



**Project #16-006
B & C Subdivision
Located at 2108 North 600 West**

REPORT SUMMARY...

Project Name: B & C Subdivision
Proponent / Owner: Blayne Nielsen / Brookside Development LLC
Project Address: 2108 North 600 West
Request: 3 Lot Subdivision
Current Zoning: Industrial Park (IP)
Type of Action: Quasi-Judicial
Hearing Date: January 14, 2016
Submitted By: Amber Reeder, Planner II

RECOMMENDATION

Staff recommends that the Planning Commission **conditionally approve** a Subdivision Permit for Project #16-006, B & C Subdivision, in the Industrial Park (IP) zone located at 2108 North 600 West, TIN #04-079-0010.

Current Land use adjoining the subject property

| | | | |
|---------------|--|--------------|---|
| <i>North:</i> | AP: future 2200 North right-of-way, commercial storage use | <i>East:</i> | North Logan City A-10 Agricultural, undeveloped/agricultural uses |
| <i>South:</i> | IP: undeveloped and residential | <i>West:</i> | IP: 600 West, industrial uses |

Subdivision Proposal

The B & C Subdivision is proposed to divide the property at 2108 North 600 West into three (3) lots to separate the office building and warehouse building onto individual lots and the undeveloped northern portion of the property into a separate parcel. Lot 1 includes the undeveloped area, Lot 2 includes the warehouse building, and Lot 3 is the office building. The buildings were constructed in 2004. Fed-Ex operated from this property until the completion of their new facility on 1000 West last year.

The property is zoned IP- Industrial Park and is also designated IP in the Future Land Use Plan. There is not a minimum lot size in the Industrial zone. New construction would be reviewed for consistency with State and Local laws. There are some discrepancies regarding the right-of-way line of 600 West at this location between the surveyor's research and the City designation. The proponent is doing additional research to clarify the correct location of the 600 West property line.

Setbacks

The LDC minimum setbacks in the Industrial zone are as follows (measured from property lines):

Front: 20 feet
 Corner- Front: 20 feet
 Side (non-common wall): 20 feet
 Rear: 10 feet
 Parking: 30 feet

The existing construction is at the following minimum setbacks to property lines and proposed property lines in this subdivision:

Front: 35 feet
 Side: 5 feet between Lot 2 & 3
 Rear: 62 feet

The existing buildings are compliant with front and rear setbacks. The setback proposed between Lot 2 and Lot 3 is not compliant. There are 10' between the buildings and 20' is required off a side property line so a minimum of 40' would need to exist between the buildings to be able to establish a property line. Staff has met with the proponent regarding this issue and there are a few options that can be pursued. As the Planning Commission does not have the

latitude to consider a variation to this extent, the proponent could request a variance of the Land Use Appeal Board and make their case. They can also pursue condominiumization of the buildings and not separate the land in this area. There are Building Code considerations for each of these options also. The proponent is reviewing their options. Staff recommends conditioning Subdivision approval with the following condition: A Variance shall be obtained from the Land Use Appeal Board to allow the reduction in side setbacks between the structures on Lot 2 and Lot 3 and compliance with Building Code for setbacks from the property line shall be obtained prior to recordation of the final plat. Failure to obtain a variance and meet building code will require the elimination of a property line between the existing buildings on the property.

Open Space and Landscaping

The IP zone requires 10% of the lot is open space and 10% in useable outdoor space. Lot 1 is undeveloped and will be reviewed for compliance at development. Lot 2 is 0.77 acres which would require a minimum of 6,708 sf of land set aside. The Lot as proposed has 14,200 sf of landscaping (42%) and is compliant. Lot 3 is 0.59 acres which would require a minimum of 5,140 sf and contains 5,916 sf (23%) and is also compliant. There is a storm water retention pond on Lot 1 for the developed area of the site. The pond and infrastructure will need to be indicated on the plat and a shared use and maintenance agreement recorded.

