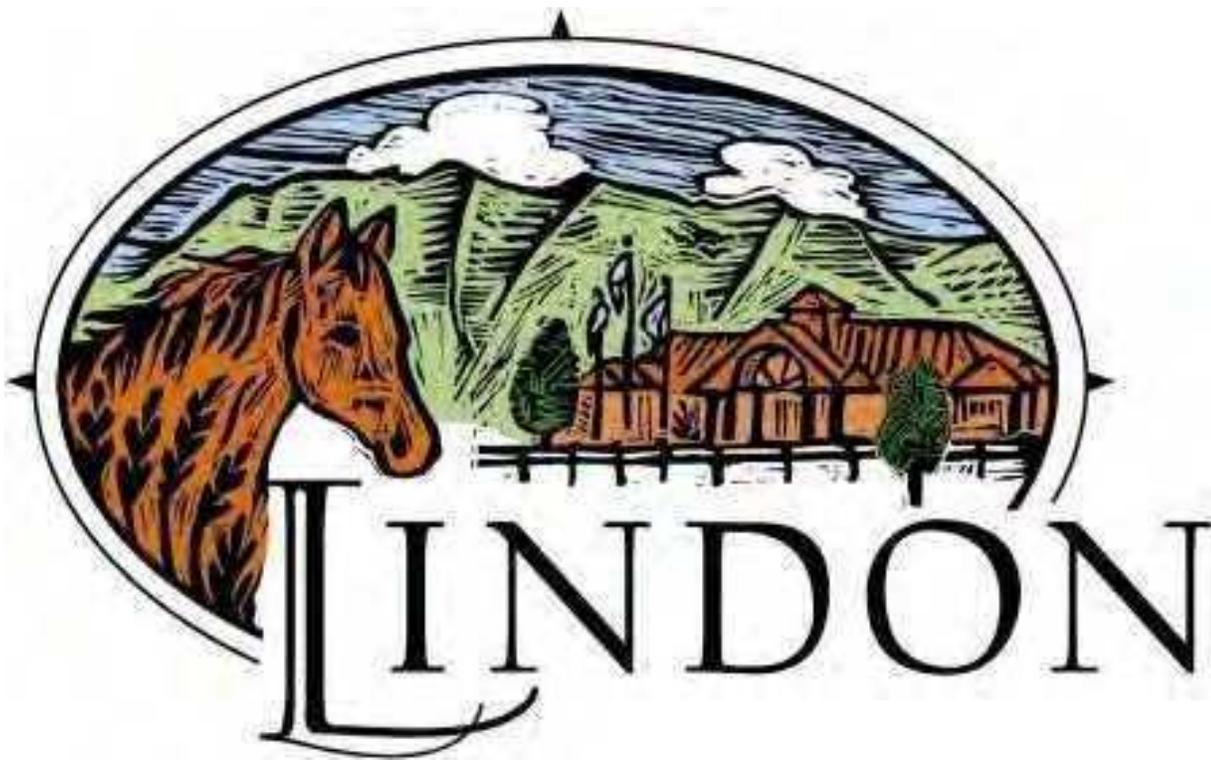


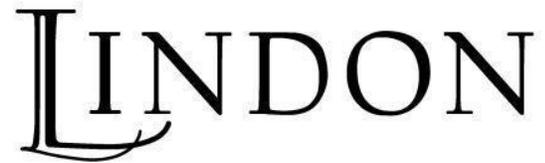
Lindon City Planning Commission Staff Report



March 24th, 2020

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, March 24, 2020**, in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at **7:00 p.m.** This meeting may be held electronically to allow a commissioner to participate by video or teleconference. The agenda will consist of the following items:

Agenda

Invocation: By Invitation

Pledge of Allegiance: By Invitation



Scan or click here for link to download agenda & staff report materials.

1. Call to Order

2. Approval of minutes

Planning Commission 2/25/2020

3. Public Comment

4. Conditional Use Permit – 282 E. 680 N.

Karli Hutchings requests conditional use permit approval for an in-home child care business in the low density residential (R1-20) zone. Parcel # 49:233:0044 (15 minutes)

5. Lake View West Site Plan Approval – 81 N. 1800 W.

Lake View West requests site plan approval for two office/warehouse buildings located in the Light Industrial zone. Parcel # 14:061:0115 (15 minutes)

6. Lake View West Minor Subdivision Approval – 81 N. 1800 W.

Lake View West request minor subdivision approval for a two-lot subdivision. Parcel # 14:061:0115 (5 minutes)

7. Intermountain Precision Casting Plat Amendment Approval – 1156 W. 400 N.

Intermountain Precision Casting requests plat amendment approval to combine two existing lots into one in Lindon's Light Industrial (LI) zone. Parcel #'s 45:111:0007, 45:111:0006 (5 minutes)

8. Lindon Treasury B Major Subdivision Approval – Approximately 200 W. 130 S.

Jeff Bastian request major subdivision approval for a 4-lot single family residential subdivision located in the R1-20 zone. Parcel #'s 14:069:0301, 14:069:0140 (15 minutes)

9. Lindon Harbor Industrial Condominium Approval – 220 S. 1250 W.

Dennis and Burl Franco request major subdivision approval for a commercial condominium subdivision to subdivide the two existing buildings into nine condominium units. The project is located in the light industrial zone. Parcel # 45:241:0001 (15 minutes)

7. New Business from Commissioners

8. Planning Director Report

- General City updates

Adjourn

Staff Reports and application materials for the agenda items above are available for review at the Lindon City Planning Department, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our Staff may be contacted directly at (801) 785-7687. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City-sponsored public meetings, services programs or events should call Kathy Moosman at 785-5043, giving at least 24 hours notice.

Notice of Meeting

Lindon City Planning Commission



The above notice/agenda was posted in three public places within Lindon City limits and on the State <http://www.utah.gov/pmn/index.html> and City www.lindoncity.org websites.

**The duration of each agenda item is approximate only*

Posted By: Kathryn Moosman, City Recorder

Date: 3/20/2020

Time: 5:00 pm

Place: Lindon City Center, Lindon Police Station, Lindon Community Center

Lindon City
100 North State Street
Lindon, UT 84042-1808



TEL 801-785-7687
FAX 801-785-4510
www.lindoncity.org

Item 1- Call to Order

Sharon Call
Mike Marchbanks
Rob Kallas
Steve Johnson
Scott Thompson
Jared Schauers
Renee Tribe

Item 4: Conditional Use Permit – In Home Child Care Business Karli Hutchings

Date: 3/24/2020

Applicant: Karli Hutchings

Presenting Staff: Anders Bake

General Plan: Residential Low

Current Zone: Residential (R1-20)

Property Owner: Karli Hutchings

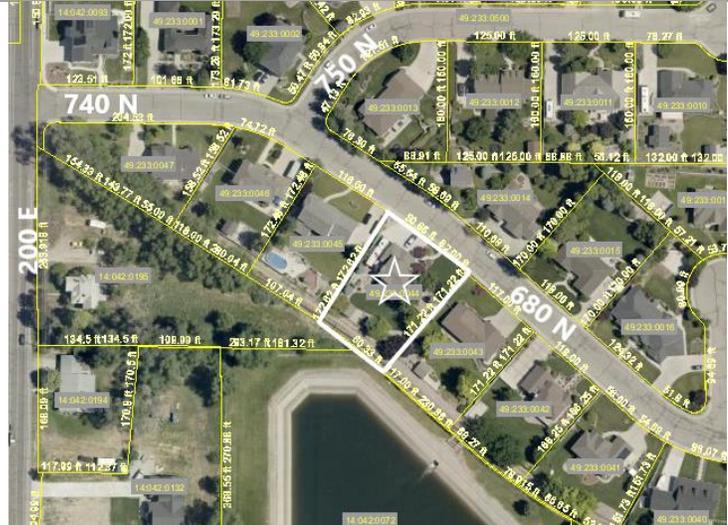
Address: 282 E. 680 N.

Parcel ID: 49:233:0044

Lot Size: 0.47 acres

Type of Decision: Administrative

Council Action Required: No



SUMMARY OF KEY ISSUES

To review a conditional use permit for an in home child care business and conditions to mitigate the impacts of a proposed use.

MOTION

I move to (*approve, deny, continue*) the applicant's request for a conditional use permit to use the residential property located at 282 East 680 North for an in home child care business, with the following conditions:

1. The applicant will comply with the Home Occupation Requirements found in Lindon City Code Section 17.04.400;
2. No more than 6 vehicles may be parked at the residence at one time;
3. The business will be operated by a resident of the home;
4. No more than 500 square feet or twenty-five percent of the total floor space, whichever is less, shall be used for the child care business;
5. The applicant will meet all requirements to maintain a child care license with the Utah Department of Health;
6. The applicant will have at least two qualified caregivers when there are more than eight children in care and when there are more than two children less than two years old in care;
7. Hours of operation will be limited to Monday to Friday from 7:30 A.M. to 5:30 P.M.;
8. Outdoor activities will be limited to 10:30 A.M. to 11:30 A.M. and 4:00 P.M. to 5:00 P.M.;
9. Parents/guardians will be required to sign a pick-up/drop-off contract which requires them to follow speed limit, parking requirements, noise levels and respecting nearby residents;
10. The applicant will continually maintain a State of Utah child care license and Lindon City Home Occupation license; and
11. All items of the staff report.

OVERVIEW

1. Karli Hutchings requests conditional use permit approval to operate an in home child care business at 282 East 680 North. The Lindon City Standard land Use Table indicates that Child Day Care – 5 to 16 children (4 or less not regulated) requires a conditional use permit in the residential (R1-20) zone.
2. The applicant has been approved by the Utah Department of Health for a Family Child Care License. The license permits the licensee a total capacity of 16 children. The applicant is required to maintain their state license in addition to their Lindon City home occupation business license.
3. The applicant has applied for a home occupation business license which can be approved after Conditional Use Permit approval is granted. A home occupation business must follow the regulations found in section 17.04.400 of the Lindon City Code.
4. Notices were mailed on March 12th 2020 to adjoining property owners in accordance with Lindon City Code Section 17.14.50 Third Party Notice. Staff has received one verbal comment from a neighbor who was concerned about the traffic impacts that this business may have on the neighborhood.

SURROUNDING ZONING AND LAND USE

North: **R1-20** – low density residential

East: **R1-20** – low density residential

South: **Public Facilities** – Lindon City irrigation facility

West: **R1-20** – low density residential

HOME OCCUPATION STANDARDS

The Home Occupation requirements in the Lindon City Code section 17.04.400 state that “The purpose and intent of this section... is to allow gainful occupations, professions, activities, or uses that are clearly customary, incidental, and secondary to the residential use of the property and which do not alter the exterior of the property or affect the residential character of the neighborhood.”

The following table identifies the requirements in section 17.04.400 of the Lindon City Code and whether or not the proposed business is in compliance with these requirements:

Required Standards	Compliant
Obtain a home occupation business license.	Yes - The applicant has applied for a home occupation business license which will be issued if the applicant receives conditional use permit approval.
Be clearly incidental to and secondary to the residential use of the dwelling unit and not occupy more than five hundred (500) square feet or twenty-five percent (25%) of the total floor space of such dwelling unit, whichever is less.	Yes – The applicant has provided two potential layouts for the buildings that will be used by the child care business. The first layout uses 539 square feet for the business and the second uses 497 square feet.
Be carried on entirely within the dwelling unit or accessory structure	Yes

Be carried on by one or more of the residents of the immediate family who reside in the dwelling unit.	Yes
Have no more than one (1) employee or part-time equivalent to one (1) employee who does not live in the dwelling unit work at the home.	Yes – The business will include one part-time employee who does not live in the home.
Not have any external evidence of the home occupation (except as may be required by state law or city ordinance) nor any exterior displays, displays of goods, nor advertising signs (except as allowed by this section) visible from outside of the dwelling unit.	Yes
no more than six (6) motorized nonfarm vehicles shall be parked at the residence at any time, provided all of the vehicles can be parked legally, either in normal parking places on the lot occupied by the residence without parking in front of any other property.	Yes – The applicant has outlined staggered pick up and drop of times in her business description that will prevent the need for more than 6 vehicles to be parked at one time.
The home occupation must not generate more than five (5) vehicles of traffic to the residence during any hour.	The applicant will need to adjust and coordinate drop off times so that the business can be compliant with this requirement. Staff will need to monitor this as the business operation begins
The home occupation shall not generate any traffic before 7:30 a.m. or after 6:00 p.m.	Yes – Drop-off times are staggered between 7:30 a.m. to 10:00 a.m. Pick-up times are staggered between 4:30 p.m. and 5:30 p.m.

CONDITIONAL USE PERMIT STANDARDS

1. Utah State Code § 10-9a-103 defines a conditional use as "a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts."
2. Section 10-9a-507 of the Utah State Code requires municipalities to grant a conditional use permit "if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards."
3. State Code further provides that a conditional use permit application may be denied only if "the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards." Utah State Code § 10-9a-507.
4. Lindon City Code Section 17.20.060 provides that a conditional use may be denied when:
 - a. "Under circumstances of the particular case, the proposed use will be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity, and there is no practical means available to the applicant to effectively mitigate such detrimental effects;" or,
 - b. "The applicant cannot or does not give the Planning Commission reasonable assurance that conditions imposed incident to issuance of a conditional use permit will be complied with."

CHILD CARE BUSINESS STANDARDS

1. The Utah Department of Health regulates child care centers and family child care providers in the state of Utah. Ms. Hutchings currently holds a license with the Utah Department of Health that is classified as a Home Based Licensed Family. She has held this license since 2011 and has run a child care business from her home in Orem. This Family License allows for the following:
Child care is provided in a private home for up to 16 children (unless otherwise determined by the city), including the provider's own children less than four years old. Providers must be at least 18 years old. Two qualified caregivers are required when there are more than eight children in care and when there are more than two children less than two years old in care. With two caregivers, providers can care for up to (but not more than) four children less than two years old. A compliant outdoor play area is required.
2. The Utah Department of Health conducts at least one announced inspection and one unannounced inspection every year. There are no reported violations on Ms. Hutchings inspection records which can be found at the following link:
<https://ccl.utah.gov/ccl/#/facilities/30244>
3. Ms. Hutchings has also stated that she has a part time employee that she will continue to use whenever there are more than eight children in the home in order to comply with the State license requirements.

STAFF ANALYSIS

The applicant's business description shows that they have made, and will continue to make, considerable efforts to minimize the impacts that this business may have on the surrounding neighborhood.

EXHIBITS

1. Business description
2. Interior Building layout
3. Aerial photo of the site and surrounding area

Description:

This business is an In-Home Childcare licensed through Office of Childcare. The business runs within my home and has been operating for over 4 years previously in Orem. I provide care for children and infants. I am licensed to provide care for up to 16 children at a time. The childcare will solely be based out of the lower level with walkout access to backyard.

Utah Office Of Childcare Licensing Record: <https://ccl.utah.gov/ccl/#/facilities/30244>

Hours of operation:

Monday-Friday- 7:30 A.M. to 5:30 P.M.

