CITY OF LOGAN, UTAH
ORDINANCE NO. 14-18

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE 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 Traditional Neighborhood Residential (NR-6) to Community Commercial (CC):

SECTION 2: That certain map or maps entitled "Future Land Use Plan map of Logan City, Utah" is hereby amended and the following property is hereby zoned from Detached Residential (DR) to Mixed Use Center (MUC):

TIN#05-047-0037

The above parcel is also described as Exhibits A, B & C attached hereto.

SECTION 3: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS DAY OF April, 2014.

AYES: Daines, Ward, Olson, Simmonds

NAYS: None

ABSENT: None

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 15th day of April, 2014.

Karl B. Ward, Council Chairman
MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 1 day of
April, 2014.

H. Craig Petersen, Mayor
EXHIBIT C

Parcel #05-047-0037

Legal Description

------ 2014 ------

BEG AT NE COR LOT 27 BLK 6 KIRTLAND ADDITION & TH S 250 FT TO SE COR LT 18 TH W 125 FT TH S 33 FT TH E TO W BANK OF CANAL TH N 33 FT TH W TO SW COR LT 17 TH N 125 FT TO NW COR LT 17 TH E TO W BANK OF CANAL & NE COR LT 13 TH N ALG CANAL 14 FT TO SE COR LT 31 TH W TO SW COR LT 28 TH N 125 FT TO NW COR LT 28 TH W 15 FT TO BEG ALSO: BEG NW COR LT 27 BLK 5 KIRTLAND ADDITION & TH N 33 FT TH E TO W BANK OF CANAL TH S 33 FT TO NE COR LOT 32 TH W TO NW COR LT 28 TH S 125 FT TO SW COR LT 28 TH W 15 FT TH N 125 FT TO NE COR LT 27 TH W 125 FT TO BEG ALSO: LOTS 23 TO 32 BLK 5 KIRTLAND ADDITION ALSO: BEG NE COR LT 27 BLK 6 & TH S 250 FT TO SE COR LT 18 TH W 125 FT TO ST TH S 66 FT TO LT LN TH E 125 FT TO NE COR LT 27 BLK 5 TH S 125 FT TH E 15 FT TO SW COR LT 28 TH N 125 FT TO NW COR LT 28 TH E TO W BANK OF CANAL TH N 66 FT ALG CANAL TO SE COR LT 13 BLK 6 TH W TO SW COR LT 17 TH N 125 FT TO NW COR LT 17 TH E TO W BANK OF CANAL & NE COR LT 13 TH N ALG CANAL 14 FT TO SE COR LT 31 BLK 6 TH W TO SW COR LT 28 BLK 6 TH N 125 FT TO NW COR LT 28 TH W 15 FT TO BEG CONT 3.00 AC M/L IN ALL
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: February 27, 2014
FROM: Amber Reeder, Planner II
SUBJECT: Eagle Subdivision Project

Summary of Planning Commission Proceedings
Project Name: Eagle Subdivision Project
Request: Rezone and FLUP Amendment
Project Address: southeast corner of 900 North and 200 West
Recommendation of the Planning Commission: Approval

On February 13, 2014, the Planning Commission recommended that the Municipal Council approve a request to amend the Future Land Use Plan from Detached Residential (DR) to Mixed Use Center (MUC) and rezone the property from Traditional Neighborhood Residential (NR-6) to Community Commercial (CC).

Planning Commissioners vote (3 - 1):
Motion to recommend approval: S. Stokes

The attached staff report also includes discussion on a Subdivision, Conditional Use, and Design Review Permit requests that were submitted concurrently with the rezone and FLUP amendment. The Commission approved the permits contingent on Council approval of rezone and FLUP request.

The public hearing for this project was scheduled and noticed for March 18, 2014. The applicant is out of town that week and is requesting that the public hearing be continued to the following meeting, April 1, 2014. I can review the project in the March 4th work session or the Council can continue the work session to the March 18th meeting.

Attachments:
Staff Report
Ordinance 14-18
PC Meeting Minutes
Project #14-005
Eagle Subdivision & Rezone
170 West 900 North, TIN #05-047-0037

REPORT SUMMARY...

Project Name: Eagle Subdivision and Rezone
Proponent / Owner: Andrea Wilson/Lincoln Ridge Properties LLC / Fraternal Order of Eagles #3114
Project Address: 170 West 900 North
Request: Subdivision, Future Land Use Plan Amendment, Rezone, Conditional Use, Design Review
Current Zoning: NR-6
Type of Action: Quasi-Judicial, Legislative
Hearing Date: February 13, 2014
Submitted By: Amber Reeder, Planner II

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of the Future Land Use Plan amendment from Detached Residential (DR) to Mixed Use Center (MUC) and rezone request to amend the zoning of the property from Traditional Neighborhood Residential (NR-6) to Community Commercial (CC).

Staff recommends the Planning Commission conditionally approve a Subdivision Permit for the 2-lot Eagle Subdivision and a Conditional Use Permit and Design Review Permit for a 6,000 sq ft professional office at 170 West 900 North, TIN #05-047-0037.

