CITY OF LOGAN
ORDINANCE NO. 99-37

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 #216 to the Zoning Map of
Logan City, Utah," and the following property is hereby zoned from Agricultural (AG) to Single
Family Traditional (SFT):

40.53 acres at 1400 West 600 South, owned by Blake Parker and identified as TIN 02-
069-0005.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS 17
DAY OF MARCH, 1999.

Janice Pearce, Chair

ATTEST:

Lois Price, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for
approval or disapproval on the 17 day of MARCH, 1999.

Janice Pearce, Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby APPROVED this 17 day of
MARCH, 1999.

Douglas E. Thompson, Mayor
MEMORANDUM

To: Municipal Council  
From: Brandi L. Clement  
          Planner II  
Re: Henry’s Point Subdivision, PC#98-056  
Date: February 18, 1999

At the Planning Commission meeting of June 11, 1998, the Planning Commission approved a motion to recommend approval of a zone change to the Municipal Council for PC#98-056 sought by Blake Parker at approximately 1400 West 600 South. A zone change from Agriculture (AG) to Single Family Traditional (SFT). Also at this time, the Planning Commission conditionally approved a 67 lot subdivision for this property pending on zoning amendment approval from the Municipal Council.

When the proponent submitted a final plat, for Phase 1 of the subdivision, it was realized that the zoning amendment was never passed on to the Municipal Council for review due to an oversight by the Community Development Department.
REPORT SUMMARY...

Request: Subdivision approval of a 65 lot residential subdivision and recommendation for approval of a zone change from AG to SFT

Address: Approximately 1400 West 600 South

Existing Zoning District: AG: Agricultural

Proposed Zoning District: SFT: Single Family Traditional

Recommendation: Conditionally approve

PROJECT

The proponent is requesting approval of a 65 lot residential subdivision on 40.53 acres. The lots range from 12,500 square feet to approximately 38,000 square feet in land area. The subdivision is divided into seven phases, one to be completed per year. Each phase is made up of at least six lots.

Detention basins are proposed between the eastern edge of 1400 West and the western most lots of the subdivision. An additional detention basin is proposed to the south of the project on the neighboring property.

The subdivision is designed with two access roads onto 600 South. The subdivision is served by two roads running north/south, one road running connecting these roads east/west, and two small cul de sac roads.

The proponent is also requesting recommendation to the Municipal Council for approval of a zone change from AG to the SFT zoning district.

SITE DESCRIPTION

Surrounding land uses:

South: Undeveloped (County)

East: Undeveloped (County)

North: 600 South; Undeveloped (SFR zoning); Equestrian Estates

West: Future 1400 West; Green Meadows Subdivision (SFT zoning)

The land is currently undeveloped. The property is fenced with a barbed wire cattle fence. The ground is generally level and is covered with natural vegetation.

No curb, gutter, or sidewalk exists along 600 South and 1400 West has not been developed.
AGENCY AND DEPARTMENT COMMENTS
The Department of Community Development circulated copies of the proposed project to City Departments and various State and regional agencies. The following comments were received.

Public Works Department – contact Mike Mecham at 750-9824
1. Work with PW Dept on cost participation for water, sewer, and lift station
2. Reverse Phases 3 and Phase 4
3. Temporary turn around (55' radius) required at end of each phase
4. Traffic control signs and street signs are the responsibility of the developer
5. Ground water study required to determine acceptable basement depths
6. Dedication of 50' of land for construction of 1400 West
7. Curb, gutter, and sidewalk along 600 South and all interior roads
8. Detention required
9. No access permitted on 1400 West (indicate on plat)
10. Limit access on 600 South to the two access roads (indicate on plat)
11. Slope easement adjacent to 600 South and 1400 West
12. Record plat in coordination with phasing of subdivision

Transit Department – contact Geoff Straw at 750-7128
1. Bus pull-out required on 1400 West as part of Phase 7
2. Bus pull-out required on 600 South near Phase 1 and Phase 3, west of access road

Fire Department – contact Liz Hunsaker at 750-9995
1. Fire hydrant layout on site plan is not accepted, please contact Fire Department for placement
2. Phase 6 will be required to have a fire department turn around at the end of it as well as Phase 5
3. A temporary turn around for Fire Department access must be installed at each phase until all roads connect.

