



**Project #18-033
Niederhauser Retail
Located at 730 South Main**

REPORT SUMMARY...

Project Name: Niderhauser Retail
Proponent/Owner: Mike Medina / Geraldine Niederhauser
Project Address: 730 South Main Street
Request: Design Review Permit
Current Zoning: Commercial (COM)
Date of Hearing: September 27, 2018
Type of Action: Quasi-Judicial
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission **approve** a Design Review Permit for Project #18-033 Niederhauser Retail, for a 4,800 SF multi-tenant commercial building located at approximately 730 South Main Street; TIN #02-065-0011.

Land use adjoining the subject property

| | | | |
|---------------|----------------------|--------------|----------------------|
| <i>North:</i> | COM: Commercial Uses | <i>East:</i> | COM: Commercial Uses |
| <i>South:</i> | COM: Commercial Uses | <i>West:</i> | COM: Commercial Uses |

DESIGN REVIEW PERMIT

Project Proposal

This is a proposal for a new 4,800 Square Foot (SF) multi-tenant commercial restaurant building. The proposal also includes landscaping improvements, a new 50-stall parking lot, drive-thru window and outdoor patio/dining area. The project site is a 0.89-acre property with shared vehicular access to Main Street and 700 South to the north. The relatively flat site is currently unpaved and recently had two structures demolished.

Land Use

The Land Development Code (LDC) Table 17.11.030 permits both types of restaurants (fast food & general) in the COM zoning district. The COM zoning designation is the City's primary economic zone and permits a wide range of commercial uses.

Setbacks

The Land Development Code (LDC) requirements for setbacks in the COM zone are as follows (as measured from property lines):

Front: 10'
 Side: 8'
 Rear: 10'
 Parking: 10'

The following setbacks are proposed for the building (as measured from the exterior property lines of the project site, at closest points):

Front (West): 51'
 Side (South): 22'
 Side (North): 19'
 Rear (East): 183'
 Parking (West): 143'

As proposed, the project meets minimum setback requirements of the LDC.

Lot Coverage

The LDC 17.10.080 establishes a maximum lot coverage of 60% (building(s) footprint) in the COM zone. The total project site is 0.89 acres (38,768 SF) in size with a proposed 4,800 SF building that equals approximately 13% of the lot and complies with maximum coverages in the LDC.

Building Design & Orientation

The LDC 17.12.030 states that buildings should generally have primary entrances and front facades facing the adjacent street. In situations where the façade with the primary entrance is not facing the street, then the façade facing the street shall have similar architectural style, features, details and visual interests of the façade that contains the primary entrance. The LDC 17.10.030 requires street facing facades in the COM zone, regardless of the location of the primary entrance, to have 30% transparency (fenestration). The LDC limits blank or featureless walls in the COM zone to no more than 40 linear feet. The proposed building shows the primary entrance and façade oriented east towards the parking lot opposite of Main Street. The façade facing main street does not have similar features and details found on the east (primary) façade. As conditioned with 30% transparency and similar façade features, such as windows, awnings, wall articulation, material mixes, on both the east and west facades, the building design meets LDC standards.

Building Frontage

The LDC 17.10.030 requires that at least 50% of the overall width of the property contains building mass. This requirement enhances pedestrian safety and creates urban settings that frame streets with buildings and architecture while reducing the visual prominence of parking lots. Considering the 133' property width and a building width of 96', the building frontage would equal approximately 72%. As proposed, the project meets the requirements on the LDC.

Pedestrian Circulation

The LDC 17.10.030 requires parking lots to be placed behind or in secondary locations to the primary buildings. Pedestrian circulation should take a predominate role and be done in a safe and convenient manner that results in sidewalks connecting streets to buildings. The site layout generally places the building between the parking lot and the street with the drive-thru window placed on the south side façade. As conditioned with a safe and delineated sidewalk crossing over the drive-thru lane, the proposed project meets the requirements in the LDC.

Parking Stall Requirements

The LDC 17.31.040 requires one parking stall per every 150 SF of dining area for general restaurants. With the restaurant dining areas at approximately 3,300 SF (estimated 70% of floorplan), the LDC would require 22 parking stalls. 50 parking stalls are proposed in the rear parking lot. Bicycle racks are also shown. The drive-thru isle is required to have a minimum of 8 stacking positions. As proposed, the project meets the parking and drive-thru stacking requirements in the LDC.

