- The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday**, October 25, 2016 beginning at 7:00 p.m. at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.
   REGULAR SESSION 7:00 P.M.
- 8 Conducting: Sharon Call, Chairperson

Invocation: Mike Marchbanks, Commissioner

10 Pledge of Allegiance: Bob Wily, Commissioner

12 **PRESENT** ABSENT

Sharon Call, Chairperson Matt McDonald, Commissioner

- 14 Rob Kallas, Commissioner Bob Wily, Commissioner
- 16 Mike Marchbanks, Commissioner Charles Keller, Commissioner
- Steven Johnson, CommissionerHugh Van Wagenen, Planning Director
- 20 Brandon Snyder, Associate Planner Kathy Moosman, City Recorder

Special Attendee:

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- 24 Matt Bean, Councilmember
- 1. <u>CALL TO ORDER</u> The meeting was called to order at 7:00 p.m.
- 28 2. <u>APPROVAL OF MINUTES</u> The minutes of the regular Planning Commission meeting of October 11, 2016 were reviewed.

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES

- OF THE REGULAR MEETING OF OCTOBER 11, 2016, AS PRESENTED.
   COMMISSIONER WILY SECONDED THE MOTION. ALL PRESENT VOTED IN
   FAVOR. THE MOTION CARRIED.
- 36 3. **PUBLIC COMMENT** –
- Chairperson Call called for comments from any audience member who wished to address any issue not listed as an agenda item. There were no public comments.

<u>CURRENT BUSINESS</u> –

4. Minor Subdivision — Tivoli Gardens Subdivision, Plat A, 178 West 200
 44 South. Ken Breschneider requests approval of a two (2) lot minor subdivision at 178 West 200 South in the Residential (R1-20) zone.
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Brandon Snyder, Associate Planner, opened this discussion by stating Bryant Bishop is in attendance tonight as representative of this request for approval of a two (2) lot minor subdivision at 178 West 200 South in the Residential (R1-20) zone.

Mr. Snyder explained this proposed minor subdivision will create two residential lots fronting onto 200 South. He noted the Lindon City Street Master Plan Map indicates 200 South Street is a major collector and an existing single-family residence is located on the proposed east lot. He noted the residence, which was built in 1960, will remain and

the proposed east lot. He noted the residence, which was built in 1960, will remain and the remainder of the parcel will be developed in phases. The future phases will need to

take into account and address the requirements of the current street master plan in regards to the "local" road connections. Mr. Snyder pointed out the public improvements (curb,

gutter, and sidewalk) already exist along 200 South and the property is bordered by the following residential subdivisions: Westridge Estates, Plat A (west), Lindon Treasury,
Plat A (east), and Johnson's Home, Plat A (east). Mr. Snyder mentioned the current

Plat A (east), and Johnson's Home, Plat A (east). Mr. Snyder mentioned the current property owner is listed as Rhoda Price who has recently passed away so the property is in the process of changing ownership to the applicant.

Mr. Snyder further explained what the Commission is looking at tonight is to make sure the requirements are met for the R1-20 zone and staff will need administrative approval verifying that it complies with the standards in place in the ordinance. He noted that staff has determined that this proposed subdivision complies, or will be able to comply before final approval, with all remaining land use standards. He pointed out the City Engineer is addressing engineering standards and all engineering issues will be resolved before final approval is granted. Mr. Snyder then referenced the proposed subdivision and an aerial site photo followed by some general discussion.

Mr. Snyder made mention of one thing that came up after the staff report was already written. When the adjoining property Lindon Treasury subdivision was reviewed and approved there was a temporary fix for a sewer lift station and a temporary sump that collects the storm drain water. Because the property is in the process of being developed the city has concerns of addressing and making the connection for the sewer and sump for the storm drain. Mr. Snyder stated staff recommends adding these items as conditions in the motion to address prior to approval of the plat or to continue the item for further discussion. He then turned the time over to the applicant for comment.

