

Minutes of the North Logan City  
COMBINED City Council & Planning Commission Meeting  
Held on December 19, 2012  
At the North Logan City Library, North Logan, Utah

*Damon Cann made a motion to appoint Nancy Potter as Mayor Pro tem in Mayor Lloyd Berentzen's absence. Kristen Anderson seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, Roger Anderson, Damon Cann and Kristen Anderson voting in favor.*

The meeting was called to order by Nancy Potter at 6:33 p.m.

City Council and Planning Commission members present were: Nancy Potter, Roger Anderson, Damon Cann, Kristen Anderson, Kevin Christensen, Brett Robinson, Brad Crookston, Geri Christensen, Chris Nelson and Mark Hancey. (Mayor Lloyd Berentzen and John Bailey were excused).

Others present were: Ron Mumford (Lewiston State Bank), Anthony Hall (Lewiston State Bank), Don A. Huber, Russell Goodwin, Jon Keller, Bob Wright (Lewiston State Bank), Kirk Jardine (Lewiston State Bank), Jake Young, Cameron Christensen, Adam Winger, Burdette Stocking, Scott Bennett, Lydia Embry, Jeff Jorgensen and Marie Wilhelm.

The Pledge of Allegiance was led by Damon Cann.

An invocation was given by Kristen Anderson.

**Adoption of Agenda**

Nancy Potter said that item number six, the City Council Executive (Closed) Session, will be removed from the agenda.

*Damon Cann made a motion to adopt the agenda as amended. Kristen Anderson seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, Roger Anderson, Damon Cann and Kristen Anderson voting in favor.*

**Consider a proposed change in dates for the meetings in January 2013 for both the City Council and the Planning Commission.**

Jeff explained the reasoning behind putting the meetings off one week

*Damon Cann made a motion to reschedule the City Council meetings for January 2013, as discussed, holding the meetings on the second and fourth Wednesdays of the month. Roger Anderson seconded the motion. A vote was called and the motion passed unanimously with Nancy Potter, Roger Anderson, Damon Cann and Kristen Anderson voting in favor.*

*Brad Crookston made a motion to reschedule the Planning Commission meetings for January 2013, as discussed, holding the meetings on the second and fourth Thursdays of the month. Kevin Christensen seconded the motion. A vote was called and the motion passed unanimously.*

Prizes were awarded to the winners of the annual North Logan City holiday lighting contest for 2012.

Nancy Potter introduced the new North Logan Library Director, Adam Winger. Per Nancy's request, Adam briefly introduced himself and explained a bit of his background.

**Approval and Follow-up of Minutes of November 7, 2012 Regular and Closed Session Minutes and November 28, 2012 Regular City Council and Closed Session Minutes; October 18, 2012 Planning Commission Meeting Minutes and November 1, 2012 Planning Commission Meeting Minutes**

**November 7, 2012 Regular City Council Meeting Minutes**  
Minutes approved as presented.

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November 7, 2012 City Council Executive (Closed) Session Minutes

Minutes approved as presented.

November 28, 2012 City Council Meeting Minutes

Minutes approved as presented.

November 28, 2012 City Council Executive (Closed) Session Minutes

Minutes approved as presented.

October 18, 2012 Planning Commission Meeting Minutes

November 1, 2012 Planning Commission Meeting Minutes

*Geri Christensen made a motion to approve the October 18, 2012 and November 1, 2012 Planning Commission meeting minutes. Brad Crookston seconded the motion. A vote was called and the motion passed unanimously.*

**Follow-up**

Nothing at this time.

**New Business**

**6:35 Public Hearing** to receive public input on a proposed ordinance. The proposed ordinance can be reviewed at the City Office (2076 N 1200E) or at [www.northlogancity.org](http://www.northlogancity.org). This will be basically the same ordinance for which a public hearing was held November 28, 2012 with some minor changes plus the addition of two more maps that are to be considered as changes to the Transportation Element of the City's General Plan.

Jeff Jorgensen explained to the attendees that he had updated copies of the ordinance and corrections, for anyone who wanted one.

Nancy read aloud the rules for speaking at the public hearing.

*Nancy opened the public hearing at 6:45 p.m.*

Russell Goodwin presented his comments, and also referenced the written comments he presented on this issue when it was discussed at a previous City Council meeting. He continued to review various items in the ordinance and gave his comments on them. He said he feels this is government extremely overstepping its bounds and feels this ordinance should be refashioned.

