

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **February 28, 2017 beginning at 7:00 p.m.** at the Lindon City Center, City Council
Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Sharon Call, Chairperson
Invocation: Rob Kallas, Commissioner
10 Pledge of Allegiance: Braden Carter, Boy Scout Troop 25

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|--------------------------------------|------------------------------|
| 12 <u>PRESENT</u> | <u>EXCUSED</u> |
| Sharon Call, Chairperson | Mike Vanchiere, Commissioner |
| 14 Rob Kallas, Commissioner | |
| Bob Wily, Commissioner | |
| 16 Mike Marchbanks, Commissioner | |
| Charles Keller, Commissioner | |
| 18 Steven Johnson, Commissioner | |
| Hugh Van Wagenen, Planning Director | |
| 20 Brandon Snyder, Associate Planner | |
| Kathy Moosman, City Recorder | |

22
24 **Special Attendee:**
Matt Bean, Councilmember

- 26 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
28 2. **APPROVAL OF MINUTES** – The minutes of the regular Planning Commission
meeting of February 16, 2017 were reviewed.
30

32 COMMISSIONER WILY MOVED TO APPROVE THE MINUTES OF THE
REGULAR MEETING OF FEBRUARY 16, 2017 AS PRESENTED.
34 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

- 36 3. **PUBLIC COMMENT** – Chairperson Call called for comments from any
audience member who wished to address any issue not listed as an agenda item.
38 There were no public comments. Chairperson Call also welcomed the boy scouts
in attendance.
40

42 **CURRENT BUSINESS** –

- 44 4. **Amended Site Plan — Karl G. Maeser Preparatory Academy.** Jason Dodge,
on behalf of Karl G. Maeser Preparatory Academy, requests amended site plan
approval for a proposed second driveway approach. The new drive approach
46 would be accessed off of Lindon’s 400 West Street. The subject property is

2 located at approximately 320 West 600 South (Utah County Parcel #46:967:0003)
4 in the General Commercial (CG) zone.

6 Brandon Snyder, Associate Planner, opened this discussion by inviting the
8 applicant Jason Dodge and Engineer Roger Dudley forward. He began by giving some
10 background of this application noting Mr. Dodge is proposing to construct a second
12 driveway approach to improve access to and from the school (Maeser Academy). He
14 noted that Mr. Dodge has looked into multiple placement options as the existing access is
16 not adequate and has changed (no left turns) since first approved to address safety and
18 traffic concerns. Mr. Snyder pointed out that driveways are subject to Lindon City Code
20 17.18.110 Driveway Access Requirements. The surface will be asphalt with concrete
22 curbing with proposed drive width at 20 feet and a slope of 9.68%.

24 Mr. Snyder further explained this will lessen to 5% as the driveway approaches
26 400 West. He noted the driveway is not intended to be used for walking or biking traffic
28 (no walkway proposed). The applicant's intention is to put in an electronic gate that will
30 be solid, secure, and either a rolling gate on wheels with no track so that the snow plow
32 can clear the snow, or a suspended gate that will close off the road completely. The
34 height will be at least 6 ft. and will be operated from the school office and will only be
36 open before school and at the end of the school day. The gate will remain shut when icy
conditions are present.

42 Mr. Snyder explained the Land Use Authority has the authority and opportunity to
44 approve, continue, or deny a site plan application and a denial is justified if the site plan
46 does not meet the codes, ordinances, or requirements of the City. The Land Use
Authority may also approve with conditions if the imposed conditions are necessary to
meet the intent of a City code or ordinance and if the conditions are necessary to further
the protection of the public's health, safety, and welfare.

