

The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, October 12, 2021 beginning at 6:00 p.m.** at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

REGULAR SESSION – 6:00 P.M.

Conducting: Steven Johnson, Vice Chairperson
Invocation: Rob Kallas, Commissioner
Pledge of Allegiance: Mike Marchbanks, Commissioner

PRESENT

Rob Kallas, Commissioner
Mike Marchbanks, Commissioner
Steven Johnson, Commissioner
Jared Schauers, Commissioner
Mike Florence, Economic Development Director
Mary Barnes, Associate Planner
Kathryn Moosman, City Recorder

EXCUSED

Sharon Call, Chairperson
Scott Thompson, Commissioner
Renee Tribe, Commissioner

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

2. APPROVAL OF MINUTES – The minutes of the regular meeting of the Planning Commission meeting of September 28, 2021 were reviewed.

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 28, 2021 AS PRESENTED.
COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

3. PUBLIC COMMENT – Vice Chair Johnson called for comments from any audience member who wishes to address any issue not listed as an agenda item. There were no public comments.

CURRENT BUSINESS –

4. Miscellaneous Application – Swimming Pool Approval for the R-12 Hillside Overlay – 162 Denali Dr. Jeremy Fink requests approval to construct a swimming pool located at 162 Denali Drive in the R1-12 Hillside Overlay (Parcel #36:928:0040).

Mary Barnes, Associate Planner, led this agenda item by stating the applicant, Jeremy Fink owns the home at 162 Denali Dr. and is requesting to construct a pool in his backyard. The property is located in the R1-12 Hillside Protection District, which calls for Planning Commission approval for accessory buildings or structures, including swimming pools (LCC 17.57.060(4)).

Lindon City Code Chapter 17.57.060(d) states the following:

2 *a. Building sites for accessory buildings or structures such as tennis courts, swimming*
3 *pools,*

4 *outbuildings, etc. shall be approved by the planning commission.*

2. The average slope of the property is 20% or less

3. The city engineer has reviewed the applicants petition and finds no concerns with the proposal

4. For this building site approval, the Planning Commission is the final Land Use Authority.

5. The applicants will be providing a geo technical study to the building department for review and special inspections will be completed when the pool is constructed.

Ordinance requirements.

Title 17.57.060 Building Site Requirements

1. Each lot or parcel of land shall contain a primary building site appropriate to accommodate the primary residential structure, which building site shall be outlined on the subdivision plat. The primary building site shall include a buildable area of sufficient size to allow not less than two thousand five hundred (2,500) square feet of footprint for the residential structure, after allowing for all required setbacks, and other requirements.

Grading of the lot or parcel which is related to creation of the primary building site or construction of the structure shall not extend closer than twenty (20) feet from the lot or parcel boundary lines, nor more than thirty (30) feet, horizontally, in front, to the rear or to the side of the proposed structure unless a greater distance is approved by the planning commission upon a showing by the developer that a greater distance will not be contrary to the purpose of this chapter. The primary building site shall have a natural or manmade slope of twenty (20) percent or less.

4. Building sites for accessory buildings or structures such as tennis courts, swimming pools, outbuildings, etc., shall be approved by the planning commission.

5. The driveway(s) to the building site shall have a maximum slope of twelve (12) percent and shall have direct access to a public street. The city engineer and the planning department have reviewed the applicants request do not have any concern due to the relatively low slope of the property and that the applicant is working with a geo technical engineer to ensure that the area for the pool is safe.

Motion

I move to (approve, deny, or continue) the applicants request to construct a swimming pool 162 Denali Dr. in the R-12 Hillside Overlay with the following conditions:

a) A geotechnical report by a licensed geotechnical engineer be submitted to city staff for review and

approval as part of the building permit; and

b) All items of the staff report.

Exhibits

1. Aerial photo

2. Zoning map

3. Pool site plan

4. Pool layout

Following some additional discussion, the Commission was in agreement to approve this request with the conditions as listed in the motion.

Vice Chairperson Johnson called for any further comments or discussion from the Commission. Hearing none he called for a motion.

