

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
3 **June 9, 2020 beginning at 6:00 p.m.** at the Lindon City Center, City Council Chambers,
4 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 6:00 P.M.**

8 Conducting: Sharon Call, Chairperson
9 Invocation: Scott Thompson
10 Pledge of Allegiance: Renee Tribe

12 **PRESENT** **EXCUSED**

13 Sharon Call, Chairperson
14 Rob Kallas, Commissioner
15 Mike Marchbanks, Commissioner
16 Steven Johnson, Commissioner
17 Scott Thompson, Commissioner
18 Jared Schauers, Commissioner
19 Renee Tribe, Commissioner
20 Mike Florence, Planning Director
21 Anders Bake, Associate Planner
22 Brian Haws, City Attorney
23 Kathryn Moosman, City Recorder

24

1. **CALL TO ORDER** – The meeting was called to order at 6:00 p.m.

26

2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the
28 Planning Commission meeting of May 26, 2020 were reviewed.

30 COMMISSIONER TRIBE MOVED TO APPROVE THE MINUTES OF THE
31 REGULAR MEETING OF MAY 26, 2020 AS PRESENTED. COMMISSIONER
32 THOMPSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR.
33 THE MOTION CARRIED.

34

3. **PUBLIC COMMENT** – Chairperson Call called for comments from any
36 audience member who – wished to address any issue not listed as an agenda item.
37 There were no public comments.

38

39 **CURRENT BUSINESS** –

40

4. **Public Hearing – Ordinance Amendment to Title 17.76 - Planned Residential.**

42

43 COMMISSIONER JOHNSON MOVED TO OPEN THE PUBLIC HEARING.
44 COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT
45 VOTED IN FAVOR. THE MOTION CARRIED.

46

47 Mike Florence, Planning Director, led this agenda item by giving an overview
48 stating At the April 28, 2020 planning commission meeting, the commission continued
50

2 this item until an in-person public hearing could be held. On June 2, 2020, the
Community Development Department held two neighborhood meetings regarding the
4 proposed ordinance. Residents who border the Linden Nursery and Norton Properties
were noticed of the neighborhood meeting as well as property owners and developers.
6 The neighborhood meeting was well attended and allowed city staff to present the
proposed ordinance changes and receive feedback.

8 Mr. Florence explained the proposed ordinance provides two development
options. It keeps the current code requirement of allowing Planned Residential
10 Development on General Commercial properties if the development is greater than
20,000 square feet and no more than one acre. The second option allows development
12 greater than one acre on property zoned General Commercial if it is combined with an
existing or new commercial use. There is a 300-foot commercial depth requirement and
14 then residential could be constructed on the rear portions of the lots.

Summary of Current Planned Residential Development Overlay zone

- 16 • Development can only be developed on properties zoned General Commercial.
- Housing types include twin homes, condominiums, and townhomes.
- 18 • Density maximum is 10 units per acre.
- Minimum development area is 20,000 sq ft, maximum development area is one acre.
- 20 • Parking 2.5 stalls per acre.
- Architectural requirements to meet the Commercial Design Standards.

Summary of Proposed Changes to Planned Development Overlay zone

- 22 • 17.76.010 – purpose statements were added to coordinate with the draft changes of the
24 ordinance. These include appropriate transitions, improve building design, and preserve
the commercial tax base and intent of the Commercial General zone.
- 26 • 17.76.020 – maintains the requirement that development can only be located in the
General Commercial zone.
- 28 • 17.76.030
 - o Allows the following building types: detached single family, twin homes, tri-plex,
 - 30 multi-unit buildings, and townhomes.
 - o Creates a minimum lot size of 5,000 sq ft for detached single family.
 - 32 o Multi-unit buildings are limited to 4 units.
 - o Townhomes are limited to a maximum of 6 units in a row.
 - 34 o Building permits for twenty-five percent of the commercial square footages must be
obtained prior to releasing building permits for residential construction.
- 36 • 17.76.040-.050 – combines and organizes the entitlement sections.
- 17.76.080
 - 38 o Maintains the density requirement at ten units per acre.
 - o Requires a commercial depth of 300 feet. This depth can only be reduced in
 - 40 narrow circumstances by the planning commission and city council for irregularly
shaped lots and commercial development potential.
 - 42 o Minimum area requirement of one acre.
 - o At least two building types are required for developments over two acres.
 - 44 o Increases the side yard setback for projects one acre or less from 10 feet to 16 feet.
 - o Establishes setback requirements for projects over one acre.
 - 46 o Identifies the perimeter fencing materials as masonry or pre-cast with a height of 7 feet.
 - The current ordinance gives the discretion to the planning commission of what type of
 - 48 fence should be installed.

