

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **February 9, 2010** beginning at 7:00 p.m. in the Lindon City Center, City Council
4 Chambers, 100 North State Street, Lindon, Utah.

5 Conducting: Matt Bean, Vice Chairperson

6 Invocation: Sharon Call

7 Pledge of Allegiance: Christian Burton

8 **PRESENT**

ABSENT

10 Ron Anderson, Commissioner – *arrived 7:09*

Gary Godfrey, Chairperson

12 Matt Bean, Commissioner

Woodworth Mataele, Asst. Planner

14 Christian Burton, Commissioner

16 Sharon Call, Commissioner

18 Mark Johnson, Commissioner

20 Angie Neuwirth, Commissioner

22 Adam Cowie, Planning Director

24 Debra Cullimore, City Recorder

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

28 **APPROVAL OF MINUTES** – The minutes of the meeting of January 26, 2010 were
30 reviewed.

32 COMMISSIONER CALL MOVED TO APPROVE THE MINUTES OF THE
34 MEETING OF JANUARY 26, 2010. COMMISSIONER BURTON SECONDED THE
36 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

38 **PUBLIC COMMENT** –

40 Commissioner Bean called for comments from any audience member who wished
42 to address an issue not listed as an agenda item. There was no public comment.

44 **CURRENT BUSINESS** –

1. **Annual Review of Group Home Facility** – *Housing Authority of Utah County –
365 East 400 North*. This is a required annual review of a group home owned by
the Housing Authority of Utah County. The facility was approved to provide
housing for up to three physically disabled adults. No changes are proposed to
the facility as this is only a review of the current use to ensure conformance with
City Code and conditions of approval.

Gene Carly of the Housing Authority of Utah County was present for this review.
Mr. Cowie explained that City ordinance requires an annual review of group home
facilities. All three facilities were schedule for review at this meeting.

2 Mr. Cowie noted that this particular facility is located at the entrance to Hollow
3 Park. The ground where the facility is located is currently leased from the City. The
4 facility was originally approved in 2003. The City is unaware of any problems or
5 complaints associated with the group home. Mr. Cowie reported that surrounding
6 property owners within 300 feet of each facility were noticed regarding this review.

7 Commissioner Bean invited Mr. Carly to address the Commission. Mr. Carly
8 stated that there have been no changes at the facility within the past year. He stated that
9 three residents currently occupy the facility, and one staff person is on site at all times.
10 Commissioner Bean asked if there were any parking issues associated with the facility.
11 Mr. Carly stated that he is unaware of any parking issues, or any other complaints
12 associated with the facility. He noted that two of the residents leave the home for work
13 during the day. One resident is currently unable to participate in work activities due to
14 physical limitations. A staff member is present at the facility 24 hours a day 7 days a
15 week.

16 Commissioner Bean explained that as part of the review, the Commission is
17 responsible to verify that all residents of the facility are persons with disabilities, that the
18 facility has adequate insurance coverage, and that no residents at the facility pose a direct
19 threat to others safety within the group home or the community in general. Mr. Carly
20 confirmed all necessary information.

21 Commissioner Bean thanked Mr. Carly for the role of the facility in the
22 community. Mr. Carly thanked the City for their cooperation in this project. He noted
23 that the group home provides a valuable resource for the community.

24 Commissioner Bean welcomed a number of Boy Scouts who had arrived at the
25 meeting.

- 26
27 2. **Annual Review of Group Home Facility** – *Lindon Care and Training Center –*
28 *680 North State Street.* This is a required annual review of a group home for
29 disabled adults owned the RHA Community Services of Utah. The facility
30 provides housing for multiple tenants. No changes are proposed to the facility as
31 this is only a review of the current use to ensure conformance with City Code.

32
33 Debbie Woodward was present as the representative for Lindon Care and
34 Training Center for this review. Mr. Cowie noted that the site includes a new office
35 building and parking area which were completed in 2008. Mr. Cowie noted that the 2009
36 review of this facility had raised concerns regarding a disproportionate number of police
37 calls to this location. Chief Cullimore has reported a significant drop in the number of
38 calls to the facility, and has indicated that programs implemented at Lindon Care have
39 been effective in reducing the number of unsubstantiated calls to the facility.

40 While the majority of calls to the facility are legitimate medical calls, two
41 incidents which have occurred at the facility in the past year appear to be more serious in
42 nature. One assault and one sexual assault have been reported. Ms. Woodward
43 explained that the assault was a physical dispute between two residents. The sexual
44 assault was committed by a former employee who is now going through court
45 proceedings related to the charge.