48 Mr. Snyder stated the City Engineer and Mr. Dodge are working through the
50 technical issues related to the site and City Staff will ensure all issues are resolved before
52 final Engineering approval is granted. The City Engineer has also discussed the safety
54 concerns with the applicant and has provided an opinion letter regarding the application.
56 In summation, the letter states:

58 *"It is our opinion that the proposed access will result in a net reduction in hazards to
60 school children and drivers. We further believe this solution is as good as is available.
62 We appreciate the school's efforts to improve the situation and do not object to it. We do,
64 however, have two recommendations:*

- 66 1. *That the width of the access be 24 feet, so that it can accommodate entering and
68 exiting traffic.*
- 70 2. *That the school considers an entrance only at the emergency access if there are
72 still problems after constructing the additional access."*

74 Mr. Snyder noted third party notices were provided on February 17, 2017, to the
76 adjoining property owners in accordance with City Code and staff has not received any
responses back at this time. Mr. Snyder also referenced Lindon City Code 17.18.005
noting the purposes of the off-street parking ordinance. He also referenced Lindon City
Code 17.18.110: Driveway access requirement noting the manners in which adequate
ingress and egress to and from all residential, industrial, and commercial uses shall be

2 provided. Mr. Snyder then referenced for discussion the gate examples and the City
Engineer opinion letter.

4 Mr. Snyder then turned the time over to Mr. Dodge and Mr. Dudley to speak on
how they envision the second access working and the circulation pattern. He noted the
6 City Engineer is also in attendance to address any concerns and recommendations he has
highlighted in his letter.

8 Mr. Dodge stated he appreciates the opportunity to address the Commission
tonight. He noted they have 700 to 800 students in the school and most are dropped off
10 by parents or they walk as there is no bus service and therefore involves a lot of vehicles.
He pointed out there is a lot of congestion on 1600 north in the mornings and after school
12 and sometimes there is a line of cars even down to 400 west with no turn lane to help
facilitate the traffic. Mr. Dodge stated they are requesting approval for an additional
14 driveway down to 400 west of which the cost of the road is very high. It sits on a hill and
there is a drop of about 30 ft. down to 400 west and that was the cities concern with
16 safety (kids on skateboards etc). They believe they have come up with a good solution
that mitigates a lot of the risks and puts it on their private property. They have agreed to
18 put a gate on the west boundary that will be open only during school hour drop off times;
they feel this is the best scenario from working long and hard with city staff and the city
20 engineer.

22 Roger Dudley, Mr. Dodge's Engineer, stated he worked with Mark Christensen,
City Engineer, and staff to come up with this scenario. The road will be a 9% grade and
they have tried to mitigate the slope as best they can. He noted the winter months it is the
24 most critical time that would cause some concern and the gate will mitigate that issue and
the school can monitor and regulate the timing and use of the access. He noted the school
26 is committed to the safety of their patrons and this good compromise will ensure safety as
much as possible.

28 Chairperson Call commented she understands that the proposed 20 ft. road would
only go into the school property and that it may be widened to 24 ft. so traffic can go both
30 ways onto the school property which she feels is a better option. Chairperson Call also
mentioned that the emergency access may only be used as an access in case it's needed.
32 She also expressed her concern that when the gates are open it seems it would be hard to
control the pedestrian traffic.

34 Mr. Dodge agreed these are valid concerns. He pointed out that the problem is
already there with the steep hill and this proposal would remove it from 600 South and
36 put it onto their property. As far as the road width goes, they are comfortable going with
the 24 ft. wide road but there is a little bit of disagreement with the school on this issue;
38 he wants it to go both ways but the principal does not. He feels the extra 4 ft. will not
make a large difference; it would just be a little more in costs. Regarding the emergency
40 access the long term goal is to buy extra property and if they can negotiate a deal with
Ron Peck (the property owner) this would help to create a solution. The school wants to
42 put an auditorium in (long term) and then the emergency access would become a full
access which would help by giving the school a third access. He pointed out that single
44 access has been the problem since day one and he is surprised that there have not been
more accidents.

