CITY OF LOGAN
ORDINANCE NO. 02-68

AN ORDINANCE AMENDING THE ZONING MAP OF LOGAN CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN,
STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain map or maps entitled “Zoning Map of Logan City, Utah” is hereby amended and the following property is hereby zoned from Agricultural (AG) to Commercial General (CG) as follows:

Tax ID No. 02-087-0014

Also identified as “Auto Care Collision Repair Rezone,” a 4.4 ac. parcel at approx. 1240 South Highway 89/91.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS 6th DAY OF November, 2002.

AYES: [Signatures]
NAYS: [Signatures]
ABSENT: None

ATTEST:

[Signature]
Lois Price, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 6th day of November, 2002.

Tom Kerr, Chairman

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 6th day of November, 2002.

Douglas E. Thompson, Mayor
DATE: October 9, 2002  
FROM: John Weber, Planner II  
SUBJECT: Autocare Collision Repair Expansion, Request for re-zone

SUMMARY...
Project Name: Autocare Collision Repair Expansion Rezone  
Owner/Proponent: Kim Fredrick  
Project Address: 1240 South Highway 89/91  
Request: Zoning amendment for a 4.4 acre parcel from Agriculture (AG) to Commercial General (CG)  
Current Zoning: Agriculture  
Proposed Zoning: Commercial General  
Staff Recommendation: Approve

PROJECT

The proponent is requesting a rezone of an approximately 4.4 acre piece of property east of the existing Autocare Collision Repair building from Agriculture (AG) to Commercial General (CG). Property to the north and west of this parcel is zoned CG; to the east across LeGrande Street property is zoned Multi-Family Medium (Blackhawk Condominiums) and property on the south is zoned AG. Current land uses in the area include the existing Autocare Collision Repair Addition to the west, a mix of commercial uses to the north and east (along 1200 South Street and LeGrande Street), and a vacant parcel to the southwest. The purpose of the rezone is to allow the proponent to build an expansion of the existing Autocare Collision Repair business (a use not allowed in the AG zone).

The General Plan does not include any specific guidance regarding development in this part of the City. During the Citywide rezone, the Planning Commission and the Municipal Council discussed the importance of land along Highway 89/91 between 1200 South and LeGrande Street as an open space gateway to the City. The rezone to CG is requested for property that is separated from Highway 89/91 by other properties and does not border the highway. These properties south of the existing Autocare Collision Repair building would remain in the AG zone, still serving as an open space gateway.
Staff feels that the rezone request to CG would not result in the loss of the open space gateway. Staff also feels that if this property was rezoned to CG, there would not be any compatibility issues with any of the surrounding land uses.

The Planning Commission moved to approve a recommendation for a Zone Change to the Municipal Council on September 26, 2002. (Passed: 4,0)

ATTACHMENTS
Please find the following attached:

1. Application and plat map;
2. Section of staff report to the Planning Commission, September 19, 2002, addressing rezone;
3. Minutes of the September 26 Planning Commission meeting
**APPLICATION FOR PROJECT REVIEW**

- **PLANNING COMMISSION**
- **BOARD OF ADJUSTMENT**

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<th>Zone</th>
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<td>CG</td>
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**Type of application (Check all that apply):**
- [ ] Subdivision
- [x] Conditional Use
- [ ] Design Review
- [ ] Zone/Text Change
- [ ] Amendment
- [ ] Rezone to PD
- [ ] Rezone to X
- [ ] Boundary Line Adjustment

**Project Name:**
Auto Care Collision Repair Addition

**Property Address:**
1240 South US Highway 89-191, Logan, Utah 84321

**Contact Person:**
Don Knighton Architectural Design West

**Daytime Phone:**
(435) 752-7031

**Mailing address, City, State Zip:**
255 South 300 West, Logan, Utah, 84321

**Alternate Phone/Fax:**
(435) 752-5325

**Applicant:** (Must be listed)
Kim Fredrick

**Phone Number:**
(435) 752-4644

**Mailing address, City, State Zip (if different):**
1240 South US Highway 89-191, Logan, Utah 84321

**Property owner of record (Must be listed):**
Auto Care Properties LLC

**County Plat ID Number:**
02-084-0017

**Lot size in acres or sq. feet:**
4.396 Acres

**Number of dwelling units / lots:**

**Describe the proposed project as it is should be presented to the Planning Commission or Board of Adjustment:**
100' x 100' Addition to existing Auto Body Shop. The existing building is a metal building with a brick veneer around the office portion of the building. The addition will be a premanufactured metal building.

