CITY OF LOGAN, UTAH
ORDINANCE NO. 13-04

AN ORDINANCE AMENDING THE ZONING MAP 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 properties are hereby zoned from Mixed Use (MU) to
Commercial Services (CS):

TIN# 02-030-0001, 02-030-0002, 02-030-0003, 02-030-0016, 02-030-0018, 02-030-0019, 02-
030-0021, 02-030-0023, 02-030-0024, 02-030-0025, 02-030-0029, 02-030-0031.

The above twelve (12) parcels are also described as Exhibits A & B attached hereto.

SECTION 3: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS DAY OF

AYES: Ayes.
NAYS: Nays.
ABSENT: Absent.

Holly Daines, Chair

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

Mayor’s Approval or Disapproval

The foregoing ordinance is hereby approved this day of

Randy Watts, Mayor
EXHIBIT A

200 S 600 W Rezone
12 Properties at southwest corner of 200 S and 600 W

Subject Property
Rezone MU to CS
EXHIBIT B

Parcel Number: 02-030-0001
Legal Description
------- 2012 -------
BEG IN S LN OF 200 S ST AT PT 111 FT E OF PT BR S 6.5 CHS & E 2.0 CHS FROM NW COR OF SEC 4 T 11N R 1E & TH E 185.42 FT BR (S 87*58'46" E MEAS) TH S 337.92 FT TH N 87*20'14" W 185.42 FT (W BR) TO PT S OF BEG TH N 337.92 FT TO BEG CONT 1.44 AC SUBJ TO 24 FT R/W ALG WEST BNDRY BK 833 PG 926

Parcel Number: 02-030-0002
Legal Description
------- 2012 -------
BEG IN S LN OF 200 S ST AT PT EAST 296.42 FT FROM PT BR S 6.5 CHS & E 2 CHS FROM NW COR SEC 4 T 11N R 1E & TH E 157.58 FT BR (S 87*58'46" E 190 FT MEAS) TO W LN OF OSL RR R/W TH ALG SD R/W S 14*10'35" W 151.25 FT & S 19*22'20" W 202.09 FT TO N LN OF H B DEV PROP TH W 57.51 FT BR(N 87*20'14" W 85.92 FT MEAS) TO PT S OF BEG TH N 339.66 FT TO BEG CONT 1.111 AC

Parcel Number: 02-030-0003
Legal Description
------- 2012 -------
BEG 5.12 CHS S OF NW COR LT 6 BLK 16 PLT A LOGAN FARM SVY & TH S 10 RDS TH E 379 FT TH NW'LY 10 RDS TO PT 377 FT M/L E OF BEG TH W 377 FT M/L TO BEG CONT 1.43 AC M/L WITH 30 FT EASEMENT (SEE DEED)

Parcel Number: 02-030-0016
Legal Description
------- 2012 -------
SIT IN NW/4 SEC 4 T 11N R 1E CONT 4.81 AC M/L

Parcel Number: 02-030-0018
Legal Description
------- 2012 -------
LOT 2 BOUNDARY SURVEY 2000-1343 ENT 737786 AS FOLL: BEG AT NE COR LT 6 BLK 16 PLT A LOGAN FARM SVY & TH S 256 FT ALG W LN OF 600 W ST TH W 9 FT TO TRUE POB TH ALG W LN OF SOUTHWEST ST IN 3 COURSES: S 66.78 FT TH SW'LY ALG ARC OF CURVE 125.97 FT (LC BEARS S 17*42'12" W 123.97 FT R=203.84 FT) TH S 35*24'25" W 217.63 FT TH N 84*20'42" W 119.11 FT TO E LN OF OSL RR R/W TH ALG SD R/W IN 4 COURSES: N 9*33'11" E 34.14 FT N 10*58'34" E 62.07 FT N 19*34'51" E 128.33 FT TH N 17*57'05" E 141.92 FT TH E 178.09 FT TO TRUE POB CONT 1.51 AC WITH R/W: BEG AT SE COR LT 2 SD SVY & S 35*24'25" W 11.52 FT TH N 84*20'42" W 114.08 FT TO E LN OF OSL RR R/W TH N 9*33'11" E 10.02 FT TH S 84*20'42" E 119.11 FT TO BEG SUBJ TO R/W: BEG AT SE COR LT 2 SD SVY & TH N 84*20'42" W 119.11 FT TO E LN OF OSL RR R/W TH N 9*33'11" E 26.06 FT TH LEAVING OSLRR R/W S 84*20'42" E 132.2 FT TO W LN OF SOUTHWEST ST TH S 35*24'25" W 29.95 FT TO BEG
Parcel Number: 02-030-0019
Legal Description

