The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, November 22, 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:** Ron Anderson, Commissioner  
**Pledge of Allegiance:** Sharon Call, Commissioner  

**PRESENT**  
Matt Bean, Chairperson  
Ron Anderson, Commissioner  
Carolyn Lundberg, Commissioner  
Sharon Call, Commissioner  
Angie Neuwirth, Commissioner  
Del Ray Gunnell, Commissioner  
Woodworth Mataele, Planner II  
Kathryn Moosman, City Recorder  

**ABSENT**  
Adam Cowie, Planning Director  
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 25, 2011 were reviewed.  
COMMISSIONER CALL MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF OCTOBER 25, 2011 AS CORRECTED OR AMENDED.  
COMMISSIONER GUNNELL 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** – **LDS 21st Ward Building, Parking Lot Expansion – 325 North Canal Drive.** This is a request by Carl Green, representing the Church of Jesus Christ of Latter Day Saints, for approval of a conditional use permit/amended sit plan to expand an existing parking lot at the Lindon 21st Ward building in the R1-20 zone. The project will add 50 new parking stalls through construction of three new parking areas and will then re-stripe some areas with existing parking stalls. No new structures or changes to the building will occur as part of this application.  
Chairperson Bean invited the applicants, Darrell Gandy representing the LDS Church and Rod Davis from McNeil Engineering, forward.  
Mr. Mataele opened the
discussion by explaining this is an application for a conditional use permit submitted by
the LDS Church to amend the existing parking at the LDS Chapel on Canal Drive. He
went on to say that the applicants are proposing to amend the existing site plan by adding
a total of 50 stalls in three different locations with some re striping done also. Mr.
Mataele added this application is pretty straight forward because they are just adding
additional parking to the existing chapel location. One of the locations they are
considering is off of 300 north and canal drive on the east side with 20 proposed parking
stalls, and an additional 20 parking stalls on the north with the alteration they will utilize
an additional 3 stalls. This summarizes the primary proposal and after reviewing the
application, it appears the applicant does meet the current landscaping requirement
recently adopted by the Planning Commission and the City Council. Mr. Mataele then
showed the proposed different locations and noted the plans that were resubmitted by the
applicant showing the additional required interior landscaping and the additional trees as
well as the perimeter landscaping.

Mr. Mataele further noted that the Chapel is currently located in the R1-20 zone
with homes surrounding the property, and after the application was reviewed by staff and
the City Engineer, it appears the applicants meet all the requirements in the city code. He
also noted there is a letter included in the commission packets that was sent to the City by
Brian Gubler, a neighbor to the north of the chapel, indicating some concerns he has with
this proposal. Mr. Mataele then asked if there were any questions. There were not any
questions or comments at this time.

Chairperson asked the applicants if they had anything to add or any special
concerns or issues regarding this requested parking expansion. Mr. Gandy commented
that the biggest concern is the parking issues, as they have had several complaints by the
city to remove the cars off of the street because of safety hazards; that is the main reason
for the request to expand. He also noted that the city had reported as many as 50 cars
have been parking on the street, and they would like to have alleviated. Mr. Gandy stated
that is how they arrived at the number of additional stalls needed.

Mr. Davis explained that safety is a problem especially during the winter months
with people having to park on the street and walking to the building; which increases the
chance of people tripping and falling on the road. He went on to say one of the proposed
sites is not where the Brian Gubler property is located; it is on the other side of the
pavilion and would eliminate the ball field. Mr. Gandy further discussed they had looked
at several options, including parking below the canal road, but in order to facilitate that
they would have to put in an extensive retaining wall, which is very expensive. He
further noted that they have tried to squeeze in what they could to get the 50 additional
stalls.

Chairperson Bean asked what the typical meeting block is and how it compares to
similar uses of other buildings related to parking spaces. Mr. Davis compared the Church
on Center Street which has 180 parking stalls; this proposed church has 195, which is
normal size. He went on to say that typically churches have around 190 to 210 parking
stalls, with Stake Centers having approximately 280 to 300 parking stalls. Commissioner
Lundberg inquired how many stalls would affect Mr. Gubler. Mr. Davis replied that
approximately 20 stalls could possibly affect Mr. Gubler’s property. Mr. Gandy noted,
as they see it, this would enhance the use of the pavilion. Mr. Davis commented that the
gated access road is only open on Sunday, otherwise it is locked.
Commissioner Neuwirth asked if the LDS Church owned the property or if they had purchased it from Mr. Gubler. Mr. Gandy indicated that Mr. Gubler had purchased the property after the Church was already there. Chairperson Bean inquired if Mr. Gubler has an agreement with church to access the road. Mr. Gandy stated that he was not certain about the agreement, but thought there was a joint use agreement, and he would try to locate that agreement. He further noted that the Church maintains the road.

