

2 The Lindon City Planning Commission held a regularly scheduled meeting on  
3 **Wednesday, August 22, 2007**, beginning at 7:00 p.m. in the Lindon City Center, City  
4 Council Chambers, 100 North State Street, Lindon, Utah.

5 Conducting: Jim Peters, Chairperson

6 Invocation: Mark Johnson

7 Pledge of Allegiance: Jim Peters

8 **PRESENT**

**ABSENT**

10 Jim Peters, Chairperson

12 Ron Anderson, Commissioner

Matt Bean, Commissioner

14 Julie Bryner, Commissioner

Gary Godfrey, Commissioner

16 Mark Johnson, Commissioner

Ken Miller, Commissioner

18 Adam Cowie, Planning Director

Debra Cullimore, City Recorder

20 The meeting was called to order at 7:05 p.m.

22 **APPROVAL OF MINUTES** – The minutes of the meeting of July 25, 2007 were  
24 reviewed.

26 COMMISSIONER MILLER MOVED TO APPROVE THE MINUTES OF THE  
28 JULY 25, 2007 MEETING. COMMISSIONER BRYNER SECONDED THE MOTION.  
ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

30 **PUBLIC COMMENT** -

32 Chairperson Peters called for comments from any resident present who wished to  
34 address an issue not listed as an agenda item. There was no public comment.

**CURRENT BUSINESS** –

- 36
- 38 1. **Public Hearing** – *General Plan Review & Action – 400 North/State Street*  
40 *Connection*. This is a City initiated review of the Lindon City Street Master Plan  
42 Map as found in the current Lindon City General Plan, including specific review  
44 of the potential 400 North extension to the west side of State Street, which would  
46 also include the future realignment of the east end of Gillman Lane. The City  
Council requested that the Planning Commission review this proposed roadway  
connection to determine if it should remain on the Street Master Plan Map or if it  
should be removed from the document. Any recommendation will be forwarded  
to the City Council for a final decision.

2 COMMISSIONER GODFREY MOVED TO OPEN THE PUBLIC HEARING  
TO CONSIDER A POSSIBLE GENERAL PLAN AMENDMENT REGARDING THE  
POTENTIAL 400 NORTH EXTENSION WEST OF STATE STREET.

4 COMMISSIONER MILLER SECONDED THE MOTION. ALL PRESENT VOTED IN  
FAVOR. THE MOTION CARRIED.

6  
8 Chairperson Peters explained to residents present at the meeting that Planning  
Commissioners are appointed to serve and represent citizens regarding development  
issues. He noted that all Commissioners are residents of Lindon, and that decisions affect  
10 them as well. He requested that as public comment is taken regarding this issue, all  
residents be given an equal opportunity to present their views. He also requested that  
12 similar comments not be repeated, but encouraged residents to present any new  
information regarding this issue. He then asked Mr. Cowie to review the history of the  
14 400 North extension west of State Street.

16 Mr. Cowie explained that the City Council held a meeting approximately a month  
ago where this issue was discussed at length with residents. Surrounding property  
owners within 300 feet were noticed by mail prior to that meeting. He noted that there  
18 was a significant amount of opposition to leaving the roadway on the Master Plan map  
expressed during the meeting. As a result of that discussion, the City Council directed  
20 staff to bring the issue to the Planning Commission for discussion and review, and to  
make an official recommendation to the City Council as to whether the street should be  
22 left on the maps or removed.

24 Mr. Cowie explained that this meeting was heavily noticed, including required  
legal noticing in the newspaper, direct notices to property owners within 300 feet of the  
proposed roadway, signs posted in various locations in the City with flyers attached, in  
26 addition to information in the City newsletter and on the City web site.

28 Mr. Cowie went on to review the history of the street as shown on the Streets  
Master Plan map. He stated that the corridor was shown on the General Plan map from  
1968 until 1995. The General Plan maps for 1996 to 2000 show only arterials, and the  
30 roadway is not shown on those maps. In 2000, the 400 North extension was again placed  
on the Streets Master Plan map, and was kept on the maps in the 2006 General Plan.  
32 During review of the 2006 General Plan, UDOT informed the City that if the 400 North  
roadway is completed, the Gillman Lane access to State Street would be closed.  
34 Consequently, the City added a connector to Gillman Lane which was approved as part of  
the 2006 General Plan following advertised Public Hearings.

36 Mr. Cowie stated that representatives of the Fellowship Bible Church approached  
the City last fall regarding a possible expansion to the existing church facility. The  
38 existing church building is situated in the middle of the 400 North right of way shown on  
the map. Discussion with the church began at that time regarding possible purchase of  
40 the road right of way and property for the future roadway. The church would continue to  
function in the current location until the roadway is constructed at some point in the  
42 future. The City would purchase the church facility if or when the roadway is  
constructed, and a new church facility would be relocated further south on the existing  
44 site. Mr. Cowie noted that construction of the roadway would require a substantial  
amount of money and coordination to complete.

2 Mr. Cowie then reviewed potential 'pros' and 'cons' regarding the roadway. He  
3 explained that the corridor would provide safe access to State Street, particularly left  
4 hand turns, for residents on the west side of State Street. In addition, the lighted  
5 intersection would create a centralized location for east/west traffic movement. The  
6 roadway would also provide safer ingress and egress for Los Hermanos and the  
7 Fellowship Bible Church, which could be accessed from 400 North rather than State  
8 Street. A decrease in cut through traffic would also be expected on Gillman Lane as the  
9 connection was rerouted and State Street access from Gillman Lane terminated. A  
10 potential zone change on the Thornton property from residential to commercial could  
11 increase the value of the property and benefit Mr. Thornton or the future developer of the  
12 property.

13 Mr. Cowie noted that the roadway could potentially be used as an alternative to  
14 State Street to access 1600 North in Orem and the I-15 freeway interchange. He  
15 explained that current population of Lindon is approximately 10,300, with estimated  
16 build out of approximately 17,000. He asserted that the addition of 7,000 residents will  
17 require adequate traffic corridors to provide safe travel routes through the City. A letter  
18 from Captain Cody Cullimore of the Police Department indicates that the roadway may  
19 decrease emergency response times on the west side of the City, and provide safe State  
20 Street access.

21 Mr. Cowie went on to discuss possible negative aspects of the roadway. He  
22 observed that traffic flow on 400 West is expected to increase significantly. He noted  
23 that the City understands that traffic is a major concern, and that appropriate traffic  
24 calming measures can be used to minimize the impact on the surrounding neighborhood.

25 The roadway may present a fairly large burden for future development of the  
26 Thornton property. Mr. Thornton, or the future owner of the property owner would be  
27 responsible to participate in future road development. Mr. Cowie noted that the Thornton  
28 property is currently zoned residential, but that the potential of rezoning the property for  
29 commercial use when the roadway is completed is very high. He presented a map of the  
30 zoning in the area, and the area of the Thornton property which may be considered for  
31 rezoning in the future. Chairperson Peters noted that it is not uncommon for the City to  
32 work with property owners regarding zoning matters as property develops.