PUBLIC COMMENTS
Notices were mailed to 11 property owners located within three hundred feet of the subject property.

No comments were received as of the date the Staff Report was published.

COMMUNITY DEVELOPMENT DEPARTMENT COMMENTS
Annexation.
The Municipal Council approved annexation of the 40.53 acre parcel into the City of Logan on May 6, 1998. The property was brought into the City of Logan and is currently zoned AG.

Rezone.
The proponent is request recommendation to the Municipal Council for approval of a rezone to change the current AG zoning to SFT. The SFT zoning district allows single family detached homes on minimum lots of 8,000 square feet. The land surrounding the proposed project is also residential with zoning of SFT and SFR. Green Meadows Subdivision lies to the west of the project and is also zoned SFT with a total of over 180 residential lots with minimum land area of 8,000 square feet per lot.
Staff does not believe that the proposed subdivision will negatively alter the existing neighborhood character. The proposed 65 lot subdivision will complement surrounding residential development and residential zoning for future residential development.

Lot Sizes.
All lots shown on the preliminary plat map exceed minimum lot requirements for the SFT zone as specified in the Logan Municipal Code. Minimum lot size of 8,000 square feet with minimum lot width of 70 feet is required.

Lots #12 and #34 are odd shaped lots and are considerably smaller than neighboring lots. Development of a moderate home on these lots may not leave much room for yard area. Staff recommends that the proponent increase the area of these two lots to avoid difficulties at the building stage.

Further Subdivision.
Many of the lots within the subdivision have adequate lot area to request further subdivision in the future. For instance, a 24,000 square foot lot has the potential to be further subdivided into three 8,000 square foot lots.

Setbacks.
The standard 25 foot front setback is shown on all lots on the preliminary plat. Additionally, all corner lots are marked with a 20 foot side setback.

Access.
There are two main access roads feeding onto 600 South. No access is proposed or allowed onto the future 1400 West. All lots access onto interior roads.

Temporary cul de sacs are shown at the end 1220 and 1360 West, on the property to the south of the project parcel. Staff assumes that these roads will eventually tie in with interior roads of future residential subdivisions to the south.

Easements.
A detention basin as well as two temporary cul de sacs to the south of the subdivision are on the neighboring parcel which is within the unincorporated area. The proponent must secure an easement agreement with the neighboring property for both the detention basin and the cul de sacs.

Fences.
The draft fence regulations that were recently reviewed and approved for recommendation to the Municipal Council requires that fences taller than four feet in height be setback a minimum of twelve feet from side and rear property lines which front a street. There is a section in the draft code that allows a fence taller than four feet within three feet of side and rear property lines which front a street with the approval of the Director of Community Development. These regulations will impact many of the lots that have streets on more than one property boundary.

Phasing.
The proponent has proposed the overall 65 lot subdivision in seven phases. The indication has been that one phase will be completed each year until completion of the 65 lots. The Public Works Department has requested that the subdivision be recorded in phases to ensure that lots are sold in sequence with the other subdivision improvements such as roads and utility services.
Staff Report for the Planning Commission meeting of June 11, 1998
PC#98-056 for Subdivision and Rezone of Henry’s Point Subdivision. Blake Parker, approx. 1400 W 600 S.

RECOMMENDATION
Staff recommends that the Planning Commission approve a motion to recommend approval of a zone change to the Municipal Council for PC #98-056 sought by Blake Parker for approximately 1400 West 600 South. Zone change from AG to SFT.

Staff recommends that the Planning Commission approve a motion to Conditionally Approve PC#98-056 for Subdivision sought by Blake Parker for approximately 1400 West 600 South. Subdivision of a 40.53 acre site into 65 residential parcels in seven phases.