BEG N 1*4'8" E 640.9 FT & N 0*40'30" E 141.09 FT & N 89*9'36" E 611.4 FT FROM SW COR LT 7 BLK 16 PLT A LOGAN FARM SVY & TH N 89*09'36" E 340 FT ALG FENCE TO W LN OF RR R/W TH S 16*35'50" W 69.35 FT TH S 0* 57'17" W 324.71 FT ALG R/W TO W/LY LN OF SW ST TH S 35*46'04" W 100 FT ALG R/W TH N 55*27'50" W 321.51 FT TH N 1*13'54" E 278.99 FT TO BEG CONT 2.9 AC M/L ALSO: BEG 5.12 CHS S OF NW COR LT 6 SD BLK 16 & TH S 10 RDS TH E 379 FT TO TRUE POB TH E 577 FT TO OSL RR R/W TH NE'LY ALG SD R/W TO PT 399.66 FT S OF S LN OF 200 S ST TH N 89*30'17" W 248.55 FT TH N 1*48'23" W 60 FT TH W 361.27 FT M/L TO PT 377 FT E OF PT 5.12 CHS S OF NW COR SD LT 6 TH SW'LY 10 RDS TO BEG 1.93 AC CONT 4.83 AC IN ALL.

Parcel Number: 02-030-0021
Legal Description

BEG AT NE COR LT 6 BLK 16 PLT A LOGAN FARM SVY & TH S 171 FT TH W 159 FT TO OSL RR R/W TH NE'LY ALG RR 171 FT TO N LN LT 6 TH E 120 FT TO BEG CONT 0.55 AC

Parcel Number: 02-030-0023
Legal Description

BEG 171 FT S & 9 FT W OF NE COR LT 6 BLK 16 PLT A LOGAN FARM SVY & TH S 85 FT ALG W LN OF 600 W ST & 9 FT W OF E LN OF LT 6 TH W 178.09 FT M/L TO E'LY LN OF OSL RR TH N 17*57'05" E 26.31 FT TH N 22*40'39" E 64.39 FT TH N 89*47'36" E 145.15 FT TO BEG CONT 0.31 AC M/B BEING LOT 1 BOUNDARY SURVEY FOR TODD WESTON FILED 5/3/2000 # 737786 NO. 2000-1343 LESS THE E 9 FT FOR STREET

Parcel Number: 02-030-0024
Legal Description

BEG IN S LN OF 200 S ST AT PT BR S 6.5 CHS & E 2 CHS FROM NW COR OF SEC 4 T 11N R 1E & AT NE COR OF US GOVT FOREST SERVICE PROP & TH S 337.92 FT ALG E LN OF SD GOVT PROP TH E 111 FT TH N 337.92 FT TO S LN OF SD 200 S ST TH W 111 FT ALG ST TO BEG CONT 0.86 AC M/B

Parcel Number: 02-030-0025
Combined with Parcel Number 02-030-0024
Parcel Number: 02-030-0029
Legal Description

--- 2012 ---

BEG AT NE COR LT 6 BLK 16 PLT A LOGAN FARM SVY & TH S 256 FT ALG W LN OF 600 W ST TH W 9.0 FT TH S 66.78 FT ALG SOUTHWEST ST TH SW'LY ALG SD ST ALG ARC OF CURVE 125.97 FT (LC BEARS S 17°42'12" W 123.97 FT R=203.84 FT) TH S 35°24'25" W 217.63 FT TO TRUE POB TH S 35°24'25" W 234.05 FT TO E LN OF OSL RR R/W TH ALG SD R/W N 3°23'35" E 156.31 FT TH N 9°33'11" E 47.11 FT ALG SD R/W TH S 84°20'42" E 119.11 FT TO TRUE POB CONT 0.29 AC M/B WITH & SUBJ TO R/W'S AS PER PLAT OF LOT 3 BOUNDARY SURVEY FOR TODD WESTON FILED 5/3/2000 # 737786 NO. 2000-1343 WITH A R/W: BEG AT SE COR LT 2 SD BNDRY SVY & TH N 84°20'42" W 119.22 FT TO E LN OF OSL RR TH N 9°33'11" E 26.06 FT TH LEAVING RR S 84°20'42" E 132.2 FT TO W LN OF SOUTHWEST ST TH S 35°24'25" W 29.95 FT TO BEG (MAP 2000-1343) SUBJ TO R/W: BEG AT SE COR SD LT 2 & TH S 35°24'25" W 11.52 FT TH N 84°20'42" W 114.08 FT TO E LN OF OSL RR TH N 9°33'11" E 10.02 FT TH S 84°20'42" E 119.11 FT TO BEG (MAP 2000-1343)

