

Project #21-052
Logan C-Store Heiner Land Co.
Located at 1977 S 1000 W

REPORT SUMMARY...

<i>Project Name:</i>	Logan C-Store Heiner Land Co.
<i>Proponent / Owner:</i>	Heiner Land Co., John Heiner / 10 th & 89 LLC, Lal Jaswinder
<i>Project Address:</i>	1977 S 1000 W
<i>Request:</i>	Design Review Permit
<i>Current Zoning:</i>	Commercial (COM)
<i>Type of Action:</i>	Quasi-Judicial
<i>Hearing Date</i>	September 9, 2021
<i>Submitted By:</i>	Tanya Rice, Planner II

RECOMMENDATION

Staff recommends that the Planning Commission **conditionally approve** a Design Review Permit for Project #21-052, Logan C-Store Heiner Land Co., for a convenience store and sixteen fuel dispensing units located at 1977 S 1000 W, TIN #03-207-0003 and #03-006-0043.

Current Land use adjoining the subject property

<i>North:</i>	COM: Commercial Uses	<i>East:</i>	COM: Commercial Uses
<i>South:</i>	MU: Vacant	<i>West:</i>	COM: Commercial Uses

Project Proposal

This is a proposal for a new 7,000 SF commercial building to be used as a convenience store, fast food restaurant, and gas station on 3.29 acres of a 5.35-acre site. The proposal also includes streetscape and landscaping improvements, sixteen gasoline pumps and overhead canopies, a new 40 stall parking lot, and a drive-thru area serving the restaurant. The property is located within the 1000 West/Highway 89/91 commercial node as designated in the South Gateway Overlay Zone.



Site Location – 1977 S 1000 W

Land Use

The Land Development Code (LDC) Table 17.11.030 permits convenience markets, restaurants, and gasoline stations in the COM zoning district.

Setbacks

The LDC requirements for setbacks in the COM zone and commercial node within the South Gateway zone are as follows (as measured from property lines):

Commercial Node:	50'
Front:	10'
Sides:	8'
Rear:	10'
Parking Front	10'
Parking Side/Rear	5'

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

Gateway Overlay Zone	50'
Front (West):	45'
Side (South)	>45'
Side (North)	44'
Rear (East):	NA
Parking Side (North):	10'

As proposed, the project setbacks comply with the requirements in the LDC.

Lot Coverage

The LDC 17.10.130 limits lot coverage to a maximum of 50% (building footprint). The project site is approximately 3.29 acres in size and with a 7,000 SF convenience store (5%) and 6,944 SF overhead canopy (5%), the total lot coverage is 10%. As shown, the lot coverage complies with maximum allowances in the LDC.

Building Orientation

The LDC 17.12.030 requires buildings to be oriented to the street with primary entrances facing the street, especially on a corner. The LDC is written to emphasize the built environment in an urban setting by pushing the architecture near the street and moving the parking and accessory types of uses towards the rear. This is very appropriate in an urban setting and has generally been applied in this manner. However, there are a wide variety of properties throughout the City that are zoned Commercial (single set of standards) but vary in their setting and/or context. For example, the Planning Commission approved a new Maverick station on 3rd South and Main in 2015 (15-025). The site is zoned Commercial and the design approach that was approved required the building to be located on the corner with fueling areas and parking behind. Contrast that to another Maverick station on 10th West and 2nd North also approved by the PC in 2015 (15-034). The site is also zoned Commercial, but in this case, the design approach that was approved moved the building towards the rear of the property with the fueling islands located to the front and side of the building. In this case, the City (staff & PC), utilized the discretion under the Design Review Permitting authority to recognize the difference in context and setting. The first site involved the redevelopment of a project site in an urban setting near downtown with lots of pedestrian traffic, whereas the second site is located in more of a rural/suburban setting with a lot of truck and vehicular traffic and virtually no pedestrians.

The site in question is located at the corner of SR 89/91 and 10th West, both of which are heavily traveled at high rates of speed. This is not a pedestrian friendly or pedestrian oriented location, nor is this an urban location. The site is located in the South Gateway which requires enhanced setbacks thereby moving buildings and uses away from the roadway in order to foster

Building Frontage

Access & Circulation

[illegible]

to and from the north and south.

