

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, November 5,**
4 **2014 at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100 North State
Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Van Broderick, Mayor Pro Tem
Pledge of Allegiance: Parker Christensen, Boy Scout
10 Invocation: Van Broderick

12 **PRESENT**

Van Broderick, Councilmember
14 Matt Bean, Councilmember
Jacob Hoyt, Councilmember
16 Carolyn Lundberg, Councilmember
Adam Cowie, City Administrator
18 Hugh Van Wagenen, Planning Director
Jordan Cullimore, Associate Planner
20 Cody Cullimore, Chief of Police
Kathy Moosman, City Recorder

ABSENT

Jeff Acerson, Mayor
Randi Powell, Councilmember

22 1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.

24 2. **Presentations/Announcements** –

26 a) **Mayor/Council Comments** – Mayor Pro Tem Broderick excused Mayor
28 Acerson from the meeting noting he will be conducting the meeting as Mayor
Pro Tem in his absence.

30 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council of
32 October 21, 2014 were reviewed and the work session minutes from August 12,
2014 were reviewed.

34 COUNCILMEMBER HOYT MOVED TO APPROVE THE MINUTES OF THE
36 REGULAR MEETING OF OCTOBER 21, 2014 AS AMENDED. COUNCILMEMBER
BEAN SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

38 COUNCILMEMBER BEAN AYE
COUNCILMEMBER LUNDBERG AYE
40 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE

42 THE MOTION CARRIED UNANIMOUSLY.

44 COUNCILMEMBER HOYT MOVED TO APPROVE THE MINUTES OF THE
WORK SESSION MEETING OF AUGUST 12, 2014 AS WRITTEN.

46 COUNCILMEMBER BEAN SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

2 COUNCILMEMBER BEAN AYE
COUNCILMEMBER LUNDBERG AYE
4 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE
6 THE MOTION CARRIED UNANIMOUSLY.

8 4. **Consent Agenda** – No items.

10 5. **Open Session for Public Comment** – Mayor Pro Tem Broderick called for any
12 public comment not listed as an agenda item. Boy Scout in attendance asked why
there is not a 4-way stop sign on Center Street and 900 East.

14 Mr. Cowie explained that the crossing across the canal was evaluated and there
16 were several concerns dealing with the limited site distance and concerns with people
coming off the hill (in winter months) and not realizing there is a stop sign and
18 potentially sliding or skidding through the intersection heading north. The other concern
was simply the factor that there hadn't ever been a sign there and there had been signs in
20 place on the other two sides. He noted there was not any official studies based on traffic
counts that warranted a stop in that location. Following discussion, Councilmember Bean
22 suggested a warrant study be done and perhaps consider incorporating a smaller sign
indicating there is not a 4-way stop at that intersection that may be helpful.

24 **CURRENT BUSINESS**

26 6. **Public Hearing** – *General Plan Land Use Map Amendment: Colmena Group -*
28 *600 S. & Geneva Rd.* Bryan Stevenson of Coleman Group requests a General
Plan Map amendment to change the General Plan designation of property located
30 at approximately 600 South and Geneva Road from Commercial to Light
Industrial. The applicant intends to establish retail and office/warehousing uses
on the site. The Planning Commission recommends approval with conditions.

32 COUNCILMEMBER BEAN MOVED TO OPEN THE PUBLIC HEARING.
34 COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

36
38 Jordan Cullimore, Associate Planner, opened the discussion by giving an
overview of this agenda item. He explained this is a request by Bryan Stevenson and
Lance Bullen of Colmena Group (who are in attendance) for approval of a General Plan
40 Map amendment to change the General Plan designation of property located at
approximately 600 south and Geneva Road (across from the Harley-Davidson dealership)
42 from Commercial to Light Industrial. He then referenced the conceptual site plan
showing the area in question noting the current general plan designation is commercial
44 and the zoning is CG-A8. He further noted the applicant is wanting to establish a retail
and office/warehousing use on the site and has the property under contract through
46 Anderson/Geneva. He added that after review, the Planning Commission recommended

2 approval with conditions. He noted that this will be a two part application but they will
be addressed individually in the motion.

