



2 South road issue, where they indicated the road is going through and residents have no  
4 say in it because Lindon City has already deeded the land and it is a Pleasant Grove  
6 project. They are just here to be educated on what is going on because they were not  
8 noticed from Lindon City. She also expressed part of her concerns are regarding her  
fence being destroyed in a storm about five years ago. She reported the incident to  
Pleasant Grove and Lindon and neither said they were responsible claiming it was not  
their jurisdiction.

10 Mr. Cowie gave some background information at this time. He noted Lindon City  
12 wasn't informed that Pleasant Grove held a meeting. What occurred was MAG has  
14 funding opportunities for specific segments north of 725 North that they identified for  
16 grant funding. Lindon has coordinated for decades with Pleasant Grove on this road. He  
18 also spoke with the Pleasant Grove City Engineer who indicated the meeting was for  
those property owners who are impacted (the road is on their property) and public  
comment wasn't taken from any other properties. Mr. Cowie expressed that he is  
disappointed they didn't take public comment from other property owners. He expressed  
that the City is sorry that occurred, but we were not at the meeting and we regret if that is  
how it was portrayed.

20 **5. Consent Agenda Items** – The following consent agenda item was presented for  
22 approval.

- 24 a) **Officer Involved Critical Incident Protocol Agreement.** All the cities in  
Utah County had public safety and legal teams agree to this protocol. Staff  
recommends approval by the Council.
- 26 b) **Employee Merit Increase.** The Mayor and City Council will review for  
28 approval the 2.5% merit increase for employees. In the FY2019-20 budget the  
City Council approved a 2.5% merit increase for employees (based upon year-  
30 end employee performance evaluation scores). The merit increase will be  
effective January 1, 2020. Per past practice, the City evaluates mid-fiscal year  
32 budget constraints and economic indicators to determine if recommended  
merit increases are still financially prudent. Given a healthy economic  
34 outlook, strong revenues, and healthy General Fund reserves the City  
Administration recommends the merit increase be applied as approved in the  
36 budget.

38 COUNCILMEMBER HOYT MOVED TO APPROVE THE CONSENT  
40 AGENDA ITEMS AS PRESENTED. COUNCILMEMBER BRODERICK  
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

42 COUNCILMEMBER HOYT AYE  
44 COUNCILMEMBER BRODERICK AYE  
COUNCILMEMBER VANCHIERE AYE  
COUNCILMEMBER POWELL AYE  
THE MOTION CARRIED UNANIMOUSLY.

2 **CURRENT BUSINESS**

4 **6. Concept Review – South Haven Development – 531 N. State Street.** South  
6 Haven Development requests concept review of a proposal to allow for 99  
8 residential units on approximately 6 acres of the Linden Nursery property. Parcel  
10 #45:244:0001. A Concept Review allows applicants to receive Planning  
Commission feedback and comments on proposed projects. No formal approvals  
or motions are given, but general suggestions or recommendations are typically  
provided.

12 *At this time, Councilmember Hoyt recused himself from this item as he has a*  
14 *conflict of interest and will not be participating in this discussion.*

16 Mike Florence, Planning Director, led this discussion item by explaining  
18 Concept reviews are to provide general feedback only and no decision will be made or  
20 voted on at the meeting tonight. The applicant, Mr. Jeff Southard is in attendance and  
seeking concept review feedback for a proposed multifamily project on the Linden  
Nursery property at 531 North State Street. He noted the concept plan includes 99  
residential units in mostly 12-plex and 6-plex buildings on about six acres.

22 Mr. Florence indicated the plan also provides 209 parking stalls and amenities  
24 that include sports courts, a pool, a clubhouse, a tot lot, and open space. Mr. Florence  
stated staff has reviewed this proposal and found that the City currently does not have a  
zone that would support this development proposal. He advised the council to carefully  
consider how the proposed use would be appropriate as a transition from commercial to  
low density residential. He pointed out the City has a number of deep commercial lots on  
State Street where commercial may not fully develop and should be studied further for  
the correct development types.

30 Mr. Florence explained if the council decides to give direction to move forward  
with this development Mr. Southard, at a minimum, will need to apply for the following  
entitlements as part of the development review process: 1. An ordinance amendment and  
zone change to create a new zone 2. or an ordinance amendment to modify an existing  
zone, that will allow for multifamily buildings. The Ordinance Amendment will also need  
to include regulations regarding lot dimensions, setbacks, landscaping, density and other  
relevant aspects of multifamily developments, Subdivision Approval and Site Plan  
Approval. Mr. Florence then presented the Concept Plan, Aerial Image and the Planning  
Commission Minutes followed by some general discussion.

