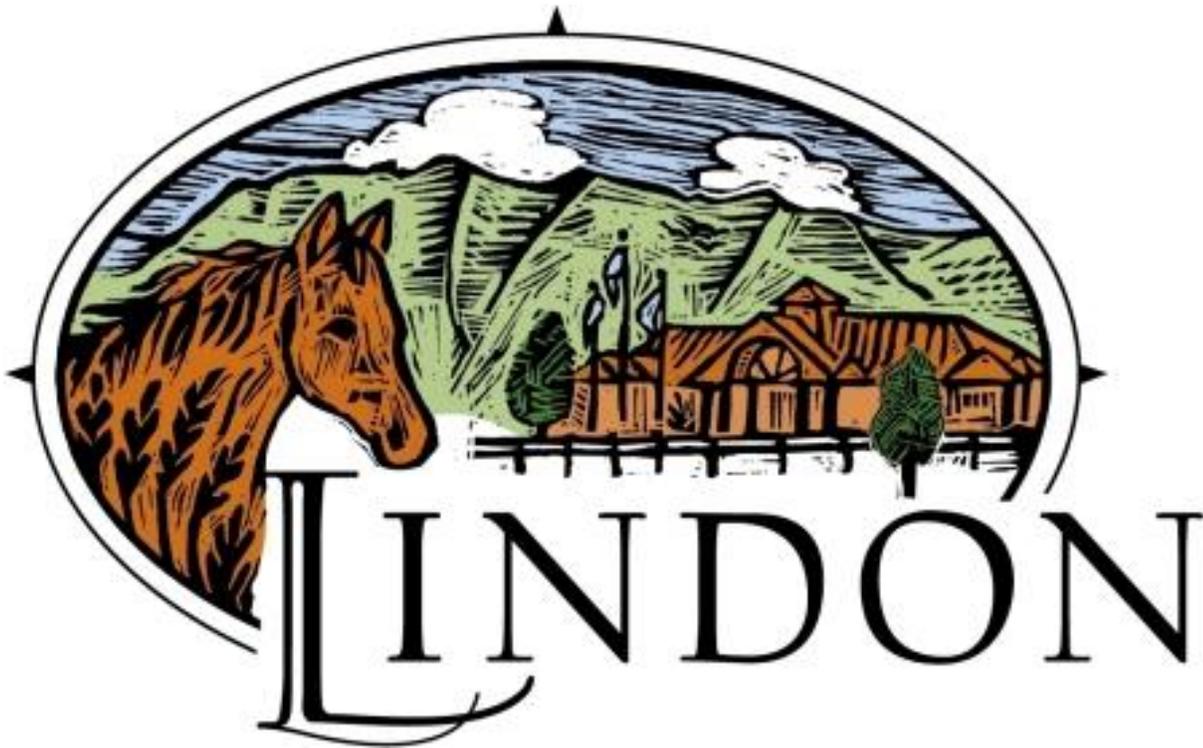


# **Lindon City Planning Commission Staff Report**



January 12, 2016

# Notice of Meeting

## Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, January 12, 2016**, in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at **7:00 p.m.** This meeting may be held electronically to allow a commissioner to participate by video or teleconference. The agenda will consist of the following:

### AGENDA

Invocation: By Invitation

Pledge of Allegiance: By Invitation

#### 1. Call to Order

#### 2. Approval of minutes

Planning Commission 12/8/15; Joint Work Sessions 12/9/14, 1/30/15, 4/14/15, 4/21/15, 5/26/15, 12/8/15

#### 3. Public Comment



Scan or click here for link to download agenda & staff report materials.

(Review times are estimates only.)  
(1 minute)

#### 4. \*Continued\* Public Hearing — General Plan Land Use Amendment MS Properties

*This item is continued until the January 26, 2016 Planning Commission Meeting and will not be reviewed tonight.* The applicant is requesting a General Plan Land Use Map Amendment from Mixed Commercial to Industrial or Commercial to Industrial on several parcels in the vicinity of Geneva Road, from approximately 400 South to 500 North.

(1 minute)

#### 5. \*Continued\* Site Plan — West Lindon Business Park, 730 North 2800 West

*This item is continued until the January 26, 2016 Planning Commission Meeting and will not be reviewed tonight.* Ed Dayley requests **site plan approval** for two office/warehouse buildings, 21,567 and 36,686 square feet respectively, located in the Mixed Commercial (MC) zone.

(15 minutes)

#### 6. Conditional Use Permit — Adventure Academy Childcare, 442 North 400 East

Sharae Wallentine requests approval of a conditional use permit (CUP) for child day care and preschool services in the Single Family Residential (R1-20) zone. The proposal will serve a maximum of 16 children.

(15 minutes)

#### 7. Conditional Use Permit Modification — Avalon Senior Apartments, 179 North State Street

Jeff Southard of Southhaven Homes requests a change to the timing of installation of the fencing requirement along the northern border of Avalon Senior Apartments adjacent to the vacant commercial lot owned by A Perfect Development. The request is to install fencing once it is known what type of development will be occurring on the vacant property.

(20 minutes)

#### 8. Site Plan — Children's Corner/Taylor Dental, 195 North State Street

Rob Taylor requests site plan approval for an office building to be located at 195 N. State Street in the General Commercial (CG) zone.

(60 minutes)

#### 9. Discussion Item/Work Session — Ivory Development Anderson Farms

The Planning Commission will discuss various aspects of the proposed Master Development Agreement between Lindon City and Ivory Development (Ivory Homes) and associated concept plans for the Anderson Farms residential development. This is a discussion item and work session for Commission members. No public comment will be taken at this time. Future public meetings will be held on this item in which public comment will be taken.

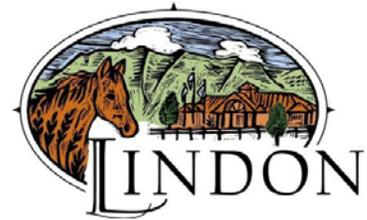
#### 10. New Business from Commissioners

#### 11. Planning Director Report

Adjourn

# Notice of Meeting

## *Lindon City Planning Commission*



Staff Reports and application materials for the agenda items above are available for review at the Lindon City Planning Department, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our Staff may be contacted directly at (801) 785-7687. City Codes and ordinances are available on the City web site found at [www.lindoncity.org](http://www.lindoncity.org). The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City-sponsored public meetings, services programs or events should call Kathy Moosman at 785-5043, giving at least 24 hours notice.

**Posted By:** Brandon Snyder  
**Time:** ~3:00 pm

**Date:** January 8, 2016  
**Place:** Lindon City Center, Lindon Police Station, Lindon Community Center

## **Item I: Call to Order**

January 12, 2016 Planning Commission meeting.

### **Roll Call:**

Sharon Call  
Rob Kallas  
Mike Marchbanks  
Matt McDonald  
Bob Wily  
Charlie Keller

## Item 2: Approval of Minutes

Planning Commission Meeting — 12/8/15

Joint Work Sessions — 12/9/14

1/30/15

4/14/15

4/21/15

5/26/15

12/8/15

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
3 **December 8, 2015 beginning at 7:00 p.m.** at the Lindon City Center, City Council  
4 Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Sharon Call, Chairperson  
9 Invocation: Rob Kallas, Commissioner  
10 Pledge of Allegiance: Bob Wily, Commissioner

12 **PRESENT** **ABSENT**

13 Sharon Call, Chairperson  
14 Bob Wily, Commissioner  
15 Rob Kallas, Commissioner  
16 Matt McDonald, Commissioner  
17 Mike Marchbanks, Commissioner  
18 Hugh Van Wagenen, Planning Director  
19 Brandon Snyder, Associate Planner  
20 Kathy Moosman, City Recorder

22 **Special Attendee:**  
23 Councilmember Matt Bean

- 24
- 25 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
  - 26
  - 27 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of November 10,  
28 2015 were reviewed.

30 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE  
31 REGULAR MEETING OF NOVEMBER 10, 2015 AS PRESENTED.  
32 COMMISSIONER WILY SECONDED THE MOTION. ALL PRESENT VOTED IN  
33 FAVOR. THE MOTION CARRIED.

34 3. **PUBLIC COMMENT** –

35 Chairperson Call called for comments from any audience member who wished to  
36 address any issue not listed as an agenda item. There were no public comments.  
37

40 **CURRENT BUSINESS** –

- 41 4. **Public Hearing** – *Ordinance Amendment – LCC 17.18 off Street Parking, LCC*  
42 *17.48 Commercial Zones.* City Staff recommends amending City Code regarding  
43 setbacks for off-street parking space setbacks in relation to landscaping requirements  
44 in Commercial zones.

46

2 COMMISSIONER MCDONALD MOVED TO OPEN THE PUBLIC  
4 HEARING. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL  
4 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

6 Hugh Van Wagenen, Planning Director, led the discussion by explaining there is a  
8 potential conflict between LCC 17.18.090 (off-street parking may not be located in a  
10 front or side yard setback) and LCC 17.48.030(4)(20 feet of landscaping is required along  
12 public frontages in commercial zones). He noted the conflict arises when a property line,  
14 from where front and side yard setbacks are measured, is not immediately adjacent to the  
16 starting measurement point for landscape strip measurements along public frontages. He  
18 stated that landscape strips begin measurements from back of walk in commercial zones  
20 and back of curb in industrial zones.

22 Mr. Van Wagenen further explained if both codes are strictly adhered to, some  
24 property owners could have a 30 ft. landscape requirement. He mentioned it has not been  
26 the practice of the Community Development Department to strictly interpret LCC  
28 17.18.090 as long as the required landscaping was met.

30 Mr. Van Wagenen went on to say the potential risk in allowing parking to be  
32 within the front yard setback even with the landscaping requirement being met, is that a  
34 road may be widened in the future and the 20 ft. landscaping strip would no longer be 20  
36 ft. This is mostly a risk along state roads that have very wide right of ways beyond where  
38 existing sidewalks exist. He added that major State corridors in Lindon are State Street,  
40 Geneva Road, and the North County Boulevard (700 North) and feels these areas may  
42 pose some potential concerns and may someday be impacted.

44 Mr. Van Wagenen then referenced the examples of potential code conflict, the  
46 approved site plans for Performance Motors, NuStar and Ordinance 2015-28-O followed  
48 by some general discussion. Mr. Van Wagenen commented that staff recommends the  
proposed ordinance amendments in order to eliminate the potential code conflict. He  
noted this item is really just trying to clean up some potentially conflicting code to match  
with city practices. He added there are some applications that are waiting to see how this  
issue will be resolved.

Chairperson Call observed that it appears it will be up to staff to decide whether  
there is sufficient landscaping and buffering. Mr. Van Wagenen confirmed that statement  
and confirmed this needs to be cleaned up so there is no question as to how it is applied.  
Chairperson Call mentioned that it sounds like when these unique situations come up, and  
even though it says the Land Use Authority will make those decisions, that it will still be  
brought back to the Commission for the exceptions. Mr. Van Wagenen clarified that the  
Planning Commission is the Land Use Authority for site plans and explained the  
definition of the Land Use Authority as it can change with any given application and in  
this situation the exceptions will be brought back to the Commission. Commissioner  
Wily commented that it appears this will bring the ordinance into conformance.

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

COMMISSIONER MARCHBANKS MOVED TO RECOMMEND APPROVAL  
OF ORDINANCE AMENDMENT #2015-28-O WITH NO CONDITIONS.  
COMMISSIONER WILY SECONDED THE MOTION. THE VOTE WAS  
RECORDED AS FOLLOWS:

2 CHAIRPERSON CALL AYE  
COMMISSIONER WILY AYE  
4 COMMISSIONER KALLAS AYE  
COMMISSIONER MARCHBANKS AYE  
6 COMMISSIONER MCDONALD AYE  
THE MOTION CARRIED UNANIMOUSLY.

8

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

12 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.  
COMMISSIONER MCDONALD SECONDED THE MOTION. ALL PRESENT  
14 VOTED IN FAVOR. THE MOTION CARRIED.

16 5. **Site Plan/Conditional Use Permit: Trio Design, 500 North 2000 West.** Trio Design  
on behalf of the LDS Church, requests site plan and conditional use permit approval  
18 for a church building located in the Mixed Commercial (MC) zone.

20 Brandon Snyder, Associate Planner, led this discussion. He commented that  
Robert Marshall and Matt Brown are in attendance as representatives of this application.  
22 He explained that the applicant is proposing to construct a single story church facility  
noting that the property is currently vacant. Mr. Snyder commented that the Lindon City  
24 Standard Land Use Table indicates that a church is a conditional use in the Mixed  
Commercial (MC) Zone. Mr. Snyder further explained that the intent of the Mixed  
26 Commercial (MC) zone is to provide areas within the City where low intensity light  
industrial, research and development, professional and business services, retail and other  
28 commercial related uses may be located. He noted the property has frontage onto 2000  
West (major collector) and 500 North (minor collector). Mr. Snyder mentioned that the  
30 third party notice was provided on November 24, 2015, to the adjoining property owners  
in accordance with Lindon City Code Section 17.14.50 and staff has received no public  
32 comment.

Mr. Snyder further discussed that city staff reviewed the proposal and provided  
34 review comments (feedback and corrections) on November 5, 2015. He noted the City  
Engineer is working through the technical issues related to the site and will ensure that all  
36 engineering related issues are resolved before final approval is granted. The Fire Marshal  
has indicated that the submitted plans for the new Lindon Stake center meet the fire code  
38 requirements for accessing the building and it shows that the building will be sprinkled.  
He added that the sprinkler and fire alarm contractors will need to submit their plans for  
40 this building that will be sent to the Fire Marshal and also for third party review.

