

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **October 25, 2011** beginning at 7:00 p.m. in the Lindon City Center, City Council
4 Chambers, 100 North State Street, Lindon, Utah.

5 Conducting: Matt Bean, Chairperson
6 Invocation: Carolyn Lundberg, Commissioner
7 Pledge of Allegiance: Del Ray Gunnell, Commissioner

8 **PRESENT**

9 Matt Bean, Chairperson
10 Ron Anderson, Commissioner
11 Carolyn Lundberg, Commissioner
12 Sharon Call, Commissioner
13 Angie Neuwirth, Commissioner
14 Del Ray Gunnell, Commissioner
15 Adam Cowie, Planning Director
16 Kathryn Moosman, City Recorder

8 **ABSENT**

9 Chris Burton, Commissioner

17 The meeting was called to order at 7:05 p.m.

19 **APPROVAL OF MINUTES** – The minutes of the regular meeting of October 11, 2011
20 were reviewed.

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23 COMMISSIONER CALL MOVED TO APPROVE THE MINUTES OF THE
24 REGULAR MEETING OF OCTOBER 11, 2011 AS CORRECTED OR AMENDED.
25 COMMISSIONER LUNDBERG SECONDED THE MOTION. ALL PRESENT
26 VOTED IN FAVOR. THE MOTION CARRIED.

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28 **PUBLIC COMMENT** –

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

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33 **CURRENT BUSINESS** –

- 34
35 1. **Conditional Use Permit** – *Zija International Packaging and Storage –161 South*
36 *1380 West.* This is a request by John Brailsford with K.E.B. Enterprises for
37 approval of a conditional use permit for a supplement manufacturing company to
38 be located in the LI (Light Industrial) zone. The Lindon Standard Land Use Table
39 requires any ‘General Food Manufacturing’ use larger than 2,000 sq/ft in the LI
40 zone to acquire a CUP.

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42 Chairperson Bean invited the applicant, John Brailsford, with K.E.B. Enterprises
43 forward. Mr. Cowie opened the discussion by stating that this is a request for a
44 Conditional Use Permit for a food and supplement manufacturing business in Lindon.
45 The applicant currently operated their business near the Canopy Buildings in Lindon.
46

2 He went on to explain that the applicants business is growing and they are looking at a
4 new manufacturing facility for expansion located at 161 South 1380 West. The building
6 they are looking at is currently vacant. Mr. Cowie noted that the applicant is anticipating
8 doing a full tenant finish on the interior including mixing rooms and a packaging and
10 assembly room for all dry packaging. There will be some floor drains they will be
12 required to put in for wash down at this new facility. Mr. Cowie further discussed that
14 there have been couple of other similar manufacturing businesses in the area and there
16 have not been any concerns or issues with these types of facilities. Mr. Cowie also noted
18 that the City is happy to have them stay in Lindon. He went on to say that the
20 subdivision plat (three separate parcels) which have a shared parking agreement, which is
22 written into the subdivision plat requirements. Mr. Cowie also explained they will
24 employ between approximately 5-10 employees initially, and potentially more than 20
26 employees at the site. Some potential uses at the building will be some office use, but
28 mainly warehouse, assembly and manufacturing use.

30 Mr. Cowie further discussed one issue that has been looked at that may be a
32 potential concern is the external dust collector. The applicant is considering the dust
34 collector (12 ft. to 20 ft. tall) on a new pad on the exterior, next to the dumpster
36 enclosure. There may also be some noise issues associated with the dust collector, but
38 they will not be running it 24/7, and given that this facility is in the industrial zone. Mr.
40 Cowie also noted that this is not an office type of environment and reiterated that it is
42 zoned light industrial. Mr. Cowie mentioned to the applicants, if they do receive
44 complaints, they could install a sound wall to deflect the noise, which is one solution that
has worked with other businesses in town, but this is something that is not currently
required. Mr. Cowie stated that there is one (1) main door entrance on the building; he
then showed some photos of the building and the surrounding area. He further stated
that the applicants will install a pole sign recognizing the business. There are several
shipping bays with drop down loading docks etc. Mr. Cowie commented that this
proposed use causes no real concerns, and the building permit has been submitted to the
Building Department and is currently pending. He also stated that the City is happy the
applicants have chosen to continue their operation in Lindon.