The LDC requires a pedestrian sidewalk connection between the building entrance and the adjacent street sidewalk to the east and to the hotel on the west. The proposal does not include sidewalk connections from the building to street sidewalks or adjacent buildings. Walkways need to be clearly marked with contrasting paving material or paint for safe pedestrian. With the addition of a pedestrian crossings/delineation from the building and as specified in Condition #2, the project complies with the requirements in the LDC.

Building Design

The LDC 17.12.020 promotes high-quality and aesthetically pleasing design and developments within the COM zone. The proposed building has clear and varying articulation with changes in material, overhangs, and roofline heights. The building's design elements featuring materials, textures, color, and trim are consistent on all elevations visible from both roadways. The primary building materials being proposed include stone veneer, cement board plank siding, metal roofing while incorporating compatible finishes and colors.

The LDC requires 30% fenestration on the ground floor frontage and all exposed sides. The fenestration on the front façade of the store is approximately 31% while all other elevations lack the minimum 30% fenestration. Condition #4 requires the addition of fenestration on all four sides to meet minimum LDC fenestration requirements.

The LDC requires four-sided architectural design. All sides of the building are required to receive equal design consideration including windows, doors and architectural treatments. In general, no building can have blank flat walls. The applicant shall carry similar materials, finishes and fenestration around the entire building as required in condition #5.

The LDC 17.10.030 limits base building height to 40' in the COM zone. The highest point of both the store and the canopy is 24'. As proposed, the project complies with the height requirements in the LDC.



Front Façade

Parking

In the COM zone, LDC 17.10.080 typically requires parking areas to be located to the side or rear of the site structures. The proposed project places the fuel canopy structures closest to the street and all parking areas are to the side and rear of the canopies. Parking along 1000 West will be sufficiently screened as per LDC 17.21.060.B.5.

The LDC 17.31.040 requires one (1) parking stall per 250 SF of convenience market and one (1) bike stall per ten (10) parking stalls. Parking requirements for fast-food restaurants is one (1) stall per 75 SF of dining area. A 7,000 SF convenience store would require 28 stalls and a bike rack for a minimum of four (4) bikes. The proponent anticipates 400 SF of indoor dining area which requires six (6) additional stalls totaling 34 stalls required. The project proposal

includes 40 stalls and three (3) RV parking stalls but has not identified a bike parking location. With the addition of bike parking required under condition #3, the proposal meets the minimum parking requirements.

The proposal includes a drive thru lane wrapping around the rear and north side of the building. The LDC requires that enough space be provided for 8 cars to stack in the drive thru lane before the restaurant's order box. As proposed, with sufficient drive thru lane stacking, the project meets the parking requirements in the LDC.

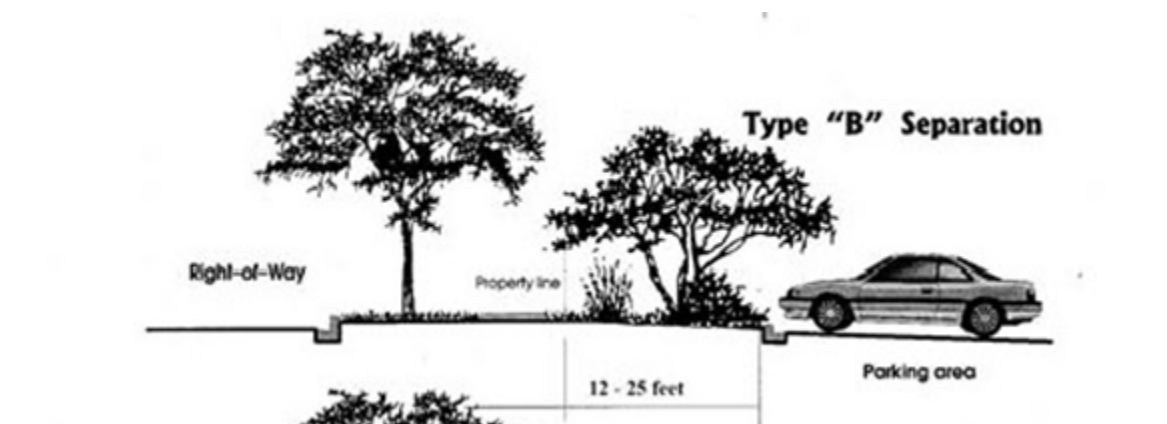
Open Space Area

The LDC requires 10% open space and an additional 10% useable outdoor space in the COM zone. The LDC generally describes open space as native vegetation or landscaped areas, while useable outdoor space could consist of additional landscaping, decks, patios and walkways, but shall not include parking, driveways and most storm-water facilities. Storm-water facilities may qualify as outdoor and open space if they are designed in a way that is incorporated into the landscape. The 3.29-acre project site requires 14,300 SF of both open space and usable outdoor space for a total of 28,600 SF. The project proposes over 20% open space with 16% of the open space within the storm-water facility. As conditioned, the project complies with the open space requirements of the LDC.