Commissioner Call commented that she happened to be at the church and has observed the parking issues, and realizes the concerns in Mr. Gubler’s letter and understands these concerns need to be addressed. She went on to say she was curious why the LDS Church chose to put several singles wards in a family neighborhood because of the increased traffic. Mr. Gandy stated that he was not sure, on the ecclesiastical side, why they chose to merge the singles with a family ward, but thought it might be that the Church on Canal Drive has a good size parking area, and noted that some of the surrounding churches have smaller parking areas. Commissioner Neuwirth commented that Mr. Gubler’s concerns are between him and the property owner. She further commented that required trees along the perimeter may be an option for the car lights on the access road shining onto his property. Mr. Gandy stated that they have agreed to put in trees along the perimeter, and noted that they will not be installing any additional lighting. He also noted that there is currently a 6 ft foot fence in place that will provide privacy. Commissioner Call reiterated that the parking issue is a big problem.

Chairperson Bean noted that the church made the decision to put two single wards in one building to keep them together to congregate and have some overlap; which was a deliberate decision by the Church. He also commented that this is a difficult situation, but is happy to see that something is being done with the parking situation. He further noted that it appears where they propose to add the additional parking is the best possible location, given the slope and the grade on canal drive that was an issue. Mr. Davis agreed that they had several options but they were very expensive because they would require a retaining wall. Commissioner Gunnell asked if there would ever be a future expansion with a second chapel going in where the ball field is. Mr. Davis replied that there has not been any discussion on a second chapel. Commissioner Anderson commented that this proposal would alleviate a lot of the safety issues and he agrees that this is probably the best fit that they could do.

Chairperson Bean then opened the meeting to public comment. Chelsea Gubler, a neighboring property owner voiced her concerns. She basically stated that their disappointment comes from wanting the “little bit of country” feel and that is why they chose to move to Lindon in the first place. Mrs. Gubler further discussed that the proposed parking lot invades their privacy and the setbacks are only 10 feet from their fence. She further noted that the access road is very busy and if the gate is not locked the cars speed through. Mrs. Gubler also noted that along with the parking issue, there are increased incidences because of the singles issues, and the young people don’t think about their children in the area. She suggested that taking down the pavilion might be considered for the parking. She also noted that they have never seen a ballgame at the ball field since they have lived there. She further discussed that she understands the walking issue and feels it not a problem and should not be a concern. Ideally, they would prefer to see the single wards moved, or have the parking stalls where the ball field is.
instead and this won’t affect people’s homes or valuation or privacy. It would be more beneficial and that is what we are pushing for.

Another resident, Betty Manley was in attendance and commented that this proposal will create a conflict for Mrs. Gubler her family. She further noted that quite often cars don’t obey the laws and speed through very fast, and they do have kids to worry about. Commissioner Gunnell asked Mrs. Gubler if they have been working with the church on the roadway. Mrs. Gubler replied that they have been trying to get to the responsible party. Commissioner Anderson stated that the commission does not have the authority to tell the Church which wards to put in the building. Mr. Gandy stated that the decision makers are the stake presidents and noted that the young single adult’s stake leaders are also involved. Mr. Gandy also stated that he is sympathetic to the residents concerns and would encourage them to talk to their ecclesiastical leaders.

Mrs. Manley further discussed that the increased traffic is now coming past the Gubler’s driveway and increases safety issues for their family. She also asked if there is a way to have the gate locked and have a different access. Mr. Gandy replied that the gate should be locked all days of the week except Sunday’s or for a large activity. Mrs. Manley asked if there could be signs installed. Mr. Gandy replied that it is a private drive owned by the church, and she would need to talk to the church. Commissioner Lundberg inquired how firm the Church is on installing the 50 stalls. Mr. Davis replied that the minimum is 50; they are actually putting in 44 stalls and then doing some re striping. There was further discussion between the commissioners and the residents in attendance regarding the parking issues. Commissioner Gunnell stated that the applicants basically meet the criteria so the commission really has no choice but to approve the conditional use permit; he further noted that nuisance and safety are the real issues. Chairperson Bean asked if there were any other comments or questions. Being no further questions or comments Chairperson Bean called for a motion.

**COMMISSIONER ANDERSON MOVED TO APPROVE THE CONDITIONAL USE PERMIT FOR THE “LDS 21st WARD BUILDING PARKING LOT EXPANSION” WITH NO CONDITIONS. COMMISSIONER NEUWIRTH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.**

2. **Plat Amendment – Glacier Mountain Estates Plat” B”** – This is a request by Delane Donithorne for approval of an amended subdivision plat titled Glacier Mountain Estates, Plat B in the R1-20 zone. The re-plat is necessary to slightly adjust property lines between two existing lots in order to accommodate a future detached garage on the Donithorne property. Recommendations from the Planning Commission will be forwarded to the City Council for final approval.

