CITY OF LOGAN
ORDINANCE NO. 03-96

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 Commercial
Neighborhood (CN) to Multi-Family Medium (MFM) as follows:

TIN #02-035-0010.

Also identified as “Willow Wood East Subdivision Rezone,” 1.72 acres at approx. 400-
500 West 300 South.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS 19th

AYES: Tom Kerr, Piper, Watts, Thompson
NAYS: None
ABSENT: None

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 19th day of November, 2003.

Tom Kerr, Chairman

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 19th day of

Douglas E. Thompson, Mayor
MEMORANDUM TO THE MUNICIPAL COUNCIL

DATE: October 30, 2003
FROM: Michelle N. Mechem, Planner II
SUBJECT: Willow Wood East Rezone

Summary of Planning Commission Proceedings

Project Name: Willow Wood East
Project Address: Approximately 400 to 470 West 300 South Street
Request: A Rezone to Multi-Family Medium, MFM
Current Zoning: Commercial Neighborhood, CN

The proponent’s property (TAX ID 02-035-0010) was rezoned from the MFM zone into the CN zone in January of 1999 to allow a mixed use development to occur from the corner of 300 South and 300 West to this property. Although some commercial development has occurred on the 300 South 300 West, corner this property has not developed with a commercial use.

The Planning Commission voted 5-0 in favor to recommend that the Municipal Council approve a rezone from the Commercial Neighborhood zone to the Multi-Family Medium zoning district for the Willow Wood East property.

Attachments:
Planning Commission Minutes from the October 23, 2003 meeting
Staff Report and associated material to the Planning Commission from the October 23, 2003 meeting
RECOMMENDED FINDINGS FOR APPROVAL

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

2. The 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.

3. The project conforms to the requirements of Title 17 of the Logan Municipal Code.

4. The project is compatible with existing land uses and zoning.

5. The conditional use permit is issued in conformance with the requirements of Title 17 of the Logan Municipal Code.

6. The street providing access and other infrastructure to the subject property has adequate capacities, or a suitable level of service, for the proposed use.

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

(Moved: Mr. Kartchner Seconded: Ms. Wickwar Passed: 5, 0)

Yea: B. Morgan, J. Kerr, G. Kartchner, G. Wickwar, R. Robison
Nay: Abstain:

03-112 Continued from the October 9th meeting....WILLOW WOOD EAST SUBDIVISION. Subdivision, Design Review, Conditional Use, Rezone. GTJ Consulting/ Rumar Management, applicant/owner, requests a 12 lot subdivision, design review and conditional use permit and a rezone from the Commercial Neighborhood (CN) zone to the Multi Family Medium (MFM) zone at approx. 400-500 West 300 South. TIN#02-035-0010, 0011.

STAFF: Staff reviewed the report as written.

Ms. Wickwar asked about the shared parking and access agreements.

Tony Johnson stated he wants to do that.

PROONENT: The proponent has agreed to all the conditions.

PUBLIC: Barbara Wilden 24 South 400 West. She asked about a few homes that are on blocks. There are 16 structures, 8 are fourplexes, 3 are duplexes, 3 are rentals, etc. They are rentals and no homeowners in this area. She is concerned about the upkeep of these homes. She is not in favor of the rezone to multi family. Single Family structures are preferred.

COMMISSION: Mr. Kartchner stated several options for rezoning. Rezoning to single family dwellings could be rental units anyway. Leaving it commercial may take a very long time before someone develops it. The parking is in the back and the structures will look good. We cannot predict the care of the lawns, etc. This is contiguous to other multi family dwellings.

Mr. Kerr stated this area has looked like a dumping ground for a long time. This project will upgrade this property. It will also make a significant contribution to keeping existing structures from around the city.
Ms. Wickwar stated this is a very good use of the property. A property owner can rent any property in Logan, single family does not mean no rentals.

MOTION: Moved to approve the subdivision, conditional use permit, and design review permit with the conditions as listed below. Also moved to recommend approval of the rezone from Commercial Neighborhood to Multi-Family Medium to the Municipal Council.

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

13. 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 which is required to be installed between November 1 of one year and May 1 of the following year may be satisfied to be installed 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.

14. 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.

15. 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.

16. Prior to the submittal of the final plat map, the City Engineer shall review and approve all engineering construction drawings for infrastructure improvements.

