

2 The Lindon City Council regularly scheduled meeting on **Monday, September 18, 2023,**
4 **at 5:15 pm** in the Lindon City Center, City Council Chambers, 100 North State Street,
Lindon, Utah.

6 **REGULAR SESSION – 5:15 P.M.**

8 Conducting: Carolyn Lundberg, Mayor
Invocation: Jake Hoyt, Councilmember
10 Pledge of Allegiance: Logan Hughes

12 **PRESENT**

Carolyn Lundberg, Mayor
14 Jake Hoyt, Councilmember
Van Broderick, Councilmember
16 Randi Powell, Councilmember
Mike Vanchiere, Councilmember
18 Adam Cowie, City Administrator
Brian Haws, City Attorney
20 Mike Florence, Community Development Dir.
Mary Barnes, Associate Planner
22 Kathryn Moosman, City Recorder

EXCUSED

Daril Magleby, Councilmember

24 1. **Call to Order/Roll Call** – The meeting was called to order at 5:15 p.m.

26 2. **Presentations and Announcements:**

- 28 a) Oath of Office Ceremony: Officer Tanner Hughes was given the oath of
office by the city recorder. Chief Brower introduced Officer Tanner and his
30 fiancé. The Mayor and Council welcomed Officer Tanner to Lindon City.
b) Comments / Announcements from Mayor and Council members.
32 Councilmember Vanchiere mentioned several months ago he was approached
about traffic issues on 2000 west and asked what the status is with the traffic
34 study. Mr. Cowie stated he will follow up with the city engineer on this issue.

36 3. **Open Session for Public Comment** – Mayor Lundberg called for any public
comments. There were no public comments.

38 4. **COUNCIL REPORTS:**

40 **Councilmember Hoyt** – Councilmember Hoyt reported he received an update from the
42 Chief of Police noting he appreciates the police department. Several business owners
reached out about Officer Clegg that specifically went above and beyond. The business
44 community appreciates the police department in keeping the city safe. Next Friday
Parks & Rec are having the movie in the park with pumpkins being given away. Also the

2 Spooktacular and trunk or treat is coming up. He attended the water meeting for
4 councilmember Broderick. There is so much great institutional knowledge from board
members there; the plans to connect to the Murdock is moving forward.

6 **Councilmember Vanchiere** – Councilmember Vanchiere reported they met with a
8 developer regarding 700 north that brought a concept plan with a housing component. It
is preliminary and suggestions and recommendations were made and they will come back
10 with another version. He also reported the pickle ball net at the hollow park court has
ripped.

12 **Councilmember Magleby** – Councilmember Magleby was absent.

14 **Councilmember Powell**– Councilmember Powell reported the 9/11 drill was so good,
noting all the candidates came also. She gave kudos to Kelly Johnson for her
16 preparations. We are lucky to have this drill in our city. The food drive went very well
also at the community center. The Youth Council helped with the food drive and they
18 did a great job helping out. Next week the youth council will have a meeting to hold an
election for their body. The education grants are coming up and they will be working on
20 those. The Holy Cow Boutique starts tomorrow at the community center. She noted that
a youth council member noticed broken lights at the park over the weekend and reached
22 out in a group thread how to proceed, the youth called the non-emergency line and Parks
and Rec took care of those some broken lights.

24 **Councilmember Broderick** – Councilmember Broderick reported he attended the
26 engineers meeting and the next meeting will be held tomorrow.

28 **Mayor Lundberg** – Mayor Lundberg reported on the great newsletter article this month.
She noted the food drive was better than expected. She also thanked Adam for the
30 suggestion and the community really responded. She reminded the council that the parc
tax renewal is coming up on the ballot in November and to share and educate the
32 community as we need all the support we can get. The cemetery building is coming along
great and nearly done.

34 **Administrator’s Report:** Mr. Cowie reported on the following items.

36 **Misc. Updates:**

- 38 • Next regular council meetings: September 18th & October 2nd
- October 2023 newsletter assignment (due last week of September): Adam Cowie
- 40 • Fall Clean-up (city wide dumpsters), November 11th-20th
- Meet the Candidates questions for discussion
- 42 • Meet the Candidate Night – October 12th at 7pm; City Council Chambers
- Lindon Life Skills 101 event; Nov 8th; 7pm at Lindon Community Center
- 44 • General Election date: November 21st

2 • Misc. Items.

4 6. **Approval of Minutes** – The minutes of the regular City Council meeting of July
6 17, 2023 will be reviewed.

8 COUNCILMEMBER POWELL TO APPROVE THE MINUTES OF THE
10 REGULAR CITY COUNCIL MEETING OF JULY 17, 2023 AS PRESENTED.
12 COUNCILMEMBER VANCHIERE SECONDED THE MOTION. THE VOTE WAS
14 RECORDED AS FOLLOWS:

COUNCILMEMBER HOYT AYE
12 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER POWELL AYE
14 COUNCILMEMBER VANCHIERE AYE
16 THE MOTION CARRIED UNANIMOUSLY.

18 7. **Consent Agenda Items** – The following Consent Agenda item was presented for
20 approval.

a) Resolution #2023-14-R; Surplus equipment disposal.

22 COUNCILMEMBER HOYT TO APPROVE THE CONSENT AGENDA ITEM
24 AS PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER HOYT AYE
26 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER POWELL AYE
28 COUNCILMEMBER VANCHIERE AYE
30 THE MOTION CARRIED UNANIMOUSLY.

CURRENT BUSINESS

32 8. **Review & Action — Police Department Vehicle Lease; Resolution #2023-15-**
34 **R.** The police department requests City Council approval of Resolution #2023-15-
36 R allowing the Mayor and Staff to execute a lease agreement for 16 new police
38 vehicles. Zions Bank is facilitating the loan for the lease and requires a resolution
40 of support prior to preparing final lease documents. An estimated amount for the
purchase was incorporated into and approved as part of the FY2023-24 budget.
The final/actual purchase amount will be amended as part of the October 2023
budget amendment.