4 Mr. Cullimore explained that the applicant proposes to develop the parcels with a
site configuration similar to the site plan concept included in the packet (attachment 4).
6 He explained the southernmost structure that fronts along 600 south will be a gasoline
service station, and the northernmost structure will be office/warehousing space that will
8 have an architectural design similar to the design portrayed in attachment 5 (included in
the packets).

10 Mr. Cullimore noted the current zoning (CG-A8) allows for gasoline service
stations, but does not permit office/warehousing uses. He added that staff initially
12 advised the applicant that the Mixed Commercial General Plan/zone designations would
best accommodate their proposal, but after further review it was identified that the
14 minimum zone area for the Mixed Commercial zone is 15 acres, and this request would
not satisfy the 15 acre requirement. Staff then advised the applicant that a General
16 Plan/Zone change to Light Industrial would comply with code requirements and still
allow the applicant to develop the site according to their plans.

18 Mr. Cullimore went on to say that city code requires that any zone change must be
consistent and conform to the City's General Plan Designation; the current General Plan
20 designation is Commercial. He noted the applicant is requesting that the General Plan
designation be changed to Light Industrial to permit the zone change and allow their
22 desired uses. Mr. Cullimore re-iterated the General Plan currently designates the
property as Commercial. He went on to say this category includes retail and service
24 oriented businesses and shopping centers that serve the community needs. Mr. Cullimore
stated that the applicant requests that the General Plan designation of the property be
26 changed to Light Industrial, which accommodates manufacturing, industrial processes,
and warehousing uses not producing objectionable effects. He further stated the Light
28 Industrial designation also allows some appropriate related retail uses such as gasoline
service stations.

30 Mr. Cullimore explained when the Planning Commission reviewed the request
they felt it was important to retain the frontage along 600 south as retail and they liked
32 the idea of a gas station at that location. He noted they were not in favor of potentially
seeing steel buildings on a corner that they felt was a good commercial piece of ground,
34 so they recommended the following conditions be applied in the motion:

- 36 1. Site must meet MC zone architectural requirements.
- 38 2. Site must include a convenience store/gas station component along 600
South frontage.

40 Mr. Cullimore noted the applicant agreed to these conditions. He went on to say
the conditions won't apply to the General Plan designation, so when making a motion
the recommended conditions will not be needed for this item but will be for the next
42 agenda item (zone change). Mr. Cowie noted a copy of the ordinances are included in
the packets and to reference the ordinance numbers in the motion.

44 Mr. Cullimore then presented the following analysis followed by discussion:

- 46 1. Relevant General Plan policies to consider in determining whether the requested
change will be in the public interest:

- 2 a. It is the purpose of the industrial to provide for employment and
manufacture of materials which are essential to the economy of Lindon
4 City and to provide areas in appropriate locations where a combination
of research and development, manufacturing, and industrial processing
6 and warehousing may be conducted.
- 8 b. The goal of industrial development is to promote employment
opportunities, quality businesses, and environmentally clean industrial
10 and technology development which will provide a diversified economic
base and will complement local retail, commercial, and industrial
12 establishments in harmony with the community's overall country image
and identity as reflected in the Community Vision Statement.
- 14 i. Objectives of this goal are to:
- 16 1. Encourage the development of high quality, aesthetically
pleasing business park areas incorporating major
landscape features.
 - 18 2. Identify those areas most appropriate for business park
development in future growth areas, such as major
highway access areas.
 - 20 3. Establish and enforce standards with respect to
environmental concerns such as; noise, air quality,
22 odor and visual.
 - 24 4. Increase the city's business base in the technology sector,
building on the existing base and growing technology
26 infrastructure, and consider expanding the Research and
Development zones.
- 28 c. Applicable city-wide land use guidelines:
- 30 i. The relationship of planned land uses should reflect
consideration of existing development, environmental
32 conditions, service and transportation needs, and fiscal
impacts.
 - 34 ii. Transitions between different land uses and intensities should
be made gradually with compatible uses, particularly where
natural or man-made buffers are not available.
 - 36 iii. Commercial and industrial uses should be highly
accessible, and developed compatibly with the uses and
38 character of surrounding districts.

