



**Project #16-032
Berntson Estates
1200 East 1400 North**

REPORT SUMMARY...

Project Name: Berntson Estates
Proponent / Owner: Nate Brockbank / Pat Hancey
Project Address: 1200 East 1400 North
Request: 108 Lots
Current Zoning: Neighborhood Residential (NR-6)
Type of Action: Quasi-Judicial
Hearing Date: July 14, 2016
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission **conditionally approve** a Subdivision Permit for Project #16-032, Berntson Estates Subdivision, in the Neighborhood Residential (NR-6) located 1200 East 1400 North, TIN#05-011-0006.

Current Land use adjoining the subject property

<i>North:</i>	COM: Commercial	<i>East:</i>	NR-6: Residential
<i>South:</i>	NR-6: Residential	<i>West:</i>	PUB: Utah State Univ.

Subdivision Proposal

The applicant is proposing a 108 lot subdivision that contains both single family residential and commercial building lots. The majority of the property is located south of 1400 North and east of 1200 East and formerly used as a gravel pit. This area is proposed as 105 single family building lots ranging from 5,676 to 29,630 square feet in size. The area north of 1400 North is being proposed as three (3) commercial building lots ranging from 39,989 to 55,249 square feet in size. The rocky ground generally slopes downwards east to west and has an elevation difference of approximately 74 feet.

The residential portion of the proposed subdivision is at a density of 4.01 units per acre. Some lots proposed are shown below the minimum 6,000 SF lot size requirements in the Land Development Code (LDC) 17.15.070. The lot widths are typically at the LDC minimum of 60 feet.

The commercial sections of the LDC do not require minimum lot sizes or frontages, only overall lot coverage, parking lots and landscaping percentages. When a commercial building is proposed in the future, as per the Design Review Permit process, these site development standards will be reviewed for compliance with the LDC. For a commercial subdivision permit to be approved, access and overall layout should be reviewed and considered.

Access

Three total street connections are shown, one (1) onto 1400 North and two (2) onto 1200 East. All streets are shown at 55' cross sections. Internal blocks are created by the looping residential streets creating circulation options. The Logan City standard cross section is 60' for residential streets. The applicant has not offered any reasoning as to why a 55' cross section street is adequate in this particular area or why a variation to the standard should be considered. As conditioned with standard street cross sections, the proposed subdivision meets access requirements in the LDC.

Density

The NR-6 zoning district allows up to six (6) units per acre, a minimum lots size of 6,000 square feet and a minimum lot width of 50 feet as per the LDC. The proposed 105 lot residential portion of the subdivision has an overall density of 4.01 units per acre. Multiple lots are shown below the 6,000 SF minimum. As conditioned with all lots to be a minimum 6,000 SF, the subdivision meets density requirements in the LDC.

Site Development

Setbacks

The Land Development (LDC) requirements for building setbacks in the NR-6 zone are as follows (as measured from property lines):

- Front: 25 feet
- Side: 8 feet
- Rear: 10 feet
- Canal: 15 feet
- Accessory: 5 feet

As new homes are proposed on individual lots, setbacks will be reviewed and approved by City staff.

Structures

Building heights, both primary and accessory, lot coverage, driveway placement and widths, parking, façade variation and garages will all be reviewed and approved by City staff as per LDC NR-6 regulations when individual building permits are submitted.

The commercial developments will need Design Review Permits prior to construction and will be approved as per commercial zoning regulations in the LDC at the time of application.

Open Space

Open space is not required in the NR-6 zoning district. Based on lower densities and low lot coverage allowances, this creates ample open areas and landscaping possibilities within each individual lot. As population grows in the area, the Logan City Parks and Recreation Department will acquire lands for public park development as per the Logan City Parks Master Plan.

Landscape Buffers

The LDC 17.14.020 requires substantial landscaping when subdivision applicants propose building lots with back yards adjacent to exterior streets. In certain circumstances, widths as wide as 50 feet with undulating berming and fencing are shown in the diagram. Staff considers 10' in width sufficient to appropriately buffer back yards in this particular area of the city if dense vertical and consistent landscaping is installed along the entire perimeter, meeting the intent of the LDC diagram.

Utility Services

The adjacent streets (1400 North & 1200 East) contain all of the city utility services needed for residential development. Water, sewer and power will be extended throughout the subdivision as per City standards and specifications ensuring that all lots will be fully serviced.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following departments or agencies:

● Fire	● Engineering
● 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 were received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 6/23/16 and the Utah Public Meeting website on 7/7/16. Public notices were mailed to all property owners within 300 feet of the project site on 6/27/16.