2 Commissioner Bean complimented Ms. Woodward on improvements at the
3 facility over the past year. Ms. Woodward explained that extensive training had taken
4 place with staff and residents regarding appropriate times to involve the police
5 department. Commissioner Neuwirth inquired as to what methods were used to minimize
6 calls from residents. Ms. Woodward explained that residents have a right to access the
7 telephone at any time without restriction. However, residents have been educated and
8 trained in appropriate responses to a variety of situations.

9 Commissioner Bean asked Ms. Woodward to confirm that all residents at the
10 facility are disabled, that the facility has adequate insurance coverage and that no resident
11 at the facility poses a threat to other residents, staff or the community. Ms. Woodward
12 confirmed that all residents are disabled and that the facility has adequate insurance
13 coverage. She explained that residents are carefully screened before being admitted, and
14 that although there may be minor disputes between residents, she does not anticipate any
15 type of threat or dangers. She stated that the direct care staffing level is one to eight
16 during daytime hours and one to sixteen overnight. In addition to direct care staff,
17 administrative staff members are also at the facility during business hours.

18 Audience member Alan Smoot asked if there has been any history of sexual or
19 other types of assault on young women's or other volunteer groups at the facility. Ms.
20 Woodward stated that some residents may have boundary issues, and may try to 'hug'
21 volunteers, but that there is no history of assault on volunteers at the facility. Mr. Smoot
22 stated that his daughter volunteered at Lindon Care with a young women's group, and
23 that she had a very positive experience working with the residents and that staff at the
24 facility. Ms. Woodward commented that the facility relies on community groups to
25 provide a variety of services, which provides an opportunity for residents to interact with
26 other members of the community. Commissioner Bean thanked Ms. Woodward for the
27 service they provide in the community.

- 28 3. **Annual Review of Group Home Facility** – *Heritage Youth Services – Timpview*
29 *Residential Treatment Center – 200 North Anderson Lane*. This is a required
30 annual review of a juvenile group home approved for up to 12 youth not over the
31 age of 18. The facility provides housing and social activities for the youth and is
32 located at 200 North Anderson Lane in the HI zone. No changes are proposed to
33 the facility as this is only a review of the current use to ensure conformance with
34 City Code.

35 Corbin Linde was present as the representative for this review. Mr. Cowie stated
36 that this is a treatment center for boys ages 12-18 located in the HI zone. The facility is a
37 converted single family residence. There are no current residents at the facility. The
38 current business owner purchased the facility in 2005, and a Conditional Use Permit was
39 granted with the following conditions:

- 40
- 41 1. Occupancy is limited to 12 youth.
 - 42 2. No sex offenders reside at the home.
 - 43 3. An alarm system on the windows is installed.
 - 44 4. ~~No on-site schooling~~. Any on-site instruction must be an accessory use and not a
45 primary function of the facility. (updated 2009)

5. 15 mph speed limit signs be posted on Anderson Lane.
6. A sign directing traffic to the group home be installed.
7. Supervision ratio be no less than one staff to four youth between the hours of 6:00 a.m. and 11:00 p.m., and be reduced to a ratio of one staff to six youth between the hours of 11:00 p.m. and 6:00 a.m.
8. The site shall be open to visitation by police and City officials without notice.
9. Training be provided for employees and residents regarding the speed limit requirements and illegal trespassing on the neighboring private property.
10. The Conditional Use Permit be reviewed annually or upon change of Program Directors.
11. That all other requirements and limits as per city ordinance are adhered to.

Mr. Cowie stated that all requirements have been completed, and that as far as the City is aware, the facility is operating on compliance with all conditions of approval. He invited Mr. Linde to address the Commission.

Mr. Linde explained that census at the facility dropped to four residents during the fall of 2009. This group and another group were consolidated at another facility during the holidays to provide a better group dynamic and to allow for necessary painting and carpeting to be done at the Lindon facility. Residents of both groups have formed relationships with each other, and the program has decided to allow those clients to complete the program together rather than moving the residents from the Lindon home back to that facility. A new group will be moved into the Lindon facility in 6-8 weeks.

Mr. Linde noted that participation in their program has been affected by the economic downturn. He explained that residents come into the program through private placement and public agencies. He noted that this type of program is typically one of the first cuts to government funding. He clarified that in some cases, DCFS will assist with payment of privately placed students.

Commissioner Bean reviewed each of the conditions of approval. Mr. Linde stated that the facility is operating in compliance with all conditions. Commissioner Anderson, who lives near the facility, suggested that the name on the directional signs be changed to Heritage Youth Services for clarification purposes. He expressed that as a neighbor, he has not experienced any significant problems, and that this is a well run program.