Mr. Snyder went on to say the MC zone requires that a landscaped strip twenty  
42 (20 ft.) in width shall be planted with grass along all public street frontages. The  
measurement of the twenty (20 ft.) in landscaping will be measured from the back of  
44 walk, or back curb if no sidewalk exists. The MC zone also requires landscaped berms  
within the required landscaped strips along public street frontages. The berms shall vary  
46 in height and shall be sculptured with enclaves, protrusion, etc. Berms shall be at least  
from two and one-half (2½) to four (4 ft.) in height with an average of three and one-half  
48 (3½) feet. He noted the applicant is updating the plans to meet this requirement.

2 Mr. Snyder further discussed that Lindon City Code Section 17.18.085 (Interior  
3 Landscaping Required) requires that any parking lot adjacent to a residential use be  
4 screened and shall provide a minimum 10' landscaped buffer from the parking lot to the  
adjacent residential use. He noted the applicant is proposing to increase this distance.

6 Mr. Snyder commented that Lindon City Code Section 17.50.090 (Parking  
7 Requirements) requires that all parking areas shall be set back a minimum of twenty feet  
8 (20') from all dedicated public streets and ten feet (10') from exterior boundaries of the  
zone. He noted that this site has 10 ft. plus of additional depth beyond the existing and  
10 proposed row improvements along 2000 West. He added that the applicant and City Staff  
have been in discussion with UDOT to determine the need for the additional row.

12 Mr. Snyder stated that Lindon City Code Section 17.50.050 (Fencing) requires  
13 that a 7' masonry or concrete fence shall be constructed and maintained between a non-  
14 residential development and a residential use or a residential zone. He pointed out that the  
Planning Commission may modify this requirement if it makes the following findings:

- 16 a) The proposed fence/landscape screen provides an adequate buffer for the adjoining  
residential use;
- 18 b) The appearance of the fence/landscape screen will not detract from the residential use  
and/or non-residential use of the property;
- 20 c) The proposed fence/landscape screen will shield the residential use from noise,  
21 storage, traffic or any other characteristic of the non-residential use that is  
incompatible with residential uses.
- 22 d) The Planning Commission may waive or adjust this fence/screening requirement  
23 upon findings that the fence is not needed to protect adjacent residential uses from  
adverse impacts and that such impacts can be mitigated in another appropriate manner
- 26 e) The applicant is proposing that the existing 6' vinyl fence be allowed to remain  
27 adjacent to the four residences to the east of the site. The applicant has proposed an  
28 increase landscaped buffer and setback on the east side to meet the findings. Lindon  
City Code Section 17.18.080 (Parking lot maintenance and design) requires a fence of  
30 at least 6' between any off-street parking lot adjacent to a residential use or residential  
zone.

32  
33 Mr. Snyder mentioned that the building exterior is to be brick, which complies  
34 with Lindon City Code and the applicant will be submitting color and materials sample  
for code compliance.

36 Mr. Snyder then referenced the applicable laws and standards of review as follows:

- 38 • State Code defines a conditional use as "a land use that, because of its unique  
39 characteristics or potential impact on the municipality, surrounding neighbors, or  
40 adjacent land uses, may not be compatible in some areas or may be compatible  
only if certain conditions are required that mitigate or eliminate the detrimental  
42 impacts."
- 44 • Section 10-9a-507 of the State Code requires municipalities to grant a conditional  
use permit "if reasonable conditions are proposed, or can be imposed, to mitigate  
46 the reasonably anticipated detrimental effects of the proposed use in accordance  
with applicable standards." Once granted, a conditional use permit runs with the  
land.

- 2       • State Code further provides that a conditional use permit application may be  
4       denied only if "the reasonably anticipated detrimental effects of a proposed  
6       conditional use cannot be substantially mitigated by the proposal or the  
      imposition of reasonable conditions to achieve compliance with applicable  
      standards." Utah Code § 10-9a-507.

8       Mr. Snyder noted that staff recommends approval of the proposed CUP and site  
10      plan contingent upon addressing all of the outstanding staff review comments. He then  
      called for any questions or comments.

12      Chairperson Call asked if they are requesting the fencing requirement so the  
14      fencing matches the residential fencing in the area. Mr. Marshall stated they would like  
16      to match the same vinyl fence on the east side so they have a visual screen to the storage  
18      sheds to the south, plus they like the Lindon two rail fencing as to have a continual visual  
20      with the white vinyl and if the city would consider that as a tradeoff. He added they do  
22      understand that the two rail fence is no longer a requirement by the city. Commissioner  
      Kallas asked if there has been any consideration about putting an approach on 2000 West  
      for egress purposes. Mr. Marshall stated they will control more of the access on 500  
      North. Mr. Brown mentioned one item discussed with the city engineers and UDOT was  
      that UDOT sees 2000 West as being a key connector when the Vineyard Connector goes  
      through and they anticipate seeing additional traffic between 700 North and the Vineyard  
      Connector.

24      Commissioner Wily inquired about the landscaping plan and if they are planning  
26      on low water usage there. Mr. Marshall confirmed they will be using a low water usage  
      palette. Chairperson Call asked if the proposed landscaping meets the requirements. Mr.  
      Snyder confirmed the plan meets the requirements. Chairperson Call observed that this  
      appears to meet city ordinances. Mr. Snyder confirmed that statement.

28      Commissioner McDonald asked for clarification that this conforms to everything  
30      except the fencing issue where it borders the residential. Mr. Snyder confirmed that  
32      statement. Chairperson Call commented that the code requires that masonry or concrete  
34      should be used on the fencing. Mr. Snyder stated that the Planning Commission may  
36      modify this requirement and after review and staff felt that as it was proposed was an  
      appropriate use. Commissioner Marchbanks stated that he has no objection to the vinyl  
      fencing and pointed out that the Commission is comfortable without them using the two  
      rail fence; it is their decision though. He added that typically in Lindon other church sites  
      don't use masonry walls.

38      A neighboring resident in attendance (who lives on 500 North) commented that he  
40      is comfortable with the vinyl fencing as the vinyl would be much easier for him to put a  
42      gate in (if he chooses) than in a 7' masonry fence. He would rather have vinyl than a  
44      block wall as it would be much easier for him and would also look nice. Mr. Marshall  
      mentioned, for clarification, that one of the city engineers comments dealt with 2000 west  
      and the landscape buffer so the plan that has been resubmitted they are now 16 ft. off of  
      the property line and 32 ft. from the sidewalk that is being put in (landscaping) so that is  
      where this amendment would come in because if UDOT widens the road they will only  
      be roughly 16 ft. rather than the full 20 ft. at that location.

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

2 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT’S  
3 REQUEST FOR A CONDITIONAL USE PERMIT AND FOR SITE PLAN  
4 APPROVAL FOR A NEW CHURCH TO BE LOCATED AT 1955 WEST 500 NORTH  
5 IN THE MIXED COMMERCIAL (MC) ZONE WITH THE CONDITION THAT THE  
6 APPLICANT INSTALL A 6 FOOT VINYL FENCE ON THE SOUTH SIDE OF THE  
7 PROPERTY TO MATCH THE FENCE ON THE EAST. COMMISSIONER  
8 MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS  
9 FOLLOWS:

10 CHAIRPERSON CALL AYE  
11 COMMISSIONER WILY AYE  
12 COMMISSIONER KALLAS AYE  
13 COMMISSIONER MARCHBANKS AYE  
14 COMMISSIONER MCDONALD AYE  
15 THE MOTION CARRIED UNANIMOUSLY.

16  
17 6. **Public Hearing** – *Ordinance Amendment, LCC 17.75 Senior Housing Facility*  
18 *Overlay.* Jeff Southard of Southhaven Homes requests a change to the fencing  
19 requirement for senior housing facilities so that fencing would not be required along  
20 adjacent commercial properties.

21 COMMISSIONER MCDONALD MOVED TO OPEN THE PUBLIC  
22 HEARING. COMMISSIONER WILY SECONDED THE MOTION. ALL PRESENT  
23 VOTED IN FAVOR. THE MOTION CARRIED.

24  
25 Mr. Van Wagenen also led this discussion by giving a brief background of this  
26 agenda item. He explained that when the SHFO zone was created, there was discussion  
27 on fencing requirements. At the time, both the Commission and Council ultimately felt  
28 that such projects should be fenced around their entire perimeter, regardless of adjacent  
29 uses or zones.

30  
31 Mr. Van Wagenen explained that Jeff Southard (who is in attendance) is  
32 developing the Avalon Senior Living project at 179 North State Street and building one is  
33 nearly complete. He noted the project is finalizing site improvements and Mr. Southard  
34 would like the existing fencing requirement to be altered in reference to adjacent  
35 commercial properties. He went on to say that the existing code states that site obscuring  
36 fencing is required of a SHFO project regardless of the adjacent use or zone. He stated  
37 that Mr. Southard would like to strike that requirement where SHFO projects abut  
38 adjacent commercial development.

39  
40 Mr. Van Wagenen further explained that on the Avalon project, this would  
41 specifically apply to its northern border. He noted that Mr. Southard has indicated that he  
42 has spoken to Brigham Ashton, the owner of the adjacent commercial property to the  
43 north about the ordinance change. He explained that the SHFO zone is an overlay only  
44 allowed in commercial zones and will, more than likely, always have commercial  
45 neighbors. Mr. Van Wagenen mentioned that this ordinance change would apply zone  
46 wide, not just to the example project. He added that it is possible to give the Planning  
Commission the ability to review and waive the requirement during a site plan review  
rather than striking the requirement altogether.

2 Mr. Van Wagenen then referenced the Avalon site plan showing the potentially  
affected area, the Avalon aerial image of potentially affected area and the aerial image of  
4 the one other property zoned SHFO and the proposed PRD Amendment to 17.76.110  
followed by discussion. Mr. Van Wagenen then turned the time over to Mr. Southard for  
6 comment.

8 Mr. Southard referenced the site plan at this time pointing out the existing  
masonry wall and the trail access. He stated they are requesting the change adjacent to the  
10 vacant property. He also explained that he has met with Brigham Ashton on site and they  
have discussed this issue several times. He noted that Mr. Ashton indicated that he does  
12 not know what is going to develop on his property in the future. He and Mr. Ashton both  
agreed that until they know what is going to develop there it would make sense to wait to  
14 see what the most appropriate fencing option would be along with grading and slope  
issues for retaining purposes. Mr. Southard pointed out there if there is a retaining wall  
there that would also change whatever fence they put in or he may want to leave it open  
16 (similar to Osmond's) dependent on what develops there and what the land use is and  
what is appropriate and what makes the most sense.

18 Mr. Southard re-iterated they are requesting the zone change (on the one area) so  
they can hold off on the fencing until they know what develops on Mr. Ashton's  
20 property. He indicated they will be putting a fence in now in the other areas. He noted  
they also plan to work in conjunction with Mr. Ashton as to have some flexibility. There  
22 was then some general discussion regarding the fencing issue. Following discussion Mr.  
Southard stated, for the record, that he would be happy to have the responsibility for the  
24 fencing, whatever it may be upon Avalon Senior Housing.

26 Chairperson Call mentioned her concerns that this would not only be changing the  
zoning on this property but also the property on the other senior housing projects,  
however, we have no idea of what commercial development is going to go in.  
28 Commissioner Wily asked if there is a way to change the ordinance to allow for a waiver.  
Mr. Van Wagenen then read a portion of the ordinance language stating the language  
30 could be tweaked. Chairperson Call asked when new uses of the adjacent property come  
up how can the fencing requirement be controlled. Mr. Van Wagenen questioned at what  
32 point is it the role of the city to protect or make sure the fencing happens; these are things  
to consider.

34 Commissioner Kallas asked for clarification if we are changing the wording on  
the fencing requirement in a senior housing zone. Mr. Van Wagenen confirmed that  
36 statement. He added that in essence it is the senior housing zone but commercial in  
nature in the sense that it is not single family homes. There was then some general  
38 discussion regarding the intent and purpose of the ordinance language and whose  
responsibility or burden it is for the fencing. Following discussion the Commissioner  
40 agreed to ensure that the responsibility is clear in the ordinance language. Chairperson  
Call stated she is not comfortable changing the ordinance for this property and other  
42 properties in the senior housing overlay zone.

44 There was then some additional discussion regarding possible future uses on the  
vacant property and fencing options regarding this issue. Commissioner Marchbanks  
46 asked Mr. Van Wagenen if it is a possibility to give Mr. Southard a waiver until we know  
what the outcome of the property is and not change the ordinance. Commissioner  
McDonald asked for some background of the senior housing overlay zone. Mr. Van  
48 Wagenen then described the origination and reason behind the senior overlay zone.

2 Commissioner Kallas questioned if leaving the ordinance the way it is currently worded  
4 doesn't give the opportunity to have some flexibility in this situation without changing  
6 the ordinance. Mr. Southard stated the question is can they change it after the site plan  
8 approval has been received. Commissioner Kallas commented that a matter of changing  
10 the zone to fit a specific need does not make sense. Chairperson Call agreed with that  
12 statement. Commissioner Kallas suggested using some language to the effect that any  
exception to the fence height, location, and time of installation shall be discussed and  
approved by the Planning Commission. Commissioner Marchbanks stated that would  
give the ability to do exactly what they have been discussing here tonight. Mr. Southard  
stated material use would still have to be included. Chairperson Call pointed out this item  
will need to also go to the City Council for approval.

