

**CITY OF LOGAN, UTAH  
ORDINANCE NO. 16-025**

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF LOGAN  
CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF  
UTAH AS FOLLOWS:

SECTION 1: That certain map or maps entitled "Zoning Map of Logan City, Utah" is hereby  
amended and the following property (TIN #05-109-0096) and identified in Exhibit A, as  
attached, is hereby rezoned from Public (PUB) to Recreation (REC) and Neighborhood  
Residential (NR-4).

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, \_\_\_\_\_  
THIS DAY OF \_\_\_\_\_, 2016.

AYES:  
NAYS:  
ABSENT:

\_\_\_\_\_  
Herm Olsen, Chair

ATTEST:

\_\_\_\_\_  
Teresa Harris, City Recorder

**PRESENTATION TO MAYOR**

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for  
approval or disapproval on the \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Herm Olsen, Chair

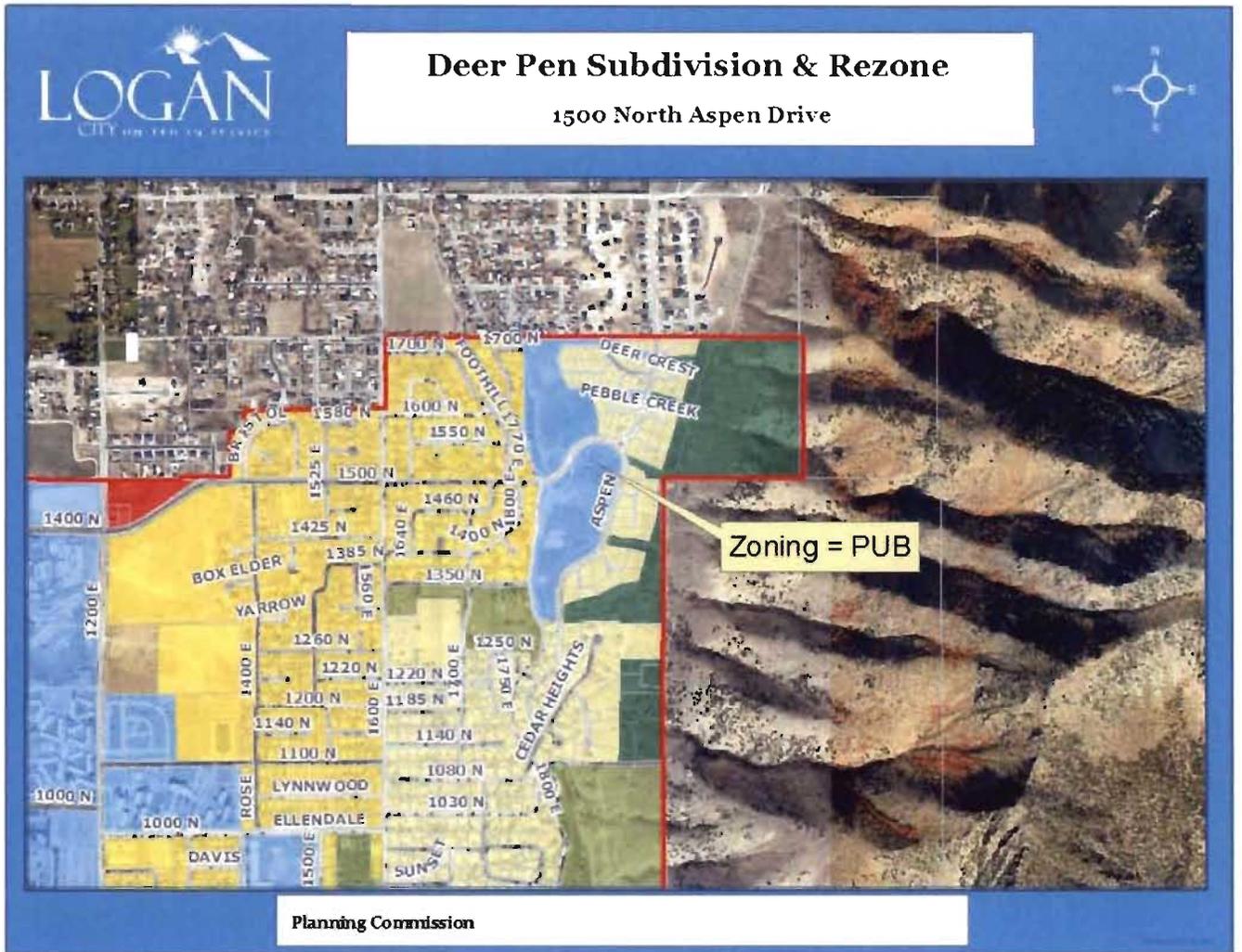
**MAYOR'S APPROVAL OR DISAPPROVAL**

The foregoing ordinance is hereby \_\_\_\_\_ this \_\_\_\_ day of  
\_\_\_\_\_, 2016.

\_\_\_\_\_  
H. Craig Petersen, Mayor

# EXHIBIT A

## EXISTING ZONING



PROPOSED ZONING

**LOGAN**  
CITY OF THE FUTURE

**Deer Pen Subdivision & Rezone**  
1500 North Aspen Drive

**PROPOSED ZONING = NR-4 & REC**

Planning Commission



## MEMORANDUM TO MUNICIPAL COUNCIL

DATE: August 2, 2016  
FROM: Mike DeSimone, Director  
SUBJECT: Ordinance 16-030 (Deer Pen Rezone)

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### **Summary of Planning Commission Proceedings**

*Project Name:* Deer Pen Rezone  
*Request:* Rezone  
*Project Address:* Deer Pen Property (TIN#05-109-0096)  
*Recommendation of the Planning Commission:* Approval