Saturday - Closed

Sunday – Closed

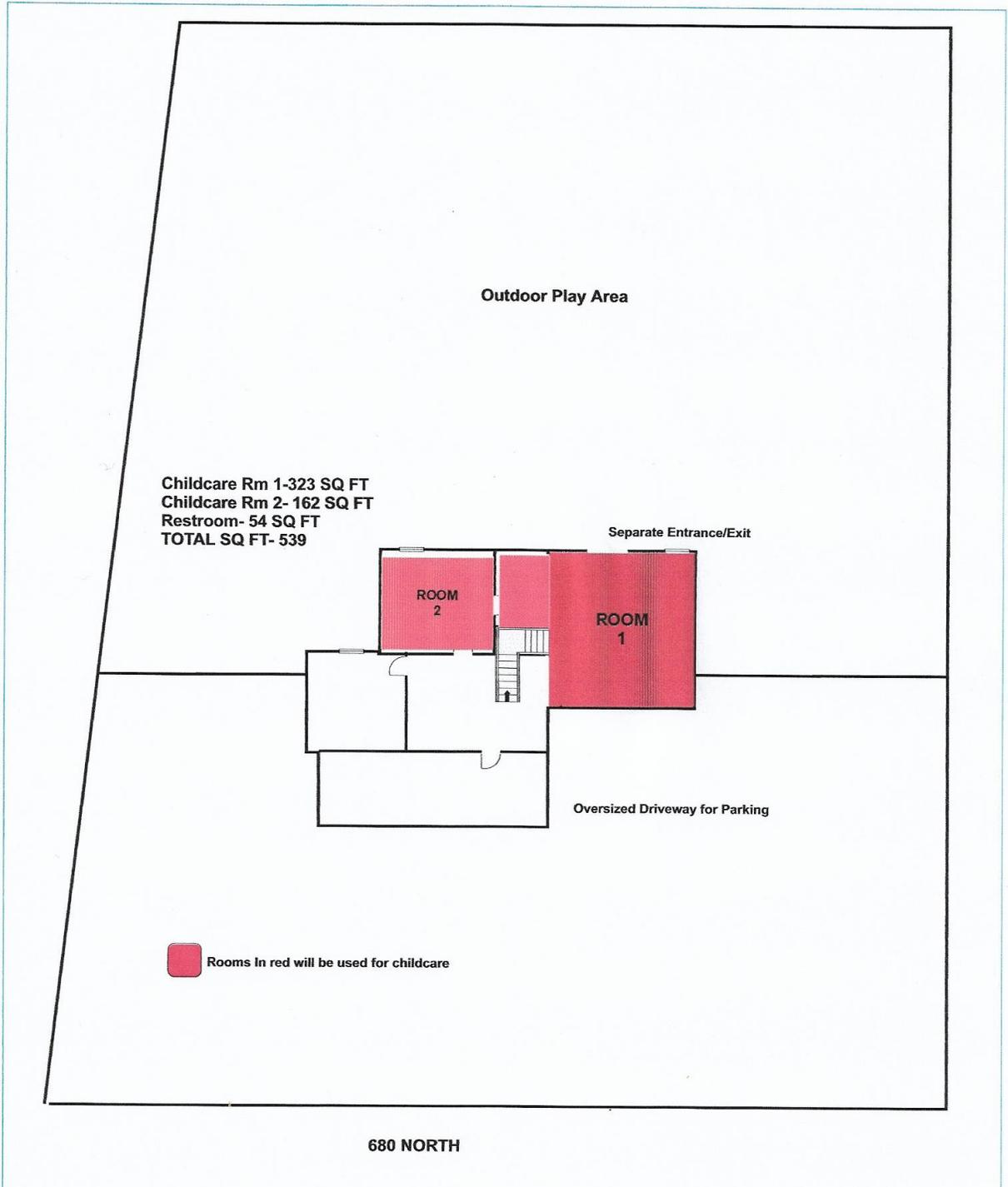
Site Plan/Noise: As depicted on the site plan the outdoor activities for the children will take place within the confines of the fenced and gated rear yard. Activities in the back yard are scheduled to occur between 10:30 a.m. – 11:30 a.m. in the morning and 4:00 p.m. – 5:00 p.m. in the afternoon. Provider is aware at all times of noise levels of the children in care.

Staff: I will have one part-time employee assisting me with the infants and children. The staff will have a parking space in the driveway.

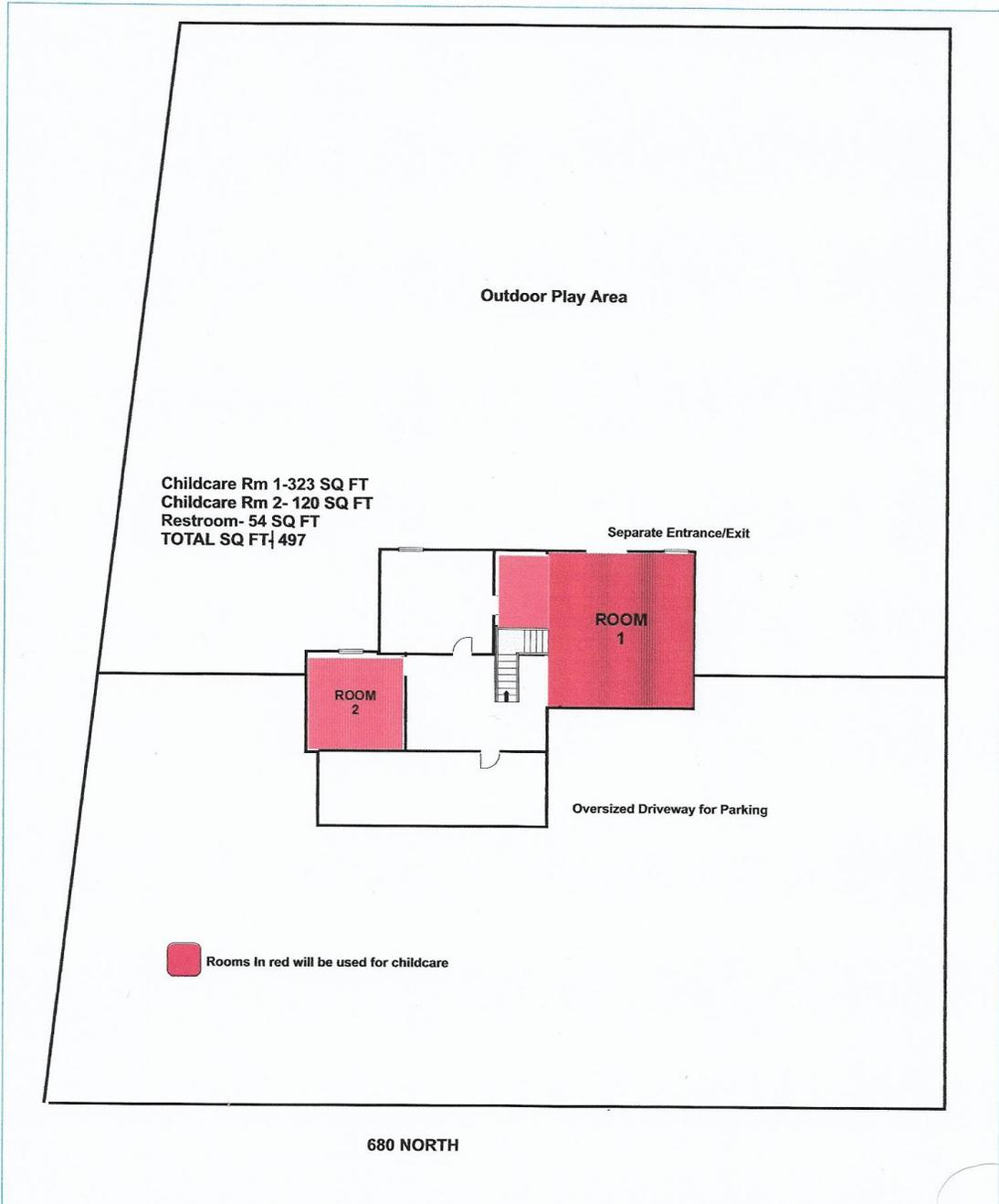
Traffic/Parking: Children are picked-up and dropped-off at different times depending on their parents'/guardians' schedule. Parking is available in the driveway. The available parking proved adequate for the pick-up and drop-off of the children from 2016-2020 in my current home. Childcare parents'/guardians' are required to sign a pick-up/drop-off contract which requires them to follow speed limit, parking requirements, noise levels and respecting nearby residents. Parents are notified monthly (via newsletter) of my pick-up and drop-off standards. The pick-up and drop-off times are staggered throughout the morning and afternoon in order to prevent any vehicular congestion at or around my residence. The time it takes for parents to pick-up and drop-off children is typically three (3) minutes and does not exceed five (5) minutes. Drop-off times are staggered between 7:30 a.m. to 10:00 a.m. in the morning. Pick-up times are staggered between 4:30 p.m. and 5:30 p.m. in the later afternoon. I do not believe my business will have a substantial adverse effect to adjacent residents, noise, traffic or other public facilities. My in home child care is being limited to 16 children as per the Utah Office of Childcare which I have kept in complete compliance with. I have been licensed as an In Home Family Child Care provider from 2016 through 2020 with no reported issues or concerns.

2. Interior building layout

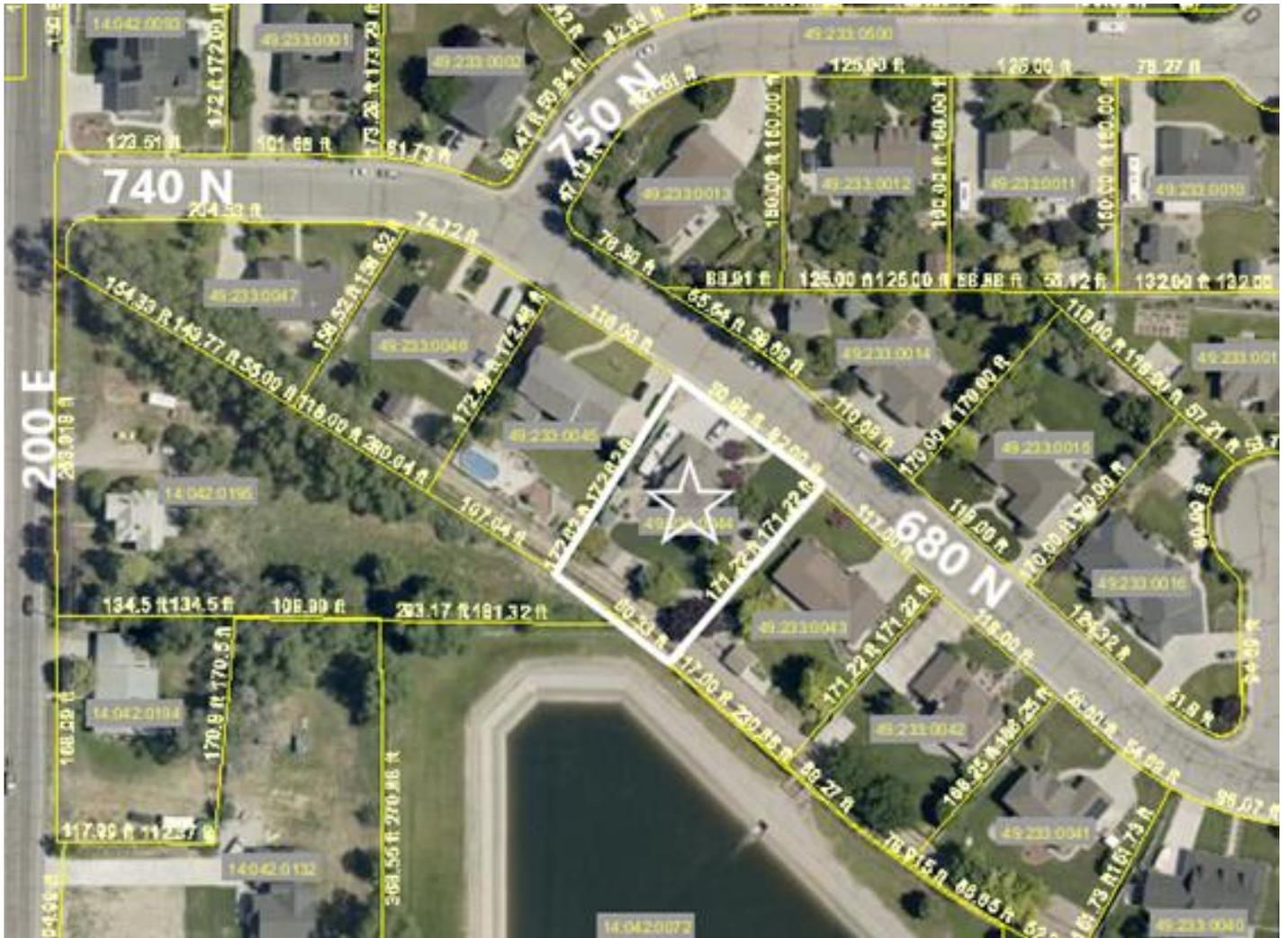
Option 1



Option 2



3. Aerial photo of the site and surrounding area



Surrounding Zoning and Land Use

North: Light Industrial West (LI-W) – Storage units

South: Light industrial West (LI-W) – electrical substation and Timpanogos Soccer

East: Light Industrial West (LI-W) – Office/warehouse buildings

West: Recreational Mixed-Use West (RMU-W) – North Point Solid Waste District

Development Standards

Parking

Required	Required/Provided
Office/Warehouse Buildings	
1 per 1,000 sq. ft. of warehouse floor area (30,200 per building – total 60,400)	60
1 per 350 sq. ft. of office area (7,300 per building – 14,600 total with mezzanines)	41
Total stall required/provided	101/144
Bike Stalls	Compliant

The City parking code, 17.18.078, only allows a maximum a 30% increase above the required parking. The planning director recommends the increase in parking due to the fact that some parking may be removed for outdoor storage or if the future Vineyard Connector needs additional lane width. Staff included this as a condition of approval.

Landscaping Standards

*final review will be completed with the building permit submittal

Required Site Landscaping	Compliant
20 landscape strip along 1800 W.	Yes
70% vegetation	Yes
Trees planted 30 foot on center	Yes

Required Interior Landscaping	Compliant
40 sq. ft. per parking stall 144*40 = 5,760	Yes
1 tree per 10 parking stalls	Yes
70% living material in landscaping	Yes

Setbacks - the proposed building meets the minimum setback of 20’ from the front property line.

Minimum lot area - the minimum lot area in the Light Industrial West zone is 1 acre. The applicant’s lot is 4.34 acres.

Lighting - the applicant will not be required to add additional street lighting. Previous developments have installed lighting that meet the spacing requirements.

Building Design and Architectural Standards

Architectural Design

17.49.070 - Twenty-five percent (25%) minimum of the exterior of all buildings (except as permitted in 17.49.070(4)) shall be covered with brick, decorative block, stucco, wood, or other similar materials as approved by the Planning Commission. Precast concrete or concrete tilt-up buildings also meet the architectural treatment requirement, subject to the standards in section 17.49.070(2).

