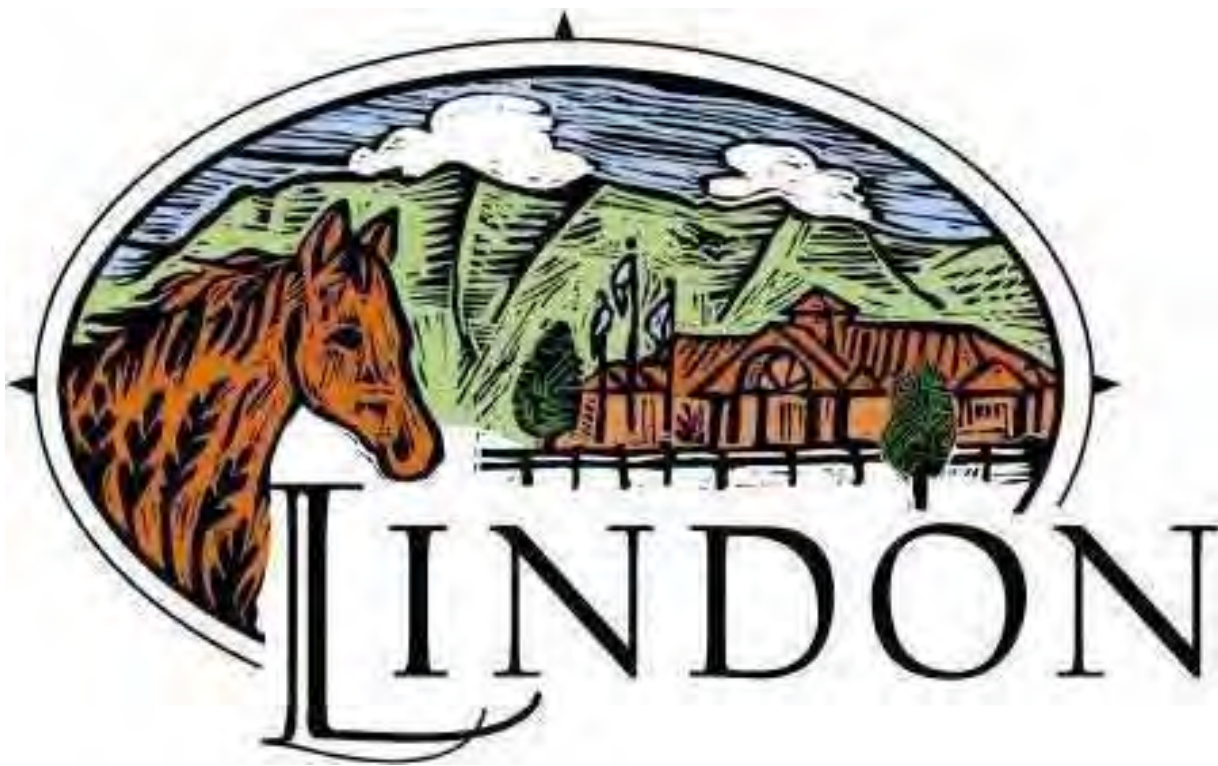


Lindon City Planning Commission Staff Report



November 23, 2021

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

Notice of Meeting

Lindon City Planning Commission



The Lindon City Planning Commission will hold a regularly scheduled meeting on Tuesday, November 23, 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 11/09/2021
3. Public Comment
4. Plat Amendment– **Fenton/Olsen Plat “B”**– 725 N and Main St
The applicant requests a plat amendment approval to move a lot line in Fenton/Olsen Plat “B” (Parcel ID# 39:321:0004, 39:321:0003). (10 minutes)
5. Discussion Item – Setbacks
This discussion item refers to the 40 ft setback between commercial and residential uses. (15 minutes)
6. 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: 11/19/2021 Time: 5:00 pm

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

2 The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday,**
4 **November 9, 2021 beginning at 6:00 p.m.** at the Lindon City Center, City Council
Chambers, 100 North State Street, Lindon, Utah.

6 **REGULAR SESSION – 6:00 P.M.**

8 Conducting: Sharon Call, Chairperson
Invocation: Rob Kallas, Commissioner
10 Pledge of Allegiance: Jared Schauer, Commissioner

12	<u>PRESENT</u>	<u>EXCUSED</u>
	Sharon Call, Chairperson	Mike Marchbanks, Commissioner
14	Rob Kallas, Commissioner	Renee Tribe, Commissioner
	Steven Johnson, Commissioner	
16	Scott Thompson, Commissioner	
	Jared Schauers, Commissioner	
18	Mike Florence, Economic Development Director	
	Mary Barnes, Associate Planner	
20	Kathryn Moosman, City Recorder	

22 **Special Attendee:**
Mike Vanchiere, Councilmember

- 24
- 26 1. **CALL TO ORDER** – The meeting was called to order at 6:00 p.m.
- 28 2. **APPROVAL OF MINUTES** –The minutes of the regular meeting of the
Planning Commission meeting of October 26, 2021 were reviewed.

