

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
3 **September 24, 2013 at 7:00 p.m** at the Lindon City Center, City Council Chambers, 100 North  
4 State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Sharon Call, Chairperson  
9 Pledge of Allegiance: Del Ray Gunnell, Commissioner  
10 Invocation: Rob Kallas, Commissioner

12 **PRESENT**

**ABSENT**

12 Ron Anderson, Commissioner  
13 Sharon Call, Chairperson  
14 Del Ray Gunnell, Commissioner  
15 Rob Kallas, Commissioner  
16 Carolyn Lundberg, Commissioner  
17 Mike Marchbanks, Commissioner  
18 Hugh Van Wagenen, Planning Director  
19 Brittany Bell, Planning Clerk

20 Special Attendee:  
21 Matt Bean, Councilmember, arrived - 7:37

- 24 1. **CALL TO ORDER** – The meeting was called to order at 7:04 p.m.  
26 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of Sept. 10, 2013  
27 were reviewed.

28 COMMISSIONER KALLAS MOVED TO APPROVE THE MINUTES OF THE  
30 REGULAR MEETING OF SEPTEMBER 10, 2013. COMMISSIONER LUNDBERG  
31 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

32 3. **PUBLIC COMMENT** –

34 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.

38 **CURRENT BUSINESS** –

- 40 4. **PLAT AMENDMENT** – *Lindon Business Park Plat C, 31 South 1550 West.* This is  
41 a request by Larry McColm for a one lot plat amendment to be known as Lindon  
42 Business Park Plat C. The amendment will remove a property line boundary and  
43 create one 2 acre lot from two existing lots. It is located at 31 South 1550 West in the  
44 Light Industrial (LI) zone.

45 Mr. Larry McColm, the applicant, Mr. Trevor Sharp, the applicant’s leasing agent, and  
46 Marty Barber, the applicant’s contractor were in attendance. Commissioner Marchbanks made

2 mention to Chairperson Call that Mr. Sharp is an agent on one of his own business projects and  
4 that he would recuse himself at the time of vote if needed. Mr. Van Wagenen gave a brief  
6 overview of this agenda item stating that this is a plat amendment at 31 South 1550 West where  
there are two existing lots, and Mr. McColm is interested in removing the common lot line  
between the two parcels to make it into one large lot, approximately two (2) acres in size. He  
stated that this amendment would meet existing ordinances.

8 Mr. McColm asked if the project itself would be discussed in addition to the plat  
10 amendment. Mr. Van Wagenen replied that it would be the next agenda item. Mr. McColm  
12 stated they have no further comments from Mr. Van Wagenen's comments. Commissioner  
14 Kallas asked what the size of the lot would be. Mr. McColm stated that it would be a little over  
two (2) acres.

12 Chairperson Call asked about notes from the staff report regarding approval and  
14 recording of this plat. Mr. Van Wagenen clarified that approval of this item is needed before the  
next agenda item can be approved, but there are no suggested conditions for this item itself.

16 COMMISSIONER ANDERSON MOVED TO APPROVE THE PLAT AMENDMENT  
18 KNOWN AS LINDON BUSINESS PARK PLAT C WITH NO CONDITIONS AND  
20 RECOMMEND APPROVAL TO THE CITY COUNCIL. COMMISSIONER KALLAS  
22 SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

20 CHAIRPERSON CALL AYE  
22 COMMISSIONER ANDERSON AYE  
24 COMMISSIONER GUNNELL AYE  
COMMISSIONER KALLAS AYE  
COMMISSIONER LUNDBERG AYE  
COMMISSIONER MARCHBANKS AYE  
THE MOTION CARRIED UNANIMOUSLY

- 26  
28 **5. SITE PLAN** – *Lindon Business Park Building 4, 31 South 1550 West.* This is a  
30 request by Larry McColm for site plan approval of a 39,068 square foot building located at 31  
South 1550 West on ~2 acres in the Light Industrial (LI) zone.

32 Mr. Van Wagenen opened the discussion by explaining that in taking the larger lot (as  
34 described in the Plat Amendment agenda item above) this agenda item is a request to build what  
36 will be known as Lindon Business Park Building 4 on the lot approximately two (2) acres in size.  
38 The building would be approximately 39,068 square feet with 20 tenant spaces, most of which  
40 would be 1,800 square feet each, with three exceptions, one tenant space that would be smaller,  
two that would be larger in size. Mr. Van Wagenen stated that elevations are shown in the Staff  
Report. Mr. Van Wagenen then showed samples of the building material that Mr. McColm had  
provided. Mr. Van Wagenen further stated that the landscape strip requirements are met, the  
interior parking lot landscaping already exists, and if the Commission is in agreement with the  
material of the building, the site looks good.