Mr. Bishop stated the applicant understands the lift station is there and he is okay with having the utilities run through the property. It's not something he would want to do as part of this first phase with the two homes being built. He added the future plans for the back property is an extension of the existing property and he will be turning it into a park (essentially) so if the city has a desire to do that sooner rather than later and waiting for the future phase he would also be comfortable with that happening.

Chairperson Call commented even though this item is not a public hearing she is aware there are several audience members in attendance who would like to address the Commission. Several residents addressed the Commission as follows:

**Doug Barlow:** Mr. Barlow mentioned several questions he would like the Planning Commission to think through tonight before making a decision on this item. He noted he is coming forward as a citizen and as an adjacent property owner. He then presented his bullet point items (power point presentation) for discussion as follows:

- He showed the Price's boundary line. He would like to see a full plan of the property instead of a subsection.
  - He showed the current Lindon City Master Plan that shows 130 South connecting together with a spur that goes up to 40 South. This is very critical to him because if he wants to develop his property this is the road he would have to use due to frontage concerns. Does this subdivision change the current plan or not.
    - It has been assumed that 130 South would connect (per the planning dept.) that's why they didn't build a cul-de-sac. He would like to know what the future plans are as the applicant wants to build a park.
    - 130 south dead ends; is this permanent and what are the long term plans.
  - If a road does or doesn't go through it's critical to the land owners in the future for their undeveloped land. 40 south is a unique road with no sidewalks and is narrower than normal. He would like to see the full plan and if all the undeveloped land dumps onto 40 south that would need another discussion.
    - He asked the Commission to request a full plan of all the phases to discuss how the master plan and the streets are affected before moving forward.

**Mick Johnson**: Mr. Johnson stated he is the adjacent home owner (to the east) to the property in question. He explained with the proposed road going through there is also a problem with the sewer because those homes have the sewer pumped up and he questioned if the power is lost what would happen then. He is against this proposed road and the sewer needs to go through somewhere without having to pump it.

Mr. Snyder clarified where the pump is noting it pumps to 200 south. He also referenced the master planned roads and the east west connection on 130 South. He noted it was his understanding when this area was looked at a group of citizens met and discussed the proposed alignment that best served as many property owners as possible as far as providing access. He clarified the proposal before the Commission tonight frontages off of 200 south (access and utilities). He then gave the reasons the applicant did not provide the overall master plan concept with this proposal as it is apparent how the remainder of the property would develop if the master planned roads were put in subsequent to this first phase. Obviously there would be a lot or two to the south and with the hugging west of the property line the only option was to put lots on the east side.

Chairperson Call stated she is trying to understand if the subdivision is approved off of 200 south how it will affect the development of the rest of the property. Mr. Snyder stated when staff looked at the current parcel as a whole it is being proposed to be developed in phases with the first phase being the two (2) lots at the south end of the property. Since the overall parcel is being considered for some approvals, staff feels it is necessary to address the storm drain and sewer issues, however they recognize there is sufficient enough property remaining that in the future the additional phases can still be accomplished and the first phase would not prohibit that to happen and is not blocking what is currently called out by the master plan. He noted the applicant is aware that approvals to remove the roads from the master plan must go to the Planning Commission and then on to the City Council for the ultimate decision, so as long as those are on the books those would be required for any further development to the north of these lots.

Mr. Bishop stated the applicant has indicated although he wants to create a park he would consider selling the top portion to the north to someone else to accommodate for a cul-de-sac to provide access. What is currently proposed is the two lots on the front and the future park on the back end of the property.

Mr. Barlow stated he is not opposed to the subdivision going in but wants to know the future phases because the park sits where the road is going to be so if the road is going away he wants to know how the master plan is going to change that and how this will affect him. Mr. Van Wagenen clarified that Mr. Bishop has said what his plan is looking to do and the city has no formal application or plans to amend or remove roads from the master plan at this point until there is a formal application and a decision otherwise.