Current Land use adjoining the subject property

| North: 900 North, commercial fitness facility | East: REC: canal, City park and recreation fields |
| South: NR-6: single- and multi-family residences | West: NR-6: 200 West, church and single-family residential use |

Project

The subject property is 3 acres at the southeast corner of 900 North and 200 West. The site is currently developed on the north with a 6,000 sq ft building owned and operated by the Fraternal Order of the Eagles #3114 as a meeting facility. The building was constructed in 1965 and there is a paved parking area. The southern portion of the site is a landscaped, lawn area.

The project includes the subdivision of the property into two (2) lots with the Eagles' building and parking on the northern 1.41 acres and a 1.5 acre southern lot. The Future Land Use designation and zoning of the property are requested to be changed from detached, single family designations to mixed use, limited-commercial designations. A 6,000 sq ft professional office is proposed on the new lot.

Subdivision

The subdivision of the property into two (2) lots would meet the minimum lot size requirement of 6,000 sq ft for the current NR-6 zoning and there is not a minimum lot size required in the Community Commercial (CC) zone. The proposed subdivision meets the minimum requirements of the zones and will be reviewed for final technical compliance. The Engineering Department has indicated that curb, gutter, and sidewalk are required on the 200 West and 900 North frontages of the property, utility easements will need to be indicated, and additional right-
of-way may be required on 900 North. As conditioned, the project meets the requirements of the Land Development Code (LDC).

Master Transportation Plan
The Master Transportation Plan has a Proposed Street Functional Classification map that designates 200 West as a Minor Arterial and shows there is a long-term plan to connect 100 West to 200 West between 800 North and 900 North. This plan has a direct impact on the Eagles’ property.

Additionally, a One-Way Couplets Feasibility Study was completed last year that looked at options for providing one-way traffic scenarios on Main Street and roads parallel to Main Street. 100 West is included in the proposed scenarios but it dead-ends at 800 North. The study indicates that the area between 600 North and 950 North and 200 West to 200 East is a shaded “transition area” to provide for a continuation to the north. As 200 West will continue to the north there is a desire to preserve a possible right-of-way for 100 West to connect. The Public Works Department has reviewed this plan with the proponent. The 100 West to 200 West transition is not in the Capital Improvement Plan (CIP) for planning or construction in the next 5 years; however, the City Engineer does not want new development in this area to hinder the ability to provide for this connection in the future as indicated. The City Engineer has reviewed these issue with the project proponent and they are amenable to siting their building and negotiating the preservation of a corridor for the right-of-way.

The City Engineer has prepared some preliminary right-of-way alignment options. The preference at this point would be to take 100 West to 150 West at approximately 650 North and carry 150 West to 200 West through the subject property. This would limit the development of the southwest portion of the property. The City would like to negotiate the dedication of the property or easement at this point. This will be indicated on the Subdivision plat or recorded on the property.

General Plan
The General Plan Future Land Use Plan map indicates this property and the area to the west as Detached Residential (DR). To property adjacent to this property on the south and to the north is Mixed Residential (MR) and the park to the east is Recreation (REC). As the proponent is
requesting a rezone of the property to the Community Commercial (CC) zone, it is proposed that the Future Land Use Plan map be amended to Mixed Use Center (MUC) for this location.

The MUC designation is for areas of commercial and office use with residential uses integrated. While the surrounding area is primarily designated for residential uses, there are a number of non-conforming uses. The Fraternal Order of Eagles facility and the Kubex commercial fitness center to the north are both non-residential. The properties to the south are primarily duplex rental homes. There is a church on 4.6 acres to the west. The property is within a block of the Main Street commercial corridor. With the future roadway considerations, the site would not be conducive to single family residential development. The Bridger Neighborhood has been opposed to any additional multi-family development. The MUC designation would allow for consideration of some commercial zoning designations but is more specific to areas with overlap of commercial and residential uses. Due to the nature and compatibility of the surrounding area, Staff supports the designation of the area to the MUC future land use category.

**Rezone Request**

The Community Commercial (CC) zoning designation was approved at the February 4, 2014, City Council meeting. The CC zone was created as a zoning option "intended for small retail and professional offices in areas located around the edges of the downtown area" (LDC §17.16.040.D). Limited commercial development is allowed provided it is done at a scale appropriate to the surrounding neighborhood. Parking is required to be to the side or rear of the building and shared parking is encouraged.

The applicant is proposing a professional office for their real estate business. The CC zone requires most non-residential uses to come to the Planning Commission for a Conditional Use Permit to allow for review and public input. While adjacent zoning is single family residential, there are a number of existing non-conforming uses around this site. The future roadway considerations also support a transitional use as this property may not be ideal for single family residential development. The new development proposed on lot 2 requires CUP review and any future change of use to the Eagles' building would also likely require a Conditional Use Permit. Staff supports the designation of the area to Community Commercial zoning.

**Design and Conditional Use Review**

The possible alignment of the of the 100 West roadway will affect where the building will be located on the property. The preferred alignment limits the ability to develop the southwest half acre of the site. There is still an acre of area that would allow the proposed building to be constructed. The building is located centrally on the property which allows for a setback from the residential properties to the south.

In general, the CC zone will require a minimum setback of 10' from 200 West and a minimum of 8' from any adjacent properties. Landscaping buffers are required between the parking areas and any adjacent properties; however, there is not a minimum square footage or percentage of the site required to be in landscaping.