Open Space

The LDC 17.10.030 requires 10% open space and an additional 10% useable outdoor space of the project site. The LDC 17.28 generally describes open space as native vegetation or landscaped areas, while useable outdoor space is typically decks, patios and other similar amenities. The 0.89-acre (38,768 SF) site would require 3,876 SF of both landscaping and usable outdoor space for a total of 7,753 SF of open space. As proposed with open space areas totaling approximately 8,290 SF (21%) the project meets the open space area requirements of the LDC as proposed.

Landscaping

The LDC 17.32 requires minimum landscaping for overall visual aesthetics, ecological reasons, visual screening, shading purposes and enhancement of the outdoor experience. The LDC requires a minimum of 20 trees and a combination of 50 shrubs, flowers and ornamental grasses per acre of land in the COM zone. For 0.89 acres, 17 trees and 44 shrubs, flowers and ornamental plants would be required as per the LDC. The proposed project shows only conceptual landscaping areas. As conditioned with a detailed landscaping plan meeting minimum plant numbers, the project complies with the LDC.

Lighting

The LDC 17.30.090 requires adequate lighting that adds aesthetic quality and improves safety while mitigating unnecessary glare, sky glow and light trespass. The LDC limits freestanding pole height to 32 feet and luminaire fixtures on buildings and canopies to be concealed source, down-cast and shielded from neighboring properties. Light measurements are required to range between 0.5 – 4.0 foot candles, so areas are sufficiently safe, but not excessively bright. As submitted, no exterior lighting has been shown. As conditioned, the project meets the requirements of the LDC.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following departments or agencies:

| | |
|-----------------|---------------|
| ● Environmental | ● Water |
| ● Fire | ● Engineering |

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 9/16/18, posted on the City’s website and the Utah Public Meeting website on 9/20/18 and mailed out to adjacent property owners within 300’ on 9/7/18.

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 Design Review and are available in the Community Development Department.
2. The building shall have 30% transparency, which could include spandrel windows, on the west façade and have similar architectural features, articulation and details that are found on the east façade containing the primary entrance.
3. The sidewalk connecting the building to Main Street along the north property line shall have curb cuts and paint delineation across the drive thru aisle.
4. All public pedestrian entrances shall have weather protection provided above.
5. A minimum of 22 parking stalls, 8 stacking positions within the drive-thru isle and a bike rack shall all be provided.
6. No open storm-water detention basins shall be placed in the yard between the building and the adjoining street unless it’s less than two feet deep in relation to the street sidewalk and landscaped with grass, trees and shrubs.
7. A performance landscaping plan, prepared in accordance with §17.39 of the LDC, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a) Street trees along all adjacent streets provided every thirty (30) feet on center unless otherwise noted by the City Forrester.

- b) Open Space and Useable Outdoor areas shall total a minimum of 7,753 SF.
 - c) A total number 17 trees and 44 shrubs, perennials and grasses shall be provided. 25% of the trees shall be evergreen.
 - d) The drive-thru shall be buffered and screened from Main Street with shrubs and flowers.
8. All dumpsters shall be visually screened or buffered from public streets by using fencing, walls and landscaping.
 9. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.
 10. Exterior lighting, including gas canopy lighting, shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
 11. Standard streetscape improvements will be required along Main Street with driveway access being limited to the joint access agreements located to the north of this site.
 12. No signs are approved with this Design Review Permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
 13. No fences are approved with this Design Review Permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
 14. Prior to issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. *Environmental—contact 716-9760*
 - Minimum 60 ft. straight on clear access is required. Minimum inside measurement for a double enclosure without gates is 22 ft. wide and 10 ft. deep and it is 24 ft. wide with gates.
 - b. *Water—contact 716-9622*
 - Each unit's water main needs to have its own RP (ASSE1013) installed and tested on the water main as it enters that unit before any branch offs or connections. Any landscape irrigation connected to Logan City water must have a high hazard backflow assembly installed and tested. All backflow assemblies must be tested within 10 days of turning in water to them.
 - Fire suppression systems connected to Logan City water must have a minimum DC (ASSE1015) installed and tested. Fire risers and B/F assemblies must be installed as per Logan City standards.
 - All points of use of water must comply with the 2015 IPC and State of Utah Amendments, during and after construction.
 - c. *Engineering – contact 716-9160*
 - Storm water design shall be in accordance with City design standards. This includes the use of Low Impact Design and the retention of the 90% storm event onsite.
 - Provide water shares or in-leu fees for increased demand to City system.
 - Submittal did not show any utilities for review and comment. Public Works is working with developer/Owner regarding proposed utilities.
 - Property Line Adjustment required (in work at present).
 - Provide utility and storm water agreements
 - Provide public utility easements on all property lines (5' internal and 10' frontage)
 - Access to development shall be from existing access on US 89/91.
 - Provide street improvements to State road as required by UDOT.
 - d. *Fire – contact 716-9515*
 - The access from main street to rear of the building.
 - Fire hydrants FH00639 is located approx. 750 South Main. Hydrants shall be within 400 of all areas around the exterior of the buildings and within 150 feet of any FDCs.
 - FH00693 flows 9,605 gpm at 20 psi.

