

1 **Minutes of the North Logan City**  
2 **Planning Commission**  
3 **Held on October 6, 2016**  
4 **At the North Logan City Library, North Logan, Utah**  
5  
6

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

9 Commission members present were: Brett Robinson, Brad Crookston, Bruce Lee, Robert Burt  
10 and Nathan Hult.

11  
12 Others present were: Marie Godfrey, Jake Thompson, Don Fisher, Steven Earl, Gaylen Worthen,  
13 Debbie Murray, Neil Murray, Laurie Meacham, Lydia Embry, Cordell Batt, Alan Luce and Marie  
14 Wilhelm.

15  
16 The Pledge of Allegiance was led by Bruce Lee.  
17 An invocation was given by Nathan Hult.  
18

19 **Adoption of Agenda**

20 *Brad Crookston made a motion to adopt the agenda as presented. Nathan Hult seconded the*  
21 *motion. A vote was called and the motion passed unanimously.*  
22

23 The commission agreed to allow Nathan Hult to discuss what he learned at a recent conference  
24 he attended, prior to the agenda items being discussed.  
25

26 **Approval and Follow-up of Minutes for September 22, 2016 Planning Commission Meeting**

27 *Robert Burt made a motion to approve the minutes as presented. Brad Crookston seconded the*  
28 *motion. A vote was called and the motion passed unanimously.*  
29

30 **Follow-up**

31 Brett Robinson said he wants a discussion regarding the addition of 2100 North to the Master  
32 Plan, to be on the next agenda for discussion.  
33

34 Nathan Hult discussed a recent planning conference he attended, what he learned and the  
35 information he brought back, including items regarding dark sky ordinances; a presentation on  
36 Envision Layton; and, bike and recreation paths, including potentially utilizing Proposition "1" to  
37 help pay for trails.

38 Brett Robinson explained that North Logan City, along with most of the cities in the valley, have  
39 pitched in for our new Cache County Trails Coordinator, who has an office at the county  
40 administration building and commented further. Nathan Hult asked if they wanted him to talk to  
41 the new trails coordinator to determine the status of trails and funding, which Brett Robinson  
42 asked him to do.  
43

44 **New Business**

45 Consideration and recommendation on a concept plan for a residential subdivision using the  
46 bonus determinant option in the RE-1 zone located at approximately 2200 East and between  
47 3100 North and 3400 North on 155 + acres (118 lots). (Marie Godfrey)

48 Steve Earl from Cache Landmark Engineering, who is the engineer for this project, explained the  
49 proposed development. He said this land, comprised of 155 acres, has been in the Beutler family  
50 since the 1940s, and they are planning it out to see what they want do with the land. He said  
51 they are using the density determinate option for this plan, and have done a small amount of  
52 surveying to determine which areas are too steep to build on that exceed a 30% [grade]; and  
53 determined that the buildable areas comprise approximately 131 acres, which he said would give  
54 them the option to do 118 lots. He said the proposal is to do the subdivision over a period of  
55 approximately ten years, in about ten phases; one phase per year. He said they have met with  
56 City staff a couple of times. He said they have tried to preserve the natural drainage channels  
57 that run through the property, and said there are four of them which run from east to west. He  
58 said they are proposing that there will be trail easements given to the City for each of those and  
59 said there is a trail already running through the overhead power-lines that run from north to south  
60 on the west side of the property. He said they are proposing a couple of storm water detention

61 ponds on the west border. He said they tried to minimize the number of steep roads that would  
62 be in the subdivisions, and tried to make the roads run north to south with the contours; but to  
63 make the connections, they will have to have some east/west roads that will exceed the City's  
64 maximum desired grade of 10% on the roads, but that hopefully they will be very short segments.  
65 He said they tried to make connectivity to all of the roads that are stubbed to the subdivision. He  
66 said there are currently four roads stubbed to the subdivision; two from the south and two from  
67 the west, and explained further.

68 Nathan Hult asked about water pressure which Steve addressed and said there should not be a  
69 problem. The commission discussed this further with Steve.

70 Steve addressed various questions from the commission, including potentially doing a water  
71 capacity study.

72 *Cordell Batt arrived at this time, 6:55 p.m.*

73 Cordell said the Planning Commission is to decide at this meeting which reports they want done.

74 Alan Luce said that all subdivisions at this level will be required to do water pressure and water  
75 analysis studies, which includes a study on water capacity.

