Lindon City
Planning Commission
Staff Report

June 22, 2021

Notice of Meeting
Lindon City Planning Commission

The Lindon City Planning Commission will hold a regularly scheduled meeting on **Tuesday, June 22, 2021,** in the Council Room of Lindon City Hall, 100 North State Street, Lindon, Utah. The meeting will begin at **6:00 p.m.** This meeting may be held electronically to allow a commissioner to participate by video or teleconference. Meetings are broadcast live at www.youtube.com/LindonCity. 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 6/8/2021

3. **Public Comment**

4. **Conditional Use Permit – Willis Diesel – 1279 West 300 South**
Trevin Willis requests conditional use permit approval to use a portion of the property located at 1279 W 300 S., Lindon Utah for an auto repair business. (Parcel numbers: 45:241:0026) (10 minutes)

5. **Public Hearing for a recommendation to the Lindon City Council to amend ordinance 18.03.030 relating to Gasoline Price Signs – Impact Signs.** Impact Signs on behalf of Holiday Oil requests an amendment to ordinance 18.03.030 to allow for electronic changeable copy for gasoline pricing advertising. (15 minutes)

6. **Site Plan Approval – Pür Pickle – 195 North State Street**
Pür Pickle, LLC requests site plan approval for a one story, 9,421 square foot, private athletic facility consisting of four pickleball courts at 195 North State Street. (Parcel number: 45:567:0002) (20 minutes)

7. **Conditional Use Permit – Pür Pickle – 195 North State Street**
Pür Pickle, LLC requests conditional use permit approval to operate an athletic club in the General Commercial zone at 195 North State Street. (Parcel number: 45:567:0002) (10 minutes)

8. **Public hearing for a recommendation to the Lindon City Council to amend the Lindon City zoning map to Light Industrial for the rear portion of the property located at approximately 850 W. 200 S.** Lindon Self Storage, LLC requests a recommendation from the Lindon City Planning Commission for a zoning map amendment for the rear portion of the property located at approximately 850 W. 200 S. (Parcel number 14:065:0158). (15 minutes)

9. **Minor Subdivision – Lindon Self Storage Subdivision Plat "A" – Approximately 850 W. 200 S.**
Lindon Self Storage, LLC is seeking minor subdivision approval for a two-lot subdivision at approximately 850 W. 200 S. and 122 S. 800 W. (Parcel Numbers 14:065:0219, 14:065:0213, 14:065:0188, 14:065:0212, 14:065:0209) (45 minutes)

10. **Site Plan Approval – Lindon Self Storage – approximately 850 W. 200 S.**
Lindon Self Storage, LLC requests site plan approval for 75 storage units and accompanying office building located at approximately 850 W. 200 S. (Parcels 14:065:0219, 14:065:0213, 14:065:0188, 14:065:0212) (15 minutes)

11. **Major Subdivision – Lindon Self Storage Plat "B" and "C" – Approximately 850 W. 200 S.**
Lindon Self Storage, LLC is seeking preliminary major subdivision approval for 75 storage unit commercial condominiums at approximately 850 W. 200 S. (Parcels 14:065:0219, 14:065:0213, 14:065:0188, 14:065:0212). (15 minutes)

Notice of Meeting
Lindon City Planning Commission

12. Public Hearing for a recommendation to the Lindon City Council to amend the Lindon City Standard Land Use Table relating to Wedding/Event Reception Centers. Lindon City requests an amendment to the Standard Land Use Table in the Lindon City Code to modify the Wedding/Event reception Center use. (15 minutes)

13. 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.

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: 6/18/2021 **Time:** 5:00 pm
Place: Lindon City Center, Lindon Police Station, Lindon Community Center

Notice of Meeting
Lindon City Planning Commission

Item 1 – Call to Order

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

The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, June 8, 2021 beginning at 6:00 p.m.** at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

REGULAR SESSION – 6:00 P.M.

Conducting:	Sharon Call, Chairperson
Invocation:	Mike Marchbanks, Commissioner
Pledge of Allegiance:	Rob Kallas, Commissioner

PRESENT	**EXCUSED**
Sharon Call, Chairperson	Jared Schauers, Commissioner
Rob Kallas, Commissioner	
Mike Marchbanks, Commissioner	
Steven Johnson, Commissioner	
Scott Thompson, Commissioner – arrived 7:37	
Renee Tribe, Commissioner – arrive 7:35	
Mike Florence, Planning Director	
Anders Bake, Associate Planner	
Kathryn Moosman, City Recorder	

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

2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the Planning Commission meeting of May 25, 2021 were reviewed.

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MAY 25, 2021 AS PRESENTED. COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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

CURRENT BUSINESS –

4. **Public Hearing for a recommendation to the Lindon City Council to amend ordinance 17.32.110(5) relating to double frontage lots – Millhaven Homes.** Millhaven Homes requests an amendment to ordinance 17.32.110(5) to allow and adopt standards for double frontage lots.

COMMISSIONER MARCHBANKS MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER JOHNSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUISLY.

Mike Florence, Planning Director opened this agenda item by stating Millhaven Homes is petitioning for a request to amend the Lindon City subdivision code regarding the requirements for double frontage lots. He noted a double frontage lot is generally defined as a lot having frontage on two nonintersecting streets. He went on to say that Title 17.32.110(5) currently allows double frontage lots only when approved by the planning commission and for reasons of topography. He noted Millhaven Homes has a customer who has an existing home 102 South 140 West and desires to purchase an adjoining lot in the newly created Lindon Treasury Plat D subdivision to extend the owners rear yard and this proposed amendment would allow double frontage lots in three situations.

Mr. Florence explained residential lots in subdivisions or existing parcels where the rear yard abuts arterial or collector streets as identified on the Lindon City Street Master Plan Map. He noted these types of double frontage lots shall be accessed from internal Local streets only as identified on the Lindon City Street Master Plan Map. He added that concrete, curbing, landscaping or landscape rock may be installed at the base of the fence and extend to the sidewalk to prevent weeds from growing and protruding under the fence and into the public right-of-way and all clear view requirements shall be met for fencing.

Mr. Florence further explained that combining of two residential lots or parcels and where the property would be accessed from two Local streets is identified on the Lindon City Street Master Plan Map. He noted as part of the approval, a wall or view obstructing fence is allowed when the fence is setback ten (10) feet from the sidewalk, it must meet clear-view requirements, the setback is landscaped, and a gate is installed for landscape maintenance and snow removal. He pointed out when a non-view obstructing fence is placed on the rear property line, concrete, curbing, landscaping or landscape rock shall be installed at the base of the fence and may extend to the sidewalk to prevent weeds from growing and protruding under the fence and into the public right-of-way.

Mr. Florence stated building structures shall be setback thirty (30) feet from the rear property line. Vehicle access to the rear yard is allowed when the requirements of this section are met. For double frontage lots zoned commercial or industrial, access shall be from arterial or collector streets only. Emergency access to a local street, as identified on the Lindon City Street Master Plan Map, may be considered by the land use authority when required for emergency access.

Mr. Florence went on to say that Lindon City has existing double frontage lots for both residential, commercial and industrial properties. He directed the Commission when considering double frontage lots there are a number of factors that come into play. For example, some communities interpret double frontage lots as having two front yards because there is frontage on both streets. He mentioned that the draft ordinance proposes that the city will designate both a front and rear yard for each double frontage lot. He noted a second consideration is maintenance of the rear portion of the double frontage lot. Many times, with double frontage lots, fences are installed on the rear portion of the property and there is a lack of snow removal and landscape maintenance, and clear-view obstructions for vehicle backing on to the street. These issues then affect the other homeowners whose homes front on the street.

Mr. Florence stated the draft ordinance also seeks to address the concerns of landscape maintenance by requiring a fence setback for double frontage lots with a solid on Local Streets; the 10-foot setback allows sufficient space for landscaping to

successfully grow. He noted the draft ordinance also requires fence gates be installed for double frontage lots on Local streets for easy access to address landscape and snow removal maintenance. For fencing on Arterial or Collector streets, fencing can be installed at the property line which is typically two-feet behind the sidewalk so that the two feet doesn't become a nuisance with weeds, a home owner is allowed to install concrete, curbing, landscaping or landscape rock. He commented that City Staff did not address a gate for these fences because many of these neighborhoods are developments with Home Owners Associations like Anderson Farms and Creekside Retirement; for vehicle rear yard access, clear-view requirements will still need to be met. He added that a property owner has many options from additional fence setbacks to installing a portion of the fence with an unobstructed view like a wrought iron or picket type fencing.

Mr. Florence then presented the Current ordinance, Draft ordinance, Site plan and photos of double frontage lots followed by some general discussion.

Following some additional discussion, the Commission was in agreement this is a pretty straightforward request and meets all requirement and agreed to approve this request with the condition as listed in the motion.

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

COMMISSIONER JOHNSON MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER KALLAS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUISLY.

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

COMMISSIONER JOHNSON MOVED TO RECOMMEND APPROVAL OF ORDINANCE AMENDMENT #2021-8-O WITH THE MINOR LANGUAGE CHANGE AS DISCUSSED. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE

THE MOTION CARRIED UNANIMOUSLY.

5. **Site Plan Approval – Millhaven Office – 295 N. State Street.** Millhaven Homes requests site plan approval for the construction of a two story, 13,400 square foot, office building located at 295 N. State Street. (Parcels 48:486:0019)

Mr. Florence also led this agenda item by explaining for site plan approval, the planning commission will be evaluating whether this site plan and building meet Title 17 development regulations and commercial design standards. He explained the applicant proposes to construct a two story, 13,400 square foot, office building. He noted the new office building will be the new corporate offices for Millhaven Homes and the subject property is located at 295 North State Street. He explained the parking standards are

based on the zone and the different uses in the building and their respective square footage.

Mr. Florence pointed out that primary access will be from State Street and a secondary access to 200 North. He indicated when the planning commission approved the minor subdivision in 2017, they conditioned the approval on the development being designed so any new development is discouraged from accessing Lakeview Road. He noted the provided landscape plan currently does not meet the Commercial General ordinance requirements and city staff has provided comments to the applicant and they are working on an updated plan. He clarified that Staff has made the updated site plan a condition of approval to be submitted to the City for final review and approval.

Mr. Florence then went over the Site Requirements noting the proposed plan meets the minimum lot size requirement of 20,000 square feet (the site is 31,780 square feet). He noted all building setback requirements are met. He pointed out that buildings in the Commercial General zone are required to meet the Lindon Commercial Design Standards. Mr. Florence stated under the commercial design standards, commercial development should pick one of three building forms: one-part commercial block, two-part commercial block, and central block buildings. The proposed building most aligns with the one-part commercial block building. He also referenced the standards for this type of building in the Commercial Design Standards:

Mr. Florence noted the City Engineer is working through any technical issues related to the site plan and will conduct a final review if the planning commission grants final site plan approval. He noted city staff believes that this development will be a nice amenity to Lindon City. He did mention there are two items identified that don't meet the code which are the landscape plan and the requirement for 85% brick. He pointed out that the applicant is in the process of updating the landscape plan. He pointed out if the commission is comfortable adding this as a condition of approval, then staff can do the final review once the plans are updated. He also spoke on the requirement of 85% brick, noting the applicant is requesting that the commission consider the use of a variety of building materials. For the east façade, the windows and brick make up 49.8% of the façade materials. He indicated the ordinance does allow the commission some flexibility in working with an applicant on the final material design.

Mr. Florence then presented an Aerial photo, Site plan, building elevations Landscaping Plan and approved subdivision plat from 2017 followed by discussion.

Following some additional discussion, the Commission agreed this meets all requirements and were in agreement to approve this site plan request as presented with the conditions as listed in the motion.

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

COMMISSIONER MARCHBANKS MOVED TO APPROVE THE APPLICANT'S REQUEST FOR SITE PLAN APPROVAL WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL FINAL CORRECTIONS TO THE ENGINEERING DOCUMENTS; 2. THE PLANS WILL MEET DEVELOPMENT SPECIFICATIONS AS FOUND IN THE LINDON CITY DEVELOPMENT MANUAL; 3. FINAL DESIGN WILL MEET THE COMMERCIAL DESIGN STANDARDS FOR COMMERCIAL SITES AND BUILDINGS; 4. AN UPDATED LANDSCAPE PLAN BE SUBMITTED

TO THE CITY FOR REVIEW AND APPROVAL; 5. THE ADA STALLS BE LOCATED ON THE SAME PROPERTY AS THE OFFICE BUILDING; 6. THE APPLICANT WILL COMPLY WITH ALL BONDING REQUIREMENTS, IF APPLICABLE; AND 7. ALL ITEMS OF THE STAFF REPORT. COMMISSIONER KALLAS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
COMMISSIONER TRIBE	AYE

THE MOTION CARRIED UNANIMOUSLY.

6. **Public Hearing for a recommendation to the Lindon City Council to amend the Lindon City General Plan Land Use map from Commercial and Research and Business to Mixed Commercial – Approximately 523 W. 400 S**. Kent Nitta requests a recommendation from the Lindon City Planning Commission for a General Plan amendment for the two properties located at approximately 523 W. 400 S. (Parcels 40:283:0007 & 17:015:0121

COMMISSIONER MARCHBANKS MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER THOMPSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUISLY.

Anders Bake, Associate Planner opened this agenda item by explaining the item is to determine whether to recommend approval of a request to change the Zoning Map designation of the subject property from Planned Commercial-1 (PC-1) and Research and Business (R&B) to Mixed commercial (MC). He noted this request also requires a General Plan Map amendment. He explained that tonight the Planning Commission will decide whether to recommend approval of a request to change the General Plan Map from Commercial and Research and Development to Mixed Commercial.

Mr. Bake stated the applicant, Kent Nitta, and James Bollington who are in attendance, is requesting to rezone two parcels that are zoned Planned Commercial-1 (PC-1) and Research and Business (R&B) into Mixed Commercial (MC) in order to construct two office/warehouse buildings on the property. This type of building is not permitted in the Planned commercial-1 or Research and Business zones but is permitted in the Mixed Commercial Zone.

Mr. Bake explained the property owner and applicants feel like they have had a difficult time find users for the site that can meet the PC-1 and Research and Business use categories. He further explained that the applicants are not intending to allow manufacturing uses at the building, but their intent is to allow for more of the commercial users that also need fulfillment warehouse areas. He noted the subject parcel is 9.76 acres and is currently vacant and unused property. He advised that the planning commission will be making a recommendation to the city council for this rezone request and General Plan Map amendment request. He noted the applicant will also be required to receive site

plan and subdivision approvals for their project. He noted staff has provided two separate motions to address the applications.

Mr. Bake stated Mr. Nitta is proposing a General Plan Map amendment for the subject property to the Mixed Commercial designation. The Lindon General Plan states the following purpose for areas designated as Mixed commercial:

"This category includes general commercial, low intensity light industrial, and research and business uses; includes areas typically zoned MC."

He noted the General Plan designation of Mixed Commercial would support the proposed rezone and office/ warehouse construction of the property. The following map shows the current General Plan Map for the subject property and the surrounding area.

Mr. Bake commented that the Standard Land Use Table designates the permitted uses in the Planned Commercial-1, Research and Business, and Mixed Commercial Zones. He also referenced Exhibit 4 that shows a portion of the Standard land Use Table with the permitted manufacturing, wholesale trade, retail trade, and service use for these three zones. He also referenced the table in the staff report that shows that all manufacturing and wholesale trade uses are not permitted in the Planned Commercial-1 and Research and Business zones but some of these uses are permitted in the Mixed Commercial zone.

Mr. Bake went on to say the Planned Commercial-1 and Research and Business zones permit a limited amount of retail trade and service uses while the mixed commercial zone allows for a few additional uses. Mr. Bake also explained that properties in the Mixed Commercial zone follow the development requirements in section 17.50 of the Lindon City Code. The purpose section of this ordinance states the following:

"It shall be the purpose of the MC District to provide areas in appropriate locations where low intensity light industrial (contained entirely within a building), research and development, professional and business services, retail and other commercial related uses not producing objectionable effects may be established, maintained and protected. The regulations of this district are designed to protect environmental quality, compatibility, competitiveness, and aesthetics of the district and adjacent areas."

Mr. Bake stated the city has typically applied the Mixed Commercial zone to individual properties or clusters of a few properties scattered throughout the city. Mr. Bake noted public hearing notices, were published in the Daily Herald newspaper on May 26, 2021 and City Staff has not received any public comments back regarding this application. He then presented the Surrounding Area Zoning Map, Site plan concept, building rendering concept and Standard Land Use Table selection followed by discussion.

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

COMMISSIONER JOHNSON MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER TRIBE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUISLY.

Commissioner Kallas expressed his concerns that we may be "jumping ship" too quickly. He pointed out we've got a Lexus Class A dealership and the Hyundai

dealership is expanding, He also pointed out we have class A office space (across the street in Orem) and also Research and Development. He agreed these are beautiful buildings no doubt, but suggested it may be wise to review what could possibly go in at this location. He commented that the examples shown are at the top tier.

Following some additional discussion, the Commission was in agreement to recommend approval of the general plan map amendment with the conditions as listed in the motion.

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

COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL OF ORDINANCE #2021-11-O TO AMEND THE LINDON CITY GENERAL PLAN MAP FROM COMMERCIAL AND RESEARCH AND DEVELOPMENT TO COMMERCIAL AT APPROXIMATELY 400 SOUTH LINDON PARK DRIVE WITH PARCEL NUMBERS 40:283:0007. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
COMMISSIONER TRIBE	AYE

THE MOTION CARRIED UNANIMOUSLY.

7. **Public hearing for a recommendation to the Lindon City Council to amend the Lindon City zoning map from PC-1 and RB to MC – Approximately 523 W. 400 S**. Kent Nitta requests a recommendation from the Lindon City Planning Commission for a zoning map amendment for the two properties located at approximately 523 W. 400 S. (Parcels 40:283:0007 & 17:015:0121)

COMMISSIONER MARCHBANKS MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER JOHNSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUISLY.

Mr. Bake stated the information for this agenda item was included in the previous agenda item. He noted all that is needed for this item is a motion for a recommendation to the Lindon City Council to amend the Lindon City zoning map from PC-1 and RB to MC located at approximately 523 West 400 South if the commission so chooses.

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

COMMISSIONER KALLAS MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER TRIBE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUISLY.

Chairperson Call called for any further comments or discussion from the

Commission. Hearing none she called for a motion.

COMMISSIONER KALLAS MOVED TO RECOMMEND APPROVAL OF ORDINANCE #2021-12-O TO AMEND THE LINDON CITY ZONING MAP FROM PLANNED COMMERCIAL-1 (PC-1) AND RESEARCH AND BUSINESS (R&B) TO REGIONAL COMMERCIAL (MC) AT APPROXIMATELY 400 SOUTH LINDON PARK DRIVE WITH PARCEL NUMBERS 17:015:0121 AND 40:283:0007. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
COMMISSIONER MARCHBANKS	AYE
COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
COMMISSIONER TRIBE	AYE

THE MOTION CARRIED UNANIMOUSLY.

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

Chairperson Call asked for an update from the city council discussion last night on the Norton Property. Commissioner Thompson stated he was in attendance and gave an update of the discussion. He stated the item was a split vote and tied 2 to 2 so the mayor voted to break the tie. The mayor voted nay so the proposal was denied. He also spoke on the presentation on 700 North (db Urban) noting it was very informative. Commissioner Kallas spoke on the Lindon Nursery and the broken-down lawnmowers on State Street and if this is in violation of city code. Mr. Florence stated he will check into this issue.

9. **Planning Director Report –** General City Updates.

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

ADJOURN –

COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE MEETING AT 8:15 PM. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Approved – June 22, 2021

_____
Sharon Call, Chairperson

_____
Michael Florence, Planning Director

Item 4: Conditional Use Permit – Vehicle Repair Business
Willis Diesel

Date: June 22, 2021
Applicant: Trevin Willis (Willis Diesel)
Presenting Staff: Anders Bake

General Plan: Light Industrial
Current Zone: Light Industrial

Property Owner: LCD LAMOREAUX LLC
Address: 1279 W 300 S suite 5
Parcel ID: 45:241:0026
Lot Size: 2.21 acres

Type of Decision: Administrative
Council Action Required: No



SUMMARY OF KEY ISSUES

To review a conditional use permit for an auto repair 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 property located at 1279 W 300 S suite 5 for an auto repair business, with the following conditions:

1. Vehicles may not be stored outdoors for longer than 72 hours unless the owner is waiting on delivery of parts;
2. No automobile parts will be stored outside of the building;
3. The applicant will comply with all of the Light Industrial Special Provisions requirements found in section 17.49.090 of the Lindon City Code; and
4. All items of the staff report.

OVERVIEW

1. Trevin Willis requests conditional use permit approval to operate an auto repair business at 1279 W. 300 S. suite 5. The Standard Land Use Table requires that businesses doing vehicle repair in the Light Industrial Zone obtain a Conditional Use Permit.
2. The proposed business, Willis Diesel, will perform all work indoors and within their unit.
3. Notices were mailed on June 11, 2021 to adjoining property owners in accordance with Lindon City Code Section 17.14.50 Third Party Notice. Staff has received no public comment at this time.

SURROUNDING ZONING AND LAND USE

North: **LI** – industrial office/warehouse
East: **LI** – industrial office/warehouse and outdoor storage
South: **Vineyard City Flex Office & Industry** – office/warehouse

West: **LI** – industrial office/warehouse and outdoor storage

DEVELOPMENT STANDARDS

Building, Site, and Landscaping

Willis Diesel will be using one of six commercial units in the building at 1279 West 300 South. The property is in the Lindon harbor Industrial Park Plat "A" Subdivision. This subdivision was recorded in August 1997 and the building was completed in November 2020. The building and site comply with Lindon City Code requirements. The applicant is not planning to do any construction on the building and will not be required to make any changes to the building or site.

Parking

There are six parking stalls available on the property that are allotted to this business unit. The business will have two employees working at the property. Customers will only come to the property to drop off and pick up vehicles.

STAFF ANALYSIS

Based on the business description that was provided, it is expected that this business will have a minimal impact on surrounding properties and will be compatible with other uses in the Light Industrial Zone.

EXHIBITS

1. Business description
2. Site Plan
3. Liquid Waste plan

Willis Diesel Proposed use at 1279 W 300 S Lindon, UT, 84042

Willis Diesel is a light duty diesel shop that focuses mainly on small repairs to GMC, Dodge, and Ford pick up trucks in the Utah County area. We operate Monday-Friday 8:00 am-5:00 pm. There are 6 allotted parking spots in the front of garage 5 where customers, employees park. We have 2 employees, both which are mechanics. Customers do not stay at the business while their truck is being worked on it is a drop off and pick up location.

Willis Diesel has been in business since Feb 2018 in Pleasant grove Utah and has made the move to Lindon city. We do not see any consistent increase in traffic over a certain period of time during business hours because it is a drop off and pick up location. All work including noise and debris is contained in the shop which has 3 bays we conduct work at. We will not have process water that is going into the sewer. There is sufficient water for our needs as a business and intended land use.

300 south

other unit

other unit

other unit

willis diesel
3 bay shop

garage
5

other business parking

Willis Diesel

Liquid Waste Storage and Maintenance Plan

Willis diesel uses products such as engine oils, transmission fluid, gear oil, steering fluid, and antifreeze as needed. If we need to replace and drain the fluids, we use a mobile catch container under the vehicle for collection of waste. Once full we empty into a large approved waste container that is then picked up by Rock Canyon Oil for recycling. In the event of a spill, we carry floor dry which is used to absorb the product and then disposed of appropriately. We have an understanding of disposal of such chemicals and the importance of it being done effectively for the environment. We will use all solutions to prevent pollution.

Item: 5 - Ordinance Amendment – Impact Signs on behalf of Holiday Oil
Title 18.03.030 – Gasoline Price Signs

Date: June 22, 2021 **Applicant**: Impact Signs **Presenting Staff**: Michael Florence **Type of Decision**: Legislative **Council Action Required**: Yes, the planning commission is the recommending body on this application.	**MOTION** I move to recommend to (*approve, deny, continue*) ordinance amendment 2021-9-O (*as presented, or with changes*).

Overview:

- Impacts signs is requesting an amendment to the City sign code.
- Holiday Oil is currently under construction for a new convenience store at the corner of Geneva Road and 700 N.
- The applicant's purpose in requesting an ordinance amendment is that they feel the electronic changeable copy signs are safer and easier for employees since they will not need to go out near the road to change out pricing in bad weather. It also allows corporate to change the pricing from headquarters when they change all the other price changers at other locations.
- A new sign type has been created called Gasoline Price Signs. These signs would be specific to gasoline stations only to allow for electronic changeable copy for gasoline pricing.
- Currently, the City does not permit any type of electronic copy or message center signs.
- The proposed amendment would allow Gasoline Price Signs with the following regulations:

    1. Gasoline Price Signs require a sign permit from the City and are only permitted on the premises of a gasoline service station.
    2. Permitted only as a monument sign and shall be included in the overall permitted square footage calculation for the sign area as determined in this chapter.
    3. Gasoline price signs are permitted to have electronic or manual changeable copy.
    4. Electronic changeable copy shall change only to update gasoline prices. Electronic changeable copy shall not scroll, flash, fade in or out, show video, or transition through multiple fuel prices.
    5. The electronic changeable copy sign area for each individual price shall not exceed six (6) square feet.
    6. Gasoline Price Signs shall be located along arterial or collector streets only as identified on the Lindon City Street Master Plan Map. A business is only allowed one Gasoline Price Sign along an arterial or collector street unless located on a corner lot where each abutting street is an arterial or connector street, the business then may have one Gasoline Price Sign on each arterial or collector street.
    7. Such signs shall be installed with automatic dimmers to adjust the brightness of the electronic changeable copy throughout the day and night.

Staff Analysis:

For the ordinance amendment there are three sections of the sign code that are proposed to be amended and are outlined as follows:

- Adding the definition of Gasoline Price Sign

  18.03.020 – Definitions
  "Gasoline Price Sign" A sign which is used to advertise the price of gasoline at gasoline service stations.

- Copy Signs – Electronic or Mechanical. Adding a reference that Electronic Changeable Copy Signs are allowed with specific regulations under the Gasoline Price Sign type requirements.

  18.03.030 – Specific Regulations by Sign Type
  Changeable Copy Signs – Electronic or Mechanical.
  1. Electronic Changeable Copy signs (such as LED's or flat-panel digital technologies) and mechanically changeable copy signs are only permitted in the T-zone along the I-15 freeway corridor or as a Gasoline Price Sign. See specific Electronic Changeable Copy Sign regulations for Gasoline Price Signs under Gasoline Price Sign type.

- Proposed Language for Gasoline Price Sign
  18.03.030 – Gasoline Price Sign Requirements

  1. Gasoline Price Signs require a sign permit from the City and are only permitted on the premises of a gasoline service station.
  2. Permitted only as a monument sign and shall be included in the overall permitted square footage calculation for the sign area as determined in this chapter.
  3. Gasoline price signs are permitted to have electronic or manual changeable copy.
  4. Electronic changeable copy shall change only to update gasoline prices. Electronic changeable copy shall not scroll, flash, fade in or out, show video, or transition through multiple fuel prices.
  5. The electronic changeable copy sign area for each individual price shall not exceed six (6) square feet.
  6. Gasoline Price Signs shall be located along arterial or collector streets only as identified on the Lindon City Street Master Plan Map. A business is only allowed one Gasoline Price Sign along an arterial or collector street unless located on a corner lot where each abutting street is an arterial or connector street, the business then may have one Gasoline Price Sign on each arterial or collector street.
  7. Such signs shall be installed with automatic dimmers to adjust the brightness of the electronic changeable copy throughout the day and night.

As staff has reviewed the applicant's proposal, the sign type would be limited to gasoline service stations only and the electronic portion for each advertised pricing area are limited in size to six square feet. These signs will not be allowed to flash, show video, or transition through different pricing. One benefit to these signs is that the sign does look for more professional. There are times when the numbers look worn or are missing for manual changeable copy signs. With electronic signs there are always concerns about brightness. City staff requested information from the applicant and received the following response:

the electronic components have a photo controlled “eye” that updates constantly 24 hours a day so the lighting is not too dim or bright.

Lindon City has two existing gasoline convenience stores and the new Holiday Oil under construction. All three stores are located on corners as well as located on arterial or collector streets.

- The 7-11 at 700 N. State Street has monument signs located on both 700 N. and State which could be converted to the Electronic Changeable Gasoline Price Signs if desired. This store just installed a new monument sign on State Street due to a vehicle hitting the previous sign.
- The 7-11 Store at State and Center has a non-conforming detached sign. For this store to install Gasoline Price Signs they may be required to remove the existing sign since it is non-conforming.
- The new Holiday Oil is proposing monument signs for both 700 N. and Geneva. See attached.

Exhibits

1. Pictures of existing signs at existing convenience stores in Lindon
2. Draft ordinance – Changes are highlighted
3. Holiday Oil sign plans

Exhibit 1

700 N. View – 7-11



State Street View – 7-11



State and Center View– 7-11



Chapter 18.03
DEFINITIONS AND REGULATIONS

Sections:

18.03.010 Construction of terms.
18.03.020 Definitions.
18.03.030 Specific regulations by sign type.

18.03.010 Construction of terms.

Words in the present tense include the future and the future includes the present; the singular number includes the plural and the plural the singular. The words “lot”, “plot”, “tract” and “parcel” shall be considered synonymous when the context so requires. The term “erect” means “construct”, “alter”, “move”, “reconstruct”, “modify”, “expand:, “extend”, “rebuild”, “convert”. The words “shall” and “must” are always mandatory. The term “City” shall mean Lindon City. The term “City Attorney” shall mean the City Attorney of Lindon City.

