

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **February 28, 2012** beginning at 7:00 p.m. in the Lindon City Center, City Council
4 Chambers, 100 North State Street, Lindon, Utah.

5 Conducting: Sharon Call, Chairperson
6 Invocation: Carolyn Lundberg, Commissioner
7 Pledge of Allegiance: Justin Beus – Scout Troop 160
8

9 **PRESENT**

9 **ABSENT**

10 Sharon Call, Chairperson
11 Ron Anderson, Commissioner
12 Del Ray Gunnell, Commissioner
13 Angie Neuwirth, Commissioner
14 Carolyn Lundberg, Commissioner
15 Mike Marchbanks, Commissioner
16 Rob Kallas, Commissioner
17 Adam Cowie, Planning Director
18 Woodworth Mataele, Planner II
19 Kathryn Moosman, City Recorder
20

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

22 **APPROVAL OF MINUTES** – The minutes of the regular meeting of February 14, 2012
23 were reviewed.
24

25 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE
26 REGULAR MEETING OF FEBRUARY 14, 2012 AS CORRECTED OR AMENDED.
27 COMMISSIONER GUNNELL SECONDED THE MOTION. ALL PRESENT VOTED
28 IN FAVOR. THE MOTION CARRIED.
29

30 **PUBLIC COMMENT** –

31 Chairperson Call called for comments from any audience member who wished to
32 address any issue not listed as an agenda item. There were no public comments.
33

34 **CURRENT BUSINESS** – Chairperson Call stated that per previous arrangement with
35 Planning Director, Adam Cowie, the order of the agenda items will be changed. The
36 Annual Review for the Utah Housing Authority (Item #5) will be changed to the first
37 item of current business. The Commission was in agreement with the change of order.
38

- 39
- 40 **1. Annual Review of Group Home Facility:** *Housing Authority of Utah County –*
41 *365 E 400 N.* This is a required annual review of a group home owned by the
42 Housing Authority of Utah County. The facility was approved to provide housing
43 for up to three physically disabled adults. No changes are proposed to the facility
44 as this is only a review of the current use to ensure conformance with City Code
45 and conditions of approval.
46

2 Mr. Mataele opened the discussion by explaining that this is an annual review for
4 a group home approved within the City to determine that the facility is in compliance
6 with the Conditional Use Permit conditions and local ordinances and codes regulating
8 these types of facilities. Mr. Mataele further discussed that this facility is owned by the
Housing Authority of Utah County and is located at the entrance to Hollow Park on 400
North. Mr. Mataele noted that a Conditional Use Permit was approved for this facility in
2003 to allow permanent residence for up to 3 physically disabled adults as well as a
caretaker. The following conditions were imposed in 2003 at this facility:

1. Occupancy of the home limited to 3 adults with disabilities.
2. Park access in front of the home be painted red and signed for no stopping or parking.
3. Number of parking spaces be reviewed if any complaints.

Mr. Mataele stated that the City has received no complaints in the past year in regards to this facility. Mr. Mataele noted that staff has confirmed with the applicant that they only provide housing for disabled adults and a caretaker and the applicant has also provided proof of insurance. Mr. Mataele added that there is no motion required for this review but indicated that the Commission can impose any other conditions if necessary.

Gene Carly and Lynell Smith, with the Utah Housing Authority, were present as representatives for this review. Mr. Carly expressed his appreciation in working with Lindon over the years and added that the City provides a valuable service to the community in regards to the group home. Mrs. Smith stated that they did provide verification of insurance and added that they lease the property to Danville services. She went on to say that the facility is staffed 24 /7 and there are currently 3 female residents and that number could possibly increase from 3 to 4 at a future date, but they do not see the need right now. Mrs. Smith noted that that this facility is set up for 3 individuals and a caretaker, but the caretaker does not live at the facility. She also explained that other staff is on call as needed. Mrs. Smith stated that there are 4 bedrooms at the facility. She further added that that the extra bedroom is used for respite when other caretakers in the community need a day off, but added it is used most of the time as an office. Commissioner Anderson inquired if the residents are chair bound. Mr. Carly confirmed that the residents at the home are chair bound.

