

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**  
3 **September 22, 2015 at 7:00 p.m.** at the Lindon City Center, City Council Chambers,  
4 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION** – 7:00 P.M.

8 Conducting: Sharon Call, Chairperson  
9 Invocation: Rob Kallas, Commissioner  
10 Pledge of Allegiance: Bob Wily, Commissioner

12 **PRESENT** **ABSENT**

13 Sharon Call, Chairperson  
14 Bob Wily, Commissioner  
15 Rob Kallas, Commissioner  
16 Matt McDonald, Commissioner  
17 Andrew Skinner, Commissioner  
18 Mike Marchbanks, Commissioner – arrived 7:20  
19 Hugh Van Wagenen, Planning Director  
20 Kathy Moosman, City Recorder

- 22 1. **CALL TO ORDER** – The meeting was called to order at 7:00 p.m.  
24 2. **APPROVAL OF MINUTES** – The minutes of the regular meeting of September 8,  
25 2015 were reviewed.

26  
27 COMMISSIONER SKINNER MOVED TO APPROVE THE MINUTES OF  
28 THE REGULAR MEETING OF SEPTEMBER 8, 2015 AS PRESENTED.  
29 COMMISSIONER WILY SECONDED THE MOTION. ALL PRESENT VOTED IN  
30 FAVOR. THE MOTION CARRIED.

32 3. **PUBLIC COMMENT** –

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

36 **CURRENT BUSINESS** –

- 38  
39 4. **Site Plan** – *Osmond Assisted Living Phase 2, approx. 175 North State Street.* Jared  
40 Osmond requests site plan approval of a 23,400 square foot memory cares addition to  
41 the Osmond Assisted Living Facility located at approximately 175 North State Street  
42 in the General Commercial (CG) zone.

44 Hugh Van Wagenen, Planning Director, opened the discussion by stating Jared  
45 Osmond is in attendance as representative of this agenda item. He then gave some  
46 background explaining this is a site plan application for a 23,400 square foot, 32 room  
47 addition to Osmond Senior Living. He noted that Mr. Osmond was originally approved  
48 for a 90 bed facility with Phase I, but was not able to achieve that number on the first

2 phase. He stated that the new phase will bring the facility to 85 rooms with a capacity for  
105 residents or beds with up to 15 of those residents being “non-qualifying” individuals  
4 (per City Code) and no more than 90 may be “qualifying” residents. He mentioned that  
this is an expansion not a new facility.

6 He further explained that large care facilities are conditionally permitted in the  
General Commercial zone and have to meet the following site requirements: (Staff  
8 response is noted in red)

10 1. Facility Separation Requirement. Large facilities shall not be within one-thousand  
five-hundred (1500) feet of any other approved small or large care facility, group  
12 home for the elderly, group home for persons with a disability, juvenile group  
home, or transitional/treatment group home as defined by the Lindon City Code.

14 Requirement met; see attached map.

16 2. Lot Size Requirement. Lot size shall be according to the zone where proposed.  
There are some existing property lines that need to be cleaned up in order for  
18 the site to be approved. Mr. Osmond has indicated that an amended plat has  
been prepared and will presently be submitted to the City for review. It is  
20 recommended that a condition of approval be that an amended plat be  
recorded that satisfies City requirements before a building permit is issued for  
Phase II.

22 3. Project Site and Design Requirements. Large facilities shall be subject to the  
architectural, site plan, height and setback requirements of the commercial zone  
were proposed.

24 Setbacks met on frontage (20 feet) and along residential use (40 feet); height  
verified at time of building permit approval, but appears to be about 33 feet  
26 which is well below the 48 foot limit.

28 4. Landscaping. A minimum of thirty (30) percent of the lot shall be maintained in  
permanent landscaped open space. Also, a 20 foot landscape strip with a 3 foot  
30 high berm along frontages is required with turf grass and trees every 30 feet on  
center.

32 In conjunction with the existing site, the requirement is met; 36% in  
landscaping. The required 20 foot landscape strip with a berm and trees every  
30 feet on center is shown.