Access and Services

Access to the site is at an existing drive on Lot 3. An easement will need to be indicated over the drive to indicate it as a shared access easement. The Public Works Department has indicated that additional right-of-way dedication will be required on 2200 North and may be required on 600 West.

There are utilities existing in the vicinity of and on the property. The Subdivision will need to include utility and access easements over this infrastructure. Logan City requires 10' public utility easements to be indicated along property lines at the bounds of a subdivision and a 5' PUE on all interior lot lines. These easements will need to be labeled as public utility easements.

There is adequate area for parking in the established parking areas and developed paved areas. Parking will need to be striped on Lot 2 or a shared parking agreement between the lots for the established parking.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following City departments or reviewing agencies:

| | |
|------------------------|-----------------|
| Fire Department | Light and Power |
| Engineering | City Forester |
| Water/Cross Connection | GIS |
| Environmental | Water |

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 December 31, 2015, and the Utah Public Meeting website on January 7, 2016. Public notices were mailed to property owners within 300 feet of the project site on December 30, 2015.

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. All standard conditions of approval will be recorded with the Subdivision Permit and are available in the Community Development Department.
2. Three (3) lots are approved with this subdivision permit.
 - i. A Variance shall be obtained from the Land Use Appeal Board to allow the reduction in side setbacks between the structures on Lot 2 and Lot 3 and compliance with Building Code for setbacks from the property line shall be obtained prior to recordation of the final plat. Failure to obtain a variance and meet building code will require the elimination of a property line between the existing buildings on the property.
3. Utility and access easements to be indicated over infrastructure in the project.
4. Provide 10' public utility easement on all property lines at the bounds of the subdivision and 5' PUE on all other property lines.
5. Street trees are required in park strip at 30' on center (average) along all street frontages.
6. Sidewalk to be completed and right-of-way improvements to be completed for the Subdivision or Agreements with Public Works per LDC §17.47.080.
7. The final plat shall be recorded within one (1) year of this action or comply with LDC 17.58 Expirations and Extensions of Time
8. Prior to recording of a Final Plat or issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from the following departments indicating that their requirement has been satisfied:
 - a. Engineering:
 - i. Each lot shall have independent water and sewer connections.
 - ii. An association with CC&R's shall be established to address all shared infrastructure, this includes but is not limited to storm drainage system, accesses, parking, right of ways, etc.
 - iii. Subdivision does not seem to address the area between 600 West and Lots 1, 2, and 3. Is this common area, a separate lot, etc. Plat shows no bend in 600 West but lot descriptions to, verify which is correct.
 - iv. Easements for access to all lots to be shown on plat
 - v. Based on road alignment west of 600 West, dedicate necessary right of way along 2200 North to ensure road right of way of 66' and alignment can be preserved for future road.
 - vi. If not dedicated to the City when original development occurred, dedicate 7' of right of way along 600 West frontage for future 80' right of way.
 - vii. Public Works to be provided construction plans to review for connections to City services.
 - b. Water/Cross Connection:
 - i. All water meter setters must meet current Logan City standards.
 - ii. All building mains, fire suppression systems, and landscape irrigation systems must have approved back flow systems and be tested.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE SUBDIVISION PERMIT

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

1. The proposed subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the subdivision meets the minimum requirements of the LDC.
2. Each lot, as conditioned, conforms to the requirements of Title 17 of the Logan LDC development requirements.
3. Each lot is suitable for development within the Industrial (IP) zone.