Commissioner Kallas asked if the insurance is provided by Danville or by the Housing Authority. Mr. Cowie stated he will find out who provides the insurance. Mr. Mataele asked if there were any other questions. He reiterated that a motion is not required at this time and this item is just a review. Chairperson Call stated that it seems that all is well with the facility and everything is running smoothly. She then thanked the applicants for coming.

Chairperson Call asked if there were any further questions or comments. Being no further comments she moved on to the next agenda item.

- 2. Annual Review of Group Home Facility: *Lindon Care & Training Center – 680 North State Street.* This is a required annual review of a group home for disabled adults owned by RHA Community Services of Utah. The facility provides**

2 housing for multiple tenants. No changes are proposed to the facility as this is
only a review of the current use to ensure conformance with City Code.

4 Mr. Mataele went over the summary and history of the Lindon Care and Training
Center which is located in the commercial zone. He further noted that this facility is
6 owned by RHA Community Services of Utah and is located at 680 North State Street.
The facility has been in existence for many years prior to any ordinance regulating such
8 businesses in Lindon. In 2006 the facility received final site plan approval for a new
additional office building, with additional parking on the property, and at that time met
10 with the City on an annual basis for the yearly reviews as required by the current group
home ordinance. The facility itself houses disabled adults and provides and coordinates
12 job training opportunities for the tenants. During the 2009 review meeting, there were
some concerns with the increase of emergency calls originating from the facility for
14 various medical and police services. There were also other incidents that involved
missing person calls that occurred because of the ability of some tenants to leave the site
16 on their own. Because of the nature of the severity of these issues the Commission felt
that warranted a follow-up review to make sure concerns were adequately addressed and
18 that the facility was in compliance with ordinance requirements. The applicant came
back in June of 2009 at which the point the emergency calls had reduced dramatically.
20 The facility manager also addressed the changes that were implemented to resolve some
of the concerns during the February annual review. Both the Police Chief and the
22 Commission felt that the manager and her staff had gone above and beyond any
expectation to resolve the concerns that were discussed. Chief Cody Cullimore indicated
24 that in 2011 there were relatively few investigations and calls for emergency service
needs at the facility and that many of the previous issues are now being handled in-house
26 and to date, there has been little investigation at the facility.

Mike Bond, the Director of Operations for RHJ, Community Services of Utah,
28 was in attendance for this review. He noted that he had previously provided the
certificate of liability insurance information and noted Lindon City is the certificate
30 holder. Mr. Bond explained that as far as the operation of the facility, they are licensed
for 66 individuals (which is full capacity) who have been diagnosed with developmental
32 disabilities. They provide 24 hour support services to those individuals and arrange for
either employment opportunities or shelter employment experience with training to go
34 out and work in the community. Mr. Bond stated the facility has been in operation for 21
years. He further discussed that because they deal with that type of population and
36 because they are so heavily regulated through Medicaid and Medicare, they have rules
and regulations in place that if they have reasonable suspicion of a crime they are
38 required to report the crimes prior to an internal investigation by their facility. Mr. Bond
noted when there was an extreme amount of calls coming to Lindon City, they had
40 several residents with extremely bad behavioral problems and they have since been
discharged from the facility, which reduced the problems by 80%. Chairperson Call then
42 reviewed the conditions with the applicant for compliance as previously set.

Chairperson Call recalled the annual review from last year it was mentioned that
44 the Lindon Care Center may want to be involved in the community preparedness
response and if their facility may be able to contribute. Mr. Bond replied that he is not
46 certain that a lot has transpired on the local level since last year regarding disaster

2 preparedness. He did note the facility is involved with the Utah Care Association and
they have participated with them on that level in anticipation that something will happen
in Utah eventually and they need to be prepared in the event of a disaster.