**I certify that the information contained in this application and supporting plans is correct and accurate.**

**Signature of applicant:**

**I certify that I am the record owner of the subject property and that I consent to the submittal of this application.**

**Signature of owner (if different):**

Use additional pages if necessary. You must provide the Commission or Board with enough information to make an informed decision.

The Commission has directed Staff to continue projects if the application is not complete.
Staff Report for the Planning Commission meeting of September 26, 2002

PC Docket #02-090

Rezone, Design Review, and Conditional Use Permit for the Autocare Collision Repair Addition
Located at 1240 South Highway 89/91; TID #02-083-0021.

REPORT SUMMARY...

Project Name: Autocare Collision Repair Addition
Proponent/Owner: Kim Fredrick
Project Address: 1240 South Highway 89/91
Request: A Rezone to CG and a Design Review Permit and Conditional Use Permit for an addition to the existing Autocare Collision Repair building
Current Zoning: CG, Commercial General (existing building) and AG (parcel that includes proposed addition)
Staff Recommendation: Conditionally Approve
Type of Action Requested: Legislative (rezone request) and Quasi-judicial (design review and conditional use permit)

PROJECT

Rezone to CG
The proponent is requesting a rezone of an approximately 4.4 acre piece of property east of the existing Autocare Collision Repair building from Agriculture (AG) to Commercial General (CG). Property to the north and west of this parcel is zoned CG; to the east across LeGrande Street property is zoned Multi-Family Medium (Blackhawk Condominiums) and property on the south is zoned AG. Current land uses in the area include the existing Autocare Collision Repair Addition to the west, a mix of commercial uses to the north and east (along 1200 South Street and LeGrande Street), and a vacant parcel to the southwest.

The General Plan does not include any specific guidance regarding development in this part of the City. During the Citywide rezone, the Planning Commission and the Municipal Council discussed the importance of land along Highway 89/91 between 1200 South and Legrande Street as an open space gateway to the City. The rezone to CG is requested for property that is separated from Highway 89/91 by other properties and does not border the highway. These properties south of the existing Autocare Collision Repair building would remain in the AG zone, still serving as an open space gateway. Additionally, the eastern edge of this property borders property that contains a fitness center. Figure 1 illustrates the surrounding zoning and land uses.

Staff feels that the rezone request to CG would not result in the loss of the open space gateway. Staff also feels that if this property was rezoned to CG, there would not be any compatibility...
Issues with any of the surrounding land uses. Staff recommends that the Planning Commission recommend approval of this rezone request to the Municipal Council.

**Design Review Permit**
The proponent is requesting approval of a 10,000 square foot addition to the eastern side of the existing building to allow for the expansion of the existing auto repair business.

**Land use adjoining the subject property**
North: CG: Mixed commercial
South: AG: Undeveloped
East: CG and AG: Mixed commercial and undeveloped
West: PUB: Golf Course (across Highway 89/91)

There are no curb, gutter, sidewalk, or street trees along this portion of Highway 89/91.
7. The proposed project provides landscaping in conformance with the General Plan and Title 17.

8. The expansion of the non-conforming use is compatible with conforming uses in the area.

[Moved: Mr. Kartchner Seconded: Mr. Hooper Passed: ___A_,_o_]  
Yea: Hooper, Kerr, Kartchner, Wickwar  
Nay: ___Abstain___

02-090 AUTO CARE COLLISION REPAIR ADDITION. Design Review, Conditional Use Permit, Rezone. Kim Fredrick/Auto Care Properties LLC, applicant/owner, requests a design review for a 10,000 sq. ft. addition to an existing building, a conditional use permit for auto repair and a rezone from the Agriculture (AG) zone to the Commercial General (CG) zone on 4.526 acres at 1240 South Hwy 89/91. TIN#02-084-0017, 02-087-0014.

STAFF: Staff reviewed the report as written.

Ms. Wickwar asked about the typo on page 4 PC# 02-090

Mr. Kerr asked about the easement from the east side.

PROPOSER: Don Knighton, Design West stated the easement is to allow passage into the back part of the property.

Mr. Knighton stated the property being rezoned does go back to LeGrand Street.

Mr. Ward stated the easement is to allow turnaround area.

Mr. Kartchner stated this does not need an easement for an access.

Mr. Knighton stated the conditions for curb, gutter and grade would be significantly in the detention areas.

Mr. Kartchner asked when the golf course comes to us for design reviews are we going to require curb and gutter?

There was a discussion on curb and gutter in this area.