46 Commissioner Kallas asked to see where the emergency access is. Mr. Dodge
pointed out where the access is by the LDS Church. Commissioner Marchbanks asked

2 Mark Christensen, City Engineer, if he feels safety would be better achieved with a one
4 directional access not two, especially in the winter months with snow removal issues etc.
6 as the width is limited. Mr. Dodge pointed out that the access gate will be controlled
8 remotely through the Principals office, so if it is not clear, dry and safe the access won't
10 be opened. Mr. Christensen explained that one direction in terms of cars hitting each
12 other is better than two directional, but that is a minor matter. The bigger problem is what
14 is happening now on 600 South with the problems of getting in because of the left turning
16 movements but it is also a problem getting out because of the number of available gaps
18 and traffic on 600 South. Being able to get people in and out on the other access will
alleviate both of those problems; he believes it is worth doing two directions. There was
also discussion on the use of the LDS Church parking lot. Mr. Dodge added with this
opened access that use would diminish.

14 Commissioner Johnson asked where the gate is going to be located in relation to
16 the road. Mr. Dodge stated it will be by the track and the Chris Knapp property (who has
18 been working with them on the slope) of which they bought an easement from him
through a written access agreement. He then explained the pivot point of the grade to
achieve less than the 12% grade.

20 Chairperson Call questioned if the 24 ft. width recommendation from the City
22 Engineer should be a condition. Mr. Snyder stated the recommendation of 24 ft width is
24 only if the applicant wants to utilize it as a two way road. Commissioner Keller pointed
26 out that per the City Engineer's letters and opinions that he recommends a 24 ft. width.
Mr. Christensen explained he recommends the 24 ft. width because it creates the ability
and the potential to have it be a two way road which he feels is safer. Mr. Dodge stated
they want to restrict pedestrian traffic as much as possible so there will not be a sidewalk.

26 Mr. Christensen clarified for the record his recommendation would be if after
28 constructing the access and there are still problems, then they look into making use of the
30 emergency access. He also clarified what would work well is a right in and a left in so it
would be a one way as opposed as a right in and right out for the emergency access. He
would also recommend that the potential for two directional be there.

32 Chairperson Call asked if there were any further comments. Hearing none she
34 called for a motion.

36 COMMISSIONER KALLAS MOVED TO APPROVE THE PROPOSED
38 AMENDED SITE PLAN FOR THE KARL G. MAESER PREPARATORY ACADEMY
40 LOCATED AT 320 WEST 600 SOUTH IN THE GENERAL COMMERCIAL (CG)
42 ZONE WITH THE FOLLOWING CONDITION 1. THE NEW ACCESS BE A 24
FOOT ACCESS AND IF THIS DOES NOT WORK WITH THE SCHOOL BOARD
THAT THE APPLICANT RETURN BACK BEFORE THE COMMISSION.
COMMISSIONER WILY SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

| | | |
|----|-------------------------|-----|
| 44 | CHAIRPERSON CALL | AYE |
| 46 | COMMISSIONER KALLAS | AYE |
| | COMMISSIONER MARCHBANKS | NAY |
| | COMMISSIONER WILY | AYE |
| | COMMISSIONER KELLER | AYE |

2 COMMISSIONER JOHNSON AYE
THE MOTION CARRIED FIVE TO ONE.

4

Commissioner Marchbanks expressed his reason for his nay vote as he believes this action would just be moving the problem not fixing it and he hopes this issue is thoroughly thought out before implementation. He feels there has been work done on this but he is just not comfortable with it especially with mandating that it be a two way street.

10

5. **Public Hearing—General Plan Amendment, MS Industrial Properties.** The applicant is requesting a General Plan Land Use Map Amendment from Mixed Commercial to Industrial or Commercial to Industrial on subject properties located in various locations and identified by Utah County Parcel IDs #s 140620027, 140620051, 140630031, 140630067, 140640131, 140640139, 140640143, 140640144, 140650024, 140650051, 140650167, 170210059, 451110002, 451110003, 451110004, 451110005, 451110006, 451110007, 451110008, 451110009, 451110010, 451110011, 451110012, 451110013, 451110014, 451110015, 451110016, 451110018, 451110025, 457440026, 454740027, 454750027, 454940028, 140630053, 140630039, 140630037, 140630055, 140640145, 451110001, 450630052, 465180001, 465180002, 465180003, 465180004, 465180005, 465180006, 465180007, 465180008, 465180009, 465180010, 451110008.