18.03.020 Definitions.

Any type of sign not defined or listed in this ordinance is prohibited, except for those types of signs specifically identified in the Lindon City Commercial Design Guidelines which may be permitted by the Planning Commission if the signs are part of a pedestrian oriented commercial development consistent with the Design Guidelines.

“A-frame sign” means any sign composed of two (2) sign faces mounted or attached back to back or a sign structure built in such a manner as to form a basically triangular vertical cross section through the faces or structure.

“Abandoned sign” means any sign or structure, excluding billboard signs, which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity and has not done so for one-hundred and twenty (120) consecutive days.

“Area of a sign” shall be computed by enclosing the entire area within a geometric shape of the smallest size sufficient to cover the entire area of the sign and then computing the area of the geometric shape. Where a sign has more than two (2) faces, the area of the third face and all additional faces shall be included in determining the area of the sign. The area of all legal signs in existence at the time of the enactment of this title shall be included in the computation of the total area of signs permitted by this title.

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“Awning sign” means any sign that is part of or attached to an awning, canopy or other fabric, plastic, metal or similar structural protective cover over a door, entrance or window.

“Back-lit awning sign” means any awning which is made from fiberglass, plastic, or other translucent material that allows for illumination of the entire awning when lighting is placed behind or underneath it.

“Balloon sign” means any sign that is any lighter- than-air or gas-filled balloon attached by means of a rope or tether to a definite or fixed location. Displays designed to inflate - or move by use of a fan or blower - shall also be considered a balloon sign.

“Banner sign” means any sign made of fabric or any non-rigid material with no enclosing framework. Banner signs are most commonly seen attached or hung vertically, horizontally, or diagonally on (or between) buildings, fences, posts, poles, etc. and can be seen in a wide variety of shapes and sizes.

“Billboard” means any sign erected for the purpose of advertising or promoting a product, event, person, or subject not entirely related to the premises on which the sign is located. For the purpose of this definition, bus benches shall not be defined at a billboard.

“Building face or wall” means all window, door, and wall area of a building in one plane or elevation.

“Changeable Copy sign - Electronic” means any sign whose informational content, display or copy can be changed or altered by electronic means - such as an LED sign, flat-panel digital screen, video projection or other similar electronic method.

“Changeable Copy sign – Manual” means any sign whose informational content, display or copy can be changed or altered by manual means. (Commonly seen as a sign with a white background and removable black lettering. Also can be referred to as a “marquee sign”).

“Changeable Copy sign – Mechanical” means any sign whose informational content, display or copy can be changed or altered by mechanical mechanisms, gears or other similar method.

“Commercial Complex” means a group of two (2) or more businesses in one (1) or more freestanding building(s) and which is contained on one (1) parcel of record or which is approved as a part of an overall site plan or commercial subdivision. For the purposes of this title, planned commercial developments and commercial condominium projects are considered commercial complexes.

“Clear Vision Areas” means a triangular area established at the intersection or two (2) streets or at the intersection of a street and a driveway. Such a triangle shall have legs of forty feet (40') along the right-of-way and/or the driveway.

“Commercial condominium project”. See “Commercial complex.”

“Copy” means the wording or display on a sign face.

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"Directional sign" means any sign used to direct traffic flow into or out of a parking lot through a City approved drive approach.

"Flags" means any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or charitable organization.

"Flashing sign" means any sign which has a flashing light source, such as a strobe light, or "rapidly" blinking LED lights.

"Frontage" means the width of the parcel of land which faces upon a dedicated street. The frontage definition for the "Monument Sign Table" shall mean the street frontage from which the sign is designed to be read from.

"Garage or Yard sale sign" means any sign used to advertise an event commonly known as a "Garage or Yard sale".

"Gasoline Price Sign" A sign which is used to advertise the price of gasoline at gasoline service stations.

"Government sign" means any sign erected by or for the United States or any subdivision or agency thereof, or the State of Utah or any political subdivision or agency thereof.

"Grade (ground level)" means the average elevation of the ground level at the point that a sign emerges from the ground. For signs located on a bermed surface, grade shall mean the average elevation of the ground level at the base of the berm.

"Height of sign" means the vertical distance measured from the grade to the highest point of the sign or sign structure.

"Holiday sign" means any sign such as Christmas decorations or those used for a recognized national, state, or local holiday and installed for a limited period of time.

"Home Occupation sign" means a sign used to identify a home occupation in a residential dwelling unit.

"Incidental sign" means a sign, generally informational, that has a purpose secondary to the use of the property on which it is located, such as "no parking," "loading only," "telephone," "welcome home," "happy birthday," "it's a girl/boy," and other similar messages. A sign with a commercial message shall not be considered incidental.

"Interior property line" means a property line other than one having frontage along a dedicated street or a private street.

"Interior sign" means any sign placed within the interior of a building and which is not intended to be visible from a public street.

"LED Signs". (LED stands for "Light Emitting Diode"). LED signs typically produce a high intensity light by having many individual LED bulbs placed together in a series and are commonly seen displaying changing

copy or messages that flash, scroll, or move across the sign. Many LED signs are bright red, yellow, or auburn and are considered a type of electronic “Changeable Copy’ sign.

“Low profile sign” means a low profile sign is considered the same as a monument sign by this ordinance.

“Marquee sign” means a sign attached to any permanent roof-like structure projecting beyond a building or wall of the building, as to a theater or hotel, often bearing a changeable copy sign.

“Monument sign” means any on-premise sign which is mounted directly to the ground having no visible uprights or freestanding holes with a foundation or pedestal that is as wide or wider than the actual sign with a maximum height and area as indicated by the Monument Sign Table.

“Name plate” means any sign identifying the name, occupation, profession, and/or address of any occupant of the premises.

“Nonconforming sign” means any sign which was lawfully erected but which currently fails to conform to all of the requirements of this title.

“Off-premises sign” means any sign advertising merchandise, services, or businesses other than those available on the premises of the sign's location.

“On-premises sign” means any sign advertising merchandise, services, or businesses available on the premises of the sign’s location.

“Pennant sign” means any sign made of lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from rope, wire, or string, usually in series, designed to move in the wind.

“Pole Sign” means any on-premise sign which is supported by one or more uprights, poles, or braces fastened to a foundation or embedded in the ground and not attached to any building. Pole signs typically have a sign face that is larger than the foundation or support structure of the sign.

“Political sign” means any sign used in behalf of candidates for public office or measures on election ballots solely for the purpose of a local, regional, or national election.

“Portable sign” means any sign that is not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A-frame or T- frame; umbrellas used for advertising; signs attached to or painted on vehicles parked and visible from the public right- of- way, unless said vehicle is used in normal day-to-day operations; and, any banner type sign not attached parallel to a building wall.

“Projecting sign” means any sign attached to a building structure and extending in whole or in part more than twenty-four inches (24") beyond the wall to which it is attached.

“Reader board sign” means any portable sign with changeable copy designed to be moved from one site to another and used for occasional promotional events.

“Real estate sign” means any sign relating to the sale, lease, or other disposition of real property.

“Roof sign” means any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

“Roof sign (integral)” means any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and that no part of the sign is separated from the rest of the roof. Roof signs (integral) do not include painted signs on roofs.

“Rotating sign” means any sign or portion of a sign which moves in a revolving or similar manner.

“Sign” means any device, fixture, placard, or structure that uses color, form, graphics, illumination, symbols, or writing to advertise, announce, identify, promote or communicate information of any kind to the public.

“Special purpose sign” means any sign pertaining to events of a civic, political, philanthropic, educational or religious organization.

“Statue signs” means any three-dimensional likeness of a character, logo, trademark, animal, product, etc. that is intended to be used as a promotional display or advertisement for a business.

“Temporary sign” means any sign constructed for temporary use.

“Wall sign” means any sign erected parallel with and attached to or painted on an exterior wall or fascia of a building.

“Window sign” means any sign installed upon a window for the purpose of being viewed from the outside of the premises, but not including displayed merchandise.

“Yard sale sign”. See “Garage sale sign.”

“Youth activity sponsor sign” means any sign attached to an athletic facility fence which identifies and advertises the sponsors of youth teams or programs.

“Zone” means any land use regulatory zone as found in Title 17 of the Lindon City Code. (Ord. 2013-4, amended, 2013; Ord. 2007-3, amended, 2007)

18.03.030 Specific regulations by sign type.

General regulations for all signs.

1. All mounting structures, sign casings, poles, monument bases, foundations for a sign or other materials used in housing a sign shall be constructed with subdued, earth- tone colors. For monument and pole signs, the use of natural materials such as wood or stone is strongly encouraged in the design of the

sign frames and bases. This shall not be construed to mean that the City regulates the colors or copy of a sign face, but only the housing materials on which the sign is positioned.

2. The total combined signage for any face of a building shall not exceed 12% coverage of the building face. This includes signage on windows, wall signs, roof signs, etc. No building shall be deemed to have more than four (4) building faces.

A-Frame Signs. A-Frame signs are prohibited in all zones.

Awning Signs.

1. Awning signs require a sign permit from the city.

2. The sign area of the awning shall be included as part of the wall sign area calculation and shall include the entire area within any type of perimeter or border that may enclose the outer limits of any writing, representation, emblem, figure, or character (see example below).



3. The structure of the awning sign shall not project more than 36 inches from the wall to which it is attached.

4. Any awning sign projecting into the public right of way shall obtain an additional easement agreement subject to approval by Lindon City.

5. Primary signage, which for the purposes of this section shall mean a commercial or non-commercial entity's name or logo,

a. shall not be wider than 80% of the total width of the primary surface of the awning and,

b. shall not exceed more than 50% of the primary surface area of the awning.

6. Only one (1) awning shall be used for primary signage and said awning must be over a main entrance or over a door, entrance or window with primary street frontage.

7. Secondary signage, meaning any commercial or non-commercial message,

a. shall not be wider than 90% of the total width of the secondary surface, such as a valance or side elevation of an awning and,

b. shall not exceed more than 80% of the secondary surface area, such as a valance or side elevation of an awning and,

c. shall not exceed twelve (12) inches in height.

8. Primary and secondary surfaces are displayed graphically below:



9. Awning and sign material should be high quality, colorfast and sunfade resistant.

10. Awning signs are permitted in all non-residential zones. (Ord. 2013-4, amended, 2013)

Abandoned Signs. Abandoned signs are prohibited in all zones.

Balloon Signs.

1. Balloon signs do not require a permit.

2. Balloon signs shall:

a. Be placed no closer than ten (10') feet from the public right-of-way or property line;

b. Not be placed in a clear vision area; and

c. Not obstruct the vision of any motorist from seeing any traffic or traffic control devices.

3. The time limit for businesses to display balloon signs, temporary banner signs, and pennant signs is limited to a total display time, for any or all combinations of these sign types to 75 days per calendar year. (For example: a banner sign for 25 days and a balloon sign for 50 days would use the 75 day limit per year.)

4. No more than two balloon signs per business shall be permitted at the same time.

5. Balloon signs are permitted in the CG, LI, MC. PC-1 and HI zones.

Banner Signs.

1. Banner signs that are attached to a building through use of screws, bolts, nails or other fasteners are considered "anchored" banner signs and do not require a sign permit.

2. "Anchored banner signs as described above shall:

a. Be permitted for use by any business or entity for no longer than twelve (12) months;

b. After twelve months the "anchored" banner sign must be removed a/or replaced with a permanent sign meeting Lindon City requirements. "Anchored' banner signs are not permitted for long-term, permanent use. Real estate signs on banners must also conform to this time limit and shall meet the size limitation standards found under the "Real Estate Signs" section of this ordinance. b. Be anchored approximately every 18" or less long the perimeter of the banner.

c. *Be maintained in a neat and attractive condition.* The City will ask that frayed or torn signs be removed.

d. Be attached to any wall of a building.

e. Not exceed ten percent (10%) of the wall area to which the sign is attached or ten percent (10%) of the wall dedicated to an individual unit within a commercial complex.

f. Not extend above the roofline.

g. Not be used on the same building or unit within a complex which has an Integral Roof Sign.

h. Not project more than twenty-four inches (24") from the face of the part of the building to which it is attached.

3. "Temporary" banner signs used for promotional events or other limited advertising purposes (not the primary signage for a business do not require a sign permit.

4. "Temporary" banner signs as described above shall:

a. Be attached parallel to a wall of the main building of the business or along a fence on the same lot as the business;

b. Not exceed 10 percent (10%) of the wall area to which the sign is attached or no larger than thirty-two (32) square feet if placed on a fence;

c. Not be used on the same wall as an existing "wall sign" or other banner sign unless the combined area of all signs is less than ten percent (10%) of the wall area to which the signs are attached;

d. Not be attached to, or between telephones poles, utility poles, public or private light poles, trees, vehicles, or any other apparatus other than a building wall or fence;

e. Not be placed on the roof of any building;

f. Be maintained in a neat and attractive condition; and

g. The time limit for businesses to display balloon signs, temporary banner signs, and pennant signs are limited to a total display time, for any or all combinations of these sign types, to 75 days in any calendar year. (For example: a banner sign for 25 days and a balloon sign for 50 days would use the 75 day limit per year.)

5. No more than five banner signs per business shall be permitted at the same time.

6. Banner signs are permitted in the CG, MC, PC-1 & 2, R&B, LI, and HI zones.

7. Upright banners mounted on utility poles, light poles, or other flexible or rigid poles or posts or any other apparatus (other than a building wall or fence) are prohibited. See examples of these types of banners shown in the photos below:





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(Ord. 2007-3, adopted, 2007; Ord. 2006-1, adopted, 2006)

Changeable Copy Signs – Electronic or Mechanical.

1. Electronic Changeable Copy signs (such as LED's or flat-panel digital technologies) and mechanically changeable copy signs are only permitted in the T-zone along the I-15 freeway corridor or as a Gasoline Price Sign. See specific Electronic Changeable Copy Sign regulations for Gasoline Price Signs under Gasoline Price Sign type.

2. On-premise Electronic Changeable Copy signs in the T-zone shall not exceed fifty six (56) square feet in display area and shall be no larger than four and one-half feet (4.5') tall or wider than fourteen feet (14') long. On-premise Electronic Changeable Copy signs may be utilized as a wall sign, pole sign, or monument sign only. The coverage and size limitations for wall, pole or monument signs shall also apply to any proposed on-premise Electronic Changeable Copy sign.

3. Off-premise Electronic Changeable Copy and Mechanically Changeable Copy signs shall only be permitted upon billboards approved by Lindon City (See LCC 18.04) and shall not exceed six hundred seventy five (675) square feet in display area.

4. All off-premise Electronic Changeable Copy and Mechanically Changeable Copy signs are permitted for stationary messages only. The interval between message changes shall not be more frequent than at least eight seconds and the actual message rotation process shall be accomplished in three seconds or less by method of fading between messages or immediate change between messages. No flashing, scrolling video or other movement of sign message (copy) is permitted.

5. A four hundred foot (400') lineal separation distance (measured on the same side of the freeway - not a radius) is required between each on-premise Electronically Changeable Copy Sign. This may prohibit some businesses from being able to obtain a permit for this type of signage if a proposed sign is less than 400' from an existing on-premise Electronically Changeable Copy Sign.

6. A five hundred foot (500') lineal separation distance (measured on the same side of the freeway–not a radius) is required between each off-premise Electronic Changeable Copy Sign.

7. All Electronic Changeable Copy and Mechanically Changeable Copy signs shall conform to lighting standards found within LCC 18.02.090

Changeable Copy Signs - Manual.

1. Manually Changeable Copy signs require a sign permit from the City.

2. Manually Changeable Copy signs shall:

   a. Only be used in connection with monument signs, or wall signs; and

   b. Not have dimensions which exceed the requirements of the ordinance for monument, or wall signs.

3. Manually Changeable Copy signs are permitted in the CG, MC, PC-1, R&B, T-zone, and LI zones.

Directional Signs.

1. Directional signs require a sign permit from the City.

2. Only one (1) Directional sign is allowed for each City approved drive approach.

3. Directional signs shall meet the following requirements:

   a. In the regional commercial, heavy industrial and light industrial zones, a maximum of three feet (3') in height and twelve (12) square feet in area. The maximum letter height is nine inches (9") per sign face.

   b. In all other commercial land use districts, a maximum of three feet (3') in height and six (6) square feet in area.

4. Directional signs are permitted in all zones.

Flag Signs.

1. Except as noted in #9 below, no sign permit is required for Flags.

2. Flags shall be kept in good repair (no frayed or torn edges, or excessive fading), or shall be required to be removed replaced.

3. All flag poles must be set back at least half the distance in fee of the flag pole height from any property line. (Setback = flagpole height /2).

4. A maximum of three (3) permanent flag poles may be permitted per lot.

5. A single flag pole, or "primary" flag pole if more than one, shall only display national, state, municipal, or other governmental flags. "Secondary" poles may fly flags that have business logos or names (not advertisements), but such flags shall not exceed 3'x5' in size.

6. Flags and flag poles are permitted in all zones, and shall not exceed the maximum building height or the specific zone in which they are located except as specified in criteria number 7 and 8 below.

7. Except for number 8 below, in non- residential zones, one flag pole may be permitted to exceed the maximum building height of the zone if the following criteria are met:

a. The flag pole will only be used to display the U.S. flag.

b. A structure must be existing or approved for the lot.

c. The flag pole will not exceed the structures height by more than ten feet (10').

d. Regardless of any future changes to zone height limits, no flag pole shall exceed sixty feet (60') in height.

8. Along the freeway in the T-Zone, flag poles up to 100' tall may be permitted with a separation distance of ¾ mile radius between any other flag pole that exceeds the height limit imposed under number 1 through 7 above.

9. Flags in the T-zone that exceed the height limit as described in #7 above must obtain a sign permit.
(Ord. 2007-3, adopted, 2007; Ord. 2006-1, adopted, 2006)

Flashing Signs.

1. Flashing Signs are prohibited in all zones within the City.

Garage Sale Signs.

1. No permit is required for Garage Sale signs.

2. Garage Sale signs shall:

a. Not exceed five (5) square feet in area;

b. Not be posted in public right-of-ways or on utility poles;

c. Be allowed on private property with the property owner's permission;

d. Not be posted more than forty-eight (48) hours before the beginning of the garage sale; and

e. Be removed within twenty-four (24) hours after the completion of the garage sale.

3. Failure to post or remove garage sale signs as set forth in this title may result in a citation being issued for each sign violation.

4. Garage Sale signs are permitted in all residential zones.

Gasoline Price Signs.

1. Gasoline Price Signs require a sign permit from the City and are only permitted on the premises of a gasoline service station.

2. Permitted only as a monument sign and shall be included in the overall permitted square footage calculation for the sign area as determined in this chapter.

3. Gasoline price signs are permitted to have electronic or manual changeable copy.

4. Electronic changeable copy shall change only to update gasoline prices. Electronic changeable copy shall not scroll, flash, fade in or out, show video, or transition through multiple fuel prices.

5. The electronic changeable copy sign area for each individual price shall not exceed six (6) square feet.

6. Gasoline Price Signs shall be located along arterial or collector streets only as identified on the Lindon City Street Master Plan Map. A business is only allowed one Gasoline Price Sign along an arterial or collector street unless located on a corner lot where each abutting street is an arterial or connector street, the business then may have one Gasoline Price Sign on each arterial or collector street.

7. Such signs shall be installed with automatic dimmers to adjust the brightness of the electronic changeable copy throughout the day and night.

Government Signs.

1. No permit is required for Government signs.

2. Government signs are permitted in all zones.

Holiday Signs.

1. No permit is required for Holiday signs.

2. Holiday signs shall:

   a. Only be used with a national, state, or local holiday; and

   b. Be removed within fifteen (15) days of the holiday.

3. Holiday signs are permitted in all zones.

Home Occupation Signs.

1. Not more than one sign is permitted for home occupations.

2. Sign shall not be larger than two and one-half (2.5) square feet.

3. Sign must be attached to the main dwelling unit.

4. Sign shall be aesthetically pleasing and made of similar materials and colors as the building to which it is attached.

5. Signs for home occupations shall not be directly lit.

Incidental Signs.

1. No permit is required for Incidental signs.

2. Incidental signs are permitted in all zones.

Interior Signs.

1. No permit is required for Interior signs. (An electrical permit may be required when installing an illuminated interior sign)

2. Interior signs are permitted in all zones.

Marquee Signs.

1. Marquee signs require a sign permit from the City.

2. Marquee signs shall only be allowed over a building entrance.

3. The structure of the marquee shall not extend more than six (6) feet from the wall/building to which it is attached and have a clearance of at least eight (8) feet above the sidewalk.

4. Any marquee sign projecting into the public right of way shall obtain an additional easement agreement subject to approval by Lindon City.

5. The vertical face height of the marquee shall not exceed three (3) feet.

6. The sign:

   a. shall not be wider than 80% of the total width of the surface of the marquee and,

   b. shall not exceed more than 50% of the surface area of the marquee.

7. The marquee sign area calculation shall be included as part of the wall sign area calculation.

8. Marquee signs are permitted in all non-residential zones. (Ord. 2013-4, amended, 2013)

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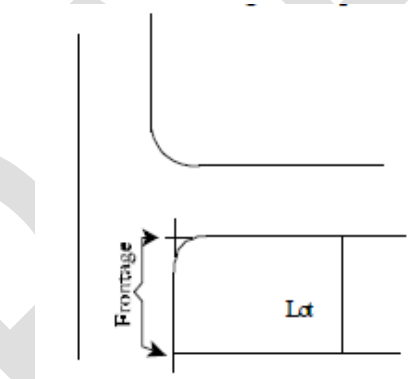
Monument signs.

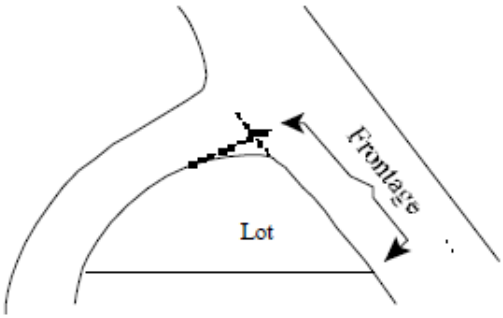
1. Monument signs require a sign permit from the City.

2. Be mounted directly to the ground with the entire base covered (no poles visible beneath base of sign). The base shall be as wide or wider than the sign face;

3. Not exceed six feet (6') in height and thirty six (36') square feet in area unless otherwise specified on the "Monument Sign Table" as calculated by length of lineal street frontage or acreage of the property.

4. On corner lots, only the street frontage of the "principle" or most traveled roadway adjacent to the lot shall be counted towards the street frontage allowed for obtaining a monument sign. For corner lots that have streets with similar traffic use, the side on which the sign will face shall be used to determine street frontage. The length of street frontage on lots with rounded property corners shall be measured from the point of intersection if both property lines on either side of the corner were continued in a straight line as shown in the following examples:





5. Be set back from the back of walk at least 2 feet (or back of curb at least 8 feet if no sidewalk exists), but in no case shall the sign be constructed beyond the parcel line of the subject property, with the exception of the following:

i. One off-site monument sign is permitted to be located in the CG, MC, LI, HI, R&B, PC-1 and PC-2 zones when a lot does not have a principle access onto a dedicated public roadway and is

accessed through another property by means of an easement, driveway, or lane. The off-site monument sign is permitted at the intersection of the public roadway and the easement, driveway, or lane that accesses pedestrians. At the time of building permit, the sign owner must submit to the City a written easement from the owner of the property for which the sign will be placed. Sign size shall be regulated according to the Monument Sign Table based on the acreage of the property for which the sign is serving.

6. Be erected on a landscaped area of at least one hundred twenty square feet (120') with a minimum landscaped length and width of three feet (3');

7. Not be erected in the clear vision area of any road or driveway, except for signs which do not exceed three feet (3') in height from the adjacent street grade; and

8. Monument signs are permitted in the CG, MC, R&B, CF, PC-1 & 2, LI, RMU-W, and HI zones.

9. Each parcel or commercial complex may have one monument sign, however, one additional monument sign six feet (6') in height and thirty six square feet (36') in area may be approved where the parcel or commercial complex has more than two hundred feet (200') of frontage on a dedicated street, or has frontage on two (2) or more dedicated streets. Additionally, each parcel may contain a maximum of one (1) off-premise monument sign. The minimum distance between two (2) monument signs on the same parcel or commercial complex shall be one hundred feet (100'), except for off-premise monuments signs which require a minimum distance of fifty feet (50').

a. The one additional monument sign mentioned above may be eight feet (8') in height and 64 square feet (64') in area if the parcel or commercial complex has more than 500 feet of frontage on a dedicated public street. The minimum distance between two monument signs in this case shall be eighty feet (80').

10. A three foot (3') high berm (measured from sidewalk grade level) may be placed beneath a monument sign to elevate the sign above the two rail fencing required in the Commercial zones. The berm must be landscaped and run along the entire length of the street frontage on which sign is facing. In no case shall the berm beneath the sign exceed three feet (3'). The total height of a sign placed on top of any berm shall be measured from finish grade at the base of the sign.

11. All monument signs in the Commercial zones (CG, MC) and adjacent to a public road shall be located in back of any required sidewalk.

12. A landscaping “clear vision area” is permitted within a distance of forty feet (40') of either side of the sign as measured horizontally along the direction of the street for which the sign is facing. Any required trees or shrubbery within the 40’ clear vision area that may block the view of a monument sign shall be permitted to be moved elsewhere within the required front landscaping area, but any tree or shrub must maintain a minimum three foot (3') separation from any curb, sidewalk, or paved area. In no case

shall the net number of required trees or shrubbery be reduced. Grass, flowers, or other low-lying landscaping around the sign will still be required per code or as show on approved site plans.

13. The use of natural materials such as wood or stone is strongly encouraged in the design of monument sign foundations, frames, or bases.

Monument Sign Table

Street Frontage /Acreage (in feet)	Max Sign Area (sq ft)	Max Height (in feet)
175 feet or less or 20,000 sq ft	36	6
175 to 200 or up to 27,853 sq ft	50	8
201 to 225 or up to 35,706	75	11
226 or 43,560 sq ft or more	110	14

(Ord. 2013-6, amended, 2013; Ord. 2012-1, amended, 2012; Ord. 2011-1, amended, 2011; Ord. 2009-4, amended, 2009)

Nameplates.

1. No permit is required for Nameplates.
2. Nameplates shall:
    a. Not exceed three (3) square feet; and b. Not be used to identify a home occupation unless state law mandates the home occupation have exterior identification.
3. Nameplates are permitted in all zones.

Off-Premises Signs. Off–premises signs are only permitted as monument signs unless expressly allowed by this title. Off-premise signs shall comply with all requirements for a “Monument Sign” with additional regulations as follows:

1. The maximum size and height of off- premise monument signs, as listed in the Monument Sign Table, will be determined by the street frontage or acreage of the parcel the sign is to occupy and not the location of the business being served by the sign.

2. A maximum of one (1) off-premise monument signs is permitted to serve each business. Multiple off-premise signs advertising the same business are not permitted.

3. A minimum separation distance of fifty feet (50') shall be required from any other monument sign.

4. Off-premise monuments signs are not permitted to be located within a residential zone or on the same lot or parcel as a residential use.

5. Each business/use advertised by the off-premise monument sign must be within eight hundred feet (800') from the center line of a major arterial or collector street included in this section, and at least 800' from the proposed off-premise sign. These streets consist of State Street, Geneva Road, 700 North and 200 South. Multiple businesses within the distance limitation may advertise on the same off-premise sign structure.

6. Off-premise signs shall only be permitted on the same side of the arterial or collector street as the business for which it is serving.

7. At the time of building permit, the sign owner must submit to the City a written easement from the owner of the property for which the sign will be located. (Ord. 2012-1, amended, 2012)

Pennant Signs.

1. No permit is required for pennant signs.

2. Pennant signs shall:

   a. Not be placed in such a way as to obstruct the vision of any motorist from seeing any traffic or traffic control devices.

   b. Not be attached to any public utility pole unless permitted by the Planning Commission and the respective public utility company with jurisdiction over the utility pole.

   c. The time limit for businesses to display balloon signs, temporary banner signs, and pennant signs is limited to a total display time, for any or all combinations of these sign types, to 75 days in any calendar year. (For example: a banner sign for 25 days and a balloon sign for 50 days would use the 75 day limit per year.)

3. Pennant signs are permitted in the CG, MC, LI, PC 1 & PC 2, and HI zones.

Pole Sign.

1. Pole signs require a sign permit from the City.

2. Pole signs are only permitted along I-15 in the T-Travel Influence District (T-Zone).

3. Pole signs shall:

   a. Not exceed a maximum height of thirty- five (35') from the base of the sign, or twenty- five feet (25') above I-15 grade level at a point perpendicular to the sign, whichever is greater;

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b. Not exceed 250 square feet of display area in all zones overlaid by the T-zone, with the exception of the following:

i. Not exceed 350 square feet of combined display area of "primary signage" for properties within the General Commercial zone (CG) and overlaid by the T-zone. Additional "secondary signage" of up to 200 square feet is permitted for parcels 5 acres or larger within the CG zone and overlaid by the T-zone. Secondary signage shall only be permitted as one single display area and can not be combined in the same display area as the primary signage. Multiple secondary signs are not permitted on the same pole sign. Secondary signage shall be separated by at least 3' from the primary signage.

c. Be allowed at the rate of one (1) pole sign per subdivided lot with frontage on I-15 and in the T-Zone with the exception of the following:

i. Additional pole signs on the same lot may be allowed in the T-Zone provided that the minimum separation, irrespective of lot lines, between other pole signs, billboards, on-premise, or off-premise signs is five hundred feet (500') linear. Individual land divisions in a condominium association shall not be considered lots. Additional pole signs shall be limited to 250 square feet and shall not be permitted to have any "secondary signage" regardless of acreage.

ii. No more than one additional pole sign, not to exceed 200 square feet of display area, may be allowed within the PC-1 and PC-2 zones in areas overlaid by the T-zone. Irrespective of lot lines, a minimum 100' separation distance from other pole signs or billboards is required.

d. *Not overhang or extend beyond a property line adjacent to the freeway.* A pole sign may be located up to the property line adjacent to the freeway (zero setback). All other setbacks shall be ten (10) feet from a property line. (Ord. 2009-4, amended, 2009; Ord. 2008-5, adopted, 2008; Ord. 2006-1, adopted, 2006)

Political Signs.