Parcel Number: 02-030-0031
Legal Description

--- 2012 ---

BEG 256 FT S OF NE COR LT 6 BLK 16 PLT A LOGAN FARM SVY & TH S 112 FT ALG W LN OF 600 W ST & E LN LT 6 TO NW'LY LN OF SOUTHWEST ST TH SW'LY 80.81 FT ALG ST TH NE'LY 125.84 FT ALG CURVE TO LEFT (R=203.84 FT DELTA=35°22'22") TO PT 62 FT W FROM E BACK OF SIDEWALK LINE SD 600 W ST TH N 60 FT TO N LN PARCEL 02-030-0022 TH E 9 FT M/L CONT 0.03 AC ALSO: BEG ON W LN OF 600 W ST AT PT 171 FT S OF NE COR LT 6 SD BLK 16 TH S 85 FT TH W 9 FT M/L TO PT 62 FT M/L FROM E BACK OF SIDEWALK LN OF 600 W ST TH N 85 FT TH E 9 FT TO BEG CONT 0.02 AC
REPORT SUMMARY...
Project Name: 200 South 600 West Rezone
Proponent/Owner: Community Development Department
Project Address: Twelve (12) properties located at the southwest corner of 200 South and 600 West
Request: Rezone from Mixed Use (MU) to Commercial Services (CS)
Type of Action: Legislative
Hearing Date: December 13, 2012
Submitted By: Amber Reeder, Planner II

RECOMMENDATION
Staff recommends that the Planning Commission recommend approval to the Municipal Council for a Rezone of twelve (12) properties consisting of approximately 17.47 acres located southwest of the intersection of 200 South and 600 West in Logan, from Mixed Use (MU) to Commercial Services (CS), TIN #02-030-001, 0002, 0003, 0016, 0018, 0019, 0021, 0023, 0024, 0025, 0029, 0031.

Current Land use adjoining the subject property:

<table>
<thead>
<tr>
<th>North</th>
<th>East</th>
</tr>
</thead>
<tbody>
<tr>
<td>CS: 200 South, Commercial and Industrial uses</td>
<td>MRM: 600 West/Southwest St, Residential mixed use (single family and multi-family)</td>
</tr>
<tr>
<td>South: NRW: Single Family Uses</td>
<td>West: NRW: Single Family Uses</td>
</tr>
</tbody>
</table>

Request
The request is to rezone twelve (12) parcels, consisting of approximately 17.47 acres, southwest of the intersection of 200 South and 600 West. The parcels include private properties developed with industrial and commercial uses, one (1) vacant property, a property owned by the Federal Government for storage by the Forest Service, and a parcel owned by Logan City for future right-of-way.

Zoning History and General Plan
The area has been zoned and developed with industrial commercial uses. There are three (3) warehouse shipping facilities including Fed-Ex, Pepsi Co., and Marty's Distributing. Other private properties are developed and used for storage, offices, and shops for primarily construction and light manufacturing uses. The zoning previous to the 2011 City-wide zoning map amendments was Industrial.

The Future Land Use Plan (FLUP) adopted in 2008 identifies these properties as Mixed Use Commercial. The intent was to identify areas that could be developed or redeveloped as nodes for smaller scale commercial retail and housing projects to increase densities and serve the adjacent population. The mixed use nodes would reduce the need for traffic to be funneled to the regional commercial areas for everyday needs.

The zoning of the property was changed to the MU zone in 2011 to encourage implementation of the Future Land Use Plan. However, property owners in the area have expressed frustration...
in the limitations that this has placed on their properties. The developed properties include primarily warehousing, storage and shop spaces. The MU zone allows for locally-oriented retail uses which are not easily accommodated in the existing spaces.

Summary
Staff finds that because the subject site is a developed area that has a history of industrial uses, the 2011 zoning designation to Mixed Use does not allow for a reasonable transition to the use of the area. The Commercial Services zone would allow for the smaller scale industrial uses like storage and shop spaces to be utilized but would not allow for further warehousing, distribution, and large scale and impact industrial or manufacturing uses. The property is adjacent to a CS-zoned area to the north and is of a similar nature to the development to the north, sharing the railroad corridor.

PUBLIC NOTIFICATION
Legal notices were published in the Herald Journal on November 29, 2012 and the Utah Public Meeting website on November 27, 2012. A quarter page ad was published in the Herald Journal on November 27, 2012. Public notices were mailed to property owners within 300 feet of the project site on November 27, 2012.

PUBLIC COMMENTS
As of the time the staff report was prepared no public comments had been received.

AGENCY AND CITY DEPARTMENT COMMENTS
No comments were received from City departments or agencies.