33 Mr. Cowie commented that there may be some temporary inconvenience to  
34 surrounding properties, such as the church, during construction of the roadway, but that  
35 construction will not create long term negative impacts.

36 Mr. Cowie then turned the time over to City Engineer, Mark Christensen to  
37 discuss traffic flow estimates and other engineering matters in relation to the roadway.  
38 Mr. Christensen presented a map of the City which showed roadways in Lindon by  
39 functional classification. He explained that roads are classified based on the amount of  
40 traffic flow they are designed to carry. He noted that on one end of the spectrum in the  
41 City, I-15 is intended only to move traffic, and does not provide access to adjacent lands.  
42 On the other end of the spectrum are local streets which are intended to provide access to  
43 adjacent property, but are not designed or intended to carry high traffic volume. Major  
44 collector roads, such as 400 West and 700 North, are near the top end of the spectrum for  
45 municipal roads relative to traffic flow they are designed to carry.

46 Mr. Christensen explained that there is no computer model of traffic volume in  
Lindon, but that traffic studies have been completed on various occasions, and additional

information was obtained from UDOT to formulate traffic flow estimates in relation to the 400 North roadway. He presented an overhead map of current and projected traffic flow on 400 North east of State Street, and on 400 West from 250 North to Lakeview Drive. Current and estimated traffic volumes show an increase in traffic volume.

Mr. Christensen stated that the greatest benefit if the roadway is constructed would be to provide safe northbound State Street access to residents west of State Street. He acknowledged that residents on the east side of State Street will also use the roadway, but that the primary benefit would be State Street access.

Mr. Christensen noted that there are limited possibilities in the City for future traffic lights. He stated that Center Street would be the most likely intersection given current road configurations, but that as a 'T' intersection, it would not likely meet warrants for a traffic control light. He explained that the 200 North intersection consists of local streets on the east and west side of State Street, and that a traffic light is not likely to ever be installed at that location.

Mr. Christensen explained that existing 400 West improvements are, for the most part, adequate to accommodate expected traffic flows. He noted that some minor land acquisition may be necessary to install turn lanes, and that there may be some interest in installing improved pedestrian facilities. He observed that the Parks and Trails Master Plan identifies a future six foot trail on 400 West from Lakeview to 200 South which would effectively address pedestrian safety issues.

Mr. Christensen acknowledged that traffic speed is expected to increase on 400 West. Studies have shown that traffic speed on 400 West is currently in the mid 30 mile per hour range. Traffic speed is expected to increase to the high 30 mile per hour range. He explained that passive restraint traffic calming measure, such as chokers, can be used to effectively slow traffic. He noted that 400 West has been designated as a collector street on the Master Plan maps since 1968, and is designed and intended to move larger volumes of traffic.

Mr. Christensen explained that if 400 West is never completed, State Street access will become more difficult as development occurs and traffic volume increases. Traffic will be transferred to other residential streets, which will result in longer trips by more cars on local streets which were not designed or intended to accommodate high traffic volume. He asserted that the impact on 400 West is not expected to be disproportionate to other collectors in Lindon. Mr. Christensen recommended from a technical standpoint that the road remain on the Master Plan Streets Map.

In closing, Mr. Cowie pointed out that all professional recommendations, including the Planning Department, the City Engineer, and the Police Department indicate that the street should be left on the Master Plan Maps. Chairperson Peters inquired as to an anticipated time frame for construction of the roadway. Mr. Cowie stated that there is currently no construction date. He noted that development of the Thornton property may be a trigger for road construction. However, any agreement with the church will require the City to give up to one year notice before construction. He commented that construction of the road could be started in anywhere from one year to twenty years.

At this time, Chairperson Peters opened the meeting for public comment. The public comment section of the meeting lasted for approximately three hours. Citizen comments are summarized below.

Residents commenting during the meeting were Doug Christensen, Sandra  
2 Christensen, Gary Thornton, Angie Neuwirth, Jim Ottens, Jolene Campbell, Mike  
Marchbanks, Matt King, Erlene Lott, Steve Smith, Michael Tharp, Dennis Wheeler,  
4 Dustin Sweeten, Brian Fruit, Chris Dexter, Troy Strong, Jeff Atkinson, Michael Travis,  
Richard Griffith, LaDawn Edwards, Morgan Hatfield, Judy Martindale, and Suzie  
6 Jewkes.

Doug Christensen explained that he had spoken with approximately 75 Lindon  
8 residents on 400 North, 40 South, Lakeview Drive, and in the Pheasant Brook  
subdivision regarding the roadway. According to Mr. Christensen, only two of the  
10 residents he spoke with were opposed to leaving the roadway on the Master Plan maps.  
Mr. Christensen submitted a petition with signatures of 55 residents who indicated that  
12 they feel the roadway should be left on the Master Plan maps. He felt that the future  
roadway would address safety concerns related to State Street access.

14 Gary Thornton commented that the reason he previously applied for a zone  
change on his property was due to the fact that the roadway bisects his property and  
16 makes residential development unlikely. He felt that he should have received written  
notice regarding the Master Plan map prior to approval of the General Plan due to the  
18 potential negative impact the roadway could have on his property.

Residents speaking against leaving the future roadway on the Master Plan  
20 expressed concern regarding the impact of increased traffic volume and speed in their  
residential neighborhood. They felt that the benefit of the roadway to the community as a  
22 whole would not justify the burden on their neighborhood. Several residents expressed  
concern regarding the roadway in relation to Aspen Elementary School, and the safety of  
24 children using 400 West to access the school. Most residents speaking against the  
roadway live in the area immediately around the future roadway on the west side of State  
26 Street. They expressed that they felt the roadway would not be used by residents on the  
west side of State Street, but would instead be used by east side residents and residents of  
28 neighboring communities as a quick access route to the I-15 freeway. Residents  
suggested the possibility that the revenue which would be used to purchase the right of  
30 way from the church could be used to purchase and install a traffic signal at 200 North. It  
was clarified to residents that the City does not have control over placement of traffic  
32 lights on State Street, and that as a state road, UDOT has jurisdiction over the installation  
and location of traffic lights and access points. Residents also expressed that they felt  
34 estimated traffic volume and speed after the road is constructed have been understated,  
and that the actual impact will be far greater than engineering estimates indicate. One  
36 resident asserted that there may have been some misunderstanding among some residents  
who signed the petition submitted earlier by Mr. Christensen.

38 LaDawn Edwards, President of the Aspen Elementary Community Council  
approached the Commission. Ms. Edwards explained that the school is taking a neutral  
40 position regarding the roadway, and that various members of the Community Council  
have opposing opinions. She observed that one perspective is that children will be safer  
42 if traffic volumes are kept low on 400 West, while an opposing perspective would be that  
children would be safer if the roadway is improved and additional pedestrian facilities  
44 added. Ms. Edwards stated that while the Community Council is taking a neutral  
position, she is hopeful that the City will not eliminate the possibility of the future  
46 roadway unless another plan is developed to create future corridors. She noted that

development will continue in Lindon and in neighboring communities, and that traffic will continue to increase as development occurs.

