

2 The Lindon City Planning Commission held a regularly scheduled meeting on
3 **Wednesday, April 22, 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: Mark Johnson

7 Pledge of Allegiance: Christian Burton

8 **PRESENT**

ABSENT

10 Gary Godfrey, Chairperson

11 Matt Bean, Commissioner

12 Christian Burton, Commissioner

13 Sharon Call, Commissioner

14 Mark Johnson, Commissioner

15 Jim Peters, Commissioner

16 Woodworth Mataele, Assistant City Planner

17 Debra Cullimore, City Recorder

Ron Anderson, Commissioner

Adam Cowie, Planning Director

20 The meeting was called to order at 7:02 p.m.

22 **APPROVAL OF MINUTES** – The minutes of the training session and regular meeting
23 of April 8, 2009 were reviewed.

24
25 COMMISSIONER PETERS MOVED TO APPROVE THE MINUTES OF THE
26 MEETINGS OF APRIL 8, 2009. COMMISSIONER BURTON SECONDED THE
27 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

28 **PUBLIC COMMENT** –

29
30 Chairperson Godfrey called for comments from any resident present who wished
31 to address an issue not listed as an agenda item. There was no public comment.

32
33 **CURRENT BUSINESS** –

- 34
35 1. **Conditional Use Permit** – *Reoxcyn Discoveries Group – 1762 West 20 South #6.*
36 This is a request by James Pack with Reoxcyn Discoveries Group for approval of
37 a conditional use permit for a dietary supplement manufacturing company
38 proposed to locate in the LI zone. The current Lindon City Standard Land Use
39 Table indicates that ‘General Food Manufacturing’ over 2,000 square feet requires
40 a Conditional Use Permit. ‘General Food Manufacturing’ appears to be the most
41 similar use listed to the proposed land use. The applicant is proposing to locate in
42 a unit of the newly constructed Sam White Business Park.

43
44 James Pack was present as the representative for this application. Mr. Mataele
45 explained that this is a request for approval of a Conditional Use Permit for a dietary
46

2 supplement manufacturing company in the LI zone in the newly constructed Sam White
4 Business Park. The Standard Land Use Table specifies that a Conditional Use Permit is
6 required for food manufacturing uses which exceed 2,000 square feet. The proposed use
will occupy a 7500 square foot building, and will consist of reception, conference, lab
and manufacturing areas. Mr. Mataele presented photographs of the exterior and interior
of the building.

8 Mr. Pack explained that Reoxcyn is a new company which is a division of the
parent company Asea. Reoxcyn manufactures the product which is distributed by Asea.
10 He noted that Asea is a newly formed multi-level marketing company. Mr. Pack went on
to explain the manufacturing process of the product which purifies distilled water with an
12 electrical process. He stated that the multi-level offices are currently located in Holiday,
with the research facility being located in West Valley. The research facility will move
to the proposed Lindon location.

14 Commissioner Call inquired as to whether marketing of the product has been
conducted previously. Mr. Pack stated that the product has not been widely marketed,
16 but that some limited marketing began in July 2008.

18 Commissioner Peters asked if there would be any outside storage associated with
the business, if the manufacturing process would create any emissions. Mr. Pack stated
that there will be no outside storage, and that the manufacturing process does not create
20 any emissions. He noted that manufacturing equipment is air powered, and that the
forklift used at the facility will be electric powered.

22 Commissioner Peters asked if noise from the facility may be problematic. Mr.
Pack stated that the air compressor will produce some noise, but that it will be in an
24 enclosed jacket type structure to minimize noise impacts, particularly for employees at
the facility.

26 Commissioner Peters noted that information provided to the Commission
indicates that the facility is expected to employ approximately ten people. Mr. Pack
28 clarified that there will be three employees at the facility initially, with an anticipated
increase to ten over the next year.

30 Commissioner Call asked if there would be any onsite retail sales. Mr. Pack
stated that the product will be marketed exclusively through the multi level structure, but
32 that the point of sale for all transactions will be Lindon, resulting in tax revenue being
generated for the City.

34 Commissioner Peters inquired as to the frequency of large trucks at the facility.
Mr. Pack stated that UPS trucks will be at the facility up to twice a day, but that semi
36 truck deliveries are expected approximately monthly. He noted that large volumes of
supplies are delivered by semi truck, and that frequent deliveries are not anticipated. He
38 stated that at peak production, semi deliveries would not exceed two per week at this
location.