Chairperson Call pointed out what is being proposed tonight is the minor subdivision and she doesn't feel it can be denied because it appears to meet all the requirements. Mr. Snyder confirmed that statement adding if the applicant comes in on the additional phases the master plan roads will come into play and will have to be taken into consideration; these are shown on the master plan and as development occurs they need to be installed as required. He re-iterated the only thing the applicant is requesting tonight is the two lots that can be separated and sold from the remaining property and staff feels this proposal does not prohibit those master planned roads from still being achieved. He reminded the Commission to add as a condition in the motion to make the recommendation that it is contingent on addressing the storm drain and sewer requirements or continuing the item so further discussion can take place with the applicant. There was then some general discussion by the Commission regarding the conditions and issues discussed.

Mick Johnson asked if the reason this is being done tonight and creating a subdivision is to keep a road from coming off the proposed road onto 200 south rather than putting it onto 40 south. Chairperson Call stated they have not been given that information they are only dividing the parcel so it is two lots. Mr. Snyder stated the applicant is not proposing that road connection and it is not required on the master plan and has not been considered. John Buckley representing the Rhoda Price estate commented the property sale is under contract and contingent upon this proposal.

Commissioner Johnson asked about the contingency and if the sewer is an issue that needs to be addressed. Mr. Snyder stated they would like to fix the issue now and make that connection and not wait for the future phases where the road may come in so the sewer lift station can be eliminated. Mr. Bishop re-iterated that the road and the utilities running through are not part of this proposed subdivision, however, as was discussed today with staff the applicant is not opposed to having those utilities run through the ground. If there is a desire by the city to put those in sooner than later that is something the applicant is not opposed to having the connection go through.

Mr. Van Wagenen clarified in the motion the Commission may approve this tonight with the condition that the underground utilities connections the city is interested in be resolved with a mutual agreement between the applicant and the city. He also pointed out that anytime there is a request that a road be vacated a public hearing will be held and will be noticed so people have the right to speak and any affected property owners will also be notified.

2	Following some additional discussion Chairperson Call asked if there were any			
	further questions or comments from the Commission. Hearing none she called for a			
4	motion.			
6	6 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S			
0	REQUEST FOR APPROVAL OF A TWO (2) LOT RESIDENTIAL SUBDIVISION TO			
8	BE KNOWN AS THE TIVOLI GARDENS SUBDIVISION, PLAT A, WITH THE CONDITION THAT THE TWO PARTIES MEET WITH STAFF TO RESOLVE THE			
10	POTENTIAL FUTURE RESOLUTION OF THE UNDERGROUND UTILITIES.			
10	COMMISSIONER KELLER SECONDED THE MOTION. THE VOTE WAS			
12 RECORDED AS FOLLOWS:				
	CHAIRPERSON CALL AYE			
14	COMMISSIONER KALLAS AYE			
	COMMISSIONER MARCHBANKS AYE			
16	COMMISSIONER WILY AYE			
	COMMISSIONER KELLER AYE			
18	COMMISSIONER JOHNSON AYE			
• 0	THE MOTION CARRIED UNANIMOUSLY.			
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22	5. Street Name — Williamson Farms Subdivision, Plat A, 350 East 450 North.			
22	Robert Williamson requests consideration of a subdivision street name. The pending Williamson Farms Subdivision, Plat A, located at approximately 350 East			
24	450 North, included the newly constructed 350 East Street. The applicant would			
- '	like the Planning Commission to consider the use of a name street, instead of 350			
East, per Lindon City Code 17.32.130 Street Numbers and Names.				
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28	Hugh Van Wagenen, Planning Director, stated Robert Williamson is in attendance			
	tonight to request consideration of a subdivision street name. He noted the pending			
30	Williamson Farms Subdivision, Plat A, is located at approximately 350 East 450 North,			
	including the newly constructed 350 East Street. The applicant would like the Planning			
32	Commission to consider the use of a name street (Laurie Lane), instead of or jointly with			
34	350 East, per Lindon City Code. Mr. Van Wagenen then referenced Section 17.32.130 Street numbers and names.			
34	Kurt Stembridge and Robert Williamson were in attendance on this item. Mr.			
36	Stembridge stated they are just wanting to add a name to 350 East. He mentioned that			
30	this proposed name change is named after Laurie Moosman who lived at the property for			
38	many years and was a long time Lindon resident.			
	Following some general discussion Chairperson Call asked if there were any			
40	further questions or comments from the Commission. Hearing none she called for a			
	motion.			
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	COMMISSIONER MARCHBANKS MOVED TO APPROVE THE			
44	APPLICANT'S REQUEST FOR APPROVAL OF A STREET NAME TO BE KNOWN			
4 -	AS LAURIE LANE, FOR 350 EAST IN THE WILLIAMSON FARMS SUBDIVISION,			