Chairperson Bean invited applicant forward. Delaine Donithorne was in attendance to address the commission. Mr. Mataele opened the discussion by explaining the applicant is proposing to change the property lines on 2 lots in Glacier Mountain Estates Plat A. He is also proposing to build a detached garage and needs some adjustments to the current property line. Mr. Mataele also noted that adjusting the property lines slightly but the adjacent property will still maintain the required 20,000 ft
minimum lot size in the area in the R-120 zone. He further noted that they are working with public works to relocate some utilities for pressurized irrigation south of property. Mr. Mataele stated that this is a very straightforward application. He then showed some photos of the current property, which showed the proposed adjustment line between the two properties in order to have his garage in the rear of the property. Mr. Mataele further stated that no other utilities are affected by this re-plat, and both city staff and the City Engineer have reviewed this application and they do not have any concerns with this proposal.

Mr. Donithorne commented that he wants to be a good neighbor and noted that he has talked to his surrounding neighbors and that he would not start on this project until he had all approvals in place from the City. He further noted that he has contacted a professional landscaping company to move the secondary water line and no trees or fences will change and will meet city requirements for the setbacks. Mr. Donithorne also stated that he has been working with public works on the utilities issue, and he has hired a surveyor to re-plat the property.

Chairperson Bean asked if there were any further comments or questions. Being none he called for a motion.

COMMISSIONER CALL MOVED TO APPROVE THE PLAT AMENDMENT FOR GLACIER MOUNTAIN ESTATES PLAT “B” WITH NO CONDITIONS. COMMISSIONER NEUWIRTH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

3. **Public Hearing** – Ordinance Change – LCC 13.23 – Storm Drainage; 17.56.120 – Hillside Development; 17.56.130- Shallow groundwater area development standards; and 17.57.150 – Grading, Storm Water Pollution Prevention Plan, and drainage plan – Review and Approval. This is a city initiated request for review and approval of several sections of the Lindon City Code pertaining to storm water management and storm water regulations within the code. These changes are in conformance with newly required standards imposed upon the city by the Environmental Protection Agency (EPA). Mark Christensen, City Engineer, will be present to give a brief overview and address questions on the items. Recommendations from the Planning Commission will be forwarded to the City Council for final approval.

COMMISSIONER ANDERSON MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER GUNNELL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED

Mr. Mataele opened the discussion by stating that this is a City initiated ordinance change that was drafted by Mark Christensen, City Engineer and the City Attorney, Brian Haws. Mr. Mataele further discussed that this ordinance change is required by the State of Utah to include the changes into their ordinances to comply with the EPA requirements. Mr. Mataele then went through some of the proposed changes. Mr. Christensen was in attendance and gave an overview to note the main changes. He went on to say the EPA has passed laws in past years, and the State is charged with enforcing
those laws. The State Division of Water Quality is part of the Department of Environmental Quality and they issue the City of Lindon and other cities a permit to discharge storm water into Utah Lake and the City has to comply with their requirements in order to be authorized to discharge the storm water. Mr. Christensen added that part of their requirements is having the ordinances to give us authority to enforce their rules. And so most of what is the changes here addressed are made to comply with their requirement. There are three main things they require our ordinance to address as follows:

1. Storm water pollution that occurs during construction.
2. Storm water pollution that occurs after the site is constructed and perpetually operating.
3. Illicit discharge, which are things that going into the storm drainage system that shouldn’t be there. The City is charged with identifying and eliminating illicit discharge.

Mr. Christensen then noted the main points of the ordinance changes are that they have tightened up the requirements of who has to get a permit from the EPA before they do construction. And the requirement now is that every development that disturbs more than one acre of land has to get a permit from the State which commits them to take steps to minimize the pollution caused by storm water. They have also said that not only is it one acre or less, if there is a development with a smaller area that is part of a larger development, like a subdivision, each of the lots, regardless of size, the owner of the lot has to get a permit from the State.

Mr. Christensen noted another main point in the ordinance is once a year every development has to be inspected to make sure they are in compliance with requirements to minimize storm water pollution. He went on to say the State allows that the city has the ability, rather than inspecting it themselves every year, to require that the owners inspect it every year and the city will inspect every 5 years. Mr. Christensen further added that if they do that they have to get an agreement with the owner of the land that they agree to do the inspection. Mr. Christensen stated the main point of the ordinance is that we are requiring a storm water maintenance agreement that must be entered into by the developer that states they will comply. There was then some further discussion between Mr. Christensen and the commission regarding this issue. Mr. Christensen further stated that the State requires that the City has to encourage it and the ordinance does mention this. Mr. Christensen added that he will identify some of these things in the land use development manual.