40 Mr. Cullimore then referenced an aerial photo of the proposed area to be re-
classified and photographs of the existing site, the applicant's proposal, the conceptual
42 site plan and also the conceptual architectural renderings. Mr. Cullimore called for any
questions or comments at this time.

44 Commissioner Lundberg commented that she would feel more comfortable
making this zone change to Mixed Commercial rather than Light Industrial as it can open
up a "can of worms" as this is a key corridor for economic development. She noted she

2 understands the reason for Light Industrial is because of the 15 acre minimum, but
inquired if there is any way to approve the zone to mixed commercial with conditions or
4 exclusions on the 15 acre minimum (reduced from 30 acres). Mr. Cullimore stated that a
code requirement cannot be waived, the only way to change it would be through an
6 ordinance amendment which would be applicable to the mixed commercial zone in
general. He noted, with that consideration, the other option would be to re-zone it to a
8 zone that would require an ordinance change, and there is the option with the zone
change to apply additional conditions. Councilmember Bean asked for clarification if this
10 works because the minimum Light Industrial is also 30 acres and because the Vineyard
parcel to the west is currently zoned Light Industrial. Mr. Cullimore stated the reason it
12 works in this case is because it is zoned Light Industrial in Vineyard so it can't be
considered, but in Lindon the piece would tie into the Light Industrial area. Mr.
14 Cullimore then turned the time over to the applicants for discussion.

Councilmember Lundberg asked the applicant if they plan to maintain ownership
16 of the flex space or lease it out. Mr. Stevenson stated they plan on owning and leasing
for the most part. Mayor Pro Tem Broderick inquired if they have other properties
18 similar to this. Mr. Stevenson stated they own other industrial properties and a 40 acre
project in Draper that will be flex office industrial space. Commissioner Hoyt asked if
20 they will maintain ownership of the service station as well. Mr. Stevenson replied that
issue is still up in the air and they have discussed a ground lease or buying the land; they
22 prefer to own it and ground lease to them but it is still in negotiations.

Mr. Bullen stated that one of the problems with the service station is the excess
24 land that is land locked from Geneva Road. He noted that any user who wants the corner,
which is a use based on parking ratios and site coverage that is compatible with the
26 excess land not being accessible from Geneva Road, they feel, given the site
configuration, that this lends itself well to the use. There was then some additional
28 discussion by the Council regarding this agenda item.

Mayor Pro Tem Broderick called for any public comments at this time. Hearing
30 none he called for a motion to close the public hearing.

32 COUNCILMEMBER BEAN MOVED TO CLOSE THE PUBLIC HEARING.
COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL PRESENT
34 VOTED IN FAVOR. THE MOTION CARRIED.

36 Councilmember Lundberg commented she likes the ideas of a convenience
store/gas station at this location and feels it is a natural fit for the growth seen in this area.
38 She also feels the flex space with the higher architectural designs is good and seamless
with the adjacent parcels. Councilmember Bean agreed that he has no concerns. Mayor
40 Pro Tem Broderick also expressed that he approves and has no concerns.

42 Mayor Pro Tem Broderick called for any further comments or questions from the
Council. Hearing none he called for a motion.