14 Mr. Van Wagenen asked Mr. Southard if he could get something in writing from  
16 Mr. Ashton verifying that the adjacent property owner is not being impacted. Mr.  
18 Southard agreed he could get verification. He noted they are hoping for their certificate  
of occupancy within a month. Following discussion the Commission agreed on the  
language changes indicated on the screen by Mr. Van Wagenen. Mr. Van Wagenen stated  
they will work with Mr. Southard to get the certificate of occupancy with meeting  
schedules and timing etc.

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

22

24 COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL OF  
26 ORDINANCE AMENDMENT #2015-29-O TO THE CITY COUNCIL WITH THE  
CHANGE THAT ANY EXCEPTIONS TO FENCE HEIGHT, MATERIAL,  
LOCATION AND TIMING OF INSTALLATION SHALL BE APPROVED BY THE  
PLANNING COMMISSION. COMMISSIONER MARCHBANKS SECONDED THE  
MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

|                                    |     |
|------------------------------------|-----|
| 28 CHAIRPERSON CALL                | AYE |
| 30 COMMISSIONER WILY               | AYE |
| COMMISSIONER KALLAS                | AYE |
| 32 COMMISSIONER MARCHBANKS         | AYE |
| COMMISSIONER MCDONALD              | AYE |
| 34 THE MOTION CARRIED UNANIMOUSLY. |     |

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

38

40 COMMISSIONER MCDONALD MOVED TO CLOSE THE PUBLIC  
HEARING. COMMISSIONER KALLAS SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

42

44 8. **New Business: Reports by Commissioners** – Chairperson Call called for any  
comments or discussion from the Commissioners.

46 Chairperson Call asked if Lindon offers any insurance that homeowners can  
purchase for breakage of a water main pipe etc., and if not does the city have someone  
48 they would refer them to for this issue. Mr. Van Wagenen replied that he doesn't think

2 the city offers insurance, but he will check into that issue and get back. Chairperson Call  
4 also inquired about the 700 North committee that Commissioner Wily has agreed to sit  
6 on. She mentioned that Councilmember Lundberg also asked her to sit on the committee.  
Chairperson Call stated she will accept unless someone else is willing or wants to be on  
the committee. Following discussion by the Commission Chairperson Call agreed to sit  
on the committee.

8 Commissioner Wily asked what the outcome was at the last City Council meeting  
regarding the discussion on the public safety building site plan. Mr. Van Wagenen  
10 replied that the site plan was approved but the elevations were continued. He noted the  
Council also discussed a pitched roof on the tower, stone vs. stucco and also reducing the  
12 cost by \$100,000 etc. He stated that basically Councilmember Powell and  
Councilmember Lundberg thought the building was very flat and straight and wanted it  
14 more similar to the City Building. Commissioner Kallas asked for an update on the  
Center Street traffic light. Mr. Van Wagenen stated they had a meeting with UDOT  
16 about the light on Center Street and they indicated they are waiting for the questar project  
to be completed before installation. Mr. Van Wagenen then introduced Charlie Keller,  
18 potential Planning Commissioner, who is also observing the meeting tonight.

Chairperson Call called for any further comments or discussion. Hearing none she  
20 moved on to the next agenda item.

22 **11. Planning Director Report-**

24 Mr. Van Wagenen reported on the following items followed by discussion:

- 26 • Nudge project on Geneva Road.
- 60 foot height limit on 700 North.
- 28 • Employee Christmas Party on December 23 at noon.
- Discussion on the Ivory Development and if the 5 ft. setback makes the project  
viable.
- 30 • Discussion on a possible 60 ft. height limit. The Commission was in agreement it  
is something to consider.

32  
Chairperson Call called for any further comments or discussion. Hearing none she  
34 called for a motion to adjourn.

36 **ADJOURN -**

38 COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE  
MEETING AT 9:30 P.M. COMMISSIONER MCDONALD SECONDED THE  
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Approved – January 12, 2016

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Sharon Call, Chairperson

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Hugh Van Wagenen, Planning Director

2 The Lindon City Council and Lindon City Planning Commission held a Joint Work  
Session on **Tuesday, December 9, 2014 at 6:00 p.m.** in the Lindon City Center, City  
Council Chambers, 100 North State Street, Lindon, Utah.

4 **WORK SESSION** – 6:00 P.M.

6 Conducting: Hugh Van Wagenen, Planning Director

8 **PRESENT**

10 Jeff Acerson, Mayor  
12 Randi Powell, Councilmember  
14 Matt Bean, Councilmember  
Van Broderick, Councilmember  
16 Carolyn Lundberg, Councilmember  
Sharon Call, Chairperson  
18 Mike Marchbanks, Commissioner  
Rob Kallas, Commissioner – arrived 7:04  
20 Bob Wily, Commissioner  
Matt McDonald, Commissioner

**ABSENT**

Jacob Hoyt, Councilmember  
Andrew Skinner, Commissioner

22 **Staff Present**

24 Adam Cowie, City Administrator  
Hugh Van Wagenen, Planning Director  
26 Jordan Cullimore, Associate Planner  
Don Peterson, Public Works Director  
Mark Christensen, City Engineer  
Kathy Moosman, City Recorder

28 **Ivory Development Representatives**

30 Chris Gamvroulas  
32 Kyle Honeycutt  
Tim Soffe

- 34 1. **Call to Order** – The meeting was called to order at 6:00 p.m.
- 36 2. **Discussion Item:** Lindon City Council and Planning Commission will conduct a joint  
38 work session with Ivory Development to discuss a residential housing concept plan  
on property located at approximately 500 North and 1400 West, otherwise known as  
the Anderson Farm.

40 Mayor Acerson invited Mr. Ron Anderson forward at this time. He  
42 acknowledged Mr. Anderson’s many years of service on the Planning Commission.  
Mayor Acerson then presented Mr. Anderson with a plaque in honor of his service on the  
44 Planning Commission and to Lindon City and its residents.

2 Hugh Van Wagenen, Planning Director, opened the discussion by stating the  
Lindon City Council and Planning Commission are meeting tonight with Ivory  
4 Development to discuss a residential housing concept plan on property located at  
approximately 500 North and 1400 West, otherwise known as the Anderson Farm. He  
6 then presented the latest concept plan received from Ivory today. He noted the hope is  
tonight to have Ivory walk the group through the latest layout and explain the thought  
8 process behind where things are located etc. He explained that after the presentation they  
will take approximately 20 minutes to discuss amongst themselves and to provide an  
10 opportunity to bounce ideas between each other. He added if there are any questions or  
concerns on the big picture items (commercial corridor encroachment, apartment density,  
12 open space) to please bring it up while the Ivory Representatives are here to answer any  
questions. At this time he then turned the time over to the Ivory Representatives to give  
their presentation.

14 Tim Soffe, with Think Architecture, addressed the group at this time. Mr. Soffe  
referenced the concept map on the screen showing the commercial corridor property that  
16 is not under contract with Ivory and still owned by the Andersons. He noted the existing  
development is the 55 and older community and referenced the Thorne property that is  
18 not a part of the ownership as well. He mentioned one thing they look at as planners are  
the edges and there are couple of edges that concern them. The freeway corridor that has  
20 a lot of noise and a lot of activity which says to them, as planners, that there is influence  
generated from the activity on the freeway but also on the industrial edge. He pointed out  
22 that you need to be careful what you put there, which is probably not the best high value  
residential neighbor there is. Also a commercial edge is established so you need to find  
24 the appropriate buffer. These are the things they looked at when approaching this project.

Mr. Soffe stated he would also like to educate the Council and Commission on  
26 principles of a walkable community that will enhance the values along with future land  
uses as well. If they can plan into the community the ability to walk from place to place  
28 and make it pleasant to walk to another area we can reduce auto traffic but also enhance  
the value of the property just by being able to walk to green places such as parks. They  
30 also talked about a park program that could be linked by a road system and a well-  
articulated serpentine walkway to enhance walkways and link one park to another. He  
32 noted if a transit station does come at a future date the ability to walk to the transit station  
would be invaluable. Looking into the future to walkable parks and a future trax station  
34 will be part of the enhancement of the community.

Mr. Soffe also mentioned their concerns of trying to put a multifamily element to  
36 get the single family away from the noise and intensity of the freeway and also away  
from the edges. The park will help to get away from the edges and these issues influence  
38 the multifamily areas. Mr. Soffe then explained the positioning of the large and small  
lots and referenced the Ivory catalog and product line to see what houses go on what  
40 property. He noted they have spoken with the Alpine School District and LDS Church  
which will be ongoing discussions as we go through this process. He then asked for  
42 feedback from the group to discuss the planning concepts.

Councilmember Bean mentioned that it has been 7 weeks since they last met and  
44 questioned what the biggest changes are from then to now. Mr. Soffe stated it was not  
lotted or showed size of lots, number of lots and where they were going to go, it was

2 more a bubble plan as he recalls. He noted this plan represents and is posed for the  
purpose of soliciting the thoughts of the Council and Commission.

4 Mr. Van Wagenen added that the biggest change since the last meeting is that the  
500 ft. commercial zone. What was presented before was the larger piece all commercial  
6 with no housing and the park was displayed a little more prevalent. He also noted that the  
park has moved from another area with the 3 parks being on one side. The Thorne  
7 property is still under contract with the hope that perhaps a school can share an area of  
8 the park; those are more or less the biggest changes outside of the interior road layouts  
and the lotting and the relocation of the park. What is being presented now is the  
9 townhome product. Mr. Soffe pointed out one thing planners are always faced with is  
10 what is today and what is tomorrow (in terms of what is under contract and what is not).  
11 That is the way they have to approach this because they don't know right now.

12 Councilmember Lundberg questioned the high density on the 2 parcels and how  
13 many doors per acre it will include. Mr. Soffe stated it will average 35 doors per acre.  
14 Councilmember Bean asked if what was formerly proposed along 700 north is not under  
15 contract. Mr. Soffe confirmed that statement. He added that they are dealing with the  
16 plan they have today and is what the plan represents.

17 Mr. Gamvroulas stated at the last meeting they were just here to present some  
18 ideas and colors; this is version 5 and they will be on version 20 when all is said and  
19 done. Mr. Soffe stated they are just making broad assumptions at this point. He also  
20 talked about the reasoning for moving the park because they can use the park as part of  
21 the connection and as a buffer from the freeway which seems logical. They are trying to  
22 increase the value and to make the property and project sustainable in the future.

23 Councilmember Lundberg expressed her opinion that she likes the u-shaped road  
24 that offers more opportunity for a greater variety of commercial users and creates a  
25 buffer. She also likes the potential of Class A office space. Mr. Soffe stated that he has  
26 learned to patient over time because as much as we desire this to happen everything is  
27 market driven and a big element of it is not controlled. Councilmember Lundberg  
28 brought up that Ivory does have a commercial arm and that could be an element that is  
29 not eliminated, but she is not sure how the market would support that.

30 Mr. Gamvroulas pointed out that the Andersons have to be willing to sell the  
31 property for commercial and they can't predict what the land owner will and won't do  
32 with their property at any given time. Mr. Gamvroulas stated it is also too deep and the  
33 other problems are that the road is the buffer and it is simply not viable. They don't  
34 control the commercial but they do have a commercial arm and it will still be market  
35 driven and the big boxes will not locate there; there are other available better spots for a  
36 big box because of the location. At this time Mr. Van Wagenen directed the group to  
37 take 20 minutes to talk amongst themselves and then they will regroup.

38 Following group discussion Mr. Van Wagenen asked the group to touch on the  
39 highlights of the discussion as follows:

40 Councilmember Broderick commented that he feels the lot sizes are too small and  
41 the density is too high overall, however he does like the parks. Chairperson Call said she  
42 would like to see a feathering approach and she would also like to see not lower than  
43 10,000 sq. foot lots. As a group they feel the transition is uncomfortable and there could  
44 be better uses.  
45  
46

2 Mr. Cowie mentioned that the Fieldstone Development homes are an average of  
10,000 sq. ft. with some as low as 8,000 sq. ft. and a few up to 12,000 ft. Mr.  
Gamvroulas stated their goal is to be the same as Fieldstone in size and noted they plan to  
4 use a feathering approach.

6 Mr. Van Wagenen asked if the concerns are about the total number of units or the  
lot size. Following discussion Mr. Van Wagenen summarized that he is hearing the park  
is good with the lot size no less than 8,000 but an average of 10,000 with the apartments  
8 being transitioned. Mr. Gamvroulas pointed out that rooftops will support a possible trax  
station and you have to have the rooftops to have viable commercial.

10 Commissioner Marchbanks commented that he hears the group concurs (in  
general) that the depth of the commercial area as 500 ft. and agrees that big boxes will be  
12 hard to attract there. Councilmember Bean asked the representatives to explain how the  
higher density issue could be mitigated. Mr. Honeycutt then explained the different ways  
14 to do multifamily units including variations of heights (they would prefer to be taller with  
more units that way – 3 stories) and if the desire is that the overall acreage could come  
16 down in order to have more height. If the group wants to take the number down from 400  
they would prefer to take the acreage in and keep the height the same so they would have  
18 that configuration that brings more of a “Class A” apartment. He would also suggest a  
tour of their other projects for the group to see them firsthand.