30 COMMISSIONER JOHNSON MOVED TO APPROVE THE MINUTES OF
THE REGULAR MEETING OF OCTOBER 26, 2021 AS PRESENTED.
32 COMMISSIONER KALLAS SECONDED THE MOTION. ALL PRESENT VOTED
IN FAVOR. THE MOTION CARRIED.

- 34
- 36 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.

38 **CURRENT BUSINESS** –

- 40
- 42 4. **Minor Subdivision Approval – Road Dedication – 2000 W.** The applicant
requests minor subdivision approval for the 2000 W. Road Dedication Plat to
dedicate 1,986 sq. ft. of property on 2000 W to Lindon City (Parcel ID
44 #14:057:009).

46 Mike Florence, Planning Director, led this agenda item by stating St. John
Properties is currently constructing their Valley Grove Development in Pleasant Grove.

2 He noted 2000 West is a Lindon City Street and to meet the 66' road width requirements
the applicant is proposing to dedicate approximately 3.63' in width by 594' in length
4 along 2000 West to Lindon City. Mr. Florence then referenced the Street Requirements
noting all requirements are met. Mr. Florence explained the applicant will bond with
6 Lindon City for the road and curb and gutter improvements and Pleasant Grove City for
improvements, such as sidewalk, behind the curb.

8 Mr. Florence then presented an Aerial Photo and Road Dedication Plat followed
by discussion.

10 Following some additional discussion, the Commission agreed this is pretty
straightforward and were in agreement to approve this minor subdivision request with the
12 conditions as listed in the motion.

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

16 COMMISSIONER SCHAUERS MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR MINOR SUBDIVISION APPROVAL FOR THE 2000 WEST ROAD
18 DEDICATION PLAT WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT
WILL CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL FINAL
20 CORRECTIONS TO THE PLAT; 2. COMPLETE (OR POST AN ADEQUATE
IMPROVEMENT COMPLETION ASSURANCE), WARRANT AND POST
22 REQUIRED ASSURANCE FOR ALL REQUIRED PUBLIC INFRASTRUCTURE
IMPROVEMENTS; 3. PRIOR TO PLAT RECORDING, THE APPLICANT WILL
24 UPDATE THE FINAL PLAT MYLAR TO INCLUDE NOTARIZED SIGNATURES
OF OWNERS' CONSENT TO DEDICATION; AND OBTAIN SIGNATURES OF ALL
26 ENTITIES INDICATED ON THE SUBDIVISION PLAT ATTACHED HERETO; 4.
ALL ITEMS OF THE STAFF REPORT. COMMISSIONER THOMPSON SECONDED
28 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

CHAIRPERSON CALL	AYE
30 COMMISSIONER KALLAS	AYE
COMMISSIONER JOHNSON	AYE
32 COMMISSIONER THOMPSON	AYE
COMMISSIONER SCHAUERS	AYE
34 THE MOTION CARRIED UNANIMOUSLY	

36 **5. Minor Subdivision Approval – Aspen Ridge Plat B – Around 350 S 280**

W. The applicant requests minor subdivision approval for one single family
38 residential lot in the Aspen Ridge Plat "B" at 350 S 280 W. (Parcel ID
#17:016:0099).

40 Mary Barnes, Associate Planner, led this agenda item by stating the Aspen Ridge
44 Subdivision Plat "C" will be creating one lot out of the property at 350 South 280
West. She noted Lot 3 will be used for the construction of a new single-family home.
46 She also explained in order to remain in the greenbelt, the applicant will be subdividing
the remaining 4.54 acres, one lot at a time. She noted the applicant, Joe Martel is in
48 attendance representing this application.

Ms. Barnes stated staff has determined that the proposed subdivision complies, or
50 will be able to comply before final plat approval, with all remaining land use standards.

2 She noted the City Engineer is addressing engineering standards and all engineering
issues will be resolved before final plat approval is granted.

4 Ms. Barnes then presented an Aerial Photo and Subdivision Plat followed by
discussion. She then turned the time over to the applicant for comment.

6 Mr. Martel addressed the commission at this time. Mr. Martel stated there are
three lots and the intent is to develop all lots, but because of tax purposes they are only
8 doing one lot at this time but all the infrastructure will go in all at the same time. The
entire cul-de-sac will be built out as if the other lots will be platted at the same time. He
10 mentioned one challenge is they want to keep as much agriculture as possible for
greenbelt, so that is why they are doing it this way. He noted all of these lots will be used
12 for his family.

Following some additional discussion, the Commission was in agreement to
14 approve this minor subdivision request with the conditions as listed in the motion.