40 Mr. Mataele noted that upon approval of the Conditional Use Permit, the
applicant will submit a sewer application relative to discharge from the facility, which
42 will be reviewed and approved by Orem pre-treatment. Mr. Mataele noted that parking
was approved with the original site plan for the building, and is in compliance with code
44 requirements. The Commission discussed dumpster locations, which appear to comply
with ordinance requirements as well.

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

4 COMMISSIONER PETERS MOVED TO APPROVE THE CONDITIONAL
6 USE PERMIT FOR REOXCYN DISCOVERIES GROUP. COMMISSIONER CALL
8 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
CARRIED.

- 10 2. **Public Hearing** – *Minor Subdivision – Lindon 3 and 14 Ward Meetinghouse* –
approximately 320 West 500 North. This is a request by Jesse M. Harris
12 representing The Church of Jesus Christ of Latter Day Saints for approval of a
minor subdivision plat consisting two lots in the R1-20 zone. The applicant
14 proposed to create a 20,031.14 square foot building lot and a 140,0932.40 square
foot (3.24 acre) lot which would house an LDS church meeting house. The
16 applicants proposed minor subdivision also includes road improvements and
dedications, which would be discussed further in the meeting. Recommendations
will be forwarded to the City Council for final action.

18 COMMISSIONER BURTON MOVED TO OPEN THE PUBLIC HEARING.
20 COMMISSIONER PETERS SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

22 Jesse Harris, architect for this project, was present as the representative for this
24 application. City Engineer, Mark Christensen, was also present to address questions or
concerns regarding this application. Mr. Mataele explained that this is a request for
26 approval of a minor subdivision located just off of 500 North in the residential zone. The
applicant is proposing the creation of two lots, one of which is just over the minimum
28 20,000 square foot requirement, and one just over three acres where the new chapel is
proposed to locate. The applicant is also proposing the extension of 500 North in
30 compliance with the Streets Master Plan Maps. Mr. Mataele presented photographs of
the site, as well as the private street which is currently owned by Alpine School District,
32 and the residential area located on the existing 500 North.

34 Chairperson Godfrey invited Mr. Harris to present any additional information
regarding this application. Mr. Harris stated that a full sized 16,600 square foot
36 meetinghouse is proposed on the site, with parking for 199 vehicles in the parking area.
The existing pavilion located on the site in the north east corner will remain in place. Mr.
Harris reviewed the location of the proposed meetinghouse, pavilion and parking areas.

38 Mr. Harris stated that the LDS Church is currently negotiating with Alpine School
District to purchase the 50 foot 500 North right-of-way, which will be dedicated to the
40 City when the purchase is finalized. Mr. Harris noted that he has submitted a letter from
the school district indicating a willingness to finalize the sale.

42 Chairperson Godfrey inquired as to the anticipated time frame for construction of
the church. Mr. Harris stated that bids will be accepted for the project in May, and a
44 completion date of July 2010 is anticipated.

46 Mr. Christensen observed that the area of 500 North which will be dedicated to
the City will be a requirement for approval of the final subdivision plat. He noted that the

street right-of-way is not clearly shown on the current site plan, and suggested that it may be appropriate to require the dedication as a condition of approval in the motion. He also noted that it will be necessary to install pressurized irrigation in the roadway, as well as three street lights which are a typical requirement but are not shown on the site plan at this time.

Mr. Christensen noted that the Lindon City Code requires bicycle parking stalls for any new development in the commercial, industrial or planned commercial zones. He stated that based on the formula used to calculate parking in those zones, a total of ten stalls would be required on this site. He suggested that although this site is located in the residential zone that there would be a significant need for bicycle parking on the site. Mr. Harris stated that eight bicycle parking stalls will be installed near the building, four on the west corner and four on the east corner, and another eight near the pavilion for a total of sixteen bicycle parking stalls.

Chairperson Godfrey noted that recent commercial ordinance revisions require interior landscaping in parking areas. He inquired as to whether such landscaping is included in the site plan for this project. Mr. Christensen stated that final plans showing landscaping have not yet been submitted, but that the site would be required to meet the ordinance.