32 Mr. Jason Jorgenson, Vice President of Operations for Zija International,
34 introduced himself and thanked the City for being great to work, and noted that their
36 corporate office is also located in Lindon. He also noted that the proposed facility will be
38 their third facility here in Lindon. Mr. Jorgenson further stated that this project would be
40 a win win for their company and the City and will keep jobs here; they anticipate hiring
42 more employees in the future. He further stated that all of their product is being
44 manufactured at other locations and will eventually come here to Lindon to ship. Mr.
Jorgensen also mentioned that they did pay cash for the building, and they have also
quadrupled in size and growing at a rapid pace. He went on to say their purpose in
coming to the Planning Commission tonight is to get permission to expand their business
and answer any question that the Commission may have.

42 Commissioner Call asked if their products are similar to Nature's Way products.
44 The applicants replied yes and no. They noted that their core product comes from a tree
that is harvested in India, which is then put into barrels and shipped to the United States.
The product extracted from the tree is then manufactured into vitamin supplements,

2 personal care lines and weight management products. He also noted that this is a multi-
level direct sales operation.

4 Mr. Jorgenson mentioned that Ken Brailsford, the founder of the company, who
also started Nature's Sunshine and Unicity; all of his companies have thrived and are
6 fiscally responsible and committed. Commissioner Lundberg asked the applicants at
what point the sales tax is captured and if it would potentially be revenue for Lindon
City. Mr. Jorgensen stated that they do capture sales tax on the retail end and stated that
8 he would check on this issue. He also mentioned that the company is over a hundred
million dollar company, with a lot of product and a lot of growth.

10 Chairperson Bean inquired if the applicants are currently manufacturing in
Canopy building location. The applicant replied that they do not manufacture at that
12 location; but the manufactured product will be brought to Lindon for packaging and
shipping. He also noted that they anticipate spending nearly a million dollars to retrofit
14 the building. Commissioner Lundberg asked if any of the adjacent neighbors in the
business parcel section are aware of the dust bin and the potential noise and location. Mr.
16 Jorgensen stated that they do not know as of yet, and he also commented that the wood
chipping company to the northwest of their facility is very noisy and dusty, and noted that
18 theirs will not be.

20 Mr. Brailsford stated that their duster is similar to a vacuum that will have a
suction section so it will not produce a lot of dust; it is actually very well contained and
has a clean environment. He went on to say that they have been working with the FDA
22 and the Department of Agriculture to be sure they are in compliance. Mr. Brailsford also
commented that there will be little distribution out of this location, but will be used
24 primarily for manufacturing, with a lab, clean room, offices, and storage. He also noted
that water use will be minimal.

26 Chairperson Bean asked if there were any other questions. Commissioner
Anderson asked about the dust collector and if there had been any problem in the past
28 with their other facilities. The applicants replied that there had not, and if there are any
problems, i.e., noise or dust, they will correct the problem. They also noted that the dust
30 collector only runs when they are manufacturing. Being no further questions or
comments Chairperson Bean called for a motion.

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34 COMMISSIONER NEUWIRTH MOVED TO APPROVE THE CONDITIONAL
USE PERMIT FOR "ZIJA INTERNATIONAL PACKAGING AND STORAGE" WITH
NO CONDITIONS. COMMISSIONER GUNNELL SECONDED THE MOTION. ALL
36 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

- 38 2. **Public Hearing** – *Ordinance addition: LCC Section 17.51 'Commercial Farm*
40 *Zone* – This is a City initiated ordinance change to add London City Code Section
17.51 'Commercial Farm Zone'. This additional section is proposed to support
42 agriculture and open space by allowing additional sources of potential income for
farmers in Lindon by allowing other unique commercial activities associated with
44 working farms. Recommendations from the Planning Commission will be made
to the City Council for final approval.