17. 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.

18. 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.

19. 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 #03-112 was heard before the Commission in a public hearing on the 23rd day of October, 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.

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

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

RECOMMENDED ‘SITE SPECIFIC’ CONDITIONS OF APPROVAL
1. The Chief Building Official may place conditions deemed necessary to protect the public health, safety, or welfare on this project.

2. All footing and foundations shall be inspected, approved, and installed prior to the removal of the building or structure from its original site.
3. The relocated structures shall be permanently affixed to new foundations within forty-five days of approval of the foundation.

4. All relocated structures shall comply with all applicable regulations and condition within six months of the date of the permit issuance unless otherwise approved and extended in writing by the Director of Community Development.

5. All buildings shall be maintained in a safe, secure condition. This requires certification by a licensed structural engineer that the structure is sound enough to be moved and relocated. The structural engineer must include drawings and specifications to support the structural analysis for moving and relocation at the proposed site. The Chief Building Official may require a structural peer review to substantiate findings of the structural engineer.

6. All landscaping, walkways, masonry work, or required dedications and improvements for streets and facilities and buildings shall be provided in conformity with the standards of the city. At the vacated site, restoration and improvements shall be required as deemed necessary by the Chief Building Official.

7. A bond or other assurance shall be posted as a guarantee that the building and grounds will be improved, as stipulated, before the building is occupied. The bond or other assurance shall include costs for the vacated site to be restored to a safe and sightly condition. The amount to the bond or other assurance shall be at least equal to the cost of employing a contractor to make the improvements to the building and premises as shown on the approved site plan.

8. The proponent shall pay all cost incurred by the city for materials, labor, equipment and machinery, and other incidental costs directly related to the move. The permit holder shall also be responsible for the cost to repair all damages caused by the move to streets, bridges, sidewalks, trees, landscape, utilities, and other property.

9. The proponent shall record and provide a copy to the Department of Community Development a mechanism that provides for the maintenance and shared access of all common areas, including the open space, parking, and driveways. The document(s) shall be recorded prior to the issuance of a building permit.

10. The proponent shall submit a performance landscape plan to the Department of Community Development for approval prior to the issuance of a building permit. The landscape plan shall include street trees on 30-foot centers along 300 South and 400 West street, two trees within the front 8 feet per lot that alternate with the street trees along 300 South and 400 West and landscaping that screens the parking areas and minimizes the impact of the parking stalls from 300 South Street and 400 West Street.

11. The proponent shall return to the Planning Commission for Design Review of the garages if staff determines the garage style is not consistent with the character of the homes.

12. Prior to the issuance of a building permit 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 Bill Young 716-9160
   1. The proponent shall construct curb, gutter, and sidewalk along the entire frontage of the property per City Standards and Specifications. The sidewalk along 300 South shall be 10 feet wide. The construction of the 300 South sidewalk shall be coordinated with the Parks and Recreation Department. At a minimum the proponent shall leave the park strip wide enough to accommodate the 10 foot wide sidewalk/trail and have a minimum six foot wide park strip once the trail is constructed.
   2. The proponent shall dedicate 10 foot corner cutoff at each street intersection per Logan City Standards and Specifications.
   3. The proponent shall provide storm water detention for a 10 year one hour storm event. The proponent shall submit calculations and show location and size of orifice for storm water release.
   4. The proponent shall install curb markers on the curb form water and sewer service lines.
   5. The proponent shall submit an erosion control plan for the construction phase of the project.
   6. The proponent shall submit a digital copy of the construction drawings in AutoCad, prior to the issuance of a building permit.
   7. The proponent shall submit a digital copy of the as built drawings in AutoCad, prior to the issuance of a certificate of occupancy.

b. Fire Department – contact Liz Hunsaker 716-9515
   1. The proponent shall show fire hydrants on final site plans.
   2. Additional fire hydrants may be required.
   3. The proponent shall address fire department access and turn around.

c. Light and Power Department – contact Garth Turley 716-9741
   1. The proponent shall contact the Light and Power Department two weeks prior to the movement of the structures to ensure the proper route.

d. Geographic Information Systems – contact Chuck Shaw 716-9170
   1. The proponent shall submit a digital copy of the final site plan and plat in AutoCad or ESRI compatible format, which is tied to the City’s survey monuments, prior to the issuance of a building permit.

e. Permits and Compliance Division – contact Lynn Miller 716-9286
   1. The proponent shall provide backflow for irrigation.

f. Environmental Health Division – contact Steve Larson 716-9760
   1. The proponent shall provide a dumpster with an enclosure with straight on access and built according to Logan City Standards and Specifications.

