CITY OF LOGAN
ORDINANCE NO. 99-123

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 as shown on the map or maps entitled "Amendment #221 to the Zoning Map of Logan City, Utah," and the following property is hereby zoned from SFR (Single Family Residential) to SFR-PD (Single Family Residential Planned Development Combining District), as follows:

TIN #02-058-0008, 0071

Also identified as a seven-lot Planned Unit Development containing 1.45 acres at 670 Park Avenue, owned by Kevin and Tamara Coleman.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS 1st DAY OF December, 1999.

AYES: Bang, Harder, Pearce, Allred, S. Thompson

NAYS: None

ABSENT: None

Alan D. Allred, Chairman

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 1st day of December, 1999.

Alan D. Allred, Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this day of December 1999.

Douglas E. Thompson, Mayor
REPORT SUMMARY...

Request: Zoning Amendment from SFR, Single Family Residential, to SFR-PD, Single Family Residential-Planned Development
Address: 670 Park Avenue
Existing Zoning District: SFR, Single Family Residential
Proposed Zoning Districts: SFR-PD, Single Family Residential-Planned Development
Recommendation: Approve

PROJECT

The City of Logan is requesting a zoning amendment from SFR, Single Family Residential, to SFR-PD, Single Family Residential-Planned Development. On October 28, 1999, the Planned Unit Development of Creekside Estates was approved by the Planning Commission. All planned developments are reviewed as part of both the subdivision and design review process. The approval permitted 6 single family homes located on 1.45 acres of land. Once the rezone is approved, the PD combining district is added to the base zoning district to identify the site of the planned development.

The Planning Commission moved to approve a recommendation for Zone Change to the Municipal Council. (Passed: 4,0)

ATTACHMENTS
Please find the following attached:
1. Staff Report to the Planning Commission;
2. Minutes of the October 28, 1999 Planning Commission meeting; and
3. Site plan of the project.
APPLICATION FOR PROJECT REVIEW

- PLANNING COMMISSION  - BOARD OF ADJUSTMENT

For City Use Only

Date received: 07/14/97  Received by: 867  Zone: SP  Application #: 99-051

Type of application (Check all that apply):
PC: ☑ Subdivision  ☑ Conditional Use  ☑ Design Review  ☑ Zone/Text Change  ☑ Amendment
BOA: ☑ Variance  ☑ Rezone to PD  ☑ Boundary Line Adjustment

Project Name: Creek Side Estates

Property Address: 1010 E 1000 N Springville UT 84663

Contact Person: Kevin & Tamara Coleman

Mailing address, City, State Zip: 1010 E 1000 S Springville UT 84663

Applicant (if different):

Mailing address, City, State Zip:

Property owner of record (if different):

Mailing address, City, State Zip:

Describe the proposed project as it should be presented to the Planning Commission or Board of Adjustment:

I certify that the information contained in this application and supporting plans is correct and accurate.

Signature of Applicant:

Signature of owner (if different):

Lot size in acres or sq. feet:

Number of dwelling units / lots:

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

The Commission has directed Staff to continue projects if the application is not complete.
Kevin Coleman  
1010 E. 1000 So.  
Springville, Utah 84663  
601-489-7845

Department of Community Development  
255 N. Main Street  
Logan, UT 84321

To Whom it may Concern,

I would like to submit today my ideas and vision for the project you will see here.

The property is unique in that it is bounded by the little Logan River and is in a very special place that has marvelous access to the Logan River Golf Course, Cache County Fairgrounds, Willow Park, Macays shopping center, South Highway 89, and is still near the University, the Temple, and commercial areas of Logan. However it retains a quiet, cool (shady) and peaceful setting.

As proposed, each lot will have the rear yard backed up to the river which attracts waterfowl, birds, small animals, and supports wild trout. Lined with mature trees, summer temperatures are often 5 to 10 degrees cooler than elsewhere in town and the evening sunsets are beautiful as they reflect off the creek.

As a Planned Unit Development, yard care and finished landscaping will be included with each lot, as well as snow removal. Common areas provide beautiful green surroundings with amenities for picnics, play and relaxation. Accessed by a bridge over the creek, one enters a naturally secluded area that is clean, beautiful, and well constructed.

Six lots of approximately 6000 sq. ft. each will support 2 or 3 bedroom, 1200-1500 sq.ft. single level homes with two car garages, each efficiently built and well finished. Several plans are enclosed and I would hope to have each owner select the plan for their own needs. While I personally prefer no siding, I cannot preclude its use. However, all brick or brick and stucco fronts will be recommended as you will see from the enclosed photos how much nicer they look.
Staff Report for the Planning Commission meeting of October 28, 1999
PC#99-051 A DESIGN REVIEW PERMIT, SUBDIVISION
AND ZONING AMENDMENT FOR CREEK SIDE ESTATES

REPORT SUMMARY...

Request: Design Review Permit, Subdivision and Zoning Amendment for Creek Side Estates
Address: 670 Park Avenue
Existing Zoning District: SFR: Single Family Residential
Proposed Zoning District: SFR-PD: Single Family Residential-Planned Development
Recommendation: Conditionally Approve

PROJECT

The proponent is requesting Design Review and Subdivision approval for 6 single family homes and one common area.

Subdivision
A 6 lot subdivision is proposed with an average lot size of 7,850 square feet. The remaining lot will be common area jointly owned by each home owner. A home owners association will be responsible for the common area.