Michael Tharp, Pastor of the Fellowship Bible Church, introduced himself to the Commission. Pastor Tharp commented that both sides of this issue have expressed valid points and concerns. He stated that the church is taking a neutral position on the road as well. He acknowledged there are positive and negative aspects on both sides of the issue, and that the church will take appropriate action depending on the decision made by the City.

Residents speaking in favor of leaving the road on the Master Plan maps argued that the roadway is necessary to accommodate traffic flow as growth continues in the City. Several of the residents currently reside in Pheasant Brook subdivision. These residents asserted that traffic flow in their residential neighborhood has increased significantly on two occasions. One increase was experienced when Wal-Mart was developed and associated lights installed. The other increase occurred when Lakeview Drive was rerouted. Residents living the Pheasant Brook area felt that their neighborhood is currently being used by residents on the west side of the City to access traffic lights on State Street. They noted that their residential streets are not designed to accommodate high traffic volume safely, and that 400 West is a collector designed and intended to handle higher traffic volume. Several residents living on the east side of the City commented that they may use 400 North occasionally, but that other routes would typically be used to access the I-15 interchange. They felt that residents on the east side of the City would not contribute significantly to the traffic flow on 400 North or 400 West.

Chairperson Peters called for further public comment which would present any new information. There was no additional public comment. He called for a motion to close the public hearing.

COMMISSIONER MILLER MOVED TO CLOSE THE PUBLIC HEARING TO CONSIDER A POSSIBLE GENERAL PLAN AMENDMENT REGARDING THE POTENTIAL 400 NORTH EXTENSION WEST OF MAIN STREET. COMMISSIONER ANDERSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

The Commission then discussed the history of the Master Plan Street maps in relation to the Fellowship Bible Church. Mr. Cowie explained that the street is not shown on the Master Plan in the 1995 General Plan, and that the Fellowship Bible Church was built at approximately the same time. He noted that while the City has been unable to confirm through minutes or other documents that the road was removed specifically because of the church, there may have been some relationship between construction of the church and removal of the street from the maps.

The Commission also discussed possible alternate locations for lighted intersections on State Street. They specifically discussed the possibility of an extension of 550 North west to Geneva Road, and a possible signal and the existing 200 North intersection. The Commission also discussed the fact that the City can not designate traffic light locations, and that UDOT has approval authority over State Street. Commissioner Bryner noted that at the time Lakeview Drive was realigned, UDOT

officials explained that the realignment, which would create a cross intersection with 200 North, would create an appropriate alignment for a future traffic light, but that it was unlikely that traffic flow would ever warrant a light at that location.

Commissioner Bean noted that development of the roadway will be largely contingent on development of the Thornton property. He asked if there is any precedent regarding City participation in development of Master Planned streets. Mr. Cowie explained that the roadway on the Thornton property will be a 66 foot right of way, and that the City may participate in installation of the center 16 feet of asphalt so that the improvement cost to the property owner is the same as installation of a standard 50 foot right of way.

Commissioner Bean observed that before the section of Lakeview Drive was vacated, the same concerns expressed by residents on 400 West regarding this issue may have been the same as concerns of residents on Lakeview prior to the road being rerouted. He noted that 400 West has been a designated collector road since 1968, and that whether it connects to 400 North or not, it will remain a collector road intended to move higher volumes of traffic. He stated that he has some concern about the burden 400 North may place on west side residents, and would like to make sure all other possible alternatives have been explored to provide safe State Street access.

Commissioner Godfrey stated that he shares concerns of residents on the west side of the City who will be impacted if 400 North is constructed. He noted that traffic speed issues could be addressed by enforcing laws which already exist. He observed that the fact that 400 West is designed as a collector street is a factor. He observed that it appears that local streets in Pheasant Brook Subdivision which were not designed to move high volumes of traffic are currently bearing the burden of vehicles from the west side to access State Street at a lighted intersection. Commissioner Godfrey noted that when the Pleasant Grove section of 700 North is completed to the freeway interchange, it is expected to relieve some of the pressure from other routes to I-15. He felt that 700 North would be the logical route for residents on the east side of the City to access the freeway, and that 400 North may not be highly used by east side residents.

Commissioner Godfrey stated that he has the same concerns regarding removing 400 North from the Master Plan that he expressed when considering vacating a section of Main Street several months ago. He noted that the population of the City is expected to nearly double, and that options to provide travel corridors to accommodate increasing traffic flow should not be taken off the table unless other viable alternatives are put into place. He commented that it is not likely that the road will be built in the near future, and that eliminating it as a future option would be irresponsible planning. Commissioner Godfrey pointed out that some years ago, residents on 400 East attended meetings to express similar concerns regarding the connection of 400 East into Pleasant Grove, and the resulting increase in traffic speed and volume. He noted one particular Councilmember at that time chose to serve in that capacity for the purpose of preventing completion of the 400 East road connection. However, after further investigation, the Councilmember realized that Lindon is not an island, and that the traffic corridor was necessary to the community, and "got behind the public good." He noted that there are two sides to the safety issue related to 400 North. He noted that there may be valid concerns on 400 West if the roadway is completed, but that those may be offset by the fact that residents will have safer access to State Street. Commissioner Godfrey

2 encouraged researching other possible alternative to provide necessary traffic routes as  
the community grows. He then thanked residents for taking the time to come out and  
participate in the meeting, and for their calm and well thought out comments.

4 Commissioner Bryner commented that she lives on the east side of the City, and  
that it is unlikely that she would use 400 North to access the freeway on a regular basis.  
6 She felt that residents on the east side of the City would not contribute in a substantial  
manner to an increase in traffic volume on the west side of the City. She agreed that the  
8 700 North corridor will bear some of the burden of Pleasant Grove traffic accessing the  
freeway. Commissioner Bryner stated that she is confident that the Engineers have done  
10 their homework to make accurate projections regarding anticipated traffic flow. She  
stated that she relies on the expertise of the Engineers and their professional opinion.  
12 Commissioner Bryner noted that strong opposition to the road has been expressed by  
some residents, but that there have also been many comments, both verbal and written, in  
14 favor of the roadway. She observed that the Commission is aware of the background of  
State Street and what UDOT will allow on the corridor, and that it is the job of the  
16 Commission to weigh the facts and create safe traffic corridors, including access to State  
Street.

18 Chairperson Peters commented that he is also very concerned about potential  
safety issues for residents. He noted that he lives on a street which was a dead end street  
20 that became a through street, and that traffic calming measures were used to mitigate  
speed problems. He noted that we all want traffic to be routed through someone else's  
22 neighborhood, but that traffic has to go somewhere. Chairperson Peters stated that he has  
the utmost admiration for City staff, and that he relies heavily on information provided by  
24 professionals. He noted that Mr. Cowie has provided a great deal of information for  
consideration, and that Mr. Christensen has provided adequate and accurate information.  
26 He also commented that Captain Cullimore writes a message in the City newsletter each  
month, which usually addresses safety concerns, and that Captain Cullimore is also very  
28 aware of and concerns about safety issues, and shares those concerns. Chairperson Peters  
stated that while he does share concerns regarding this particular traffic alternative, he  
30 feels that it should not be taken off the Master Plan unless other viable routes are  
identified.