4 Chief Cullimore noted that during the Drill Down for Safety that was held last
September, the Lindon Care Center was included as a neighborhood and was contacted
6 by Steve Smith, the Special Needs Coordinator. Mr. Bond added that they had a mock
evacuation to American Fork and then returned them to the facility. He went on to say
8 that it all went fairly smoothly and it was good experience and taught them what they are
ready for and what they need to improve on. Mr. Bond noted that they have 2 required
10 disaster drills per year which are part of the regulations to stay licensed. Chief Cullimore
complemented the facility for fixing the problems that they have had in the past, and
12 noted that the incidents and number of calls have diminished. He also commended the
corrective actions the Planning Commission has taken. Chief Cullimore also encouraged
14 the facility to continue to work with the City as a partnership on any issues that may
come up in the future. Chairperson Call asked if there were any other questions from the
16 Commissioners. Commissioner Anderson inquired about the ages of the residents, and if
there have been any concerns. Mr. Bond replied that the residents range in age from 71
18 down to 14, and he noted there have not been any problems with the age differential. He
added that they try to do age appropriate activities with the residents.

20 Chairperson Call noted this review does not require a motion and the Commission
has not imposed any new conditions. She added that the facility appears to be compliant
22 with the conditions that were set previously.

24 Mr. Bond inquired about a sewer pipe from the I-15 corridor expansion that was
broken during construction on their property. Mr. Bond noted they asked them to bury
the hole and put the fence back together and fix the berm. He went on to say the people
26 from the Utah County I-15 Core expansion project that he spoke with indicated that they
would take care of it, but they have not heard from them since October, and now they
28 have been informed the contractor is out of business. Mr. Bond asked the commission if
they could solicit some help and look into this issue. Mr. Cowie stated that he will look
30 into the issue and get back to him.

32 Chairperson Call then thanked Mr. Bond for coming, and commended him for the
service the facility provides to the community. Chairperson Call asked if there were any
further questions or comments. Being no further comments she moved on to the next
34 agenda item.

- 36 **3. Annual Review of Group Home Facility: *Heritage Youth Services/Timpview*
Residential Treatment Center – This is a required annual review of a juvenile
38 group home approved for up to 12 youth not over the age of 18. The facility
provides housing and social activities for the youth and is located at 200 North
40 Anderson Lane in the HI zone. No changes are proposed to the facility as this is
only a review of the current use to ensure conformance with City Code.**

42
44 Mr. Mataele opened the discussion by giving a brief summary of the history of the
Timpview Residential Treatment Center. He explained that this annual review is
required by City Council. Mr. Mataele noted that this facility is currently owned by
46 Heritage Youth Services, and has had several owners in the past. Mr. Mataele further
discussed that the current owners were issued a Conditional Use Permit in March of 2005

2 for a juvenile group home facility. It was approved for housing up to 12 youth that are
not over the age of 18 and was also approved with conditions. The facility is located on
4 200 North Anderson Lane. Mr. Mataele noted that there have not been any complaints
on the facility this past year, however, there have been a few issues involving the boys
6 acting out on each other over the last several years the facility has been in operation. Mr.
Mataele stated that Police Chief, Cody Cullimore, will address any questions regarding
these issues. Mr. Mataele also noted that staff has received proof of insurance from the
8 applicant. Mr. Mataele then went over the list of revised conditions which were imposed
during the last annual review as follows:

- 10 1. Occupancy is limited to 12 youth
- 12 2. No sex offenders reside at the home.
- 14 3. No youth over the age of 18 reside at the home.
- 16 4. An alarm system on the windows and doors in installed.(completed and
inspected in 2005)
- 18 5. Any on-site instruction must be an accessory use and not a primary
function of the facility (updated 2009)
- 20 6. 15 mph speed limit signs are posted on Anderson Lane. (Completed 2005)
- 22 7. A sign directing traffic to the group home be installed (so kids aren't
dropped off at the Anderson residence). (Completed 2007)
- 24 8. Supervision ratio shall be no less than one staff to six youth 24 hours per
day. (Updated 2011)
- 26 9. The site shall be open to visitation by police and city officials without
notice.
- 28 10. Training shall be provided for employees and residents regarding the
speed limit requirements and illegal trespassing on the neighboring private
property.
- 30 11. The CUP shall be reviewed annually or upon change of Program
Directors.
- 32 12. That all other requirements and limits as per city ordinance are adhered to.