42 Adam Cowie, City Administrator led this agenda item by stating by stating this
44 resolution will allow the Mayor and Staff to move forward to lease 16 new police
vehicles. He noted the prior vehicles were purchased as they were extending into the third
year of that lease, so instead of paying a higher interest rate, they purchased them with

2 General Fund balance, and then will sell them in the surplus. He then explained why they
4 only keep the vehicles for two years, presenting the increase of payment on the third year.

6 Following some additional discussion, the Council was in agreement to approve
8 the Police Department Vehicle Lease; Resolution #2023-15-R allowing the Mayor and
10 Staff to execute a lease agreement for 16 new police vehicles as presented by staff.

12 Mayor Lundberg called for any further discussion or comments from the Council.
14 Hearing none she called for a motion.

16 COUNCILMEMBER VANCHIERE MOVED TO APPROVE RESOLUTION
18 #2023-15-R APPROVING THE POLICE DEPARTMENT VEHICLE LEASE WITH
20 ZIONS BANK AS PRESENTED. COUNCILMEMBER POWELL SECONDED THE
22 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

24 COUNCILMEMBER HOYT AYE
26 COUNCILMEMBER BRODERICK AYE
28 COUNCILMEMBER POWELL AYE
30 COUNCILMEMBER VANCHIERE AYE
32 THE MOTION CARRIED UNANIMOUSLY

34 **9. Public Hearing — Ordinance #2023-12-O; Kia Sign Ordinance Amendment.**

36 The Council will review a recommendation by the Lindon City Planning
38 Commission for approval of Ordinance #2023-12-O for an amendment to the city
40 sign code to allow pole signs in the Planned Commercial-1 (PC-1) zone.

42 COUNCILMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.
44 COUNCILMEMBER VANCHIERE SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

46 Mike Florence, Community Development Director led this agenda item by stating
48 the new Doug Smith Kia is under construction at 499 S. Lindon Park Drive next to The
50 Home Depot. The new dealership received site plan approval from the planning
52 commission on March 14, 2023. The dealership is petitioning the planning commission
54 and city council for an amendment to the city sign code to allow pole signs in the Planned
56 Commercial-1 (PC-1) zone. Doug Smith Kia would like to install a pole sign that is 152
58 square feet. The Hyundai and Lexus dealerships as well as Discount Tire have pole signs
60 along I-15. Pole signs are only permitted along I-15 in the T-Travel Influence District (T-
62 Zone). The allowable size for each pole sign is 250 square feet. The T-Travel influence
64 district is an overlaid district which is applied to the land extending for five hundred
66 (500) feet in either direction from the center of the freeway right of way.

68 Lindon City worked with Doug Smith Kia to recruit them to move their business
70 to Lindon City. The Lindon City Redevelopment Agency also worked with the dealership
72 on a tax incentive as part of their relocation. City staff feels like it would be a good idea
74 to allow pole signs for the businesses in the PC-1 zone because many of these businesses
76 in this area are many of the top sales tax producers for the city. It is anticipated that Doug

2 Smith Kia will be included as one of the top sales tax producers when they open next
year.

4 He noted there are 6 commercial properties in the PC-1 zone. Those include
Murdock Hyundai, Larry H. Miller Lexus, Doug Smith Kia, The Home Depot, Discount
6 Tire and Les Schwab Tire. Of those six businesses Murdock Hyundai, Larry H. Miller
Lexus and Discount Ture have pole signs along the interstate. The T-zone allows signs to
8 have a maximum square footage of 250 square feet and maximum height of 35’ or 25’
feet above the I-15 grade level at a point perpendicular to the sign, whichever is greater.
10 Doug Smith Kia is proposing a 35’ tall sign with a maximum square footage of 152
square feet. The city council should evaluate the appropriate square footage of the sign to
12 ensure that it will not detract from the area.

Mr. Florence then presented the Ordinance Proposal followed by some general
14 discussion.

Mayor Lundberg called for any further public comments. Hearing none she called
16 for a motion to close the public hearing.

18 COUNCILMEMBER HOYT MOVED TO CLOSE THE PUBLIC HEARING.
COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
20 VOTED IN FAVOR. THE MOTION CARRIED.

22 Following some addition discussion, the Council was in agreement to approve for
approval of Ordinance #2023-12-O for an amendment to the city sign code to allow pole
24 signs in the Planned Commercial-1 (PC-1) zone as presented by staff.

Mayor Lundberg called for any further discussion or comments from the Council.
26 Hearing none she called for a motion.

28 COUNCILMEMBER HOYT MOVED TO APPROVE ORDINANCE #2023-12-
O AS PRESENTED. COUNCILMEMBER BRODERICK SECONDED THE MOTION.
30 THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER HOYT AYE
32 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER POWELL AYE
34 COUNCILMEMBER VANCHIERE AYE
THE MOTION CARRIED UNANIMOUSLY

36

8. Public Hearing — Ordinance #2023-18-O; Setback Ordinance Amendment.

38 The Council will review a recommendation by the Lindon City Planning
Commission for approval of Ordinance #2023-18-O to amend the side yard
40 setback requirement that is contiguous to a street for the R1-12 Zone.

42 COUNCILMEMBER VANCHIERE MOVED TO OPEN THE PUBLIC
HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
44 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

2 Mr. Florence also led this agenda item by stating John Bodine lives at 44 N. 1200
4 E. and has made an application to petition the planning commission and city council to
6 amend the side yard setback requirement that is contiguous to a street for the R1-12 Zone.
8 R1-12 and R1-20 corner properties are required to have a 30' front setback and a 30' side
yard setback that is contiguous to a street. The proposed amendment by the applicant is to
decrease the side yard setback that is contiguous to a street from 30' to 25'. The purpose
of the ordinance amendment is to accommodate a garage addition for the existing home.