- A-2 Restaurant Occupancies require fire sprinklers and fire alarms when the occupant load is 100 or more.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE DESIGN REVIEW PERMIT

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

1. The proposed project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, site layout, materials, landscaping, and setbacks.
2. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The proposed project provides adequate open space and useable outdoor space in conformance with Title 17.
4. The proposed project provides adequate off-street parking.
5. The project meets the goals and objectives of the COM designation within the Logan General Plan by providing services near high capacity roadways and is designed in way for easy circulation of both pedestrian and vehicles.
6. The proposed project complies with maximum height, density and building design standards and is in conformance with Title 17.
7. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
8. Main Street provides access and are adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

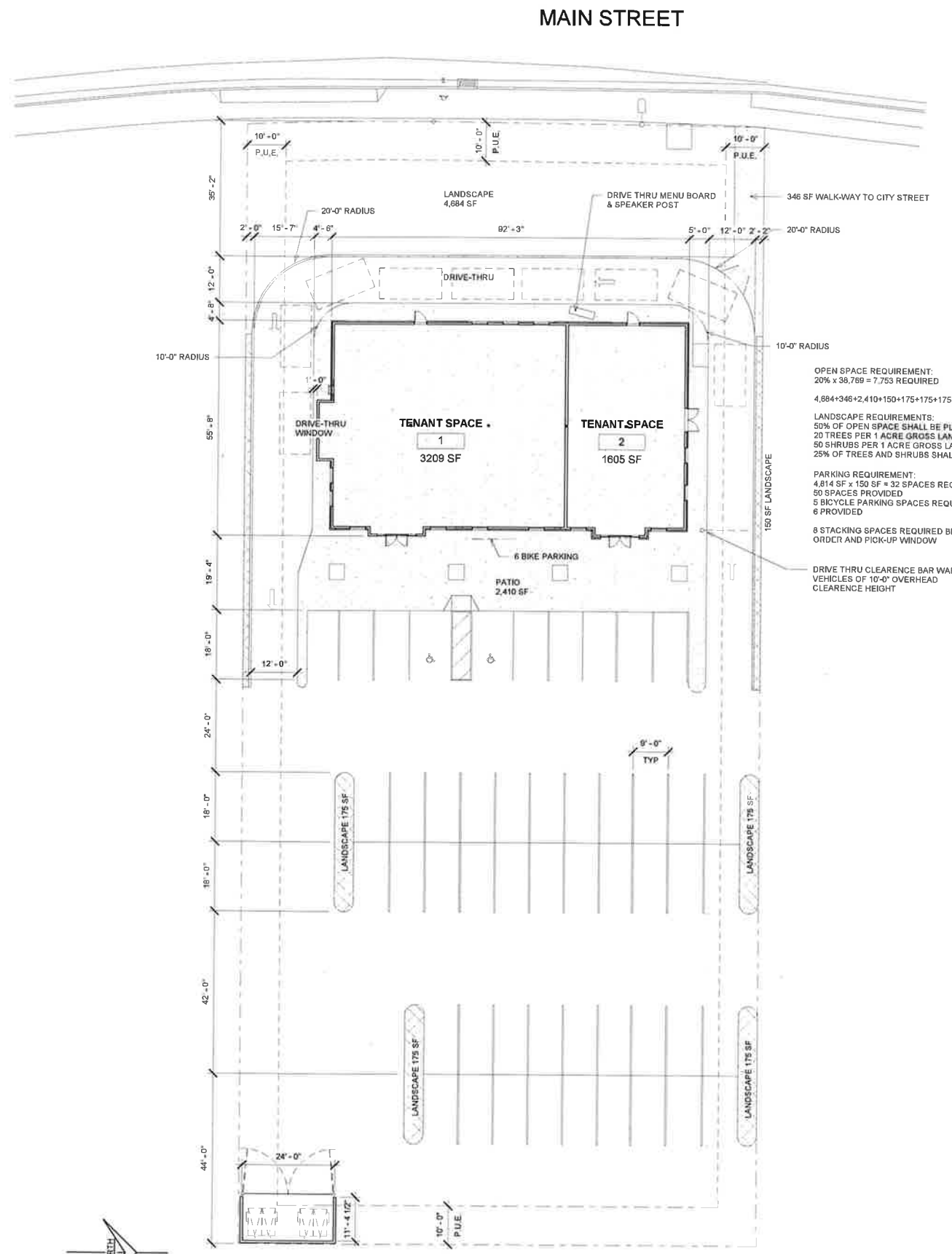
This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional 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 8/27/18 | | Received By RH | | Receipt Number | Zone | Application Number PC 18-033 | |
| <input checked="" type="checkbox"/> Design Review | <input type="checkbox"/> Conditional Use | Type of Application (Check all that apply): | | | | | |
| <input type="checkbox"/> Code Amendment | <input type="checkbox"/> Appeal | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Zone Change | <input type="checkbox"/> Administrative Design Review | | <input type="checkbox"/> Other _____ | |
