

1 **Minutes of the North Logan City**
2 **Planning Commission**
3 **Held on May 14, 2015**
4 **At the North Logan City Library, North Logan, Utah**

5
6 The meeting was called to order by Brad Crookston at 6:30 p.m.

7
8 Commission members present were: Brett Robinson, Nathan Hult, Brad Crookston, Chris
9 Nelson, Kevin Christensen and Geri Christensen.

10
11 Others present were: Lynn Krebs, Carolyn Krebs, Leroy Wold, Gary Wiser, Steven Earl, Bruce
12 Lee, Mont Robinson, David Lincoln, Korby Christensen, Marian Christensen, Joshua Campbell,
13 Bob Larsen, Lisa Astle, Cory Wood, Ron Bushman, Raquel Bushman, Clay Davis, Cristyl Prue,
14 Angie Wursten, Linda Burt, Robert Burt, Laurel Hayes, Shane Boyer, David Packard, Mike
15 Hansen, Mayor Lloyd Berentzen, Gina Worthen, Brian Worthen, Curt Hanks, Nancy Hanks, Lisa
16 Boyce, Lige Palmer, Diane Iverson, Roger Anderson, Cordell Batt, Lydia Embry, Cordell Batt and
17 Marie Wilhelm.

18
19 The Pledge of Allegiance was led by Geri Christensen.

20 An invocation was given by Chris Nelson.

21
22 **Adoption of Agenda**

23 *Chris Nelson made a motion to adopt the agenda as presented. Nathan Hult seconded the*
24 *motion. A vote was called and the motion passed unanimously.*

25
26 **Approval and Follow-up of Minutes for April 5, 2014 Planning Commission Meeting**

27 *Chris Nelson made a motion to approve the minutes as presented. Brett Robinson seconded the*
28 *motion. A vote was called and the motion passed unanimously.*

29
30 **New Business**

31 **6:35 p.m. PUBLIC HEARING** for a proposal to rezone approximately 26.03 acres (parcels 04-
32 056-0001, 0004, 0005, 0006; 04-053-0027, 0029, 0054, 0069; 04-054-0005; 04-088-0005, 0006;
33 04-223-0000, 0001, 0002, 0003, 0004, 0005, 0006, 0007, 0008, 0009, 0010, 0011 of residential
34 single-family estate (RE-1) zoning to R-1-30 (minimum 20,000 sq. ft. lots using the density-
35 determinate option). Zoning to allow for a development being proposed on parcels 04-056-0001
36 and 04-054-0005 (9.25+ acres at approximately 2470 North, west side of 1250 East). Being
37 proposed on these parcels, at this time, is 12 lots with an existing single-family residence (2435 N
38 1250 E) as one of the lots. The immediate surrounding area is currently zoned Residential
39 Single-family Estates (RE-1) zoning and is being proposed to be re-zoned to the Residential
40 Single-family (R-1-30) zone.

41 Recommendation may be considered after public hearing.

42 Cordell Batt introduced the item and explained the reason for the rezone. He oriented those in
43 attendance to the site via an overhead, projected map of the site. He explained the piece of
44 property, and said part of this project would include extending 1200 East to 2500 North; and that
45 they are proposing twelve lots, ranging in size from several acres, to .46, which meets the
46 required minimum of 20,000 square-foot lots. He said in order to accomplish this lay-out, it would
47 require a rezone. He said the requested rezone for this property is R-1-30, which he said is ¾-
48 acre lots. He also said the developers are using the density determinate option, which means
49 that they cannot get any more lots from this property than the acreage allows, but they can have
50 difference sized lots. Cordell asked developer Joshua Campbell to explain the reason why he is
51 asking for this subdivision, and the reason for the rezone request.

