

**Minutes of the North Logan City  
Planning Commission  
Held on February 7, 2013  
At the North Logan City Library, North Logan, Utah**

The meeting was called to order by Brett Robinson at 7:01 p.m.

Commission members present were: Chris Nelson, Kevin Christensen, Geri Christensen, Brett Robinson, Joan Findlay and Brad Crookston. (Nathan Hult was not in attendance).

Others present were: Jeff Palmer, Karen Budge, Wayne Budge, Donald Schroeder, Melanie Ivans, Sinisha Ivans, Joel Warren, Gary Gibbons, Debra Gibbons, Dayton Crites, Kelly Johnson, Betsy Byrne, Marleny Santana, Kathryn Knight, Enjie Li, Ryan White, Deborah Reece, Matthew Wood, Jake Young, Jay Stocking, Russell Goodwin, Bob Wright (Lewiston State Bank), Stuart Moore, Damon Cann, Lydia Embry, Cordell Batt and Marie Wilhelm.

The Pledge of Allegiance was led by Brad Crookston.

An invocation was given by Chris Nelson.

**Adoption of Agenda**

Chris Nelson suggested moving the second item to be the first item, and that we entertain the possibility of moving item number seven to a future meeting, depending on how long the meeting goes. The Planning Commission agreed.

*Chris Nelson made a motion to approve the agenda as amended. Kevin Christensen seconded the motion. A vote was called and the motion passed unanimously.*

**Approval and Follow-up of Minutes for November 8, 2012, January 10, 2013 and January 24, 2013 Planning Commission Meetings**

**November 8, 2012 Planning Commission Meeting Minutes**

*Chris Nelson made a motion to approve the minutes as presented. Kevin Christensen seconded the motion. A vote was called and the motion passed unanimously.*

**January 10, 2013 Planning Commission Meeting Minutes**

**January 24, 2014 Planning Commission Meeting Minutes**

Marie Wilhelm mentioned that she has already made the correction on the January 10, 2013 minutes regarding changing who called the meeting to order.

*Chris Nelson made a motion to approve both sets of minutes (January 10, 2013 and January 24, 2013) as presented. Brad Crookston seconded the motion. A vote was called and the motion passed unanimously.*

**Follow-up**

Cordell Batt introduced new Planning Commission member Joan Findlay, who will be serving as the new alternate, whose appointment was approved by the City Council at the previous evening's meeting. He explained that Geri Christensen will be staying on, but as an alternate for a year term; and will also have a special assignment to work on other Planning Commission items. Cordell explained that Nathan Hult was also approved the by the City Council, and will serve as a regular Planning Commission member.

**New Business**

**Election of new Planning Commission Chair and Vice-Chair.**

Brett Robinson explained to the attendees that the members of the Planning Commission are appointed by the Mayor.

*Chris Nelson made a motion to nominate Brett Robinson as Planning Commission Chairman.*

Brett Robinson did not accept this nomination.

60 *Kevin Christensen made a motion to nominate Chris Nelson as Chairman of the Planning*  
61 *Commission. Brett Robinson seconded the motion. A vote was called and the motion passed*  
62 *unanimously.*

63  
64 *Chris Nelson made a motion to nominate Brett Robinson as Vice-Chairman of the Planning*  
65 *Commission. Brad Crookston seconded the motion. A vote was called and the motion passed*  
66 *unanimously.*

67  
68 Annual review and approval of North Logan City Planning Commission Policies and Procedures.  
69 Chris Nelson briefly introduced the item and asked Cordell Batt if there were any changes to be  
70 made. Cordell explained that the document has remained the same, after making extensive  
71 changes to it in approximately July of 2012. He briefly outlined the process for reviewing and  
72 approving the document.

73 Kevin Christensen asked why we have policies and procedures when they're not abided by. He  
74 referred to the part of the document that says an oath will be administered to the officers, and yet  
75 it also states that it doesn't have to be done. He asked then whether that statement should really  
76 be in there, or if the oath should be taken.

77 The Planning Commission discussed this.

78 Cordell said that traditionally, that has not been done for the Planning Commission, only the City  
79 Council; but that it certainly could be.

80 Chris Nelson made a recommendation for staff to review that to determine whether it is required  
81 by statute or law, and asked Cordell to have that clarified.