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 proposed 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.

3. The proposed project conforms to the requirements of Title 17 of the Logan Municipal Code.

4. The proposed project is compatible with existing land uses and zoning.

5. The design review permits and conditional use permits are issued in conformance with the requirements of Title 17 of the Logan Municipal Code.
6. The design of the project provides architectural style and character that is complementary to the characteristics of other structures in the area and is consistent with General Plan goals to enhance neighborhood character and appearance and the Design Guidelines, Objectives and Policies.

7. 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 with a shared parking agreement.

9. The structures will have no appreciable detrimental effect on the living environment and property values in the area into which the structure is to be moved.

10. The structures are in conformity with the quality of buildings existing in the area of the proposed site.

11. 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.

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

(Moved: Mr. Kerr Seconded: Ms. Wickwar Passed: 5 0)

Yea: B. Morgan, J. Kerr, G. Kartchner, G. Wickwar, R. Robison

Nay:

Abstain:

Work Shop Items
Staff and the Planning Commission reviewed the projects for the meeting of November 13 in a workshop setting.

December PC Meeting -- Change the date from Dec. 11 to Dec. 18
03-117 River Crossing
03-118 Java Xpresso
03-119 Downs Meadow Phase 5
03-120 Equipment Storage Building
03-121 IHC Subdivision
03-122 LDS Church
03-123 Allen Duplex
03-124 Wheeler Machinery
03-125 Pitocin
03-126 AutoBahn

The meeting adjourned at 6:30 p.m.

Minutes approved as written and recorded on 1 tape at PC meeting of October 23, 2003.

Jay Nielson
Director of Community Development

Karl Ward
Chairman
Subdivision, Design Review Permits, Conditional Use Permits and Rezone for Willow Wood East located at approximately 400 to 470 West 300 South; TID#02-035-0010 and 0011.

REPORT SUMMARY...
Project Name: Willow Wood East
Owner: Rumar Management, LLC
Proponent: GTJ Consulting, LLC
Project Address: Approximately 400 to 470 West 300 South
Request: Subdivision, Design Review Permits, Conditional Use Permits, and Rezone
Current Zoning: Commercial Neighborhood, CN and Multi-Family Medium, MFM
Proposed Zoning: Multi-Family Medium, MFM
Type of Action: Quasi-Judicial – Subdivision, Design Review and Conditional Use Permits, Legislative - Rezone
Staff Recommendation: Conditionally Approve
Recommend approval of rezone to the Municipal Council

PROJECT
Subdivision
The proponent is requesting approval of a 12 lot subdivision on approximately 2.2 acres. The subdivision will be completed in two phases. Phase one consists of lots one through five and lot 12. Phase two will be lots six through 11. The phase two portion of the project has two existing buildings that do not meet setbacks and cross property lines. These buildings must be removed prior to the recordation of the phase 2 plat. Because this is a phased subdivision the proponent will have one year from the recordation of phase one to record the second phase of the subdivision. If the proponent fails to record phase two within one year of the recordation of phase one the subdivision approval will expire the subdivision would need a new approval from the Planning Commission.

The average lot size for this project is 8,006 square feet. All of the lots meet the minimum size and frontage requirements for a duplex building lot and exceed the minimum size for a single family home building lot. Staff is not concerned with the proposed lot sizes or locations.

Design Review Permits
The proponent is requesting design review permits to build six duplexes on the phase one lots.

Land use adjoining the subject property
North: MFM: Mix of multi-family and single family homes
East: CN: Previous Logan Coach Building
West: MFM: Willowwood North Project
South: MFM: Mix of multi-family and single Family Homes

There are no curb, gutter, sidewalk, or street trees along this portion of 300 South or 400 West Streets. The proponent shall install curb, gutter, sidewalk and street trees in an 8 foot wide park strip along 400 West Street. These improvements shall meet Public Works Standards and Specifications. The property is adjacent to 300 South Street, which is part of the Logan trails network. The proponent shall develop this portion of the trail in coordination with Parks and Recreation Department. Curb, gutter, and street trees in a minimum 6 foot wide park strip shall be incorporated into this trail section.
The proponent is seeking conditional use permits to move homes that are currently located throughout the city onto the six lots within phase one of this subdivision. The homes would then be rehabilitated and converted into duplexes.

