

2 The Lindon City Planning Commission held a regularly scheduled meeting on  
3 **Wednesday, March 25, 2009**, beginning at 7:00 p.m. in the Lindon City Center, City  
4 Council Chambers, 100 North State Street, Lindon, Utah

5 Conducting: Gary Godfrey, Chairperson

6 Invocation: Gary Godfrey

7 Pledge of Allegiance

8 **PRESENT**

**ABSENT**

10 Gary Godfrey, Chairperson

12 Ron Anderson, Commissioner

Matt Bean, Commissioner

14 Chris Burton, Commissioner

Sharon Call, Commissioner

16 Mark Johnson, Commissioner

Jim Peters, Commissioner

18 Adam Cowie, Planning Director

Woodworth Mataele, Assistant Planner

20 Debra Cullimore, City Recorder

22 The meeting was called to order at 7:03 p.m.

24 **APPROVAL OF MINUTES** – The minutes of the meeting of February 25, 2009 were  
26 reviewed.

28 COMMISSIONER PETERS MOVED TO APPROVE THE MINUTES OF THE  
MEETING OF FEBRUARY 25, 2009. COMMISSIONER CALL SECONDED THE  
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

30 **PUBLIC COMMENT** –

32 Chairperson Godfrey called for comments from any resident present who wished  
34 to address an issue not listed as an agenda item. There was no public comment. He  
welcomed a number of Boy Scouts present in the audience to fulfill requirements for the  
36 Citizenship in the Community merit badge.

38 **CURRENT BUSINESS** –

- 40 1. **Public Hearing** – *Minor Subdivision – Old Station Square, Plat D, Lot 20 & 21 –*  
42 *approximately Lakeview Drive and State Street.* This is a request by BMA  
Construction for approval of a minor subdivision plat consisting of two lots in the  
44 CG zone. The applicant intends to combine the remnants of Lot 8 within the Old  
Station Square Subdivision, the previously vacated stretch of Lakeview Drive,  
and 315 & 325 North State Street to create two new lots. Recommendations will  
46 be forwarded to the City Council for final action.

2 COMMISSIONER BEAN MOVED TO OPEN THE PUBLIC HEARING.  
3 COMMISSIONER BURTON SECONDED THE MOTION. ALL PRESENT VOTED  
4 IN FAVOR. THE MOTION CARRIED.

6 Brigham Ashton was present as the representative for this application. Mr.  
7 Mataele explained that Old Station Square, Plat "D" was approved in 2007, but that  
8 approval subsequently expired due to development delays. The new proposed plat will  
9 consist of some realignment which will combine a remnant of Lot 8, created by the  
10 approved Candlelight Media plat, with Lot 20 and 21 to create two new lots. Both lots  
11 exceed the required minimum square footage for the zone. The two lots will have a  
12 shared State Street access, which is established by the Utah Department of  
13 Transportation. Mr. Mataele noted that existing utility easements in the vacated portion  
14 of Lakeview Drive will remain in place due to utilities which are still located in that area  
15 of Lot 20 and 21.

16 Commissioner Peters inquired as to what method will be used to block access to  
17 the vacated portion of Lakeview Drive. Mr. Cowie stated that appropriate curbing and  
18 landscaping will be installed to restrict access in that area.

19 Chairperson Godfrey requested clarification of the proposed lot line realignment.  
20 Mr. Ashton stated that the three existing parcels will be combined to create two new lots.  
21 Mr. Cowie clarified elements of the plat, which show easements as well as lot lines.

22 Commissioner Bean requested clarification regarding State Street access points.  
23 Mr. Ashton stated that the vacated Lakeview Drive access is being relocated south to the  
24 proposed shared access point. He stated that it is his intention to maintain the existing  
25 access to accommodate future development, but that appropriate barriers will be installed  
26 to prevent access to the vacated street area at this time.

27 Commissioner Call inquired as to specific development plans for the proposed  
28 lots. Mr. Ashton stated that he would like to see retail uses on the lots, but that there are  
29 no specific development plans at this time.

