

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **June 11, 2013** beginning at 7:00 p.m. in the Lindon City Center, City Council Chambers,
4 100 North State Street, Lindon, Utah.

5 Conducting: Sharon Call, Chairperson
6 Invocation: Vaughan Austin, Commissioner
7 Pledge of Allegiance: Rob Kallas, Commissioner

8 **PRESENT**

ABSENT

9 Sharon Call, Chairperson
10 Ron Anderson, Commissioner
11 Del Ray Gunnell, Commissioner
12 Carolyn Lundberg, Commissioner
13 Mike Marchbanks, Commissioner
14 Rob Kallas, Commissioner
15 Vaughan Austin, Commissioner
16 Hugh Van Wagenen, Planning Director
17 Kathryn Moosman, City Recorder

- 18
- 19 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.
 - 20
 - 21 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of May 28,
22 2013 were reviewed.
 - 23

24
25 COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES
26 OF THE REGULAR MEETING OF MAY 28, 2013. COMMISSIONER LUNDBERG
27 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION
28 CARRIED.

- 29
- 30 3. **PUBLIC COMMENT** –

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

33 **CURRENT BUSINESS** –

- 34
- 35 4. **PUBLIC HEARING**: *Ordinance Amendment: Senior Housing Facility Overlay.*
36 This continued item is a request by Matt Gneiting for approval of a land use
37 ordinance amendment to allow for a Senior Housing Facility Overlay Zone. The
38 ordinance will govern high density, independent living housing for individuals
39 aged 55 and older. Recommendations will be made to the City Council at their
40 next available meeting after review by the Planning Commission.
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43 COMMISSIONER ANDERSON MOVED TO OPEN THE PUBLIC HEARING.
44 COMMISSIONER LUNDBERG SECONDED THE MOTION. ALL PRESENT
45 VOTED IN FAVOR. THE MOTION CARRIED.
46

2 Mr. Van Wagenen opened the discussion by explaining that this is a continued
item for a request by Matt Gneiting for approval of a land use ordinance amendment to
4 allow for a Senior Housing Facility Overlay Zone. He further discussed that the
ordinance will govern high density, independent living housing for individuals aged 55
6 and older, non-assisted living. Mr. Van Wagenen noted that Mr. Gneiting presented a
concept review for this type of facility on 65 South Main Street before the Planning
8 Commission at a meeting earlier this year, and the applicant is now submitting
applications to move from conceptual project to actual project. He noted that reviewing
and adopting an ordinance allowing this type of facility is the first step in this process and
10 an ordinance allowing for this type of density is new to Lindon City. He went on to say
that some of the more notable sections of the ordinance are allowance of 27 units per
12 acre, requiring 1.1 parking stalls per unit, only allowing residents aged 55 and older (with
minimal exceptions for spouses and others over 18 years of age), and limiting the
14 location of the overlay zone.

16 Mr. Van Wagenen stated that the ordinance in its current form is attached
following good discussion and recommended changes by the commission. Mr. Van
Wagenen then went over the highlighted sections that are changes/additions from the
18 previous version. He also referenced a map showing different buffer zones at 1500 foot
increments to help illustrate how different buffer distances would affect the overlay
20 possibilities.

22 Mr. Van Wagenen explained that in addition to the ordinance language, a matrix
displaying other cities' codes on senior housing was provided in the previous staff report.
He further explained that not all of these examples can be compared apples to apples, but
24 they are a good reference point regarding density and parking requirements that are found
in other cities. Mr. Van Wagenen stated that the applicant, Mr. Gneiting, worked with
staff to provide additional information. Mr. Van Wagenen noted that candid discussion
26 with the applicant is encouraged during this meeting tonight.

28 The applicant, Matt Gneiting, was in attendance to address the Commission at this
time. Mr. Gneiting presented a slideshow providing an overview from the last
30 presentation and also some new additional information. Mr. Gneiting commented that he
has tried to address the concerns of residents and the Planning Commission brought up at
32 previous meetings. He also stressed the importance of getting educated to make right
decisions and noted that he has tried to be thoughtful yet concise. He then referenced and
34 addressed each of the following concerns as follows:

36 Concerns/Issues:

38 1. Blight to the City in 10 years

40 *He mentioned Thornberry Apartments in Pleasant Grove and
noted that it was built in 2001 and the property still looks nice and
has been well maintained. There have been no complaints
regarding the facility (per Pleasant Grove City Manager).*

