



**Project #21-065
Zeppe's Italian Ice & Custard
Located at 811 North Main Street**

REPORT SUMMARY...

Project Name: Zeppe's Italian Ice and Custard
Proponent/Owner: Todd Coleman / Dick Sackett
Project Address: 811 North Main Street
Request: Design Review Permit
Current Zoning: Commercial (COM)
Date of Hearing: Nov. 18th 2021
Type of Action: Quasi-Judicial
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission conditionally **approve** a Design Review Permit for Project #21-065 Zeppe's Italian Ice & Custard for a new 1,600 SF commercial building located at approximately 811 North Main Street; TIN #05-047-0035.

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>	MR-12: Residential Uses

Project Proposal

This is a proposal for a new 1,600 Square Foot (SF) commercial restaurant building with a drive-thru lane and outdoor dining patio. Site improvement include curb, gutter, sidewalk, parking lot, and landscaping. The 0.58-acre project site is located at the northwest corner of the intersection of Main Street and 800 North. Currently a small 300 SF building exists near the center of the site and is surrounded by primarily asphalt paving. The site was developed as a small car dealership and has been used as fast-food drive-thru restaurant uses.



Figure 1 shows the proposed East facade

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 (East):	31'
Side (South):	23'
Side (North):	8'
Rear (West):	200'
Parking (West):	5'

As conditioned with parking setback compliance, 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 0.58-acres (25,264 SF) in size with a proposed 1,600 SF building that equals approximately 7% of the lot and complies with maximum coverages in the LDC.

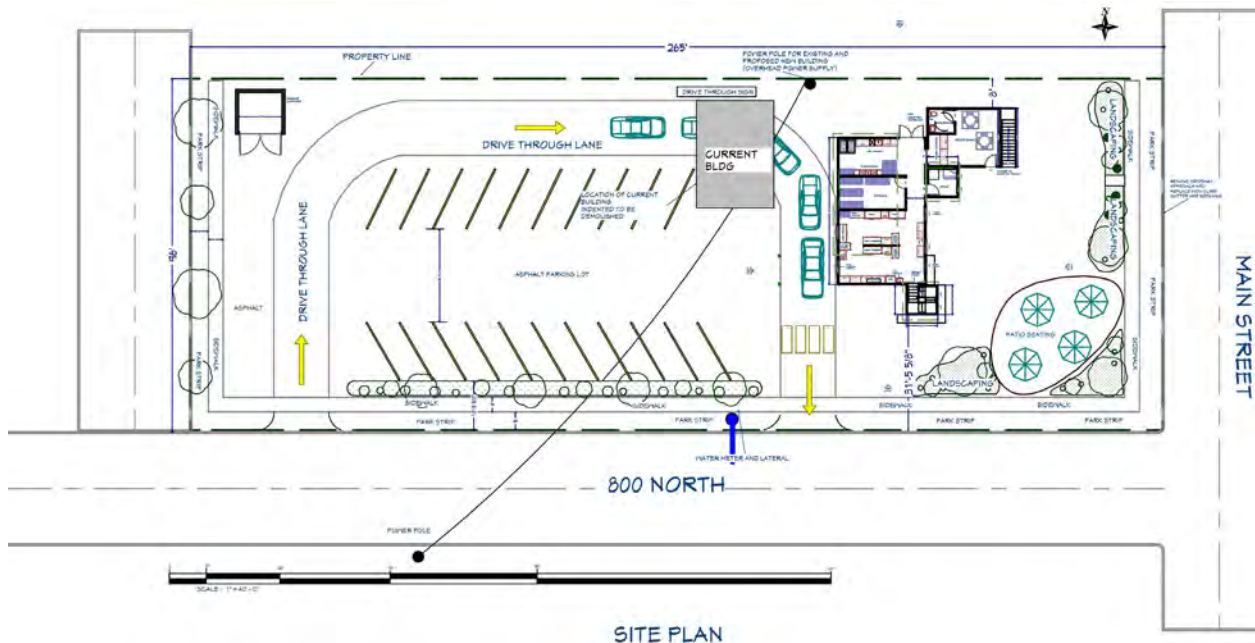


Figure 2 shows the site plan

Building Design

The LDC 17.12.00 states that buildings should have a mix of materials, Brick, stone, block, (masonry) stucco, fiber cement board, wood, metal and architectural concrete are all listed as acceptable materials. Façade design should contain "four-sided" architecture with similar elements and designs for all sides of the building for continuity. Building mass and articulation

should convey a pedestrian scale with minimal blank wall portions. For street facing façades 30% transparency (windows) is required as per LDC 17.10.080.