32 Corbin Lindy was present as the representative for this review. Mr. Lindy
mentioned that he has been with the Heritage Youth Group facility since 2005. He went
on to say that he has nothing to add to the summary given by Mr. Mataele, but would be
34 happy to answer any questions the Commission may have.

36 Chairperson Call then began reviewing the conditions of approval to verify
compliance with each requirement. The Commission then had some lengthy discussion
regarding requirement #2 and the definition of "sex offender."

38 Mr. Lindy noted that they do not have high risk juveniles at the home, but added
that some of the youth have sexual behavior issues. Mr. Lindy stated he would challenge
40 any teen treatment center to not have kids with sexual behavior issues. He went on to say
that none of their youth need residential care specifically for sexual behavior issues they
42 also have trauma issues, learning disabilities and issues like autism or asperger syndrome.
It is the combination of all of these problems that requires them to need residential
44 treatment. Mr. Lindy further discussed that the Department of Child and Family Services
does all of the risk assessments. They do not take any youth from the Juvenile Justice
46 Services. Mr. Cowie inquired if any of the youth have been convicted on any sexual

2 issues. Mr. Lindy replied that none have been convicted. They may have had charges of
3 some sort but are not convicted as a sex offender.

4 Chief Cullimore noted that a definition of sex offender should be clarified. He
5 stated that juveniles, as a rule, are not convicted of crimes. They are convicted of
6 offenses which would be crimes if they were adults. Chief Cullimore added that it is his
7 understanding that there are some youth at the home that have had serious issues in the
8 past and have been in the court system because of them. Mr. Lindy commented that
9 some of the youth have had offenses but it is not just the offense that requires them to be
10 placed at the home. He noted that most of these kids are victims and have had trauma
11 and have learning disabilities, so it is the combination that requires them to have a
12 stronger support network. Mr. Cowie noted that he and Mr. Lindy met with Tony
13 Weinmuller, Lindon City Police Detective, and discussed the facility. Mr. Weinmuller
14 said he is very positive about their program and what they are doing and didn't have any
15 specific issues, except for one individual that is being removed from the home. He added
16 that he feels that there is a need in the community for a facility like this and he didn't
17 have any specific concerns as they reviewed the conditions. Mr. Lindy commented that
18 he is not trying to skirt this issue or play word games, but wants to make it clear that
19 some of the youth have sexual behavior issues but they do not meet the criteria to be
20 deemed "sex offenders."

21 Commissioner Lundberg asked if the youth are voluntarily placed by their
22 families or if they are wards of the state. Mr. Lindy stated the kids are in the custody of
23 DCFS (Department of Child and Family Services) and occasionally a child will be placed
24 by the family. DCFS does the assessment and makes a recommendation on where the
25 youth is functioning at with regards to risks to the community or to themselves; he noted
26 that they do have the option of turning youth away if they feel the outside assessment has
27 missed things and they feel the kids are a higher risk and not a good fit for the program.
28 Commissioner Gunnell inquired if these are kids they did not want to place in a foster
29 home. Mr. Lindy confirmed that statement. Commissioner Kallas asked what the ratio
30 is. Mr. Lindy replied that the ratio is a 1-6 ratio minimum with a minimum of 2
31 supervisors and a full time therapist at the facility. He also noted that there is anywhere
32 from 2-5 staff at the facility at all times.

33 Chief Cullimore added that the Police Department is familiar with the history of
34 the facility and he is also familiar with the need for this type of facility. He went on to say
35 that they receive a good level of cooperation from staff and management, and they do
36 expect there will be some issues, and they want to be included in the whole correctional
37 process. Chief Cullimore added that things are much better than they have been in the
38 past, and management and staff are excellent to work with. He went on to say this type
39 of facility is needed in the greater community and it is in an excellent location. Chief
40 Cullimore stated that he hopes he has alleviated any questions or concerns that the
41 Commission may have. Chairperson Call asked if Chief Cullimore thinks the residents
42 see the facility as a threat to their community. Chief Cullimore replied that he feels the
43 residents do not see it as a threat. He further noted that they are supervised 24/7 and
44 reiterated the need for this type of facility and the level of cooperation has been very
45 good.

