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 Single Family Residential (SFR) to Single Family Residential Planned Development (SFR-PD) as follows:

TIN #05-046-0019, 0021

Also identified as "Spring Street PUD Rezone," 0.63 acres at approx. 375 West 1000 North.

SECTION 2: This ordinance shall become effective upon publication.


AYES: 
NAYS: 
ABSENT: 

ATTEST: 

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 __ day of __, 2003.

Tom Kerr, Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby __________ this __ day of __, 2003.

Douglas E. Thompson, Mayor
DATE: August 1, 2003
FROM: Michelle N. Mechem, Planner II
SUBJECT: Spring Street PD Rezone

Summary of Planning Commission Proceedings
Project Name: Spring Street PUD
Project Address: Approximately 375 West 1000 North
Request: A Rezone to Single Family Residential – Planned Development.
Current Zoning: Single Family Residential (SFR)

The proponent’s property (TAX ID 05-046-0019) was rezoned from SFR to SFR-PD in May of 2002. The proponent has recently completed a boundary line adjustment with a neighboring property owner, which has added 0.63 acres to the proponent’s property that is not zoned SFR-PD. The proponent is requesting a rezone from SFR to SFR-PD for the approximately 0.63 acres of parcel 05-046-0019. The remaining 5.25 acres is already zoned SFR-PD.

The Planning Commission approved the planned development project for this parcel at its July 31, 2003 meeting. The Planning Commission voted 6-0 in favor to recommend that the Municipal Council approving a rezone for the Spring Street property. Staff believes this project is a quality single family development that meets the goals outlined in the General Plan.

Attachments:
Planning Commission Minutes from July 31, 2003
Staff Report to the Planning Commission for July 31, 2003
03-086 Spring Street PUD. Design Review, Subdivision, Boundary Line Adjustment, Rezone. Champlin Development, applicant/owner, requests a design review for a planned development and a boundary line adjustment and 35 lot subdivision and a rezone from the Single Family Residential (SFR) to Single Family Residential Planned Development (SFR-PD) zone on 9.13 acres at approx. 375 West 1000 North. TIN#05-046-0019, 0021.

STAFF: Staff reviewed the report as written.

Mr. Morgan suggested the plat read 910 North on the street of the site plan rather than 900 North as submitted.

Mr. Ward asked about Tract B on the site plan.

Ms. Mechem stated it is common area and water detention.

PROPOSEN: Craig Champlin. He discussed the changes to his project and why he is back before the Planning Commission. This project helps CAPSA and also makes his a better project. Regarding the sidewalk and parkstrips, he thinks he would be better off to stick to the original plan. He has been putting in concrete roads. His projects are a ghost town with virtually no traffic. There is no reason for the general public to go into these areas, just the people who live there or visitors. The road and sidewalk have been one and the same. He discussed the 20-foot setback and the driveways. People would park over the sidewalk. He strongly believes in CAPSA and nobody will be as impacted as him.

PUBLIC: Val Cowley. The sidewalks are worthless. It is part of the driveway and it tips.

COMMISSION: Mr. Morgan asked about the sidewalk, what is staff’s reasoning?

Ms. Mechem stated it is an infill project. Sidewalks are necessary for the neighborhood and help make great communities.

Mr. Ward asked about the setbacks.

Ms. Mechem stated parking in the front setback is not allowed.

Mr. Kartchner stated he is in favor of no sidewalks in this community. This does not connect anywhere. Visitors will park on the sidewalk.

Mr. Robison asked how wide the street is.

Ms. Mechem stated 24 feet.

Ms. Wickwar stated this was discussed before, the sidewalks could be a hazard for older people.

Ms. Morgan stated sidewalks are a part of the community. Accessibility to other homes is necessary for wheelchairs without using the road.

Mr. Champlin explained the compromise from the previous approval.

Mr. Kartchner stated he likes the sidewalk next to the curb so the grass stays with the grass.
Mr. Nielson stated people inside will want to visit each other. He suggests you leave out the sidewalk if you bring it to the curb with no parkstrip.