42 2. Orem eyesore – Midtown Village

44 *Midtown Village is a 98 ft. tall 8 story structure with a 1st floor of
commercial, 2nd and 3rd floor of office space with remaining floors
being residential condominiums. His proposed facility will not be
46 near the size or scope of Midtown Village nor the risk.*

3. What will immediate residents do? sell now or sell later?

2 *As developers it is not standard to determine when or if a property*
3 *owner will sell their property as residents will have certain life*
4 *circumstances and financial situations that are more important*
5 *than money. The Abbott and Lewis property meet the city*
6 *requirement for commercial zoning and whether they sell now or*
7 *in the future that will not change.*

8 4. Is the tail wagging the dog, instead of the dog wagging the tail? Zoning
9 changes should be introduced by the city.

10 *In speaking with other cities it is not unusual for a developer to*
11 *bring this issues to the forefront and create language. and this is*
12 *partly due to limited resources and time. After checking with a lot*
13 *of other cities these senior projects have not had any negative*
14 *feedback.*

15 5. Lindon is ½ acre lots and a little bit of country.

16 *Lindon has a wonderful legacy of spacious homes and large lots.*
17 *Currently State Street brings about 25,000 cars through the city on*
18 *a daily basis. The property is within a football field from state*
19 *street and within the commercial corridor. They feel that their*
20 *development Lindon will still meet the little bit of country feel and*
21 *will meet the vision of the city leaders and residents.*

22 6. The density if too high. It will feel like New Jersey.

23 *Words conjure images. New Jersey is 4 times the size of Utah.*
24 *Project if best suited to the guidelines of Utah, it is local not*
25 *national.*

26 7. It's too big of a building.

27 *The current code for general commercial allows for office or retail*
28 *building to be 48 ft. high. A similar building is the Tri-City*
29 *Medical building. He spoke with the Wheeler's, residents who live*
30 *near the building and they have not had any issues with the*
31 *development. He also showed a rendering depicting the proposed*
32 *building compared to the Tri-City Medical building.*

33 8. Old people who can't see well or think straight will threaten our school
34 kids.

35 *Anyone can have an error of judgment in driving. International*
36 *research shows teens are in the highest risk group for accidents.*
37 *Statistics show fewer seniors drive and senior are more*
38 *responsible, experienced, slower drivers.*

39 9. There will be tons of traffic coming in and out with that type of density.
40 Excessive traffic near the elementary school.

41 *1. Traffic: Observed traffic at Tri-City, a retail center , and*
42 *Thornberry apts. for comparison. He noted that the Thornberry*
43 *apts. had the least traffic.*

2 2. *Density: Actual impacts that come with density. Meets current*
4 *city commercial zoning guidelines, visually shielded and a great*
 distance from residents on all sides. No crime or noise issues.

6 Why Senior Housing?

- 8 1. Age 55 and older represents a responsible population.
 2. Lindon seniors need flexible housing options.
10 3. Senior housing is a low impact solution given the surrounding
 properties.
12 4. New senior housing will compliment downtown and create consumers
 for retail and service usage and additional city taxing base.
14 5. Seniors are quiet and conservative city neighbors.

16 Mr. Gneiting concluded that they would like to move forward with this project or
18 continue for more discussion but either way the zoning language is created and this is a
20 valuable city project. Mr. Gneiting then introduced a senior couple who are long time
22 residents at Thornberry Apartments to address the Commission and give their thoughts
24 and insights about Thornberry. They indicated that they really enjoy living at Thornberry
26 and it is a tight community where the seniors care for one another. They love the quiet
28 atmosphere and noted that traffic is not an issue at all and they are well maintained. The
30 seniors are stable people and the move to Thornberry is one of the last places they will
32 live, and these types of facilities are needed for seniors in the community.

34 Chairperson Call called for public comments at this time. There were several
36 residents in attendance to address the commission as follows:

38 **Sandy Call:** Ms. Call commented that she grew up in Lindon and she owns property in
40 Lindon and has paid taxes on it for 38 years. She also mentioned that there were several
42 developers wanting to build on her property and the city wouldn't let any of the projects
44 go through. Ms. Call stated that this is the best opportunity that has come along, and the
46 senior housing would be better than straight commercial and is not just residential which
48 would need a zone change. She noted that she cares about the property, and still cares
 about Lindon, but what else could be developed there that would look right and this
 development would look better than what is there now. Ms. Call concluded that she
 appreciates Mr. Gneiting's work and she hopes this will pass and there will be some
 resolution.