10 This petition came about because Mr. Bodine submitted a building permit
12 application for a new garage attached to his existing home. The site plan that was
14 submitted with the building plans identified a 30' side yard street setback from the
16 proposed garage to the property line and was approved per meeting city setback
18 requirements. However, when the building inspector went out for the footing inspection,
he noticed that that the setback was only 17'. In researching the issue, the architect who
drew the site plan measured the property line at the wrong location. The Canberra
development does vary from other developments in the city due to having park strips
and a meandering sidewalk. Therefore, the property line is behind the park strip.

20 Different options were evaluated to see if there were any alternatives to amending
22 the city code. The city and property owner evaluated moving the property line, but this
24 would have decreased the city right-of-way which was not an option. A variance was also
26 evaluated but since the issue is self-imposed the owner does not meet the criteria for a
variance. The property owner is proposing to decrease the size of his garage which could
be accommodated if the city approves the ordinance setback amendment.

28 Mr. Florence let the council know that the planning commission recommended
30 approval for this ordinance amendment on September 12, 2023 but also recommended
32 that the city council consider decreasing the setback further to 20' where there is not an
34 entry garage. For a side entry garage, they recommended the 25' setback so vehicles
would not be overhanging the sidewalk. The commission also discussed that the R1-12
zone already has a smaller square footage, and adding three 30' setbacks on a corner lot
can make it difficult for homeowners to use their property, add onto their house, remodel,
etc.

36 The applicants, the Bodine's were invited forward at this time. They let the
38 commission know they had already poured the footing on this, and if this were adjusted,
they would make proper changes.

40 Councilmember Vanchiere inquired about the impact and how many lots this
42 could affect. Mr. Florence stated that the staff has evaluated the impact that this
44 ordinance amendment would have on the R1-12 zones. He then presented a map showing
all corner lot properties that would be affected which are 171 lots. However, there are
only 4 lots left on which homes can be constructed. The ordinance would provide
additional flexibility to existing homeowners if they are looking to add an addition onto

2 their home. There are several R1-12 properties with very large corner side yards
contiguous to a street that could additionally benefit from this amendment.

4

Councilmember Powell inquired about the 20' if it wasn't for a garage, if this
6 would allow this. Mr. Florence stated there would need to be a building permit, which the
city could deny if it weren't for a garage.

8

10 Public comment from Lincoln Jacobs, stating he is one of the corner lots
discussed earlier. He then asked the council about their views on this in terms of
aesthetics and safety. Councilmember Powell commented she would have to have a
12 bigger reason for pushing it to 20', noting Lindon is known for the extra elbow room. She
noted she wouldn't want to change the atmosphere in the East side to feel more like West
14 side. She then noted 25' is the most she would be willing to go.

16 Councilmember Vanchiere stated that if 25' works and it doesn't cause to much
issue, what does that do for the applicant. Mr. Bodine stated the 25' works, he would love
18 the extra 5 feet, but the 20' does work. A change in 25' would give 14.5 feet from side of
home and a 10 ft garage door. Councilmember Vanchiere stated he is in favor of 20'.

20

22 Mayor Lundberg asked if the council wanted to look at a broader application in
the R1-12 zone. Councilmember Hoyt stated he is open to looking at it. However, he is
also comfortable moving forward right now, but would want more information to move
24 to 20'. Planning Commissioner Thompson was present and explained the planning
commissions stand on this.

26

28 Mayor Lundberg called for any further public comments. Hearing none she called
for a motion to close the public hearing.

30 **COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
32 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.**

34 Following some additional discussion, the Council was in agreement to approve
Ordinance #2023-18-O approving the Setback Ordinance Amendment as presented by
36 staff.

38 Mayor Lundberg called for any further discussion or comments from the Council.
Hearing none she called for a motion.

40 **COUNCILMEMBER HOYT MOVED TO APPROVE ORDINANCE #2023-18-
O AS PRESENTED. COUNCILMEMBER VANCHIERE SECONDED THE MOTION.
42 THE VOTE WAS RECORDED AS FOLLOWS:**

44 **COUNCILMEMBER HOYT AYE
COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER POWELL AYE**

2 COUNCILMEMBER VANCHIERE AYE
THE MOTION CARRIED UNANIMOUSLY

4
6 **9. Public Hearing — Ordinance #2023-15-O; Mark Weldon Zone Change.** The
Council will review a recommendation by the Lindon City Planning Commission
8 for approval of Ordinance #2023-15-O to change the Zoning Map designation of
the subject property from Commercial General-A8 (CG-A8) to Mixed
Commercial (MC).

10 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC
12 HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

14
16 Mary Barnes, Associate Planner led this agenda item by noting the applicant Mr.
Mark Weldon is present for this discussion. Mr. Weldon is requesting the change the
Zoning Map designation of the subject property from Commercial General-A8 (CG-A8)
18 to Mixed Commercial (MC). He wants to build a new 58,644 sq ft flex office/warehouse
building at this location. The current zoning, CG-A8, is for commercial, retail, office, and
20 service uses and does not allow a flex office/warehouse.