- o Modifies landscaping requirements to common open space requirements. The current ordinance requires 40% landscaping. The proposed ordinance requires 20% common open space to be incorporated into the design of the site. The proposal allows the planning commission to approve private individual yard areas.
- o Trees are planted every 30 feet as a buffer adjacent to single family homes.
- o A lighting and photometric study is required to reduce light trespass but provide adequate lighting for development.
- o Parking is maintained at 2.5 stalls per unit. 65% of the units are required to have a two-car garage. Up to 50% of the required visitor parking can be on residential driveways.
- o The proposed ordinance calls out architectural design requirements to create building variation.
- o Buildings within the development must have connecting sidewalks. To the extent possible, development shall make at least one pedestrian connection to a public right-of-way.
- o Buildings must front onto a public street, driveway or common open spaces, to the extent feasible.
- o Proposed developments shall not remove existing single-family homes for access connections to adjacent neighborhoods.

Mr. Florence noted the planning commission should review the ordinance to ensure that it both transitions properly from commercial uses to low-density single family and creates the type of development envisioned for Lindon City. Staff provided comment cards at the neighborhood meetings and also asked for email comments. Following are items that came up in the comments that are not included in the ordinance but might want to be considered by the commission.

- Building lighting should be constructed as down lighting to reduce light trespass
- Increase the height of the required perimeter fencing
- Require more mature trees as a buffer to adjacent single family residential
- Lower rooflines
- More parking
- Don't allow housing less than one acre in the 300-foot commercial area

Mr. Florence then presented Draft Planned Residential Overlay ordinance with "redline" changes, Draft Planned Residential Overlay ordinance, Commercial depth map, Map identifying potential properties where the Planned Residential Developer Overlay zone could be applied and the comments from neighborhood meeting.

Chairperson Call asked if there were any public comments or discussion at this time. There were several residents in attendance who addressed the commission as follows:

Joe Walker: Mr. Walker stated he has concerns if the zone is changed that there may be high density or commercial right behind his house (right behind the nursery) that would deter from the value of his property. He moved to Lindon in 1997 and that was not the agreement back then.

LaDawn Edwards: Ms. Edwards asked for clarification in the ordinance on #7 regarding setbacks (a & b) and why is one 30 ft and one 20 ft. Mr. Florence stated both

2 should be 30 ft. She noted it is critical that the commission think about who you are now
drawing the road map for the future. In defining what will become the law until another
4 council wants to tackle what the road map will look like down the road. She would
suggest being very careful with the wording. She feels in section #9 regarding fencing
6 perimeter that the second sentence is not fair. She also mentioned #10 on the trees and
how you preserve it for the future...well written but would ...recommend you preserve a
8 space that allows for landscaping and doesn't let the development encroach on it. She
added the commission needs to be thoughtful with consideration on who maintains it and
10 to continue to have a buffer zone so they still have the privacy they bought their homes
for. She also expressed her thanks to the commission for including the neighbors in the
12 conversation and to please plan a good road map for our future as this action will affect
many homeowners.

14
Lori Esteban: Ms. Esteban stated her property borders the Lindon Nursery. She feels
16 good with the two stories but she has concerns about the parking because with the bigger
units can it be determined how much parking is needed. She feels the lack of parking
18 makes it an undesirable place to live. You also create a shortage of parking when you
start having garages. She also mentioned that lighting is an issue. She added the 7 ft. wall
20 is great, but the trees are equally important. She also mentioned the 30 ft. setback in
regards to open space as there is an unusable strip space behind the nursery. She
22 expressed her concerns that this shouldn't be counted towards the planned development
for density and the green space, and parking should be voided out and should be
24 considered.