Ms. Wickwar explained a neighborhood she has been in without sidewalks. The people there were not concerned about not having a sidewalk in their community.

Mr. Champlin explained these people want a quiet place that is private. It is a proven product.

MOTION: Moved to approve the project with the conditions as listed below. The following conditions were changed from the staff report: change site condition #1, #2.

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 has been 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 the 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 a Certificate of Occupancy has been issued by the City.

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 City right-of-way or 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 application 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 with the requirements of the City of Logan, or 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. Prior to the submittal of the final plat map, the City Engineer shall review and approve all engineering construction drawings for infrastructure improvements.

15. The final plat map(s) shall be submitted with all owner, lien-holder, beneficiaries of easements, and public utility signatures appropriately notarized (where required) and affixed to the vellum or mylar. The City Engineer, upon approval of the final plat map, shall obtain necessary City signatures and shall cause the plat map to be recorded with the Cache County Recorder.

16. Prior to the submittal of the plat map, the Director of Community Development shall receive a copy of the deed covenants, conditions, or restrictions to be imposed upon the subdivision. Following approval of the covenants, conditions, and restrictions, the Director of Community Development shall forward the original copy to the City engineer for recordation with the plat map.

17. The final plat map shall include the following information in the “Planning Commission approval” certificate: “This subdivision, entered into City Records as Planning Commission Docket #03-086 was heard before the Commission in a public hearing on the 31st day of July, 2003, and was approved in substantial conformance with the requirements and design show upon this plat map. Signed, Jay L. Nielson AICP, Director of Community Development.” The proponent shall ensure that all information is inscribed on the final map with the exception of the actual signature.

18. Prior to the submittal of the final plat, the City Engineer shall receive an executed original copy of the Development Agreement for the subdivision.

19. 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.

20. 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.

21. Existing water rights shall not be negatively impacted by this project.
RECOMMENDED 'SITE SPECIFIC' CONDITIONS OF APPROVAL

1. The proponent shall submit a performance landscape plan for approval to the Department of Community Development. Landscaping shall include quality landscaping for the open space areas and two street trees per lot. Street trees shall be located in the first eight feet of all properties.

2. The proponent shall obtain re-zone approval from the Municipal Council before the final plat is recorded with the County.

3. The proponent shall record and submit a copy of the CC&R's for the subdivision that provide for the maintenance of the private streets, and common areas, and landscaping.

4. 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. Environmental Division—contact Steve Larson 716-9760
      1. Homes shall use individual automated refuse containers.
      2. The proponent shall provide an all weather temporary turn around until the project is completed.

   b. Light and Power Department—contact Garth Turley, 716-9741
      1. The proponent shall resubmit the site plan for LCL&P approval.
      2. The proponent shall contact LCL&P for the Developer’s responsibilities, for electrical layout, transformer site location and other clarifications.
      3. The proponent shall be responsible for street lighting along the private streets within the subdivision.

   c. Geographic Information Systems – contact Chuck Shaw 716-9171
      1. The proponent shall submit a digital copy of the final plat in AutoCad or ESRI compatible format (Preferably in ESRI compatible format), which is tied to the City’s survey monuments, prior to the issuance of a building permit. For more information contact Chuck Shaw at 435-716-9171.

   d. Fire Department — contact Liz Hunsaker 716-9515
      1. The proponent shall show fire hydrants.
      2. All private streets shall be signed “No Parking, Fire Department Access.”

   e. Public Works Department—contact Bill Young 716-9160
      1. The proponent shall submit a revised subdivision plat for the entire development.
      2. The proponent shall submit revised construction plans.
      3. The proponent shall submit erosion control plans for the construction phase of the project. The plan shall be submitted with the construction drawings for review and approval.
      4. The proponent shall dedicate existing water rights applying to the land to the City of Logan as directed in LDC §17.47.100.
      5. The proponent shall provide water detention for a ten year one hour storm. The proponent shall submit calculations and show size and location of orifice or other device to release storm water.
      6. The proponent shall construct curb, gutter, and sidewalk along 1000 North Street.
RECOMMENDED FINDINGS FOR APPROVAL

1. The Spring Street 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 maximum density established in the SFR zone has not been exceeded.