The applicant's proposal provides a mix of materials including thin brick, split faced CMU, Smooth faced CMU, and composite siding. The applicant also provides varying rooflines along the building faces and varying façade articulation.

The applicant is providing identified entryways that also include canopies. Canopies are also proposed over many of the windows.

Building Height – approximately 33 feet to the tallest parapet. Max height in the LI-W zone is 48 feet.

Engineering Requirements

The City Engineer is working through technical issues related to the plat and civil engineering plans and will ensure all engineering related issues are resolved before final approval is granted.

Traffic Circulation

The proposed development meets site circulation requirements. The applicant does have a shared secondary access with Timpanogos Indoor Soccer. When the Vineyard Connector is constructed to its full width this access may be lost. However, the main access for this development is from 1800 W.

Staff Analysis

This will be the second development that the applicant has developed in Lindon. The other project is located at 1396 W. 200 S. The applicant provides great architectural detail and design on his buildings. Developments in this area are well designed office/warehouse buildings and this project will continue this same standard.

EXHIBITS

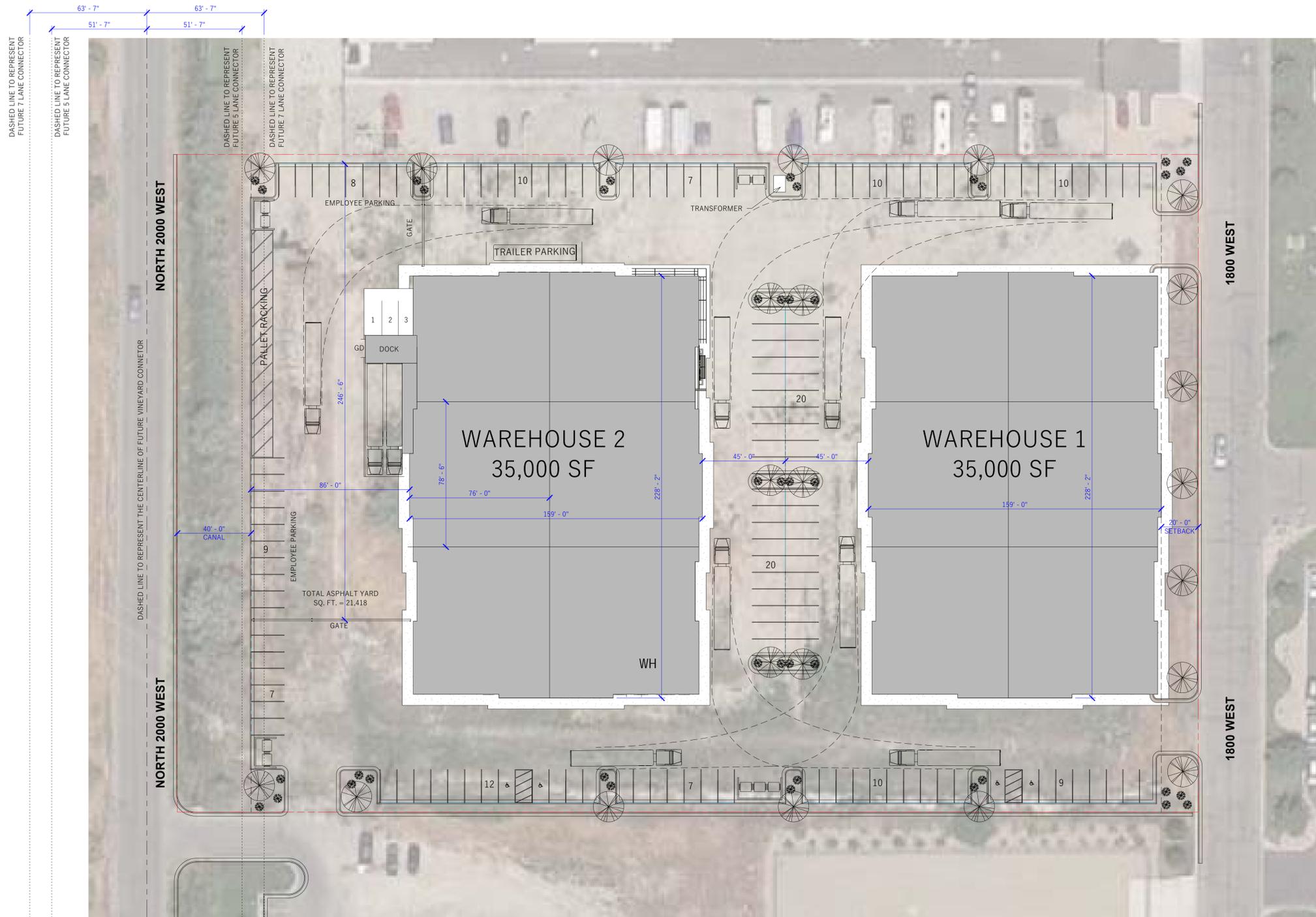
1. Site Plan
2. Architectural Renderings

LAKEVIEW WEST HOLDINGS

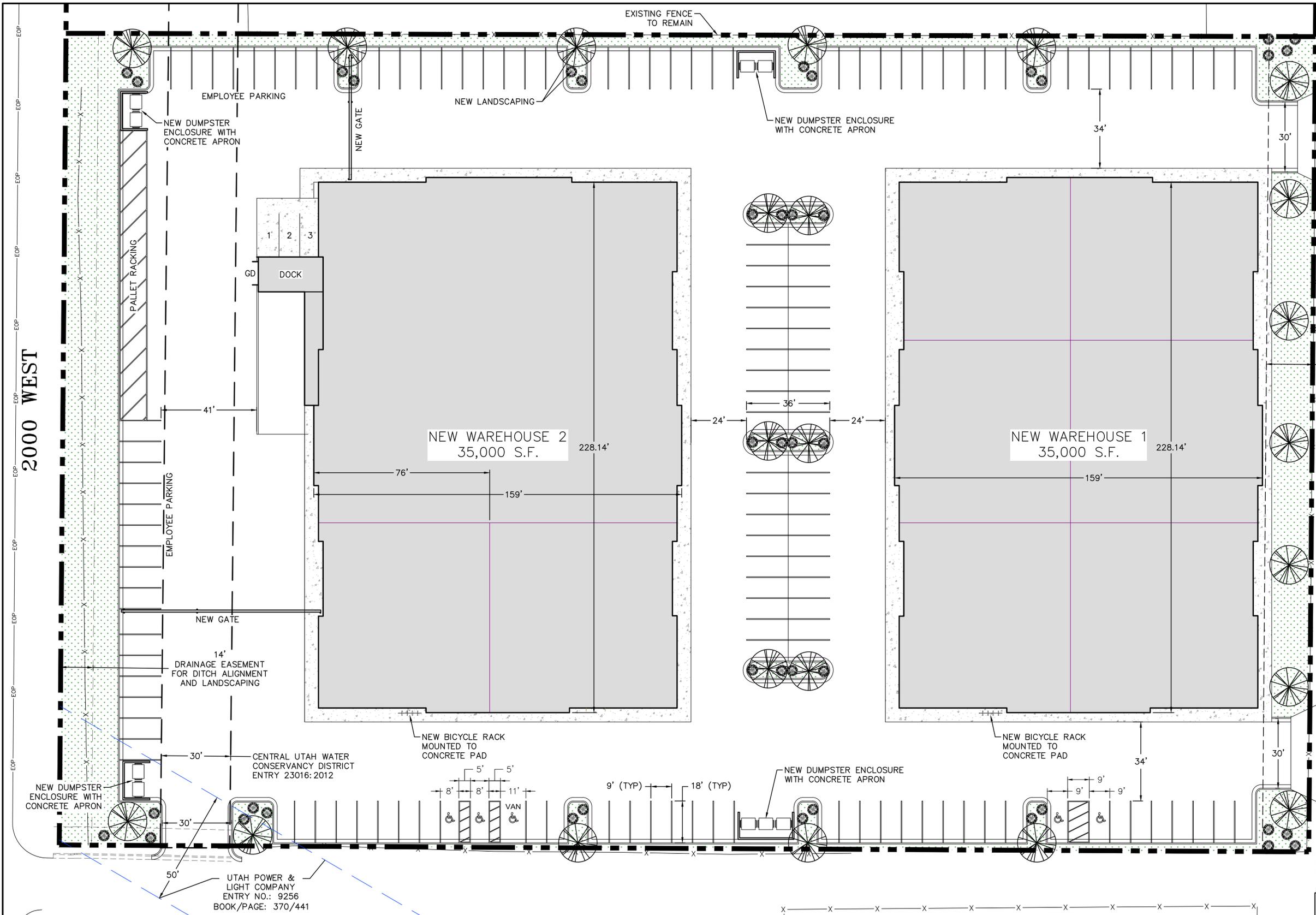
LINDON, UTAH

ARCHITECTURAL
SITE PLAN

A0.0



1 SITE PLAN - ARCHITECTURE
A0.0 1" = 30'-0"



(24"x36")
SCALE 1" = 20'
(11"x17")
SCALE 1" = 40'

2000 WEST

1800 WEST

20 SOUTH

TABULATIONS		
DESCRIPTION	AREA (SQ. FT.)	PERCENT
TOTAL SITE AREA	188,933	100%
BUILDING AREA	70,000	37.05%
LANDSCAPE AREA	19,728	10.44%
HARD SURFACE AREA	99,205	52.51%
PARKING		
REQ'D PARKING OFFICE (1:300)		48
REQ'D PARKING WAREHOUSE (1:1000)		56
TOTAL REQ'D PARKING		104
TOTAL PROVIDED PARKING		144
REQUIRED ADA STALLS		5
PROVIDED ADA STALLS		5

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

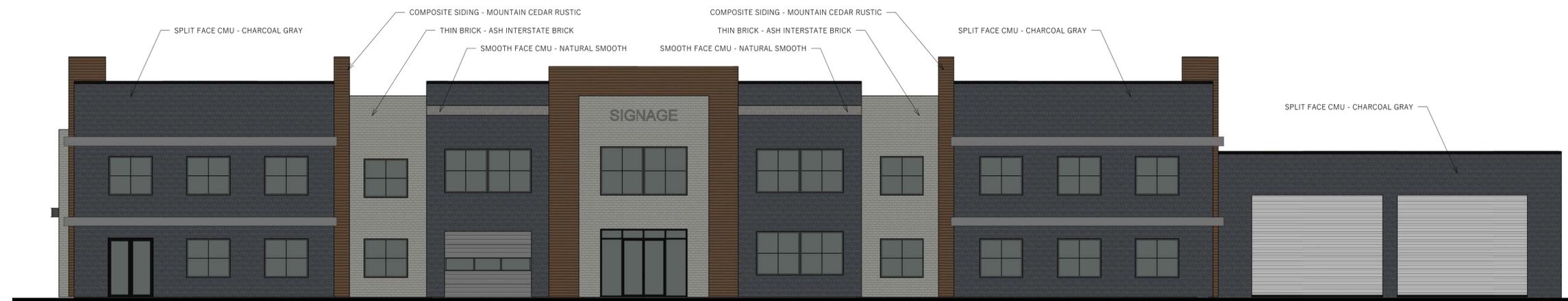
NO.	REVISIONS	BY	DATE	REV. COGO FILE:	DATE:
5					
4					
3					
2					
1					


Northern ENGINEERING INC
 ENGINEERING—LAND PLANNING
 CONSTRUCTION MANAGEMENT
 1040 E. 800 N.
 OREM, UTAH 84097
 (801) 802-8992

LAKEVIEW WEST

SITE PLAN - 2
 LINDON, UTAH
 JOB NO. 3-20-014
 SHEET NO. SP-2

K:\3-20-014 Piling Lindon Site Plan\CAD\Design\BASE.dwg



2 NORTH ELEVATION COLORED
A6.1 1/8" = 1'-0"



THIN BRICK - ASH INTERSTATE BRICK



SPLIT FAE CMU - CHARCOAL GRAY



SMOOTH FACE CMU - NATURAL



COMPOSITE SIDING - MOUNTAIN CEDAR RUSTIC



3 EAST ELEVATION COLORED
A6.1 1/8" = 1'-0"

LAKEVIEW WEST HOLDINGS

LINDON, UTAH

COLORED ELEVATIONS

A6.1





COMPOSITE SIDING - MOUNTAIN CEDAR RUSTIC

SPLIT FACE CMU - CHARCOAL GRAY

COMPOSITE SIDING - MOUNTAIN CEDAR RUSTIC

THIN BRICK - ASH INTERSTATE BRICK

SPLIT FACE CMU - CHARCOAL GRAY

THIN BRICK - ASH INTERSTATE BRICK

SPLIT FACE CMU - CHARCOAL GRAY

COMPOSITE SIDING - MOUNTAIN CEDAR RUSTIC

SPLIT FACE CMU - CHARCOAL GRAY

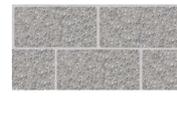
2 SOUTH ELEVATION COLORED
A6.2 1/8" = 1'-0"



THIN BRICK - ASH INTERSTATE BRICK



SPLIT FAE CMU - CHARCOAL GRAY



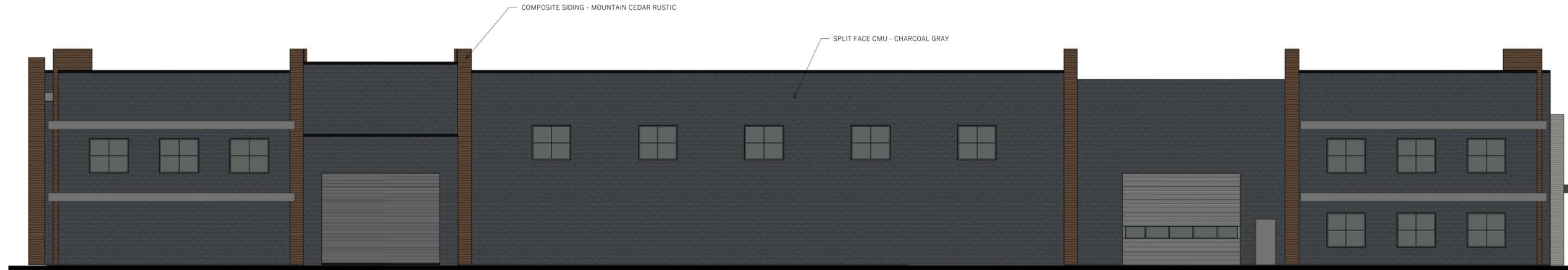
SMOOTH FACE CMU - NATURAL



COMPOSITE SIDING - MOUNTAIN CEDAR RUSTIC

COMPOSITE SIDING - MOUNTAIN CEDAR RUSTIC

SPLIT FACE CMU - CHARCOAL GRAY



3 WEST ELEVATION COLORED
A6.2 1/8" = 1'-0"

LAKEVIEW WEST HOLDINGS

LINDON, UTAH

COLORED ELEVATIONS

A6.2

Item 6: Minor Subdivision Approval. Lakeview Holdings, LLC - Approximately 81 N. 1800 W.