Setbacks
The setbacks for each lot are slightly different. All homes are proposed to have a front yard setback of 20' from the property line. Lot #2 and Lot #5 have one side yard setback of 6' from the property line, as well Lot #2 has a smaller rear yard setback then the 10' that is normally required. The road that will service this development is proposed as private and will have 24' of pavement.

Design Review
Building
The proposed homes will be a bungalow style with a two car garage located at the front of the home. The proponents have provided pictures of the style of homes they would like to see in their subdivision. All homes will be finished with either brick on the bottom half and stucco on the top half, or a full brick façade. The colors that are shown are subtle tones of beige and gray.

Two of the designs submitted illustrate a front porch, while the other two have recessed doorways. The floor plans illustrate various sized windows on all sides of the home.

Landscaping
The site plan illustrates landscaping throughout the development. It is not possible to determine the type of vegetation that will be planted on the site as the information was not provided. This is a single family development, therefore, the only landscaping that is required for this project is for the common area.
Access
One access point off Park Avenue will service the development. It will be located to the north end of the property and will be 24' wide. This access point is at least 100' away from the sharp turn on Park Avenue, to the south of the property.

Signs
No signs are proposed for this project.

Zoning Amendment
The Planning Commission will need to recommend to the Municipal Council a zoning amendment from SFR, Single Family Residential, to SFR-PD, Single Family Residential-Planned Development. This is a combining zone that illustrates on a map where there is a Planned Development. It is important to note that the zoning amendment does not allow for a higher density.

SITE DESCRIPTION

Land use adjoining the subject property:
North: SFR: Single Family Residence
East: REC: Recreation Land
West: SFR: Single Family Residence
South: SFR: Fedor Subdivision; soon to be started

The site is undeveloped. There are a lot of mature trees surrounding the property along the bank of the river. The site has a significant amount of vegetation.

AGENCY AND CITY DEPARTMENT COMMENTS

The Department of Community Development circulated copies of the proposed project to various City Departments and State and Regional agencies. The following comments were received:

Public Works Department — contact Mike Mecham 750-9824
1. Curb, gutter and sidewalk shall be constructed on Park Avenue frontage.
2. Curb cuts shall be constructed not radius corners.
3. The internal private road shall be marked with no parking signs. The signs shall be as per the standards of the Manual of the Uniform Traffic Control Devices.
4. The water line shall be a minimum of 4" not the proposed 2".
5. A drainage and detention plan shall be required on construction plans. Drainage calculations must be submitted.
6. An analysis of the 100 year flow of the Logan River in this area shall be submitted for purposes of the proposed bridge.
7. Five foot wide easements shall be depicted around the perimeter of each individual property, and a 10' wide easement shall run along both sides of the river for Lot #1, 2, 3, 4, and 5 for maintenance.
8. All water rights shall be dedicated to the city prior to recordation of the final plat map.
9. The proponent shall contact the Army Corps of Engineers for possible wetlands on site. If there will be mitigation of wetlands a 404 Permit shall be obtained and a copy shall be submitted to the City Engineer prior to the recordation of the final plat map. If there are no jurisdictional wetlands on site a letter shall be submitted stating this information instead.
10. Prior to the recording of the final plat map, a sewer assessment shall be paid in the amount of $7.50 per foot of Park Avenue frontage.
11. The subdivision shall be restricted to no basements, or if basements are to be built a ground water study must be performed showing ground water levels. The ground water study must be performed by a hydro-geologist, or a person having similar expertise.

Fire Department – Contact Liz Hunsaker, 750-9995.
1. Calculations shall be submitted to the Fire Department illustrating that the bridge over the river will hold the weight of a fire truck.

Logan City Light and Power — contact Garth Turley 750-9941
1. All electrical utilities in project area shall be shown on the site plan (poles, transformers, junction cans, etc.).
2. Developer shall be responsible for primary and secondary conduit installation. This shall be installed and inspected according to the Logan City Light and Power Department specifications and can be trench with phone and cable upon approval from the Light Department.
3. Developer shall be responsible for any secondary connections, including lugs, in transformer (de-energized equipment only).
4. The developer shall be responsible for all street lighting on the private road.

PUBLIC COMMENTS

Notices were mailed to 17 property owners located within three hundred feet of the subject property. On August 9,1999, a letter was received from Travis and Jean Dunn which has been included in the Planning Commission packets. This letter was also signed by Gary and Nancy Buttars.

COMMUNITY DEVELOPMENT DEPARTMENT COMMENTS

Subdivision
A total of 7 lots are proposed for the subdivision with the 7th lot being common area. All lot sizes are above the normal requirement in this zoning district of 6,000 square feet, with an average buildable lot size of approximately 7,850 square feet. The Creek Side Estates subdivision sits on 1.45 acres of land and is bordered to the north by the north branch of the Logan River.

The City of Logan General Plan requires onsite usable open space of 1,386 square feet for each single family dwelling unit. A total of 8,316 square feet of usable open space is required for this site. With the addition of common area and private yard area, there is an adequate amount of usable open space proposed for this project.

Staff has no concerns with the subdivision. This is a very nice piece of land that will make a great location for a subdivision. Staff commends the proponent on the layout.