38 **Val Killian:** Mr. Killian inquired if the zone and code issue or Mr. Gneiting's project is
40 being addressed. Chairperson Call commented that after speaking with staff it is very
42 difficult to separate the two because this project is the reason for the zoning overlay. Mr.
44 Killian noted, as a resident of Lindon City, if we are we adopting a code that is site
46 specific to a piece of property that will be used as a venue to zone other property in the
48 city then that code needs to be site specific as this appears to be driven. Mr. Killian noted
 that he is not opposed to senior housing and there is something could be done at the
 property to accommodate senior housing. He would like to base his comments on Mr.
 Gneiting's proposal based on authorized approved code by the City Council. He went on
 to say the Planning Commission's job is to make a recommendation to the City Council
 as to whether or not the code should be adopted city wide. Commissioner Lundberg

commented that the commission appreciates Mr. Killian's comments and they recognize that the issues are overlapping and they have had 3 or 4 meetings on this issue and they have had extensive discussion and they are looking at this ordinance city wide not tailoring this to Mr. Gneiting proposal.

Mr. Killian thanked Mr. Gneiting for a good presentation, but looking at Thornberry specifically which is a representation of site setbacks and height of the building because the pictures were taken from far away and height requirements should be looked at but be careful to look at heights from the residents view. There is not a flag lot at Thornberry; it goes all around the corner and down the street to the west and it is all public frontage. The city needs to reevaluate the setback requirement with respect to perspective, and the project on a site specific basis.

Chairperson Call asked what setback Mr. Killian would recommend. Mr. Killian stated to use the maximum if you want density you need acreage. To put a 90 unit structure on a 3 acre parcel doesn't make any sense and goes against the values of Lindon City. The ordinance needs to have something in respect to street frontage and re-evaluate the setbacks. The developers need sketch plans not just a guess or and be specific to the project. Mr. Killian noted his concerns in regards to code as follows:

1. No flag lots.
2. Setback visuals represent a value driven in respect to the height of the building
3. Frontage.
4. Traffic study done by a traffic engineer.

Bill Fairbanks: Mr. Fairbanks was invited by Mr. Gneiting to attend the meeting. Mr. Fairbanks stated that he has developed senior housing. Mr. Fairbanks commented that he feels that Mr. Gneiting has presented an accurate proposal. He also mentioned all of the traffic concerns will go away once the building is built. This is a commercial zoned area and there are a number of shopping stalls, office warehouses etc. that could be put in there it is almost the same as what he is proposing. Mr. Fairbanks noted that something commercial will go in at that location. He suggested doing the development in phases, maybe break it into two phases. Mr. Fairbanks noted there will be less traffic with seniors and there will not be a problem with traffic.

Susan Fisher: Ms. Fisher commented that she would like to see the area rezoned back to residential; which would lower taxes and it would not affect the homeowners who are already there. She noted that the area is not on State Street and it would be a perfect residential neighborhood.

Mrs. Abbott: Mrs. Abbott commented that this potential development would greatly impact her property as it would put a road on both sides of her home. She voiced her concerns with safety and commented that a car could possibly end up in her living room. Mrs. Abbott added that there are a lot of active seniors who drive etc. and along with two schools in the area the traffic will be a huge problem and this is her biggest concern. She also noted that the actual building will not be conducive for seniors.

Bill Lewis: Mr. Lewis asked for clarification on the plot plan that indicated the two access roads which were drawn that shows the larger access between his house and the Abbotts house which caused a problem with access off of main street and state street which would be too difficult and dangerous on the corner of main street.

COMMISSIONER GUNNELL AYE
2 COMMISSIONER LUNDBERG AYE
COMMISSIONER KALLAS AYE
4 COMMISSIONER MARCHBANKS AYE
COMMISSIONER AUSTIN AYE
6 THE MOTION CARRIED UNANIMOUSLY.

8 5. **PUBLIC HEARING:** *Zoning Map Amendment: Senior Housing Facility*
9 *Overlay – 65 South Main Street.* This is a request by Matt Gneiting for a zoning
10 map amendment for property generally located at 65 South Main Street. The
11 amendment would place a Senior Housing Facility Overlay Zone on the subject
12 property which is currently zoned General Commercial (CG).

14 Mr. Van Wagenen opened the discussion by explaining that this is a continued
15 item for a zoning map amendment for property generally located at 65 South Main Street.
16 He noted that this amendment would place a Senior Housing Facility Overlay Zone on
17 the subject property which is currently zoned General Commercial (CG).