Date: March 24, 2020

Applicant: Lake View Holdings, LLC

Presenting Staff: Michael Florence

General Plan: Industrial

Current Zone: Light Industrial West (LI-W)

Property Owner: Silverado Storage Group, LLC

Parcel ID: 14:061:0115

Type of Decision: Administrative

Council Action Required: No



SUMMARY OF KEY ISSUES

1. The applicant is seeking minor subdivision approval to split one lot into two.
2. The existing storage units will be on Lot 2 and the new development on Lot 1

OVERVIEW

1. Lot one will consist of 4.34 acres, Lot 2 will consist of 5.79 acres;
2. The proposal is to construct two, one story office/warehouse buildings on the site
3. Originally, this property was planned to be a second phase of storage units. The storage units to the north received site plan approval in 2017;
4. The Lindon City Street Master Plan map shows the Vineyard Connector replacing 2000 W. at some point. The applicant has worked with both UDOT and the City to provide a sufficient building setback and to plan for this future road improvement;
5. The property also has a large Central Utah Water Conservancy District easement on the west portion of the site. The applicant identifies this easement on the site plan and plat.

MOTION

I move to (*approve, deny, continue*) the applicant's request for minor subdivision approval at 81 N. 1800 W. with the following conditions:

1. The applicant will continue to work with the City Engineer to make all final corrections to the engineering documents and plat;
2. The plans and plat will meet relevant specifications as found in the Lindon City Development Manual;
3. All items of the staff report

Surrounding Zoning and Land Use

North: Light Industrial West (LI-W) – Storage units

South: Light industrial West (LI-W) – electrical substation and Timpanogos Soccer

East: Light Industrial West (LI-W) – Office/warehouse buildings

West: Recreational Mixed-Use West (RMU-W) – North Point Solid Waste District

Lot Requirements – Light Industrial West Zone

Required	Lot 1	Lot 2	Compliant
Minimum lot size: one acre	4.34 acres	5.79 acres	Yes

Subdivision Requirements

Required	Complaint
No single lot shall be divided by municipal or county boundary lines, roads, alleys, or other lots.	Yes
Side lot lines shall be at right angles or radial to street lines.	Yes
Sidewalks, curbs and gutters shall be provided on both sides of all streets to be dedicated to the public	Curb and gutter will be provided. Sidewalks are not required in the Light Industrial West zone
Easements shall follow rear and side lot lines whenever practical and shall have a minimum total width of 15 feet apportioned equally in abutting properties.	Yes
Underground utilities and piped sanitary sewerage shall be provided by the subdivider.	Yes
No lot shall be created which is more than three times as long as it is wide.	Yes

Engineering Requirements

The City Engineer is working through technical issues related to the plat and civil engineering plans and will ensure all engineering related issues are resolved before final approval is granted.

Other Requirements

1. Staff has determined that the proposed subdivision complies, or will be able to comply before final plat approval, with all remaining subdivision and land use standards.
2. The City Engineer is addressing engineering standards. All engineering issues will be resolved before final plat approval is granted

EXHIBITS

1. Plat

LAKEVIEW WEST SUBDIVISION

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 31,
TOWNSHIP 5 SOUTH, RANGE 2 EAST, S.L.B.&M. LINDON, UTAH



0 25 50 100
(24"x36")
SCALE 1" = 50'
(11"x17")
SCALE 1" = 100'

14' P.U.E. & DRAINAGE EASEMENT FOR
DITCH ALIGNMENT & LANDSCAPING

2000 WEST

1800 WEST

NORTH
2083.11'

RAM INDUSTRIES, LLC YAKABUTA HOLDINGS, LLC

S89°41'12"E 539.91'

WEST
1186.77'

10' P.U.E.

2
252002 sq. ft.
5.79 ac.
81 N. 1800 W.

N0°28'51"E 467.48'

N0°28'51"E 816.60'

N0°28'51"E 349.12'

1
188933 sq. ft.
4.34 ac.
31 S. 1800 W.

N89°50'53"W 539.98'

7.5' P.U.E.

10' P.U.E.

S0°28'19"W 816.60'

S0°28'19"W 350.64'

N89°41'12"W 540.03'

S 89°18'28" W 2642.03'
BASIS OF BEARING

30' CENTRAL UTAH WATER
CONSERVANCY DISTRICT
ENTRY 23016:2012

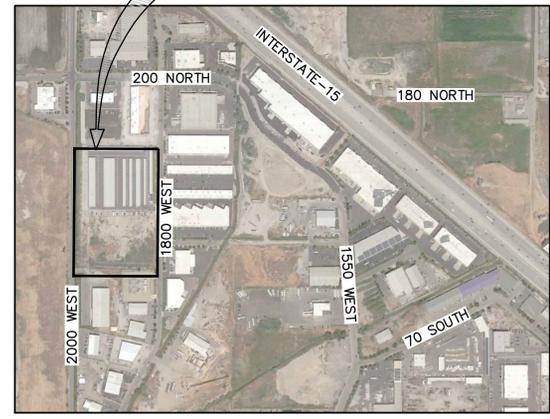
UTAH POWER & LIGHT COMPANY
ENTRY NO.: 9256
BOOK/PAGE: 370/441

TIMPANOGOS INDOOR SOCCER
CORP.

PACIFICORP



PROJECT
LOCATION



LOCATION MAP

LEGEND

- FOUND BRASS CAP
- SET 5/8" IRON PIN
- PROPERTY BOUNDARY
- LOT LINE
- SECTION LINE
- EASEMENT
- ADJOINING PROPERTY LINE
- EXISTING FENCE

SURVEYOR'S CERTIFICATE

I, KENNETH E. BARNEY, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, CERTIFICATE NO. 172762. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW. HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS. HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT. I FURTHER CERTIFY THAT EVERY EXISTING RIGHT-OF-WAY AND EASEMENT GRANT OF RECORD FOR UNDERGROUND FACILITIES, AS DEFINED IN SECTION 54-8a-2, UTAH CODE ANNOTATED, 1953 AS AMENDED, AND FOR OTHER UTILITY FACILITIES, IS ACCURATELY DESCRIBED ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT.

DATE _____ KENNETH E. BARNEY, P.L.S.

BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN, LINDON, UTAH. BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY OF 1800 WEST STREET; SAID POINT BEING NORTH, 2083.11 FEET AND WEST, 1186.77 FEET FROM THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN; RUNNING THENCE SOUTH 00°28'19" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE OF 1800 WEST STREET, 816.60 FEET; THENCE NORTH 89°41'12" WEST, 540.03 FEET; THENCE NORTH 00°28'51" EAST, 816.60 FEET; THENCE SOUTH 89°41'12" EAST, 539.91 FEET TO THE POINT OF BEGINNING. CONTAINS: 10.12 ACRES.

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS, AND EASEMENTS. ALL COMMON AREA SHOWN HEREON WILL BE A PUBLIC UTILITY EASEMENT, AND DOES HEREBY OFFER AND CONVEY TO ALL PUBLIC UTILITY AGENCIES AND THERE SUCCESSORS AND ASSIGNS A PERMANENT EASEMENT AS SHOWN BY THE AREAS MARKED AS COMMON AREAS (UTILITY EASEMENT) ON AND WITHIN THIS PLAT FOR CONSTRUCTION AND MAINTENANCE OF SUBTERRANEAN ELECTRICAL, TELEPHONE, NATURAL GAS, SEWER, STORM DRAINAGE, LAND DRAINS, AND WATER LINES APPURTENANCES TOGETHER WITH THE RIGHT-OF-WAY ACCESS THERE TO.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS DAY OF _____, A.D. 20____.

BY: _____

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF UTAH }
ON THE _____ DAY OF _____, A.D. 20____
PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.
MY COMMISSION NUMBER _____ SIGNED _____
(A NOTARY PUBLIC COMMISSIONED IN UTAH)
MY COMMISSION EXPIRES _____ PRINT NAME OF NOTARY _____

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF LINDON CITY, COUNTY OF UTAH APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, A.D., 20____.

APPROVED _____	ATTEST _____
MAYOR/PLANNING COMMISSION CHAIR	CLERK-RECORDER
APPROVED _____	ATTEST _____
CITY RECORDER	CITY ATTORNEY
APPROVED _____	ATTEST _____
CITY ENGINEER	PLANNING DIRECTOR

LAKEVIEW WEST SUBDIVISION

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 31,
TOWNSHIP 5 SOUTH, RANGE 2 EAST, S.L.B.&M.
LINDON, UTAH

LINDON UTAH COUNTY, UTAH
SCALE: 1" = 50 FEET

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL	CLERK-RECORDER SEAL
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**Northern
ENGINEERING INC.**
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT
1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

Item 7: Plat Amendment – Intermountain Precision Casting 1156 West 400 North

Date: March 24th 2020

Project Address: 1156 West 400 North

Applicant: Intermountain Precision Casting

Property Owner: Intermountain Precision Casting

General Plan: Light Industrial

Current Zone: Light Industrial

Parcel ID: 45:111:0007, 45:111:0006

Lot Sizes: 0.46 acres, 0.39 acres

Type of Decision: Administrative

Council Action Required: No

Presenting Staff: Anders Bake



OVERVIEW

1. Intermountain Precision Casting is petitioning to consolidate two existing parcels into one lot. These parcels are currently lots six and seven in the Lakeview Industrial Park subdivision.
2. The applicant, Intermountain Precision Casting, owns both parcels that will be amended as part of the application for one lot. The Plat Amendment will allow the applicant to combine the existing buildings that are on the two lots. The building on the East lot was constructed in 1980 and the building on the West lot was constructed in 2015.
3. The proposed plat amendment is located in the Light Industrial (LI) Zone. The existing lots do not comply with current lots size, landscaping and parking requirements. Each of the noncompliance issues have been addressed by the applicant.

MOTION

I move to (approve, deny, continue) the applicant's request for preliminary approval of Lakeview Industrial Park Plat " G " with the following conditions:

1. Prior to plat recording and occupancy of any new development within this plat, the applicant must update the final plat Mylar to include notarized signatures of owners' consent to dedication consistent with item one above; and obtain signatures of all entities indicated on the subdivision plat attached hereto;
2. All items of the staff report.

SURROUNDING ZONING AND LAND USE

North: Light Industrial – office/warehouse use

East: Light Industrial – industrial storage uses

South: Heavy Industrial – office/warehouse and industrial storage uses

West: Light Industrial – office/warehouse and industrial storage uses

SUBDIVISION STANDARDS

Lindon City Code 17.32.00 references Utah Code for requirements amending a subdivision plat. Under Utah Code 10-9a-608, an applicant may petition the Land Use Authority (Planning Commission) to join two or more of the petitioner fee owner's contiguous lots.

10-9a-608. Vacating, altering, or amending a subdivision plat.

(2) Unless a local ordinance provides otherwise, the public hearing requirement of Subsection (1)(c) does not apply and a land use authority may consider at a public meeting an owner's petition to vacate or amend a subdivision plat if:

(a) the petition seeks to:

(i) join two or more of the petitioner fee owner's contiguous lots;

(ii) subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;

(iii) adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join in the petition, regardless of whether the lots or parcels are located in the same subdivision;

(iv) on a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or

(v) alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not:

(A) owned by the petitioner; or

(B) designated as a common area; and

(b) notice has been given to adjacent property owners in accordance with any applicable local ordinance.

AMENDING A NONCONFORMING PARCEL

Section 17.16.030 of the Lindon City Code states the following regarding amendments, additions, enlargements and moving of nonconforming parcels or uses:

1. All nonconforming parcels, lots, buildings, structures, or uses shall not be added to, enlarged in any manner, moved to another location on the lot, or have parcel lines moved, changed, or adjusted, except as provided by subsection 2 of this section.

2. The Planning Commission may authorize the expansion, alteration, or enlargement of a nonconforming use, structure, building, parcel, or lot, or movement of parcel lines, only after holding a public hearing and finding that:

a. the expansion, alteration or enlargement of the nonconforming building, structure, parcel, lot, or use will to reasonable extent bring the property, building, structure, parcel, lot or use as close as reasonably possible to conformance with requirements and regulations of the zone in which the nonconformity is located; and

b. the proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the nonconforming use or structure or violate the development policies adopted in the Lindon City Master Plan; and

c. the use, building, or structure, existing or proposed, will be brought into compliance, where possible, with design and architectural standards of the zone where proposed.

The subject property is a nonconforming lot because of current lot size, light Industrial landscaping, and parking requirements. The applicant has provided information addressing each of the nonconforming issues on this lot and the efforts they have made to reasonably come into compliance (see exhibit 1). The subject lots do not fully comply with the following city code requirements:

Lot Size Requirements

1. Section 17.49.080 of the Lindon City Code requires that the minimum lot size for a lot in the Light Industrial zone be 1 acre. The lakeview Industrial Park subdivision was recorded in 1985 which was before the 1 acre minimum lot size requirement was in place. The subject lots are 0.46 acres and 0.39 acres making them legal non-conforming according to this requirement. The application to combine the two lots will create a larger lot that will be more in compliance.

Light Industrial Landscaping requirements

1. The current Lindon City Code requires that for developments in the Light Industrial Zone a landscaped strip twenty (20) feet in width shall be planted with grass and maintained in a living, growing condition along all public street frontages. This requirement is not being met on the East lot along 400 North.
2. The light Industrial zone requires that a development provide 40 square feet of interior landscaping per parking stall which is not fully in compliance on the subject properties.

Off Street Parking requirements

1. The off-street parking section of the City Code requires that the properties provide a total of 17 off street parking stalls. 17 parking stalls are provided but many of the requirements for the size of parking spaces and aisles are not being met on the East lot.

STAFF ANALYSIS

While the East property is non-conforming as to landscaping and parking the plat amendment does bring the project closer into compliance by consolidating the two lots which makes the overall lot size larger. Staff has reviewed with the applicant the possibility of adding additional landscaping and parking which is not feasible without reducing one or the other. Staff recommends the planning commission allow the lot consolidation.

ENGINEERING REQUIREMENTS

The City Engineer is working through technical issues related to the plat and will conduct a final review if the planning commission approves the plat amendment.

EXHIBITS

1. Applicants request to amend a nonconforming lot
2. Aerial Image of parcels
3. Plat
4. Lakeview Industrial Park subdivision

Intermountain Precision Casting
1156 West 400 North
Lindon, UT 84042

March 5, 2020

Lindon City Planning Commission
100 North State Street
Lindon, UT 84042

Variance Request | Combining of Lots

Dear Planning Commission,

Intermountain Precision Casting (IPC) is an investment casting businesses founded in 1980 right here in Lindon. With recent business growth, IPC has been investing heavily in production automation. It has now become necessary to connect its two adjoining facilities to allow for the flow of production parts from one building to the other. As an initial step, IPC is requesting to combine their two adjoining lots.

IPC owns two facilities on two adjoining lots (East Lot & West Lot). The original facility, east lot, was constructed prior to current codes. The newer facility, west lot, was constructed conforming to all current codes. During the build of the facility on the west lot, best efforts were also made to the facility on the east lot to increase the curb appeal and bring the aesthetics to the standard of the new facility. These efforts included the addition of stucco to the old facility as well as landscaping along the building.