3. The Spring Street project 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.

4. The Spring Street project is consistent with the goals and policies of the Logan General Plan.

5. The Spring Street project is compatible with existing land uses and zoning.

6. The Spring Street project provides recreation areas, usable and passive open space, landscaping, and vegetation in conformance with the General Plan and the Land Development Code.

7. The Spring Street project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

8. Access to 1000 North Street is designed to be constructed in conformance with City Standards and Specifications.

9. Each lot is physically suitable for development, has an adequate building site, and will not require variances due to physical constraints in order to be developed.

10. The subdivision meets the approval of the City Engineer for technical specifications, standards, and conforms to the conditions imposed on the subdivision by the Commission.

11. Approval of the subdivision conforms to the requirements of Utah law.

12. The Spring Street Project will result in the development of a project that will enhance or maintain the neighborhood.

13. 1000 North Street, the streets providing access to the proposed project, have adequate capacities for the project.

14. The proposed project results in adequate off-street parking in conformance with the Land Development Code.

15. The design of the project and its site layout conform to the Design Review Guidelines.

[Moved: Mr. Kartchner Seconded: Mr. Kerr Passed: 6, 0]
Yea: R. Robison, B. Morgan, G. Wickwar, J. Kerr, G. Kartchner, P. Morgan
Nay: 
Abstain:
REPORT SUMMARY...

Project Name: Spring Street Project
Proponent/Owner: Craig Champlin
Project Address: Approximately 375 West to 350 West, 1000 North to 900 North Street
Request: A Subdivision and Rezone to "PD" for property located from approximately 375 West to 350 West, 1000 North to 900 North
Current Zoning: SFR (Single Family Residential)
Proposed Zoning: SFR-PD (Single Family Residential-Planned Development)
Type of Action: Legislative (rezone) and quasi-judicial (subdivision, design review)
Staff Recommendation: Recommend Approval of rezone to the Municipal Council and Conditionally Approve Design Review and Subdivision

PROJECT

The proponent is requesting approval for a Planned Development on approximately 5.88 acres south of 1000 North Street and west of 300 West Street. The proposed project includes 31 individual residential lots and five open space areas. This project requires approval by the Planning Commission and the Municipal Council. The Planning Commission and Municipal Council previously approved a portion of this project in spring of 2002.

Land use adjoining the subject property

North: SFR and MFM: Single family homes and apartments
East: SFR and MFM: Single family homes and CAPSA
West: SFR: Cache Valley Christian Center
South: SFR: Single family homes

Curb, gutter, sidewalk, and street trees are not present along this portion of 1000 North Street.

Subdivision

The proposed subdivision would include 31 residential lots that range in size from 5,400 square feet to 11,893 square feet. The average lot size is 6,222 square feet. There are five areas of common open space identified as: Tract A, about 3,178 square feet along 1000 North Street; Tract B, about 17,571 square feet on the southwest part of the property; Tract C, about 1,093 square feet across the street from Tract B; Tract D, which is 4,368 square feet and is adjacent to Tract C; and Tract E bordering 1000 North Street that is about 2,530 square feet.

The internal roadways are proposed to be 24 feet wide and will be private streets. Although the street is labeled on the plat as 350 West, 375 West, and 910 North it is a loop road for the development.
The minimum lot size in the SFR zone is 6,000 square feet for a residence, although the Planned Development regulations allow a 5,000 square foot lot size as part of a Planned Development as long as base density is not exceeded. This development has not exceeded the maximum density of seven units per acre.

The proponent is proposing to phase the development of this project, including development of the open space tracts. Phase one includes lots one through 16 and open space tracts a, b and c. Phase two includes the remaining lots, open space and construction of the 350 West and 910 North Streets.

**Rezone to SFR-PD (Single Family Residential-Planned Development)**

Approximately 6.02 acres of this property was rezoned to SFR-PD in May of 2002 as part of the original Spring Street approval. The proponent is currently adjusting the eastern boundary line with the neighboring property owner. The submitted plat shows this adjustment. This adjustment has allowed the proponent to have more efficient traffic circulation.

