CITY OF LOGAN, UTAH
ORDINANCE NO. 18-05

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 properties in the Woodruff Neighborhood and as specifically
identified in Exhibit A, as attached, are hereby zoned from Commercial (COM) to Commercial
Service (CS).

SECTION 3: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, __3__
THIS DAY OF __April__, 2018.

AYES: Simmonds, Bradfield, Anderson

NAYS: More

ABSENT: Jeannie F. Simmonds

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 __3__ day of __April__, 2018.

Vice Chair Jeannie F. Simmonds

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby __approved__ this __3__ day of
__April__, 2018.

Holly Daines, Mayor
EXHIBIT A

Ted's Service Rezone
3180 South HWY 89/91

Legal Description TIN# 03-013-0008; -0009 (3180 South HWY 89/91 Logan, UT)

03-013-0008. BEG 4.4 CHS N 150.3 FT W OF THE E/4 COR OF SW/4 SEC 19 T 11N R 1E N 89°02'W 259 FT N 35°43'E 77 FT N 35°25' E 156.5 FT S 70°04' E 137.5 FT S 2°36' W 150 FT TO BEG G258

03-013-0009. BEG 25 LKS W 8.40 CH S OF CENTER OF SEC 19 T 11N R 1E S 7.35 CHS N 89° 2' W 133.8 FT N 2°36' E 150 FT N 71°04' W 137.5 FT N 36°6' E 366.44 FT TO BEG G258
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: March 14, 2018
FROM: Russ Holley, Senior Planner
SUBJECT: Ordinance #18-05

Summary of Planning Commission Proceedings

Project Name: Ted's Service Rezone
Request: Zoning Map Amendment
Project Address: 3180 South HWY 89/91
Recommendation of the Planning Commission: Approval

On March 8, the Planning Commission recommended that the Municipal Council approve the Ted's Service Rezone project that amends the Official Logan City Zoning Map.

Planning Commissioners vote (4-0):
Motion: T. Nielson
Second: S. Goodlander
Yea: T. Nielson, R. Price, S. Goodlander, R. Dickinson,
Abstain: none Nay: none

Attachments:
Staff Report
Ordinance #18-05
Planning Commission Meeting Minutes from Mar. 8, 2018
Project Slides
Staff recommends that the Planning Commission recommend approval to the Municipal Council for a Rezone of approximately 2.60 acres of property located at 3180 South HWY 89/91 (TIN# 03-013-0008; -0009) from Commercial (COM) to Commercial Service (CS).

Land use adjoining the subject property

<table>
<thead>
<tr>
<th>North: Resource Conservation (RC) - Residential Uses</th>
<th>East:</th>
<th>Outside of Logan City Boundary</th>
</tr>
</thead>
<tbody>
<tr>
<td>South: Outside Logan City Boundary</td>
<td>West:</td>
<td>Outside of Logan City Boundary</td>
</tr>
</tbody>
</table>

REQUEST

The request is to rezone approximately 2.60 acres of property from COM to CS. This request is the result of the Utah Department of Transportation's decision to locate a new traffic signal at the intersection of 3200 South and HWY 89/91. The traffic signal design includes the realignment of 3200 South street, which would curve northward to intersect HWY 89/91 at a ninety degree angle. This new street alignment runs 3200 South right through the middle of the existing Ted's Service building. Ted's Service is planning to re-locate and construct a new building directly north of the current building at the northeast corner of the new signalized intersection of HWY 89/91 and 3200 South. The CS zone permits vehicle repair, which is the current land use for Ted's Service.

GENERAL PLAN

The Future Land Use Plan (FLUP) adopted in 2008 identifies this property as RRA-DX. This designation states that as Logan continues to grow towards the west and southwest, sensitive lands exist and extra care should be taken to preserve sensitive lands and mitigate environmental impacts. Ted's Service was annexed into Logan City in 2008 and is considered legally existing. In 2011, Ted's Service was zoned from AG to COM.