**Access and Parking**

The proponent is proposing to share existing parking and access with the Eagles' facility. There is an access from 200 West and on 900 North. When the required improvements of curb, gutter, and sidewalk are constructed, the exact location and size of the accesses will be reviewed. A cross-use agreement between the properties will be required.

There are 90 +/- parking spaces in the existing parking area. Shared parking can be considered as the Eagles' facility and proposed office building have different operating hours and the parking is within 600' of both sites. A shared parking study and agreement for shared parking will be required. A professional office requires 1 parking stall per 300 sq ft of office space. The
6000 sq ft building would require 20 stalls and operates during typical business day hours. The Eagles' facility is also 6000' sq ft and operates some evenings. It is a charitable organization that has meetings and gatherings. The requirements for gathering areas that have food and events range 100-250 sq ft per stall. This would require up to 60 spaces. The required site improvements and future right-of-way may modify some of the existing parking but there is still ample area to provide for both facilities.
**Landscaping**
This project will require a performance landscaping plan. The performance plan requires 20 trees and 50 shrubs per gross acre. Landscaping is indicated around the building as a buffer to adjacent properties and at the base of the building. As conditioned, the project meets the minimum open space and useable outdoor space area requirements in the LDC.

**Building Design**
The proposed office building is a modern design. The design provides for a mix of materials and articulation to provide interest and variation. A minimum of 50% transparency is required on ground floor frontages and is provided as indicated on the front view of the elevations. The building is not a typical residential style but is consistent with other commercial uses in the area such as the Kubex facility. The closest residences are on 870 North. The building is over 150' from any residences. The building has portions that are two stories in height. The maximum height allowed is 35', which is the maximum allowed within the NR-6 residential zone. The building does not exceed height allowances. As proposed, the building is compliant with the LDC for the Community Commercial zone.

**Summary**
Staff recommends that this property is appropriate for rezoning and permitting for development of the professional office as proposed. This site has a number of unique circumstances that meet the intent of the Community Commercial zone. The Fraternal Order of Eagles is a legally existing nonconforming facility and there are other non-residential facilities in the area such as Kubex and churches. Long-term transportation plans indicate 200 West as a minor arterial even if a couplet scenario is not implemented and a 100 West connection is not constructed. The roadway is not ideal for single family development and residential development would hinder the Public Works Department from providing for corridor preservation.

The specific project proposed is a professional office for a real estate office. The hours would not negatively impact the neighborhood and landscaping buffers and setbacks are provided. The applicant has indicated that the traffic impact of their business is minimal. Traffic would be during business hours and typically by appointment. The design meets minimum requirements and is not residential in nature but is consistent with other commercial buildings in the area and provides for an interesting and attractive building.

**AGENCY AND CITY DEPARTMENT COMMENTS**
Comments were solicited from the following departments or agencies:

- Fire
- Light and Power
- Engineering
- City Forester
- Water

**PUBLIC NOTIFICATION**
Legal notices were published in the Herald Journal and the Utah Public Meeting website on July 11, 2013. Public notices were mailed to all property owners within 300 feet of the project site on July 3, 2013. The property was posted with the Community Development Departments Land Use Action sign.

**PUBLIC COMMENTS**
Staff has not received any public comments at this time. The applicant has contacted the Spring Haven Home Owner's Association, which represents the resident community off of 870 North at 200 West. She provided them with elevations and information on the project. She
indicated that there was some support of the project and that the HOA is planning to provide comment at the public hearing.

RECOMMENDED CONDITIONS OF APPROVAL FOR THE SUBDIVISION, DESIGN REVIEW, AND CONDITIONAL USE PERMIT

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

1) All standard conditions of approval will be recorded with the Design Review and are available in the Community Development Department.

2) Subject to the proposed Future Land Use Plan and Zoning Map amendment being approved.

3) Shared parking will be reviewed through an Alternative Parking Plan as indicated in the LDC §17.38.050.

4) A performance landscaping plan, prepared in accordance with §17.39 of the LDC shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
   a) Street trees to be provided along frontages at a minimum of 1 tree per 30' of frontage, species as approved by City Forester.
   b) 20 trees per gross acre of land and 50 shrubs/perennials/ornamental grasses per gross acre of land shall be planted throughout the property (25 % shall be evergreen) as per LDC §17.39.050. A minimum of 2 species of trees are required.
   c) Vertical landscape shall be provided in bermed areas to visually screen parking areas. Plant species should vary and provide visual interest year round.