82 Term limits were also discussed, and it was clarified that they run from February to February [of  
83 the appropriate years] and Cordell mentioned that alternates serve their terms on an annual  
84 basis, also from February to February.

85  
86 *Brett Robinson made a motion to approve the North Logan City Planning Commission Policies*  
87 *and Procedures, with the pending clarification regarding the requirement of the oath of office, as*  
88 *discussed. Kevin Christensen seconded the motion. A vote was called and the motion passed*  
89 *unanimously.*

90  
91 Consideration and possible recommendation for the concept plan of a 15 lot subdivision located  
92 at approximately 1640 North and 1200 East in the R-1-12 zone (Jean B. Nyman Trust, David  
93 Nyman Trustee working with Sierra Homes).

94 Cordell Batt introduced the item and explained the situation and oriented those in attendance to  
95 the location via an aerial photograph of the site, which area he said is commonly known as  
96 Nyman's Lane. He explained that the applicant (who is working with Sierra Homes) is proposing  
97 a fifteen-lot subdivision in an R-1-12 zone, which means a 12,000 square foot lot minimum. He  
98 said they are proposing a new road, which will ultimately be turned over to the City; with fifteen  
99 lots along the road. He said there are some existing homes at the end of this proposed lane, and  
100 are proposing an easement so that one particular home would have access to the new road. He  
101 discussed this further and said there was discussion about removing an existing home also, as it  
102 does not meet the required setbacks. He further explained the various studies and  
103 documentation required of the developers for this. He said sometimes the geological study is  
104 waived; but the assistant City Engineer who feels that we don't have a lot of information about  
105 any geological issues for this area; therefore he is recommending that a modified study be done.  
106 He discussed the studies and retention further. He said the two retention areas will be made part  
107 of the two lower lots. He said it is staff's recommendation that the Planning Commission make a  
108 positive recommendation to the City Council for this concept plan with staff's recommendations.

109 Jay Stocking with Sierra Homes introduced himself.

110 Chris Nelson said, with respect to the existing drive; that it seems there are existing water and  
111 sewer lines that are going to be abandoned and asked if that will create any issues, particularly  
112 since they will be going underneath all of those properties.

113 Mr. Stocking explained that they will be terminated at the street and will be abandoned; and  
114 Cordell said they will be put in again under the street.

115 Chris asked about the lots having the retention ponds and whether they will have homes on them.  
116 Mr. Stocking said they will have homes on them, and that those lots will be larger in size. Per a

117 question from Chris about maintenance; Mr. Stocking explained that the retention ponds will be  
118 part of their property, therefore the owners will be responsible for maintaining them.

119 Cordell explained the conceptual process, which is what stage this is currently in; as well as the  
120 process for approval.

121 Kevin Christensen referred to the situation that occurred with The Cove; and said that once a  
122 project is approved by the City Council and Planning Commission at the concept level, they do  
123 not have the same ability to shut a project down.

124 The Planning Commission discussed this further and Cordell explained that this is a different  
125 situation.

126 Geri Christensen asked how the neighbors feel about this subdivision.

127 Cordell said the City is not required to receive public comment, as this was essentially allowed  
128 due to the zoning, but that the Planning Commission certainly could do so if they chose to; and  
129 also reiterated that this is a different kind of situation [than The Cove]. He explained that as long  
130 as the developers meet the zoning requirements, it can be approved based on the fact that it is a  
131 permitted use in this zone. Per a question from Brett Robinson, Cordell said the zoning here has  
132 been in place for many years.

133 Chris asked about the stormwater being part of the grading and drainage plan, which Cordell  
134 explained.

135 Cordell continued to address various minor questions from the commission.

136 Chris opened the item up to public comment.

137

138 Gary Gibbons said he owns the home that the right-of-way goes up to, as does Jean Nyman  
139 [owns a home there as well]. He explained that he buried a perforated water pipe under part of  
140 where the proposed lane is to go, because the land there is very swampy and he did not want the  
141 road to have problems because of that; and said that is an existing issue that that should be  
142 looked at and considered in terms of planning. He said he also put in a four-inch water line along  
143 the lane as well; and explained where there is a culinary line and an irrigation line.

