

1 **Minutes of the North Logan City**  
2 **Planning Commission**  
3 **Held on February 12, 2015**  
4 **At the North Logan City Library, North Logan, Utah**  
5  
6

7 The meeting was called to order by Chris Nelson at 6:30 p.m.  
8

9 Commission members present were: Chris Nelson, Kevin Christensen, Brad Crookston, Brett  
10 Robinson and Nathan Hult.  
11

12 Others present were: Nick Larsen, Rachel Larsen, Don Huber, Arlene N. Huber, Linda Hayes,  
13 Laurel Hayes, Lauralyn Larsen, Gregory Larsen, Lydia Embry, Cordell Batt and Marie Wilhelm.  
14

15 The Pledge of Allegiance was led by Kevin Christensen.  
16 An invocation was given by Chris Nelson.  
17

18 **Adoption of Agenda**

19 Chris Nelson said that Cordell Batt wants to include an agenda item between item numbers two  
20 and three which is a short item to review the City Attorney's comments prior to the public hearing  
21 for item number three, so that those comments can be taken into consideration with the public  
22 hearing.  
23

24 *Brett Robinson made a motion to adopt the agenda as amended. Brad Crookston seconded the*  
25 *motion. A vote was called and the motion passed unanimously.*  
26

27 **Approval and Follow-up of Minutes for November 13, 2014 Planning Commission Meeting**

28 Brett Robinson wanted a line stricken from the minutes.  
29

30 *Kevin Christensen made a motion to approve the minutes as amended. Brett Robinson*  
31 *seconded the motion. A vote was called and the motion passed unanimously.*  
32

33 **New Business**

34 **Election of new Planning Commission Chairman and Vice-Chairman**

35 Nathan Hult expressed that while he's open to other nominations, Chris Nelson and Kevin  
36 Christensen did a great job in their roles and Chair and Vice-Chair, and said he would like to see  
37 them stay.  
38

39 *Kevin Christensen made a motion to make Brad Crookston chair. Brett Robinson seconded the*  
40 *motion.*  
41

42 Brett Robinson explained that things should be changed around a bit, as he said last year. He  
43 further commented that Chris Nelson has done a great job.  
44

45 *A vote was called and the motion passed unanimously.*  
46

47 Chris confirmed that these changes will take effect at the next Planning Commission meeting.  
48

49 *Brad Crookston made a motion to appoint Brett Robinson as a vice chair. Nathan Hult seconded*  
50 *the motion. A vote was called and the motion passed unanimously.*  
51

52 **6:35 Public Hearing to receive input on certain revisions to Section 12C-1100. SITE**  
53 **DEVELOPMENT REQUIREMENTS and add a new Section 12D-600.**  
54 **COMMERCIAL/INDUSTRIAL AND INSTITUTIONAL-RESIDENTIAL AND NON-RESIDENTIAL**  
55 **SUBDIVISION GENERAL PROVISIONS for the purpose of adding subdivision requirements for**  
56 **commercial/industrial and institutional-residential and non-residential uses.**

57 Cordell Batt introduced the item and explained that the City has never had a good section in the  
58 code to deal with commercial and non-residential projects, and we have had nothing to refer to;  
59 so we've used the same process used for residential subdivisions and applied it to commercial

60 projects, but that has not been sufficient. He said these requirements are very similar to  
61 residential subdivision requirements with some changes, which Cordell further explained.

62  
63 *Chris Nelson read aloud the rules for speaking at a public hearing, and opened the public hearing*  
64 *at 6:45 p.m.*

65  
66 Lydia Embry gave her various comments and questions on this item, including asking why certain  
67 items were entitled zoning, and asked about site development; and why some items were located  
68 where they are in the document. She asked the commission to review the redundancy of the  
69 document and to recommend them on to council.

70  
71 *As there were no further public comments, Chris Nelson closed the public hearing at 6:51 p.m.*

72  
73 Nathan Hult mentioned that the commission made some changes to this document; and said he  
74 also was not certain, but that some definitions may be duplicated, but that he could check that,  
75 and commented further.