On July 14, 2016, the Planning Commission recommended that the Municipal Council **approve** the Rezone of approximately 32 acres from Public (PUB) to 23.42 acres of Recreation (REC) and 8.63 acres of Neighborhood Residential (NR-4). The boundaries of the proposed rezone follows the 22 lot preliminary plat also approved by the Planning Commission on July 14, 2016.

### **Planning Commissioners vote (4 - 1):**

Motion for Recommendation: R. Price

Second: E. Ortiz

Yea: A. Davis, T. Nielson, E. Ortiz, R. Price    Nay: D. Newman    Abstain: D. Butterfield

### **Attachments:**

*Staff Report (PC)*

*Ordinance 16-025*

*PC Meeting Minutes*



**Project #16-030  
Deer Pen Rezone & Subdivision  
Located at 15<sup>th</sup> East and Aspen Drive**

**REPORT SUMMARY...**

*Project Name:* Deer Pen Rezone & Subdivision  
*Proponent / Owner:* Logan City  
*Project Address:* 15<sup>th</sup> North and Aspen Drive  
*Request:* Rezone - Public to Recreation & Neighborhood Residential (NR-4)  
 Create 22 Residential Lot Subdivision  
*Current Zoning:* Public (PUB)  
*Type of Action:* Quasi-Judicial  
*Hearing Date:* July 14, 2016  
*Submitted By:* Mike DeSimone, Director

**RECOMMENDATION**

Staff recommends that the Planning Commission consider the following:

- (1) Recommend **Approval** to the Municipal Council for a rezone of approximately 32 acres from Public (PUB) to 23.42 acres of Recreation (REC) and 8.63 acres of Neighborhood Residential (NR-4).
- (2) **Conditionally Approve** a Subdivision Permit for Project #16-030, Deer Pen Subdivision, in the Neighborhood Residential (NR-4) zone located adjacent to 15<sup>th</sup> North and Aspen Drive, creating 22 residential lots and potentially two (2) residual lots for future park space.

