



59 the setback is supposed to be ten feet, but that the applicant's dog-run fence encroaches onto the  
60 neighbor's property one extra foot (making the setback nine feet). Mrs. Major explained that they  
61 could put a temporary fence separator into their dog run so that the setback is again at ten feet.  
62 Cordell said staff recommends a positive recommendation, with the conditions set forth in the  
63 staff report, which he read out loud.

64 Kevin Christensen asked about the age of the dogs allowed, which the applicant explained, and  
65 was discussed at length. Mr. and Mrs. Major explained that they have five adult dogs (doxens)  
66 that they breed. They said they then have the puppies, which range in number anywhere from  
67 one to four, for approximately eight weeks, at which time they are sold. Mrs. Major also said that  
68 her dogs are debarked and explained that they take great care in not allowing their dogs to  
69 disturb their neighbors. This was further discussed by the commission, including specifically  
70 allowing a certain number of adult dogs, and only allowing five puppies at a time, up to the age of  
71 eight weeks. Nathan suggested adding a requirement that the Majors must debark their dogs,  
72 including the puppies, which the Majors said can be done after nine months of age. Chris also  
73 suggested requiring that the breed of dog be listed in the permit.

74  
75 *Kevin Christensen made a motion to approve the conditional use permit, per the Majors*  
76 *complying with the setbacks, as well as the other conditions set forth in the staff report; that we*  
77 *allow five dogs over the age of two months, and up to five dogs under the age of two months for a*  
78 *period of ten weeks; and, that the breed of dog is listed as miniature doxen. Brett Robinson*  
79 *seconded the motion.*

80  
81 *Nathan Hult made a friendly amendment to the motion requiring that any of their dogs over nine*  
82 *months be debarked.*

83  
84 Nathan said his concern is for the neighbors. This was discussed further by the commission and  
85 the applicants. Mrs. Major said while debarking is something that they already do and are in full  
86 support of; she said she and her husband felt that they were being held to a higher standard,  
87 particularly since their neighbors are not being required to do this. She said she guarantees that  
88 her dogs are not going to be a problem, and that there are neighbors who have kennel permits  
89 whose dogs are a problem, and whose dogs are not being required to be debarked.

90 Kevin said he would not vote in favor of Nathan's amendment and said he did not want that to be  
91 included in with his motion.

92 Brett Robinson said if barking was an issue, it is covered, and that the conditional use permit  
93 would be revoked if there was a problem.

94 Nathan expressed why he made his amendment, in that a kennel is a special situation apart from  
95 someone just having a dog or two; and that the responsibility should be on the landowner to  
96 either have the dogs debarked if they have that number of dogs that requires a kennel permit, or  
97 to have the dogs in by 10:00 o'clock at night.

98 Brad Crookston said the City has a nuisance ordinance which would take care of that.

99 Nathan said he gets tired of calling Nolan [Krebs, North Logan City Animal Control Officer].

100 Cordell said that debarking, to some people, would be rather extraordinary. He said it also sets a  
101 precedent and the City has never required this before.

102 Nathan asked again if it would be possible to bring the dogs in at night.

103 Marie Wilhelm commented that this is too high a standard to require of this applicant, particularly  
104 when it has not been required of others; and when these applicants already have and plan to  
105 debark any adult dogs that they have. She said she has spoken to Nolan Krebs about this in the  
106 past, who expressed to her that he does not have a problem talking to people if their dogs are  
107 being a nuisance.

108 Nathan withdrew his amendment to the motion.

109  
110 *A vote was called and the motion passed unanimously.*

111  
112 Consideration and possible recommendation for the development plan/agreement and  
113 preliminary plat for the Green Canyon Square Development, a mixed-housing development being  
114 proposed in the MR-8 city center zoning, at approximately 200 East and 2500 North, North

115 Logan. (Sierra Homes)

116 Cordell explained the situation and oriented the attendees to the location via an overhead,  
117 projected map of the site. He said he had just given the paperwork on this to the commission that  
118 day, and understood if they wanted more time to look at this. He said he has not received any  
119 information on the homeowners' association, which he is waiting for. He explained some of the  
120 information he gave to the commission, including comments from Public Works, a lot of which, he  
121 said, had been taken care of.

122 Jake Young explained the project and the intention of the developers. He said the project will  
123 have just over seven units per acre, even though it is zoned for eight. He said it is the same  
124 number of units approved at the concept plan level, which is 45 units, made up of 32 townhomes  
125 and 13 single-family homes. He further explained the lay out, as well as landscaping.

