

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, September**
4 **19, 2017, beginning at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100
North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Jeff Acerson, Mayor
Pledge of Allegiance: Daril Magleby
10 Invocation: Jeff Acerson

12 **PRESENT**

EXCUSED

Jeff Acerson, Mayor
14 Matt Bean, Councilmember
Carolyn Lundberg, Councilmember
16 Van Broderick, Councilmember
Jacob Hoyt, Councilmember
18 Dustin Sweeten, Councilmember
Adam Cowie, City Administrator
20 Hugh Van Wagenen, Planning Director
Kathryn Moosman, City Recorder

22
24 1. **Call to Order/Roll Call**– The meeting was called to order at 7:00 p.m.

26 2. **Presentations/Announcements** –

- a) **Mayor/Council Comments** – There were no announcements at this time.
28 b) **Oath of Office** – Noah Gordon, newly hired City Engineer, was given the
oath of office by the City Recorder, Kathy Moosman.

30 3. **Approval of Minutes** – The minutes of the regular meeting of the City Council
32 meeting of September 5, 2017 were reviewed.

34 COUNCILMEMBER BRODERICK MOVED TO APPROVE THE MINUTES
OF THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 5, 2017 AS
36 AMENDED OR CORRECTED. COUNCILMEMBER LUNDBERG SECONDED THE
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE
38 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
40 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER SWEETEN AYE

42 THE MOTION CARRIED UNANIMOUSLY.

44 4. **Consent Agenda** – No items.

2 5. **Open Session for Public Comment**– Mayor Acerson called for any public
4 comment not listed as an agenda item. There were no public comments.

6 **CURRENT BUSINESS**

8 6. **Continued Public Hearing — Ordinance Amendment, Lindon City Code**
10 **(LCC) 17.04.400 (Ordinance #2017-12-O)**. This item was continued from the
12 September 5, 2017 City Council meeting. Marc Udall, Dry Canyon Ranch,
14 requests an amendment to LCC 17.04.400, regulating Home Occupation
16 requirements, to allow for Summer Physical Education lessons to have more
18 vehicular traffic than what is currently allowed by ordinance. The Planning
20 Commission recommended denial of the request

22 Hugh Van Wagenen, Planning Director stated after publishing the agenda the
24 applicant, Mr. Udall, informed the City that he is unavailable to attend this meeting and
26 asked for this item not to be discussed and continued to the October 3, 2017 Council
28 meeting.

30 Mayor Acerson called for any comments or discussion from the Council. Hearing
32 none he called for a motion.

34 COUNCILMEMBER HOYT MOVED TO CONTINUE THIS ITEM TO THE
36 OCTOBER 3, 2017 CITY COUNCIL MEETING. COUNCILMEMBER SWEETEN
38 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

40 COUNCILMEMBER BEAN AYE
42 COUNCILMEMBER LUNDBERG AYE
44 COUNCILMEMBER HOYT AYE
46 COUNCILMEMBER BRODERICK AYE
48 COUNCILMEMBER SWEETEN AYE

50 THE MOTION CARRIED UNANIMOUSLY.

52 7. **Presentation — Overview of Water Rates & Water Utility Systems.**

54 Mark Christensen, with JUB Engineers, will provide a general overview of
56 Lindon’s culinary and secondary water systems and review basis for new tiered
58 water rate increases implemented in July 2017. Lindon’s Public Works Director,
60 Finance Director, and City Engineer will also be available for questions.

62 Adam Cowie, City Administrator, stated some questions have arisen regarding the
64 utility rate changes and why they were recommended and how they vary based on
66 different locations within Lindon. He explained after careful evaluation of the last several
68 months of water revenues collected by the City, the current rates as adopted are projected
70 to adequately cover the City’s costs and water project needs. He noted that no
72 adjustments to water rates are being recommended at this time as to allow a longer period
74 of time for evaluation if current rates are providing sufficient revenues to cover the costs
76 of operations, maintenance, and replacement needs. He stated no motion is necessary as

2 this item is for discussion only. He then turned the time over to Mark Christensen,
Engineer with JUB Engineers for his presentation.

4 Mr. Christensen presented an overview of the functionality of Lindon’s water
system and explained how the fee structure has been established. He explained that in the
6 2016 General Session, the Utah State Legislature passed the “Water System Conservation
Pricing” bill which requires all retail water providers, including Lindon City, to establish
8 an increasing rate structure for culinary water. In June 2017 the City Council adopted a
new tiered water rate structure in conformance with updated State requirements. The fees
10 went into effect for the July utility billing. He noted the intent of the State’s required
tiered structure is to financially incentivize water conservation by having larger volumes
12 of water usage charged at higher rates.