76 Chris Nelson discussed the process this document had been put through, and also discussed that  
77 some of the definitions may indeed need to be repeated, and commented further, including that  
78 definitions can change in different sections, therefore necessitating the seeming repetition in  
79 definitions. He commented further, including on how to proceed.

80 Cordell reminded the Planning Commission that the City Attorney reviews all of our ordinances to  
81 ensure that they are appropriate and will work for the City, and has reviewed this one, and found  
82 very little that he recommended changing. Cordell said therefore, that in terms of the City  
83 Attorney's review of this ordinance, we have an ordinance that is very appropriate, and  
84 commented further on all of the review that the Planning Commission had already had with this.

85 Brett Robinson asked where 12C-1102 fits into this and asked about 1100 that we are passing  
86 today, which Cordell addressed. Cordell said we are looking at a firm that will come in and codify  
87 all of the City's code, which will renumber it; and said that will then go onto the City's website, and  
88 will give it more coherency, etc.

89 The commission continued their discussion, and Cordell addressed their various questions and  
90 comments.

91  
92 *Nathan Hult made a motion to make a positive recommendation to the City Council to adopt the*  
93 *modifications to 12C-1100 and 12D-600. Kevin Christensen seconded the motion.*

94  
95 Kevin Christensen said we have two issues before us; one is a formatting issue and the other is  
96 the wording of the ordinance. He said the wording is currently the best that the Planning  
97 Commission can do; and said the formatting issue is something that can be taken care of in the  
98 future, if necessary. He commented further regarding the paper version versus electronic  
99 versions. He said he thinks we're on the right track at this point, and if it needs to be reformatted,  
100 we can review that. He reiterated that he is comfortable with what the Planning Commission has  
101 done thus far.

102 Brett Robinson asked if this could potentially be in a different section, such as the zoning section;  
103 rather than where it is. Cordell said if that would make more sense to do that, he recommended  
104 also moving the residential section there, as well. He said we can look at that when the  
105 codification is done.

106  
107 *A vote was called and the motion passed unanimously.*

108  
109 Discussion and review of the City Attorney's Notes relating to Notice Requirements to be  
110 compliant with the Utah Code requirements  
111 Cordell Batt read aloud City Attorney, Bruce Jorgensen's comments regarding the Utah State's  
112 requirements for noticing, per Chris Nelson's request. (Please note: a copy the City Attorney's  
113 note will be filed in the appropriate location in the City offices, per Cordell Batt).

114 Nathan Hult mentioned a grammatical error that Cordell took note of. Cordell continued to review  
115 the City Attorney's notes.

116 Kevin Christensen discussed a potential paging issue with the document itself, which Cordell said  
117 had already been corrected.

118 Cordell further discussed Bruce Jorgensen's comments regarding public noticing. Cordell said he  
119 feels that the kind of noticing we are doing is sufficient, including that we comply with what the  
120 state has put in state code. He said if further noticing is wanted, he said he would rather see that  
121 done as a policy, but not to put it into an ordinance.  
122

123 **6:40 Public Hearing to receive input on certain revisions to Section Chapter 12A-500 which is**  
124 **the city's Notice Requirements which the Planning Commission and the City Council have**  
125 **deemed it necessary to make certain changes to the Notice Requirements for the purpose of**  
126 **correcting/updating the code to follow the Utah Code requirements.**

127 *Chris Nelson opened the public hearing at 7:15 p.m.*  
128

129 Don Huber commented that when this issue was on a Planning Commission agenda to be  
130 discussed, the meeting was canceled. He also complained that he had not been able to get  
131 copies of minutes that were not yet available. He continued to read his comments out loud,  
132 including regarding changes to the public notification process, which he said was based on their  
133 experience when the Centerfield Subdivision was approved. He commented further, complaining  
134 about the process for which the Centerfield Subdivision, adjacent to his home, was developed,  
135 including his feelings about the noticing process. He said the City and the Planning Commission  
136 should never allow individuals too purposely land-lock property, and commented further. He said  
137 there is nothing in the minutes that addressed the concerns he was giving at this meeting, which  
138 deals with how that property fits into the adjoining area. He also said the minutes should be  
139 available to the public immediately, and should be on the City's website the very next day after a  
140 meeting is held. He further cited state code and said he proposed that the City's code should be  
141 better than the state's, in order to meet the needs of the citizens.  
142

143 Lydia Embry said she recognized Don Huber's comments in bringing up some of the issues he  
144 did; and mentioned that the information on this has the police station's old address listed.  
145

146 *As there were no further public comments, Chris Nelson closed the public hearing at 7:24 p.m.*  
147

148 Brad Crookston said the City is open to ideas for better notification to the community for our  
149 meetings and said this has been discussed before.