22 Ms. Barnes gave a brief history stating that before 2014, most of this area was
zoned CG-A8. In 2015, the property at 730 N. 2800 W. was rezoned to Mixed
24 Commercial to accommodate the development of a flex office/warehouse project. In
2017, the property at 675 N. 2800 W. was rezoned to Mixed Commercial to construct
26 another flex office/warehouse project known as Mountain Tech North 3. During the
original zone change in 2017, a concept plan was shown of the subject property. During
28 the site plan approval of Mountain Tech North 3, the applicant later presented a plan that
showed two 4,800 sq ft restaurant/retail buildings on the property. At that time, the
30 planning commission approved the site plan with the restaurant buildings. In the ensuing
years, these retail buildings were never built, and a parking lot was constructed. Recently,
32 the applicant has told city staff that retail would not work in this location due to the
following reasons:

- 34
- A retail center has already been established on the other side of I-15,
 - 36 • The proximity of this site to the Timpanogos Special Service District facility
(sewer plant) and the sewer smells that come from the facility.
 - A new office/warehouse building helps existing tenants stay in Lindon and
38 expand.
 - Office/warehouse is going in to the west in American Fork
- 40

42 Ms. Barnes then pointed out the important aspect of this request, with the future
arterial Vineyard Connector Road that is planned to run to the southwest of this property.
44 With 600 N connecting I-15 and the Vineyard Connector. Commercial in this area could
be valuable in the future. This road starts in Vineyard then runs through Lindon,
eventually looping to connect with Pioneer Crossing in Lehi. It's intended to carry

2 commuters more efficiently through the area. Construction on the segment from the
existing Vineyard Connector to 1600 N in Orem commenced in February 2023
4 This arterial could bring unprecedented opportunity to the small 600 N corridor, which
would be the closest connection from I-15 to the future Vineyard Connector. Therefore,
6 the uses on this street need to be carefully planned to ensure that the use on this property
will meet the future.

8
10 Ms. Barnes went on to say the current General Plan designation for this area is
flex-commercial stating: These areas provide an attractive setting for a wide range of
12 commercial retail, office, wholesale, and service uses. They should be developed as part
of a well-planned, campus-like setting, and they should have clear and consistent urban
14 design, streetscape, architectural, and site design standards to ensure a unified and high-
quality appearance. The general plan vision for this area is for something that is a high-
quality product, while also tying in that wide range of commercial retail and service uses.

16
18 She noted the applicant has provided a concept rendering of the proposed building
and presented it to the council. Currently, the subject property is a parking lot with 319
20 parking stalls. The proposed building for this property is a 58,644 sq ft office/warehouse
building, extremely similar to Mountain Tech North 3. It would be a 38 ft tall building
22 with 4 semi-truck loading bays. Mountain Tech North 3 is required to have 218 stalls, but
only has 133 stalls on the property. This was allowed due to a note on the plat that states
that parking areas on Lot 4 (the subject property) were to be for the benefit of both lots.
24 The extra 85 stalls that would have been required for Mountain Tech North 3 were
located on the subject property through this shared parking note on the plat. The proposed
26 new building would require 117 stalls minimum, and the applicant wants to provide 94
stalls. For the existing and proposed building the parking code would require 335 stalls
28 minimum. City staff does not have all square footage details on the proposed building to
give an accurate count. The applicant is proposing a total of 232 stalls for both buildings,
30 138 stalls for the existing building and 94 stalls for the proposed building. While any
parking reductions would need to be provided at the site plan process, this is something
32 that the City Council should still consider with the zone change. If the zone change is
approved, the developer could request a parking reduction for both buildings during the
34 site plan approval process.

36 The developer also owns surrounding properties which could be used for shared
parking but that would need to be considered at site plan approval and language would
38 need to be recorded on the properties for shared parking allowances. Lindon's current
shared parking code states that the shared parking spaces need to be within 350' of the
40 building or use and should have a safe and convenient pedestrian connection. An analysis
must be provided to show that the peak parking times of both properties occur at different
42 times, and the area will be large enough for the anticipated demands of both uses.

44 Mr. Barnes stated that on August 22, 2023, a majority of the planning commission
recommended approval for this zone change noting that some planning commissioners

2 stated that a building matching the surrounding buildings would be a good fit for the area.
Some commission members voiced that it was strange to put commercial amongst all the
4 industrial in that area, and that retail would be difficult. She then stated the discussion
then centered on if the proposed building would be a good fit of the area in the future.
6 While there could be issues with a retail/commercial use at the moment, it's highly
possible that a retail/commercial use will be well-suited in the area when the Vineyard
8 Connector comes through. Six out of seven commissioners voted to recommend
approval, and one commissioner voted against that recommendation. The reason stated
10 was that a retail/commercial use was previously promised in 2017, and while there is not
a lot going on with the Vineyard Connector right now, the future will bring new
12 opportunities to the area.

14 Ms. Barnes stated that city staff believes that this zone change request needs to be
evaluated carefully. Although retail may not be booming at the moment, when the
16 Vineyard Connector is constructed, this becomes a more important intersection and
corridor for Lindon. Approving this zone change could mean possibly losing the
18 commercial potential in this area. Currently, there are tens of thousands of square footage
of office and warehouse on this side of the Pleasant Grove interchange. This could be the
20 only intersection where retail could be constructed. An idea that staff has mentioned to
the applicant is to possibly make the southwest corner of the building a little more retail
22 commercial look. This is the corner that is the closest to the Vineyard
Connector. That way, commuters on the Vineyard Connector will be able to see what is
24 hopefully a more commercial looking building, instead of another large, industrial
warehouse. Finally, the general plan does call for a mix of uses in this area. Staff believes
26 that this property would be Lindon's last change for retail uses in this area.

28 Ms. Barnes then presented the following to the council: 1) Surrounding Area
Zoning Map, 2) Ordinance amending the zoning, 3) Proposed Mountain Tech North 4 Site
30 Plan and Elevations, 4) Original site plan from first re-zone, showing an office, 5)
Approved site plan from 2017, showing two retail/restaurant buildings and parking
32 surplus, 6) Mountain Tech 1,2 site plan showing parking surplus, 7) Subdivision plat,
2023 street master plan, 8) 2017 Planning commission meeting minutes – Site Plan
34 Approval, and 9) 2023 Planning commission meeting minutes – Zone Change
Recommendation

36 Ms. Barnes then turned the time over to the applicant for comment. Mark Weldon
38 began with saying that WICP has invested millions of dollars in the Lindon community,
and if they had more land in Lindon they would continue to do so. Mr. Weldon stated
40 WICP has provided thousands of jobs with great tenants that come to their properties.
They take pride in active management approach and care for the property. He noted they
42 have the pleasure and pain of paying over 2 million dollars in property taxes each year.