Chairperson Godfrey called for public comment. Lee Lindstrom stated that he lives on the corner of 500 North and State Street. He noted that the current roadway is approximately 30 feet wide, and inquired as to where the additional 20 feet of right-of-way would be located. Mr. Harris stated that the roadway would be expanded along the church property line. Mr. Lindstrom noted that he donated a portion of the property for the existing roadway with the understanding that no additional property would be necessary in the future. Mr. Christensen stated that some additional asphalt will be installed on the south side of the roadway to accommodate two-way traffic, but that the Lindstrom property will not be affected. Mr. Christensen noted that the existing curb and gutter is not in the appropriate location, and that it will be removed and relocated approximately six feet to the south of the current location.

Mr. Lindstrom expressed concern regarding existing drainage issues in the area, and inquired as to whether those drainage issues would be addressed as part of this project. Mr. Christensen stated that drainage from the site would be channeled into the existing storm drainage system. Mr. Lindstrom stated that there are no storm drains in the area east of State Street. Mr. Christensen stated that plans show storm drains in the area, but that he will verify the location of existing storm drains, as well as connectivity to the drainage system from this site.

Kim Martin stated that he and other residents on 500 North are concerned about traffic impact, both from the church facility and during construction. He inquired as to any plans to mitigate traffic impacts to the existing residential neighborhood. He asserted that the existing pavement on the roadway is severely compromised, and may become more damaged due to the increased traffic in the area. Mr. Harris explained that all street improvements will be installed between the east property line of the church property and State Street, and that new street improvements should not significantly impact the existing residential neighborhood. Commissioner Peters noted that he lived on a dead end street for a number of years, and that a church facility was built on that street as well.

2 He observed that increased traffic is present sporadically, but that impact to the
neighborhood is not expected to be significant.

4 Mr. Martin inquired as to whether on-street parking may be prohibited due to the
narrow pavement area. Mr. Christensen stated that he is not at liberty to speak for future
6 City administration, but that to this point the practice and policy of the City has been to
preserve on street parking rights.

8 Mr. Martin asked if a traffic control signal is anticipated at the intersection of
State Street and 500 North. Mr. Christensen stated that it is unlikely that a street light
would ever be warranted in this location. He noted that the intersection does not meet the
10 spacing criteria established by UDOT for traffic control signals.

12 In conclusion, Mr. Martin expressed that he felt the notice he received regarding
this meeting was not adequate. He stated that he received written notice by mail on
Friday, April 17th.

14 Rudy Packer stated that he lives in the house located adjacent to pavilion. He
stated that the recent survey done by the church encroaches onto his property
16 approximately a foot and a half. Mr. Harris stated that a survey of the property was
completed as part of this new project, and that any new fencing will be installed in the
18 appropriate location according to current fence line. City Engineer, Mark Christensen
suggested the use of a fence line agreement between the property owners.

20 Commissioner Peters inquired as to whether any stairs to the building would be
necessary based on the topography of the lot. Mr. Harris stated that the lot slopes away
22 from the building approximately three to four percent, and that no stairs will be used to
access the building.

24 Resident Randy Jones inquired as to the possibility of restricting construction
traffic through the existing residential neighborhood to the east of the site. Mr. Harris
26 stated that a traffic restriction has not been discussed, but that a recommendation could be
made to the contractor to minimize traffic in the residential neighborhood.

28 Chairperson Godfrey asked Mr. Mataele to address the issue of the steeple height
of the church in relation to the residential zone. Mr. Mataele stated that the maximum
30 allowable height of any structure in the residential zone is 35 feet from finished grade to
the top of the roof. The proposed steeple height is 64 feet. However, the City Code
32 allows the Planning Commission to approve exceptions if no neighboring property
owners are substantially damaged. He noted that similar exceptions have been made in
34 numerous locations in the City. The neighboring property owners present at the meeting
expressed no concern regarding the proposed height of the steeple.

36 Mr. Martin inquired as to whether the proposed street lights and parking lot lights
would create any light pollution. Commissioner Peters explained that the lights are
38 designed to direct light toward the ground, as well as to contain the light to the site.

40 Commissioner Peters reviewed several conditions of approval which should be
included in any motion to approve the application. He noted that it will be necessary for
42 the applicant to dedicate the remainder of the 500 North right-of-way to the City, install
pressurized irrigation lines and street lights in compliance with City ordinance, comply
with bicycle parking requirements, install interior landscaping in the parking area, and
44 meet landscaping percentage requirements. Mr. Christensen explained that specific
landscaping requirements may not apply to this site due the location in the residential

2 zone. Mr. Harris noted that landscaping in parking areas can be problematic when snow
removal is necessary.