26 **Justin Stewart:** Mr. Stewart stated he came to Lindon for the yard size and the ½ acre
lots. Now they are talking about putting high density next to him and right behind his
28 yard with up to 5 times more density. He lives on a cul-de-sac and the consideration of
putting a through street in gives him some concern.

30
Katrina Melhoff: Ms. Melhoff stated she is the real estate agent for the Norton
32 /Ostergaard property. She stated for the record the property owners are for any proposal
they will need to be able to close with a buyer. She pointed out that this action will allow
34 them to retain a buyer. They have brought several proposals including storage facilities
and they are trying to get a proposal that attracts a buyer and also meets the needs of the
36 community. They have tried very hard to work with the neighborhood meetings to create
a balance.

38
Amy Alvord: Ms. Alvord stated she lives at the top of the Norton property (570 North)
40 She has concerns with what is on the master plan for their road to go through to state
street as it is currently a cul-de-sac. Is passing this with that on the master plan with the
42 traffic and if it is allowed to be through street. Could there be something to dead end
their street on the master plan; this needs to be a consideration and be changed on the
44 master plan as it would be devastating to their street; they want to protect their street.

46 **Austin Johnson:** Mr. Johnson commented the we need to make something that works for
everyone and keep the street ending in the cul-de-sac.

2 **Ruth Ann Johnson:** Ms. Johnson commented that Lindon City doesn't use the road and
the amount of density needs to be reflective of what that road can handle based on width
4 etch. The density is high and feels 10 units per acre is a little on the high side. That is
still high but the impact could be negative for the school and church system to handle the
6 high impact; a balance needs to be reached. She also asked if the city could mandate that
the units would be owner occupied. Mr. Florence replied that legally we can't tell
8 someone if their home will be owner occupied or if they rent their own home. The
developer can include something in the HOA.

10 **Nadine:** If you divert traffic down 500 North it goes right to her front yard and drivers
12 are already speeding there. She noted if you do a traffic study do it from 7:30 am until 10
am and then again in the afternoon to get an accurate reading.

14 **Shawna Keetch:** Ms. Keetch commented her road was not developed to be a high
16 impact road. Drivers already go too fast and diverting it will not hold the traffic; there are
also no speedbumps.

18 **Angie Neuwirth:** Ms. Neuwirth stated Mr. Florence has put some good work into the
20 ordinance and the neighbors appreciate it. As far as the setbacks go, the 30 ft. buffer
between buildings is a concern. They are getting a better bang for their buck by giving
22 more density on their property. There are issues with noise, traffic, visitor parking etc.
that need to be addressed and we have to stick with the fence being a solid concrete fence
24 to create a sufficient buffer.

26 **Jeff Southard:** Mr. Southard spoke on the setbacks. He noted the parking and fencing
issues were two of the biggest concerns he heard at the neighborhood meeting.

28 **Amy Johnson:** Ms. Johnson stated she is the developer on the Norton property. She also
30 expressed that Mr. Florence has done a terrific job on the ordinance. They are good with
keeping two stories for this overlay. They do have some commercial, but they have lost
32 two very good tenants but they have two new ones that they think the community would
be happy with. She noted this needs to be passed so they can bring the tenants there. She
34 added having some leeway on 10 units vs. 12 units would be good and they are good with
open space etc. She pointed out they want to create something nice that will add to the
36 community so they are not encroaching on the cul-de-sac roads etc.

38 Chairperson Call asked if there were any public comments or discussion. Hearing
none she called for a motion to close the public hearing.

40 COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING.
42 COMMISSIONER JOHNSON SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.