PLAT A, WITH VERIFCATION THAT IT IS NOT DUPLICATED IN THE CITY.

2	COMMISSIONER WILY SECONDER	THE MOTION. THE VOTE WAS
	RECORDED AS FOLLOWS:	
4	CHAIRPERSON CALL	AYE
	COMMISSIONER KALLAS	AYE
6	COMMISSIONER WILY	AYE
	COMMISSIONER MARCHBANKS	AYE
8	COMMISSIONER KELLER	AYE
	COMMISSIONER JOHNSON	AYE
10	THE MOTION CARRIED UNANIMO	OUSLY.

6. Concept Review — Norton Assembly, 570 N. State Street. Krisel Travis, DR Horton, requests feedback on a concept plan for higher density residential development at approximately 570 N. State Street. The associated concept plan is for 45 units on the rear 7.9 acres. The property is currently in the General Commercial (CG) zone. As a concept review, feedback is requested but no formal action will be taken.

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Mr. Snyder led this agenda item by explaining a Concept Review allows applicants to receive Planning Commission and/or City Council feedback and comments on proposed projects with no formal approvals or motions needed, but general suggestions or recommendations are typically provided. He noted they are not mandatory, but a Concept Review is recommended for all large development projects. Mr. Snyder stated the property in question is located at approximately 570 N. State Street and is currently in the General Commercial (CG) zone. He then referenced the General Plan Land Use Map which calls out this area as Commercial. He noted the property is currently used for agricultural purposes for animals and livestock.

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Mr. Snyder went on to say that currently 570 North dead ends into the east side of the property. He noted according to the Lindon City Street Master Plan Map, 570 North is master planned to continue out to State Street. The applicant's proposal would reroute 570 North to connect into 500 North instead of continuing on through to State Street.

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Mr. Snyder further explained the applicant is requesting feedback on a proposal to rezone a portion of this property for residential use. The associated concept plan is for 45 dwelling units (21-single family and 24 twin home) to be built on 7.9 acres. The applicant's submittal also indicates that the total project area is 12.1 acres. He pointed out that the area adjacent to State Street would remain in the commercial zone and would total approximately 4.2 acres. The applicant would like to discuss the proposed site layout and density for a residential project that would transition from future commercial uses to the existing larger lot subdivision (Manzana Acres Subdivision, Plat A).

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"Methods of protecting residential areas by providing transitions and buffers between residential and commercial areas include increased setbacks, landscaping, restricted land uses, diversion of traffic, controlled noise or light, height limitations, and transitional land uses such as research and development office uses." (Commercial Land Uses, Page 9)

He then referenced the Lindon City General Plan indicates the following:

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- Transitions between different land uses and intensities should be made gradually with compatible uses, particularly where natural or man-made buffers are not available. (Guideline #6, Land Use Guidelines, Page 14)
- Mr. Snyder mentioned that Public Works has indicated that there is currently a temporary storm water basin at the end of 570 North. He noted that staff would prefer that the road continue to either State Street or 500 North to allow the continuation of utility lines and would prefer that the utilities be located in the public road and not in a backyard or side yard (easement).