**Background**

Logan City adopted the Hillcrest Neighborhood Plan (HNP) on May 3, 2016. During the Hillcrest Neighborhood Planning process, Logan City explored the idea of changing the planned use of the Deer Pen property from a future cemetery site to other types of uses, including residential development, park space and formal open space. The HNP included specific recommendations directing that changes to either the Future Land Use Map or the Zoning Map match the subdivision boundaries.

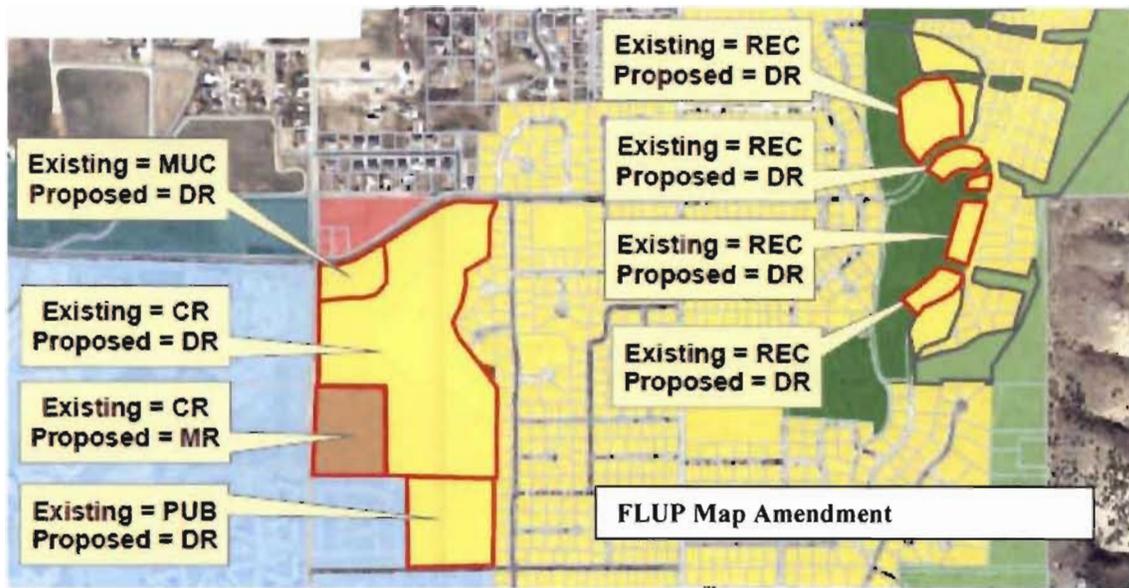
The final Hillcrest Neighborhood Plan included a FLUP amendment changing the plan designation in Deer Pen from Recreation to a combination of Recreation and Detached Residential. The boundaries of the Detached Residential followed the outline of a conceptual 22 lot subdivision on approximately 8 – 9 acres. See FLUP below. The zoning remained unchanged from Public until a formal subdivision plat was prepared and submitted, and at which time, the zoning boundaries would match the subdivision plat boundaries.

The proposed plat submitted to the Planning Commission represents the lot layout for the residential development that was reviewed with the Steering Committee and others prior to final plan approval by the Municipal Council. The remaining property containing approximately 23 – 24 acres will be removed from consideration as a future cemetery and is being planned for future park and open space uses. A separate group has been meeting with Logan City's Parks and Recreation Department on this specific issue.

*Current Land use adjoining the subject property*

<i>North:</i>	Public & NR-6: Residential	<i>East:</i>	NR-4: Residential
<i>South:</i>	Recreation & NR-4: Residential	<i>West:</i>	Public & NR-6: Residential

This request involves the following properties: TIN #05-109-0096.



**Rezone**

The proposal is to rezone approximately 32 acres from Public (PUB) to 23.42 acres of Recreation (REC) and 8.63 acres of Neighborhood Residential (NR-4). The NR-4 area will be developed with a 22 lot residential subdivision while the areas zoned as Recreation will become formally incorporated into the Logan Parks & Recreation system.