Ron Mumford from Lewiston State Bank explained the situation with a piece of property [11.13 acres] owned by the bank located behind Valley Motors on 2500 North, up to 200 East, and extending behind the adjacent theater. He said that Lewiston State Bank became reluctant owners of this land when the borrower stopped paying on this land. He referred to the letter the bank sent to the City Council and said he and the other representatives at the meeting are in attendance to ensure sufficient recapture of funds the bank has lost on this project. He commented further and said that if the zoning changes are made it would reduce the number of units the bank can put on this land, they would not get the price they need and it would cause the bank a devastating loss. He commented further and asked that this ordinance be changed to continue the current zoning for this property, which he further explained.

Bob Wright from Lewiston State bank discussed the history of the situation and that the City Council and Planning Commission have been supportive of a project previously proposed for this land. He further discussed the progression of the project and explained that the bank currently has interested buyers, who were in attendance at this meeting and whom he said could comment on it if they have the opportunity. He explained the situation further, the City Center zoning area and how it relates to their land, and that there seems to be a "finger" of land that does not fit in with the City Center area/concept. He explained the bank's position further.

Kirk Jardine from Lewiston State Bank stated that he appreciates the work and effort that has gone into this new ordinance and zoning, and commented further on the development of the project proposed for the land now owned by the bank.

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119 Lydia Embry presented her written comments and questions, copies of which she gave to the City  
120 Council and City staff.

121

122 Burdette Stocking with Sierra Homes said they are one of the interested parties in this project,  
123 and spoke in favor of keeping it zoned as it currently is and maintaining the density. He said the  
124 development he is proposing would not be feasible if the zoning changes.

125

126 Jeff explained what acreage encompassed the original concept plan for the project related to  
127 Lewiston State Bank. He further explained the situation and how it would change with the  
128 approval of this ordinance.

129

130 *As there were no further public comments, Nancy Potter closed the public hearing at 7:16 p.m.*

131

132 Following the public hearing the Planning Commission and the City Council will discuss any new  
133 proposed changes to the ordinance. The Planning Commission will consider recommending the  
134 ordinance to the Council, and the Council will consider adopting the proposed ordinance. The  
135 proposed ordinance will create a new section of the City Code regulating the City Center area  
136 and making changes to the Zoning Map, General Transportation Maps, and to the Permitted and  
137 Conditional Uses in the Zoning Matrix. The affected area is roughly between 100 and 500 East  
138 and between 1800 and 2500 North. The ordinance, if passed, would implement the use of form-  
139 based codes in this part of the city.

140

141 Jeff Jorgensen explained the current draft of the document to the City Council and Planning  
142 Commission; and further discussed some of the issues and documents he gave to the group.  
143 Jeff gave a history of the project being discussed in the public hearing for the land on 2500 North.  
144 He discussed the original proposal for the land, and said he did not find any place where either  
145 the City Council or the Planning Commission had considered or discussed a project for this  
146 property. He said there was especially no discussion by either group regarding density nor was  
there any proposed density in the original paperwork for this project.

147

148 Cordell explained the original proposal for this site [that Lewiston State bank now owns, as  
149 discussed]. He explained that the mixed-used project was to be a four lot subdivision, and that  
150 commercial development was to be on lots 1, 2 and 3, with some type of multi-family housing on  
151 the fourth lot. No specific information about the details of such a project was in the concept plan  
152 for the subdivision. There had been proposed that some kind of multi-family residential  
153 development was being considered for lot four but no specific density had been suggested. That  
154 was going to be worked out when it got to that point – and they were not at the point yet. He  
155 further explained what occurred in the approval process. He said a potential project was  
156 discussed with staff, but had not yet been brought to a Planning Commission or City Council  
meeting.

157

158 Jeff said that part of the reason for that was because there had not yet been a decision made on  
159 where the corridor (potentially for 200 East) was going to go, which he discussed further. He  
160 explained that the City told the developer that they would probably not want to do a lot of planning  
161 on this until that decision is finalized; which advice they heeded. He explained this further. He  
162 said that as far as he has been able to research, there was no approval on how many units per  
acre would be allowed there, or anything like that.

163

164 Cordell further commented, and said that the development plan was only completed for the Valley  
165 Motors parcel. Jeff concurred and said that the rest of the property has not even been divided  
yet.

166

167 Cordell, the council and commission continued to discuss various details and the history of this  
project.

168

169 Mark Hancey discussed with the Planning Commission the changes and corrections made to the  
170 ordinance and asked the commission if they had any changes before making a recommendation  
[to the City Council]. Kevin Christensen, Chris Nelson, Geri Christensen and Brett Robinson  
171 essentially said they had no further changes. Brett Robinson thanked Jake Young for his work on  
172 the ordinance and thanked him for keeping the Planning Commission on track. Brad Crookston  
173 referred to coach houses and suggested removing any reference to “dwelling units” when such is  
174 related to coach houses. This was discussed at length.