Setbacks
The proposed setbacks are slightly smaller than would normally be required for this zoning district. The lots are odd shapes due to the Logan River running along the west and north side of the land. Staff believes that the proponent has done a great job in situating the homes on the lots so that they maximize yard area, yet are still far enough away from neighboring homes. Staff has no concerns with the shorter setbacks. It is at the Planning Commission’s discretion to approve unconventional setbacks if they wish to do so in Planned Developments.
Design Review

Building Design

The proponent has submitted color photographs of the various types of homes that they would like to see in this subdivision. There has not been one specific style chosen. The materials will either be a full brick façade, or a half brick half stucco façade. The homes will be one story and will not have basements due to the high ground water in this area. A two car garage will protrude from the front of the homes. Two of the submitted photographs illustrate a front porch, which staff believes is a nice feature for these homes. The exact colors have not been determined by the proponent.

Landscaping

Landscaping standards are applied to all projects to ensure quality development within the City. There are a number of mature trees on site that run along the bank of the river. Staff recommends that this be taken into consideration when siting the homes in the subdivision for preservation of the maximum number of trees. Staff also recommends that a performance landscape plan be submitted for the common area, illustrating the number of mature trees that will remain along with the proposed landscaping.

Access

One access point off of Park Avenue is proposed for the project at a width of 24’ wide. Staff is concerned about the sharp corner on Park Avenue to the south of this property. The site plan illustrates that this access point is more than 100’ away, which is a sufficient distance. The proponent should consider placing a stop sign or yield sign at the end of this roadway to encourage people to stop and look before pulling out.

Common Area

Staff expects that the common area in Planned Developments be maintained by a homeowners association. This area shall be maintained so that it does not become a nuisance for the residents.

Signs

The proponent has not requested any signs with this project. One monument sign per street frontage is permitted for a planned unit development. It can be a maximum height of 4’ and a maximum size of 72 square feet per face. Backlit panels are not permitted. Flat painted signs of plywood or similar material are suggested with a maximum sign height of 2 feet. A sign permit is required and any sign over $500 must be installed by a State licensed contractor.

RECOMMENDATION

1. Staff recommends that the Planning Commission approve a motion to Conditionally Approve PC#99-051, a Design Review Permit and Subdivision for Creek Side Estates located at 670 Park Avenue; TID#02-058-0008, 0071.

2. Staff recommends that the Planning Commission approve a motion to recommend to the Municipal Council a zoning amendment from Single Family Residential, SFR, to Single Family Residential-Planned Development, SFR-PD, for Creek Side Estates.

RECOMMENDED CONDITIONS OF APPROVAL

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. Any representations by the proponent or agent at the Planning Commission hearing shall be incorporated into the final action as conditions of approval.
2. Prior to the issuance of any building permits, the Director of Community Development shall receive notification from the following departments that their requirements have been satisfied:

Public Works Department — contact Mike Mecham 750-9824
1. Curb, gutter and sidewalk shall be constructed on Park Avenue frontage.
2. Curb cuts shall be constructed not radius corners.
3. The internal private road shall be marked with no parking signs. The signs shall be as per the standards of the Manual of the Uniform Traffic Control Devices.
4. The water line shall be a minimum of 4" not the proposed 2".
5. A drainage and detention plan shall be required on construction plans. Drainage calculations must be submitted.
6. An analysis of the 100 year flow of the Logan River in this area shall be submitted for purposes of the proposed bridge.
7. Five foot wide easements shall be depicted around the perimeter of each individual property, and a 10' wide easement shall run along both sides of the river for Lot #1, 2, 3, 4, and 5 for maintenance.
8. All water rights shall be dedicated to the city prior to recordation of the final plat map.
9. The proponent shall contact the Army Corps of Engineers for possible wetlands on site. If there will be mitigation of wetlands a 404 Permit shall be obtained and a copy shall be submitted to the City Engineer prior to the recordation of the final plat map. If there are no jurisdictional wetlands on the site a letter shall be submitted stating this information instead.
10. Prior to the recording of the final plat map, a sewer assessment shall be paid in the amount of $7.50 per foot of Park Avenue frontage.
11. The subdivision shall be restricted to no basements, or if basements are to be built a ground water study must be performed showing ground water levels. The ground water study must be performed by a hydro-geologist, or a person having similar expertise.

Fire Department – Contact Liz Hunsaker, 750-9995.
1. Calculations shall be submitted to the Fire Department illustrating that the bridge over the river will hold the weight of a fire truck.

Logan City Light and Power — contact Garth Turley 750-9941
1. All electrical utilities in project area shall be shown on the site plan (poles, transformers, junction cans, etc.).
2. Developer shall be responsible for primary and secondary conduit installation. This shall be installed and inspected according to the Logan City Light and Power Department specifications and can be trenched with phone and cable upon approval from the Light Department.
3. Developer shall be responsible for any secondary connections, including lugs, in transformer (de-energized equipment only).
4. The developer shall be responsible for all street lighting on the private road.

3. All improvements shall be constructed in substantial conformance with the approved site plan.

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

5. The final plat map shall be submitted with all owner, lien-holder, beneficiaries of easements, and public utility signatures appropriately notarized (where required) and affixed to the original 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.
6. Prior to the submittal of the final plat map, the Director of Community Development shall receive a signed and notarized copy of any deed covenants, conditions, or restrictions to be imposed upon the subdivision. Following approval of the covenants, conditions, and restrictions, the Director of Community Development shall forward the original copy to the City Engineer for recordation with the plat map.

7. The final plat map shall depict a five foot utility easement around the perimeter of the interior property lines and a ten foot canal easement for the west side of Lot #1 and for the north side of Lot #2, 3, 4, and 5.