**Subdivision Proposal**

The proposed Deer Pen Subdivision is located adjacent to Aspen Drive and 15<sup>th</sup> North. The proposal is to create a total of 22 residential lots, eight of which are accessed off of Aspen Drive, five of which are accessed off of 15<sup>th</sup> North, and the remaining nine will be access off of a new cul-de-sac, Sharptail Circle. The lots range from 13,700 square feet up to 26,692 square feet in size and are compatible with surrounding neighborhoods. The proposed lots meet the minimum sizes, densities, and dimensions for new development in the NR-4 zone. The lots

fronting onto Aspen Drive will have some significant slopes to deal with when they are developed, while a high voltage power line is located between Lots 14 & 15. The remaining acreage may be incorporated into one or two additional parcels, or remain as residual acreage.



The project is consistent with the intent and technical requirements of the Neighborhood Residential (NR-4) as these lots meet minimum frontage, size and dimensional requirements.

#### **Access**

Residential access will be available to each of the lots from Aspen Drive, 15<sup>th</sup> North and the proposed Sharptail Circle. The existing road network is sufficiently sized to accommodate the additional amount of new driveways and anticipated traffic generated by this project.

#### **Utilities**

City utilities are generally available to serve this subdivision. A new sewer line will need to be installed on the west side of the lots fronting Aspen Drive. Water pressure is problematic in Deer Crest; however, these lots are lower than Deer Crest and according to our water department, should be ok for service. An existing stormwater channel will also be re-routed to accommodate some of the lots fronting Aspen Drive.

#### **General Plan**

As discussed above, the Future Land Use Plan Map (FLUP) was amended in May to designate the subdivision area as Detached Residential with the intent of following with the rezone and preliminary plat. The HNP included the following graphic depicting a future subdivision that was reviewed by the Hillcrest Steering Committee and Municipal Council. The proposed project is consistent with the Logan City General Plan and the Hillcrest Plan.

#### **AGENCY AND CITY DEPARTMENT COMMENTS**

Comments were solicited from City departments or reviewing agencies and are included in the Conditions of Approval.

#### **PUBLIC COMMENTS**

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, there have been inquiries for information on the subdivision but no comments in favor or against have been received.

#### **PUBLIC NOTIFICATION**

Minimum public notification requirements have been met for this proposal.



**MAP 10.4 DEER PEN DEVELOPMENT PLAN**

### 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. 22 residential building lots are approved with this subdivision permit. The residual acreage may be included as additional non-buildable lots or remain as is.
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. 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:
    - Coordinate with Deer Crest Subdivision owner(s) for connection of sewer to sewer main in 1700 North. This was considered a private line during the development of the Deer Crest subdivision due to not being located in a City Road
    - Storm Water detention/retention to be modified to accommodate the new MS4 requirements of the 90<sup>th</sup> percentile storm
    - Development shall incorporate LID post construction best management practices per the new MS4 storm water permit
    - Plat shall show all steep hazard areas as defined by the Land Development Code. Special reviews and approvals shall be required by Public Works and Building Department prior to any building permits being issued to ensure a safe building site and access to parcels effected by this hazard
    - Provide 50' drainage easement through north drainage channel (this is located between the cul-de-sac lots and the existing Phase II Deer Crest Subdivision)
    - Design of City infrastructure (roads, curb, gutter, sidewalks, water, sewer, and storm water shall be submitted and approved prior to final recordation of plat
  - b. Water/Cross Connection:
    - All water meter setters must have current Logan City approved check valves in the water meter setters.

- Any irrigation systems from culinary water must have high hazard back flow protection 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 as 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-4 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 Logan General Plan and the Hillcrest Neighborhood 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.