Landscaping

The LDC 17.32 requires minimum plant material for overall visual aesthetics, ecology, screening, and shading purposes. Park strip improvements, screening of trash enclosure and interior parking lot planting requirements apply. 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 the 3.29-acre parcel, 66 trees and 165 shrubs, flowers and ornamental plants would be required as per the LDC. Plant material is also required to be planted around the perimeter of the building. A variety of plants species are required, and 25% of the plant material is required to be evergreen species. The LDC requires a minimum of eighteen (18) SF of interior landscape planting area for each stall contained in the parking area. For the forty (40) parking stalls, a minimum of 720 SF of landscaping is required. As shown on the site plan, more than 720 SF of planting area is designated for this purpose.

Parking lots are required to have perimeter landscaping. For the 1000 W frontage, perimeter landscaping that is consistent with LDC 17.32.070 Parking Lot Landscaping Type "B" shall be installed and include shrubs and small trees. As conditioned, with a landscaping plan, the project complies with the requirements of the LDC.



Lighting

The LDC 17.30.090 requires adequate and appropriate site lighting that increases nighttime visibility, adds aesthetic quality, and improves safety while mitigating unnecessary glare, sky glow and light trespass. The LDC limits pole height to 32 feet and luminaire fixtures 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. Exterior lighting has not yet been submitted. As conditioned, the project meets the requirements of the LDC.

Staff Summary

The proposed project is compatible with the surrounding land use and architecture, and, as conditioned, meet the requirements for development in the COM zone.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following departments or agencies:

• Water	• Fire
• Environmental	

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 8/28/21 and the Utah Public Meeting website on 8/30/21. Public notices were mailed to all property owners within 300 feet of the project site on 8/23/21.

RECOMMENDED CONDITIONS OF APPROVAL – DESIGN REVIEW

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. Delineate pedestrian walkways from the building to the sidewalk along 1000 W and in the direction of the hotel to the south.
3. Bike parking shall be provided to accommodate a minimum of 4 bikes.
4. The rear and both side façades shall comply with 30% fenestration requirement.
5. Four-sided architecture is required. Materials, finishes and fenestration shall be consistently applied on all four sides of the building.
6. A performance landscaping plan, prepared in accordance with §17.32 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:
 - 28,600 SF of open space shall be provided.
 - A total number 66 trees and 165 shrubs, perennials and grasses shall be provided.
 - Minimum of 3 tree species are required.
 - A minimum of 25% of plant material shall be evergreen trees and shrubs.
 - Street trees shall be provided along 1000 West every thirty (30) feet on center and outside of site-distance triangles near intersections or driveway access points or otherwise determined by the City Forrester.
 - Plant materials shall be placed around the perimeter of the buildings where feasible in a 3' minimum planting strip.
 - For the 1000 W frontages, perimeter parking lot landscaping that is consistent with LDC 17.32.070 Parking Lot Landscaping Type "B" shall be installed.
 - Storm-water facility area(s) shall be incorporated into the landscape plan as per LDC 17.29.170.
7. The trash enclosure location shall be identified per environmental department requirements and be buffered and screened per LDC 17.30.080.