Despite these improvements, it has been communicated that the current landscaping and parking on the east lot would cause the combination of the two lots to be nonconforming to current code. We have looked into the possibility of improving both areas but have not found any reasonable solutions:

Landscaping: Any addition of landscaping would cause a reduction of much needed parking spaces.

Parking Spaces: Neither lot has available space to add parking. Neighboring properties are unable to provide us with additional parking agreements.

Given previous improvements to the curb appeal of our current facilities, we ask the Planning Commission for a variance on current code allowing us to combine our two adjoining lots.



INTERMOUNTAIN

P R E C I S I O N C A S T I N G

East Lot - Before



East Lot - Before



East Lot - After



East Lot - After



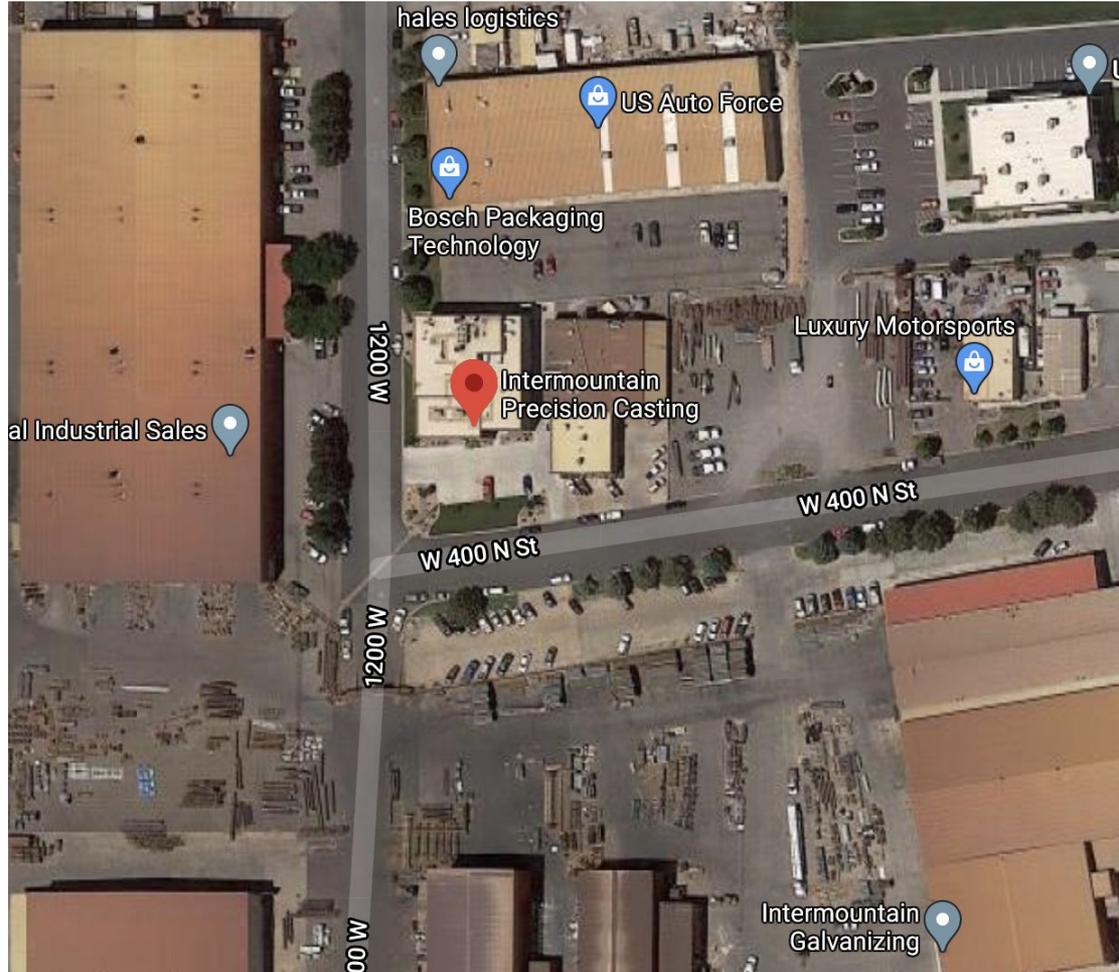
Full Facility



Industrial Neighborhood



Industrial Neighborhood



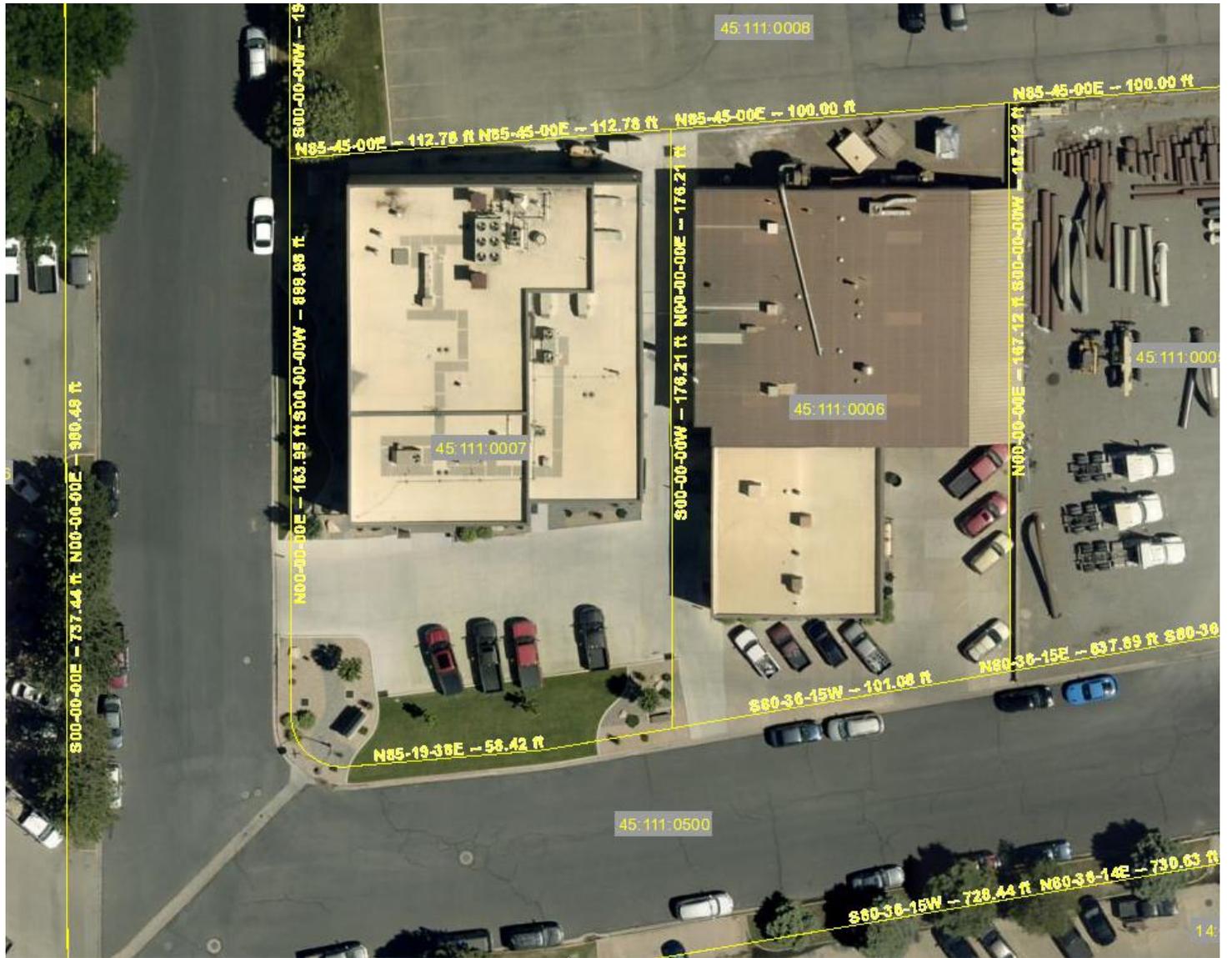
Industrial Neighborhood



Full Facility

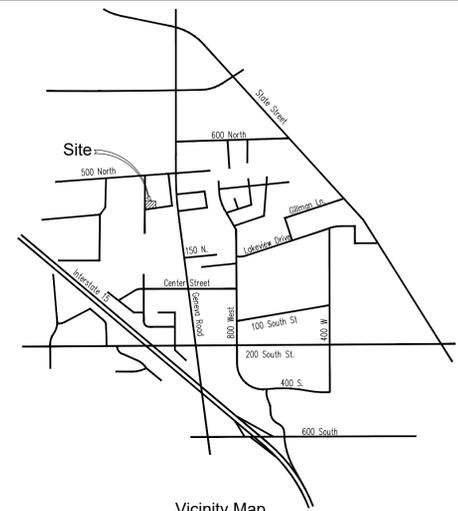


2. Aerial Image of Parcels





NORTH
1" = 30'



Lakeview Industrial Park Plat "C" Lot 26

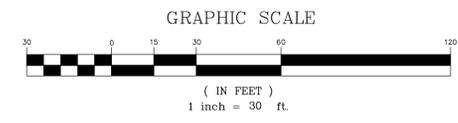
Lakeview Industrial Park Plat "A" Lot 8

Lakeview Industrial Park Plat "A" Lot 5

Lakeview Industrial Park Plat "A" Lot 4

Lot 30
0.85 AC
37,223 sq.ft.

Occupancy Restriction Notice
It is unlawful to occupy any building within this subdivision without first having obtained a certificate of occupancy issued by the City.



Surveyor's Certificate

I, Roger D. Dudley, do hereby certify that I am a registered land surveyor, and that I hold certificate No. 147082 in accordance with Utah Code, Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I further certify that at the request of the owner of the below-described land, I performed a survey of said land in accordance with Section 17-23-17 of the Utah Code; that the boundary description below correctly describes the land surface upon which will be constructed Plat "G", Lakeview Industrial Park Subdivision. That I have verified all measurements, and that the reference markers shown on said plat are located as shown and are sufficient to readily retrace or reestablish this survey.

Boundary Description

Commencing at a point located North 89°27'37" East along the Section line 66.01 feet and South 1258.79 feet from the North quarter corner of Section 32, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence North 85°45'00" East 212.78 feet; thence South 167.12 feet; thence South 80°36'15" West 139.62 feet; thence South 85°19'38" West 58.42 feet; thence along the arc of a 15.00 foot radius curve to the right 24.79 feet (chord bears North 47°20'11" West 22.06 feet); thence North 163.95 feet to the point of beginning.

AREA=37,223 sq. ft. or 0.85 acre

Basis of Bearing: North 89°27'37" East along the Section line.
Datum = NAD 27

Date _____ Surveyor _____
(See Seal Below)

Owner's Dedication

The undersigned owners ("owner" without regard to number or gender) of the above-described land hereby certifies that: owner has caused a survey to be made of said land and to be prepared for the PLAT "G", LAKEVIEW INDUSTRIAL PARK. Owner hereby consents to the concurrent recordation of the plat and Declaration and hereby submits the described land to the provisions and requirements of the declaration, owner hereby dedicates any public streets reflected on the map for the use by the general public.

In witness hereof we have hereunto set our hands this _____ day of _____ A.D. 20____.

Acknowledgement

STATE OF UTAH } S.S.
COUNTY OF UTAH }

On the _____ day of _____, A.D. 20____, personally appeared before me the signers of the foregoing dedication who duly acknowledge to me that they did execute the same.

(Notary's full name) _____ A notary public commissioned in Utah _____ (Commission number)

My Commission Expires _____ (signature)

Acceptance by Legislative Body

The City of Lindon, County of Utah, approves this Subdivision subject to the Conditions and Restrictions stated hereon, and hereby accepts the dedication of all streets, easements and other parcels of land intended for perpetual use of the public this _____ day of _____, A.D. 20____.

Mayor _____ Planning Commission Chair _____
Planning Director _____ City Engineer _____
City Attorney _____ City Recorder _____
Attest - City Recorder _____

Conditions of Approval

Plat " G "

Lakeview Industrial Park
Including a Vacation of Lots 6 & 7, Plat "A"
Lakeview Industrial Park
Subdivision

Lindon City, Scale: 1" = 30 Feet Utah County, Utah

SURVEYOR'S SEAL CITY ENGINEER SEAL CLERK-RECORDER SEAL



NORTH 1/4 CORNER SECTION 32 T 52, R 2 E EAST 742.92

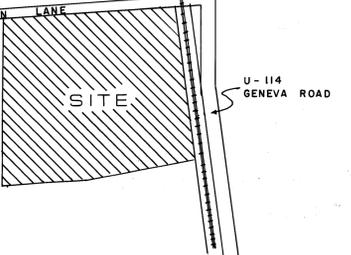
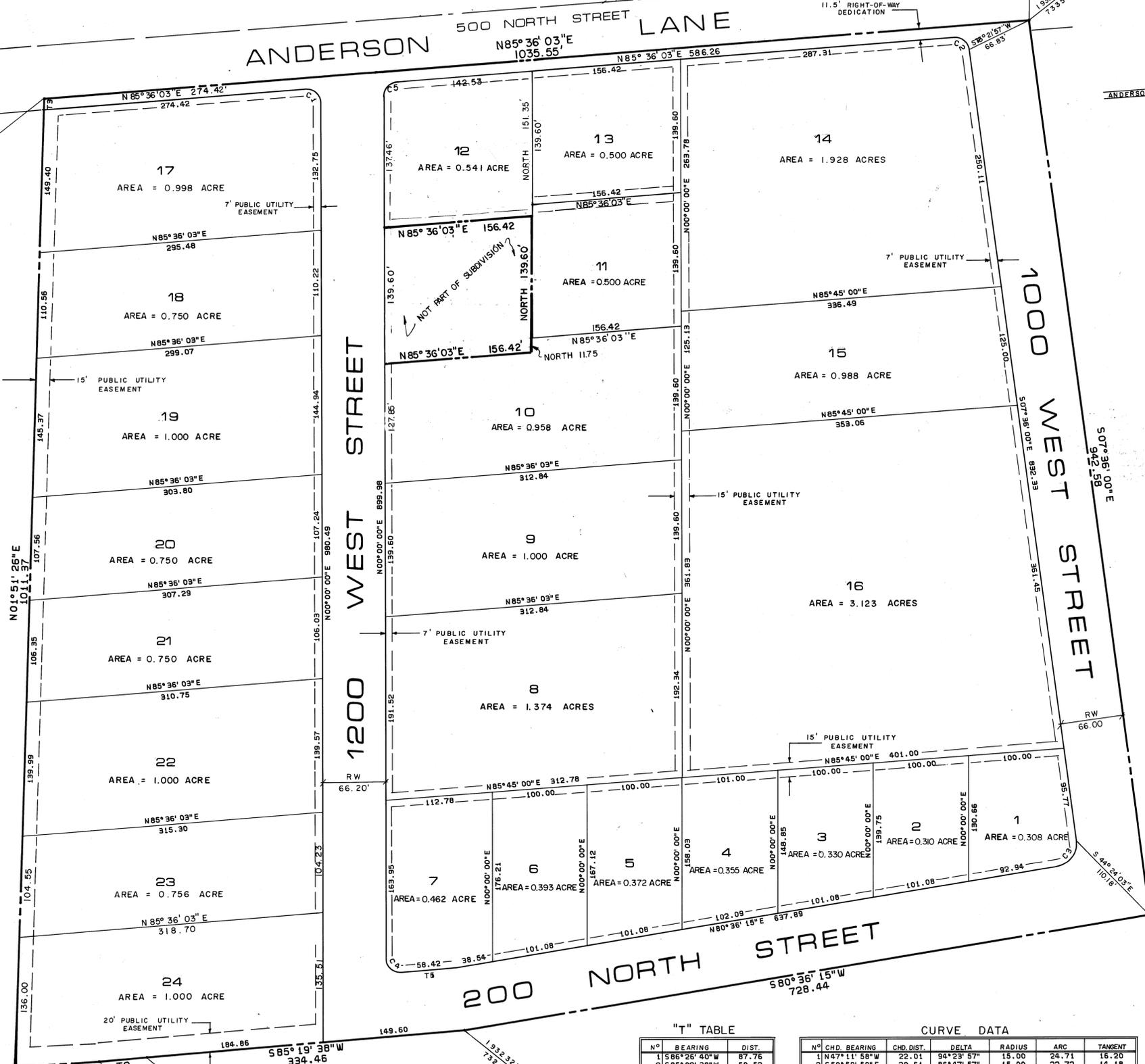
Map Filing # 3255

37021

RECORDED AT THE REQUEST OF PROVO LAND TITLE CO.