30 Chairperson Godfrey called for public comment. There was no public comment.

31 Commissioner Anderson inquired as to plans for the existing irrigation ditch. Mr.  
32 Ashton stated that irrigation will remain in the existing easement area. He stated that he  
33 would like to incorporate the irrigation area into landscaping areas at some time in the  
34 future.

35 Commissioner Peters asked if barriers to restrict access from State Street should  
36 be included in a motion to approve this subdivision. Mr. Mataele and Mr. Cowie  
37 explained that access details will be reviewed and approved during site plan approval for  
38 future development, and are not directly related to the subdivision plat approval.

39 Chairperson Godfrey called for further comments or discussion. Hearing none, he  
40 called for a motion.

42 COMMISSIONER ANDERSON MOVED TO CLOSE THE PUBLIC  
43 HEARING. COMMISSIONER JOHNSON SECONDED THE MOTION. ALL  
44 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

2 COMMISSIONER PETERS MOVED TO APPROVE THE OLD STATION  
3 SQUARE, PLAT D, LOT 20 & 21 SUBDIVISION PRELIMINARY PLAT AND  
4 RECOMMEND APPROVAL TO THE CITY COUNCIL COMMISSIONER CALL  
5 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION  
6 CARRIED.

- 7  
8 2. **Conditional Use Permit** – *The Ready Project – Joyner Business Park Warehouse*  
9 – *909 West 500 North*. This is a request by Dan Moss for approval of a  
10 Conditional Use Permit for a food storage manufacturing company that is  
11 proposed to locate in the LI zone. The Lindon City Standard Land Use Table  
12 requires any general food manufacturing operations that exceed 2,000 square feet  
13 in the LI zone to obtain a Conditional Use Permit. The applicant intends to locate  
14 in a newly constructed office/warehouse in the Joyner Business Park. Mr. Ross  
15 indicates that his operation includes 6 employees and will only consist of dry  
16 packing with no odors or emissions.

17  
18 Richard Bliss was present as the representative for this application. Mr. Mataele  
19 explained that this is a request for a Conditional Use Permit for a food storage  
20 manufacturing company in the LI zone. He stated that the Standard Land Use Table  
21 requires a Conditional Use Permit for food manufacturing facilities larger than 2,000  
22 square feet. The proposed location is in the Joyner Business Park just off of Geneva  
23 Road. The applicant is looking to occupy approximately ½ of the facility at this time,  
24 with future expansions. The business will have approximately six employees. The use is  
25 a dry pack food manufacturing business with no anticipated odors or emissions. Mr.  
26 Mataele presented photographs of the building showing the office area near the main  
27 entrance. Mr. Bliss outlined specific areas in the facility, including office areas and  
28 manufacturing areas with sealed doors and allergen control devices.

29  
30 Commissioner Call asked if this is a new business or an extension of an existing  
31 business. Mr. Bliss stated that the company was previously the distributor of this  
32 product, but have now also started manufacturing the product in order to maintain better  
33 quality control. He explained that the product has been sold for approximately two years,  
34 and is currently distributed through Associated Food Stores and Sam's Club.

35  
36 Commissioner Peters inquired as to the details of the manufacturing process. Mr.  
37 Bliss stated that a 1,000 pound dry blender is used to blend ingredients. The product is  
38 then moved to a bagging machine which packages the product in mylar foil bags, and  
39 then to shipping containers for distribution.

40  
41 Commissioner Anderson inquired as to whether there may be uses which would  
42 not be compatible with food manufacturing which may locate in adjacent facilities. Mr.  
43 Bliss stated that the process is completed in sealed rooms, and that the facility will have  
44 separate ventilation systems from neighboring units. He noted that extreme uses, such as  
45 chemical waste, may be problematic, but that he does not anticipate any incompatibility  
46 issues.