52 Josh explained that he is not a developer by trade; that he and his wife just wanted to move back
53 to North Logan, and saw this as an opportunity to do that. He said as part of this plan, they
54 looked at several options, and this seemed to be the best, and that the lot sizes were fairly
55 consistent with the lot sizes that exist to the south, the north, and some to the east, in the half-
56 acre to one-acre range. He said given this particular layout, there are improvements that need to
57 be made on three of the four sides [of the subdivision]; and said they are looking to proceed with
58 a rezone that is consistent with some of the surrounding development and make the project
59 feasible. He used the projected map of the site to explain the reason for wanting to rezone his
60 property, and further delineated the zoning of other developments around his property.

61

62 Brad Crookston read aloud the guidelines for speaking a public hearing, and opened the public
63 hearing at 6:40 p.m.

64

65 Leroy Wold said he lives on a one acre lot next to the park, and further explained the history of
66 his property. He said his father-in-law sold the Elk Ridge Park land to the City over forty years
67 ago, and that this whole area was to remain RE-1, one acre lots, which he said has eroded over
68 the years. He mentioned the last North Logan City newsletter that asked the residents to reduce
69 their water consumption by 20%; and said he is concerned about putting more homes in here,
70 and asked where the water is going to come from. He asked what the zoning is for the part that
71 is currently being constructed [Curtis Jacobs' piece], which Cordell and the Planning Commission
72 clarified, and said it is part of what is being considered for rezone. He said he didn't understand
73 why the zoning [for the Curtis piece] would change after it has already been built out. He had
74 further questions, and Cordell said he would meet with Mr. Wold privately to continue their
75 discussion.

76

77 James Allan said he lives in Nyman's Nook, and asked who proposed the rezone for Curtis
78 Jacobs' subdivision. He said his concern is that if a citizen can ask for something like this, it
79 makes him concerned for his property, considering the zones are different around him. He asked
80 who can do this; or if this instead is coming from the Planning Commission, the City Council or
81 the Mayor, etc. He commented further about his concerns about this. He said he understands
82 why Mr. Campbell would want to rezone his land; but that the property owners in this area fought
83 this a year ago when Curtis Jacobs wanted this and the City Council and Planning Commission
84 did not allow him to do it. He said allowing this now, would create spot zoning.

85

86 Gina Worthen said she lives across the street from this area and owns an acre that includes one-
87 third an acre of open space; and said she sent an email to the Planning Commission describing
88 her concerns. She said it was mentioned that this rezone would be consistent with the lots that
89 are already there, and said she disagrees with that statement. She said her subdivision was
90 done with the open-space requirement that was in effect; and said their subdivision is like the
91 Jacobs' subdivision, in that he had to give a piece of his land for the park. She said she does not
92 agree that this would be "consistent", because it does not take into account the open space that
93 has been reserved. She said she is concerned that we are not preserving any open space with
94 this. She said it states in the Master Plan, that this area of North Logan has the rural feel that
95 everyone in North Logan likes, and is why people live here. She said we are losing it, and we
96 need to preserve it. She said she does not see how adding more lots without the subdivision
97 giving any open space is accomplishing the goal stated in the master plan: "...the main objective
98 in this area is to manage development in order to preserve the rural identity of North Logan". She
99 said this is not consistent with the other development in the area; and is unfair to the other
100 developers and owners; and asked the Planning Commission to consider this when making their
101 decision. She also said that it bothers her that this is being called R-1-30, when the notes on the
102 paperwork they reviewed says that the minimum lot size will be 20K square feet, which is really
103 R-1-20. She said this should be listed honestly, because otherwise, people don't know what to
104 expect. She asked for the Planning Commission to *please* not rezone this; that it will set a bad
105 precedent and that this would be a peninsula zone, even more than it is a spot zone. She said
106 they purchased their purposely *because* it is RE-1, and has an open feel, and said that needs to
107 be maintained.

108

109 Lydia Embry presented her comments and concerns, which she submitted in writing to the City,
110 which includes her questions about why this would need to be rezoned.