44 He then let the council know that due to covid there have been changes in
businesses stating that right now they have 720 unused parking spaces, in which he plans

2 on bringing solar charging to that area, which will bring a retail to that area. He stated
4 that they have tried to put retail restaurants there but there has been a lot of push back.

6 Mr. Weldon noted that this office warehouse will never be an office, it will be a
8 warehouse. He let the council know of potential tenants, and the potential retail of it,
10 along with his planned use of screen walls. He stated he doesn't see the inner connector
12 happening anytime soon, due to funding with UDOT. He stated his plans also for part of
the building for indoor pickleball courts, tennis courts and recreational area for use
among the tenets at a discount. He then addressed the topic of parking, and his plan to do
EV-solar, which would bring in a retail aspect with revenue to the city.

14 Public comment from Delana stating that the biggest pushback of retail is the
smell of sewer, and the issues that could bring to retail in that area.

16 Councilmember Powell stated her biggest concerns and with parking and location
18 of the truck bays. She voiced she has high concern with parking, stating she understands
they have adjacent parking lots that could be used, however having someone who is
physically challenge not having close parking could cause issue.

20 Mayor Lundberg asked the council how they feel about the zone change from
22 commercial to mixed commercial.

24 Councilmember Hoyt stated that the applicant has built some beautiful buildings
and he loves what he has done down there. He then stated that in reference to property
26 taxes, Lindon only gets 10.6% of that, and Lindon has not raised that once since Mr.
Weldon began building in Lindon. Councilmember Hoyt then asked for staff input on
28 Lindon Connector outlook. Mr. Florence stated he sees it at 8-10 years out and noted it
has been extended through Vineyard. Mr. Florence did note he has not spoken to UDOT
30 on it and wants to make sure that the council evaluates this item this carefully.

32 Councilmember Hoyt noted he worries about the opportunity cost stating that
recently he and the mayor talked with a major retailer about coming to Lindon and the
34 700 N area. That retailer stated they aren't eyeing the 700 N area; they instead have their
eyes on the area in discussion close to the Vineyard Connector. Mr. Weldon then voiced
36 his views on the corridor, and the issues with the sewer plant smell again. He let the
council know of the things he has done for his tenants to mitigate the smell in those
38 buildings.

40 Mr. Weldon then continued to let the council know more on the parking situation,
and how right now they are at a 7:1 ratio on that. He then proceeded to talk about the
42 issues with the imminent domain in that area for the corridor, and why he doesn't see the
corridor happening anytime soon. Mayor Lundberg stated that there is already in the
44 works for smell mitigation at the sewer plant in the next 2 to 4 years. She then stated

2 phase 1 has already started on the corridor, but as stated earlier there is no exact date for
4 that happening.

6 Councilmember Vanchiere discussed opportunity costs not only for the city but
8 for landowner also. He also noted he would love to see it got retail, but voiced concern
10 for the market right now. He then touched base on the parking situation, stating there are
12 a lot of parking spots now, but what could happen in the future if those buildings fill up
14 and parking then becomes an issue. Mr. Weldon stated he voluntarily built a parking deck
on current property, that if parking became an issue in the future, he would build another
parking deck. Councilmember Vanchiere stated he wants to see something that could go
with the property if down the road it was sold, something that allows for parking does not
become an issue in that instance.

16 Mayor Lundberg asked Mr. Weldon what his plans are if warehouse demand
18 softens, could this building have flexibility to convert to retail uses. She voiced that she
20 sees this area having a good retail ability when Utah City goes in. Mr. Weldon voiced his
view, and how he plans to keep that area going with use of the buildings in the future if
warehouse demand slows.

22 Mayor Lundberg called for any further public comments. Hearing none she called
for a motion to close the public hearing.

24 COUNCILMEMBER POWELL MOVED TO CLOSE THE PUBLIC HEARING.
26 COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

28 Following some additional discussion, Mayor Lundberg called for a motion.

30 COUNCILMEMBER BRODERICK MOVED TO APPROVE ORDINANCE
32 2023-15-O TO AMEND THE LINDON CITY ZONING MAP FROM COMMERCIAL
GENERAL A8 (CG-A8) TO MIXED COMMERCIAL (MC) AT 625 N 2800 W
34 (PARCEL NUMBER 67:013:0004) AS PRESENTED. COUNCILMEMBER
VANCHIERE SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

36 COUNCILMEMBER HOYT	NAY
COUNCILMEMBER BRODERICK	AYE
38 COUNCILMEMBER POWELL	NAY
COUNCILMEMBER VANCHIERE	AYE
40 THE MOTION TIED WITH 2 AYES AND 2 NAYS	

42 At this time, Mayor Lundberg stated rather than place her vote right now to break
44 the tie, she directed the council to have more discussion with the option presented by Mr.
Florence to continue this item.

2 Councilmember Hoyt stated he has always been for slower growth for the right
things. He stated that everything down there has been pieced out already, and this is
4 almost the last piece out there for retail. He feels with the Vinyard Connector, this is still
a prime retail location within the next 10 years.

6
8 Councilmember Powell voiced that she loves what the applicant produces and
what he has done down there. She, however, still feels this location is a prime retail
location and does not want to be short sighted with this. She feels there is a need for us to
10 preserve a commercial component down there and would like to hold steady to what the
zone currently is.