Once the boundary line adjustment is completed the eastern portion of the proponent’s property (lots 26 through 31) will need to be rezoned with the Planned Development overlay in order to be included as part of this project. The rezone is part of the required approvals for a Planned Development project. As stated in the Land Development Code, “...[t]he purpose of a planned development is to encourage a project that is designed and intended to be a quality development with a comprehensive theme and character.” [Land Development Code §17.28.020(D)]. In this case, the proponent’s project is intended to be a retirement home project, with single family homes.

Additionally, the Land Development Code states that a planned development “is not intended to bypass the subdivision process...the Planning Commission shall not approve planned developments that are created for purposes of bypassing the subdivision process if it finds that the project does not comply with the provisions of” the Land Development Code or the General Plan [Land Development Code §17.28.020(D)]. The Land Development Code does not allow Planned Development projects to exceed maximum density requirements of the base zone [Land Development Code §17.28.020(A)].

The proponent has developed at least three similar projects in Logan as well as similar projects in Smithfield. These projects have been marketed toward retirees and have had conditions of ownership specifying age to ensure the development has a specific theme and character. Staff believes the planned development overlay will allow the proponent to develop a quality project.

**Design Review permit required**

For a planned development, the Land Development Code requires a design review permit in addition to the review of the proposed subdivision. A Planned Development is reviewed to determine if the project is in accordance with the *Design Review Guidelines* for standards regarding open space, pedestrian access, building placement, and the other considerations. As part of this review, the Land Development Code allows the Planning Commission to modify standard setbacks and other site layout issues in reviewing a Planned Development, as long as the result is a quality development. Proposed changes to setback requirements are in part dictated by the overall layout of the site.

Standard setbacks for structures in the SFR zone are 25 feet in the front, 8 feet on the side (except on a corner lot, where the side facing the street has a 20 foot setback), and 10 feet in the rear. The proponent is proposing changes to these setbacks, including a typical front setback from the curb line of 20 feet and a minimum six-foot side setback (the rear setback remains 10 feet). These requested setbacks are in part due to the type of development the proponent is proposing, with its smaller lot sizes and smaller lawns.
These proposed setbacks are based also on the overall site layout the proponent has submitted which includes a four-foot sidewalk along the west edge of 350 West Street, the east edge of 375 West Street, and the north and south edges of 910 North Street. As shown, these sidewalks provide pedestrian connections to the open space areas and extend to the surrounding neighborhoods, resulting in a network of pedestrian access and open space for residents.

On a public street, sidewalks and park strips are generally required on both sides of the street. However, due to the nature of this development, the narrow streets, and the fact that these streets are not public thoroughfares, automobile traffic will likely be relatively low (mainly residents and visitors). Therefore, staff feels that residents can access a sidewalk across the street in a safe manner, and the sidewalk on one side of each street is an adequate compromise. The sidewalk is an important element to achieve the Design Review Guideline goal of providing “convenient pedestrian access...among properties to achieve a sense of an integrated neighborhood...” (Design Review Guidelines, page 36).

The proposed subdivision plan does not include a park strip or street trees between the sidewalk and the street. Staff is concerned that the lack of a park strip and street trees, combined with the 27-foot wide concrete pads proposed in front of the garage, would result in a neighborhood that would appear barren and not pedestrian friendly. Staff does not feel that this result meets the Land Development Code requirement that a Planned Development provide “recreation areas, usable and passive open space, landscaping, and vegetation in conformance with the General Plan and [the Land Development Code].” [Land Development Code §17.28.060(G)]. Staff recommends that the subdivision plan be revised to include a six-foot park strip between sidewalks and the street. Staff also recommends that the park strip include street trees in the park strip on thirty-foot centers, and that trees be planted in the front lawns on 30-foot centers of homes that do not have sidewalk frontage.