24

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

28

Hugh Van Wagenen, Planning Director, gave some background of this agenda item explaining this application was originally considered last year on January 28, 2016 to re-do the General Plan Map (he clarified the difference between the general plan land use map and the zoning map). Tonight's discussion is for the general plan land use plan only. At that time it was continued pending the regular review of the General Plan slated for fall of 2016. That regular review is behind schedule, therefore, this application is being considered so as not delay the applicant's request any further. On January 28, 2016, many public comments were taken (minutes from that meeting are included in the staff report).

38

Mr. Van Wagenen stated the applicant has provided a letter dated February 23, 2017 regarding the request and he would like the General Plan Land Use Map to reflect the current Zoning Map. He noted that many additional property owners are in support of this application. Currently, all the parcels requesting the change are zoned either Light Industrial or Heavy Industrial. The current status of these parcels on the General Plan Land Use Map ranges from Mixed Commercial to Research & Development to Commercial to Parks – Public Facilities. The current General Plan Land Use Map does not have a Heavy Industrial area identified on the Map. However, Heavy Industrial is referred to in the General Plan under the Industrial Land Uses section.

46

2 Mr. Van Wagenen noted the General Plan currently designates one property under
the category of Commercial. This category includes retail and service oriented
4 businesses, and shopping centers that serve community and regional needs. The General
Plan currently designates one property under the category of Parks — Public Facilities.
6 This category refers to open space property owned by the city and designated for public
use — primarily recreation (parks & trail systems) or public works and government
8 facilities. The General Plan currently designates several properties under the category of
Mixed Commercial. This category includes general commercial, low intensity light
10 industrial, and research and business uses.

12 Mr. Van Wagenen further explained the General Plan currently designates several
properties under the category of Research & Development. This category is for areas of
very light industrial uses with the character of a high-tech research park, corporate
14 offices, and/or commercial uses which are compatible with surrounding properties.
Depending on specific business activities, this type of development is viewed as
16 particularly helpful for buffering between residential and other uses.

18 Mr. Van Wagenen stated the applicant requests that the General Plan designation
of certain properties be changed to Light Industrial, which accommodates manufacturing,
industrial processes, and warehousing uses not producing objectionable effects. The Light
20 Industrial designation also allows some appropriate related retail uses such as gasoline
service stations. The applicant also requests that the General Plan designation of certain
22 properties be changed to Heavy Industrial, which accommodates areas where heavy
manufacturing industrial processes necessary to the economy may be conducted.

24 Mr. Van Wagenen then referenced the relevant General Plan policies to consider
in determining whether the requested change will be in the public interest (included in the
26 staff packet).

28 Mr. Van Wagenen stated a comparison of permitted uses in the General
Commercial, Mixed Commercial, Light Industrial, and Heavy Industrial zones is also
included in the report. This comparison can help clarify and understand how uses may
30 change depending on the outcome of this proposal. Without listing every possible change
he gave some examples (included in the staff report).