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

18 COMMISSIONER KALLAS MOVED TO APPROVE THE APPLICANT'S
REQUEST FOR ONE LOT MINOR SUBDIVISION APPROVAL LOCATED AT 350
20 S. 280 W. WITH THE FOLLOWING CONDITIONS: 1. THE APPLICANT WILL
CONTINUE TO WORK WITH THE CITY ENGINEER TO MAKE ALL FINAL
22 CORRECTIONS TO THE ENGINEERING DOCUMENTS AND PLAT; 2.
COMPLETE (OR POST AN ADEQUATE IMPROVEMENT COMPLETION
24 ASSURANCE), WARRANT AND POST REQUIRED ASSURANCE FOR ALL
REQUIRED PUBLIC INFRASTRUCTURE IMPROVEMENTS; 3. PRIOR TO PLAT
26 RECORDING, THE APPLICANT WILL UPDATE THE FINAL PLAT MYLAR TO
INCLUDE NOTARIZED SIGNATURES OF OWNERS' CONSENT TO
28 DEDICATION; AND OBTAIN SIGNATURES OF ALL ENTITIES INDICATED ON
THE SUBDIVISION PLAT ATTACHED HERETO; 4. THE PLANS AND PLAT WILL
30 MEET AND BE CONSTRUCTED AS PER APPLICABLE SPECIFICATIONS AS
FOUND IN THE LINDON CITY DEVELOPMENT MANUAL; 5. ALL ITEMS OF
32 THE STAFF REPORT. COMMISSIONER JOHNSON SECONDED THE MOTION.
THE VOTE WAS RECORDED AS FOLLOWS:

34 CHAIRPERSON CALL	AYE
COMMISSIONER KALLAS	AYE
36 COMMISSIONER JOHNSON	AYE
COMMISSIONER THOMPSON	AYE
38 COMMISSIONER SCHAUERS	AYE
THE MOTION CARRIED UNANIMOUSLY.	

40
42 **6. Site Plan Approval – City Park Retail – 200 N State St.** The applicant
requests site plan approval for the construction of two new retail buildings at
approximately 200 N State St. (Parcel #'s 14:068:0119, 14:068:0035,
44 14:068:0201).

46 Ms. Barnes stated the applicants Brett and Julie Snow (who are in attendance) are
seeking site plan approval for the construction of two new retail buildings located at 200
48 North State Street. She noted for site plan approval, the planning commission will be

2 evaluating whether the site plan and building meet Title 17 development regulations and
commercial design standards. She stated the applicant is proposing to construct three one
4 story commercial buildings with differing retail tenants. She then listed the details as
follows:

- 6 a) Building A: 1,650 sq. ft building for a Beans and Brews sit-down cafe and drive
thru
- 8 b) Building B: 850 sq. ft building for a Swig soda store with a walk-up and a drive
thru. Swig will submit a separate site plan at a later date, this site plan approval
10 will be for building A and C. Building B is only shown for reference and will file
their own site plan approval application.
- 12 c) Building C: 1,650 sq.ft. building for a G.O.A.T. barbershop

14 Ms. Barnes explained the parking standards are based on the zone and the
different uses in the building and their respective square footage. Ms. Barnes noted per
16 Lindon City's Development Manual, 3 ADA parking spots have been provided in this
parking lot, satisfying the ADA requirements.

18 Ms. Barnes further explained access to the subject property will be from 200
North and State Street through the shared access easement with the neighboring Tagg N
20 Go development. She indicated the applicant has worked with City Staff to provide
adequate space in their parking lot for backing up out of the parking stalls. Additionally,
22 the two drive thru's meet width and access requirements.

Ms. Barnes went on to say there are two lots on this site, the north lot and the
24 south lot. The proposed plan meets the minimum lot size requirement of 20,000 square
feet, the north lot is 26,751 sq. ft, and the south lot is 20,001 sq.ft. A 7 ft masonry wall
26 will be constructed on the east side of the property, as required by City Code, with a 10 ft
landscaping barrier and landscaping and trees will be planted in the barrier area.
28 Streetlights will match the current lights on State Street and be spaced 100' apart, as
required by the commercial design standards and street lights will be put on 200 North.
30 She noted all building setback requirements are met. Ms. Barnes also went over the
Lindon Commercial Design Standards noting all requirements are met.

32 Ms. Barnes went on to say buildings in the Commercial General zone are required
to meet the Lindon Commercial Design Standards. Under the commercial design
34 standards, commercial development should pick one of three building forms: one-part
commercial block, two-part commercial block, and central block buildings. Building A
36 and C align with the one-part commercial block building. Below are the standards for
such buildings in the Commercial Design Standards:

38 Ms. Barnes noted 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
40 plan approval.

Ms. Barnes indicated the property is located in flood zone A and according to
42 floodplain regulations, buildings must have a 1 ft freeboard above base flood elevation.
She then referenced the details as follows:

- 44 a) Base flood elevation (BFE) for building A is 4652.48, therefore, the Beans and
Brews will be built at a first-floor elevation (FFE) of 4653.48.
- 46 b) Base flood elevation (BFE) for building B is 4649.54, therefore, the Swig will be
built at a first-floor elevation (FFE) of 4650.54.