The proposed building consists of metal shipping containers welded together and stacked in unique positions. Windows are cut into the container walls and parapets, awnings, railings and other similar features have been added to the facades for visual interest and design variation. The containers are shown being painted in several colors to further differentiate the articulations. Not considering the rear setback portion of the building the front (east) façade shows 30% transparency but the south (800 N) façade does not contain the minimum amount of transparency. Other than the awnings and windows, the building material is solely metal. As conditioned with compliance to minimum transparency on the south and a mix of materials, the building design complies with the requirements in the LDC.

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 architecture while reducing the visual prominence of parking lots. Considering the 85' property width and a building width of approximately 60', the building frontage would equal 70%. 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 be safe and convenient that results in sidewalks connecting streets to building entrances. The site layout places the building closer to the street with the parking lot and drive-thru lane at the rear. A sidewalk connection is shown joining the building and the patio to the street. As proposed, the project meets the requirements in the LDC.

Parking Stall & Drive-Thru Lane Requirements

The LDC 17.31.040 requires one parking stall per every 150 SF of dining area for general restaurants and at least 8 car stacking positions in the drive-thru lane. At a proposed building total of 1,600 SF, the LDC would require 10 parking stalls. 19 parking stalls are proposed in the parking lot. The drive-thru lane is shown with enough length to accommodate eight cars. The LDC requires bike racks for new restaurants. As conditioned with minimum parking stalls, minimum stacking and a bike rack, the project meets the requirements in the LDC.

Open Space & Landscaping

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 pedestrian amenities. The 0.58-acre (25,264 SF) site would require 2,526 SF of both landscaping and usable outdoor space for a total of 5,052 SF of open space. 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. As proposed with conceptual open space and outdoor dining areas, the project meets the open space requirements. As conditioned with a detailed open space and landscaping plan meeting LDC minimums, 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
• Light and Power	

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 11/6/21, posted on the City's website and the Utah Public Meeting website on 11/8/21 and mailed out to adjacent property owners within 300' on 11/1/21.

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 transparency on the Main Street and 800 North façades shall be at least 30% transparency.
3. The building design shall contain at least two building materials.
4. A sidewalk connection to the patio from the street is required.
5. The parking lot setback to 800 North shall be 10 feet.
6. All public pedestrian entrances shall have weather protection provided above.
7. A minimum of 10 parking stalls, 8 stacking positions within the drive-thru isle and a bike rack shall all be provided.
8. No open storm-water detention basins shall be placed in the yard between the building and the adjoining streets (Main and 800 N.) unless it's naturalistically shaped with maximum side slopes of 25% and fully landscaped with grasses, shrubbery and perennials.
9. 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 5,052 SF.
 - c) A total number 11 trees and 29 shrubs, perennials and grasses shall be provided. 25% of the trees shall be evergreen.
10. All dumpsters shall be visually screened or buffered from public streets by using fencing, walls and landscaping.
11. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.
12. Exterior lighting, including gas canopy lighting, shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
13. 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.
14. 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.
15. 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.

