CITY OF LOGAN, UTAH
ORDINANCE NO. 13-075

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 property is hereby zoned from Neighborhood Residential Outer Core (NROC) to Mixed Residential Medium (MRM):

Portion of TIN# 05-020-0022, as described on attached legal description.

The above property is 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, __ ( __)

AYES: ________________
NAYS: ________________
ABSENT: ________________

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the __ day of October, 2013.

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby ________________ this __ day of October, 2013.

Randy Watt, Mayor
EXHIBIT B

Portion of Parcel Number: 05-020-0022
Legal Description
------- 2013 -------

(Description to be provided by proponent for western-most 1.32 acres)
DATE: September 12, 2013
FROM: Amber Reeder, Planner II, Community Development
SUBJECT: Champlin 1000 N Retirement Community Rezone Request

Summary of Planning Commission Proceedings

Project Name: Champlin 1000 North Retirement Community Rezone Request
Project Address: Approximately 275 East 1000 North
Recommendation of Planning Commission: Denial

On August 22, 2013, the Planning Commission recommended that the Municipal Council deny a request to rezone a 1.32 acre area at approximately 275 East 1000 North from Neighborhood Residential Outer Core (NROC) to Mixed Residential Medium (MRM). The request is being made as the proponent is proposing to develop an assisted living center at this location.

The attached staff report also includes discussion on a subdivision request that was submitted concurrently with the rezone. The subdivision includes an additional 7.26 acres to the east of the rezone property. For the Council's information, the subdivision request was continued to the October 24, 2013, Planning Commission meeting.

Planning Commissioners vote (3, 1):
Motion to recommend denial:
Yea: David Adams, Amanda Davis, Russ Price  Nay: Steve Stokes  Abstain: none

Attachments:
Staff Report
Ordinance 13-75
PC Meeting Minutes
Project #13-045
Champlin 1000 North Retirement Community
1000 North 400 East

REPORT SUMMARY...

Project Name: Champlin 1000 North Retirement Community
Proponent/Owner: Turner Design Engineering/Ryan Reeves, Champlin Development
Project Address: Northwest corner of 1000 North and 400 East
Request: Rezone 1.32 acres from Neighborhood Residential Outer Core (NROC) to Mixed Residential Medium (MRM) and a subdivision of the 8.58 acre properties into 46 lots

Type of Action: Legislative & Quasi-judicial
Hearing Date: August 22, 2013
Submitted By: Amber Reeder, Planner II

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the Municipal Council for a Rezone of one (1) parcel totaling 1.32 acres from NROC to MRM, located at approximately 275 East 1000 North for an assisted-living center and that the Planning Commission grant approval of a 41-lot subdivision for a single family development at the northwest corner of 400 East and 1000 North in the NROC zone, TIN #05-020-0020; 0021; 0022.

Current Land use adjoining the subject property:

<table>
<thead>
<tr>
<th>North:</th>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>NROC:</td>
<td>Single-family Residential Uses</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>East:</th>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>NROC:</td>
<td>400 East, Single-family Residential Uses</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>South:</th>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUB &amp; NRC:</td>
<td>1000 North, City Light &amp; Power facility, Single-family uses</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>West:</th>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>NROC:</td>
<td>Multi-family and Single-family Residential Uses</td>
</tr>
</tbody>
</table>

Existing Conditions

There are single family residences at 1061 and 1073 North 400 East that were constructed in 1950. The property along 1000 North has some agricultural structures but is primarily undeveloped and has been used for horse pasture. The Logan-Hyde Park canal is an open canal at approximately 300 East that flows north.

The subject property is surrounded by primarily single family residential development. The subdivision to the north was constructed in 1978. To the east is the Morningside Square Subdivision that was developed in the late 1940’s. Residences on the south side of 1000 North were constructed in the 1950’s and 1960’s. There are two (2) four-plexes to the west of the property that were built in 1963.

Background

The three (3) properties included in this request were part of a proposal in March of 2012 for a rezone. The project included rezoning the properties from Neighborhood Residential Outer Core (NROC) to Mixed Residential Medium (MRM) and Commercial (COM) to allow for a multi-family apartment, 44 single-family residences, and a commercial area at the corner of 400 East and 1000 North. The Planning Commission recommended denial of the project as it was not consistent with the General Plan designation of Detached Residential and incompatible with the surrounding neighborhood uses and character. A work session with the City Council was held on April 3, 2012, but the project was withdrawn prior to a public hearing.
Zoning History
The City of Logan adopted Zoning regulations in August of 1950. The zoning history of the property is as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Zone</th>
<th>Use/Structure Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1950</td>
<td>R-2</td>
<td>1-4 units/ Minimum lot size of 6,000 sf for 1 unit + 1,000 sf for each additional unit</td>
</tr>
<tr>
<td>1970</td>
<td>R-1</td>
<td>West of 300 East: Single family only/ Minimum lot size of 8,000 sf East of 300 East: 1-4 units/ Minimum lot size of 6,000 sf for 1 unit + 1,000 sf for each additional unit</td>
</tr>
<tr>
<td>1976</td>
<td>R-2</td>
<td>Single family only/ Minimum lot size of 6,000 sf</td>
</tr>
<tr>
<td>2000</td>
<td>SFR</td>
<td>Single family only/ Minimum lot size of 6,000 sf</td>
</tr>
<tr>
<td>2011</td>
<td>NROC</td>
<td>Single family only/ Minimum lot size of 6,000 sf (maximum of 6 units/acre)</td>
</tr>
</tbody>
</table>

Land Development Code (LDC)
The Land Development Code (LDC) §17.12.040 describes the NROC zone as an area of architectural transition between core neighborhoods and more recently developed areas. There should be an emphasis on established patterns of development with residences oriented to block perimeters and infill consistent with existing forms. The detached, single family character should be continued and housing options promoted by allowing some medium density uses. The NROC zone allows for front yard or courtyard-oriented detached single family residences.

The MRM zone allows for a range of housing options for all stages of life. New development must create a traditional neighborhood character oriented towards the street. The MRM zone allows for single family and multi-family configurations of housing and a broader range of group living arrangements, including an assisted living center. There are additional building setback requirements for development adjacent to a single family zone.

The maximum height in the NROC and MRM zones is the same: 35' to mid-gable or the top of a parapet. A Group Living facility is considered residential as long as the tenancy is arranged on a monthly or longer basis. Occupancy is limited to one occupant per 200 square feet of finished floor area.

General Plan
The Future Land Use Plan (FLUP) adopted in 2008 identifies these properties as Detached Residential (DR). The General Plan 3.2 states: In areas designated Detached Residential all new development, whether infill between existing homes, replacement of existing homes or new development on vacant land, will be detached single-family homes.

Streets
The City of Logan Surface Master Transportation Plan identifies 1000 North as a “Minor Arterial”. Currently, 1000 North has three lanes (two travel lanes and one turning lane) and has an asphalt cross section of approximately 57 feet. It serves as a regional thoroughfare for traffic between the Main Street area and University area. The 400 East roadway is identified as a “Local” street and has two (2) travel lanes and an asphalt cross section of 35 feet. It connects residential areas and also gets hospital-related traffic.

Summary
Staff finds that the request for a rezone of 1.32 acres at the western portion of the subject property from NROC to MRM may be appropriate for this location as it is adjacent to multi-family development to the west and buffered from single family by the large size of the lots to the north.
and 1000 North to the south. Additional multi-family uses are not desired for the Adams Neighborhood outside of the campus residential areas but assisted living may be appropriate as the location is in an area to transition between residential and commercial uses to the west and north along 1000 North and the 200 East corridor. The request for the MRM zoning is because it is the lowest density zone that allows for assisted living. Should the rezone be approved, the proponent would submit a specific proposal for the assisted living center for design review.