111

112 Ron Bushman said he lives directly across the street from this and said he is *adamantly* opposed
113 to this rezone. He said he has nothing against Mr. Campbell, and knows and appreciates his
114 family very much. He said when he purchased his land twelve years ago; he researched where
115 he wanted to live, and said they wanted to live in North Logan because of the rural feel. He said
116 all of North Logan City's advertising states "we are a rural community". He said he if he wanted
117 to live in high density, he would have lived in Providence. He said he does not want to live that
118 way; that he grew up on 1000 acre farm and they want some space around them. He further
119 discussed items listed in the City's master plan, and said he planned out where they were going
120 to live based on this. He said this really bothers him. He said that Curtis Jacobs tried doing this a
121 year ago, and they fought as a community against it; and that the City Council and Planning

122 Commission stood up with them and "kept it as it should be". He said he spoke to a current City
123 Council member who said that the purpose of zoning is so that people can make plan of where
124 they are going live and how their community is going to look; and said it is zoned this way for a
125 purpose. He commented further. He said while Mr. Campbell's plan isn't "terrible"; he could sell
126 the land tomorrow and someone could put twenty-two homes on this piece of ground if it is zoned
127 this way, which would be totally unacceptable. He said another major problem for him is the
128 precedent that it sets and explained further. He said this is also not fair to Curtis Jacobs. He
129 asked the Planning Commission to please consider leaving it the way it should be, which is the
130 way it is.

131
132 Bruce Lee said he agreed with what has already been said by others who are against this rezone.
133 He said he does not understand why a city would do a master plan and set its zoning forth, and
134 make that public information; so that people can come into an area, make a decision, invest their
135 money and lives; and then have it changed arbitrarily. He said he does not understand why
136 someone can come in, "just because", and change the zoning, and what has been in place for
137 years and years; and said it makes him think that there is some kind of agenda in place. He
138 reiterated his comments. He said he does not want spot zoning to occur and said there needs to
139 be trust from the Planning Commission and City staff to protect the citizenry to make sure that
140 they can come in a make a decision on where and how they want to live. He said if they don't,
141 we have to go through this [fight] every time someone makes a development. He said we just did
142 this and commented further and repeated that this does not make any sense to him.

143
144 Linda Burt said she lives inside of this area being considered for rezoning; as do her in-laws who
145 have lived here since 1970, and it has been zoned RE-1 since that time. She said there are open
146 fields adjacent to her home, that if sold, opens her up to be a neighbor to a lot more houses; and
147 there is no guarantee that someone won't buy up this land sometime in the future, and will be
148 developed in such a way that as many homes as possible could be crammed on this land, which
149 would then be her problem, because she lives next to it. She said she agrees with Bruce Lee in
150 that the main job of everyone who works for the City, including the City Council, Planning
151 Commission and City staff, is to protect the citizens and make sure that development going in
152 conforms to zoning. She asked Cordell, as the City Planner, to please protect the citizens, and
153 commented further. She said it is frustrating to do this over and over. She said the zoning is
154 there for a reason and the citizens who are in attendance are there because they are planning on
155 RE-1 zoning and are tired of the smaller zoning "creeping" into their area. She said this area is
156 the one that the General Plan considers the community and agricultural area, and can be watered
157 with secondary water, and where the lots were meant to be the way they are. She said this area
158 is what people love about North Logan and what characterizes North Logan; and said as we
159 continue to let this area condense this down, we are losing that character.

160
161 Mike Hansen said he just bought lot number one in the Elk Ridge East subdivision. He said he
162 wants to live in this area for the same reasons that previous speakers mentioned, which is
163 because of the rural feel and the openness. He said he lives in the city of Logan currently, and
164 the lot next to them was zoned high density, and that has caused a lot of problems for that area.
165 He said it is important to plan for the future. He said he knows that change is inevitable; but that
166 it is important that when change does happen, to make sure it is for the betterment of the people.
167 He commented further.