150 Brett Robinson said they discussed at length at the last meeting the difficulty in getting the  
151 information to the citizens.

152 Chris Nelson asked about the right for citizens to appeal in ten days, and potentially amending  
153 that and making it a longer period of time; but discussed that the commission felt that 20 or 30  
154 days was too long.

155 Kevin Christensen commented on Mr. Huber's remarks, and said some of the items Mr. Huber  
156 brought up are not related to the item at hand. Kevin commented on his concerns about citizens  
157 not being able to get information in time for the appeals process.

158 Cordell addressed this and explained the reality of when and how minutes become available. He  
159 also said that when a decision is made, an appeal would be made on that decision, not on the  
160 minutes.

161 Per a question from Chris Nelson, Cordell explained that the parties involved in a decision would  
162 not be informed by City minutes; but would be notified of the decision because they are involved  
163 with the situation.

164 After further discussion, Cordell reminded the commission that Mr. Huber went through the  
165 appeal process and a decision was made; and that is not even something that relates to the item  
166 that the Planning Commission is making a decision on at this meeting.

167 Chris Nelson reminded the commission about what the decision on this item is about.

168 Nathan Hult asked Cordell about the phrase in the document that states "if the City elects" to give  
169 notice to adjacent property owners, and asked if Cordell was that person. Cordell said that  
170 typically, if the item might be something controversial, the Planning Commission or the City  
171 Council will potentially ask for "extra" notification, meetings or public hearings.  
172

173 *Brad Crookston made a motion to make a positive recommendation to the City Council on the*  
174 *revisions to the City's code notice requirements, as presented, including the revisions*  
175 *recommended by the City Attorney; and with the one change, as discussed, to change the word*

176 "any" to the word "a". Brett Robinson seconded the motion. A vote was called and the motion  
177 passed unanimously.

178

179 **6:50 Public Hearing** to receive input on what City Council and City's Planning and Zoning  
180 Commission have determined a need and good cause to amend the city's land use ordinance to  
181 modify Chapter 12C-1001. Permitted and Conditional Uses in Zones to: Allow Nursing Care  
182 Facility as a permitted use in the CCA (City Center Adjacent) zone in the matrix.

183 Cordell Batt presented the item and said staff felt that this was a use that was overlooked and  
184 should be put in the code as a permitted use, particularly since we have a use almost just like this  
185 in this zone.

186

187 *Chris Nelson made a motion to open the public hearing at 7:41 p.m.*

188

189 Lydia Embry cited two legal situations regarding implementing a law already in place which allows  
190 for voters to petition for referendum on any "local law", and explained further. She explained how  
191 she thought this modification to the code relates to this. She said she is asking that the City  
192 request legal guidance on this.

193

194 *As there were no further public comments, Chris Nelson closed the public hearing at 7:43 p.m.*

195

196 Nathan Hult said while this is legislative, this is in the hands of the City Council, and we only  
197 make a recommendation to them; and that they are the legislative body that decides whether to  
198 change this. He said the public at large is entitled to initiate a referendum on this issue; but that  
199 does not mean that the City Council does not have the authority to make this change. He said  
200 considering the presentation given to them, and how closely tied nursing care is to an assisted  
201 living facility, it makes sense to include "nursing care facility" in this matrix, and commented  
202 further.

203

204 *Nathan Hult made a motion to make a positive recommendation to the City Council to make this  
205 change to the matrix. Kevin Christensen seconded the motion.*

206

207 Chris Nelson commented that he is uncomfortable with allowing a permitted use for a whole area  
208 rather than on one property.

