized for common area maintenance, insurance, legal accounting, management, and any other professional fees associated with the operation of the property.**
- What will happen with any wastewater from washing vehicles or recreational vehicles? Do improvements need to be added to the engineering plans to address drainage collection and catch any grease or contaminates? **From Our engineer: "The water will flow into the storm drain system. We will have snouts on the catch basins before it hits the city storm drain and the detention system."**
- Does the easement cover the maintenance of the access easements on both 200 S. and 800 W.? Who is responsible for long-term maintenance and are these documents in place to clarify that? Do the agreements also cover maintenance of trees that may grow over the easement which will need to be maintained for proper fire access. **The HOA will be responsible for maintaining both easements into the project. The original agreement for the access off of 200 S does state we will maintain this access. The agreement to be signed and recorded for the access on 800 W states the same. In the CC&Rs Page 7, section 4.3**
- Is signage proposed for the storage units? **No, it's not a typical commercial business, as the units are owned individually. CC&Rs also state owners are not allowed signs, page 17 section 9.3.**
- Will the HOA ultimately be turned over to a Property Owners Association? **Yes, page 4, section 1.20**
- How will enforcement happen after hours in the case of complaints such as noise or other violations of the CC&R's by storage unit owners? **Mentioned on page 9, section 5.9,**
- It was mentioned by the commission to add hours of operation for hobby type uses that may cause a noise disturbance or after-hours noise disturbance to the surrounding neighbors such as auto related uses and repair. **Page 17, section 9.4**
- The commission also asked whether businesses that come to service vehicles such as camp trailers or recreational vehicles be limited by hours of operation? **Page 18, section 9.6**

- 2 • The commission would like to see all businesses that come to service vehicles
only happen during specific hours of operation and not in the common roadways.
4 **Page 18, section 9.6**
- 6 • The planning commission would like language added to the use section of the
CC&R's that commercial businesses cannot be operated from the storage unit.
8 **Page 20 section 9.13**
- 10 • The planning commission would like to see the requirement that customers are
not allowed to come to the storage units to ensure that businesses are not operated
from the units. **Page 20 section 9.13**
- 12 • The commission would like to see the requirement added that no unit will be used
to house animals, reptiles, grow plants. Non-live materials only. **Page 20 section**
14 **9.13**

16 Mr. Bake stated the subject property has a Mixed Commercial designation in the
Lindon General Plan Map. The Lindon General Plan states the following purpose for
18 areas designated as Mixed commercial: *"This category includes general commercial, low
intensity light industrial, and research and business uses. Includes areas typically zoned
MC."* The General Plan designation for this property would support a rezone of the
20 property to the Light Industrial zone.

22 Mr. Bake went on to say that properties in the Light Industrial Zone follow the
development requirements in section 17.49 of the Lindon City Code. The purpose section
of this ordinance states the following: *"It shall be the purpose of the LI district to provide
24 areas in appropriate locations where light manufacturing, industrial processes and
warehousing not producing objectionable effects may be established, maintained, and
26 protected. The regulations of this district are designed to protect environmental quality of
the district and adjacent areas."* He noted the Light Industrial Zoning ordinance requires
28 that a masonry or concrete fence seven feet high, be constructed and maintained along
any property line between a non-residential development and a residential use or a
30 residential zone. Mr. Bake indicated the permitted and conditional uses for the Light
Industrial zone are designated in the standard land use table. The Light Industrial zone
32 requires a minimum lot size of one acre; the subject parcel meets this requirement with
3.05 acres.

34 Mr. Bake noted public hearing notices, required per city code were published in
the Daily Herald on May 13, 2021 and staff did receive a phone call from a neighboring
36 property owner who had concerns that the storage units could be misused to operate a
business or be lived in and how the city would be able to enforce these issues.

38 Mr. Bake then presented the surrounding area zoning map, proposed site plan,
previously approved 2016 site plan, and the declaration of condominium for Lindon Self
40 Storage followed by some general discussion.

42 Chairperson Call stated she has read through the CC&R's, but her concern is if it
can be managed and maintained with so many individual owners and how difficult
enforcement and maintenance would be. Commissioner Kallas stated the model worries
44 him a bit because if they are condominiumized the individual owner may feel they can do
what they want with the unit and that is a concern.

46 Chairperson Call called for any public comment at this time. There were several in
attendance who addressed the commission as follows:

2 Valerie King stated she is one of the adjacent property owners to this proposal.
3 She commented last year someone came out to talk to them about switching the property
4 from residential to light industrial and was told it wouldn't affect their property so they
5 signed it. She stated if this affects their property according to anything on the county
6 records with easements etc., they will not be willing to sign anything that would affect
7 their property.