RECOMMENDED FINDINGS FOR APPROVAL
The Planning Commission bases its decisions on the following findings:
1. By changing the zoning from MU to CS, the area will be able to act as a transition area and create a more compatible development pattern from the existing industrial uses to a mix of uses as the area redevelops.
2. The CS zoning request is consistent with the long-rang implementation of the Future Land Use Plan.
3. As the area is bisected by the railroad it is not viable for access or development as a cohesive mixed use development.
4. The surrounding roads providing access and infrastructure are sufficient in size and capacity to support the existing development.
5. The proposed rezone is compatible with Commercial Services zone located adjacent to the subject properties.
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: January 4, 2013
FROM: Amber Reeder, Community Development
SUBJECT: 200 South/600 West area Rezone

Summary of Planning Commission Proceedings

Project Name: 200 South 600 West Rezone
Project Address: 600 West/Southwest St- approx 800 West, 200 South-approx 345 South
Recommendation of Planning Commission: Approval

On December 13, 2012, the Planning Commission, by unanimous vote, recommended that the Municipal Council approve a Rezone Request for twelve (12) parcels in the Woodruff Neighborhood, located southwest of the intersection of 200 South and 600 West, from Mixed Use (MU) to Commercial Services (CS).

Planning Commissioners, vote (5,0):
Recommend denial: None.

Attachments:
Staff Report
Ordinance 13-004
PC Meeting Draft Minutes (December 13, 2012)
Minutes of the meeting for the Logan City Planning Commission convened in regular session Thursday, December 13, 2012. Chairman Simmonds called the meeting to order at 5:30 p.m.

Planning Commissioners Present: Amanda Davis, Heather Hall, John Kerr, Konrad Lee, Russ Price, Jeannie Simmonds

Planning Commissioners Absent: David Adams

Staff Present: Mike DeSimone, Russ Holley, Amber Reeder, Kymber Housley, Paul Taylor, Bill Young, Nicole Simpson

Minutes as written and recorded from November 8, 2012 were reviewed by the Commission. Commissioner Kerr moved that the minutes be approved as submitted. Commissioner Davis seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 12-044 Logan Gateway II Design Review Permit. (continued from Oct 25) Richard Reeve/Mountainland Developers LLC, authorized agent/owner, request a design review permit for a multi-family residential development at 1650 North 400 West; TIN 04-081-0014, 04-081-0015.

STAFF: Ms. Reeder advised that this project has been withdrawn by the applicant.

PC 12-059 Corner 68 Subdivision Subdivision Permit. Chris Cole, authorized agent/owner, requests a two (2) lot subdivision on .39 acres at 791 North 600 East in the Neighborhood Residential Core (NRC) zone; TIN 05-038-0014.

STAFF: Ms. Reeder reviewed the Staff Report as written, recommending conditional approval.

PROPOONENT: Mr. Nielson, representative for the proponents, stated that the proponents want to consider the north side of the house the “front” of the house because the sidewalk comes from 800 North. The curb off 600 East drops off, making the access for a driveway impractical. Mr. Nielson explained that the proponents want all access to come off 800 North, including the driveway.

PUBLIC: None

COMMISSION: Commissioner Davis asked if the existing home will be required to make any necessary repairs. Ms. Reeder explained that no repairs on the existing home will be required in relation to this subdivision permit.

Commissioner Lee requested clarification on the Condition of Approval regarding the driveway to lot #1 be located “as far west as possible.” Ms. Reeder specified that lot #1 is the lot containing the existing home (on the corner). The Condition of Approval recommends the driveway to be as far west
as possible to move the driveway furthest from the intersection. Ms. Reeder explained that there is a sewer line that runs along the west side of the home, thus requiring the owners to record a public utilities easement with Logan City.

Chairman Simmonds asked if the current home faces 800 North or 600 East. Ms. Reeder advised that the house is addressed off 600 E. Chairman Simmonds questioned why the west side of the house has been discussed as the "side of the house" and not the back of the house.

Commissioner Lee agreed and asked if the proponent could have the driveway come off 600 East. Ms. Reeder responded yes, the proponent may have the driveway off 600 East; the recommended condition of approval regarding the driveway be as far west as possible is only relevant if the driveway comes off 800 North.

Chairman Simmonds pointed out that the setbacks will change depending on the location of the driveway.

Ms. Reeder explained that the address can be amended to reflect the house being addressed off 800 North. Ms. Reeder answered for Chairman Simmonds that the standard width of a driveway is 12 feet. Chairman Simmonds pointed out that there is not enough room for a driveway to come off 800 North, unless the two properties share a driveway.

Mr. Nielson feels the shared driveway will benefit both properties.

Chairman Simmonds remarked that the properties will either have to share a driveway off 800 North because of setback requirements, or have the driveway come from 600 East.