Mr. Snyder then referenced for discussion the possible concerns and options as follows:

- Use of double frontage lots is limited to reasons of topography per Lindon City Code 17.32.110.
  - Is the proposed housing density for transition purposes appropriate at this scale?
    - Possibility to utilize (existing codes) R1-20, R1-12 and the PRD ordinance (found in Lindon City Code 17.76) to transition to commercial? Staff recognizes that there are acreage and unit limitations to the use of the PRD ordinance.
  - Verify remaining parcels along State Street (west of the LDS Chapel) will comply with the minimum acreage requirements of the CG zone.
- Mr. Snyder mentioned the City Council reviewed this concept on October 18, 2016 where the applicant presented the proposal as a senior (55 yr+) community. He noted the proposal includes 20' setbacks on all sides and the building footprint is 1,700 sq. ft. with a 50' cross section. He then referenced the following feedback/concerns from the City Council that was provided to the applicant:
  - 1. Appropriate to reduce available commercially zoned property? (specifically vacant property on State Street)
  - 2. Concern over the proposed lot sizes (departs from traditional neighborhood pattern)
  - 3. Density (too high)

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- 4. Desire to allow the Ivory Homes project to begin (is there a need for additional housing options beyond large lots at this point in time or at this location)
  - 5. Recognize that this is a very deep commercial lot
  - 6. Encourage the use of high quality product and materials
- 7. Retain as much of the commercial along State Street. Would consider housing along the rear, but at a lower density.
  - 8. Recommend a smaller footprint than proposed for residential area.
    - 9. Opportunity to continue large residential lots.

Mr. Snyder then turned the time over to Ms. Travis for her presentation. Ms. Travis stated they came before the City Council on October 18<sup>th</sup> and had a nice visit with some good feedback. She then gave a brief background of D.R. Horton noting they are the

second largest builder in the state. She explained they are proposing a concept plan that would rezone the back 7 acres to a 55 and older community with 45 homes (combination of

twin homes and family homes) where they will target "empty nesters" and also incorporate CC&R's which would be deed restricted. They would also propose re-routing 570 North to

- connect into 500 North instead of continuing on through to State Street. Ms. Travis then presented photos of the product they are proposing (including floor plans) and referenced
   other similar projects and invited the Commission to visit there other community
- other similar projects and invited the Commission to visit there other community developments (Sky Estates in Highland). Ms. Travis stated they would buffer the
- 6 commercial use and would transition back to the larger lots; this development would be a 100 % maintained community.

The Commission brought up some of the same issues the Council had concerns with including setbacks, road width, lot size, utilities and tax revenue followed by discussion. The Commission also brought up the fact that commercial development is vital as there is not a lot of commercial ground left in the city. They also discussed the depth of the commercial piece and the issues it poses with re-zoning as it is an odd shaped piece of property. The Commission asked if there is a market for ½ acre lots. Ms. Travis agreed

that Lindon is a desirable place to live but to build a \$500,000 house on a ½ acre lot next to a commercial area is not a viable option as they do not know what commercial development will be coming in the future.

The Commission also mentioned they are hesitant on high density in this specific area of Lindon as they just approved a large scale project on the west side (Ivory Development) that includes high density. They would feel more comfortable with R1-20 in this specific area. Ms. Travis mentioned the market is demanding smaller lots and they are seeing a tendency for less maintenance and more flexible lot sizes.

Chairperson Call mentioned her biggest concern is the reduction of the commercial zoned property as there is limited commercial property in the city.

Commissioner Wily pointed out that it is an odd shaped, very deep lot. Commissioner
 Johnson stated when they drew the line it went through the middle of the property so they
 made the whole piece commercial. He lives in that neighborhood and asked the

neighbors their opinion on this proposal and got a "mixed bag" with some wanting

nothing but ½ acre lots and others thinking this may be a good use. There was also concerns by the neighbors with increase of crime etc. with the higher density. He added being so close to commercial it would be hard to have ½ acre lots but he likes the conce

being so close to commercial it would be hard to have ½ acre lots but he likes the concept with a buffer; it may be a little dense but it has to be viable. He wants to make sure there is enough room for commercial development.