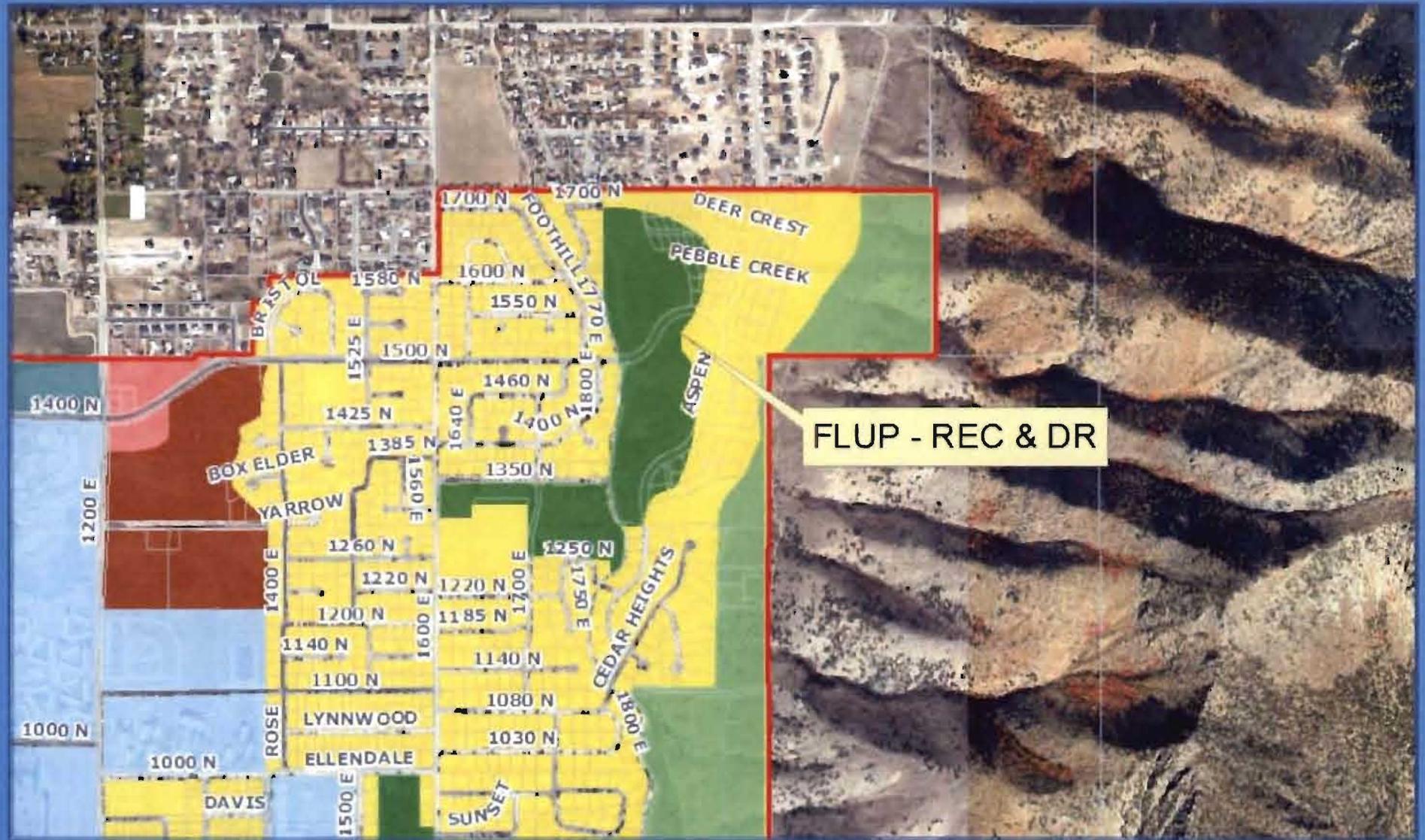
# Deer Pen Subdivision & Rezone

1500 North Aspen Drive



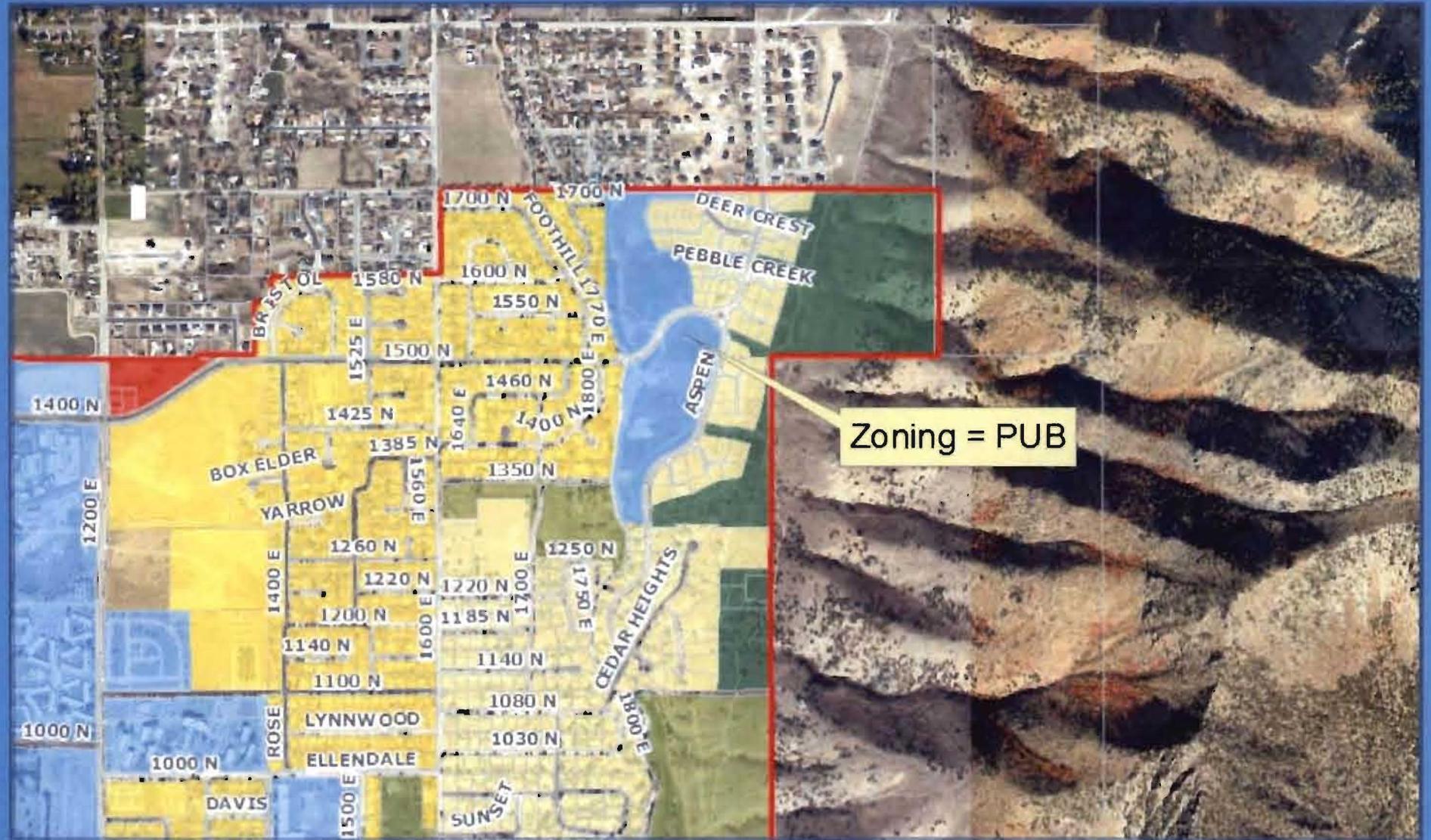
# Deer Pen Subdivision & Rezone

1500 North Aspen Drive



# Deer Pen Subdivision & Rezone

1500 North Aspen Drive





# Deer Pen Subdivision & Rezone

1500 North Aspen Drive





**CURVE TABLE**

CURVE	LENGTH	RADIUS	A	CH. BEARING	CHORD
C1	283.88	150.00	108°11'50"	S16°17'21"W	243.81
C2	82.87	333.00	15°38'47"	S80°47'18"W	82.87
C3	83.80	333.00	14°48'30"	S85°37'58"W	83.80
C4	38.30	153.00	8°28'30"	N33°00'12"E	38.30
C5	145.81	123.00	8°24'28"	N0°30'37"E	175.57
C6	30.33	25.00	88°48'56"	N77°44'08"E	26.23
C7	15.84	44.00	4°25'11"	N88°58'10"E	41.87
C8	61.88	58.00	80°50'00"	N35°18'22"E	58.73
C9	87.18	88.00	68°27'14"	N88°17'48"W	83.44
C10	39.64	58.00	77°03'45"	S79°58'11"W	72.28
C11	34.72	58.00	34°18'06"	S24°18'13"W	34.72
C12	18.18	25.00	41°38'23"	S77°58'53"W	17.28