Lot 12
Lot 12 is 8,000 square feet. Lot 12 is the only lot that the home will face 400 West Street. The home proposed for this lot is currently located behind Shopko. This home is in need of major rehabilitation and will be updated with a stucco exterior and shutters on the front of the home. The front of the home will have an entrance to each unit. There will also be two doorways, one to each unit.

Lot One
Lot one is 8,005 square feet. This lot is a corner lot. The home will face 300 South Street. The proponent is proposing to move a home that is currently on a foundation at 220 West 300 North Street. This home has white metal siding and black shutters. The window openings and doorways will remain unchanged. The access to the second unit will come from the west side/ rear of the home.

Lot Two
Lot two is 8,019 square feet. The home that will be moved to this lot currently sits on a foundation at 248 West 300 North Street. This home has yellow siding and an attached garage. The garage will be removed from the home. The window openings and doorways will remain unchanged. The access to the second unit will be located at the rear of the home.

Lot Three
Lot three is 8,021 square feet. The home that is placed on the lot will face 300 South Street and is currently located at 254 West 300 North Street. This home has a brick exterior that will need to be removed in order to move the home. Rather than replacing the brick the proponent is proposing a tan stucco and stone wainscot finish. The access to the second unit will come from the west side of the home.

Lot Four
Lot four is 8,001 square feet. The home that will be placed on this lot currently sits at 297 North 200 West Street. This home also has a brick exterior that will be removed. The proponent is proposing a cream stucco and brick wainscot for the final finish of the home. The brick that will be used for the wainscot is the brick that is currently on the home. The access to the second unit will come from the rear of the home.

Lot Five
Lot five is also 8,001 square feet. The proposed home is currently at 228 West 300 North Street. This home has existing white siding that will remain, and is similar in style to the proposed home on lot one. The access to the second unit will come from the rear of the home.

Staff is not concerned with the appearance of any of the proposed homes and believes that the proponent has done a good job in choosing home styles that will complement each other and are consistent with the neighborhood style. Staff recommends the Planning Commission drive by the homes at their existing location to view homes' existing appearance and character. Although the homes are being converted into duplexes they have a traditional single-family home appearance from the street, which is recommended in the Design Review Guidelines.

Setbacks
In the Multi-Family Medium (MFM) zoning district the front yard setback is 25 feet, the side yard setback 8 feet, the side yard setback for a corner lot is 20 feet, and the rear yard setback is 10 feet. The Land Development Code §17.15.010 allows a 20 foot front setback as long as the garage is set back 35 feet from the front property line. The front porch set back (without the garage being setback 35 feet) is also 20 feet. The
homes along 300 South and 400 West Streets are proposed with a 20 foot setback. Staff is not concerned with the placement of these homes. The homes conform to all of the required setbacks.

The proponent is also seeking approval for garages to be placed at the rear of these lots. The proponent has not submitted elevations for the garages. The garage elevation will be reviewed when the proponent submits for a building permit. If the garage style is not consistent with the appearance of the homes, staff recommends the garages return for Design Review, however if the garages are consistent with the home styles staff recommends the design be approved at the staff level.

**Access**
Staff is pleased with the way the proponent has minimized both the accesses to these lots and the amount of pavement that will be visible from the street. There are two accesses to this project. The first is from 400 West Street and is 24 foot wide. All parking areas will be to the north and south of this access. The second access is from 300 South Street and is 20 feet wide. There is no parking located on this drive. Staff is not concerned with the accesses as long as the Public Works Department is agreeable. Staff recommends a shared access agreement and a mechanism to maintain the accesses be recorded and a copy given to the Department of Community Development prior to the issuance of a building permit.