Chairperson Bean asked if there were any further comments or questions. Being none he called for a motion.

COMMISSIONER NEUWIRTH MOVED TO APPROVE THE ORDINACNE CHANGE – LCC 13.23 – STORM DRAINAGE; 17.56.120 – HILLSIDE DEVELOPMENT; 17.56.130- SHALLOW GROUNDWATER AREA DEVELOPMENT STANDARDS; AND 17.57.150 – GRADING, STORM WATER POLLUTION PREVENTION PLAN, AND DRAINAGE PLAN – REVIEW AND APPROVAL AND GIVE RECOMMENDATION TO THE CITY COUNCIL. COMMISSIONER CALL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.
4. **Public Hearing**: *LCC 17.08 Planning Commission*. This is a city initiated request for approval of changes to LCC 17.08 to add rules and procedures for Planning Commission meetings. New Utah State legislation requires that municipalities adopt meeting rules and procedures for the Planning Commission by ordinance. Recommendations from the Planning Commission will be forwarded to the City Council for final approval.

Mr. Mataele explained that this request is similar to the city initiated change but is dictated by the state to adopt policies and procedures. He went on to say that the booklet was not part of the ordinance. Mr. Mataele noted that biggest change is adding the policy and procedures that were the most important and basic, organization, meetings, chairs, agendas etc. Chairperson Bean inquired about the removal of a member if they have an unexcused absence twice, and to define what an unexcused absence is. Mr. Mataele stated that staff will define that issue.

Chairperson Bean asked if there were any other comments or questions. Being none he called for a motion.

**COMMISSIONER NEUWIRTH MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER CALL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED**

5. **Action Item**: *Review and Approval of 2012 Meeting Schedule*—This is an action item to review the recommended 2012 meeting schedule for the Lindon City Planning Commission. The City Council has previously reviewed the schedule and approved it as presented.

Mr. Mataele presented the 2012 Meeting Schedule for approval. Mr. Mataele reviewed the schedule with the commission to ensure there are no major conflicts or corrections needed. He also noted that there will not be any city meetings scheduled on holidays, during Lindon Days, or on election night in November. Chairperson Bean asked if there were any further comments or questions. Being none he called for a motion.

**COMMISSIONER CALL MOVED TO APPROVE THE 2012 MEETING SCHEDULE. COMMISSIONER NEUWIRTH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.**

**NEW BUSINESS** – Reports by Commissioners

Chairperson Bean asked if there were any reports from the Commission. Commissioner Neuwirth mentioned an item with the minutes and asked to have
commission discussion included in the minutes. Mr. Mataele stated that the discussion can be included and also that the tapes of the minutes are accessible if needed. Commissioner Call stated that there has been a lot of discussion from neighbors regarding Center Street going through. Mr. Mataele stated that the piping will be done but the road will not go through for another 1 to 2 years; but it has been on the master plan, and will likely be pushed up on the priority list. Commissioner Call also noted that a Lindon City sign by Kneaders is in need of repair.

Commissioner Lundberg commented on the LDS Church needing 2 accesses, and also inquired if that is required of schools also. She further discussed that Maeser Academy accesses are very hard to get in and out of, and feels it is a real safety concern. Mr. Mataele stated that would be an issue to address the school as a parent. This issue was further discussed between the commissioners.

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. Mataele reported on City Council updates as follows:

- Thanksgiving Day Dinner at the Community Center on Thanksgiving Day from 11:00 to 2:00.
- Congratulations to Matt Bean who received the most votes in the General Election, followed by Randi Powell and Jeff Acerson.
- Chris Burton resigned from the planning commission due to conflicts with meeting times. We appreciate his years of service and will recognize him at the December 20th Council meeting. Council is considering two new appointments for the planning commission to fill the spots vacated by Matt Bean and Chris Burton.
- Wadley Farms – Commercial Farm Zone, Zone Change, and Conditional Use Permit were all approved by the City Council.
- December 8th at 2:30 p.m. at the City Center will be the farewell open house for the outgoing councilmember’s.
- Castle Park – possible site plan amendments / SID for street improvements to be determined.
- 2011 General plan was approved by the Council with some minor wording changes.
- Christmas tree lighting will be held on the 5th of December at 6:30 at the Community Center.

Chairperson Bean asked if there was any other new business. Being none he called for a motion to adjourn.
COMMISSIONER NEUWIRTH MADE A MOTION TO ADJOURN THE MEETING AT 9:25 P.M. COMMISSIONER LUNDBERG SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – December 15, 2011

Matt Bean, Chairperson

Adam Cowie, Planning Director