44 COUNCILMEMBER BEAN MOVED TO APPROVE THE APPLICANT'S
REQUEST TO CHANGE THE GENERAL PLAN DESIGNATION OF THE LOT
46 IDENTIFIED BY UTAH COUNTY #38:425:0008 FROM COMMERCIAL TO LIGHT
INDUSTRIAL PER ORDINANCE 2014-17-O WITH NO CONDITIONS ON THE

2 GENERAL PLAN CHANGE. COUNCILMEMBER HOYT SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

4 COUNCILMEMBER BEAN AYE

COUNCILMEMBER LUNDBERG AYE

6 COUNCILMEMBER BRODERICK AYE

COUNCILMEMBER HOYT AYE

8 THE MOTION CARRIED UNANIMOUSLY.

10 7. **Public Hearing** – *Zone Map Amendment: Colmena Group – 60 S. & Geneva Rd.*
Bryan Stevenson of Coleman Group requests a Zone Map amendment to change
12 the zoning designation of property located at approximately 600 South and
Geneva Road from General Commercial A8 (CG-A8) to Light Industrial (LI).
14 The applicant intends to establish retail and office/warehousing uses on the site.
The Planning Commission recommends approval with conditions.

16 COUNCILMEMBER HOYT MOVED TO OPEN THE PUBLIC HEARING.
18 COUNCILMEMBER BEAN SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

20 Mr. Cullimore led the discussion by stating this item is the second part of the two
22 part approval that has already been discussed. He noted this action would put into effect
the zoning in compliance with the general plan amendment that was just approved. Mr.
24 Cullimore stated there is nothing further to add as this issue has been thoroughly
explained and discussed unless there are further questions.

26 Mr. Cowie asked when they will update the zoning map and questioned if it will
be identified by something different on the map since there are specific restrictions on
28 parcel. Mr. Cullimore commented, regarding conditional zoning, that it is valid if it is in
the public record and future property owners have notice of it. He added that it would be
30 good practice to record a notice on the deed and then regularly check the deeds; which
may be a helpful and effective way to identify them.

32 Mayor Pro Tem Broderick called for any public comments or questions from the
Council. Hearing none he called for a motion to close the public hearing.

34 COUNCILMEMBER HOYT MOVED TO OPEN THE PUBLIC HEARING.
36 COUNCILMEMBER BEAN SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

38 Mayor Pro Tem Broderick called for any public comments. Hearing none he
40 called for a motion to close the public hearing.

42 COUNCILMEMBER LUNDBERG MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT
44 VOTED IN FAVOR. THE MOTION CARRIED.

46 Mayor Pro Tem Broderick called for any further comments or questions from the
Council. Hearing none he called for a motion.

2 COUNCILMEMBER BEAN MOVED TO APPROVE THE APPLICANT'S
3 REQUEST TO CHANGE THE ZONING DESIGNATION OF THE LOT
4 IDENTIFIED BY UTAH COUNTY PARCEL #38:425:0008 FROM GENERAL
5 COMMERCIAL A8 (CG-A8) TO LIGHT INDUSTRIAL (LI) PER ORDINANCE
6 #2014-18-O WITH THE FOLLOWING CONDITIONS 1. THE SITE MUST MEET
7 MIXED COMMERCIAL (MC) ZONE ARCHITECTURAL REQUIREMENTS AND 2.
8 ONLY MC LAND USES PER THE LINDON CITY LAND USE TABLE ARE
9 PERMITTED ON THE SITE AND 3. THE SITE MUST INCLUDE A
10 CONVENIENCE STORE/GAS STATION COMPONENT ALONG 600 SOUTH
11 FRONTAGE. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE
12 VOTE WAS RECORDED AS FOLLOWS:

13 COUNCILMEMBER BEAN AYE
14 COUNCILMEMBER LUNDBERG AYE
15 COUNCILMEMBER BRODERICK AYE
16 COUNCILMEMBER HOYT AYE
17 THE MOTION CARRIED UNANIMOUSLY.

18
19 **8. Recess Lindon City Council Meeting and convene to Lindon City**
20 **Redevelopment Agency Meeting (RDA) –**

21 COUNCILMEMBER HOYT MOVED TO RECESS THE MEETING OF THE
22 LINDON CITY COUNCIL AND CONVENE THE MEETING OF THE LINDON CITY
23 REDEVELOPMENT AGENCY AT 7:45 P.M. COUNCILMEMBER BEAN
24 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
25 CARRIED.

