CITY OF LOGAN, UTAH
ORDINANCE NO. 08-15

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 Multi-Family High (MFH) to Commercial General (CG):

TIN 05-014-0057

Also identified as Logan Point Commercial LLC Rezone, 0.64 acres at approx. 1300 North 200 East.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, 4th

THIS DAY OF March, 2008.
AYES: 

NAYS: None

ABSENT: 

Tami W. Pyfer, Chair

ATTENT:

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 4th day of March, 2008.

Tami W. Pyfer, Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby Approved this 4th day of

March, 2008.

Randy Watts, Mayor
MEMORANDUM TO THE MUNICIPAL COUNCIL

DATE: February 15, 2008
FROM: Tavis J. Austin, Senior Planner, Community Development
SUBJECT: Zoning Map Amendment at appx. 1300 North 200 East

Summary of Planning Commission Proceedings

Project Name: Rezone; Logan Pointe Commercial, LLC

Project Address: Approximately 1300 North 200 East

Recommendation of Planning Commission: Approval of rezone to Commercial General (CG)

Current Zoning: Multi-Family High (MFH)

On February 14, 2008, the Planning Commission unanimously recommended that the Municipal Council approve a rezone of parcels 05-014-0057 and the associated parking area as shown on the attached “Staff Recommendation of Zoning Boundary” from the Multi-Family High (MFH) zone to the Commercial General (CG) zoning district.

I have attached the staff report to the Planning Commission and a copy of the draft minutes of the Planning Commission meeting.

Attachments:
Draft Planning Commission Minutes from February 14, 2008
Staff Report to the Planning Commission February 14, 2008
Draft Minutes of February 14, 2008 Meeting of the Planning Commission:

08-010 **Rezone of Logan Pointe Commercial, LLC.** Zone Change, Josh Watts/Logan Pointe Commercial, LLC authorized agent/owner requests a rezone from Multi-Family High (MFH) to Commercial General (CG) on 0.83 acres at 1300 North 200 West; TIN# 05-014-0057.

**STAFF:** Mr. Austin reviewed the staff report as written.

Mr. Blaser if there is no longer residential use in the building.

Mr. Simmonds stated that a Mr. Mac was located there and wanted clarification on the ownership.

Mr. Austin stated that the building is under separate ownership.

**PROPOSENENT:** No Comment.

**PUBLIC:** No comment.

**COMMISSION:** Mrs. Simmonds asked if it has every been used as Multi-Family.

Mr. Watts (proponent) stated it has not.

**MOTION:** Mr. Ward motioned that the Planning Commission Conditionally Approve PC #08-010, a rezone from the Multi-Family High (MFH), to Commercial General (CG) for the Logan parcel, on .83 total acres located near 1300 North and 200 West; TIN# 05-014-0057. Mr. Blaser seconded the motion.

[Moved: Commissioner Ward, Seconded: Commissioner Blaser; Passed: 6-0]


Nay: Abstain:
REPORT SUMMARY...

Project Name: Rezone: Logan Pointe Commercial, LLC
Proponent/Owner: Josh Watts/Logan Pointe Commercial LLC
Project Address: Approximately 1300 North 200 East
Request: A Rezone to Commercial General (CG)
Current Zoning: Multi-Family High (MFH)
Type of Action: Legislative (rezone)
Staff Recommendation: Recommend approval rezone to Commercial General (CG)

PROJECT

The proponent is requesting a rezone of 0.64 acres at approximately 1300 North 200 East. This parcel is currently zoned Multi-Family High (MFH) and developed with a single structure with some quasi-commercial tenants.

Surrounding Zoning/ Land Uses
North: MFH: Multi-family housing
South: CG: Mixed Commercial
East: MFH: Multi-family housing
West: CG: Mixed Commercial/Mall; Home Depot

Staff believes the zone is appropriate in this area as the current General Plan identifies this area as Commercial. One concern that staff has is that the requested rezone would only change the zoning of the building on the project lot. As such, no parking area would be included in the rezone thus requiring a conditional use permit or other remedy to park the proposed commercial structure. Staff recommends that the zoning boundary extend beyond parcel 05-014-0057 sufficient to include the parking immediately adjacent to the structure and access to 200 East (See Page 3). With that modification, Staff recommends that the Planning Commission recommend approval of the proposed rezone of this parcel and the parking area surrounding the parcel from Multi-Family High (MFH) to Commercial General (CG) zoning district to the Municipal Council.

