

2 The Lindon City Council and Lindon City Planning Commission held a Joint Work
3 Session on **Tuesday, April 21, 2015 at 6:00 p.m.** in the Lindon City Center, City
4 Council Chambers, 100 North State Street, Lindon, Utah.

6 **WORK SESSION** – 6:00 P.M.

8 Conducting: Hugh Van Wagenen, Planning Director

10 **PRESENT**

10 Jeff Acerson, Mayor
12 Randi Powell, Councilmember
12 Matt Bean, Councilmember
14 Van Broderick, Councilmember
14 Carolyn Lundberg, Councilmember
16 Jacob Hoyt, Councilmember
16 Sharon Call, Chairperson
18 Rob Kallas, Commissioner
18 Matt McDonald, Commissioner
20 Mike Marchbanks, Commissioner
20 Andrew Skinner, Commissioner

ABSENT

Bob Wily, Commissioner

22 **Staff Present**

24 Adam Cowie, City Administrator
24 Hugh Van Wagenen, Planning Director
26 Jordan Cullimore, Associate Planner
26 Cody Cullimore, Chief of Police
28 Brain Haws, City Attorney
28 Mark Christensen, City Engineer
30 Kathy Moosman, City Recorder

- 32 1. **Call to Order** – The meeting was called to order at 6:05 p.m.
- 34 2. **Work Session**—*Ivory Development, Anderson Farms*. Ivory Development, Anderson
36 Farms (1 hour). The Council and Commission will discuss the latest concept plan for
38 the Ivory Development Anderson Farms residential project. The project is
approximately located at 500 North Anderson Lane and encompasses about 135
acres.

40 Hugh Van Wagenen, Planning Director, opened the discussion by explaining the
42 purpose of the meeting tonight is to discuss the latest concept plan for the Ivory
Development, Anderson Farms residential project. He noted this meeting will be a work
session held without the Ivory Representatives present.

44 Mr. Van Wagenen then referenced for discussion the most recent concept plan for
the Ivory Development project noting this will give a feel for where things are at. He
noted the numbers aren't perfect but will give a feel to help make a decision. He then

referenced the spreadsheet and graphs in detail (attached in the minutes) noting the numbers are broken out as follows:

- Unit Type (single family, active adult, multifamily)
- Single Family Homes (Areas A-E)
- Setbacks (Area A and Areas B,D E)
- Open Space (Areas A-G & Regional Park)
- Parks/Open Space (Lindon Existing, Ivory Proposed, Ivory at City current LOS, Ivory at City adopted LOS, Park Maintenance Cost)
- Police (Lindon existing, Ivory at existing LOS), and Potential Property Taxes (unit type, single family home, active adult, multifamily).

Mr. Van Wagenen concluded with that background and everything heard to date from Ivory, in order to move forward and make progress including conversation with Staff, Ivory, the City Council and Planning Commission we really need to pin down how many units total is wanted and where multifamily is going to go and the minimum lot size. If we could also nail down total units, how the single family lots are mixed and the multifamily locations that would be great. He pointed out that Ivory was polite enough to step away tonight to allow the group to have a discussion amongst themselves. He noted that Mark Christensen, City Engineer and Brian Haw, City Attorney, are in attendance tonight to talk about legalities and to answer any questions and to see that the issues are handled correctly as there have been a lot of questions about what the city will get in exchange for the density. Mr. Van Wagenen called for any questions at this time.

Mayor Acerson mentioned the higher density and the concerns people have is what it means long term. Councilmember Lundberg commented that it is a question of how many doors and what will be the level of the higher density.