2 Mr. Cowie noted there needs to be discussion on the how to re-word the definition
of item #2. There was then some lengthy discussion between the Commissioners
regarding the definition and rewording of condition #2.

4 At this time Chairperson Call suggested the commission continue to review the
rest of the conditions, and then come back for more discussion for a revised definition of
6 condition #2. Chairperson Call then reviewed the remaining conditions with the
applicant. There were no further changes or new conditions imposed on the facility. Mr.
8 Cowie suggested a meeting with Mr. Lindy may be in order for discussion of the revision
and rewording of the definition of #2. Mr. Lindy confirmed he will draft a definition for
10 and coordinate a meeting with Mr. Cowie within a couple of weeks.

12 Chairperson Call thanked the applicant for coming and expressed her appreciation
for the good service they provide at the facility and for contributing to the community.
Chairperson Call asked if there were any further comments. Being none she called for a
14 motion.

16 COMMISSIONER KALLAS MOVED TO CONTINUE THE ANNUAL
REVIEW OF GROUP HOME FACILITY, HERITAGE YOUTH SERVICES
18 /TIMVIEW RESIDENTIAL TREATMENT CENTER. COMMISSIONER
LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS
20 FOLLOWS:

22 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER NEUWIRTH	AYE
24 COMMISSIONER ANDERSON	AYE
COMMISSIONER LUNDBERG	AYE
26 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER GUNNELL	AYE
28 THE MOTION CARRIED UNANIMOUSLY.	

30 **4. Amended Site Plan:** *Fellowship Bible Church – 375 North State Street.* This is
32 a request by Fellowship Bible Church to amend the fencing requirement along
their south property line, which separates the subject lot from the neighboring
residential properties. The applicant is proposing to amend the required seven foot
34 (7') tall cement block wall to allow an eight foot (8') tall vinyl fence instead. The
Planning Commission by code has the ability to waive or adjust the
36 fence/screening requirement.

38 Pastor Michael Thorpe and Chris Burton from the Fellowship Bible Church were
in attendance as representatives on this agenda item. Planning Director, Adam Cowie,
40 began the discussion by noting a letter from the Fellowship Bible Church regarding the
fence location is included in the commission packets. Mr. Cowie then showed a photo of
42 the proposed site plan and the fence location. He further discussed that currently
residential properties border the development; the site plan shows the requirement of a
44 7' masonry fence. The applicant is requesting the Planning Commission consider some
alterations or changes to the site plan. Mr. Cowie stated that the Planning Commission
46 does have the ability to grant changes to the site plan. He went on to say there are

2 conditions to review and consider and is open to interpretation. Mr. Cowie added that
3 staff has no recommendations. He also noted that Pastor Thorpe presented a letter that
4 explains their needs. Chairperson Call invited Pastor Thorpe to add any comments that he
5 may have after which the residents will have the opportunity to address the Commission.

6 Pastor Michael Thorpe stated that modifications have been made to the site plan
7 shown because of a setback issue. He went on to say that by their own choice they have
8 been trying to build their project debt free. They have put close to $\frac{3}{4}$ of a million dollars
9 into the project to date, but they still have quite a bit to go. He added that they did
10 receive a grant for \$500,000 this past year but there are conditions to the releasing of the
11 grant. They will release it in 3 even installments once they have raised the remainder of
12 what is necessary to complete the project; they have been in the process for the past year
13 and a half raising funds and the grant did come through. Pastor Thorpe noted they are
14 trying to get that number raised to complete the project. Pastor Thorpe further noted that
15 as a Church family they have decided they are going to move ahead and get the project
16 finished, but they need to raise the difference in the funds by being able to cut some of
17 costs associated with the project.