8. The final plat map shall include the following information in the "Planning Commission Approval" Certificate: "This subdivision, entered into City Records as Planning Commission Docket #99-051, was heard before the Commission in a public hearing on the 12th day of August, 1999, and was approved in substantial conformance with the requirements and design shown upon this plat map. Signed, ______________, Eric Jay Toll, AICP, Director of Community Development."

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

10. All utilities shall be constructed and installed with the requirements of the City of Logan or the public utility provided in effect at the time of construction, or as specified in the Development Agreement.

11. All streets, roads and alleys shall be constructed to the standards of the City of Logan in effect at the time of construction, unless otherwise specified in the Development Agreement.

12. Prior to the issuance of a building permit the Chief Building Official shall receive a written memorandum from the Director of Community Development indicating that a performance landscape plan has been reviewed and approved which identifies all remaining mature trees and the common and botanical names of all proposed plants.

13. All landscaping shall be in place prior to use or the issuance of a certificate of occupancy. If weather prohibits completion of landscaping prior to occupancy, the Director of Community Development shall receive improvement security in conformance with Title 17 of the Logan Municipal Code, to guarantee the installation of landscaping and irrigation systems for the project. The amount of the security shall be the dollar amount established in the code. Additionally, the property owner shall be required to sign a statement indicating that if the landscaping is not installed in conformance with the approved site plan timing requirements, the City may cause the landscaping to be installed and place lien against the subject property for the total cost of materials and labor and administrative costs. The City shall perfect its lien through foreclosure if the costs of landscape installation and administrative costs are not reimbursed to the City, within thirty days of landscape installation.

14. Prior to recordation of the final plat map a zoning amendment shall be approved by the Municipal Council from Single Family Residential, SFR, to Single Family Residential-Planned Development, SFR-PD.
RECOMMENDED FINDINGS FOR APPROVAL

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

1. The Creek Side Estates project is consistent with the goals and policies of the Logan General Plan.

2. The Creek Side Estates project is issued in conformance with the requirements of Title 17 of the Logan Municipal Code.

3. The subject property derives its access from Park Avenue which has a level of service capacity adequate to serve the project without degrading level of service.

4. The Creek Side Estates project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

5. The project provides recreation areas, usable and passive open space, landscaping, and vegetation in conformance with the General Plan and Title 17 of the Logan Municipal Code.

6. The setbacks proposed for the subdivision allow for maximum use of the lots while providing for adequate open space.

Respectfully submitted,

Brandi L. Clement
Planner II

Report Published: October 28, 1999
Minutes of the meeting for the Logan Planning Commission convened in regular session Thursday, October 28, 1999, Chair Virginia Wickwar conducting. The chair called the meeting to order at 5:30 p.m.

**Planning Commissioners present were:** Eugene Kartchner, Paul Larsen, Gina Wickwar, Jenny Box, Karl Ward and John Kerr

Planning Commissioners absent were: Eldon Hooper

Staff present: Eric Toll, Brandi Clement

Minutes as written and recorded from October 14, 1999 were moved to be approved by Karl Ward and seconded by Eugene Kartchner. The vote was unanimously approved.

**Tape 1A**

**99-051 CREEK SIDE ESTATES. Subdivision, Design Review and Rezone.** Kevin & Tamara Coleman, owners/applicants, request a 7 lot Planned Unit Development (one lot being common area), design review of 6 single family detached homes and a rezone of 1.45 acres to the Planned Development (PD) Combing District at approx. 670 Park Avenue in the Single Family Residential (SFR) zone. TIN#02-058-0008, 0071.

**STAFF:** Staff reviewed the report as written.

Mr. Kartchner asked if it was possible to require the sidewalk along Park Avenue. There does not seem to be enough width in between the canal and road to allow the sidewalk. It also might take out some trees.

Mr. Mecham said they will need to look at all of the factors when the final sidewalk plan comes in.

**PROPOSER:** Kevin Coleman said his parents have lived on the property for 13 years. They need to sell of this part of property. There was a great amount of debris before they bought the property. They have put a lot of work into beautifying this property to make it what it is today.

Westfield irrigation company controls the canal along the property.

They will keep the existing trees to the extent as possible.
Mr. Coleman said the homes will be brick and stucco single family homes. The homes will all have complete landscaping and irrigation done when they are completed. The development will be appropriate for the area. The common area was planned to shield Bob Underwood’s home as well as provide open space for the residents.

Mr. Coleman said he agrees with all of the conditions except for the curve on the road.

He is going to build the homes as spec homes. The homes will be all on one level.

Mr. Coleman said that there was never any flooding on the property they are proposing to build on.

There will be a homeowners association for the upkeep of the ground. Mr. Coleman said he would prefer not putting up a fence along Bob Underwood’s property line. They could put in a concrete curb in between the property lines if the Planning Commission would like a physical separation between the properties.

PUBLIC: Bob Underwood said the real estate agent that sold them the property told Mr. Coleman would one day build a home himself on the adjoining property. They bought the property not thinking there would be a subdivision. He is concerned about the tree limbs falling on the homes.

Mr. Underwood said is concerned about the protection from the construction of the homes. There is backhoes and bulldozers that will be a short distance from his house.

He is concerned about the homes along Park Avenue flooding. The lots are only a foot below the bank. He is also concerned about the visibility pulling out of the proposed driveway. There will be restricted visibility because on the trees along Park Avenue and there is very fast traffic.