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. 108 lots are approved with this subdivision permit, 105 residential and 3 commercial lots.
3. The final plat shall be recorded within one (1) year of this action or comply with LDC 17.58 Expirations and Extensions of Time.
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. A phasing plan shall be submitted and approved by the Director of Community Development in accordance to 17.58.010 with subsequent phases recorded within 12 months to avoid subdivision permit expiration.
6. A 10 foot wide landscape buffer shall be installed along both 1400 North and 1200 East streets where lots have back yards adjacent to exterior streets. The landscaping shall be uniform throughout the entire block(s) and contain at least 50% coverage in plant material and trees at a minimum overall spacing of 40 feet. Fencing shall be uniform through the entire subdivision perimeter adjacent to streets and placed outside of the 10' wide buffer.
7. The landscape buffers shall have automatic irrigation systems for regular watering and maintenance. A written binding agreement shall be submitted to the city detailing landscape buffer responsibility and funding for maintenance. A note shall be placed on the final plat referencing the responsibility of the landscape buffer and submitted written agreement.
8. The 10' wide landscape buffer shall be installed prior to home construction or incrementally installed by subdivision phase. A subsequent phase shall not be recorded if the landscape buffer is not installed as per the subdivision permit.
9. Street trees shall be planted in the parkstrip of every street at 30 feet on center. Subsequent subdivision phases shall not be recorded if street trees are not planted or bonded for. Species to be approved by the City Forester.
10. An engineering geologic study to be completed by a professional engineer and approved by the City Engineer and Community Development Director prior to recordation of a final plat or permitting of any structures on property. The study shall include historic high water table information and areas that would prohibit basement construction should be indicated on final plats.
11. All areas of slope greater than 30% shall be indicated as non-buildable areas on final plats.
12. Lots used for storm water retention shall be labeled on the final plat as non-buildable storm water retention facilities.
13. Street cross sections shall be standard 60' and 66'.
14. A wetland delineation shall be completed prior the submittal of commercial design review permits for the three lots north of 1400 North.
15. 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. Fire:
- Place fire hydrants within 600 ft of all buildable area of all lots.
 - Roads shall meet Logan City Standards for width and grade.
- b. Engineering:
- Traffic Study of impact to existing roads and intersections shall be done by Logan City Engineering Department. Cost of study to bill to developer, input by developer regarding potential firms will be considered in final selection of consultant.
 - No lot access will be allowed from 1200 East and 1400/1500 North streets
 - Show "No Build" area for steep slopes per Land Development Code on final recorded plats
 - Comply with new MS4 storm water requirements (1. Retention onsite of 90th percent storm event, 2. Implementation of Low Impact Design for permanent post construction storm water management best practices). Comply with City storm water design standards.
 - Provide Storm Water Pollution Prevention Plan and NOI with infrastructure construction drawings for approval prior to final plat recordation.
 - Connect drainage piping from Box Elder Circle into new development post construction storm water system.
 - Provide City with a permanent storm water utility easement on development property from subdivision Phase 9 lots to the existing 1400 East detention pond.
 - Lots 2 and 3 on north side of 1400/1500 North shall have a shared access to 1400/1500 North and shall align with the access from south development to form a 4-way intersection.
 - The north access to 1200 East from south development shall be a minimum of 200' from south right of way line of 1400 North to the north right of way line of the north access road to 1200 East.
 - The 3 access roads from the subdivision shall be 66' right of way all other roads shall be 60' unless approved otherwise by City Engineer.
 - Construct 1400/1500 North for 80' right of way with curb, gutter, park strip, sidewalk and road section as required for specified right of way width.
 - Provide to City prior to plat recordation, water shares for new development, development agreement, storm water maintenance agreement and land disturbance permit
 - Construct all 1200 East and 1400/1500 North improvements with first phase of construction.
 - Provide a 10'x10' long corner cut off at south east corner of 1400 North and 1200 East and a minimum 25' radius.
- c. Environmental:
- Provide all weather access and turn around for residential collection trucks for each phase.
- d. Water:
- All water meter setters must meet current Logan City standards for check valves.
 - All landscape irrigation water systems if connected to culinary water must have high hazard back flow assembly installed and 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 conforms to the requirements of Title 17 of the Logan LDC in terms of lot size and development requirements.
3. Each lot is suitable for development within the NR-6 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 NR-6 zoning designations within the Logan General Plan.
6. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
7. 1400 North and 1200 East provide infrastructure, utilities and are adequate in size to handle anticipated traffic.

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.



