CITY OF LOGAN, UTAH
ORDINANCE NO. 08-29

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 Combining District (SFR-PD):

TIN #04-082-0006; 0004

Also identified as Craig Champlin/C.H. Champlin, LLC Rezone, 14 acres at 200-400 W 1600 N.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, 2008.

THIS DAY OF May, 2008.

AYES: Tami W. Pyfer, Chair

NAYS: Tami W. Pyfer, Chair

ABSENT: Tami W. Pyfer, Chair

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 20th day of May, 2008.

Tami W. Pyfer, Chairman

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 20th day of May, 2008.

Randy Watts, Mayor
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: April 28, 2008
FROM: Russ Holley, Planner, Community Development
SUBJECT: Zoning Map Amendment at 1600 North 200-400 North

Summary of Planning Commission Proceedings

Project Name: Meadow Valley, Rezone of TIN#04-082-0006, 04-082-0004
Project Address: 1600 North 200-400 West (see attached map)
Recommendation of Planning Commission: Conditional Approval (SFR/PD)
Current Zoning: Single-Family Residential (SFR)

On April 10, 2008, the Planning Commission in a vote of 6 in favor and 1 in opposition recommended that the Municipal Council approve a rezone of parcels 04-082-0006, 04-082-0004 from Single-Family Residential (SFR) to Single Family Residential Planned Development (SFR/PD) zoning district.

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

Attachments:
Draft Planning Commission Minutes from April 24, 2008
Staff Report to the Planning Commission April 24, 2008
Images of the project
**Design Review, Subdivision and Zone Change Permit for Meadow Valley located at approximately 300 West 1600 North; TIN#04-082-0006, 04-082-0004**

**REPORT SUMMARY...**

- **Project Name:** Meadow Valley
- **Owner/Proponent:** C.H. Champlin LLC / Craig Champlin
- **Project Address:** 300 West 1600 North
- **Request:** 75 lot subdivision / Rezone to SFR/PD / Build 75 single fam. homes
- **Current Zoning:** SFR, Single Family Residential
- **Staff Recommendation:** Conditionally Approve
- **Type of Action:** Quasi-Judicial

**PROJECT**

**Design Review/Subdivision/Rezone**

There are two parcels, the west parcel is 4.3 acres and the east parcel is 9.7 acres. The total project consists of 14 acres. The land is currently open green fields with passed agricultural uses. The development is proposed in two phases. The proponent is requesting a 75 lot subdivision a Planned Development rezone overlay and constructing 75 single family homes designed for people 55 and older. The homes will be accessed by private roads with a 35' cross section that includes sidewalk, park strip, curb and gutter and 20' of asphalt. All storm water will be detained in a series of 5 detention basins. Street trees are shown along the three public streets bordering the project and along all interior private streets.

**Land use adjoining the subject property**

- **North:** MFH: Residential Uses
- **East:** CG: Commercial Uses
- **West:** MFM: Residential Uses
- **South:** CG: Commercial Uses

The Land Development Code (LDC) §17-28-020 D states that planned developments are to be intentional projects. The 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. A planned development is not intended to be a mechanism to bypass the subdivision process.

The submitted plans show several different schematic building elevations. The developer has expressed the need for flexibility with floor plans because of different needs and tastes of the potential buyers. They all do however show a two car garage at the front of the home with a twenty foot setback distance. He also shows a 27 foot wide driveway that is paved to the side property line and leads to the front and side of the garage. This will allow for two parked cars inside the garage and up to three parked cars in front and to the side of the garage. The LDC section §17.37.070 A. Residential Driveways states that driveways leading to a two car garage shall not exceed 22 feet in width. The maximum is 32 feet but only allowed where the driveway leads to a 4 car garage or more. LDC section §17.37.060 states that no driveway shall be closer
than 5 feet from a side property. Staff is recommending 22' wide driveways which will allow for up to 4 parking spaces and 5 feet of landscaping between driveway and side property line.

The Design Guidelines set design principals for the Ellis Neighborhood – North Subarea (page #25) stating that clearly identified entries should face the street and garage doors on the principal facades should be avoided. Because of the shape of the lots and the reduced 5' side setback, staff doesn't feel it is feasible to move the garage off the principal façade to a side façade. There is the possibility of rear garages if alley ways are added. In this situation staff recommends at least the garages be set back and front entryways be moved forward to attempt to satisfy the Design Guideline principals.