The MRM zoning does allow for other uses and the zoning can't be tied to a specific project or property owner. Staff recommends that the proponent provide a development agreement to be recorded that would notice the City should the property be sold or the assisted living project not move forward that would give the City 90 days to process a zoning change back to a single family zoning.

**Subdivision Proposal**

The initial subdivision submission included 46 single family lots, a lot for the assisted living center, and tracts for detention, open space, and the private roads. The most recent submission for review dated August 7, 2013, is the preliminary plat reviewed in this report. It includes 40 single family lots, a lot for the proposed assisted living facility, and tracts for open space, detention, and private roadways. The general concept of the subdivision is for a single family retirement community with private roads accessing the garages and the front of the homes facing open courtyard spaces.

The single family lots range in size from 6,000 sf to 6,158 sf. The private road loops off of 400 East and there is also an outlet that aligns with 350 East. The Land Development Code (LDC) permits subdivisions within the NROC zone at a density of six (6) units to the acre and minimum lots sizes at 6000 SF. The LDC sets minimum average lot widths at 60 feet. The proposed subdivision meets minimum lot widths, minimum lot sizes and gross-acreage density allowance at 5.5 units per acre. The proposal is consistent with the Logan City General Plan, as it indentifies the area as Neighborhood Residential suitable for detached single family homes.

Building setbacks will be reviewed at the time of building permit review. The front setback is based on the orientation of the house. As the homes will face an interior courtyard space the setback will be 25' from the property line and the area will have an easement for common use with the subdivision. The rear setback will orient to the private road. It is intended that the garages would sit at the 10' setback. This would not allow for parking on the driveway pad but they are proposing that the lots would have a paved area adjacent to the garage for additional resident and guest parking.

The proponent is proposing to pipe the Logan-Hyde Park Canal and provide open space across the easement. The canal company will have to review and approve the proposal and construction.

**Access**

Curb, gutter and sidewalk currently do not exist along the north side of 1000 North and west side of 400 East and will be required with development to City specifications, including street trees. Having two (2) accesses from 400 East is not ideal but will allow for traffic to be dispersed and the anticipated traffic is less than a typical subdivision.

**AGENCY AND CITY DEPARTMENT COMMENTS**

Comments were solicited from the following departments or agencies:

- Engineering
- Fire
PUBLIC COMMENTS
As of the time of this report, one comment had been received from Marilyn Griffin, the Adams Neighborhood Council representative, indicating opposition to zoning and development that is not single family.

PUBLIC NOTIFICATION
A quarter-page ad regarding the rezone request was published in the Herald Journal on August 4, 2013, and legal notices were published August 8, 2013. Notices were posted on the Utah Public Meeting website on August 9, 2013. Public notices were mailed to property owners within 300 feet of the project site on August 2, 2013.

SUMMARY
The subdivision meets the minimum requirements for specific development standards within the NROC zone. The orientation of the project as a courtyard style single family development is compatible with the neighborhood by providing homes fronting 1000 North with a buffer of landscaping and accesses being consolidated onto a private drive. This minimizes the points of conflict for possible traffic on the minor arterial road but provides for a positive pedestrian environment.

RECOMMENDED CONDITIONS OF APPROVAL
This project is subject to the proponent or property owner agreeing to comply with the following conditions as written, or as may be amended by the Planning Commission.
1. All standard conditions of approval will be recorded with the Subdivision Permit and are available in the Community Development Department.
2. Forty-one (41) lots are approved with this subdivision.
3. 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
      1. The single family homes will use residential cans. The assisted living building will need a frontload dumpster location identified.
   b. Water - contact 716-9622
      1. Consider bringing water on to 1000 N. to give water when one or the other streets are turned off.
      2. All Homes/Buildings will be required to have a separate water meter.
      3. Public/Private water utility easement agreement will also be required.
   c. Water/Cross Connection — contact 716-9627
      1. Assisted Living Center will be required to have Backflow protection on main Culinary Drinking Water supply. (commercial)
      2. Culinary and Fire Sprinkler Water supply must come from same side (upstream, downstream) of PRV on 1000 North.
      3. Water service at 300 East 1000 North is said to remain, verify what it is going to be used for.
RECOMMENDED FINDINGS FOR APPROVAL FOR THE SUBDIVISION PERMIT
The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

1. The proposed subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the subdivision meets the minimum lot sizes and as is under the maximum densities for the NROC 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.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE REZONE REQUEST
The Planning Commission bases its decisions on the following findings:

1. By changing the zoning from Neighborhood Residential Outer Core to Mixed Residential Medium for an assisted living center, the area will be able to act as a transition area and create a more compatible development pattern from existing single family uses to 200 East corridor as the area redevelops.
2. The assisted living center use as part of the MRM zoning request is consistent with the implementation Future Use Plan purpose of the NROC zone.
3. The surrounding roads providing access and infrastructure are sufficient in size and capacity to support the zone change.
4. The height transitions and setbacks required in the Land Development Code will ensure residential properties to the west are not negatively impacted by new uses or development on this site.

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.
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>
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<tbody>
<tr>
<td>7/22/2013</td>
<td>Ayler</td>
<td>121098</td>
<td>NROC</td>
<td>PC 13-045</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
- To be determined

CHAUMIN 1000 N RETIREMENT COMMUNITY

PROJECT ADDRESS
- 1000 North, between 200 and 400 East

COUNTY PLAT TAX ID #
- 0620000021

AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete)
- TURNER DESIGN ENGINEERING

MAILING ADDRESS
- 307 HAMMOND LAKE
- PROVIDENCE, UT 84332

EMAIL ADDRESS
- turnerdesignengineering.com

PROPERTY OWNER OF RECORD (Must be listed)
- CHAUMIN DEVELOPMENT

MAILING ADDRESS
- 40 W CACHE VALLEY BLVD SUITE 1-C
- LOGAN, UT 84341

EMAIL ADDRESS
- chumelin@gmail.com

DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED
(Include as much detail as possible - attach a separate sheet if needed)
- Develop the land for single family residential retirement homes and an assisted living center.
- The residential portion will have an IGA that will maintain the landscaping and the private roads.
- The plans for the building design review will be submitted after successful review.

- NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL.

Total Lot Size (acres)
- 8.58

Size of Proposed New Building (square feet)
- NOT YET KNOWN

Number of Proposed New Units/Lots
- 46 + BLDG

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

Signature of Property Owner

Zone
- MC WK: 9/3/13
- MC hearing: 9/17/13
Logan City
Attn: Planning Department
290 North 100 West
Logan, Utah 84321

RE: CHAMPLIN 1000 NORTH DEVELOPMENT

Planning Department:

Attached are the required plans and materials for the purpose of rezoning the subject property located generally on the north side of 1000 North, between 200 and 400 East. The layout has been furnished as part of the preliminary plat requirements. At this time, the plans of the site design review for the assisted living center will not be submitted. When the property is rezoned from NROC to MRM, the full site plan will be submitted for the assisted living center for design review.

The development will include 46 residential, single-family homes as part of a retirement community. This community will be similar to previous development by Mr. Champlin. Similar CC&R’s will exist as part of the Home Owners Association. The HOA will be responsible for landscape maintenance and snow removal on the interior roads. It is intended that the interior roads will be private, but constructed to Logan pavement, base course rock, and pit run material specifications. The utilities will be public as well, as an easement will be granted to Logan City over the roads for City access, testing, and maintenance.

The assisted living center fills a vital need faced by many retirement communities. The center will allow residents to have additional short-term care as needed in a facility located within walking distance of their full-time residence.

I regards to the boundary of the property, there exists a gap of land on the east side of the Logan/Hyde Park Canal, as shown on the County recorder map. I spoke with Mike Gleed about this gap land. He instructed us to include the gap when the subdivision is developed to eliminate the gap. He believes the gap came as a result of a lot/block description, overlooking the canal.