ZONING

The CS zone permits vehicle repair (heavy repairs/extensive work), which is the current land use for Ted's Service, but the COM zone does not. The COM zone permits vehicle service (light service/lube/maintenance). The Land Development Code (LDC) defines vehicle service as, services provided while the customers wait on-site, and defines vehicle repairs as services provided while the customer waits off-site.

SUMMARY

The only reason we are considering this request is because of the new traffic signal and realignment of 3200 South. The land owner wishes to simply continue his business as already legally established. If the rezone is successful, the new Ted's Service building will be required to...
obtain a Design Review Permit and meet all current requirements. This will result in a better design, layout, environmental sensitivity, landscaping, buffering and screening. A new building constructed and design in accordance with a CS Design Review Permit, will be a visual improvement compared to the current building and site.

AGENCY AND CITY DEPARTMENT COMMENTS
No comments.

PUBLIC COMMENTS
Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comments have been received.

PUBLIC NOTIFICATION
Legal notices were published in the Herald Journal on 2/25/18, posted on the City’s website and the Utah Public Meeting website on 2/27/18, and noticed in a quarter page ad on 2/18/18, and a Public Notice mailed to property owners within 300’ we sent on 2/14/18.

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

1. The CS zone is similar in nature to the COM zone and will remain compatible to surrounding neighbors through Design Review and Conditional Use Permit processes.
2. The subject property can continue its legally established land use.
3. The subject property is in an area and surrounded by streets that will be re-designed to handle and appropriately serve CS developments.
4. The proposed CS zone is limited in density, height and required to provide sufficient open space and landscaping to ensure neighborhood compatibility and better visual aesthetics than that which currently exist.
Ted's Service Rezone
3180 South HWY 89/91

Current Zoning = COM

Planning Commission
March 8, 2018
Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, March 8, 2018. Chairman Price called the meeting to order at 5:30 p.m.

Commissioners Present: Regina Dickinson, Sandi Goodlander, Tony Nielson, Russ Price, Jeannie Simmonds (Council Liaison)

Commissioners Excused: David Butterfield, Dave Neman, Eduardo Ortiz

Staff Present: Mike DeSimone, Russ Holley, Amber Pollan, Kymber Housley, Bill Young, Paul Taylor, Steve Crosby, Debbie Zilles, Mayor Daines, Councilmember Anderson

Minutes from the February 22, 2018 meeting were reviewed. Commissioner Nielson moved that the minutes be approved as submitted. Commissioner Dickinson seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 18-010 Ted's Service Rezone [Zone Change] Logan City/Edward & Mickey Ricks, authorized agent/owner, request a rezone of 2 acres from Commercial (COM) to Commercial Service (CS) at 3180 South Hwy 89/91. With the proposed new road alignment for the future traffic signal at Hwy 89 & 3200 South, the current Ted's Service building will require demolition and a possible new building located north of the existing one; TIN 03-013-0008;-009.

STAFF: Mr. Holley reviewed the request to rezone approximately 2.60 acres from Commercial (COM) to Commercial Service (CS). This request is the result of the Utah Department of Transportation's (UDOT) decision to locate a new traffic signal at the intersection of 3200 South and Hwy 89/91. The traffic signal design includes the realignment of 3200 South, which would curve northward to intersect with Hwy 89/91. This new street alignment positions 3200 South through the middle of the existing building. Ted's Service plans to relocate and construct a new building at the northeast corner of the new signalized intersection. The CS zone permits vehicle repair, which is the current land use. The landowner wishes to continue his business as legally established. If the rezone is approved, the new building will be required to obtain a Design Review Permit and meet all current requirements, which will result in better design, layout, environmental sensitivity, landscaping, buffering and screening.

PUBLIC: One public phone call was received from Doyle Zollinger.

COMMISSION: Chairman Price questioned the timeline and long-term plan for the intersection. Mr. Holley said it is planned as a 4-way intersection; there is no definitive schedule at this point.

Mr. Holley clarified for Commissioner Nielson that the property to the south will remain a detention area.
Chairman Price asked what is anticipated to be developed in the commercial nodes and whether Commercial Service (CS) is an appropriate zone. Mr. Holley said development standards in the CS zone fit the objective. CS allows for a wider range of uses and buildings would be approved during design review. Vehicle repair would be one of the most industrial-type uses allowed.