**Landscaping**
Conceptual landscaping shows street trees on all roads. All detention basins will be landscaped with turf grass. A series of landscape berms will help separate homes on the north side from 1600 North. Approximately 70 feet of turf grass will separate 200 West and the parallel irrigation canal from the homes on the east side of the project. All rear yards a planned to have privacy fences. A 6 foot privacy fence is planned along the southern edge of the project to separate the commercial uses from the homes.

**Setbacks**
The typical setbacks for Single Family Residential are 25' front, 8' side, and 10' rear yards. The proponent is proposing 20' front, 5' side and 10' rear yard setbacks. Staff doesn't have concerns with the reduced setbacks.

**Access**
There will be 4 access roads to the project, one off 400 West and three off 1600 North. The access off of 400 West aligns with 1530 North. The three access roads that connect to 1600 North are evenly spaced along the north side of the property.

**Open Space**
The plan shows a total of 101,710 SF of open space. The open space is segmented and includes 5 detention basins. The basins appear to have large relatively flat areas in the center that could be considered usable except for wet seasons or periods after heavy rainfall. The main piece of open space runs north and south along the east border adjacent to the existing irrigation canal. The LDC states that each lot in the Single Family Residential zone will need 1,386 SF of private open space. This is typically satisfied with back yards etc... It also states that will a PD you need 1,000 SF of common open space per lot in conjunction with the above open space. They currently show 101,710 of common open space which satisfies the PD common open space requirement. At this time, because we don't have specific site plans for all 75 lots we cannot tell if the 1,386 SF will be satisfied. This will need to be evaluated when each house is submitted for a building permit.

**AGENCY AND CITY DEPARTMENT COMMENTS**
Comments were received from the following departments or agencies with specific recommendations for project conditions:
- Fire Department
- Light and Power
- Environmental Department
PUBLIC COMMENTS
Notices were mailed to 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, the Department of Community Development has not received any comments.

RECOMMENDATION
Staff recommends that the Planning Commission approve a motion to Conditionally Approve Project #08-023 for Meadow Valley, a Subdivision, Zone Change and Design Review Permit for the property located at approximately 300 West 1600 North; TID#04-082-0006, 04-082-0004.

RECOMMENDED STANDARD CONDITIONS OF APPROVAL
All standard conditions of approval will be recorded with the Record of Decision and are available in the Community Development Department
1. The 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.
2. Prior to the submittal of the plat map, the Director of Community Development shall receive a copy of the 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 for recordation with the plat map.
3. The final plat map shall include the following information in the “Planning Commission approval” certificate: “This subdivision, entered into City Records as Planning Commission Project #08-023 was heard before the Commission at a public hearing on the 24th day of April, 2008, and was approved in substantial conformance with the requirements and design shown upon this plat map. Signed, Jay L. Nielson AICP, Director of Community Development.”

RECOMMENDED ‘SITE SPECIFIC’ CONDITIONS OF APPROVAL
1. These conditions apply to the Design Review and Subdivision permits. The Rezone portion of the project must be approved by the Municipal Council and complete approval.
2. Street trees shall be placed on 30’ centers on all roads adjacent to and within the subdivision. The City Forester shall determine the species and size of the trees to be used. Occupancy for the final home shall not be granted until all the street trees have been installed or a bond equal to 110% of the materials and labor necessary to install the street trees has been issued to the City.
3. The proponent shall submit Articles of Incorporation and CC&Rs for approval to the Department of Community Development prior to the recordation of the final plat map. The CC&Rs shall include the establishment of a home owner’s association. The home owner’s association shall establish protocols for maintenance and upkeep of all common areas including landscaping, and open space areas.
4. Driveway widths are 27 feet maximum.
5. A pedestrian pathway is developed near lot #22, detention pond and lot #40 that will give a pedestrian east/west connection between phase 1 and phase 2 without having to go out to 1600 North and back down and around. This will help connect open space throughout the project.
6. All house plans at the building permit stage will be evaluated for open space requirements and maximum lot coverage as per LDC Table 17.15.010 Residential Site Development Standards.
7. No occupancy shall be granted in Phase II prior to one of the following: 1) completion of Phase I landscaping, 2) provide bond or surety for all outstanding improvements as required in Phase I as permitted by the Land Development Code.
8. The project shall comply with LDC§17.36.160 (A, B, C,) Common Area Development Requirements. These Common Area Development Requirements shall be incorporated into the CC&R's and approved by the Department of Community Development prior to recording final plat.
9. Proponent shall include design elements in each building permit including but not limited to: varied rock/brick wainscot; soffett color; non-white garage doors; entry doors that compliment or are the same color as the garage door; gable treatment (shake, etc); and roof color.
10. Proponent shall submit site plans showing proposed fence locations as discussed at the Planning Commission meeting. All fences shall comply with the Land Development Code.
11. Proponent shall install Collection Box Units to the satisfaction of the United States Postal Service.
12. The proponent shall submit a performance landscape plan for approval to the Department of Community Development which includes all proposed landscape and open space improvements.
13. 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. Fire Department – contact Liz Hunsaker 716-9515
      1. Roads less than 26 feet width shall have no parking on either side. Areas where parking is not allowed shall be posted “NO PARKING FIRE LANE”. Signage and spacing shall meet the requirements of the fire codes. Fire hydrant locations shall be approved by the fire department prior to installation.
   b. Light and Power – contact Garth Turley 716-9741
      1. Developer responsible for all trenching and conduit per LCL&P requirements. Provide 10PUE along all roadways and 5 ft. on all other property lines. Submit digital site/utility plan to gturley@logancity.org
   c. Environmental – contact Steve Larsen 716-9760
      1. Allow sufficient room in front of each home for placement of individual recycling and refuse cans.
   d. Water —contact Lance Houser 716-9622
      1. What line is the wastewater (sewer) from this project going to connect to?
   e. Water / Cross Connection — contact Brian Pattee 716-9627
      1. Landscape irrigation system for entire project or individual lots shall meet Logan City's current backflow prevention code. Please plan your system accordingly.
RECOMMENDED FINDINGS FOR APPROVAL