20 Councilmember Bean expressed his concerns about the high density piece off of  
Geneva Road where there may be a trax connection in the future. He asked if there is any  
22 way to know if that is a future possibility or just a pipe dream. It would be easier for him  
to feel good about high density there if he had an idea about that. Mr. Cowie stated that is  
24 so far out on the long range plan that it is difficult to predict. He did say they have  
purchased the rail corridor but it could be 20+ years out. There was then some general  
26 discussion regarding the possibility of a trax station at that location.

28 Councilmember Powell commented on the 35 units per acre on the map. She  
noted we don’t know what is coming with the commercial (although we will try to shape  
that), but as you build out she sees the area as a potential of mixed use (with a  
30 Riverwood’s flavor) and she can see that may pose an opportunity to have a little  
commercial that will service the residents in some fashion. Mr. Gamvroulas stated they  
32 have studied this issue nationally and they look great but the turnover in the commercial  
is very high and it is a challenge and something they would not want a lot of.

34 Councilmember Lundberg commented that she would like to keep the commercial  
strip open as to keep some options open. She is comfortable with the density similar to  
36 Fieldstone but would want a better architectural design to attract a high quality resident  
for the long term. Mr. Honeycutt referenced their catalog noting they will build a nice,  
38 high quality product. Councilmember Lundberg noted she would also like to see the price  
point range before upgrades. She likes the gathering place with the club house and agrees  
40 that Ivory makes a quality and better looking product. Mr. Van Wagenen stated one of  
the reasons the city is entertaining anything different than the standard price point range  
42 is product availability for those who have been priced out of Lindon; the question is to  
find where the balance is. There was then some discussion on street widths and setbacks.  
44 Mr. Van Wagenen stated they will be having further discussion on these issues. Mr.  
Gamvroulas commented at the end of the day they are offering different things to

different people and they will choose what is right for them; the demographics are changing.

Mr. Cowie summarized that he is hearing the group is comfortable with the residential as a concept and in general they are comfortable with something other than single family homes; to have a mixture. The group confirmed those statements. Councilmember Broderick made it clear he would like to see the maximums and minimums defined and noted he does not like a 5 ft. side setback. Councilmember Powell stated she would like to have further discussion on street widths. Mr. Van Wagenen stated they will be having a super Development Review Committee (DRC) meeting. He advised the group as things come up when reviewing the plan to contact himself or Mr. Honeycutt with any questions or concerns.

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

**Adjourn** – The meeting was adjourned at 8:00 pm.

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

2 The Lindon City Council and Lindon City Planning Commission held a Joint Work  
Session Tour on **Friday, January 30, 2015 at 9:00 a.m.** in the Lindon City Center, City  
Council Chambers, 100 North State Street, Lindon, Utah.

4 **WORK SESSION** – 5:00 P.M.

6 Conducting: Hugh Van Wagenen, Planning Director

8 **PRESENT**

10 **City Council members**

Randi Powell, Councilmember

12 Matt Bean, Councilmember

Jacob Hoyt, Councilmember

14 Carolyn Lundberg, Councilmember

Van Broderick, Councilmember

16 **Planning Commission members**

18 Sharon Call, Chairperson

Rob Kallas, Commissioner

20 Bob Wily, Commissioner

Andrew Skinner, Commissioner

22 Mike Marchbanks, Commissioner

24 **Staff members**

Hugh Van Wagenen, Planning Director

26 Jordan Cullimore, Associate Planner

Heath Bateman, Parks & Rec. Director

28 **Other Attendees**

30 Kyle Honeycutt, Ivory Homes

Justin Earle, Ivory Commercial Operations

- 32 1. **Work Session Tour**—Ivory Development Commercial Operations Apartment  
34 Projects.

36 Hugh Van Wagenen, Planning Director, explained the purpose of this joint work  
session is to tour the Ivory Commercial Operations (ICO) apartment projects. The Group  
38 then toured the ICO apartment projects in the following order:

- 40 1) Residences at District Heights, 11100 South River Heights Drive,  
South Jordan  
42 2) Park Lane Village, 500 North Broadway, Farmington  
3) Residences at Orchard Farms, 893 South Lily Drive, Fruit Heights.

44 Mr. Van Wagenen made note that Councilmember Broderick and Commissioner  
Marchbanks did not attend the Residences at Orchard Farms Portion of the tour.

2 Mr. Van Wagenen thanked the Ivory Representatives for the tour and the valued  
information it provided. He also thanked the City Council and Planning Commission  
members for their attendance.

4 **Adjourn** – The work session tour was adjourned at 3:00 p.m.

8 Approved – December 15, 2015

10 \_\_\_\_\_  
Kathryn Moosman, City Recorder

14 \_\_\_\_\_  
Jeff Acerson, Mayor

18 \_\_\_\_\_  
Sharon Call, Chairperson

20

2 The Lindon City Council and Lindon City Planning Commission held a Joint Work  
3 Session on **Tuesday, April 14, 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**

**ABSENT**

10 Jeff Acerson, Mayor  
11 Randi Powell, Councilmember  
12 Matt Bean, Councilmember  
13 Van Broderick, Councilmember  
14 Carolyn Lundberg, Councilmember  
15 Jacob Hoyt, Councilmember  
16 Sharon Call, Chairperson  
17 Rob Kallas, Commissioner  
18 Bob Wily, Commissioner  
19 Matt McDonald, Commissioner  
20 Mike Marchbanks, Commissioner  
21 Andrew Skinner, Commissioner – arrived 6:50

22 **Staff Present**

24 Adam Cowie, City Administrator  
25 Hugh Van Wagenen, Planning Director  
26 Jordan Cullimore, Associate Planner  
27 Heath Bateman, Parks & Rec Director  
28 Kathy Moosman, City Recorder

30 **Ivory Representatives**

31 Kyle Honeycutt  
32 Ken Watson  
33 Justin Earle, ICO Development  
34 Keith Bennett, KCB Architecture  
35 Jim Sieberg

36 **Other Attendees**

38 Ron Anderson  
39 Kent Anderson

- 40
- 42 1. **Call to Order** – The meeting was called to order at 6:10 p.m.
  - 44 2. **Work Session**—Ivory Development, Anderson Farms. The Council and  
Commission will discuss the latest concept plan for the Ivory Development, Anderson  
Farms residential project.

2 Hugh Van Wagenen, Planning Director, opened the discussion by explaining the  
purpose of the meeting tonight is to discuss the latest concept plan for the Ivory  
4 Development, Anderson Farms residential project. The project is approximately located  
at 500 North Anderson Lane and encompasses about 135 acres. Mr. Van Wagenen stated  
the next step will be a work session without the Ivory representatives present.

6 Kyle Honeycutt, Ivory representative, addressed the group at this time and  
referenced the concept plan on the screen. He mentioned he will be bringing up a couple  
8 of items and then bring in the ICO team for discussion on the multifamily. He explained  
the one item that has been added since the last discussion is they have mixed the lots with  
10 the bigger in the middle (estate community next to park) and smaller on the outside. He  
noted the sales department felt it was a great thing to have an age targeted community  
12 there and designed for the retirees with an active adult lifestyle. He added they have done  
similar communities (Daybreak) and feel this is a perfect opportunity here in Utah  
14 County. The trail length has changed to over 2 miles of planned trail with a big corridor  
leading to the regional park (8 ft. trail) that goes all around the park. They have done the  
16 design work on the roundabout and have pushed the sign back to the first roundabout  
(from 700 North) with the added trees and brick motif. This is a key entry feature and  
18 they are spending a lot on the entryway and designed to be the wow factor coming into  
the community.

20 Mr. Honeycutt further explained about the park pavilion with the play structure  
being the style that the city likes and are designing it specifically to put in. There will be  
22 either basketball or tennis courts and just to let them know what they want. The baseball  
will be combined with the soccer field. He also pointed out the future sewer lift station  
24 and the detention basin area. He also mentioned the possible water pond that will  
pressurize the secondary water system. He then turned the time over to Mr. Earle for the  
26 multifamily discussion.

28 Justin Earle spoke at this time. He noted they put together several site plans that  
meet the needs and concerns expressed at the last meeting and accomplishes all the  
desires expressed from the last meeting. Keith Bennett talked about the 2 parcels that are  
30 designated for multifamily. He noted they put something together of what they would do  
for the more affluent and lifestyle choice of renter that is willing to pay more for  
32 amenities of a community that treats them like they are living in a resort; that is the type  
of community they are going for. Mr. Bennett explained that the north end is somewhat  
34 off the main entry and begins to be a buffer to the commercial and other uses that are  
going to develop as the city develops to the east this is a buffer and will be stepping that  
36 density up as we go forward.

38 Mr. Bennett went on to say that the edge buffer with the homes and what they are  
proposing is to create smaller units with auto courts between the 12-plex building only  
that is what is intended to create a step from the single family to a smaller multifamily  
40 and then that would step to a gridded system that extends the feel of a community that  
isn't just parking lots and apartments and its facing all the buildings with sidewalks and  
42 streetscapes of trees that run along the perimeters creating a grid pattern of streets that are  
pedestrian friendly. This will also have access directly to the street and move into higher  
44 density behind and graduating finally to 4 story buildings. The idea is to build up and  
soften and not adversely impact the single family user. There will be 5 points of access  
46 and they will get the feel of a street like any other street in town but will have apartment

2 use buildings on each side with a pedestrian feel. As we create this hub there will be a  
community center including a fitness center, theater, swimming pool, hot tub, internet  
café, outdoor spaces with a pavilion; it will be like resort living every day.

4 He went on to say to the south it is more landlocked and harder to get good grid.  
There are similar buildings on north side and bring grid in with landscaped roundabout  
6 and the grid and a whole new second amenity package with a green space that ties it  
directly to the park as a whole with a pedestrian friendly path. They are tying the  
8 multifamily and the key is trying to hide the cars and make them secondary. The parking  
areas are tucked inside as to have access in the middle with a sound and visual buffer. He  
10 stated this is a form based design of the streetscape with the treescape with the parking  
being the driving point. This is a concept that they are looking to do in Draper and  
12 Farmington also. Mr. Bennett stated it will be more affluent with higher rent and the  
person who is willing to pay for the lifestyle that you won't have in other communities.

14 Mr. Earle showed slides and mentioned that Park Lane Village and Fairbourne  
Station won clubhouse of the year because of the quality of construction and finishes and  
16 because it provides what the people want. This shows attention to detail and quality of  
finish with the end user in mind. The point is the elevations of the buildings are not what  
18 they are proposing (types) but not the building. These are concepts and site plans we like  
but we can have flexibility (300-400 resident range) with no numbers and get the overall  
20 feeling before the group for comments. Mr. Earle mentioned that over the process of the  
past couple of months multifamily is seen as the big unknown and it is our hope that the  
22 group's perception has changed and that it creates a community that integrates with the  
Ivory Homes style and compliments them also and they truly believe that. He called for  
24 any questions or comments at this time.

26 Mr. Honeycutt asked if the recent tour and a UTA presentation has affected the  
groups thinking. Are there any concerns with multifamily?

28 Councilmember Hoyt asked what the average lot size on the big rectangle piece.  
Mr. Honeycutt stated they will get lot size to them but they have tried to mix the two.  
There is 52 less lots in the triangle because it is deeper in order to do the big and small  
30 mixed together. The next step is to get dimensional site plan.

32 Councilmember Lundberg commented that she has seen a lot of dog parks in the  
contemporary urban design projects. Mr. Bennett stated that every single community they  
do has a dog park and a dog watch. One thing discussed was the feathering approach with  
34 a 2 story townhome feel vs. and immediate 3 story. Mr. Earle stated the feathering  
happens naturally in the community because there will be 2 story homes in the single  
36 family lots so there will already be a mix. She also mentioned the clubhouse is more  
tucked back vs. more of a presentation effect complex. What are the pros and cons? Mr.  
38 Bennett stated they feel they want it to be more available for access to the residents and it  
also strengthens the rear units that are closer to the freeway and they are trying to step  
40 and the transition is a greater good. They are after the end user being able to participate as  
a whole and it is an extension of the community and not just the front door.

42 Commissioner Wily commented that the disappearing parking is very nice and  
with the pedestrian access and the flow of the streets and streetscapes he believes this  
44 could be much nicer than anything they have looked at. Mr. Bennett stated the parking is  
hidden and the garages will not be seen from the streets. Commissioner Kallas asked  
46 what the feasibility is of the Thorne parcel becoming a part of the project. He has met

2 with the Thornes several time and the key concern is that Mr. Thorne wants to sell the  
property and roll it into a cabin property but is struggling to find the property. It would be  
nice to incorporate it in and it is nice they have a tentative agreement to re-zone this.

4 Councilmember Lundberg asked about the status with the school district and the  
possibility of a school as there will be a lot of children commuting. Mr. Cowie stated the  
6 school district is not even considering a school at the location. They are looking at  
expanding Lindon Elementary. Mr. Honeycutt stated the LDS Church has contacted Mr.  
8 Thorne about a church on his property and they are very flexible about adding these  
amenities to the master plan and they are aware of that and they would love to be  
10 contacted again.