| <input type="checkbox"/> Variance | | <input type="checkbox"/> 4950' Design Review | | | | | |
| PROJECT NAME NIEDERHAUSER RETAIL PHASE 1 | | | | | | | |
| PROJECT ADDRESS 130 S. MAIN ST. | | | | | | COUNTY PLAT TAX ID # 02 " 065 " 0011 | |
| AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) LEADING TECH DEVELOPMENT | | | | | | MAIN PHONE # (435) 734-2012 | |
| MAILING ADDRESS 1835 S. Highway 89 | | | | CITY BENIHAM VT. | STATE | ZIP 84302 | |
| EMAIL ADDRESS ALEXIS @ LEADINGTECHONLINE.COM | | | | | | | |
| PROPERTY OWNER OF RECORD (Must be listed) CERVALDINE S. TR NIEDERHAUSER | | | | | | MAIN PHONE # (435) 881-5221 | |
| MAILING ADDRESS 1474 MAPLE DR. | | | | CITY LOGAN VT | STATE | ZIP 84321 | |
| EMAIL ADDRESS 99 NIEDERHAUSER @ NETZERO.COM | | | | | | | |
| DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) contract a new two-tenant 4,800 SF commercial building with associated parking lot. | | | | | | Total Lot Size (acres) .89 AC. | |
| | | | | | | Size of Proposed New Building (square feet) 4,800 SF. | |
| | | | | | | Number of Proposed New Units/Lots | |
| - 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 | | | |
| 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 Guadalupe Niederhauser | | | |



1 SITE PLAN
1/16" = 1'-0"

OPEN SPACE REQUIREMENT:
20% x 38,789 = 7,753 REQUIRED
4,884+346+2,410+150+175+175+175+175=8,280 SF

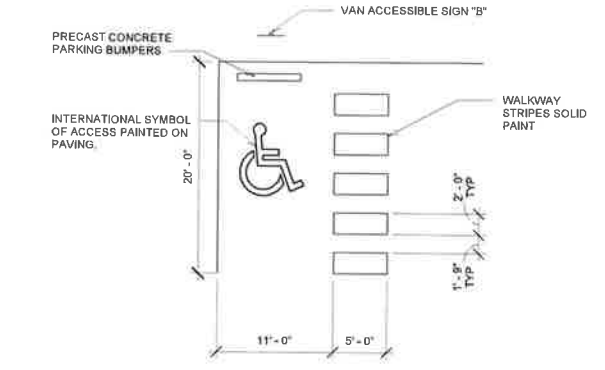
LANDSCAPE REQUIREMENTS:
50% OF OPEN SPACE SHALL BE PLANTED (2 SPECIES)
20 TREES PER 1 ACRE GROSS LAND
50 SHRUBS PER 1 ACRE GROSS LAND
25% OF TREES AND SHRUBS SHALL BE EVERGREEN