32 Commissioner Miller thanked residents for the manner in which they conducted  
themselves during the Public Hearing. He observed that property owners have the right  
34 to develop their property as they see fit, and that further development is inevitable. He  
noted that many opposing views have been expressed during the meeting, but that no  
36 professional opinions have expressed in opposition to the roadway. In addition, he noted  
that the Fellowship Bible Church and Aspen Elementary Community Council are both  
38 taking neutral position on the roadway issue. Commissioner Miller agreed with  
comments made by other Commissioners that taking the roadway off the Master Plan  
40 would be short sighted.

42 Commissioner Johnson stated that his biggest concern is the impact of 400 North  
and the future connector to Gillman Lane on the Thornton property. Commissioner  
Johnson noted that he has lived on Lakeview Drive his entire life, and that the  
44 realignment of that road significantly reduced traffic flow, but that traffic did not go away  
but was pushed to other areas. He felt that a traffic signal at 200 North may be a viable  
46 alternative, and that it may be appropriate for the City to pursue that possibility with

UDOT. He clarified that the City does not have authority to determine the placement of lights, and that it is unclear if UDOT would allow a light at that location.

Commissioner Anderson pointed out that members of the Commission are appointed to their positions rather than elected, and that it is their responsibility to consider issues from a planning stand point, and make recommendations to elected officials. He agreed that traffic on 400 West will increase, but that those effects can be mitigated through enforcement of speed limits and employment of traffic calming measures. He agreed that the realignment of Lakeview Drive has transferred traffic volume onto local streets which were not designed as collectors. He asserted that many of us tend to drive fast on roads outside our own neighborhood, and expect that others will drive slowly in our neighborhoods. He felt that while the roadway does place a significant amount of pressure on the Thornton property, a zoning change could be considered if the roadway is completed or the property develops. Commissioner Anderson agreed that good planning for the future needs of Lindon would leave the street on the Master Plan at this time.

Commissioner Bean noted that purchase of the right of way from the church at this time may put the City at some financial risk. He felt that the City should consider alternate methods of maintaining the right of way through the church property without placing the City at financial risk.

Chairperson Peters called for further comments or discussion from the Commission. Hearing none, he called for a motion.

COMMISSIONER BEAN MOVED TO RECOMMEND TO THE CITY COUNCIL THAT THE 400 NORTH EXTENSION WEST OF STATE STREET REMAIN ON THE MASTER PLAN MAP AS CURRENTLY IDENTIFIED WITH THE FOLLOWING RECOMMENDATIONS:

1. THAT THE CITY COUNCIL CONSIDER THE IMPACT ON THE THORNTON PROPERTY , INCLUDING POTENTIAL FOR COMMERCIAL ZONING, AS THE ROADWAY AND THE CONNECTOR TO GILLMAN LANE ARE CURRENTLY DESIGNED.
2. THAT THE CITY COUNCIL CONSIDER AND EVALUATE THE FEASIBILITY OF OTHER OPTIONS TO PROVIDE STATE STREET ACCESS, SUCH AS A POSSIBLE 550 NORTH EXTENSION WEST TO GENEVA ROAD.
3. THAT THE CITY PURSUE OPTIONS WITH UDOT FOR A TRAFFIC CONTROL LIGHT AT THE 200 NORTH STATE STREET INTERSECTION.
4. THAT THE CITY CONSIDER ALL OPTIONS REGARDING AGREEMENTS TO PURCHASE THE ROAD RIGHT OF WAY FROM THE FELLOWSHIP BIBLE CHURCH TO MINIMIZE POTENTIAL FINANCIAL RISK TO THE CITY.

COMMISSIONER MILLER SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON PETERS	AYE
COMMISSIONER ANDERSON	AYE
COMMISSIONER BEAN	AYE
COMMISSIONER BRYNER	AYE

COMMISSIONER GODFREY                    AYE  
2 COMMISSIONER JOHNSON                AYE  
COMMISSIONER MILLER                  AYE  
4 THE MOTION CARRIED UNANIMOUSLY.

6        2. **Public Hearing** – *Zoning Map Change & General Plan Amendment* –  
Approximately 240 West 400 North. This is a request by Tim Clyde for a Zoning  
8 Map change & General Plan amendment of property located at approximately 240  
West 400 North from R1-20 (Residential Low) to CG (Commercial).  
10 Recommendations made by the Planning Commission will be forwarded to the  
City Council for a final decision.

12  
14            COMMISSIONER GODFREY MOVED TO OPEN THE PUBLIC HEARING  
TO CONSIDER A PROPOSED ZONE CHANGE FROM R1-20 TO CG ON THE  
PROPERTY LOCATED AT APPROXIMATELY 240 WEST 400 NORTH.  
16 COMMISSIONER MILLER SECONDED THE MOTION. ALL PRESENT VOTED IN  
FAVOR. THE MOTION CARRIED.

18  
20            Tim Clyde was present as the representative for this application. Mr. Cowie  
explained that this is a request for a zone change, and an associated change in the General  
22 Plan Land Use Map from residential to commercial. Mr. Cowie stated that in recent  
months, Mr. Clyde has installed slag and landscaped berms on the subject property.  
24 There is some evidence that area was being used by the neighboring vinyl fence business  
owned by Mr. Clyde as a turnaround and drop off area for trucks delivering fencing  
26 materials. The City has asked that Mr. Clyde discontinue that use of the property until a  
zone change is approved which will allow that use of the site. Mr. Cowie noted that if a  
28 zone change is approved, Mr. Clyde will be required to submit a site plan for review and  
approval before the use will be permitted.

30            Mr. Cowie went on to review current and historical zoning of the subject  
property. He noted that it appears that the property has been partially zoned commercial  
32 at times in the past, but that the entire parcel is shown as residential property on the 2000  
and 2006 General Plan maps. Chairperson Peters noted that meeting minutes in 2002  
show that a zone change to commercial use was recommended for approval by the  
34 Planning Commission and forwarded to the City Council. The City Council sent the  
request back to the Planning Commission for further review. It appears that a final  
36 decision was never made regarding zoning of the property. Mr. Clyde explained that  
there was some confusion regarding zoning of the property at the time, and that he made  
38 a decision to not pursue the rezoning request, but completed the purchase of the property  
under the current residential zoning designation.