C13	48.57	178.30	15°44'50"	S40°58'09"W	48.34
C14	109.38	178.30	32°54'44"	N18°38'21"E	100.00
C15	101.38	178.30	32°54'48"	N18°18'23"E	100.00
C16	15.55	178.30	9°02'48"	N35°17'13"E	15.54
C17	107.21	333.00	18°28'45"	N38°40'54"E	108.74
C18	88.20	267.00	21°27'14"	N30°08'38"E	88.01
C19	128.17	267.00	27°04'30"	N40°22'01"E	125.00
C20	128.17	267.00	27°04'30"	N49°28'31"E	125.00
C21	13.22	267.00	7°50'13"	S73°38'18"E	13.22

**CURVE TABLE**

CURVE	LENGTH	RADIUS	A	CH. BEARING	CHORD
C22	74.58	75.00	58°58'58"	S38°48'48"E	71.56
C23	85.70	267.00	20°32'09"	S2°40'31"W	85.18
C24	150.00	267.00	32°12'04"	S39°29'44"W	148.00
C25	62.00	267.00	1°18'38"	S81°12'37"W	61.88
C26	128.75	333.00	24°02'38"	S52°30'03"W	138.20
C27	232.80	267.00	48°24'31"	S60°24'03"W	221.00
C28	178.68	333.00	45°08'31"	S52°17'02"W	158.54
C29	42.00	60.00	43°03'00"	S85°51'07"W	44.03
C30	43.48	60.00	48°50'27"	N63°04'38"E	42.17
C31	43.60	60.00	40°20'28"	S00°07'13"W	42.28