18 He further explained that the applicant, Mr. Gneiting, presented a concept review
19 for this type of facility on 65 South Main Street before the Planning Commission at a
20 meeting earlier this year. He noted the applicant is now submitting applications to move
21 from conceptual project to actual project. A zone change will need to occur before the
22 project can move forward. However, the ordinance language governing the zone is also
23 under review.

24 Mr. Van Wagenen stated that staff does not recommend approving the zoning
25 map amendment until the Senior Housing Facility Overlay ordinance language has been
26 approved by the Planning Commission and recommended to the City Council. He added
27 the Planning Commission continued this item from the last meeting because the
28 ordinance language was not approved at that time. He went on to say that additionally,
29 the map showing the proposed area for the zone change may need to be modified as the
30 applicant consolidates parcels for the project. Mr. Van Wagenen then reviewed the
31 zoning map for discussion.

32 There was then some general discussion regarding access points for the senior
33 housing facility overlay. Mr. Van Wagenen noted that when approved the access will go
34 through on the project. He then showed a map of the overlay project. Mr. Van Wagenen
35 stated that the current code states that any time a parcel is a split zone the more restrictive
36 zone is what applies. Mr. Van Wagenen commented that if this item is continued tonight
37 staff can work with the applicant to amend the drawing on the current application to see if
38 there is any way to make sure it fits the ordinance without the parcels being consolidated.
39 Commissioner Lundberg suggested a traffic study performed by the City Engineer would
40 be beneficial.

41 Chairperson Call called for public comment at this time. There were several
42 residents in attendance to address the Commission as follows:

44 **Dave Lamoreaux:** Mr. Lamoreaux suggested ending the access and have it come to a
45 dead end street which would make it much safer.

46

2 **Bill Lewis:** Mr. Lewis noted that the traffic issue impacts him more than the building
4 behind him or anyone else. He stated that a traffic study needs to be done with the city
6 engineer.

8 **Diane Lewis:** Ms. Lewis stated that the access from State Street is quite high especially
10 in the winter months.

12 **Mrs. Abbott:** Ms. Abbott commented that when the city reconfigured the street residents
14 who lived on main street got extra property, by deed, from the city. She inquired if the
16 property deeded couldn't be used to open up the road somehow to have access.

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

22 COMMISSIONER ANDERSON MOVED TO CLOSE THE PUBLIC
24 HEARING. COMMISSIONER KALLAS SECONDED THE MOTION. ALL
26 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

28 Chairperson Call asked if there were any further discussion or comments.
30 Hearing none she called for a motion.

32 COMMISSIONER MARCHBANKS MOVED TO CONTINUE THE ZONING
34 MAP AMENDMENT REQUEST FOR THE SENIOR HOUSING FACILITY
36 OVERLAY TO BE APPLIED ON PROPERTY GENERALLY LOCATED AT 65
38 SOUTH MAIN STREET, ACCORDING TO THE MAP IN ORDER TO GIVE THE
DEVELOPER TIME TO OBTAIN SOME SITE SPECIFIC SOLUTIONS AND ALSO
HAVE A TRAFFIC STUDY PERFORMED THAT WOULD INCLUDE THE ACCESS
POINTS TO SEE HOW THEY WILL WORK WITH THE EXISTING NEIGHBORS
AND STATE STREET. COMMISSIONER AUSTIN SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
32 COMMISSIONER ANDERSON	AYE
COMMISSIONER GUNNELL	AYE
34 COMMISSIONER LUNDBERG	AYE
COMMISSIONER KALLAS	AYE
36 COMMISSIONER MARCHBANKS	AYE
COMMISSIONER AUSTIN	AYE

38 THE MOTION CARRIED UNANIMOUSLY.

- 40 6. **SITE PLAN:** *LCD Business Center:1297 West 300 South.* This is request by
42 Lyle Lamoreaux of LCD Lamoreaux LLC for approval of a site plan to be built in
44 three (3) phases with four (4) buildings for a total of 36,250 square feet of
office/warehouse space on 2.5 acres in the Light Industrial (LI) zone.

46 Mr. Van Wagenen opened the discussion by giving a summary of this agenda
48 item. He explained this is a request by Lyle Lamoreaux of LCD Lamoreaux LLC for
approval of a site plan to be built in three (3) phases with four (4) buildings for a total of
36,250 square feet of office/warehouse space on 2.5 acres in the Light Industrial (LI)

zone. He went on to say the applicant is seeking approval for all three phases at this time. Mr. Van Wagenen explained that LCC 17.17.125 states that site plans may be built in phases as long as:

1. Each successive phase must be completed within 24 months of the previous phase with all phases of the site plan being completed within six years.
2. Applications for new approvals shall be submitted for any phased development that exceeds six years.