40            Commissioner Bryner inquired as to the reason for pursuing the zone change at  
this time. Mr. Clyde stated that access to the current commercial site for delivery trucks  
42 is challenging, and that there may be safety concerns associated with delivery trucks  
accessing State Street. He also noted that there was an elevation change between the east  
44 and west end of his commercial site. A significant amount of dirt was removed to  
eliminate the grade change, and the berms were installed using the dirt which was  
46 removed to avoid the expense of hauling the dirt to a different location. He felt that the

2 landscaped berms provided some screening from neighboring property. He stated that  
the requested zone change will allow easier and safer access by delivery trucks to the  
4 commercial site which fronts onto State Street. Mr. Clyde noted that the 400 North  
access will also provide additional emergency access to the site. He stated that he intends  
6 to use the 400 North parcel only to access the current commercial site, and that he has no  
plans to construct a building on the 400 North parcel. Mr. Clyde stated that he anticipates  
moving the existing fence to north approximately 50 feet at some time in the future.

8 Chairperson Peters inquired as to whether the proposed use would be allowed in a  
commercial zone under the Standard Land Use Table. Mr. Cowie stated that the primary  
10 use is retail, and that delivery and manufacturing functions are allowed as an ancillary  
use if it constitutes 10% or less of the overall business. Commissioner Godfrey asked the  
12 applicant to discuss the manufacturing component of the business. Mr. Clyde explained  
that most materials are prefabricated panels, but that some components, such as gates are  
14 assembled on site. He stated that the manufacturing component constitutes 10% or less  
of the overall operation of the business.

16 Mr. Cowie clarified that this request is for approval of a zone change, and is not  
related to the specific use proposed by the applicant. He explained that any permitted  
18 commercial use could locate on the site if the zone change is approved.

20 There were several neighboring residents present in the audience to address this  
request. Chairperson Peters invited comments from residents. Mike Harper stated that  
he is life-long resident of Lindon, and that his family has lived in this area of Lindon for  
22 over 100 years. Mr. Harper expressed concern regarding the impact of past development  
on his family. He asserted that past and future commercial development is degrading the  
24 quality of life for residents of Lindon. He asserted that Mr. Clyde purchased the  
commercial site with the knowledge that access for delivery trucks would be difficult.  
26 Mr. Harper felt that while the requested zone change may be beneficial for Mr. Clyde, it  
would have a detrimental effect on neighboring residential properties.

28 Several other residents were also present at the meeting. Extensive comments  
were heard in which each of them expressed similar concerns to those expressed by Mr.  
30 Harper relative to the impact of commercial development on residents of Lindon. They  
specifically noted that an increase in traffic as a result of the zone change may create  
32 safety issues for residential neighbors. In addition, residents expressed concern regarding  
noise generated by the business, as well as storage on the commercial site and personal  
34 conflicts they have experienced with Mr. Clyde on various occasions. Mr. Clyde stated  
that he was unaware that noise was affecting neighbors, and that he would take  
36 appropriate action to mitigate the problem. Chairperson Peters noted that any violations  
regarding noise or storage can be addressed, and that if the business is in violation of any  
38 code requirements the City has the ability to bring it into compliance. Mr. Cowie  
commented that the City has not received any noise complaints that he is aware of.

40 Ben Nolte encouraged the Commission to consider possible options which would  
meet the needs of all parties. He also commented that Mr. Clyde was his neighbor until  
42 recently, and that he was a good neighbor. He noted that requested zone change will not  
increase current problems relative to storage and noise at the existing commercial  
44 business, and that any zoning violations can be dealt with appropriately.

46 The Commission discussed current zoning on this property and other parcels in  
immediate area. Several Commissioners noted that the commercial zone may extend to

2 Locust Avenue at some time in the future. Commissioner Godfrey observed that it  
3 would be very unlikely that a single family residence would be built on the subject  
4 property due to the size of the parcel. He noted that an R2-Overlay multi family project  
5 would be more likely, and may produce an equal amount of traffic to that of the proposed  
6 commercial use.

7 Chairperson Peters called for further public comment or additional information  
8 from residents. There was no additional comment. He called for a motion to close the  
9 public hearing.

10 COMMISSIONER BRYNER MOVED TO CLOSE THE PUBLIC HEARING  
11 TO CONSIDER A PROPOSED ZONE CHANGE FROM R1-20 TO CG ON THE  
12 PROPERTY LOCATED AT APPROXIMATELY 240 WEST 400 NORTH.  
13 COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED  
14 IN FAVOR. THE MOTION CARRIED.

15 The Commission discussed zoning of properties in the area, and the potential for  
16 additional commercial properties which may extend to Locust Avenue at some time in  
17 the future. Commissioner Bean noted that appropriate barriers, such as streets or fences,  
18 should separate residential and commercial zones. He also clarified that if the zone  
19 change is approved, the proposed use would require site plan approval, and would have to  
20 meet the requirements of the commercial zone relative to noise, storage, landscaping and  
21 traffic patterns.

22 Commissioner Godfrey asked if the Planning Commission would have the  
23 authority to deny the site plan for the parcel if they felt 400 North was not designed to  
24 accommodate semi truck traffic. Mr. Cowie stated that a permitted use can not be denied  
25 based on opinion, and that if Mr. Clyde could demonstrate that appropriate traffic  
26 patterns were established the use would be allowed.

27 Commissioner Bryner noted that there are valid concerns on both sides of this  
28 issue, and that a solution that will be acceptable to all parties is unlikely. Commissioner  
29 Godfrey observed that the subject property, as well as other residential properties in the  
30 area will most likely be zoned for commercial use at sometime in the future. He felt that  
31 the request to rezone the property is a matter of timing, and that rezoning the property for  
32 commercial use at this time may be premature. Commissioner Miller noted that  
33 neighboring residents had presented valid concerns. He agreed that this would not be the  
34 appropriate time to approve the boundary change.

35 Commissioner Johnson noted that Lindon is “not what it used to be,” and that  
36 growth in the community is inevitable. He felt that any concerns expressed by residents  
37 regarding the proposed use could be addressed during site plan approval.

38 Chairperson Peters called for further comments or discussion. Hearing none, he  
39 called for a motion.

40  
41  
42 COMMISSIONER GODFREY MOVED TO DENY THE 400 NORTH ZONE  
43 CHANGE FROM R1-20 TO CG AND GENERAL PLAN CHANGE TO CG AND  
44 RECOMMEND DENIAL TO THE CITY COUNCIL. COMMISSIONER MILLER  
45 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

46 CHAIRPERSON PETERS AYE

COMMISSIONER ANDERSON NAY  
2 COMMISSIONER BEAN NAY  
COMMISSIONER BRYNER NAY  
4 COMMISSIONER GODFREY AYE  
COMMISSIONER JOHNSON NAY  
6 COMMISSIONER MILLER AYE  
THE MOTION FAILED (3-4).

8

COMMISSIONER BEAN MOVED TO CONTINUE THE 400 NORTH ZONE  
10 CHANGE FROM R1-20 TO CG AND GENERAL PLAN CHANGE TO CG TO  
ALLOW FURTHER DISCUSSION AND INVESTIGATION BY THE PLANNING  
12 COMMISSION OF PROPERTY SURROUNDING THE SUBJECT AREA, AND  
FURTHER TIME TO DETERMINE LONG RANGE ZONING PLANS FOR THE  
14 CITY.  
THE MOTION FAILED DUE TO LACK OF A SECOND.