4. The Subdivision Permit conforms to the requirements of Title 17.47 concerning hearings, procedures, application requirements and plat preparations.
5. The project meets the goals and objectives of the Industrial (IND) designation within the Logan General Plan.
6. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



APPLICATION FOR PROJECT REVIEW

Planning Commission Land Use Appeal Board Administrative Review

| | | | | |
|--|----------------------|-------------------------|--|---------------------------------|
| Date Received 12/11/2015 | Received By Alder | Receipt Number phone | Zone IP | Application Number PC 16-006 |
| Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input checked="" type="checkbox"/> Subdivision <input type="checkbox"/> Zone Change <input type="checkbox"/> Administrative Design Review <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Variance <input type="checkbox"/> 4950' Design Review <input type="checkbox"/> Other _____ | | | | |
| PROJECT NAME B+C Project Subdivision | | | | |
| PROJECT ADDRESS 2108 ^{N.} 13600 ^{W.} Logan, Ut 84301 | | | COUNTY PLAT TAX ID # 04 - 079 - 0010 | |
| AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) Blayne Nielsen | | | MAIN PHONE # 435-512-0747 | |
| MAILING ADDRESS 552 N 200 E | | CITY Smithfield | STATE Ut | ZIP 84335 |
| EMAIL ADDRESS milkcreekconstruction@gmail.com | | | | |
| PROPERTY OWNER OF RECORD (Must be listed) Brookside Development LLC | | | MAIN PHONE # 435-753-8798 | |
| MAILING ADDRESS 552 N 200 E | | CITY Smithfield | STATE Ut | ZIP 84335 |
| EMAIL ADDRESS milkcreekconstruction@gmail.com | | | | |
| DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) 3 lot subdivision | | | Total Lot Size (acres) 3.14 ac | |
| | | | Size of Proposed New Building (square feet) - | |
| | | | Number of Proposed New Units/Lots 3 | |
| - 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 11 | |
| 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 Blayne Nielsen | |