42 Mr. McColm asked for the building material sample including the color samples of the  
44 wall and trim to be presented to the Commission for review. Commissioner Kallas asked how  
large the panels are and if panels can be replaced if damaged. Mr. Barber stated they are 42  
inches and confirmed they can be replaced.

Chairperson Call asked if all sides of the building would be in the red color. Mr. McColm replied that they would be the brick red and would be stucco embossed. Commissioner Anderson asked if the walls would be stucco embossed rather than stucco material, which Mr. McColm confirmed.

Mr. McColm summarized that the colors would be brick red for the walls, ash gray for the trim, and pulverite for the doors. Commissioner Anderson asked if the red would be considered an earth tone. Mr. Van Wagenen pulled up the design guidelines color palette for view. Mr. McColm stated he submitted a picture of another building done in the same red color, which Mr. Van Wagenen then presented. Mr. McColm stated he would prefer to build concrete tilt-up instead of a metal building, but the market does not support building a concrete tilt-up building on the back side, which is on a dead-end street/cul-de-sac and does not have frontage along the freeway. He stated that on the back side it will be difficult to rent and it will be hard to get rental rates that will even support a metal building, but would be impossible to get rental rates that would support concrete tilt-up in this market. He further stated that they will try to make the building look as good as possible with the stucco-embossment and lots of landscaping.

Commissioner Kallas asked whether the building will have a ribbed look (similar to the building in the picture presented). Mr. McColm replied that the picture was just for color reference and his building will not have a ribbed look, but will be stucco-embossed flat panels with no screws exposed.

Commissioner Kallas asked what the ordinance states regarding solid percentages of color. Mr. Van Wagenen pointed out the staff report does refer to what the Planning Commission is allowed to approve with regard to architectural designs. He then referenced page 20 of the staff report as follows:

“According to 17.49.070(3), the Commission may approve rib less, metal, flat-faced, stucco embossed, metal sandwich buildings when the Commission finds that the building is aesthetically pleasing, adequately trimmed, contrasted with different colors, is well proportioned, and blends in with surrounding property.”

Mr. Van Wagenen stated he believes that what Commissioner Kallas is referring to is the 25% regulation regarding the treatment of a building, with the above exception that the Planning Commission is able to approve. Commissioner Lundberg commented that the color would be nice with the greenery. Chairperson Call asked if there were any other questions or comments.

Commissioner Anderson asked if there were any problems with the product bubbling. Mr. Barber stated that they have done around 50 projects with the product and have not had any problems with bubbling. Mr. Barber pointed out the number of windows in the drawing of the proposed building would help break up the look. He stated that the product is eight times more expensive than ribbed sheeting.

Commissioner Kallas asked, with the expected kind of uses for a building like this, if there might be potential for damage to it. Mr. Barber replied that the product is lined on the inside and no insulation is exposed so it is easy to clean. Commissioner Kallas asked if it would uphold to a vehicle backing into it. Mr. Barber replied that it would need to be repaired, but confirmed that panels could be replaced.

Mr. McColm stated that one advantage to this building is that it has an R value of 22, whereas a concrete tilt up is only about R9. The ceilings would be R19, and ceiling insulation is usually only at R13.

Commissioner Kallas commented that in the past the Commission has required some type of durable architecture. Mr. McColm stated that the only portion that will be accessible to the

2 public will be the North and South walls where the doors are because the East and West sides  
3 will be landscaped areas not accessible to the public. He further stated that because the exterior  
4 is broken up so much by the doors, there are actually very little areas to put block. Mr. Barber  
5 stated that the metal panels extend from eve to ground, and if there were to be two different  
6 construction materials, it would not economically feasible to do.

7 Mr. Van Wagenen restated the paragraph in Ordinance 17.49.070(3) mentioned above  
8 and pointed out that it is up to the Planning Commission to determine if a stucco-embossed  
9 building is achieving the same effect as a regular building.

10 Mr. McColm spoke of the landscaping of the building. Chairperson Call asked if the  
11 landscaping meets the requirement. Mr. McColm confirmed that it meets and even exceeds the  
12 required landscaping. He noted that the landscaping of his other existing buildings is very nice.  
13 Mr. McColm also talked about the “green” energy of his existing buildings through the use of  
14 solar panels. He stated that “Jump On It”, for example, runs just on solar power and that the  
15 system generates as much carbon reduction as 24,000 trees. He went on to say that this new  
16 building, Building 4, will have a much larger roof area and will have a solar system five times  
17 larger than those on the existing buildings, plus it will have two wind turbines. He went on to  
18 say it will generate the power for all of the tenants in the building, in addition to the outside  
19 lighting. There will be no metal halide or fluorescent lighting. It will be 100% LED lighting,  
20 inside and out. There will also not be an “ugly” rooftop HVAC system. The cooling system will  
21 be interior mount evaporative cooling. The building will be a very efficient building.