12 Commissioner Wily also mentioned he likes the senior living concept and if they  
will have basements. Mr. Honeycutt stated they may add basements in certain lots but  
the decision hasn't been made yet. Councilmember Hoyt brought up the greenspace and  
14 asked what the plan is on a fence between a buffer between Geneva Road and the  
freeway. Mr. Honeycutt stated that is based on standard Lindon City rules similar to  
16 Cullimore Court. There will be a decorative concrete wall (6 ft.) wherever there is a  
change in zones. Councilmember Broderick asked if they have done any high density  
18 traffic flow studies coming out of the high density.

20 Mr. Honeycutt stated they have tried to separate the industrial from the residential  
and when the retail comes does it make the connection. They had a version that blocked  
the industrial and it made sense to give the connection to have more access points with  
22 bike lanes, center median, etc. He stated they could get a formal traffic study done. They  
are still working out all the details. There was then some additional discussion by the  
24 group regarding the multifamily units (including elevators) and the feathering concept,  
active adult community and street widths and setbacks. Mr. Honeycutt stated they have  
26 done several active adult communities (#1 community) that have been very successful.  
There was then some discussion on the overall design and feel of the community concept.  
28 They could design the multifamily units more efficiently but they have conscientiously  
designed it to not be the standard but designed to be in the best interest of the city and  
30 community. He noted they will come up with some recommendations on street widths  
and setbacks and present it to staff first and then present it at a later meeting.

32 At this time, Mr. Van Wagenen asked about the sewer lift station box. Mr.  
Honeycutt said they have done some studies on the utilities on the project noting there is  
34 a high water table so they will have collection/detention areas. Sanitary needs a sewer lift  
station. They have been meeting with the City Engineer for the past 4 months on this  
36 issue so there is a good plan for that issue. They have made some great progress and there  
is big savings if they work together. The costs have not been determined but they realized  
38 they will be responsible for portions of the plan. He noted that the secondary water will  
be tied to the city. Mr. Van Wagenen noted there are some major engineering issues that  
40 are being addressed and the city is working with Ivory to make this a workable plan.

42 Councilmember Lundberg complemented the Ivory representatives on their work  
on this master planned community as they have included a lot great amenities etc. She  
appreciates their flexibility and listening to their concerns and added she is looking  
44 forward to seeing more detail on the finishes etc. Mr. Honeycutt asked the group to  
please share any ideas or concerns for the next work session so we can attack the issues

2 and make it a win-win for everyone. He added they will provide a dimensional plan at the  
3 next meeting including the setbacks.

4 Councilmember Broderick stated he still has concerns with the density. This is  
5 very unique to Lindon and the question is what is in this for Lindon and why should we  
6 approve a massive change and maintain the legacy in the field that brought 10,000 people  
7 to Lindon. Mr. Honeycutt stated part of the reason they are not coming to the next work  
8 session is to allow the group to discuss the proposal and to contribute to the  
9 comprehensive list and to contemplate what the trade is. He feels the city is getting a  
10 chance to allow your kids and grandkids to live in the city too as they cannot afford to  
11 now. This is the qualitative aspect and different is not bad and allows all age spectrums to  
12 live together. Commissioner Kallas pointed out, in considering this density, that the city  
13 gets a planned unit development with a lot of amenities, nice streets with beautiful  
14 landscaping rather than light industrial in the area.

15 Commissioner Marchbanks agreed adding it will bring an opportunity to bring  
16 other things that haven't been here before, i.e., 700 North businesses etc. Mr. Honeycutt  
17 mentioned there will also be impact fees that will feed the city more money as well; what  
18 is the builder providing in exchange for what they are getting; these are details that have  
19 to be discussed and worked out. Mr. Van Wagenen stated that staff, along with Ivory, is  
20 trying to present something that is not only quantitative but qualitative to the citizens of  
21 Lindon and are working to get something on paper to that end to help make the decisions.

22 **Adjourn** – The meeting was adjourned at 7:50

24 Approved –December 15, 2015

26  
28 \_\_\_\_\_  
Kathryn Moosman, City Recorder

30 \_\_\_\_\_  
Jeff Acerson, Mayor

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34 \_\_\_\_\_  
Sharon Call, Chairperson

36

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  
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  
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  
acre along with a proposed gathering facility.

8 Mayor Acerson called for any further comments or discussion from the Council  
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

2 The Lindon City Council and Lindon City Planning Commission held a Joint Work  
Session on **Tuesday, May 26, 2015 at 6:00 p.m.** in the Lindon City Center, City Council  
Chambers, 100 North State Street, Lindon, Utah.

4 **WORK SESSION** – 6:00 P.M.

6 Conducting: Carolyn Lundberg, Mayor Pro Tem

8 **PRESENT**

**ABSENT**

10 Randi Powell, Councilmember  
Matt Bean, Councilmember - arrived 6:20  
12 Van Broderick, Councilmember  
Carolyn Lundberg, Councilmember  
14 Jacob Hoyt, Councilmember  
Sharon Call, Chairperson  
16 Rob Kallas, Commissioner  
Bob Wily, Commissioner  
18 Matt McDonald, Commissioner  
Mike Marchbanks, Commissioner  
20 Andrew Skinner, Commissioner

Jeff Acerson, Mayor

22 **Staff Present**

Adam Cowie, City Administrator  
24 Hugh Van Wagenen, Planning Director  
Jordan Cullimore, Associate Planner  
26 Mark Christensen, City Engineer  
Heath Bateman, Parks & Recreation Director  
28 Kathy Moosman, City Recorder

30 **Ivory Representatives**

Kyle Honeycutt  
32 Ken Watson

34 1. **Call to Order** – The meeting was called to order at 6:05 p.m.

36 2. **Work Session**—*Ivory Development, Anderson Farms.* The Council and Commission  
38 will discuss the latest concept plan for the Ivory Development Anderson Farms  
residential project. The project is approximately located at 500 North Anderson Lane  
and encompasses about 135 acres.

40  
42 Mr. Van Wagenen referenced for discussion the most recent concept plan for the  
Ivory Development project. He noted the biggest change is the townhomes concept in the  
southwest corner against the freeway (formerly the multifamily apartments -125 units).  
44 He gave a quick overview explaining all the single family residential (including  
Creekside Retirement, Fieldstone, and the proposed retirement community and the town  
46 homes: considered single family, non-apartment) puts the ratio of this concept at an

2 approximate 60% level on non-apartment units (doors) vs. the 50% which is a 10%  
3 increase on the ratio for apartment to non-apartment. He explained there were cross  
4 sections involved because the roads change as you move through and city staff and the  
5 City Engineer has been working with Ivory on the cross sections and the concept of extra  
6 corridors combining the parks and open space throughout the whole project. He noted  
7 after the last work session staff went back to Ivory with the general concerns over the  
8 ratio of doors and asked them to come back with an alternative concept which is before  
9 the group tonight. Mr. Van Wagenen pointed out that this concept is an alternative  
10 option to what was presented before and gives the decision makers an alternative option  
11 to consider. Mr. Van Wagenen then turned the time over to Mr. Kyle Honeycutt for  
12 questions or comment.

13 Mr. Honeycutt mentioned there are not a tremendous amount of visual changes  
14 but the big change is dropping the nearly 200 units down to basically ramblers with  
15 basements. He then noted the details stating this is basically a standard townhome  
16 complex that Ivory would do with 98% of them being two car garage door units as one  
17 car garage units do not sell near as well. He added they did two different versions with  
18 one being drive courts with the freeway on the side of the house which they felt would be  
19 nicer with a lot of green space and a pavilion and from a road perspective you can see the  
20 open and green space coming off of the road. And number two being from a marketing  
21 standpoint they have the apartments to the retirement community (no maintenance  
22 community) and townhomes (low maintenance) so the HOA takes on a bigger  
23 responsibility for the townhomes, similar to the retirement community in that if you are  
24 looking to retire this is the place to go as it is fully maintained with smaller yards and  
25 private streets which works better that way. The disadvantage of private streets to the  
26 residents is that they pay snow removal etc., and maintenance of the roads as part of the  
HOA.

27 Mr. Honeycutt stated they are very excited about the units being next to the park.  
28 He mentioned that they really wanted to make a nice streetscape on the big road going  
29 through and also on the normal streets, all streets are 5 ft. wider (55 ft. street cross  
30 section). He noted the main difference is the planter that makes it feel “greener” with the  
31 separation and with the houses further back. He added this didn’t affect the layout too  
32 much but they got a wider street but also lost a few lots. Mr. Honeycutt stated, for the  
33 most part, it works to have the nicer street inside the community but that is nothing  
34 compared to the 85 ft. street cross section with the median. He noted they need to work  
35 out some details (per city code) with the Thorn property but feels it will be very nice  
36 when fully landscaped and will draw people into the community and it will stand out.

37 Mr. Honeycutt explained that a traffic study is currently being done but they feel  
38 when the apartment complex happens (slated 5 or 6 years later) it would be the logical  
39 time to put the road in and it is on the layout. He then gave some details of what is going  
40 in the parks for clarification.

41 Councilmember Lundberg asked if the townhomes are for sale or lease. Mr.  
42 Honeycutt stated they are for sale. Mr. Honeycutt suggested the group look at their Ivory  
43 Ridge Project in Lehi (Pacific Series Condos) for comparison; they are building in  
44 Saratoga Springs also. Chairperson Call stated she appreciates the changes and noted it  
feels much better as she likes the mixed type of housing. Mr. Honeycutt then discussed

2 the parks and who maintains them. He added they have also been discussing right of  
ways and maintenance with city staff.

3 Commissioner Kallas questioned if we are compromising by going to a townhome  
4 because after 10 years most of the units won't be owner occupied and not managed. Mr.  
Honeycutt then spoke about HOA's and reserve studies stating he will draft a copy of the  
6 CC&R's along with their attorney to see what the restrictions are etc.; he is not sure they  
are ending up with a better product than before. Mr. Honeycutt stated they only hire top  
8 notch management companies to run their properties. He added that State laws have  
pushed HOA's to have reserve studies and management plans forcing the improvements  
10 of HOA's. There was then some general discussion regarding HOA's.

11 Mr. Honeycutt also mentioned the LDS church has contacted them and expressed  
12 interest about several sites to construct an LDS church (phase I) but they are really non-  
committal at this point. He noted that they are open and ready when they are ready and  
14 feels it will be a great amenity in the community.

15 Mayor Pro Tem Lundberg called for any public comments at this time.

16  
17 **Gaylan Haig:** Mr. Haig stated he is a resident of Lindon and lives in the Creekside  
18 Cottages. He noted he likes this concept but actually thought it would be something  
20 different. His one concern is behind their development (on the commercial plot) it seems  
it will be sandwiched in to where it will wither and die. He asked if they have considered  
22 including that plot in the development. Mr. Honeycutt stated they are open to ideas to  
figure out something that may work, noting it would be nice on a marketing perspective  
24 for Ivory.

25 Chairperson Call asked what they are planning on doing on the apartment side.  
26 Mr. Honeycutt stated it will be the same concept and same number with a nice buffer to  
the railroad tracks that will start smaller and get larger in the middle.  
28

29 Mr. Honeycutt noted they talked with staff last week about whether to define  
30 colors now or to put into the development agreement that there is a certain density with  
more definition required before construction starts. He noted they are open to most  
32 things and it will look pretty much like the traditional style rather than the more modern  
as per drawn on this concept.

33 Mr. Honeycutt mentioned they feel they are ready to introduce this to the whole  
34 Creekside/Fieldstone community for feedback and asked how this group feels about  
going to that level. He noted on a project this big he would suggest two open houses (one  
36 in the evening, one in the afternoon). He also pointed out that they will be ready to make  
formal application in the next few months. Mr. Van Wagenen asked if it is safe to say the  
38 Ivory Ridge project is same type of product. Mr. Watson confirmed that statement and  
showed a photo of the development followed by discussion.  
40

41 City Engineer, Mark Christensen questioned if the townhome plan would be  
42 different from the plan shown given the ground water problem. Mr. Honeycutt stated they  
are talking about a considerable expense to bring in a lot of dirt to raise the whole thing  
44 up. Mr. Christensen also asked if they can be done without a basement. Mr. Honeycutt  
confirmed that statement but added it is not as desirable. Mr. Christensen also asked  
46 what the square footage is. Mr. Watson replied there will be anywhere from 1,500 to

2,000 square feet on all three floors and most will be in the \$200,000 to \$250,000 price range (approximate).

Councilmember Lundberg asked the group if they are ready to proceed with holding some public open houses. To that point, Mr. Van Wagenen asked if the group would feel comfortable doing a straw poll to see where everyone is at and if they are interested in public feedback as all councilmembers and commissioners are in attendance tonight.

Commissioner Kallas asked the group what the reasoning is why they like the townhomes better than the apartments and if it is because of sheer numbers.

Chairperson Call stated she likes the diversity and the types housing and owner occupancy and but not the high density in those areas. She also likes the choice of housing and being able to make it more of a community feel rather than a transient population. Commissioner Wily agreed that he likes the mix and the choices it presents; he was hoping for some townhomes. Councilmember Powell commented that she is leaning towards both options but really likes the idea of townhomes and feels it makes more diversity and asked about adding another strip of townhomes. There was then some discussion of the possible location of additional townhomes. Mr. Watson stated from an HOA maintenance perspective they would want to have enough townhomes to justify the maintenance etc. Councilmember Broderick expressed his concerns about the huge amount of traffic it generates and noted he will never vote for a 5 ft. setback. He added that multiple units feels more congested than one large one that is designed to handle the volume. Councilmember Lundberg stated she cannot agree, in good conscious, to two large apartment complexes that will put such a huge imbalance in the demographics.