2 c) Base flood elevation (BFE) for building C is 4648.42, therefore, the GOAT
barbershop will be built at a first-floor elevation (FFE) of 4649.42.

4

Ms. Barnes commented City staff believes that this development will be an
amenity to Lindon City noting the site will serve the residents of Lindon and people who
are passing through on State Street. She noted by adding a barbershop and two
eating/drinking establishments with these inviting buildings it will encourage people to
stop and enjoy the Lindon City Park and this beautiful city.

10 Ms. Barnes then presented an Aerial photo, Approved Plat, Site plan, Parking
Exhibit, Landscaping Plan, Building elevations and Floodplain map followed by
12 discussion.

Commissioner Kallas asked if these units will have HVAC units. The applicant
confirmed that statement noting they will be installed in the center of the roof.
Chairperson Call stated this is not a public hearing but said she will take public comment
at this time.

Donna Hirsh, resident in attendance, asked if the only entrance is on 200 North
off of State Street. She expressed her concerns of the road that turns into 135 West and
the traffic that this will bring and how busy it will be. The applicant stated the majority of
traffic will come off of State Street pointing out it will have a cross access there and a
right in right out from State Street and not much traffic on 135 West at all.

Commissioner Johnson asked on the elevation plan if this is also a representation
of the colors. The applicant confirmed that statement. Commissioner Johnson added this
looks great and meets the color palette. He also asked about the possibility of striping to
help mitigate any traffic back up. The applicant stated striping is not called out on the
plan, but they would be happy to look at that issue with staff.

Commissioner Kallas asked about the parking lot lighting and if it is shielded
from the neighbors to the east. Mr. Florence said they will check on that on the civil plans
to ensure it doesn't filter onto the residential area. He added they could include that as a
condition in the motion. Chairperson Call commented that this is a much better plan than
the original plan.

Following some additional discussion, the Commission was in agreement to
approve this site plan for City Park Retail with the conditions as listed in the motion.

Chairperson Call called for any comments from the commission. Hearing none
she called for a motion.

36

COMMISSIONER THOMPSON 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. THE APPLICANT WILL COMPLY WITH ALL BONDING
REQUIREMENTS, IF APPLICABLE; AND 5. ALL ITEMS OF THE STAFF REPORT.
COMMISSIONER SCHAUERS SECONDED THE MOTION. THE VOTE WAS
RECORDED AS FOLLOWS:

48 CHAIRPERSON CALL

AYE

2 COMMISSIONER KALLAS AYE
COMMISSIONER JOHNSON AYE
4 COMMISSIONER THOMPSON AYE
COMMISSIONER SCHAUERS AYE
6 THE MOTION CARRIED UNANIMOUSLY.

8 **7. Site Plan Approval Reconsideration – South Haven Development – 531 N.**
10 **State.** The applicant requests reconsideration of site plan approval to develop
a 58-unit townhome development located at 531 N. State Street (Parcel #'s
12 45:244:0003, 14:067:0140, 14:067:0057).

12 Mr. Florence stated this item has been pulled from the agenda. Chairperson Call
14 called for any comments from the Commission. Hearing none she moved on to the next
agenda item.

16 **8. New Business: Reports by Commissioners** – Chairperson Call called for any
18 new business or reports from the Commissioners. There were no further
comments from the Commissioners at this time.

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

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

26 **ADJOURN** –

28 COMMISSIONER KALLAS MADE A MOTION TO ADJOURN THE
MEETING AT 7:00 PM. COMMISSIONER THOMPSON SECONDED THE
30 MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

32 Approved – November 23, 2021

34 _____
Sharon Call, Chairperson

36
38 _____
Michael Florence, Planning Director

Item 4: Plat Amendment – Amended Plat “B” of Fenton/Olsen Subdivision at 35 W. 725 N. and 15 W. 725 N.

Date: November 19, 2021

Applicant: Deborah LaPray
Presenting Staff: Mary Barnes

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

Parcel IDs: 39:321:0004 and
39:321:0003

Type of Decision: Administrative
Council Action Required: No



OVERVIEW

Deborah LaPray is requesting a plat amendment to move a lot line 10 ft to the west.

1. The property on the left is owned by Ashley Willoughby and the property on the right is owned by Deborah and Seth LaPray. Both property owners have agreed to this amended plat.
2. The existing plat was approved in October 2020.
3. With this plat amendment, the future LaPray home will be able to front on Main St instead of 725 N.