He wishes to have a fence for safety, privacy, and noise abatement during construction. After construction it will be a privacy issue and will help keep the new residents off of his property.

He is also concerned about the impact of the development on the creek.

Thelma Falslev previously owned the property that has been sold to Bob Underwood. The two proposed homes in the front will be raised so they won’t flood. Unless the trees are hollow then they will be kept on the property. She said they are going to try sell the homes to retired persons.

Gary Buttars was concerned about the sidewalk along Park Avenue. Mr. Buttars asked what the bridge is going to made out of.

Mr. Coleman said the bridge will probably be concrete.

Mr. Buttars asked how much they are going to raise the lots with fill. Mr. Kartchner said there is going to be limited fill.
Mr. Mecham said they require the developer to submit a drainage plan to make sure there won't be any drainage going onto the neighbors property.

E. Falselv said in the past they have offered their property for a sidewalk for the school kids to walk on. The black willows are a lot of work and a lot of them are bad and will need to be taken out. They will keep all that they can.

*Mr. Ward left the meeting at 7:00 p.m.*

Wayne Crow said they will do a 100 year flood plain study. They will contact the irrigation company on the project along the canal.

Mr. Coleman said they are heading in the direction of senior housing by the design of the homes, but they are not going to put an age limit in the CC & R's.

COMMISSION: Mr. Larsen is concerned about the safety issue of an access coming on to Park Avenue. He asked if there is anyway to widen the entrance to give them better access?

Mr. Mecham said the traffic volumes out of the subdivision each day will not warrant extra turning lanes. Mr. Mecham said a stop sign should be enough.

Ms. Box is concerned about the trees having to be taken out to put the access in. Mr. Mecham said they are going to put in the minimum 24 foot road.

Mr. Kartchner is concerned about the issue about the fence. He is reluctant to require an 8 foot fence. If you put up a single family home in a residential neighborhood you would not be required to put in a fence. There should be some kind of line in between properties to separate them. He thinks the property owners should work something out between themselves.

Sometimes a fence is needed in between properties with mixed uses. For example in between single family detached homes and attached homes. But these are all single family detached homes. The open space has been added to help create a degree of privacy for Mr. Underwood.

Ms. Wickwar said it seems that there might be some other ways to screen the properties instead of requiring a fence. She does recognize the concerns for construction. All the trees that can be saved must remain.

Ms. Clement said there is a requirement that a construction fence has to be put around the trees during construction.

*Tape 2a*

MOTION: Moved to approve the project with the conditions as listed below. Moved to recommend approval of the rezone to City Council. The following conditions were changed from the original staff report: 8, 12, 15

1. Any representations by the proponent or agent at the Planning Commission hearing shall be incorporated into the final action as conditions of approval.
2. Prior to the issuance of any building permits, the Director of Community Development shall receive notification from the following departments that their requirements have been satisfied:

**Public Works Department** — contact Mike Mecham 750-9824
1. Curb, gutter and sidewalk shall be constructed on Park Avenue frontage.
2. Curb cuts shall be constructed not radius corners.
3. The internal private road shall be marked with no parking signs. The signs shall be as per the standards of the Manual of the Uniform Traffic Control Devices.
4. The water line shall be a minimum of 4" not the proposed 2".
5. A drainage and detention plan shall be required on construction plans. Drainage calculations must be submitted.
6. An analysis of the 100 year flow of the Logan River in this area shall be submitted for purposes of the proposed bridge.
7. Five foot wide easements shall be depicted around the perimeter of each individual property, and a 10' wide easement shall run along both sides of the river for Lot #1, 2, 3, 4, and 5 for maintenance.
8. All water rights shall be dedicated to the city prior to recordation of the final plat map.
9. The proponent shall contact the Army Corps of Engineers for possible wetlands on site. If there will be mitigation of wetlands a 404 Permit shall be obtained and a copy shall be submitted to the City Engineer prior to the recordation of the final plat map. If there are no jurisdictional wetlands on site a letter shall be submitted stating this information instead.
10. Prior to the recording of the final plat map, a sewer assessment shall be paid in the amount of $7.50 per foot of Park Avenue frontage.
11. The subdivision shall be restricted to no basements, or if basements are to be built a ground water study must be performed showing ground water levels. The ground water study must be performed by a hydro-geologist, or a person having similar expertise.

**Fire Department** — Contact Liz Hunsaker, 750-9995.
1. Calculations shall be submitted to the Fire Department illustrating that the bridge over the river will hold the weight of a fire truck.

**Logan City Light and Power** — contact Garth Turley 750-9941
1. All electrical utilities in project area shall be shown on the site plan (poles, transformers, junction cans, etc.).
2. Developer shall be responsible for primary and secondary conduit installation. This shall be installed and inspected according to the Logan City Light and Power Department specifications and can be trenched with phone and cable upon approval from the Light Department.
3. Developer shall be responsible for any secondary connections, including lugs, in transformer (de-energized equipment only).
4. The developer shall be responsible for all street lighting on the private road.

3. All improvements shall be constructed in substantial conformance with the approved site plan.

4. Prior to approval of the final plat map, the City Engineer shall review and approve all engineering construction drawings for infrastructure improvements.
5. The final plat map shall be submitted with all owner, lien-holder, beneficiaries of easements, and public utility signatures appropriately notarized (where required) and affixed to the original 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.