Mr. Knighton stated he is concerned the detention basin would make it difficult to locate the sidewalk.

Mr. Weber stated he is concerned about storm water for this project.

Mr. Knighton stated the proponent would like more time to work out storm drain area details.

Mr. Kartchner stated if we require curb and gutter then UDOT would have to take care of the storm drain for the highway.

Ms. Wickwar asked how far the curb and gutter is going to go.
Mr. Knighton stated we need time to research the storm water issue.

PUBLIC: There was no public comment.

MOTION: Moved to approve the project with the conditions as listed below.

RECOMMENDED STANDARD CONDITIONS OF APPROVAL
1. Any representations by the proponent or agent at the Planning Commission hearing shall be incorporated into the final action as conditions of approval and shall be binding upon the proponent as modifications to the approved project.

2. No site development activities, including grading, clearing, or vegetation removal, shall commence until an executed copy of the Record of Decision signed by the property owner is filed with the City.

3. Failure to comply with any conditions of approval shall void the permit and require a new Planning Commission hearing.

4. All improvements shall be constructed in substantial conformance with approved site plan.

5. The proponent is responsible to ensure that any construction is appropriately inspected by the Building Inspection Division through timely scheduled inspections. Failure to obtain an inspection or to continue construction beyond points of inspection may result in an enforcement action by the Chief Building Official. Such action may include and is not limited to:
   a. Issuance of a stop work order;
   b. Filing of a complaint with the State Department of Commerce against the contractor licenses; and/or
   c. Requirements for inspection by x-ray or by removing any covering or demolition of construction occurring beyond the point of inspection.

6. The proponent shall ensure that the contractor has current copies of the approved plans and amendments to plans onsite at all times during construction.

7. All physical construction shall conform to the approved building plans.

8. The project shall not be used or occupied by customer traffic until the City issues a Certificate of Occupancy.

9. Improvements shall meet the City of Logan requirements for quality, performance, or other requirements as established in the City of Logan “Public Works Standards and Specifications” as approved by the Director of Public Works.

10. No work shall be undertaken within the public right-of-way without a permit issued by the City of Logan for a City right-of-way or the Utah Department of Transportation for work within the State right-of-way.
11. The subject property shall not be subdivided for purposes of sale, ground lease, or finance without obtaining approval from the City through an appropriate approval process. If a subdivision occurs without City approval, a building permit will not be issued for this property until the situation is resolved. If the subdivision without City approval occurs after the permit has been issued, the permit will be revoked.

12. All utilities shall be constructed and installed according to the requirements of the City of Logan, the public utility provided in effect at the time of construction, or as specified in the Development Agreement.

13. All streets, roads, and alleys shall be constructed to the standards of the City of Logan in effect at the time of construction, unless otherwise specified in the Development Agreement.

14. All signs shall receive a permit from the Department of Community Development before being placed on site.

15. Prior to the issuance of a building permit, a detailed performance landscaping plan shall be submitted and approved by the Department of Community Development including the common and botanical names of all species.

16. Prior to the issuance of a certificate of occupancy, the Director of Community Development shall approve the installation of landscaping in conformance with the approved landscaping plan. Landscaping required to be installed between November 1 of one year and May 1 of the following year may be approved by improvement security in conformance with Title 17 of the Logan Municipal Code to guarantee the installation of landscaping and irrigation systems for the project.

RECOMMENDED ‘SITE SPECIFIC’ CONDITIONS OF APPROVAL
1. The property currently zoned AG shall be rezoned to CG prior to the issuance of a building permit.

2. The proponent shall remove the approximately 12.5 square foot addition on the northern side of the existing building that extends beyond the north property line.

3. The proponent shall record an access easement with the County prior to the issuance of a Certificate of Occupancy that provides access to the new addition to the building.

4. The site plan shall be redesigned to include an eight-foot park strip and a five foot sidewalk along the highway.

5. Street trees shall be planted in the park strip on 30-foot centers. The City Forester shall determine the species.

6. The proponent shall work with the Public Works Department and the Department of Community Development regarding the timing of installing the improvements along Highway 89/91. A delay agreement for these improvements to work out issues with UDOT or to address stormwater management may be possible.
7. Prior to the issuance of a building permit and/or business license, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:

   a. **Public Works Department** — contact Ron Johnson 716-9061
      1. The proponent shall construct curb, gutter, sidewalk, and pavement per UDOT standards along Highway 89/91 across the entire frontage of the property.
      2. The proponent shall provide on-site stormwater detention for a 10 year, 1-hour storm; calculations shall be submitted to the Public Works Department for review.

   b. **Permits and Compliance Division** — contact Lynn Miller 716-9286
      1. Any floor drains in the shop area shall go to a clarifier.
      2. Backflow shall be needed for the irrigation system.

   c. **Light and Power Department** — contact Garth Turley 716-9741
      1. The new building shall feed from existing service. The developer shall ensure that electrical service (metering and disconnect) is adequate for their needs and shall be upgraded to current codes.
      2. The developer shall submit a Load Data sheet to the Light and Power Department.