209 Brett Robinson said he agrees with Nathan Hult that we should proceed.

210

211 *A vote was called and the motion passed unanimously.*

212

213 **7:00 Public Hearing** to receive input on what City Council and the City's Planning and Zoning  
214 Commission have determined a need and good cause to Consider a concept mixed-use plan for  
215 a Continuing Care Retirement Community (Assisted Living/Rehabilitation & Skilled Nursing &  
216 Memory Care) with a commercial component, located at approximately 2200 North and 400 East  
217 (southwest corner) in the (CCA) City Center Adjacent and (DT) Downtown zones. (Maple  
218 Springs, LLC – Nick Larsen)

219 Cordell Batt presented the item, and oriented those in attendance to the site on a map of the  
220 location. He discussed some of the particulars of this project that were discussed at the previous  
221 meeting.

222 Chris Nelson asked about the zoning, which Cordell explained.

223 Developer Nick Larson explained the project and said the assisted living facility will be on the  
224 southern portion of the property. He further explained that there will be 55 total units [in this part  
225 of the facility], and that 15 of those units will be memory care, in a secured unit. He said the  
226 northern part of the property will be skilled nursing and rehabilitation, and will include a 2500  
227 square foot rehab gym, and a court yard; and said this section will have 52 units, with double  
228 beds in each unit, totaling 104 beds.

229

230 *Chris Nelson opened the public hearing at 7:51 p.m.*

231

232 Lydia Embry asked about the streets around this site in relation to the total "net" acreage for the  
233 site; and asked what the actual "footprint", i.e. total site coverage, is for this site. She also  
234 mentioned the number of employees; and also referred to the portion owned by North Logan City

235 and asked when they were going to discuss how it relates to the City. She asked that the City  
236 Council request legal guidance on the fitness portion of this project and how it relates to the City  
237 Center matrix.

238

239 *As there were no further public comments, Chris Nelson closed the public hearing at 7:53 p.m.*

240

241 Kevin Christensen referred to the rehab and skilled nursing side, and asked about how much  
242 traffic comes in and out that are people just coming for rehab, or whether those are actually just  
243 residents.

244 Mr. Larsen said the rehab is only for residents, i.e., in-patients, only, and that the rehab "gym" is  
245 not for public use.

246 Per Lydia Embry's comments, Kevin confirmed as a question to Mr. Larsen, that this is not in fact  
247 a public gym, which Mr. Larsen said was correct.

248 Chris Nelson commented that the Planning Commission is not a legislative body, and can only  
249 discuss the concept and the rezoning issue, and commented further on how to proceed.

250 Nathan Hult asked if the City was going to develop both sides of 2150 North so that it would be  
251 complete.

252 Cordell said that is still to be worked out in the development plan, including other elements; and  
253 said it will come back before the Planning Commission. He said the staff is requiring that the  
254 developer do all of the appropriate studies, and explained other requirements further, per the staff  
255 report.

256 Cordell and the Planning Commission briefly commented further on related items.

257

258 *Nathan Hult made a motion to recommend a positive recommendation to the City Council on this  
259 concept plan. Brett Robinson seconded the motion.*

260

261 Brett Robinson said as he looks at this, he thinks it is a very good "first project" [for the City  
262 Center] and commented further about how this project makes sense for this location.

263

264 *Brad Crookston made a friendly amendment to make the approval contingent upon the change in  
265 the ordinance to include this use in the matrix as permitted. Nathan Hult and Brett Robinson  
266 accepted this friendly amendment.*

267

268 The Planning Commission discussed this further, including Kevin Christensen who said that this  
269 is going to change the complexion of this area significantly, and that the parking and traffic issues  
270 are going to need to be thought out very carefully.

271

272 *A vote was called and the motion passed unanimously.*

273

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

275 Chris Nelson commented that he has enjoyed serving in the capacity of Planning Commission  
276 Chairman, and commented further.

277 Chris also discussed 200 East as the main thoroughfare of the City, and the congestion in certain  
278 areas on 200 East, particularly between egress points of Walmart and Lowes, and the challenges  
279 we have in that area. He said we need to be very mindful of the traffic around the City,  
280 particularly around the City Center.

281

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

284

285 The meeting adjourned at: 8:07 p.m.

286

287 Approved by Planning Commission:

May 14, 2015

288

289 Transcribed by Marie Wilhelm

290

291 Recorded by

292

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