1. No permit is required for a Political sign.

2. Political signs shall not be larger than six (6) square feet in any residential zone or thirty- two (32) square feet in the CG, MC, LI, HI, R&B, or PC-1 & 2 zones.

3. Political signs shall not be placed on public property.

4. A property owner's consent shall be given prior to placement of any political sign if the property is not owned by the person or organization that is placing such signs.

5. Political signs are permitted in all zones.

Portable Signs. Portable signs are prohibited in all zones in the City

Projecting Signs. Projecting signs are prohibited in all zones in the City.

Reader Board Signs. Reader Board signs are prohibited in all zones in the City.

Real Estate Signs.

1. No permit is required for a Real Estate sign.

2. No parcel shall have more than two (2) on- premise real estate signs. The maximum height of any real estate sign shall not exceed eight feet (8'). Except as provided herein, the maximum area of sign of any real estate sign shall not exceed six (6) square feet in residential zones or thirty-two (32) square feet in commercial zones.

3. *Directional Real Estate Signs.* An off-premises real estate sign may be used to direct traffic to the location of a parcel or a residential development being offered for lease, rent, sale, trade or public inspection. Such signs shall be subject to the following:

   a. They shall state only the name of the seller or his agent, words or arrows indicating the location of the parcel, and/or the words “open house,” “grand opening” or similar wording;

   b. They shall be erected on private property where the owner of such property has given consent;

   c. They shall have a maximum area of six (6) square feet for parcels and sixteen (16) square feet for residential developments;

   d. They shall have a maximum height of three feet (3') for parcels and eight feet (8') for residential developments; and

   e. No more than three (3) directional real estate signs shall be erected for a parcel and no more than two (2) for a residential development.

4. Promotional Development Signs.

   a. One (1) on premise promotional development sign may be used to promote any new real estate development.

   b. The maximum area of sign for a promotional development sign shall be calculated by multiplying the acreage of the parcel by twelve and eight tenths (12.8) and adding the product to thirty-two (32); provided however, that no promotional development sign shall exceed ninety-six (96) square feet. (Development Acreage) X (12.8) + (32) = Maximum Area.

   c. A promotional development sign shall be removed from the premise upon which it is erected within one (1) year. No other promotional development signs shall be permitted for that development.

5. All Real Estate signs shall be removed within thirty (30) days of the property being sold.

6. Real Estate signs are permitted in all zones.

Roof Signs. Roof signs are prohibited in all zones in the City.

Roof Signs (Integral).

1. Integral Roof signs require a sign permit from the City.
2. Integral Roof signs shall:
    a. Not be allowed on buildings having a wall sign; and
    b. Not have copy which exceeds ten percent (10%) of the structure to which it is attached.
3. Integral Roof signs are permitted in the CG, MC, and LI zones.

Rotating Signs. Rotating Signs are prohibited in all zones in the City.

Special Purpose Signs.

1. Special Purpose signs require a sign permit from the City.
2. Special Purpose signs shall:
    a. Not be an "A-frame" sign;
    b. Not exceed thirty-two (32) square feet; and
    c. Be limited to no more than 50 days display time per calendar year (per organization); and
    d. Be removed within five (5) days of the conclusion of the event.
3. Special Purpose signs are permitted in all zones.

Statue Signs.

1. Statues signs shall be permitted in all zones and shall be counted within the size limitation of a sign area or coverage. (Examples: If a monument sign for a feed store has a statue of a cow on top of the sign, the side elevation (or profile) of the sign & cow would need to fit within the square foot size limitation for monument signs. Or...If a restaurant has a statue of a chili pepper mounted to the front wall of their building, the statue would have to fit within the percent coverage limitations of a wall sign when looking at the front elevation of the building.)

2. Statues designed and located as public art and not as "promotional displays" are not regulated by this ordinance.

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Temporary Signs. Temporary signs are prohibited in all zones unless expressly allowed by this title (See section 18.02.010(4)(e)).

Wall Signs.

1. Wall signs require a sign permit from the City.

2. Wall signs shall:

   a. Be attached to any wall of a building;

   b. Not exceed ten percent (10%) of the wall area to which the sign is attached or ten-percent (10%) of the wall face dedicated to an individual unit within a commercial complex;

   c. Not extend above the roof line;

   d. Not be used on the same building or unit within a complex which has an Integral Roof sign.

   e. Not project more than twenty-four (24) inches from the face of the part of the building to which it is attached - including any light box or structural part of the sign.

3. Wall signs are permitted in the CG, MC, PC-1, R&B, LI, HI, RMU-W zones and T zone.

Window Signs.

1. No permit is required for a Window sign.

2. Window signs shall not exceed twenty percent (20%) of the total transparent area of any window on which they are located.

3. Flashing lights, LED signs, or strobe lights placed on the interior of a window but intended to be seen from the exterior of the building are prohibited.

4. Window signs are permitted in the CG, MC, PC-1 & 2, LI, and HI zones.

Youth Activity Sponsor Sign.

1. Permission must be obtained from the Recreation Director to display a Youth Activity Sponsor sign.

2. Youth Activity Sponsor signs are permitted in all zones. (Ord. 2019-8 §1, amended, 2019; Ord. 2013-6, amended, 2013; Ord. 2013-4, amended, 2013; Ord. 2012-1, amended, 2012; Ord. 2011-1, amended, 2011; Ord. 2009-4, amended, 2009; Ord. 2008-5, amended, 2008; Ord. 2007-3, amended, 2007; Ord. 2006-1, amended, 2006; Ord. 2005-12, amended, 2005; Ord. 2002-21, repealed and replaced, 2002; Ord. 2000-8, amended, 2000)

The Lindon City Code is current through Ordinance 2021-1, passed February 1, 2021.

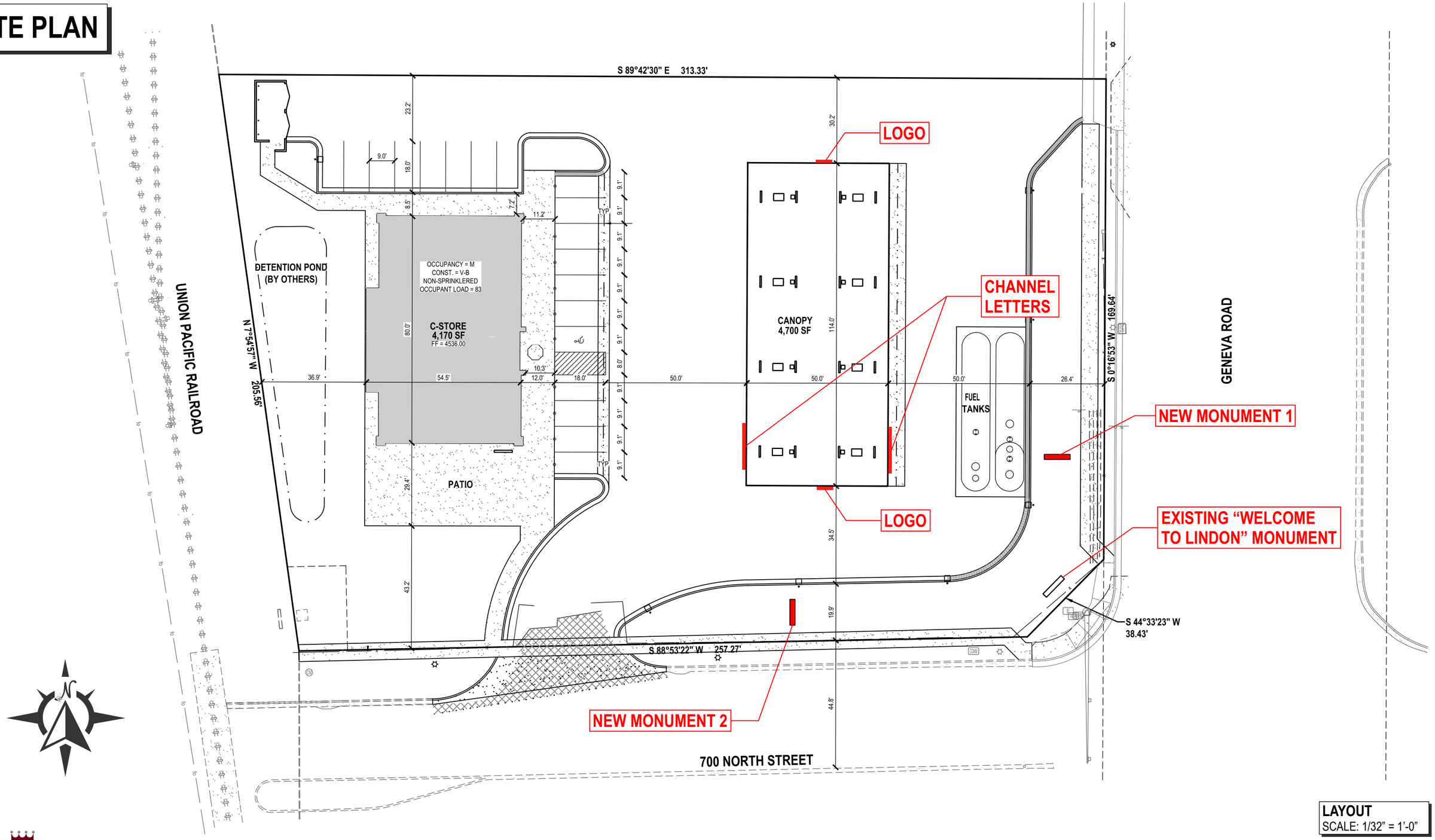
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City Website: www.lindoncity.org
City Telephone: (801) 785-5043
Code Publishing Company

DRAFT

SITE PLAN



LAYOUT
SCALE: 1/32" = 1'-0"

NFP

Sales Dept:_____ Designer:_____ Print Dept:_____ Shop Production:_____ Install Manager:_____

HOLIDAY OIL - LINDON

IMPACT SIGNS
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2236 S. 3270 W. Salt Lake City, UT
Phone: 801-972-5101
Fax: 801-972-2530
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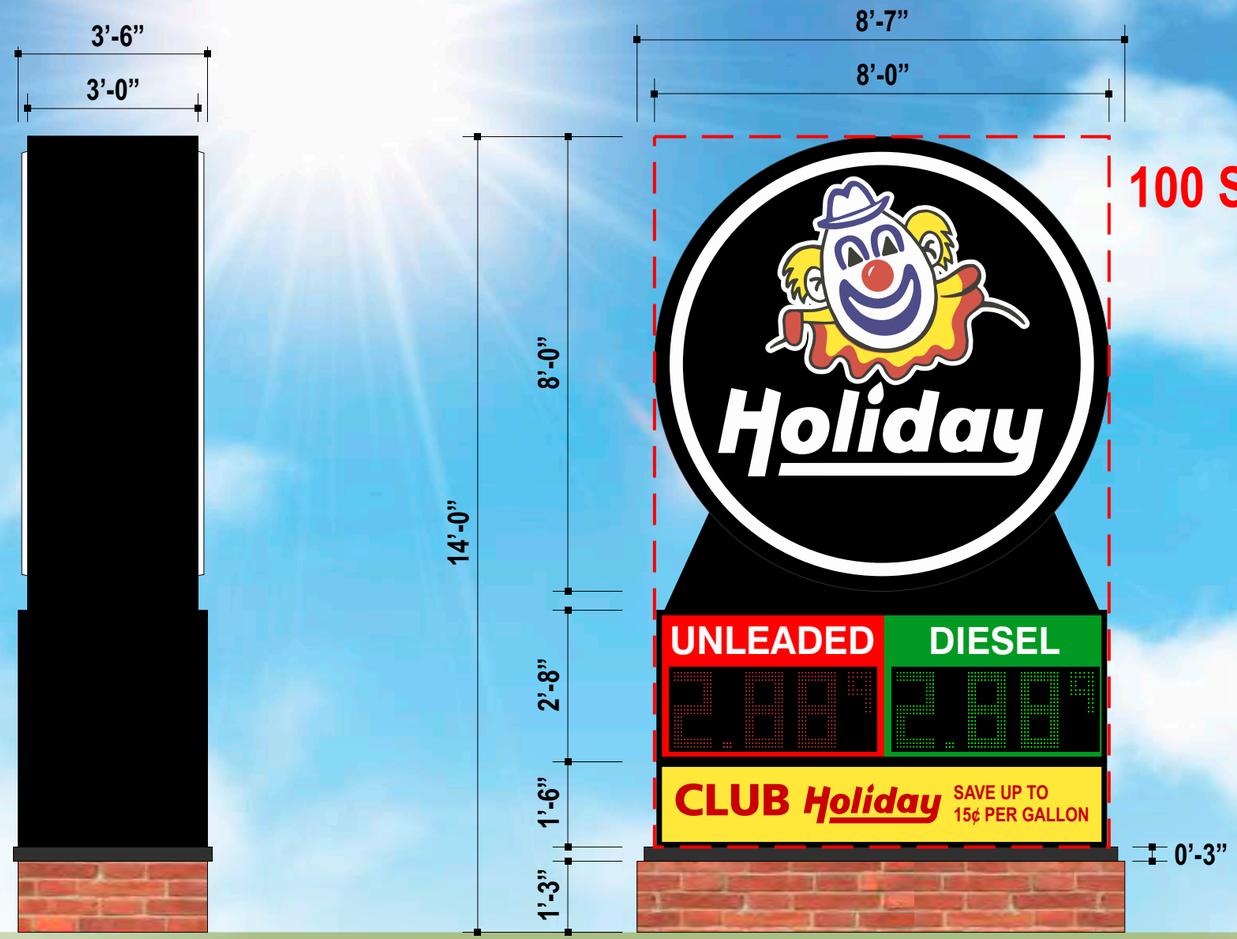
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CUSTOMER APPROVAL _____ DATE _____

Address 700 N GENEVA ROAD LINDON, UT
Contact CUSTOMER
Origin Date 4-8-21 Revision R1 - 4-8-21 Page 1 of 3

Designer NIK
Sales KEVIN
Scale AS SHOWN

NEW MONUMENT 2
PRIMARY STREET FRONTAGE - 700 N



SIDE VIEW

LAYOUT
SCALE: 3/8” = 1’-0”

NFP

Sales Dept:_____ Designer:_____ Print Dept:_____ Shop Production:_____ Install Manager:_____

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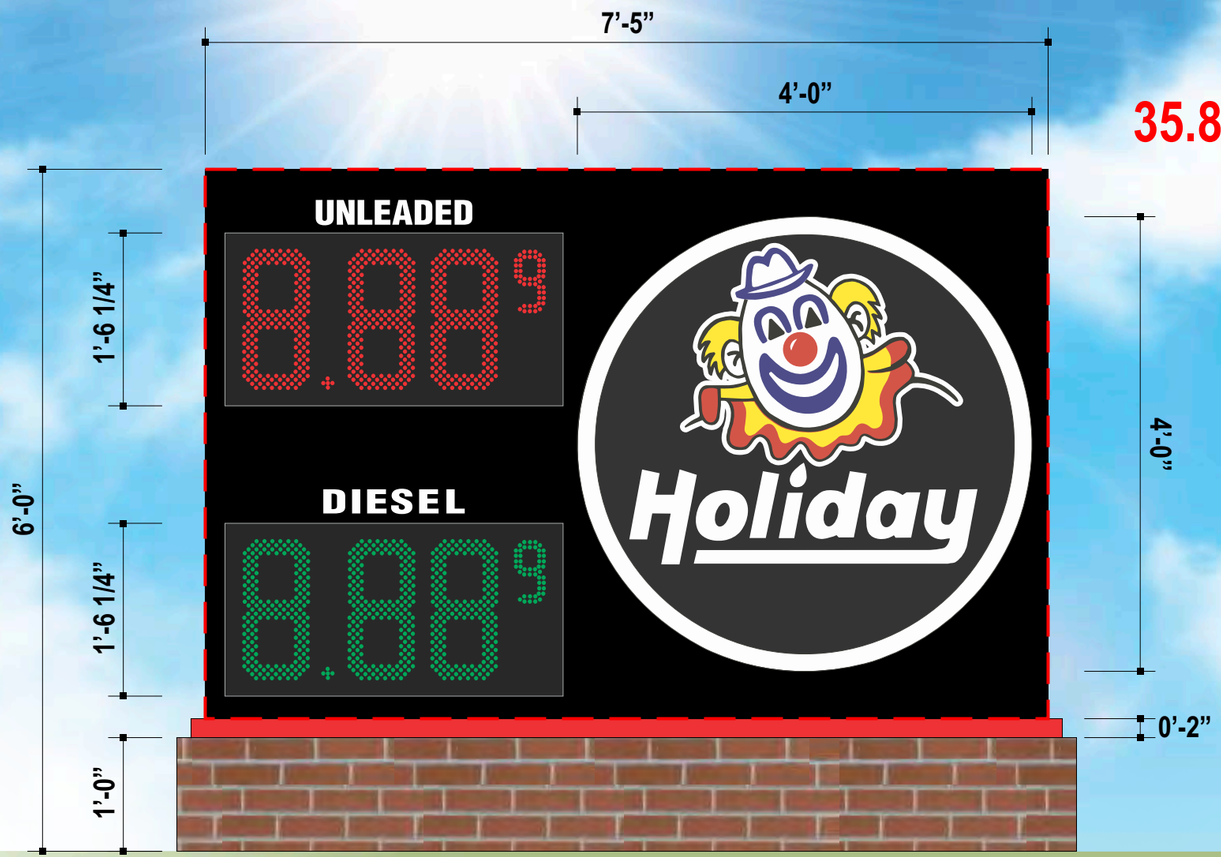
Address 700 N GENEVA ROAD LINDON, UT
Contact CUSTOMER
Origin Date 4-8-21 Revision R1 - 4-8-21 Page 2 of 3

Designer NIK
Sales KEVIN
Scale AS SHOWN

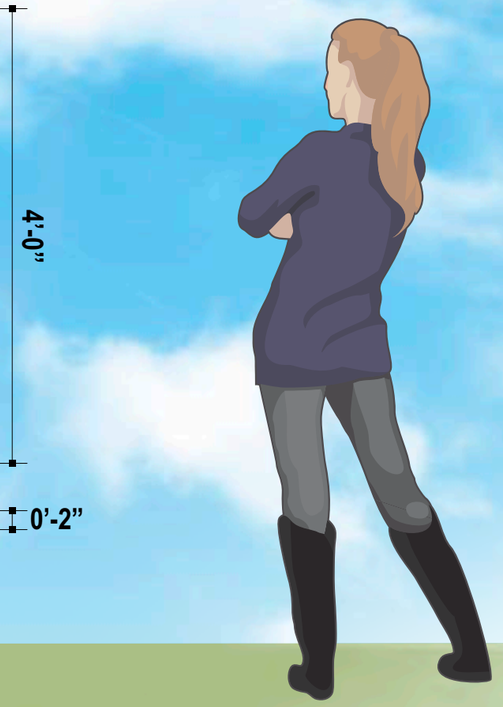
NEW MONUMENT 1
SECONDARY STREET FRONTAGE

MONUMENT SIGN
MANUFACTURE & INSTALL
(2) NEW MONUMENT SIGN

CABINET RETURNS AND RETAINERS TO BE ALL ALUMINUM CONSTRUCTION PAINTED BLACK
FACES TO BE .090 ALUMINUM PAINTED BLACK WITH CUT OUTS TO INSERT DAKTRONICS DROP IN
PRICE CHANGER DISPLAYS AND TO USE EXISTING CIRCLE FACE FROM PREVIOUS SIGN
COPY WILL BE ROUTED AND BACKED WITH WHITE ACRYLIC AND INTERNALLY ILLUMINATED WITH WHITE LEDs
1' BRICK BASE



35.85 SQ FT



LAYOUT
SCALE: 3/4" = 1'-0"

1977 40TH ANNIVERSARY 2017

NFP

Sales Dept:_____ Designer:_____ Print Dept:_____ Shop Production:_____ Install Manager:_____

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Designer NIK
Sales KEVIN
Scale AS SHOWN

Item: 6 and 7 Site Plan and Conditional Use Permit Approval – Pür Pickle – 195 North State Street

Date: June 22, 2021
Applicant: Pür Pickle, LLC
Presenting Staff: Anders Bake

Project Address: 195 North State Street
Property Owner: Pür Pickle, LLC
General Plan: Commercial
Current Zone: Commercial General (CG)

Parcel ID: 45:567:0002
Lot Size: 0.52 acres

Type of Decision: Administrative
Council Action Required: No



Summary of Key Issues

1. For site plan approval, the planning commission will be evaluating whether the site plan and building meet Title 17 development regulations and commercial design standards.
2. To review a conditional use permit to operate an athletic club business and conditions to mitigate the impacts of a proposed use.

Overview

1. The applicant proposes to construct a one story, 9,421 square foot, private athletic facility consisting of four pickleball courts at 195 North State Street.

Site Plan Motion

I move to (*approve, deny, continue*) the applicant's request for site plan approval with the following conditions:

1. The applicant will provide 60% fenestration on the primary façade of the building at the pedestrian level;
2. The applicant will continue to work with the City Engineer to make all final corrections to the engineering documents;
3. The plans will meet development specifications as found in the Lindon City Development Manual;
4. Final design will meet the Commercial Design Standards for commercial sites and buildings;
5. The applicant will comply with all bonding requirements, if applicable; and
6. All items of the staff report.

Site Plan Motion

I move to (*approve, deny, continue*) the applicant's request for a conditional use permit to use the property located at 195 North State Street for an athletic club business, with the following conditions:

1. If the parking that is provided becomes insufficient for the use of the property, the applicant will secure an agreement to provide additional, of site, parking for the subject property;
2. Hours of operation will be limited to 5:00 AM to 10:00 PM;
3. The applicant will comply with all of the Commercial Zoning requirements found in section 17.48 of the Lindon City Code; and
4. All items of the staff report.

Surrounding Zoning and Land Use
North: Commercial General – retail
East: Park Facility – Lindon City Park
South: Commercial General – vacant property
West: Commercial General – retail office

Conditional Use Permit Overview

1. Pür Pickle requests conditional use permit approval to use the property and proposed building at 195 North State Street for private pickleball courts. There will be four courts and four bathrooms with showers that will be available for club member use.
2. The Standard Land Use Table lists several uses that are similar to the proposed use of the property including private tennis courts, recreation centers, and gymnasium & athletic clubs. These three uses are listed as conditional uses in the General Commercial zone and require a conditional use permit.

Site Development Standards

Parking

1. Parking standards are based on the zone and the different uses in the building and their respective square footage.
2. The parking requirements section of the Lindon City Code states that Cultural, Amusement and recreation Uses requires one parking stall per three and one-half (3 ½) person capacity in the building or facility, based on maximum use of all facilities at the same time. The facility consists of four pickleball courts which would allow for a maximum capacity of 16 people and be require 5 parking stalls.
3. The proposed site plan provides seven parking stalls on the property. There is an existing access agreement that gives the subject property full access to eight existing parking stalls that border this property. City Staff feel that the **fifteen** stalls available to the property will be sufficient for the use of this building. Staff have included a proposed condition that if the parking that is provided becomes insufficient for the use of the property, then the applicant will secure an agreement to provide additional, of site, parking for the subject property.

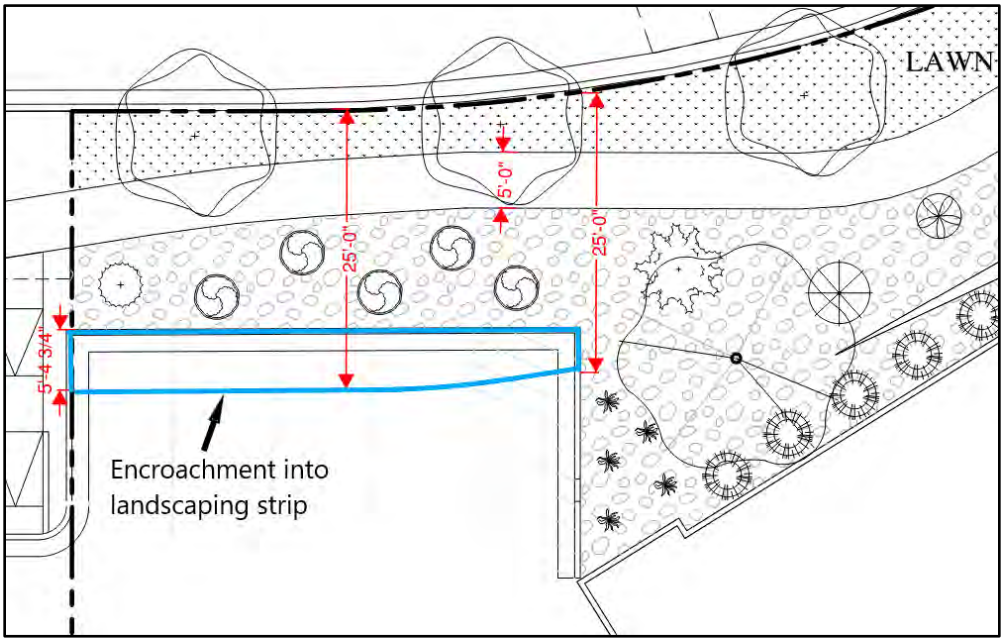
Traffic Circulation

Access to the subject property will be from 200 North and go through the property at 275 West 200 North. The applicant has worked with City Staff to provide adequate space in their parking lot for backing up out of the parking stalls.

Landscaping Standards

Landscaping Standards	Provided	Compliant
20-foot landscaping strip along public street frontages	A 20-foot-wide landscaping strip is provided along the State Street portion of the property.	Yes
Areas with meandering sidewalks will have the twenty feet (20') measured from back of curb but may not count sidewalk width as part of the twenty feet (20') in landscaping requirement unless otherwise approved in a subdivision cross section.	15 feet of landscaping in provided along a portion of the property adjacent to 200 North without including the meandering sidewalk. This portion of the property will require Planning Commission approval.	No – Please see additional information bellow.
20% of lot in landscaped open space	12,000 sq. ft. landscaping	Yes
Landscaping must be 70% vegetation and 30% other ground covers. Trees every 30 feet along landscaping berm	Current plan exceeds the 70% vegetation requirements	Yes

1. The landscaping plan does not provide a sufficient landscaping strip along 200 North in the area shown below. This portion of the landscaping plan will require Planning Commission approval according to section 17.48.030 of the Lindon City Code which states the following: "Landscaping requirements concerning berming, trees, and landscape materials can be changed and/or altered (with regard to location and design) upon approval of the planning commission at the site plan review stage of an application. No net loss of landscaping should occur with any approved alterations. Other landscaping layouts consistent with the Lindon commercial design standards may also be considered by the planning commission."
2. The meandering sidewalk was already installed along 200 North from previous development and the proposed landscaping plan does provide additional landscaping to the East of the parking lot. City staff support the applicant's proposal and feel that they are making the most out of the site constraints and the existing conditions.



Site Requirements

- The proposed plan meets the minimum lot size requirement of 20,000 square feet. The site is 22,435 square feet
- All building setback requirements are met

Lindon Commercial Design Standards

Architectural Requirements

Buildings in the Commercial General zone are required to meet the Lindon Commercial Design Standards. Under the commercial design standards, commercial development should pick one of three building forms: one-part commercial block, two-part commercial block, and central block buildings.

The proposed building most aligns with the one-part commercial block building. Below are the standards for such building in the Commercial Design Standards:

Design Element	Design Standard Requirement	Applicants Proposal
Massing and Form	A significant amount of the primary ground story facade facing public streets... should be transparent glazing. The ground floor of the	The ground floor of the primary façade of this building is approximately 100 square feet short of being 60%

	primary façade shall be 60% fenestration at the pedestrian level.	fenestration at the pedestrian level. The street facing facades of the building are primarily brick with some windows.
Height and Scale/Size	Facades should be broken up every 15' to 25' with color, change of building materials, depth, height, or other architectural characteristics. Windows, doors, art or architectural detailing are all options for a blank wall.	The building is broken up with a combination of materials, colors and architectural elements that create depth and height. The overall height of the building is approximately 28 feet.
Roofing	Sloped roofs should be the primary roof form and should use a material that is compatible in material and color with the exterior material of the building. Flat roofs can be used, but should always be used with a parapet and/or decorative cornice.	The applicant is requesting a flat roof design. The building has both parapet and cornice designs.
Exterior Walls and Surfacing (building Materials)	Brick, stone, or colored decorative block should be utilized as the primary building material (85% or greater of the building), especially on street-facing facades. All of the above, as well as stucco, wood, architectural metals, colored decorative concrete and cement board siding may be used as secondary (less than 40%) building materials, and on less visible facades.	The building materials consist of a combination of block and cement board with metal along the room and around the windows of the buildings. The required primary materials that are used exceed the 85% requirements on the building.
Fenestration (windows and doors)	Storefront windows should be framed with a material complementary to the primary building material(s). Wood or metal are framing materials that work well with brick or stone. If storefront windows do not reach to the ground, a projecting sill should be used at the bottom.	All windows are framed with a metal material. The windows around the entrance to the building reach the ground.
Exterior Trim and Decorative Detailing	Simple decorative detailing; focused on the primary street; colors, textures, and changes in building materials to give definition; detailing focused on street-level; upper level less detail.	The applicant is proposing a metal architectural element that provides decorative detailing to the building as well as different architectural cornice and trim elements.