34 5. Parking. Off-street parking shall be provided to accommodate staff and one (1)  
visitor per three (3) residents. If at such time parking is deemed insufficient by the  
36 Lindon City Planning Commission and/or City Council, facility operators may be  
required to increase the number of parking stalls on their site or reduce the  
38 number of residents in their facility.

40 Requirement met for whole site; 56 stalls provided, 35 for visitors and 21 for  
staff. There are 16 new stalls being added to the site which will require two  
42 additional trees in the parking lot landscaping requirement.

44 6. Facility Size. Large facilities shall provide a minimum of four-hundred (400)  
square feet of floor area per resident.

46 Requirement met for Phase II; over 25,000 total square feet provided or about  
640 square foot per resident.

48 7. Architectural Design. The architectural design of care centers shall comply with  
architectural design guidelines as established in the respective commercial zone  
where the facility is proposed.

2           The new phase will match the existing structure; he referenced photographs  
and elevations.

4       8. The Code requires that any off-street parking lot adjacent to a residential use or  
6 residential zone shall provide a minimum 10' landscaped buffer from the parking  
lot to the adjacent residential use or zone. Trees shall be planted at least every 10'  
8 along the landscaped strip adjacent to the residential use or residential zone. Trees  
must be a minimum of 2" caliper measured one foot off the ground and at least 6'  
10 tall when planted. In addition to any required fencing, trees shall be of a variety  
that will mature to a height of at least 20' tall in order to provide a visual barrier  
between the non-residential use and the residential use.

12           The landscape strip is provided, but the trees are not shown adjacent to the  
14 parking stalls located on the southwest corner of the lot. A recommended  
condition of approval is that this requirement be satisfied. Lindon City Code  
16 states: *The Planning Commission has flexibility to grant exceptions to this  
18 landscape screening standard if existing vegetation or other existing  
screening is found to meet the intent of the screening requirements found in  
this section.*

20       9. Bike parking is required at 8% of the total number of parking stalls.  
Seven total bike stalls are provided and five are required.

22           Mr. Van Wagenen mentioned there are a few engineering issues that will need to  
be resolved before the plans are finalized and staff will ensure all requirements are met.  
24 He then referenced an aerial photo of the site and surrounding area, the buffer distance  
map to other facilities, photographs of the existing site, the site plan, architectural  
26 renderings & elevations, landscaping plan and the color palette followed by discussion.  
Mr. Van Wagenen then turned the time over to Mr. Osmond for comment.

28           Jared Osmond addressed the Commission at this time noting they were originally  
approved for 3 stories (90 units) and then the State Fire Marshall came back (after  
30 approving the plan) and changed their minds on the third story so they had to remove the  
floor which was very disappointing. Mr. Osmond commented that he would like to say  
32 publicly that the State Fire Marshall's office does not function professionally. Mr.  
Osmond stated they plan on putting a retaining wall on the south side of the property and  
34 they do not want the trees to disrupt the wall, so they will be tall trees to act as a buffer.  
Commissioner Skinner commented that he thinks the new addition looks very nice.

36           Chairperson Call then read the staff recommended conditional uses. She also  
asked staff if it includes the additional trees. Mr. Van Wagenen confirmed it includes all  
38 trees. She also agreed that it appears to be a very nice facility. Mr. Osmond invited the  
Commission to visit the facility at any time. He noted this expansion will facilitate  
40 memory care and then gave a brief description of what that involves noting he is excited  
about the changes.

42           Chairperson Call observed that Commissioner Marchbanks joined the meeting at  
7:20 pm. Commissioner Marchbanks had a question on the site plan regarding what type  
44 of wall/fence will be between the residential area and the facility. Mr. Van Wagenen  
stated on the site plan it indicates a required masonry wall be used as part of the buffer  
46 between the commercial and residential, although it doesn't specify the type of design.  
Following discussion the Commission agreed to let Mr. Osmond and the property

2 owner’s work out the fencing and hopefully it will have some consistency. They also  
agreed to not to require the fence as a condition in the motion.