NW⁴Section 21 Township 12 North Range 1 East

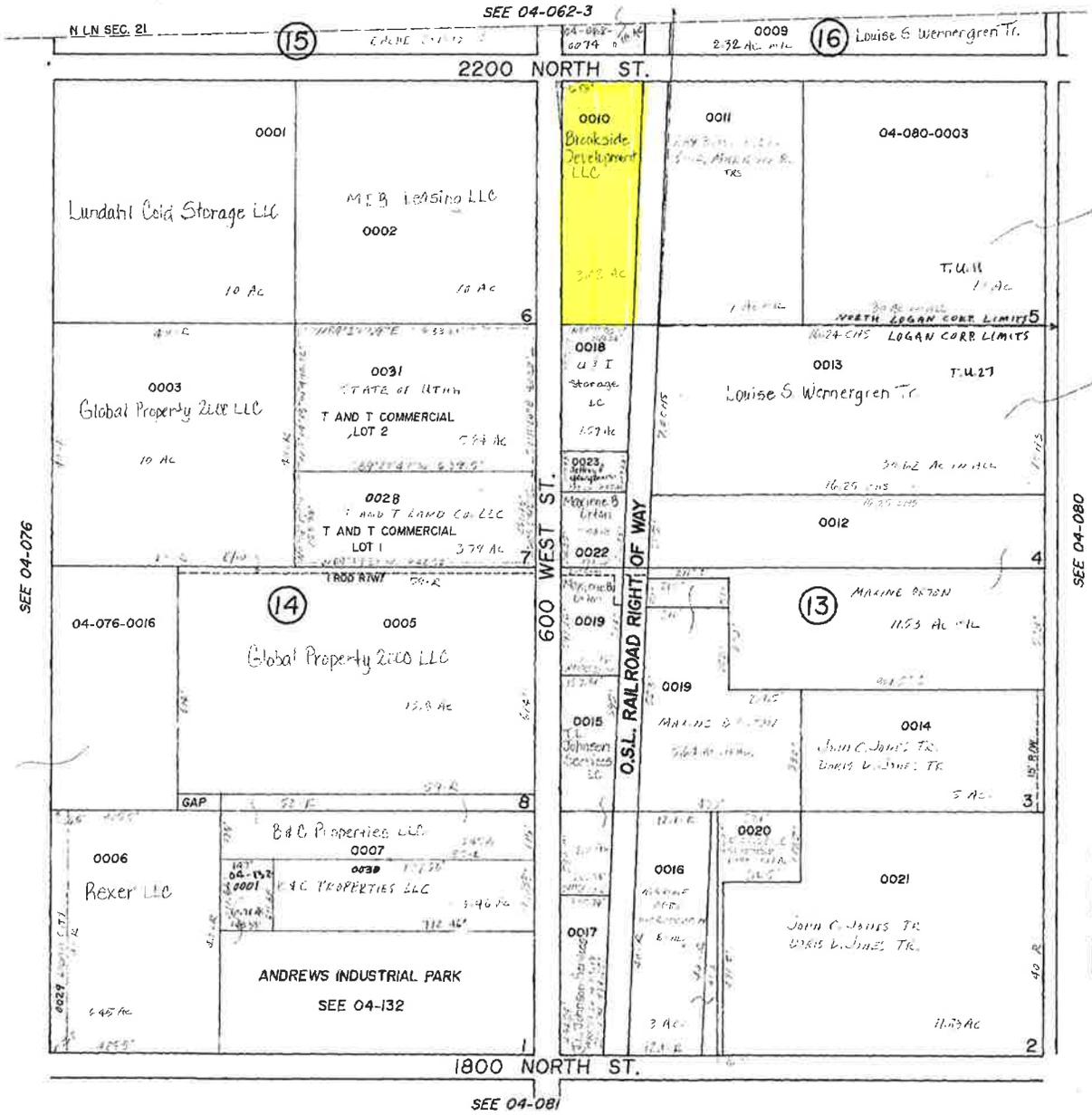
04-079

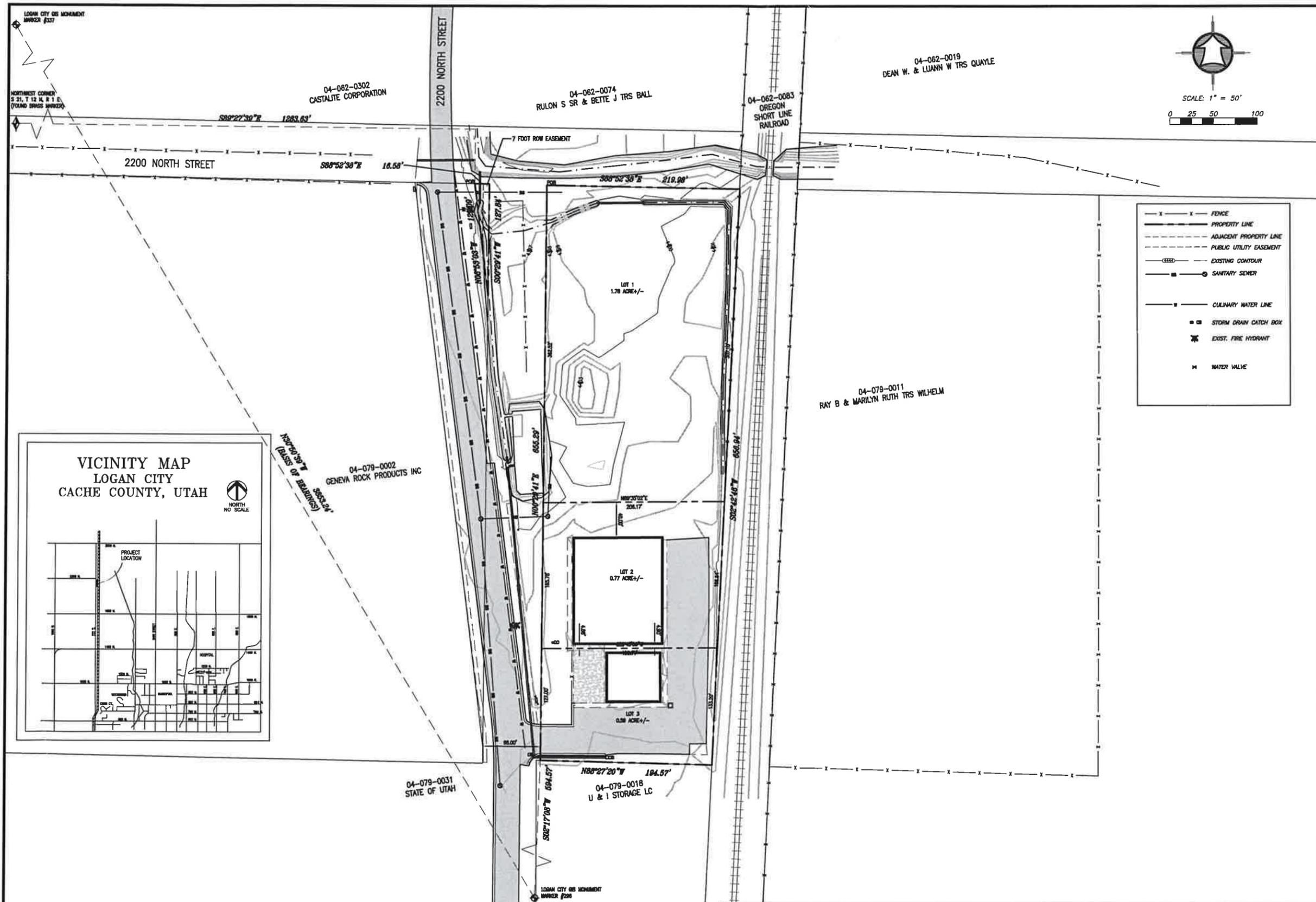
Scale 1 Inch = 200 Feet

TAX UNIT 27

PLAT "D" LOGAN FARM SURVEY

PC 16-006

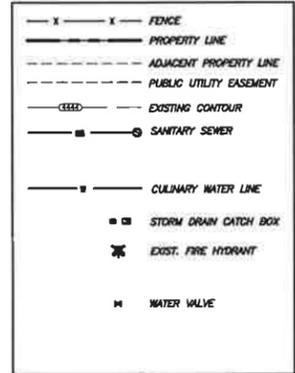
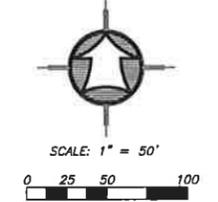




NOTES

LAYNE J. SMITH, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 33461, AS DESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY FOR THE DIVISION OF LAND SURVEY ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUFFICIENT KNOWLEDGE OF THE FACTS AND CIRCUMSTANCES HEREIN REFERRED TO BE KNOWN AS BOUNDARY DESCRIPTION, AND THE SAME HAS BEEN CORRECTLY SURVEYED AND ALL DETAILS ARE THE PROPERTY OF THE SURVEYOR.

LAYNE J. SMITH
 #374581
 10 DEC 2015



BOUNDARY DESCRIPTION

04-079-0010 LAND ACQUISITION

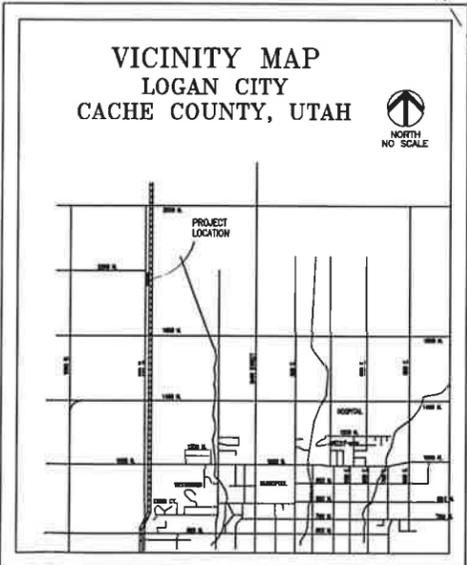
ALL OF THAT PART OF LOT 5, BLOCK 13, PLAT "D" OF THE LOGAN FARM SURVEY THAT IS SITUATED WEST OF THE OREGON SHORT LINE RAILROAD, ALSO BEING PART OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 12 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF 800 WEST AND THE SOUTH RIGHT-OF-WAY LINE OF 2200 NORTH; AND THENCE SOUTH 89°52'30" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE 218.88 FEET TO THE WEST RIGHT-OF-WAY LINE OF THE OREGON SHORT LINE RAILROAD; THENCE SOUTH 02°42'46" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, 659.94 FEET TO THE SOUTH LINE OF SAID LOT 5; THENCE NORTH 89°27'29" WEST ALONG SAID SOUTH LINE, 194.57 FEET TO THE EAST RIGHT-OF-WAY LINE OF 800 WEST STREET; THENCE NORTH 02°22'41" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, 655.28 TO THE POINT OF BEGINNING.