AGENCY AND CITY DEPARTMENT COMMENTS

- No Agency or Department comments have been received at this time; no additional requirements or conditions have been requested.

PUBLIC COMMENTS

Notices were mailed to 14 property owners located within three hundred feet of the subject property. Notices were also mailed to 18 surrounding and effected entities (cities, county, and districts, etc.). At the time the staff report was prepared, no written comments had been received by the Department of Community Development.

STAFF RECOMMENDATION
Staff recommends that the Planning Commission approve a motion to recommend that the City Council approve a zone change for Logan Pointe Commercial LLC, a rezone from the Multi-Family High (MFH) to the Commercial General (CG) zoning district for property located at approximately 1300 North 200 East, TIN # 05-014-0057.

RECOMMENDED FINDINGS FOR APPROVAL OF REZONE TO SFR

1. The location of the subject property is compatible with the purpose of the proposed Commercial General (CG) zoning district.
2. The subject property, as modified by staff's recommendation, is suitable for development within the proposed CG zoning district without increasing the need for variances or special exceptions.
3. The subject property is suitable as a location for all of the permitted uses within the proposed CG zoning district.
4. The subject property when used for the permitted uses in the CG district would be compatible with adjoining land uses or the purpose of the adjoining Commercial Entryway districts.

Respectfully submitted,

Tavis J. Austin, AICP
Senior Planner

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.
Project Number: 08-009, Logan Pointe Commercial LLC Rezone, located at approximately 1300 N 200 E

Current Zoning

Requested Zoning

Staff Recommendation of Zoning Boundary
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, a.k.a.

On this 19th. day of February, A.D. 2008, personally appeared before me, Rachelle S. Thomas, who being first duly sworn, deposes and says 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

was published in said newspaper for one (1) issue commencing February 19, 2008 and ending February 19, 2008.

Signed Rachelle S. Thomas

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

Signed Cynthia K. Fulton
Notary Public.

My Commission expires September 7, 2011

LEGAL NOTICES

NOTICE OF PUBLIC HEARING FOR PURPOSES OF REZONING PROPERTY

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

ZONE CHANGE. Logan Point Commercial, LLC Rezone Josh Watts/Logan Pointe Commercial LLC authorized agent/owner requests a rezone from Multi-Family High (MFH) to Commercial General (CG) on 0.83 acres at 1300 North 200 West, TIN#05-014-0057.

Public hearing will be held before the Logan Municipal Council on Tuesday, March 4, 2008, not before 5:30 p.m. in the Council Chambers at 255 North Main Street, Logan, Utah. Interested citizens are invited to attend.

Lois Price, Recorder
Publication Date; February 19, 2008
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF Cache, a

On the 7th day of March, 2008

personally appeared before me Rachelle S. Thomas, who being first duly sworn, deposits 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

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

commencing March 7, 2008 and

ending March 7, 2008

Signed Rachelle S. Thomas

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

Notary Public

My Commission expires September 7, 2011

NOTARY PUBLIC
CYNTHIA K. FULTON
320 West 1330 North
Logan, UT 84341
My Commission Expires September 7, 2011
STATE OF UTAH

ORDINANCE 08-05. An ordinance was adopted and approved March 4, 2008 repealing Logan Municipal Code 1989, Sec. 17.47, "Subdivisions" to include Sec. 17.42.070(B)(12): Building setbacks shall not be recorded on the final plat. Setbacks shall be as specified in the Land Development Code.

ORDINANCE 08-13. An ordinance was adopted and approved March 4, 2008 amending Logan Municipal Code 1989, Sec. 17.47, "Subdivisions" to include Sec. 17.42.070(B)(12): Building setbacks shall not be recorded on the final plat. Setbacks shall be as specified in the Land Development Code.

ORDINANCE 08-15. An ordinance was adopted and approved March 4, 2008, amending the Zoning Map of Logan to rezone from Multi-Family High Density (MFH) to Commercial General (CG) TIN 05-014-0657. Also identified as Logan Point Commercial, LLC. Rezone, 0.64 acres at approx. 1300 North 200 East.

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

Lori Price, Recorder
Publication Date: March 7, 2008