6. Prior to the submittal of the final plat map, the Director of Community Development shall receive a signed and notarized copy of any deed covenants, conditions, or restrictions to be imposed upon the subdivision. Following approval of the covenants, conditions, and restrictions, the Director of Community Development shall forward the original copy to the City Engineer for recordation with the plat map.

7. The final plat map shall depict a five foot utility easement around the perimeter of the interior property lines and a ten foot canal easement for the west side of Lot #1 and for the north side of Lot #2, 3, 4, and 5.

8. The final plat map shall include the following information in the “Planning Commission Approval” Certificate: “This subdivision, entered into City Records as Planning Commission Docket #99-051, was heard before the Commission in a public hearing on the 28th day of October, 1999, and was approved in substantial conformance with the requirements and design shown upon this plat map. Signed, __________, Eric Jay Toll, AICP, Director of Community Development.”

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

10. All utilities shall be constructed and installed with the requirements of the City of Logan or the public utility provided in effect at the time of construction, or as specified in the Development Agreement.

11. All streets, roads and alleys shall be constructed to the standards of the City of Logan in effect at the time of construction, unless otherwise specified in the Development Agreement.

12. Prior to the issuance of a building permit the Chief Building Official shall receive a written memorandum from the Director of Community Development indicating that a performance landscape plan has been reviewed and approved which identifies all remaining mature trees and the common and botanical names of all proposed plants. Proper measures shall be taken to protect the mature trees as outlined in the City Landscaping Ordinance. This shall also include the protection of the trees on the neighbors property to the south that may be close to the property line.

13. All landscaping shall be in place prior to use or the issuance of a certificate of occupancy. If weather prohibits completion of landscaping prior to occupancy, the Director of Community Development shall receive improvement security in conformance with Title 17 of the Logan Municipal Code, to guarantee the installation of landscaping and irrigation systems for the project. The amount of the security shall be the dollar amount established in the code.
Additionally, the property owner shall be required to sign a statement indicating that if the landscaping is not installed in conformance with the approved site plan timing requirements, the City may cause the landscaping to be installed and place lien against the subject property for the total cost of materials and labor and administrative costs. The City shall perfect its lien through foreclosure if the costs of landscape installation and administrative costs are not reimbursed to the City, within thirty days of landscape installation.

14. Prior to recordation of the final plat map a zoning amendment shall be approved by the Municipal Council from Single Family Residential, SFR, to Single Family Residential-Planned Development, SFR-PD.

15. The ingress and egress to the property shall be taken into consideration. A stop sign or yield sign shall be installed if it is deemed necessary.

[Moved: Mr. Kartchner. Seconded: Mr. Larsen. Passed: 4-, 0-]
Yea: Larsen, Kerr, Kartchner, Box

Tape 2a
99-049 WASATCH STORAGE. Design Review and Subdivision. Elk Meadows Property Management, owner/applicant, requests three buildings for a total of 242 storage units on 3.86 acres at 2005 North 600 West the Industrial (IND) zone. TIN#04-079-0004, 0028.

STAFF: Staff reviewed the report as written.

Mr. Kartchner said he would like to see a lot of screening of the storage units.

PROPONENT: Gary Knighton said this will create a good buffer next to the corrections facility. The owner will meet the City landscaping requirements. There will also be a little berm along the street. They will do front parapet walls along the front to change the look of the buildings. They will use rod iron along the front of the building. They would like a smaller access so they can put a security fence across the access.

Mr. Mecham said he is requiring a 50 foot access because there will be people driving UHalls that need extra room to maneuver.

Mr. Knighton does not want a 50 foot landscape buffer from the front property line.

Mr. Toll said staff is recommending a 50 foot landscaping. Staff has said sometimes they will allow smaller setback if the development offers something to the City. The requirement of the setback is consistent with other projects in this area.

He said this is industrial land that is coming out circulation. This project should be up to the code requirement as possible because this not an asset to the City and is not adding money to the tax dollars.
DESIGN REVIEW & SUBDIVISION PERMIT

At its meeting of October 28, 1999, the City of Logan Planning Commission conditionally approved PC# 99-051, Creek Side Estates at approx. 670 Park Avenue, for a 7 lot P.U.D. The subject property is as described on the attached legal description.

This decision is based on compliance with the following conditions. These conditions are binding on the permit holder/subdivider and any subsequent purchaser of the property. If the property is rented or leased to another party, the record owner is still responsible for compliance with the conditions.

1. Any representations by the proponent or agent at the Planning Commission hearing shall be incorporated into the final action as conditions of approval.

2. Prior to the issuance of any building permits, the Director of Community Development shall receive notification from the following departments that their requirements have been satisfied:

   Public Works Department — contact Mike Mecham 750-9824
   1. Curb, gutter and sidewalk shall be constructed on Park Avenue frontage.
   2. Curb cuts shall be constructed not radius corners.
   3. The internal private road shall be marked with no parking signs. The signs shall be as per the standards of the Manual of the Uniform Traffic Control Devices.
   4. The water line shall be a minimum of 4" not the proposed 2".
   5. A drainage and detention plan shall be required on construction plans. Drainage calculations must be submitted.
   6. An analysis of the 100 year flow of the Logan River in this area shall be submitted for purposes of the proposed bridge.
   7. Five foot wide easements shall be depicted around the perimeter of each individual property, and a 10' wide easement shall run along both sides of the river for Lot #1, 2, 3, 4, and 5 for maintenance.
8. All water rights shall be dedicated to the city prior to recordation of the final plat map.