44 Commissioner Kallas commented it was helpful to hear what the residents have to
46 say as there is a problem for these landowners on state street. The problem was created
in the 70's and he noted the commission is trying to solve it and the industry has
48 changed dramatically; this is a unique situation. He thinks the setbacks in the rear of 30

2 ft. is good in the ordinance, as that is not uncommon and is something he feels they
could live with. Could something be written into the ordinance that it must be an
4 average of 300 ft. on 80% of the frontage of the property so it could account for these
odd shaped pieces. He added that concrete fences are great and protects the residents and
6 the neighbors should be happy about that. He also spoke on parking noting it is a unique
problem. He noted he is not sure the city has to make it pencil out with the cost of the
8 land, the product, and the cost of construction and density as those are variables you can
adjust. He has mixed feelings on the density, but all in all, he is happy with what is
10 being proposed.

Commissioner Thompson stated he likes the flexibility noting it is difficult when
12 we don't have an ordinance in place. He commented that he visited the Cambria
development in Pleasant Grove and talked to the residents who indicated parking is an
14 issue along with the road width and too many pets; those were the common complaints.
He feels we need to move on, but he understands the residents' concerns. We can't stop
16 progress but we need to do it in a fair and equitable way. All the criteria are there, but he
likes that the council will have the flexibility.

Commissioner Schauers commented he appreciates the informed comments
18 heard tonight. He noted the commission has put a lot of thought into this issue but they
don't want to make things to infringing. They understand there are concerns of the
20 surrounding neighbors, but he feels they have done a good job with the guidelines to the
developer to make a nice addition to our city. He likes affordable housing, but things in
22 this ordinance will allow them to make something really nice. He is on board with what
Mr. Florence has written with taking everything discussed into account.

Commissioner Tribe stated she agrees with all the input heard tonight. She feels
26 a lot of parties have been put on hold so we need to make it happen. She understands
there are some anomalies with the land to make it usable.

Mr. Florence observed that he is hearing there doesn't seem to be any issues
28 between the 10 or 12 units. The setbacks are appropriate and it is an issue to have
adequate parking to ensure there isn't off-street parking, but we may need to be flexible
30 with the landscaping requirements.

Commissioner Johnson commented it is hard to think of going from single family
32 all the way up to high density. He would like to see a project with 5 to 6 units per acres.
He expressed his biggest concern is the traffic flow and the impact on the residential
34 neighbors and how to mitigate that. The residents would like a much lower density than
this but he understands it needs to pencil out but agrees it is not the city's job.

Commissioner Marchbanks stated he also agrees with the opinions expressed
38 tonight. He also talked about the 300 ft. depth.

Chairperson Call stated she also appreciates the opinions heard tonight and
40 agrees with what the others have said. She likes the number of units and would like to
keep that at 10 and then let the city council decide if they want to increase. She added
42 she appreciates the residents and understands the impact this is having. She pointed out
the city council are the elected officials they will determine the number of units. She
44 also likes the architectural guidelines in the ordinance and the two different types of
designs. The traffic issues need to be addressed and to keep the parking at 2.5. She
46 likes the ordinance as written noting Mr. Florence has done a very good job. There are
good things for developers and also addressed the impact on the residents.

2 Chairperson Call concluded by expressing her appreciation for everyone attending
tonight and for their thoughtful comments.

4 Chairperson Call called for any further comments or discussion from the
Commission. Hearing none she called for a motion.

6
8 COMMISSIONER TRIBE MOVED TO RECOMMEND TO THE CITY
COUNCIL APPROVAL OF ORDINANCE AMENDMENT #2020-8-O AS
PRESENTED. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE
10 VOTE WAS RECORDED AS FOLLOWS:

12 CHAIRPERSON CALL	AYE
12 COMMISSIONER MARCHBANKS	AYE
12 COMMISSIONER KALLAS	AYE
14 COMMISSIONER JOHNSON	AYE
14 COMMISSIONER THOMPSON	AYE
16 COMMISSIONER SCHAUERS	AYE
16 COMMISSIONER TRIBE	AYE

18 THE MOTION CARRIED UNANIMOUSLY.

20 Commissioner Johnson explained his intent on his aye vote stating he likes the
ordinance as written, but expressed his concerns noting he doesn't think it should apply
22 equally to both sides if there is going to be access to residential neighborhoods. The one
that is written in specifically states they can't access a residential neighborhood and the
24 other one doesn't have that same protection. He believes we should have gone into that
more. He made it very clear this is a protection that needs to be made if we are going to
26 propose a zone change that the traffic does not impact a current residential neighborhood
by the zone change; it was written in on one side and he feels it should be written in on
28 both sides.

