

The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, November 26, 2024 beginning at 6:00 p.m.** at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

REGULAR SESSION – 6:00 P.M.

Conducting: Rob Kallas, Vice-Chairperson
Invocation: Scott Thompson, Commissioner
Pledge of Allegiance: Ryan Done, Commissioner

PRESENT

Rob Kallas, Vice-Chairperson
Scott Thompson, Commissioner
Jared Schauers, Commissioner
Karen Danielson, Commissioner
Sharon Call, Commissioner
Ryan Done, Commissioner
Brittain Corbett, City Planner
Britni Laidler, City Recorder

EXCUSED

Steve Johnson, Chairperson
Michael Florence, Community Dev. Director
Mike Marchbanks, Commissioner

1. **CALL TO ORDER** – The meeting was called to order at 6:00 p.m.

2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the Planning Commission meeting of November 12, 2024 were reviewed.

COMMISSIONER THOMPSON MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 12, 2024 AS PRESENTED. COMMISSIONER CALL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

3. **PUBLIC COMMENT** – Vice-Chairperson Kallas called for comments from any audience member who wishes to address any issue not listed as an agenda item. The following comments were made:

Jim Anderson & Mel Olson: Jim Anderson stated that he is purchasing property from Mel Olson and stated they are here to discuss the access road behind the home. Mr. Olson gave some history on the current road and access easement, stating that the current road and driveway have been approved by the city. He stated that with Mr. Anderson purchasing the property they were informed he would have to widen the driveway from 12 ft to 16 ft. Mr. Olson stated he was here to support the new owner of the property not having to do that, since the current driveway should be grandfathered in.

Dave Gardner: stated he was speaking on behalf of his neighbors who were also present. He stated that his property backs up to what is slated as a Major Connector Road on the city Master Plan. They are feeling the crunch of this due to the fact that the property North of them in Pleasant Grove is now up for sale. He stated that the city purchased the right-of-way in order to

eventually allow this road to be put in, however, the slope of the easement runs through houses that are currently there. He voiced frustration that the Future Land Use Master Plan doesn't make sense with the impact it will have on these homes. He stated he is concerned that this road doesn't have funding, and thinks the city should stop putting money towards a road that shouldn't go in due to logistics.

CURRENT BUSINESS –

4. Conditional Use Permit – KR Therapy – Lindon Legacy Office Building at 199 N. 290 W. The applicant is requesting conditional use permit approval to operate a massage establishment in the General Commercial zone at 199 N 290 W Unit 125. (#48:388:0125)

Brittain Corbett, City Planner, presented this item and noted the applicant Kade Rogers is present. Mr. Rogers is requesting a conditional use permit approval to operate a one-employee massage therapy business within Necks to Heaven which is a chiropractic office located at 199 N 290 W Unit 125. Mr. Corbett noted that Mr. Rogers will be the only full-time employee within his massage business, and it is expected that this business will have a minimal impact and will be compatible with the wellness and chiropractic clinic that it will be associated with.

Mr. Corbett then went over the code requirements, with discussion regarding the following requirements and as to why they are not compliant at this moment:

Code Requirement	Exact Code Language	Compliant?
Conditional Use Permit	“Massage Establishments shall only be allowed a Conditional Use in the CG, CG-A, CG-A8, CG-S, and MC zones within Lindon City”	The applicant is currently working towards this requirement
Current business license	“It is unlawful for any person to operate... a Massage Establishment without... obtaining a Massage Establishment Business License”	The applicant is currently working towards this requirement
DRC meeting for zoning and fire code	“All applicants shall be referred to the DRC for zoning approval and to determine compliance of the premises with the fire code”	The applicant is currently working towards this requirement

Vice-Chairperson Kallas called for any further comments or discussion from the Commission. Hearing none he called for a motion.

COMMISSIONER THOMPSON MOVED TO APPROVE THE APPLICANT'S REQUEST FOR A CONDITIONAL USE PERMIT TO USE THE PROPERTY LOCATED AT 199 N 290 W, UNIT 125 FOR A MASSAGE THERAPY BUSINESS, WITH THE

FOLLOWING CONDITIONS: 1. THE APPLICANT WILL COMPLY WITH ALL OF THE
MESSAGE ESTABLISHMENTS REQUIREMENTS FOUND IN SECTION 5.30 OF THE
LINDON CITY CODE; 2. THE APPLICANT WILL CONTINUALLY MAINTAIN ALL
PROFESSIONAL LICENSING WITH THE STATE OF UTAH; 3. ALL REGULATIONS,
CODES AND ORDINANCES OF THE STATE OF UTAH AND LINDON CITY WILL
CONTINUALLY BE FOLLOWED; AND 4. ALL ITEMS OF THE STAFF REPORT.
COMMISSIONER DONE SECONDED THE MOTION. THE VOTE WAS RECORDED AS
FOLLOWS:

COMMISSIONER KALLAS	AYE
COMMISSIONER SCHAUERS	AYE
COMMISSIONER THOMPSON	AYE
COMMISSIONER CALL	AYE
COMMISSIONER DANIELSON	AYE
COMMISSIONER DONE	AYE

THE MOTION CARRIED UNANIMOUSLY.

