CITY OF LOGAN, UTAH
ORDINANCE NO. 17-30

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE 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 “Official Zoning Map of Logan City, Utah” is hereby amended and the following properties in the Woodruff Neighborhood and as specifically identified in Exhibit A, as attached, are hereby zoned from Commercial Service (CC) to Mixed Residential Low (MR-12).

SECTION 3: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, __5__
THIS DAY OF __December__, 2017.

AYES: __Daines, Simmons, Olsen, Denson

NAYS: __Needham

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 __5__ day of __December__, 2017.

H. Craig Petersen, Mayor

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby __denied__ this __5__ day of __December__, 2017.

H. Craig Petersen, Mayor
EXHIBIT A

Westfield Rezone
200 South 1200 West

City Council
November 21, 2017

Proposed Zoning = MR-12
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: Nov 21, 2017
FROM: Russ Holley, Senior Planner
SUBJECT: Ordinance #17-XX Westfield Rezone

Summary of Planning Commission Proceedings

Project Name: Westfield Rezone
Request: Zoning Map Amendment
Project Address: ~200 South 1200 West
Recommendation of the Planning Commission: Denial

Nov. 9, 2017, the Planning Commission recommended that the Municipal Council deny the Westfield Rezone project that amends the Official Logan City Zoning Map.

Planning Commissioners vote (6 - 1):
Motion: T. Nielson
Second: R. Dickinson,
Abstain: none    Nay: D. Butterfield

Attachments:
Staff Report
Ordinance #17-XX
Planning Commission Meeting Minutes from Nov. 9th, 2017
Project Slides
Project #17-043 Westfield Rezone
Located at 1200 West 200 South

REPORT SUMMARY...

Project Name: Westfield Rezone
Proponent/Owner: Steve Taylor / VRUGG Holdings LLC.
Project Address: Approx. 1200 West 200 South
Request: Rezone multiple properties from CS to MR-12
Current Zoning: Commercial Service (CS)
Date of Hearing: November 9, 2017
Type of Action: Legislative
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission recommend Denial to the Municipal Council for a Rezone of approximately 2.78 acres of property located at 1137-1217 West 200 South & 175 North 1200 West (TIN# 05-107-0014-17, 05-107-0032-33) from Commercial Services (CS) to Mixed Residential Low (MR-12).

Land use adjoining the subject property

| North: | Commercial Service (CS) – Commercial Uses / Vacant Lots | East: | Commercial Service (CS) – Commercial Uses |

REQUEST

The proponent is requesting to rezone approximately 2.78 acres of property from CS to MR-12. The area consists of six (6) lots within the Westfield Phase Two commercial subdivision approved and recorded in June of 2015. The purpose for the rezone and the intention of the applicant is to build 4-plex residential structures on each property. With the smallest lot being 0.36 acres, the MR-12 zoning densities would allow for this.

BACKGROUND

This area, located on the western side of the overall site, is in the second phase of the Westfield commercial subdivision. Westfield consists of 30 total lots ranging from 2.30 acres to 0.34 acres and contains several recently built commercial buildings including Codale Wholesale Electric, Aarons Elite Auto Repair, The Herold Journal and several other commercial/industrial buildings. The subdivision was laid-out in a traditional square/rectangular block pattern with street connectivity onto 1000 West and 200 South.

GENERAL PLAN

The Future Land Use Plan (FLUP) adopted in 2008 identifies this property as Commercial Service (CS). CS areas are described as locations that provide for light manufacturing, wholesale, construction trades and other similar service oriented uses. These areas will typically be a smaller scale compared to Industrial Park developments and should have a greater emphasis on building and site design. CS areas are not intended for residential uses.

ZONING

The MR-12 zone is described as providing a range of housing options for all stages of life and levels of income. MR-12 areas should be located near employment and service centers to allow for more transportation choices. The zone could also function as a transitional area between higher and lower intensity developments. This zone allows numerous structure types, including
a range between single and multi-family homes. Densities are limited to 12 units per acre of land and building heights capped at 35’.

**SUMMARY**
Although a general goal of Logan City and Planning Staff is to encourage quality infill projects that reduce pressure on sprawling suburban areas, natural resources and result in efficient, compact, well-designed and high-quality neighborhoods, this specific proposal doesn’t meet these criteria. It is directly adjacent the Green Waste and City Landfill facilities and squeezed-in between existing heavy commercial use, which is not acceptable living conditions. Commercial and Industrial uses near the landfill only expose users to the negative impacts of that facility for portions of the day, not on an all day, everyday basis. This subdivision was designed and laid-out for commercial development, not residential, and by simply replacing commercial buildings with four-plex buildings creates tension and makes well-designed, high quality residential neighborhoods impossible to achieve.

**AGENCY AND CITY DEPARTMENT COMMENTS**
No comments.

**PUBLIC COMMENTS**
Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comments have been received.

**PUBLIC NOTIFICATION**
Legal notices were published in the Herald Journal on 10/29/2017, posted on the City’s website and the Utah Public Meeting website on 11/1/2017, and noticed in a quarter page ad on 10/22/2017, and a Public Notice mailed to property owners within 300’ we sent on 10/20/17.