8 Susan Palmer, owner stated they met with Mr. Florence and explained they bought
9 the back property from Craig Stauffer's (that they are getting the zone change on) that
10 they are building the storage units on and the Kings bought the house (front property).
11 She noted their office took over the application for the minor subdivision plat and both
12 parties had to sign the minor subdivision with two lots.

13 Mr. Florence explained that part of this project is that someone subdivided the two
14 parcels there in the last few years. He noted it is the planning commission's responsibility
15 to subdivide it and to correct it. So, they created a new separate lot and now we are
16 correcting it with a subdivision plat with two property owners and they both needed to
17 sign the application for the correction. He explained all owners are aware of what has
18 been submitted to the city and they both will need to sign the plat. He further explained
19 the front part of the property will be dedicated to the city for a right of way and also a
20 public utility easement behind the dedication for future utilities and for all intents and
21 purposes the King's yard will stay how it is; this will make it a legal minor subdivision.

22 Ms. King pointed out this will be taking their lot from a .69 of an acre lot down to
23 .59 of an acre lot and this becomes a concern for her property values if she goes to sell it.
24 Commissioner Marchbanks pointed out that it is still over a 1/2 acre and is a conforming
25 lot, so there are advantages to what they are doing with taxes etc. and with not having to
26 make improvements (curb and gutter) is good; it is legitimate of the city to not require
27 them to bond for improvements. They need to come together because both parties will
28 need to sign the plat.

29 Mr. Florence then showed on google maps the property lines including any
30 easements etc., followed by discussion. Chairperson Call commented if there are
31 questions that are not addressed, the city attorney may need to be conferred with on these
32 issues. Ms. King indicated there are some issues regarding the property purchase
33 agreement being investigated through the Real Estate Division and she is not inclined to
34 sign anything until this is resolved. Ms. Palmer then read an email received earlier today
35 the City Attorney. Ms. Palmer indicated on this issue and if they are not willing to sign,
36 they will go ahead with a one lot subdivision.

37 Mr. Florence stated he just checked with Brian Haws, the City Attorney who
38 stated if there is not an agreement on the minor subdivision, he would recommend that
39 the commission just consider the zone change for tonight and let them work through the
40 minor subdivision issues and come back for the major subdivision and the minor
41 subdivision approval. The commission could then do the site plan approval contingent
42 upon the city council approving the zone change.

43 Chairperson Call confirmed the commission can recommend approval or denial to
44 the city council of the zone change, but we would not act on the minor or major
45 subdivision and act on the site plan if we so choose.

46 The applicant, Paul Forester mentioned the inquiry brought up about the Utah Real
47 Estate investigation stating that should have no bearing on their project as that is between
48 Ms. King and her real estate agent.

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

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

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

COMMISSIONER TRIBE MOVED TO RECOMMEND APPROVAL TO THE CITY COUNCIL ORDINANCE 2021-7-O TO AMEND THE LINDON CITY ZONING MAP FROM RESIDENTIAL (R1-20) TO LIGHT INDUSTRIAL (LI) AT APPROXIMATELY 860 WEST 200 SOUTH WITH PARCEL NUMBER 14:065:0219. COMMISSIONER SCHAUERS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER SCHAUERS	AYE
COMMISSIONER TRIBE	AYE

THE MOTION CARRIED UNANIMOUSLY.

9. Minor Subdivision – Lindon Self Storage Subdivision Plat “A” – Approximately 850 W. 200 S. Lindon Self Storage, LLC is seeking minor subdivision approval for a two-lot subdivision at approximately 850 W. 200 S. and 122 S. 800 W. (Parcel Numbers 14:065:0219, 14:065:0213, 14:065:0188, 14:065:0212, 14:065:0209)

10. Major Subdivision – Lindon Self Storage Plat “B” and “C” – Approximately 850 W. 200 S. Lindon Self Storage, LLC is seeking preliminary major subdivision approval for 75 storage unit commercial condominiums at approximately 850 W. 200 S. (Parcels 14:065:0219, 14:065:0213, 14:065:0188, 14:065:0212).

11. Site Plan Approval – Lindon Self Storage – approximately 850 W. 200 S. Lindon Self Storage, LLC requests site plan approval for 75 storage units and accompanying office building located at approximately 850 W. 200 S. (Parcels 14:065:0219, 14:065:0213, 14:065:0188, 14:065:0212)

Mr. Florence stated the information regarding the above agenda items were previously presented and discussed and continuation of these items are recommended. The Commission was in agreement to continue the minor subdivision, major subdivision and the site plan approval to a future meeting. He added the applicants will go to City Council on July 19th for final zone change approval.

