

2 The Lindon City Council held a regularly scheduled meeting on **Tuesday, August 15,**
3 **2006**, beginning with a Work Session at 6:00 p.m., in the Lindon City Center, City
4 Council Chambers, 100 North State Street, Lindon, Utah.

5 Conducting: Jeff Acerson, Mayor

6 **WORK SESSION** – 6:00 p.m.

7 **PRESENT**

8 **ABSENT**

9 Jeff Acerson, Mayor

Lindsey Bayless, Councilmember

10 Eric Anthony, Councilmember – *arrived at 6:26 p.m.*

11 H. Toby Bath, Councilmember

12 Bruce Carpenter, Councilmember

13 Jerald I. Hatch, Councilmember

14 Ott H. Dameron, City Administrator/Recorder

15 Adam Cowie, Planning Director

16 Debra Cullimore, Deputy Recorder

17 The meeting began at 6:05 p.m.

18 **DISCUSSION** – *The Mayor and City Council will meet in a work session with staff to*
19 *review the city's sign ordinance, Title 18 of the Lindon City Code.*

20 Mr. Cowie explained that elements of the sign ordinance were reviewed at the
21 request of the Council. He presented possible variations to white vinyl two rail fence
22 required for all new businesses on State Street and 700 North. Mr. Cowie noted that
23 current fencing requirements may obscure visibility of signage from State Street. Mr.
24 Cowie presented several examples of fencing and signage along State Street, including
25 Alpine Transition and Employment Center, DataPad, and Southtowne Mall.

26 Mr. Cowie discussed current ordinance requirements. Specific elements
27 discussed included berming, fence location, and landscaping elements. Mr. Cowie noted
28 that there will be slight variations to specific landscaping and fencing requirements on
29 700 North.

30 Councilmember Bath suggested that required trees in the area of signage be
31 relocated to allow better visibility. Mr. Cowie noted that current ordinance allows trees
32 within forty feet of signage to be moved to another location on the site to allow better
33 visibility of signage with no net loss of trees.

34 The Council went on to discuss possible variations in fencing in relation to
35 signage to allow clear view of signage from the street. Mr. Cowie noted that current
36 ordinance allows a three foot berm along the property frontage with signage placed on
37 top of the berm. Councilmember Carpenter suggested the possibility of angling fencing
38 behind signage. Mayor Acerson felt that installation of fencing in sections with a break
39 to accommodate signage may be a better solution. Councilmember Bath suggested the
40 possibility of placing monument signs closer to the street rather than placement on top of
41 a berm behind the fence.

2 The Council went on to discuss options for the sign on the east site of Utah Auto
Sales. Mr. Cowie presented photographs of the site, which show the existing sign
partially obscured by trees on the site. Mr. Dameron noted that trees within forty feet of
4 the sign can be relocated to another location on the site. Mr. Cowie noted that the owner
of Utah Auto Sales, Kevin Gallagher, agreed to installation of a sign which did not
6 exceed six feet in height and would not be more than 36 square feet in overall size.
Mayor Acerson noted that if Mr. Gallagher were allowed to place the sign in front of
8 required fencing, excessive height would not be necessary. Following further discussion,
it was the general feeling of the Council that breaks in fencing could be allowed to
10 accommodate visibility of signage from the street.

12 Mr. Cowie observed that due to the meandering sidewalk in the Old Station
Square development, fencing will be installed in sections. He suggested that some
flexibility regarding fencing be allowed on site plans. Councilmember Bath suggested
14 that fencing be installed as consistently as possible, but that site plans be reviewed on a
case by case basis. Mr. Cowie suggested that ordinance requirements be changed to
16 specify installation of fencing in the twenty foot landscaping strip rather than specifically
two feet behind the sidewalk.

18 Mr. Cowie went on to discuss flag type signs which have appeared at auto
dealerships on State Street. He presented photographs of various flags currently
20 displayed at dealerships which include advertising elements. He asked the Council for
direction on classification of these flag type signs. Mr. Cowie explained that current
22 ordinance allows display of three flags on flag poles on any site, or display of temporary
banner signs for thirty days per calendar year. The Council reviewed the definition of
24 banner as specified in City code, and determined that based on the definition found in the
code, the signs in question would meet the definition of temporary banner signs,
26 allowable for thirty days per calendar year. Mayor Acerson observed that the nature of
car dealerships is to use ongoing promotions as sales tools. Councilmember Hatch felt
28 that some compromise should be reached to maintain the appearance of the commercial
corridors while allowing the use of promotional tools by car dealerships. Mayor Acerson
30 suggested that it may be beneficial to meet with the owners of dealerships in order to
work cooperatively to address the concerns of the City and the business owner. Mr.
32 Dameron noted that Bill Fairbanks, owner of the South Towne Mall, has also requested to
provide input regarding signage and fencing requirements. Councilmember Anthony
34 noted that it may not be appropriate to apply specific standards to car dealerships. He felt
that requirements should not be specified by business type, but should be applied to all
36 businesses.