38 Mayor Acerson stated he read the packet and feels it is pretty straight forward. The  
40 question is how the Council perceives development should happen in the city especially on  
State Street.

42 Councilmember Vanchiere stated his perception from the planning commission  
was that they weren't absolutely opposed to this concept but the concern was more the  
number of units than the configuration of the units. There was also some concerns of  
44 traffic circulation and ingress and egress. Mayor Acerson asked if something like this was  
to go in would UDOT weigh in on the access since it is a state road. Mr. Florence  
46 confirmed that statement noting UDOT would have to weigh in on that and approve it.

2 Mayor Acerson invited the applicants Jeff Southard and Mr. Platt forward for comment at  
this time.

4 Mr. Southard explained because of the depth of this commercial lot, the question is  
what is the highest and best use for this property as there may be a better use. This is  
6 probably not the use the city wants to see, but questioned what would be appropriate. He  
pointed out there are other businesses that have not been successful on State Street and the  
8 question is what would be the best use for this parcel. He noted there are two lots that meet  
the UDOT requiremnts and they believe they would prefer something like this. The  
10 applicant had an offer from “Beansies” but UDOT was opposed to allowing the access  
stating it would not be usable.

12 Mr. Southard then referenced the Utah County Parcel Map pointing out the  
property corner of the Linden Nursery. Mr. Southard mentioned the one thing they are  
14 hoping for tonight is comments on what is the depth that the city thinks should remain retail  
and also what kind of density would be acceptable. He also showed photos of three plexes  
16 in Pleasant Grove (Cambria Development) noting they are 12 units to the acre but they  
don’t look like the big 12 plexes; this is fairly dense and these would all be for sale. Their  
18 issue is there is a certain price that has to be achieved and it doesn’t work if they don’t get a  
density of at least 12 units (they presented 15 ½). He is open to hear comments on what the  
20 city council thinks would be an appropriate use and how deep off of State Street they  
would agree to go. Mr. Southard stated they have to get 12 units to make it work and he is  
22 working with the land owner to see what may work. He has known the Platts for a long  
time and they are here to explore what the best options are.

24 Councilmember Powell commented, thinking broadly, if we were to give you what  
you want, could you come up with a concept of only 3-plexes? Mr. Southard stated he  
26 thinks they could make that work where it would be roughly 12 units to the acre with just  
3-plexes that are 2-story; but he would have to lay it out. Councilmember Powell stated the  
28 proximity of density from unit to unit can be concerning and the amount of extra parking.  
But she is in favor of this type of a product; it’s the proximity and density that concerns her.

30 Councilmember Vanchiere commented in today’s market proximity isn’t such a big  
issue as in years past. Mr. Southard replied that housing affordability is an issue and  
32 people wanting townhomes are willing to be a little closer in proximity as to be on the east  
side of the lake.

34 Councilmember Broderick stated he visited the location today and looked at the  
different entrances. He expressed that anytime we adjust a zone he takes it very seriously  
36 because other people have made purchases based on existing zoning. He also has concerns  
with the additional traffic. He mentioned the 200 ft. setback that goes into Walmart. To him  
38 that is different than a 200 ft. setback into a residential area and that is dramatically  
different for him; he is not sure this is the best use of the land and best transition.

40 Mr. Platt pointed out when they started their nursery business 20 years ago the best use of  
the land was all 12 acres being in nursery. Now they can’t survive as the city has grown up  
42 and developed around them and they aren’t selling as many trees and shrubs and they have  
to downsize. They need this rezoned for them to survive; it has to happen.

44 Councilmember Broderick stated he understands property rights, but on the surface  
the density and the spacing between buildings is a big deal for him and it makes it hard for  
46 him to get there. He will try to be open to listen, but know that this amount of density

2 would not make it with him. Mr. Southard asked how he would feel about 12 units to the  
4 acre and a 3-plex product. Councilmember Broderick replied he would have to see a  
concept plan and he realizes that would take money and effort on their part.

6 Mayor Acerson asked Mr. Florence what is the R2 overlay density per acre that is  
allowed and dispersed throughout the city. Mr. Florence replied it is nowhere near 12  
8 units. Mayor Acerson pointed out on the west side we have allowed higher density and that  
is the closest comparison that we could relate to right now. Mayor Acerson stated we  
10 understand things change and you have quite a depth at that location as far as commercial  
and historically that is what is up and down state street; we were looking at 300 ft. as a  
general guideline but that is obviously not consistent all the way through state street.