144 Per a question from Brad Crookston, Cordell explained the culinary lines and how they are  
145 managed at the next stage in the development process. He also explained how irrigation is  
146 handled; and said the developer is required to work with the irrigation company and work out the  
147 details. He said it is also typically required to designate how many irrigation shares will go with  
148 each lot and to have that listed on the plat; and said that is also worked out in the next stage of  
149 development.

150

151 Wayne Budge explained that his home will be directly in front of the proposed driveway going into  
152 that subdivision. He said that he wants it known that he is not going to be happy. He said  
153 regardless of what precautions they take for drainage, he [already] has an existing problem which  
154 the City has not [yet] corrected. He said there are only two drains along that road, and none on  
155 the east side. He said the water coming off that hill and from those subdivisions drains and he  
156 ends up with a lake in his driveway. He said when he gets his snow out of his driveway, it is  
157 pushed right back in again when the roads are plowed. He said then it freezes there and he ends  
158 up with a flood problem when it thaws. He said if the drainage problem isn't corrected now, there  
159 is no way he [and his neighbors] will ever be able to take the drainage coming off of this  
160 subdivision. He reiterated that there is a big problem on that road for drainage, and when that  
161 road was built, it was not built correctly. He said we better take care of the problems we have  
162 now, before we start adding to them.

163

164 Sinisha Ivans, who lives on 1200 East, said the road being proposed for the subdivision will  
165 directly face his home. He said all of the lights from vehicles will beam directly into their home,  
166 which he said is disappointing. He also said he wanted to know what kind of homes will be built.  
167 He said they would prefer something that is similar to the homes in Pheasant Run, versus small  
168 starter homes; that they would prefer something of quality. He said they are concerned about the  
169 size of the lots for this, as they seem small.

170

171 Lydia Embry said that she [and her family] owns the land immediately north of the Nyman  
172 property. She said as president of the 17<sup>th</sup> North Water Line, they do not yet have an easement  
173 and will expect to have one. She also said that Utah Power was not at the meeting, and that

174 there is currently a power pole line that goes up the fence line between the Nyman's and  
175 Embry's.

176  
177 Cordell referred to the comment made by Mr. Ivans regarding the quality of homes; and explained  
178 that the zoning actually allows the developers to put almost twenty-lots on this site, but have  
179 opted to make the lots larger and are only going with fifteen homes. He said this is very typical to  
180 what Pheasant Run subdivision is.

181  
182 Rex Johnson said that said their water and sewer lines are going over to that street and is  
183 concerned about what their plans are for that.

184  
185 Joan Findlay asked if the developers have covenants already set in place as to what the homes  
186 will be like. Mr. Stocking addressed this and said the lots are being sold for \$75K, therefore he  
187 does *not* feel that they will be "starter" homes. He also explained that they will not be selling the  
188 lots to outside builders, therefore they will control the design; and that they build a large number  
189 of quality homes. Chris also explained that the City has a design review board that reviews these  
190 things.

191 Geri Christensen said the Planning Commission should really consider the citizens' comments  
192 when making their decision.

193 Brett Robinson said he was affected by last January's run-off. He said he would recommend that  
194 we review these detention basins and ensure that they are appropriately sized. He said his  
195 concern is that there may be an assumption that the soil can absorb some of the run-off; but that  
196 is assuming that the ground isn't frozen solid, and commented further. He said this could be  
197 done in a way that would actually decrease the chance of flooding if it is done right, including for  
198 what exists already; which he explained further. He said we need to make sure that the  
199 engineering is done to not only address normal soil being able to absorb water; but to also  
200 manage it in those instances when we have frozen ground that cannot absorb it.

201  
202 Mr. Stocking explained that North Logan City's regulations are even more strict than other cities  
203 in the state in terms of the size of the retention basins, which installation he said should help with  
204 any of the drainage coming off of this property.

205  
206 Kevin Christensen asked Cordell if the studies and reports that staff is requiring will cover the  
207 issues the citizens brought up. Cordell said they will, and also said that staff and then the  
208 Planning Commission will be further reviewing this. He further described some of the  
209 requirements, and that the developers have to meet all of the City's strict standards and that we  
210 take everything into consideration.

211 Brad Crookston said that the City does not have a standard regarding the size of homes being  
212 allowed here, and that if people don't want these kinds of uses here, the zoning would have to  
213 change. He also explained that the Planning Commission does not have the freedom to *not*  
214 accept this if the developers meet the requirements.