18 Pastor Thorpe explained that there is some potential on the flexibility with the
19 fence on the site plan, which is a very expensive fence to put in, and just the cost of the
20 fence is more than what they could raise in one year through donations from the people,
21 aside from the grant. They have raised the funds necessary to release the grant to finish
22 the Church assuming they can cut some of the costs in other areas. Pastor Thorpe went
23 on to say the project is on commercial property with residential use around the perimeter.
24 It will be primarily grass on the other side and a yard so there will not be a big sound
25 barrier and there will not be a security issue. Pastor Thorpe noted that a block wall
26 would be very sturdy and stable but an 8' vinyl fence may look nicer, and it seems there
27 is some flexibility in the policy even down to as little as a landscape division. Pastor
28 Thorpe stated he is in agreement that there needs to be a division for privacy issues. He
29 went on to say that the City has been more than gracious over the past years in regards to
30 completion of the project. Pastor Thorpe noted that the significance in the difference in
31 the price of the fencing warrants them to come to the Commission to present their case.

32 Mr. Burton noted that they could get the church completed by summer with the
33 funds they currently have, if not for the cost of a masonry wall; he added that the bid for
34 the masonry fence is \$48,000 and the bid for a vinyl fence is under \$10,000. Mr. Cowie
35 added that other churches in the city have chain link with privacy slats or vinyl fencing.
36 Mr. Burton commented they would like to install a nice vinyl fence; he added they are
37 proposing to keep the boundaries and the privacy but they would like to it in a more cost
38 effective way. He also noted there will be an ongoing budget to keep the fence and
39 property maintained.

40 Commissioner Anderson asked if they had talked to the neighbors. Mr. Burton
41 replied that they had talked to several of the neighbors, but some they were unable to
42 reach. He added that they are torn, because they want to be a good neighbor, at the same
43 time they would like to see the project completed, and the difference in the cost of the
44 fence will determine that. Commissioner Anderson stated the ordinance specifies the 7'
45 masonry fence, and noted there is some leeway, but historically the Commission does not
46 have leeway unless there is a good reason to change, and he understands financing is a
big issue, but he is not sure it is a good enough reason to allow the change.

2 Commissioner Anderson stated that the ordinance is written to protect the residential use
4 from the commercial use. There was then some lengthy discussion regarding the
masonry wall vs. the vinyl fence and the zoning of the properties and the residential and
commercial uses.

6 Chairperson Call then invited the neighbors to address the commission and
address their concerns. Residents Mark Johnson and Willis Meldrum were in attendance
to address the commission. Mr. Johnson stated that his property borders the church and
8 the bulk of the fence line; he added that they understand the church's position relating to
costs of the fence. Mr. Johnson further discussed that long term the masonry fence would
10 be the best for durability and maintenance and also for protection and for sound etc. and a
better divider between the commercial and residential use. Mr. Johnson added that the
12 church will be there for a long time and good fences make good neighbors. Mr. Meldrum
agreed that a block wall masonry fence would be best for the protection of his property
14 and also for the churches protection. Mrs. Johnson also addressed the Commission
stating that the neighbors she had contacted all wanted the masonry fence because of the
16 stability and durability. She also noted that their property occupies most of the fence
line, and she wants a solid, concrete fence that will block the noise and traffic.

18 Commissioner Anderson asked if a development agreement could be structured
that would still give them the Certificate of Occupancy but would allow them some extra
20 time to acquire the funds to install the masonry fence and not hold up the project. Mr.
Cowie replied that could be a possibility. Pastor Thorpe noted they would have to have
22 the final certificate of occupancy to acquire the last installment of the grant, and if it
prohibits the certificate of occupancy, that would probably not be an option.