175

Jake Young suggested removing the page that calls the coach house an approved structure, but

176 keep "Accessory Dwelling Units" in as approved uses in the residential zones in the City Center  
177 code, which would have to be approved through the conditional use permit process. He said  
178 residences in the City Center area will essentially be treated the same as any other single-family  
179 residence in the City. They will be able to have accessory dwelling units but we're calling less  
180 attention to it.

181 This was discussed further. Jeff confirmed with the group the changes that they agreed to  
182 regarding coach houses, and how it would also change the different matrixes.

183 High voltage power lines and transmission lines, and the placement thereof were discussed. It  
184 was decided to leave the matrix as is on this issue.

185 The group discussed at length, what types of uses should be in the various zones.

186 Kevin Christensen went through some of the changes previously discussed, including not  
187 allowing multi-unit housing in the MR7 zone on the matrix; and therefore the "P" should be  
188 removed from page two, from the MR7 zone, where it states "three or four family residences".  
189 Kevin said it was also recommended to remove Assisted Living Centers from the downtown zone;  
190 therefore to remove the "P" from DT, on page three. Jeff clarified this for the group and said there  
191 needs to be another line in the matrix for townhouses. This was discussed further. The group  
192 discussed needing to make the terms throughout the document consistent.

193 Assisted Living Facilities were further discussed, and Jake commented that the CCC zone is  
194 large enough that it would not all have to be commercial, and that a facility like this would not  
195 likely affect it. Nancy discussed the fact that this type of business does not bring in sales tax  
196 revenue. The group discussed this at length, and ultimately, the general consensus was to take it  
197 out of the downtown zone (DT) and the CCC zone, but leave it in the CCA zone.

198 Mark Hancey discussed the Hospital Zone, and Jeff said that City Attorney, Bruce Jorgensen,  
199 said that he felt how the City Council and Planning Commission designated the regulations for a  
200 hospital was appropriate. Both the council and the commission agreed to make no changes to  
201 the proposed ordinance as it relates to the Hospital Zone.

202 Jeff Jorgensen said that Senior Housing does not have to be in the Hospital Zone, and they  
203 agreed to strike it. Jeff explained the definition of a residential facility for the elderly, versus a  
204 nursing care facility. He discussed how these uses work in a hospital zone.

205 Mark Hancey discussed with Jake Young, block face facades, and the variance of styles desired  
206 in each block face. The discussion continued with the group. Jeff Jorgensen and Kristen  
207 Anderson discussed making note of the fact that this be addressed when the modified regulations  
208 are done at the meeting in February, to ensure that a variance is made in the different facades of  
209 each individual business along a line of buildings or storefronts. Mark clarified that 12.C 10-66 on  
210 page 41 needs to be harmonized to make sure that there is a requirement to change the facade  
211 types, within the defined facade distance, and not within an entire block face. They further  
212 discussed the lack of clear definition for the term facade.

213 Mark Hancey discussed the Lewiston State Bank property and whether it should be included in  
214 the ordinance.

215 Cordell Batt mentioned that Jack Nixon and his son, who own the nearby theater, said they were  
216 in favor of developing commercial uses on both sides of the proposed 200 East; and not in favor  
217 of any multi-family housing on the east side, all along 2500 North.

218 Chris Nelson referred to the diagonal running across the Nyman property, and the previously  
219 discussed potential of having one side of the property being commercial and the other side  
220 residential; but said he is in favor of making it all one way or the other and not bisecting it. He  
221 explained, per Jeff's request.

222

223 *Brett Robinson made a motion to make a positive recommendation to the City Council on the*  
224 *ordinance presented with the changes that were discussed. Geri Christensen seconded the*  
225 *motion. A vote was called and the motion passed unanimously.*  
226

227 Jeff Jorgensen discussed four zoning maps illustrating how zoning in the City has changed  
228 several times since approximately 1994, which he further explained. He explained the major City-  
229 wide rezone work that was done in 1998. He further explained the changes that were made in  
230 2010, as well as the currently proposed changes.