Commissioner Kallas mentioned that people move to Lindon because of the large lots, animal rights and open space; this is what draws people here. He noted he feels there are some negatives to this thought process too. He also believes that Lindon has some natural borders and divisions as follows: 1) Freeway 2) Geneva Road 3) State Street 4) Canal. The city has been divided into certain segments and when looking at this development (between the freeway and Geneva Road) he knows we all hope that 700 north develops into a nice professional commercial district and this proposed development goes a long way to get us what we are hoping for on 700 North. He likes that this is a single developer and a planned unit development that they have put a lot of thought into. The layout is really nice the way the higher density sections against Geneva Road rather than clustering them all together and the fact they are separated. In between them there is a nice road and path system and a variety of density in homes and they have given a lot of thought as to how it is laid out. His thoughts are if this was project was proposed above the canal or somewhere else in the city he would not be in favor, but where it is proposed he feels really good about it because if this area of the city would most likely develop piece mill with Light Industrial if not. He likes the feel of this being a planned development that we can be proud of. He feels with Ivory we don't run the risk of them selling it and they will own it for a long long time. Councilmember Powell agreed with Commissioner Kallas' statements.

Mayor Acerson commented that there is a lot of light industrial on the west side and questioned does this blend in better. He noted that previous Councils felt if there

2 were to be higher density the west side would be the better area to do it. Councilmember
3 Lundberg also agreed with Commissioner Kallas and Councilmember Powell. She likes
4 that this is a master planned community from a very reputable company that has a track
5 record of doing quality work and they seem to be flexible. However, she is concerned
6 about the number of doors (overall on the apartments) as this will be a microcosm of a
7 community within the larger community. And right now, based on their ratios of
8 apartment dwellers, 70% of the doors are renters vs. 30% of home owners or other types
9 of lots; she would like to see the ratio be more even. She does not want to see it become
10 lopsided with the mix of cultures. Councilmember Hoyt commented that he would also
11 like to see numbers come down a little bit. Councilmember Lundberg also mentioned she
12 thinks that Ivory has indicated there is some wiggle room on the range. She feels they are
13 presenting their “wish level” and knows it will come down from there. Mayor Acerson
14 said to keep in mind we need to determine what our “wish level” is and to know the
15 numbers will fluctuate. Commissioner Marchbanks suggested adding the other project
16 (Fieldstone) in with the total numbers

17 Chairperson Call said her biggest concern is the number of apartments and she
18 would like to know (from Ivory’s point of view) what amenities they would require the
19 city to give up if they reduce the amount of apartments; it seems this is what they are
20 holding over our heads. She would like to see us maintain a sense of community and
21 neighborhood and she has concerns about the turnover and the transient feel of
22 apartments as it is very difficult to maintain that sense of community with the church and
23 school systems. She is comfortable with everything else but that issue. She believes that
24 Ivory is a good developer and they make a quality product, but she would like to see a
25 balance of types of units and the use of feathering because of the constant turnover factor
26 etc. and what kind of community it creates.

27 Councilmember Hoyt asked Chief Cullimore to talk a little about crime. Chief
28 Cullimore stated it is not the type of people that come in it is just the amount of people
29 per capita that is the issue. There was then some general discussion regarding the
30 possibility of increased crime. Commissioner Kallas commented that he hopes (because
31 of the transient factor) we don’t put too many restrictions on Ivory that they may cut the
32 quality and amenities as to become a less desirable product and then we will be fighting
33 vacancy and the price goes down and then the elements come in. Councilmember
34 Lundberg doesn’t feel that Ivory would balk at reducing the numbers. She likes the idea
35 of keeping the quality high but lowering the numbers of doors; she is open to negotiation.