Motion

I move to [(*approve, deny, continue*)] the applicants request for plat amendment approval of the Fenton/Olsen Plat “B” with the following conditions:

1. The applicant will continue to work with City staff to make all technical corrections as necessary to the plat prior to recording;
2. The applicant will obtain all necessary utility notifications prior to final plat approval;
3. Prior to plat recording, the applicant will update the final plat Mylar to include notarized signatures of owners' consent to dedication; and obtain signatures of all entities indicated on the subdivision plat attached hereto; and
4. All items of the staff report

Surrounding Zoning and Land Use

North: Residential R1-20

East: Residential R1-20

South: Residential R1-20

West: Residential R1-20

Subdivision Standards

Lindon City Code 17.32.070 references Utah Code for requirements amending a subdivision plat. Under Utah Code 10-9a-608, an applicant may petition the Land Use Authority (Planning Commission) to adjust a lot line.

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

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

- (a) the petition seeks to:

- (i) join two or more of the petitioner fee owner's contiguous lots;
- (ii) subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;
- (iii) adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join in the petition, regardless of whether the lots or parcels are located in the same subdivision;
- (iv) on a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or
- (v) alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not:
 - (A) owned by the petitioner; or
 - (B) designated as a common area; and
- (b) notice has been given to adjacent property owners in accordance with any applicable local ordinance.

Findings of Fact

- The Willoughby's and the LaPray's both agree with the adjustment.
- The proposed plat moves the shared lot line 10 ft to the west.
- The proposed plat amendment is located in the Residential R1-20 zone. The following table review the subdivision and lot requirements for a residential lot in the R1-20 zone:

Required	Complaint
No single lot shall be divided by municipal or county boundary lines, roads, alleys or other lots	Yes
All residential lots shall front on a public street	Yes- 35 W 725 N will have a frontage of 155 ft, and 15 W 725 N will have a <u>combined</u> frontage of 351.9 ft on 725 N and Main St
Side lot lines shall be at right angles or radial to street lines, except where justified by the subdivider and approved by the Planning Commission	Yes
Easements shall follow rear and side lot lines whenever practical and shall have a minimum total width of 15 feet apportioned equally in abutting properties	Applicants are currently in the process of receiving approval from utility companies to abandon the PUE around the existing lot line and notify PUE companies about the new lot line.
No lot shall be created which is more than three times as long	Yes
Minimum lot size: 20,000 square feet	Yes

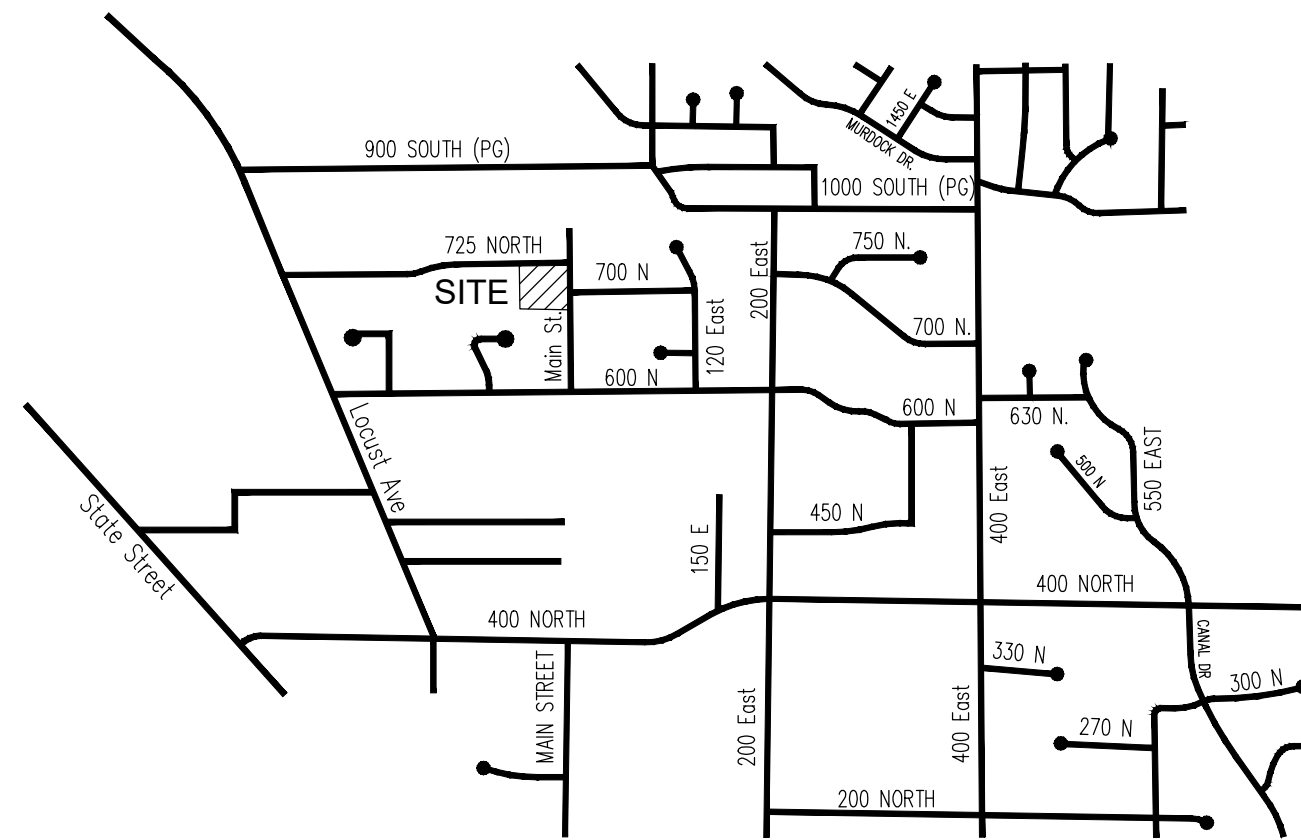
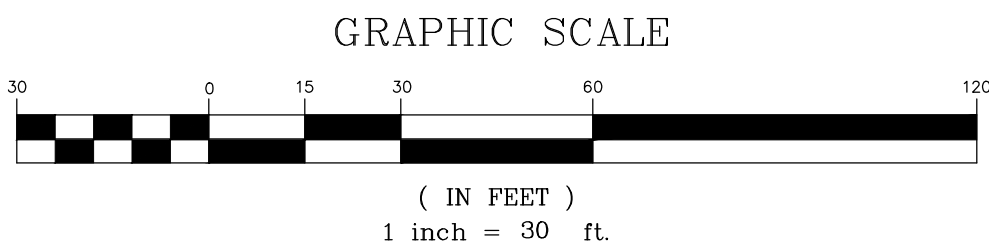
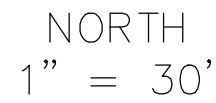
Engineering Requirements