12
14 Mayor Lundberg stated she has worked in public service for 12 years. She looked
at the original intent of this corner and stated an appreciation of what the applicant has
brought to the community. However, looking at the General Plan and the intent of the
16 General Plan, she is asking how we can allow this corner to have other opportunities
besides just warehouse. She then asked staff if there is room for more of a commercial
18 feel on the frontage with conditional use. Mr. Florence stated if the zone is changed to
mixed commercial it will follow the mixed commercial design standards. Mr. Sumsion,
20 in presence repressing the applicant interjected stating that perhaps approve zone change
with conditions to be met that meet staff standards. Mr. Haws, City Attorney voiced his
22 concern with imposing conditions on a zone change stating the city would have to come
up with a different zone. He noted that trying to do this tonight would be problematic.

24
26 Mr. Weldon addressed the council letting them know the property next to them in
American Fork is zoned for industrial, so that property could be full of warehouses that
don't look like what he has done. He then went on to explain the needs of this tenants and
28 what works best for them, stating he is wanting to build here to give more opportunities
for his tenants, and potentially longer commitments.

30
32 Mayor Lundberg began by declaring a potential conflict of interest with Mr.
Sumsion. Mr. Haws stated that by voicing conflict and it being in the past she has met
requirements. She then went on to state that she appreciates Mr. Weldon and what he has
34 brought to Lindon. Mayor Lundberg then stated she looks at long game and recognizes
opportunity cost. In the past places that didn't seem like an opportunity, eventually
36 became something that worked out great. She went on to state she appreciates the
applicant providing an area for tenants to keep them in Lindon. However, the design
38 presented seems to have too much of a warehouse feeling, and there are Commercial
standards for a reason, so it can pivot with new retail in future. Mayor Lundberg then
40 stated she feels interchange will happen sooner, due to the growth around the area and
she would like that area to still be available to be used for commercial use. She then
42 asked Mr. Weldon if there would be a potential path, where there would be a win-win for
both sides down the road.

2 Mr. Weldon went on to explain the solar parking vision, and the potential to have a
4 small coffee shop or something along those lines for those who use the charging stations,
6 could go use that retail area. He then stated he would love to work with staff to design
8 something different to fulfil those requirements for potential retail.

10 Mayor Lundberg stated she would like to see whatever comes to that location to
12 be used commercially. That is the intent of a commercial zone and she noted she would
14 like to look a potential hybrid option with a commercial and warehouse. Mr. Florence
16 stated he would have to do a development agreement. Mr. Sumsion proposed we tablet
18 his discussion for 2 weeks to get a general visual the council can review.

20 Mayor Lundberg called for any further discussion or comments from the Council.
22 Hearing none she called for a motion.

24 COUNCILMEMBER BRODERICK MOVED TO CONTINUE ORDINANCE
26 2023-15-O TO AMEND THE LINDON CITY ZONING MAP FROM COMMERCIAL
28 GENERAL A8 (CG-A8) TO MIXED COMMERCIAL (MC) AT 625 N 2800 W
30 (PARCEL NUMBER 67:013:0004) AS PRESENTED. COUNCILMEMBER
32 VANCHIERE SECONDED THE MOTION. THE VOTE WAS RECORDED AS
34 FOLLOWS:

36 COUNCILMEMBER HOYT	AYE
38 COUNCILMEMBER BRODERICK	AYE
40 COUNCILMEMBER POWELL	NAY
42 COUNCILMEMBER VANCHIERE	AYE

44 THE MOTION CARRIED 3 TO 1

46 **10. Review & Action — Ordinance #2023-19-O; Avalon Zone Change.** The
48 Council will review a recommendation by the Lindon City Planning Commission
50 for approval of Ordinance #2023-19-O to add a Senior Housing Facility Overlay
52 (SHFO) over the existing Commercial General (CG) zone of the subject property.

54 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC
56 HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
58 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

60 Mary Barnes opened this agenda item by stating that the applicant, Craig Nielson,
62 for this zone change owns the existing Avalon Apartments and is proposing to extend the
64 SHFO directly north to the subject property. If the zone change is approved by City
66 Council, the applicant will move forward with a site plan and conditional use permit
68 application for a 3-story, 30- unit senior housing apartment building on the subject
70 property. This new building would have only 1-bedroom units.

72 Ms. Barnes noted that the planning commission unanimously recommended
74 approval on September 12, 2023, after considerable discussion. Some of the main

2 concerns from the planning commission with this zone change were as follows: Losing
 4 the opportunity for commercial on that property, the density, and access onto State St,
 specifically having to do with the danger of State St.

6 This new project would be an extension of the Avalon Senior Apartments, which
 8 is directly to the south. In the past, Ms. Barnes noted that staff had received many
 10 development inquiries regarding this property and what type of uses are permitted. Many
 12 of the requested uses were not permitted in the CG zone, including used car dealerships,
 storage, a landscaping storage yard, indoor sports, a construction storage yard, etc. Other
 14 requests for strip malls, restaurants, or other permitted uses have always fallen through
 due to the configuration and slope on the site. The site slopes down towards the Lindon
 Heritage trail to the west, which can make it difficult for any building to be seen from
 State St. Additionally, it has multiple easements on it, such as a 5-17' trail easement on
 the north and west sides of the property, and a 10' drainage easement on the south side of
 16 the property. Ms. Barnes then presented the following requirements with the SHFO code
 as follows:

18

Requirement	Provided	Compliant?
Project acreage shall be a minimum of 2.5 acres but not larger than 5 acres.	With the possible addition of 183 N State St, the overall Avalon Apartments project could become 4.02 acres.	Yes, pending zone change approval.
Front Setback: 40' Side or rear yard setback when adjacent to a non-residential zone: 20'	The building would meet both setbacks.	Yes
A minimum of thirty percent (30%) of each project shall be maintained in permanent landscaped open space. The Commercial General zone's landscaping code must also be met (17.48.030).	The current concept plan shows 40% of the lot in permanent landscaped open space. Staff will work with the applicant on an official landscaping plan that follows the requirements in 17.48.030 if this zone change is approved.	Yes, pending zone change approval and landscaping plan review.
Seven foot (7') high, site obscuring fencing shall be installed along the perimeter of the property, regardless of whether it abuts existing residential or commercial properties or uses.	A note calling out a 7' fence along the perimeter of the property has been added to the concept plan.	Yes