1985 DEC 23 AM 11:41

NINA B. REID UNION PACIFIC UTAH COUNTY RECORDER RAILROAD



VICINITY MAP

ACKNOWLEDGEMENT section with signatures of Spencer L. Meyer, Charles E. Veener, and others.

SURVEYOR'S CERTIFICATE text: I, K. EDWARD GIFFORD, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR...

BOUNDARY DESCRIPTION table with columns: COURSE, DISTANCE, REMARKS. Includes bearings and distances for the subdivision boundary.

COMMENCING AT A POINT LOCATED EAST 742.92 & SOUTH 444.62' FEET FROM THE NORTH ONE QUARTER CORNER OF SECTION 32, TOWNSHIP 5 SOUTH, RANGE 2 EAST...

DATE 5-13-83, SURVEYOR K. Edward Gifford

OWNERS' DEDICATION text: KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON...

STATE OF UTAH, COUNTY OF UTAH, S.S. ON THE 4th DAY OF June, A.D. 1985...

ACCEPTANCE BY LEGISLATIVE BODY text: THE CITY COUNCIL of Lindon City, UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES...

BOARD OF HEALTH text: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS... PLANNING COMMISSION APPROVAL text: APPROVED THIS 2nd DAY OF July, A.D. 1985...

PLAT "A" LAKEVIEW INDUSTRIAL PARK SUBDIVISION LINDON UTAH COUNTY, UTAH SCALE: 1" = 60 FEET

"T" TABLE with columns: NO, BEARING, DIST. Lists tangent and distance values for various bearings.

CURVE DATA table with columns: NO, CHD. BEARING, CHD. DIST., DELTA, RADIUS, ARC, TANGENT. Lists curve parameters for the subdivision.



3255-34



Item 8: Lindon Treasury Plat B Major Subdivision Approval Approximately 200 W. 130 S.

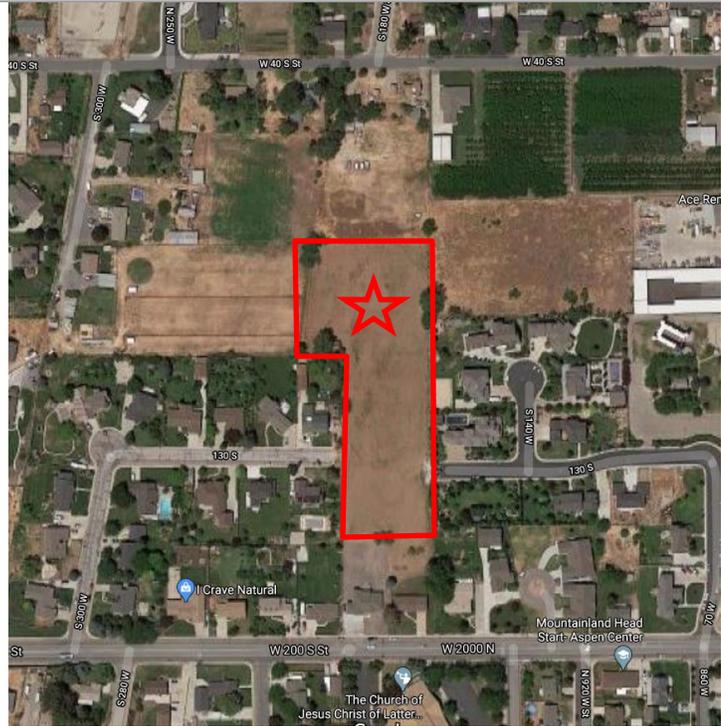
Date: March 24, 2020

Applicant: Jeff Bastian
Presenting Staff: Michael Florence

General Plan: Residential Low
Current Zone: Residential R1-20

Property Owner: Jeff Bastian
Parcel ID's: 14:069:0301,
14:069:0140

Type of Decision: Administrative
Council Action Required: Yes



SUMMARY OF KEY ISSUES

1. Mr. Bastian is seeking preliminary major subdivision approval for a 4-lot single family home development;
2. The applicant will be connecting 130 S. and dedicating new access right-of-way's.

OVERVIEW

1. The Lindon City Streets Master Plan map identifies connecting 130 S. as well as a future north/south road connecting 130 S. to 40 S. The applicant, will only be installing a portion of the new north/south road. Future development will connect to this partially installed road;
2. The proposed 4-lots meet the minimum lot size for the R1-20 zone;

MOTION

I move to recommend (approval, denial, or continue) of the applicant's request for preliminary approval of Lindon Treasury Plat B. with the following conditions:

1. The applicant will continue to work with the city staff to make all final corrections to the engineering documents and plat;
2. Prior to plat recording the applicant will provide staff with a final plat mylar to include notarized signatures of owner's consent to dedication, obtain signature of all entities indicated on the attached subdivision plat;
3. Complete (or post an adequate improvement completion assurance), warrant and post required warranty assurance for all required public infrastructure improvements;
4. The plans and plat will meet and be constructed as per the relevant specifications as found in the Lindon City Development Manual;

5. The connecting portion of 130 S. as well as the identified segment of 200 W., as identified on the plat, will be dedicated to Lindon City;
6. Prior to final approval the applicant shall place permanent survey monuments in the subdivision;
7. All items of the staff report

Surrounding Zoning and Land Use

North: Residential R1-20 – Single Family

South: Residential R1-20 – Single Family

East: Residential R1-20 – Single Family

West: Residential R1-20 – Single Family

Lot Requirements – Residential (R1-20) Zone

Required	Compliant
Minimum lot size: 20,000 square feet	Lots range in size from 20,000 square feet to 33,000 square feet

Subdivision Requirements

Required	Complaint
No single lot shall be divided by municipal or county boundary lines, roads, alleys, or other lots.	Yes
All residential lots shall front on a public street	Yes
Side lot lines shall be at right angles or radial to street lines.	Yes
The street layout shall conform to the master plan	Yes
Minimum right-of-way width for Minor streets	Yes, 50' street cross sections are provided
Minor streets maximum grade: 12%	.5%
Sidewalks, curbs and gutters shall be provided on both sides of all streets to be dedicated to the public	Yes
Easements shall follow rear and side lot lines whenever practical and shall have a minimum total width of 15 feet apportioned equally in abutting properties.	Yes
Underground utilities and piped sanitary sewerage shall be provided by the subdivider.	Yes
No lot shall be created which is more than three times as long as it is wide.	Yes
Street lights	Yes

Engineering Requirements

The City Engineer is working through technical issues related to the plat and civil engineering plans and will ensure all engineering related issues are resolved before final approval is granted.

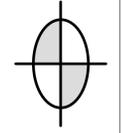
EXHIBITS

1. Aerial photo
2. Vicinity map
3. Plat





NORTH
1" = 100'



DUDLEY AND ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
353 EAST 1200 SOUTH, OREM, UTAH
801-224-1252

Area Vicinity Map

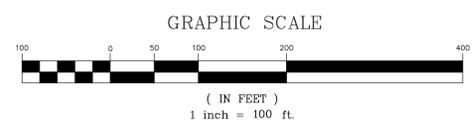
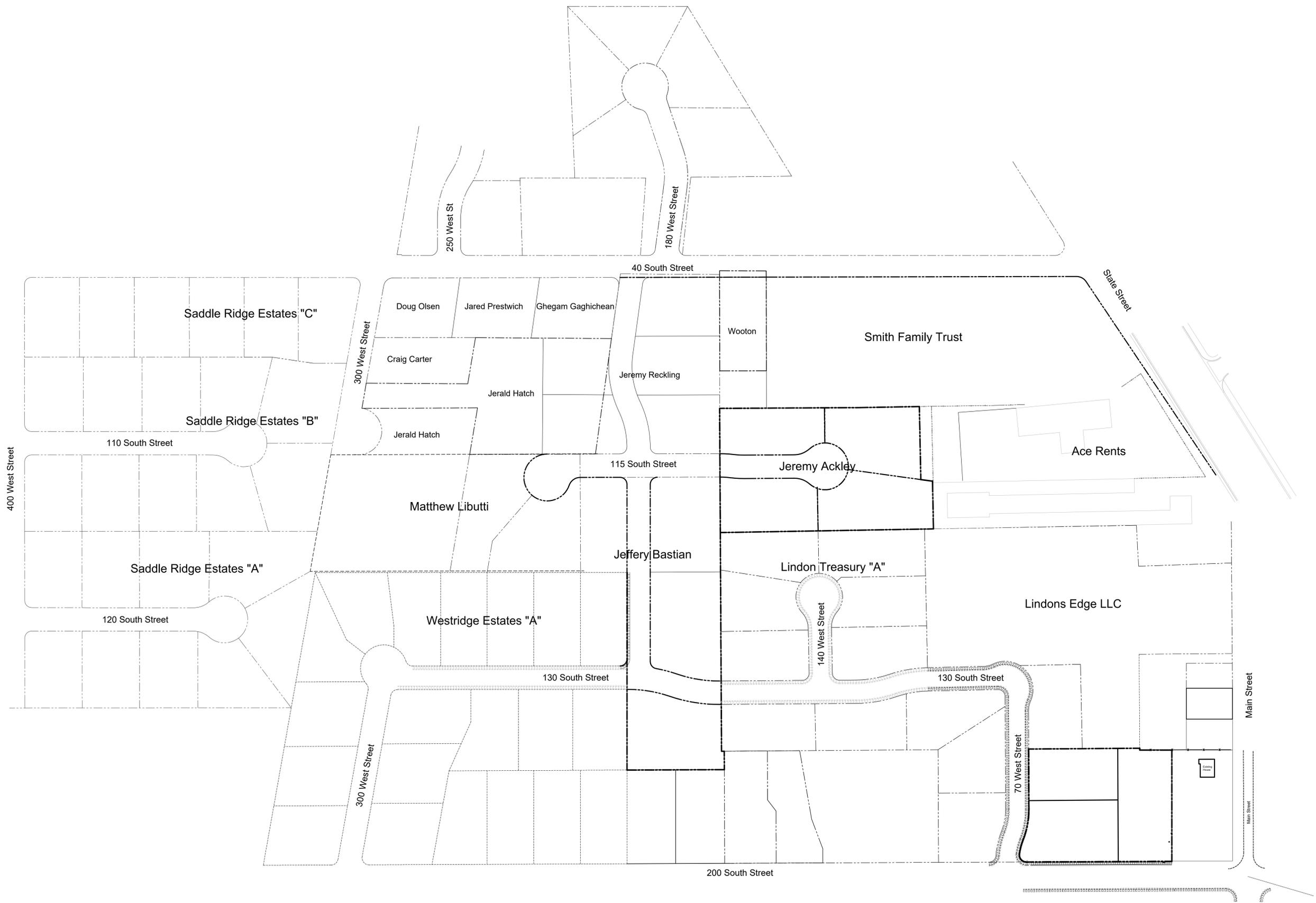
Utah

Lindon

Revisions

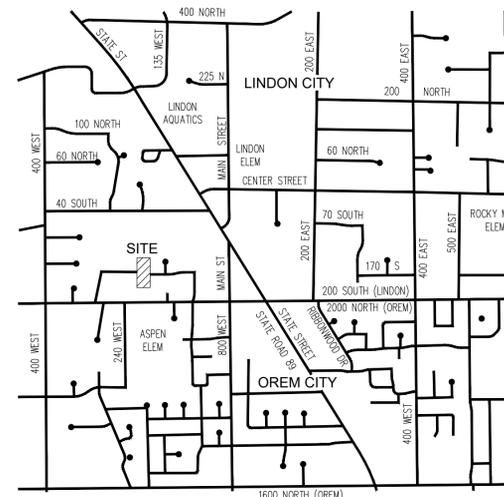
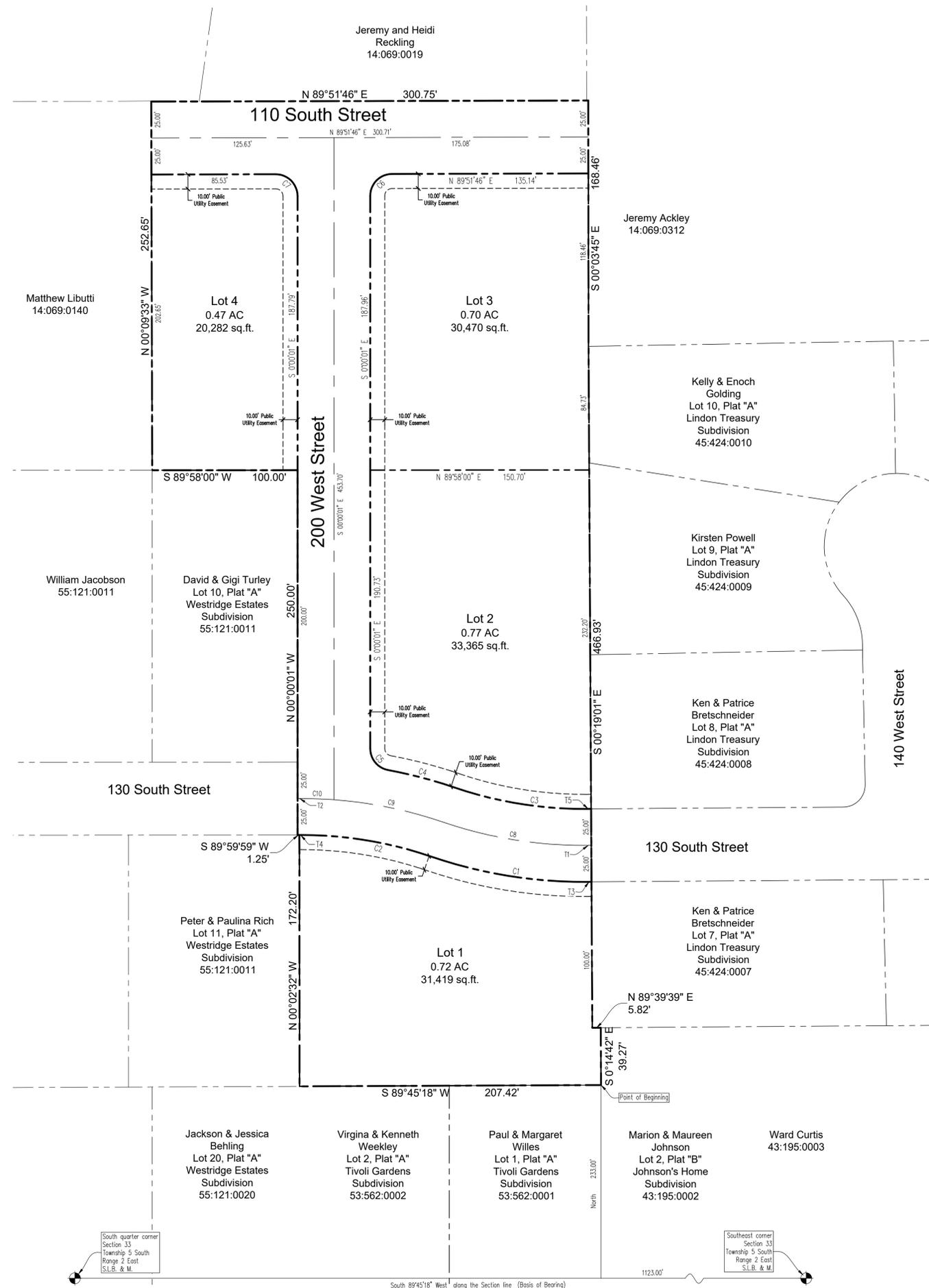
Date
3-9-2020
Scale
1" = 100'
By
TD
Tracing No.
L -