The City Engineer has completed a review of the plat and will continue to work with the applicant on any needed corrections.

Exhibits

1. Aerial image with parcels
2. Proposed Plat "B"
3. Current Fenton/Olsen Plat "B"





I, Roger D. Dudley, do hereby certify that I am a registered land surveyor, and that I hold certificate No. 1470282 in accordance with Utah Code, Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I further certify, that at the request of the owner of the below-described land, I performed a survey of said land in accordance with Section 17-23-17 of the Utah Code: that the boundary description below correctly describes the land surface upon which will be constructed AMENDED PLAT "B" FENTON-OLSEN SUBDIVISION. That I have verified all measurements, and that the reference markers shown on said plat are located as shown and are sufficient to readily retracement or reestablish this survey.

Commencing at the Northeast corner of Lot 1, Plat "A", Orchard Meadows Subdivision as shown on record in the office of the Utah County Recorder, Utah County Utah, said point located North 00°19'56" West along the Section line 814.50 feet and West 33.00 feet from the Southeast corner of Section 28, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°37'50" West along Orchard Meadows Subdivision 160.00 feet; thence North 00°22'10" West 0.44' to the southerly boundary line of Plat "B", Fenton-Olsen Subdivision; thence South 89°37'50" West along Plat "B", Fenton-Olsen Subdivision 107.00 feet; thence North 00°19'56" West along Lot 3, Plat "B", Fenton-Olsen Subdivision 251.44 feet to 725 North Street; thence North 89°40'04" East along 725 North Street 167.00 feet; thence South 00°19'56" East 0.86 feet to the south side of 725 North Street; thence North 89°40'04" East along 725 North Street 100.00 feet to Main Street; thence South 00°19'56" East along Main Street 250.85 feet to the point of beginning.

Area = 67,011 sq.ft. or 1.54 Acres

Basis of Bearing is North 00°19'56" West along the Section line from the Southeast corner to the East quarter corner of said Section 28. (NAD 27)

Date _____

Professional Land Surveyor
(see seal below)

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

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

Seth LaPray

Deborah LaPray

Ashley L. Willoughby

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

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, who represented that he is the owner of the above-described property and has the authority to execute this instrument.

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

My Commission Expires _____

_____ Print name of Notary

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

Mayor	Planning Commission Chair
-------	---------------------------

Planning Director

City Engineer

City Attorney

City Recorder

Attest

Fenton-Olsen Subdivision

Including an Amendment of Lots 3 & 4, Plat "B",
Fenton-Olsen Subdivision

Lindon City, Utah County, Utah

Scale: 1" = 30 Feet

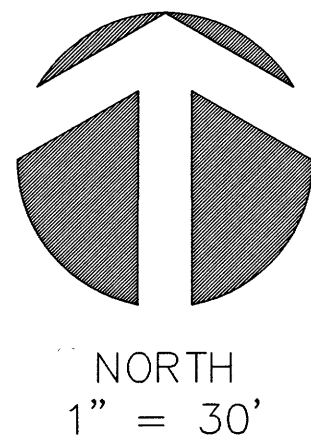
SURVEYOR'S SEAL

NOTARY PUBLIC SEAL

CITY ENGINEER SEAL

CLERK-RECORDER SEAL

COUNTY RECORDER



Lot 7, Plat "A"
S & P Subdivision
Paul and Krystal Stuebner
52:505:0007

Lot 8, Plat "A"
S & P Subdivision
Marta Adair
52:505:0008

Lot 9, Plat "A"
S & P Subdivision
Sean & Eve Werner
52:505:0009

Lot 10, Plat "A"
S & P Subdivision
Carter Family Trust 01-29-2009 (ET AL)
52:505:0010

Last quarter corner
Section 28
Township 6 South
Range 2 East
S.L.B. & M.