The water requirements for this development will be in accordance with state code. That requirement is listed as 800 gpd per lot indoor use and outdoor use estimated to be 2.80 gpm/irrigated acre (peak flow) per Zone 2 of the use map. That estimates to 10.5 gpm peak flow for the entire property.

(transmittal)
I am writing to express my opposition to the request by Mr. Champlin to rezone the property on 1000 North from 200 to 400 East from NROC to MRM. This is the last big tract of land in the Adams area that can be developed for Single Family homes. We are trying hard to attract single families to this area in order to maintain its viability. Mr. Champlin was aware when he purchased the property that it was Single Family. The future land use map also has it designated as Single Family. He has every right to build whatever kind of homes he desires as long as they follow the guidelines of Single Family Homes.

Marilyn Griffin
Adams Neighborhood Representative
Neighborhood Council
19 August 2013

TO: Logan Utah Planning and Zoning Commission

SUBJECT: Data to Support Denial of Spot-Zone Request at approximately 275 East and 1000 North

We the undersigned recommend denial of PC 13-045 (Champlin 275 East 1000 North Assisted-living Center) Spot Rezone request from Neighborhood Residential Outer Core (NROC) to Mixed Residential Medium (MRM) for the following reasons:

A. Logan City Staff recommended rezone denial when this same request came before the Planning Commission on 22 March 2012,
B. City Planning and Zoning Commission recommended rezone denial, when this same request came before the Planning Commission in March 2012.
C. The “Mixed Residential Medium (MRM), is inconsistent with the General Plan and Future Land Use Plan (FLUP).
D. The overwhelming desire of the Adams neighborhood residents for Rezone denial.

A massive Adam School Neighborhood Land Use Survey reflects how the local resident land owners feel (Results of this Survey have been submitted to the Planning Commission previously; a copy is available on request). The survey questions were derived from Chapter 17 of the then current Logan City Land Development Code. It was professionally conducted with oversight from USU Professors emeritus Eldon Drake, Ph.D. for relevancy and Don Sisson, Ph.D. for statistical techniques by multiple residents living in the Adams School Neighborhood.

This survey is based on actual results of 75% of the targeted population, as compared to most surveys performed with inferential statistics where less than 1% of the people are actually contacted. Please respect this valuable survey as the mind and will of Adams area Resident Land Owners and for the huge amount of labor invested to conduct.

Based on the Survey results, the resident land owners in the Adams Neighborhood are not saying NO to additional development in the proposed area, but rather they are saying NO to spot zoning the current Neighborhood Residential Outer Core (NROC), to Mixed Residential Medium (MRM). The residents desire the developer respect the existing zoning and build homes on the property commensurate with the current zoning and forego a zoning change. Why should the entire neighborhood, whose combined investments exceed millions of dollars in property value, be asked to sacrifice at for the benefit of a single developer who doesn’t live in Logan?

The neighborhood residents are the ones with ultimate respect and concern for integrity, identity, character, wellbeing, long-term vitality, safety, and protection of property value of this highly desirable neighborhood. Also, please keep in mind these residents are voting Logan City Citizens, unlike the non-resident developer from Hyde Park.

As observed in the survey results, 75% of the 538 Resident Landowners in the Adams Neighborhood completed the survey. Specific areas included:
A. Adams School - Boulevard to 1000 North and from 300 East to 600 East
B. Mall Area - 1000 North to 1200 North and from 200 East to 400 East
C. Hospital Area - 1000 North to 1300 North and from 400 East to the irrigation canal below 800 East

The survey results show the overwhelming majority of Resident Land Owners are adamantly opposed to more multi-family dwelling units and commercial establishments in their neighborhood as here summarized:
A. 89% opposed more two-family dwelling units
B. 93% opposed more than three-family dwelling units
C. 95% opposed more than four-family dwelling units
D. 98% opposed more than multi-family dwelling units
E. 95% opposed retail businesses
F. 95% opposed commercial establishments

An increase in commercial activities in this neighborhood will cause more resident homeowners to leave which will destabilize the existing population even further. With the immediately affected neighborhood within four blocks of the three mammoth high-rise apartment buildings authorized at 600 East between 800 and 1100 North, there is no doubt the adjacent Neighborhoods will see significant deterioration and discourage new families from moving in, thus violating the City's Guiding Principles.

Residents purchased their homes based on existing zoning having faith the city will honor existing zoning ordinances. Citizens should be able to trust property zoning will remain unchanged for now and into the future so their investment will make financial sense without fear of continual, ongoing zoning changes and other negative factors. A new atmosphere of unchanging city policies and neighborhood trust must be restored.

It is our recommendation the Logan City Planning and Zoning Commission deny the proposed Spot Rezone request for the 1.32 acres or property at approximate 275 East 1000 North for the reasons outlined above. Please respect the current Zoning Map approved only two years ago.

Thank you for your consideration in this matter.

Respectfully,

Paul and Bonnie Hoth
735 North 400 East
Logan, Utah 84321
435-753-0750
Fwd: Input for meeting tonight

Debbie Zilles <debbie.zilles@loganutah.org> Thu, Aug 22, 2013 at 11:55 AM
To: Planning Commission <planning.commission@loganutah.org>, Mike Desimone <mike.desimone@loganutah.org>, Russ Holley <russ.holley@loganutah.org>, Amber Reeder <amber.reeder@loganutah.org>

--- Forwarded message ---
From: Burton Lamborn <burt.lamborn@aws.usu.edu>
Date: Thu, Aug 22, 2013 at 11:40 AM
Subject: Input for meeting tonight
To: "debbie.zilles@loganutah.org" <debbie.zilles@loganutah.org>
Cc: Burt&Chris Lambom <lambomfam@q.com>

Dear Planning Commission,

We won't be able to attend the planning commission meeting tonight, but would like to provide input regarding PC 13-045, the proposed zone change at 275 East 1000 North from NROC to MRM. Our preference is to leave the zoning as it is now, for the following reasons:

Background

Regarding the MRM zoning, the Land Development Code, section 17.12.050 states:

"The MRM Zone provides a range of housing options for all stages of life and levels of income including students, single adults, both young and mature families, and senior citizens. New developments will include a diversity of housing types to meet these needs. MRM areas are located near employment centers and service areas—allowing residents to be within walking distance of many services and/or jobs—and where transportation choices are (or will be) available.

This form of housing contributes to efficient, sustainable development of the city, which preserves the open lands surrounding Logan and minimizes traffic congestion.

Structures in this zone will range from single family homes to townhouses and apartments developed at 9-11 dwelling units per acre. All new and infill development will have a mix of housing types avoiding repetitious rows of the same size houses, same floor plans, and same lot size. All new residential developments must create a traditional neighborhood character with the entrances of homes oriented towards public streets, garages setback behind the front façade of the home, and street trees and front porches that dominate the view down the street. Streets will be laid out similarly to the traditional block pattern that is present in the older districts of Logan."
Regarding the NROC zoning, the section 17.12.040 C states that the purposes are (copied verbatim):

- Provide an architectural transition between Logan’s historic, inner core neighborhoods and Logan’s more recently developed outlying areas;

- Preserve and enhance established development patterns and forms, where most residences are oriented along block perimeters and development of interior block areas is controlled for compatibility with established residences;

- Continue the detached, single-family character of these areas, while allowing infill development that is consistent with the neighborhoods’ existing forms;

- Prevent the illegal conversion of single-family dwellings to other uses;

- Promote housing options by allowing a mixture of medium density residential uses in designated areas;

- Promote transportation efficiency by allowing small-scale, neighborhood-serving commercial services in designated areas;

- Allow for neighborhood-oriented institutional uses, such as schools, parks, religious institutions and similar uses."