32 Mr. Van Wagenen also referenced the five land use categories that would *not be*
34 *permitted* if a property were rezoned from Heavy Industrial to Light Industrial as follows:

- 36 1. Other Gas Productions manufacturing
- 38 2. Rubber and Misc. Plastics manufacturing
- 40 3. Natural or Manufactured Gasoline Storage & Distribution Points
- 42 4. Metal & Minerals wholesale trade
- 44 5. Petroleum Bulk Stations & Terminals

46 Mr. Van Wagenen stated there are 23 land use categories that would *not be*
permitted if a property were rezoned from Light Industrial to Mixed Commercial as
follows:

- 48 1. Meat & Dairy manufacturing
- 50 2. General Food Manufacturing – over 20,000 s.f.
- 52 3. Preparing Feeds for Animals & Fowl
- 54 4. Lumber & Wood Products manufacturing

- 2 5. Recycling Businesses
6. Fabricated Metal Products manufacturing (outdoor storage)
- 4 7. Tobacco Products manufacturing
8. Bus Garaging and Equipment Maintenance
- 6 9. Motor Freight Terminals
10. Motor Freight Garaging & Equipment Maintenance
- 8 11. Culinary Water Treatment Plants – Purification
12. Used Vehicles Sales Lots
- 10 13. Aircraft & Accessories retail trade
14. Crematory Services
- 12 15. Heavy Equipment Rental & Leasing; Vehicles over 26,000 GVW
16. Impound Yards
- 14 17. Veterinarian Services, Animal Hospitals – large animals
18. Go-Cart Tracks
- 16 19. Golf Courses &/or Country Clubs
20. Skate Board Parks – Private
- 18 21. BMX Biking Tracks & Facilities
22. Commercial Play Fields/Athletic Fields
- 20 23. All Fisheries & Fish Hatcheries

22 Mr. Van Wagenen stated that Mr. Mike Christensen also submitted a letter dated
February 24, 2017, that stated opposition to the request (included in the packet). He then
24 turned the time over the Mr. Sean Monsen representing UIS for comment.

26 Mr. Monsen stated they are not asking for a zoning change or for a particular use
to be approved that has not been going on for the past 30 years. Essentially they are here
28 to express their concerns as they want an indication from the city as to what the future
vision/goals is for their activities for industrial manufacturing in the city. Mr. Monsen
30 stated the General Plan is a vision document that helps inform subsequent zoning
requests for particular uses. Mr. Monsen further stated they want a signal from the city
32 for their vision of industrial manufacturing and their long term plan. He then read part of
a letter from earlier interactions (2016) that the City Attorney sent to them in response to
34 their concerns including a statement indicating the city clearly has a desire that their
operations continue in Lindon and be a part of their long term vision as they provide good
paying jobs and contribute to the overall economy.

36 Mr. Monsen pointed out their business provides hundreds of jobs and pay millions
of dollars in taxes. He understands, and is sympathetic, with citizen concerns with the
38 expansion of industrial, but the situation is that the houses were not in place before these
businesses and these businesses have been here for well over 30 years. They have
40 invested millions of dollars and tax revenue and hundreds of jobs and they did it with the
intention that there would not be houses there. He noted the people buying these houses
42 know the industrial is there and they had a choice knowing the industrial was already
there. Mr. Monsen stated they realize there will be some conflict and they are trying to
44 balance that conflict. He re-iterated that these businesses contribute to the community
greatly.

46 Mr. Monsen pointed out the city acknowledges that there will be that conflict and
they have indicated they will not shut the businesses out and they are looking for

2 direction as to what the long term vision is. He noted Councilmember Bean was at the
4 last Planning Commission meeting and stated at that meeting that he was on the
6 Commission that was involved when the general plan was done in 2011 and he indicated
8 there was not a lot of deliberation between the change or disconnect in zoning and the
10 designation on the General Plan. Mr. Monsen commented he feels this is a perfect time
and opportunity for the city to decide what their long term vision and commitment plan is
for the industrial and manufacturing facilities for the future; that is what they want to
know. He added that he would also like to address any questions during the public
hearing portion of the meeting.

12 Mr. Monsen also noted there were some concerns with a potential conflict with
14 the new Ivory Development and that is why they were here before and the city was good
to mitigate some of those concerns. Chairperson Call called for any public comment at
this time. She pointed out that the Planning Commission hears land use proposals and
does not have the authority to address complaints. Several residents in attendance
16 addressed the Commission as follows:

18 **Melvin Radmall:** Mr. Radmall stated he is an industrial property owner. He then
20 referenced the future planning map and pointed out that the future planning shows his
property will be made into a park and because it shows it as a park he won't be able to
sell it and he doesn't plan on having his property be a park.