9. The proponent shall contact the Army Corps of Engineers for possible wetlands on site. If there will be mitigation of wetlands a 404 Permit shall be obtained and a copy shall be submitted to the City Engineer prior to the recordation of the final plat map. If there are no jurisdictional wetlands on site a letter shall be submitted stating this information instead.

10. Prior to the recording of the final plat map, a sewer assessment shall be paid in the amount of $7.50 per foot of Park Avenue frontage.

11. The subdivision shall be restricted to no basements, or if basements are to be built a ground water study must be performed showing ground water levels. The ground water study must be performed by a hydro-geologist, or a person having similar expertise.

Fire Department – Contact Liz Hunsaker, 750-9995.
1. Calculations shall be submitted to the Fire Department illustrating that the bridge over the river will hold the weight of a fire truck.

Logan City Light and Power — contact Garth Turley 750-9941
1. All electrical utilities in project area shall be shown on the site plan (poles, transformers, junction cans, etc.).
2. Developer shall be responsible for primary and secondary conduit installation. This shall be installed and inspected according to the Logan City Light and Power Department specifications and can be trench with phone and cable upon approval from the Light Department.
3. Developer shall be responsible for any secondary connections, including lugs, in transformer (de-energized equipment only).
4. The developer shall be responsible for all street lighting on the private road.

3. All improvements shall be constructed in substantial conformance with the approved site plan.

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

5. The final plat map shall be submitted with all owner, lien-holder, beneficiaries of easements, and public utility signatures appropriately notarized (where required) and affixed to the original 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.

6. Prior to the submittal of the final plat map, the Director of Community Development shall receive a signed and notarized copy of any deed covenants, conditions, or restrictions to be imposed upon the subdivision. Following approval of the covenants, conditions, and restrictions, the Director of Community Development shall forward the original copy to the City Engineer for recordation with the plat map.

7. The final plat map shall depict a five foot utility easement around the perimeter of the interior property lines and a ten foot canal easement for the west side of Lot #1 and for the north side of Lot #2, 3, 4, and 5.
8. The final plat map shall include the following information in the "Planning Commission Approval" Certificate: "This subdivision, entered into City Records as Planning Commission Docket #99-051, was heard before the Commission in a public hearing on the 28th day of October, 1999, and was approved in substantial conformance with the requirements and design shown upon this plat map. Signed, ______________, Eric Jay Toll, AICP, Director of Community Development."

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

10. All utilities shall be constructed and installed with the requirements of the City of Logan or the public utility provided in effect at the time of construction, or as specified in the Development Agreement.

11. All streets, roads and alleys shall be constructed to the standards of the City of Logan in effect at the time of construction, unless otherwise specified in the Development Agreement.

12. Prior to the issuance of a building permit the Chief Building Official shall receive a written memorandum from the Director of Community Development indicating that a performance landscape plan has been reviewed and approved which identifies all remaining mature trees and the common and botanical names of all proposed plants. Proper measures shall be taken to protect the mature trees as outlined in the City Landscaping Ordinance. This shall also include the protection of the trees on the neighbor's property to the south that may be close to the property line.

13. All landscaping shall be in place prior to use or the issuance of a certificate of occupancy. If weather prohibits completion of landscaping prior to occupancy, the Director of Community Development shall receive improvement security in conformance with Title 17 of the Logan Municipal Code, to guarantee the installation of landscaping and irrigation systems for the project. The amount of the security shall be the dollar amount established in the code. Additionally, the property owner shall be required to sign a statement indicating that if the landscaping is not installed in conformance with the approved site plan timing requirements, the City may cause the landscaping to be installed and place lien against the subject property for the total cost of materials and labor and administrative costs. The City shall perfect its lien through foreclosure if the costs of landscape installation and administrative costs are not reimbursed to the City, within thirty days of landscape installation.

14. Prior to recordation of the final plat map a zoning amendment shall be approved by the Municipal Council from Single Family Residential, SFR, to Single Family Residential-Planned Development, SFR-PD.

15. The ingress and egress to the property shall be taken into consideration. A stop sign or yield sign shall be installed if it is deemed necessary.

Some conditions are "ongoing." This means the holder/subdivider shall always be in compliance with the conditions. If you are unable to comply, you must return to the Planning Commission for consideration of an amendment to your approval. Failure to comply, may result in an action by the City to revoke your permit.
The Planning Commission's action came on a motion by Commissioner Eugene Kartchner, with a second by Commissioner Paul Larsen. The motion passed by a vote of 4, 0.

This action will expire one year from the date of the October 28, 1999 Planning Commission's action if all conditions have not been met, unless an extension of time is requested and approved in advance of the expiration date. The City does not send "reminder" notices or other notification of the pending expiration date. The action to request an extension is the responsibility of the proponent.

Attest:

Eric Jay Toll AICP
Director of Community Development
November 4, 1999

We have reviewed the action of the Planning Commission and agree to the conditions and requirements of its action. We understand this project expires one year after the date of the Commission action and if an extension of time is required, we must submit our request prior to the expiration date of one year from the Planning Commission action. The length of an extension of time is established in the Logan Municipal Code 17.58.020.