4 Mr. Osmond stated they will do great landscaping all around and it will be  
aesthetically pleasing; they will go above and beyond the requirements to ensure that it  
6 looks very nice and they will be a good neighbor. Commissioner Kallas asked if the  
whole project is under one ownership. Mr. Osmond confirmed that he has retained  
8 ownership. Mr. Van Wagenen stated staff is comfortable with the plan and everything  
seems to be in compliance with city code.

10 Chairperson Call asked if there were any further questions or comments from the  
Commission. Hearing none she called for a motion.

12  
14 COMMISSIONER MCDONALD MOVED TO APPROVE THE APPLICANT’S  
REQUEST FOR SITE PLAN APPROVAL OF A TWO STORY 23,400 SQUARE  
FOOT ADDITION TO OSMOND SENIOR LIVING WITH THE FOLLOWING  
16 CONDITIONS: 1. AN AMENDED PLAT BE RECORDED SO THE BUILDING IS  
NOT BUILT OVER PROPERTY LINES EXCEPT WHERE ALLOWED BY FIRE  
18 AND BUILDING CODES, PRIOR TO ISSUING A BUILDING PERMIT AND 2.  
LANDSCAPING STANDARDS FOR PARKING LOTS BE MET, INCLUDING  
20 REQUIREMENTS ALONG RESIDENTIAL USES. COMMISSIONER SKINNER  
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

- 22 CHAIRPERSON CALL AYE
- COMMISSIONER KALLAS AYE
- 24 COMMISSIONER WILY AYE
- COMMISSIONER MARCHBANKS AYE
- 26 COMMISSIONER MCDONALD AYE
- COMMISSIONER SKINNER AYE

28 THE MOTION CARRIED UNANIMOUSLY.

30 5. **Public Hearing:** *Ordinance Amendment, Commercial Design Guidelines.* Lindon  
City requests approval of amendments to Lindon City Code (LCC) Titles 17 an 18,  
32 and to the Lindon City Commercial Design Guidelines, to change the Design  
Guidelines to Design Standards. The Commission will consider the request and make  
34 a recommendation to the City Council.

36 COMMISSIONER KALLAS MOVED TO OPEN THE PUBLIC HEARING.  
COMMISSIONER MCDONALD SECONDED THE MOTION. ALL PRESENT  
38 VOTED IN FAVOR. THE MOTION CARRIED.

40 Hugh Van Wagenen, Planning Director, opened this discussion by explaining the  
City Council and Planning Commission recently attended a work session in which a  
42 Consultant, Brent Overson, gave a presentation about Design Standards in cities for  
Commercial zones. After the meeting the City Council directed staff to initiate an  
44 ordinance amendment to change the Lindon City Design Guidelines to Design Standards  
with the Planning Commission subsequently providing feedback regarding how to  
46 proceed.

48 Mr. Van Wagenen further explained they have now gone through the commercial  
design guidelines and where it stated “guidelines” it has now been replaced with

2 “standards.” He noted that staff will be now be more thorough in architectural and site  
reviews as far as orientation and material use in buildings. He explained that there will be  
4 more massaging of this document going forward, but this will get us on track and limits  
any ability to push back at what is established with these design standards. He added that  
6 there is still work to be done to interpret the standards and a certain level of expertise  
involved and this will close some loopholes. There was then some general discussion  
8 regarding the presented ordinance amendment. Following discussion the Commission  
was in agreement to recommend approval of the proposed amendment as presented to the  
10 City Council.

12 Chairperson Call asked if there were any further questions or comments from the  
Commission. Hearing none she called for a motion.

14 COMMISSIONER MCDONALD MOVED TO RECOMMEND APPROVAL  
OF THE PROPOSED ORDINANCE AMENDMENT AS PRESENTED.

16 COMMISSIONER KALLAS SECONDED THE MOTION. THE VOTE WAS  
RECORDED AS FOLLOWS:

18 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
20 COMMISSIONER WILY	AYE
COMMISSIONER MARCHBANKS	AYE
22 COMMISSIONER MCDONALD	AYE
COMMISSIONER SKINNER	AYE

24 THE MOTION CARRIED UNANIMOUSLY.

26 6. **Public Hearing** – *General Plan Map Amendment, approx. 115/117/119 South State*  
*Street. This item has been continued to the next available Planning Commission*  
28 **meeting.** Leonard Lee of L.A. Enterprises requests approval of a General Plan Map to  
change the General Plan Designation of property located at 115/117/119 South State  
30 Street (Utah County Tax IDs 14:070:0204 & 14:070:0306) from Commercial (CG) to  
Mixed Commercial (MC). The Commission will consider the request and make a  
32 recommendation to the City Council.