Mr. Christensen went on to say the City adopted a tiered rate schedule designed to
14 keep the total annual water revenue at a constant (not increasing or decreasing). He noted
during summer months when customers use more water the revenues will increase, and
16 during winters months when customers use less water the revenues will decrease. An
additional base rate change was also incorporated into the City’s new rate schedule per
18 previously evaluated annual increases recommended to help build water fund revenues to
adequately cover costs of operations, maintenance, and replacement of water system
20 infrastructure. He then referenced the water rate adjustments as adopted by the City
Council in June followed by some general discussion.

22 Brad Jorgenson, Public Works Director, spoke on the chlorination option in the
water noting this is the best and least expensive option for the city. He also talked about
24 cross connections/contamination and water conservation followed by some additional
discussion.

26 Following the presentation Mr. Cowie stated the intent of this discussion was to
give an overview of the rate changes made in July. He noted this will come back to the
28 council later in the spring and they will go from there.

30 Mayor Acerson then called for any further comments or discussion from the
Council. Hearing none he moved on to the next agenda item.

32 **8. Public Hearing — Zone Map Amendment, Request: Commercial Farm Zone
Walker Farms of Lindon 55 South 400-500 East. Ordinance #2017-14-O.**

34 Mike Jorgensen requests approval of a Zone Map Amendment to reclassify
multiple parcels from Residential Single Family (R1-20) to the Commercial Farm
36 (CF) zone on the following parcels: 47:184:0002 (Michael B & Jill Jorgensen 55
South 400 East), 14:073:0201 (Michael & Jill Jorgensen 85 South 400 East),
38 47:184:0003 (Michael B & Jill Jorgensen 53 South 500 East), and 14:073:0028
(Michael B Jorgensen on behalf of MJ Real Estate Holdings LLC 484 East Center
40 Street). Total land area of 5.19 acres. The Planning Commission recommended
denial of the request.

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

2 Hugh Van Wagenen, Planning Director, opened this discussion item by giving an
4 overview stating the Commercial Farm (CF) zone was created in 2011 to “provide
6 encouragement of agricultural production and associated commercial activities that are
8 compatible with and/or promote agricultural uses within the city. He pointed out although
10 the intent of the zone is to promote agricultural uses within the city, the zone may be
12 utilized as “holding zone” to allow reasonable options for income from agricultural
14 and/or commercial uses for a period of time before developing the land in conformance
16 with the General Plan Land Use Map.” He noted the applicant is requesting a rezone of
18 the subject properties in order to build a reception/event center while raising and breeding
20 alpacas and selling alpaca wool.

22 He then referenced for discussion a brief business plan and concept site plan for
24 the property provided by the applicant as follows:

26 Business Plan for the Commercial Farm

- 28 • “We will have 14 alpacas. Our intent is to sell the offspring as breeding pairs, or
30 What’s called a starter pack? This will consist of a pregnant female and an
32 Unrelated male. We can also sell the wool which can be quite expensive and
34 Highly sought after.”
- 36 • The reception/event center will be an additional revenue source for the alpaca
38 operation. This is a conditionally permitted use in the CF zone.

40 One of the main requirements for CF zone consideration is listed in LCC
42 17.51.015 and states:

44 Agricultural Production Required

- 46 1. At least 40% of the property must be maintained in active agricultural
48 production and be managed in such a way that there is a reasonable expectation
50 of profit. Land used in connection with a farmhouse, such as landscaping,
52 Driveways, etc., cannot be included in the area calculation for agricultural
54 Production eligibility.
- 56 2. For the purposes of this chapter, “agricultural production” shall be defined as
58 The production of food for human or animal consumption through the raising of
60 Crops and/or breeding and raising of domestic animals and fowl (except
62 Household pets) in such a manner that there is a reasonable expectation of profit.
64 The application does meet the requirements for lot area, lot width, lot depth, and
66 lot frontage.

68 Mr. Van Wagenen stated the parcels presented are not currently under identical
70 ownership as required in LCC 17.51.020 and this should be a requirement if an approval
72 is granted. The concept site plan does show the existing single family home in addition to
74 a caretaker dwelling that is currently being restored (Center and 500 East). He noted the
76 caretaker dwelling being restored has nonconforming setbacks due to the age of the
78 original construction.

80 Mr. Van Wagenen stated although the application appears to meet the
82 requirements for the properties in question to be rezoned, this is a legislative action.
84 Therefore, the City Council is not obligated to approve if the Council decides the request
86 is not in the best interest of the public and Lindon City.

2 Mr. Van Wagenen pointed out in looking to the future; the home on this site will
4 have to be associated with the proposed reception/event center because of the minimum
6 size requirements of the Commercial Farm zone. He mentioned as we have recently seen
8 with other properties, this can be problematic when the current owner moves on and the
property is sold to future operators. He added if the applicant's request is granted, a
separate site plan application will need to be submitted to ensure all site requirements are
met regarding parking, landscaping, fencing, building height, etc.