16

COMMISSIONER GODFREY AGAIN SUBMITTED THE MOTION TO  
18 DENY THE 400 NORTH ZONE CHANGE FROM R1-20 TO CG AND GENERAL  
PLAN CHANGE TO CG AND RECOMMEND DENIAL TO THE CITY COUNCIL.  
20 COMMISSIONER MILLER SECONDED THE MOTION. THE VOTE WAS  
RECORDED AS FOLLOWS:

22 CHAIRPERSON PETERS AYE  
COMMISSIONER ANDERSON NAY  
24 COMMISSIONER BEAN AYE  
COMMISSIONER BRYNER NAY  
26 COMMISSIONER GODFREY AYE  
COMMISSIONER JOHNSON NAY  
28 COMMISSIONER MILLER AYE  
THE MOTION CARRIED (4-3).

30

This application will be forwarded to the City Council for review and a final  
32 decision.

34 3. **Concept Review** – *Crestview Creek Subdivision – 270 North 200 East*. This is a  
request by Eric Allen for review of two alternatives for a new subdivision in the  
36 R1-20 zone on the old ‘Peacock’ property near the ‘hollow’ in Lindon. The  
applicant desires a flag-lot alternative with 3 lots, but may also be able to remove  
38 the existing dwelling and install a standard cul-de-sac subdivision with 4-lots. No  
official motion will be made on this item.

40

Eric Allen was present as the representative for this Concept Review. Mr. Cowie  
42 explained that this is a request for a concept review of a possible subdivision in the R1-20  
zone on the former Peacock property on 200 East. He noted that the proposed  
44 subdivision includes one existing home, and a small wetlands area within the ditch  
boundaries. Mr. Cowie stated that Mr. Allen has submitted three design alternatives for  
46 the subdivision. The first alternative includes a full width cul-de-sac street and four total

lots. The two other options include a deep lot configuration with a total of three lots. Mr. Cowie noted that applications for deep lot configurations are required to submit an alternative configuration which includes a full width street. The Planning Commission and City Council must then determine if the deep lot configuration meets the following criteria:

- a. The design of the flag lot is harmonious and compatible with the configuration of the overall subdivision and/or neighborhood and will not adversely affect the living environment of the surrounding area;
- b. Standard public street construction would cause disruption to the neighborhood in a significant physical or aesthetic manner, therefore making the flag lot access preferable to a public street;
- c. Development of the flag lot will decrease public infrastructure while still providing infill development and efficient use of the land that is compatible with Lindon City development standards.

The Commission discussed various aspects of each of the proposed configurations. There was some discussion regarding three driveways which would front onto 200 East at the crest of the hill as opposed to driveways which would front onto the new cul-de-sac street. Mr. Cowie noted that site distance issues would need to be evaluated by the City Engineer prior to final approval. Following further discussion, the Commission felt that although the flag lot configuration may be preferable from an aesthetic standpoint, either the cul-de-sac configuration or the deep lot configuration would be viable alternatives. The City Council will also consider this Concept Review and make recommendations to Mr. Allen.

4. **Public Hearing** – *Major Subdivision – Pennant Hills Subdivision, Plat A – Approximately 290 North 400 East.* This is a request by Bryon and Darlene Davis for approval of a 6-lot residential subdivision in the R1-20 zone. Each lot will be required to meet the 20,000 square foot lot size and will be accessed from a new cul-de-sac road that will connect to 400 East. The subdivision is adjacent to the south end of Hollow Park.

COMMISSIONER MILLER MOVED TO OPEN THE PUBLIC HEARING TO CONSIDER THE PENNANT HILLS SUBDIVISION, PLAT A PRELIMINARY PLAT AND THE EAST LAKE SUBDIVISION, PLAT A PRELIMINARY PLAT. COMMISSIONER ANDERSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Jerry Brower, the architect for this project, stated that he is representing the Davis' on this application. Mr. Cowie explained that this is a request for approval of a 6-lot residential subdivision located at approximately 290 North 400 East just south of Hollow Park. The proposed subdivision includes a new cul-de-sac roadway that will access off of 400 East. The majority of the proposed roadway will follow a master-planned road currently shown on the Street Master Plan Map. A portion of the roadway will extend through the neighboring Williamson property when that property develops. Although the roadway issue has not reached a final conclusion, the City is requesting a

2 note on the plat designating the area connecting to the Williamson property for use as a  
3 future roadway.

4 Mr. Cowie reviewed specific concerns related to this application which should be  
5 discussed by the Commission. The first issue was relative to the street layout according  
6 to the Street Master Plan, and whether that specific layout should be followed or not.  
7 During engineering and staff review, the applicants have not seemed willing to provide  
8 dedicated and improved access to the property to the south without compensation from  
9 the owners that will benefit from the road extension. However, they do appear willing to  
10 sell the property at the time the property owners to the south determine that the roadway  
11 is needed. He stated that it is staffs recommendation that the Planning Commission and  
12 City Council request that the applicant provide dedicated road access to the property to  
13 the south, or at minimum, that a future right of way area be identified on the subdivision  
14 plat. Mr. Cowie noted that if the right of way is not maintained in some manner, this  
development may restrict access to potentially developable neighboring properties.

15 The second issue discussed by Mr. Cowie was regarding storm drainage and  
16 sewer line maintenance. He noted that the cul-de-sac slopes downhill to the west, and  
17 will have an over-flow storm water swale that will collect storm water in the event that  
18 the inlet is plugged or overloaded. Storm water will then be transferred into the wetlands  
19 area at the west end of the property. A maintenance easement will be required for the  
20 City to keep the swale clear of debris.

21 Sewer discharge is proposed to have 4 new manholes located on lot #4 which  
22 would gravity feed to the sewer system on 200 East. Mr. Cowie explained that a manhole  
23 is required each time the sewer line changes directions, and that maintenance access to  
24 each manhole must be available. The applicant has proposed a 20 foot gravel access  
25 easement along the south boundary of lot number four. Public Works staff has expressed  
26 concern regarding the ability to access all manholes through this easement with the  
27 pumper/vacuum truck, and recommend that one man hole be eliminated or that the sewer  
28 be rerouted. Pumping the sewer to 400 East may be an option for the development.  
29 However, the City is not prepared to provide power and maintenance, or accept liability,  
30 for the pump system.

31 The final issue addressed by Mr. Cowie was that the Parks and Trails Master Plan  
32 Map in the General Plan shows a ten foot wide asphalt trail which will connect from  
33 Hollow Park to 400 East. The current map shows a general location along the north end  
34 of the property. The applicant has shown a five foot wide trail easement in that location.  
35 Typical development requirements would include a ten foot trail width with an additional  
36 six foot maintenance easement. Mr. Cowie noted that the City has discussed with the  
37 applicant the possibility of relocating the trail in the road area which would take the place  
38 of required sidewalk on the north side of the street. The trail would then be constructed  
39 as part of the road right of way instead of along the back side of the lots. Mr. Cowie  
40 noted that the proposed five foot easement as shown on the current application does not  
41 meet construction standards for the trail system.