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48 Chairperson Godfrey asked for clarification of the dumpster enclosure, which is  
49 being used at present for storage. He noted that a large dumpster is currently located in  
50 the parking lot area. Mr. Cowie stated that the contractor has been in contact with the  
51 Planning Department regarding the final dumpster location, but available parking will not

2 be affected. Mr. Cowie noted that cross easements and storm drainage easements are  
shown on the plat.

4 Chairperson Godfrey asked if there were any storm drainage problems in the area  
in the past. Mr. Cowie stated that he was unaware of any storm drainage issues or  
flooding in this area.

6 Chairperson Godfrey inquired as to potential high volume water usage or  
discharge, or potential odors or emissions generated at the site. Mr. Bliss stated that  
8 water use will be minimal, and that the only odors would be food related and not toxic or  
offensive. He noted that the company has high manufacturing standards, and that the  
10 facility is subject to periodic audits and inspections from Sam's Club and Wal-Mart, who  
distribute the product.

12 Chairperson Godfrey called for further comments or discussion. Hearing none, he  
called for a motion.

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16 COMMISSIONER ANDERSON MOVED TO APPROVE THE  
CONDITIONAL USE PERMIT FOR THE READY PROJECT. COMMISSIONER  
18 PETERS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE  
MOTION CARRIED.

20 **NEW BUSINESS** – Reports by Commissioners

22 Commissioners gave no reports at this meeting.

24 **PLANNING DIRECTOR'S REPORT** –

26 Mr. Cowie reported on the following items:

- 28 1. Commissioners were invited to attend upcoming appeal authority training. The  
Commission discussed the appeal authority process, and specific situations where  
the Planning Commission acts as the appeal authority.
- 30 2. Candlelight Media has altered their proposed site plan. The Commission will  
consider the site plan at a future meeting when revisions are finalized.
- 32 3. The Lindon City Code does not require that access to retail facilities is  
"convenient." Mr. Cowie suggested that such issues could be matters of  
34 discussion, but that denial of an application could not be based on the  
convenience of access. He clarified that safety concerns related to access should  
36 be considered as part of the approval process.
- 38 4. Annual Joint Training for the City Council, Planning Commission and Board of  
Adjustments will be held at 6:00 p.m. on April 8<sup>th</sup> in the City Council Chambers.  
The training will address items such as ethics, open and public meetings, and due  
40 process. City Attorney, Brian Haws, will conduct the training.
- 42 5. The City Council approved a Development Agreement with Murdock Hyundai  
which deeds the existing detention basin area near the Larry H. Miller dealerships  
44 to Murdock Hyundai. Larry H. Miller Auto deeded the detention basin to the City  
approximately two years ago. The City will now deed the property back to Larry  
H. Miller Auto, and the property will be sold the Murdock Hyundai with a  
46 stipulation that underwater storm detention be installed within five years. The

2 agreement specifies that the City will receive a minimum of \$62,000 in annual  
3 sales tax revenue from the dealership, with 50% of any additional revenue coming  
4 to the City and 50% being held to fund construction of the underground detention  
5 facilities. If the project is not completed within the five year time frame, the  
6 agreement will expire and all funds held in reserve will revert back to the City.  
7 The project also includes a minor remodel and addition to the existing building to  
8 accommodate the new dealership. No site plan approval will be required. The  
9 remodel will be approved through the building permit process.  
10 6. Construction of the aquatics center is on schedule for opening the end of May.  
11 An open house event is being planned for Memorial Day, with the Grand Opening  
12 celebration on Saturday May 30<sup>th</sup>. The facility will employ 80 – 90 seasonal staff.  
13 Passes will be for sale in mid April.

14 **ADJOURN** -

15 COMMISSIONER PETERS MOVED TO ADJOURN THE MEETING AT 8:05  
16 P.M. COMMISSIONER CALL SECONDED THE MOTION. ALL PRESENT VOTED  
17 IN FAVOR. THE MOTION CARRIED.  
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20 Approved – April 8, 2009

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27 Gary Godfrey, Chairperson

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33 Adam Cowie, Planning Director