10 Mr. Van Wagenen stated the Commission heard this request on September 12,
12 2017. Several citizens came to the public hearing and opposed the applicant's request.
14 There were concerns about traffic and noise from the proposed event/reception center.
16 The Commission considered the item for an hour, discussing the positives and negatives
18 of the request. He noted one motion to approve the request, with the consideration that a
future reception center would be a conditional use permit where conditions could be
placed on the property to mitigate negative effects on the neighborhood was defeated. No
member of the Commission offered an alternative motion. He noted a lack of an
approved motion automatically becomes a recommended denial of the request to the City
Council. He also mentioned three letters were received today that were emailed to the
council regarding this request.

20 Mr. Van Wagenen then referenced the Draft ordinance 2017-14-O, an Aerial
22 photo of the proposed area to be rezoned, Current Zoning Map, Conceptual Site Plan,
24 information provided by the applicant on alpaca farming, and LCC 17.51 Commercial
Farm Zone followed by discussion. He then turned the time over to the applicant for
comment.

26 Mr. Jorgensen gave a brief history of how they came to live in Lindon (19 years
28 ago) and their background noting they moved to Lindon for the "little bit of country" feel.
30 He added they have owned and operated several businesses. Mr. Jorgensen stated it is
their hope to answer some questions tonight and to alleviate some of the neighbor's fears
as he has seen the comments from the neighbors and there is a lot of confusion of what
they will be allowed to do with their property.

32 Mr. Jorgensen stated the zone is well written because when you have five (5)
34 acres at least 40% must be green space or agricultural production and is required; the
zone controls and manages itself. He pointed out the zone was created to be able to hold
36 on to the "little bit of country" theme here in Lindon. They feel this is unique as they
gathered up the parts and reassembled them and are trying to preserve the integrity and
38 history of the property. They chose to do an "event barn" and call it Walker Farms as a
lot of their property was acquired from Reed Walker. He pointed out things like this
40 proposal are what the zone was written for (for places like Wadley Farms) and when the
ordinance was drafted for the zone the council was aware of that and they wrote it with
that in mind; to be able to have a commercial aspect that makes it viable.

42 Councilmember Lundberg asked Mr. Van Wagenen to explain how conditional
44 uses are treated. Mr. Van Wagenen explained the conditional use process and also the
permitted uses in the code.

46 Mayor Acerson called for any public comment at this time. There were several
residents in attendance who addressed the Council as follows:

2 **Karen Hill:** Ms. Hill stated she is not a resident yet of Lindon but will be in three weeks.
4 She noted they built directly across the street by the school so she will be a neighbor to
6 this proposed site. When she heard that the rural feel may be taken away she was upset
8 as this would increase noise and traffic in the area and vandalism may increase. The
10 overflow parking would go into the school parking lot that is adjacent to her property and
12 the school traffic is already bad. She doesn't see that there would be much of a buffer and
14 would not be set back from the street so the visual alteration is a concern. Putting a
16 commercial endeavor in a residential area is not a good idea.

18 **Judy Anderson:** Ms. Anderson stated her Mother's house is west of where this proposed
20 parking lot will be. She stated she is not concerned about the animals but worries about
22 the noise and it will put a burden on these people.

24 **Belva Parr:** Ms. Parr stated this is a real safety issue as the east entrance to the area is
26 almost next to the school. The road is narrow and there are four schools on Center Street
28 where kids walk to school; if we add to the traffic this could put kids in danger and this
30 causes her great concern.

32 **Earl Porter:** Mr. Porter stated he is the Vice Principle at Timpanogos Academy. He
34 noted he has approached the Planning Commission for help with safety issues with the
36 school kids on Center Street in the past. He pointed out there are some things to look into
38 for safety if this proposal goes through adding it would be easier to support if the safety
40 issues are addressed.

42 **Dan Whittle:** Mr. Whittle stated he has lived on Center Street for 39 years noting it is a
44 great place to live but there is only a "little built of country" left in the city. He has
concerns with increased traffic as there is a traffic problem now. He added that he doesn't
feel good about the event center and feels the residents will be impacted. The associated
noise is also a concern. The Council should address some of these issues before allowing
something like this to go through.

Cindy Tate: Ms. Tate stated she didn't receive a notice. She commented that there is
already an overflow of traffic with the schools and more traffic is not a good idea for
safety concerns and is a real issue. Having the Alpacas is great not an event center.

Joel Tate: Mr. Tate stated he loves the quiet aspect but with having events there with all
the traffic and noise and overflow street parking it is probably not a good idea unless
those issues are resolved because it will be a popular successful event center.