Chairperson Call called for any further comments or discussion from the Commission. Hearing none she called for a motion to continue the above listed items.

2 COMMISSIONER MARCHBANKS MOVED TO CONTINUE THE MINOR
SUBDIVISION, MAJOR SUBDIVISION AND THE SITE PLAN APPROVAL.
4 COMMISSIONER KALLAS SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

6	CHAIRPERSON CALL	AYE
	COMMISSIONER MARCHBANKS	AYE
8	COMMISSIONER KALLAS	AYE
	COMMISSIONER JOHNSON	AYE
10	COMMISSIONER SCHAUERS	AYE
	COMMISSIONER TRIBE	AYE

12 THE MOTION CARRIED UNANIMOUSLY.

14 **12. Public Hearing for a recommendation to the Lindon City Council to
amend the Lindon City Standard Land Use Table** relating to

16 Wedding/Event Reception Centers. Lindon City requests an amendment to the
Standard Land Use Table in the Lindon City Code to modify the
18 Wedding/Event reception Center use.

20 COMMISSIONER KALLAS MOVED TO OPEN THE PUBLIC HEARING.
COMMISSIONER JOHNSON SECONDED THE MOTION. THE MOTION CARRIED
22 UNANIMOUSLY.

24 Mr. Florence explained at the May 11th planning commission meeting, the
commission requested that staff evaluate Lindon City's parking standards and if those
26 needed to be modified for Wedding/Event Reception Centers. After further consideration,
city staff is proposing to leave Wedding/Event Reception Center as a permitted use in
28 the CG-S zone and to return at a later date for an update to the Standard Land Use Table.

Mr. Florence stated they evaluated a number of neighboring communities and
30 their parking requirements for wedding or event centers and it is their recommendation
that the ordinance be amended to require one parking stall per 50 square feet of gross
32 floor area.

Mr. Florence pointed out that Lindon City has become a popular destination for
34 Wedding/Event Reception Center business; there are currently eight such businesses
located in the city. He noted the city wants to promote business in the community but
36 staff recommends that the city also needs to have buffering standards in place to ensure
compatibility with neighboring residential uses as well as adopted proportional parking
38 standards to the size of the facility.

Mr. Florence commented that city staff has proposed a 500' buffer that should be
40 evaluated by the planning commission as part of the recommendation to the city council.
Mr. Florence then presented the 500-foot radius map and the 500-foot residential buffer
42 around State Street followed by discussion.

Following some additional discussion regarding this issue the Commission was in
44 agreement to continue this item to allow time to gather more information for further
discussion.

46 Chairperson Call called for any further public comments. Hearing none she called
for a motion to close the public hearing.
48

2 COMMISSIONER JOHNSON MOVED TO CLOSE THE PUBLIC HEARING.
3 COMMISSIONER SCHAUERS SECONDED THE MOTION. THE MOTION
4 CARRIED UNANIMOUSLY.

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

8
9 COMMISSIONER KALLAS MOVED TO RECOMMEND CONTINUANCE
10 OF ORDINANCE AMENDMENT #2021-5-O. COMMISSIONER JOHNSON
11 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

12 CHAIRPERSON CALL	AYE
13 COMMISSIONER MARCHBANKS	AYE
14 COMMISSIONER KALLAS	AYE
15 COMMISSIONER JOHNSON	AYE
16 COMMISSIONER SCHAUERS	AYE
17 COMMISSIONER TRIBE	AYE
18 THE MOTION CARRIED UNANIMOUSLY.	

20 **13. New Business: Reports by Commissioners** – Chairperson Call called for any
21 new business or reports from the Commissioners.

22
23 Chairperson Call asked if there has been any response on the Norton property
24 decision. Mr. Florence stated he hasn't heard anything back from the developer. She
25 also asked for updates on the Lindon Nursery property. Mr. Florence stated they will be
26 applying for site plan and conditional use permit applications soon. Chairperson Call
27 also talked about the city council watering restrictions (recommendations) discussion for
28 Lindon and also the fireworks restriction maps. She also mentioned the discussion item
29 with the LDS Church leaders regarding the new Lindon Temple. Mr. Florence stated the
30 site plan and minor subdivision and conditional use permit will be on the agenda at the
31 next meeting.

32
33 **14. Planning Director Report** – General City Updates.

34
35 Chairperson Call called for any further comments or discussion from the
36 commission. Hearing none she called for a motion to adjourn.

37 **ADJOURN** –

38
39 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE
40 MEETING AT 8:15 PM. COMMISSIONER JOHNSON SECONDED THE MOTION.
41 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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46
47
48 Approved – July 13, 2021

Sharon Call, Chairperson

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Michael Florence, Planning Director