5. Public Hearing for a recommendation to the Lindon City Council to adopt ordinance 17.53 regarding regulations for the established Public Facilities zone.

Lindon City has previously established a Public Facilities land use zoning district in Title 17.40. Lindon City now seeks a recommendation to the City Council to adopt zoning ordinance regulations for the established Public Facilities zone as Title 17.53.

Brittain Corbett, City Planner, presented this item. Mr. Corbett noted that the Public Facilities (PF) zone under City Code Title 17.40.110 was created around 2002. He noted that although the PF zone was established at that time Lindon City did not adopt a formal zoning ordinance and Lindon City is proposing that the planning commission recommend to the city council the adoption of Title 17.53 – Public Facilities Zone. Mr. Corbett stated that the purpose of the Public Facilities (PF) zoning district is to provide areas within the city for land use and facilities that are developed and maintained for public or quasi-public uses. He noted that the uses in this zone are operated for the benefit of the community and provide basic services and essential support services. The Public Facilities zone is also intended to both preserve land uses and facilities that have historically been used by Lindon residents as public uses and to promote future areas that provide continued amenities. He then presented the Permitted Uses under 17.53.020 as follows:

1. Parks, open space, and accessory facilities
2. Community center
3. Civic center
4. Public safety facilities
5. Aquatics center
6. Cemetery
7. Public schools
8. Trails and trailhead parking lots
9. Water tanks and ponds
10. Public detention/retention areas
11. Cultural facilities and offices
12. City utility facilities

2 13. Other government facilities

4 Vice Chairperson Kallas inquired about #13 on the list and what that would encompass.
Mr. Haws, City Attorney, stated it is a catch-all in case there is something the city may not have
6 thought of yet that would fit into this use. Mr. Corbett closed by stating that staff sees the
importance of adopting a zoning ordinance to accompany the established Public Facilities zone.
8 The ordinance would focus on public uses and facilities that provide essential services and
benefits to Lindon City residents and businesses.

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COMMISSIONER DANIELSON MOVED TO OPEN THE PUBLIC HEARING.
12 COMMISSIONER CALL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.
THE MOTION CARRIED.

14 Vice-Chairperson Kallas asked if there was any public present that would like to make
any comments. The following public comments were made:

16 Rob Moon: wanted to know a little more about the area in the far east of Lindon, stating that the
potential road that may go in that area has the possibility of bringing more traffic to the area and
18 noted that it would be a disruption to the area along with tax values.

Vice-Chairperson Kallas informed Mr. Moon that this would be a more suitable comment
20 for the next agenda item and encouraged him to give a comment at that time.

Jordan Russell: stated he lives in Orem and near Maeser Preparatory School and inquired what
22 this zone change would entail, and the upcoming expansion of 1600 N. He wanted to know if
this would keep it from having a less invasive impact. General discussion followed.

24 Mr. Corbett noted that Maeser and Alpine School District had let the city know they are
in favor, or this Ordinance change and zoning.

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

Commissioner Done asked staff about how Charter schools would be affected. Mr. Haws
30 stated this won't affect them unless they want to change their use. He stated what this zone will
do is protect these locations to maintain as a public use area, and if the landowner wants to
32 change the use, it will have to go through the process which would allow the city to put thought
into what could go to make sure to do what is best for the city.

34 Vice-Chairperson Kallas called for any further comments or discussion from the
Commission. Hearing none he called for a motion.

36 COMMISSIONER SCHAUERS MOVED TO RECOMMEND APPROVAL OF
ORDINANCE AMENDMENT 2024-15-O AS PRESENTED. COMMISSIONER DANIELSON
38 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:
COMMISSIONER KALLAS AYE
40 COMMISSIONER SCHAUERS AYE

2 COMMISSIONER THOMPSON AYE
COMMISSIONER CALL AYE
4 COMMISSIONER DANIELSON AYE
COMMISSIONER DONE AYE
6 THE MOTION CARRIED UNANIMOUSLY.

8 **6. Public Hearing for a recommendation to the Lindon City Council to amend the**
Lindon City zoning map from LI, CG, R1-12, R1-20, AFPD, and RMU-E to PF –
10 **Multiple Parcels.** Lindon City is seeking a recommendation to the City Council to
rezone public school, city, and quasi publicly owned properties and facilities to the Public
12 Facilities zoning district to be consistent with other properties and facilities on the Lindon
City zoning map. Please note, the proposed change will not affect the current use of the
14 properties.