Engineering Requirements

The City Engineer is working through technical issues related to the site plan and will conduct a final review if the planning commission grants final site plan approval.

Staff Analysis

City staff believes that this development will be an amenity to Lindon City. The facility will allow club members to schedule the courts for private use and provides four bathrooms and showers to club members. There are two items identified that will need additional Planning Commission review. The first is the portion of the landscaping strip along 200 North. The second is the fenestration on the primary façade of the building. These comments where recently sent to the applicant. If the commission is comfortable

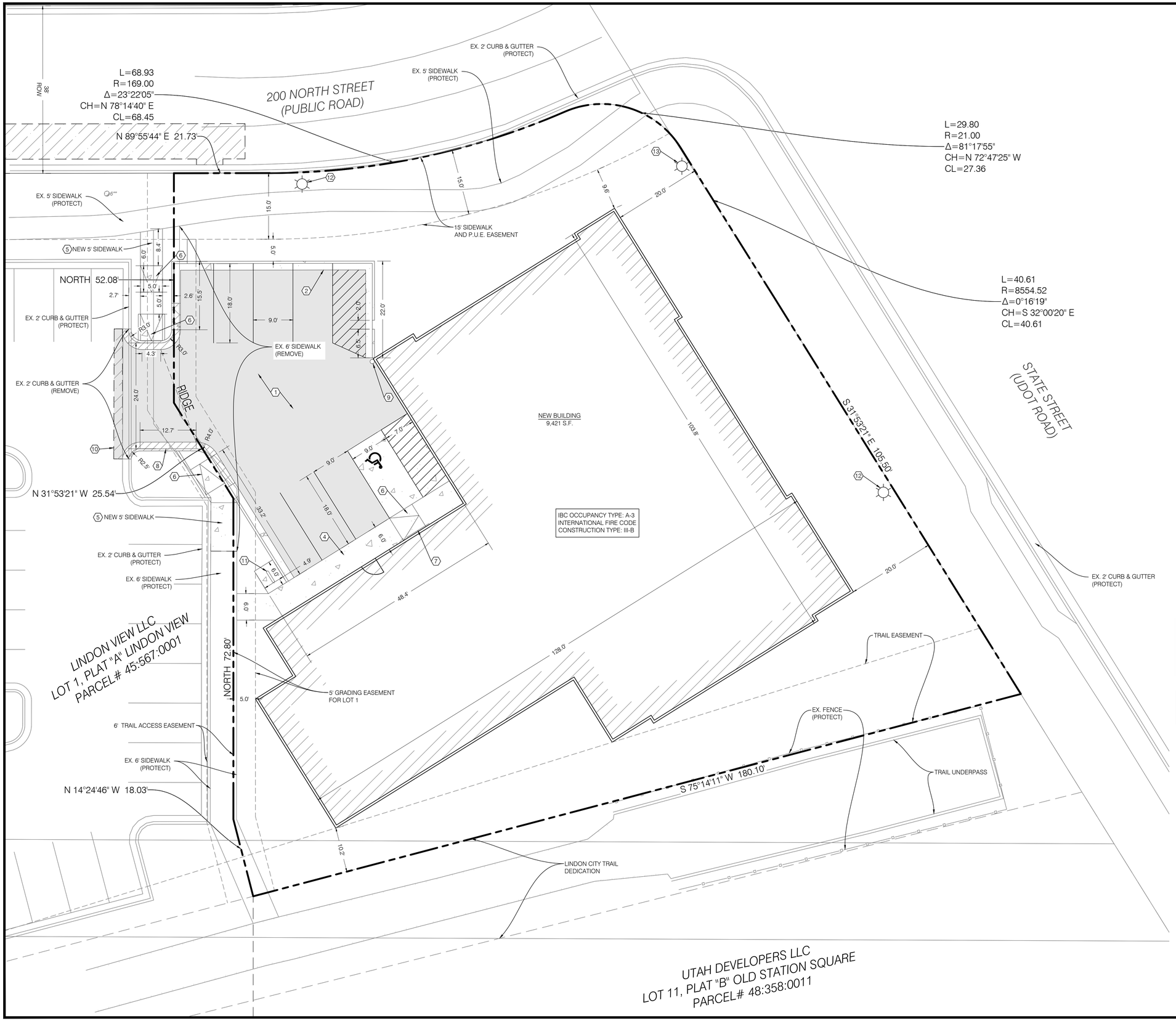
adding this as a condition of approval, then staff can do the final review once the plans are updated. The applicant has provided a memorandum with additional information regarding their business model and scheduling. The applicant has also addressed the expected parking demands and traffic circulation on this property.

Exhibits

1. Aerial photo
2. Site plan
3. Building elevations
4. Landscaping Plan
5. Applicant's memorandum

Exhibit 1





NORTH

GRAPHIC SCALE

10 0 5 10 20

(IN FEET)
1 inch = 10ft.

CONSTRUCTION KEY NOTE REFERENCE		
NO.	DESCRIPITON	DETAIL
1	ASPHALT PAVEMENT WITH GRANULAR BASE	1/CDT.01
2	CONCRETE CURB AND GUTTER PER LINDON CITY STD. #4	5/CDT.01
3	RELEASE CURB & GUTTER	3/CDT.01
4	SIDEWALK THICKENED EDGE	2/CDT.01
5	SIDEWALK PER LINDON CITY STD #3	6/CDT.01
6	ADA RAMP	1/CDT.02
7	ADA SIGN MOUNTED TO BUILDING	1/CDT.02
8	TRANSITION CURB & GUTTER	
9	BOLLARD (DESIGNED BY OTHERS)	
10	SAWCUT PER LINDON CITY STDS.	
11	SINGLE LOOP BIKE RACK (DESIGNED BY OTHRERS)	
12	WASHINGTON POSLITE STREET LIGHT	4/CDT.01
13	ESPLANADE STREET LIGHT	4/CDT.01

AREA TABLE		
PARTICULARS	S.F.	%
BUILDING	9,421	42.0
HARDSCAPE	4,144	18.5
LANDSCAPE	8,882	39.5
TOTAL	22,447	100

NOTE:
SLOPE ACROSS THE ACCESSIBLE PARKING STALLS & ACCESS ISLE SHALL NOT EXCEED A 1:48 (2.00%) SLOPE. THE MAX GRADE DIFFERENCE BETWEEN THE ASPHALT SURFACE, ACCESSIBLE RAMP, AND SIDEWALK SHALL NOT EXCEED 1/4 INCH VERTICAL OR 1/2 INCH WHEN BEVELED. THE ACCESSIBLE MEANS OF EGRESS INCLUDING THE DRIVEWAY PORTION SHALL NOT EXCEED A SLOPE OF 1:20 (5.0%) & A CROSS SLOPE OF 1:48 (2.0%). ALL EXTERIOR DOOR WAY ACCESS REQUIRE AN EXTERIOR LANDING 60 INCHES IN LENGTH WITH A SLOPE NOT EXCEEDING A 1:48 (2.0%) SLOPE

PARKING COUNT		
PARTICULARS	PROVIDED	
	STANDARD	ADA
PARKING STALLS	8	1
TOTAL	9	

NOTE:
SAWCUT WIDTH, LOCATIONS AND TIE-IN ELEVATIONS IN EXISTING HARDSCAPE ARE APPROXIMATE, CONTRACTOR TO FIELD VERIFY LOCATION AND EXTENT OF SAWCUTTING PRIOR TO CONSTRUCTION. NOTIFY CIVIL ENGINEER IF REVISIONS ARE REQUIRED. SEE NOTE 58 ON CGN.01 FOR FURTHER DETAIL.

NOTE:
ALL WORK WITHIN PUBLIC ROADS TO BE DONE IN STRICT ACCORDANCE WITH CURRENT CITY/UDOT STANDARDS AND SPECIFICATIONS.

NOTE:
1. "THE APPLICANT IS RESPONSIBLE FOR COMPLIANCE WITH ALL REQUIREMENTS OF THE 'AMERICANS WITH DISABILITIES ACT' (ADA)."
2. "ALL LANDSCAPED AREAS SHALL HAVE AN AUTOMATIC, UNDERGROUND SPRINKLING SYSTEM WITH A BACKFLOW PREVENTION DEVICE AND A BACKFLOW PREVENTION DEVICE TO THE BUILDING, UNLESS LANDSCAPING IS SERVED BY THE SECONDARY WATER SYSTEM."
3. "LINDON STANDARD SPECIFICATIONS AND DRAWINGS APPLY TO CONSTRUCTION OF PUBLIC IMPROVEMENTS THAT WILL BE OWNED OR MAINTAINED BY LINDON CITY AND TAKE PRECEDENCE OVER OTHER STANDARDS."

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811

No.	DATE	DESCRIPTION
1	05/28/21	REVISED PER CITY COMMENTS

SCALE MEASURES 1-INCH ON FULL SIZE SHEETS
ADJUST ACCORDINGLY FOR REDUCED SIZE SHEETS

DRAWN BY: SNH/DZB
CHECKED BY: AGA
FIELD CREW: JO/BT
DATE: 05/26/21
DWG. FILE: 2102047_SITE

PRELIMINARY PLAN
NOT FOR CONSTRUCTION
PROFESSIONAL ENGINEER
No. 11366633
ALLISON G. ALBERY
STATE OF UTAH

BENCHMARK ENGINEERING & LAND SURVEYING
9138 SOUTH STATE STREET SUITE #100
SANDY, UTAH 84070 (801) 542-7192
www.benchmarkcivil.com
BENCHMARK CIVIL

LINDON PICKLEBALL COURTS

195 NORTH STATE STREET
LINDON CITY, UTAH

PROJECT NO. 2102047

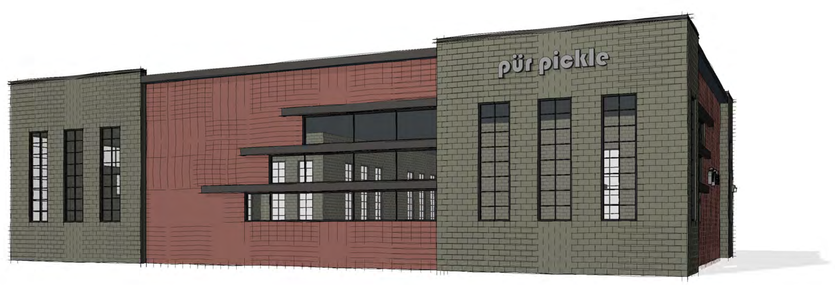
SITE PLAN

CSP.01
3 OF 9

pür pickle
Lindon Pickleball Club

SCHEMATIC DESIGN | 5/20/2021







5/28/2021 1:24:11 PM
BIM 360://Lindon Pickleball/20-043 Lindon Pickleball.rvt

LINE 29 TWENTY NINE
ARCHITECTURE

14253 S MORNING LIGHT DR
HERRIMAN, UT 84096
T: 385.232.0998
T: 801.822.3271
www.line29architecture.com

PROJECT:

Lindon Pickleball Club

195 North State Street
Lindon, UT

CLIENT:

Pür Pickle LLC

1810 West 700 North
Lindon, Utah 84042

REVISIONS

STAMP

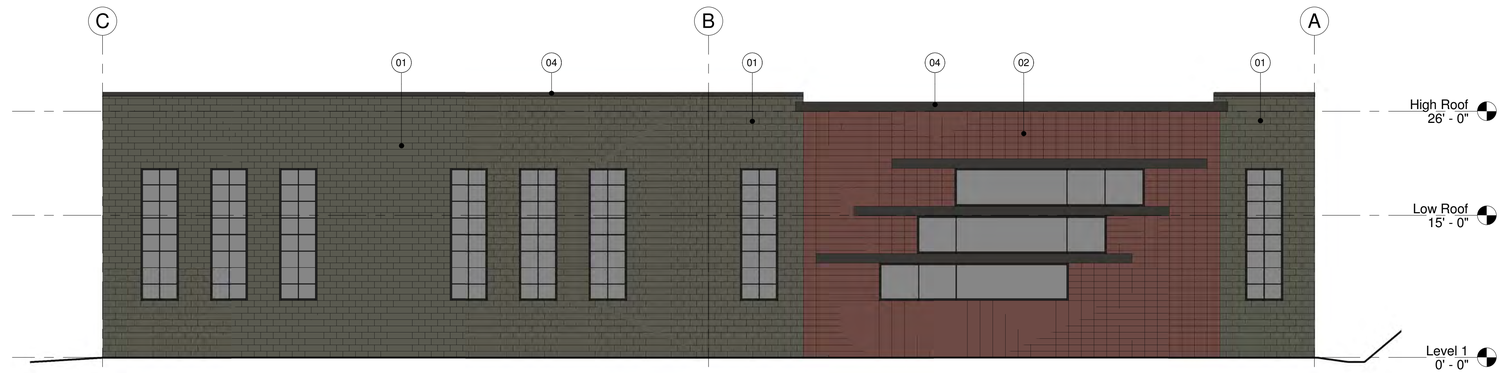
DRAWING

COVER

DATE: 5/20/21
PROJECT #: 2020-043
DRAWN BY: Author
CHECKED BY: Checker

SCHEMATIC DESIGN

A000



4 SOUTH ELEVATION
1/8" = 1'-0"

EXTERIOR FINISH LEGEND

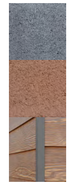
01 CMU: SMOOTH FACE, RUNNING BOND
Color: Charcoal
Sunroc Architectural Block

02 CMU: SMOOTH FACE, STACK BOND
Color: Sandstone
Sunroc Architectural Block

03 FIBER CEMENT BOARD
Color: Mountain Cedar
Woodtone RusticSeries

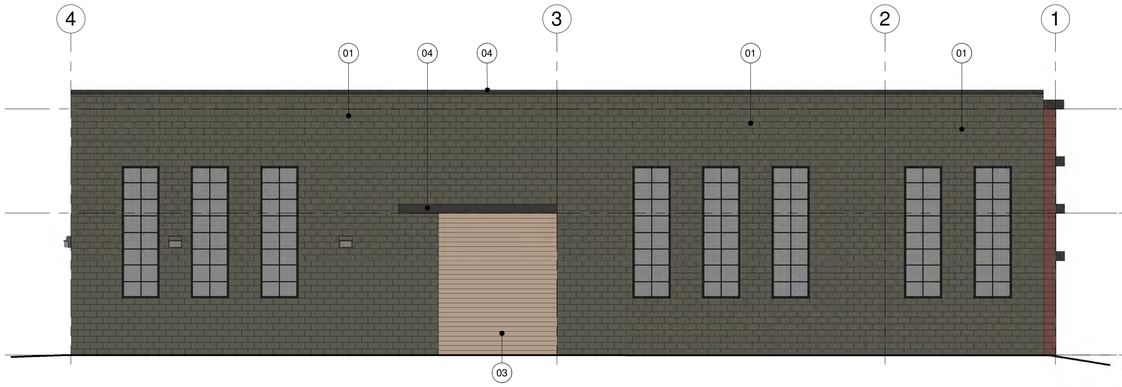
04 PRE-FINISHED METAL COPING
Color: Matte Black
Firestone Building Products

WINDOWS: VINYL
Color: Black Smooth
Intus Windows

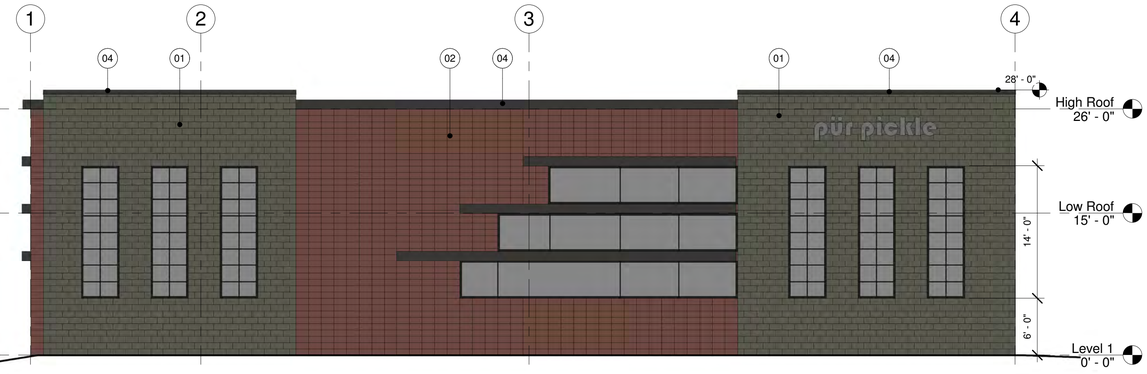




3 NORTH ELEVATION
1/8" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"



1 EAST ELEVATION
1/8" = 1'-0"

5/28/2021 1:24:13 PM
BIM 360://Lindon Pickleball/20-040 Lindon Pickleball.rvt

LINE 29 TWENTY NINE
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14253 S MORNING LIGHT DR
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PROJECT:
Lindon Pickleball Club

195 North State Street
Lindon, UT

CLIENT:
Pür Pickle LLC

1810 West 700 North
Lindon, Utah 84042

REVISIONS

STAMP

DRAWING
ELEVATIONS

DATE: 5/20/21
PROJECT #: 2020-043
DRAWN BY: Author
CHECKED BY: Checker

SCHEMATIC DESIGN

A200

LANDSCAPE NOTES

1. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING QUANTITIES OF ALL MATERIALS FOR BIDDING AND INSTALLATION PURPOSES. IF DISCREPANCIES EXIST, THE PLAN SHALL DICTATE.
2. PLANT MATERIAL TO BE INSTALLED PER PLANT LEGEND. ANY SUBSTITUTIONS TO BE APPROVED BY OWNER AND/OR LANDSCAPE ARCHITECT.
3. NEW AUTOMATIC UNDERGROUND IRRIGATION SYSTEM TO BE INSTALLED PRIOR TO LANDSCAPE INSTALLATION TO ENSURE PROPER WATERING OF ALL LANDSCAPE AREAS. REFER TO IRRIGATION PLANS FOR SPECIFICS.
4. NEW LAWN AREAS TO BE SODDED WITH 100% KENTUCKY BLUEGRASS (MINIMUM OF 3 DIFFERENT VARIETIES). FINE LEVEL ALL AREAS PRIOR TO LAYING SOD. SEE SOD LAYING NOTES FOR MORE INFORMATION
5. SANDY LOAM TOPSOIL TO BE INSTALLED AT THE FOLLOWING DEPTHS: 12" IMPORTED SANDY LOAM TOPSOIL (INCLUDING MIN. 15% HIGH GRADE DECOMPOSED ORGANIC MATERIAL MIXED INTO TOPSOIL PRIOR TO SPREADING) IN ALL NEW PLANTER AREAS. INSTALL 4" DEPTH OF SANDY LOAM TOPSOIL (INCLUDING MIN. 15% HIGH GRADE DECOMPOSED ORGANIC MATERIAL MIXED INTO TOPSOIL PRIOR TO SPREADING) IN ALL NEW LAWN AREAS.
6. PLANTER BEDS TO BE EXCAVATED AS NECESSARY IN ORDER TO ALLOW FOR TOPSOIL, AMENDMENTS AND MULCH. THE FINISHED GRADE OF LAWN AREAS SHALL BE APPROX. 1" BELOW TOP OF LAWN EDGING, SIDEWALK OR OTHER PAVED AREAS. FINISHED GRADE OF PLANTER AREAS SHALL BE APPROX. 1" BELOW TOP OF CURB, SIDEWALK, OR OTHER PAVED AREA.
7. DEWITT 5 OZ. WEED BARRIER FABRIC TO BE INSTALLED IN ALL ROCK MULCH AREAS. DO NOT INSTALL WEED BARRIER FABRIC UNDER PERENNIALS, ANNUALS, GROUNDCOVERS AND AREAS TO RECEIVE WOOD MULCH.
8. INSTALL PRE-EMERGENT HERBICIDE TO THE TOP OF THE FABRIC AFTER INSTALLING PLANTS AND PRIOR TO INSTALLING MULCH. AFTER INSTALLATION OF THE MULCH THE CONTRACTOR SHALL EVENLY BROADCAST A SECOND APPLICATION OF SLOW-RELEASE PRE-EMERGENT HERBICIDE. APPLY PRE-EMERGENT HERBICIDE PER MANUFACTURERS RECOMMENDATIONS.
9. ROCK MULCH TO BE INSTALLED AT THE FOLLOWING DEPTHS: 3" IN ALL TREE AND SHRUB PLANTER AREAS, 1" UNDER ALL PERENNIALS, GROUNDCOVERS AND ANNUALS. PULL MULCH MIN. 3" AWAY FROM BASE OF ALL PERENNIALS AND SHRUBS AND MIN. 6" AWAY FROM ALL TREES.
10. TREES LOCATED IN LAWN AREAS SHALL HAVE A GRASS FREE TREE RING AROUND BASE OF TREE WITH 3" DEPTH OF WOOD MULCH. THE GRASS FREE RING FOR FLOWERING TREES SHALL BE 4' DIAMETER AND UP TO 6' DIAMETER FOR SHADE TREES WHERE APPROPRIATE.



SOD LAYING NOTES

1. LAY SOD WITHIN 24 HOURS OF BEING LIFTED.
2. LAY SOD IN ROWS WITH JOINTS STAGGERED. BUTT SECTIONS CLOSELY WITHOUT OVERLAPPING OR LEAVING GAPS BETWEEN SECTIONS. CUT OUT IRREGULAR OR THIN SECTIONS WITH A SHARP KNIFE.
3. LAY SOD FLUSH WITH ADJOINING EXISTING SODDED OR PAVED SURFACES.
4. AFTER SODDING HAS BEEN COMPLETED, ROLL HORIZONTAL SURFACE AREAS IN TWO DIRECTIONS PERPENDICULAR TO EACH OTHER WITH A 150 POUND SOD ROLLER. REPAIR AND RE-ROLL AREAS WITH DEPRESSIONS, LUMPS OR OTHER IRREGULARITIES. HEAVY ROLLING TO CORRECT IRREGULARITIES IN GRADE IS NOT PERMITTED.
5. WATER ALL SODDED AREAS IMMEDIATELY AFTER SOD LAYING TO OBTAIN MOISTURE PENETRATION THROUGH SOD INTO TOP 4" OF TOPSOIL.
6. PROVIDE ADEQUATE PROTECTION OF SODDED AREAS AGAINST TRESPASSING, EROSION AND DAMAGE OF ANY KIND. REMOVE THIS PROTECTION AFTER SODDED AREAS HAVE BEEN ACCEPTED BY THE OWNER.
7. REPLACE DAMAGED AREAS AT NO ADDITIONAL COST TO OWNER.

DECIDUOUS TREE LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	QTY	SIZE
	PYRUS CALLERYANA 'CHANTICLEER' CHANTICLEER FLOWERING PEAR	4	1-2" CAL
	PRUNUS CERASIFERA 'KWANZAN' KWANZAN FLOWERING CHERRY	4	1-2" CAL
	TILIA CORDATA 'GREENSPIRE' GREENSPIRE LITTLE LEAF LINDEN	6	1-2" CAL

DECIDUOUS SHRUB LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	QTY	SIZE
	HIBISCUS SYRIACUS 'ANTONG TWO' LIL KIM DWARF ROSE OF SHARON	8	5 GAL.
	PHYSOCARPUS OPULIFOLIUS 'TINY WINE' TINY WINE NINEBARK	9	5 GAL.
	POTENTILLA FRUTICOSA 'GOLD DROP' GOLD DROP POTENTILLA	8	5 GAL.
	PRUNUS BESSEYI 'PAWNEE BUTTES' SAND CHERRY	4	5 GAL.

EVERGREEN SHRUB LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	QTY	SIZE
	JUNIPERUS CHINENSIS 'DAUB'S FROSTED' DAUB'S FROSTED JUNIPER	5	5 GAL.
	PINUS MUGO 'MOPS' MOPS MUGO PINE	8	5 GAL.
	TAXUS X MEDIA'ERSCHZAM' ERIE SHORES YEW	12	5 GAL.

PERENNIAL LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	QTY	SIZE
	HEMEROCALLIS X 'PURPLE DE ORO' PURPLE DE ORO DAYLILY	28	1 GAL.
	HEUCHERA MICRANTHA 'PALACE PURPLE' PALACE PURPLE CORAL BELLS	10	1 GAL.
	KENTUCKY BLUEGRASS SOD MIN. 3 VARIETY MIX.	3,765 S.F.	SOD

N

10' 0 10' 20' 30'

SCALE: 1"=10'-0" ON 24X36 SHEET

CALL BEFORE YOU DIG! IT'S THE LAW BLUE STAKES 1 800 662 4111

In Site DESIGN GROUP
Landscape Architecture Land Planning
17 North 470 West American Fork, Utah 84003
801.756.5043 www.in-sitedesigngroup.com
architects@in-sitedesigngroup.com

CONSULTANTS:

STAMP

STATE OF UTAH DARREN G. WILSON NO. 356187 LICENSED LANDSCAPE ARCHITECT

PROJECT:

PICKLEBALL COURTS
LINE 29 ARCHITECTURE
LINDON-UT-84042
PRELIMINARY PLAN - NOT FOR CONSTRUCTION

SHEET TITLE:

PLANTING PLAN

DRAWN BY:	LCS
CHECKED:	DGW
DATE:	05-28-2021
REVISIONS:	
JOB NO.	21-112

SHEET:

LS1.1

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MEMORANDUM

TO: LINDON CITY

FROM: MARK D. EDDY, Attorney for Pür Pickle, LLC

RE: **DESCRIPTION OF PROPOSED USE – 195 N. STATE STREET**

DATE: FEBRUARY 10, 2021

Pür Pickle, LLC is a new company recently formed to pursue the development of a private athletic club providing pickle ball courts to the community. It has agreed to purchase the .52 acre parcel located at 195 North State Street.

The planned facility will deliver four pickle ball courts which will be scheduled for play by the club's members. Two of the courts will be scheduled on the half-hour with the other two scheduled at the top of the hour to alleviate congestion at turn-over. Additionally, the facility will provide four bathroom/shower units for its members. Access will be granted by key fab at the time of reservation. There will be no employees needed to operate the facility.

We anticipate peak-operating hours to be prior to normal work hours (5 a.m. to 9 a.m.) and thereafter (6 p.m. to 10 p.m.) although members will be able to schedule during off-peak times. There is no room in the design provided for spectators. As a result, reservations allow for four people per court or a maximum of sixteen players at any time. It can reasonably be assumed that, at turn-over, some may choose to use the bathroom/shower facilities provided. We could also foresee people pausing to talk in the lobby as they come and go. In previous conversations with staff, we concluded that a conservative maximum occupancy would be 28 people (16 players, 4 in showers, 8 in lobby).

Members will access the site through an ingress/egress easement already on record and granted by the physician's plaza located to the West of the site. As part of that easement, up to 8 parking stalls was also granted to the site at the time the subdivision was developed. As you will note on the attached site plan, there are 9 parking stalls provided near the main entrance for a total of 17 parking stalls. Given the relatively small number of maximum occupants and, importantly, the fact that peak hours for the adjacent building are opposite of the peak hours for the athletic club, we do not anticipate traffic congestion or adverse impacts on neighboring businesses. As for odor, dust or pollution, the improvement of this vacant lot will significantly decrease any of those concerns. And, we reached the conclusion after our DRT meeting with staff, that there will be sufficient water and sewer capacity at this location. Much of that design was anticipated at the time the subdivision was first developed by the adjacent landowners.

Item: 8 Public Hearing – Zoning Map Amendment ~ 860 West 200 South

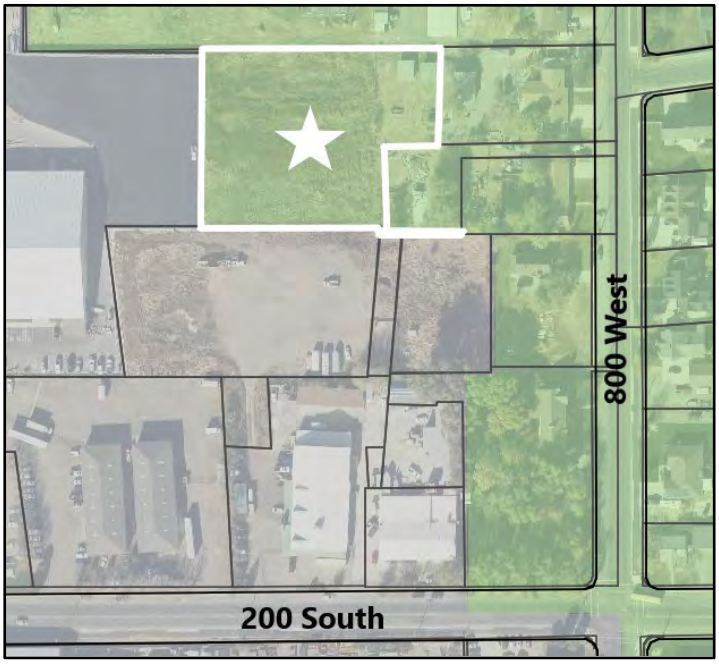
Date: June 22, 2021

Project Address: approximately 860 West 200 South
Applicant: Lindon Self Storage
Property Owner: Lindon Self Storage LLC

General Plan: Mixed Commercial
Current Zone: Residential (R1-20)

Parcel ID: 14:065:0219
Size: 1.5 Acres

Type of Decision: Legislative
Council Action Required: Yes
Presenting Staff: Anders Bake



Summary of Key Issues

1. Whether to recommend approval of a request to change the Zoning Map designation of the subject property from Residential (R1-20) to Light Industrial (LI).
2. This application was reviewed by the Planning Commission on May 25, 2021 along with applications for a site plan, minor subdivision, and major subdivisions. The applications were continued by the commission in order to get more information on the CC&R's for the project and answers to some questions that could not be answered during the meeting. Included in this report is a list of these questions that city staff sent to the applicant with the applicants' responses. The responses include references to sections of the updated CC&R's that are also attached to this report.