Commissioner Call expressed concern that conditions may be compromised in an effort to fill the facility. Mr. Linde expressed the company's commitment to complying with conditions and providing a valuable resource for youth residents and their families. He explained that residents are carefully screened, and that there is a high level of family involvement in treatment programs.

Commissioner Bean verified with Mr. Linde that the facility has adequate insurance coverage, that no residents of the facility are being treated for alcohol or drug abuse and the no individuals at the facility pose a threat to other residents or the community. Mr. Linde verified that each of these requirements was being met. The Commission thanked Mr. Linde for his attendance, and for his professionalism in running the program.

4. **Public Hearing** – *Minor Subdivision – Lundgren Estates – 338 East 330 North.*

2 This is a request by Rob and Suzette Lundgren for approval of a 2-lot minor
4 subdivision titled “Lundgren Estates” located in the R1-20 zone. The existing
6 Lundgren home on 400 East will remain as Lot 1, with one new lot to be created
8 that will access from 330 North. Each lot will meet the 20,000 square foot
10 minimum lot size required in this area. Recommendations from the Planning
12 Commission will be forwarded to the City Council for final action.

14 COMMISSIONER ANDERSON MOVED TO OPEN THE PUBLIC HEARING.
16 COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED
18 IN FAVOR. THE MOTION CARRIED.

20 Rob Lundgren and Michael Leifson were present as representatives for this
22 application. Mr. Cowie stated that this is a request for approval of a 2-lot minor
24 subdivision titled “Lundgren Estates” in the R1-20 zone. The existing Lundgren home
26 located on 400 East will remain as Lot #1, with one new lot being created. The new lot
28 will access from 330 North. The neighboring property owner to the east is planning to
30 purchase the new lot. Both lots meet the 20,000 square foot minimum lot size. All
32 improvements have been installed on 330 North. Additional street dedication and curb,
34 gutter and sidewalk improvements will be required on 400 East as part of the subdivision.

36 As a result of noticing of neighboring property owners, the Hinckley family and
38 the Shumway family have contacted the City and expressed an interest in completing
40 curb, gutter and sidewalk improvements along their frontage as part of this project. The
42 City previously collected money from both property owners for the improvements.
44 These improvements will be completed by the City with the cooperation of the property
46 owners, but are not a part of this subdivision application.

Mr. Leifson stated that he was the original developer of this site. He explained
that the future lot was anticipated during initial development, and that all utilities have
been stubbed to lot #2. The only additional improvements which will be necessary will
be street frontage improvements on 400 East. Commissioner Bean asked if the existing
barn will remain on lot #2. Mr. Leifson stated that the barn will be removed when the
new lot is developed. He clarified that the lot is not large enough to accommodate the
barn and a residential dwelling.

Commissioner Bean called for public comment. There was no public comment.
He called for further comments or discussion from the Commission. Hearing none, he
called for a motion.

COMMISSIONER NEUWIRTH MOVED TO APPROVE THE LUNDGREN
ESTATES MINOR SUBDIVISION PRELIMINARY PLAT AND RECOMMEND
APPROVAL TO THE CITY COUNCIL. COMMISSIONER CALL SECONDED THE
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

COMMISSIONER ANDERSON MOVED TO CLOSE THE PUBLIC
HEARING. COMMISSIONER NEUWIRTH SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

- 2 5. **Review** – *Lindon City Website*. This is a request by the Planning Commission for
3 Debbie Cullimore, City Recorder, to demonstrate to the Commission how to
4 navigate the City’s website and it’s contents.

6 City Recorder, Debra Cullimore, demonstrated use of the City’s website to find a
7 variety of information. She presented links to services for residents, as well as
8 community and economic development information.

10 **NEW BUSINESS** – Reports by Commissioners

12 Commissioners gave no reports at this meeting.

14 **PLANNING DIRECTOR’S REPORT** –

16 Mr. Cowie reported on the following items:

- 18 1. The Pear Tree Estates subdivision application was approved by the City Council,
19 including City participation in completion of off -site sidewalk improvements.
20 2. The City was awarded \$140,000 in CDBG funding through MAG. Grant revenue
21 will be used to start improvements to the new Senior Citizens Center.
22 3. The City has applied for additional grant funding to extend the Lindon Heritage
23 Trail to the west.

24 **ADJOURN** –

26 COMMISSIONER JOHNSON MOVED TO ADJOURN THE MEETING AT
27 8:36 P.M. COMMISSIONER NEUWIRTH SECONDED THE MOTION. ALL
28 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

30 Approved – February 23, 2010

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35 Matt Bean, Vice Chairperson

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41 Adam Cowie, Planning Director