Mr. Holley explained that the requirement for driveways specifies a 12-foot curb-cut width for shared driveways, but can reduce to an 8-foot width past the setback line. Mr. Housley confirmed these requirements. Mr. Holley also mentioned that there is a possibility of putting the driveway on the east side of the house as long as it leads to an area outside of the setback areas.

Chairman Simmonds expressed concern for the impact of a east-side driveway with the intersection.

Mr. Housley explained that the Subdivision Permit is strictly to approve the new lot for the subdivision; the driveway issues will be addressed during the building permit stage.

Commissioner Davis asked for clarification regarding the standard rule for setbacks and addressing on corner lots. Mr. Housley answered the address is given at the building permit stage. For this particular house, the address can be modified in the future. Given the address of the property, the frontage is based off the east side of the house.

Chairman Simmonds pointed out that the existing dwelling is only 8 feet from the proposed property line on the west and the rear setback is only at 10 feet. Mr. Housley said the discretion is given to staff to decide where the front, sides, and back setbacks are located. Whatever staff decides for setback locations will be recorded, and if the proponents want to change their design, they will have to come back to the Commission.

Ms. Reeder mentioned that if the proponents move the lot line 2 feet from lot #1 into lot #2, the boundary adjustment will not make lot #2 noncompliant.

Chairman Simmonds asked if the north side will be dictated as the front if the Subdivision Permit is approved as written. Mr. Housley explained that in order to change the locations of the setbacks, it will have to be made as a Condition of Approval.
Ms. Reeder mentioned that it is possible to make a Condition of Approval stating the address be amended to reflect the front of the house to be addressed off 800 North, making it easier for a plot line change in the future.

Commissioner Davis encouraged Staff and the Commission to base the east side of the property as the front of the house, thus keeping the address based off 600 East. Mr. Housley pointed out that if the front is considered off 600 East, the proponent would need to add 2 feet to make the driveway compliant.

Commissioner Lee questioned the relevance in establishing which sides of the property coincide with which setbacks. He stated that if the setback locations aren’t relevant to the Subdivision Permit, then a decision should be made according to what the proponent has brought to the Commission. Mr. Housley recommended the Commission consider the setbacks exactly as the proponents have suggested.

Mr. Nielson said he prefers the front of the house to be addressed off 800 North because of the current access to the house coming off 800 North.

Commissioner Lee suggested eliminating recommended Condition of Approval #3. Mr. Housley stated that the language is relevant for the Condition of Approval to eliminate any intent of converting the home. The statement is only in the Conditions of Approval for clarification purposes.

Ms. Reeder explained that Staff felt it necessary to put that statement into the Conditions of Approval after having a conversation with the proponents.

MOTION: Commissioner Lee moved that the Planning Commission conditionally approve PC 12-059 for a Subdivision Permit with the conditions listed below. Commissioner Davis seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval will be recorded and are able in the Community Development Department.
2. Two (2) lots are approved with this subdivision.
3. The existing residence is a single family house and may only be occupied as such. This approval does not authorize the conversion of the existing dwelling to a multi-family dwelling.
4. Lot 1 shall be accessed from 800 North and the frontage is considered on 800 North for setback determination.
5. The driveway to Lot #1 will be located as far west on the property as possible. If a shared driveway is constructed for Lot #1 and #2 it shall be a minimum of 12 feet wide and shall be recorded as an easement on the final plat.
6. 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. Engineering - contact 716-9160
      1. Construct curb and gutter along 800 N frontage.
      2. Remove/Repair existing sidewalk as required to comply with City Standards and ADA requirements.
      3. Construct sidewalk along 600 E frontage.
      4. Existing radius corner is non-compliant and shall be removed and reconstructed to comply with City Standards. This includes any modifications needed to existing storm drainage under the radius corner.
      5. Each lot shall have individual service connections to City utilities.
6. Water shares will have to be turned over to the City for City supply or arrangements made with the Canal Company to provide irrigation water service.

7. A public utility easement (PUE) must be indicated over the sewer line that exists on the plat property.

b. Fire—contact 716-9515
   1. Fire Apparatus Access is sufficient from 600 East and 800 North.
   2. Fire Hydrant locations are adequate, one at 595 East 800 North, approximately 200 feet to the back of the lot, and one located at 614 East 800 North, approximately 400 feet to the back of lot.
   3. Water Flow is sufficient according to the calibrated water supply model.

FINDINGS FOR APPROVAL
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 lot sizes and as conditioned is under the maximum densities for the NRC zone.
2. The Subdivision Permit conforms to the requirements of Title 17.47 concerning hearings, procedures, application requirements and plat preparations.
3. The project meets the goals and objectives of the NR zoning designations within the Logan General Plan by providing residential opportunities in core areas with existing services, recreational opportunities and infrastructure already in place.
4. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
5. Accesses to the site from 800 North is adequate in size and location to sufficiently handle traffic related to residential land uses.