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE APPLICANTS REQUEST TO CONSTRUCT A SWIMMING POOL 162 DENALI DR. IN THE R-12 HILLSIDE OVERLAY WITH THE FOLLOWING CONDITIONS: A) A GEOTECHNICAL REPORT BY A LICENSED GEOTECHNICAL ENGINEER BE SUBMITTED TO CITY STAFF FOR REVIEW AND APPROVAL AS PART OF THE BUILDING PERMIT; AND B) ALL ITEMS OF THE STAFF REPORT. COMMISSIONER SCHAUERS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

VICE CHAIRPERSON JOHNSON	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER SCHAUERS	AYE
THE MOTION CARRIED UNANIMOUSLY	

4. Site Plan Approval – Tagg N. Go Car Wash – 310 N. State Street. Conner Atkin with Tagg N' Go requests site plan approval for the construction of a new car wash facility located at 310 N. State Street (Parcel # 14:068:0120).

Mary Barnes led this agenda item by explaining

Commissioner Kallas spoke on the potential noise from the dryers at the car wash. The applicant stated this is pretty standard to other car washed it is not facing residential areas. Rob way laid out with u shape on the east end is there any way to get trees along the block wall to help muffle the dryer noise. Applicant said it may cut in to the radius and they would have to shorten the whole site. It is at least 190 ft. away from the dryer section.

Rob spoke on the noise from the dryers at the car wash. The applicant stated this is pretty standard to other car washed it is not facing residential areas. Rob way laid out with u shape on the east end is there any way to get trees along the block wall to help muffle the dryer noise. Applicant said it may cut in to the radius and they would have to shorten the whole site. It is at least 190 ft. away from the dryer section.

Bardell Faux House borders the east side of this commercial property. Boundary of this and the pasture goes right behind where this proposed car wash is

There concern is with the noise that will come to their residential property. Not opposed to the car wash but just the noise. The pasture is zoned residential low zone. Blow dryer and washer. Noise from building and exterior noise. Is there a way to design the building so this won't pose a problem to residential properties. He then read the nuisance code. Just the noise generated by a car wash and would likely decrease the value of the properties there. His wife has an ownership interest in the pasture property. We like to be out on our property and the noise would pose a problem with a constant stream of noise. Would like it to be designed so that is not a problem. Not opposed to development of the property but does not want a noise issue on their property. He's made improvements at the pasture property and sprays weeds, mows and takes pride in this property and they want it to be a desirable property. Hoping the noise issue can be handled up front before it is built. And to the other residents in the area. Does it meet the code for noise and they would try to be a good neighbor. Does not want it to be a negative.

Mike explained there are 3 more buidlinds coming before the commission in the next few weeks. There will be a wall and trees next to their property.

Mike m...almost would rather make sure. The building design should help that but would rather give up a little setback so there is room to put trees in the back.

Listen to steve.....

Vice Chairperson Johnson called for any further comments or discussion from the Commission. Hearing none he called for a motion.

COMMISSIONER MARCHBANKS MOVED I MOVE TO APPROVE THE APPLICANT'S REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL FINAL CORRECTIONS TO THE ENGINEERING DOCUMENTS; 2. THE PLANS WILL MEET DEVELOPMENT SPECIFICATIONS AS FOUND IN THE LINDON CITY DEVELOPMENT MANUAL; 3. FINAL DESIGN WILL MEET THE COMMERCIAL DESIGN STANDARDS FOR COMMERCIAL SITES AND BUILDINGS; 4. THE APPLICANT WILL COMPLY WITH ALL BONDING REQUIREMENTS, IF APPLICABLE; AND 5. IN ADDITION THE DEVELOPER WILL MOVE THE VACCUM BLOWER SYSTEM TO THE WEST AND SHOW THE PLANNING DEPARTMENT AND WORK WITH THE NEIBHBORS TO THE EAST TO FACILITATE A TREE ARRANGEMENTS FOR ADDITIONAL SCREENING. AND 6. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER KALLAS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

VICE CHAIRPERSON JOHNSON AYE

COMMISSIONER MARCHBANKS AYE

COMMISSIONER KALLAS AYE

COMMISSIONER SCHAUERS AYE

THE MOTION CARRIED UNANIMOUSLY.

4. **New Business: Reports by Commissioners** – Vice Chairperson Johnson called for any new business or reports from the Commissioners.

Meet candidate night Thursday night. October 14th

5. Planning Director Report – General City Updates.

Vice Chairperson Johnson called for any further comments or discussion from the commission. Hearing none he called for a motion to adjourn.

ADJOURN –

COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE MEETING AT 7:00 PM. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – October 26, 2021

Steven Johnson, Vice Chairperson

Michael Florence, Planning Director