Mr. Van Wagenen noted that curb and gutter was installed at the time this land was platted as part of Lindon Harbor Industrial Park II, and no sidewalk is required in the Light Industrial zone.

Mr. Van Wagenen then referenced the Code Requirements as follows:

17.49.070 Architectural design: (1) Twenty-five percent (25%) minimum of the exterior of all buildings (except as permitted in 17.40.070(2)) shall be covered with brick, decorative block, stucco, wood, or other similar materials as approved by the Planning Commission. Colored pre-cast concrete or colored tilt-up buildings also meet the architectural treatment requirement. Mr. Lamoreaux is proposing earth-toned colored concrete buildings for his site. This meets the architectural design requirements.

17.49.060 Landscaping: 3. Landscaping Strip. Unless otherwise approved by the Planning Commission, a landscaped strip twenty (20) feet in width shall be planted with grass and maintained in a living, growing condition along all public street frontages...thirty percent (30%) of the landscape strip may consist of decorative rock, bark, mulch, and/or other ground covers other than grass. The application meets this requirement.

17.18.085 Interior Parking Lot Landscaping: (2)a. Any parking lot that has 10 or greater required parking spaces shall provide at least 40 square feet of interior landscaped area for each parking space. This site plan requires 50 parking spaces (1/350 sq. ft. office and 1/1,000 sq. ft. warehouse space) and is providing 56. This requires 2,240 square feet of interior parking lot landscaping and 2,321 square feet has been provided.

17.49.080 Setbacks and Building Height: Front building setbacks in the LI zone must be 20 feet from the property line. Side yard setbacks are 0 feet unless adjacent to a street (20') or there is no one hour firewall (20'). Rear yard setback are 0 feet unless adjacent to a parcel in a residential zone (40'). The maximum building height is 48 feet in the LI zone. This application meets these requirements. Staff has no significant concerns about this application at this time.

The applicant, Mr. Lamoreaux was in attendance and had nothing further to add to Mr. Van Wagenen's overview of the site plan. Mr. Lamoreaux did present some photos of the architectural features of the proposed facility. There was then some general discussion by the Commissioner's regarding this agenda item. Chairperson Call asked if there were any further questions or comments. Hearing none she called for a motion.

COMMISSIONER KALLAS MOVED TO APPROVE ALL THREE PHASES
OF THE SITE PLAN KNOWN AS LCD BUSINESS CENTER WITH NO
CONDITIONS. COMMISSIONER MARCHBANKS SECONDED THE MOTION.

THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER ANDERSON	AYE
COMMISSIONER GUNNELL	AYE
COMMISSIONER LUNDBERG	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER AUSTIN	AYE

THE MOTION CARRIED UNANIMOUSLY.

7. **TRAINING**: *Planning Commission*. Lindon City Staff will review Planning Commission responsibilities and authority as outlined in Lindon City Code 17.08 and other resources.

Mr. Van Wagenen gave a summary of LCC 17.08 and noted that this is the code chapter that outlines policies and procedures for the Planning Commission. He noted that this training will give an overview of that code section. Mr. Van Wagenen further noted that there are also additional resources included in the packets that refer to meeting procedures. Mr. Van Wagenen added to ask questions and staff will do their best to answer them.

Mr. Van Wagenen then reviewed the Planning Commission Typical Meeting Procedures and Guidelines with the Commission followed by some general discussion.

Chairperson Call asked if there were any further comments. Hearing none she moved on to the next agenda item.

8. **NEW BUSINESS** – Reports by Commissioners.

Chairperson Call called for any new business or reports from the Commissioners. There were no new reports or comments from the Commissioners. Hearing no comments she moved on to the next agenda item.

9. **PLANNING DIRECTOR'S REPORT** –

Mr. Van Wagenen reported on City Council updates as follows:

- City Council Items:
 - Cullimore Court Road/ Subdivision
 - Scott Mitchell Road/Subdivision
- Open City Council and Mayor positions

Chairperson Call asked if there were any other comments or discussion from the Commissioners. Being none she called for a motion to adjourn.

ADJOURN –

CHAIRPERSON CALL MADE A MOTION TO ADJOURN THE MEETING
AT 11:00 P.M. COMMISSIONER GUNNELL SECONDED THE MOTION. ALL
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – June 25, 2013

Sharon Call, Chairperson

Hugh Van Wagenen, Planning Director