Mr. Bateman commented that he would like to see an automated sprinkler system in the parks that they could control (Weather Tec System). Mr. Bateman also asked about the bathroom on the park plan and if the trail will be lighted. Mr. Honeycutt said he will add that to the list as there is currently no lighting.

At this time, Mr. Van Wagenen took a straw poll from the group on the possible options as follows:

### **STRAW POLL**

#### City Council – Preferred Option

|                        |                       |
|------------------------|-----------------------|
| Option A: (Apartments) | Option B: (Townhomes) |
| Randi Powell           | Matt Bean             |
| Van Broderick          | Carolyn Lundberg      |
|                        | Jacob Hoyt            |

#### Planning Commission – Preferred Option

|                        |                       |
|------------------------|-----------------------|
| Option A: (Apartments) | Option B: (Townhomes) |
| Rob Kallas             | Sharon Call           |
| Mike Marchbanks        | Bob Wily              |
|                        | Matt McDonald         |
|                        | Andrew Skinner        |

2 Mr. Van Wagenen observed that from the straw poll taken option B is the  
3 preferred option by the majority. Following some additional discussion Mr. Honeycutt  
4 stated that he will get with Mr. Van Wagenen and start the open house process.

6 **Adjourn** – The meeting was adjourned at 7:15

8 Approved – January 5, 2016

10 \_\_\_\_\_  
12 Kathryn Moosman, City Recorder

14 \_\_\_\_\_  
16 Carolyn Lundberg, Mayor Pro Tem

18 \_\_\_\_\_  
20 Sharon Call, Chairperson

2 The Lindon City Council and Lindon City Planning Commission held a Joint Work  
3 Session on **Tuesday, December 8, 2015 at 6:00 p.m.** in the Lindon City Center, City  
4 Council Chambers, 100 North State Street, Lindon, Utah.

4 **WORK SESSION** – 6:00 P.M.

6 Conducting: Jeff Acerson, Mayor

8 **PRESENT**

**ABSENT**

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

20 **Staff Present**

22 Adam Cowie, City Administrator  
22 Hugh Van Wagenen, Planning Director  
24 Brandon Snyder, Associate Planner  
24 Brian Haws, City Attorney  
26 Kathy Moosman, City Recorder

28 **Ivory Representatives**

28 Ken Watson  
30 Chris Gamvroulas  
30 Tyler Buswell – Ivory Attorney

- 32
- 34 1. **Call to Order** – The meeting was called to order at 6:00 p.m.
  - 36 2. **Work Session**—Ivory Development, Anderson Farms Development Agreement. The  
38 draft development agreement for the Anderson Farms Master Planned Community  
will be presented to the Planning Commission and City Council. No action will be  
taken at this time.

40 Hugh Van Wagenen, Planning Director, opened the discussion by explaining the  
42 purpose of the meeting tonight is to discuss the draft development agreement for the  
Ivory Development, Anderson Farms Master Planned Community. He mentioned an  
44 email sent dated December 6<sup>th</sup> regarding a discussion with Brian Haws, City Attorney.  
He then explained the intent tonight is not to discuss approval but to become familiar  
46 with the agreement so when it's time for a public meeting and a vote you know what is in  
the agreement. He then showed the layout of the document itself. He noted staff met  
with Ivory last Thursday and discussed the body of the document and that is what he

2 wants to introduce tonight. He then highlighted the different sections and defining terms  
(usually capitalized) in the document and also the recitals noting he will refer back to  
4 them frequently throughout the meeting. Mr. Van Wagenen the read some of the  
definitions and defining terms. He referenced the section that states the maximum units of  
6 the project being 950 units overall (not reflected specifically in the exhibits) but just a  
nice round number to deal with. He also mentioned the offsite infrastructure and  
8 referenced the sections. He added that Section 3.2 is getting tweaked to reflect the  
preferred option for the commercial pad and Ivory is updating all their exhibits to reflect  
that commercial pad as being Option "A".

10 Mr. Van Wagenen went on to explain that the multifamily phase section is not  
finalized yet and Ivory will work with the city to develop that project and the details are  
12 far from being finalized. He mentioned the vested rights and they are updating the  
engineering and building standards etc. that are applied community wide; the city has the  
14 option to change the standards down the line. He mentioned to be aware there is a 20  
year term on the MDA of the buildout that states the developer has to proceed within 18  
16 months of approval so it doesn't get stalled out. He also referenced various other sections  
including public improvements and infrastructure, CC&R's, parks, trails, landscaping,  
18 water rights etc. Mr. Van Wagenen stated they also discussed combining some sewer lift  
stations in the city that would eliminate rebuilding some lift stations in the future noting  
20 there are some advantages there.

22 Mr. Gamvroulas then clarified park impact fees and the verbiage used of  
"waived" which is not accurate because they will still pay the fees and that money will be  
dedicated or "earmarked" for the park so it is not like they are not paying park impact  
24 fees. He clarified there is a funding mechanism through the park impact fees to build the  
park. Mr. Haws pointed out that it creates and is similar to an escrow account so if  
26 something goes wrong and the park isn't completed we can hold onto that account. Mr.  
Gamvroulas stated it is a regional park that serves more than just the property as it is on  
28 the city master plan.

30 Mr. Gamvroulas clarified the paragraph in the document that states the money  
goes into an escrow account and at some time the park will get built. Mr. Haws stated it is  
important to recognize if the park takes less than the impact fees collected then they get  
32 whatever is left or if the costs are more they will pay for those costs; the payment of the  
park is the developer's responsibility. Mayor Acerson suggested eliminating the word  
34 "waived" from the language. Mr. Van Wagenen stated we are technically saying the  
same thing, that it is just a guarantee. He will have Mr. Haws check into that language.  
36 Mr. Gamvroulas stated he will also have their lawyers check into that issue.

38 Councilmember Broderick asked for clarification on the above mentioned  
sections. Mr. Haws stated it is a system improvement and with the state requirement  
right now they don't see any system improvements on the plan except the park. There  
40 was then some discussion on sewer exhibits. Mr. Van Wagenen then went through the  
remaining sections and exhibits followed by some general discussion. Mr. Gamvroulas  
42 stated the new exhibits will be forthcoming as they are just finishing up with the  
engineer.

44 Mayor Acerson questioned Mr. Haws if the master development agreement is  
approved, and there are vested rights, and if Ivory for whatever reason runs into a  
46 financial hardship, what protects the city from Ivory doing a fire sale and take the vested  
right to shop it to wherever they want to. He also questioned if they have to change

2 because of an unknown situation, if we, as a city, want to make sure we have the same  
quality, if not better, in moving forward. Mr. Haws explained because we are changing  
4 the zoning and putting into place a zoning ordinance that codifies the development  
agreement, it will be a transferrable right and in the current agreement that it is  
6 acknowledged as a vested right. The way the MDA is written we don't have any say who  
they will sell it to; this is perhaps something to discuss in more detail.

8 Mr. Gamvroulas then referenced Paragraph 20, which states you must provide  
notice. He noted at the end of the day it is a property right. He added there has been  
10 discussion about this issue and pointed out this agreement will also be recorded and  
bound and subject to the assumption and this should make everyone comfortable. Mayor  
12 Acerson asked what happens if there is a downturn in the economy and if there is the  
ability to renegotiate the time frame. Mr. Haws stated there is a paragraph included  
14 where the parties can meet and modify the agreement. He added if they file their first  
application within the first 18 months (and it vests) they have the rights to it for 20 years.

16 Mr. Buswell pointed out it is because Ivory has certain obligations at each stage  
and the reason why they did that is because the city indicated they needed sufficient  
18 infrastructure put in to build the next phase, so they built that into the document; if there  
is some downturn they are still obligated to do the infrastructure. Mr. Gamvroulas stated  
Ivory feels this is a very fair agreement and it was approached in good faith by the two  
20 parties to arrive at the best possible outcome and they have agreed to it. There has been  
hundreds of hours on the part of city staff and they have done a terrific job.

22 At this time Mr. Van Wagenen asked if there were any questions on the exhibits.  
Councilmember Hoyt asked about the maximum residential units and asked if they  
24 consider townhomes as single family homes. Mr. Gamvroulas stated they are not as they  
are considered single family-attached. Mr. Haws stated they are modifying the definitions  
26 for this zone only and will not change in the code (single family detached and single  
family attached and then multifamily).

28 Mr. Van Wagenen pointed out that Ivory is somewhat restrained (as per the  
agreement) from doing all townhomes. Mr. Haws added that Ivory has agreed to comply  
30 with all of the exhibits. Chairperson Call asked when this agreement will come before  
the Planning Commission. Mr. Van Wagenen stated it will come to the Planning  
32 Commission in January after some of the issues have been resolved. He also mentioned  
he sent out an email to Ivory today to see if they prefer ground water and basements  
34 onsite near the park noting staff has been discussing what that would take; either a land  
drain system or to bring in dirt fill. There are a few reasons why 1) it is extra  
36 infrastructure the city is ultimately responsible for and 2) the additional liability for the  
city as the fill would take millions of dollars; they would prefer the land drain system but  
38 these issues have not been worked out yet and 3) they are close to buttoning down the  
traffic study noting there are no major surprises there.

40 Mr. Van Wagenen stated they are thinking January to get it to the Planning  
Commission for the first time at which time it could be continued if there are concerns or  
42 questions. He pointed out that the reason for the work session tonight is so the Council  
and Planning Commission are prepared. He noted the Planning Commission vote will be  
44 separate from the Council and they will make recommendations to the Council.

46 Mr. Watson stressed with the issue of the pump and the ground water that the city  
already has some sewer lift stations and this site is no different. They have already  
contemplated running all the pipes to the same spot around a sewer lift station which

2 would be a benefit community wide because when this comes on line the city won't have  
3 to replace or build another one. He went on to say that taking the affluent at a low point  
4 and pumping it up and getting it out to a pipe that is higher is not unusual. He noted they  
5 showed the city engineer a system that JUB had designed for Ivory in Clinton that was a  
6 joint sewer lift station that has been operational for a decade. There are multiple backup  
7 pumps and generators and indicators; this has been done before. Staff has raised yellow  
8 flags and their idea is to create a funding mechanism through the city and perhaps create  
9 a special service district which they feel is a better solution than through the HOA. Mr.  
10 Watson stated this issue is open to conversation as there are many ways and options to be  
discussed.

11 Mr. Van Wagenen mentioned one challenge is that they are not sure how much  
12 water will come down the pipes but they will know as development occurs. Mr.  
13 Gamvroulas stated it has been extrapolated. Mayor Acerson commented if they are  
14 comfortable with that level then they should be comfortable to back it up too.  
15 Councilmember Broderick commented that he feels they are doing this just to put in  
16 basements. Mr. Gamvroulas confirmed that statement. He also stated that they have to go  
17 down at least 36 inches and either raise the site up or put in a land drain. He noted the  
18 amount of fill dirt to bring that in could be problematic; they are already going half way  
19 and they would like to go to the next step and put in basements and put in the systems  
20 that will protect them that will increase the values of the homes and make for a better  
21 neighborhood; there is going to be an expense one way or the other. He added it is a  
22 forgone conclusion of any development of this site that it will get a sewer lift station and  
23 it will be pumping. He knows there are some reservations on the part of the city and  
24 rightly so as this has not been done in Lindon before but they have done it before.

25 Councilmember Lundberg asked for the oldest example of a lift station. Mr.  
26 Gamvroulas stated the oldest is their West Layton project which has been 20 years.  
27 Councilmember Broderick asked what the current water level is. Mr. Gamvroulas stated  
28 it is 2 or 3 feet depending on where you are. There was then some general discussion  
29 regarding this issue with Mr. Gamvroulas stating they will bring them some cross  
30 sections. Commissioner McDonald asked if the entire commercial piece will be owned  
31 by Ivory. Mr. Gamvroulas stated that piece will stay in the Anderson family as a place  
32 holder for a future commercial site that would reflect a site plan (information not  
33 distributed widely at this point for sensitivity reasons).

34 **Adjourn** – The meeting was adjourned at 7:00

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36  
37 Approved – January 5, 2016

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40 \_\_\_\_\_  
Kathryn Moosman, City Recorder

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Jeff Acerson, Mayor

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44 \_\_\_\_\_  
Sharon Call, Chairperson

**Item 3: Public Comment**

**1 - Subject** \_\_\_\_\_  
**Discussion**

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**2 - Subject** \_\_\_\_\_  
**Discussion**

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**3 - Subject** \_\_\_\_\_  
**Discussion**

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**Item 4: \*Continued\* Public Hearing —  
General Plan Land Use Amendment  
MS Properties**

*This item is continued until the January 26, 2016 Planning Commission Meeting and will not be reviewed tonight. Although third party notices were mailed appropriately, a newspaper notice was not published in accordance with public hearing requirements. Additionally, the applicant is considering including other properties not currently represented in the application.*

The applicant is requesting a General Plan Land Use Map Amendment from Mixed Commercial to Industrial or Commercial to Industrial on several parcels in the vicinity of Geneva Road, from approximately 400 South to 500 North.

**Item 5: \*Continued\*Site Plan — West Lindon Business Park  
730 North 2800 West**

*This item is continued until the January 26, 2016 Planning Commission Meeting and will not be reviewed tonight. This will allow a subdivision request to be noticed and presented at the same time as the site plan application in addition to allowing the site plan to receive some minor modifications before it is presented to the Planning Commission.*

Ed Dayley requests site plan approval for two office/warehouse buildings, 21,567 and 36,686 square feet respectively, located in the Mixed Commercial (MC) zone.