168
169 Developer Josh Campbell said that he appreciated how tied to the land the people are, and said it
170 will be the legislative body of the City Council who will ultimately make the decision. He said they
171 went over several plans carefully before deciding on this one, and this is the one that seemed to
172 work best. He explained further, and also said he would hope that people would recognize that
173 developing this subdivision helps to complete 1200 East, at the developer's expense; and said if
174 this plan isn't allowed, that may not become a reality. He commented further and said this is an
175 opportunity to be consistent with surrounding development, and get it done at a much lower cost
176 to the City.

177
178 Ron Bushman said he used to be on the MPO, who does the master plan for roads, etc. He said
179 he called them that morning and was told by Jeff Gilbert that 1200 East is on the MPO's Master
180 Plan to build that road. He said it is not funded at this point, but that it could be funded through
181 the MPO if the City applied for funding, which he said is how he understood it. He said it *could*
182 therefore be built without this developer. He also argued Josh's statement that the zoning in his

183 proposed development is consistent with the rest of the neighborhood, and detailed that further
184 explaining the use of open space in surrounding developments.

185

186 Leroy Wold said he built his house on a one acre piece of property in 1974. He said RE-1 was
187 the zoning at that time; and that in order to be consistent with City's Master Plan, RE-1 should be
188 maintained.

189

190 Korby Christensen said he lives across the street from this proposed area; and said he moved
191 here because of the open space. He said he is not at all happy with building houses on less; and
192 said he wants to be in *North Logan*, not *Logan*. He said he doesn't really care whether it gets
193 developed or not. He said that if this does not meet the look and feel of our community, then why
194 is this being done, and why are we bending the rules or even considering doing so, when this has
195 been zoned this way for *years*. He said we have an excellent Master Plan. He said he knew
196 when he moved there that when 2500 North gets built, it is going to take part of his yard, but that
197 was okay; but to start doing higher density in this area is ridiculous and does not fit. He said he
198 does not know why they have to keep coming back to fight this. He said we should have to,
199 because we have a Master Plan in place; and to have to keep fighting this kind of thing over and
200 over again seems like such a waste.

201

202 Robert Burt said he wants the Planning Commission and City staff to work with Josh to find a way
203 so that he can develop his land according to RE-1 that "won't put him in the poorhouse"; rather
204 than just "yes" or "no". He suggested that perhaps 1200 East does not need to have a sidewalk;
205 or that maybe as Mr. Bushman stated, there are other options for funding 1200 East that might
206 not cost as much.

207

208 Cory Wood said he lives on 1250 East in this area. He said 18 years ago they lived in
209 Farmington and he worked in Salt Lake City. He said Farmington started getting too crowded, so
210 they moved to North Logan. He said he still works in Salt Lake, and he drove that for 18 years,
211 because living here, the way it is right now, was worth it to him. He said if the zoning around his
212 house changes and around all the homes here, it is not going to be worth that kind of life
213 anymore. He said it will change the lifestyle in North Logan in this area. He asked the Planning
214 Commission not to make it worse for other people, just to accommodate one individual.

215

216 *As there were no further public comments, Brad Crookston closed the public hearing 7:14 p.m.*

217

218 Brad Crookston commented and said the City wants to give people the chance to speak, which is
219 why they hold public hearings. He said when this was first proposed, his first question was about
220 what the surrounding people thought about this, so he said he was glad that people came to
221 speak. He said anyone can come in and propose something; and the City's job is to entertain
222 that to a certain degree, and that it would not be right to ignore them, and commented further.

223

224 Nathan Hult said the public hearing may seem like an awkward process, but that the public's
225 comments have raised a lot of questions, and they *will* be asked of the developer and the City
Council.

226

227 Brett Robinson asked Cordell to explain the process that the Curtis Jacobs subdivision went
228 through, including that there was *not* a request for a rezone there, which some people have
229 thought. He said it was proposed at that time to take 1200 East off of the Master Plan, which was
denied, but reiterated that there was not a request for a rezone.