Chairperson Call also mentioned the concerns with the roads and the positioning of going through so it doesn't cut into the commercial. Ms. Travis stated there has not been a lot of interest in any large commercial developers; maybe small retail shops that struggle in the area anyway. She feels a mixed commercial use would be great for diversity in the city. Chairperson Call stated the Ivory Development is putting in a 55+community also. Ms. Travis stated she is aware of that but feels there is a great need for

community also. Ms. Travis stated she is aware of that but feels there is a great need for these types of communities in Lindon and she can see this fitting with some

compromises. They have not run the numbers since the City Council meeting to reduce the density at this point. Chairperson Call pointed out if the Council feels the density is too high they will have the final determination.

Commissioner Kallas commented because this is a concept review as you look at this property and the way it's laid out in this proposal for any commercial use it is too shallow on one end and plenty deep on the other end and it would be better if it was parallel to the road someway. His other concern is that a number of projects like this have come before the Commission and he is not opposed to them, but the way Lindon is laid

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- 2 out with ½ acre lots there is a lot of infill but how many of these types of developments can be approved; are we setting a precedent? He added the Council is hesitant because
- the residents are hesitant because they like the ½ acre lots. If we open the door are we 4 opening the door for others to do it and this is something we need to consider.
- 6 Commissioner Keller agreed with that statement.

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Commissioner Marchbanks commented perhaps an ordinance is needed that allows an overlay potential with a minimum of acreage that identifies infill and the amount of acreage etc. so we can be fair in addressing these requests on a piece by piece basis. Commissioner Wily pointed out some of the other requests were not as well thought out as this proposal. Personally he feels that the ½ acre lot should not be the "sacred cow" in Lindon anymore as the market and demographics are changing and we need more choices in Lindon and more high quality 55+ communities in different places

in the city; he feels this would be extremely popular and people would like it. Ms. Travis stated this would be brought in as a PRD.

Chairperson Call shared the concerns of the Council that the Anderson Farms was just approved with 55+ community there so we are offering this type housing in the city. She is not really opposed to these types of developments but she would like to see how it goes down the road. Ms. Travis stated 6,000 ft. and under is the market that people are wanting and that is what sells. You have to look at the demographics of the city and what will keep the city viable. You have to be picky and choose the right fit at the right time that will protect and buffer the city; she agrees it is a hard balance.

Chairperson Call stated the feedback the Commission has given is probably similar to what the City Council conveyed as there are a lot of pros and cons and there are mixed feelings. Commissioner Marchbanks commented if this was cut back to be more parallel to State Street that would leave a more viable commercial piece would be important and if the neighbors are open to the concept with the high end homes he thinks this could be a nice development and he is certainly not opposed to this concept and to give people more options to live in Lindon; we need to offer something in between ½ acre lots and high density. Following some additional discussion Ms. Travis stated they can pencil something out and see what they can come up with. She also thanked the Commission for their time and feedback.

Chairperson Call asked if there were any questions or comments from the Commission. Hearing none she moved on to the next agenda item.

- 36 7. **New Business: Reports by Commissioners** – Chairperson Call called for any new business or reports from the Commission at this time. Chairperson Call commented that she noticed that the Pleasant Grove Council approved an ordinance to allow "tiny homes" and questioned if the city has been approached. Mr. Van Wagenen stated there has been some inquiries but it hasn't gone any further at this point.
  - 8. **Planning Director Report** Mr. Van Wagenen reported on the items listed below followed by general discussion.
    - Joint Meeting for General Plan Kickoff and signage meeting
    - Spring Gardens Tour was discussed noting it was a nice facility

2	Chairperson Call called for any further comments or discussion. Hearing none she
4	called for a motion to adjourn.
6	<u>ADJOURN</u> –
8	COMMISSIONER MARCHBANKS MADE A MOTION TO ADJOURN THE MEETING AT 8:50 P.M. COMMISSIONER KALLAS SECONDED THE MOTION.
10	ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.
12	Approved – November 22, 2016
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16	Sharon Call, Chairperson
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20	Hugh Van Wagenen, Planning Director