22 Chairperson Call asked what type of tenants they are marketing to. Mr. McColm  
23 responded that they will market to mainly the local “mom-and-pop” shops who want to keep  
24 their rent down and who might otherwise be working out of their home.

25 Mr. McColm displayed a map where solar powered energy is most effective and noted  
26 that Utah is in one of the best areas in the country to do solar powered electrical systems.  
27 Commissioner Kallas asked if approving the project would also approve the wind turbines. Mr.  
28 Van Wagenen stated that this is the first staff has heard about wind turbines. Mr. McColm stated  
29 that they would apply for the wind turbines separately. Discussion between Mr. McColm and  
30 the Commission continued regarding wind turbines. Mr. Van Wagenen gave an update to the  
31 discussion stating that section 17.74 of the code does regulate wind energy conversion systems  
32 and they cannot exceed 55 feet in height. Mr. McColm stated that they would be a less than 55  
33 feet in height. He stated they would come back with a full set of plans regarding the wind  
34 turbines. Mr. Van Wagenen asked if the turbines would be on the roof or on the property itself.  
35 Mr. McColm replied that each one would be on a pole and they would probably not exceed 35  
36 feet. Mr. Marchbanks asked where in the landscape the wind turbines would be located. Mr.  
37 Marchbanks suggested that they be close to the building so that they are not sticking out and  
38 would be near the trees, but not blocked by the trees. Mr. McColm stated they will place them  
39 where the City recommends. Chairperson Call asked if wind turbines would have to go before  
40 Planning Commission or if it would be approved by staff. Mr. Van Wagenen stated they can be  
41 made a condition of approval of this item or not. Commissioner Kallas commented that he  
42 would like to see this issue come before the Commission.

43  
44 COMMISSIONER KALLAS MOVED TO APPROVE THE SITE PLAN FOR LINDON  
45 BUSINESS BUILDING PARK BUILDING 4 WITH THE FOLLOWING CONDITIONS: 1. IF  
46 IN THE FUTURE THERE IS A WIND TURBINE PROPOSED THAT IT BE BROUGHT  
47 BEFORE THE PLANNING COMMISSION. 2. THAT LINDON BUSINESS PARK PLAT “C”  
48 RECEIVE FINAL APPROVAL. COMMISSIONER ANDERSON SECONDED THE  
49 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL

AYE

2 COMMISSIONER ANDERSON AYE  
3 COMMISSIONER GUNNELL AYE  
4 COMMISSIONER KALLAS AYE  
5 COMMISSIONER LUNDBERG AYE  
6 COMMISSIONER MARCHBANKS AYE  
7 THE MOTION CARRIED UNANIMOUSLY.

8 **6. SITE PLAN** – *Avalon Senior Living, 175 North State Street.* This is a request by  
9 Jeff Southard for site plan approval of a 90 unit senior housing apartment complex on  
10 3 acres located in the Senior Housing Facility Overlay zone.

12 Chairperson Call stated that the applicant for this agenda item is Jeff Southard. She noted  
13 that even though this is a Site Plan, this item will have to go before the City Council. Mr. Van  
14 Wagenen clarified that it must go before City Council not just because of the size of the project,  
15 but that in the ordinance drafted for senior housing it stipulates that the City Council is the final  
16 land use authority. Chairperson Call also stated that this is a Conditional Use Permit and thus  
17 conditions can be put on the Site Plan. It was clarified that the Site Plan and any conditions on it  
18 will be handled simultaneously, and that the conditions will be recommended to the City  
19 Council.

20 Mr. Van Wagenen introduced the agenda item stating that the location is approximately  
21 175 North State Street, 3 acres in size. He reviewed that the ordinance stipulates there can be 30  
22 units to the acre in this overlay zone, so there can be 90 units on these 3 acres. He also reviewed  
23 the Senior Housing Facility Overlay Requirements:

- 24 *Parking: 1.1 stalls per unit*
- 25 *Building Height: 48 feet (underlying zone is General Commercial)*
- 26 *Open Space: 30%*
- 27 *Setbacks:*
  - 28 *Front Setback: 40 feet*
  - 29 *Side or rear yard setback when adjacent to a non-residential zone: 20 feet*
  - 30 *Side or rear yard setback when adjacent to a residential use or a*  
31 *residential zone: 40 feet*
  - 32 *Street-side yard setback (corner lot) determined by type of adjacent street*
    - 33 *Local street = 30 feet*
    - 34 *Collector street = 40 feet*
    - 35 *Arterial street = 40 feet*
- 36 *Fencing: Seven foot (7') high, site obscuring fencing shall be installed along the*  
37 *perimeter of the property, regardless of whether it abuts existing*  
38 *residential or commercial properties or uses. The Planning Commission*  
39 *shall approve the style and design of any fencing before a conditional use*  
40 *permit is issued. Any exceptions to fence height and location shall be*  
41 *approved by the Planning Commission. A chain link fence with slats shall*  
42 *not be considered site obscuring*