38 Mr. Cowie requested direction from the Council regarding landscaping berms on
700 North. He stated that a full twenty foot landscape area will not be available on 700
North, and that a three foot berm in a narrower strip may create an excessively steep
40 slope. Mr. Cowie suggested that Mr. Christensen draw various cross sections for review
by the Council.

42 Mr. Cowie will draft potential changes to the sign ordinance and present options
to the Council for further review and discussion.

44 **REGULAR SESSION** – 7:00 p.m.

Conducting: Jeff Acerson, Mayor
2 Pledge of Allegiance: Jerald Hatch
Invocation: Toby Bath

4
6 The meeting was called to order at 7:00 p.m.

8 **MINUTES** – The minutes of the regular meeting of August 1, 2006 were reviewed.

10 COUNCILMEMBER BATH MOVED TO APPROVE THE MINUTES OF THE
AUGUST 1, 2006 MEETING. COUNCILMEMBER ANTHONY SECONDED THE
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

12 **OPEN SESSION** –

14
16 Mayor Acerson invited comments from any resident present who wished to
address an issue not listed as an agenda item. Jim and Pam Dain approached the Council
and expressed appreciation for the honor recently bestowed upon them as Grand
18 Marshals of the Lindon Days Celebration. Mayor Acerson and the Council expressed
appreciation to Mr. and Mrs. Dain for their contributions to the community.

20 **MAYOR'S COMMENTS/REPORT** –

22 Mayor Acerson gave no report at this meeting.

24 **CONSENT AGENDA** –

26 No items.

28 **CURRENT BUSINESS** –

- 30
32 1. **Design Review** – *Liberty Land Fun Center*. This is a request by Jerry Bradshaw
for the Mayor and City Council's review and feedback relative to a proposed
34 small scale amusement park with miniature golf, go-carts, fair rides, batting
cages, arcades, etc. located on a five acre parcel at approximately 2500 West 400
36 North. Due to the cancellation of the Planning Commission meeting of August 9,
2006, the Planning Commission has not yet held a design review for this item.
The applicant requested a Council review first with the Planning Commission's
38 review scheduled for August 23, 2006.

40 Jerry and Lauralee Bradshaw were present to address the Council regarding this
item. Mr. Cowie explained that this is a design review, and that no motion is necessary.
42 He reviewed the proposal submitted by Mr. Bradshaw for a small amusement park
facility on a five acre parcel in the CG zone. The business is expected to include
44 amenities such as batting cages, go-carts, and miniature golf. Mr. Cowie noted that
recommended changes to the Standard Land Use Table list go-carts as not permitted in all
46 zones, but that those changes have not yet been approved by the Council.

2 Mr. Cowie noted that the proposed site borders several Master Planned roadways,
and that typical development requirements include bonding for future roadways.
4 Councilmember Anthony inquired as to whether the future expansion of the I-15 corridor
would affect this property. Mr. Cowie stated that the I-15 expansion will remain in the
UDOT right-of-way, and should not have a significant impact on this property.
6 Councilmember Anthony noted that he felt that it is important that the applicant be made
aware of the potential impact of future I-15 expansion. Mr. Bradshaw stated that he is
8 aware of the possibility of a future I-15 expansion.

10 Mr. Bradshaw stated that he has looked at several sites in various cities to find a
parcel that meets the needs of the business. He compared the proposed amusement park
to the Boondocks facility located near the point of the mountain in Draper. Mr.
12 Bradshaw asserted that the proposed facility will provide positive entertainment
opportunities for families. Mr. Bradshaw went on to explain various aspects of the
14 proposed business. He stated that the park will be constructed around the theme of
“Liberty Land” with various American symbols such as Mt. Rushmore, The Liberty Bell,
16 and the Statue of Liberty. He stated that planned amenities include rock climbing, kiddy
rides, themed miniature golf, and go carts. He explained that his wife is a professional
18 sculptor, and will do much of the design work for the amusement park. Mr. Bradshaw
also noted that the park will be professionally landscaped and will include water features.