Overview

1. The applicant is requesting to rezone a portion the subject parcel from Residential (R1-20) to Light Industrial (LI) for the development of a storage unit facility. Storage units are not permitted in the Residential Zone but are permitted in the Light Industrial Zone.
2. The proposed development received approval on May 10, 2016 for a 46-unit self-storage condominium project on the subject property. Since there approval, the applicant did not meet development deadlines and their entitlement for the project expired. The applicant is now proposing a similar project but with additional property included to the project and a total of 75 storage units. The property that was part of the 2016 approval was in the Light Industrial zone but the property that has been added in currently in the R1-20 zone which is the reason for the zone map amendment request at this time.
3. The subject parcel is 3.05 acres with about half of the property zoned R1-20 and half zoned LI. The approval of this zone map amendment request would put all of the property in the same zone.

4. The planning commission will be making a recommendation to the city council for this rezone request. The applicant will also be required to received site plan and subdivision approvals for their project.
5. In September of 2018 the BMC property, which is next to the subject property at 145 South Geneva road, received zone map amendment approval to change a portion of their property from Residential (R1-20) to Light Industrial (LI). These properties are both designated as Mixed Commercial in the Lindon City General Plan which supports the proposed zone change.

Motion

I move to recommend (*approval, denial, continue*) of ordinance 2021-7-O to amend the Lindon City zoning map from Residential (R1-20) to Light Industrial (LI) at approximately 860 West 200 South with parcel number 14:065:0219

Surrounding Zoning and Land Use

North: R1-20 – residential
East: R1-20 – residential
South: LI – Lindon Self Storage property
West: LI – BMC truss plant

Planning Commission Questions and Responses

The following questions were sent to the applicant. The applicant's responses to each question are shown in red. Some of the responses refer to a section of the CC&R's for the project. These sections are attached to the report.

- Will each unit have individual thermostats? Each unit will have the option to have individual thermostats for climate control.
- What will be the office hours for the front office? 10-2 Monday thru Friday. Since this is not a commercial storage unit, these office hours are more to help individual owners with any concerns they may have. However, someone will be living on site.
- Can you provide an estimate CC&R's fee that will be charged to owners and a breakdown of what the fee will be used for? We do not have the fee at the moment as we are still working out what that will be. However, the dues will be utilized for common area maintenance, insurance, legal, accounting, management, and any other professional fees associated with the operation of the property.
- What will happen with any wastewater from washing vehicles or recreational vehicles? Do improvements need to be added to the engineering plans to address drainage collection and catch any grease or contaminates? From Our engineer: "The water will flow into the storm drain system. We will have snouts on the catch basins before it hits the city storm drain and the detention system."
- Does the easement cover the maintenance of the access easements on both 200 S. and 800 W.? Who is responsible for long-term maintenance and are these documents in place to clarify that? Do the agreements also cover maintenance of trees that may grow over the easement which will need to be maintained for proper fire access. The HOA will be responsible for maintaining both easements into the project. The original agreement for the access off of 200 S does state we will maintain this access. The agreement to be signed and recorded for the access on 800 W states the same. In the CC&Rs Page 7, section 4.3
- Is signage proposed for the storage units? No, it's not a typical commercial business, as the units are owned individually. CC&Rs also state owners are not allowed signs, page 17 section 9.3.

- Will the HOA ultimately be turned over to a Property Owners Association? Yes, page 4, section 1.20
- How will enforcement happen after hours in the case of complaints such as noise or other violations of the CC&R's by storage unit owners? Mentioned on page 9, section 5.9,
- It was mentioned by the commission to add hours of operation for hobby type uses that may cause a noise disturbance or after-hours noise disturbance to the surrounding neighbors such as auto related uses and repair. Page 17, section 9.4
- The commission also asked whether businesses that come to service vehicles such as camp trailers or recreational vehicles be limited by hours of operation? Page 18, section 9.6
- The commission would like to see all businesses that come to service vehicles only happen during specific hours of operation and not in the common roadways. Page 18, section 9.6
- The planning commission would like language added to the use section of the CC&R's that commercial businesses cannot be operated from the storage unit. Page 20 section 9.13
- The planning commission would like to see the requirement that customers are not allowed to come to the storage units to ensure that businesses are not operated from the units. Page 20 section 9.13
- The commission would like to see the requirement added that no unit will be used to house animals, reptiles, grow plants. Non-live materials only. Page 20 section 9.13

General Plan

1. The subject property has a Mixed Commercial designation in the Lindon General Plan Map. The Lindon General Plan states the following purpose for areas designated as Mixed commercial: "*This category includes general commercial, low intensity light industrial, and research and business uses. Includes areas typically zoned MC.*"
2. The General Plan designation for this property would support a rezone of the property to the Light Industrial zone.



Light Industrial Zone

1. Properties in the Light Industrial Zone follow the development requirements in section 17.49 of the Lindon City Code. The purpose section of this ordinance states the following:
   "It shall be the purpose of the LI district to provide areas in appropriate locations where light manufacturing, industrial processes and warehousing not producing objectionable effects may be established, maintained, and protected. The regulations of this district are designed to protect environmental quality of the district and adjacent areas."
2. The Light Industrial Zoning ordinance requires that a masonry or concrete fence seven feet high, be constructed and maintained along any property line between a non-residential development and a residential use or a residential zone.
3. The permitted and conditional uses for the Light Industrial zone are designated in the standard land use table.

Lot Requirements Light Industrial (LI)

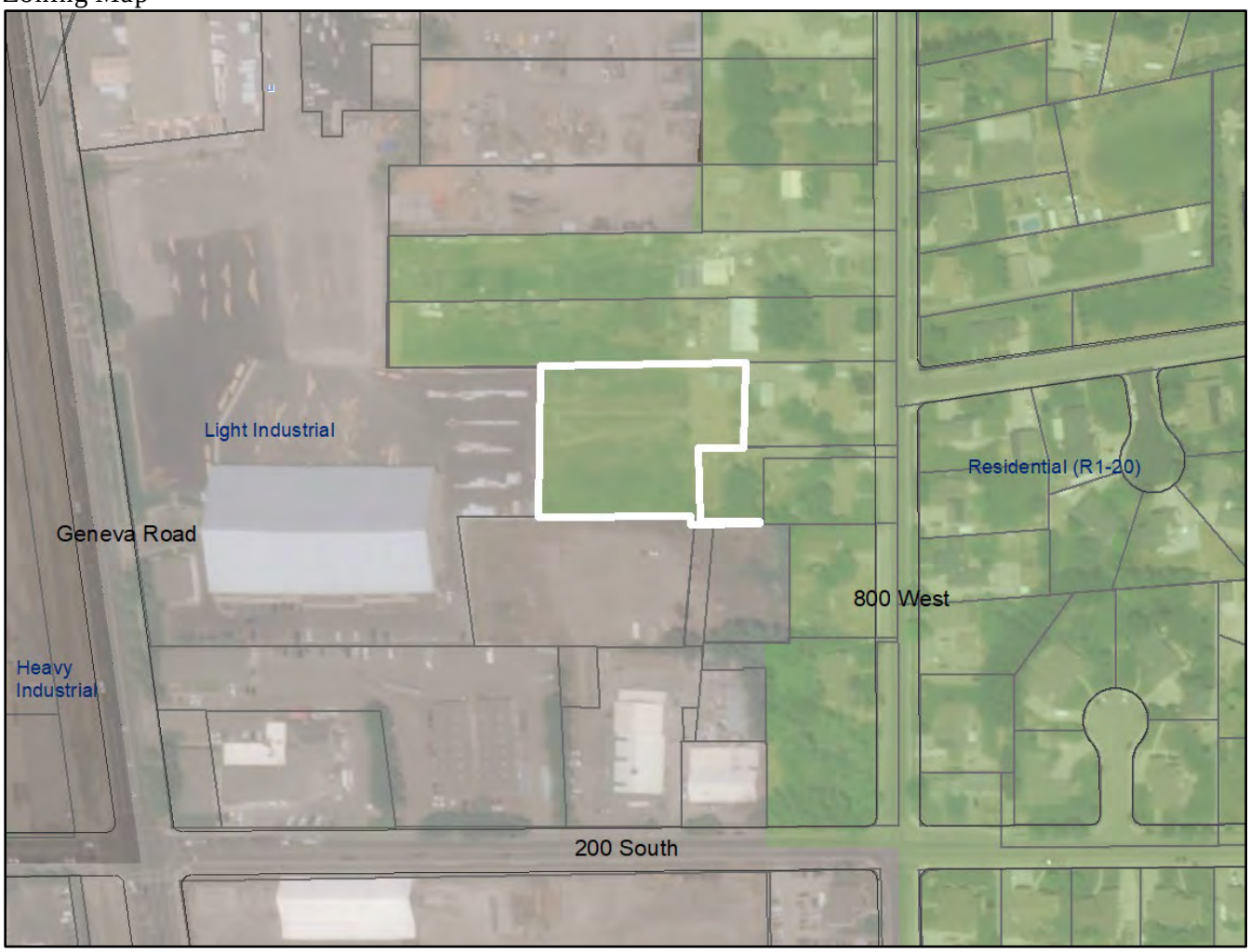
1. The Light Industrial zone requires a minimum lot size of one acre. The subject parcel meets this requirement with 3.05 acres.

Public Hearing Notices, required per Lindon City Code section 17.14, where published in the Daily Herald on May 13, 2021. City Staff Received a phone call from a neighboring property owner who had concerns that the storage units could be misused to operating a business or live in and how the city would be able to enforce these issues.

Exhibits

1. Surrounding Area Zoning Map
2. Proposed site plan
3. Previously approved 2016 site plan
4. Declaration of Condominium for Lindon Self Storage selection

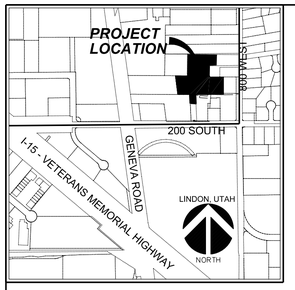
Zoning Map



LINDON SELF STORAGE

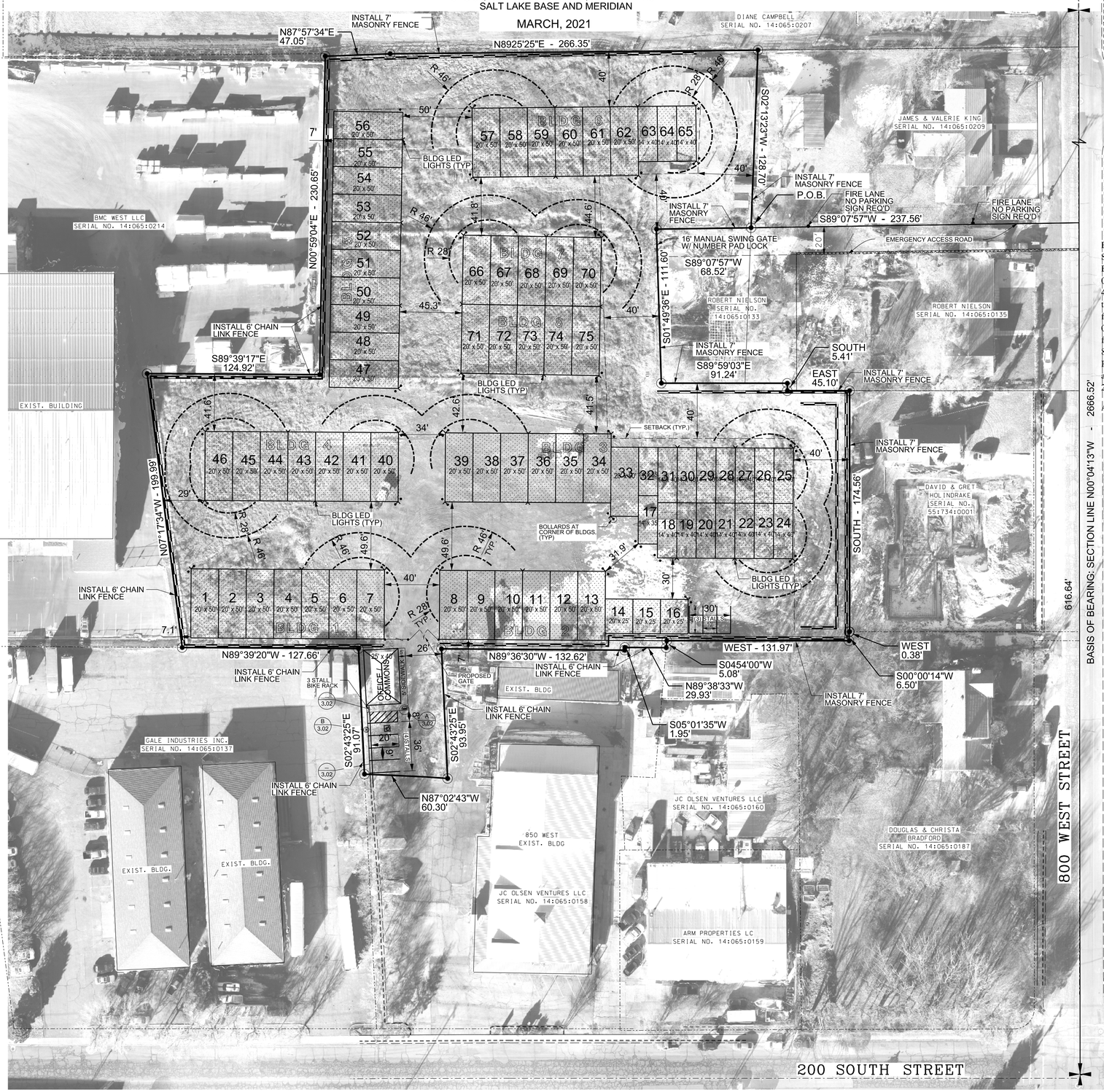
LOCATED WITHIN THE SOUTHEAST CORNER OF
SEC 32, TOWNSHIP 5 SOUTH, RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN

MARCH, 2021



VICINITY MAP

NTS



EAST QUARTER CORNER OF SECTION 32
TOWNSHIP 5 SOUTH, RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN

SCALE (FEET)
0 40 80 120 160

LINDON SELF STORAGE OVERALL DESCRIPTION

Beginning at a point which is North 00°04'13" West along the Section line a distance of 616.64 feet and South 89°07'57" West 237.56 feet from the Southeast corner of Section 32, Township 5 South, Range 2 East, Salt Lake Base and Meridian; and running thence South 89°07'57" West 68.52 feet; thence South 01°49'36" East 111.60 feet; thence South 89°59'03" East 91.24 feet; thence South 5.41 feet; thence East 45.10 feet; thence South 174.56 feet; thence West 0.38 feet; thence South 00°00'14" West 6.50 feet; thence West 131.97 feet; thence South 04°54'00" West 5.08 feet; thence North 89°38'33" West 29.93 feet; thence South 05°01'35" West 1.95 feet; thence North 89°36'30" West 132.62 feet; thence South 02°43'29" East 93.95 feet; thence North 87°02'43" West 60.30 feet; thence North 02°43'31" West 91.07 feet; thence North 89°39'20" West 127.66 feet; thence North 07°17'34" West 199.99 feet; thence South 89°39'17" East 124.92 feet; thence North 00°59'04" East 230.65 feet to a Boundary Line Agreement Recorded as Entry No. 9283:2018, being on file with the Office of the Utah County Recorder; thence along said Boundary Line Agreement the following two (2) courses: 1) North 87°57'34" East 47.05 feet; 2) North 89°25'25" East 266.35 feet; thence South 02°13'23" West 128.70 Feet to the point of beginning.

Area = 3.852 Acres (167,780 Sq. Ft.)

NOTES:

1. THE APPLICANT IS RESPONSIBLE FOR COMPLIANCE WITH ALL REQUIREMENTS OF THE "AMERICANS WITH DISABILITIES ACT" (ADA)
2. LINDON STANDARD SPECIFICATIONS AND DRAWINGS APPLY TO CONSTRUCTION OF PUBLIC IMPROVEMENTS THAT WILL BE OWNED OR MAINTAINED BY LINDON CITY AND TAKE PRECEDENCE OVER OTHER STANDARDS.
3. TRASH RECEPTICAL TO BE RESIDENTIAL CONTAINER.
4. DATUM USED IS NAD 27.
5. EMERGENCY ACCESS ROAD TO BE 20' WIDE WITH 12" GRANULAR BORROW AND 8" COMPACTED ROAD BASE.

INFORMATION TABLE

DESCRIPTION	=
TOTAL SQUARE FOOTAGE OF AREA PROPOSED	167,780 SF
LANDSCAPE AREA	0.00 SF
IMPERVIOUS AREA	167,780 SF
BUILDING SF / USE TYPE	1,000 SF / (OFFICE)
TOTAL # OF PARKING SPACES PROVIDED	7 STALLS
TOTAL # OF PARKING SPACES REQ'D (1 STALL PER 200 SF)	5 STALLS
TOTAL # OF ADA PARKING PROVIDED	1 STALLS
TOTAL # OF BIKE STALLS REQ'D (5 x.08)=	1 STALLS
TOTAL # OF BIKE STALLS PROVIDED	3 STALLS

PRIVATE AREA
COMMON AREA
EMERGENCY ACCESS
SETBACK LINE
RETAINING WALL

1-800-662-4111
811
Know what's below. Call before you dig.

OWNER:
DESERT PEAK MANAGEMENT GROUP
947 SOUTH 500 EAST, STE 100
AMERICAN FORK, UTAH 84003
TELEPHONE: (801)764-9000

ENGINEER/SURVEYOR:
M.W. BROWN ENGINEERING
578 E. 770 N.
OREM UT, 84097
TELEPHONE: (801) 377-1790

SOUTHEAST CORNER OF SECTION 32
TOWNSHIP 5 SOUTH, RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN

MW BROWN ENGINEERING, INC
Office: (801) 377-1790 Fax: (801) 377-1789
578 East 770 North, Orem UT 84097

REGISTERED PROFESSIONAL ENGINEER
APR. 21, 2021
NO. 174774
MATT W. BROWN
STATE OF UTAH

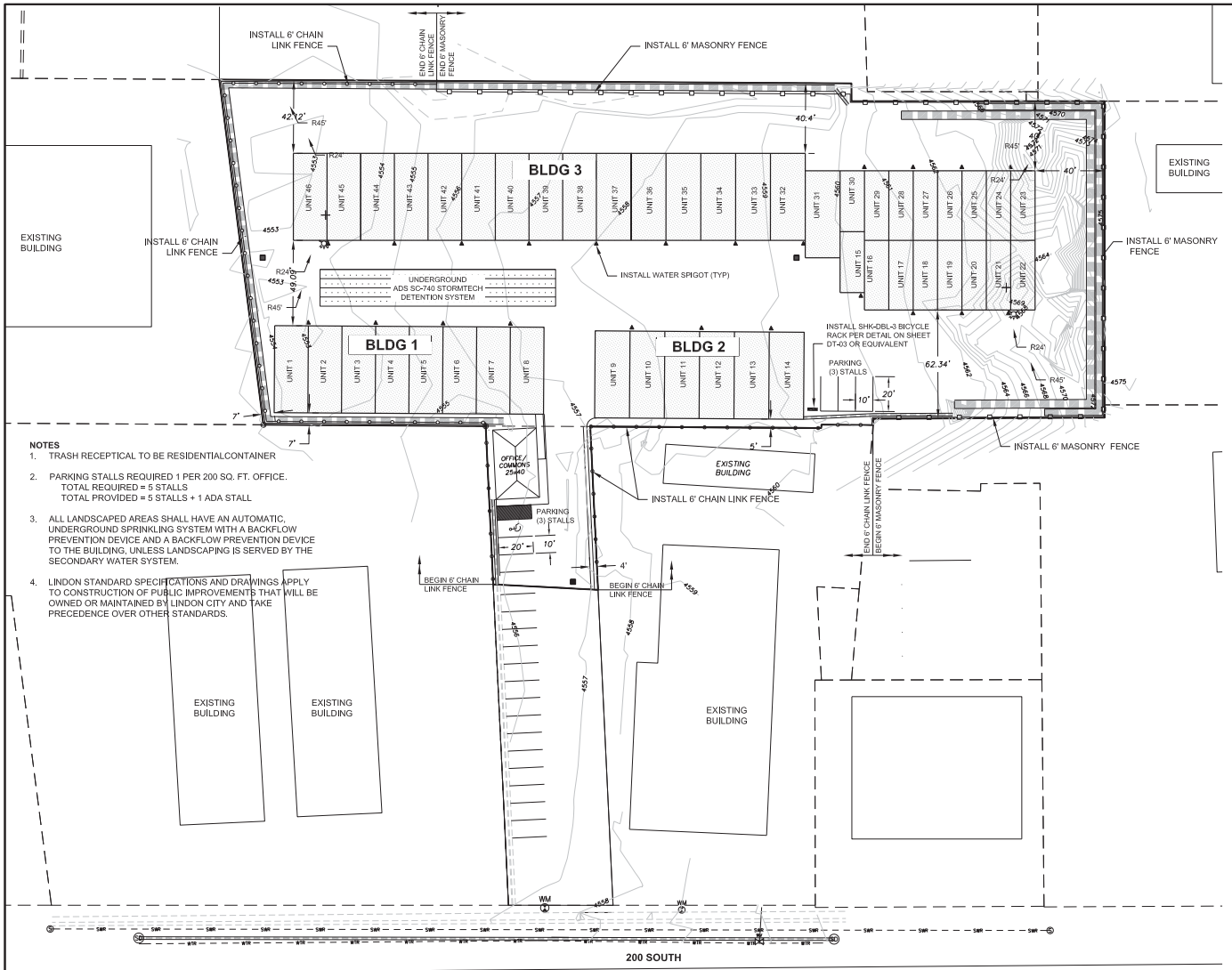
No.	Date	By	REVISIONS
			Notes

Designed
Drawn
Checked
Date

Title: LINDON SELF STORAGE
Location: LINDON, UTAH
Drawing Name: SITE PLAN & DIMENSION PLAN

PROJECT NO.
2019.054

SHEET NO.
1.00



NOTES

1. TRASH RECEPTICAL TO BE RESIDENTIALCONTAINER
2. PARKING STALLS REQUIRED 1 PER 200 SQ. FT. OFFICE.
   TOTAL REQUIRED = 5 STALLS
   TOTAL PROVIDED = 5 STALLS + 1 ADA STALL
3. ALL LANDSCAPED AREAS SHALL HAVE AN AUTOMATIC, UNDERGROUND SPRINKLING SYSTEM WITH A BACKFLOW PREVENTION DEVICE AND A BACKFLOW PREVENTION DEVICE TO THE BUILDING, UNLESS LANDSCAPING IS SERVED BY THE SECONDARY WATER SYSTEM.
4. LINDON STANDARD SPECIFICATIONS AND DRAWINGS APPLY TO CONSTRUCTION OF PUBLIC IMPROVEMENTS THAT WILL BE OWNED OR MAINTAINED BY LINDON CITY AND TAKE PRECEDENCE OVER OTHER STANDARDS.

SITE DEVELOPMENT CONSTRUCTION PLANS

LINDON SELF STORAGE SITE PLAN & DIMENSION PLAN

N

0 15' 30' 60'
1"=30'

LEGEND

- PROPERTY LINE
- EASEMENT LINE
- PROPOSED 8" PIPE PVC SDR-35 SEWER
- PROPOSED 15" RCP CLASS V STORM DRAIN
- PROPOSED 8" DUCTILE IRON CLASS 350 WATER
- PROPOSED 2" WATER
- PROPOSED RETAINING WALL (HEIGHT VARIES)
- PROPOSED 6' CHAIN LINK FENCE
- PROPSED 7' MASONRY FENCE
- PROPOSED SPIGOT
- PROPOSED STORM DRAIN BOX W/ GRATE
- PROPOSED FIRE HYDRANT
- PROPOSED WATER METER
- EXISTING SEWER
- EXISTING WATER
- EXISTING STORM DRAIN
- EXISTING FENCE
- EXISTING WATER VALVE
- EXISTING POWER POLE
- EXISTING SEWER MANHOLE
- EXISTING STORM DRAIN MANHOLE
- PRIVATE AREA
- COMMON AREA

AREA DATA TABLE

TOTAL SITE SQUARE FOOTAGE	101519.06 S.F.
TOTAL LANDSCAPING ACREAGE	0.000 S.F.
TOTAL IMPERVIOUS AREA ACREAGE	101519.06 S.F.

PARKING DATA TABLE

BUILDING SQUARE FOOTAGE / USE TYPE	1000 S.F./ BUSINES (OFFICE)
REQUIRED PARKING STALLS / USE TYPE	1/200 S.F.
TOTAL NUMBER OF REQUIRED PARKING STALLS	5
TOTAL NUMBER OF STALLS PROVIDED	6
TOTAL NUMBER OF ADA STALLS PROVIDED	1

VERIFY SCALE
BAR IS ONE INCH IN ORIGINAL DRAWING. IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

NO.	DATE	REVISION	BY

DESIGN T KENISON
DRAWN T KENISON
CHECK V HANSEN
APRVD V HANSEN

42 NORTH 200 EAST, SUITE 1
AMERICAN FORK, UTAH 84003
TEL: (801) 756-2486
H&H ENGINEERING & SURVEYING, INC.

LINDON SELF STORAGE
LINDON, UTAH

SITE PLAN & DIMENSION PLAN

PROJ 13-399-02
DATE 12-11-15
SHEET C-02

DECLARATION OF CONDOMINIUM
FOR
LINDON SELF STORAGE

A Utah Condominium Project

associated Unit; and each Unit Owner is hereby granted an irrevocable license to use and occupy said Limited Common Area. If an Owner's Limited Common Area is not depicted on the Plat, or there is a dispute over its boundaries, the Board shall have the authority and discretion to determine Limited Common Area boundaries and the Board's decision shall be binding.

1.17 **"Manager"** shall mean a person, persons, or entity, if any, selected by the Board of Directors to manage the affairs of the Project.

1.18 **"Occupant"** shall mean any Person, including an Owner, renting, using, visiting, or storing items in a Unit. This includes, but is not limited to an Owner's employees, lessees, tenants, family members, guests, agents, invitees, and representatives.

1.19 **"Owner"** or **"Unit Owner"** shall mean the Person or Persons who are vested with record title of a Unit, and whose interest in the Unit is held in fee simple, according to the records of the Utah County Recorder; however, Owner shall not include a Person who holds an interest in a Unit merely as security for the performance of an obligation. If a Unit is subject to an executory purchase contract, the contract purchaser shall be considered the Owner unless the seller and buyer agree otherwise and inform the Board in writing of such alternative arrangement.

1.20 **"Period of Declarant Control"** shall mean the period of time during which the Declarant may appoint and remove Board Members as set forth in § 57-8-16.5 of the Act. The Period of Declarant Control shall commence on the recording date of the first deed transferring title of a Unit from Declarant to a third party purchaser, and shall terminate on the occurrence of the earliest of the following events: (i) six (6) years from the date the first deed to a Unit is recorded, (ii) six (6) months after the date on which more than three-fourths of the Allocated Interests have been conveyed by Declarant, or (iii) the Declarant executes a written waiver of its right to control the Association. The expiration of the Period of Declarant Control has no effect on the termination of all other Special Declarant Rights set forth in this Declaration.

1.21 **"Person"** shall mean a natural individual, corporation, business entity, estate, partnership, trustee, association, joint venture, government, governmental subdivision or agency or other legal entity capable of holding title to real property.

1.22 **"Plat"** shall mean all of the "Lindon Self Storage Plat B" condominium plat recorded with the Utah County Recorder. The term Plat shall specifically include any additional or supplemental plat(s) that may be recorded in the future for the Project. The Plat is hereby incorporated into and made an integral part of this Declaration, and all requirements and specifications set forth on the Plat and required by the Act are deemed included in this Declaration. If any conflict exists between the Plat and this Declaration, the Declaration shall control.

1.23 **"Project"** shall include the real property described in Exhibit A, together with the buildings, improvements, and permanent fixtures located thereon, and all easements and rights appurtenant thereto and shall at any point in time mean and refer to the Lindon Self Storage development.

1.24 **"Restrictions"** shall mean the covenants, conditions, assessments, easements, liens, and restrictions set forth in this Declaration.

1.25 **"Rules"** shall mean and refer to the rules, resolutions, and/or regulations adopted by the Board of Directors.

(a) Owners may make nonstructural alterations within the Owner's Unit that do not impact the uniform appearance of the exterior of the Units, but an Owner shall not make any structural alterations or alterations to any part of the exterior of a building (such as windows, light fixtures, exterior doors and overhead doors), the Common Area, or the Limited Common Area without the prior written approval of the Board. The Board may require that such repairs or modifications, if allowed, be made in a particular manner, by a particular Person, or that they comply with particular color schemes, material requirements, or other standards.

(b) Remodeling and Extensive Maintenance. An Owner shall be liable for any and all damage and/or liability associated with any remodeling or maintenance work including damage to the Unit, another Unit, or any Common Area, or Limited Common Area. Without prior written permission of the Board, none of the following shall occur in any remodeling: (1) any use of the Common Area for staging, storage, assembly, or construction; (2) the creation or implementation of any visual, audible, or aromatic nuisance or any other nuisance that impacts on the use and enjoyment of any one or more of the other Units; (3) any blocking of the Common Area by vehicles, materials, or persons; or (4) any use of the Association's garbage and disposal facilities for the disposal of debris, materials, or other items related to the remodeling.