The facility shall provide off-street parking at a ratio of 1.10 parking stalls per dwelling unit. Parking lot landscaping must also be provided as required in Chapter 17.18.	30*1.1=33 required parking stalls. 34 parking stalls have been provided on the concept plan. Staff will work with the applicant on an official landscaping plan that follows the requirements in 17.18.085 if this zone change is approved.	Yes, pending zone change approval and landscaping plan review.
The Senior Housing Facility Overlay may have a maximum density of 30 dwelling units per acre if full-time on-site management is present and one (1) indoor and one (1) outdoor common area/recreation space is provided within the facility.	Full-time on-site management will be present in the proposed building, and there will be at least 1 outdoor and 1 indoor common area	Yes
The maximum primary building height shall be the same as found within the underlying zone. CG's maximum building height is 48'	This will be a 3-story building, and staff will ensure that the height of the building will stay under 48 ft.	
Minimum dwelling unit size shall be 700 square feet.	Each dwelling unit is currently proposed to be 800 sq ft.	Yes
Architectural design must meet the Commercial Design Standards.	The design of this building is expected to be completely similar to the existing buildings, with the exception of 1 less story. The existing buildings do currently meet the commercial design standards.	Yes, pending zone change approval and a review of the completed renderings.

2

4 Applicant Craig Nielson noted his is present with architect Eric Miner & Lanelle
6 Furgeson an employee at Avalon. Lanelle Furgeson presented to the council what they
8 have done to limit concerns that have been an issue in the past. She then explained the
process that they have for the moving in process works. Mayor Lundberg voiced concern
with the parking situation, and stated she would like to see less units, to allow for more
parking.

10

12 Mr. Nielson let the council know of the current parking situation, and that they are
aware of things they can do to help remedy this issue. Commissioner Thompson
addressed the council to inform them on his position on this item. He finds this high

2 density to be unique in the fact it is a 55 plus density, has no impact on the schools, and
4 very little impact on police, stating that is why he strongly supported this agenda item.

6 Following some general discussion Mayor Lundberg called for any further public
8 comments. Hearing none she called for a motion to close the public hearing.

10 COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC
12 HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT
14 VOTED IN FAVOR. THE MOTION CARRIED.

16 Councilmember Hoyt brought up the topic of the height of this new building,
18 voicing concern for it seeming to tower over State Street. Eric Miner presented the design
20 of the building and how it won't have that impact on State Street due to placement on the
22 lot on the east side. Following some additional discussion regarding this subject, the
24 Council was in agreement to approve Ordinance #2023-19-O for the Avalon Zone
26 Change to add a Senior Housing Facility Overlay (SHFO) over the existing Commercial
28 General (CG) zone of the subject property as presented by staff.

30 Mayor Lundberg called for any further discussion or comments from the Council.
32 Hearing none she called for a motion.

34 COUNCILMEMBER VANCHIERE MOVED TO APPROVE ORDINANCE
36 #2023-19-O FOR THE AVALON ZONE CHANGE AS PRESENTED.

38 COUNCILMEMBER POWELL SECONDED THE MOTION. THE VOTE WAS
40 RECORDED AS FOLLOWS:

42 COUNCILMEMBER HOYT AYE
44 COUNCILMEMBER BRODERICK AYE
46 COUNCILMEMBER POWELL AYE
48 COUNCILMEMBER VANCHIERE AYE

50 THE MOTION CARRIED UNANIMOUSLY

52 **11. Public Hearing — Ordinance #2023-13-O; Lindon Village Ordinance**
54 **Amendment.** The Council will review a recommendation by the Lindon City
56 Planning Commission for denial of Ordinance #2023-13-O. Michael Coutlee
58 represents the property owners on the north side of 700 N. and has made an
60 ordinance amendment application to petition the City to allow residential as a
62 permitted use in the Lindon Village zone.

64 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC
66 HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT
68 VOTED IN FAVOR. THE MOTION CARRIED.

70 Mr. Florence led this agenda item by stating that Mr. Michael Coutlee is in
72 attendance representing this item. The applicant has provided a concept plan showing 102

2 condominiums, 80 townhomes and future commercial lots. Mr. Florence noted the
applicant has not identified any commercial tenants or potential uses. He then presented
4 the reasoning the Planning Commission did not recommend approval of this item. Since
the planning commission meeting the applicant has reached out to city staff about the
6 idea of discussing the potential of a Memorandum of Understanding with the city council
to try and agree on development principles for the site.

8
10 Mr. Coutlee presented to the Council the vision the developer has for this area. He
stated he would love some feedback from the Council on this property, and stated the
12 issues they are having. He noted they have been working on this for 6 years and would
like to have more opportunities for a mixed use.

14 Following some general discussion Mayor Lundberg called for any further public
comments. Hearing none she called for a motion to close the public hearing.

16
18 COUNCILMEMBER BRODERICK MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

20
22 Councilmember Powell stated that if there was a north and south side, those 2
different sections would make her more open to this. She loves the community feel
within commercial and wants to make sure that the quality will be there. She then voiced
24 her appreciation for Mr. Coutlees perseverance and efforts with this project.

26 Councilmember Hoyt stated that the council is more open to residential in this
area. He noted the needle has moved, they were once against residential, but they are now
28 more open to it in the right terms.

30 Mayor Lundberg stated there may be a path moving forward and encouraged the
applicant to keep working with Mr. Florence. Following some additional discussion, the
32 Council was in agreement to deny Ordinance #2023-13-O approving the Lindon Village
Ordinance Amendment as presented by staff.