ALSO A PART OF LOT 6, BLOCK 14, PLAT "D" OF THE LOGAN FARM SURVEY, ALSO BEING A PART OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 12 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT LIES SOUTH 89°27'29" EAST (DIST BY RECORD), 1283.63 FEET (1284.73 FT BY RECORD) AND SOUTH 02°22'31" WEST (SOUTH BY RECORD), 62.51 FEET OF THE NORTHWEST CORNER OF SAID SECTION 21; AND THENCE SOUTH 89°27'29" EAST (S 89°45'30" E BY RECORD), 18.59 FEET; THENCE SOUTH 02°22'41" WEST (S 02°40'02" W BY RECORD), 127.84 FEET; THENCE NORTH 02°53'03" WEST (N 02°02'30" W BY RECORD), 128.08 FEET (80.87 FT BY RECORD) TO THE POINT OF BEGINNING.

CONTAINING 3.15 ACRES +/-



SURVEY NARRATIVE:

1. THE BASIS OF BEGINNINGS FOR THIS SURVEY IS NORTH 30°30'30" WEST, BETWEEN LOGAN CITY GIS MONUMENTS 298 AND 337.
2. THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THE PARCEL INTO 3 LOTS AS SHOWN. THE OFFICIAL RECORD FOR THE PARCEL TO BE DIVIDED IS FILED IN THE OFFICE OF THE CACHE COUNTY RECORDERS OFFICE AS ENTRY NO. 006333, BOOK 1388, PG 148A.
3. REINFORCEMENT:
 4. 5" BEARER WITH PLASTIC CAPS MARKED "SMITH, 334581" PLACED AT INDICATED CORNERS.

OWNER / SUBDIVIDER

BROOKSIDE DEVELOPMENT LLC
 BLAINE NIELSEN
 662 N. 200 E,
 SMITHFIELD, UT 84335
 435 512-0747

| REV# | REVISION | DATE |
|------|----------|------|
| | | |
| | | |
| | | |



Project Title:
B AND C SUBDIVISION
 LOGAN, UT

Sheet Title:
PRELIMINARY PLAT

| | | |
|-------------------------------|---------------------------|-------------|
| Drawn By: J. BODLY | Project Number: 15-097 | Sheet No.: |
| Designed By: | Date: DEC 11, 2015 | 1 |
| Reviewed By: L. SMITH | Sheet Scale: 1" = 50' | 1 of 1 |
| DRAFTING/CJ/15-097/15-097.DWG | | PRELIMINARY |

ACKNOWLEDGMENT

STATE OF _____
 COUNTY OF _____

ON THE ____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF _____, IN SAID STATE OF _____, THE SIGNERS OF THE ATTACHED OWNER'S CERTIFICATE, THEIR NAMES, WHO DULY ACKNOWLEDGED TO ME THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____

OWNER'S CERTIFICATE

I / WE THE UNDERSIGNED, DO HEREBY AFFIRM THAT I / WE ARE RECORD OWNERS OF THE SUBJECT PROPERTY PROPOSED ON THIS MAP FOR SUBDIVISION AND I / WE CONSENT TO THE FILING OF THIS PRELIMINARY PLAT.

IN WITNESS WHEREOF WE HAVE HERETO SET OUR SIGNATURES THIS ____ DAY OF _____, A.D. 20____.