8. Exterior lighting shall be concealed source, down-cast and reviewed and approved prior to the issuance of a building permit and shall comply with current LDC regulations.
9. No signs are approved with this Design Review Permit. All signage shall be approved and permitted by staff in accordance with the LDC.
10. No fences are approved with this Design Review Permit. All fences shall be approved and permitted by staff in accordance with the LDC.
11. Surface storm-water retention and detention facilities shall be located in areas away from public streets and buffered from view or incorporated into the landscape.
12. 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. Water—contact 716-9622

- The buildings water main needs to have a RP (ASSE1013) installed and tested on the water main as it enters the building before any branch offs or possible connections.
- Properly sized drain required to serve the backflow assemblies dump port.
- All landscape irrigation system's fed from Logan City water must have a high hazard rated backflow assembly installed and tested. All backflow assemblies must be tested within 10 days of turning in water to them and annually thereafter.
- Fire suppression systems that are connected to Logan City water (with no added chemicals) 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 2018 IPC and State of Utah Amendments and the Utah Admin Code 309-305 during and after construction.
- Project shall comply with all current plumbing codes, Utah State Amendments, Utah Division of Drinking Water rules and regulations including, but not limited to, those pertaining to backflow protection and cross connection prevention.

b. Environmental — contact 716-9760

- Minimum 60 ft. straight on access required. Approach must be level, no down or uphill slopes. Minimum measurement for a double cement pad is 24 ft. wide by 10 ft. deep.
- Minimum 60 ft. straight on access required. Approach must be level, no down or uphill slopes.

c. Engineering— contact 716-9153

- Provide storm water detention/retention in accordance with Logan City Storm Water design standards. This included the onsite retention of the 90% storm through the use of Low Impact Design methods.
- Provide water shares or in-lieu fee for increased demand to City system. Required water demand shall be determined per Utah Administrative Code R309-510-7.
- No utilities were shown on the site plan, will address these drawings as part of the Building Permit Review process.
- All utilities on site shall be considered private and will require a Private Water Utility Agreement to be signed and recorded at County Recorder's office.
- Provide Storm Water Maintenance agreement for review and recordation at County Recorder's Office.
- Access to Hwy 89 shall require approve from UDOT through the CAMP.
- Identify the Nibley pressurized sewer line adjacent to the property line between parcels 03-207-0003 and 03-006-0043. Work with Nibley City to determine extent of PUE needed for the Nibley pressurized sewer line at same. Structures may not be located within or atop of a PUE.
- Show sight triangle south of entrance onto 1000 West roadway and evaluate for compliance with AASHTO.
- Provide Property Line Adjustment application and documents to combine lots.

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 conditioned project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, materials, landscaping, and setbacks.
2. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The conditioned project provides adequate landscaping and screening in conformance with Title 17.
4. The conditioned project provides adequate off-street parking.
5. Highway 89/91 and 1000 W provide access and are adequate in size and design to sufficiently handle automobile traffic related to the land use.
6. The project meets the goals and objectives of the COM designation within the Logan General Plan by providing services near high capacity roadways.
7. The project met the minimum public noticing requirements of the LDC 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 7/29/21	Received By A.H.	Scheduled Meeting Date Sept. 9	Zone COM	Application Number PC 21-050
Type of Application (Check all that apply): WOODRUFF				
<input checked="" type="checkbox"/> Design Review	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Subdivision	<input type="checkbox"/> Zone Change	
<input type="checkbox"/> Code Amendment	<input type="checkbox"/> Appeal	<input type="checkbox"/> Other	<input type="checkbox"/> Administrative Design Review	
PROJECT NAME Logan Cstore Heiner Land Co.				
PROJECT ADDRESS 1977 S. 1000 W. SW intersection of 89 and 252			COUNTY PLAT TAX ID # 03-207-0002, 03-006-0043	
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) Heiner Land Company, John Heiner			MAIN PHONE # 801-857-7914	
MAILING ADDRESS 533 West State Street		CITY Pleasant Grove	STATE Utah	ZIP 84062
EMAIL ADDRESS heinerjd@yahoo.com				
PROPERTY OWNER OF RECORD (Must be listed) 10th & 89, LLC Lal Jaswinder			MAIN PHONE # Lal 916-796-5003 435-512-1025	
MAILING ADDRESS 255 South Main Street		CITY Logan	STATE Utah	ZIP 84301
EMAIL ADDRESS Bdursteler@icloud.com / owner agent Keith Barker @ keith.barker20@outlook.com				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) We have combined and have under contract two parcels #03-207-0003 & 03-006-0043. We are submitted a plan for project review for the intended purpose of a convenience store/gas station on this site. - NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -			Total Lot Size (acres) 5.35	
			Size of Proposed New Building (square feet) 7000	
			Number of Proposed New Units/Lots None	
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 permit 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 	



Terry Judd
Architect

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terryjudd@gmail.com

Utah
Hawaii
California

Architettura Inc. is a
Utah Corporation.