16. 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

- Provide water shares or in-lieu fee for any increased demand to City system for proposed development.
- Provide detention/retention storage onsite per Logan City Storm Water Design Standards. Since site is less than 1 acre a State Storm Water Discharge Permit and a Storm Water Pollution Prevention Plan will not be required. Provide City with storm water calculations and a Sediment and Erosion Control plan for site during construction and post construction best management practices.
- Install all curb, gutter, park strip and sidewalk along all frontages.
- Siter plan does not show the continued use of the existing access to Main Street, coordinate with UDOT for the removal and restoration of curb, gutter and park strip in the UDOT right of way to UDOT standards.
- Existing sewer plat shows an 8" sewer line stubbed into property from Main Street. Verify that this line exists. If it exists and is not going to be used cap line at existing City sewer main. If the intent is to use this line (assuming it still exists) it shall be videoed and approved by City prior to placing into service.
- No sewer or storm water plans submitted with review package, will review and address during the review process for a Building Permit.
- Provide a dedication plat or document to be recorded at the County Records Office establishing a 10' public utility easement along all frontages and a 5' public utility easement along all interior property lines.
- Coordinate with City Engineer and surveyor that property lines provide for a 60' right of way. Dedicate any property needed to ensure that this right of width is maintained.

b. Environmental —contact 716-9760

- Minimum 60 ft. straight on access required. Approach must be level, no down or uphill slopes.
- Minimum inside measurement for a double enclosure is 24 ft. wide by 10 ft. deep. Minimum inside measurement for a single enclosure is 12 ft. wide by 10 ft. deep.
- Place bollards in the back of the enclosure to protect walls.
- Gates are not required, however if desired, they must be designed to stay open during the collection process.
- Barrel hinges are suggested for the gates. We need the full 12 ft. clearance so gates must be designed to open completely.

c. Light and Power – contact 716-9722

- Logan City Light and Power; Requires 1-Line Diagram, A Logan City Load Data Sheet, A Digital Site Plan In Auto CAD (DWG) Format and PUE's Public Utility Easement 10' Easement On All Property Lines That Face A Road Way, And A 5' Easement On All Other Property Lines. Power is located on the West side of property.

d. Fire – contact 716-9515

- A complete fire flow analysis shall be provided by applicant. Required fire flow will be determined using the type of construction, fire area square footage and if fire sprinklers are installed.

e. Water – contact 716-9627

- 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. (cooling, heating, processing, treating ect). 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.

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.