231 Nancy Potter said that a big issue for her is to ensure there is mostly commercial development in

232 the City Center area to boost the sales tax base. She said she worries that the this ordinance is  
233 trying to put too much residential in what should be primarily a commercial area; when  
234 commercial is key and will bring in the money that will support the infrastructure. She commented  
235 on this further. She said she and the Mayor agree that we do not need some massive City  
236 Center, but something that is quaint, like Gardner's Village; and a place that people will want to  
237 come to. She discussed her issues and concerns with high density and the proposed incoming  
238 residential. She expressed that we have to concentrate on what we really want included in the  
239 City Center, and the need to get it right, for our future. She said she feels that there should be no  
240 residential in the commercial zone, as it is not the place for it; and said that some of the other  
241 zones need to be adjusted as well, which she further discussed. She also discussed her  
242 concerns about the limited parking being proposed for the small family homes.

243 Cordell said the central issue has always been retail; that the residential was only discussed to  
244 support and bring in commercial. He said the residential number of "1,000 new dwelling units"  
245 that Nancy referred to was only the 'maximum' number; but that would be unlikely to occur;  
246 therefore to say that 1,000 new units coming in is not appropriate for discussion. He said the idea  
247 that retail was not considered is not correct. Retail and economic development is the whole  
248 reason for doing the Town Center, which he explained further. He said the idea has really been  
249 to take an area that has *been* residential, and find a way to bring *in* retail, which he further  
250 discussed.

251 Nancy commented that it has consistently been presented that we need residential to support the  
252 retail, and expressed that she feels that the Town Center should be a destination location. She  
253 also discussed that currently, most of the retail is on Main Street; and asked how we are going to  
254 bring people to 400 East.

255 The discussion continued, including the process for approving and passing this document.

256 Chris Nelson said the Planning Commission tried to put together, based up on the workshops  
257 held, what the commission thought would work; and that economic development is the work of  
258 the City and the City Council, to bring in what types of business they want in the City Center, and  
259 to try to encourage them to come in. He commented further.

260 Jake explained the realistic density proposed for the whole City Center area and further outlined  
261 various, potential scenarios; which was further discussed with the council. He discussed vertical  
262 mixed-use. He recommended dropping the density down from ten units per acre, to four but not  
263 to zero. Damon Cann discussed the various scenarios, and discussed some ideas of lowering  
264 the density in the CCC zone.

265 The representatives from Lewiston explained the difficulty of success with vertical  
266 residential/commercial.

267 Jake clarified that the City will not be requiring it, but simply allowing it.

268 Burdette Stocking discussed the need to have residential to support the commercial.

269 Roger Anderson commented that there is the hope that the recent projects coming in will bring in  
270 commercial; but that it is very important to plan carefully what kinds of projects are allowed.

271 Jake said commercial *is* going to be there, as it is *zoned* for commercial, and it will not be all  
272 housing. He discussed this further.

273 The conversation continued, including the concern about having the residents of these high  
274 density areas actually having the money to spend on the incoming retail; as well as the potential  
275 of not having any commercial come in and the area then being left as simply a high density  
276 housing area. The existence of all of the empty stores that exist in the "high trip generator" areas  
277 such as the Lee's and Macy's shopping centers was also discussed.

278 The conversation regarding feasibility continued.

279 Nancy Potter said Mayor Berentzen would really like the City to work on the Town Square in  
280 order for businesses to *want* come down there. She commented further and also discussed the  
281 need for economic development.

282 Mark Hancey discussed the dense residential on the west side of Logan and Dell Loy Hansen's  
283 project; and the lack of quantity and quality retail for that location.

284 Brad Crookston said there might be areas outside of this zoning that might be better for higher  
285 density; and keep the density lower in the downtown area. Cordell said he feels there would be  
286 even more of a fight against higher density in areas such as the upper bench. Brad countered

287 that his neighbors would be happier up on the bench with less open space.  
288 Damon Cann said he would like to pass the ordinance tonight, and proposed some possible  
289 density numbers; and suggested that some of the ordinance can still be worked out in the near  
290 future. He proposed reducing the density in the CCC zone to zero, with an open invitation for  
291 people to come in with rezone propositions, as well as remanding the issue to the Planning  
292 Commission if they wanted to make an additional recommendation to the City Council for  
293 potentially lowering the density. He suggested leaving the MR-7 zone at seven units per acre,  
294 but expand the MR-7 zone to cover between 400 East and the canal, encompassing what is  
295 currently the MR-10 zone. He also suggested changing the MR-7 zone so it is a 50/50 split,  
296 rather than a 70/30 split between building types; and, change the MR-10 zone to a MR-9 zone  
297 with nine units per acre, and shift it to a 40/60 split instead of a 30/70 split. He said he would be  
298 comfortable leaving the CCA zone at twelve units per acre, and dropping the downtown area (DT  
299 Zone) to eight units per acre instead of ten. He also said he had had conversations with Nancy  
300 Potter and John Bailey about this. Per a question from Nancy, he said his proposition for the MX-  
301 G Zone is for the Planning Commission to review what to do with the remaining MX-G areas in  
302 their first meeting in January. Damon explained some of his rationale for these numbers, and  
303 also said he would be open to other suggestions.