Sheet No.
C - 1.2





NORTH
1" = 40'



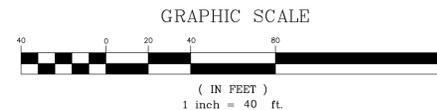
Vicinity Map

Line Table		
Line	Length	Direction
T1	3.32'	S 89°35'17" W
T2	2.82'	N 89°58'00" E
T3	3.28'	S 89°35'17" W
T4	1.45'	N 89°56'25" E
T5	3.36'	S 89°35'17" W

Curve Data Table					
Curve	Radius	Length	Chord	Bearing	Delta
C1	325.00'	109.14'	108.63'	S 80°47'28" E	191°42'9"
C2	275.00'	90.66'	90.25'	N 80°36'54" W	183°53'21"
C3	275.00'	92.35'	91.92'	S 80°47'28" E	191°42'9"
C4	325.00'	47.20'	47.16'	N 75°19'53" W	81°9'18"
C5	15.00'	20.81'	19.18'	S 39°44'46" E	79°29'31"
C6	15.00'	23.53'	21.19'	S 44°55'53" W	89°51'47"
C7	15.00'	23.60'	21.24'	N 45°04'07" W	90°08'13"
C8	300.00'	100.75'	100.27'	S 80°47'28" E	191°42'9"
C9	300.00'	76.56'	76.36'	N 78°28'55" W	143°37'22"
C10	300.00'	22.20'	22.20'	N 87°54'48" W	41°42'4"



Dedication to Lindon City



Occupancy Restriction Notice

It is unlawful to occupy any building within this subdivision without first having obtained a certificate of occupancy issued by the City.

Notice of Lindon City Housing Ordinance

All potential buyers of lots within this plat are hereby notified of the Lindon City R2 Overlay Ordinance. Under this ordinance there is potential for small, localized multifamily housing projects in this neighborhood consisting of single family planned unit developments, duplexes, triplexes and accessory apartments. Conditions Covenants and Restrictions (C.C.&R's) which prohibit this type of housing in specific subdivisions are considered illegal and in violation of Lindon City Code. Please contact the Lindon City Planning Department at (801) 785-7687 for details regarding this Ordinance.

City Engineer's Certificate

I Mark L. Christensen as the Lindon City Engineer, have inspected the foregoing plat and legal description and find them to be correct, and do hereby give the approval of said plat on this _____ day of _____ 20____.

Lindon City Engineer (see seal)

Surveyor's Certificate

I, Roger D. Dudley, do hereby certify that I am a registered land surveyor, and that I hold certificate No. 147082 in accordance with Utah Code, Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I further certify that at the request of the owner of the below-described land, I performed a survey of said land in accordance with Section 17-23-17 of the Utah Code that the boundary description below correctly describes the land surface upon which will be constructed Plat "C", Lindon Treasury Subdivision. That I have verified all measurements, and that the reference markers shown on said plat are located as shown and are sufficient to readily retrace or reestablish this survey.

Boundary Description

Commencing at a point located South 89°45'18" West along the Section line 1123.00 feet and North 233.00 feet from the Southeast corner of Section 33, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°45'18" West along Plat "A", Tivoli Gardens Subdivision 207.42 feet; thence North 00°02'32" West along a Boundary line Agreement Entry No. 61660: 2009, 172.20 feet; thence South 89°58'00" West 1.25 feet to Plat "A", Westridge Subdivision; thence North 00°02'00" West along said Subdivision 250.00 feet; thence South 89°58'00" West along said subdivision 100.00 feet; thence North 00°09'33" West 252.65 feet; thence North 89°51'46" East 300.75 feet; thence South 00°03'45" East 168.46 feet; thence South 00°19'01" East along Plat "A", Lindon Treasury Subdivision 466.93 feet; thence North 89°35'17" East along Plat "A", Lindon Treasury Subdivision 5.82 feet; thence South 00°14'42" East along Plat "B", Johnson's Home Subdivision 39.27 feet to the point of beginning.

Area = 161,181 sq.ft. or 3.70 Acres

Basis of Bearing is South 89°45'18" West along the Section line from the Southeast corner to the South quarter corner of said Section 33.

Date

Professional Land Surveyor
(see seal below)

Owner's Dedication

The undersigned owners ("owner" without regard to number or gender) of the above-described land hereby certifies that: owner has caused a survey to be made of said land and to be prepared for the same. Owner hereby consents to the concurrent recordation of the plat and Declaration and hereby submits the described land to the provisions and requirements of the declaration, owner hereby dedicates any public streets reflected on the map for the use by the general public.

In witness hereof we have hereunto set our hands this _____ day of _____ A.D. 20____.

Acknowledgement

STATE OF UTAH } S.S.
COUNTY OF UTAH }

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by _____, who represented that he is the owner of the above-described property and has the authority to execute this instrument.

My Commission Number _____ Signed (a Notary Public Commissioned in Utah)

My Commission Expires _____ Print name of Notary

Acceptance by Legislative Body

The City of Lindon, County of Utah, approves this Subdivision subject to the Conditions and Restrictions stated herein, and hereby accepts the dedication of all streets, easements and other parcels of land intended for perpetual use of the public this _____ day of _____, A.D. 20____.

Mayor/Planning Commission Chair _____ City Engineer _____

Planning Director _____ City Recorder _____

City Attorney _____

Attest _____

Conditions of Approval

Plat " C "

Lindon Treasury Subdivision

Lindon City, _____ Utah County, Utah
Scale: 1" = 40 Feet

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDER SEAL
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Item 9: Lindon Harbor Industrial Condominiums Major Subdivision 220 S. 1250 W.

Date: March 24, 2020

Applicant: Dennis and Burl Franco

Presenting Staff: Michael Florence

General Plan: Light Industrial

Current Zone: Light Industrial

Property Owners: Dennis and Burl Franco

Parcel ID's: 45:241:0001

Type of Decision:

Administrative

Council Action Required:

Yes



SUMMARY OF KEY ISSUES

1. The applicants are seeking preliminary major subdivision approval for a 9-unit industrial condominium development;
2. The two buildings are existing and no new development is occurring with this proposal;
3. Condominium developments follow Utah Code Title 57 Chapter 8 for dividing property as well as Lindon City major subdivision requirements and processes;

OVERVIEW

1. The applicant has provided letters from both an architect and an attorney stating that the application follows the Utah Condominium Code Title 57 Chapter 8. The letters are attached to this report;
2. The proposed development meets the one-acre minimum lot size requirement for the LI zone;
3. The applicant has provided Covenants, Conditions and Restrictions (CC&R's) for the development;
4. A condominium plat includes sheets identifying both the internal floor area and vertical space.

MOTION

I move to recommend (approval, denial, or continue) of the applicant's request for preliminary approval of the Lindon Harbor Industrial Condominium Plat with the following conditions:

1. The applicant will continue to work with city staff to make all final corrections to the plat for recording;

2. Prior to plat recording the applicant will provide staff with a final plat mylar to include notarized signatures of owner's consent to dedication and obtain signatures of all entities indicated on the attached subdivision plat;
3. The plans and plat will meet and be constructed as per the relevant specifications as found in the Lindon City Development Manual;
4. Final Covenants, Conditions and Restrictions will be recorded with the subdivision plat;
5. All items of the staff report.

Surrounding Zoning and Land Use

North: Light Industrial – office warehouse

South: Light Industrial – office warehouse

East: Light Industrial – storage yard

West: Light Industrial – office warehouse

Lot Requirements – Light Industrial Zone

Required	Compliant
Minimum lot size: one acre	Yes

Subdivision Requirements 17.76.070

Required	Complaint
For condominiums, three dimensional drawings of buildings and building elevations.	Yes
developer shall submit a written statement by an attorney who is licensed to practice in Utah. This written statement shall be the attorney's opinion that the condominium declaration, the subdivision plat and the other supporting documentation comply in all respects with the Utah Condominium Ownership Act (UCA Sec. 57-8-1, et seq.) as well as all applicable federal, state and local laws and ordinances and that when the office of the Utah County Recorder has recorded the condominium declaration and final plat, the proposed project will be a validly existing and lawful condominium project in all respects.	Yes

Engineering Requirements

The City Engineer is working through technical issues related to the plat and civil engineering plans and will ensure all engineering related issues are resolved before final approval is granted.

EXHIBITS

1. Aerial photo
2. Plats
3. Compliance letters

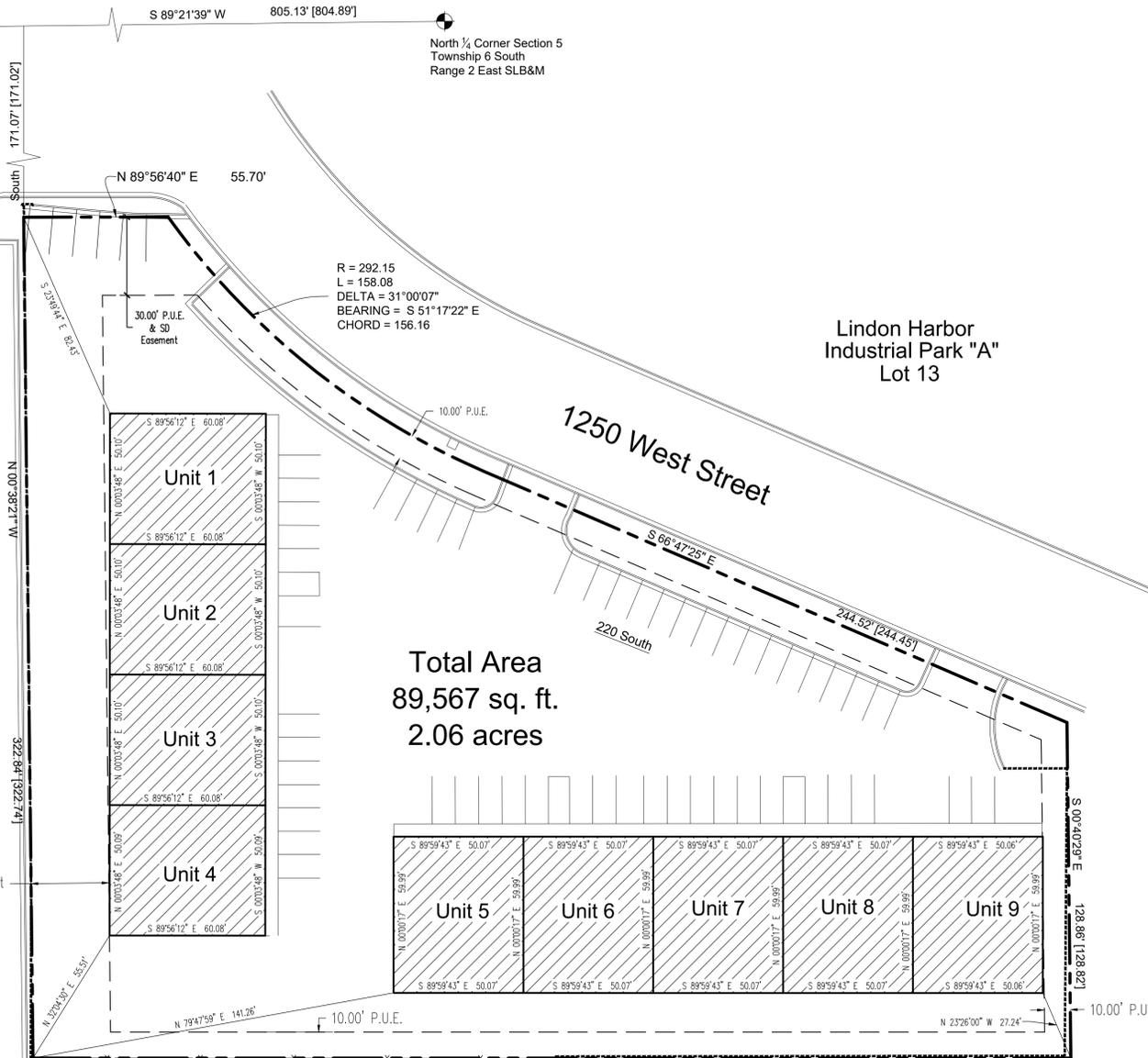




NORTH
1" = 30'

Northwest Corner Section 5
Township 6 South
Range 2 East SLB&M

North 1/4 Corner Section 5
Township 6 South
Range 2 East SLB&M

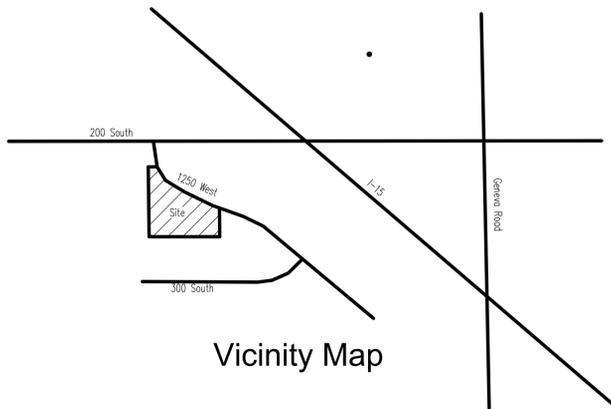
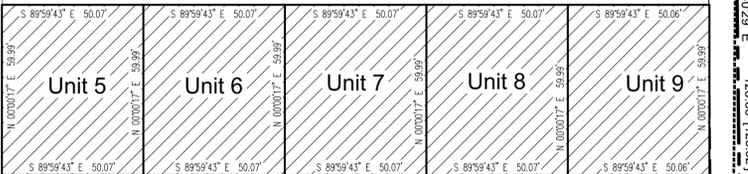
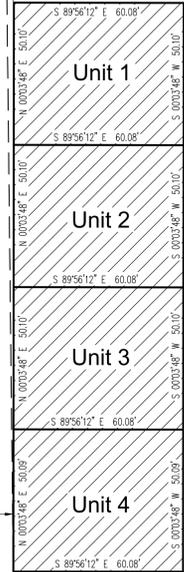


R = 292.15
L = 158.08
DELTA = 31°00'07"
BEARING = S 51°17'22" E
CHORD = 156.16

Total Area
89,567 sq. ft.
2.06 acres

30.00' Drainage Easement

171.07' [171.02']
M. 1286.00 N
322.84' [322.74']



Vicinity Map

Common Area
Private Area

Note:
For detailed building
dimensions refer to sheet 2

Subject to the Covenants, Conditions, and Restrictions
recorded herewith.