230

231 Cordell said he heard these same comments several years ago when Nyman's Nook went in,
232 where a lot of the people who commented are currently living, which he explained further. He
233 further detailed the three options people have when developing in the RE1 zone. He said
234 Nyman's Nook and Elk Ridge East [Curtis Jacob's subdivision] used the third option, which is
235 bonus density, which he further described, including the many subdivisions in North Logan City
236 that have used that option, and explained further. He explained the process that the Elk Ridge
237 subdivision went through; as well as the process undertaken for Josh Campbell's proposed
238 development. He said he discussed the option of doing a rezone with Josh, but said he also told
239 him that that is usually something that is not wanted, and explained further. He said the zoning is
240 looked at, in addition to the planning, transportation, roads, infrastructure and more. He further
241 discussed this proposal and said this is not the first time this area has been brought in for rezone
consideration and would not be the last time, and continued his comments on this.

242

Various items and options were discussed with Josh, which Cordell explained and commented

243 on. Cordell also explained the current rewrite of the General Plan taking place, and the district
244 plans that will be included, which may include some rezoning. He also discussed high density.
245 Cordell and Josh addressed various questions from the commission, and various commission
246 members commented on this situation. Brett Robinson said he felt this proposed rezone is a long
247 shot and commented further. He further discussed a potential trail leading to the park, and goals
248 for this area, which include maintaining the rural feel. He commented further on various related
249 items. He listed the acreage for most of the lots around this area, which primarily were around
250 one acre, give or take, and said the average among them all is .70 acres. He commented further.
251 Geri Christensen commented that there is a large process the Planning Commission has to go
252 through in reviewing all aspects of these situations, and further discussed how much the Planning
253 Commission and City staff care about the citizens and what affects them, but we must comply
254 with the ordinances in place.

255 Chris Nelson commented that he appreciated Brett's comments and agreed that the rezone is a
256 "long shot" and commented further, including that he feels we need to see a proposal that would
257 fit into this area.
258

259 *Chris Nelson made a motion to make a negative recommendation to the City Council on this*
260 *request, thereby denying the rezone request, and maintaining this zone as RE-1. Nathan Hult*
261 *seconded the motion.*
262

263 Kevin Christensen asked if the City had any liability issues if we rezone this area, since a rezone
264 was not allowed on the Curtis Jacobs piece, which he addressed; including that the City would
265 never tell anyone that they could not rezone, but said it was Mr. Jacob's decision not to, and
266 explained further.

267 The Planning Commission continued to discuss various items, including how this subdivision
268 relates to the Elk Ridge East subdivision; and Cordell addressed their questions.

269 Nathan discussed the potential option of requiring a trail easement, and would like that option
270 explored before a zoning change is considered.

271 Cordell explained how this might proceed depending on the motion and vote, per a question from
272 the commission.

273 Brett said he would like to see the trail happen, and said he feels that what Josh is asking for is
274 not unreasonable, and would also like to see the connection of 1200 East, and commented
275 further.

276 The Planning Commission continued their discussion at length. There was discussion about the
277 completion of 1200 East. Josh also addressed the commission regarding this, the zoning and the
278 development of the trail. He said he agreed with Robert Burt's comments that if there are other
279 ways of doing this, we should pursue those options. He also heard that because North Logan
280 has used \$2,000,000 for 200 East, it is highly unlikely that funds will come through the CMPO for
281 the completion of 1200 East, any time soon.
282

283 Mayor Berentzen said in relation to 200 East and the CMPO; North Logan City was successful in
284 getting almost \$10,000,000 for the completion of 200 East, and because of that, the CMPO feels
285 that North Logan City has had "it's share" for a long time. He commented that it would be very
286 difficult to get a rezone on this from the Planning Commission or the City Council. He suggested
287 that one of the things that might be done, is to keep it with the existing zoning, but do it with one
288 less lot; and if that is the case, he might then be able to get some funds from the CMPO to put
289 1200 East through, and perhaps offset some of the expense, and explained further.