Evan Nixon: Mr. Nixon asked if this zone was created when for Wadley Farms and
what year. Mr. Van Wagenen explained the zone was applied to Wadley Farms in 2011.
Mr. Nixon stated his concern is with changing the zone and that the ordinance is stating
non permissible uses.

2 **Larry Anderson:** Mr. Anderson stated the parking lot area will be right next to his
4 mother's fence and poses a concern and would suggest that Mr. Jorgensen move the
parking lot to the pumpkin patch area. He also has concerns that there may be loud music.
6 Mr. Van Wagenen pointed out this is just a draft site plan and explained the site
requirements noting the conditional use permit would be put in place with specific
conditions.

8

10 **Rex Daley:** Mr. Daley stated he likes the ideas of doing a farm and preserving green
space and feels if the Jorgensen's are willing to move things around and mitigate some of
12 these issues that it will be better than what is there now and traffic won't be an issue. The
Jorgensen's will do this very nice and make it better than what is there now. He is in
support.

14

16 **Ginger Romriell:** Ms. Romriell commented that she is excited about this project and
what it will bring to the community. She noted there are two traffic entrances on two
18 different roads and pointed out that the events will be held at night so that won't affect
the traffic with the schools. She noted the Jorgensen's will put in buffers for the noise
and a sidewalk and they have great taste and will make it beautiful. The proposed petting
20 zoo would be great for the school students also. She is in favor of this proposal 100%.

22 **Corrine Ross:** Ms. Ross asked about the 300 ft. noticing requirement. She asked if there
was a better process to get notices further than that for a commercial issue. Mr. Van
24 Wagenen stated it is a legislative action. She also asked how hard it is to change the
zoning back to residential if the applicant leaves and what the process is. Mr. Van
26 Wagenen stated they would have to apply with an application and go to the Planning
Commission and City Council where it is a legislative action and what happens would be
28 up to whoever buys it.

30 **Carmen Durfey:** Ms. Durfey expressed her opinion stating this is a wonderful plan the
Jorgensen's are proposing that will help make Lindon look the way it used to with the
32 open space and historical aspects preserved. She pointed out that the events will be at
night so the parking lot and traffic issues won't conflict with school traffic and parking.
34 She is in support of this proposal 100%.

36 **Shelley Savage:** Ms. Savage stated she lives just south from the Jorgensen's and they are
totally excited about this plan the Jorgensen's are proposing. She understands school
38 traffic issues or football traffic etc. having dealt with it over the years but it just the way it
is. So knows there will be times when traffic increases but she would like to keep the
40 rural feel without 5 or 6 new homes coming in there. The schools field trips the
Jorgensen's will offer would be awesome and a great opportunity to enjoy the animals.
42 They will do an incredible job with the event barn and will impact the neighbors as little
as possible. This will be a classy operation and it is her hope that it gets approved.

44

46 **Linda Matheson:** Ms. Matheson asked about the legal perspective and if it's changed
would the whole thing be commercial and if it could potentially be another commercial

2 area and if the owner has to live onsite. Mr. Van Wagenen stated there is not a
4 requirement that the owner has to live on site and any new use would have to come
6 through the review process. In order for these 5 acres to operate as a commercial farm it
has to maintain the 5 acres and if someone wants to come in they would have to change it
back.

8 **Don Wharton:** Mr. Wharton stated he is in favor of the Jorgensen’s proposal. He also
questioned at what point does the city put in speed bumps for the increased traffic on
10 Center Street and if there is an ordinance in place as that is a separate concern. Mr.
Cowie stated Lindon has a policy that residents and neighborhoods can sign a petition
12 and submit and the engineers will do an evaluation in the area and give a
recommendation; speed bumps are allowed on side streets but not on collector roads.

14 **Ann Johnson:** Ms. Johnson stated there has been such an increase of traffic on Center
16 Street with school events at night that poses a safety issue. She doesn’t have problem
with an event center but feels this is not in the right spot. She also passed out a letter to
18 the council listing the neighbors concerns.

20 **Ruth Udall:** Ms. Udall stated she lives across the street from the Jorgensen’s and their
place is immaculate. She pointed out we have lost a “little bit of country” in Lindon when
22 they built smaller than half acre lots above the canal and opened the road to Pleasant
Grove and Center Street. She has also requested speed bumps in the past. Ms. Udall
24 stated what the Jorgensen’s are proposing is beautiful and she would much rather see
what they are proposing with a little more country rather than have more houses. She is
26 in support of this proposal.

28 **Dan Linville:** Mr. Linville commented this is a great idea and he lives across the street
from the Jorgensen’s. Some of these properties have been an eyesore for years and what
30 they plan to do will improve it a lot. The schools and car lots have brought more traffic
than what this will. What the Jorgensen’s are proposing will not be an issue and we
32 already have a noise ordinance in place to control any noise. He is in support of this
proposal.