304 Nancy Potter said it is important to remember that it will be easier to increase these numbers  
305 later, than it will be to reduce them, which she commented on further.

306 Cordell Batt said if the density is kept too low, commercial developers won't even consider  
307 coming to this area, which he further explained.

308 Jake Young concurred. He said in relation to CCA/twelve, twelve units per acre is the minimum  
309 number that developers have specifically told him will make garden style apartments work. He  
310 said it is important to understand how the numbers actually will work.

311 The discussion continued at length. After further discussion, Damon said he wanted to rescind  
312 his proposal for moving the CCA zone. Jake discussed this further.

313 Roger Anderson agreed with making the density in the CCC zone four units per acre instead of  
314 zero, which he explained further.

315 Jake Young agreed that using 50/50 on the MR-7 zone will work, but at nine units per acre, it  
316 does not work, which he explained. This was discussed further, and Jake said he recommends  
317 that it needs to stay at 30%.

318 The discussion continued. Jeff summarized what the density numbers being proposed were for  
319 the zones at this point, as discussed, which stood at a maximum of eight units per acre for the  
320 Downtown Zone; a maximum of four for the CCC zone; and, a maximum of nine for the MR-10  
321 zone.

322 The conversation continued. Jake further described the reasoning behind the densities for the  
323 various zones.

324 The group discussed dropping the density to six, but Jake explained how the code would have to  
325 be re-written, and that six will not work. Mark discussed the factors for livability. Roger and  
326 Kristen said they would agree to seven.

327 The conversation continued at length.  
328

329 *Damon Cann made a motion to set the following numbers (units per acre) for the residential*  
330 *density table: DT eight; CCC four; CCA twelve; and MR-7 seven; and changing the MR-10 zone*  
331 *to an MR-8 zone with the recommendation that these numbers get reevaluated at the next City*  
332 *Council meeting in January. He said this also includes a 50/50 split in buildings types in the MR-*  
333 *7 zone; a 40/60 split in the MR-8 zone; and, a 30/70 split in CCA, which is as it currently reads.*  
334 *He said this also includes the changes as discussed and that those other MXG areas get*  
335 *remanded to the Planning Commission for review. Kristen Anderson seconded the motion.*  
336

337 The conversation continued.  
338

339 *A vote was called and the motion passed unanimously with Nancy Potter, Roger Anderson,*  
340 *Damon Cann and Kristen Anderson voting in favor.*  
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342 *Geri Christensen made a motion to adjourn the Planning Commission's participation in the*

343 meeting. Kevin Christensen seconded the motion. A vote was called and the motion passed  
344 unanimously. This occurred at 10:04 p.m.

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346 **City Council items only:**

347 Consider approval of re-appointment of Sally Petersen to the Cache Valley Transit Board.

348 Damon Cann made a motion to re-appoint Sally Petersen to the Cache Valley Transit Board.

349 Kristen Anderson seconded the motion. A vote was called and the motion passed unanimously  
350 with Nancy Potter, Roger Anderson, Damon Cann and Kristen Anderson voting in favor.

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352 **Reports from city officers, boards, and committees.**

353 Nancy Potter said an email was received praising the snow removal crews for the great job they  
354 did on roads during the recent snowstorms, and asking staff to thank all of the drivers.

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356 Roger Anderson said we need to take a serious look at our City water capabilities, which he  
357 explained further.

358

359 Jeff explained the \$10K set aside in the salary portion of the budget; and said the choice was  
360 made that rather than increase salaries for some people; the City will do a one-time gift of paying  
361 people on Christmas Eve and New Year's Eve, even though they have the day off. He said for  
362 people who work full time and have benefits, they'll get that day off without having to take leave;  
363 and for people who don't get leave, they will be paid as if they were there, for the number of hours  
364 they normally work in a day.

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366 Damon Cann made a motion to adjourn the meeting. Kristen Anderson seconded the motion. A  
367 vote was called and the motion passed unanimously with Nancy Potter, Roger Anderson, Damon  
368 Cann and Kristen Anderson voting in favor.

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372 The meeting adjourned at: 10:09 p.m.

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376 Approved by the Planning Commission: January 24, 2013

377 Approved by City Council: February 6, 2013

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380 Transcribed by Marie Wilhelm

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382 Recorded by

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Scott Bennett/City Recorder