725 North Street

Curve Data Table					
Curve	Radius	Length	Chord	Bearing	Delta
C1	20.00'	31.42'	28.28'	S 45°19'36" E	90°00'00"

Lot 1, Plat "A"
Fenton-Olsen Subdivision
Debra & Damon Hulsey
39:065:0001

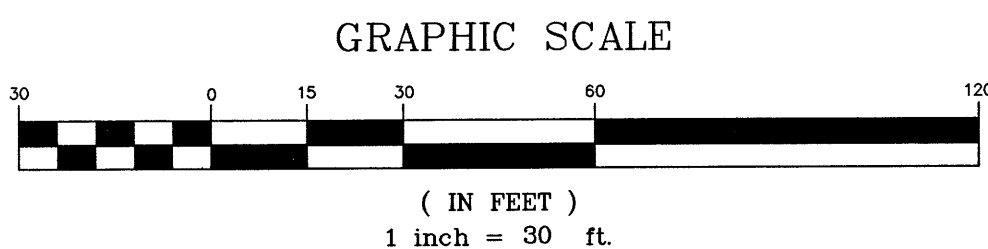
Lot 4
0.98 AC
42,663 sq.ft.

Lot 3
0.56 AC
24,348 sq.ft.

Lot 6, Plat "A"
Green Valley Estates
Howard & Egida Chitty
40:166:0006

Lot 1, Plat "A"
Orchard Meadows Subdivision
Jack & Valerie Young
48:466:0001

Southeast corner
Section 28
Township 6 South
Range 2 East
S.L.B. & M.



Brigham & Emily Hopkins
48:348:0014

Chad Dunn
48:348:0014

Michael & Kimberly Lloyd
48:348:0013

710 North Street

Lorenzo West
48:348:0012

Note:
A Geotechnical study was not performed for
this subdivision.

Occupancy Restriction Notice

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

Notice of Lindon City Housing Ordinance

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

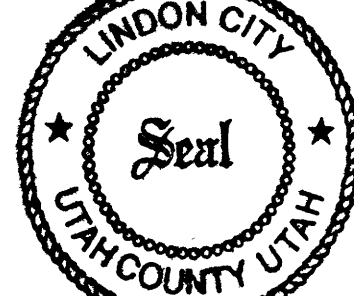
SURVEYOR'S SEAL

NOTARY PUBLIC SEAL

CITY ENGINEER SEAL

CITY-RECORDER SEAL

COUNTY RECORDER



ENT 1640888:2020 Map # 17330
JEFFERY SMITH
UTAH COUNTY RECORDER
2020 Oct 20 3:17 PM FEE \$4.00 BY RA
RECORDED FOR LINDON CITY CORPORATION

Surveyor's Certificate

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

Boundary Description

Commencing at the Northeast corner of Lot 1, Plat "A", Orchard Meadows Subdivision as shown on record in the office of the Utah County Recorder, Utah County Utah, said point located North 00°19'56" West along the Section line 814.50 feet and West 33.00 feet from the Southeast corner of Section 28, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°37'50" West along Orchard Meadows Subdivision 160.00 feet; thence North 00°22'10" West 0.44' to the southerly boundary line of Plat "A", Fenton-Olsen Subdivision; thence South 89°37'50" West along Plat "A", Fenton-Olsen Subdivision 107.00 feet; thence North 00°19'56" West along Lot 1, Plat "A", Fenton-Olsen Subdivision 251.44 feet to 725 North Street; thence North 89°40'04" East along 725 North Street 167.00 feet to the Northeast corner of Lot 2, Plat "A", Fenton-Olsen Subdivision; thence South 00°19'56" East 0.86 feet to the south side of 725 North Street; thence North 89°40'04" East along 725 North Street 100.00 feet to Main Street; thence South 00°19'56" East along Main Street 250.85 feet to the point of beginning.

Area = 67,011 sq.ft. or 1.54 Acres

Basis of Bearing is North 00°19'56" West along the Section line from the Southeast corner to the East quarter corner of said Section 28. (NAD 27)

10/13/20
Date

Professional Land Surveyor
(see seal below)

Owner's Dedication

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

In witness hereof, we have hereunto set our hands this 13 day of October, A.D. 2020

Rebecca L. Fenton

Acknowledgement

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

The foregoing instrument was acknowledged before me this 13 day of October, 2020 by Rebecca L. Fenton, who represented that he is the owner of the above-described property and has the authority to execute this instrument.