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

1. Meadow Valley has been revised and amended by the conditions of the project approval to conform to the Design Objectives, Policies and Guidelines for the City of Logan neighborhoods chapter Ellis North Subarea section.
2. Meadow Valley 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. Meadow Valley 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. Meadow Valley conforms to the requirements of Title 17 of the Logan Municipal Code.
4. Meadow Valley is compatible with existing land uses and zoning.
5. The streets providing access and other infrastructure to the subject property has adequate capacities, or a suitable level of service, for the proposed use.
6. The design is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
7. Access to adjoining streets is designed to be constructed in conformance with City standards and specifications.
8. The project provides open space, landscaping, and vegetation in conformance with the Land Development Code.

Respectfully submitted,

[Signature]

Russ Holley
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.
08-023  **Meadow Valley.** Design Review, Subdivision, Zone Change, Craig Champlin/C.H.Champlin, LLC authorized agent/owner requests a Planned Unit Development consisting of 75 building lots and 8 open space/detention lots for the purpose of constructing single family homes with a zone change from the Single-Family Residential (SFR) zone to the Single-Family Residential Planned Development Combining District (SFR-PD) zone on 14 acres located at about 200-400 West 1600 North in the Single Family Residential (SFR) zone; TIN# 04-082-0006; -0004.

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

Mr. Blaser asked where the walkway is.

Mr. Holley stated that it is by the detention basin on the south end.

Mr. Ward asked Mr. Holley to review site specific condition number 8 and stated that they do require common areas and he didn’t see any listed on the play map and asked him to review the ordinance and how it will be met and complied with.

Mr. Holley stated that he looked at open space requirements and stated that the proponent considers the detention bases to be common spaces or open spaces. He referred the commission to page two of the staff report. He also stated that his gut feeling is that is should be satisfied.

Ms. Simmonds asked if they knew the sizes of the houses.

Mr. Holley stated that they only have elevations.

**PROPOSEN:**

Mr. Champlin stated that the homes they have been building in the past have started around 1450 square feet with the largest homes on one level approaching slightly over 2000 square feet. He stated they are all single level homes with some having a bonus room above the garage. He stated the average size would be 1700 square feet. He also stated that he would like to eliminate some of the site specific conditions. The first one was on the driveway widths and the size of property lines. He stated that he shows a 27 foot drive and said they have added that on to put a visitor’s stall on there wide enough for people to park a car there overnight so that the owner tenants can still get in and out of their garage and not have to move their cars. He stated he knows the cities rules about the parking width that they will allow and feels that they aren't affecting any city streets at all because they are all private drives and maintained by the homeowners association.

Mr. Champlin also stated that they don’t allow homeowners to park their vehicles in the driveway, but they must park them in their garages and leave them out in the driveway. He stated that the purpose of the extra parking stall is simply for a visitor. He stated that as far as having five feet of landscaping on the sides of the driveways wouldn’t be a big issue because the houses right next to it will have landscaping. The other one he stated that was of most importance to him was the requirement to have the garage doors moved off the principal façade and set back so that there would be more focus on the entryways and follow the design guidelines. He stated he doesn’t feel this would accomplish anything. He stated that the most requested part of the house is a porch...
Ms. Simmonds asked why an overnight car couldn't park in the street.