PARKING REQUIREMENT:
4,814 SF x 150 SF = 32 SPACES REQUIRED
50 SPACES PROVIDED
5 BICYCLE PARKING SPACES REQUIRED
6 PROVIDED

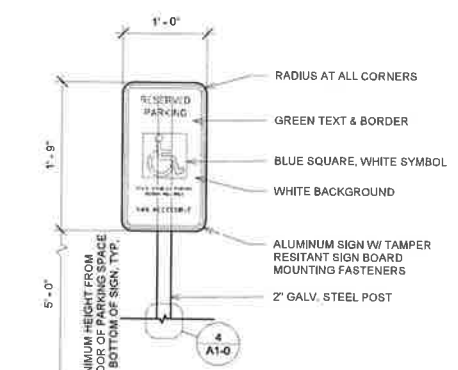
8 STACKING SPACES REQUIRED BETWEEN ORDER AND PICK-UP WINDOW

DRIVE THRU CLEARANCE BAR WARNING VEHICLES OF 10'-0" OVERHEAD CLEARANCE HEIGHT

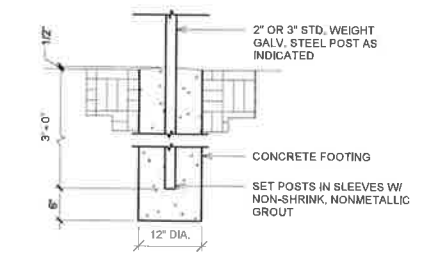
MAIN STREET



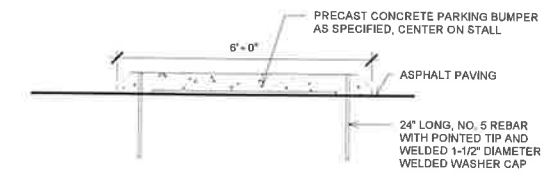
2 ACCESSIBLE PARKING STALLS
1/8" = 1'-0"



3 VAN ACCESSIBLE - SIGN "B"
1" = 1'-0"



4 SIGN POST DETAIL
3/4" = 1'-0"



5 PRE-CAST CONC. BUMPER DETAIL
1/2" = 1'-0"

| | |
|-------|------|
| Issue | Date |
| | |

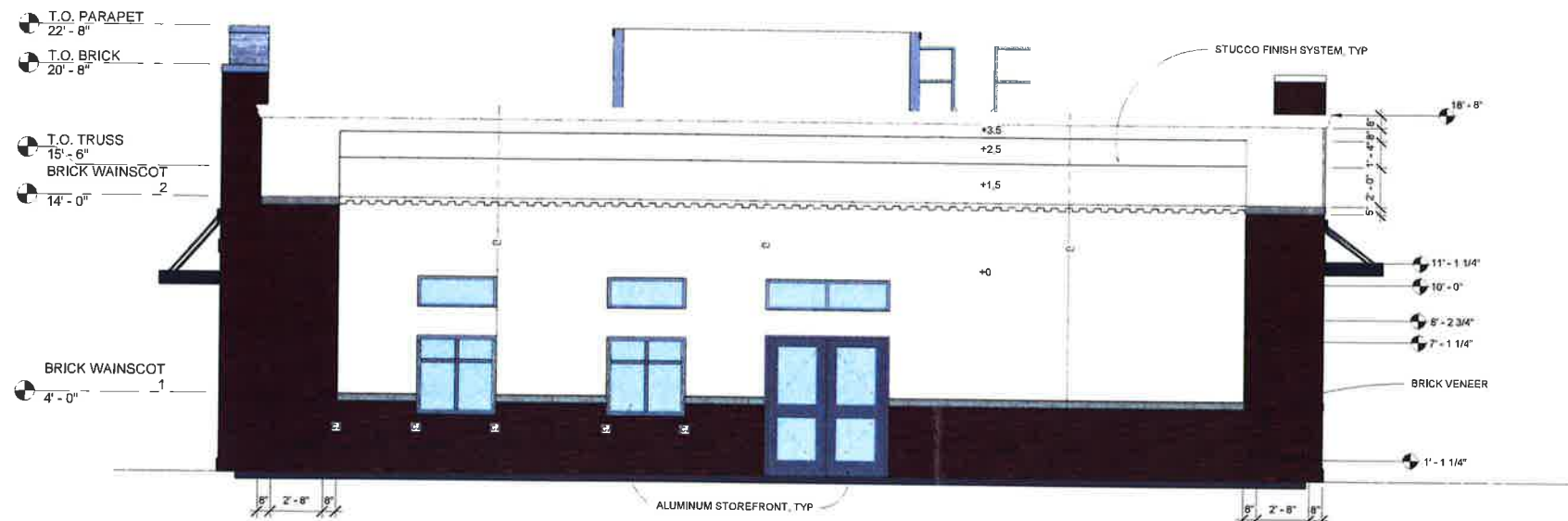
| | |
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| DATE | |
| | |