20 Mr. Bradshaw noted that it appears that the biggest challenge for the project is the
approval of go-carts. Councilmember Hatch suggested that the proposed go-cart track is
22 not comparable to the facility previously located in the City. He observed that the
proposed go-carts for this facility are recreational in nature as opposed to the race track
24 facility which was located in the same area of the City. Councilmember Anthony
inquired as to the target demographic for the go-carts. Mr. Bradshaw stated that there
26 will be two tracks, one of which will be appropriate for young children and one of which
will be suitable for older children, teens, and adults.

28 Mrs. Bradshaw explained that they plan to incorporate an incentive program
related to school grades which would allow discounts based on report cards. She also
30 explained that the facility could be appropriate for school field trips due to the historic
nature and theme of the facility. Mr. Bradshaw noted that historical facts and trivia will
32 be located on plaques throughout the facility and that there will be an educational element
included in the overall design of the park. He also noted that the facility will be designed
34 to accommodate group activities, such as birthday parties.

36 Mayor Acerson asked if the proposed water features would be used for
swimming. Mr. Bradshaw stated that water features will be decorative in nature only,
and will not be used for swimming. Councilmember Bath asked if there are any planned
38 food concessions. Mr. Bradshaw stated that simple food concessions which would
include soft drinks, candy, and other prepared foods will be available.

40 The Council went on to discuss the specific location of the proposed facility.
Councilmember Anthony asked if the proposed site is located in the shared taxing district
42 area. Mr. Cowie stated that it is in the shared taxing district. Councilmember Anthony
suggested that it would be necessary to carefully consider whether this proposed use
44 matches the vision for the common taxing area, and whether this specific location would
be appropriate for this use. Mr. Dameron asked Councilmember Hatch if the landfill

board may be interested in selling any property. Councilmember Hatch stated that the landfill board may be interested in selling property.

The Council then discussed the possibility of allowing go-carts on this particular site. Mr. Bradshaw explained that the vehicles operate at much lower decibels than racing go-carts. Mr. Cowie noted that uses which are listed as not permitted in the Standard Land Use Table can be allowed as an accessory use to permitted uses if the not permitted use constitutes 20% or less of the business. Mayor Acerson asked Mr. Cowie for a staff recommendation regarding this use on this site. Mr. Cowie stated that there has been extensive discussion regarding potential high end retail or office type uses in this area. He expressed concern about the compatibility of this use with surrounding uses. Mayor Acerson suggested that this use may be compatible with the hotel and convention center proposed near this site in Pleasant Grove.

Mr. Bradshaw requested direction from the Council regarding potential approval for this use. He noted that it is important that he purchase the property as soon as possible, and that he does not want to purchase the property if the use will not be approved by the City. Mr. Dameron stated that typically, projects are not approved until appropriate applications are submitted and required reviews are completed by the Planning Commission and City Council. Mayor Acerson suggested that Mr. Bradshaw make the sale contingent upon approval from the City for the project. Mr. Bradshaw asked the Council for a "general feeling" regarding the project. The Council expressed that they would like to see the park in the City, but that this site may not be the appropriate location. Councilmember Carpenter noted that amusement parks are a conditional use in all zones, and that there may be specific requirements placed on the project if approved. City staff as well as the City Council encouraged Mr. Bradshaw to explore the possibility of alternate locations. Mayor Acerson concluded by telling Mr. Bradshaw that the Council is not opposed to the concept, but that any commitment on the part of the City would be premature at this time. Mr. Bradshaw thanked the Council for their time and input.

2. **Review and Action** – *Street Pedestrian Improvements Policy*. This is a request by staff for direction from the City Council regarding a policy for evaluating pedestrian improvements to existing City streets relative to an evaluation matrix prepared by the City Engineer. The Council first reviewed this matrix on June 20, 2006. The new matrix considers suggestions from the first review.

City Engineer, Mark Christensen, was present to address the Council regarding this item. Mr. Christensen stated that during previous discussion regarding the proposed Street Pedestrian Improvement Policy, the Council made suggestions regarding elements which could be relevant to prioritization of pedestrian street improvement projects. One suggestion was in relation to the location of City parks on various routes. The other suggestion related to the lack of use in areas which may be in need of improvements to allow safe pedestrian access. Mr. Christensen stated that each of these considerations is now included in the matrix used to prioritize future pedestrian improvement projects. Councilmember Anthony asked Mr. Christensen if the new criteria had been applied to streets already approved for pedestrian improvements. Mr. Christensen stated that the new criteria had not been applied to approved projects, but that most areas approved for

2 pedestrian improvements are located on a primary park access routes. Councilmember
3 Anthony asked if the new criteria had been applied to potential projects on the west side
4 of the City. Mr. Christensen explained that potential projects on the west side have a
5 very low priority for pedestrian improvements due to the low volume of pedestrian traffic
6 in the area. Councilmember Carpenter asked if pedestrian improvements and street
7 improvements will be prioritized simultaneously. Mr. Christensen stated that street
8 improvements and pedestrian improvements will be prioritized independently.