34 **Ross Wright:** Mr. Wright stated he is in support of what the Jorgensen’s are proposing.
36 He lived here when the two schools were put in and he also suggested that they increase
parking capacity and widening roads that was turned down. He was told the schools can
38 do whatever they want. He noted across from the Jorgensen’s property there is a “share
the harvest shed” that has been there for many years for neighbors to share produce etc.
40 the school is who to blame for the traffic. The Jorgensen’s do quality work and it speaks
for itself; he is 100% in favor of this proposal.

42 **Virginia Pugh:** Ms. Pugh stated when they opened canal road that is when the increased
44 traffic came and they drive so fast on Center Street; school traffic is the issue and a
hazard. She feels we need to preserve this property and this would look nice and she

2 would be in favor of this if the event center is located in the southwest end of the property
so it is not by the school traffic.

4
Jeremy King: Mr. King stated his wife is against this issue because of the traffic, but he
6 is in support of it because he doesn't want to see more homes going in. He feels we
should keep nice gathering places here in Lindon as these are located in beautiful areas
8 and he believes weddings/receptions really don't increase the traffic. He is in support of
this request.

10
*Mayor Acerson excused himself from the meeting at 9:27 p.m. Councilmember
12 Hoyt stepped in as Mayor Pro Tem as this time.*

14 Mr. Jorgensen explained the site plan (drafted by Jim Dain) and event barn
concept at this time including the size, parking plan, landscaping, occupancy load (220)
16 noting they plan on putting in a nice wall and landscaping buffers. They will also help to
alleviate some of the overflow parking issues at the school for soccer games, events etc.
18 There was then some general discussion regarding these issues.

20 **Debbie Rohbock:** Ms. Rohbock stated she moved to Lindon 24 years ago noting we all
moved here for a little bit of country. She is worried about the noise and how late into
22 the night the events will go. She also feels you can't control what kind of beverages
come into the area. She would suggest building an event center somewhere else.

24
Ilene Hugo: Ms. Hugo stated she attended the Planning Commission meeting and it was
26 denied for many reasons. The neighbors do not want a reception center as there will be
problems with zoning for parking and it should be addressed; we need to keep our way of
28 life here.

30 **Mrs. Linville:** Ms. Linville pointed out there are two parking lots and two entrances. Her
daughter was married in a backyard and there were over 200 guests. There are a lot of
32 things going on that generate noise in the city and the idea that people will be sneaking
liquor in is ridiculous. The Jorgensen's are the caretakers of their property and they will
34 make sure the activities going on will be in their best interest too.

36 **Alan Colledge:** Mr. Colledge stated he owns Wadley Farms which facilitated a lot of
this discussion. They developed something for the future it was not economically and not
38 for money it was for homesteading land and to work at how to preserve the history with
food and farms etc. When they started the commercial farm zone the goal was to look at
40 Lindon to see if there were any areas that fit in the zone. With the five (5) acre limit it is
economical viable to keep their farm a farm and some will like it and some won't. He
42 noted they employ a lot of people and it does affect the neighbors to some extent. With
their newest addition on the castle a lot of friends and neighbors complained. They are
44 putting up a 12 ft. barrier wall for sound and addressing parking issues but these things
can be mitigated; preserving open space is not easy.

2 **Luanne Fullmer:** Ms. Fullmer pointed out that no one complains about the traffic at
4 churches. This event will be less than an event on a Saturday or in the evening and will
6 create jobs for young people. Building more homes will bring more noise than this will.
8 What they are proposing will keep it more country with the barn and animals etc. The
noise will be minor and it will be a beautiful event center to share as a community rather
than subdividing with more homes; it is keeping it in the family. She is in support of this
proposal.

10 **John Roylance:** Mr. Roylance stated it is important to think outside of the box. The
12 Police will ticket people who are speeding on Center Street. This isn't a Wal-Mart it is a
14 reception center. If it is booked and busy it will be because it is a nice place. If we are
serious about keeping Lindon a "little bit of country" things like this need to happen in
the city. He realizes it is up-setting to have the city tell you what to do with your property
but the quality of what they do will awesome and they will do right by the neighborhood.
16 He is in support of this and supports keeping a little bit of country; this will just keep it
viable.

18 **Roy Jacklin:** Mr. Jacklin stated when he was on the council there has been fear every
20 time something new came along in the city; usually unfounded fear. He feels this
proposal will work out very well. Mr. Jacklin stated he has known Mr. Jorgensen for
22 many years and he has integrity and he and Jill will make this great for years to come. He
voiced that he is in support of their proposal.