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 submittal of the plat map, the City Engineer shall receive a written memorandum from the following departments indicating their comments have been satisfied, including the following comments:

   Public Works Department – contact Mike Mecham at 750-9824
   a. Work with PW Dept on cost participation for water, sewer, and lift station
   b. Reverse Phases 3 and Phase 4
   c. Temporary turn around (55’ radius) required at end of each phase
   d. Traffic control signs and street signs are the responsibility of the developer
   e. Ground water study required to determine acceptable basement depths
   f. Dedication of 50’ of land for construction of 1400 West
   g. Curb, gutter, and sidewalk along 600 South and all interior roads
   h. Detention required
   i. No access permitted on 1400 West (indicate on plat)
   j. Limit access on 600 South to the two access roads (indicate on plat)
   k. Slope easement adjacent to 600 South and 1400 West
   l. Subdivision plat shall be recorded in coordination with phasing

   Transit Department – contact Geoff Straw at 750-7128
   a. Bus pull-out required on 1400 West as part of Phase 7
   b. Bus pull-out required on 600 South near Phase 1 and Phase 3, west of access road

   Fire Department – contact Liz Hunsaker at 750-9995
   a. Fire hydrant layout on site plan is not accepted, please contact Fire Department for placement
   b. Phase 6 will be required to have a fire department turn around at the end of it as well as Phase 5
   c. A temporary turn around for Fire Department access must be installed at each phase until all roads connect.

3. All improvements shall be constructed in substantial conformance with the approved site plan.
4. The subject property shall not be further subdivided for purposes of sale, ground lease, or finance, without obtaining approval from the City through an appropriate application process.

5. Prior to City approval of the final plat map, the City Engineer shall receive a written memorandum from the Director of Community Development that the zone change of the property from AG to SIT has been approved by the Municipal Council.

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

7. Prior to the recordation of the final plat map, the proponent shall submit to the City Engineer an easement agreement with the property owner to the south to ensure access to the temporary cul de sacs and the proposed detention basin. The easement agreement shall be recorded on the deeds of both properties with the Cache County Recorder.

8. The final plat map shall be submitted with all owner, lien holder, beneficiaries of easements, and public utility signatures appropriately notarized 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.

9. The final plat map shall depict a five foot public utility easement around the perimeter of the subject property and on each side of the interior property lines.

10. 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 #98-056 was heard before the Commission in a public hearing on the 11th day of June, 1998, and was approved in substantial conformance with the requirements and design shown upon the plat map. Signed, Eric Jay Toll, Director of Community Development.

11. 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.

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

13. 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 Agreements.

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

1. Henry’s Point Residential Subdivision has been revised and amended by the conditions of project approval to address the issues raised by the reviewing departments and agencies and respond to appropriate public concerns.
2. Henry's Point Residential Subdivision is consistent with the goals and policies of the Logan General Plan.

3. Henry's Point Residential Subdivision is compatible with existing neighborhood land uses and zoning.

4. Each lot within Henry's Point Residential Subdivision conforms to the requirements of Title 17 of the Logan Municipal Code in terms of lot size, width, and depth.

5. Each lot within Henry's Point Residential Subdivision provides a reasonable building site upon which a property owner can construct use entitled by the base zoning district without need of obtaining a variance.

6. Each lot within Henry's Point Residential Subdivision is physically suitable for development, and will not result in development within flood plains, on steep slopes, or on lots that require variances due to physical constraints in order to be developed.

7. Each lot within Henry's Point Residential Subdivision has access to a public street and easements to provide for connection to sewer and water service and other public utilities.

8. Approval of the Henry's Point Residential Subdivision conforms to the requirements of Utah law.

9. Henry's Point Residential Subdivision has been approved in seven yearly phases to be completed as shown on the final plat map.