9 Mayor Acerson called for further comments or discussion. Hearing none, he
10 called for a motion.

11 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE STREET
12 PEDESTRIAN IMPROVEMENT POLICY BASED ON THE EVALUATION MATRIX
13 AS PRESENTED BY THE ENGINEER. COUNCILMEMBER ANTHONY
14 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
15 CARRIED.

- 16
- 17 3. **Public Hearing** – *General Plan Review*. The Mayor and City Council have been
18 in the process of reviewing the Lindon City General Plan for several months.
19 Tonight the City Council will again hear public comment concerning the update
20 to the City’s General Plan and possibly act to approve the five year General Plan
21 for Lindon City. The Planning Commission has completed its review of the plan
22 and recommends approval.

23 COUNCILMEMBER CARPENTER MOVED TO OPEN THE PUBLIC
24 HEARINGS TO CONSIDER THE GENERAL PLAN AND THE STANDARD LAND
25 USE TABLE. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL
26 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

27

28 Mr. Cowie requested direction from the Council regarding maps associated with
29 the General Plan. He noted that the Planning Commission recommended a zone change
30 along the 700 North corridor. He observed that specific areas along 700 North are
31 currently zoned MC, and that the Planning Commission felt that some allowable uses in
32 the MC zone would not be appropriate on the 700 North corridor. Councilmember
33 Carpenter noted that there has been some discussion regarding the possibility of mixed
34 use areas along the 700 North corridor. He inquired as to whether those mixed use areas
35 would be appropriate in the MC zone. Mr. Cowie stated that the intent of the mixed use
36 areas would be to locate them in the CG zone. Mr. Cowie explained that all affected
37 property owners have been noticed regarding this potential zone change.

38 Mayor Acerson called for public comment. Lindon resident Ron Anderson owns
39 property in the area of the proposed zone change. He stated that Mr. Cowie has
40 explained the proposed zone change, and that he is not necessarily opposed to the change.
41 He noted that the original intent of the MC zone was as a buffer between the LI and CG
42 zones. Mr. Anderson stated that it is a justifiable concern that some MC uses may not be
43 compatible on the 700 North corridor with CG uses. Mr. Anderson suggested that some
44 uses which the Planning Commission recommended be removed from the MC zone if left
45 on the 700 North corridor, such as warehousing, could be included as approved uses if
46

the MC zone is removed from the 700 North corridor to allow more uses in the MC zone. Mr. Anderson noted that Mr. Cowie is aware of uses which the Planning Commission recommended for removal from the MC zone which could be included if the 700 North corridor is rezoned to be exclusively CG. Mayor Acerson called for further public comment. There was no further comment.

Mr. Cowie recommended that the Council make a motion regarding rezoning of the 700 North corridor to be exclusively CG.

COUNCILMEMBER CARPENTER MOVED TO AMEND THE GENERAL PLAN MAPS TO REZONE ALL MC ZONE AREAS ON THE 700 NORTH CORRIDOR TO CG ZONE. COUNCILMEMBER HATCH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mr. Cowie went on to discuss the Streets Master Plan. He noted that a connection on 400 North is shown to create a four way intersection with State Street. Mr. Cowie has contacted UDOT officials to determine whether the State Street entrance to Gillman Lane could remain open if the future Master Planned roadway is completed. UDOT has informed Mr. Cowie that the Gillman Lane entrance from State Street would be closed if the Master Planned roadway is constructed. A connection from Gillman Lane to 400 North would be necessary if the 400 North roadway is completed. Mr. Cowie stated that the Master Planned roadway may be beneficial to traffic circulation in the area. He also noted that this particular road has been shown on the Master Plan since approximately 1968. Councilmember Carpenter noted that the Fellowship Bible Church, which is located in the Master Planned roadway right-of-way, is currently raising funds for expansion of the church facility. He suggested that the church be contacted regarding possible relocation to the south of the current site prior to expansion in order to accommodate the Master Planned roadway.