[Moved: Commissioner Lee Seconded: Commissioner Davis Passed: 5,0]
Yea: A. Davis, J. Kerr, H. Hall, K. Lee, R. Price    Nay:    Abstain:

PC 12-060 200 S 600 W Rezone Logan City requests to rezone properties TIN 02-030-0016, 02-030-0024, 02-030-0025, 02-030-0001, 02-030-0002, 02-030-0003, 02-030-0019, 02-030-0021, 02-030-0023, 02-030-0031, 02-030-0018, 02-030-0029 at the southwest corner of 200 South and 600 West from Mixed Use (MU) to Commercial Services (CS).

STAFF: Ms. Reeder reviewed the Staff Report as written, recommending approval.

PUBLIC: Javier Romero owns storage units in the area. He explained that one of his tenants wanted to put a light manufacturing shop on one of the properties in this area, but the current zoning does not allow for that type of business to move into the Mixed Use zone. Mr. Romero stated the storage units are not built for having a residential component. He expressed that he is disappointed in the limitations the Mixed Use zone presents for new businesses. Mr. Romero is in favor of the rezone to Commercial Services.

Jack Peterson questioned the reaction to the proposal at the Neighborhood Council meeting. Mr. DeSimone explained that no comments were received for this rezone. Mr. Peterson suggested bringing this rezone to the Neighborhood Committee to ensure the neighborhood(s) support this change.

Mr. DeSimone noted that the overall rezone was brought to the Neighborhood Council and there were no statements about this area. Most rezone requests do not go through the Neighborhood Council. Mr. Peterson suggested bringing each rezone request to the Neighborhood Council for input.
Ms. Reeder said a copy of each application for rezone requests is sent to the Neighborhood Council chairmen. She confirmed there were no comments received for this request.

**COMMISSION:** Commissioner Price questioned the consistency between the Comprehensive Plan that came out in 2008 and the zoning changes from 2011. Ms. Reeder explained that the designation of this area is mixed residential for the Future Land Use Map, but the zoning is designated for Mixed Use zoning, which requires a mix of residential with commercial use.

Commissioner Price asked if staff believes the Commercial Services zone is more accurate for this area regarding the plan of the Future Land Use Map. Ms. Reeder mentioned the previous use in this area was industrial; the Commercial Services zone would be a good transition zone from commercial/industrial use to the residential zone.

Chairman Simmonds asked if the root problem is with the Mixed Use designation. She questioned if the issues with the Mixed Use designation is conflicting with the current desired uses. Mr. DeSimone explained the current Mixed Use designation doesn't allow changes to the businesses in the area. Staff has looked at the existing use of the property. If the desired uses of the area changes in the future, Staff will look toward changing the zoning back to Mixed Use.

Commissioner Price noted that the Mixed Use zone is to be used as a transition from residential zones to other zones. He questioned if changing the zone back to Commercial Services is a step back from what the Future Land Use Map indicates. Mr. DeSimone felt the Commercial Services zone is an appropriate transition to future land use that is not strictly for heavy industrial or manufacturing uses. He doesn't think it's fair to the land owners to leave them stuck with no option to change the businesses at the current time.

Mr. DeSimone clarified for Commissioner Hall that this area was zoned Industrial prior to 2011. In 2011, this area was changed to the Mixed Use zone, which requires residential components, but is no more restrictive than Commercial Services regarding the types of businesses allowed.

Mr. Housley mentioned that this rezone does not conflict with the General Plan, only the Future Land Use Map. The Future Land Use Map is simply a document to foresee uses in areas in the future.

Commissioner Lee agreed with Commissioner Price, stating that if you leave the area zoned Mixed Use, these properties will become mixed use. He feels if you change the zone to Commercial Services, the properties will never become mixed use.

Ms. Reeder explained that the Commercial Services zone is more restrictive than the Industrial zone, which wouldn't allow for the owners to expand. Mr. DeSimone added that if you don't allow for change in this area now, there may be no changes into mixed use for many years.

Chairman Simmonds noted that this area is adjacent to a neighborhood. She questioned whether the Commercial Services zone will aid the transition into the abutting neighborhoods, or if it will create a rigid divide between commercial use and residential use. Mr. DeSimone explained that the bordering neighborhoods were built after the commercial buildings. The Commercial Services zone will not change the area very much from what is currently in this area. Industrial and manufacturing uses will not be allowed to expand in the area.

Commissioner Kerr argued it is better to provide a workable avenue for improvement in the area based on the current industrial use. Regarding the Future Land Use Map, this rezone would help make it easier for the property owners in the near future. There are many owners and business types in the area that couldn't change/grow if the zone stayed Mixed Use. Mr. DeSimone agreed.
MOTION: Commissioner Kerr moved that the Planning Commission forward a recommendation for approval to the Municipal Council for PC 12-060. Commissioner Hall seconded the motion.