12 Mr. Southard brought up the fact if you leave it all commercial, the way it is  
currently zoned, there has not been many businesses that has survived in the deep depth's  
14 on State Street. He believes part of the city council's job is to decide what the highest and  
best use would be.

16 Councilmember Vanchiere agrees if it were to go all commercial it would be tough.  
Mr. Southard asked how deep the city council would go; we would need to know what the  
18 magic number is if they bring back a real concept.

20 Councilmember Broderick pointed out that the access points seem awkward as can  
be. Mr. Southard stated they would make a grand entrance for everything that would get  
the traffic off State Street, or put the entrance on the north side of the red barn. Mr.  
22 Southard confirmed they would maintain an HOA for both residential and retail and they  
would share the grand entrance. Councilmember Vanchiere pointed out that a traffic study  
24 would address the potential traffic impact and mitigate any traffic impacts.

26 Councilmember Powell stated she would need a minimum of 300 ft. commercial  
and would prefer 400 ft. and only 3-plexes. For her it is more powerful to have more green  
space around each unit and she believes this can be done properly and done right. Also, if  
28 they bring something back with less attention to that and more to the citizens that live there  
with the spirit and flavor of a "little bit of country" she would be willing to have additional  
30 conversation. Councilmember Powell also expressed her concerns with access and traffic  
but she appreciates them trying to keep the barn and nursery. She would say a minimum of  
32 300 ft. Mr. Platt stated they may have to go to 400 ft. to keep the nursery.

34 Councilmember Vanchiere stated he also likes a minimum of 300 ft. (but further the  
better) and the 3-plex plan. He is not overly concerned of the distances because young  
people today don't care about proximity. The bigger issue is the underlying idea of  
36 creating a new zone or substantially amending the current zone. It can be doable but they  
need more time to study the impacts to other areas in the city, particularly State Street and  
38 to identify those properties. He could get comfortable with a plan with the caveat that we  
look downstream at the ramifications as to not open pandoras box.

40 Mayor Acerson stated he thinks the price points they are presenting are realistic and  
encouraging. He added it appears to be a different mentality today. Mayor Acerson noted  
42 2020 is the year we are looking at this zone to see if there are adaptations. The whole  
model is changing and we need to rethink and consider what is appropriate for the land  
44 owner and the city and what we are trying to accomplish. Mr. Southard stated they plan to  
maintain the nursery and the retail options are required by the landowner and the city.

2 Councilmember Powell pointed out to the residents in attendance that these  
4 applicants have paid to have a concept review with the council and will have to jump  
6 through many more hoops. It is the city council's job to make sure we hear them and  
protect the city and residents as a whole; we are mindful and know that this is a long  
process.

8 There were several in attendance who expressed their concerns with this proposed  
10 concept due to the traffic issues and the intrusion on their privacy of their properties with  
12 building heights etc. and of being boxed in. Mayor Acerson would recommend the  
applicants work with the neighbors to mitigate any concerns. Mr. Southard stated they  
would plan on bringing the neighbors in when they have the concept plan and have a  
neighborhood meeting to mitigate any issues and take their concerns under consideration.

14 Mayor Acerson called for any further comments or discussion from the Council.  
Hearing none he moved on to the next agenda item.

- 16 **7. Anderson Farms Plat E Major Subdivision Approval and Anderson Farms**  
**Boulevard road dedication – Ivory Development, LLC.** Request for major  
18 subdivision approval of a 60-lot single family residential subdivision located in  
the Anderson Farms Planned Development (AFPD) zone. The request also  
20 includes the dedication of the north section of Anderson Boulevard from 500 N.  
to 700 N. The subdivision and road dedication are part of a master development  
22 agreement with Ivory Development.

24 Mr. Florence led this discussion by noting last week the planning commission  
recommended approval to the city council of the next phase of Anderson Farms which is  
26 the major subdivision. The city council will be reviewing two plats with this application  
tonight. Ivory Development is seeking Parcel A/Plat E preliminary subdivision approval  
28 for a 60-lot single family home development. Ivory is also petitioning for preliminary plat  
approval to dedicate the remaining portion of Anderson Farms Boulevard from 500 North  
30 to 700 North.

32 Mr. Florence explained Parcel A will be the 5th phase of the Anderson Farms  
development. In 2016, the city council signed a Master Development Agreement with  
Ivory Development. In summary, the development agreement addresses items such as the  
34 total number of units, types of units for each phase, setbacks, park space and  
development infrastructure.