42 Chairperson Peters inquired as to why lot #4 is so large. Mr. Brower explained  
43 that the Davis home will be located on lot #4. He noted that the lower half of lot #4 is a  
44 flood plane and not buildable, and that the lot size will allow a recreation area on the lot.  
45 Mr. Brower also explained that a 50 ft easement will be identified on the plat. The  
46 roadway area can be purchased and developed by the neighboring property owner in

2 future to provide access to neighboring properties. He noted that the roadway on the  
adjacent property should be completed at the property owners expense, and that the  
4 neighboring property owner is not prepared to complete improvements at this time. He  
noted that there are no current plans to develop the Williams property, and that his clients  
6 are reluctant to complete a street to access property that may never develop. Mr. Cowie  
noted that staff recommends that the future roadway be notated on the plat, but that the  
undeveloped section not be dedicated as a public roadway at this time.

8 Chairperson Peters inquired as to proposed storm drainage. Mr. Cowie stated that  
a storm water inlet will be located on the north side of the development. He noted that  
10 excess storm flow will be routed through a rock lined ditch to a detention area in Hollow  
Park. Mr. Brower asserted that proposed storm drainage will accommodate “hundred  
12 year” storms.

Commissioner Godfrey inquired as to whether the applicant was willing to create  
14 an easement for the roadway. Mr. Cowie suggested that the roadway area be designated  
on the plat as a separate non-buildable parcel. He noted that if the roadway is identified  
16 on the plat, it can be completed in the future without approval of a subdivision plat. He  
noted that this access does not benefit the subdivision, and that the City can not require  
18 the applicant to dedicate the section of the roadway which is not associated with this  
development.

20 Chairperson Peters called for public comment. There was no public comment.

Chairperson Peters inquired as to the width of the trail section associated with this  
22 development. Mr. Cowie stated that the standard trail cross section is a ten foot asphalt  
width and a six foot slope and maintenance easement. He noted that the applicants have  
24 show a five foot trail width on the subdivision plat, but that the City would prefer that the  
full trail width be installed in this development. He noted that there are no plans at this  
26 time to develop the neighboring property, and that a five foot trail width will not provide  
adequate access. He explained that the goal of the trails map shown in the General Plan  
28 is to connect trails to parks, and that this particular trail section is shown on the Trails  
Master Plan Map. The applicant observed that the Master Plan shows the trail split  
30 between the two neighboring properties. He stated that are happy to accommodate half  
of the trail in this development, but feel that it is not their responsibility to provide the  
32 full 16 foot trail width. Mr. Brower asserted that locating the trail in front of the homes  
as part of the street cross section would result in a loss of value to the properties. He  
34 stated that the developer is willing to provide a total of ten feet for the trail width and  
maintenance easement at the rear of the development.

36 Commissioner Godfrey stated that he is an advocate of the trails system, and feels  
that trails contribute the livability of the community. He stated that the trails system is a  
38 valuable amenity to residents, and that the maintenance easement allows the trail to be  
well maintained by the City. Mr. Brower stated that the developer is willing to install the  
40 trail section as shown on the maps split between the two neighboring properties. He felt  
that if this development provides ten feet for the trail section, the neighboring property  
42 should be required to provide the additional six feet.

The Commission went on to discuss possible realignment of the sewer line and  
44 associated man holes. Mr. Cowie noted that Public Works personnel have expressed  
concern regarding maintenance of the sewer system with manholes as shown. He noted  
46 that the applicant has proposed a realignment which would eliminate one manhole, but

2 that the realignment must be reviewed by the City Engineer and the Public Works  
4 Director. Mr. Brower noted that both a pump fed sewer system and realignment of the  
6 gravity feed system have been considered, but that neither option seems to be ideal. Mr.  
8 Cowie stated that the Development Review Committee expressed a preference for the  
realigned gravity feed system which would eliminate one manhole. He clarified that  
there may be maintenance concerns associated with a pump system, as well as with the  
gravity fed system as shown. Mr. Cowie stated that he is confident that details of the  
sewer system can be addressed on a staff level.

10 Chairperson Peters called for further comments or discussion. Hearing none, he  
called for a motion.

12 COMMISSIONER BRYNER MOVED TO APPROVE THE PENNANT HILLS  
14 SUBDIVISION, PLAT A, PRELIMINARY PLAT AND RECOMMEND APPROVAL  
TO THE CITY COUNCIL WITH THE FOLLOWING RECOMMENDATIONS:

- 16 1. THAT THE APPLICANT PROVIDE A GRAVITY FEED SEWER SYSTEM  
ELIMINATING ONE NINETY DEGREE ANGLE AND MAN HOLE  
18 SUBJECT TO APPROVAL OF THE CITY ENGINEERING AND PUBLIC  
WORKS DEPARTMENT.
- 20 2. THAT EASEMENTS BE PROVIDED ACCORDING TO STAFF  
RECOMMENDATIONS.
- 22 3. THAT THE FUTURE ROAD AREA BE SHOWN ON THE PLAT AS A  
SEPARATE, NON-BUILDABLE LOT, DEFINED FOR FUTURE ROAD USE.
- 24 4. THAT THE APPLICANT PROVIDE THE PROPERTY NECESSARY FOR  
THE TRAIL, BUT THAT THE APPLICANT NOT BE RESPONSIBLE TO  
26 INSTALL THE TRAIL.

28 THE MOTION FAILED DUE TO LACK OF A SECOND.

30 COMMISSIONER GODFREY MOVED TO APPROVE THE PENNANT  
HILLS SUBDIVISION, PLAT A, PRELIMINARY PLAT AND RECOMMEND  
32 APPROVAL TO THE CITY COUNCIL WITH THE FOLLOWING  
RECOMMENDATIONS:

- 34 1. THAT THE APPLICANT PROVIDE A GRAVITY FEED SEWER SYSTEM  
ELIMINATING ONE NINETY DEGREE ANGLE AND MAN HOLE  
36 SUBJECT TO APPROVAL OF CITY ENGINEER AND THE PUBLIC WORKS  
DEPARTMENT.
- 38 2. THAT THE FUTURE ROADWAY CONNECTION TO THE SOUTH BE  
SHOWN ON THE PLAT AS A SEPARATE, NON-BUILDABLE LOT,  
DEFINED FOR FUTURE ROAD USE.
- 40 3. THAT THE STORM DRAINAGE SYSTEM, INCLUDING THE STONE  
LINED DRAINAGE DITCH, BE SUBJECT TO ENGINEERING REVIEW  
42 AND APPROVAL.
- 44 4. THAT THE TEN FOOT DEDICATED TRAIL AREA AND SIX FOOT  
EASEMENT AT THE REAR OF LOTS ONE, TWO, THREE AND FOUR AND  
CONNECTING TO THE TRAIL IN HOLLOW PARK BE DEDICATED AND