24 **Eric Dowdle:** Mr. Dowdle stated that we need beautiful things in the world and if you
26 build something beautiful the emotion and happiness it will bring will add up. This city
needs this change and addition to the city and Mike and Jill Jorgensen will do a fantastic
28 job. He completely approves this proposal.

30 **Resident:** The building department and ordinances will take care of any noise or traffic
issues. This proposal will bring so many improvements. The issue tonight is to look at the
32 zoning change only and we are not the building department.

34 ***Mayor Acerson returned to the meeting at 10:10 pm.***

36 Mayor Acerson called for any further public comment. Hearing none he called for
a motion to close the public hearing.

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

42 Councilmember Hoyt asked how many alpacas they plan to have. Mr. Jorgensen
44 stated they currently have 7 and the city ordinance states with three species they can have
up to 14. He also asked for a recap from the planning commission. Commissioner Steve
46 Johnson gave a recap of the planning commission decision noting it was a denial by

2 default as there weren't enough votes to deny. He pointed out that was a different
4 meeting as there were mostly negative comments and they are seeing a lot of positive
6 comments heard tonight; they have heard plenty on both sides. Councilmember Bean
8 agreed it was a different meeting as there have been a lot of support and positive
10 comments heard here tonight. He added no one on the commission wanted to make a
12 motion to deny because the applicant meets the requirements of the ordinance.

14 Councilmember Sweeten commented that it sounds like the consensus of the
16 commission was to move the decision to the city council to decide as they were
18 undecided. He would also like to hear as much public input as possible as he likes a lot of
20 aspects of this. It appears the opposition is with the event center but the hard part is
22 because the ordinance was not put in place just for one location. If approved most of the
24 concerns and challenges brought up would most likely end up not being a problem and
everything is reviewable on complaint and there are things in place to mitigate concerns.
He is a supporter of property rights and to preserve the country feel, if done properly with
some tweaking this can be made viable. He is overall in support of this proposal.

18 Councilmember Bean commented that he really appreciates the tenor of the
20 comments heard here tonight with everyone being very civil noting that's what's great
22 about Lindon City. We have a unique opportunity here in Lindon but this is a difficult
24 issue. It appears the applicant meets the requirements of the ordinance, so the decision is
in this particular location, that a zone change can be made and is a decision of the
Council. He appreciates the creativity gone into by the applicant and, overall despite
some concerns, we do let some of our fears drive decisions more than what we should;
overall he is comfortable with this request.

26 Councilmember Lundberg commented she was on the City Council when the
28 commercial farm ordinance was crafted. She noted anytime there is something new on
the books we don't have a crystal ball to know what future applicants will come forward
and the mitigating caveats. She pointed out what is appealing about the commercial farm
zone was preserving open space but she is concerned with any spill over of issues that
may not be ideal. She loves the idea of anything related to the farm side of it, but she
worries about the impact on the neighbors. She is not sure how this will look and what
will be passed on but we need to weigh seriously on this matter and how to manage
growth.

34 Councilmember Broderick stated he appreciates the comments heard tonight
36 noting the Council agrees and loves the "little bit of country" theme in the city. He stated
this will change the dynamic of the neighborhood and be an impact on the neighbors; he
loves so many things about this but it is a hard decision.

38 Councilmember Hoyt stated he came here tonight feeling opposed to this proposal
40 but now after hearing the various comments he torn in his opinion as he sees the merit of
it, but is a little hesitant knowing it is legislative decision and it fits the code. He would
like to have more research on some additional areas before making a decision in moving
42 forward as a lot of valid questions have been brought forth tonight.

44 Mayor Acerson commented this is forum where residents can speak openly and if
we lose that we lose Lindon. He hopes in any given situation we set the proper
expectation and if this moves forward that we be sensitive and thoughtful and try to be

2 accommodating. He clarified that the Council can continue this item in order to gather
more research and information.

4 Councilmember Lundberg commented that it appears the Jorgensen's want to be
good neighbors and be accommodating and mitigate the issues mentioned. She asked if
6 he has any other business model. Mr. Jorgensen stated this is the only model and they just
want to be treated fairly as they fit into this ordinance and fit all of the criteria in the
8 commercial farm zone. They are trying to preserve some of Lindon's history and the
ordinance wasn't written only for Wadley Farms. Mr. Cowie pointed out the focus
10 tonight is approving or not approving the zone and the site plan is secondary.

12 Mr. Van Wagenen stated he will bring this back after researching the effects of
commercial in a residential area, additional renderings, buffers (landscaping, walls,
fencing) any complaints on other similar facilities/uses in the city, noise pollution
14 mitigation, traffic study, parking etc.

16 Mayor Acerson then called for any further comments or discussion from the
Council. Hearing none he moved called for a motion.