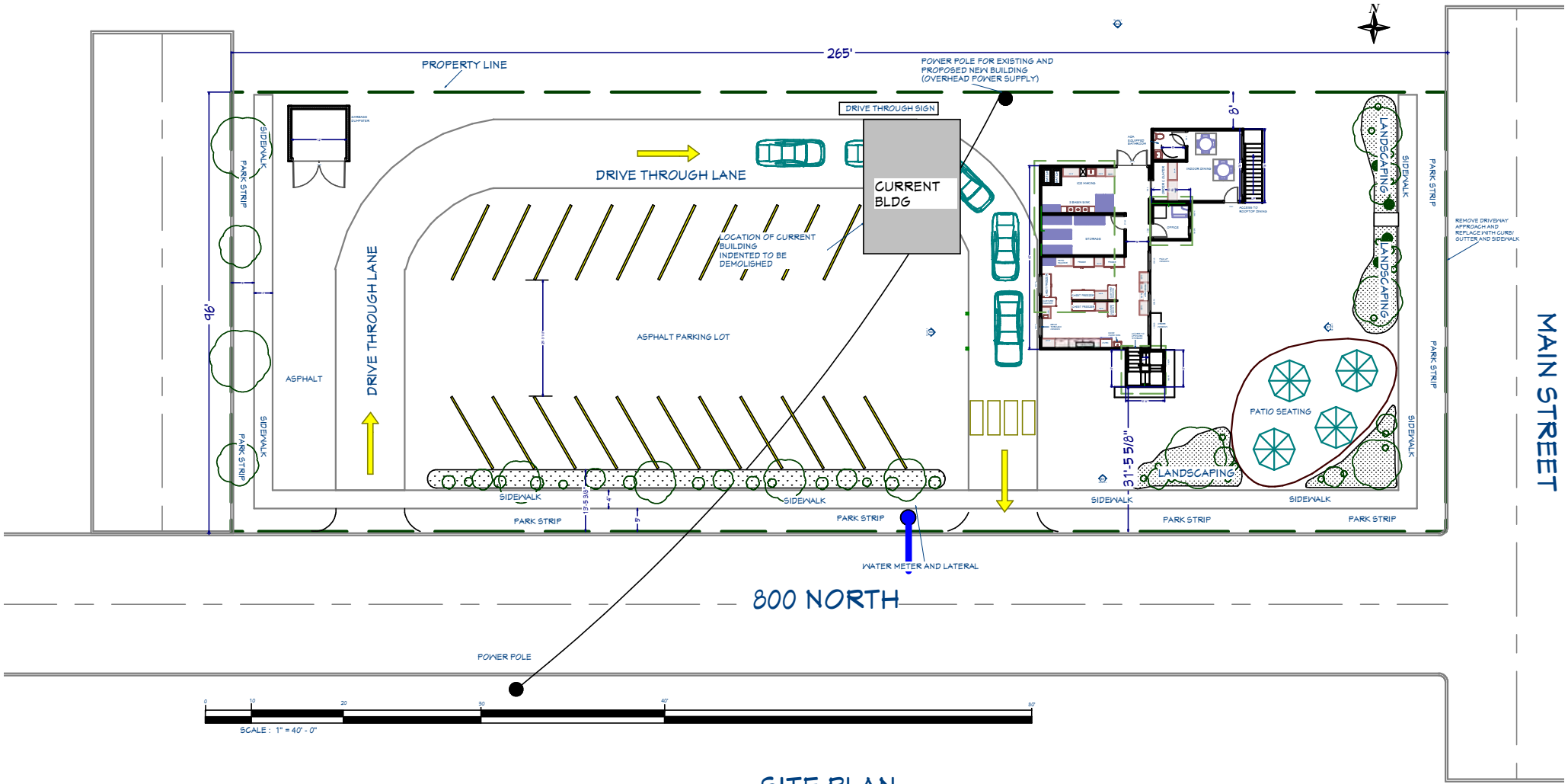
APPLICATION FOR PROJECT REVIEW

For Staff Only		<input type="checkbox"/> Land Use Appeal Board		<input type="checkbox"/> Administrative Review
<input type="checkbox"/> Planning Commission				
Date Received	Received By	Scheduled Meeting Date	Zone	Application Number
10/8/24		NOV. 18	Com	PC 21-065
Type of Application (Check all that apply): <i>BLDG</i>				
<input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input type="checkbox"/> Administrative Design Review <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Zone Change <input type="checkbox"/> Other				
PROJECT NAME				
Zeppe's Italian Ice & Custard				
PROJECT ADDRESS			COUNTY PLAT TAX ID #	
811 N. Main St.			05-047-0035	
AUTHORIZED PROJECT REPRESENTATIVE FOR OWNER			PHONE #	
Todd Coleman				
MAILING ADDRESS		CITY	STATE	ZIP
534 W. 3900 N.		Pleasant View	UT	84414
EMAIL ADDRESS				
zeppe@gelatalove.com				
PROPERTY OWNER OF RECORD			PHONE #	
Dick Sacket				
MAILING ADDRESS		CITY	STATE	ZIP
250 E. 800 N.		Logan	UT	84321
EMAIL ADDRESS				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE NOTICED AND PRESENTED (Include as much detail as possible - attach a separate sheet if needed)			Total Lot Size (acres)	
<p>Zeppe's Italian Ice and Custard is entering into a land lease agreement with property owner Dick Sacket at 811 N. Main St. Logan, Utah. Zeppe's intends to construct a building out of shipping containers, arranged in various configurations to create a unique and attractive business location to serve a variety of Italian Ice and Custard deserts. As previously identified, the property is currently not up to city standards. Dick Sacket has agreed to make the necessary improvements to the property prior to Zeppe's signing the lease agreement and constructing the building. He will be responsible for submitting plans to the city for site work and engineering. The building will serve both indoor and outdoor dining areas, on rooftops as well as patio areas around the property. This building and business type will offer a popular, exciting, and fresh atmosphere that will attract customers of all ages and aims to offer employment to roughly 35-45 employee's.</p>			.58 Acre	
			Size of Proposed New Building (square feet)	
			1600	
			Number of Proposed New Units/Lots	
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 Project Representative	
			Todd Coleman / Shellee Coleman	