4 Mr. Martin inquired as to whether it may be possible to realign the entrance
shown on the north east corner of the parking lot to a right angle to slow traffic. Mr.
6 Harris stated that the suggested alignment would reduce parking near the building.
Commissioner Peters suggested that the drive entrances be expanded from the 24 foot
8 width shown on the current plan to 26 feet to better accommodate the necessary turning
radius. The Commission discussed the design of driveway entrances, including curb,
10 gutter and sidewalk improvements. Mr. Christensen stated that he has no concern from
an engineering standpoint regarding the proposed 24 foot driveway accesses. He stated
12 that a wider access on the east may better accommodate right turns into the east entrance.
Following further discussion, the Commission felt that a two foot expansion of all drive
entrances would be appropriate.

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

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18 COMMISSIONER PETERS MOVED TO APPROVE THE LINDON 3 AND 14
WARD MEETINGHOUSE MINOR SUBDIVISION PRELIMINARY PLAT AND
RECOMMEND APPROVAL TO THE CITY COUNCIL. COMMISSIONER PETERS
20 ALSO MOVED TO APPROVE THE LINDON 3 AND 14 WARD MEETINGHOUSE
SITE PLAN WITH THE FOLLOWING CONDITIONS:

- 22 1. THAT THE REMAINDER OF THE 500 NORTH RIGHT-OF-WAY BE
DEDICATED TO THE CITY.
- 24 2. THAT PRESSURIZED IRRIGATION BE INSTALLED IN COMPLIANCE
WITH CITY CODE.
- 26 3. THAT THREE STREET LIGHTS BE INSTALLED IN COMPLIANCE WITH
CITY CODE.
- 28 4. THAT BICYCLE PARKING REQUIREMENTS FOR THE COMMERCIAL
ZONE BE APPLIED TO THIS SITE.
- 30 5. THAT INTERIOR LANDSCAPING BE INSTALLED IN THE PARKING
AREA IN COMPLIANCE WITH CITY ORDINANCE.
- 32 6. THAT ALL DRIVE ENTRANCES BE EXPANDED AN ADDITIONAL TWO
FEET IN WIDTH.

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36 Mr. Christensen stated that it does not appear that interior landscaping
requirements will be applicable to this zone due to the location in the residential zone.
He clarified that the Commission does have the authority to require bicycle parking on
38 the site, but landscaping can not be required. Chairperson Godfrey suggested that given
the proximity of the site to the commercial zone that the applicant consider the strong
40 recommendation of the Commission to install interior landscaping in the parking area.

42 COMMISSIONER CALL SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

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

- 5
6 3. **Site Plan** – *Lindon 3 and 14 Ward Meetinghouse – approximately 320 West 500*
7 *North*. This is a request by Jesse M. Harris representing The Church of Jesus
8 Christ of Latter Day Saints for approval of a site plan in the R1-20 zone. The
9 applicant proposes to construct a 19,000 square foot church meetinghouse where
10 the current LDS ball parks and pavilion are located. The plans also include the
11 extension of 500 North, parking configuration, landscaping, ADA parking and
12 access, trash enclosure, and reconfiguration of the existing pavilion.

13
14 The site plan application was discussed in conjunction with the associated
15 subdivision application, and approved with conditions as part of the motion to approve
16 the subdivision request.

17 **NEW BUSINESS** – Reports by Commissioners

18 Commissioners gave no reports at this meeting.

19
20 **PLANNING DIRECTOR'S REPORT** –

21 Mr. Mataele reported on the following items:

- 22
23 1. The Old Station Square Plat B subdivision application was approved by the
24 City Council.
25 2. The Maxfield Meadows subdivision application was approved by the City
26 Council.
27 3. The Karl G. Maeser Academy charter school was granted a sewer connection
28 waiver by the City Council. The waiver will permit two temporary classroom
29 trailers on the site with no sewer connection. No restroom facilities will be
30 installed. One temporary classroom will include a sink, which will be served
31 by the existing septic tank on the site. Use of the septic tank has been
32 approved by the Utah County Health Department.
33 4. Councilmember Bayless was present in the audience, and provided an update
34 on the aquatics center project and other City Council business.

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36 **ADJOURN** –

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38 COMMISSIONER JOHNSON MOVED TO ADJOURN THE MEETING AT
39 8:50 P.M. COMMISSIONER BURTON SECONDED THE MOTION. ALL PRESENT
40 VOTED IN FAVOR. THE MOTION CARRIED.

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Gary Godfrey, Chairperson

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Adam Cowie, Planning Director

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