5) Prior to 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 – contact 435-716-9515
      i) Access: Fire Apparatus access roads/fire lanes shall extend to within 150 feet of all portions of the exterior walls of the first story as measured by an approved route around the exterior of the building or facility.
      ii) Fire hydrants: Hydrants shall be provided within 400 ft. of all areas of each building as measured by an approved route around the first story of the exterior of the facility or building. Current fire hydrant located at 855 N 200 W.
      iii) Fire Flow: A 6,000 sq ft building of Type V-B Construction requires 2,000 gpm of fire flow. Current available fire flow at hydrant #0207 located at 855 N 200 W. is 3,328 gpm. Fire flow is adequate.
   b) Light and Power - contact 435-716-9741
      i) Light and Power requires a One Line Diagram, a Load Data Sheet, a Digital Site Plan in Auto Cad format (DWG) and PUE- Public Utility Easements on all property lines, 5' PUE on all property lines facing a road and a 10' PUE on all other property lines.
   c) Environmental (Waste Management) – contact 716-9760
      i) The project can share the dumpsters with the Eagles facilities.
   d) Engineering—contact 435-716-9160
      i) City Transportation Master Plan and the recent One Way Couplet Study show a future connection between 100 West and 200 West in the vicinity of the proposed development. Need to work with Logan City Public Works to establish a future right of way on this parcel and develop site based on this future alignment.
      ii) 900 North will be reviewed for compliance with right-of-way width requirements.
      iii) Development shall construct curb gutter, sidewalk and park strip along existing street frontages on 900 North and 200 West.
      iv) All property lines shall have a Public Utility Easement as required by City Standards.
e) City Forester – contact 435-716-9749
   i) Street trees are required on 30' intervals (minimum) on street frontages.

f) Water – contact 435-716-9622
   i) Need to make sure that the water, irrigation, and if needed, fire protection, can be supplied.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE SUBDIVISION, DESIGN REVIEW PERMIT & CONDITIONAL USE PERMIT

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

1. The proposed subdivision meets the findings as required in LDC§17.47.050.
2. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The use of the property as a professional office conforms to the requirements of Title 17 of the Logan Municipal Code and is listed as a conditional use in the Use Table.
4. The proposed building is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. The streets providing access and other infrastructure to the subject property have adequate capacities or a suitable level of service for the conditional use.
6. The proposed use is compatible with neighborhood uses and character while preserving and enhancing the character of the neighborhood.
7. The proposed use provides adequate off-street parking in conformance with Title 17.
8. The project, as conditioned, conforms to landscaping requirements in Title 17.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE FUTURE LAND USE PLAN MAP AND ZONING DESIGNATION AMENDMENT

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

1. The change in map boundaries is compatible with the appropriate goals and policies in the General Plan.
2. The change in map boundaries is consistent with the City's Capital Improvement Programming for new infrastructure within the area affected by the map amendment.
3. The location of the subject property is compatible with the purpose of the Community Commercial zoning district.
4. The subject property is suitable for all development within the Community Commercial zone without increasing the need for variances or special exceptions.
5. The infrastructure providing access and utility services to the subject property have adequate capacities or a suitable level of service for the permitted uses with the Community Commercial zone.
APPLICATION FOR PROJECT REVIEW

Planning Commission □ Board of Adjustment □ Board of Appeals □ Other

Date Received: 1/31/2014
Received By: ARudder
Receipt Number: PC 14-005
Zone: NR-16
Application Number: PC 14-005

Type of Application (Check all that apply):
□ Design Review □ Conditional Use □ Subdivision □ Zone Change □ Boundary Line Adjustment
□ Code Amendment □ Appeal □ Variance □ 4950' Design Review □ Other

PROJECT NAME
EAGLE SUBDIVISION AND REZONE

PROJECT ADDRESS
170 WEST 900 NORTH

COUNTY PLAT TAX ID #
05 - 047 - 0037

AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete)
ANDREW WILSON / LINCOLN RIDGE PROPERTIES LLC

MAIN PHONE #
435-757-2678

MAILING ADDRESS
40 WEST 1250 NORTH,#6A
LOGAN

CITY
STATE
ZIP
UT 84341

EMAIL ADDRESS
ANDREW@HOMEREALTY.COM

PROPERTY OWNER OF RECORD (Must be listed)
FRATERNAL ORDER OF EAGLES #3114

MAIN PHONE #
435-752-8776

MAILING ADDRESS
PO BOX 484
LOGAN

CITY
STATE
ZIP
UT 84323

EMAIL ADDRESS

DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED
(Include as much detail as possible - attach a separate sheet if needed)

See Attached

Total Lot Size (acres)
3.00

Size of Proposed New Building (square feet)

Number of Proposed New Units/Lots
2

I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner.

Signature of Property Owner's Authorized Agent

I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.

Signature of Property Owner

LOGAN CItY United in Service
COMMUNITY DEVELOPMENT
Proposed Project
Eagle Subdivision and Rezone

The Fraternal Order of Eagles #3114 are proposing the subdivision of their property (#05-047-0037) into two parcels of 1.5 acres each. The north proposed parcel will remain in the ownership of the Fraternal Order of Eagles #3114. The south proposed parcel will be sold to prospective buyer Lincoln Ridge Properties LLC (Grey & Andrea Wilson and Dirk Wilson as written on attached purchase contract).

Also proposed is rezone of the newly created south parcel (upon subdivision approval). Upon purchase, Lincoln Ridge Properties LLC would like to build an office building to be occupied primarily by our real estate business. Therefore, we are asking for the newly created parcel to be changed from residential zoning to commercial zoning or community commercial zoning (if necessary for approval).

While the surrounding areas are currently zoned residential and multi-family, there are several non-conforming commercial businesses in the area. We feel our proposed parcel and office building would be a beneficial addition to the area and improve the aesthetics and add a fresh new feeling to the nearby community. We are very much willing to work with the city to minimize the impact to the area. While we are not submitting a Design Review application yet, we have attached proposed renderings and layouts to aid in presenting our vision for the location.