36 Mr. Florence mentioned the ongoing discussions regarding amending the master  
development agreement which would increase and re-arrange the overall development  
38 density in order to dedicate units for affordable housing. If approved then the subject  
parcel, Parcel A/Plat E, would be reduced to 49 lots. He noted if the council approves the  
40 plat with 60 lots and then amends the development agreement, the applicant will need to  
return to the planning commission and city council to amend their subdivision approval.  
42 Mr. Florence then presented the map showing site lines and distances associated with the  
project followed by some general discussion.

44 Mayor Acerson called for any further comments or discussion from the Council.  
Hearing none he called for a motion.

46

2 COUNCILMEMBER VANCHIERE MOVED TO APPROVE THE  
4 APPLICANT’S REQUEST FOR PRELIMINARY APPROVAL OF ANDERSON  
6 FARMS SUBDIVISION PLAT E. WITH 60 LOTS AND THE ANDERSON  
8 BOULEVARD ROAD DEDICATION PLAT WITH THE FOLLOWING  
10 CONDITIONS: 1. THE APPLICANT WILL CONTINUE TO WORK WITH THE CITY  
12 ENGINEER TO MAKE ALL FINAL CORRECTIONS TO THE ENGINEERING  
14 DOCUMENTS AND PLAT; 2. DEVELOPER SUBMITTALS SHALL MEET  
16 REQUIREMENTS FOUND IN THE LINDON CITY LAND DEVELOPMENT  
18 POLICIES, STANDARDS SPECIFICATIONS AND DRAWINGS UNLESS  
20 OTHERWISE SPECIFIED IN THE MASTER DEVELOPMENT AGREEMENT; 3.  
22 THE APPLICANT WILL COMPLY WITH ALL BONDING REQUIREMENTS; 4.  
24 PLAT E BE APPROVED AT 60 LOTS; 5. SIDE YARD LOT LINE  
26 CONFIGURATIONS ARE APPROVED AS PROPOSED IN PLAT E; 6. DETENTION  
28 BASIN #2 THAT SERVICES PARCEL A AND THE ROUNDABOUT WILL BE  
30 LANDSCAPED WITH THIS PHASE 7. THE APPLICANT WILL PROVIDE A  
32 DESIGN THAT MAINTAINS AND PRESERVES THE SITE DISTANCE  
34 REQUIREMENTS AS PRESENTED 8. ALL ITEMS OF THE STAFF REPORT.  
COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS

RECORDED AS FOLLOWS:

COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER VANCHIERE	AYE
COUNCILMEMBER POWELL	AYE

THE MOTION CARRIED UNANIMOUSLY.

8. **Public Hearing: Lindon City Water Conservation Plan; Resolution #2019-29-R.** The Mayor and City Council will hear for possible adoption, the Water Conservation Plan as required by the State to be updated and adopted every 5- years. The plan will be presented by City Engineer, Noah Gordon.

COUNCILMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.  
COUNCILMEMBER BRODERICK SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

Noah Gordon, City Engineer Director, led this discussion by presenting the Water Conservation Plan including information on how much the city is growing, what our water needs are, and ways to conserve water so we have enough water to sustain us moving forward. He noted this is a requirement of the State that needs to be updated and adopted every five years by the City Council. Mr. Gordon also provided an update on the secondary water metering reporting that will be sent to the State. He also informed the council of another secondary water report that is annually submitted to Central Utah Water Conservancy District. There was then some general discussion by the Council regarding Mr. Gordon’s presentation.

- [Lindon City Water Conservation Plan - Presentation](#)

- [Lindon City Secondary Water Metering Report](#)
- [Lindon City Water Conservation Plan](#)

Mayor Acerson called for any public comments at this time. Jared Platt commented as a Pleasant Grove resident they are regulated on what days of the week they can water their yard. He made this suggestion as a way to mitigate secondary water usage.

Mayor Acerson called for any further public comments. Hearing none he called for a motion to close the public hearing.

COUNCILMEMBER BRODERICK MOVED TO CLOSE PUBLIC HEARING. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mayor Acerson called for any further comments or discussion from the Council. Hearing none he called for a motion.

COUNCILMEMBER HOYT MOVED TO APPROVE RESOLUTION #2019-29-R ADOPTING THE LINDON CITY WATER CONSERVATION PLAN AS SUBMITTED BY THE CITY ENGINEER. COUNCILMEMBER BRODERICK SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER HOYT	AYE
COUNCILMEMBER BRODERICK	AYE
COUNCILMEMBER VANCHIERE	AYE
COUNCILMEMBER POWELL	AYE

THE MOTION CARRIED UNANIMOUSLY.

9. **Discussion Item — Lindon Days Finances and Fundraising.** Heath Bateman, Parks & Recreation Director will present an overview of 2019 Lindon Days events and expenditures and discuss future fundraising.