Again in the code, table 17.13.030, the following difference between the NROC zone and the MRM zone are noted: (N=non permitted, P=permitted)

<table>
<thead>
<tr>
<th>Type of structure</th>
<th>NROC</th>
<th>MRM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front yard house, attached</td>
<td>N</td>
<td>P</td>
</tr>
<tr>
<td>Town house</td>
<td>N</td>
<td>P</td>
</tr>
<tr>
<td>Multi-dwelling, attached</td>
<td>N</td>
<td>P</td>
</tr>
<tr>
<td>Courtyard house, attached</td>
<td>N</td>
<td>P</td>
</tr>
<tr>
<td>Multi-dwelling, stacked</td>
<td>N</td>
<td>P</td>
</tr>
<tr>
<td>Twinhome</td>
<td>N</td>
<td>P</td>
</tr>
</tbody>
</table>

One can clearly see that if the zoning is changed from NROC to MRM, the single-family character that we have fought so diligently for could be in jeopardy. Please leave the zoning as it is and encourage developers to develop accordingly.
Regards,

Burt and Chris Lamborn

Burt Lamborn

USU Advanced Weather Systems Foundation

570 Research Park Way

North Logan, UT 84341

Burt.lambom@aws.usu.edu

(435) 797-4403

Debbie Zilles <debbie.zilles@loganutah.org> Thu, Aug 22, 2013 at 2:24 PM

To: Mike Desimone <mike.desimone@loganutah.org>, Russ Holley <russ.holley@loganutah.org>, Amber Reeder <amber.reeder@loganutah.org>

----- Forwarded message ----- 

From: CHRISTINE LAMBORN BURT LAMBORN <lambornfam@q.com>

Date: Thu, Aug 22, 2013 at 12:46 PM

Subject: Re: Input for meeting tonight

To: Burton Lamborn <burt.lambom@aws.usu.edu>

Cc: debbie zilles <debbie.zilles@loganutah.org>

Planning Commission,

If for some reason you as a Commission see fit to change this area to MRM, the change should be contingent upon execution of Mr. Champlin's plan to build single family dwellings and an assisted living center. In no case should a zoning change be made without specific development restrictions. For example, should Mr. Champlin decide to sell the property the zoning should revert back to NROC! Or, if Mr. Champlin changes his plan and decides to build apartments and townhomes or other MRM-allowed structures instead, then that should not be allowed!

We also feel that his plan, as posted on the sign, is not compatible with the surrounding neighborhoods! More thought needs to be given to how his plans can be made compatible with the neighborhood, i.e. conforming to the character guidelines given in the NROC zoning section 17.12.040.

Thank you for our time,

Burt and Chris Lamborn

From: Burton Lamborn <burt.lambom@aws.usu.edu>
To: debbie zilles <debbie.zilles@loganutah.org>
Cc: Burt&Chris Lamborn <lambomfam@q.com>

Subject: Input for meeting tonight

[Quoted text hidden]
Minutes of the meeting for the Logan City Planning Commission convened in regular session Thursday, August 22, 2013. Chairman Simmonds called the meeting to order at 5:30 p.m.

Planning Commissioners Present: David Adams, Amanda Davis, Russ Price, Jeannie Simmonds, Steve Stokes

Planning Commissioners Absent: Angela Fonnesbeck, Konrad Lee

Staff Present: Mike DeSimone, Russ Holley, Amber Reeder, Debbie Zilles, Kymber Housley, Paul Taylor, Lance Houser, Craig Humphreys

City Recorder, Teresa Harris, presented the oath of office to Steve Stokes.

Minutes as written and recorded from the August 8, 2013 meeting were reviewed. Commissioner Davis moved that the minutes be approved as submitted with a minor grammatical correction. Chairman Simmonds seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 13-042 Old Farm Subdivision (continued from Aug. 8) Subdivision Permit. Blair Gardner/DHI dba Destiny Homes, authorized agent/owner, request a four (4) lot subdivision, with three (3) building lots abutting Johnson Ridge Lane and the fourth being a remainder lot containing 4.1 acres. The three building lots range in size between 9,231 and 9,681 SF. Frontages range from 78.28' and 80.4' in width and are approximately 138' in depth at approximately 1300 S. Johnson Ridge Lane in the Neighborhood Residential Westside (NRW) zone; TIN 03-005-0057.

STAFF: Mr. Holley reviewed the Staff Report as written, recommending approval. This area was originally included in the Spring Creek Village Planned Unit Development approved by the Planning Commission on January 11, 2007. The 204-lot subdivision was approved with four (4) areas of associated open space totaling 16.48 acres and planned to be developed in four (4) phases. Phase one (1) of Spring Creek Village was recorded on September 7, 2007 and contained 48 lots. In August of 2005, the area was annexed into the City of Logan. The Johnson Pond Subdivision was approved by Cache County and recorded on August 11, 1993.

The Land Development Code (LDC) permits subdivisions within the NRW zone at a density of six (6) units to the acre and minimum lots sizes at 6000 SF. The LDC sets an average minimum lot width of 60 feet. As submitted, the subdivision complies with lot size, lot width and density. The proposal is consistent with the Logan City General Plan, as it indentifies the area as Detached Residential, suitable for single family residential development.

PROPONENT: Blair Gardner, the authorized agent, has met with the adjacent property owners and the City Engineer regarding the boundary line adjustment. He advised that one option from UDOT was to put up a temporary gate, which would not require a Traffic Impact Study (TIS), and Johnson Ridge Lane would be identified as a secondary access. Mr. Holley confirmed that a TIS is not required as long as there is compliance with UDOT standards and requirements.
Mr. Blair confirmed for Commissioner Price that he is the owner of the remainder lot (Lot 4) and that it is buildable, however, he has no intention of developing that parcel. He outlined the access points and possible plans for future development.

PUBLIC: Bonnie Hoth, 735 North 400 East, recommended denial at this point given the fact that there are too many unanswered questions.

Max Steadman, 1405 Johnson Ridge Lane, expressed concern regarding garbage collection and road maintenance if UDOT closes the road. Mailboxes are located on Hwy 89, adjacent to the entrance to Johnson Ridge Lane and he questioned how that would be affected. He said he has an irrigation ditch that comes off the highway to his property. Mr. Johnson transferred ownership of the road during the Spring Creek Subdivision phase. Mr. Steadman has talked with Mr. Gardner about providing a turnaround. He said he is glad to see that the property will be cleaned up as it has been weeds and debris for many years.

COMMISSION: Chairman Simmonds thought it important to add a condition of approval requiring a Boundary Line Adjustment to be in place prior to recordation of the subdivision.

Mr. Holley confirmed that Mr. Gardner owns the road; there are easements for Mr. Steadman and the two other lots that were originally part of the Johnson Pond Subdivision. It is a private road and is not maintained by the City. The preferred alternative is an approved cul-de-sac on Johnson Ridge Lane if it is gated, which would allow for traffic to turn around easily. Mr. Holley pointed out that 2200 South and Johnson Ridge Lane are quite close to one another and there are potential traffic conflicts, which is the one of the reasons UDOT is concerned. It will take cooperation from all the Johnson Pond Subdivision owners to alter the road.

Chairman Simmonds asked if there was any type of recourse for current property owners. Mr. Housley, the City Attorney, advised that they have rights to the extent of either the written or prescriptive easement.

Mr. Holley explained that the gate is an option because the Fire Department requires a secondary access for emergency vehicles. As this area continues to develop and another secondary access is developed, the gate could be removed.

Commissioner Davis asked if a TIS would be required if the property owners did not agree to a gate. Mr. Holley said that Mr. Gardner would then have to comply with UDOT conditions to make Johnson Ridge Lane acceptable.