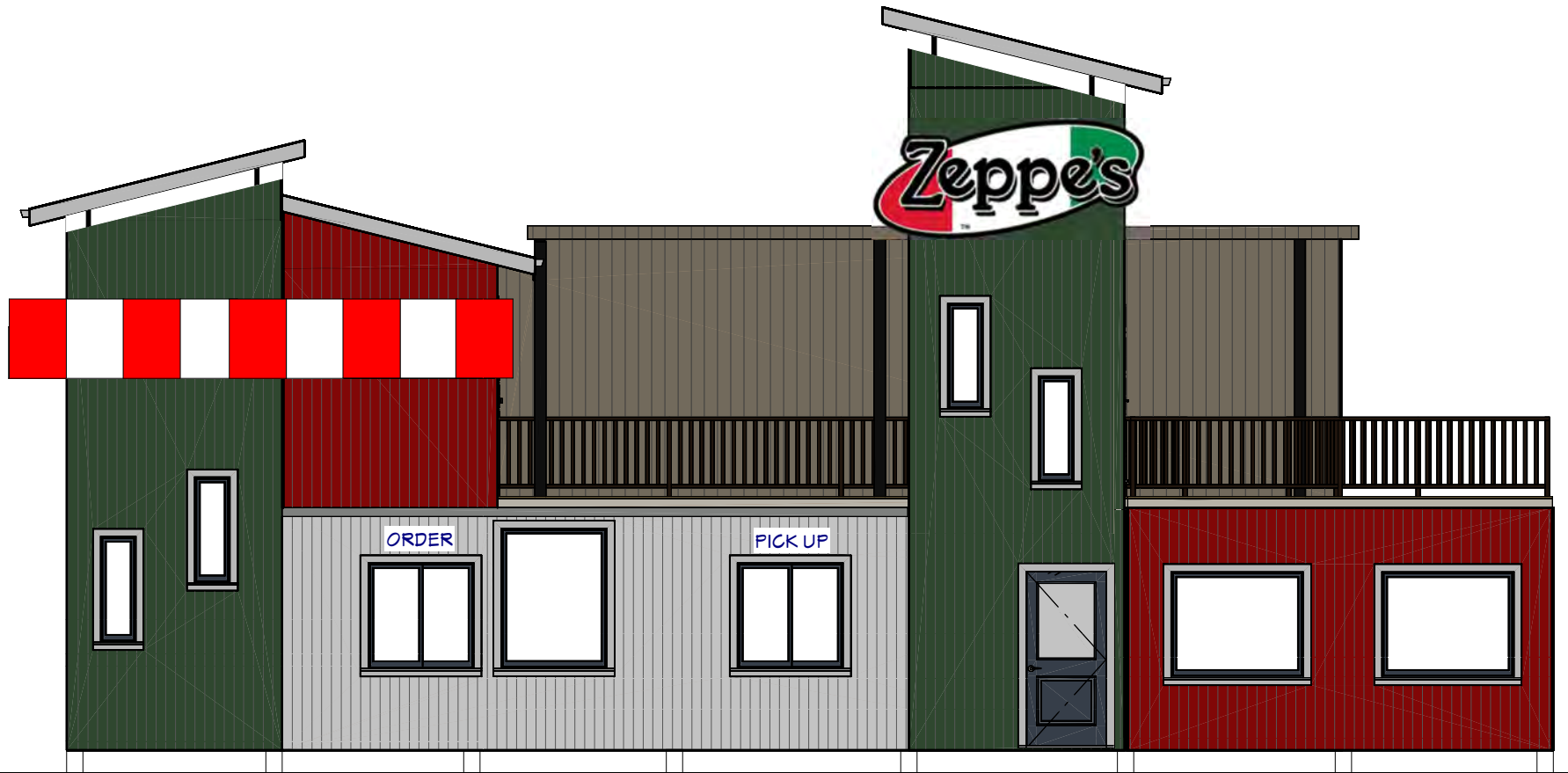
I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.