**Parking**
The proponent is providing 30 parking stalls for the first phase of development. Only 27 parking stalls are required (2.25 x 12). The remaining three parking stalls are the guest parking for phase two of the project. All six of the guest parking stalls is located together on lot nine and part of lot 10, at the terminus of the 300 South driveways. The remaining 24 parking stalls are divided equally between the lots (four on each lot). In the future, two of the required parking stalls on each lot may be in the garage. Staff is not concerned with the location or the amount of parking provided. Staff recommends a shared parking agreement and a mechanism to maintain the parking area is recorded and a copy given to the Department of Community Development prior to the issuance of a building permit.

**Open Space/Landscaping**
The proponent is required to have 2,310 square feet of open space per duplex for a total of 13,860 square feet of open space. The proponent has provided more than 18,435 square feet of open space. Each lot has a minimum of 2,550 square feet of open space. The average amount of useable open space per lot for phase one is 3,073 square feet. Staff is not concerned with the amount of open space provided.

The proponent has provided a conceptual landscape plan. Staff recommends the proponent submit a performance landscape plan with plan quantity and species to the Department of Community Development for approval prior to the issuance of a building permit. The landscape plan shall include street trees on 30-foot centers along 300 South and 400 West street, two trees per lot that alternate with the street trees along 300 South and 400 West and landscaping that screens the parking areas and minimizes the impact of the parking stalls from 300 South Street and 400 West Street.

As with the access and parking area staff recommends the proponent record a mechanism for access to and maintenance of the landscape area and provide a copy to the Department of Community Development prior to the issuance of a building permit.

**Conditional Use Permits**
The Municipal Council adopted §17.44.060 Building Relocation and Temporary Structures in October of 2002. This chapter requires the proponent to obtain a conditional use permit from the Planning Commission prior to moving a building within Logan City. This section of code does not allow the relocation of any structure that is dangerous or unsafe as determined by the Chief Building Official. The proponent is required to have all footings and foundations on site prior to moving the building from its original site. The structure shall be permanently affixed to the new foundation within 45 days of moving it. Prior to occupancy the
proponent must submit a bond as a guarantee the building and grounds will be improved as shown on the site plan. The proponent is also required to pay for all costs incurred by the city that are related to the move. Staff is not concerned with the relocations as proposed by the proponent.

As part of the description of the project the proponent has provided a phasing plan. Staff is not concerned with this plan as long as significant progress is made in a timely manner. If the proponent fails to make progress on relocating and rehabilitating the homes the City may take enforcement action.

Rezone
The proponent is requesting a rezone of the property from Commercial Neighborhood (CN) to Multi-Family Medium (MFM). The property was rezoned to the Commercial Neighborhood zone from the MFM zone in January of 1999. This rezone was intended to provide an opportunity to develop a neighborhood commercial center with mixed living and office uses. The rezone contained property from the corner of 300 South and 300 West this property located at 470 West 300 South. The rezone was accompanied with Design Review and Conditional Use Permits to accommodate the proposed uses. Both of these permits have expired.

The property was zoned MFM during the city-wide rezone in 1996 to allow an area of town to develop with multi-family housing. Staff believes that the proponent is proposing a quality multi-family project that does match the character of the existing neighborhood. The rezone back to MFM is consistent with the original decision of the Planning Commission and Municipal Council to create an area of multi-family housing that can support the developing commercial area to the east of this project. The properties to the North, West, and South of this project are all zoned MFM. The property to the East is zoned Commercial Neighborhood, which would still allow for a mixed use development in the Logan Coach building.

AGENCY AND CITY DEPARTMENT COMMENTS
Comments were received from the following departments or agencies with specific recommendations for project conditions:

- Environmental Health Division
- Public Works Department
- Parks and Recreation Department
- Light and Power Department
- Fire Department
- Geographic Information Systems
- Permits and Compliance Division

PUBLIC COMMENTS
Notices were mailed to 28 property owners located within three hundred feet of the subject property. No comments were received by the Department of Community Development as of the date this staff report was published.

RECOMMENDATION
1. Staff recommends that the Planning Commission approve a motion to Conditionally Approve PC Docket # 03-112 for Willow Wood East, Design Review Permits for the property located at approximately 400 to 470 West 300 South Street; TID#02-035-0010 and 0011.

2. Staff recommends that the Planning Commission approve a motion to Conditionally Approve PC Docket # 03-112 for Willow Wood East, Conditional Use Permits for the property located at approximately 400 to 470 West 300 South Street; TID#02-035-0010 and 0011.