## Item 6: Conditional Use Permit — 442 North 400 East Adventure Academy Child Care

Sharae Wallentine requests approval of a conditional use permit (CUP) for child day care and preschool services in the Single Family Residential (R1-20) zone. The proposal will serve a maximum of 16 children.

**Applicant:** Sharae Wallentine  
**Presenting Staff:** Brandon Snyder

**Zone:** Single Family Residential (R1-20)

**Parcel Address:** 442 North 400 East  
**Parcel ID:** 46-884-0002  
**Lot:** The residence is located on Lot 2, Plat A, of the Maxine Meadows Subdivision.

**Type of Decision:** Administrative  
**Council Action Required:** No

### **SUMMARY OF KEY ISSUES**

1. Whether to approve the applicants' request for a conditional use permit to provide child day care and preschool services in her home.

### **MOTION**

I move to (*approve, deny, continue*) the applicant's request for a conditional use permit to provide child day care and preschool services in the applicant's residence located at 442 North 400 East in the Single Family Residential (R1-20) zone with the following conditions, if any:

- 1.
- 2.



### **FINDINGS OF FACT**

1. The residence is located at 442 North 400 East, which is in the Single Family Residential (R1-20) zone. The residence is owner occupied. The home was constructed by way of building permit #1697 of 2015. The home has an unfinished basement.
2. The Lindon City Standard Land Use Table by Zone indicates that Child Day Care - 5 to 16 children (4 or less not regulated) requires a conditional use permit in the R1-20 zone.

3. Third Party Public Notices required per Lindon City Code section 17.14.50 were mailed. No public comments have been received by Staff at this time.
4. The applicant has been approved by the Utah Department of Health for a Family Child Care License. The license permits the licensee a total capacity of 16. The license indicates that this number includes the provider's own children under the age of four. The applicant has two children, which neither is under the age of four. The applicant is required to maintain the State license.
5. The applicant's business outline is included in this staff report. The applicant is considering providing care for children between the ages of 3 months to 11 years old.
6. The applicant's proposed site has already passed the Lindon City Final Fire Inspection.
7. A Lindon City business license is required after Planning Commission approval of the proposed CUP is given, but prior to providing child day care.
8. The applicant has applied for a Lindon City business license (home occupation). A home occupation does allow for additional care givers that are required by the State. The applicant will be required to maintain a Lindon City business license. The intent of a home occupation is to be secondary to the residential use of the property.

#### **ANALYSIS**

- Utah State Code § 10-9a-103 defines a conditional use as "a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts."
- Section 10-9a-507 of the Utah State Code requires municipalities to grant a conditional use permit "if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards." Once granted, a conditional use permit runs with the land.
- State Code further provides that a conditional use permit application may be denied only if "the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards." Utah State Code § 10-9a-507.
- Lindon City Code Section 17.20.060 provides that a conditional use may be denied when:
  - "[U]nder circumstances of the particular case, the proposed use will be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity, and there is no practical means available to the applicant to effectively mitigate such detrimental effects;" or,
  - "[T]he applicant cannot or does not give the Planning Commission reasonable assurance that conditions imposed incident to issuance of a conditional use permit will be complied with."



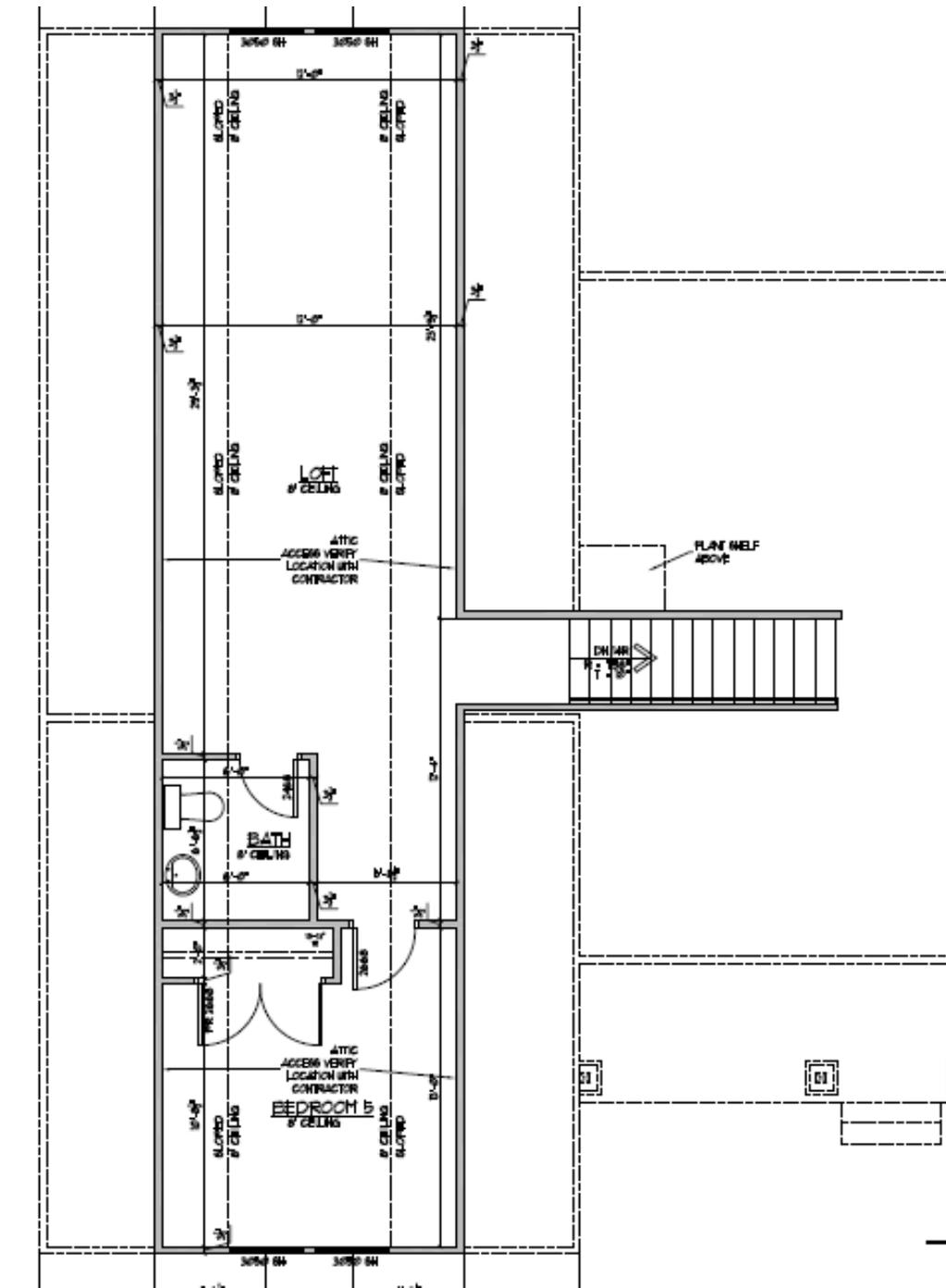
### Adventure Academy Child Care's Business Outline

We are state licensed for up to 16 children. We will have 1–2 part-time employees. We have widened our driveway to accommodate our own vehicles, employees and client's vehicles. The road we live on is wider than most and has enough space between the sidewalk and road for clients to park and safely walk their children up to our home if the driveway is full. We can fit up to 5 cars on our driveway at a time. Not including our own.

Our hours are from 7:30am–5:30pm for the majority of our clients. Most of our drop offs are between the hours of 7:30am–10:00am and pickups will be between 3:00pm–6:00pm. We will have the first arrivals use the driveway spaces and the next in line will pull up as close to the driveway as they can on the street. Then the next parent behind them and so forth. We will have the children exit on to the sidewalk and not out of the vehicle door that is open to the street.

We will be using our kitchen, family room, front room, three bedrooms for infant naps, bathrooms, upstairs loft and bedroom but not all of these spaces will be used at the same time. Thank you, Sharae Wallentine





## Item 7: CUP Modification — Avalon Senior Apartments

Jeff Southard of Southhaven Homes requests a change to the timing of installation of the fencing requirement along the northern border of Avalon Senior Apartments adjacent to the vacant commercial lot owned by A Perfect Development. The request is to install fencing once it is known what type of development will be occurring on the vacant property.

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|--|--|
| <p><b>Applicant:</b> Jeff Southard<br/><b>Presenting Staff:</b> Hugh Van Wagenen</p> <p><b>Type of Decision:</b> Administrative<br/><b>Council Action Required:</b> No</p> | <p><b><u>SUMMARY OF KEY ISSUES</u></b></p> <ol style="list-style-type: none"><li>1. Is it appropriate to allow a delay in fence construction along the vacant property to the north so that the eventual fence will be compatible with future development?</li></ol> <p><b><u>MOTION</u></b></p> <p>I move to recommend (<i>approval, denial, continuation</i>) of the applicant's Conditional Use Permit modification request (<i>with/without conditions</i>).</p> |
|--|--|

### **BACKGROUND**

When the SHFO zone was created, there was discussion on fencing requirements. At the time, both the Commission and Council ultimately felt that such projects should be fenced around their entire perimeter, regardless of adjacent uses or zones. Mr. Southard recently received approval to modify the fencing code of the Senior Housing Facilities Zone to allow the Planning Commission to approve exceptions to fencing requirements in said zone. Senior housing projects are considered Conditional Uses and any modification of a conditional use needs to be approved by the Planning Commission.

### **DISCUSSION & ANALYSIS**

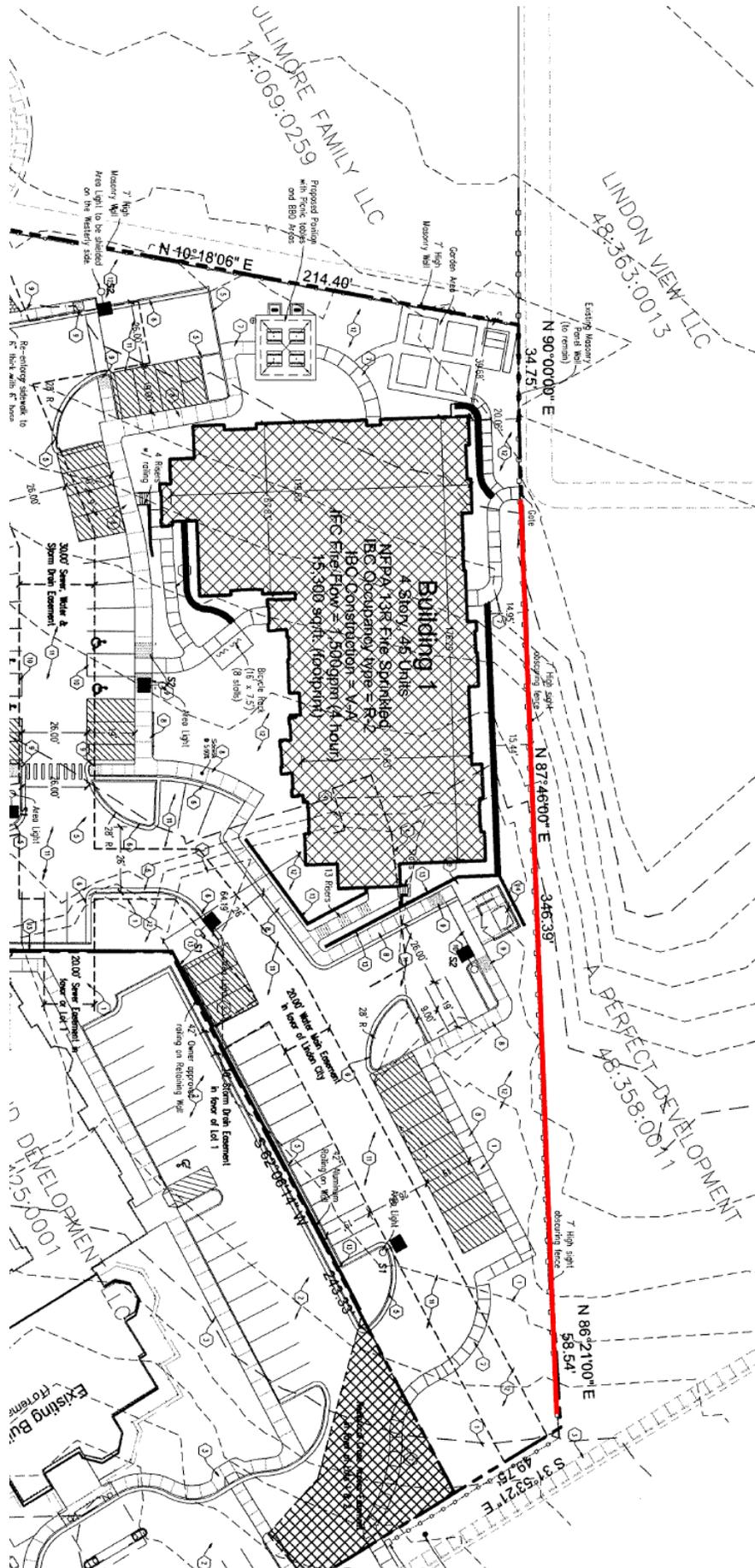
Jeff Southard is developing the Avalon Senior Living project at 179 North State Street and building one is nearly complete. The project is finalizing site improvements and Mr. Southard would like the fencing requirement along his north border adjacent to the vacant commercial property be delayed until it is known what will develop on the vacant property. If approved, the request would allow an appropriate type of fence to be installed that compliments both developments in the future with regards to type, material, color, etc.