4.3 **Maintenance of Common Area, Limited Common Area, and Easements.**

(a) Maintenance of Common Area. Except as otherwise provided specifically herein, the Association, through its Board or its fully delegated representative, shall repair, maintain, replace, pay all expenses associated with, and otherwise manage the Common Area as that area is defined in this Declaration and the Plat. This shall include the right to modify, remove fixtures upon, add to, place signs upon, and otherwise modify the Common Area. The Association shall do all such other and further acts that the Board deems necessary to preserve and protect the Common Area and the beauty thereof, in accordance with the general purposes specified in this Declaration.

(b) Maintenance of Limited Common Area. The Association shall repair, maintain, and replace the Limited Common Area. Owners shall be responsible to ensure that the Limited Common Area within their exclusive control is kept in a clean, sanitary, and uncluttered condition.

(c) Maintenance of Easements. The Association shall repair and maintain the Easements.

(d) Standard of Maintenance. The Board shall determine, in its sole discretion, the appropriate standards to be used for the maintenance of the Common Area and Limited Common Area, so long as the Association is maintained in the best interests of the Owners.

(e) Assessment for Maintenance Expenses to Specific Owner. If the need for maintenance or repair is caused through the willful or negligent act of an Owner or an Occupant, the Board may cause the needed maintenance or repair to be made. In such a case, the Association shall assess the Owner the reasonable cost of such maintenance or repair. Failure to timely report the need for maintenance or repair shall be deemed a negligent act for purposes of this Article.

4.4 **Default in Maintenance**. If an Owner or Occupant fails to maintain a Unit or Limited Common Area for which the Owner is responsible, as provided by this Article, or make

appurtenant to that Unit shall be shared by all such Persons in the same proportional interest and by the same type of tenancy in which title to the Unit is held.

5.5 **Voting**. Except as otherwise disallowed in this Declaration or the Bylaws, Owners shall be entitled to vote their Allocated Interest pertaining to the Unit owned by that Owner at any meeting of the Owners, but only one (1) vote shall be cast per Unit. In the event there is more than one (1) Owner of a particular Unit, the vote relating to such Unit shall be exercised as such Owners may determine among themselves. A vote cast at any Association meeting by any of such Owners, whether in person or by proxy, shall be conclusively presumed to be the vote attributable to the Unit concerned unless an objection is immediately made by another Owner of the same Unit. In the event such an objection is made, the vote involved shall not be counted for any purpose whatsoever, other than establishing a quorum.

5.6 **Board of Directors**. The governing body of the Association shall be the Board of Directors. Except where a matter or vote is specifically reserved to the Owners, the Board shall act in all instances on behalf of the Association. Board Members shall be elected pursuant to the provisions set forth in the Bylaws. The Bylaws may set forth qualifications and requirements for serving on the Board.

Notwithstanding the foregoing, during the Period of Declarant Control, the Declarant shall have the sole authority to act as the Board of Directors, or to appoint Board Members. Declarant appointed Board Members shall not be bound by the qualification requirements in the Declaration and Bylaws

5.7 **Right to Enter Units**. The Association acting through the Board, or its duly authorized agent, shall have the right at all times upon reasonable notice of at least 48 hours, except for in an emergency, to enter upon or into any Unit, without trespass, to inspect, evaluate, assess, and appraise, to abate any infractions, to make repairs or correct any violation of any of the Governing Documents, and in connection therewith shall have the further right to assess all costs incurred against the Owner, such assessment to be secured by a lien provided in Article VII. Notice shall not be necessary in case of an emergency originating in or threatening such Unit or any other part of the Project, including the smell or sight of smoke in a Unit, abnormal or excessive noises, and foul smell. Owners shall maintain up-to-date emergency contact information records with the Association. Owners shall be responsible for any costs incurred by the Association as a result of entering a Unit under this Section and shall indemnify and hold harmless the Association for all damages related to such entry.

5.8 **Rules**. The Board may adopt, amend, repeal, enforce, and administer reasonable Rules for the regulation and operation of the Project. The Rules may address any issues including those addressed in this Declaration and the Bylaws. The Rules may supplement, clarify, and add detail to issues otherwise addressed in this Declaration and the Bylaws so long as they do not contradict the same. The Board shall have the sole discretion to determine whether a use or activity being conducted or to be conducted violates or will violate the Rules, and the Board's determination shall be conclusive.

5.9 **Enforcement**. In addition to any other remedies allowed or provided in this Declaration for any violation of the Declaration, Bylaws, or Rules, the Board may adopt any one or more of the following: (1) impose and levy fines for violation of the Governing Documents; (2) terminate an Owner's right to receive utility services paid as a Common Expense; (3) terminate an Owner's right to access and use Common Area facilities; (4) terminate an Owner's voting rights as further provided herein; (5) instigate litigation to enforce the provisions of this Declaration or any other common law or statutory right which the

Association is granted; and (6) take any other action or seek any other remedy allowed by the Act or other applicable Utah law. Any complaints shall be directed to the Board for review and enforcement.

The Board shall have the authority (but shall not be required) to create a reasonable hearing process applicable in case the Board or Association takes adverse action related to any particular Owner or group of Owners. The Board shall not be under any obligation to offer a hearing process, except as required by law or by this Declaration, and in any such process, shall have the absolute authority to designate the procedure related to any such hearing and to make any and all final determinations of issues subject to the hearing process.

5.10 **Contracts and Agreements**. The Association may employ the services of any person or corporation as managers, hire employees to manage, conduct, and perform the business, obligations, and duties of the Association, employ professional counsel and obtain advice from such persons or firms or corporations such as, but not limited to, community association managers, landscape architects, accountants, recreational experts, architects, planners, lawyers, reserve study specialists, or what is convenient for the management, maintenance, and operation of the Project. The Association shall have the right to enter agreements, as the Board deems appropriate, for the provision of utilities or other services that benefit the Association, including any applicable joint use and easement agreement with neighboring associations or landowners.

5.11 **Reserve Fund**. The Association shall maintain an adequate reserve fund for the maintenance, repair and replacement of the Common Area, as determined by the Board. Reserve funds may be collected as part of the Annual Assessments. To the extent the Board deems necessary, surplus monies of the Association may be retained as additional reserves rather than refunded to the Owners or credited to future Assessments.

5.12 **Availability of Governing Documents**. The Association shall maintain current copies of the Governing Documents and the Association's own books, records, and financial statements (as required by law) available for inspection, upon written request by any Owner or Lender (or any insurer or guarantor of a Lender) as may be further provided in the Bylaws. The term "available" as used in this Section shall mean available for inspection within a reasonable time after delivery of a written request to a Board Member and at a location convenient to the Board within the Project or at such other location as may be agreed by the Board and the party requesting.

5.13 **Managing Agent**. The Board may contract with a professional Manager to assist the Board in the management and operation of the Project and may delegate such of its powers and duties to the Manager as it deems appropriate; reserving the right, however, to control and oversee the administration thereof. Any powers and duties delegated to any Manager may be revoked by the Board at any time, with or without cause.

5.14 **Board Indemnification**. Each past and present Board Member (including the Declarant and its appointees) shall be entitled to defense and indemnification to the fullest extent permitted by the Utah Revised Nonprofit Corporation Act. The right of any Person to be indemnified shall be subject always to the right of the Association by the Board, in lieu of such indemnity, to settle any claim, action, suit, or proceeding at the expense of the Association by the payment of the amount of such settlement and the costs and expenses incurred in connection therewith.

5.15 **Board Liability**. To the fullest extent permitted by the Utah Revised Nonprofit Corporation Act, the Declarant and each past and present Board Member shall not be liable

(a) The right of the Association to suspend the Owner's voting right in the Association and the Owner's right to the use of any facilities included in the Common Area: (i) for any period during which an Assessment on such Owner's Unit remains unpaid; (ii) for a period not exceeding sixty (60) days for any infraction by such Owner of the Governing Documents; and (iii) for successive 60-day periods if any such infraction is not corrected during any prior 60-day suspension period;

(b) The right of the Association to impose reasonable limitations on the number of guests per Owner or Occupant who at any given time are permitted to use the Common Area; and

(c) The right of any governmental or quasi-governmental body having jurisdiction over the Project to access and to have rights of ingress and egress over and across any street, parking areas, walkway or open areas contained within the Common Area for purposes of providing police and fire protection, transporting school children and providing other governmental or municipal services.

(d) Any Shared Use Agreement between the Project and the neighboring Master Association or other Homeowners Associations within the jurisdiction of the Master Association.

8.5 **Joint Use and Cross Access Easements**. The Declarant or the Board may, on behalf of the Association, grant easements over the Common Area roadways and parking facilities to neighboring land owners and may enter into joint use agreements with such land owners for the maintenance, repair, and replacement of Common Area roadways and parking facilities. Such joint use agreements and access easements may, but shall not be required to be, recorded with the Utah County Recorder. Each Owner and Occupant shall comply with the restrictions imposed by any joint use agreements or access easements entered into by the Association.

ARTICLE IX
USE RESTRICTIONS

9.1 **Rules and Regulations**. The Association has authority to promulgate and enforce such Rules and procedures as may aid the Association in carrying out any of its functions or to ensure that the Project is maintained and used in a manner consistent with this Declaration and the Bylaws.

9.2 **Use**. Units shall used only for storage purposes. The Units shall not be used for residential use or human occupancy. No Unit shall be used, occupied, or altered in violation of law, zoning or any other ordinance or resolution, to jeopardize the structural integrity of any other Unit, or for any purpose which would render the Project uninsurable.

9.3 **Signs**. Owners are prohibited from placing signs in the Project. The Association may place signs in the Project in the Boards discretion. The Board may modify the provisions in this Section and regulate signs in any manner it deems appropriate in the Rules.

9.4 **Nuisance**. No noxious, illegal, or offensive activity shall be carried on upon the Project, nor shall any activity that might be or become an annoyance or nuisance to other Owners or Occupants be permitted to interfere with their rights, increase the rate of any insurance, or decrease the value of the Units. Activities that include excessive noise and that are conducted between the hours of 10:00 p.m. and 7:00 a.m. are considered a nuisance and strictly prohibited. No Owner or Occupant shall engage in activity within the Project in

violation of any law, ordinance, statute, rule, or regulation of any local, county, state, or federal body. The Board may adopt Rules that set forth activities or uses that are deemed to be nuisances within the Project. The Board shall have the sole discretion and authority to determine if an activity or condition constitutes a nuisance.

9.5 **Temporary Structures**. No structure or building of a temporary character, including a tent or shack, shall be placed upon the Project or used therein unless the same and its proposed use are approved by the Board.

9.6 **Parking**. Vehicles shall not be parked in a manner that blocks a Unit entrance, overhead doors, or at any other location within the Project, which would impair vehicular access or snow removal. If any business visits the Project to service vehicles, it may only do so between the hours of 7:00 a.m. and 10:00 p.m. and may not provide such service in the Common Area roadways or parking. The Board may set forth Rules for parking within the Project, including, without limitation: time limits a vehicle may be parked, charging a fee for the use of Common Area parking stalls, restrictions on the size or types of vehicles permitted to be parked within the Project, the right to remove or cause to be removed any vehicles that are improperly parked, and the assessment of charges to Owners and Occupants who violate, or whose invitees violate, such Rules.

9.7 **External Fixtures**. No external items such as, but not limited to, antennas, satellite dishes, flag poles, wiring, air conditioning equipment, fences, awnings, exterior doors, lighting fixtures, windows, skylights, landscaping and planting, other than those approved by the Board, and any replacements thereof, shall be constructed, erected or maintained on the Project without the prior written approval of the Board. The Board may adopt Rules regulating the location, type, color, and design of external fixtures or components. Any damage caused by the installation of any external fixture to the Common Areas (including roofs and exterior surfaces) shall be repaired by the Association, but the Association may assess such repair costs as an Individual Assessment against the Owner who is responsible for installing the external fixture, regardless of whether such fixture was approved in advance by the Board.

9.8 **Unsightly Items & Trash**. All rubbish, debris, or unsightly materials or objects of any kind shall not be allowed to be placed or accumulate outside a Unit. Trash and garbage shall be immediately disposed of outside the Project. The Board may adopt additional Rules governing the use and availability of any Common Area dumpsters that may be located in the Project.

9.9 **No Subdivision of Units or Further Restrictions**. No Unit shall be split, subdivided, or separated into two (2) or more Units, and no Owner of a Unit shall sell part of a Unit. No subdivision plat or covenants, conditions or restrictions shall be recorded by any Owner or other Person with respect to any Unit unless the Declarant or Board has first approved the plat or the proposed covenants, conditions, or restrictions, such approval to be evidenced by the Declarant's or a Board Member's signature on the final recorded plat or instrument imposing the covenants, conditions, or restrictions. Any plat or covenants, conditions, or restrictions recorded in violation of this Section shall be absolutely null and void. The Boards review shall be for the purpose of assuring, in the sole and absolute discretion of the Board, that the plat or covenants, conditions and restrictions are consistent and compatible with the overall plan of development of the Project. However, in no event shall the approval of the Board of any plat or covenant, condition or restriction be an abandonment or waiver of any provision of this Declaration. The provisions of this Declaration shall be and

permitted under the variance will not have any substantial adverse effect on the Association, the Owners, or the Occupants of the Project and is consistent with the high quality of life intended for residents of the Project. Any such variance shall be unenforceable and without any effect whatsoever unless reduced to writing and signed by every member of the then existing Board. The Board Members and the Board of Directors shall not have any right or authority to deviate from this Declaration except as specifically provided for in this provision. No Owner or any other person may rely upon any permission to deviate from this Declaration by anyone including any Board Member or the entire Board, unless it is reduced to writing and signed as required in this provision.

9.13 **Appropriate Uses**.

1) Owners and Occupants are strictly prohibited from storing or keeping animals of any kind (including reptiles) within a Unit.

2) Owners and Occupants are also prohibited from growing, greenhousing or storing any sort of plant or vegetation within a Unit.

3) No business operation of any type may be conducted within a Unit and business customers are not allowed to visit a Unit.

9.14 **Declarant Exception**. So long as the Declarant owns a Unit in the Project, the Declarant shall be exempt from the restrictions contained in this Article.

ARTICLE X
INSURANCE

NOTICE: The Association's Insurance Policy does not cover the personal property or personal liability of the Owners or their Occupants.

10.1 **Insurance**. The Board shall obtain insurance as required in this Declaration, the Act, or other applicable laws. The Association may obtain insurance that provides more or additional coverage than the insurance required in this Declaration. Different policies may be obtained from different insurance carriers and standalone policies may be purchased instead of or in addition to embedded, included coverage, or endorsements to other policies. Insurance premiums purchased by the Association shall be a Common Expense.

10.2 **Property Insurance.**

1) The Association may maintain a blanket policy of property insurance covering the Project, including the Common Area and all buildings. Pursuant to Utah Code § 57-8-43(2)(b), the Association may, but shall not be required to, insure fixtures, building service equipment, and other building components. The Association may maintain broader coverage if afforded by the insurance contract. If a property insurance policy is procured by the Association, then the policy shall exclude land and other items not normally and reasonably covered by such policies. The policy may exempt coverage for permanent fixtures, improvements, or betterments installed in Units or Limited Common Areas in the Board's discretion, if such coverage unreasonably increases premiums, or makes the desired policy unavailable.

2) The Association shall notify Owners if it elects to not maintain a blanket property insurance policy for all buildings.

3) **Owner Responsibility for Payment of Deductible**. If a loss occurs that is covered by a property insurance policy in the name of the Association and another

Items: 9, 10, & 11 - Lindon Self Storage Site Plan, Minor and Major Subdivision ~ 860 West 200 South

Date: June 22, 2021

Project Address: approximately 860 West 200 South
Applicant: Lindon Self Storage
Property Owner: Lindon Self Storage LLC

General Plan: Mixed Commercial
Current Zone: Residential (R1-20) and Light Industrial (LI)

Parcel ID: 14:065:0219, 14:065:0213, 14:065:0188, 14:065:0212, 14:065:0209
Size: 3.852 Acres

Type of Decision: Administrative
Council Action Required: Yes (Major Subdivision)
Presenting Staff: Anders Bake



Summary of Key Issues

1. Whether to recommend approval of a request for a Site plan, Minor Subdivision, and Major Subdivision.
2. This application was reviewed by the Planning Commission on May 25, 2021 along with an application for a Zone Map Amendment. The applications were continued by the commission because of questions and concerns regarding the zone change and the projects CC&R's. No changes have been made to the applicants site plan or subdivision plats. The remainder of this report has not changed since the May 25th Planning Commission Meeting.

Overview

1. The proposed development received approval on May 10, 2016 for a 46-unit self-storage condominium project on the subject property. Since their original approval, the applicants' entitlements expired due to inactivity of the project. The applicant is now proposing a similar project but with additional property included to the project and 75 storage units.
2. This request consists of a minor subdivision application to consolidate existing parcels, two major subdivision condominium plats to create 75 separate storage unit condominium units, and a site plan application for the project.
3. The applicant is proposing to sale each individual storage unit. Condominium developments follow Utah Code Title 57 Chapter 8 for dividing units as well as Lindon City major subdivision requirements and processes.
4. If the planning commission gives a favorable recommendation of the zone change, then staff is proposing, as a condition of approval, that site plan approval be approved conditioned upon the City Council granting zone change and major subdivision approval.
5. Staff has provided three separate motions to address the applications.

Motions

Minor Subdivision Motion - Lindon Self Storage Subdivision Plat "A"
I move to (approve, deny, continue) of the applicant's request for preliminary minor approval of the Lindon Self Storage Subdivision Plat "A" with the following conditions:

1. The applicant will continue to work with city staff to make all final corrections to the plat prior to 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 as identified on the attached subdivision plat;
3. No parking signs be installed on the emergency access easement;
4. The plat will meet the applicable requirements as found in the Lindon City Development Manual; and
5. All items of the staff report.

Site Plan Motion

I move to (approve, deny, continue) the applicant's request for site plan approval with the following conditions:

1. Site plan approval of the Lindon Self Storage unit development is conditioned upon the City Council granting an amendment to the Lindon City Zoning Map;
2. The conditions of the Lindon Self Storage Plat "A" minor subdivision and Lindon Self Storage Plats "B" and "C" be met prior to final site plan approval;
3. The emergency access easement will be surfaced with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds;
4. The applicant will continue to work with the City Engineer to make all final corrections to the engineering documents;
5. The plans will meet development specifications as found in the Lindon City Development Manual;
6. Due to changes in topography of the site, the measurement of the 7' masonry fence, abutting residential properties, be measured from the residential side of the fence
7. Access from 200 S. will be a paved hard surface and any damages in the access area repaired;
8. Final design will meet the Title 17 standards for industrial buildings; and
9. All items of the staff report.

Major Subdivision Motion - Lindon Self Storage Subdivision Plats "B and C"

I move to recommend (approval, denial, continuance) of the applicant's request for preliminary approval of the Lindon Self Storage Condominium Subdivision Plats "B and C" with the following conditions:

1. Preliminary approval of the Lindon Self Storage Condominium Plats "B" and "C" are conditioned upon the City Council granting an amendment to the Lindon City Zoning Map;
2. The applicant will continue to work with city staff to make all final corrections to the plat prior to recording;
3. The secondary emergency access easement will be recorded prior to the recording of the plat or included on the plat with the signature of owner's consent;
4. Prior to plat recording the applicant will provide staff with a final plat mylar to include notarized signatures of owner's consent to dedication as identified on the attached subdivision plat;
5. The plat will meet the applicable requirements as found in the Lindon City Development Manual and Utah Code Title 57 Chapter 8 for condominiums;
6. Final Covenants, Conditions and Restrictions will be recorded with the subdivision plats; and
7. All items of the staff report.

Surrounding Zoning and Land Use

North: R1-20 – Residential
East: R1-20 – Residential
South: LI – Lindon Self Storage property
West: LI – BMC truss plant

Minor Subdivision

From staff's research it appears that the applicants purchased the property at 122 S. 800 W. and then divided the property by deed in 2018. Any divisions of property that create new lots are required to seek land use approval from the City. One of the purposes of the minor subdivision is to correct this possible error of the divided property by deed. Lot 1, 122, S. 800 W., will be subdivided for the existing single-

family home and lot 2 will consolidate all of the remaining parcels into another lot for the storage unit development.

Lot Requirements

Residential Requirements	Lot 1	Compliant with City Standards
Minimum Lot Size: 20,000 square feet	25,856 sq. ft.	Yes
Minimum Lot Width: 100 feet	127 feet	Yes
Minimum Lot Depth: 100 feet	204 feet	Yes
Minimum public street frontage: 50 feet	127 feet	Yes

Light Industrial Requirements	Lot 2	Compliant with City Standards
Minimum Lot size: 1 acre	3.852 acres	Yes
Minimum Frontage: 100 feet	0 feet	No – Lot 2 does not have public street frontage.

Lot 2 does not have public street frontage but does have a 60-foot-wide access from 200 South that goes through the property at 850 W. 200 S. The property at 850 W. 200 S. meets the 100' frontage requirement. This access was previously approved by the Planning Commission and City Council in 2016. The Orem Fire Department approved the proposed access as well as an emergency access from 800 West that uses a 20' easement through the property at 136 S. 800 W. The plat dedicates 33' of Lot 1 to Lindon City for right-of-way. The City Engineering Department does not recommend installing curb, gutter and sidewalk at this time because none of the other adjacent properties on the eastside of 800 W. have these improvements.

Site Plan Development Standards

Parking

Storage units are categorized as "Business Services" and need to provide one parking stall for every 200 square feet of floor area. For this calculation only the office is considered.

Required	Provided	Compliant
Office – 1 per 200 sq. ft. of floor area (779) = 4	4	Yes
Bike stalls: 2 bicycle stalls per 50 vehicular spaces and 1 addition per 50 stalls.	2	Yes

Traffic Circulation

This site provides one easement access from 200 South that goes through the property at 850 W. 200 S. The site plan provides the turning radiuses and demonstrates that there is adequate room to drive around each of the storage unit buildings. These have been approved by the city engineering and fire departments. The site also provides an emergency access that is accessed from 136 S. 800 W. through an easement and gate. This access will be available for emergency vehicles only.

Landscaping and fencing Standards

The Lindon City Code section 17.49.060 requires that "Unless otherwise approved by the Planning Commission, 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." The proposed site plan does not have public street frontage and the applicant is not proposing any landscaping on the property. The applicant has submitted a letter to the city requesting that they not be required to meet the landscaping requirements.

This property is not required to follow the Interior Landscaping Requirements in section 17.18.085 of the Lindon City Code because it does not have a parking lot with ten or greater required parking spaces or any off-street parking that is adjacent to a residential use or a residential zone.

The Site Plan shows that a 7-foot masonry fence will be constructed along all property lines adjacent to a residential zone or a residential use as required by the City Code in the Light Industrial zone. A chain link fence will be installed along all other property lines and a gate will be installed at the property's entrance.

Building Design and Architectural Standards
Buildings in the Light Industrial Zone are required to have an exterior with a minimum or 25% brick, decorative block, stucco, wood, or other similar materials as approved by the Planning Commission.

The Office building for this project has a combination of synthetic stone siding, hardi siding, wood trim and fenestration.

The storage unit buildings have a combination of split face block and smooth block exterior with metal-roll up doors in the front of each building.

Development Setbacks
The buildings on the proposed site plan meet development setback requirements with a 20-foot front setback and a 40-foot building setback from surrounding residential property lines.

Engineering Requirements
City staff are working through technical issues related to the plat and will ensure all engineering related issues are resolved before final approval is granted.

Major Subdivision
The applicant requests approval for two major subdivision plats (Lindon Self Storage Subdivision Plat "B" and Lindon Self Storage Subdivision Plat "C"). The two plats will allow the applicant to construct the project in two phases. Each plat is a condominium plat that will allow each storage unit to be owned separately.

Required	Compliant
For condominiums, three dimensional drawings of unit areas and property surface description	Yes
Conditions, Covenants and Restrictions and bylaws for the condominium subdivision	Yes. Conditions, Covenants and Restrictions and bylaws have been submitted to the city for the condominium plats. Letters of evaluation have also been submitted by the applicant's architect and attorney.

Staff Analysis
Staff have found that the subdivision requirements for the minor and major subdivisions are being met with technical reviews by staff remaining. The proposed site plan meets requirements for parking, building architecture, and building setbacks. The lack of public street frontage with a landscaping strip does not meet the frontage requirements for an industrial lot. However, the Planning Commission previously approved the proposed access in 2016. City staff and neighboring property owners have concerns with the enforcement of ensuring that each separately owned storage unit is not used for activities that are not permitted for storage units.

Exhibits

1. Aerial photo
2. Photos of the property, access from 200 S., access from 136 S. 800 W.
3. Minor Subdivision Lindon Self Storage Subdivision Plat "A"
4. Major Subdivision Lindon Self Storage Subdivision Plat "B"
5. Major Subdivision Lindon Self Storage Subdivision Plat "C"
6. Attorney letter
7. Architect letter
8. Site Plan
9. Landscaping letter
10. Building 1 elevation plans
11. Building 2 elevation plans

Exhibit 1 – Aerial photo



Photo of the property



Access from 200 S.

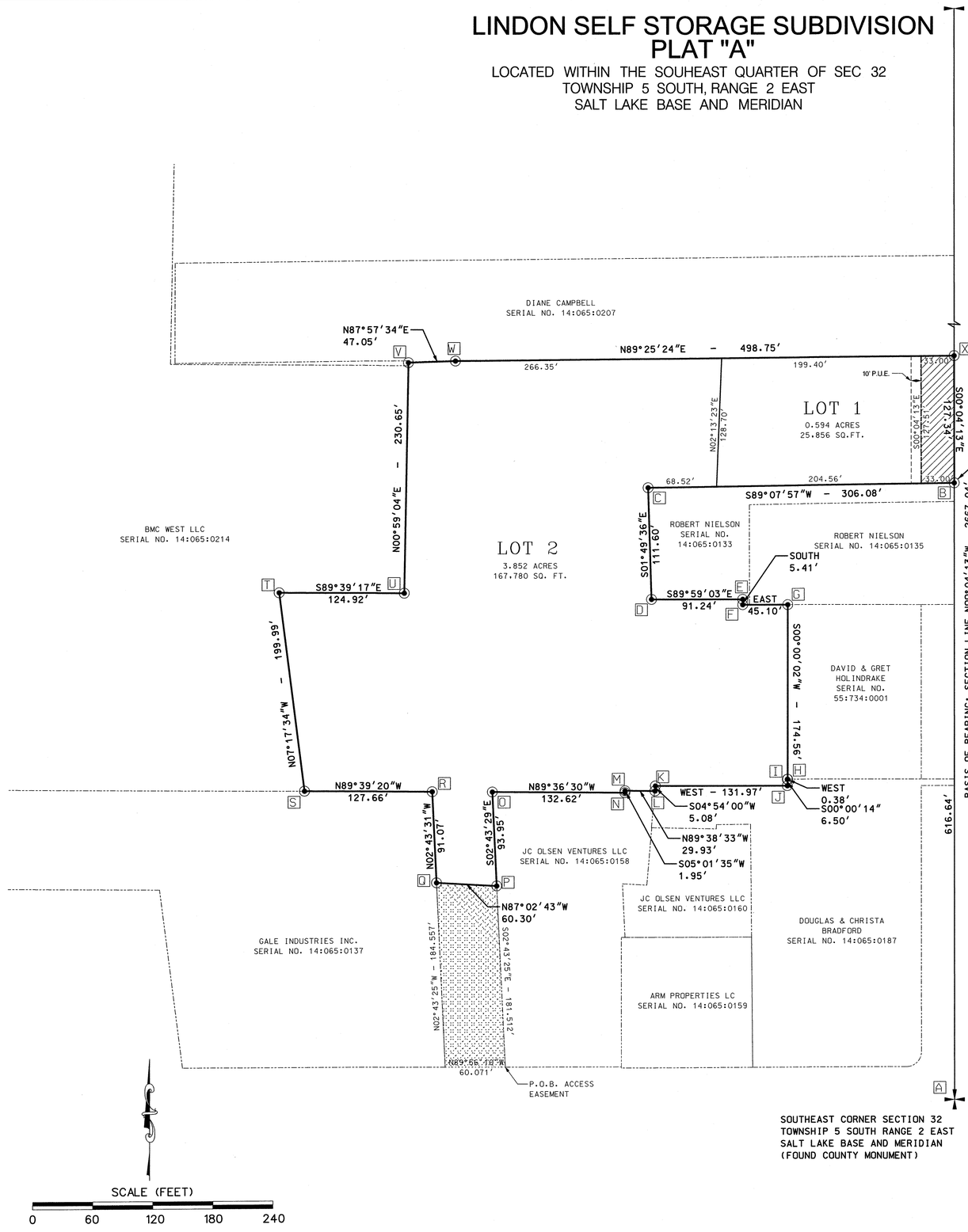


Emergency access from 800 W.