3. Staff recommends that the Planning Commission approve a motion to Conditionally Approve PC Docket # 03-112 for Willow Wood East a Subdivision for the property located at approximately 400 to 470 West 300 South Street; TID#02-035-0010 and 0011.
4. Staff recommends that the Planning Commission approve a motion to recommend approval of PC Docket #03-112 for Willow Wood East, a rezone from the Commercial Neighborhood to the Multi-Family Medium zoning district; to the Municipal Council TID#02-035-0010.

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.

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

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

7. The project shall not be used or occupied, until a Certificate of Occupancy has been issued by the City.

8. 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.

9. 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.

10. 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 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.

11. Prior to the issuance of a building permit a landscaping plan shall be submitted and approved by the Department of Community Development including the common and botanical names of all species.
12. 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 which is required to be installed between November 1 of one year and May 1 of the following year may be satisfied to be installed 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.

13. 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.

14. 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.

15. Prior to the submittal of the final plat map, the City Engineer shall review and approve all engineering construction drawings for infrastructure improvements.

16. 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.

17. 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.

18. 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 #03-112 was heard before the Commission in a public hearing on the 23rd day of October, 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.

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

20. 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 Chief Building Official may place conditions deemed necessary to protect the public health, safety, or welfare on this project.

2. All footing and foundations shall be inspected, approved, and installed prior to the removal of the building or structure from its original site.

3. The relocated structures shall be permanently affixed to new foundations within forty-five days of approval of the foundation.
4. All relocated structures shall comply with all applicable regulations and condition within six months of the date of the permit issuance unless otherwise approved and extended in writing by the Director of Community Development.

5. All buildings shall be maintained in a safe, secure condition. This requires certification by a licensed structural engineer that the structure is sound enough to be moved and relocated. The structural engineer must include drawings and specifications to support the structural analysis for moving and relocation at the proposed site. The Chief Building Official may require a structural peer review to substantiate findings of the structural engineer.

6. All landscaping, walkways, masonry work, or required dedications and improvements for streets and facilities and buildings shall be provided in conformity with the standards of the city. At the vacated site, restoration and improvements shall be required as deemed necessary by the Chief Building Official.

7. A bond or other assurance shall be posted as a guarantee that the building and grounds will be improved, as stipulated, before the building is occupied. The bond or other assurance shall include costs for the vacated site to be restored to a safe and sightly condition. The amount to the bond or other assurance shall be at least equal to the cost of employing a contractor to make the improvements to the building and premises as shown on the approved site plan.

8. The proponent shall pay all cost incurred by the city for materials, labor, equipment and machinery, and other incidental costs directly related to the move. The permit holder shall also be responsible for the cost to repair all damages caused by the move to streets, bridges, sidewalks, trees, landscape, utilities, and other property.

9. The proponent shall record and provide a copy to the Department of Community Development a mechanism that provides for the maintenance and shared access of all common areas, including the open space, parking, and driveways. The document(s) shall be recorded prior to the issuance of a building permit.

10. The proponent shall submit a performance landscape plan to the Department of Community Development for approval prior to the issuance of a building permit. The landscape plan shall include street trees on 30-foot centers along 300 South and 400 West street, two trees within the front 8 feet per lot that alternate with the street trees along 300 South and 400 West and landscaping that screens the parking areas and minimizes the impact of the parking stalls from 300 South Street and 400 West Street.

11. The proponent shall return to the Planning Commission for Design Review of the garages if staff determines the garage style is not consistent with the character of the homes.

12. Prior to the issuance of a building permit 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 Bill Young 716-9160
      1. The proponent shall construct curb, gutter, and sidewalk along the entire frontage of the property per City Standards and Specifications. The sidewalk along 300 South shall be 10 feet wide. The construction of the 300 South sidewalk shall be coordinated with the Parks and Recreation Department. At a minimum the proponent shall leave the park strip wide enough to accommodate the 10 foot wide sidewalk/trail and have a minimum six foot wide park strip once the trail is constructed.
      2. The proponent shall dedicate 10 foot corner cutoff at each street intersection per Logan City Standards and Specifications.
3. The proponent shall provide storm water detention for a 10 year one hour storm event. The proponent shall submit calculations and show location and size of orifice for storm water release.
4. The proponent shall install curb markers on the curb form water and sewer service lines.
5. The proponent shall submit an erosion control plan for the construction phase of the project.
6. The proponent shall submit a digital copy of the construction drawings in AutoCad, prior to the issuance of a building permit.
7. The proponent shall submit a digital copy of the as built drawings in AutoCad, prior to the issuance of a certificate of occupancy.