Commissioner Adams agreed with Ms. Hoth's comment about many unanswered questions and suggested continuing this project. Commissioner Price agreed, given the fact that there are issues which could impact the functionality of the project.

MOTION: Commissioner Adams moved to continue PC 13-042 for to the September 26, 2013 meeting. Commissioner Price seconded the motion.

[Moved: Commissioner Adams Seconded: Commissioner Price Passed: 4-0]

STAFF: Ms. Reeder reviewed the Staff Report as written, recommending approval. The preschool will operate during the day for a limited time in the morning. Activities will be structured so that the children will be supervised primarily indoors with some outdoor play in the backyard. Staff anticipates that there should be little impact in terms of noise, traffic, or nuisance to the neighborhood.

PROPOONENT: Jennifer Schmidt explained that she will be instituting a continuous pickup pattern where she will walk children out to the vehicles. She will ask parents to park at Lundstrom Park if they need to come into the preschool. She confirmed that she is compliant with all State regulations.

Commissioner Stokes thought this was a great idea but expressed concern with traffic on 1600 East. Ms. Schmidt said she has been studying the traffic and believes the drop off and pick up times will not create much of an impact.

PUBLIC: An email from Kandi Larsen, 1344 North 1500 East, expressing support was received prior to the meeting.

A written letter from Beverly Mack, 1426 North 1600 East, expressing concerns regarding traffic and safety was received and distributed to the Commission prior to the meeting.

JoAnn Toone, 1345 North 1600 East, said there is already dense traffic on 1600 East, as well as quite a bit of pedestrian and bicycle travel and she is concerned about additional traffic and parking. She also indicated that the yard is not currently fenced.

Bonnie Hoth does not live in the neighborhood, but has been in the home previously. She is concerned about the ingress/egress for the children as well as enough adult supervision for safety reasons.

Chairman Simmonds pointed out that the item under consideration is for a Conditional Use Permit for a preschool at the home. Everything relative to the operation of the preschool is governed by State regulations.

COMMISSION: Commissioner Adams strongly encouraged the applicant to create a traffic pattern which would have parents come around to 1385 North.

MOTION: Commissioner Davis moved to conditional approve PC 13-043 for a Conditional Use Permit with the amended conditions of approval as listed below. Commissioner Price seconded the motion.

CONDITIONS OF APPROVAL
1. All standard conditions of approval are available in the Community Development Department.
2. The preschool shall not have more than sixteen (16) children occupying the home at one time for a morning session, Monday through Friday.
3. All residential and employee parking shall occur on the driveway of the property or in the garage.
4. Compliance with all State regulations regarding daycare / preschool centers (for up to 16 clients).

FINDINGS FOR APPROVAL
1. This project is compatible with surrounding land uses and zoning designations and, as conditioned, will not interfere with the use and enjoyment of adjoining properties.
2. As conditioned, the street providing to the subject property has adequate capacity for the proposed use and parking/drop-off/pick-up management will be provided and regulated.
3. Other infrastructure to the subject property has adequate capacity, or suitable levels of service, for the proposed use.

[Moved: Commissioner Davis   Seconded: Commissioner Price   Passed: 4-0]

Yea: D. Adams, A. Davis, R. Price, S. Stokes   Nay:    Abstain:
PC 13-044 Gossner Foods – Silo Tanks  Design Review & Conditional Use Permit. Lundahl Building Systems/Gossner Foods, authorized agent/owner, request to revise the silo tanks located near the southwest corner of the building to a height of 76'-6" at 1051 North 1000 West in the Industrial Park (IP) zone; TIN 05-050-0002;00012.

STAFF: Mr. Holley reviewed the Staff Report as written, recommending approval. This request is to exceed the base height allowance in the Industrial Park (IP) zone of 48'. The two (2) proposed stainless steel silo tanks are located near the southwest corner of the building and shown at a height of 76'-6". The 60,000 gallon silos are 12'-6" in diameter. They are proposed at this location because of the internal layout of the food processing line. The LDC §17.19.120 allows heights in the IP zone up to 80' with a Conditional Use Permit.

PROPOINENT: Jason Lundahl advised that the height will be approximately 4' lower than what has been submitted. He confirmed that the required 7460-1 Permit has been filed with the FAA.

PUBLIC: None

COMMISSION: Commissioner Stokes disclosed that the architect of the project is one of his current business partners.

MOTION: Commissioner Adams moved to conditional approve PC 13-044 for a Design Review and Conditional Use Permit with the conditions of approval as listed below. Commissioner Davis seconded the motion.

CONDITIONS OF APPROVAL
1. All standard conditions of approval are recorded and available in the Community Development Department.
2. Two (2) silo tanks are approved with this conditional use permit.
3. Any alterations or changes to the proposed silo tanks will need Planning Commission authorization prior to construction.
4. Any fences or walls shall be reviewed and approved by Community Development Staff prior to installation.
5. Exterior lighting shall be down-lit concealed source and in accordance with LDC §17.37.
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. Logan Cache Airport (Lee Ivie, Manager)
      i. An FAA 7460-1 form for construction outside the Airport boundary needs to be completed.

FINDINGS FOR APPROVAL
1. The project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the manufacturing and warehousing nature of the Industrial Park (IP) zone.
2. The project conforms to the requirements of Title 17.47 concerning hearings, procedures, application requirements and submittal requirements.
3. The project meets the goals and objectives of the Industrial Park (IP) zoning designations within the Logan General Plan by providing industry along transportation corridors.
4. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
5. The submitted access to the site from 1000 West is adequate in size and location to sufficiently handle traffic related to this industrial land use.

[Moved: Commissioner Adams  Seconded: Commissioner Davis  Passed: 3-0]
PC 13-045 Champlin 1000 N Retirement Community Subdivision Permit & Zone Change. Turner Design Engineering/Champlin Development, authorized agent/owner, request a zone change from Neighborhood Residential Outer Core (NROC) to Mixed Residential Medium (MRM) for 1.32 acres at approximately 275 East 1000 North for an assisted-living center and approval of a 46-lot subdivision for a single-family residential development at the northwest corner of 400 East and 1000 North in the Neighborhood Residential Outer Core (NROC) zone; TIN 05-020-0020;0021;0022.

STAFF: Ms. Reeder reviewed the Staff Report as written, recommending approval. Staff finds that the request for a rezone of 1.32 acres at the western portion of the subject property from NROC to MRM may be appropriate for this location as it is adjacent to multi-family development to the west and buffered from single family by the large size of the lots to the north and 1000 North to the south. Additional multi-family uses are not desired for the Adams Neighborhood outside of the campus residential areas but assisted living may be appropriate as the location is in an area to transition between residential and commercial uses. The request for the MRM zoning is because it is the lowest density zone that allows for assisted living. Should the rezone be approved, the proponent would submit a specific proposal for the assisted living center for design review.

The MRM zoning allows for other uses and zoning cannot be tied to a specific project or property owner. Staff recommends that the proponent provide a development agreement to be recorded that would notice the City should the property be sold or the assisted living project not move forward, which would give the City 90 days to process a zoning change back to a single family zoning.

The subdivision meets the minimum requirements for specific development standards within the NROC zone. The orientation of the project as a courtyard style single family development is compatible with the neighborhood by providing homes fronting 1000 North with a buffer of landscaping and accesses being consolidated onto a private drive. This minimizes the points of conflict for possible traffic on the minor arterial road and provides a pedestrian friendly environment. Ms. Reeder recommended four (4) additional conditions of approval for the subdivision request.