Addresses	
Unit 1	220 South
Unit 2	222 South
Unit 3	224 South
Unit 4	226 South
Unit 5	228 South
Unit 6	230 South
Unit 7	232 South
Unit 8	234 South
Unit 9	236 South

Developer:
Dennis Franco
2090 North Tuweap Drive #25
St George Utah 84770

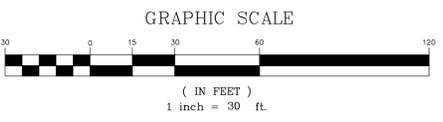
Engineer:
Dudley and Associates, Inc.
353 East 1200 South
Orem, Utah 84058
801-224-1252

Site Data:
Zone = LI
Total Area = 89,567 S.F.
Total number of Units = 9

Lindon Harbor
Industrial Park "B"
Lot 14

Sheet 1 of 2

U.S. Construction Inc.



Acceptance of Legislative Body

Approved this ___ day of _____, 2020, by Lindon City, approves this subdivision and hereby accepts the dedication of all Streets, Easements, and other Parcels of land intended for public purposes for the perpetual use of the public. The City recognizes that this plat clarifies ownership of property with the dedication shown hereon this ___ day of _____, A.D. 2020.

_____ Planning Commission Chair	_____ Planning Director
_____ City Engineer	_____ City Attorney
_____ City Mayor	_____ City Recorder

Surveyor's Certificate

I, _____ do hereby certify that I am a Professional Land Surveyor, and that I hold certificate No. _____ as prescribed under the laws of the State of Utah. I further certify that of the request of the owner of the below described land, I performed a survey of said land, that the description below correctly describes the land surface upon which defines _____ consisting of two (2) pages and is accurate and complies with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act. I further certify that the reference markers shown on this condominium plat are located as shown and are sufficient to readily retraced or reestablish this survey.

Date _____ Surveyor _____
(see seal below)

Boundary Description

COMMENCING S 89°21'39" W Along the Section Line 805.13' and South 171.07' from the North 1/4 Corner Section 5

TOWNSHIP 6 SOUTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN; THENCE AS FOLLOWS

BEARING	DISTANCE	REMARKS
N 89°56'40" E	55.70'	
Arc	158.08	Chord: S 51°17'22" E 156.16 Radius: 292.15 Curve to the Left
S 66°47'25" E	244.52	
S 00°40'29" E	128.86	
West	402.20	
N 00°38'21" W	322.84	
Area: 89,567 sq. ft. 2.06 acres		

BASIS OF BEARING = S 89°21'39" W Along the Section Line Nad 27

Owner's Certificate and Dedication

Know all men by these presents that we, the owners of the tract of land described hereon as _____ Lindon Harbor Industrial Condominiums _____ a Utah Condominium Project located on said tract of land, have caused a survey to be made and this record of survey map consisting of _____ sheet(s) to be prepared, do hereby give our consent to the recording of this condominium plat and submit this property to the Utah Condominium Ownership Act.

In witness hereof we have hereunto set our hands this ___ day of _____ 20__.

By: _____
Owner: Dennis E. Franco _____ Burl J. Franco _____

Utility Dedication

The owners of the parcel of land which is shown upon this condominium plat of _____ Lindon Harbor Industrial Condominiums _____ a Utah Condominium Project, do consent to the preparation and recording of this condominium plat and do hereby offer and convey to all public utility agencies and their successors and assigns a permanent easement and right-of-way as shown by the areas marked "Public Utility Easement" on the within condominium plat for the construction and maintenance of subterranean electrical, telephone, natural gas, telecommunications and appurtenances, together with the point of access thereto.

Reservation of Common Areas

The owners in recording this condominium plat of _____ Lindon Harbor Industrial Condominiums _____ a Utah Condominium Project, have designated certain areas of land as private, common areas and common areas for public utility easements, intended for the use by the condominium owners in _____ Lindon Harbor Industrial Condominiums _____ for ingress, business and other related activities. The designation areas are not dedicated hereby for the use by the general public but are reserved for the common use and enjoyment of the condominium owners in the _____ Lindon Harbor Industrial Condominiums _____ said declaration of covenants, conditions and restrictions is hereby incorporated and made a part of this condominium plat and becomes effective upon the date that this condominium plat is recorded in the Official Records of Utah County, Utah.

Acknowledgment

STATE OF UTAH } S.S.
COUNTY OF UTAH }
On the ___ day of _____, A.D. 20____, personally appeared before me the signers of the foregoing dedication who duly acknowledge to me that they did execute the same.

My Commission Expires _____ Notary Public
(See Seal Below)

Occupancy Restriction Notice

The City of Lindon has an Ordinance which restricts the occupancy of buildings within this subdivision. According, it is unlawful to occupy any building located within this subdivision without first having obtained a certificate of occupancy issued by the City.

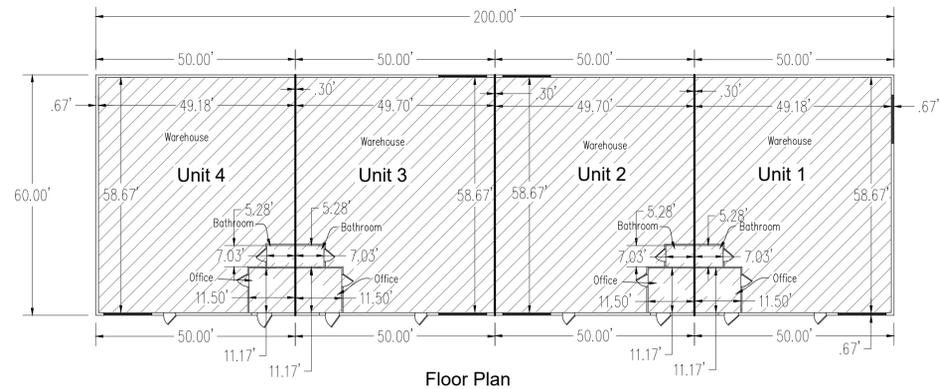
Sheets 1 of 2

Lindon Harbor Industrial
Condominiums

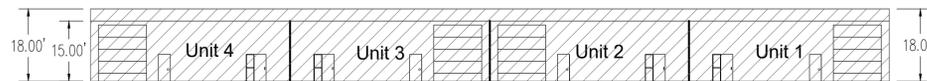
Including a Vacation of Lot 1, Plat "A", Lindon Harbor Industrial Park

Lindon City, _____ Utah County, Utah
Scale: 1" = 30 Feet

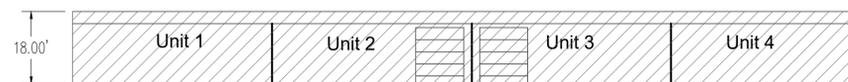
SURVEYOR'S SEAL	CITY-ENGINEER SEAL	CLERK-RECORDER SEAL
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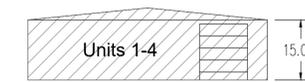
Floor Plan



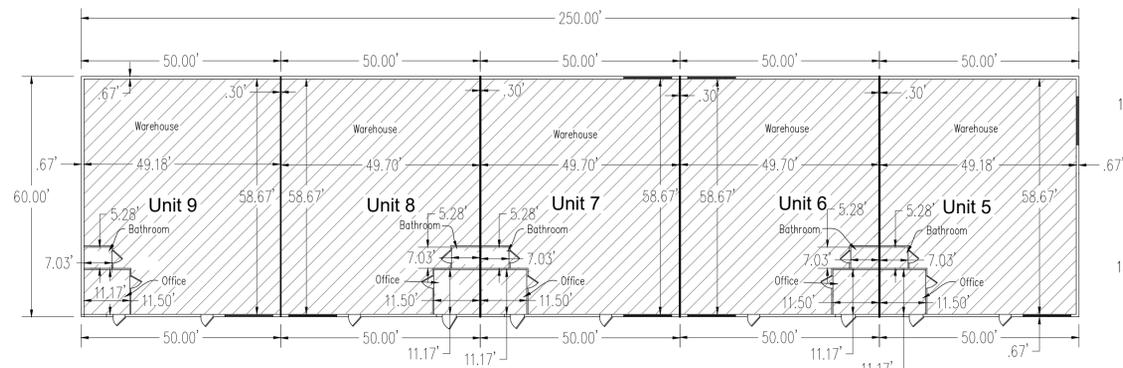
Front Elevation



Rear Elevation



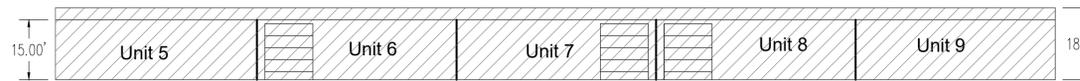
Side Elevation



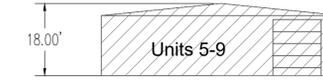
Floor Plan



Front Elevation



Rear Elevation



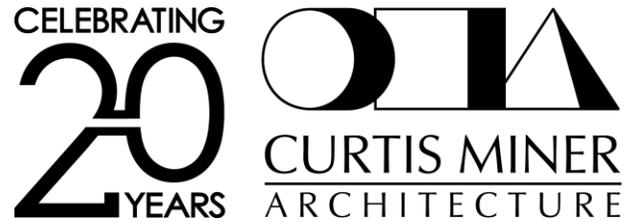
Side Elevation

Lindon Harbor Industrial Condominiums

PREPARED BY

 DUDLEY AND ASSOCIATES INC.

ENTRY No. _____
 STATE OF UTAH COUNTY OF _____
 RECORDED AND FILED AT THE REQUEST OF _____
 DATE _____ TIME _____ MAP _____
 Fee _____ COUNTY RECORDER _____



30 May 2019
28 February 2020 – Updated

Mr. Mike Florence
Planning and Economic Development Director
Lindon City
100 North State Street
Lindon, Utah 84042

Re: Condominium Review of Lindon Office / Warehouse Project

Dear Mike,

I have been asked by Jarrod Hunt and Gordon Jacobson of Colliers International to prepare this evaluation of an office / warehouse project located generally at 250 South on 1250 West Street to determine suitability of the project to be converted to a condominium under the Utah Condominium Ownership Act (Utah Title 57, Section 57-8).

On May 30, 2019 I conducted a site visit, interviewed all tenants of the facility and inspected their spaces to determine the exiting uses. And on February 28, 2020 I reviewed an updated condominium plat. Details of my visit will be presented below.

Background and Assumptions

Under the Utah Condominium Ownership Act (“Act”) building shells and all common property are held and managed by a condominium association. Units defined by the shell and demising walls have separate tax ID numbers and are owned and managed by individual owners. Each of these owners participates in the condominium association.

Unlike a project or building where spaces are legally separated into separate taxable properties outside the Act and require fire-rated separations from property lines based on building code regulations, spaces that are defined under the Act do not require fire-rated separations from property lines between units. Both scenarios require that occupancy classifications be determined for each individual space and, where required by building codes, be separated from adjacent uses through fire-rated assemblies.

For the purposes of this review, it is assumed that all existing construction at the project, including but not limited to allowable areas, restroom quantity and configuration, exiting, fire sprinklers, and construction materials and methods were properly permitted at the time of their construction and complied with the building codes and Lindon City standards in place at that time. Because conversion of the project to a condominium does not trigger review of existing construction (except occupancy separation walls as noted above), these items were not reviewed for building code compliance.

Evaluation

The subject project is comprised of two separate buildings, an East Building containing five individual units, and a West Building containing four. The following table illustrates the use in each of these units and the 2015 International Building Code fire-rated separation requirements between uses (Table 508.4).

East Building

Unit	Use Description	IBC Class	Separation Req.
Unit 1	CNC Shop (Alum. / Steel)	F-1	None
Unit 2	After-Market Auto Upgrades	F-1	None
Unit 3	General Vehicle Storage	S-1	None
Unit 4	General Boat Maint. and Storage	S-1	None
Unit 5	General Boat Maint. and Storage	S-1	None

West Building

Unit	Use Description	IBC Class	Separation Req.
Unit 1	Camera Equip. Manuf.	F-1	None
Unit 2	Drywall Manuf. Laboratory	F-1	None
Unit 3	General Building Mtrl. Storage	S-1	None
Unit 4	Crematorium	F-1	None

Summary

As a result of my site visit, review, and analysis of the subject property, **it is my opinion that no modifications are necessary to the buildings to convert the project from a single property to multiple properties under the Utah Condominium Ownership Act.**

Respectfully Submitted,



Curtis N. Miner, AIA, NCARB
Principal Architect

MCDONALD FIELDING PLLC

THE MILL AT DRY CREEK
175 W. CANYON CREST ROAD, SUITE 204
ALPINE, UTAH 84004
PHONE: 801-610-0010

DANIEL J. MCDONALD

E-MAIL: dan@mcdonaldfielding.com

February 27, 2020

Mike Florence
Planning and Economic Development Director
Lindon City
100 North State Street
Lindon, Utah 84042

RE: Legal Review of Lindon Harbor Industrial Condominiums Project

Dear Mr. Florence:

This law firm represents Dennis E. Franco and Burl J. Franco, owners of Lot 1, Plat "A", Lindon Harbor Industrial Park Subdivision (Serial No. 45:241:0001), which they intend to subdivide and develop into the Lindon Harbor Industrial Condominiums, a Utah condominium project, under an August 14, 2019, Land Use Application with Lindon City.

I have reviewed the revised proposed plat map and/or elevations prepared by Dudley and Associates, Inc. and the May 30, 2019, letter of compliance from Curtis N. Miner, AIA, NCARB. I prepared the proposed Declaration of Covenants, Conditions, and Restrictions of Lindon Harbor Industrial Condominiums and the proposed Bylaws of the Lindon Harbor Industrial Condominiums Owners Association.

I have reviewed the foregoing for compliance with Title 57, Chapter 8 of the Utah Code, also known as the Condominium Ownership Act (the "Act"). It remains my opinion that, in all material respects, it appears to me that the property is suitable for subdivision into a multi-unit industrial condominium project and that the declaration and bylaws comply with the Act.

Sincerely,

MCDONALD FIELDING



Daniel J. McDonald