Mayor Acerson called for public comment. Lindon resident, Gary Thornton, owns property east of State Street which would be affected by completion of the Master Planned roadway. Mr. Thornton expressed concern regarding potential negative impact to his property value if the roadway is completed, due to the residential zoning on the property. He asserted that the property would not be a desirable residential area if it is located on a main traffic corridor. Mr. Dameron informed Mr. Thornton that zone lines can be altered on the property if appropriate. Councilmember Bath felt that the most logical course of action would be to extend the CG zone the length of the corridor. Mr. Cowie noted that it is necessary to notice neighboring property owners and hold a Public Hearing to facilitate the requested zone change. Following required noticing, the requested zone change will be reviewed by the Planning Commission, and a recommendation will be made to the City Council. Mr. Cowie noted that the process will take several weeks to complete. Councilmember Carpenter observed that rezoning of the area to CG would be appropriate due to the proximity of the property to State Street. Mayor Acerson noted that there is no guarantee that the zone change will receive approval, but that the City will proceed with the required process.

COUNCILMEMBER HATCH MOVED TO HOLD APPROPRIATE PUBLIC HEARINGS REGARDING PROPOSED ZONE CHANGES FROM MC TO CG

2 ALONG THE 700 NORTH CORRIDOR, AND FROM R1-20 TO CG ON THE
3 THORNTON PROPERTY ADJACENT TO STATE STREET AS DISCUSSED.
4 COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT VOTED IN
5 FAVOR. THE MOTION CARRIED.

6 Mr. Cowie went on to discuss proposed road realignments on Lindon's 800 North,
7 which will realign the boundary with Pleasant Grove. Mr. Cowie explained that the
8 realignment will move the future crossing of the Murdock Canal to the south, which will
9 have some impact on the southwest corner property at the intersection of 400 East and
10 800 North. Mr. Dameron noted that Pleasant Grove and Lindon are considering
11 adjustments the entire length of the road to create a consistent boundary. Mr. Cowie
12 stated that affected residents have been notified, and that some property will be purchased
13 by the City to facilitate the realignment. The Council reached consensus that the
14 proposed realignment would be appropriate.

15 Mr. Cowie stated that the Anderson family has requested consideration regarding
16 including a new Master Planned roadway from 700 North on the west side of the City
17 east of the Fieldstone Homes development. He invited Ron Anderson to explain the
18 intent of the proposed roadway. Mr. Anderson explained that they felt additional access
19 to the property in question may be beneficial. He further explained that the General Plan
20 is reviewed only every five years, and that this may be the appropriate time to include the
21 proposed road to allow adequate access as property develops in the future.
22 Councilmember Anthony inquired as to what type of solicitations the Anderson's have
23 received regarding development of the property. Mr. Anderson stated that the majority of
24 calls are in reference to residential development of the property.

25 City engineer, Mark Christensen, stated that roads currently shown on the Master
26 Plan create adequate circulation, and that there would not be any significant benefit to
27 including this proposed road on the Master Plan. Mr. Dameron noted that a full
28 intersection is shown on the Master Plan at the end of 700 North. Mr. Christensen
29 explained that the intersection would maximize access to adjacent lands, and that the
30 need for additional roads would be dependant on the type of future development on the
31 corridor. Councilmember Carpenter suggested that additional roads be considered at
32 such time as the type of development in the area is determined. The Council reached
33 consensus to not include the proposed road at this time, but to review the possibility as
34 the area develops.

35 Mr. Cowie requested discussion regarding the parks and trails Master Plan map.
36 He noted that there have been several minor adjustments to proposed trail routes. Mr.
37 Cowie noted that a striped bike lane has been added on 600 North. He also noted that a
38 connection from Hollow Park to 200 East was eliminated due to sight distance concerns.

39 Mayor Acerson called for public comment regarding proposed parks and trails
40 sections. Charlene Aston requested clarification regarding a trail section shown on her
41 property. Mr. Cowie explained that trails are shown on the Master Plan in a general
42 location, but there is flexibility regarding the final location of trails. Councilmember
43 Anthony noted that the Council has come to an understanding that private property will
44 not be condemned to facilitate construction of trails sections, and that any property
45 acquired from private land owners will typically be the result of an agreement between
46 the property owner and the City. Councilmember Carpenter stated that the intent of the

2 trails system to create adequate pedestrian access to parks, and that the Master Plan maps
show various options to create the desired access. Ms. Aston stated that she is willing to
work with City regarding trails sections in appropriate and feasible areas in the future.