b. Fire Department – contact Liz Hunsaker 716-9515
   1. The proponent shall show fire hydrants on final site plans.
   2. Additional fire hydrants may be required.
   3. The proponent shall address fire department access and turn around.

c. Light and Power Department – contact Garth Turley 716-9741
   1. The proponent shall contact the Light and Power Department two weeks prior to the movement of the structures to ensure the proper route.

d. Geographic Information Systems – contact Chuck Shaw 716-9170
   1. The proponent shall submit a digital copy of the final site plan and plat in AutoCad or ESRI compatible format, which is tied to the City’s survey monuments, prior to the issuance of a building permit.

e. Permits and Compliance Division – contact Lynn Miller 716-9286
   1. The proponent shall provide backflow for irrigation.

f. Environmental Health Division – contact Steve Larson 716-9760
   1. The proponent shall provide a dumpster with an enclosure with straight on access and built according to Logan City Standards and Specifications.

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

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 proposed 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.

3. The proposed project conforms to the requirements of Title 17 of the Logan Municipal Code.

4. The proposed project is compatible with existing land uses and zoning.

5. The design review permits and conditional use permits are issued in conformance with the requirements of Title 17 of the Logan Municipal Code.
6. The design of the project provides architectural style and character that is complementary to the characteristics of other structures in the area and is consistent with General Plan goals to enhance neighborhood character and appearance and the Design Guidelines, Objectives and Policies.

7. 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 with a shared parking agreement.

9. The structures will have no appreciable detrimental effect on the living environment and property values in the area into which the structure is to be moved.

10. The structures are in conformance with the quality of buildings existing in the area of the proposed site.

11. 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.

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

Respectfully submitted,

Michelle N. Mechem
Planner II
Report Published: October 15, 2003

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.
APPLICATION FOR PROJECT REVIEW

☐ Planning Commission  ☐ Board of Adjustments  ☐ Board of Appeals

<table>
<thead>
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<th>Type of application (Check all that apply):</th>
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<tr>
<td>☐ Planning Commission</td>
<td>☐ Board of Adjustments</td>
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<tr>
<td>☐ Subdivision</td>
<td>☐ Conditional Use</td>
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<table>
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<tr>
<th>Project Name:</th>
<th>Willow Wood East Subdivision</th>
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<thead>
<tr>
<th>Project Address:</th>
<th>Between 800 W and 500 W on 300 South, Logan, Utah 84321</th>
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<tr>
<th>APPLICANT: (MUST BE ACCURATE AND COMPLETE)</th>
<th>GTJ Consulting LLC</th>
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<tr>
<th>County Plat ID Number:</th>
<th>82-035-0001d</th>
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<tr>
<th>PHONE NUMBER:</th>
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<tr>
<th>MAILING ADDRESS, CITY, STATE, ZIP (USED FOR MAILING ALL CORRESPONDENCE AND RECORD OF DECISION)</th>
<th>P.O. Box 3604 Logan UT 84323</th>
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<table>
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<tr>
<th>Contact Person:</th>
<th>Brian Anderson 755-0698</th>
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<tr>
<th>Daytime Phone:</th>
<th>755-2024</th>
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<table>
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<tr>
<th>Alternate Phone/Fax:</th>
<th>245-0965</th>
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<tr>
<th>Property Owner of Record (Must be listed):</th>
<th>Kumar Management LLC</th>
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<tr>
<th>Mailing Address, City, State, Zip:</th>
<th>P.O. Box 3604 Logan UT 84323</th>
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<th>Phone Number:</th>
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<tr>
<th>Describe the proposed project as it should be presented:</th>
<th>To relocate these 6 houses onto 6 lots, Phase I, Willow Wood East Subdivision</th>
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<th>Lot size (acres or square feet):</th>
<th>1.2 lots</th>
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<table>
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<th>Size of building (square feet):</th>
<th>6 buildings</th>
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<tr>
<th>Number of dwelling units/ lots:</th>
<th>2 dwelling units</th>
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I certify that the information contained in this application and supporting plans is correct and accurate. Signature of Applicant: Go Consulting LLC