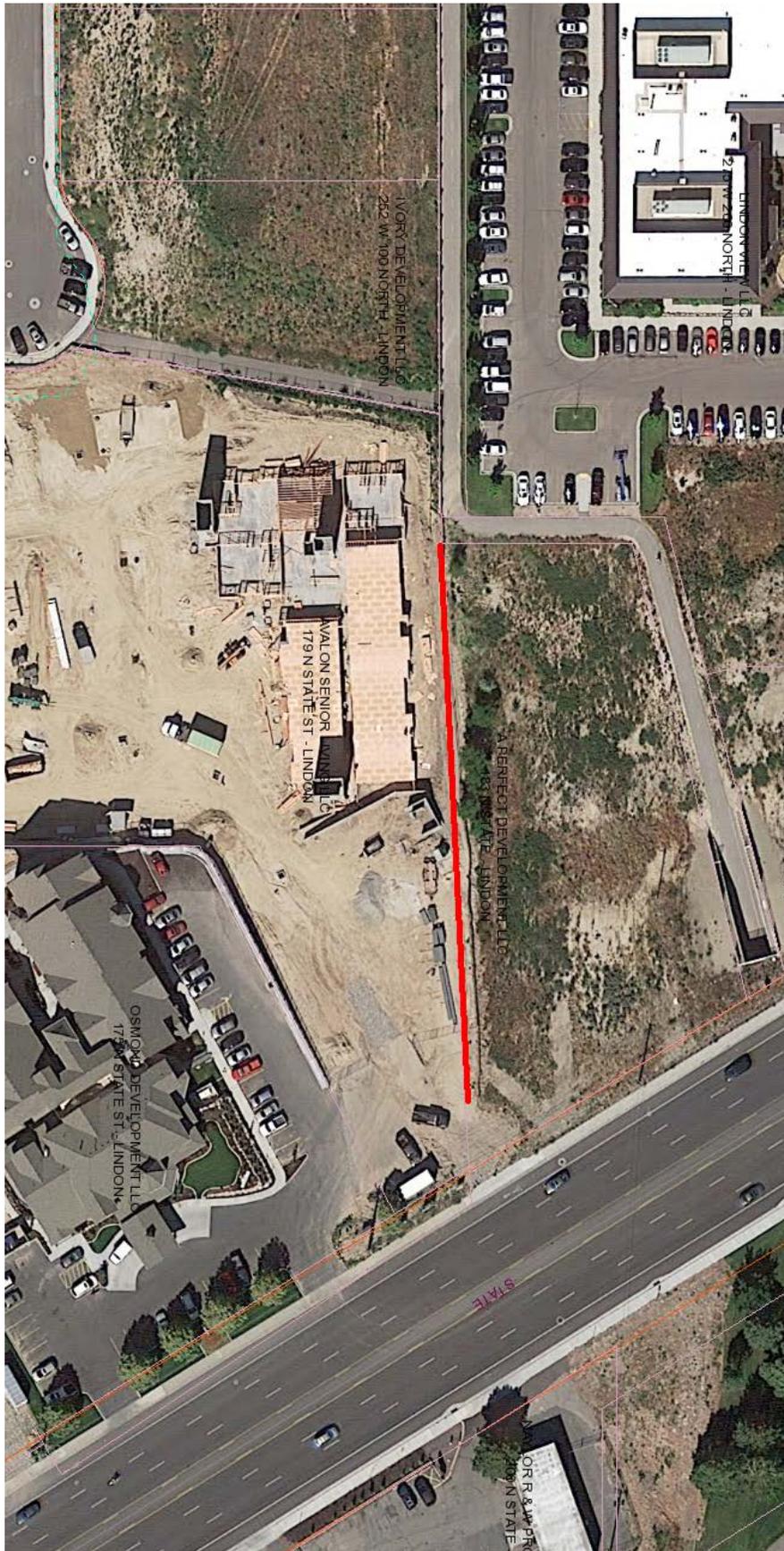
The Senior Housing Facilities Overlay code was recently modified to allow the Planning Commission to approve delayed timing of fence construction based on appropriate circumstances. The applicant is asking that the Planning Commission exercise that ability in this instance.

On the Avalon project, this would specifically apply to its northern border as shown in the attachments below. Mr. Southard has indicated that he has spoken to Brigham Ashton, the owner of the adjacent commercial property to the north about delaying the installation of any fence and Mr. Ashton is in agreement with the request.

### **ATTACHMENTS**

1. Avalon site plan showing requested affected area
2. Avalon aerial image of requested affected area





## Item 8: Site Plan — Children’s Corner and Taylor Dental 195 N. State Street

Rob Taylor requests site plan approval for an office building to be located at 195 N. State Street in the General Commercial (CG) zone.

|  |   |
|--|---|
| <p><b>Applicant:</b> Rob Taylor<br/> <b>Presenting Staff:</b> Brandon Snyder</p> <p><b>General Plan:</b> Commercial<br/> <b>Zone:</b> General Commercial (CG)</p> <p><b>Property Owner:</b> Taylor Ortho Management Co. LLC; Registered Agent: Robert R. Taylor<br/> <b>Address:</b> 195 N. State Street<br/> <b>Parcel ID:</b> 45-567-0002<br/> <b>Lot Size:</b> 0.52 acre<br/> <b>Legal Description:</b> Lot 2, Plat A, Lindon View Subdivision</p> <p><b>Type of Decision:</b> Administrative<br/> <b>Council Action Required:</b> No</p> | <p><b><u>SUMMARY OF KEY ISSUES</u></b></p> <ol style="list-style-type: none"> <li>Whether the request for site plan approval complies with applicable land use requirements of the General Commercial (CG) zone.</li> </ol> <p><b><u>MOTION</u></b><br/> I move to (<i>approve, deny, continue</i>) the applicant’s request for site plan approval with the following conditions (if any):</p> <ol style="list-style-type: none"> <li></li> <li></li> <li></li> </ol> |
|--|---|

### **BACKGROUND**

- The applicant proposes to construct a 12,000 square foot two story office building on the lot located at 195 N. State Street. The building will have 6,000 square feet per level.
- The structure will include two suites used for orthodontic and pediatric dental services, which are both permitted uses in the General Commercial (CG) zone.
- The site’s main access and parking lot (19 stalls) will be off of State Street. Additional parking (8 stalls) is provided off of 200 North to the west of the building, by way of a recorded shared parking lot agreement.
- The intent of the General Commercial (CG) zone is to provide areas within the City where commercial and service uses may be located. (LCC Section 17.48.010 General Provisions).
- Site plan review is required for all new development within a non-residential zone per Lindon City code Section 17.17.110.

Table 1. Existing and Surrounding Land Uses and Zoning

|                         |              |              |             |             |
|-------------------------|--------------|--------------|-------------|-------------|
| <b>Existing Use</b>     | Vacant       |              |             |             |
| <b>Surrounding Uses</b> | <b>North</b> | <b>South</b> | <b>East</b> | <b>West</b> |
|                         | Commercial   | Vacant       | Park        | Commercial  |



|                          |                         |                         |                        |                         |
|--------------------------|-------------------------|-------------------------|------------------------|-------------------------|
| <b>Site Zoning</b>       | General Commercial (CG) |                         |                        |                         |
| <b>Surrounding Zones</b> | <b>North</b>            | <b>South</b>            | <b>East</b>            | <b>West</b>             |
|                          | General Commercial (CG) | General Commercial (CG) | Public Facilities (PF) | General Commercial (CG) |

**REVIEW PROCESS**

**DRC Review**

Planning Staff, the City Engineer and the applicant are working through technical issues related to the site and City Staff will ensure all issues are resolved before final Engineering approval is granted.

**Public Comment**

Third party notice was provided on December 29, 2015, to the adjoining property owners in accordance with Lindon City Code Section 17.14.50 Third Party Notice. Staff has received no written public comment at this time.

Table 2. Property Information (General Commercial (CG) Zone LCC Chapter 17.48)

|   | <b>Minimum Requirement</b>                       | <b>Proposed Site</b>                                     |
|---|--|--|
| <b>Lot area</b>                                 | 20,000 sq. ft.                                   | 22,449 sq. ft.   |
| <b>Lot frontage</b>                             | 100 feet   | State Street (arterial): 161'<br>200 North (local): 105' |
| <b>Building height</b>                          | Maximum 48'<br>Minimum 10'                       | Height: 22'  |
| <b>Landscaping % of lot</b>                     | 20%  | 37%  |
| <b>Onsite parking stalls and bicycle stalls</b> | Vehicle: 26 stalls (1/450 sq. ft.)<br>Bicycle: 4 | Vehicle: 27 stalls<br>Bicycle: 8 (4 at each entrance)    |

| <b>Building setbacks</b>    |                                |           |
|-----------------------------|--------------------------------|-----------|
| <b>Front</b>                | 20 feet                        | 75 feet + |
| <b>Rear</b>                 | 0 feet + (5' grading easement) | 8 feet    |
| <b>Side (interior)</b>      | 0 feet + (trail easement)      | 10 feet   |
| <b>Side (street corner)</b> | 20 feet                        | 25 feet   |

**DISCUSSION & ANALYSIS**

**Landscaping Standards**

Landscaping Strip: The CG Zone requires that a landscaped strip twenty (20) feet in width shall be planted with grass along all public street frontages. The landscaping plan complies with these and all other landscaping requirements except the berming noted below.

Berms: The CG zone requires landscaped berms within the required landscaped strips along public street frontages. Unless otherwise approved by the Planning Commission, the landscaped berm shall be at least three (3) feet high along all public street frontages. Landscaping requirements concerning berming can be changed and/or altered upon approval of the Planning Commission at the site plan review stage of an application. *The applicant is requesting no berm along 200 North due to the topography and existing meandering sidewalk. The applicant is proposing retaining walls near the building and parking lot along 200 North.*

**Architectural Standards**

Architectural Design: Lindon City code requires that architectural character, street scape, site design and other amenities in the CG zone shall be consistent with the Lindon City Commercial Design Guidelines. All sides of the buildings shall receive design consideration consistent with the Commercial Design Guidelines (LCC 17.48.080). The proposed building color elevations have been included in the staff report. The building exterior is to be brick with trim and accents in stucco and aluminum. The proposal complies with the Commercial Design Guidelines.

**ATTACHMENTS**

1. Site Plan
2. Landscaping Plan
3. Elevations and Colored Rendering







## Item 9: Discussion Item/Work Session — Ivory Development/Anderson Farms

This is an opportunity for the Planning Commission to discuss the Anderson Farms Master Planned Community as proposed by Ivory Development. This is a discussion item, not a public hearing, and therefore no public comment is anticipated to be taken. No action will be taken by the Commission regarding the Ivory Development application for the project. Future public hearings will be held during which the public will be able to comment on the application.

### **OVERVIEW**

The project encompasses about 137 acres with single family homes, townhomes, active adult homes, apartments and a regional park. In total, approximately 921 units are planned for the community. Total build out would take about 10 years.

Over a year ago, Ivory Development approached the City regarding a master planned residential community west of Geneva Road, adjacent to the Creekside community, on the Anderson Dairy Farm. Subsequent to that time, there have been numerous work sessions with Ivory Development, City Staff, the Planning Commission and City Council to review and comment on a concept plan developed by Ivory Development. There was also a public open house earlier this year in which Ivory Development presented the concept to the Creekside neighborhood.

The latest exhibits for the draft development agreement for this project are located at the following link: <http://www.lindoncity.org/ivory-development-anderson-farms-project.htm>

Table 1

| <b>Meeting Type</b>                             | <b>Date</b>                               | <b>Location</b>                     |
|---|---|-------------------------------------|
| 1. Mayor's Open House                           | June 19, 2014                             | Meadow Park, Creekside Neighborhood |
| 2. Joint Work Session                           | October 20, 2014                          | Ivory Ridge, Lehi                   |
| 3. Joint Work Session                           | December 9, 2014                          | Lindon City Hall                    |
| 4. Joint Mobile Tour                            | January 30, 2015                          | Wasatch Front                       |
| 5. Joint Work Session                           | February 10, 2015                         | Lindon City Hall                    |
| 6. Joint Work Session                           | April 14, 2015                            | Lindon City Hall                    |
| 7. Joint Work Session                           | April 21, 2015                            | Lindon City Hall                    |
| 8. Joint Work Session                           | May 26, 2015                              | Lindon City Hall                    |
| 9. Public Open House                            | June 24, 2015                             | Lindon City Hall                    |
| 10. Public Hearing –<br>General Plan Map Change | October 27, 2015 –<br>Planning Commission | Lindon City Hall                    |
| 11. Public Hearing –<br>General Plan Map Change | November 12, 2015 –<br>City Council       | Lindon City Hall                    |
| 12. Joint Work Session                          | December 8, 2015                          | Lindon City Hall                    |

# Item 10: New Business (Planning Commissioner Reports)

Item 1 – Subject \_\_\_\_\_  
Discussion

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Item 2 – Subject \_\_\_\_\_  
Discussion

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Item 3 – Subject \_\_\_\_\_  
Discussion

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# Item 11: Planning Director Report

Adjourn