Accepted and agreed:

Creek Side Estates, by

Title __________________________

Date: __________________________

Attachment: Copy of Legal Description, 02-058-0008, 0071

Distribution:

☐ Original #1 with signatures to the County Recorder
☐ Original #2 with signatures to applicant

Copies to:
☐ Director of Public Works
☐ City Engineer
☐ Chief Building Official
☐ File
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE

On this 17th day of November, 1999, personally appeared before me Jean Willmore, who being first duly sworn, deposes and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal, a daily newspaper published in Logan, City, Cache County Utah, and that the advertisement

NOTICE OF PUBLIC HEARING FOR PURPOSE OF REZONING PROPERTY

a copy of which is hereto attached, was published in said newspaper for one (1) issue, commencing Nov. 17, 1999 and ending November 17, 1999.

Signed

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

Signed


NOTICE OF PUBLIC HEARING FOR PURPOSES OF REZONING PROPERTY

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

CREEKSIDE ESTATES.
Rezone to Combining Zone. Kevin & Tamara Coleman, owners/applicants, request a rezone of the previously approved seventeen-lot Planned Unit Development (one lot being common area) containing 1.45 acres to the single family residential Planned Development (SFR-PD) Combining District at approx. 670 Park Avenue, TIN#02-058-0008, 0071.

UDY SUBDIVISION.
Rezone to Combining Zone. Lisa Udy and Joanne Hansen, applicants, request a rezone of the previously approved four lot subdivision containing approx. 1.57 acres to the Single Family Residential-Existing Lot Size (SFR-X) combining zone so that the lots cannot be further subdivided at 800 East Mountain Road, owned by Lisa Udy and Joanne Hansen, TIN#06-097-0023.

Public hearing will be held on Wednesday, December 1, 1999, not before 6:15 p.m. in the Municipal Council Chambers at Logan City Hall, 255 N. Main, Logan. Interested citizens are invited to attend.

Lois Price
Logan City Recorder
Publication Date: November 17, 1999
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE

On this 7th day of January 2000, A.D., personally appeared before me Jean Willmore, who being first duly sworn, deposes and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal, a daily newspaper published in Logan, City, Cache County Utah, and that the advertisement

LEGAL NOTICE


Jean Willmore

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

Cynthia K. Fulton

Notary Public

My Commission expires September 7, 2003

SUMMARY OF ordinances amending the Logan Municipal Code, 1989, as follows:

1. ORD. 99-1323. An ordinance amending the Zoning Map of Logan City was passed December 1, 1999 adopting Amendment No. 223 rezoning 3.04 acres at 175 West 1000 North, owned by Joseph C. and Thelma Jacobsen, and identified as Tax ID Nos. 05-042-0039, 05-0039 and 0039 from MFM (Multiple Family Medium) to CG (Commercial General).

2. ORD. 99-190. An ordinance amending the Zoning Map of Logan City was passed December 1, 1999 adopting Amendment No. 223 rezoning 3.04 acres at 175 West 1000 North, owned by Joseph C. and Thelma Jacobsen, and identified as Tax ID Nos. 05-042-0039, 05-0039 and 0039 from MFM (Multiple Family Medium) to CG (Commercial General).

3. ORD. 99-192. An ordinance amending the Zoning Map of Logan City was passed December 15, 1999 adopting Amendment No. 223 rezoning 3.04 acres at 175 West 1000 North, owned by Joseph C. and Thelma Jacobsen, and identified as Tax ID Nos. 05-042-0039, 05-0039 and 0039 from MFM (Multiple Family Medium) to CG (Commercial General).

4. ORD. 99-194. An ordinance amending the Zoning Map of Logan City was passed December 15, 1999 adopting Amendment No. 223 rezoning 3.04 acres at 175 West 1000 North, owned by Joseph C. and Thelma Jacobsen, and identified as Tax ID Nos. 05-042-0039, 05-0039 and 0039 from MFM (Multiple Family Medium) to CG (Commercial General).

LEGAL NOTICE

SUMMARY OF ordinances amending the Logan Municipal Code, 1989, as follows:

1. ORD. 99-123. An ordinance amending the Zoning Map of Logan City was passed December 1, 1999 adopting Amendment No. 221 rezoning 1.45 acres at 270 Park Avenue, owned by Kelvin and Tamara Coleman, and identified as Tax ID Nos. 02-006-0006, 0071 from SFR (Single Family Residential) to SFR-PD (Single Family Residential Planned Development Condominium District).

2. ORD. 99-124. An ordinance amending the Zoning Map of Logan City was passed December 1, 1999 adopting Amendment No. 222 rezoning 1.6 acres at 800 East Mount Road, owned by Lisa Udy and Joanne Hansen, and identified as Tax ID No. 06-097-0023 from SFR (Single Family Residential) to SFR-X (Single Family Residential Existing Lot Combining District).

3. ORD. 99-125. An ordinance amending the Zoning Map of Logan City was passed December 15, 1999 adopting Amendment No. 223 rezoning 3.04 acres at 175 West 1000 North, owned by Joseph C. and Thelma Jacobsen, and identified as Tax ID Nos. 05-042-0039, 05-0039 and 0039 from MFM (Multiple Family Medium) to CG (Commercial General).

4. ORD. 99-126. An ordinance amending the Zoning Map of Logan City was passed December 15, 1999 adopting Amendment No. 223 rezoning 3.04 acres at 175 West 1000 North, owned by Joseph C. and Thelma Jacobsen, and identified as Tax ID Nos. 05-042-0039, 05-0039 and 0039 from MFM (Multiple Family Medium) to CG (Commercial General).