18 COUNCILMEMBER SWEETEN MOVED TO CONTINUE THE
APPLICANTS REQUEST FOR APPROVAL OF ORDINANCE 2017-14-O TO THE
20 NEXT AVAILABLE CITY COUNCIL MEETING. COUNCILMEMBER LUNDBERG
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

22 COUNCILMEMBER BEAN NAY
COUNCILMEMBER LUNDBERG AYE
24 COUNCILMEMBER HOYT AYE
COUNCILMEMBER BRODERICK AYE
26 COUNCILMEMBER SWEETEN AYE

THE MOTION CARRIED 4 TO 1.

28

9. **Public Hearing — Zone Map Amendment & Ordinance Adoption. 400 North
30 2800 West, LCC 17.54 Regional Commercial (RC) Zone (Ordinance #2017-
11-O).** Lindon City requests review and approval of a Zone Map Amendment
32 from General Commercial Auto (CG-A8) to Regional Commercial (RC), on
multiple parcels located at approximately 400 North 2800 West. Lindon City also
34 requests approval of an amendment to Lindon City Code by way of adopting
17.54 Regional Commercial Zoning Ordinance, to address development
36 regulations, activities and uses in the RC zone. These items may be continued for
further review. The Planning Commission recommended approval.

38

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

42

44 Mr. Van Wagenen explained Lindon City is requesting review and approval of a
Zone Map Amendment from General Commercial Auto (CG-A8) to Regional
Commercial (RC), on multiple parcels located at approximately 400 North 2800 West.
46 Lindon City also requests approval of an amendment to Lindon City Code by way of

2 adopting 17.54 Regional Commercial Zoning Ordinance, to address development
regulations, activities and uses in the RC zone (Pending Ordinance 2017-11-O). The
4 Regional Commercial zone will have design standards similar to commercial zones, but
may also allow warehouse and distribution uses.

6 Mr. Van Wagenen stated a recent concept proposal for a large fulfillment center
prompted the City to consider a new zoning classification for the southwest quadrant of
8 the Lindon/Pleasant Grove I-15 interchange. The goal of the new zone was to
accommodate fulfillment center/warehouse type uses with a business park environment
10 with a heavy emphasis on architecture and landscaping, similar to requirements found in
commercial zones.

12 Mr. Van Wagenen noted after three meetings of review and comments from the
public, including land owners, the Commission recommended approval of the draft of the
14 zoning ordinance and map presented to them on September 12, 2017. Mr. Van Wagenen
then presented the draft including some minor modifications for topic organization and
16 clarity (highlighted in red) as follows:

- 18 • 17.054.020: Please review the *Uses* section of the code, especially manufacturing
and wholesale trade, for a list of permitted land uses
- 20 • 17.054.030(1): All activity and storage must occur inside buildings with the
exception of minimal promotional displays.
- 22 • 17.054.030(4): Loading operations and dock doors must be visually screened
from public roadways.
- 24 • 17.054.040(2): Building setbacks are 30 feet from property lines and 50 feet from
UDOT rights of way.
- 26 • 17.054.040(6): Street cross section has a meandering sidewalk with 8-12 foot
parkstrips (landscaping between curb and sidewalk) and 16-20 foot landscaped
planters (landscaping behind sidewalk).
- 28 • 17.054.050: Architectural design has been adapted from the existing

30 *Commercial Design Standards.*

- 32 • 17.054.060: Parking must be set back at least 27 feet from property lines along
public streets per the proposed cross section. Also, double loaded parking aisles
34 with 28 stalls or more require specific landscape treatments. The existing standard
of 40 square feet of interior parking lot landscaping per parking stall continues to
apply as well.
- 36 • 17.054.070:
 - 38 ○ Overall landscaping requirement is 25% (CG zone is 20%, MC is 15%, and no
requirement in LI).
 - 40 ○ Landscape strips and Parkstrips do not require turf grass, but do require 70%
living vegetation.
 - 42 ○ Trees are required in both landscape strips and parkstrips every 30 feet with
evergreens required for 30% of trees in landscape strip.

44 Mr. Van Wagenen then referenced LCC 17.54 Regional Commercial Zone draft
and map, the doTERRA concept, and the Weldon concept followed by discussion.

2 Rich Doxey, representing doTERRA, stated they appreciate the efforts on behalf
of the city. Mayor Acerson called for any public comment. Hearing none he called for a
4 motion to close the public hearing.

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

10 Councilmember Broderick expressed his concerns about the amount of vehicle
traffic these businesses will generate and what the interchange can handle and that it may
12 turn it into a traffic nightmare; this is a factor to be aware of.

14 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion.