43 Mr. Van Wagenen noted that this agenda item meets the requirement for parking,  
44 building height and open space. He stated that fencing is something that should be looked at by  
45 the Planning Commission. He stated the item issues are that the current landscape and site plan  
46 that have been submitted don't quite match up. He stated that he is confident this can be

resolved, but he wanted to bring it to the attention of the Planning Commission and make sure the applicant provides them with the most accurate and updated information. Mr. Van Wagenen went on to say that there are some conditions that staff is recommending for approval of this application as follows:

1. Osmond Senior Living Subdivision be recorded.
2. Lots 1 and 2 of Osmond Senior Living Subdivision reach an agreement regarding a storm water drainage system.
3. Cullimore Court Subdivision improvements be constructed.

Mr. Van Wagenen gave further explanation about the conditions stating that the Osmond Senior Living did get previous approval from the City Council to make the lots separate. He also stated that Mr. Jared Osmond is planning to renovate and expand the former Somewhere Inn Time building and the elevation of it is a lot higher than Mr. Southard's piece, so a lot of drainage can be handled through the Avalon Senior Housing property and staff wants to ensure that gets worked out before any final approvals on this site. He also stated that all of Avalon's utilities are planned to go through the Cullimore Court subdivision, and, as of now, those improvements aren't built but are in the works of getting built, which is the reason for condition number three (3).

Chairperson Call asked Mr. Southard if he had any additional information. He responded that he has a few displays to present. In referring to a copy of the Site Plan that the Planning Commission was able to view, Mr. Southard explained that the area where the Landscape Plan and Site Plan don't match are the amenities behind Building #2. He stated that because of concerns from the neighbors about the original location of the dog park, they had intended to switch the dog parks with the garden plots so that the dog parks would not be as close to the neighbor's property, but after reviewing the location of the dog park in relation to the neighbors they realized it will be approximately 75 to 80 feet away and about 15 to 20 feet lower in elevation. He also received input from their landscaper that the location of the garden plots below a 20 foot fence (in the southeast corner of the lot) would not be a good placement because not much would grow there. Thus, the dog park and garden plots were switched back to their originally planned locations (with the dog park in the southeast corner of the lot).

Mr. Southard stated they have met every requirement of the zone as far as building heights, parking and amenities. He stated there have been questions about how big the buildings will be. He said the height will be similar to the commercial building nearby, known as the Tri-City Medical building.

Commissioner Kallas asked where they envision the location of the seven (7) foot block wall will be. Mr. Southard replied that they are asking for a variance on the fence. He showed that the seven (7) foot wall would be along the south side of the lot where there will be residential neighbors. He also showed that they would place the wall along the northwest side and corner of the lot, but where the lot is adjacent to the street and no residential lot on the southwest side; they are asking to not have a seven (7) foot wall there. They would like instead to landscape it with lots of trees and a split-rail fence, which they think would be more attractive than a seven (7) foot wall.

Mr. Southard also stated they would like to tie their landscaping into the Osmond Senior Living as much as possible and are asking to not be required to put a seven (7) foot wall along the land bordering their project. Mr. Southard stated he can't dictate what landscaping will be done on the Osmond project, but the landscape architect for the Avalon project suggested hedges and a four (4) foot iron fence or whatever is appropriate and required, but they would like to not block it and would prefer to make it feel like one large project as opposed to two separate

2 projects. He summarized that anywhere they abut adjacent lots or the commercial property to the  
north, the seven (7) foot fence would be in place, but they are asking to not put it against  
4 Osmond Senior Living or against the road (in the Cullimore Court Subdivision), but it would  
pick up where the crash gate is located.

6 It was determined that the Landscape Plan and Site Plan also do not match on the fencing  
height. The Site Plan incorrectly shows six (6) feet, but the Landscape Plan is correct in showing  
8 it at seven (7) feet. Chairperson Call asked if it would be vinyl fencing. Mr. Southard stated  
they would instead match the pre-cast concrete wall already existing.

10 Commissioner Anderson asked if there had been any discussion with Mr. Osmond about  
leaving the fence out. Mr. Southard replied that there has and Mr. Osmond has encouraged it as  
12 well. Commissioner Anderson commented that the fence is to protect the neighbors, but if the  
neighbor, who is Mr. Osmond, is in agreement to leave it out then they have grounds to waive  
the requirement.

14 Commissioner Lundberg asked where pedestrians would walk into Osmond Senior  
Living from Avalon since there would be parking stalls on the Avalon property adjacent to  
16 Osmond Senior Living. Mr. Southard stated that there is a retaining wall between the two  
projects so it is not a walkable path, but the intention is to keep the view open. He stated they  
18 would hope for something like a four (4) foot iron rail, which would be there at least for safety  
reason.