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

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6 Mr. Cowie opened the discussion by explaining this ordinance addition is City
initiated to create a new ordinance. Mr. Cowie further explained that he had met with
8 Mr. Colledge to discuss his property and future development options and the need for a
different zone to encompass commercial activities that would be compatible with farming
and how to achieve this. Mr. Colledge came to City Council under a concept review and
10 gave a presentation about the history of his farm; after the presentation and discussion,
the City Council felt strongly enough about this issue, and type of zone, to direct staff to
12 draft the ordinance as a city initiated item. Mr. Cowie noted that technically the biggest
issue will be reviewing the ordinance tonight, and noted that their recommendations will
14 go to the City Council if they pass it on. Mr. Colledge then presented the slide show to
the Planning Commission.

16 Mr. Cowie then stated the rich history and beauty of the farm in the community is
evident. He also noted that thousands of people come here to Lindon for receptions and
18 weddings etc., and their first impression is Wadley Farms. Mr. Cowie went on to say that
the City Council discussion directed staff to prepare a city initiated ordinance.

20 Mr. Cowie discussed some of the issues surrounding the property itself; in
addition to the new ordinance a zone change would be required to create the new
22 Commercial Farm (CF) zone on the parcel.

24 Mr. Cowie then went through the new proposed ordinance and highlighted some
of the major points of the code. There was then some discussion among the
Commissioners in regards to the proposal. Chairperson Bean then asked if conceptually,
26 as a group, if there were any specific concerns or general opposition to this proposed
ordinance addition, particularly the conditional uses or permitted uses. Being none he
28 called for a motion.

30 COMMISSIONER CALL MOVED TO APPROVE THE ORDINANCE
ADDITION: LCC SECTION 17.51 'COMMERCIAL FARM ZONE' AND
32 RECOMMEND APPROVAL TO THE CITY COUNCIL AS AMENDED.
COMMISSIONER ANDERSON SECONDED THE MOTION. ALL PRESENT
34 VOTED IN FAVOR. THE MOTION CARRIED.

- 36 3. **Public Hearing**– Zone Change: Wadley Farms – 35 East 400 North –This is a
request by Allen Colledge with the Kristine Miller Colledge Trust for approval of
38 a zone change from R1-20 (Residential Low) to CF (Commercial Farm). The
applicant currently lives on the subject property and operates a historical farm and
40 reception center there. Recommendations from the Planning Commission will be
made to the City Council for final approval.

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44 Mr. Cowie noted that the property consists of 18 acres of working farmland that
has remained in continual agricultural production for over 142 years. Ten years ago, after
some renovation and at the addition of several historic buildings, approval was granted by
46 the City for the establishment of the Wadley Farms Reception Center on the subject

2 property. He went to say the applicant feels that in order to ensure preservation and
4 maintenance of this farmland, this proposed zone change would be more fitting. This
6 would permit the applicant to continue farm production and a great amenity to the
8 community with the possibility of educational, retail, theatre, and dining opportunities in
the future. Mr. Cowie also stated that today's discussion with the ordinance addition has
covered about all that would apply to the zone change also, the change from R1-20 to the
commercial agricultural zone.

10 Chairperson Bean asked if there were any further discussion or any public
comment. Being none he called for a motion.

12 COMMISSIONER LUNDBERG MOVED TO APPROVE THE ZONE
14 CHANGE FOR WADLEY FARMS AND GIVE RECOMMENDATION TO THE CITY
16 COUNCIL. COMMISSIONER NEUWIRTH SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

- 18 4. **Conditional Use Permit:** *Wadley Farms – 35 East 400 North.* This is a request
20 by Allen Colledge with the Kristine Miller Colledge Trust for approval of a
22 conditional use permit. The applicant is proposing an expansion of an existing
structure to be included in their reception center operation, which requires a
conditional use permit per LLC Section 17.51.