24 Chairperson Call voiced her concerns about other churches in the city that are
located in residential zones where the masonry fence is not required, and the neighbors
26 get whatever the church chooses to install. She knows this development is in a
commercial zone, but it is requiring a higher standard, if it were in a residential zone the
28 masonry fence would not be required. Commissioner Anderson noted this isn't a use
issue it is a zone issue and if you look at the ordinance it doesn't matter if it's a church,
30 restaurant or anything else, it still has to comply. Pastor Thorpe stated that he
understands the neighbors concerns and added they want to be good neighbors. He also
32 added that they are torn because they would like to have something stable and also make
the neighbors happy, yet they would like to be able to finish the building. Commissioner
34 Marchbanks asked if the commission has the latitude to let them bond for the masonry
fence so they can get the certificate of occupancy. Mr. Cowie stated that that has been
36 done in other circumstances but it is usually for a short time frame (30-60 days),
especially since it is a condition of their site plan. Pastor Thorpe stated that the church
38 governing board would not consider obtaining a bond. Commissioner Marchbanks also
mentioned a pre-cast tilt up wall may be an option because it is cheaper than a masonry
40 concrete wall and would still meet the ordinance. Pastor Thorpe asked the neighbors in
attendance if the pre-cast wall would be something they would consider. Mr. & Mrs.
42 Johnson and Mr. Meldrum stated that may be a possibility and something to consider.
Pastor Thorpe noted that they will check prices on the pre-cast tilt up wall. Commissioner
44 Gunnell noted that he is not opposed to granting a waiver and he understands that a block
fence is part of the original site plan, but this situation is unique because it is in a
46 commercial zone; however, he feels very uncomfortable imposing such a great burden of

2 debt on the church compared to what is required of other churches in the city. There was
3 then some discussion between the commission and Mr. Cowie regarding the zoning and
4 uses of the church property and residential and commercial uses.

5 Commissioner Lundberg observed at this point that as a Commission there are
6 some mixed feelings on this issue and she feels there are three potential outcomes. First
7 outcome being to put it to a vote, or the applicant could decide to withdraw the amended
8 site plan application or continue the item to allow the applicant time to research and get
9 bids on the fencing to see if it is a viable option financially, and if it still isn't viable it
10 could be continued for further discussion at another meeting. Commissioner Neuwirth
11 stated that she feels that they are not being consistent on the use throughout the city.
12 Chairperson then asked the applicants if they would feel comfortable with a continuance
13 to give them some time to research the fencing options and bring that information back to
14 the Commission. Pastor Thorpe replied that would be the best option and they will get
15 some bids on the pre-cast tilt up wall and see if that option is a better financial route to
16 pursue. Mr. Cowie noted that technically, per the ordinance, if they opted for a pre-cast
17 masonry fence they would not have to come back before the Commission because that
18 type of masonry fence would meet the code requirements. Commissioner Neuwirth
19 suggested that the applicants talk with the neighbors to see what options they would be in
20 agreement with.

21 Chairperson Call asked if there were any further questions or comments. Being
22 no further comments she called for a motion.

23
24 COMMISSIONER NEUWIRTH MOVED TO CONTINUE THE AMENDED
25 SITE PLAN FOR THE FELLOWSHIP BIBLE CHURCH. COMMISSIONER
26 GUNNELL SECONDED THE MOTION. THE VOTE WAS RECORDED AS
27 FOLLOWS:

28 CHAIRPERSON CALL	AYE
29 COMMISSIONER KALLAS	AYE
30 COMMISSIONER NEUWIRTH	AYE
31 COMMISSIONER ANDERSON	AYE
32 COMMISSIONER LUNDBERG	AYE
33 COMMISSIONER MARCHBANKS	AYE
34 COMMISSIONER GUNNELL	AYE

35 THE MOTION CARRIED UNANIMOUSLY.

36 **5. Continued Public Hearing:** *Ordinance Change – Lindon Standard Land Use*
37 *Table.* This is a City initiated change to the Lindon City Standard Land Use
38 *Table.* The proposals are miscellaneous changes to the Land Use Table, which
39 are tailored to fit Lindon City's current and future land use goals.

40 Recommendation from the Planning Commission will be forwarded to the City
41 Council for final approval.

42
43 COMMISSIONER ANDERSON MOVED TO OPEN THE PUBLIC HEARING.
44 COMMISSIONER LUNDBERG SECONDED THE MOTION. ALL PRESENT
45 VOTED IN FAVOR. THE MOTION CARRIED.
46

2 Mr. Cowie asked the commission if they had any specific questions for discussion
on the types of uses regarding the Standard Land Use Table. There were no specific
4 questions at this time. Mr. Cowie noted Page A5 "General Warehousing" use. He noted
that this use could possibly bring up some nuisance or hazard issues. Mr. Cowie further
6 explained that as staff reviewed this item they decided to strike the "General
Warehousing" line. Mr. Cowie also noted Page A2 General Food Manufacturing was
8 bumped to 20,000 sq. ft. Mr. Cowie noted the only other change since the last
discussion was at the bottom of the table where they added a few other zones in the
ordinance that are not listed on the table.