As part of our desire to minimize the impact, we have designed our future building (approx 6,000 sq/ft) to be residential in appearance. We will be sharing our parking lot with the Fraternal Order of Eagles and we will be putting funds into greatly improving the visual appeal of their parking area, including additional landscaping. A large portion of the funds that the Eagles receive from selling their south proposed parcel will go into improving their building, both inside and out. We would also be willing to provide a trail or sidewalk access to the park, with the proper approvals.

Since the building will be primarily occupied by our real estate office, we will have very low traffic and will be operating under normal business hours. Because we service the entire Cache Valley area, we really enjoy the central location of this site as it will provide great access for our clients and employees. We also enjoy all of the green space of the park behind the parcel and we will keep a large portion of our parcel as landscaped green space.
Front View

South West View

North West View
Minutes of the meeting for the Logan City Planning Commission convened in regular session Thursday, February 13, 2014. Chairman pro tem Adams called the meeting to order at 5:30 p.m.

Planning Commissioners Present: David Adams, Angela Fonnesbeck, Russ Price, Garrett Smith, Steve Stokes

Planning Commissioner Absent: Amanda Davis

Staff Present: Mike DeSimone, Russ Holley, Amber Reeder, Lee Edwards, Bill Young, Paul Taylor, Craig Humphreys, Debbie Zilles

Minutes as written and recorded from the January 23, 2014 meeting were reviewed. Commissioner Stokes moved that the minutes be approved as submitted. Commissioner Smith seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 14-004 Bybee Specialty Auto Sales Conditional Use Permit Micah Bybee/Travis Baldwin, authorized agent/owner, request a vehicle sales business using existing structures and signs, specializing in online and private appointment sales to be located at 354 South Main in the Commercial (COM) zone; TIN 02-053-0015.

STAFF: Mr. Holley reviewed the Staff Report as written, recommending approval. Originally built in 1907, this residential structure has been used for commercial purposes for the past several decades. Most recently, the Boys and Girls Club occupied the property for business and community service purposes. The bungalow style structure has a centrally located front porch and established landscaping in the front yard. The double-wide driveway is located south of the structure and leads to the rear of the property, where a detached garage and paved parking area currently exist. A monument sign currently exists in the front yard near the north boundary.

PROPONENT: Micah Bybee, the proponent, explained that this is a small boutique auto sales business that he has had for 12 years. He does not foresee any changes to the site or structure and is in agreement with the conditions of approval as outlined. He pointed out for Commissioner Price that the trash receptacle is stored at the back of the home.

PUBLIC: Staff received a phone from Cache Employment Services, located to the north of the property at 330 South Main, expressing some concern about a weekend parking problem with the previous tenant the Boys and Girls Club.

COMMISSION: Chairman Adams asked about the parking. Mr. Holley explained that the Code requires four; the stalls depicted on the site plan may not be accurate. Four stalls would logically fit in that space.
c. Environmental
   i. There are existing dumpsters on either side so they can share.

FINDINGS FOR APPROVAL
1. As conditioned with the additional landscaping, display locations and setback requirements, the project is compatible with surrounding land uses and zoning designations and will not interfere with the use and enjoyment of adjoining properties.
2. The street to the subject property has adequate capacity for the proposed use.
3. 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.
4. The project is compatible with existing land uses within the Commercial (COM) zoning district.
5. The permit is issued in conformance with the Logan Municipal Code Title 17 requirements.

[Moved: Commissioner Fonnesbeck  Seconded: Commissioner Price  Passed: 4-1]

PC 14-005 Eagle Subdivision & Rezone  Subdivision, Conditional Use & Design Review Permit, Code Amendment, Zone Change & Future Land Use Plan Map Zone Change. Andrea Wilson-Lincoln Ridge Properties LLC/Fraternal Order of Eagles #3114 request a 2-lot subdivision with a Future Land Use Plan Map amendment from Detached Residential (DR) to Mixed Use Center (MUC) and a rezone of the property from Traditional Neighborhood Residential (NR-6) to Community Commercial (CC) should the pending ordinance be approved, or a Commercial (COM) zone and a 6,000 SF professional office on 3.0 acres located at 170 West 900 North; TIN 05-047-0037.

STAFF: Ms. Reeder reviewed the Staff Report as written, recommending approval. Staff recommends that this property is appropriate for rezoning and permitting for development of the professional office as proposed. This site has a number of unique circumstances that meet the intent of the Community Commercial zone. The Fraternal Order of Eagles is a legally existing, nonconforming facility and there are other non-residential amenities in the area such as Kubex and churches. Long-term transportation plans indicate 200 West as a minor arterial even if a couplet scenario is not implemented and a 100 West connection is not constructed. The roadway is not ideal for single family development and residential development would hinder the Public Works Department from providing for corridor preservation.

The project proposed is a professional office for a real estate office. The hours would not negatively impact the neighborhood and landscaping buffers and setbacks are provided. The applicant has indicated that the traffic impact of their business is minimal. Traffic would be during business hours and typically by appointment. The design meets minimum requirements and is not residential in nature but is consistent with other commercial buildings in the area and provides for an interesting and attractive building.