Heath Bateman, Parks and Recreation Director, was in attendance to present for review the costs of Lindon Days 2019 financial report. There was then some general discussion regarding the report line items and revenues and expenditures. The council also discussed future events and fundraising issues and sponsorship with Mr. Bateman. He pointed out the PG/Lindon Chamber of Commerce have been instrumental in fundraising efforts and involved in Lindon Days which has been great. Mr. Bateman noted the Tomlinson's will no longer be sponsoring the Car Show; but the car show will continue.

In conclusion, Mr. Bateman stated he would suggest keeping the program the way it currently is and to see where the trends go. Following discussion, the Council was in agreement to help reach out and facilitate donations/fundraising efforts and to also make recommendations to staff. Mr. Bateman stated he will continue to work with the Chamber and get a list of sponsors to the council. He also mentioned to be thinking of names for the Lindon Days Grand Marshall before the first of the year.

Mayor Acerson called for any further comments or discussion from the Council. Hearing none he moved on to the next agenda item.



2 COUNCILMEMBER VANCHIERE AYE  
COUNCILMEMBER POWELL AYE  
4 THE MOTION CARRIED UNANIMOUSLY.

6 **COUNCIL REPORTS:**

8 **Councilmember Lundberg** – Councilmember Lundberg was absent.

10 **Councilmember Hoyt** – Councilmember Hoyt reported the annual Christmas Tree  
Lighting Ceremony went very well. He noted the Historic Preservation Commission does  
12 a great job and it really kicks off the holiday season. He also reported at the last  
PG/Lindon Chamber of Commerce Board meeting they discussed the transition of  
14 Councilmember Lundberg taking over the assignment and they feel they will have great  
representation. He also mentioned the December 11<sup>th</sup> PG/Lindon Chamber of Commerce  
16 luncheon is at doTerra adding registration is required if you are planning to attend.

18 **Councilmember Broderick** – Councilmember Broderick reported he will be attending  
the Provo Bench Board meeting at 3 pm this Thursday.

20  
22 **Councilmember Vanchiere** – Councilmember Vanchiere reported he touched base with  
city council members about a resident complaining about the cost of the parks and trails  
study.

24  
26 **Councilmember Powell** – Councilmember Powell reported the Tree Lighting Ceremony  
noting it was a very nice event and well attended. She also reported she plans on  
attending the Engineering Committee meeting next Tuesday. She also mentioned the Oak  
28 Canyon Jr. High School lighting issue that is causing light pollution. Mr. Florence stated  
he spoke with the Vice Principal who indicated they would turn the sign off a 10 pm and  
30 turn it back on at 7 am. Councilmember Powell feels that is a waste of taxpayer’s money  
and is intrusive on neighbors and she would suggest dimming it.

32  
34 **Mayor Acerson** – Mayor Acerson had nothing further to report.

36 **Administrator’s Report:** Mr. Cowie reported on the following items followed by  
discussion.

38 **Misc. Updates:**

- 40 • December Newsletter: [https://media.rainpos.com/442/december19final\\_20191203113145.pdf](https://media.rainpos.com/442/december19final_20191203113145.pdf)
- 42 • January newsletter article: Mike Florence - Article due to Kathy Moosman by end  
of December
- 44 • Reminder that there’s NO curb side pick-up for Christmas Trees
- Any items, issues, or topics you feel you need more training or background on?  
Anything we can be doing better to help you stay informed on issues or events?
- Misc. Items

46 **Upcoming Meetings & Events:**

- 2 • November 28th – Mayor’s Thanksgiving Day Dinner
- November 28th & 29th – Thanksgiving Holiday - City offices closed
- 4 • December 2nd at 6:30pm – Annual Christmas Tree Lighting at Community Center
- 6 • December 12th at 6:30pm – Employee Christmas Party
- December 23rd – City offices close at noon
- 8 • December 24th -25th – Christmas Holiday – City offices closed
- January 1st – New Year’s Holiday – City offices closed
- 10 • January 7th – Oath of Office administered to newly elected Council members
- January 20th – Martin Luther King Holiday – City offices closed
- 12 • January 29th – ULCT Local Officials Day with Legislature

14 Mayor Acerson called for any further comments or discussion from the Council.  
Hearing none he called for a motion to adjourn.

16

**Adjourn** –

18

20 COUNCILMEMBER BRODERICK MOVED TO ADJOURN THE MEETING  
AT 10:00 PM. COUNCILMEMBER POWELL SECONDED THE MOTION. ALL  
PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

22

Approved – December 17, 2019

24

26

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

28

30

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