10. Approval of Henry's Point Residential Subdivision includes appropriate road rights-of-way, easements, and offers of dedication meeting the needs of the City.

Respectfully submitted,

[Signature]

Heather B. Hines
Planner II
Report Published: June 5, 1998
4. Prior to approval of the final plat map, the Director of Community Development shall receive notification from the following departments that their requirements have been satisfied:
   a. **Public Works Department** — contact Mike Mecham 750-9824
      1. Stub sewer to back lot.
      2. Hydrants and turn around need to be addressed when development occurs on the rear lot.

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

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

7. 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.

8. The final plat map shall depict a five-foot utility easement around the perimeter of the subject property and on each side of the interior property lines and require a designation of an easement for the irrigation ditch.

9. 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 #98-049, was heard before the Commission in a public hearing on the 11th day of June, 1998, 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.”

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

12. All improvements 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.

[Moved: Mr. Jensen  Seconded: Mr. King  Passed: 4-0]
Yea: Kartchner, King, Hooper, Jensen
Traditional (SFT) at 1400 West 600 South in the Single Family Traditional (SFT) zone. TIN#02-069-0005.

STAFF: Staff summarized the report as written. A letter came in from the developers of Green Meadows and they want to make sure the developer is responsible for their costs. The Public Works Department would work with them on this.

Mr. Toll said all of the lots exceed required square footage. He would suggest adding the condition to increase the lot sizes of #12 and #34. That would add a little more yard area and flexibility for placing of the homes.

PROPOSPLENT: Blake Parker, said he does not have any problems with increasing some of the lot sizes. He said it might be possible to develop the property to the north, but there are no future plans.

PUBLIC: Kaylynn Beacher, said they own the property across 600 North. She said that if 1400 West becomes a bypass road, does the City want development coming on to it. Mike Mecham said that the plat will state that there can be no access from single residences onto 1400 West or 600 South. Mr. Mecham said 600 South will be 34 feet wide.

Ms. Beacher said the City should take under consideration the children in the area. If the subdivision grows they need to put in stop lights.

Jody Esplin, representing Green Meadows, said they want to make sure they are reimbursed for the development costs of Mr. Parkers share of 600 West. They are in support of the project.

Mr. Kartchner said the Commission cannot work with the two parties to figure out costs. Mike Mecham said they will work the Mr. Parker and the Esplins on the project.

Tape 2A: Counter 181

MOTION: Moved to approve to project with the following conditions listed below. The following condition was changed from the original staff report: 13.

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 submittal of the plat map, the Director of Community Development shall receive a written memorandum from the following departments indicating their comments have been satisfied, including the following comments:

Public Works Department – contact Mike Mecham at 750-9824
a. Work with PW Dept on cost participation for water, sewer, and lift station
b. Reverse Phases 3 and Phase 4
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3. All improvements shall be constructed in substantial conformance with the approved site plan.

4. The subject property shall not be further subdivided for purposes of sale, ground lease, or finance, without obtaining approval from the City through an appropriate application process.

5. Prior to City approval of the final plat map, the City Engineer shall receive a written memorandum from the Director of Community Development that the zone change of the property from AG to SFf has been approved by the Municipal Council.

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

7. Prior to the recordation of the final plat map, the proponent shall submit to the City Engineer an easement agreement with the property owner to the south to ensure access to the temporary cul de sacs and the proposed detention basin. The easement agreement shall be recorded on the deeds of both properties with the Cache County Recorder.

8. The final plat map shall be submitted with all owner, lien holder, beneficiaries of easements, and public utility signatures appropriately notarized 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.

9. The final plat map shall depict a five foot public utility easement around the perimeter of the subject property and on each side of the interior property lines.

10. 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 #98-056 was heard before the Commission in a public hearing on the 11th day of
June, 1998, and was approved in substantial conformance with the requirements and design shown upon the plat map. Signed, Eric Jay Toll, Director of Community Development.

11. 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.

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

13. 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 Agreements.