My Commission Number 710749

Signed (a Notary Public Commissioned in Utah)

My Commission Expires 03/01/24

Print name of Notary

Acceptance by Legislative Body

The City of Lindon, County of Utah, approves this Subdivision subject to the Conditions and Restrictions stated hereon, and hereby accepts the dedication of all streets, easements and other parcels of land intended for perpetual use of the public this 19 day of October, A.D. 2020

Mayor
Planning Director
City Attorney
Attest

Sharon Hall
Planning Commission Chair
City Engineer
City Recorder

Conditions of Approval

Plat "B"

Fenton-Olsen
Subdivision

Including an Amendment of Lot 2, Plat "A",
Fenton-Olsen Subdivision

Lindon City, Utah County, Utah

Scale: 1" = 30 Feet

SEC 28-S-2-E SLB & M TULADO BM

Item 5 – Commercial to Residential Setback Discussion

Date: November 23, 2021

Presenting Staff: Michael Florence

Type of Decision: None

Action Required: None

Overview

1. Lindon City Staff wants to review the 40' setback requirement from a commercial building to a residential use or zone.
2. The Planning Commission has recently granted site plan approval for a number of developments where this setback was applicable.
3. City staff has provided an attachment with examples of how other communities deal with setbacks for commercial buildings adjacent to residential.
4. The maximum height in the CG, CG-A, CG-S is 48'. The maximum height in the CG-A8 is 80'.

Lindon City

Side or rear yard setback when adjacent to a residential use or a residential zone: 40'

Orem

10' or equal to the height of the structure from the residential property line.

Provo

Commercial General Zone: Each lot or parcel of Land in the CG zone shall have a side yard of at least 10 feet when located adjacent to a residential zone. There shall be no rear yard requirements.

General Downtown: Buildings on properties located adjacent to a residentially zoned property shall be designed with a pitched or gabled roof where located within sixty (60) feet of an RC, R1, or PRO-R zone. Buildings or portions of buildings in the DT1 zone located adjacent to a residentially zoned property shall maintain a twenty (20) foot setback from the nearest property line of the residentially zoned property.

South Salt Lake

Transitions from Single family Homes. A 20-foot is required from the property line adjacent to a single family detached home. At 20 feet, 25-foot building height is permitted in between the property line and 30 feet. After 30 feet, every 2 feet in additional horizontal distance from the property line permits 1 foot of additional vertical building height.



Riverton

Side Yard Setbacks. When located adjacent to a residential district side yard setbacks shall be a minimum of 20 feet.

Rear Yard Setbacks. Where adjacent to residential zones, the minimum rear yard setback shall be one foot for every one foot in building height. However, there shall be a minimum setback of 15 feet, unless an access lane is planned, in which case, a minimum of 22 feet is required.

Springville

Rear Setback: 35 feet

Side Setback: 20 feet

One additional foot of setback required for each foot of height over 35' for a primary structure or 20' for an accessory structure

Farmington

The minimum side yard setback from the residential zone boundary shall be twenty feet (20') for buildings and structures twenty feet (20') or less in height. Buildings or structures over twenty feet (20') in height shall be set back an additional foot for each foot of height over twenty feet (20'). If the area of the side setback is used for parking or as a service area, a landscaped strip, not less than twenty feet (20') in width, shall be maintained along the property lines.

The minimum rear setback from residential zone boundaries shall be forty feet (40'). A landscaped strip, not less than twenty feet (20') in width, shall be maintained along the rear property line to help mitigate potential impacts to adjacent residential uses.

Spanish Fork

For commercial developments within 50' of a residential district or use:

District	Rear Setback	Side Setback	Height
C-2	0-25	0-20	35-48
S-C	0-25	0-20	35-60

Lehi

1. A landscaped buffer with a minimum width of 12 feet for all one-story buildings with a building height of 20 feet or less shall be provided. All buildings over 20 feet in height shall provide an additional one foot of buffer width to the minimum 12 feet for every one foot of additional building height. The additional buffer area for buildings over 20 feet in height may contain parking areas and drive isles as long as the minimum 12-foot landscaped buffer is maintained along the property line and the amount of hard surface is not more than 50% of the total required buffer area. The landscape buffer shall be designed and installed in a manner that is attractive and easily maintained. The buffer shall be planted with shrubs, trees, and sod, for the purpose of buffering, screening, and improving the visual quality of the site. At least 25% of the landscaping shall be evergreen. Deciduous trees shall have a minimum caliper of two inch and evergreen trees shall have a minimum height of six feet. Shrubs shall be a minimum five-gallon size.
2. The landscaped buffer requirements may be modified as deemed appropriate by the Planning Commission if the following conditions apply:
 - (a) the adjacent property owner consents in writing to the modification; and
 - (b) the adjoining property is identified on the General Plan Land Use Map as a non-residential land use designation.

MillCreek

Rear setback: 25 feet

Side setback: 10 feet

Maximum height: 35 feet if within 100 feet of a residential zone boundary