C32	88.74	75.00	8°24'32"	S44°11'01"E	83.85
C33	140.42	267.00	30°07'37"	S03°23'27"W	138.80
C34	128.48	300.00	24°43'50"	S38°49'27"W	128.48
C35	247.17	300.00	47°21'18"	N31°51'41"E	242.23
C36	216.88	267.00	48°33'34"	N30°44'28"E	211.07
C37	277.37	333.00	47°43'00"	N31°18'04"E	268.38
C38	14.15	75.00	10°48'28"	S77°40'30"E	14.15
C39	44.72	267.00	9°38'48"	N82°10'07"W	44.67
C40	16.25	267.00	2°28'45"	N73°38'19"E	15.74
C41	238.88	333.00	41°08'03"	S20°15'47"W	233.28
C42	227.00	300.00	43°11'17"	N73°38'02"E	221.87

**LINE TABLE**

LINE	LENGTH	BEARING
L1	14.80	N80°05'32"W
L2	14.80	N73°38'19"E
L3	15.18	N07°27'31"E
L4	18.20	N02°22'31"E
L5	48.77	S46°23'40"E
L6	68.47	S46°23'40"E
L7	63.47	S54°31'25"W
L8	54.28	S83°20'19"W
L9	34.81	S88°17'48"W
L10	63.80	N74°11'01"W
L11	20.88	N88°44'03"E
L12	41.20	S15°56'08"W
L13	47.77	S15°56'08"W
L14	35.87	N107°01'21"W
L15	33.12	N107°01'21"W
L16	33.12	N107°01'21"W
L17	37.48	N107°01'21"W