Staff believes that the addition of the park strips can occur without the loss of any lots or a reduction of yard sizes. Staff feels strongly that the park strip and sidewalk would add greatly to this project, and they are not improvements that can be eliminated from a Planned Development or subdivision.

Landscaping is also reviewed as part of the Design Review process. Staff recommends that the open space areas be provided with quality landscaping for the residents, and that street trees be provided along the interior streets. Street trees are also required along the portion of the property that abuts 1000 North Street. The proponent shall submit a performance landscape plan for the entire site prior to the issuance of a building permit. All landscaping for phase one shall be installed prior to the issuance of the final Certificate of Occupancy in phase one.

The proponent has submitted photos of a home in a similar subdivision. The homes in this development will be consistent with the photo and the footprints shown on the site plan.

**Access**

Access to the subdivision is proposed to be from 1000 North Street. Staff does not have any issues with the proposed accesses onto 1000 North Street. Staff recommends that the proponent work with the Public Works Department to ensure that the private and public streets have a safe interface.

**AGENCY AND CITY DEPARTMENT COMMENTS**

Comments were received from the following departments or agencies with specific recommendations for project conditions:

- Environmental Division
- Light and Power Department
- Public Works Department
PUBLIC COMMENTS
Notices were mailed to 95 property owners located within three hundred feet of the subject property. At the time the staff report was prepared, no comments had been received by the Department of Community Development.

RECOMMENDATION
1. Staff recommends that the Planning Commission approve a motion to Conditionally Approve PC Docket #03-086 for the Spring Street Project, a Subdivision for property located from approximately 375 West to 350 West, 1000 North to 900 North; TID #05-046-0019.

2. Staff recommends that the Planning Commission approve a motion to Conditionally Approve PC Docket #03-086 for the Spring Street Project, a Design Review Permit for property located from approximately 375 West to 350 West, 1000 North to 900 North; TID #05-046-0019.

3. Staff recommends that the Planning Commission approve a motion to recommend to the Municipal Council approval of a Rezone of property located from approximately 375 West to 350 West, 1000 North to 900 North from Single Family Residential (SFR) to Single Family Residential-Planned Development (SFR-PD).

RECOMMENDED STANDARD CONDITIONS OF APPROVAL
This project is subject to the proponent or property owner agreeing to comply with the following standard conditions as written, or as may be amended by the Planning Commission.

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 has been 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 the 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 a Certificate of Occupancy has been issued by the City.

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 City right-of-way or 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 application 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 with the requirements of the City of Logan, or 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. Prior to the submittal of the final plat map, the City Engineer shall review and approve all engineering construction drawings for infrastructure improvements.

15. The final plat map(s) shall be submitted with all owner, lien-holder, beneficiaries of easements, and public utility signatures appropriately notarized (where required) and affixed to the vellum or mylar. The City Engineer, upon approval of the final plat map, shall obtain necessary City signatures and shall cause the plat map to be recorded with the Cache County Recorder.

16. Prior to the submittal of the plat map, the Director of Community Development shall receive a copy of the deed covenants, conditions, or restrictions to be imposed upon the subdivision. Following approval of the covenants, conditions, and restrictions, the Director of Community Development shall forward the original copy to the City engineer for recordation with the plat map.

17. The final plat map shall include the following information in the “Planning Commission approval” certificate: “This subdivision, entered into City Records as Planning Commission Docket #03-086 was heard before the Commission in a public hearing on the 31st day of July, 2003, and was approved in substantial conformance with the requirements and design show upon this plat map. Signed, Jay L. Nielsen AICP, Director of Community Development.” The proponent shall ensure that all information is inscribed on the final map with the exception of the actual signature.
18. Prior to the submittal of the final plat, the City Engineer shall receive an executed original copy of the Development Agreement for the subdivision.

19. 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.

20. 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.

21. Existing water rights shall not be negatively impacted by this project.

RECOMMENDED ‘SITE SPECIFIC’ CONDITIONS OF APPROVAL

This project is subject to the proponent or property owner agreeing to comply with the following site-specific conditions as written, or as may be amended by the Planning Commission.