290 Cordell said he would have to see if that would work. He said they did look at that, but that what
291 was left over did not leave enough property to get the larger lots; but that can be looked at again.
292 He explained further.

293 Mayor Berentzen said he is not promising anything, but wondered if something could be worked
294 out.

295 The conversation continued. Chris reminded the commission that the main issue at hand is the
296 rezoning of the land up for discussion. Kevin Christensen commented that any time we change a
297 law or the General Plan, he said he thinks it needs a compelling reason, and said he is not seeing
298 that tonight.
299

300 *A vote was called and the motion passed with Kevin Christensen, Chris Nelson, Brad Crookston,*

301 *Nathan Hult voting in favor, and Brett Robinson voting against the motion.*

302

303 Consideration of a conditional use permit for a private/commercial recreation facility located at
 304 255 East 1770 North in the (CC) Community Commercial zone. The Fun Park is looking to
 305 expand their existing parking lot and build a new outdoor laser tag arena area. (Cache Valley
 306 Fun Park, Inc.)

307 Cordell introduced the item and said this is a conditional use permit, which he further explained.
 308 He said the property to the east of the army facility has proposed a Hollywood style movie set in
 309 which to do a laser tag facility, which he further explained. He said staff is recommending
 310 approval on this based on three conditions listed in the staff report, and asked the developer to
 311 explain his intentions, which he did utilizing photos and a projected map of the site. Cordell
 312 discussed the three conditions listed in the staff report.

313 Cordell and the developer discussed various aspects of the project and addressed questions from
 314 the commission.

315 There was discussion about how the neighboring facilities might be affected by this. The
 316 developer said it will not look that different from the neighboring army facility; and also mentioned
 317 that they have invited the army facility and local police departments to train at their facility.
 318 Cordell asked if the laser lights would be an issue, and the developer explained that they are
 319 simply lights, not actual lasers; that a radio-frequency is used.

320 Kevin Christensen recommended that the developer visits with the North Park Police Department,
 321 in an effort to be good partners with them, and commented further.

322

323 *Chris Nelson made a motion to approve this conditional use permit including the requirements*
 324 *made in the staff report, along with the condition that they visit with the North Park Police*
 325 *Department. Brett Robinson seconded the motion. A vote was called and the motion passed*
 326 *unanimously.*

327

328 Consideration and possible recommendation for a Condominium Plat for the Green Canyon
 329 Plaza, about .9 acres located at the NW corner of 1600 North and 200 East in the (CG) General
 330 Commercial zone. (Green Canyon Plaza, LLC)

331 Cordell Batt introduced the project. He said this is an existing building and the reason for this
 332 request is to allow the owners to break out the individual units so that they can be sold
 333 separately. Cordell explained further and addressed various questions from the commission.

334

335 *Chris Nelson made a motion to approve this with staff's recommendations; with the condition that*
 336 *there is a business association agreement that is entered into and noted on the plat or otherwise*
 337 *that would govern the real aspects, similar to a homeowner's association. Kevin Christensen*
 338 *seconded the motion. A vote was called and the motion passed unanimously.*

339

340 Consideration and possible recommendation for a Condominium Plat revision for the Cache
 341 Valley Medical Office Building at 2380 N and 400 East in the (HOSP) Hospital zone creating a
 342 new Unit I from Units E & F. (Cache Valley Ear, Nose and Throat)

343 Cordell Batt briefly introduced the situation and the developer further explained the situation.

344

345 *Chris Nelson made a motion to approve this. Brett Robinson seconded the motion. A vote was*
 346 *called and the motion passed unanimously.*

347

348

349 *Brett Robinson made a motion to adjourn the meeting. Chris Nelson seconded the motion. A*
 350 *vote was called and the motion passed unanimously.*

351

352 The meeting adjourned at: 8:51 p.m.

353

354

355 Approved by Planning Commission:

November 19, 2015

356

357 Transcribed by Marie Wilhelm

358

359 Recorded by

360


 Scott Bennett/City Recorder