4 Ron Anderson requested clarification regarding proposed trail sections on the
west side of the City in industrial areas. Mr. Cowie explained that there may be some
retrofitting in the industrial areas, but that pedestrian accesses will be installed using the
existing right-of-way without additional property dedication.

8 Councilmember Bath expressed concern regarding the maps attached to
the environmental element of the General Plan. He stated that he has received feedback
10 from property owners regarding concerns related to potential wetlands areas on
respective properties. He noted that wetlands areas can create a significant financial
12 impact for property owners as properties develop. Mayor Acerson noted that many
property owners built on lands which they did not perceive to be wetlands. Mr. Cowie
14 explained that the City adopted a modified version of the National Wetlands Inventory,
and that several properties have been removed from the inventory since April. Mr.
16 Cowie noted that a large portion of the HI zone and the Home Depot area were shown on
the national inventory as wetlands. He observed that wetlands protection has not been
18 enforced in the City, but that the expanded environmental element in the proposed
General Plan addresses protection of existing wetlands areas. Mr. Cowie stated that he
20 would be meeting with a representative of the Army Corp of Engineers the following
week to review and visit mapped wetlands areas and storm water management areas.
22 Councilmember Anthony noted that the City has a legal requirement to establish wetlands
areas and develop a methodology to address wetlands areas. Mr. Cowie stated that
24 approval of projects on known wetlands areas may place the City at risk. Mr. Cowie
stated that there is potential for future penalties if the City continues to allow
26 development on known wetlands. Councilmember Carpenter inquired as to whether there
is any indication that the City is over identifying or under identifying wetlands areas. Mr.
28 Cowie stated that the City is working with the Army Corp of Engineers to better define
the wetlands inventory in the City.

30 The Council went on to discuss specific areas identified on the current map as
wetlands which may affect property values. Councilmember Bath asserted that
32 identification of wetlands may create an unreasonable burden on property owners. Mr.
Dameron noted that it has been the practice of the City to mitigate potential impacts
34 without the involvement of the Army Corp of Engineers. Mr. Cowie asserted that
developers are now required to acquire erosion control permits if an area over one acre is
36 disturbed. Developers are also required to install trail sections and sidewalks. He noted
that such improvements were not required ten years ago, and that identification and
38 enforcement of wetlands areas is a sign that the City is taking a progressive stance
regarding environmental protection. Following further discussion, it was the feeling of
40 the Council that the Wetlands Inventory Map should not be included in the General Plan
until such time as wetlands areas are more accurately identified. Mayor Acerson
42 suggested that the City take a common sense approach to wetlands issues. He noted that
federal agency may take restrictions to an unreasonable level.

44
46 COUNCILMEMBER CARPENTER MOVED TO CLOSE THE PUBLIC
HEARING TO CONSIDER THE 2006-2010 GENERAL PLAN. COUNCILMEMBER

2 HATCH SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE
MOTION CARRIED.

4 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE 2006-2010
GENERAL PLAN AS PRESENTED WITH THE FOLLOWING CHANGES:

- 6 1. THAT THE AREA ALONG 700 NORTH CURRENTLY ZONED MC
BE REZONED TO CG AS DISCUSSED.
- 8 2. THAT THE PROPERTIES CURRENTLY ZONED RESIDENTIAL IN
10 THE VICINITY OF THE MASTER PLANNED 400 NORTH
ROADWAY WEST OF LOS HERMANOS SOUTH OF GILLMAN
12 LANE SOUTH TO LAKEVIEW ROAD BE REZONED CG ON THE
GENERAL PLAN MAPS. (See attachment)
- 14 3. THAT THE STREET MASTER PLAN MAP REFLECT THE
CONFIGURATION OF 800 NORTH AS DISCUSSED.
- 16 4. THAT THE ENVIRONMENTAL SECTION NOT INCLUDE
WETLANDS MAPS AND THAT ANY REFERENCES TO THE
18 WETLANDS MAPS BE DELETED UNTIL SUCH TIME AS A
CURRENT WETLANDS INVENTORY IS ADOPTED.

20 COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT VOTED IN
FAVOR. THE MOTION CARRIED.

- 22 4. **Public Hearing** – *Standard Land Use Table Review*. The City Council will hear
24 public comment and possibly act to approve changes to the City’s Standard Land
Use Table. The Planning Commission has completed a thorough review and
26 recommended approval.

28 Councilmember Carpenter suggested that any items which were removed as
approved or conditional uses in the MC zone due to the location of the MC zone on the
30 700 North corridor be replaced in the MC zone as appropriate. Mr. Cowie stated that
such uses would be reflected in the manufacturing and wholesale trades section of the
Standard Land Use Table, and that he will make appropriate corrections.