**MOTION:** Commissioner Nielson moved to forward a recommendation for approval to the Municipal Council for the zone change as outlined in PC 18-010 with the findings for approval as listed below. Commissioner Goodlander seconded the motion.

**FINDINGS FOR APPROVAL**
1. The CS zone is similar in nature to the COM zone and will remain compatible to surrounding neighbors through the Design Review and Conditional Use Permit processes.
2. The property can continue its legally-established land use.
3. The property is surrounded by streets that will be redesigned to handle and appropriately serve CS developments.
4. The CS zone is limited in density, height and required to provide sufficient open space and landscaping to ensure compatibility and better visual aesthetics than what currently exists.

**Moved:** Commissioner Nielson  **Seconded:** Commissioner Goodlander  **Approved:** 4-0

**Yea:** Dickinson, Goodlander, Nielson, Price  **Nay:** Abstain:
The Logan City Planning Commission will hold a public hearing to receive input on the following:

**PC 18-010 Ted's Service Rezone** [Zone Change] Logan City/Edward & Mickey Ricks, authorized agent/owner, request a rezone of approximately 2 acres from Commercial (COM) to Commercial Service (CS). With the proposed new road alignment because of the future traffic signal at Hwy 89 & 3200 South, Ted's Service building will require demolition and a possible new building located north of the existing one.

The Municipal Council is tentatively scheduled to hold a workshop on **Tuesday, March 20, 2018** and a public hearing on **Tuesday, April 3, 2018**. 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 716-9023 or [www.loganutah.org](http://www.loganutah.org) for more information.
APPLICATION FOR PROJECT REVIEW

Planning Commission ☑ Land Use Appeal Board ☐ Administrative Review

<table>
<thead>
<tr>
<th>Date Received</th>
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<th>Receipt Number</th>
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<td>PC 18-010</td>
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</tbody>
</table>

Type of Application (Check all that apply):
- ☑ Design Review
- ☑ Conditional Use
- ☑ Subdivision
- ☑ Variance
- ☑ Zone Change
- ☑ Code Amendment
- ☑ Administrative Design Review
- ☑ Other

PROJECT NAME
Ted's Service Rezone

PROJECT ADDRESS
3180 South HWY 89/91

Authorized Agent for Property Owner (Must be accurate and complete)
City of Logan, Community Development Dept.

MAILING ADDRESS
290 N. 100 W. Logan UT 84321

EMAIL ADDRESS

PROPERTY OWNER OF RECORD (Must be listed)
Edward and Mickey Ricks

MAILING ADDRESS
3180 South HWY 89/91 Logan UT 84321

EMAIL ADDRESS

Describe the proposed project as it should be presented (Include as much detail as possible - attach a separate sheet if needed)

Request a Rezone of approximately 2 acres from Commercial to Commercial Service. With the proposed new road alignment because of the traffic signal at HWY 89 & 3200 South, the existing Ted's Service building will require demolition and a possible new Ted's Service building located north of the existing one.

Total Lot Size (acres)

Size of Proposed New Building (square feet)

Number of Proposed New Units/Lots

- No site activity may occur until after appropriate committee approval.

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

Council workshop: Mar. 20
Council meeting: Apr. 3
Civil

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 9th day of April, A.D. 2018 personally appeared before me Jennifer Birch who being first being duly sworn, deposes and says that (s)he is the Principal Legal Clerk of the PNG Media LLC, 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 day(s) as publication in said newspaper

Commencing on the following days:
04/08/2018

Jennifer Birch, Principal Legal Clerk

Subscribed and sworn to before me on this 9th day of April, A.D. 2018

Laurie Jackson, Notary Public
Commissioned in the State of Utah

My Commission expires 10/18/2019

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 3, 2018.

ORD. 18-05 An ordinance approving a rezone of approximately 2 acres from Commercial (COM) to Commercial Service (CS) at 3180 South Hwy 89/91

This ordinance is effective immediately upon publication. Full text of the ordinance can 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

Published April 8, 2018 Ref. No. 1748586