PROponent: Andrea Wilson, owns the real estate company which will occupy the building, said they were drawn to this particular location because of the amount of open space. They are going to keep the building footprint as small as possible with a plan for landscaping and improvements. The intent is to share the parking lot with the Federal Order of Eagles (FOE) as they will have different operating hours. They are more than willing to work with the City on the right-of-way for corridor preservation. The desire is to make the area more appealing for the community with a building that will compliment the Kubex building to the north. Her goal is for minimal impact and to add a “fresh face” to the area.
PUBLIC: Andrea Wilson spoke with the HOA for Spring Haven, the subdivision to the west of the Eagles property on 200 West. She showed them her proposal and they put together a petition in favor of the project. There 30 signatures on the petition which come from the majority of the 25 residences in the subdivision. A copy of the petition was distributed to the Commission members prior to the meeting.

Ken Hoskisson, 228 West 890 North, is in favor of the project as it has been presented to the residents. He thinks it will be a nice building with positive improvements to the site. He believes this project is better than residential development because of less traffic.

Gene Jenkins, 220 West 775 North, has been a homeowner in the area for 43 years. He explained that 25-30 years ago the neighborhood fought to get the area zoned residential and he is not in favor of the request for a zone change. The area is inundated with multi-family structures and mid-block developments and he strongly believes this property should remain single-family residential.

Melanie Peterson, 183 West 800 North, lives just south of the property. The first indication that anything was happening with the property was when she saw someone measuring the area. She and her husband then contacted the FOE to find out what the plans were. Her concerns included how the open space area would be used, the size of the building and the long-term plans for the roadway. She said the area needs residential stability, especially within the schools.

Tom Knowles, 789 North 150 West, expressed concern about future road plans. The current volume of traffic, especially on 200 West 1000 North during busy times, is quite heavy. He would prefer seeing single-family homes on this property to provide more residential stability.

Ann Geary, representing the Logan School District, advised that the northwest area needs more single-family homes and they would not like to see this property rezoned from residential.

Harry Kanes, an elected trustee of the FOE, is spearheading the sale of the property and has been working with the proponent. He advised that the property will be sold and believes this project is the best alternative. He would not like to see more “cookie cutter houses”. Businesses add value to the surrounding area and the proposed improvements will be beneficial for everyone.

Commissioner Stokes asked how long the FOE has been at this location. Mr. Kanes said it has been there since approximately 1965. The building is in need of maintenance and the money from the sale of the land will allow the improvements to be made. He pointed out that the FOE uses the parking lot in the evenings and the proponent will use it during the day (standard business hours).

Andrea Wilson reiterated that they are willing to place the building as far north on the property as possible to minimize any impact. The entrance will be from 200 West (the same as the FOE). She said her real estate firm intends on occupying the majority of the building, with a possible mortgage lender (or similar industry-type business) renting a portion. The plan for landscaping improvements and sidewalk will greatly improve that area.

Katie Fultz, 816 North 200 West, bought her home six months ago. She likes the idea of this project, especially the landscaping and addition of a sidewalk. She wants to make sure there is a setback from the homes that are currently there. Her husband, Jordan Fultz said this is a good use for this property. He would be concerned with homes being built there with FOE serving alcohol.

COMMISSION: Commissioner Stokes asked about the right-of-way alignment options and alternatives. Bill Young, the City Engineer, advised that there is nothing specifically planned for the 100/200 West transition at this stage. He has met with the proponent and they are amenable to putting the building further to the northeast and negotiating the preservation of a corridor for the right-of-way.
Commissioner Price was excused from the meeting at 6:50 p.m.

Commissioner Stokes pointed out that all neighborhoods desire more single-family homes. The challenging element with this project is the size of the property; building homes is not pragmatic. The idea of sharing the parking lot is a good utilization of what already exists. The additional landscaping will be a great benefit.

Mr. DeSimone confirmed for Commissioner Stokes that the proponent will be responsible for water retention when the parking lot is improved.

Commissioner Fornesbeck, who lives in the area, is conflicted about the zone change and amendment to the Future Land Use Plan; however, she does believe that the proposed improvements will be a benefit to the community.

Commissioner Stokes noted that the signed petition in support of the project is typically not seen in these types of projects.

MOTION: Commissioner Stokes moved to **forward a positive recommendation** to the Municipal Council for an amendment to the Future Land Use Plan from Detached Residential (DR) to Mixed Use Center (MUC) and rezone the property located at 170 West 900 North from Traditional Neighborhood Residential (NR-6) to Community Commercial (CC). Commissioner Smith seconded the motion.

**FINDINGS FOR APPROVAL FOR THE FUTURE LAND USE PLAN MAP AND ZONING DESIGNATION AMENDMENT**

1. The change in map boundaries is compatible with the appropriate goals and policies in the General Plan.
2. The change in map boundaries is consistent with the City’s Capital Improvement Programming for new infrastructure within the area affected by the map amendment.
3. The location of the subject property is compatible with the purpose of the Community Commercial zoning district.
4. The subject property is suitable for all development within the Community Commercial zone without increasing the need for variances or special exceptions.
5. The infrastructure providing access and utility services to the subject property have adequate capacities or a suitable level of service for permitted uses in the Community Commercial zone.