[Moved: Commissioner Kerr   Seconded: Commissioner Hall   Passed: 5,0]
Yea: A. Davis, J. Kerr, H. Hall, K. Lee, R. Price   Nay:   Abstain:

PC 12-061 Seventh Day Adventist Church  Conditional Use Permit. Daniel Ewert/John Harder, authorized agent/owner, requests to use the existing structure for worship services for approximately 40 people. Site improvements, including parking, ADA access and landscaping are required. No exterior building changes are planned on .84 acres at 80 South 600 West in the Commercial Services (CS) zone; TIN 06-010-0006.

STAFF: Mr. Holley reviewed the Staff Report as written, recommending approval.

PROONENT: Jeff Muhs noted that the Adventist Church has been looking for a new facility for a long time. This facility is open inside and large enough to fit this church’s need. Mr. Muhs is excited for the opportunity to move to this facility.

PUBLIC: None

COMMISSION: Chairman Simmonds asked if the approval of this project includes a parking lot. Mr. Holley confirmed the project includes an 11-stall parking lot.

Commissioner Price requested clarification on the parking lot. He asked if street-side parking is included in the required amount of parking. Mr. Holley explained there is a requirement in placing the parking lot behind the building. On-street parking does not count toward the required number of parking stalls. The building is on a corner lot, and is addressed off 600 W; the parking falls behind the front of the building, meeting the setback requirement. Mr. Holley specified for Commissioner Price that if there was not existing landscaping, it would be a Condition for Approval on this project.

Commissioner Lee asked about the parking regulations for churches. Mr. Holley explained religious institutions require one parking stall for every four members of congregation at maximum occupancy. The proposed parking lot will allow the congregation to expand up to 60 members; they currently have 40 members in the congregation.

MOTION: Commissioner Davis moved that the Planning Commission conditionally approve PC 12-061 for a Conditional Use Permit. Commissioner Hall seconded the motion.

[Moved: Commissioner Davis   Seconded: Commissioner Hall   Passed: 5,0]
Yea: A. Davis, J. Kerr, H. Hall, K. Lee, R. Price   Nay:   Abstain:

4. WORKSHOP ITEM FOR: January 10, 2013:
✓  PC 13-001  Blue Square Sky Walk

Meeting adjourned at 6:35 p.m.
Minutes approved as written and digitally recorded at the Logan City Planning Commission meeting of December 13, 2012.

Michael A. DeSimone
Community Development Director

Jeannie Simmonds
Planning Commission Chairman

Russ Holley
Senior Planner

Amber Reeder
Planner II

Nicole Simpson
Administrative Assistant
The Logan City Planning Commission will hold a public hearing to receive input on the following:

**PC 12-060 200 S. 600 W. MIXED USE REZONE**  Rezone properties: TIN 02-030-0016, 02-030-0024, 02-030-0025, 02-030-0001, 02-030-0002, 02-020-0003, 02-030-0019, 02-030-0021, 02-030-0023, 02-030-0031, 02-030-0018, 02-030-0029 from Mixed Use (MU) to Commercial Services (CS).

The Municipal Council is tentatively scheduled to hold a workshop on these items on **Tuesday, January 8, 2012**, and a public hearing on **Tuesday, January 22, 2013**. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 pm.

Contact the Department of Community Development at 716-9022 for more information or www.loganutah.org

*published in H.J. 11/27/12*
Entity: Logan

Public Body: Municipal Council

Subject: Zoning
Notice Title: Regular Meeting
Meeting Location: 290 North 100 West
Logan 84341-7979
Notice Date & Time: January 8, 2013
5:30 PM - 7:30 PM

Description/Agenda:

Public Hearing:

PC 12-060 200 S 600 W Rezone Logan City requests to rezone properties TIN 02-030-0016, 02-030-0024, 02-030-0025, 02-030-0001, 02-030-0002, 02-030-0003, 02-030-0019, 02-030-0021, 02-030-0023, 02-030-0031, 02-030-0018, 02-030-0029 at the southwest corner of 200 South and 600 West from Mixed Use (MU) to Commercial Services (CS).

The Municipal Council is tentatively scheduled to hold a workshop on these items on Tuesday, January 8, 2013, and a public hearing on Tuesday, January 22, 2013. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 pm.

Notice of Special Accommodations:

Individuals needing special accommodations should notify Teresa Harris, 435-716-9002, at least two working days prior to the meeting. Hearing enhancement devices are available on request.