24 Mr. Cowie stated that the applicants are proposing an expansion of an existing
26 structure to create a new conference center, which will be included in their reception
28 center operation, and will require a conditional use permit per the new LLC Section
30 17.51. He went on to say that about 10 years ago, after some renovations and additions
of several historic buildings, approval was granted by the City for the establishment of
the Wadley Farms Reception Center, which contributes to the City's slogan "little bit of
country" slogan. This addition would allow larger groups to utilize the facilities for
conferences or large gatherings as an additional source of income for the reception center
and farming operations.

32 Mr. Cowie noted that there are some concerns with issues of fencing/screening to
34 the neighboring residential use/zone. The applicant is not opposed to planting site
obscuring trees along the back of the building to minimize impact to the neighboring
residential use.

36 COMMISSIONER NEUWIRTH MOVED TO APPROVE THE CONDITIONAL
38 USE PERMIT FOR WADLEY FARMS PENDING CITY COUNCIL APPROVAL OF
A COMMERCIAL FARM AND ZONE CHANGE. COMMISSIONER CALL
40 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
CARRIED.

42 COMMISSIONER NEUWIRTH MOVED TO CLOSE THE PUBLIC
44 HEARING. COMMISSIONER LUNDBERG SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED
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2 5. **Discussion Item:** *Accessory Apartments*—This is a city initiated discussion item to
4 analyze LLC Section 17.46.100 – Accessory Apartments. Commissioners will
6 discuss the possible addition of permitting detached accessory apartments as part
of the ordinance section. Recommendations from the Planning Commission will
be made to the City Council for discussion.

8 Mr. Cowie opened the discussion by stating the City Council sent this issue to the
10 Planning Commission for their input on the current accessory apartment ordinance and
whether or not to allow detached accessory apartments. Lindon resident, Toby Bath is in
need of a detached accessory apartment for his mother in law.

12 Mr. Cowie stated that the proposed size limit is 800 square feet, which, as far as
visually, 800 square feet is probably smaller than most accessory buildings or barns
14 approved in the city. Mr. Cowie went on to say that a big contributing factor is cost; the
average cost of a detached cottage is \$65,000 on average; which is a substantial
investment. Mr. Cowie stated that the cost issue alone is a big restrictive factor.

16 Mr. Cowie then went over some general conditions that could restrict detached
accessory apartments. Mr. Cowie noted that essentially, the city has already permitted
18 any single-family dwelling to have an accessory apartment, but not everyone wants one
or is able to make it work. As other communities seem to have found, detached
20 apartments appear to satisfy a housing option for a small sector of the community. He
also noted that no increase in traffic or neighborhood density should occur beyond what
22 would already be permitted through an interior accessory apartment unit as currently
allowed.

24 Chairperson Bean asked if there were any other questions or concerns. The
planning commission was generally in favor of the detached accessory apartment.

26 **NEW BUSINESS** – Reports by Commissioners

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30 Chairperson Bean asked if there were any reports from the Commission.
Commissioner Neuwirth inquired about new bridge on 200 South and commented that
it is difficult to see the striping on the center line. Mr. Cowie replied that tabs may be
32 necessary.

34 Chairperson Bean then asked if there were any other new business. Being
none he moved on to the next item.

36 **PLANNING DIRECTOR'S REPORT** –

38 Mr. Cowie reported on City Council updates as follows:

- 40 ● Meet the Candidate Night had a good turnout with over 130 residents in
42 attendance. There was also a nice article in the Daily Herald about it.
The candidate questions were recorded at the event and put on the
website, which was very beneficial for those who could not attend.
- 44 ● The Planning Commission meeting for November 8th is cancelled due
46 to the election. Mr. Mataele will be conducting the meeting on
November 22nd as Mr. Cowie will be out of town.

2 • Early voting started today, October 25, 2011 at the Community Center.

4 Chairperson Bean asked if there was any other new business. Being none he
called for a motion to adjourn.

6 **ADJOURN** –

8 COMMISSIONER CALL MADE A MOTION TO ADJOURN THE
10 MEETING AT 11:00 P.M. COMMISSIONER GUNNELL SECONDED THE
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – November 22, 2011

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Matt Bean, Chairperson

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24 Adam Cowie, Planning Director