34
36 Mayor Lundberg called for any further discussion or comments from the Council.
Hearing none she called for a motion.

38 COUNCILMEMBER POWELL MOVED TO REJECT ORDINANCE #2023-13-
O; LINDON VILLAGE ORDINANCE AMENDMENT AND ENCOURAGE
40 APPLICANT TO WORK WITH MR. FLORENCE AS PRESENTED.
COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE WAS
42 RECORDED AS FOLLOWS:

44 COUNCILMEMBER HOYT AYE
COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER POWELL AYE

2 COUNCILMEMBER VANCHIERE AYE
THE MOTION CARRIED UNANIMOUSLY

4
6 **12. Discussion Item — Mini Round-Abouts.** The City Engineers will present
information about mini round-abouts and how they may be used to help improve
traffic flow and increase pedestrian safety in certain areas of the city.

8
10 City Engineer Trent Andrus led this agenda item by stating they have previously
gone through some iterations on Center Street and since that time learned about mini
round-abouts. He then presented more about mini round-abouts and how they may be a
12 potential option for areas in the city. He then presented the pros and cons of mini round-
abouts and bulb outs.

14
16 Following some additional discussion, the Council was in agreement there is
some interest in mini round-abouts, but they would like to have more information.

18 Mayor Lundberg called for any further discussion or comments from the Council.
Hearing none she moved on to the next agenda item.

20
22 **13. Public Hearing — Resolution #2023-16-R; FY2023-24 Fee Schedule Updates.**
The Council will review and consider proposed amendments to the FY2023-24
fee schedule.

24
26 COUNCILMEMBER VANCHIERE MOVED TO OPEN THE PUBLIC
HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

28
30 Adam Cowie, City Administrator led this agenda item by stating this is item is for
an update to the FY2023-24 Fee Schedule Updates. He noted it is just a housekeeping
item and is straightforward.

32
34 Following some discussion, the council was in agreement to approve Resolution
2023-116-R approving the fee schedule updates as presented by staff.

36 Mayor Lundberg called for any further public comments. Hearing none she called
for a motion to close the public hearing.

38
40 COUNCILMEMBER HOYT MOVED TO CLOSE THE PUBLIC HEARING.
COUNCILMEMBER POWELL SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.

42
44 Mayor Lundberg called for any further discussion or comments from the Council.
Hearing none she called for a motion.

2 COUNCILMEMBER HOYT MOVED TO APPROVE RESOLUTION #2023-
16-R APPROVING THE FY2023-24 FEE SCHEDULE UPDATES AS PRESENTED.
4 COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

6 COUNCILMEMBER HOYT AYE
COUNCILMEMBER BRODERICK AYE
8 COUNCILMEMBER POWELL AYE
COUNCILMEMBER VANCHIERE AYE

10 THE MOTION CARRIED UNANIMOUSLY

12 **14. Recess to Lindon City Redevelopment Agency Meeting (RDA)**

14 COUNCILMEMBER POWELL MOVED TO RECESS THE LINDON CITY
COUNCIL MEETING AND CONVENE AS THE LINDON CITY RDA.
16 COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

18 COUNCILMEMBER VANCHIERE AYE
COUNCILMEMBER POWELL AYE
20 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER HOYT AYE

22 THE MOTION CARRIED UNANIMOUSLY.

24 BOARDMEMBER POWELL MOVED TO ADJOURN THE LINDON RDA
MEETING AND RECONVENE THE LINDON CITY COUNCIL MEETING.
26 BOARDMEMBER VANCHIERE SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

28 BOARDMEMBER POWELL AYE
BOARDMEMBER VANCHIERE AYE
30 BOARDMEMBER BRODERICK AYE
BOARDMEMBER HOYT AYE

32 THE MOTION CARRIED UNANIMOUSLY.

34 **15. Review & Action — Resolution #2023-17-R;** Intent to provide financial
backstop to the Lindon City RDA for purchase of property on 700 North.

36
38 Adam Cowie, City Administrator stated due to some technical difficulties and to
the lengthy hour of the meeting this item will be continued to the next meeting. Mayor
Lundberg stated that is will also be better to continue in order to have a full quorum
40 present.

42 Mayor Lundberg called for any further public comments. Hearing none she called
for a motion to close the public hearing.

2 COUNCILMEMBER VANCHIERE MOVED TO CLOSE THE PUBLIC
HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
4 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

6 Following some addition discussion, the Council was in agreement to continue
Resolution #2023-17-R approving the intent to provide financial backstop to the Lindon
8 City RDA for purchase of property on 700 North as presented by staff.

10 Mayor Lundberg called for any further discussion or comments from the Council.
Hearing none she called for a motion.

12 COUNCILMEMBER POWELL MOVED TO CONTINUE RESOLUTION
#2023-17-R APPROVING THE INTENT TO PROVIDE FINANCIAL BACKSTOP TO
14 THE LINDON CITY RDA FOR PURCHASE OF PROPERTY ON 700 NORTH AS IN
ORDER TO HAVE A FULL COUNCIL PRESENT. COUNCILMEMBER
16 VANCHIERE SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

18 COUNCILMEMBER HOYT AYE
COUNCILMEMBER BRODERICK AYE
20 COUNCILMEMBER POWELL AYE
COUNCILMEMBER VANCHIERE AYE
22 THE MOTION CARRIED UNANIMOUSLY

24 Mayor Lundberg called for any further discussion or comments from the Council.
Hearing none she called for a motion to adjourn.

26 **Adjourn** –

28 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
30 AT 9:45 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

32 Approved – October 2, 2023

34
36 _____
Kathryn A. Moosman, City Recorder

38
40
42 _____
Carolyn Lundberg Mayor