14. It is recommended that lots #34 and #12 be adjusted to be larger in size to better fit with the plan.

[Moved: Mr. Hooper. Seconded: Mr. Jensen. Passed: 4, 0]
Yea: Kartchner, King, Hooper, Jensen

Tape 2A: Counter 214

98-054 NORTHWEST RDA SUBDIVISION. Subdivision. City of Logan, owner/applicant, requesting a subdivision of 40 acres into 8, 5 acre parcels at 1801 North 1000 West in the Industrial (IND) zone. TIN#04-078-0001.

STAFF: Staff summarized the report as written. Each lot is designed to contain detention or retention on site. Eric Toll is the staff and proponent on this project.

PUBLIC: Jody Bordero, the property owner directly to the north, said they don’t have any opposition to the development. He wants to make sure the drainage is kept on each lot. He said there is a canal that has a great amount of water and wanted to know what would be done with it.

Mr. Toll said they have not planned anything for the ditch yet. He said they won’t disturb the canal or cause it to over flow. They will maintain it.

Mr. Bordero said that the ditch should be enclosed. It is used year round. They would be willing to dedicate the right of way on 1800 North so they could get the property lines fenced right now. He feels like the City should take the dedication at this time and not wait.

Mr. Bordero said that their property runs from 1000th West to 1200th West. They would like to dedicate their half of the right of way while they are developing the business park, so it is not a concern of theirs anymore.

Rod Blossom said they would be interested in the dedication and they should come in and talk about it.

Blake Parker, said he is concerned about the subdivision from a competition aspect. He asked if the lots are open to the general public.
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE

On this 2nd day of March, 1999, personally appeared before me Felicia Tepedino, 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

a copy of which is hereto attached, was published in said newspaper for...One (1) Issue...commencing March 2, 1999...and ending March 2, 1999...Signed...[Signature]

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

Signed...[Signature] Notary Public.


LEGAL NOTICE

TO CONSIDER

REZONE

LOGAN MUNICIPAL
COUNCIL

The Logan Municipal Council will hold public hearings to reconsider the following rezone proposals:

(1) VALLEY WEST REZONE:
Proposition to rezone 1.03 acre parcel at 1160 West 200 North (Weston Properties) and a 2.5 acre parcel at 145 North 1000 West (Valley Metals) from AG (Agricultural) to IND (Industrial). Property is owned by W.B.I. Inc. Corporation, TIN 05-064-0025 and Jeanne Bond, TIN 05-064-0005. On January 28, 1999, the Planning Commission considered the City's request for a rezone from Agricultural to Industrial for these two parcels and recommended the rezone to the Municipal Council. Both parcels were annexed into the City in 1998 and were zoned AG (Agricultural) as a temporary zoning classification. Therefore, the City requested a zone change to IND (Industrial) which is appropriate with surrounding zoning and existing land use.

(2) HENRY'S POINT REZONE:
Proposal to rezone 40.93 acre parcel at 1400 West 600 South from AG (Agricultural) to SFT (Single Family Traditional). On June 11, 1998, the Planning Commission recommended approval of a zone change to the Municipal Council and conditionally approved a 68-lot subdivision, as sought by

proponent Blake Parker. Property is identified as TIN 02-069-0005. A public hearing will be held before the Logan Municipal Council on Wednesday, March 17, 1999, not before 6:15 p.m. in the Council Chambers at 255 N. Main Street, Logan, Utah.

Lois Price, Recorder
Publication Date: March 2, 1999.
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE

On the 19th day of April, A.D. 1999,
personally appeared before me, Felicia Tepedino, 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

a copy of which is hereto attached, was published in said newspaper for one (1) issue
commencing April 19, 1999, and ending April 19, 1999.
Signed, Felicia Tepedino.

Subscribed and sworn to before me, the day and year above written.
Signed, Cynthia K. Fulton


Cynthia K. Fulton
Notary Public

320 West 1200 North
Logan, Utah 84341
Not commissioned April 7, 1997