20 Chairperson Call expressed her concern about the other area where the applicant would  
like to not put a 7 foot wall on the southwest side of the lot, whether the neighborhood on the  
22 other side would feel the same way. Mr. Southard stated he met with the President of Land  
Development for Ivory Homes and that they are very positive and supportive about it.  
24 Chairperson Call still voiced her concern for future residents not currently living there yet.  
Chairperson Call stated that the Commission would like to hear input from Lindon residents who  
26 were in attendance. Mr. Southard stated they are more than willing to put a fence in the location,  
but thinks it would be more aesthetically pleasing to have something more like a split-rail with  
28 trees and shrubs. Commissioner Kallas expressed a concern about whether or not the fence  
should have an opening in it there.

30 Chairperson Call voiced her concern that the Osmond project may want to have their own  
drainage system. Mr. Southard stated that he spoke to Mr. Osmond, who had talked to his  
32 engineer about using existing sumps and moving them so that they would work for his project.  
The engineer thought it would not be the best option because it would mean there would be  
34 water in bulk behind the retaining wall. Mr. Southard stated Mr. Osmond's biggest concern was  
about where the storm water for Osmond would go if it developed faster than Avalon. Mr.  
36 Southard continued to explain that Ivory has to stub in the sewer and the storm drain and that he  
told Mr. Osmond that Avalon is willing to put the storm drain and sewer laterals for Osmond to  
38 tie in to at the required engineered depth even before Avalon starts with their project if needed so  
that they do not delay the development of the Osmond project. Mr. Osmond has not decided  
40 how he wants to proceed, and Mr. Southard stated he cannot dictate that for him, but Mr.  
Southard stated they have worked out and submitted the engineering for both properties. Mr.  
42 Van Wagenen explained that a condition could be that lot 2 is willing to provide needed laterals  
and easement to lot 1 if necessary before final plans are stamped with engineering approval. Mr.  
44 Southard stated that Dudley and Associates have engineered all three projects - Cullimore Court,  
Avalon Senior Living, and Osmond Senior Living.

46 Chairperson Call asked about comments Mayor Dain had at the City Council Meeting  
about the architecture of the building. Mr. Southard stated the Mayor had said he would like to  
48 see more "up and down". Mr. Southard described changes, which would be the addition of two  
chimneys, a raised heel that will break up the straight-across horizontal line, and the addition of

2 details underneath the roofline that will change the color and add more variation. Chairperson  
3 Call stated it is hard to visualize without seeing something showing the changes.

4 Mr. Southard had Mr. Van Wagenen pull up a model created in Google Earth showing  
5 what the views of the mountains would be like and how big the Avalon buildings would be in  
6 relation to the existing Tri-City Medical building.

7 Chairperson Call stated that this is not a public hearing, but the Commission would  
8 welcome the comments of those in attendance from the public.

9 Ms. Sonia Johnson, stated that she had three questions, her first regarding the City  
10 Council's approval of this project and the Senior Overlay Zone. She stated that she is concerned,  
11 as a Lindon citizen, that there are so many apartments suddenly and believes that most people in  
12 Lindon aren't aware of what is going on. She also expressed concern about the building being  
13 four stories. It was clarified that there is no limit to the number of stories in a building but  
14 instead is a 48 foot height limit. Mr. Van Wagenen stated that after the zone change for this  
15 piece left the Planning Commission with a couple of nay votes, the City Council did approve it  
16 unanimously. He stated that the zone change allowed the zone to be changed from strictly  
17 commercial to residential. He also stated that there wasn't anything that governed senior  
18 apartments prior to the recently adopted ordinance.

19 Commissioner Lundberg stated that one of the things that was considered over many  
20 meetings was the impact senior housing has versus traditional housing. A lot of impact studies  
21 were reviewed. Ms. Johnson's second question was regarding the gate to the walking path. Mr.  
22 Southard showed the path on the diagram and explained that the path was chosen because it was  
23 the straightest path. Ms. Johnson's third question was about the locations of the dog park and  
24 garden plots. Mr. Southard reiterated his previous explanation about their reasoning for the  
25 location. Mr. Southard clarified that the landscape plan shows the accurate placement of the dog  
26 park and garden plots.

27 Commissioner Kallas addressed his concerns that the projects being discussed involve  
28 residents who are not living in Lindon yet. Discussion continued amongst the Commission,  
29 including comments from those in attendance from the public, about the fencing along the  
30 southwest side of the lot and whether it should include a gate.

31 Chairperson Call asked about condition number 3 from the staff report that Cullimore  
32 Court Subdivision improvements be constructed and whether that refers to the utilities. Mr.  
33 Southard replied that it is referring to the utilities that the Cullimore Court Subdivision has to  
34 stub in for Avalon's project. He stated that Cullimore Court is ahead of Avalon in terms of  
35 development, which means that there should not be a concern for the condition being met.