PROPOINENT: Dan Turner, from Turner Design Engineering, explained that the project request is for 40 residential lots and one lot for a future assisted living center. The canal is proposed to be piped. The canal companies have been contacted and stormwater conveyance will be provided. Mr. Turner said the assisted living center would be a good use for the property near this proposed retirement community. Mr. Champlin would be willing to sign a development agreement indicating that the parcel would go back to Neighborhood Residential zoning if not used for an assisted living center. The developer likes the alleyway concept and believes it will help with traffic flow. Mr. Turner pointed out that there will be a large amount of open space and one of the goals of Envision Utah is to cluster development and make better use of open space. These types of projects work well and there is a need and desire for them.

PUBLIC: Tammy Pettigrew, 338 East 1140 North, expressed concern about the future of adjacent properties if the requested parcel is changed to MRM. She would like to see all the specifics regarding the proposed assisted living center before a zone change is approved. She is concerned that more homes in the area will create more traffic congestion, especially on 1000 North. She also questioned how the project would affect her irrigation water. Chairman Simmonds pointed out that the project cannot affect irrigation rights.

Marilyn Griffin advised that this project has been very difficult to understand; there seems to be too much "may be, could be, should be" type of language. The area has been designated as Neighborhood Residential for many years; Mr. Champlin was aware of this when he purchased the property and now he wants to change it to meet his needs. The assisted living center may not be needed as there are several others in Logan which are not full. Private roads can create quite a bit of difficulty; they are usually too small for guest parking and emergency vehicle access and she is not convinced that they are appropriate for a development with this many proposed units.
Holly Markey, 220 East 1000 North, is currently a caregiver for her mother who is a 70-year-old quadriplegic and understands the need for quality assisted living facilities, however, she also has children and sees the need for more families to help stabilize the neighborhood. She has grown up in the area and questions whether this is the right location for this project given the current population and traffic concerns.

Jan Nyman, 524 East 1100 North, is opposed to the rezone because it creates a greater chance for encroachment and could open the door for all types of development. She said the developer knew the zoning when he purchased the property and the neighbors want to see the area preserved for single-family residential. In regards to the specific subdivision, she would like to see the houses face 400 East and asked about the possibility of a fence on the north side of the development. She asked who would take care of maintenance if the HOA were to cease to exist. Mr. Housley said the owners would then be responsible for maintaining the private roads.

Gary Burningham, 232 East 1100 North, said he represents several neighbors in the area who are concerned with additional traffic and too many unanswered questions.

Ralph Dunn, 981 North 400 East, said he is concerned that this project will increase traffic congestion. He explained that it took him over 20 minutes to travel 6 blocks today about 9:00 a.m. Although he can sympathize with the developer, the majority of the residents are against this development and the rezone request.

Andrew Semadeni, 1155 Wasatch Dr., has a young family and is concerned about revitalizing the area. He is concerned with traffic, especially crossing at 1000 North. He would like to see single family homes rather than a retirement community.

Diane Baum, 270 East 1000 North, is concerned that this project will impact the future widening of 1000 North. She is also concerned about public transportation in and around this proposed subdivision and whether the private roads would be wide enough.

Vernon Parent, 840 North 400 East, advised that it has been difficult to understand exactly what is being presented and the citizens, who will be the ones affected, are quite confused. He said it should be reviewed and the facts published before a decision is made.

Bonnie Hoth, 735 North 400 East, advised that a request for a zone change to MRM was requested previously for low-income families in that same area and it is now being presented as retirement housing. She said she questions the integrity of the developer, and the concern that if he sells the property after being rezoned, it could “open up a Pandora’s box”.

Ron Leavitt, 960 North 300 East, has lived in the area for 25 years. He is not against development; however, he is concerned with safety. He is very worried about traffic, especially with 200 East being shut down. There are vehicles parked along the street all the time and adding a dense development such as this will only create additional traffic and safety concerns to an already over-congested area.

COMMISSION: Commissioner Price asked about the restrictions for the open space/easement between the rows of houses. Ms. Reeder advised that it will be a minimum of 50' (25’ setback on either lot).

Chairman Simmonds asked if square footage would be taken away from each lot if a sidewalk was put in. Ms. Reeder explained that it would be a pedestrian easement on the property so it would not affect the square footage of the lot.

Chairman Simmonds noted that there is a significant degree of confusion on this project due to the paperwork that has been submitted.
Chairman Simmonds asked if the homes could face 400 East to comply with the requirement for street facing facades. Mr. Turner said they could adjust the design as necessary, they do not, however, want driveways to access directly onto 400 East or 1000 North.

Commissioner Stokes asked for clarification on the drawings, specifically relating to the open space and pads. Mr. Turner explained that with an HOA, some lots can be turned into limited common space. Basically the difference is an architectural rendering versus an engineering drawing. In order to meet the requirements of the subdivision ordinance, 6,000 SF lots need to be shown; once the lots are platted, a portion can be maintained in an HOA as common area and available to all the residents.

Commissioner Price said although he realizes this is only consideration for the subdivision, not the design, the architectural rendering notes that the houses on the alleyways are backed up to the 28' right-of-way. Mr. Turner explained that the 10' setback could easily be put in. Commissioner Price said he was concerned with the restrictiveness of buildable space (particularly lots 36-47 on the rendering). Mr. Turner advised that Mr. Champlin has done quite a bit of research on the types of homes that can fit in this type of development. He noted that this will be 5.5 units/acre, lower than the maximum of 6 units/acre. There will be a considerable amount of CCR’s that will fit within the current zoning and this project will be a good use of the land.

Commissioner Stokes asked if there would be a pad for guest parking. Mr. Turner said there would be plenty of room to put in a pad.

Lance Houser, the Assistant City Engineer, advised that there will be a 50' right-of-way dedication required on 1000 North for the future widening of the road. 1000 North is intended to become a future minor arterial with additional lanes of traffic in both directions. He said there is space to add the right-of-way; it has already been reviewed with the Engineering Department. It is a standard condition that a project has to dedicate a right-of-way for the future road as master planned.

Commissioner Adams asked about traffic coming out onto 400 East. Mr. Houser advised that a traffic study has not been completed.

Commissioner Stokes asked if there was any option for an exemption rather than a zone change. Mr. Housley explained that a rezone is the only option. He pointed out that adjacent property owners, if desired, would have to request a zone change and it would have to be approved by the Municipal Council; thus reducing the concern for a "cascading effect".

Mr. DeSimone pointed out that this is only a subdivision request, design review occurs at the time the homes are built. Mr. Housley advised that the City no longer has Planned Unit Developments (PUD) where the entire project was presented at the time of application.

Commissioner Price asked if the width of the lots should be variable. Mr. DeSimone said they should vary in range. This is addressed within the LDC §17.14.020a "The width of each lot on a block face must vary in width by at least 10' from adjacent lots".

Commissioner Davis asked Mr. DeSimone to review the recently approved change in the Code allowing the Commission more discretion. Mr. DeSimone explained that in this particular case, the Commission needs to determine substantial compliance and then decide whether there is enough variation in lot sizes or whether it needs to meet the 10' standard.

Commissioner Stokes asked if it is lawful to create a 55+ housing development. Mr. Housley advised that there is a Federal Act that allows for senior housing.

Commissioner Price pointed out that he is generally a proponent of alleys in configurations where they provide access and reduce traffic from main streets. In this project, however, there is one alley that loops and directs traffic onto 400 East, whereas, normally alleys provide two points of access. Because of this fact; it is much less attractive than other potential alley configurations.
Chairman Simmonds said she is concerned that the lot sizes and layouts seem to be “cookie cutter”, with no variation. Commissioner Davis agreed and said she does not think it meets the Code.

Commissioner Price noted that the lot sizes in this project are not reflective of those in adjacent developments and would create some negative impact.

Mr. Turner said the width of the lots could be varied.