126 Danny McFarlane, engineer of this project, explained some of the design and layout, including  
127 moving the sewer line and connecting to 2500 North; and connecting water there as well. He  
128 said they are still working out the details, but would like to do some low-impact development  
129 design ideas for stormwater, which he explained further. He said the stormwater retention areas  
130 will only be approximately one foot deep to the max, so that they can create open parks between  
131 the homes that the residents can use.

132 Chris Nelson asked Danny about getting water shares and the developer's ability to utilize canal  
133 water. Danny said there are associated water shares, but explained the difficulty in delivering  
134 canal water with any consistency, as there is no pressurized system to deliver canal water to this  
135 area. Danny addressed Chris' additional questions regarding pressuring the canal system.

136 Jake detailed what would have to take place to get canal water to this property.

137 Cordell said the City discussed this and said the developers are willing to put the infrastructure in  
138 for secondary water for their property, so the site can be watered with secondary water in the  
139 future, when the other two properties that are there, to the south, put in their infrastructure; and  
140 that those developers can then share that cost.

141 This was discussed further, and Cordell addressed various questions from the commission,  
142 including what is taking place with other properties adjacent to this development. Per a question  
143 from Chris, Cordell said the roads from Cinnamon Ridge would not be going through this  
144 property. Cordell said when the developers were first proposing the project, they proposed that  
145 the alleyways be public right-of-ways. He said though, that Public Works said the City does not  
146 want take over maintenance of those alleyways. Cordell said however, the City's ordinance  
147 states that "all alleyways shall be designated for public use and the development agreement shall  
148 indicate such". He said it was discussed whether or not the City should have responsibilities for  
149 the alleyways; and said the City does not really have the proper equipment or means to take care  
150 of them, especially if the City gets more developments with alleyways. He said therefore, it is  
151 staff's recommendation that the maintenance for these alleyways become part of the  
152 homeowner's association. He said the Planning Commission should make a recommendation on  
153 this to the City Council, on whether they feel these alleyways should be private or public right-of-  
154 ways.

155 The commission continued to discuss various design items with Cordell and the developers.

156 Danny said they do have some concerns regarding the private maintenance which he discussed  
157 further, and said that is why they were excited at the thought of these being public right-of-ways.  
158 He said it is alarming to them that the City would say they don't have the means or the resources  
159 to maintain these alleyways, particularly when the City is getting so much in taxes from this  
160 property.

161 This was discussed further. Jake commented that the homeowners, some of whom don't even  
162 front streets, are still paying taxes on those streets.

163 Kevin Christensen mentioned that Towne Center Villas maintain their own streets in terms of  
164 snow removal.

165 Cordell said the Planning Commission has Alan Luce's comments supporting his position; and  
166 said that Alan is stating that Public Works does not want to take over the alleys; and that through  
167 this agreement, they would rather have them be part of the project and the HOA take over that  
168 maintenance. Cordell said however, that the alleys will have to be built to the City's standard, so  
169 that in the event they are taken over by the City, those alleys are not substandard in any way.

170 Joan Findlay asked if the townhouses were intended to be for sale, and Jake confirmed that was  
171 the case. She also asked if the lots (for the single-family homes) were going to be sold as lots,  
172 and Jake and Danny said there will be homes built on the lots by Sierra Homes.

173 Various items were further discussed.

174 Brett Robinson said that this sounds like a high enough quality project that it would seem that the  
175 HOA fee would be able to handle the snow removal. Danny said it is more than just snow  
176 removal; that a fund needs to be put away to replace asphalt roads, and other maintenance  
177 issues, which will also be on the shoulders of the HOA.

178 Danny said it seems weird that something that is maintained privately would be available for  
179 public use.

180 Brad said that whatever we do, it will set a standard for the rest of the City Center area.

181 Cordell mentioned that Towne Center Villas, The Cove and Dell Loy Hansen's project are all  
182 being maintained by their HOAs; so in essence, the precedent has already been set.

183 Danny said that in the staff meeting, someone from City staff said that if it is privately maintained,  
184 that gives the developer the ability to build it to a private standard rather than a public standard,  
185 which Cordell said was correct. Danny said therefore, the City cannot ask the developer to build  
186 it to a public standard, but maintain it as a private road. Cordell said that is something that will  
187 have to be worked out.