16 Brittain Corbett, City Planner, presented this item stating that Lindon City established the
Public Facilities zone under city code Title 17.40.110, and the Public Facilities zoning district
18 was created around 2002. Since that creation, many of the city's parks and facilities have been
zoned as Public Facilities and noted the Public Facilities zone applies to properties that are
20 publicly or quasi-publicly owned. He stated that the purpose of the Public Facilities (PF) zoning
district is to provide areas within the city for land uses and facilities that are developed and
22 maintained for public or quasi-public uses. The uses in this zone are operated for the benefit of
the community and provide basic services and essential support services. He also noted that the
24 Public Facilities zone is also intended to both preserve land uses and facilities that have
historically been used by Lindon residents as public uses and to promote future areas that
26 provide continued amenities. Mr. Corbett then stated that parks, community and civic centers,
aquatic center, cemetery, horse transfer station and foothill open space, water tanks, secondary
28 irrigation ponds and detention area are currently zones under the Public Facilities. He then noted
that the following properties and uses are proposed to be rezoned from their current zoning to the
30 Public Facilities zone:

- Parks: two parks at the Anderson Farms development
- 32 • Trails: Murdock Canal Trail and Lindon Heritage Trail
- Public School Properties and facilities
- 34 • Lindon Public Work Property
- Detention Basins
- 36 • Well and Sewer Lift Station Properties
- Foothill Open Spaces

38
Mr. Corbett then presented the proposed map to the commission and the purpose of the
40 proposed zone change as follows:

- Aligning with the General Plan: Lindon City is updating the zoning map to align with the
42 Future Land Use Map, which designates the majority of the properties as either as
Community Facility or Open Space districts.
- 44 • Consistent Zoning Practices: Lindon City has historically zoned publicly or quasi-
publicly owned properties as Public Facilities. This proposal continues that practice.

- Preservation of Intent for Public Schools: The rezoning of publicly funded school properties and facilities to the Public Facilities zone is consistent with the General Plan. This designation helps preserve the intent of these properties. If a public school were to close, the Public Facilities zone would allow for continued discussion regarding future use, rather than automatically applying residential zoning, as is the case with current school properties in Lindon. Many cities along the Wasatch Front, including Provo, Orem, Midvale, Cottonwood Heights, Holladay, West Jordan, Salt Lake City, and South Salt Lake, have similarly zoned school properties as Public Facilities. Both Alpine School District and Maeser Academy have reached out to city staff and have no concerns about the rezoning of their school or facility properties.

Vice Chairperson Kallas called for any further comments or discussion. Hearing none, he called for a motion to open the public hearing

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

Vice-Chairperson Kallas asked if there was any public present that would like to make any comments. The following public comments were made:

Rob Moon: Mr. Moon stated he has concern that this would allow it to be sold for development. He wants to make sure that this preserves the neighborhood and protects the community, not just the city. He closed by stating he opposes this, stating he doesn't think we need to change anything unless there is something specific needing to go there.

David Gardner: voiced concern for the sensitive hillside zone and what this added layer of zoning would do, and possible changes it would make.

Greg Harrison: stated that his property backs the area previously discussed and wants to know what possible use could actually go there, since the slope is so large.

Landon Harsh: asked if a road would be considered a public use facility.

Mike Millett: wants to know if this zone change would have any impact on his property just north of the piece of property previously mentioned in prior public comment.

Ileana Gardner: voiced frustration stating that she would like each piece of property to be voted on individually.

Gabriella Sabrilla: stated she lives by Maeser and asked for clarification on if this would have any impact on her property.

2 COMMISSIONER THOMPSON MOVED TO CLOSE THE PUBLIC HEARING.
3 COMMISSIONER DANIELSON SECONDED THE MOTION. ALL PRESENT VOTED IN
4 FAVOR. THE MOTION CARRIED.

5 Commissioner Thompson stated that he is in favor of this because he sees this as added
6 safeguard for the citizens to protect these lands for open use or for continued public use.
7 Commissioner Schauers stated he is happy to see citizens come out to the meeting and voiced
8 that he doesn't see this causing any issue of concern for issues brought up during public
9 comment. Commissioner Schauers stated the commission tends to be pro-property owner use,
10 and city council is the same. Commissioner Thompson stated the hardest part of planning
11 commission is having something coming before them, that they don't want, but it is zoned for it
12 so they have to let it pass. He closed by stating this agenda item helps give them the protection
13 they need to help protect neighborhoods.

14 Vice-Chairperson Kallas called for any further comments or discussion from the
15 Commission. Hearing none he called for a motion.

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17 COMMISSIONER DANIELSON MOVED TO RECOMMEND APPROVAL OF
18 ORDINANCE AMENDMENT 2024-16-O AS PRESENTED. COMMISSIONER CALL
19 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

20 COMMISSIONER KALLAS	AYE
21 COMMISSIONER SCHAUERS	AYE
22 COMMISSIONER THOMPSON	AYE
23 COMMISSIONER CALL	AYE
24 COMMISSIONER DANIELSON	AYE
25 COMMISSIONER DONE	AYE

26 THE MOTION CARRIED UNANIMOUSLY.

27
28 **7. Community Development Director Report**

- 29 • Misc. City Updates

30
31 **ADJOURN** –

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33 COMMISSIONER THOMPSON MOVED TO ADJOURN THE MEETING AT 7:50
34 PM. COMMISSIONER DONE SECONDED THE MOTION. ALL PRESENT VOTED IN
35 FAVOR. THE MOTION CARRIED.

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38 Approved, December 10, 2024

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Steven Johnson, Chairperson

Michael Florence, Community Development Director