36 Brian Haws, City Attorney, commented at this time stating as we come to the
37 point of asking Ivory what we want them to provide we do have to have a rough number
38 of doors that has to be proportionate to the burden on the city. If we reduce the number of
39 units (i.e. the “burden”) then we have to make an adjustment in the exactions of what we
40 are asking for; that is the balance. He went on to say it used to be when giving up higher
41 density it was open as to what you could ask for because you were giving away density.
42 Five years ago the legislature adopted “rough proportionality” and in a SLC case the
43 Supreme Court said it doesn’t matter what type of exaction it is but if you are requiring
44 an exaction you have to be able to show there is a rough proportionality between what is
45 being asked for and the burden they are putting on the city. He went on to say we need to
46 be safe and avoid potential lawsuits down the road, however we still need to do that
47 analysis and still need to have numbers that show the burden. Mayor Acerson suggested

giving them two proposals, 1) with this current level of density 2) with a lower level of density and have them run with it rather than be demanding and if we would be better served. Mr. Haws stated that is probably a better and safer approach. Councilmember Hoyt pointed out the biggest bargaining chip for them is the pump station and asked what the additional amount we would have to spend to take the place of the 2 other pump stations. Mr. Cowie said it was roughly about the same (between \$800,000 and 1.2 million dollars) but the benefits to combining it is that the issues with the park still need to be worked out as it is pretty generic.

Mr. Cowie suggested to ask Ivory to present various amounts from the current plan down to 20 units per acre and show what that does to the overall plan (as far as multifamily housing). Mr. Van Wagenen asked the group if anyone has issues with what is being proposed on the single family or senior living side of the project. Councilmember Broderick voiced his opinion that from the start he has had issues with the 5 ft. setbacks. Councilmember Hoyt stated he shares that concern as well. Councilmember Powell stated she is comfortable with that but has an issue with the age targeted aspect because the other high density areas have a clubhouse or something and it would be nice to have some sort of an enclosed facility/amenity for family gatherings etc. for that demographic. Mr. Van Wagenen stated he will propose that request.

Councilmember Bean commented that he appreciates all the information included on the spreadsheet. He referenced the spreadsheet asking about the single family homes and asked to add area "c" to the spreadsheet. Mr. Van Wagenen stated they will all be standard without variations, just pads and common space, but he will definitely add that in. Councilmember Bean also asked to add something to accommodate seniors comparable to the existing retirement community south of Fieldstone that would be nice. He also mentioned parks and open space and asked for a comparable to a city of our size overall, (Alpine or Mapleton) to understand how much bargaining power we have. Lastly, on property taxes he would like to see a column for the rest of the city (current population) based on number of units (just residential) that would help him to see where we are at.

Councilmember Lundberg expressed that she feels we are in a strong position to get what we are asking because we are re-zoning it is not just the apartments which is a compromise. Mayor Acerson stated the bottom line is we need to find out what the options are based on Ivory's viewpoint then we can negotiate.

Commissioner Marchbanks voiced his opinion that he is totally comfortable with the proposed project because frankly sometimes the higher doors per acre are the class "a" product. That being said, he is also fine with ratcheting down the numbers because he does not think that Ivory is going away but will change the end numbers. What they are proposing and have designed so far he feels the city could end up with a world class, award winning project in our city. He feels we are not going to scare them away by taking units away. He added we are seeing that the demographics are changing dramatically and the millennials don't want to buy a home; what is the difference between 31 doors per acre or less.

Commissioner McDonald mentioned the exchange for amenities and if ratcheted down will we give up better commercial on 700 North or the Trax station, we don't know, but he feels this will be a great addition to the city. He agrees we won't scare them away but if by chance they do go what will end up at that location.

2 Commissioner Kallas stated he would like to see a comparison of what it would
3 look like at 20 or 25 doors per acre. Councilmember Lundberg agreed with that
4 statement. Mayor Acerson concluded by stating he is observing there is support to
5 reduce the numbers and to get a comparison from Ivory and then weigh in. Mr. Van
6 Wagenen stated he will have Ivory come back to present numbers at 20 and 25 doors per
7 acre along with a proposed gathering facility.

8 Mayor Acerson called for any further comments or discussion from the Council
9 or Commission. Hearing none he adjourned the meeting.

10 **Adjourn** – The meeting was adjourned at 6:50

12 Approved – December 15, 2015

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Kathryn Moosman, City Recorder

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Jeff Acerson, Mayor

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Sharon Call, Chairperson