22
24 **Jared Johnson:** Mr. Johnson stated he is representing the residents from his Pheasant
Brook neighborhood. He noted they are here tonight to not necessarily oppose the
general plan however as it is right now it benefits them better; they are opposing the
26 codes. He understands that there are three codes: the grandfather code, the mixed
commercial code and the industrial code. Their complaints are if the code was up to
28 today's standard it would give them a stand. They are next to Pheasant Brook Park and
they have a 3 to 4 ft. wall to the mixed commercial. This is not necessarily that they don't
30 want businesses there because they were there first, but they want the current code
enforced. There are issues with wall height restrictions, noise, garbage enclosures and
32 junk, so if we look at the codes as they are written these issues should be taken care of
now. They want to know with the General Plan update do the codes get updated as well
34 and enforced. Either way, if it is mixed commercial or industrial with the codes it is
pretty much the same for them. They are okay with the businesses but it is enforcing the
36 codes that they have an issue with. The only thing they are opposing is if anything
changes can the codes (mixed commercial) be enforced.

38
40 Mr. Van Wagenen clarified the three (3) codes Mr. Johnson mentioned. He
explained when a property comes in and develops with a site plan they have certain
42 regulations they have to meet. When this industrial park went in they had to meet certain
codes but at that point they weren't required to put in a separation wall when they built at
44 that time. Today when they come in they have to put in a 7 ft high wall and a dumpster
enclosure. The way that "grandfathered buildings and sites" for onsite improvements
46 have to meet change in the future is if they are amending the site or changing the use or it
is done through a conditional use permit. So to bring any property up to current codes,
certainly when it comes to noise ordinances, we may need to work to clarify the codes so

2 there is not ambiguity in the future and vet it out. When it comes to the maps themselves
in the mixed commercial or industrial zones in the code there are a lot of the same
4 restrictions so they should be similar. He noted that Pheasant Brook has been there a
long time and was developed under a different set of codes than what is currently on the
6 books. Mr. Johnson asked for clarification between the two zones. Mr. Van Wagenen
referenced the comparison included in the staff report including what types of businesses
8 can operated in the two zones.

10 **Alison Davis:** Ms. Davis gave some perspective why they continue to attend meetings
stating they have tried alternative avenues to get their voices heard and they have called
12 the city with their concerns and they have followed up as directed but nothing tends to
improve. The trouble is they have little control over the tenants in these buildings and
14 what they do on the property. They are not necessarily against this plan they just want a
plan that will help improve the codes and keep them up to date it enforced.

16 **Lani Piccolo:** Ms. Piccolo stated they understand that they have a choice to live here but
18 they didn't know it was grandfathered in code and they assumed it was up to code. This is
beyond their control and they would love to have a 7 ft. wall as a buffer. Some of these
20 businesses are heavy industrial and they don't screen their tenants and they need to take
responsibility for their tenants.

22
At this time, Chairperson Call pointed out as far as what the Commission is doing
24 tonight they are not in the position to look at the codes on these property. Mr. Van
Wagenen confirmed that is not what is on the agenda tonight noting any changes to the
26 code would have to go through a public hearing process.