LINDON SELF STORAGE SUBDIVISION
PLAT "A"

LOCATED WITHIN THE SOUHEAST QUARTER OF SEC 32
TOWNSHIP 5 SOUTH, RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN





VICINITY MAP

STATE PLANE COORDINATES		
PT	NORTHING	EASTING
A	728669.06	1934840.25
B	729285.53	1934839.50
C	729280.89	1934533.54
D	729169.38	1934537.09
E	729169.36	1934628.31
F	729163.95	1934628.31
G	729163.95	1934673.39
H	728989.44	1934673.39
I	728989.44	1934673.01
J	728982.94	1934673.01
K	728982.94	1934541.08
L	728977.88	1934540.64
M	728978.06	1934510.72
N	728976.12	1934510.55
O	728977.03	1934377.97
P	728883.21	1934382.43
Q	728886.32	1934322.23
R	728977.26	1934317.90
S	728978.03	1934190.28
T	729176.34	1934164.90
U	729175.59	1934289.79
V	729406.14	1934293.75
W	729407.82	1934340.75
X	729412.03	1934839.34
GRID FACTOR = 0.999718790		

AREA DEDICATED TO LINDON CITY

LEGEND

- BOUNDARY LINE
- ADJOINING PROPERTY
- EASEMENTS
- RIGHT OF WAY
- ROAD CENTERLINE
- SECTION TIE LINE
- SECTION CORNER
- SUBDIVISION BNDRY CORNER
- SECTION QUARTER CORNER

ACCESS EASEMENT DESCRIPTION

Recorded May 2, 2012, as Entry No. 36426:2012, of Official Records more particularly described as follows:

Commencing at a point in a fence line in Lindon, Utah, which point lies South 89°42'17" West along the Section line 449.328 feet and North 35.223 feet from the Southeast corner of Section 32, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence North 89°56'10" West 60.071 feet; thence North 02°43'25" West 184.557 feet; thence South 87°02'43" East 60.296 feet; thence South 02°43'25" East 181.512 feet; to the point of beginning.

Area = 0.252 Acres (10,982 Sq. Ft.)

SURVEYOR'S CERTIFICATE

I, BARRY ANDREASON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 166572 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS. I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW IN ACCORDANCE WITH SECTION 17-23-17, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION

Beginning at a point which is North 00°04'13" West along the Section line a distance of 616.64 feet from the Southeast corner of Section 32, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°07'57" West 306.08 feet; thence South 01°49'36" East 111.60 feet; thence South 89°59'03" East 91.24 feet; thence South 5.41 feet; thence East 45.10 feet; thence South 174.56 feet; thence West 0.38 feet; thence South 00°00'14" West 6.50 feet; thence West 131.97 feet; thence South 04°54'00" West 5.08 feet; thence North 89°38'33" West 29.93 feet; thence South 05°01'35" West 1.95 feet; thence North 89°36'30" West 132.62 feet; thence South 02°43'29" East 93.95 feet; thence North 87°02'43" West 60.30 feet; thence North 02°43'31" West 91.07 feet; thence North 89°39'20" West 127.66 feet; thence North 07°17'34" West 199.99 feet; thence South 89°39'17" East 124.92 feet; thence North 00°59'04" East 230.65 feet to a Boundary Line Agreement Recorded as Entry No. 9283:2018, being on file with the Office of the Utah County Recorder; thence along said Boundary Line Agreement the following two (2) courses: 1) North 87°57'34" East 47.05 feet; 2) North 89°25'25" East 498.75 feet; thence South 00°04'07" East 127.34 Feet to the point of beginning.

Area = 4.542 Acres (197,842 Sq. Ft.)

FEB 5, 2020
DATE

BARRY ANDREASON
(SEE SEAL BELOW)

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS HEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 20___

ACKNOWLEDGEMENT

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

ON THE _____ DAY OF _____, A.D. _____
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)

CITY ENGINEER'S CERTIFICATE

I, _____ AS THE LINDON CITY ENGINEER, HAVE INSPECTED THE FORGOING PLAT AND LEGAL DESCRIPTION AND FIND THEM TO BE CORRECT, AND DO HEREBY GIVE APPROVAL OF SAID PLAT

APPROVED THIS _____ DAY OF _____, A.D. 20____,

LINDON CITY ENGINEER (SEE SEAL)

OCCUPANCY RESTRICTION NOTICE

IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT HAVING FIRST OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY PLEASANT GROVE CITY.

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY OF LINDON, 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___

MAYOR

CITY ATTORNEY

ATTEST CLERK-RECORDER

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____, BY THE _____ PLANNING COMMISSION

DIRECTOR-SECRETARY

CHAIRMAN, PLANNING COMMISSION

PLAT "A"
LINDON SELF STORAGE
SUBDIVISION

LINDON CITY UTAH COUNTY, UTAH

SCALE: 1" = 60 FEET

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDER SEAL
PROFESSIONAL LAND SURVEYOR NO.166572 BARRY ANDREASON STATE OF UTAH 2/5/20			

LINDON SELF STORAGE PLAT "B"

AN EXPANDABLE UTAH CONDOMINIUM PROJECT

LOCATED WITHIN THE SOUHEAST QUARTER OF SEC 32
TOWNSHIP 5 SOUTH, RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN



VICINITY MAP

Line Table		
Name	Length	Direction
L1	9.90	N 45°59'04" E
L2	40.30	S 09°01'08" E
L3	42.00	S 89°22'32" W
L4	10.00	S 00°37'28" E
L5	40.29	S 81°20'04" W
L6	34.00	S 89°39'20" E
L7	9.60	S 00°20'40" W
L8	10.00	N 00°20'40" E
L9	14.00	N 89°39'20" W
L10	20.00	N 00°20'40" E
L11	20.00	N 89°39'20" W
L12	9.60	N 00°20'40" E
L13	3.77	S 71°18'42" E
L14	25.00	N 86°56'38" E
L15	40.00	S 03°03'22" E
L16	25.00	S 86°56'38" W
L17	40.00	N 03°03'22" W

SURVEYOR'S CERTIFICATE

I, ROGER D. DUDLEY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 147089 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW IN ACCORDANCE WITH SECTION 17-23-17, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION

Beginning at a point which is North 00°04'13" West along the Section line a distance of 495.03 feet and West 166.30 feet from the Southeast corner of Section 32, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence South 00°00'02" West 174.56 feet; thence West 0.38 feet; thence South 00°00'14" West 6.50 feet; thence West 131.97 feet; thence South 04°54'00" West 5.08 feet; thence North 89°38'33" West 29.93 feet; thence South 05°01'35" West 1.95 feet; thence North 89°36'30" West 132.62 feet; thence South 02°43'29" East 93.95 feet; thence North 87°02'43" West 60.30 feet; thence North 02°43'31" West 91.07 feet; thence North 89°39'20" West 127.66 feet; thence North 07°17'34" West 199.99 feet; thence South 89°39'17" East 124.92 feet; thence North 00°59'04" East 230.65 feet; North 87°57'34" East 47.05 feet; North 89°25'24" East 266.35 feet; South 02°13'23" West 128.70 feet; thence South 89°07'57" West 68.52 feet; thence South 01°49'36" East 111.60 feet; thence South 89°59'03" East 91.24 feet; thence South 5.41 feet; thence East 45.10 feet to the point of beginning.

Area = 3.852 Acres (167,780 Sq. Ft.) DATUM = NAD27

DATE

ROGER D. DUDLEY
(SEE SEAL BELOW)

OWNER'S DEDICATION

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, BLOCKS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATED THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.
IN WITNESS HEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, A.D. 20___.

LINDON SELF STORAGE LLC

BY: (MANAGER)

OWNER'S ACKNOWLEDGEMENT (LLC)

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

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS_____ DAY OF._____ 20___ . BY_____,WHO PERSONALLY APPEARED BEFORE ME, WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE IS THE _____ OF _____ A LIMITED LIABILITY COMPANY, AND THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID COMPANY, AND IN HIS/HER CAPACITY AS _____ OF_____ LIMITED LIABILITY COMPANY.

MY COMMISSION NUMBER _____

SIGNED (A NOTARY PUBLIC COMMISSIONED IN UTAH)

MY COMMISSION EXPIRES _____

PRINT NAME OF NOTARY

ACCEPTANCE BY CITY OF LINDON

THE CITY OF LINDON, 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___

MAYOR

PLANNING COMMISSION CHAIR

PLANNING DIRECTOR

CITY ENGINEER

CITY ATTORNEY

ATTEST CLERK-RECORDER

COUNTY RECORDER

UTILITY DEDICATION

THE OWNERS OF THE PARCEL OF LAND WHICH IS SHOWN UPON THIS CONDOMINIUM PLAT OF LINDON SELF STORAGE, A UTAH EXPANDABLE CONDOMINIUM PROJECT; DO CONSENT TO THE PREPARATION AND RECORDATION OF THE THIS CONDOMINIUM PLAT AND DO HEREBY OFFER AND CONVEY TO ALL PUBLIC UTILITY AGENCIES AND THEIR SUCCESSORES 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 SELF STORAGE, A UTAH EXPANDABLE CONDOMINIUM PROJECT; HAVE DESIGNATED CERTAIN AREAS OF LAND AS PRIVATE, COMMON AREAS AND COMMON AREA FOR PUBLIC UTILITY EASEMENTS, INTENDED FOR THE USE BY THE CONDOMINIUM OWNERS IN LINDON SELF STORAGE CONDOMINIUMS PLAT "B" FOR INGRESS, BUSINESS AND OTHER RELATED ACTIVITIES. THE DESIGNATED 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 SELF STORAGE CONDOMINIUMS PLAT "B", 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.

NOTICE OF DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS

NOTICE OF DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS:
THIS PROJECT, WITH ITS LOTS, DWELLINGS, AND COMMON AREAS ARE SUBJECT TO CERTAIN COVENANTS, CONDITIONS, AND RESTRICTIONS AS CONTAINED IN THE DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS FOR THE LINDON SELF STORAGE CONDOMINIUM PLAT "B", WHICH ARE RECORDED IN THE OFFICES OF THE UTAH COUNTY RECORDER. SAID COVENANTS, CONDITIONS AND RESTRICTIONS ARE INTENDED TO RUN WITH THE LAND AND TO BE BINDING ON ALL HEIRS, SUCCESSORS OR ASSIGNS OF THE DECLARANT IN ACCORDANCE WITH THE RECORDED DECLARATION.

LEGEND

- BOUNDARY LINE
- ADJOINING PROPERTY
- EASEMENTS
- RIGHT OF WAY
- ROAD CENTERLINE
- SECTION TIE LINE
- SECTION CORNER
- SUBDIVISION BNDRY CORNER
- SECTION QUARTER CORNER

CONDITIONS OF APPROVAL

OCCUPANCY RESTRICTION NOTICE

IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT HAVING FIRST OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY LINDON CITY.

MW BROWN ENGINEERING, INC
Office: (801) 377-1790 Fax: (801) 377-1789
578 East 770 North, Orem UT 84097

PLAT "B"

LINDON SELF STORAGE

AN EXPANDABLE UTAH CONDOMINIUM PROJECT

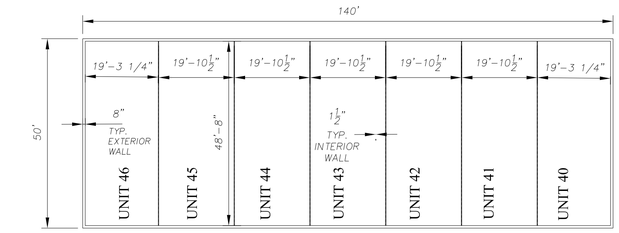
INCLUDING A VACATION AND REVISION OF LOT 2
LINDON SELF STORAGE SUBDIVISION, PLAT "A"

(SHEET 1 OF 2)

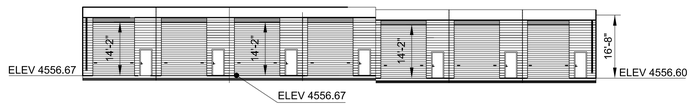
LINDON CITY UTAH COUNTY, UTAH

SCALE: 1" = 40 FEET

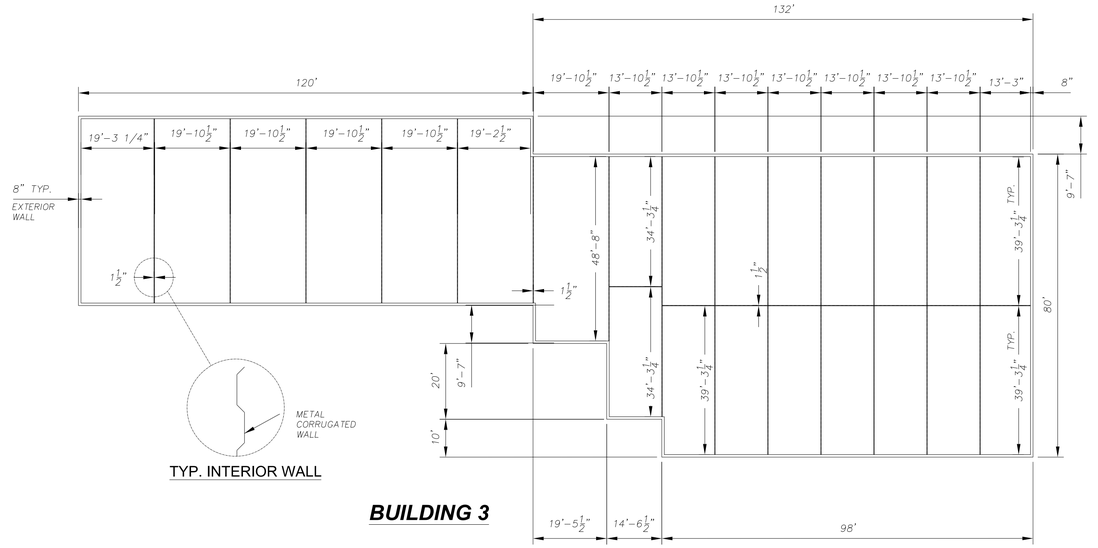
SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDER SEAL



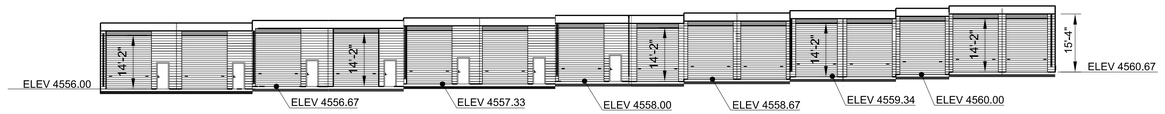
BUILDING 4



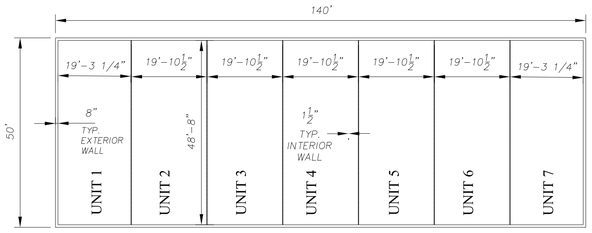
BUILDING 4 ELEVATION VIEW



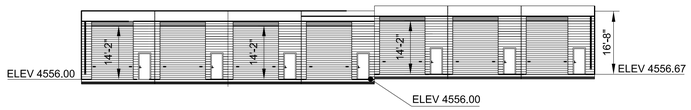
BUILDING 3



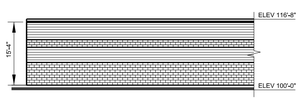
BUILDING 3 ELEVATION VIEW



BUILDING 1



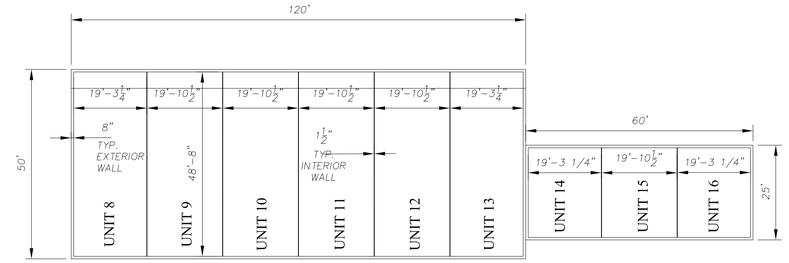
BUILDING 1 ELEVATION VIEW



TYPICAL HIGH EAVE ELEVATION

BUILDINGS 1, 2, 4 AND PART OF 3

NOT TO SCALE



BUILDING 2



BUILDING 2 ELEVATION VIEW

NOTES:

1. ALL DIMENSIONS SHOWN ARE TO THE INTERIOR WALLS. THE DIMENSIONS ARE INTENDED TO BE FROM PAINT SURFACE TO PAINT SURFACE AND FROM FLOOR TO CEILING OF EACH UNIT AS CONSTRUCTED. EXTERIOR WALLS ARE 8" THICK AND INTERIOR WALLS ARE 1-1/2" THICK AS SHOWN.

2. THE BENCHMARK IS THE SOUTHEAST CORNER OF SECTION 32 UTAH COUNTY MONUMENT ELEV = 4576.39 (NAD 27) BASED ON INFORMATION PROVIDED BY THE UTAH COUNTY SURVEYOR'S OFFICE. ADD 3.22 TO THE PROJECT DATUM TO OBTAIN THE NAVD 88 ELEVATION.

MW BROWN ENGINEERING, INC
Office: (801) 377-1790 Fax: (801) 377-1789
578 East 770 North, Orem UT 84097

No.	Date	By	REVISIONS Notes

Designed
Drawn
Checked
Date

Title: LINDON SELF STORAGE EXPANDABLE UTAH CONDOMINIUM PROJECT PLAT "B"

Drawing Name: BUILDING DETAILS

PROJECT NO. 2019.054

SHEET NO. 2 OF 2

LINDON SELF STORAGE PLAT "C"

AN EXPANDABLE UTAH CONDOMINIUM PROJECT

LOCATED WITHIN THE SOUHEAST QUARTER OF SEC 32
TOWNSHIP 5 SOUTH, RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN



VICINITY MAP

EAST QUARTER CORNER SECTION 32
TOWNSHIP 5 SOUTH RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN
(FOUND COUNTY MONUMENT)

DIANE CAMPBELL
SERIAL NO. 14:065:0207

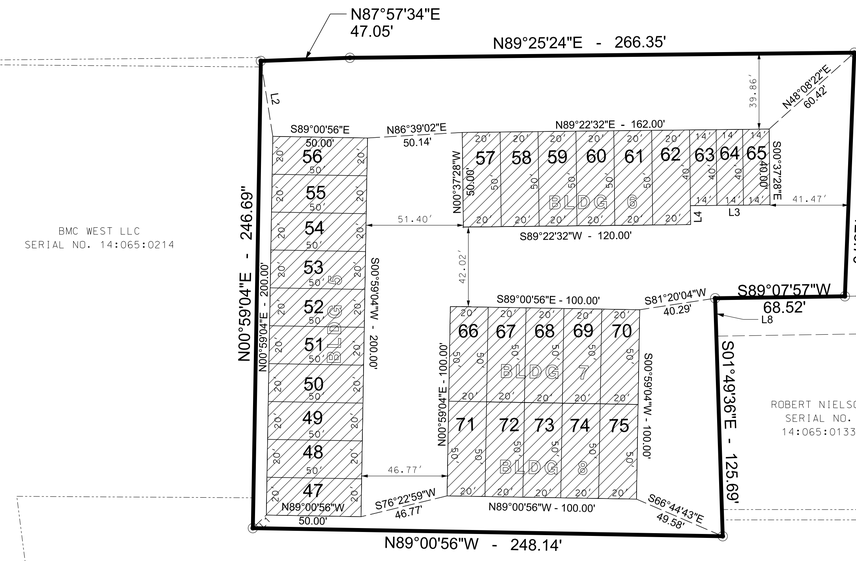
BMC WEST LLC
SERIAL NO. 14:065:0214

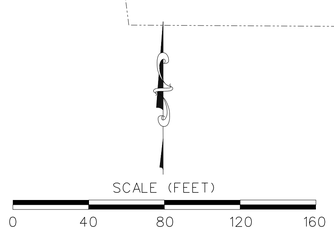
LOT 1, PLAT "A",
LINDON SELF STORAGE SUBDIVISION
JAMES & VALERIE KING

ROBERT NIELSON
SERIAL NO.
14:065:0133

ROBERT NIELSON
SERIAL NO. 14:065:0135

LINDON SELF STORAGE EXPANDABLE
UTAH CONDOMINIUM PROJECT PLAT "A"





Line Table		
Name	Length	Direction
L1	9.90	N 45°59'04" E
L2	40.30	S 09°01'08" E
L3	42.00	S 89°22'32" W
L4	10.00	S 00°37'28" E
L5	306.08	N 89°07'57" E
L6	20.00	S 00°04'13" E
L7	305.47	S 89°07'57" W
L8	20.00	N 01°49'36" W

MW BROWN ENGINEERING, INC
Office: (801) 377-1790 Fax: (801) 377-1789
578 East 770 North, Orem UT 84097

LINE NO0°04'13"W 2667.04'

BASIS OF BEARING: SECTION LINE

800 WEST STREET

741.65'

SECONDARY ACCESS EASEMENT

SOUTHEAST CORNER SECTION 32
TOWNSHIP 5 SOUTH RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN
(FOUND COUNTY MONUMENT
NAD 27 ELEV = 4573.17)

PRIVATE AREA

COMMON AREA

LIMITED COMMON AREA

UTILITY DEDICATION

THE OWNERS OF THE PARCEL OF LAND WHICH IS SHOWN UPON THIS CONDOMINIUM PLAT OF LINDON SELF STORAGE, A UTAH EXPANDABLE CONDOMINIUM PROJECT; DO CONSENT TO THE PREPARATION AND RECORDATION OF THE THIS CONDOMINIUM PLAT AND DO HEREBY OFFER AND CONVEY TO ALL PUBLIC UTILITY AGENCIES AND THEIR SUCCESSORES 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 SELF STORAGE, A UTAH EXPANDABLE CONDOMINIUM PROJECT; HAVE DESIGNATED CERTAIN AREAS OF LAND AS PRIVATE, COMMON AREAS AND COMMON AREA FOR PUBLIC UTILITY EASEMENTS. INTENDED FOR THE USE BY THE CONDOMINIUM OWNERS IN LINDON SELF STORAGE CONDOMINIUMS PLAT "C" FOR INGRESS, BUSINESS AND OTHER RELATED ACTIVITIES. THE DESIGNATED 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 SELF STORAGE CONDOMINIUMS PLAT "C", 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.

NOTICE OF DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS

NOTICE OF DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS:
THIS PROJECT, WITH ITS LOTS, DWELLINGS, AND COMMON AREAS ARE SUBJECT TO CERTAIN COVENANTS, CONDITIONS, AND RESTRICTIONS AS CONTAINED IN THE DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS FOR THE LINDON SELF STORAGE CONDOMINIUM PLAT "C", WHICH ARE RECORDED IN THE OFFICES OF THE UTAH COUNTY RECORDER. SAID COVENANTS, CONDITIONS AND RESTRICTIONS ARE INTENDED TO RUN WITH THE LAND AND TO BE BINDING ON ALL HEIRS, SUCCESSORS OR ASSIGNS OF THE DECLARANT IN ACCORDANCE WITH THE RECORDED DECLARATION.

LEGEND

- BOUNDARY LINE
- ADJOINING PROPERTY
- EASEMENTS
- RIGHT OF WAY
- ROAD CENTERLINE
- SECTION TIE LINE
- SECTION CORNER
- SUBDIVISION BNDRY CORNER
- SECTION QUARTER CORNER

CONDITIONS OF APPROVAL

OCCUPANCY RESTRICTION NOTICE

IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT HAVING FIRST OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY LINDON CITY.

SURVEYOR'S CERTIFICATE

I, ROGER D. DUDLEY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 147089 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW IN ACCORDANCE WITH SECTION 17-23-17, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION

Beginning at a point which is North 00°04'13" West along the Section line a distance of 741.65 feet and West 232.37 feet from the Southeast corner of Section 32, Township 5 South, Range 2 East, Salt Lake Base and Meridian; and running thence South 02°13'23" West 128.70 feet; thence South 89°07'57" West 68.52 feet; thence South 01°49'36" East 125.69 feet; thence North 89°00'56" West 248.14 feet; thence North 00°59'04" East 246.69 feet to a Boundary Line Agreement Recorded as Entry No. 9283:2018, being on file with the Office of the Utah County Recorder; thence along said Boundary Line Agreement the following two (2) courses: 1) North 87°57'34" East 47.05 feet; 2) North 89°25'24" East 266.35 feet to the point of beginning.

Area = 1.610 Acres (70,136 Sq. Ft.) Datum = NAD27

DATE

ROGER D. DUDLEY
(SEE SEAL BELOW)

OWNER'S DEDICATION

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, BLOCKS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATED THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.
IN WITNESS HEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, A.D. 20___.

LINDON SELF STORAGE LLC

BY: (MANAGER)

OWNER'S ACKNOWLEDGEMENT (LLC)

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

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS_____ DAY OF._____ 20___ . BY_____.WHO PERSONALLY APPEARED BEFORE ME, WHO BEING DULY SWORN OR AFFIRMED, DID SAY THAT HE/SHE IS THE _____ OF _____ A LIMITED LIABILITY COMPANY, AND THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID COMPANY, AND IN HIS/HER CAPACITY AS _____ OF _____ LIMITED LIABILITY COMPANY.

MY COMMISSION NUMBER _____

SIGNED (A NOTARY PUBLIC COMMISSIONED IN UTAH)

MY COMMISSION EXPIRES _____

PRINT NAME OF NOTARY

ACCEPTANCE BY CITY OF LINDON

THE CITY OF LINDON, 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___

MAYOR

PLANNING COMMISSION CHAIR

PLANNING DIRECTOR

CITY ENGINEER

CITY ATTORNEY

ATTEST CLERK-RECORDER

COUNTY RECORDER

PLAT "C"

LINDON SELF STORAGE

AN EXPANDABLE UTAH CONDOMINIUM PROJECT

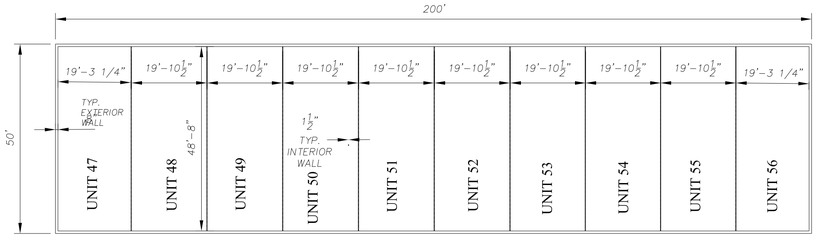
INCLUDING A VACATION AND REVISION OF LOT 47
LINDON SELF STORAGE SUBDIVISION, PLAT "B"

(SHEET 1 OF 2)

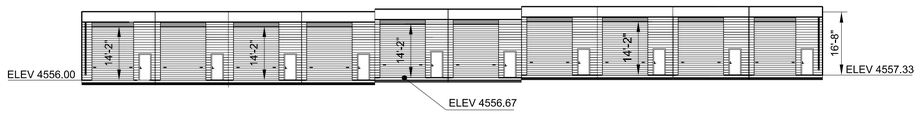
LINDON CITY UTAH COUNTY, UTAH

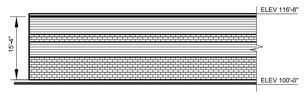
SCALE: 1" = 40 FEET

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDER SEAL



BUILDING 5



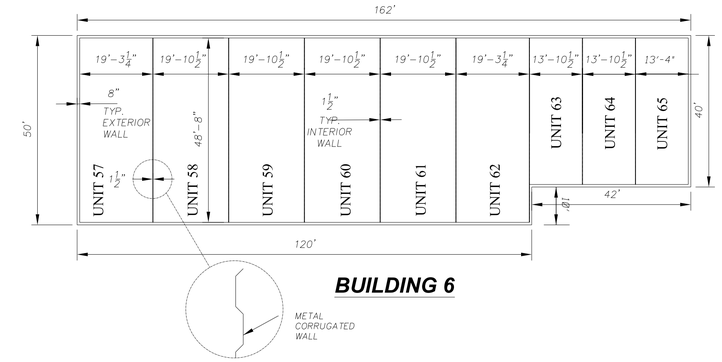


TYPICAL HIGH EAVE ELEVATION
BUILDINGS 1, 2, 4 AND PART OF 3
NOT TO SCALE

NOTES:

1. ALL DIMENSIONS SHOWN ARE TO THE INTERIOR WALLS. THE DIMENSIONS ARE INTENDED TO BE FROM PAINT SURFACE TO PAINT SURFACE AND FROM FLOOR TO CEILING OF EACH UNIT AS CONSTRUCTED. EXTERIOR WALLS ARE 8" THICK AND INTERIOR WALLS ARE 1-1/2" THICK AS SHOWN.

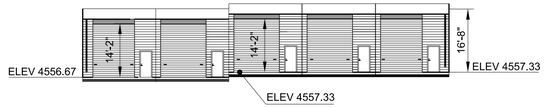
2. THE BENCHMARK IS THE SOUTHEAST CORNER OF SECTION 32 UTAH COUNTY MONUMENT ELEV = 4576.39 (NAD 27) BASED ON INFORMATION PROVIDED BY THE UTAH COUNTY SURVEYOR'S OFFICE. ADD 3.22 TO THE PROJECT DATUM TO OBTAIN THE NAVD 88 ELEVATION.