I certify that I am the record owner of the subject property and that I consent to the submittal of this project. Signature of Owner (if different): Kumar Management LLC

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

To: Planning Commission
From: Tony R. Johnson
Date: September 10, 2003
Re: Willowwood East

I. Proposed Project:

A. Brief Description. Six (6) housing structures will be re-located onto six (6) lots in the proposed subdivision each to be updated as a conforming duplex. Five of the six structures are made available due to the growth and expansion of the Sunshine Terrace. The last home was located immediately North of the Spectrum and, at one time, housed the USU Credit Union.

B. Phasing. Although the project will be completed in phases, it is the intent to initially install all foundations and get each structure set in place and focus on completing each project as follows:

Lot #1 The home to be moved to lot #1 is currently located at 297 North 200 West.
Lot #2 The home to be moved to lot #2 is currently located at 248 West 300 North
Lot #3 The home to be moved to lot #3 is currently located at 254 West 300 North
Lot #4 The home to be moved to lot #4 is currently located at 220 West 300 North
Lot #5 The home to be moved to lot #5 is currently located at 228 West 300 North
Lot #12 The home to be moved to lot #12 is currently located on blocks behind the Shopko department store at 1400 North Main.

C. Development: Per planning staff’s recommendation, the project will be governed by condition, covenants and restrictions (CC&R) governing parking, open space, maintenance etc. Parking will be located on the inside of the project. To maximize green space, ingress and egress will be managed through a 20’ road, entering/exiting on 400 West and also on 300 South.

D. Timing: It is anticipated that all projects will be re-located before year-end and made available for occupancy spring/summer 2004.

End
All plans the subject to local building codes and shall be reviewed by the architect and inspector.
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, m.*

On this 5th day of November, 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

a copy of which is hereto attached, was published in said newspaper for One (1) issue, commencing November 5, 2003 and ending November 5, 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:

Willow Wood East Subdivision Rezone, GTJ Consulting/ Rumar Management, applicant/owner, requests a rezone from the Commercial Neighborhood (CN) zone to the Multi Family Medium (MFM) zone of 1.72 ac. at approx. 400-500 West 300 South, TIN#02035-0010.

Public hearing will be held before the Logan Municipal Council on Wednesday, November 19, 2003, not before 6:15 p.m. in the Council Chambers at 205 North Main Street, Logan, Utah. Interested citizens are invited to attend.

Lois Price, Recorder
Publication Date: November 5, 2003
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF Cache, et al.

On this 26th day of November ................................................ A.D. 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

...........................................................

a copy of which is hereto attached, was published in said newspaper for. One (1) issue


Signed Rachelle S. Thomas

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

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

Notary Public.

My Commission expires September 7, 2007...

LEGAL NOTICE LOGAN MUNICIPAL COUNCIL

SUMMARY OF ORDINANCES amending the Logan Municipal Code, 1989, passed by the Logan Municipal Council are as follows:

ORD. 03-96. An ordinance amending the Zoning Map of Logan City, Utah, was passed and approved November 19, 2003, rezoning 1.72 acres at approx. 400-500 West 300 South from Commercial Neighborhood (CN) to Multi-Family Medium (MFM) identified as TIN #02-035-0010. Also identified as "Willow Wood East Rezone."

ORD. 03-95. An ordinance establishing a Temporary Zoning Regulation prohibiting Accessory Dwelling Units in the City of Logan was passed and approved November 19, 2003. Pursuant to Section 10-3-404, Utah Code Annotated, the development and establishment of Accessory Dwelling Units as defined and regulated by the City of Logan Land Development Code is prohibited for a period of six months from the effective date of the ordinance. This will provide time for re-evaluation of ADU regulations.

These ordinances are effective immediately upon publication. Full text of the ordinances may be reviewed at the Office of the Logan City Recorder, City Hall, 255 North Main, during regular business hours.

Lois Price, Recorder
Publication Date: November 26, 2003

CYNTHIA K FULTON
Notary Public * State of Utah
320 West 1330 North
Logan, UT 84341
Willow Wood East Subd. Rezone from CN to MFM

Ord # 03-96

Date 11/19/03