36 Mr. Matt Gneiting, who was in attendance in the audience, made a couple of suggestions  
37 to the applicant, one that there be a stairway through the retaining wall to help with continuity  
38 between the Avalon and Osmond projects. He also suggested moving the parking lot to the west  
39 side for fire department accessibility. Mr. Southard stated discussions with the Fire Marshall had  
40 already taken place to make sure that fire requirements were met and roadways inside Avalon  
41 were accessible to the Fire Department.

42 Commissioner Lundberg asked if both buildings on Avalon's site will be built at the same  
43 time. Mr. Southard replied that they would.

44 Chairperson Call stated that to be comfortable approving a motion for the Conditional  
45 Use she would like to see the architectural changes that are going to be made to the plans prior to  
46 the Site Plan approval, know that the storm water agreement is in place between the owners, that  
47 the Cullimore Court improvements be constructed and see wrought-iron fencing the area  
48 previously discussed.

49 Commissioner Gunnell expressed his concern about having a gate between the Cullimore  
50 Court and Avalon communities, as well as his concern about moving forward too quickly with

2 the Senior Overlay ordinance with few people in the city knowing what will be happening with  
3 it. Commissioner Marchbanks pointed out that the ordinance, however, is already in place.  
4 Chairperson Call asked Councilman Bean, present in the audience, about whether there could be  
5 some type of open house or noticing that would inform residents about the plans. Councilman  
6 Bean stated City Council has not discussed it and have followed the usual noticing requirements,  
7 but that it would be a worth discussion for the Council to have.

8 Commissioner Gunnell stated that the Planning Commission put a distance requirement  
9 (in the senior housing ordinance) but the City Council removed it. He stated that although this is  
10 a great project and he can see the need for it, he will be voting against it because he would like to  
11 see more thought and input put into it.

12 Councilman Bean responded saying that this was a bit of a unique situation with the  
13 Council and Commission being aware of two potential developments like this that would  
14 probably happen close together. He stated that the distance requirement was discussed and  
15 viewed as difficult to put in place when the Council knew another development would come  
16 before them, and would have seemed a little bit arbitrary to put in place. He went on to say that  
17 the Council has discussed that, as with any ordinance, they are in the position to make a change  
18 down the road after they see what the response is.

19 Commissioner Lundberg stated that she thinks that there needs to be more thought put  
20 into creating mixed use residential-commercial buffer zones.

21 Commissioner Kallas stated a lot of thought has gone into designing this project and it  
22 does seem to meet the requirements of the ordinance in place, and the Commission's role is not  
23 to approve or disapprove the project but to make sure that it is done according to code. He stated  
24 that in his opinion, the Commission should be trying to minimize the impact of a new type of  
25 project like this in a residential area. Discussion continued amongst the Commission about the  
26 potential impact on the neighboring community of a project like this, and whether there should  
27 be an opening allowing access between Avalon and the neighboring Cullimore Court  
28 Subdivision.

29 Commissioner Anderson stated that matters like the storm water agreement are not really  
30 a concern because their completion will be a condition of final approval, but it might be nice to  
31 see what the elevations would look like. But he stated it is probably not worth holding up the  
32 application because it will be going before the City Council.

33 Mr. Southard stated it was very difficult to get feedback in their Concept Review before  
34 the Planning Commission and City Council about the elevations and his hope would be that the  
35 application would not be held up because of the minimal feedback received.

36 Chairperson Call stated her concern that the placement of the pavilion appears to be in  
37 the setback. Mr. Van Wagenen stated that the code doesn't specifically address setbacks for  
38 these accessory types of buildings and it is something that can be discussed at the Planning  
39 Commission on how to handle going forward. Commissioner Kallas asked how high the  
40 pavilion would be. Mr. Southard replied that dimensions have not been determined for the  
41 pavilion yet but he had envisioned it to be like the size of those in the city parks, large enough to  
42 fit full size picnic tables. Mr. Van Wagenen stated that Staff is open to recommendations from  
43 the Planning Commission about how to handle similar structures in the future.

44 CHAIRPERSON CALL MOVED TO CONTINUE THE SITE PLAN FOR AVALON  
45 SENIOR LIVING TO SEE THE ARCHITECTURE CHANGES PRIOR TO SITE PLAN  
46 APPROVAL, FOR THE STORM WATER AGREEMENT TO BE IN PLACE, FOR THE  
47 UTILITIES TO BE BONDED AND SOME TYPE OF FENCING IN THE AREA DISCUSSED  
48 TO BE IN PLACE. THE MOTION FAILED FOR LACK OF A SECOND.