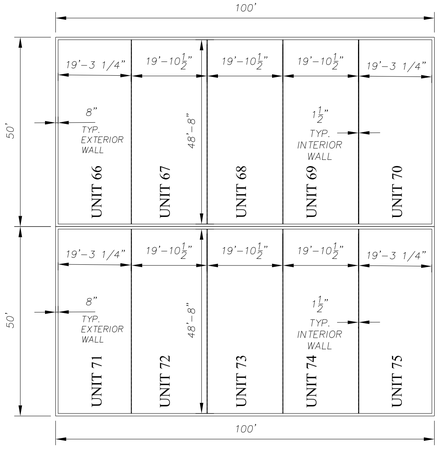
BUILDING 6

TYP. INTERIOR WALL

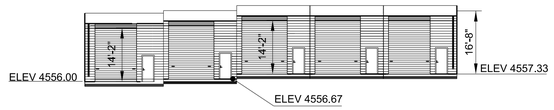




BUILDING 7



BUILDING 8



MW BROWN ENGINEERING, INC
Office: (801) 377-1790 Fax: (801) 377-1789
578 East 770 North, Orem UT 84097

No.	Date	By	REVISIONS Notes

Designed
Drawn
Checked
Date

Title: LINDON SELF STORAGE EXPANDABLE UTAH CONDOMINIUM PROJECT PLAT "C"

Drawing Name: BUILDING DETAILS

PROJECT NO. 2019.054

SHEET NO. 2 OF 2

MILLER | HARRISON
LAWYERS

ANDREW BLONQUIST
UTAH BAR NO. 15546
OFFICE: 385-269-9115
ANDREW@MILLERHARRISONLAW.COM
ADMITTED TO PRACTICE IN UTAH

November 17, 2020

Lindon City

Re: *Condominium Ownership Act Compliance*

To Whom It May Concern,

My firm represents Lindon Self Storage, LLC and has drafted governing documents for the Lindon Self Storage Condominium project, which includes Plats "B" and "C". At the time of this letter, the governing documents for the project include a Declaration, Bylaws, Articles of Incorporation, and a Reinvestment Fee Covenant Notice. I have reviewed all of these governing documents and the proposed plat map, and certify that they are compliant with Utah's Condominium Ownership Act, Utah's Revised Nonprofit Corporation Act, and all other aspects of Utah law as applied to the project. If you have any questions or concerns regarding this letter please contact me directly.

Sincerely,

MILLER HARRISON LLC

Andrew Blonquist
Attorney at Law

Scholz ARCHITECTS
Architecture - Planning - Interior Design - Computer Visualizations
691 West 1200 North Suite 100 - Springville, Utah 84663 - Ph: (801) 373-2128

Nov. 17, 2020

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

Re: Lindon Self Storage Plats "B" and "C", pages 1 and 2.

I have been asked by Ridgepoint Management LLC to prepare a letter of evaluation for creating condominium storage units on the abovementioned project in Lindon Utah.

Under the Utah Condominium Ownership Act, (Utah Title 57, Section 57-8), building shells and all common property are held and managed by a condominium association. Units defined by the shell and demising walls will have separate tax ID numbers and are owned and managed by individual owners. Each of these owners participates in the condominium association. Under the Utah Condominium Ownership Act, fire-rated separation between the individual taxable units is not required if the occupancy class aligns with the IBC 508.4 table.

My Client has hired Matt Brown with MW Brown engineering to create a condominium plat and civil drawings, which have been turned into Lindon City for review. The generated condominium plat will allow the site to be divided into the individual taxable units. The construction documents for the development will comply with IBC 2018 building code and Lindon City Standards and will be turned into the city when completed.

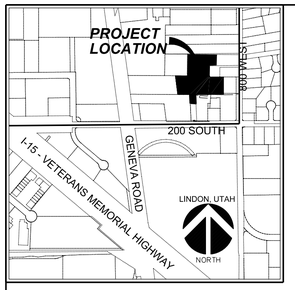
Please feel free to call with any questions or concerns.
Best Regards

Kevin C. Scholz, Architect, Principal, Scholz Architects

LINDON SELF STORAGE

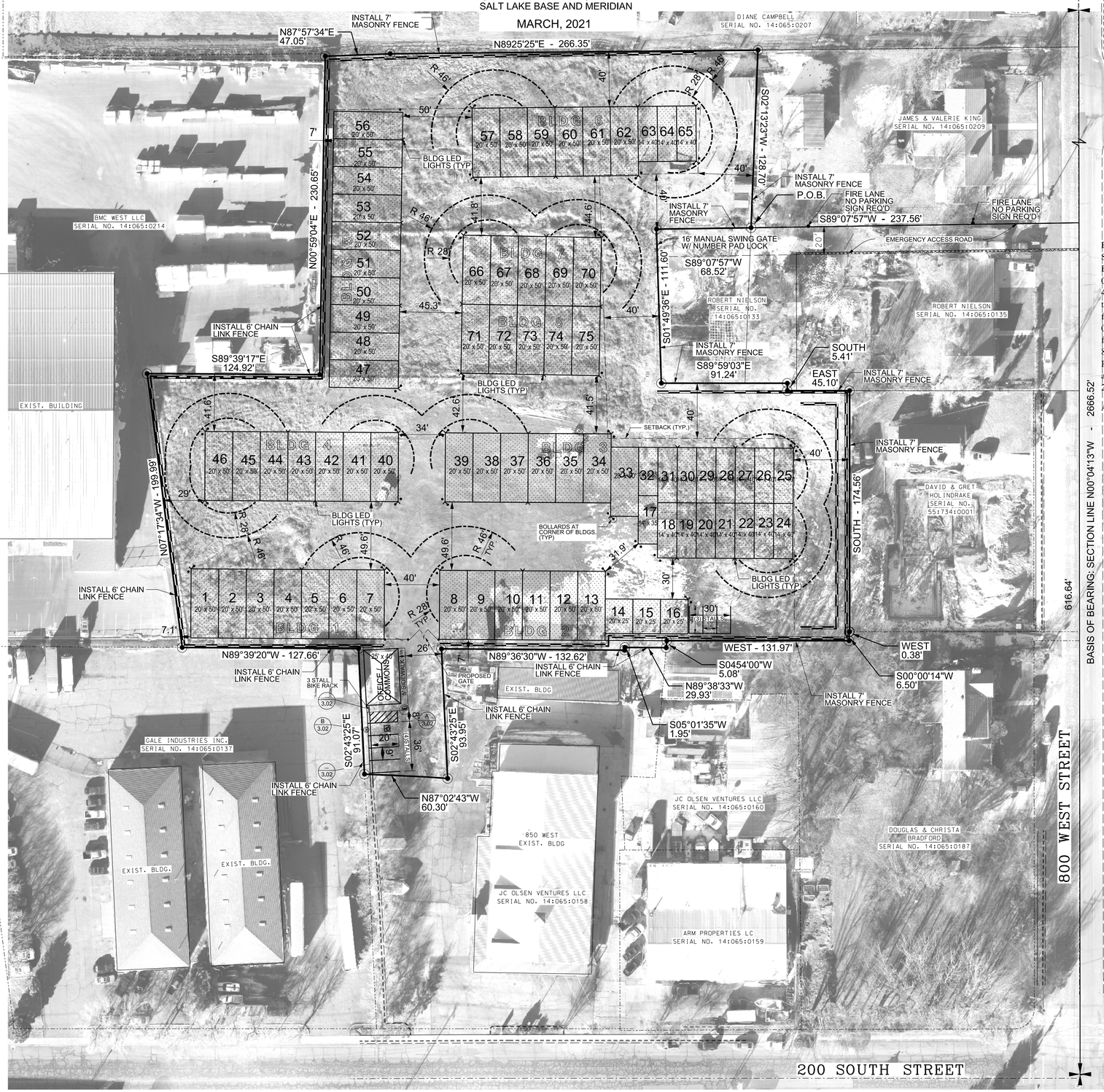
LOCATED WITHIN THE SOUTHEAST CORNER OF
SEC 32, TOWNSHIP 5 SOUTH, RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN

MARCH, 2021



VICINITY MAP

NTS



EAST QUARTER CORNER OF SECTION 32
TOWNSHIP 5 SOUTH, RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN

SCALE (FEET)
0 40 80 120 160

LINDON SELF STORAGE OVERALL DESCRIPTION

Beginning at a point which is North 00°04'13" West along the Section line a distance of 616.64 feet and South 89°07'57" West 237.56 feet from the Southeast corner of Section 32, Township 5 South, Range 2 East, Salt Lake Base and Meridian; and running thence South 89°07'57" West 68.52 feet; thence South 01°49'36" East 111.60 feet; thence South 89°59'03" East 91.24 feet; thence South 5.41 feet; thence East 45.10 feet; thence South 174.56 feet; thence West 0.38 feet; thence South 00°00'14" West 6.50 feet; thence West 131.97 feet; thence South 04°54'00" West 5.08 feet; thence North 89°38'33" West 29.93 feet; thence South 05°01'35" West 1.95 feet; thence North 89°36'30" West 132.62 feet; thence South 02°43'29" East 93.95 feet; thence North 87°02'43" West 60.30 feet; thence North 02°43'31" West 91.07 feet; thence North 89°39'20" West 127.66 feet; thence North 07°17'34" West 199.99 feet; thence South 89°39'17" East 124.92 feet; thence North 00°59'04" East 230.65 feet to a Boundary Line Agreement Recorded as Entry No. 9283:2018, being on file with the Office of the Utah County Recorder; thence along said Boundary Line Agreement the following two (2) courses: 1) North 87°57'34" East 47.05 feet; 2) North 89°25'25" East 266.35 feet; thence South 02°13'23" West 128.70 Feet to the point of beginning.

Area = 3.852 Acres (167,780 Sq. Ft.)

NOTES:

1. THE APPLICANT IS RESPONSIBLE FOR COMPLIANCE WITH ALL REQUIREMENTS OF THE "AMERICANS WITH DISABILITIES ACT" (ADA)
2. LINDON STANDARD SPECIFICATIONS AND DRAWINGS APPLY TO CONSTRUCTION OF PUBLIC IMPROVEMENTS THAT WILL BE OWNED OR MAINTAINED BY LINDON CITY AND TAKE PRECEDENCE OVER OTHER STANDARDS.
3. TRASH RECEPTICAL TO BE RESIDENTIAL CONTAINER.
4. DATUM USED IS NAD 27.
5. EMERGENCY ACCESS ROAD TO BE 20' WIDE WITH 12" GRANULAR BORROW AND 8" COMPACTED ROAD BASE.

INFORMATION TABLE

DESCRIPTION	=
TOTAL SQUARE FOOTAGE OF AREA PROPOSED	167,780 SF
LANDSCAPE AREA	0.00 SF
IMPERVIOUS AREA	167,780 SF
BUILDING SF / USE TYPE	1,000 SF / (OFFICE)
TOTAL # OF PARKING SPACES PROVIDED	7 STALLS
TOTAL # OF PARKING SPACES REQ'D (1 STALL PER 200 SF)	5 STALLS
TOTAL # OF ADA PARKING PROVIDED	1 STALLS
TOTAL # OF BIKE STALLS REQ'D (5 x.08)=	1 STALLS
TOTAL # OF BIKE STALLS PROVIDED	3 STALLS

PRIVATE AREA
COMMON AREA
EMERGENCY ACCESS
SETBACK LINE
RETAINING WALL

1-800-662-4111
811
Know what's below. Call before you dig.

OWNER:
DESERT PEAK MANAGEMENT GROUP
947 SOUTH 500 EAST, STE 100
AMERICAN FORK, UTAH 84003
TELEPHONE: (801)764-9000

ENGINEER/SURVEYOR:
M.W. BROWN ENGINEERING
578 E. 770 N.
OREM UT, 84097
TELEPHONE: (801) 377-1790

SOUTHEAST CORNER OF SECTION 32
TOWNSHIP 5 SOUTH, RANGE 2 EAST
SALT LAKE BASE AND MERIDIAN

MW BROWN ENGINEERING, INC
Office: (801) 377-1790 Fax: (801) 377-1789
578 East 770 North, Orem UT 84097

REGISTERED PROFESSIONAL ENGINEER
APR. 21, 2021
NO. 174774
MATT W. BROWN
STATE OF UTAH

No.	Date	By	REVISIONS
			Notes

Designed
Drawn
Checked
Date

Title: LINDON SELF STORAGE
Location: LINDON, UTAH
Drawing Name: SITE PLAN & DIMENSION PLAN

PROJECT NO.
2019.054

SHEET NO.
1.00

RIDGE POINT
MANAGEMENT GROUP

February 6, 2020

Michael Florence
Planning & Economic Development Director
Lindon City Community Development
100 N State St
Lindon, UT 84042

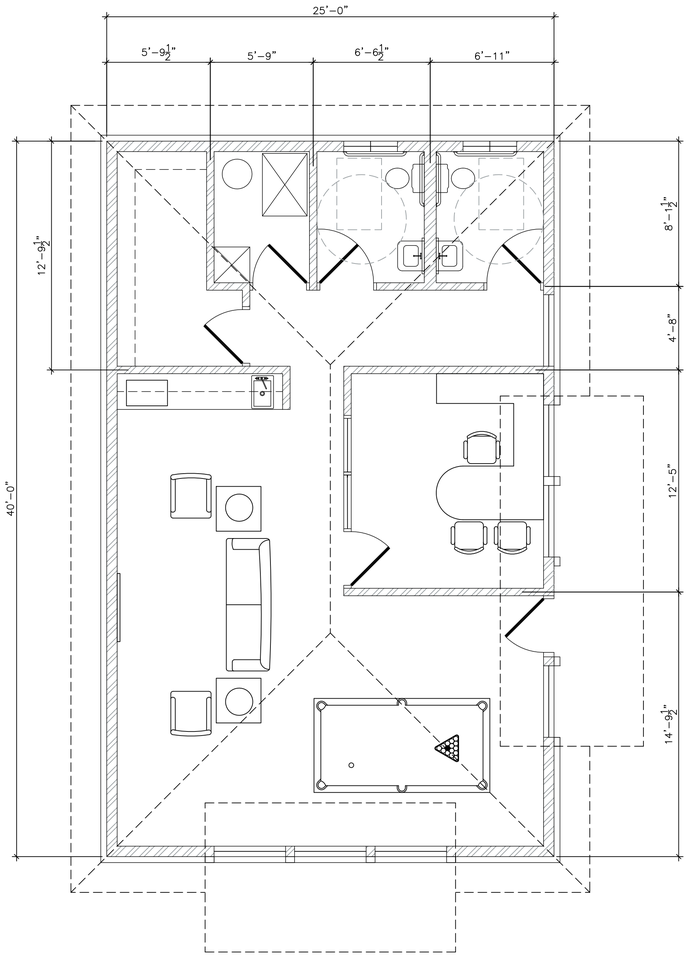
Dear Michael Florence:

We hereby request the waiver of the landscape requirements of Lindon City on Lindon Self Storage as we will be installing hard surfaces.

Sincerely,

Brad Jensen
Manager

947 S. 500 E., Ste. 100 | American Fork, UT 84003 | Phone: 801.764.9000 | Fax: 801.764.9874



FLOOR PLAN

SCALE: 1/4" = 1'-0"

NORTH



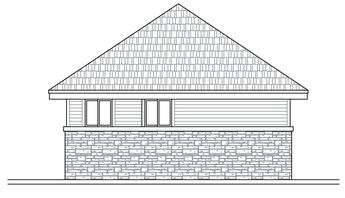
EAST ELEVATION

SCALE: 1/4" = 1'-0"



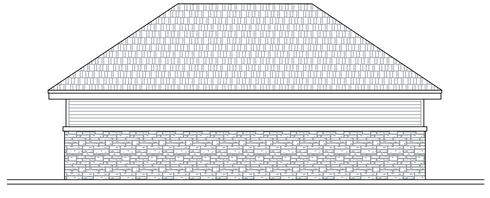
SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



NORTH ELEVATION

SCALE: 1/8" = 1'-0"



WEST ELEVATION

SCALE: 1/8" = 1'-0"

VDG VINCENT DESIGN GROUP, INC.
ARCHITECTS AND PLANNERS
401 EAST 1700 SOUTH, SALT LAKE CITY, UTAH - (801-484-2046

CLUBHOUSE AND OFFICE BUILDING FOR:

LINDON SELF STORAGE

LINDON, UTAH

PRELIMINARY DRAWINGS

ARCH. PROJECT NO:	XX-XXX
DATE:	11/2/16
DRAWN BY:	BRENT
CHECKED BY:	
DESIGNED BY:	

© COPYRIGHT VDG ARCHITECTS

DATE	REVISION

SHEET TITLE

A-1.00

ARCHITECTURAL 1 of 1

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REVISION				
SYM.	DESCRIPTION	DATE	APPROVAL	CAD
1	ELEVATIONS	6-15	LB	TATE
2	ELEVATIONS	10-15	LB	TATE

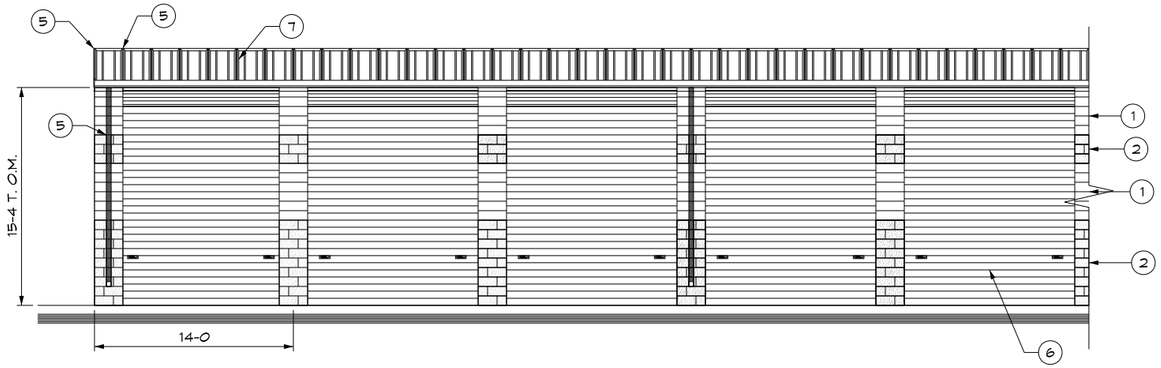


TYPICAL LOW EAVE ELEVATION

PARTIAL BUILDINGS A, B, AND C

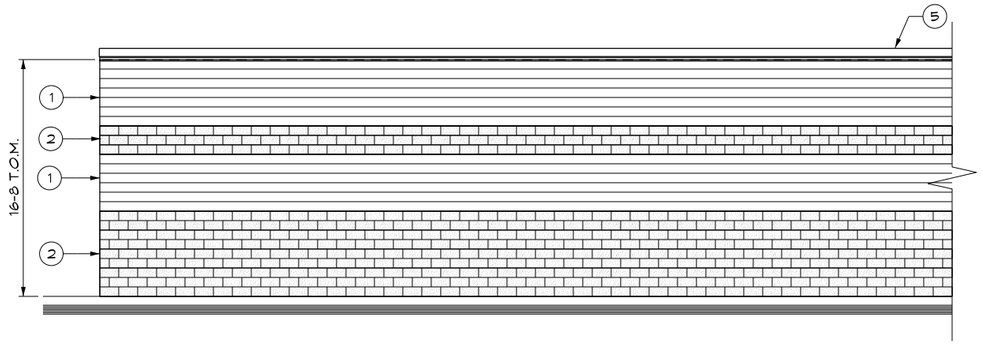
MATERIAL / FINISH COLOR

1. SMOOTH 8" CMU / LEHI BLOCK #26U BARK-U
2. SPLIT FACE 8" CMU / LEHI BLOCK #26 BARK-U
3. 3-0 X 7-0 HOLLOW METAL DOOR AND FRAME / SADDLE TAN
4. SIGNAGE / TBD
5. METAL FLASHING GUTTER AND DOWN SPOUTS / BURNISHED SLATE
6. EXTERIOR METAL-ROLL UP DOORS / SADDLE TAN
7. METAL STANDING SEAM ROOF DECK / GALVALUME+26GA



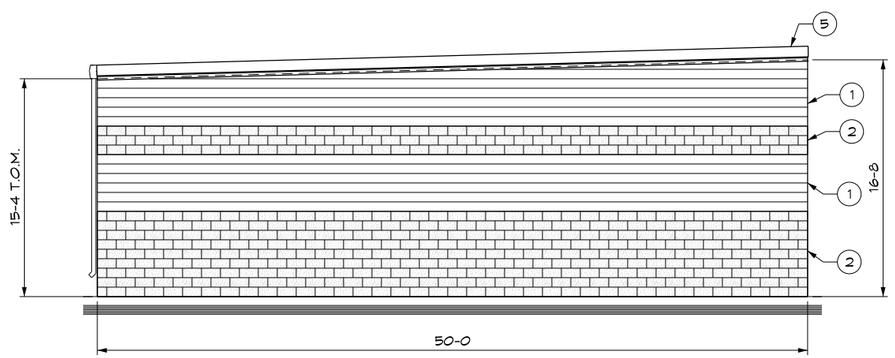
TYPICAL LOW EAVE ELEVATION

PARTIAL BUILDING A 14-0 WIDE UNITS



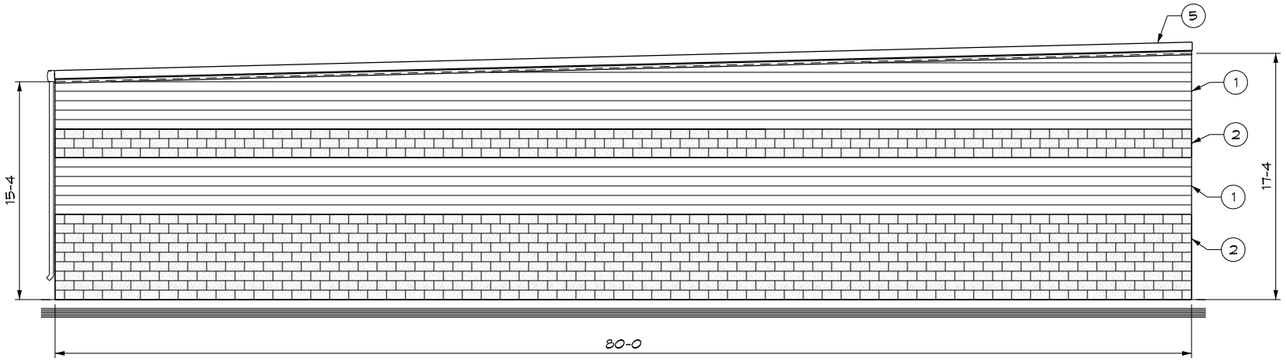
TYPICAL HIGH EAVE ELEVATION

PARTIAL BUILDINGS B, AND C



TYPICAL GABLE ELEVATION

BUILDINGS A, B, C



EAST GABLE ELEVATION

BUILDING A

DRAWN BY	TATE NIELSEN	10-15
CHECKED	TROY NIELSEN	10-15
CHECKED		
ENGINEER	LYNN BARNETT	10-15

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DO NOT SCALE DRAWING

LINDON STORAGE
JUSTIN JOHNSTON
LINDON, UTAH

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ELEVATIONS

SCALE	SIZE	SHEET	PROJECT #	DRAWING	REV.
3/16" : 1'	D	1 OF 1	1515	ELE	2

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Item: 12 - Ordinance Amendment – Lindon City Standard Land Use Table

Date: June 22, 2021
Applicant: Lindon City
Presenting Staff: Michael Florence

Type of Decision: Legislative

Council Action Required: Yes, the planning commission is the recommending body on this application.

MOTION
I move to recommend to (*approve, deny, continue*) ordinance amendment 2021-5-O (*as presented, with changes*).

Overview:

- At the May 11th planning commission meeting, the commission requested that City staff evaluate Lindon City's parking standards and if those needed to be modified for Wedding/Event Reception Centers.
- After further consideration, city staff is proposing to leave Wedding/Event Receptions Center as a permitted use in the CG-S zone and to return at a later date for an update to the Standard Land Use Table

Parking Group	Permitted Primary Uses	Residential	Mixed Rec.		Commercial							Industrial			R&B
		(R1-12, R1-20, R3)	RMU -W	RMU -E	PC -1	PC -2	CG	CG -A	CG -A8	CG -S	MC	HI	LI	LI -W	
6200	Wedding/Event Reception Centers (Must be located at least 500 feet away from any area zoned primarily for residential use as measured from property line to property line. Distance restriction does not apply in a Commercial Farm Zone.)	N	N	N	N	N	P	P	P	P	P	N	N	N	N

Parking

City staff evaluated a number of communities and their parking requirements for wedding or event centers. It is staff's recommendation that the ordinance be amended to require one parking stall per 50 square feet of gross floor area.

Jurisdiction	Parking Standard	Required Parking – 6,000 sq ft facility
Lindon	1 space per 3.5-person capacity	240-person capacity – 68 stalls
Spanish Fork	1 space per 100 sq ft gross floor area	60
Salt Lake County	1 space per 40 sq ft in assembly room	150
West Valley	1 space per 50 sq ft of gross floor area	120

Roy	1 space per 200 sq ft of gross floor area	30
Salt Lake City	6 stalls per 1,000 sq ft (1 stall per 166 square feet)	36
Mapleton	1 space per 200 sq ft. If venue is held outdoors then the planning commission determines the parking ratio	30
St. George	1 space for each 35 sq ft of seating within an auditorium area	171
Orem	1 space per 3.5-person capacity	68 stalls

Staff Analysis:

Lindon City has become a popular destination for Wedding/Event Reception Center business. There are currently eight such businesses located in the City. The City wants to promote business in the community but staff recommends that the City also needs to have buffering standards in place to ensure compatibility with neighboring residential uses as well as adopted proportional parking standards to the size of the facility. City staff have proposed a 500' buffer which should be evaluated by the planning commission as part of the recommendation to the city council.

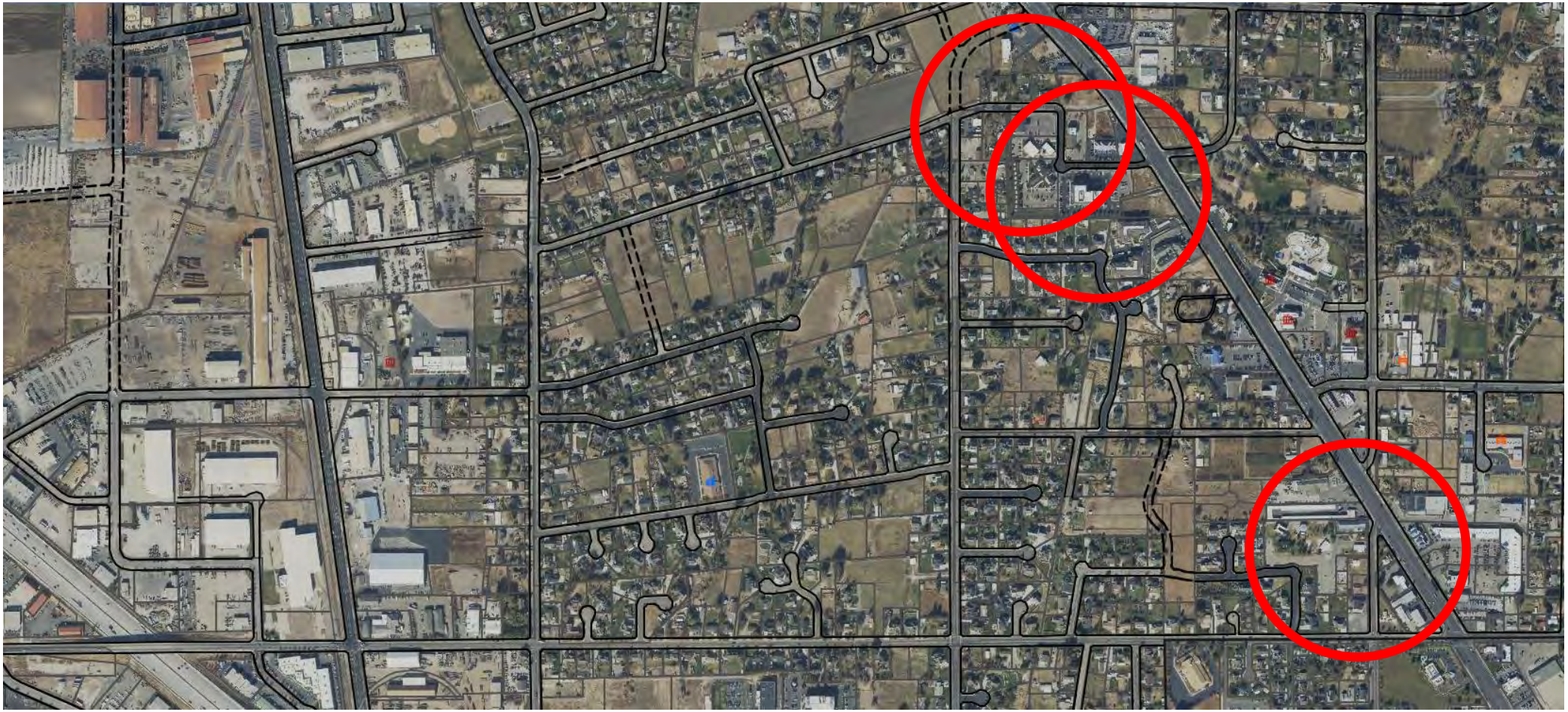
Exhibits

- 500-foot radius map
- 500-foot residential buffer around State Street



*Map does not include properties zoned Commercial Farm

○ Approximate 500’ Radius



*Map does not include properties zoned Commercial Farm

○ Approximate 500’ Radius

Lindon City

500-foot residential buffer

N
W E
S

Legend

- 500-foot residential buffer
- CF, Commercial Farm
- CG, General Commercial
- CG-A, General Commercial A
- CG-A8, General Commercial A8
- CG-S, General Commercial Storage
- L I, Light Industrial
- LVC, Lindon Village Commercial
- MC, Mixed Commercial
- PC-1, Planned Commercial - 1
- PC-2, Planned Commercial - 2
- PF, Public Facilities
- R&B, Research and Business
- R1-20, Residential Very Low Density

CG
CG-A
CG-S
PRD
R1-20
R&B
PC-1
PC-2
CG-A8
STATE STREET
MAIN ST
CENTER ST
LOCUST AVE
LAKEVIEW RD
GILLMAN LN
HARCLIFF CIR
TECHNOLOGY CT
LINDON PARK
GENEVA RD
I-15