188 The conversation continued.

189 Cordell discussed with the Planning Commission how they should proceed and make a  
190 recommendation to the City Council.

191 Chris said as this is the first he has seen of the development agreement, he needs more time to  
192 review that before a recommendation can be made.

193 Cordell said he also had some questions on the development agreement, and that he had  
194 additionally submitted it to the City Attorney. He said the commission can decide whether to  
195 make a recommendation to the City Council, but said there will be more finite information  
196 available by the time they take it to City Council.

197 Geri Christensen asked the developers what their timetable was for development, and Jake said  
198 they would like to start in October.

199 Brett said they need to have the HOA information and more time to review the development  
200 agreement before the Planning Commission can move forward.

201 The commission continued their discussion, including how to proceed. After further discussion,  
202 the commission agreed to defer their decision until they can review the documentation more fully,  
203 including the HOA information; and bring this back to the next Planning Commission meeting for  
204 consideration.

205

206 **Set Next Agenda and/or Discussion**

207 **Start discussion on directions the PC should take concerning General Plan Updates as discussed**  
208 **by City Council**

209 Per a question from Chris Nelson, Cordell said that when we passed the layout of the General  
210 Plan, there were some on the City Council who thought that the content was also being  
211 considered and said that Nancy Potter had gone through the Land Use Element and had marked  
212 it up [with comments and changes]. He said while he explained to the City Council that they were  
213 simply considering the layout of the General Plan, which they approved, the council said they  
214 wanted the Planning Commission to review the General Plan again, which Cordell said hadn't  
215 been done on the Land Use Element in several years.

216 The commission discussed this further with Cordell. Cordell said he would like to have any  
217 comments and concerns from the City Council given to the Planning Commission to help them  
218 know what to specifically work on. The commission discussed how to proceed, and Cordell  
219 explained that going through this will take some time.

220 Chris recommended going through the General Plan one section at a time and begin to move  
221 through it; and perhaps to start with the oldest section first, which Cordell said is the Land Use  
222 Element.

223 Cordell said that it will be helpful to do a workshop with the City Council at some point.

224 The commission continued to discuss how to proceed.

225 Cordell said he will email the commission the latest edition of the General Plan with the new  
226 layout, which includes the Land Use Element. Chris said he would prefer a Word document over  
227 a PDF so that he could edit it.

228 Chris said he would also like to discuss the following three items at an upcoming meeting:

- 229 1) An ordinance regarding water shares, i.e., for the City to come up with a plan regarding
- 230 water shares. He further shared an example of a water share issue his family had
- 231 experienced.
- 232 2) Alleyways, and to review exactly what an alleyway is and whether the City needs to
- 233 change the ordinance.
- 234 3) A definition for "public use" so that they can discuss what that means.

235 He said then if we need to make changes to ordinances, we can make recommendations to the  
236 City Council.

237 Nathan also brought up the issue of the east/west corridors. This was further discussed. Cordell  
238 explained the Transportation Element and the streets that are already laid out; and continued that  
239 this is really a development issue. This was discussed further. Chris said this has to become a  
240 priority with the City Council. Brett said this is an issue regarding the welfare of the City and  
241 further discussed the problem with building more homes in the upper areas without the roads to  
242 handle it.

243 Damon Cann discussed the need to ensure that impact fees are appropriate

244 Kevin Christensen said he has a hard time approving more subdivisions on the east side that the  
245 west side cannot handle.

246 There was discussion about meeting together to discuss this issue. Nathan said he would be  
247 willing to meet with Cordell and Brett to discuss this. Chris said he would be willing to meet with  
248 them at a time they might be short one person (so that three Planning Commission members are  
249 not meeting at one time which would form a quorum).

250  
251

252 *Brett Robinson made a motion to adjourn the meeting. Kevin Christensen seconded the motion.*  
253 *A vote was called and the motion passed unanimously.*

254  
255

256 The meeting adjourned at: 8:50 p.m.

257  
258

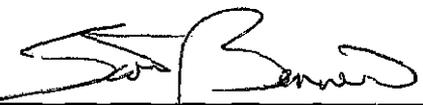
259 Approved by Planning Commission: October 17, 2013

260  
261

262 Transcribed by Marie Wilhelm

263  
264

265

  
\_\_\_\_\_  
Scott Bennett/City Recorder