32 The Council discussed permitted bed and breakfast facilities in the residential and
commercial zone, noting that the distinction in zones is based on the size of the facility.
34 The Council also discussed pay day loan and check cashing services. The Planning
Commission recommended that such services be not permitted in all areas. Mr. Cowie
36 noted that one check cashing facility is currently located on State Street as a Conditional
Use, but that no other pay day loan or check cashing facilities will be permitted in the
38 City. Councilmember Anthony expressed concern regarding precluding competition
from similar businesses if no other similar businesses are allowed. Mr. Cowie noted that
40 numerous businesses of a similar nature are located in neighboring communities.

42 Mr. Cowie noted that the Planning Commission recommended that ATV,
motorcycle, and go-carts tracks be a not permitted use in all zones. Councilmember
Carpenter inquired as to whether private non-commercial facilities are subject to these
44 restrictions. Mr. Cowie stated that the Standard Land Use Table is intended to address
commercial facilities which serve the public.

2 Mr. Cowie inquired as to whether the Council would like to include a recycling
3 section in the Standard Land Use Table. He noted that a wide range of recycling uses
4 could be included. Councilmember Carpenter stated that he felt it would be beneficial to
5 include recycling uses in the Standard Land Use Table. The Council made
6 recommendations for specific considerations for a recycling section. Mr. Cowie stated
7 that he will address a recycling section and forward it to the Council for review and
8 approval.

8 Mayor Acerson called for public comment. There was no public comment.

9 The Council went on to discuss whether car dealerships should be permitted on
10 the 700 North commercial corridor. Mayor Acerson noted that car dealerships are
11 typically in the top ten revenue producers in the City. Councilmember Bath noted that
12 the 700 North corridor would be an appropriate location for car dealerships due to the
13 proximity to the freeway. Councilmembers Anthony, Hatch, and Carpenter felt that car
14 dealerships should not be allowed on the 700 North corridor.

15 Mayor Acerson called for further comments or discussion. There was no further
16 discussion. Mr. Cowie will draft recommended changes for review by the Council at the
17 next regular meeting on September 5, 2006.

18
19 COUNCILMEMBER CARPENTER MOVED TO CONTINUE THE PUBLIC
20 HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE STANDARD
21 LAND USE TABLE. COUNCILMEMBER ANTHONY SECONDED THE MOTION.
22 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

- 23
24 5. **Review and Action** – *Development Agreement – David Fryer, et al.* This is a
25 request by staff and the Fryer family for the Council’s consideration for approval
26 of a Development Agreement which memorializes the particulars concerning the
27 Fryers’ development of property at approximately 200 east 800 North.

28
29 Mr. Dameron explained that the development agreement reflects agreements
30 made between the City and the Fryer family during previous discussion regarding this
31 development. He asked the Council if there were any concerns or questions regarding the
32 agreement. Hearing none, Mayor Acerson called for a motion.

33
34 COUNCILMEMBER CARPENTER MOVED TO APPROVE THE
35 DEVELOPMENT AGREEMENT BETWEEN LINDON CITY AND THE FRYER
36 FAMILY. COUNCILMEMBER BATH SECONDED THE MOTION. ALL PRESENT
37 VOTED IN FAVOR. THE MOTION CARRIED.

- 38
39 6. **Review and Action** – *Re-appointment of Board of Adjustments.* This is a request
40 by staff for the re-appointment of the members of the Board of Adjustments. The
41 re-appointments are necessary due to the expiration of the terms of appointment
42 of some of the members. The terms are for five years and will be appointed from
43 the expiration date of each member’s term of office.

44
45 Mayor Acerson called for comments or questions from the Council. Hearing
46 none, he called for a motion.

2 COUNCILMEMBER HATCH MOVED TO APPROVE THE
REAPPOINTMENT OF THE BOARD OF ADJUSTMENTS AS PRESENTED.
4 COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

6 **COUNCIL REPORTS –**

8 **WATER, SEWER, SOLID WASTE, HOUSING CONSORTIUM –**

10 Councilmember Hatch stated that a resident contacted him regarding the condition
12 of a vacant home located on Center Street across from Lindon Elementary.
Councilmember Hatch noted that another resident asked whether there is any area on 800
14 West where installation of the trail system will require 18 additional feet of property. He
was uncertain of the exact location the resident was concerned about. Mr. Dameron
16 suggested that Councilmember Hatch instruct the resident to contact the City with
specific questions or concerns.