34 Mr. Van Wagenen stated this item has been continued to the next available  
Planning Commission meeting. Mr. Van Wagenen also informed the Commission a work  
36 session to tour Leonard Lee's buildings on State Street has been confirmed for October  
13, 2015 at 6:00 pm.

38 7. **Public Hearing** – *Zone Map Amendment, approx. 115/117/119 South State Street.*  
40 **This item has been continued to the next available Planning Commission**  
**meeting.** Leonard Lee of L.A. Enterprises requests approval of a Zone Map  
42 amendment to rezone property located at 115/117/119 South State Street (Utah  
County Tax IDs 14:070:0204 & 14:070:0306) from Commercial (CG) to Mixed  
44 Commercial (MC). The Commission will consider the request and make a  
recommendation to the City Council.

46 Mr. Van Wagenen stated this item has been continued to the next available  
48 Planning Commission meeting.

2 8. **Public Hearing** – *Ordinance Amendment, Commercial and Industrial Landscaping*  
4 *Standards. This item has been continued to the next available Planning*  
*Commission meeting.*

6 Mr. Van Wagenen stated this item has been continued to the next available  
Planning Commission meeting.

8 Chairperson Call called for any comments or questions from the Commissioners.  
Hearing none she called for a motion.

10  
12 COMMISSIONER WILY MOVED TO CONTINUE AGENDA ITEMS 6, 7  
AND 8 TO A FUTURE MEETING DATE. COMMISSIONER KALLAS  
SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

14 CHAIRPERSON CALL AYE  
16 COMMISSIONER KALLAS AYE  
18 COMMISSIONER WILY AYE  
COMMISSIONER MCDONALD AYE  
COMMISSIONER MARCHBANKS AYE  
COMMISSIONER SKINNER AYE  
20 THE MOTION CARRIED UNANIMOUSLY.

22 Chairperson Call called for any further public questions or comments. Hearing  
none she called for a motion to close the public hearing.

24  
26 COMMISSIONER SKINNER MOVED TO CLOSE THE PUBLIC HEARING.  
COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT  
VOTED IN FAVOR. THE MOTION CARRIED.

28  
30 9. **New Business: Reports by Commissioners** –

32 Chairperson Call called for any new business or reports by the Commissioners.  
Commissioner Kallas inquired about the recent Johnson issue regarding the gas and water  
lines. Mr. Van Wagenen explained that the City maintains that it is NOT a city water line  
and the property owners are responsible for the line. Commissioner Skinner asked about  
some drilling happening behind his property. Mr. Van Wagenen stated he does not know  
specifically what it is but thought it may be regarding a gate that is being repaired. He  
noted that he will check into the issue and send out an email with more information.

38 Chairperson Call called for any further comments or discussion. Hearing none she  
moved on to the next agenda item.

40  
42 10. **Planning Director Report**–

44 Mr. Van Wagenen reported on the following items followed by discussion:

- 46 • Steering committee for 700 north regarding guidelines and a small area  
plan. He asked if any of the Commissioners are interested in serving  
on the committee. He noted this committee will be “in house” and will  
meet once a month. Commissioner Wily stated that he would be

2 interested in serving. Mr. Van Wagenen stated he will get more  
information and send it out to him.

- 4
- Fire station update was discussed.
  - UDOT Center Street traffic light update.
- 6

Chairperson Call called for any further comments or discussion. Hearing none she  
8 called for a motion to adjourn.

10 **ADJOURN** –

12 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE  
MEETING AT 8:00 P.M. COMMISSIONER MCDONALD SECONDED THE  
14 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

16 Approved – October 13, 2015

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20 \_\_\_\_\_  
Sharon Call, Chairperson

22

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