Signature of Property Owner

**APPLICATION MUST BE ACCURATE AND COMPLETE
NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -**



SITE PLAN



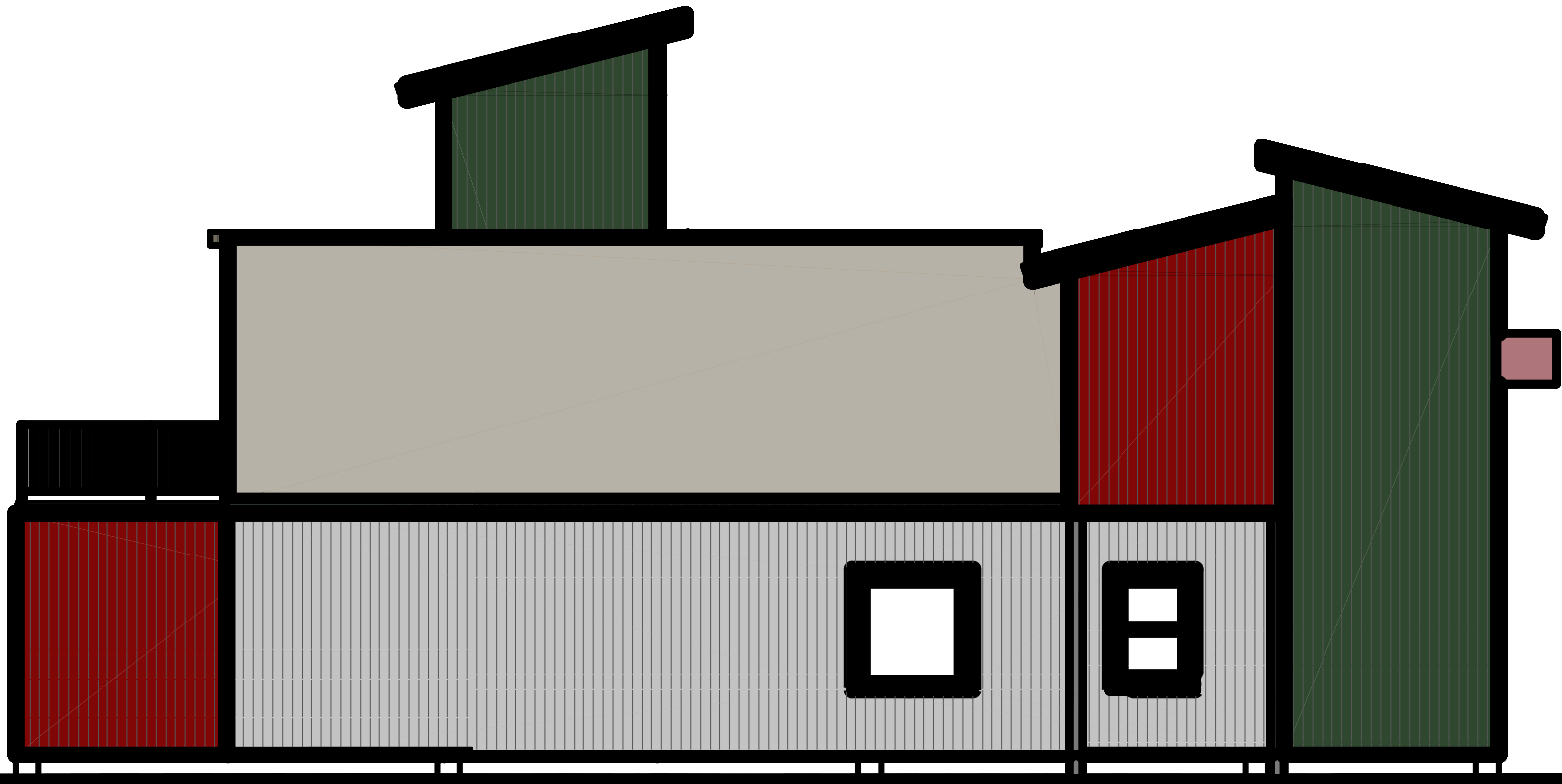
FRONT ELEVATION
(EAST)



LEFT ELEVATION (SOUTH)



RIGHT ELEVATION
(NORTH)



REAR ELEVATION
(WEST)