215  
216 *Brett Robinson made a motion to approve the concept plan; with the condition that the City*  
217 *Engineering department review the storm water situation again to ensure there is appropriate and*  
218 *sufficient drainage, particularly in situations with frozen ground; as well as with staff's*  
219 *recommendations as made in the staff report, including the modified geological report. Kevin*  
220 *Christensen seconded the motion. A vote was called and the motion passed unanimously.*

221  
222 Consideration and possible recommendation for a Condo/Conversion of an existing business  
223 building in the General Commercial Zone at 42 East and 2200 North (Ballard & Housley  
224 Properties).

225 Cordell Batt introduced the item and explained that the applicant is requesting to convert his  
226 building [on this property] to condominiums [with a condominium plat] so that he can sell portions  
227 of the building, which he said is impossible right now in its current status. He said the rest of the  
228 property would be common space to the building, and would be maintained by an association.  
229 He said the City just put a process in place in the last year to handle condominium plats, which he  
230 further explained. He said the applicant's intent is to make three condominium units out of this  
231 building, with one possible additional condominium to be built on the south end of the building at  
232 a later date.

233 Chris Nelson asked if there are additional structural changes that will need to take place. Cordell  
234 said not at this time with just the condominium plat; but as uses or changes are proposed, each  
235 use will be reviewed by the building department, as they come in for building permits. He  
236 explained that they need to meet certain building standards and criteria. Chris asked Cordell  
237 further questions about the selling off of individual units and how the various codes will be applied  
238 and be up to date. Cordell explained if the use changes, as they apply for a building permit, it will  
239 be reviewed by the building department, and the applicant will have to ensure that it is up to code,  
240 according to the use.

241 Chris asked how the current tenants will be managed, which Cordell explained. Brett Robinson  
242 said that any current leases will encumber the owners, until the time those leases expire.

243 The Planning Commission further discussed various minor points.

244

245 *Brett Robinson made a motion to approve this condo conversion, per staff's recommendations set*  
246 *forth in the staff report. Brad Crookston seconded the motion. A vote was called and the motion*  
247 *passed unanimously.*

248

249 Presentation of City Center Master Plan Concept (Consultant Jake Young, Civil Solutions).

250 Jake Young with Civil Solutions Group presented a graphic representation of a potential City  
251 Center Master Plan, utilizing the new code. He said comments and concerns gleaned from a  
252 public survey taken were taken into consideration when creating this concept; as well as input  
253 from City Council members and the Planning Commission. Per a question from Chris Nelson,  
254 Cordell said the City Council had an opportunity to look at the plan at the council meeting the  
255 evening before; and said that Jake will be presenting this to the City Council in the near future.

256

257 Discussion of proposed project on newly zoned property CCC and MR-7 located at 2500 North  
258 and the future 200 East (Lewiston State Bank).

259 Chris Nelson introduced the item and discussed what the Planning Commission had agreed to for  
260 this property at their last meeting.

261

262 Cordell explained that this is a concept plan, but an application has not been submitted at this  
263 point; that it is simply an idea that the developers (Lewiston State Bank) have been working on  
264 based on their interpretation of the new code. Cordell said he did not feel that the developer's  
265 interpretation is quite correct on this yet, which he explained further, including the requirements  
266 for this zone. He also explained a right-of-way the City has through this location, that he  
267 recommends that the City vacate so that the developers can use that piece of land and make it  
part of their project. He said that would become part of the official concept plan.

268

269 Bob Wright from Lewiston State Bank discussed their intention for the site and explained the  
270 zoning, and how they are working with those requirements. He discussed the difficulties they  
271 have had in planning with the current zoning, in trying to get the two types of housing and mixed  
uses in place. He commented further and discussed marketing issues.

272

273 Mr. Stocking said if he ends up putting single-family homes in there, they will likely end up being  
274 rentals because this area is not conducive to quality single family homes. He said mixed-use is a  
275 great concept for a larger property; but for a piece this size, it ends up being more harmful to the  
City, than of being any benefit. He commented further.

276

277 Geri Christensen said she does not like having single family homes there at all and asked if they  
would consider putting in duplexes to lower the density.