30 *Commissioner Tribe was excused from the meeting at 8:05 pm.*

- 32 5. **Concept Review – 725 North Geneva Road.** Holiday Oil requests concept
review to construct a convenience store on the property located at 725 N. Geneva
34 Road (North West corner of 700 N. and Geneva Road). A Concept Review allows
applicant to receive planning commission feedback and comments on proposed
36 projects. No formal approvals or motions are given, but general suggestions or
recommendations are typically provided

38
40 Anders Bake, Associate Planner, led this agenda item by giving an overview
stating the applicant is seeking concept review feedback for a proposed Holiday Oil gas
station and convenience store at the corner on 700 North and Geneva Road in the Lindon
42 Village Commercial Zone. The North section of this parcel recently received site plan
approval for a commercial development.

44 Mr. Bake noted the property will be subject to the requirements of the Lindon
Village Commercial zone as well as the Commercial Design Standards. The applicant has
46 provided a concept site plan for the property and photographs of an existing Holiday Oil
building that will be similar to the proposed building for this site. Staff has identified the

below requirements in the Commercial Design Standards that may not comply or need additional interpretation of how these items should be implemented with the proposed site plan and building design as follows:

o 3.1 Setbacks

- Avoid setbacks greater than 50 feet.
- A maximum front setback of 50 feet with no more than one row of parking stalls is recommended.
- Avoid placing parking in the front setback between building and street; the majority of parking shall be located to the side of rear of the building to maintain the connection between building and street.
- Greater setbacks may be considered for buildings that proposed a public park/plaza area in front of the primary street facing façade.
- Corner sites shall have a recommended setback of 20 to 50 feet on both street facing facades in order to properly define the intersection of site permits.

o 3.2 Parking

- Locate the majority of surface parking to the rear of buildings.

o 5.2.1 Architectural Character

- Orient buildings to the main street either parallel to the street or at a maximum angle of 45 degrees. If a building is on a corner lot, it may have a corner orientation.
- Give the greatest consideration in terms of design emphasis and detailing to the street facing façade (or facades if a corner site).
- Buildings on corner sites shall orient to both streets. These buildings are encouraged to have an entrance situated at or near the corner.

o 5.2.6 Windows and Doors/Fenestration

- Facades that front on to public ways should contain functional windows and doors, with a balance of solids and voids.

Mr. Bake then presented an Aerial Image, Concept Site Plan and Building Photographs followed by discussion. Following some general discussion regarding this concept the commission was in agreement that this will be the highest and best use at this location and a great addition to the city as long as the applicant meets the required guidelines.

Chairperson Call called for any further comments or discussion from the commission, hearing none she moved on to the next agenda item.

6. **New Business: Reports by Commissioners** – Chairperson Call called for any new business or reports from the Commissioners.

Commissioner Thompson spoke on the 700 North IBI planning group who indicated that residential development can also be a large source of tax revenue. Due to the high volume of online buying and shipping etc. (amazon etc.) and how the economy has changed; this could be a new way to think of things.

Chairperson Call called for any further comments or discussion from the commission, hearing none she moved on to the next agenda item.

7. **Planning Director Report** –
General City updates –

2 Update on IBI Group meetings.
4 Update on the Island Dance Studio.

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

8 **ADJOURN** –

10 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE
MEETING AT 8:55 PM. COMMISSIONER SCHAUERS SECONDED THE MOTION.
12 ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

14 Approved – June 23, 2020

16 _____
18 Sharon Call, Chairperson

20 _____
Michael Florence, Planning Director