[Moved: Commissioner Stokes Seconded: Commissioner Smith Passed: 3-1]

Yea: D. Adams, G. Smith, S. Stokes  Nay: A. Fornesbeck  Abstain

MOTION: Commissioner Stokes moved to **conditionally approve** a Subdivision Permit for the 2-lot Eagle Subdivision and a Conditional Use Permit and Design Review Permit for a 6,000 SF professional office at 170 West 900 North with the amended conditions of approval as listed below and as outlined in PC 14-005. Commissioner Smith seconded the motion.

**CONDITIONS OF APPROVAL**

1. Standard conditions of approval are recorded and available in the Community Development Department.
2. The project is subject to the proposed Future Land Use Plan and Zoning Map amendment being approved.
3. Parking will be reviewed through an Alternative Parking Plan as indicated in LDC §17.38.050.
4. A Performance Landscaping Plan, prepared in accordance with LDC §17.39 shall be submitted for approval to the Community Development Department prior to the issuance of a building permit. The plan shall include the following:
   a) Street trees will be along frontages at a minimum of 1 tree per 30' of frontage, species as approved by City Forester.
   b) 20 trees per gross acre of land and 50 shrubs/perennials/ornamental grasses per gross acre of land shall be planted throughout the property (25 % shall be evergreen) as per LDC §17.39.050. A minimum of 2 species of trees are required.
   c) Vertical landscape shall be provided in bermed areas to visually screen parking areas. Plant species should vary and provide visual interest year round.
5. Prior to 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
      i. Fire Apparatus access roads/fire lanes shall extend to within 150' of all portions of the exterior walls of the first story, as measured by an approved route around the exterior of the building or facility.
      ii. Fire hydrants shall be provided within 400' of all areas of each building, as measured by an approved route around the first story exterior of the building. Current fire hydrant located at 855 North 200 West.
      iii. A 6,000 SF building of Type V-B Construction requires 2,000 gpm of fire flow. Current available fire flow at hydrant #0207 located at 855 North 200 West is 3,328 gpm. Fire flow is adequate.
   b. Light and Power
      i. A One Line Diagram, a Load Data Sheet, a Digital Site Plan in Auto Cad format (DWG) and Public Utility Easements (PUE) on all property lines, 5' PUE on all property lines facing a road and a 10' PUE on all other property lines.
   c. Environmental (Waste Management)
      i. The project can share the dumpsters with the FOE facility.
   d. Engineering
      i. The City Transportation Master Plan and the recent One Way Couplet Study show a future connection between 100 West and 200 West in the vicinity of the proposed development. Need to work with Logan City Public Works to establish a future right-of-way on this parcel and develop the site based on this future alignment.
      ii. 900 North will be reviewed for compliance with right-of-way width requirements.
      iii. Development shall construct curb, gutter, sidewalk and park strip along existing street frontages on 900 North and 200 West.
      iv. All property lines shall have a Public Utility Easement as required by City Standards.
   e. City Forester
      i. Street trees are required on 30' intervals (minimum) on street frontages.
   f. Water
      i. Need to make sure that the water, irrigation, and if needed, fire protection can be supplied.

FINDINGS FOR APPROVAL
1. The subdivision meets the findings as required in LDC §17.47.050.
2. The permit conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The use of the property as a professional office conforms to the requirements of Title 17 of the Logan Municipal Code and is listed as a conditional use in the Use Table.
4. The proposed building is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. The streets providing access and other infrastructure to the subject property have adequate capacities or a suitable level of service for the conditional use.
6. The use is compatible with neighborhood uses and character while preserving and enhancing the character of the neighborhood.
7. The use provides adequate off-street parking in conformance with Title 17.
8. The project, as conditioned, conforms to landscaping requirements in Title 17.

[Moved: Commissioner Stokes  Seconded: Commissioner Smith  Passed: 3-1]
Yea: D. Adams, G. Smith, S. Stokes  Nay: A. Fonnesbeck  Abstain

PC 14-006 Bridgerland Square (Al's Sporting) EMD Sign & Code Amendment Design Review Permit & Code Amendment. Dave Abraham-Architectural Nexus/Jason Larsen, authorized agent/owner request to amend the Land Development Code (LDC) to allow for larger Electronic Message Display (EMD) signs on projects with more than 450 linear feet of frontage, and obtain a Design Review Permit for a new monument EMD sign for the Bridgerland Square commercial center located at 1051 North Main Street in the Commercial (COM) zone; TIN 05-042-0085;0120.

STAFF: Mr. Holley reviewed the Staff Report as written, recommending approval. Over the last three years there have been three sign related amendments debated, with the last being an adopted sign code amendment on August 7, 2012 (PC 12-028). This amendment involved forming a signage committee that included local business owners, sign manufacturing employees, citizens and City Council members with the goal of developing a sign code that could satisfy the needs of all interest groups involved. During these committee meetings it was expressed by business owners that animation and the ability to flip through messages (dwell time) relatively quickly was important and that a compromise could be made on the size. Flashing and excessive brightness was considered the most offensive impact by the vast majority of the committee. YESCO employee Michael Freeborg made several presentations and ultimately made recommendations for an amendment. The outcome of this committee and process has merit in and of itself, because it shows how interest groups with differing agendas came together and reached a compromise that became the accepted standard.