18 **TRAILS, PLANNING, ZONING, BD. OF ADJUSTMENTS, ADMINISTRATION –**

20 Councilmember Bayless was not present at the meeting.

22 **PUBLIC SAFETY, COURT, BUILDING INSPECTIONS –**

24 Councilmember Bath had no items to report.

26 **PARKS, RECREATION, ENGINEERING, LINDON FAIR, NEWSLETTER –**

28 Councilmember Anthony noted that he is pleased with the outcome of the Lindon
30 Days activities. He also inquired as to the time frame for scheduled pedestrian
improvement projects. Mr. Dameron invited Councilmember Anthony to attend
32 engineering coordination meeting to discuss scheduled projects.

34 **GENERAL PLAN, STREETS AND SIDEWALKS, PUBLIC BUILDINGS –**

36 Councilmember Carpenter commented on information provided to the Council
regarding potential pedestrian improvements near schools in the City. He noted that
38 future trails will provide safe pedestrian access to many schools in the City, but that some
additional improvements may be appropriate as funds become available.

40 Councilmember Carpenter also reported on a recent meeting of the common
taxing district committee. He stated that Pleasant Grove has agreed to provide
42 information regarding the possible financial impact of the proposed hotel and convention
center located in the common taxing district. Councilmember Carpenter explained that a
44 separate committee will be formed to discuss confidential financial and real estate
transactions. The City Council for both cities will be kept apprised of the status of
46 proposed projects in the district.

2 Councilmember Carpenter commented on information concerning the completed
feasibility study regarding the creation of a new school district. Mr. Dameron informed
4 the Council that Orem City Manager, Jim Reams, contacted him to invite the Council to
attend a joint meeting on Thursday, August 17 to receive a report on the feasibility study.
6 Mr. Dameron stated that the meeting will be properly noticed to allow Councilmembers
to attend if they choose. Mr. Dameron noted that Orem City Council will make a
8 decision regarding placement of the issue on the ballot in November on Tuesday, August
22, and that a special meeting should be scheduled for the Lindon City Council to take
10 action on the issue on August 23, 2006 in order to meet required deadlines for placing the
issue on the ballot.

12 Councilmember Carpenter suggested that the Pastor of the Fellowship Bible
Church be contacted to discuss various possibilities for relocation of the church in order
14 to accommodate the Master Planned roadway which would bisect the current location of
the church. He noted that the church is planning an expansion, and that relocation prior
16 to expansion may be appropriate if an acceptable arrangement can be made. Mr.
Dameron will contact the Pastor of the church to initiate discussion.

18 **ADMINISTRATOR'S REPORT** –

20 Mr. Dameron reported on the following items:

- 22 1. Engineering coordination meeting will be held August 16, 2006 at noon.
Councilmember Bath and Councilmember Carpenter will attend.
- 24 2. An update meeting for sewer lines will be held August 21, 2006 at 3:00.
- 26 3. A special meeting to make a decision regarding the placement of a potential new
school district on the ballot for the November election was scheduled for
Wednesday, August 23, 2006 at 6:00 p.m.
- 28 4. Information on an ordinance to allow electronic meetings will be presented to the
Council during the September 5, 2006 meeting.
- 30 5. The Council reviewed the project tracking list.
- 32 6. Recycling accounts have dropped to 355. Mr. Dameron noted that pick up of
recycling materials has been inconsistent. He explained that the City is working
34 with BFI in an effort to resolve scheduled pick up issues.
- 36 7. Paving is complete on 700 North, and landscaping is currently being installed in
the median areas. Ribbon cutting for the road is expected to take place in late
September. The signal light is being installed concurrently, and should be
38 completed at approximately the same time.
- 40 8. The Utah League of Cities and Towns conference will be held on September 13,
14, 15.
- 42 9. Required annual LUDMA training will be presented to the City Council, Planning
Commission, and Board of Adjustments on Wednesday, October 11, 2006 at 6:00
p.m.
- 44 10.

44 COUNCILMEMBER BATH MOVED TO APPROVE THE PAY VOUCHERS.
46 COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL PRESENT
VOTED IN FAVOR. THE MOTION CARRIED.

2 **ADJOURN** –

4 COUNCILMEMBER CARPENTER MOVED TO ADJOURN THE MEETING
6 AT 11:30 P.M. COUNCILMEMBER ANTHONY SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

8 APPROVED – September 5, 2006

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Ott H. Dameron, City Administrator/Recorder

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Jeff Acerson, Mayor