**RECOMMENDED FINDINGS FOR APPROVAL**

1. The proposed project has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.

2. The Auto Care Collision Repair Addition has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Logan Municipal Code, the City of Logan Public Works Standards and Specifications, and the requirements of various departments and agencies.

3. The Auto Care Collision Repair Addition expansion is compatible with existing land uses and zoning and enhances the character of the neighborhood.

4. Access to U.S. Highway 89/91 is in conformance with City Standards and Specifications.

5. The design review permit and conditional use permit are issued in conformance with the requirements of Title 17 of the Logan Municipal Code.

6. The Auto Care Collision Repair Addition is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

7. U.S. Highway 89/91, the street providing access and other infrastructure to the subject property has adequate capacities, or a suitable level of service, for the proposed use.

8. The proposed use provides adequate off-street parking in conformance with Title 17 of the Logan Municipal Code.

Rezone:

[Moved: Mr. Kartchner. Seconded: Ms. Wickwar. Passed: 4, 0]  
Yea: Hooper, Kerr, Kartchner, Wickwar  
Nay:  
Abstain:  

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PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss.

On this 23rd day of October, .................................................. A.D. 2002 ................

personally appeared before me .......................... Rachelle S. Thomas .......................................................... who being first duly sworn, deposes and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal a daily newspaper published in Logan, City, Cache County Utah, and that the advertisement

NOTICE OF PUBLIC HEARING FOR PURPOSES OF REZONING PROPERTY

a copy of which is hereto attached, was published in said newspaper for One (1) issue .............................. commencing October 23, 2002 and ending October 23, 2002

Signed ..............................................................

Subscribed and sworn to before me, the day and year above written.

Signed ..............................................................

My Commission expires ............................ September 7, 2003

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NOTICE OF PUBLIC HEARING FOR PURPOSES OF REZONING PROPERTY

The Logan Municipal Council will hold public hearings to consider the following rezones:

1. ROSE HILL REZONE. Troy Kartchner/Marvin Hansen/Bradley Hoggan, applicant/owners, request a rezone from the Agriculture (AG) zone to the Single Family Traditional Planned Development (SFT-PD) zone on 30.76 acres at 1600 West Young Ward Road. TIN#03-005-0047, 0048.

2. AUTO CARE COLLISION REPAIR ADDITION REZONE. Kim Fredrick/Auto Care Properties LLC, applicant/owner, requests a rezone from the Agriculture (AG) zone to the Commercial General (CG) zone on 4.526 acres at 1240 South Hwy 89/91. TIN#02-084-0017, 02-087-0014.

Public hearings will be held before the Logan Municipal Council on Wednesday, November 6, 2002, not before 6:15 p.m. in the Council Chambers at 255 North Main Street, Logan, Utah. Interested citizens are invited to attend.

Lois Price, Recorder

Publication Date: October 23, 2002
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss.

On this 25th day of November, 2002, personally appeared before me Rachelle S. Thomas, who being first duly sworn, deposes and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal, a daily newspaper published in Logan, City, Cache County Utah, and that the advertisement

LEGAL NOTICE LOGAN MUNICIPAL COUNCIL

a copy of which is hereto attached, was published in said newspaper for One (1) issue, commencing November 23, 2002, and ending November 23, 2002.

Signed

Subscribed and sworn to before me, the day and year above written.


LEGAL NOTICE LOGAN MUNICIPAL COUNCIL

SUMMARIES OF ORDINANCES amending the Logan Municipal Code, 1989, passed by the Logan Municipal Council is as follows:

ORD. 02-65. An ordinance amending Chapter 3.04, "Purchasing" was adopted November 6 and approved November 8, 2002. Section 3.04.040 amends the purchasing procedure to raise the limit on purchases for which the purchasing agent is required to solicit bids from $500 to $1000. The amendment also adds definitions of "formal competitive bidding" and "informal competitive bidding" to Section 3.04.020.

These ordinances are effective immediately upon publication.