The applicant requesting this amended has expressed the argument that by separating a large project into smaller projects, one could install multiple EMD signs along the same amount of street frontage to gain additional exposure. This argument has validity because Staff believes that cleaner and consolidated signage reduces clutter and improves the City's overall image and appeal. Another argument is that EMD signage is a new and evolving technology, while the EMD section was adopted less than two years ago, frequent sign code amendments are worth debating.

PROPRONENT: Dave Abraham, from Architectural Nexus, explained that the goal is to have a slightly larger, aesthetically pleasing sign. A larger project should be incentivized with the possibility of having a larger sign than smaller developments. There is great value in having one larger sign versus many smaller signs.

Jason Larsen, the Project Manager of Bridgerland Square, pointed out that there are four separate parcels along Main Street, with each business wanting their own sign. The desire behind this proposal is to keep continuity throughout the entire project, to help keep the streetscape clean and have one EMD sign (similar to the one at the Pinecrest Shopping Center) where all the tenants can have advertising space.

PUBLIC: None

COMMISSION: Chairman Adams asked about sign dimensions. Mr. Holley advised that there is a limit on height (not higher than 8'); however the sign can be designed in any fashion, as long as the SF requirements are met.
The Logan City Planning Commission will hold a public hearing to receive input on the following:

**PC 14-005 Eagle Subdivision & Rezone**  Subdivision, Conditional Use & Design Review Permit, Zone Change & Future Land Use Map Zone Change. Andrea Wilson-Lincoln Ridge Properties LLC/Fraternal Order of Eagles #3114 request a 2-lot subdivision with a Future Land Use Plan Map amendment from Detached Residential (DR) to Mixed Use Center (MUC) and a rezone of the property from Traditional Neighborhood Residential (NR-6) to Community Commercial (CC) should the pending ordinance be approved, or a Commercial (COM) zone and a 6,000 SF professional office on 3.0 acres located at 170 West 900 North; TIN 05-047-0037.

**PC 14-006 Bridgerland Square (Al’s Sporting) EMD Sign & Code Amendment**  Dave Abraham-Architectural Nexus/Jason Larsen, authorized agent/owner request an EMD Monument Sign and an amendment to the Land Development Code (LDC) §17.40.160 to increase the size of EMD signs from 32 SF to 47 SF for large projects with more than 450 ft. of frontage. This project is located at 1051 North Main in the Commercial (COM) zone; TIN 05-042-0085;0120.

The Municipal Council is tentatively scheduled to hold a workshop on these items on **Tuesday, March 4, 2014**, and a public hearing on **Tuesday, March 18, 2014**. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 pm. Contact the Department of Community Development at 716-9022 for more information or www.loganutah.org.

- published in H.J. 11/9/14
- posted on web notices 11/15/14
LEGAL NOTICE  
Logan Municipal Council  
March 4 & 18, 2014

The following public hearings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 p.m. Contact 716-9021 or www.loganutah.org for further info.

**PC 14-005 Eagle Subdivision & Rezone**  
Subdivision, Conditional Use & Design Review Permit, Zone Change & Future Land Use Map Zone Change. Andrea Wilson-Lincoln Ridge Properties LLC/Fraternal Order of Eagles #3114 request a 2-lot subdivision with a Future Land Use Plan Map amendment from Detached Residential (DR) to Mixed Use Center (MUC) and a rezone of the property from Traditional Neighborhood Residential (NR-6) to Community Commercial (CC) should the pending ordinance be approved, or a Commercial (COM) zone and a 6,000 SF professional office on 3.0 acres located at 170 West 900 North, TIN 05-047-0037.

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Publication date:  Sunday, Feb. 16, 2014
STATE OF UTAH  
COUNTY OF CACHE, ss

On this 7th day of April, A.D. 2014 personally appeared before me Monica Christensen who being first being duly sworn, deposes and says that she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal a daily newspaper published in Logan City, Cache County Utah, and that the Legal Notice, a copy of which is hereto attached was published in said newspaper for 1 issue(s) and that said notice also published on utahlegals.com on the same days(s) as publication in said newspaper

Commencing on the following days:
04/06/2014

\[\text{Signature}\]  
Assistant to the Finance Director

Subscribed and sworn to before me on this 7th day of April, A.D. 2014

\[\text{Signature}\]  
Notary Public

My Commission expires August 1, 2015

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LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE - The following ordinance was adopted and approved by the Logan Municipal Council, Logan, Utah on April 1, 2014.

ORD. 14-18 Zone Change and Future Land use Map Zone Change. Andrea Wilson-Lincoln Ridge Properties LLC/ Fraternal Order of Eagles #3114 requests a 2-lot subdivision with a Future Land Use Plan Map amendment from Detached Residential (DR) to Mixed Use Center (MUC) and a rezone of the property from Traditional Neighborhood Residential (NR-6) to Community Commercial (CC) should the pending ordinance be approved; or a Commercial (COM) Zone and a 6,000 SF professional office on 3.0 acres located at 170 West 900 North; TIN 05-047-0037.

This ordinance is effective immediately upon publication. Full text of the ordinance may be reviewed at the Office of the Logan City Recorder, City Hall, 290 North 100 West, Logan, Utah during regular business hours.

Teresa Harris, City Recorder  
Publication Date: April 6, 2014