28 **Clark Olsen:** Mr. Clark stated he is the owner of Utah Pacific Bridge. Mr. Clark stated
he appreciates the conflicts that can and do occur when not having proper buffers. He
30 feels it is important that the residents are here and that they not in opposition to industrial
but just want the codes on the books to be followed and enforced. It sounds like the
32 residents don't want the current businesses gone, but their desire is to look at the general
plan with the hope that the current codes will be enforced. He pointed out there is a
34 better chance of this happening under a new general plan than what is happening now. It
is important to know that when the general plan was changed in 2011 they were not
36 notified or a part of the process or they would have been there. They became aware of the
general plan change in 2015 when the Ivory home plan came about with the buffer being
38 reduced. It comes down to this, does Lindon City want the businesses there (some for 42
years) to prosper and grow or not. Mr. Clark stated when the general plan changes it's a
40 good time to revisit these issues because it affects his decision as a business owner
whether to stay here and expand, pay taxes, employ people and be more prosperous or
42 not. He is hesitant to build more and expand when he has a city that doesn't want him
here and that is reflected in the General Plan. They love Lindon City but frankly he is
44 offended that he wasn't notified of the meetings in 2011 to have these discussions before
it went on the books.

46 Mr. Van Wagenen stated notices are sent out to property owners that were
involved but he cannot speak of who actually received the notices. Mr. Olsen stated if a

2 letter would have been sent to the address of record he would have gotten it because that
4 is his home address. Mr. Clark further stated it is important to address this issue now, as it
6 devalues their businesses because if a future developer/buyer looks at the general plan
they may not buy or come here. None of their businesses can operate in these new zones
and it is not conducive to what they are doing at all.

8 **Melvin Radmall:** Mr. Radmall questioned if the city even knows what these businesses
10 do in the industrial zone and if the city is aware at how much they contribute to the
community.

12 **Bryce Childs:** Mr. Childs is here representing Good Fellow Corporation. He noted he
14 appreciates their residential neighbors and when changes were made to the General Plan
they were not notified either. He pointed out they contribute by building roads and
16 developing and they are concerned with the cities future vision as well.

18 **Julie Christensen:** Ms. Christensen stated their industrial neighbors have made valid
20 points here tonight but they raise their families in Lindon and they want to know what
Lindon is going to be in the future, a “little bit of country” or will it all go industrial.
22 Their property values are important and they need to know what the plan is for the west
side as it will affect their quality of life.

24 Chairperson Call asked if there were any public comments. Hearing none she
called for a motion to close the public hearing.

26 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.
28 COMMISSIONER WILY SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

30 Commissioner Kallas commented that the Master Plan is a visionary plan that
32 may never happen, but on the other hand he feels the vast majority of Lindon residents
don't have an issue with the industrial locations and feel they contribute to the
community and the plan was not meant to send the message to leave. He suggested that
34 the city consider the visionary plan to represent the industrial businesses better. In regards
to the concerns of the residents, he can see their problems and issues and if there are
36 violations of current codes we should work to mitigate those issues.

38 Commissioner Marchbanks agreed with Commissioner Kallas' comments. He
stated he would rather see the document reflect what they are actually doing and using
(business/land owners). He pointed out on the other hand we need to do all we can to
40 enforce the current code and current ordinances. He suggested the residential owners
work together with the business owners to help mitigate some of those issues.

42 Chairperson Call asked Mr. Van Wagenen if there is a way to change the master
44 plan to reflect the actual land use there now (which is being requested by the industrial
users) and what is the process to update the codes to have buffers and protections in place
for the residential owners. Mr. Van Wagenen pointed out any change to the general plan
46 map (vision map) tonight will not do anything directly to the city codes. If there are
violations of the codes that those businesses are governed by, the city should look into

2 and take care of those issues and if there is a request to change those rules by which those
4 businesses are governed by it really only applies to new businesses or those who are
6 expanding the site. Any requests to change the current codes to reflect desires for
8 buffering or mitigation etc., wouldn't necessarily be required of adjacent businesses to
10 meet those standards; certain codes can be enforced, but this request tonight has nothing
12 to do with that issue. Commissioner Wily commented that you cannot go back
14 retroactively so the city, tenants and residents will have to work together to resolve and
16 mitigate these issues. Mr. Van Wagenen stated their department will continue to work
18 with the residents to help enforce the codes.