Notice of Electronic or telephone participation:

A councilmember may join a meeting electronically upon proper notice of the meeting and 24-hour notice to councilmembers. A councilmember participating electronically will be connected to
LEGAL NOTICE
Municipal Council
January 8, 2013

The following public hearings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 p.m. All comments must be submitted to Community Development to be included in the public record before 5:00 p.m. on January 2, 2013. Contact 716-9021 or www.loganutah.org for further info.

Public Hearing:

PC 12-060 200 S 600 W Rezone  Logan City requests to rezone properties TIN 02-030-0016, 02-030-0024, 02-030-0025, 02-030-0001, 02-030-0002, 02-030-0003, 02-030-0019, 02-030-0021, 02-030-0023, 02-030-0031, 02-030-0018, 02-030-0029 at the southwest corner of 200 South and 600 West from Mixed Use (MU) to Commercial Services (CS).

The Municipal Council is tentatively scheduled to hold a workshop on these items on Tuesday, January 8, 2013, and a public hearing on Tuesday, January 22, 2013. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 pm.

Publication date: Tuesday, December 4, 2012

posted on City web 11/29/12
# Application for Project Review

**LOGAN**

**City United in Service**

**Community Development**

**APPLICATION FOR PROJECT REVIEW**

- **Planning Commission**
- **Board of Adjustment**
- **Board of Appeals**
- **Other**

<table>
<thead>
<tr>
<th>Date Received</th>
<th>Received By</th>
<th>Receipt Number</th>
<th>Zone</th>
<th>Application Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-21-12</td>
<td></td>
<td></td>
<td></td>
<td>12-060</td>
</tr>
</tbody>
</table>

**Type of Application (Check all that apply):**

- [ ] Design Review
- [ ] Conditional Use
- [ ] Subdivision
- [ ] Zone Change
- [ ] Boundary Line Adjustment
- [ ] Code Amendment
- [ ] Appeal
- [ ] Variance
- [ ] 4950' Design Review
- [ ] Other

**PROJECT NAME**

200 SOUTH/600 WEST MIXED USE REZONE

**PROJECT ADDRESS**

12 PROPERTIES LOCATED AT THE SOUTHWEST CORNER OF 200 SOUTH AND 600 WEST

**AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete)**

Mailing Address: 290 North 100 West, Logan, Utah, 84321

E-mail: AMBER.REEDER@LOGANUTAH.ORG

**CITY OF LOGAN COMMUNITY DEVELOPMENT DEPARTMENT**

435-716-9036

**MAILING ADDRESS**

290 North 100 West

**CITY**

Logan

**STATE**

Utah

**ZIP**

84321

**EMAIL ADDRESS**

AMBER.REEDER@LOGANUTAH.ORG

**PROPERTY OWNER OF RECORD (Must be listed)**

See attached

**MAILING ADDRESS**

**CITY**

**STATE**

**ZIP**

**EMAIL ADDRESS**

**DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED**

(Include as much detail as possible - attach a separate sheet if needed)

Total Lot Size (acres): 17.47

TIN: 02-030-0016, 02-030-0024, 02-030-0025, 02-030-0001, 02-030-0002, 02-030-0003, 02-030-0019, 02-030-0021, 02-030-0023, 02-030-031, 02-030-0018, 02-030-0029

Rezone properties from Mixed Use (MU) to Commercial Services (CS)

- **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**

**MC Workshop: Jan. 8**

**MC Hearing: Jan. 22**

**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**
Civil

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 30th day of January , A.D. 2013 personally appeared
before me Monica Christensen who being first being duly sworn, deposes and says that
she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal
a daily newspaper published in Logan City, Cache County Utah, and that the
Legal Notice, a copy of which is hereto attached was published in said
newspaper for 1 issue(s) and that said notice also published on utahlegals.com
on the same days(s) as publication in said newspaper

Commencing on the following days:
01/29/2013

[Signature]
Assistant to the Finance Director

Subscribed and sworn to before me on this 30th day of January , A.D. 2013

[Signature]
Amanda Marie Nye
Notary Public

Commissioned in the State of Utah

My Commission expires August 1, 2015

LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE passed by the Logan Municipal Council, Logan, Utah is as follows:

ORD.13-04. An ordinance was adopted and approved January 22, 2013 to rezone properties at 200 South 600 West from
Mixed Use (MU) to Commercial Services (CS). TIN:
02-030-0002, 02-030-0003, 02-030-0016, 02-030-0018,
02-030-0019, 02-030-0021, 02-030-0023, 02-030-0024,
02-030-0025, 02-030-0029, 02-030-0031.

The ordinance is effective immediately upon publication. Full
text of the ordinance may be reviewed at the Office of the
Logan City Recorder, City Hall, 290 North 100 West, Logan,
Utah during regular business hours.

Teresa Harris,
City Recorder

Publication Date: January 29, 2013