2 Commissioner Marchbanks asked if Chairperson Call was referring to Ivory bonding  
their utilities. Chairperson Call confirmed that she was. Commissioner Anderson asked if the  
4 elevations are Chairperson Call's main concern. Chairperson Call stated that it is a big project  
and would she would like to feel sure about their recommendation before passing it on to the  
6 City Council. Mr. Van Wagenen asked for clarification be made in the motion on the type of  
fencing.

8 After further discussion amongst the Commission about the motion, Chairperson Call  
asked that another Commissioner make a new motion.

10 COMMISSIONER ANDERSON MOVED TO APPROVE THE SITE PLAN FOR  
AVALON SENIOR LIVING WITH THE FOLLOWING CONDITIONS:

- 12 1. THAT THE OSMOND SENIOR LIVING SUBDIVISION BE RECORDED.
- 14 2. THAT LOTS 1 AND 2 OF OSMOND SENIOR LIVING REACH AN  
AGREEMENT REGARDING A STORM WATER DRAINAGE SYSTEM.
- 16 3. THAT THE CULLIMORE COURT SUBDIVISION IMPROVEMENTS BE  
CONSTRUCTED.
- 18 4. THAT THE 7 FOOT MASONRY FENCE BE PUT AROUND THE PROJECT,  
BUT THAT THE SECTION ALONG THE ROADWAY ON THE SOUTH CAN BE  
20 WROUGHT IRON WITH LANDSCAPING RATHER THAN THE MASONRY,  
BUT WILL BE A SOLID FENCE .
- 22 5. THAT FENCING BETWEEN LOTS 1 AND 2 CAN BE NEGOTIATED BETWEEN  
THE TWO PROPERTY OWNERS, BUT THAT THERE BE A SAFETY FENCE  
ALONG THE RETAINING WALL.

24 IT WAS RE-ITERATED AND CLARIFIED THAT IN THE MOTION THE FENCE  
ALONG THE ROADWAY ON THE SOUTH (IN CONDITION 4) WOULD NOT INCLUDE  
26 AN OPENING/GATE. COMMISSIONER KALLAS SECONDED THE MOTION. THE  
VOTE WAS RECORDED AS FOLLOWS:

28 CHAIRPERSON CALL	AYE
COMMISSIONER ANDERSON	AYE
30 COMMISSIONER GUNNELL	NAY
COMMISSIONER KALLAS	AYE
32 COMMISSIONER LUNDBERG	AYE
COMMISSIONER MARCHBANKS	AYE
34 THE MOTION CARRIED 5 TO 1.	

36 Chairperson Call gave Commissioner Gunnell the opportunity to explain the reason for  
his nay vote. Commissioner Gunnell stated that he expressed it earlier, but summarized that  
38 although the need for senior housing is there, he would have preferred to have seen more of a  
transition in the density of housing (from traditional single-family to senior housing apartments).  
40 Chairperson Call noted that the project will be forwarded to the City Council for review.

- 42 7. **CONCEPT REVIEW** — Lindon Senior Housing, ~70 South Main Street  
This is a concept review requested by Matt Gneiting to present a preliminary site plan  
for the property that was recently rezoned to Senior Housing Facility Overlay.

44 Mr. Van Wagenen opened the discussion stating that Mr. Gneiting and Mr. Stangle have  
46 been before the Commission several times, but since the last time they have picked up a little

2 more acreage and have changed a little bit of what they're doing and wanted to come before the  
3 Commission to go over those items.

4 Mr. Gneiting stated that from a developer's point of view, they were surprised that the  
5 Commission and Council elected to allow another senior housing so close to the Lindon Senior  
6 Housing project. Discussion between the applicant and the Commission continued about the  
7 surprise on the applicant's side and the reasons for the approval of two competing projects. Mr.  
8 Stangle stated that the feedback they provided was to give background why their project has  
taken longer and why they have adapted their project.

10 Mr. Gneiting stated that new additions are that they were able to put the Lewis property  
11 under contract. He said they've also talked with the other property owner [on the south side],  
12 Leonard Lee, who has expressed a willingness to provide cross-access agreements, which will  
13 give access to State Street, and that UDOT felt comfortable about it. He stated they will also be  
14 putting in a fire access crash gate. He also stated that the plan is to create some cross  
15 landscaping to unify it with the city property. Mr. Gneiting stated that with the new design and  
16 acquisition of new land, they will be able to construct a three story facility. He said they believe  
17 that will provide more of a residential feel and is consistent with feedback provided by the  
18 Commission through the process. He stated the facility will include a community center with  
19 decorative landscaping and outdoor sitting areas. He went on to say that the south side will be  
20 heavily landscaped with a sight-obscuring fence from the adjacent building. He said there will  
21 be walking access to Main Street, with the city's approval, and as previously discussed they will  
22 put in sidewalk access down to the city's Senior Center. Mr. Gneiting stated their plan has an  
excess of covered parking and that they are sensitive to the 30% open space requirement.