1. The proponent shall submit a revised site plan indicating a six-foot park strip located between the sidewalk and the street along 910 South Street, 350 West Street and 375 West Street.

2. The proponent shall submit a performance landscape plan for approval to the Department of Community Development. Landscaping shall include quality landscaping for the open space areas and two street trees per lot. Street trees shall be located in the park strip where one is present and in the first eight feet of properties lacking a park strip.

3. The proponent shall obtain re-zone approval from the Municipal Council before the final plat is recorded with the County.

4. The proponent shall record and submit a copy of the CC&R’s for the subdivision that provide for the maintenance of the private streets, and common areas, and landscaping.

5. 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. Environmental Division—contact Steve Larson 716-9760
      1. Homes shall use individual automated refuse containers.
      2. The proponent shall provide an all weather temporary turn around until the project is completed.

   b. Light and Power Department—contact Garth Turley, 716-9741
      1. The proponent shall resubmit the site plan for LCL&P approval.
      2. The proponent shall contact LCL&P for the Developer’s responsibilities, for electrical layout, transformer site location and other clarifications.
      3. The proponent shall be responsible for street lighting along the private streets within the subdivision.
c. **Geographic Information Systems – contact Chuck Shaw 716-9171**
   1. The proponent shall submit a digital copy of the final plat in AutoCad or ESRI compatible format (Preferably in ESRI compatible format), which is tied to the City’s survey monuments, prior to the issuance of a building permit. For more information contact Chuck Shaw at 435-716-9171.

d. **Fire Department – contact Liz Hunsaker 716-9515**
   1. The proponent shall show fire hydrants.
   2. All private streets shall be signed “No Parking, Fire Department Access.”

e. **Public Works Department—contact Bill Young 716-9160**
   1. The proponent shall submit a revised subdivision plat for the entire development.
   2. The proponent shall submit revised construction plans.
   3. The proponent shall submit erosion control plans for the construction phase of the project. The plan shall be submitted with the construction drawings for review and approval.
   4. The proponent shall dedicate existing water rights applying to the land to the City of Logan as directed in LDC §17.47.100.
   5. The proponent shall provide water detention for a ten year one hour storm. The proponent shall submit calculations and show size and location of orifice or other device to release storm water.
   6. The proponent shall construct curb, gutter, and sidewalk along 1000 North Street.

**RECOMMENDED FINDINGS FOR APPROVAL**

The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

1. The Spring Street 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 maximum density established in the SFR zone has not been exceeded.

3. The Spring Street project 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.

4. The Spring Street project is consistent with the goals and policies of the Logan General Plan.

5. The Spring Street project is compatible with existing land uses and zoning.

6. The Spring Street project provides recreation areas, usable and passive open space, landscaping, and vegetation in conformance with the General Plan and the Land Development Code.

7. The Spring Street project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

8. Access to 1000 North Street is designed to be constructed in conformance with City Standards and Specifications.
9. Each lot is physically suitable for development, has an adequate building site, and will not require variances due to physical constraints in order to be developed.

10. The subdivision meets the approval of the City Engineer for technical specifications, standards, and conforms to the conditions imposed on the subdivision by the Commission.

11. Approval of the subdivision conforms to the requirements of Utah law.

12. The Spring Street Project will result in the development of a project that will enhance or maintain the neighborhood.

13. 1000 North Street, the streets providing access to the proposed project, have adequate capacities for the project.

14. The proposed project results in adequate off-street parking in conformance with the Land Development Code.

15. The design of the project and its site layout conform to the Design Review Guidelines.

Respectfully submitted,

Michelle N. Mechem
Planner II

Report Published: July 23, 2003
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss.

On this 20th day of August, 2003, 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

commencing August 20, 2003 and ending August 20, 2003

Signed Rachelle S. Thomas

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

Signed

Notary Public


NOTICE OF PUBLIC HEARING FOR PURPOSES OF REZONING PROPERTY

The Logan Municipal Council will hold a public hearing to consider the following rezone:

Spring Street PUD Rezone, Champlin Development, applicant/owner requests a rezone from Single Family Residential (SFR) to Single Family Residential Planned Development (SFR-PD) zone on 9.13 acres at approx. 375 West 1000 North, TIN#05-046-0019, 0021.