26 BOARDMEMBER BEAN MOVED TO ADJOURN THE MEETING OF THE
27 LINDON CITY REDEVELOPMENT AGENCY AND RE-CONVENE THE MEETING
28 OF THE LINDON CITY COUNCIL AT 8: 13 P.M. BOARDMEMBER LUNDBERG
29 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
30 CARRIED.

31
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33 **9. COUNCIL REPORTS:**

34 **Councilmember Powell** – Councilmember Powell was absent from the meeting.

35 **Councilmember Bean** – Councilmember Bean reminded the Council to let him know of
36 suggestions for a Planning Commissioner replacement for Ron Anderson who has
37 submitted his resignation on the Planning Commission. He noted it is preferable that the
38 position be filled by someone who lives in the central or west side of town.

39 **Chief Cullimore** – Chief Cullimore had nothing to report at this time.

40 **Councilmember Hoyt** – Councilmember Hoyt reported that his team won the recent
41 Pickle ball tournament held at the Community Center. He noted that it was an enjoyable
42 experience and the potluck and camaraderie with the employees was good.

2 **Councilmember Broderick** – Councilmember Broderick reported that he is still waiting
4 for the plans on the cemetery building and noted it will won't be getting started until the
spring now due to the weather.

6 **Councilmember Lundberg** – Councilmember Lundberg reported that the recently held
8 “Hallows Eve” party sponsored by the Parks and Recreation Department was a huge
success and she commended staff for doing a great job.

10 **Mayor Acerson** – Mayor Acerson was absent from the meeting.

12 **Administrator’s Report:**

Mr. Cowie reported on the following items followed by discussion.

14

Misc. Updates:

- 16
- October City newsletter
 - Land Use Project Tracking List
 - 18 • City Council call-up authority for PC items vs. appeal authority discussion
 - Ivory Homes development – status update
 - 20 • Task Force Meeting (DRC) – Thursday, November 20th at 1:00 pm
 - Joint PC/CC plan review meeting: Tuesday, Dec 9th, 6-8pm
 - 22 ○ Amenities desired
 - New Business license report
 - 24 • Fire/EMS call report
 - Center Street lift station – progress report. Review diagrams and site plan issues.
 - 26 • Employee compensation study – progress report
 - 60 North cell tower – lease extension request from AT&T (pending additional
28 information)
 - Misc. Items
- 30

Upcoming Meetings & Events:

- 32
- Newsletter Assignment: Mayor Acerson - January newsletter article. *Due by last
34 week in December.*
 - November 18th – 6:00pm work session. Annual Department reviews with Public
Works and Parks Department
 - 36 • November 20th – Ivory Homes Task Force meeting. Community Development
conference room 1-3 pm. Mayor Acerson, Councilmember Bean and
38 Councilmember Lundberg will attend
 - November 27th – Community Thanksgiving Dinner at Community Center
 - 40 • December 1st – Tree Lighting Ceremony at Community Center
 - December 8th at Noon (special Monday meeting) – Engineering Coordination
42 meeting at Public Works. Mayor Acerson and Councilmember Broderick will
attend
 - 44 • December 9th – Joint PC/CC work session with Ivory Homes, 6-8pm

46 **Future items:**

- Employee Policy Manual updates

- 2 • Performance evaluations, compensation, and benefit studies

4 Mayor Pro Tem Broderick called for any further comments or discussion from the
Council. Hearing none he called for a motion to adjourn.

6

Adjourn –

8

10 COUNCILMEMBER HOYT MOVED TO ADJOURN THE MEETING AT
10:05 PM COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

12

Approved – November 18, 2014

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Kathryn Moosman, City Recorder

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Van Broderick, Mayor Pro Tem