June 16, 2016

Mr. Russ Holly

Logan City Planner

Russ,

We are asking for permission to proceed on a design plat on a subdivision on 1400 N. and 1200 E. Logan City, Utah including 29.57 acres. We are turning in at this time the site plan for project review for Tax ID Number 05 – 011 – 0006 as indicated on Logan city's Application Process for Project Review. If you have any questions or comments about our request please contact us and we will respond shortly.

Thanks,

Sign: Patricia B. Hancey

Pat Hancey

Bernstein Limited Partnership

Sign: Nate Brockbank

Nate Brockbank

Titan Development

NE⁴ Section 26 Township 12 North Range 1 East

05-011

Scale 1 Inch = 200 Feet

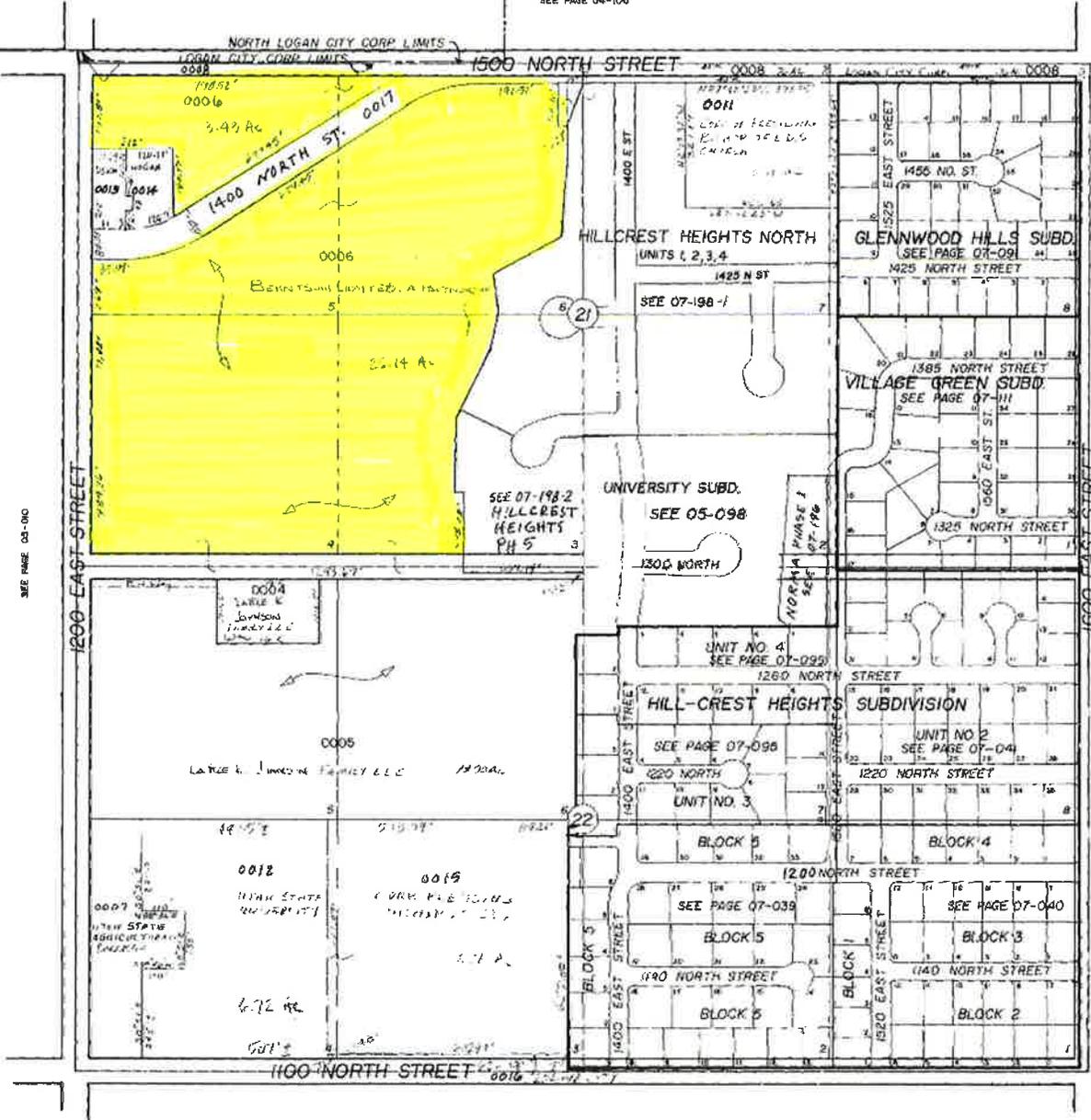
TAX UNIT 27

PART OF BLK'S 21 and 22, PLAT "G" LOGAN FARM SURVEY

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