2 IMPROVED BY THE APPLICANT, RECOGNIZING THE SIGNIFICANT  
3 BENEFIT OF THE TRAIL TO THE DEVELOPMENT.

4 COMMISSIONER MILLER SECONDED THE MOTION. THE VOTE WAS  
5 RECORDED AS FOLLOWS:

6 CHAIRPERSON PETERS	AYE
7 COMMISSIONER ANDERSON	AYE
8 COMMISSIONER BEAN	NAY
9 COMMISSIONER BRYNER	NAY
10 COMMISSIONER GODFREY	AYE
11 COMMISSIONER JOHNSON	NAY
12 COMMISSIONER MILLER	AYE

13 THE MOTION CARRIED (4-3).

- 14 5. **Public Hearing** – *Minor Subdivision – East Lake Subdivision No. 3, Plat A –*  
15 *Approximately 600 South Geneva Road.* This is a request by Anderson Geneva  
16 Development Company for approval of an industrial subdivision in the LI zone.  
17 The project will consist of 3 total lots, but only two of the parcels will be legal  
18 building lots at this time. The two remnant parcels will be combined with  
19 adjacent properties in Vineyard and/or used for future railroad right-of-way.  
20

21 Jerry Grover was present as the representative for this application. Mr. Cowie  
22 stated that this is a request for approval of a 3-lot subdivision in the LI zone. The Lindon  
23 City Boundary runs along the edge of the proposed subdivision. The applicant has also  
24 applied for additional industrial subdivision lots in Vineyard which this lot and roadway  
25 will be a part of. The proposed lot #1 will have access off of the private drive shown on  
26 the plat. The developer has found a reference in our land use code, Section 17.04.200,  
27 which states that “lots with frontage only on private streets shall be allowed by  
28 conditional use permit only, and shall be subject to all applicable requirements of this  
29 division. The applicant has been working with the railroad company to relocate the rail  
30 line running along Geneva Road to the northwest. Relocation of the rail line is necessary  
31 to complete the road crossing that will access the subdivision lots.

32 Mr. Cowie reviewed recommended conditions of approval for this subdivision  
33 application as follows:

- 34 1. That all outstanding engineering issues, including utility service to the property,  
35 be resolved to the satisfaction of the City Engineer.  
36 2. That the applicant provide a development agreement, written to the satisfaction of  
37 Lindon city, stating that the improved portion of the roadway (1600 North) when  
38 the railroad crossing is removed or becomes a public crossing.

39 Commissioner Godfrey inquired as to the potential use of the property. Mr.  
40 Grover stated that the developer is in negotiations with a large warehouse and retail  
41 facility, but that the agreement will not be finalized until this subdivision plat is  
42 approved. The potential retail facility will be located partially in Lindon and partially in  
43 Vineyard. He stated that the agreement between the cities will create a joint development  
44 area where tax revenues for this particular development will be shared between the cities.  
45 He noted that the potential agreement will not affect the subdivision plat. Mr. Cowie  
46 noted that the agreement is yet to be finalized.

2 Mr. Grover stated that industrial development is planned for the area around the  
proposed subdivision, specifically north of the railroad tracks. He noted that residential  
4 development will not be allowed in the area immediately surrounding the industrial  
development.

6 The Commission discussed the location of trail section adjacent to the proposed  
subdivision. Mr. Grover observed that the location currently identified for the trail may  
8 not be the appropriate location, but that the developer is willing to work with the City to  
provide the required ten foot trail easement at an appropriate location in the development.

10 Chairperson Peters called for further comments or discussion. Hearing none, he  
called for a motion.

12 COMMISSIONER BRYNER MOVED TO APPROVE THE EAST LAKE  
SUBDIVISION, PLAT A, PRELIMINARY PLAT AND RECOMMEND APPROVAL  
14 TO THE CITY COUNCIL WITH THE FOLLOWING RECOMMENDATIONS:

- 16 1. THAT THE APPLICANT PROVIDE A FINALIZED DEVELOPMENT  
AGREEMENT WRITTEN TO THE SATISFACTION OF LINDON CITY  
18 STATING THAT THE 1600 NORTH ROADWAY WILL BE DEDICATED  
WHEN THE RAILROAD CROSSING BECOMES A PUBLIC CROSSING OR  
IS REMOVED.
- 20 2. THAT THE APPLICANT ADDRESS ALL OUTSTANDING ENGINEERING  
ISSUES, INCLUDING UTILITY SERVICE TO THE PROPERTY, TO THE  
22 SATISFACTION OF THE LINDON CITY ENGINEER.
- 24 3. THAT THE APPLICANT PROVIDE A TEN FOOT TRAIL EASEMENT WITH  
THE EXACT LOCATION TO BE DETERMINED BY CITY STAFF.

26 COMMISSIONER ANDERSON SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

- 28 6. **Public Hearing** – *Proposed Ordinance Amendments to LCC 17.64 (Trailer  
Houses)*. This is a City initiated review of the Trailer Houses ordinance as found  
30 in LCC 17.64. Proposed changes were directed by the City Council and have  
been discussed with the Planning Commission in prior reviews of the ordinance.  
32 Final recommendations by the Planning Commission will be forwarded to the  
City Council for final approval.

34  
36 Due to the late hour, Mr. Cowie suggested that remaining agenda items be  
continued until the next Planning Commission meeting.

38 COMMISSIONER ANDERSON MOVED TO CLOSE THE PUBLIC  
HEARING AND CONTINUE REMAINING AGENDA ITEMS UNTIL THE  
40 PLANNING COMMISSION MEETING OF SEPTEMBER 12, 2007. COMMISSIONER  
GODFREY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE  
42 MOTION CARRIED.

- 44 7. **Public Hearing** – *Proposed Ordinance Amendments to LCC 10.16.260 (Parking  
Oversized Vehicles Ordinances)*. This is a City initiated review of LCC  
46 10.16.260 to facilitate enforcement on parking of oversized vehicles in the

2 residential zone. Recommendations by the Planning Commission will be  
forwarded to the City Council for final approval.

4 Item continued.

6 8. **Action Item** – *Appointment of Planning Commission Vice-Chair*. The Planning  
Commission will vote and appoint an individual member to serve as Vice-Chair  
8 for the Planning Commission. The former Vice Chair, Marilyn Simister, resigned  
as a Planning Commissioner due to her appointment as the State PTA President.  
10 The new individual would direct meetings when the Planning Commission Chair  
is not in attendance.

12 Item continued.

14 **NEW BUSINESS** – Reports by Commissioners

16 Commissioners gave no reports at this meeting.

18 **PLANNING DIRECTOR'S REPORT** –

20 Mr. Cowie gave no report at this meeting.

22 **ADJOURN** –

24 COMMISSIONER GODFREY MOVED TO ADJOURN THE MEETING AT  
26 2:28 A.M. COMMISSIONER BRYNER SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

28 APPROVED – September 12, 2007

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Jim Peters, Chairperson

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Adam Cowie, Planning Director

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