

2 The Lindon City Planning Commission held a regularly scheduled meeting on
3 **Wednesday, August 26, 2009** beginning at 7:00 p.m. in the Lindon City Center, City
4 Council Chambers, 100 North State Street, Lindon, Utah.

5 Conducting: Matt Bean, Vice Chairperson

6 Invocation: Christian Burton

7 Pledge of Allegiance: Matt Bean

8 **PRESENT**

ABSENT

10 Ron Anderson, Commissioner

11 Matt Bean, Commissioner

12 Christian Burton, Commissioner

13 Sharon Call, Commissioner

14 Mark Johnson, Commissioner

15 Woodworth Mataele, Assistant Planner

Gary Godfrey, Chairperson

Adam Cowie, Planning Director

Debra Cullimore, City Recorder

18 The meeting was called to order at 7:00 p.m.

20 **APPROVAL OF MINUTES** – The minutes of the meeting of July 22, 2009 were
21 reviewed.

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23 COMMISSIONER BURTON MOVED TO APPROVE THE MINUTES OF THE
24 MEETING OF JULY 22, 2009. COMMISSIONER CALL SECONDED THE
25 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

26 **PUBLIC COMMENT** –

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

32 **CURRENT BUSINESS** –

- 34 1. **Public Hearing** – *Minor Subdivision (amendment) – Lindon Meadows Plat C –*
35 *167 South 530 West.* This is a request by William Fairbanks for approval of
36 minor subdivision amendment. The applicant is proposing a one lot minor
37 subdivision. This proposal would also include the vacation of lot#10 of the
38 Lindon Meadows Plat A Subdivision. Recommendations from the Planning
39 Commission will be forwarded to the City Council for final action.

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

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45 William Fairbanks was present as the representative for this application. Mr.
46 Mataele explained that this application is for a one lot minor subdivision. The

subdivision would not create any new lots, but would adjust the recorded property lines of lot #10 of the Lindon Meadows Plat A Subdivision. Mr. Mataele explained that the proposed lot meets square footage requirements for this zone. In addition, Mr. Fairbanks received approval from the Board of Adjustment on June 30, 2009 for a variance of the 100 foot minimum frontage requirement. The Board of Adjustments required an amendment to the plat to adjust the property lines appropriately. The minutes of the Board of Adjustments meeting were provided for informational purposes. Mr. Mataele stated that based on the approved variance, the lot meets all City requirements.

Mr. Mataele explained that the variance was necessary due to property ownership issues in which two separate parcels under separate ownership were included in the lot. He presented a photograph of the lot under current and proposed configuration.

Mr. Fairbanks stated that he had nothing to add unless the Commission had specific questions or concerns. Commissioner Bean stated that he reviewed the minutes of the Board of Adjustments meeting, and felt that all relevant issues had been adequately addressed. Commissioner Call observed that based on the discussion in the Board of Adjustments minutes, it appears that this issue occurred due to a misunderstanding between property owners. Mr. Fairbanks summarized the situation, noting that there was some confusion among property owners, City staff at the time of the original approval, and what was recorded on county records. He indicated that at the time the plat was recorded, all parties had moved forward in good faith, but that current staff interpreted the ordinance differently and determined that the current configuration was not legal. He stated that affected property owners have worked cooperatively, and feel that this is the best resolution to the ownership problem associated with the lot.

Commissioner Anderson observed that based on the Board of Adjustments approval of the variance, the lot does meet the intent City ordinance. Commissioner Bean called for public comment. There was no public comment. He called for further comments or discussion from the Commission. Hearing none, he called for a motion.

COMMISSIONER CALL MOVED TO APPROVE THE LINDON MEADOWS PLAT C SUBDIVISION PRELIMINARY PLAT AND RECOMMEND APPROVAL TO THE CITY COUNCIL. COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

2. **Conditional Use Permit** – *Premier Marble & Granite Inc. – 1497 West 40 South.*

This is a request by Dennis K. Wagner for approval of a conditional use permit for a natural stone countertop manufacturing company. The applicant is proposing to occupy the subject property as an office/warehouse with outside storage for the production of their product. The Lindon City Standard Land Use Table requires any ‘stone manufacturing’ use with outside storage to acquire a conditional use permit.