**RECOMMENDED FINDINGS FOR DENIAL**
The Planning Commission bases its decision on the following findings supported in the administrative record for this project:

1. The location of the subject property is not compatible with the purpose of the Commercial Service General Plan designation in the Future Land Use Plan.
2. The subject property is not considered a suitable location for residential developments because of its proximity between a landfill and heavy commercial uses.
3. The subject properties would be incompatible with the adjoining land uses because of the negative impacts, including pungent odors, and problematic to support future residential development.
4. Because of the size, shape and the fact that this subdivision was platted and designed for commercial development, it makes residential housing and quality neighborhood design difficult.
Westfield Rezone
200 South 1200 West

Proposed Zoning = MR-12

City Council
November 21, 2017
Westfield Rezone
200 South 1200 West

City Council
November 21, 2017
Westfield Rezone
200 South 1200 West
Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, November 9, 2017. Chairman Price called the meeting to order at 5:30 p.m.

Commissioners Present: David Butterfield, Regina Dickinson, Sandi Goodlander, Dave Newman, Tony Nielson, Eduardo Ortiz, Russ Price

Staff Present: Mike DeSimone, Russ Holley, Amber Pollan, Kymber Housley, Paul Taylor, Bill Young, Craig Humphreys, Debbie Zilles

Minutes from the October 12, 2017 meeting were reviewed. Commissioner Goodlander moved that the minutes be approved as submitted. Commissioner Nielson seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 17-043 Westfield Rezone [Zone Change] Taylor REI Mgmt Inc/Vrugg Holdings LLC, authorized agent/owner, request a zone change of 2.78 acres from Commercial Services (CS) to Mixed Residential (MR-12) to create a residential buffer along the north side of 200 South; properties include 175 South 1200 West and 1177, 1197, 1217 West 200 South; TIN 05-107-0014-0017;0032-0033.

STAFF: Mr. Holley reviewed the request for to rezone approximately 2.78 acres of property from CS to MR-12. The area consists of six (6) lots within the Westfield Phase Two commercial subdivision approved and recorded in June of 2015. The purpose for the rezone and the intention of the applicant is to build 4-plex residential structures on each property. With the smallest lot being 0.36 acres, the MR-12 zoning densities would allow for this.

This area, located on the west side of the overall site, and is in the second phase of the Westfield commercial subdivision. Westfield consists of 30 total lots ranging from 2.30 acres to 0.34 acres and contains several recently built commercial buildings including Codale Wholesale Electric, Aarons Elite Auto Repair, The Herald Journal and several other commercial/industrial buildings. The subdivision was developed in a traditional square/rectangular block pattern with street connectivity onto 1000 West and 200 South.

Although a general goal of Logan City and Planning Staff is to encourage quality infill projects that reduce pressure on sprawling suburban areas, natural resources and result in efficient, compact, well-designed and high-quality neighborhoods, this specific proposal doesn’t meet these criteria. It is directly adjacent the Green Waste and City Landfill facilities and squeezed-in between existing, heavy commercial use, which is not acceptable living conditions. This subdivision was designed and laid-out for commercial development, not residential, and by simply replacing commercial buildings with four-plex buildings creates tension and makes well-designed, high-quality residential neighborhoods impossible to achieve.

PROPOINENT: Steven Taylor, with Taylor REI Mgmt, is working with Hal Fronk, who has had 10+ years of history with this area. There is no interest for a commercial use of this property because it
is not a good location for a retail business. The plan is to build townhomes, similar to Bridgerland Meadows, due to high demand. Although close to the landfill, Mr. Taylor said there is no problem with the smell. This is a good opportunity and there are several different contractors lined up to build townhomes. Mr. Fronk has made a significant investment to the area.

Commissioner Butterfield is intrigued by the concept and asked about the price point. Mr. Taylor said it would be priced in the $160,000-$180,000 range. Logan has a low inventory available for this type of housing.

PUBLIC: Joe Tenant advised that there is a bad smell from the green compost nearby.

COMMISSION: Commissioner Butterfield said there is an enormous need for this type of housing at this price point. He is intrigued with the idea and would like to see a site plan and would be in favor of continuing the discussion.

MOTION: Commissioner Butterfield moved to continue PC 17-043 to the December 14, 2017 meeting. The motion died for lack of a second.

Commissioner Newman agreed that there is a need for this type of housing, however, the need does not justify putting it in an area with questionable health risks. There are other places that are open for residential development.

Chairman Price agreed that this is not an appropriate location for this project. Commercial Services (CS) is in place because it is the right type of development for the area. Squeezing housing in would put additional pressure on the City’s infrastructure.

Commissioner Goodlander noted that it is costly to put together a site plan.

Commissioner Ortiz agreed and pointed out that this would create an island of residential.

MOTION: Commissioner Nielson moved to recommend denial to the Municipal Council for a Zone Change as outlined in PC 17-043 based the findings for denial as listed below. Commissioner Dickinson seconded the motion.

FINDINGS FOR DENIAL
1. The location is not compatible with the purpose of the Commercial Service General Plan designation in the Future Land Use Plan.
2. The property is not considered a suitable location for residential developments because of its proximity between a landfill and heavy commercial uses.
3. The location would be incompatible with the adjoining land uses because of the negative impacts, including pungent odors, and problematic to support future residential development.
4. Because of the size, shape, and the fact that this subdivision was platted and designed for commercial development, makes residential housing and quality neighborhood design difficult.

Moved: Commissioner Nielson  Seconded: Commissioner Dickinson  Approved: 6-1
Yea: Dickinson, Goodlander, Newman, Nielson, Ortiz, Price  Nay: Butterfield  Abstain:

Meeting adjourned at 7:36 p.m.