10 COMMISSIONER ANDERSON MOVED TO CLOSE THE PUBLIC
12 HEARING. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

14 Chairperson Call asked if there were any further questions or comments. Being
16 no further comments she called for a motion.

18 COMMISSIONER ANDERSON MOVED TO APPROVE THE ORDINANCE
CHANGE TO THE STANDARD LAND USE TABLE AND RECOMMEND
20 APPROVAL TO THE CITY COUNCIL. COMMISSIONER KALLAS SECONDED
THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

22 CHAIRPERSON CALL AYE
COMMISSIONER KALLAS AYE
24 COMMISSIONER NEUWIRTH AYE
COMMISSIONER ANDERSON AYE
26 COMMISSIONER LUNDBERG AYE
COMMISSIONER MARCHBANKS AYE
28 COMMISSIONER GUNNELL AYE
THE MOTION CARRIED UNANIMOUSLY.

30 **NEW BUSINESS** – Reports by Commissioners.

32 Chairperson Call asked if there were any reports from the Commission.

34 Commissioner Gunnell mentioned after last weeks meeting, Mr. Larsen with S & L
36 Corporation had an impromptu meeting with the neighboring families who were
concerned about his project. Commissioner Gunnell noted that Mr. Larsen had a site plan
38 drawn up and showed it to the neighbors who were in attendance; the Hacking's, the
Curley's and the Hansen's. Commissioner Gunnell stated that after speaking with the
40 neighbors, they all seemed to be generally in agreement with the site plan. Mr. Larsen's
plan showed the site plan using his block wall as a side of the storage unit and also as a
42 fire wall. Mr. Cowie noted that Mr. Larsen came and met with staff the day after the
meeting with the neighbors and showed them the same site plan and sketches.

44 Chairperson Call reported that a Lindon resident asked her about the proposed
climate controlled storage facility that came before the Council several months ago and if

2 there is still a possibility of it being developed. Mr. Cowie stated that the application was
for a concept review only and the applicant subsequently chose to develop in Orem.

4 Chairperson Call also asked Mr. Cowie if he had heard any more updates on the
issue of billboards. Mr. Cowie replied that he had not gotten any updates and he will let
her know when he receives updates on that issue.

6 Chairperson Call asked if there was any other new business from the
Commissioners. Being none she moved on to the next agenda item.

8
10 **PLANNING DIRECTOR'S REPORT** –

12 Mr. Cowie reported on City Council updates as follows:

- 14 ● The Commission reviewed the Project Tracking List.
- 16 ● The City Council waived the fencing requirement for Aquatherm
Distribution Center.
- 18 ● The City Council approved the Utah Lake Shoreline Protection Overlay
zone.
- 20 ● The Planning Commission meetings for March 13th and June 26^t are
cancelled for the Caucus and for the Primary Election.
- 22 ● The March 27th meeting will start at 6:15 with a joint training session with
Brian Haws.
- 24 ● Disclosure forms for the Commissioners need to be signed.
- 26 ● Staff has been approached by a potential developer regarding a
development on the northwest corner of the Pleasant Grove/Lindon
Interchange. They are looking at a 400,000 sq. ft. building with 4 stories,
which would be class "A" office space. They are also proposing a change
to a 60' height and carry that down on 700 North.

28
30 Chairperson Call asked if there were any other comments or discussion. Being
none she called for a motion to adjourn.

32 **ADJOURN** –

34 COMMISSIONER NEUWIRTH MADE A MOTION TO ADJOURN THE
MEETING AT 10:35 P.M. COMMISSIONER GUNNELL SECONDED THE
36 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

38 Approved – March 27, 2012

40
42 _____
Sharon Call, Chairperson

44
46 _____
Mr. Cowie, Planning Director