Public hearing will be held before the Logan Municipal Council on Wednesday, September 3, 2003, 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: August 20, 2003
On this 9th day of September, 2003, 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

copy of which is hereto attached, was published in said newspaper for One (1) issue commencing September 9, 2003 and ending September 9, 2003. Signed Rachelle S. Thomas.

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


ORD. 03-69. An ordinance amending the Zoning Map of Logan City, Utah, was passed and approved September 3, 2003, rezoning 23.98 acres at approx. 1600 South 1200 West from Agriculture (A) to Single Family Traditional Planned Development (SFT-PD) identified as TIN #03-005-0047. Also identified as "Spring Street PUD Rezone."

ORD. 03-68. An ordinance amending Section 17.03.040, "Design Review Permits Required," was adopted and approved September 3, 2003 to add the following: "A. All applications for projects to be heard by the Design Review Committee, Board of Adjustment, the Planning Commission or the Board of Appeals shall be processed with the uniform procedures of this chapter."

ORD. 03-66. An ordinance repealing Chapter 17.40, "Signs" and enacting new sign regulations was adopted and approved September 3, 2003. The new regulations comprise Sections 17.40.010 through 17.40.120, and address pole, monument, directory, freestanding and temporary commercial event signs, as well as menu boards and signs for all tenant projects. Changes include lowered pole sign height, smaller wall sign size, residential signage requirements and master signage plan requirements. Chapter 17.02, "Definitions," was also amended to respond to sign ordinance changes.

ORD. 03-65. An ordinance amending Section 17.31.030B, "Prohibitions," was adopted and approved September 3, 2003 to clarify Subsection B, "No land, building, or structure may be developed, used, occupied, erected, moved or altered without conformance with the provisions of this title and state law."

These ordinances are effective immediately upon publication. 

Legislative Summary:

- Amended the Logan Municipal Code, 1989, passed by the Logan Municipal Council as follows:
  - ORD. 03-70. An ordinance amending the Zoning Map of Logan City, Utah, was passed and approved September 3, 2003, rezoning 0.63 acres at approx. 375 West 1000 North from Single Family Residential (SFR) to Single Family Residential - Planned Development (SFR-PD) identified as TIN #05-046-0019, 0021. Also identified as "Rose Hill Rezone."
  - ORD. 03-69. An ordinance amending the Zoning Map of Logan City, Utah, was passed and approved September 3, 2003, rezoning 23.98 acres at approx. 1600 South 1200 West from Agriculture (A) to Single Family Traditional Planned Development (SFT-PD) identified as TIN #03-005-0047. Also identified as "Spring Street PUD Rezone."
  - ORD. 03-68. An ordinance amending Section 17.03.040, "Design Review Permits Required," was adopted and approved September 3, 2003 to add the following: "A. All applications for projects to be heard by the Design Review Committee, Board of Adjustment, the Planning Commission or the Board of Appeals shall be processed with the uniform procedures of this chapter."
  - ORD. 03-66. An ordinance repealing Chapter 17.40, "Signs" and enacting new sign regulations was adopted and approved September 3, 2003. The new regulations comprise Sections 17.40.010 through 17.40.120, and address pole, monument, directory, freestanding and temporary commercial event signs, as well as menu boards and signs for all tenant projects. Changes include lowered pole sign height, smaller wall sign size, residential signage requirements and master signage plan requirements. Chapter 17.02, "Definitions," was also amended to respond to sign ordinance changes.
  - ORD. 03-65. An ordinance amending Section 17.31.030B, "Prohibitions," was adopted and approved September 3, 2003 to clarify Subsection B, "No land, building, or structure may be developed, used, occupied, erected, moved or altered without conformance with the provisions of this title and state law."

These ordinances are effective immediately upon publication.

Logan Municipal Council
Rose Hill Rezone from AG to SFT-PD
Ord. # 03-70            Date  9/3/03