A NEW FACILITY FOR:
COSTA VIDA & JERSEY MIKE'S
700 SOUTH MAIN STREET LOGAN, UTAH
SITE PLAN

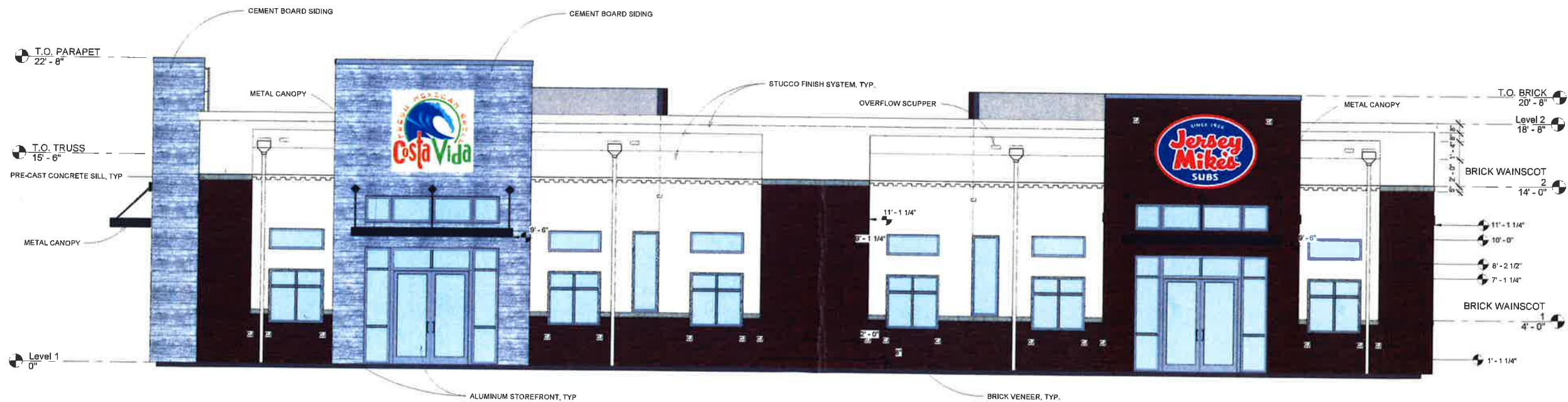
Laughlin Ricks Architecture
architecture/planning
935 Shoshone Street North * Twin Falls, Idaho 83301
(208) 736-8050 Fax: (208) 733-0950

| | |
|-------|-------|
| DATE: | Issue |
| | Date |
| | |

A1-0



1 NORTH ELEVATION
1/4" = 1'-0"



2 EAST ELEVATION
1/4" = 1'-0"

| | |
|-------|------|
| Issue | Date |
| | |

| |
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A NEW FACILITY FOR:
COSTA VIDA & JERSEY MIKE'S
 790 SOUTH MAIN STREET LOGAN, UTAH
EXTERIOR ELEVATIONS

Laughlin Ricks Architecture
 architecture/planning
 935 Shoshone Street North • Twin Falls, Idaho 83301
 (208) 736-8050 Fax: (208) 733-0950

| | |
|-------|---------|
| DATE: | Issue |
| | Date |
| Draw | Checked |

A3-1



Issue
Date

DATE

A NEW FACILITY FOR:
COSTA VIDA & JERSEY MIKES
790 SOUTH MAIN STREET LOGAN, UTAH
EXTERIOR ELEVATIONS

Laughlin Ricks Architecture
architecture/planning
935 Shoshone Street North • Twin Falls, Idaho 83301
(208) 736-8030 Fax: (208) 733-0950

DATE: Issue
Date

Drawn: Checked:

A3-2