Mrs. Hunsaker stated that it was because of fire code issues.

Mr. Kerr stated that Mr. Blaser could add that into the motion and maybe add that any adjacent driveways would need to have a five feet planning area.

Mr. Blaser stated that he would like to see an example of what the proponent is asking.

Mr. Champlin brought up an example for the commission to see.

Mr. Kerr stated that he would like to structure the motion. He stated that site specific condition #3 be replaced with a statement that no two driveways shall be adjacent and that site condition #6 be eliminated and then have the conditions be renumbered accordingly.

MOTION: Commissioner Blaser recommended that the Planning Commission conditionally approve PC #08-023 for a design review and subdivision permits and recommends that site specific condition #3 be replaced with a statement that states no two driveways shall be adjacent and that site condition #6 be eliminated and then have the conditions be renumbered accordingly for approval to the Municipal Council for the zone change to Single Family Residential with the Planned Development combining district (SFR-PD). Commissioner Bravo seconded the motion.

[Moved: Commissioner Blaser Seconded: Commissioner Bravo. Passed: 5, 1]
Yea: D. Blaser, K. Ward, R. Robison, J. Wuthrich, L. Bravo  Nay: J. Simmonds  Abstain:
and he believes the garage should stay as it should. He also showed the commission some pictures of the houses on the property and mentioned that it wouldn't accomplish anything to move the garages back. He also stated that if they are building bonus rooms above the garage that it would make it difficult to achieve that.

Mr. Champlin also stated that they have evolved to having these front porches and they are really popular.

PUBLIC:

Mr. Watts stated that he is an adjacent property owner and he tried to explain the layout of the houses and the garages and the porches. He stated that by setting the garage forward people can visit on their porches and use it on the patio, when the sun is in the west, and stated that it makes it look more pleasing.

COMMISSION:

Mr. Wuthrich stated that he needed flexibility to change the floor plans and he wanted to know to what extent that would be and would they be drastic changes.

Mr. Champlin stated that they would like their houses to have a little economy for the people to choose and stated that the commission seems more concerned with the exterior of the house than the interior. He stated that they are coming up with some new floor plans because they have narrower lots than before, he stated that the changes would come from two to three bedrooms and that they wouldn't be huge changes.

Mr. Kerr stated that the guidelines for the exterior wouldn't be affected by these changes.

Mr. Champlin stated that Mr. Kerr was correct. He said it would just be within the interior.

Ms. Simmonds wanted some clarifications on when they would see the final plans and stated that five feet at the rear was rather small.

Mr. Holley stated that it was five.

Ms. Simmonds stated that they were correct and she misread it.

Mr. Austin stated that the PD allows you the same flexibility as the Design Review.

Mr. Blaser stated that he favors front porches and he liked the idea of five feet to get the cars off the street and felt that would accommodate the visitors and cut down on safety problems.

Mr. Kerr clarified what Mr. Blaser stated.

Mr. Blaser stated that there would be landscaping between the driveways.

Mr. Austin stated that you could condition it that way but you don't know that driveways wouldn't be side by side.
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF Cache, et al.

On this 6th day of May, A.D. 2008, 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:

LOGAN CITY

a copy of which is hereto attached, was published in said newspaper for One (1) issue commencing May 6, 2008 and ending May 6, 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.

NOTARY PUBLIC
CYNTHIA K. FULTON
320 West 1330 North
Logan, UT 84341

Publication Date: May 6, 2008
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, et al.

On this 4th day of June, 2008, personally appeared before me, Rachelle S. Thomas, who being first duly sworn, depostes 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 hereon attached, was published in said newspaper for One (1) issue, commencing June 3, 2008, and ending June 3, 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

UPAXLP LDS45552

LEGAL NOTICE

LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE passed by the Logan Municipal Council, Logan, Utah is as follows:

ORD:08-29. An ordinance was adopted and approved May 20, 2008 amending the Zoning Map of Logan City to rezone from Single Family Residential (SFR) to Single Family Residential Combining District (SFR-PD):

TIN 04-082-0006; Signed as C.H. Champlin/ C.H. Champlin, LLC Rezone, 14 acres at approx. 200-400 West 1600 North.

The ordinance is effective immediately upon publication. Full text of the ordinance may be reviewed at the Office of the Logan City Recorder, City Hall, 255 North Main, Logan, Utah during regular business hours.

Lois Price, Recorder
Publication Date: June 3, 2008