24 Commissioner Lundberg asked if the applicant's economic target is different now. Mr.  
25 Stangle said they would like to coordinate with the other senior living projects to try to  
26 differentiate and allow more choices in the size and finishing of units to create a productive mix.

27 Chairperson Call asked if the applicants' intention is to continue with project and build  
28 and manage the project themselves. The applicants affirmed that it is. It was reiterated that the  
29 main change to the Lindon Senior Housing is that it will be a three story wrap-around building  
30 with a community center out front. Commissioner Marchbanks stated that the change in access  
31 to the building has improved the project. Commissioner Lundberg asked if the height will still  
32 be lower than 48 feet. The applicants replied that it will, but not by a lot because they would like  
to have higher ceilings.

34 The applicants stated they would like the Commission's opinion about the color scheme.  
35 It was noted that the project will have approximately 105 units instead of 90, and that the exterior  
36 surface of the building will be mostly brick and some mossy green colored stucco.

37 Commissioner Kallas stated that the dark colors are attractive. Commissioner Anderson  
38 stated that it has a more residential appearance than before. Commissioner Kallas gave feedback  
39 that anything done in excess becomes monotonous, like on the north elevation where there are a  
40 lot of windows, but in his opinion the east and west elevations look very nice. Chairperson Call  
41 noted that the colors should match the color palette in the Lindon City Design Guidelines. She  
42 also stated her opinion that the access point, three story, and design changes are all good  
changes.

44 Commissioner Lundberg, stating she is speaking at a personal level and not as a  
45 Commissioner, believes there is a market for higher-end finishes and that may be a way of  
differentiating.

46 Mr. Gneiting asked for feedback on the ordinance requiring a ten foot setback from  
47 residential areas for parking lots, and its application to part of their project. The applicants  
48 explained that their current design has a five (5) foot instead of ten (10) foot setback on the north

2 edge of their parking lot because a ten (10) foot setback would become wasted space up against a  
3 seven (7) foot sight-obscuring fence there.

4 Mr. Southard, who was still present at the meeting, brought up that this issue has come up  
5 with the Board of Adjustments in the past on another project. He stated there may be some  
6 history on it that may be helpful to the applicant.

7 Commissioner Marchbanks stated that he is in agreement with Commissioner Kallas that  
8 he would rather see the landscaping where it is more beneficial to the residents than up against a  
9 seven (7) foot wall, especially if the parking will be a covered stall. He asked what the  
10 applicants would propose against the north fence. Mr. Gneiting stated they would propose a five  
11 (5) foot landscaping because they would like to keep most of the open space around the complex  
12 itself.

13 Mr. Van Wagenen stated he was aware that before the applicants picked up the Lewis  
14 piece, there was some conversation with Mrs. Abbott about the type of fencing. Mr. Van  
15 Wagenen asked if the applicant's have had a chance to talk with her again. Mr. Gneiting replied  
16 that he tried to stop by but she was not able to talk at the time. Mr. Van Wagenen noted he would  
17 look further into the ordinance (about the parking lot setbacks).

18 The applicants noted they would discuss and receive concurrence from the neighbor  
19 about the type of fencing to be put against the Lewis property. The applicants also noted they  
20 may move the location of a different fence to help preserve another neighbor's access to their  
21 property, but it would still meet setback requirements.

22 No motion was made because this agenda item was a Concept Review only.

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

24 Chairperson Call stated there is nothing new to report.

## 25 **9. PLANNING DIRECTOR REPORT –**

26 Mr. Van Wagenen reported on City Council items as follows:

- 27 • City Council Items:
  - 28 ○ Eastlake at Geneva North Subdivision
  - 29 ○ Canberra Hills Plat C Amendment
  - 30 ○ Public Utility Lots
- 31 • Vacant Commissioner position may not be filled until after the elections
- 32 • Drafts of vinyl fence and Bed and Breakfast ordinance next meeting
- 33 • Talked to Heath Bateman about trees down; tree board is working on  
34 replacement
- 35 • State Street remodeling and the effects on-street parking
  - 36 ○ Bike lanes do not allow space for on-street parking
  - 37 ○ Working with Dr. Healy to provide parking for his non-conforming  
38 building

39 Chairperson Call asked if there were any other questions or discussion from the  
40 Commissioners. Councilman Bean spoke to the Commission about the City Council's  
41 deliberation on the approval of current Senior Overlay Zone projects. Chairperson Call called for  
42 a motion to adjourn.

43 **ADJOURN**

2 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE MEETING AT  
10:50 P.M. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT  
4 VOTED IN FAVOR. THE MOTION CARRIED.

6 Approved – October 8, 2013

8 \_\_\_\_\_  
Sharon Call, Chairperson

10 \_\_\_\_\_  
Hugh Van Wagenen, Planning Director