Commissioner Stokes asked if this project were comparable to any others that Mr. Champlin has developed. Mr. Turner said this would be similar to the development on 1000 North 300 West, near Bridger Park.

Commissioner Adams said he would like to have a TIS completed. Commissioner Davis agreed and also requested that the additional conditions of approval [as noted by Ms. Reeder] be presented in written form. She would like to review the north row of homes (street facing along 400 East) and lot variation before she is comfortable moving forward with this subdivision request.

Mr. DeSimone noted LDC § 17.14.070a “Building orientation in neighborhood zones is intended to ensure that new development is pleasant and inviting to pedestrians and is consistent with a traditional pattern of neighborhood development in which buildings are placed close to the street and primary building entrances are visually prominent and easily accessible. In cases where it is not practical to orient buildings to streets, the intent of standards is to use a combination of setbacks and low-level screening to soften the visual impact of side or rear facing facades and to create street frontages that are inviting and pleasant for residents and passersby.” He said there is some discretion in regards to the upper row of lots to help combat the issue of facades facing to the north. There is a desire for the residents to access off the alleyways rather than having driveways accessing directly from 1000 North or 400 East.

Commissioner Adams asked Mr. Houser about a reasonable timeframe to complete a Traffic Impact Study (TIS). Mr. Houser explained that if the City does it, it will have to go out for bid and would probably be a 60-day minimum.

Mr. Housley advised that conditional zoning is not allowed, however, a developer can voluntarily enter into a development agreement. He encouraged the Commission to make a decision prior to any type of agreement being drafted.

Commissioner Davis expressed concern that despite a deed restriction or development agreement, the rezone does not meet the Future Land Use Plan (FLUP). Commissioner Stokes agreed that everyone would like to see nice beautiful lots with vibrant families utilizing that space, however, the economics do not exist – up to this point – to drive that. This project provides a transitional use by creating housing density. Commissioner Adams agreed that this seems like a good transitional use of the property. Chairman Simmonds noted that the General Plan specifies that this area remain residential.

Commissioner Price said he has a hard time making a change like this when it seems to be in violation of the Future Land Use Plan. By denying this rezone application, it shows that the Commission is not in favor of turning this into a transitional area. “If we cannot see it developed into single family homes now, we should be willing to wait for something that better fits the neighborhood”.

Commissioner Stokes said one of the challenges is to grow the tax base and protect values. Property owners have a right to develop and one question is “where and how do we increase density?”. Commissioner Price said this concept is guided by the Future Land Use Plan and suggested possibly looking at a conditional use for what may be appropriate in a neighborhood rather than changing the zone.
Commissioner Stokes noted that there is not a group of citizens more deserving of being in a dense service environment than senior citizens.

**MOTION:** Commissioner Adams moved to continue PC 13-045 regarding the subdivision request to the October 24, 2013 meeting. Commissioner Davis seconded the motion.

[Moved: Commissioner Adams  Seconded: Commissioner Davis  Passed: 4-0]

Purpose:

Yeas: D. Adams, A. Davis, R. Price, S. Stokes  Nay: Absent:

**MOTION:** Commissioner Price moved to recommend denial to the Municipal Council for a rezone of one (1) parcel at approximately 275 East 1000 North from Neighborhood Residential Outer Core (NROC) to Mixed Residential Medium (MRM) based on the fact that the Future Land Use Plan (FLUP) designates this area as residential. Commissioner Davis seconded the motion.

[Moved: Commissioner Price  Seconded: Commissioner Davis  Passed: 3-1]

Purpose:

Yeas: D. Adams, A. Davis, R. Price  Nay: S. Stokes  Absent:

**PC 13-046 Adams Neighborhood Specific Plan Adoption**

**STAFF:** Mr. Holley outlined the plan. The primary goal of the Adams Neighborhood Plan is to promote a strong sense of community by identifying and implementing changes that will enhance and instill stability and confidence in the neighborhood. The purpose of this plan is to:

- Develop a vision and set of goals and objectives for residential and commercial areas.
- Identify key issues in the areas of economic development, housing land use, parks and open space, and transportation.
- Identify short-term and long-term action strategies to foster, initiate, monitor and implement positive change.
- Identify opportunities in timing, funding, and public/private collaborations to achieve the desired outcomes.

The objectives of the Adams Neighborhood Specific Plan are to carry out citizen initiated changes in land use regulation while guiding future resources in order to meet prioritized needs. The changes identified in this plan have been determined to be critical for the long term success of the Adams neighborhood. As the plan is implemented, the identified changes will come in the form of amendments and additions to Logan City's Land Development Code, Municipal Code, Capital Improvements Plan, Transportation Master Plan, and Parks & Recreation Master Plan. Eventually, these changes will be reflected in the composition of the Adams neighborhood through its human and built environment. This plan should be re-evaluated and re-adopted every 10-15 years to ensure the needs of the citizens are met.

**PUBLIC:** Paul Hoth thanked the Commission for considering an Adams Neighborhood Specific Plan. He said there are not many residents in attendance because they have sensed insincerity by Logan City, especially related to the rezone on 1000 North. Sincerity must be restored because there are many people in the Adams area who do not think the City has any credibility. The plan is very general and can be interpreted in many ways; for example pg. 3 "Single family dwelling once oriented towards family ownership and stability has given way to multi-family dwelling catering to a younger generation of students. Home ownership has evolved into investment property ownership, both with competing goals of neighborhood stabilization and return on investment. The challenge of this planning effort is to harness the positive aspects of each seemingly competing need by defining and implementing land use and regulatory policies that protect the neighborhood character while encourage new investment in the Adams Neighborhood". Mr. Hoth questioned whether "positive" and "stable" were defined for benefit of the residents or for the developers. He recommended the plan be revised to be more specific. He also suggested one way the City could begin to show sincerity is by denying "spot zoning" and come up with better ways to encourage citizen participation and involvement.
Commissioner Davis reminded Mr. Hoth that Commission members are also citizens. The neighborhood has been very involved in the process of this plan with many neighborhood open houses and meetings. Staff has tried very hard to involve and engage residents in every aspect. Low attendance at this meeting is not indicative of Staff; it is a general product of people being disengaged.

Marilyn Griffin said there have been many people who have worked very hard the past two years on this plan. She said one of her biggest concerns has been stabilizing the residential area. There are some blighted areas that have to be addressed. There has to be a distinct line between commercial and residential. Everyone needs to work together for the betterment of Logan. Her desire would be to continue this discussion to a future meeting, due to the late hour and lack of people in attendance.

Bonnie Hoth said there is a lack of trust between residents and the City. She thanked Marilyn Griffin for all her hard work as the Adams Neighborhood Council representative. She said she would also like to see this discussion continued. She said 400 North is a wonderful gateway to Logan Canyon and Bear Lake and should be kept as such.

COMMISSION: Chairman Simmonds asked if the infill scenarios outlined on pg. 14 reflect what has been recently approved regarding infill development. Mr. Holley explained that they are general development patterns and do reflect what has been discussed by the Commission.

Commissioner Price noted that on pg. 18 “Those blocks that are not configured well for mini-block infill should be preserved in perpetuity as open space and urban agriculture space” would not be in conformance with the recent infill amendment and it seems incredibly restrictive. Commissioner Stokes felt “preserved in perpetuity” seemed to be the onerous component. Mr. Holley advised that based on input, the majority of people like the idea of open space. Chairman Simmonds reminded the Commission that this is only a specific plan. Commissioner Price noted that this plan becomes part of the General Plan. Mr. Holley explained that the residents expressed desire to live in an area with the assurance and availability of open space. He suggested the possibility of citizens joining together, purchasing property and placing a conservation easement the property. Mr. DeSimone suggested adding a statement that encourages that type of idea. Commissioner Davis pointed out that the preservation of open space was brought up time and time again during the development of this plan.