PROJECT
C-Store Layout



Right Side



Front Side

Scale - 3/16" = 1'-0"

Job Number- 36-07 -21

A.2



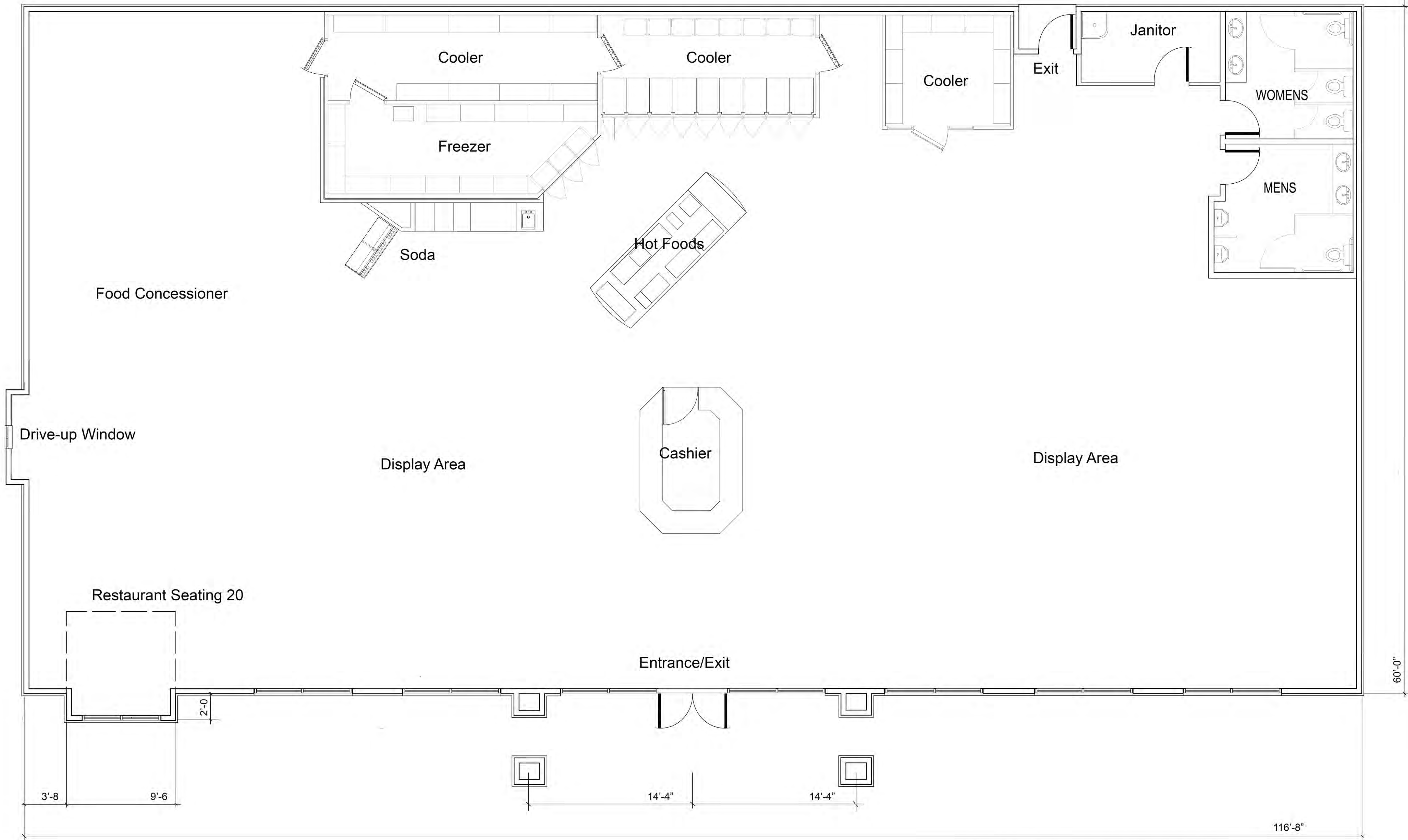
Left Side



Rear Side

Scale - 3/16" = 1'-0"





Building Square Feet- 7'002
Glass to Plan Ratio- 15.5%