278

279 Mr. Stocking said if we don't get the density in there, we will not have a successful HOA, as the  
280 costs become too prohibitive. Cordell asked him about having the single family homes and the  
281 townhomes wrapped up into one HOA; and Mr. Stocking explained that it does not work, primarily  
due to not being able to use the funds equitably.

282

283 Per Geri's question, Cordell explained why duplexes are not allowed with the use the developers  
have chosen.

284

285 Cordell mentioned that he showed this to the City Council at the previous evening's meeting for  
286 their initial "read" and that the City Council felt they want the developers to use the existing code  
287 as written. He said they stated that there needs to be more thought process into the design of  
288 this; and that it seemed to be laid out very quickly. He said they expressed that the developers  
289 could come up with something that is a more workable situation. He referred to the 5.2 acres,  
and said that the housing uses could be split differently, which he explained. He said they could

290 put in thirty-two town homes and fifteen single-family 8K square foot lots; leaving an acre for open  
291 space. He commented further.

292 Mr. Stocking agreed that that *could* be done; but that would then create a situation that would be  
293 lower quality, as previously discussed, and said he does not want to do that. He said he wants to  
294 build something of quality, that people are proud of, and is a good product long term. He  
295 commented further.

296 Cordell discussed how to proceed and discussed the adjustments they knew they might have to  
297 make with the zoning; and that what is included in a mixed-use zone can be difficult when  
298 working with a smaller piece of property. He said the City Council will want the Planning  
299 Commission's recommendation on this situation.

300 Jake commented that he was glad to be at the meeting for the first project that was coming before  
301 the Planning Commission with this new zone situation; and said he figured there would be a few  
302 "bumps". He agrees with the City Council that the developers need to go back and really attempt  
303 to understand the code and try to meet the design intent of the code. He mentioned a couple of  
304 things in the code that aren't reflected in this plan, including that there are no dead-ends or cul-  
305 de-sacs permitted in the code, so there needs to be some connectivity. He also said that even at  
306 this concept level, they need to show open space and all of the other elements important in the  
307 code. He clarified that this is not "mixed use"; that it is one type of use, which is residential. He  
308 said it does, however, require a mixture of building/housing types, and explained further. He said  
309 the Planning Commission might want to allow a different mixture of housing than what is currently  
310 allowed, while still requiring a mixture of housing types. He said the City Center is the "baby" of  
311 North Logan. He said the standards are high, and it will be scrutinized very closely. He said the  
312 people who are working on this subdivision need to understand that this is not a normal  
313 subdivision and need to take this very seriously, and look at the details. He also said he would  
314 want to know how this connects to 200 East, as well as the parcel to the south. He said in  
315 considering a balance of how this *could* work, is to perhaps have a different ratio of required  
316 housing types.

317 Chris further discussed with Cordell to proceed.

318 The Planning Commission continued to discuss various points.

319

320 Continued discussion on Community Element rewrite and the reformatting of the existing  
321 elements of the General Plan with new layout, etc.

322 The Planning Commission agreed to discuss this at the next meeting. Cordell that said he had  
323 emailed a copy of the current draft to the Planning Commission for their review and edit.  
324

### 325 Set Next Agenda and/or Discussion

326 Chris Nelson suggested discussing the Community Element at the *end* of the next meeting.

327 Cordell mentioned that we will have a public hearing on the next agenda regarding the changes  
328 to the mixed-use ordinance. He said the City Council reviewed them at their meeting the  
329 previous evening and accepted those changes; and it is now coming back to the Planning  
330 Commission for a public hearing.

331 Chris suggested also discussing any follow up items referred to at the January 24<sup>th</sup> Planning  
332 Commission meeting, including having a consultant working on some of the elements.

333 Cordell mentioned a list that the City Council uses for ongoing items called an Action Items List,  
334 which includes taking items on and off as they are completed; and said he would put together  
335 something similar for the Planning Commission.

336

337 *Brad Crookston made a motion to adjourn the meeting. Brett Robinson seconded the motion. A*  
338 *vote was called and the motion passed unanimously.*

339

340 The meeting adjourned at: 8:58 p.m.

341

342 Approved by Planning Commission:

March 7, 2013

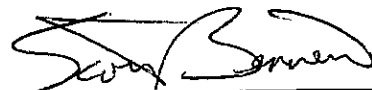
343

344 Transcribed by Marie Wilhelm

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346 Recorded by

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Scott Bennett/City Recorder