Commissioner Stokes pointed out that on pg. 18, the wording “The Cache Valley mall should be zoned mixed-use, regulations should be relaxed to better encourage high-density, high-quality mixed-use development in the neighborhood” seemed quite parcel specific. Mr. Holley said that during the process of this plan they spoke with the mall manager Dewey Richardson quite a few times and his long-range vision is to integrate some mixed-use into that area. Commissioner Stokes asked if mixed-use required a mandatory residential component. Mr. Holley said it is strongly encouraged, but not required. He noted that on pg. 32 of the plan, this particular block is addressed and identified as highly underutilized, which is why the recommendation for mixed-use was included. Commissioner Stokes recommended allowing the developer the latitude to decide how to develop the area. Mr. Holley agreed and said the mixed-use zone does allow for quite a bit of leeway.

Commissioner Price noted his appreciation for the amount of work in creating this plan. The plan repeatedly mentions “stabilizing zoning”; if this is understood to mean stabilizing in the sense that sound planning principles are going to be applied, then he agrees. If, however, it is meant in the sense that zones “will be fixed” as is indicated on pg. 61 “Apply zoning land use stability for investment confidence. Zoning surprises will be eliminated” it appears that there will no longer be the need for the Planning Commission to ever think about zoning again in the Adams neighborhood, which would be an abrogation of duty. He advised that although that may not be how the language was meant to be interpreted, it is how it reads.
Commissioner Price said there seems to be a strong recommendation that the Adams neighborhood be an area where a policy of "back-converting" is going to be established; meaning structures that have been converted into apartments will be converted back to single-family residences. Although this might be a worthwhile approach; it should not stand only as a neighborhood specific element; it should be included in the Code and applied across the board. Chairman Simmonds reminded the Commission that this is just the first of the neighborhood plans. Commissioner Price agreed but said that it sets a precedent until the others are completed. Mr. DeSimone explained that the plans are developed to be a specific guidance for each neighborhood. One of the strategies in this particular area is to look at restoring some of the single-family dwellings. The goal is to then move to the next neighborhood, which may have similar issues and concerns. The process is incremental. Commissioner Price said he understood, however, he wants to make sure that it is clear that this is an issue being addressed across the board and not strictly in the Adams neighborhood. Mr. DeSimone agreed and said nothing is precluded from being incorporated into other areas of the City. Mr. Holley noted that the vast majority of grandfathered units are within the Adams area. Chairman Simmonds noted that this is a priority for the Adams neighborhood. Commissioner Price said he did not disagree; however, he wants to make sure that it does not disadvantage other areas. Chairman Simmonds said she did not see how this would disadvantage other areas as there is no funding tied to the plan.

Mr. Holley explained that the Adams neighborhood has had a very sporadic zoning past and suggested rewording "zoning surprises will be eliminated" to "better accomplish the goals of the General Plan" which would still ensure stability and offer more latitude.

Commissioner Price noted the interesting circumstance of this type of plan. It is a document, crafted by a group of citizens in a geographic area, which then becomes part of the General Plan. He asked to what degree they will be guiding versus legislative. Mr. Holley said these plans are separate from the General Plan and are meant to be a research resource before a legislative decision is made. Mr. DeSimone noted that there are other specific plans (i.e. Downtown Specific Plan, Airport Master Plan and South Corridor Plan) and the goal is to take the policy framework from the General Plan and boil it down to a specific level where needs can be tailored for a particular area. These specific plans are a distinct element of the General Plan. Mr. Housley explained that in theory the General Plan and the specific plans are used to craft specific ordinances which can then be enforced.

Commissioner Davis pointed out pg. 7 under Residential Housing Goals #5 Improve code enforcement by increasing consequences, especially with over-occupancy, for a reduction in the number of violations". She said there are several references to "over-occupancy" being generalized as part of the problem causing degradation of the neighborhood, however a general lack of care and apathy is a large part of the dilemma; over-occupancy is not the crux of the problem. Pg. 19 "Parking and substandard housing issues are prolific throughout the Adams neighborhood due to its close proximity to the University’s campus"; implies that closeness to the campus is the main problem. She said it certainly is a concern; however it is not the only cause. There has been discussion about having more commercial services within the established commercial footprint and not increasing the commercial area. She is concerned about 400 North; on pg 34 "The City could create a new intermediate commercial zone with less intense land use and building allowances, that could be applied in some fringe areas along 100 East, 400 North and 1000 North that could further create compatibility and transition from commercial to residential". Pg. 36 "A 400 North corridor study should identify a preferred development pattern and list of commercial needs for this important link between USU and downtown Logan"; she is worried about the possibility of commercial creep into the neighborhoods and suggested cleaning up this language to ensure that commercial will be kept where it is currently located and neighborhoods will remain stable.

Mr. DeSimone advised that the City has submitted a 'Request For Proposal' (RFP) for a 400 North Corridor study to be completed which will identify whether this is still an acceptable place for homes or whether it would make more sense to convert it to something else in a managed fashion.
Commissioner Davis said she wants to make sure that neighborhoods are protected and stabilized. She is concerned about language about 400 North becoming commercial. She pointed out the bullet point on pg 36 "The City should create a new intermediate commercial zone that would span the gap between the Commercial and Neighborhood Center zones by having less intense land uses and building allowances for some of the fringe areas in the Adams neighborhood" and noted that this type of language could be a disservice, although she understands the need for transitional zones, she wants to make sure that the concerns of the neighbors are heard and protected.

Mr. DeSimone explained that the idea is to legitimize small business uses (i.e. some of the older homes in the area which have been converted into offices) and still maintain the integrity of residential structure and character. The notion is to allow for office spaces in zoned residential areas to exist with some flexibility.

Commissioner Davis noted that there are residents on 400 North and it might be beneficial to explore the idea of restoring some of the homes before jumping into commercial. Mr. DeSimone agreed and explained that the study will analyze short and long range ideas and recommend an incremental strategy for the best use of that area. There is a desire to link downtown Logan with the University. Commissioner Davis agreed but encouraged sensitivity to the residents in the area as well.

Mr. Holley explained that one of the goals is for commercial development to be more efficient and compact. Not every business needs a large parking lot that is unused the majority of the time.

Commissioner Stokes advised that retailers need to have at least 5 parking stalls for every 1,000 SF, especially national tenants. Commissioner Price asked what kind of proximity to the entrance is necessary for parking stalls to be effective, and what effect do parking structures have on the overall success of a business. Commissioner Stokes advised that national food chains want 8 parking stalls per 1,000 SF and there are some leases which indicate if appropriate parking is not provided they have a right to vacate. Parking is a very important aspect for retailers.

Commissioner Adams said that if the citizens would like this discussion continued, the request should be honored by the Commission.

MOTION: Commissioner Davis moved to continue PC 13-046 to the September 12, 2013 meeting. Commissioner Adams seconded the motion.

[Moved: Commissioner Davis  Seconded: Commissioner Adams  Passed: 4-0]  
Yea: D. Adams, A. Davis, R. Price, S. Stokes  Nay:  Abstain:

WORKSHOP ITEM(S) for September 12, 2013
- PC 13-047 Jiffy Lube Remodel
- PC 13-048 Aggie Flats Clubhouse
- PC 13-049 LDC Amendment – Gateway
- PC 13-051 Cache Valley Dog Ranch
- PC 13-052 Grease Monkey Lube Center

Meeting adjourned at 9:54 p.m.
Minutes approved as written and digitally recorded at the Logan City Planning Commission meeting of August 22, 2013.

Michael A. DeSimone
Community Development Director

Jeannie Simmonds
Planning Commission Chairman

Russ Holley
Senior Planner

Amber Reeder
Planner II

Debbie Zilles
Administrative Assistant