16 COUNCILMEMBER SWEETEN MOVED TO APPROVE THE ORDINANCE
2017-11-O WITH THE ADDITIONAL LANGUAGE HIGHLIGHTED IN THE
18 ORDINANCE. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE
VOTE WAS RECORDED AS FOLLOWS:

20 COUNCILMEMBER BEAN	AYE
COUNCILMEMBER LUNDBERG	AYE
22 COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE
24 COUNCILMEMBER SWEETEN	AYE

THE MOTION CARRIED UNANIMOUSLY.

26
28 **10. Review & Action — Bureau of Reclamation Contract for North Union Piping
Grant.** The City Council will review and consider an agreement / contract
between Lindon City and the Bureau of Reclamation for terms and conditions
30 associated with a grant award to assist in piping sections of the North Union
Canal. The awarded grant is for up to \$258,922 and requires previously
32 committed \$300,000 match from Lindon City plus \$15,000 match from North
Union Canal Company. Design will begin this fall with bidding through this
34 winter and actual construction in the fall/winter of 2018-19. The majority of city
matching funds will be appropriated in FY2018-19.

36
38 COUNCILMEMBER BRODERICK MOVED TO OPEN THE PUBLIC
HEARING. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

40
42 Mr. Cowie referenced the application that was submitted to the Bureau of
Reclamation (BOR) for grant funding to assist in piping portions of the North Union
Canal. The application was for a WaterSMART Grants for Water and Energy Efficiency
44 projects for federal fiscal year 2017. He noted the City was selected for grant funding for
up to \$258,922. This project will pipe certain portions of the canal, but will not be
46 sufficient to pipe the entire canal. Rough estimates for piping of the entire canal through

2 Lindon City exceeds \$1.25 Million (not including water use measuring devices or
engineering).

4 Mr. Cowie stated the BOR time schedule has been extremely rushed after we
received notice of this grant award. They are working on the Agreement of Terms to be
6 approved by Tuesday but are behind schedule and have not yet sent it to the City. Their
staff hopes to have it to the city as soon as possible and he will forward the draft to the
8 Council as soon as they receive it. He noted if it is not received by Tuesday with
sufficient time for review, staff is asking that the Council authorize the Mayor to sign the
10 agreement after it has been reviewed and agreed upon by the City Attorney and
Engineering staff. There was then some brief discussion regarding the contract.

12 Mayor Acerson called for any public comment. Hearing none he called for a
motion to close the public hearing.

14

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

18

20 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion.

22 COUNCILMEMBER LUNDBERG MOVED TO APPROVE TO AUTHORIZE
THE MAYOR TO REVIEW AND SIGN THE AGREEMENT WITH THE BOR FOR
24 THE AWARDED WATERSMART GRANT TO PIPE PORTIONS OF THE NORTH
UNION CANAL. COUNCILMEMBER BRODERICK SECONDED THE MOTION.
26 THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER BEAN AYE
28 COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
30 COUNCILMEMBER BRODERICK AYE
COUNCILMEMBER SWEETEN AYE

32 THE MOTION CARRIED UNANIMOUSLY.

34 **7. COUNCIL REPORTS:**

36 **Councilmember Hoyt** – Councilmember Hoyt reported the Tri Chamber luncheon will
be held this Thursday. He noted Lehi, Pleasant Grove, Lindon and American Fork will be
38 in attendance.

40 **Councilmember Broderick** – Councilmember Broderick reported on the 835 East tank
and the landscaping that will occur. He suggested reaching out to residents that border the
42 tank.

44 **Councilmember Bean** – Councilmember Bean had nothing to report at this time.

2 **Councilmember Lundberg** – Councilmember Lundberg mentioned an award given to
4 kids sponsored by the league. She suggested getting the word out to local schools about
the program.

6 **Councilmember Sweeten**– Councilmember Sweeten had nothing to report at this time.

8 **Mayor Acerson** – Mayor Acerson asked for information on traffic speeds on Center
10 Street that can statistically back up the allegations heard tonight. Mr. Cowie stated he will
provide him the 2013 speed study.

12 **Administrator’s Report:** Mr. Cowie reported on the following items followed by
discussion.

14

Misc. Updates:

- 16 • September newsletter:
- 18 • October newsletter article: Mayor Acerson - Article due to Kathy last week in
September.
- 20 • Drill Down for Safety – overview & results
- Misc. Items:

22 **Upcoming Meetings & Events:**

- October 12th at 7pm – Meet the Candidates night, Lindon Community Center
- 24 • November 7th – General Election Day (No Council meeting)

26 Mayor Acerson called for any further comments or discussion from the Council.
Hearing none he called for a motion to adjourn.

28

Adjourn –

30

32 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING
AT 12:00 AM. COUNCILMEMBER SWEETEN SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

34

Approved – October 3, 2017

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38

Kathryn Moosman, City Recorder

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Jeff Acerson, Mayor

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