2 Mr. Mataele stated that this is a request for approval of a Conditional Use Permit
4 for a natural stone countertop manufacturing company. He explained that the Standard
6 Land Use Table requires a Conditional Use Permit for rock manufacturing uses with
8 outdoor storage. The applicant is proposing to locate the business in the existing 'Scenic
10 Service Building.' Proposed hours of operation are 4:00 a.m. to 10:00 p.m. The business
12 employs approximately 60 people, working in three shifts. Staff reviewed parking on the
14 site, and found that parking was adequate.

16 Commissioner Anderson asked if the business will occupy all or part of the
18 building. The applicant stated that the business will occupy the full facility.

20 Commissioner Anderson asked the height of the A-frames used to store stone slabs, and
22 the height of actual slabs which will be stored outside. The applicant stated that the A-
24 frames are approximately six feet high, and the slabs are between six and eight feet high.

26 Commissioner Bean inquired as to whether the existing fence is sight obscuring.
28 The applicant stated that it is partially sight obscuring. Commissioner Bean asked if the
30 fence meets ordinance requirements. Commissioner Anderson noted that sight obscuring
32 fence is required only for storage of junk, dismantled vehicles and other specific
34 materials.

36 Commissioner Anderson asked if dust may be problematic during the
38 manufacturing process. The applicant stated that all cutting is done under water, so no
40 dust is produced. A water filtration system is used to clean sediment out of the water.
42 The Commission asked The applicant if noise issues may be problematic. The applicant
44 stated that noise produced by the manufacturing process would be audible inside the
46 building, but should not be heard outside.

Commissioner Bean asked if The applicant anticipates manufacturing any
synthetic materials in the foreseeable future. The applicant stated that they do not
anticipate manufacturing synthetic materials.

Commissioner Burton asked of the business is new, or relocating to this site. The
applicant stated that the existing business is co-located in Orem and Pleasant Grove. The
operation will be consolidated at this larger facility.

Commissioner Anderson explained to the applicant that this Conditional Use
Permit is reviewable upon complaint. Commissioner Bean called for further comments
or discussion. Hearing none, he called for a motion.

COMMISSIONER ANDERSON MOVED TO APPROVE THE PREMIER
MARBLE AND GRANITE INC. CONDITIONAL USE PERMIT. COMMISSIONER
BURTON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE
MOTION CARRIED.

NEW BUSINESS – Reports by Commissioners

Commissioner Johnson commented on an issue in Old Station Square in which a
large amount of dirt is on the sidewalk and needs to be removed. Mr. Mataele will pass
on the report.

Commissioner Call asked Councilmember Bayless, who was in the audience, to
review the Truth In Taxation Public Hearing. Councilmember Bayless stated that a
number of residents attended the meeting and spoke both in favor of and in opposition to

2 the tax increase. She observed that the tone of the meeting was generally respectful. She
4 noted that The Utah Taxpayers Association was not represented at the meeting. She
6 explained that several residents expressed concerns about the tax increase based on
8 specific circumstances, and others expressed concern regarding additional taxes in
10 general. She explained that the decision was very difficult for the Council.

12 Commissioner Call asked if there would be a possibility that property taxes may be
14 reduced in the future as the economy recovers. Councilmember Bayless stated that a
16 reduction in property taxes would be highly unlikely in the future, and that the intent of
the property tax increase is to establish a stable revenue source to meet financial
obligations and provide essential services. She noted that the appropriate mix of sales tax
and property tax revenue is necessary to long term financial planning.

18 Commissioner Burton expressed appreciation for the small town feel of Lindon,
and his love of the community. He felt that the small tax increase approved by the
Council was reasonable based on the services and quality of life the City provides.
Councilmember Bayless agreed that the tax increase will allow the City to maintain a
high level of service for residents.

18 **PLANNING DIRECTOR'S REPORT** –

20 Mr. Mataele reported on the following items:

- 22 1. The City Council recently appointed Angela Neuwirth to serve on the Planning
24 Commission for a three year term. Her term will begin at the September 8, 2009
26 meeting.
- 28 2. Planning Commission meetings will be held the second and fourth Tuesdays of
each month starting in September.
- 30 3. The post-season aquatics center and FlowRider schedule are available on the City
32 website.
- 34 4. The Fellowship Bible Church building permit application has been submitted.
Some minor architectural changes have been made since the Planning
Commission approved the site plan. The Commission reviewed the current
architectural drawings.

34 **ADJOURN** –

36 COMMISSIONER BURTON MOVED TO ADJOURN THE MEETING AT 7:52
38 P.M. COMMISSIONER CALL SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.

40 Approved – September 8, 2009

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Matt Bean, Vice Chairperson

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Adam Cowie, Planning Director