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

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

**PRESENT**  
Matt Bean, Chairperson  
Ron Anderson, Commissioner  
Carolyn Lundberg, Commissioner  
Sharon Call, Commissioner  
Angie Neuwirth, Commissioner  
Del Ray Gunnell, Commissioner  
Adam Cowie, Planning Director  
Kathryn Moosman, City Recorder

**ABSENT**  
Chris Burton, Commissioner

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

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

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

**PUBLIC COMMENT** –

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

**CURRENT BUSINESS** –

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

Chairperson Bean invited the applicant, John Brailsford, with K.E.B. Enterprises forward. Mr. Cowie opened the discussion by stating that this is a request for a Conditional Use Permit for a food and supplement manufacturing business in Lindon. The applicant currently operated their business near the Canopy Buildings in Lindon.
He went on to explain that the applicants’ business is growing and they are looking at a new manufacturing facility for expansion located at 161 South 1380 West. The building they are looking at is currently vacant. Mr. Cowie noted that the applicant is anticipating doing a full tenant finish on the interior including mixing rooms and a packaging and assembly room for all dry packaging. There will be some floor drains they will be required to put in for wash down at this new facility. Mr. Cowie further discussed that there were couple of other similar manufacturing businesses in the area and there have not been any concerns or issues with these types of facilities. Mr. Cowie also noted that the City is happy to have them stay in Lindon. He went on to say that the subdivision plat (three separate parcels) which have a shared parking agreement, which is written into the subdivision plat requirements. Mr. Cowie also explained they will employ between approximately 5-10 employees initially, and potentially more than 20 employees at the site. Some potential uses at the building will be some office use, but mainly warehouse, assembly and manufacturing use.

Mr. Cowie further discussed one issue that has been looked at that may be a potential concern is the external dust collector. The applicant is considering the dust collector (12 ft. to 20 ft. tall) on a new pad on the exterior, next to the dumpster enclosure. There may also be some noise issues associated with the dust collector, but they will not be running it 24/7, and given that this facility is in the industrial zone. Mr. Cowie also noted that this is not an office type of environment and reiterated that it is zoned light industrial. Mr. Cowie mentioned to the applicants, if they do receive 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.

Mr. Jason Jorgenson, Vice President of Operations for Zija International, introduced himself and thanked the City for being great to work, and noted that their corporate office is also located in Lindon. He also noted that the proposed facility will be their third facility here in Lindon. Mr. Jorgenson further stated that this project would be a win win for their company and the City and will keep jobs here; they anticipate hiring more employees in the future. He further stated that all of their product is being 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.

Commissioner Call asked if their products are similar to Nature’s Way products. 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,
personal care lines and weight management products. He also noted that this is a multi-
level direct sales operation.

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
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
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.

Chairperson Bean inquired if the applicants are currently manufacturing in
Canopy building location. The applicant replied that they do not manufacture at that
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
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.
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
their will not be.

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
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
primarily for manufacturing, with a lab, clean room, offices, and storage. He also noted
that water use will be minimal.

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
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
collector only runs when they are manufacturing. Being no further questions or
comments Chairperson Bean called for a motion.

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

2. **Public Hearing** – **Ordinance addition: LCC Section 17.51 ‘Commercial Farm
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
agriculture and open space by allowing additional sources of potential income for
farmers in Lindon by allowing other unique commercial activities associated with
working farms. Recommendations from the Planning Commission will be made
to the City Council for final approval.
COMMISSIONER ANDERSON MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER CALL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED

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 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 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 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 go to the City Council if they pass it on. Mr. Colledge then presented the slide show to the Planning Commission.

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 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.

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 Commercial Farm (CF) zone on the parcel.

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, 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 called for a motion.

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

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 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 reception center there. Recommendations from the Planning Commission will be made to the City Council for final approval.

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 the City for the establishment of the Wadley Farms Reception Center on the subject.
property. He went to say the applicant feels that in order to ensure preservation and maintenance of this farmland, this proposed zone change would be more fitting. This would permit the applicant to continue farm production and a great amenity to the 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.

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

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

4. **Conditional Use Permit**: Wadley Farms – 35 East 400 North. This is a request by Allen Colledge with the Kristine Miller Colledge Trust for approval of a 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.

Mr. Cowie stated that the applicants are proposing an expansion of an existing structure to create a new conference center, which will be included in their reception center operation, and will require a conditional use permit per the new LLC Section 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.

Mr. Cowie noted that there are some concerns with issues of fencing/screening to 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.

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

COMMISSIONER NEUWIRTH MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER LUNDBERG SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.
5. **Discussion Item: Accessory Apartments**—This is a city initiated discussion item to analyze LLC Section 17.46.100 – Accessory Apartments. Commissioners will 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.

Mr. Cowie opened the discussion by stating the City Council sent this issue to the 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.

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 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.

Mr. Cowie then went over some general conditions that could restrict detached accessory apartments. Mr. Cowie noted that essentially, the city has already permitted 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 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 would already be permitted through an interior accessory apartment unit as currently allowed.

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

**NEW BUSINESS** – Reports by Commissioners

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 necessary.

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

**PLANNING DIRECTOR'S REPORT** –

Mr. Cowie reported on City Council updates as follows:

- Meet the Candidate Night had a good turnout with over 130 residents in 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.
- The Planning Commission meeting for November 8th is cancelled due to the election. Mr. Mataele will be conducting the meeting on November 22nd as Mr. Cowie will be out of town.
• Early voting started today, October 25, 2011 at the Community Center.

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

ADJOURN –

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

Approved – November 22, 2011

Matt Bean, Chairperson

Adam Cowie, Planning Director