20 Mr. Clark Olsen suggested that the city be the catalyst between residents and the
22 businesses and go through it completely. It sounds like if the businesses have been there
24 for some time and the code has changed there has to be some willingness to compromise
26 and it needs to come from the city; it would be a good approach.

28 Commissioner Johnson commented that the protections are already in the code
30 but need to be enforced. He also stated, as a business owner, in his opinion he would opt
32 to change it back to the way it was because that was the vision those businesses have had
34 for a long time.

36 Mr. Van Wagenen pointed out the Planning Commission recommendation will go
38 on to the City Council for their final decision (General Plan only) and no notices will go
40 out. He added that he will also sit down with Mr. Johnson and vet out these issues and
42 address their concerns.

44 Commissioner Wily commented that procedurally this application was made a
46 year ago and the applicant was told the Master Plan was up for revision this year and
would be considered and that hasn't happened, so the applicant has brought it back to
have some movement on the request because of no action. He noted what the City
Council will have to decide is if they want to make a change in the master plan (with the
recommendation from the Commission) then they will have to decide procedurally if they
want to do it now or if they want to roll it into the revision that is forthcoming. He
pointed out that the Planning Commission is just making the recommendation to the City
Council.

32 Chairperson Call asked if there were any further questions or comments from the
34 Commission. Hearing none she called for a motion.

36 COMMISSIONER KELLER MOVED TO RECOMMEND TO THE CITY
38 COUNCIL APPROVAL OF THE APPLICANT'S REQUEST TO CHANGE THE
40 GENERAL PLAN DESIGNATION FOR THE LOTS IDENTIFIED IN THE STAFF
42 REPORT TO LIGHT AND HEAVY INDUSTRIAL, RESPECTIVELY, WITH THE NO
44 CONDITIONS. COMMISSIONER MARCHBANKS SECONDED THE MOTION.

46 THE VOTE WAS RECORDED AS FOLLOWS:

| | |
|-------------------------|-----|
| CHAIRPERSON CALL | AYE |
| COMMISSIONER KALLAS | AYE |
| COMMISSIONER MARCHBANKS | AYE |
| COMMISSIONER WILY | AYE |
| COMMISSIONER KELLER | AYE |
| COMMISSIONER JOHNSON | AYE |

THE MOTION CARRIED UNANIMOUSLY.

2

12. **New Business: Reports by Commissioners** – Chairperson Call called for any
4 new business or reports from the Commission.

6

Commissioner Johnson mentioned an issue at Fryer Park (which is a city park) and noted impact fees have been used to pay for it. He mentioned there is a small group
8 of residents who were against putting in a restroom because of concerns about predators etc. and having any more improvements; there are a lot of dynamics. He noted that Heath Bateman handled the meeting very well. He added some residents may be coming to the
10 address the City Council about this issue. There was then some discussion regarding this
12 issue.

14

Chairperson Call asked Councilmember Bean his thoughts on the discussion tonight about the residents’ concerns. Councilmember Bean commented that he is not
16 sure where the Council sits on this issue regarding the history of the general plan. He noted that changes made to a general plan are never made lightly. In 2011 they were made over a long period of time. It is a vision document and the City Council and
18 Planning Commission, then and after, looked at it and ultimately agreed with most of what the Planning Commission wanted to see in 30 years. At this point he sympathizes
20 with the property owners.

22

13. **Planning Director Report** – Mr. Van Wagenen reported on the items listed
24 below followed by general discussion.

24

- Public Safety Building Open House

26

Chairperson Call called for any further comments or discussion. Hearing none she called for a motion to adjourn.

28

ADJOURN –

30

COMMISSIONER KELLER MADE A MOTION TO ADJOURN THE
32 MEETING AT 9:10 P.M. COMMISSIONER JOHNSON SECONDED THE MOTION.
ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

34

Approved – March 14, 2017

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38

Sharon Call, Chairperson

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42

Hugh Van Wagenen, Planning Director