76 Robert Burt asked about a sewer capacity study, which Alan said will also be done and explained  
77 further.

78 Bruce Lee asked what would take place if there was a finding of insufficient capacity and whose  
79 responsibility that would be; which Alan addressed and said this is a concern of public works, as  
80 there is a minimal amount of water in this location.

81 Bruce asked if xeriscaping would be required. Alan said they either have to do some of that, or  
82 have secondary water.

83 Brad Crookston said that Jim Malouf paid part of the bill, as did the City, to have the upper water  
84 tank up there, but that it really benefits existing and future subdivisions.

85 Alan said that the subdivisions there have also paid part of that and explained further.

86 Steve said that the bigger consideration for that tank is for fire protection, which he said  
87 comprises approximately 50% of the capacity of that half-million gallon tank that was built; and  
88 said one of the reasons that the City participated was to make it bigger when the Canyon Ridge  
89 subdivision was built, and explained further. He also said that 240,000 gallons of that tank are  
90 reserved for fire protection.

91 The road grades were also discussed. Brad Crookston said there are some roads in Canyon  
92 Ridge that are steeper [than what is being proposed here], and commented further.

93 Cordell said they are not allowed to go over 10-12% without approval from the City Council. And  
94 if they aren't acceptable, the developers will be sent back to determine another way.

95 Brett Robinson said he read through the Land Use Element, keeping in mind the potential of 118  
96 additional lots going in on our east bench. He said there are currently, approximately 251 homes  
97 east of 1600 and the canal, not including the Green Canyon area. He said this would be  
98 therefore, a 47% increase. He said this would create a massive amount of traffic. He read aloud  
99 parts of the upper east bench district development plan, which discusses the upper east bench  
100 development pressure; as well as the incomplete transportation network with limited east/west  
101 connectivity. Brett said we have a new high school coming in, and said his biggest concern is  
102 that we do not have the infrastructure below all of this to handle the connectivity for an additional  
103 118 lots, and commented further. He said this is a major change to our City. He said he is not  
104 against the subdivision or development; but said we are talking about a subdivision that should  
105 occur ten or twenty years from now, and not currently, because he said we do not have the  
106 infrastructure. He read aloud further parts of the district plan for this area.

107 Cordell said we should allow them to do the studies and have the experts comment on this.

108 Brett continued to comment that we have a major problem on our east/west corridors and that we  
109 do not have the infrastructure to get people off of the foothills.

110 Cordell said that is a perception that people have, but that it is not true when you review the  
111 numbers.

112 The debate and discussion on this continued.

113 Cordell said he is more concerned about the soils in this area, as the slide potential is very high.

114 Brad asked about 2300 North connecting up there. This was discussed further.

115 Brad discussed that the last time a subdivision was approved for this area, the Planning  
116 Commission recommended to the City Council putting a moratorium on building up there until  
117 east/west corridors were done. This was discussed further.

118 Brett discussed the portion of the plan that discusses impact fees. He said those fees sometimes  
119 seem high to developers, but said he is not convinced that they are high *enough*; and said he  
120 does not think our existing tax payers should be burdened in any way with adding more  
121 infrastructure to the roads, and explained further.

122 The discussion continued.

123 Cordell reminded the commission that what they need to do is to consider this particular proposal,  
124 whether they are going to accept this concept plan, and what studies the commission wants the  
125 developers to do; not what the City needs to do.

126 They continued to discuss various points of the proposal.

127 Brad said he does not have a problem with the concept of the subdivision; but said we do need to  
128 follow the recommendations to do the geological studies to address the potential landslide issues.

129 Brett commented on this and said he is concerned about the liability the City may have with this,  
130 and discussed areas in the state where landslides have been a problem.

131 Brad said everything within this block seems to meet the code; but that his struggle is the [road]  
132 connections. He said we keep addressing it, but it gets worse and worse, each time a subdivision  
133 proposal comes in.

134 Robert Burt asked about the Planning Commission just looking at the concept plan itself, and  
135 Cordell said the next step is that the developers will do all of the studies the City requires, and  
136 staff, including the City Engineer, will review all of that, and will work with the developers on any  
137 concerns the City may have. He said then they will bring all of that back to the Planning  
138 Commission to consider whether or not it will all actually work, and explained further.

139 Robert said he agrees with the issues regarding the roads, but asked if the Planning Commission  
140 should just be considering the concept plan at this point.

141 Brett reiterated his concerns about the lack of infrastructure and said he feels that we won't be  
142 ready for a subdivision this size for ten years or so, and stated again that this is not in compliance  
143 with our General Plan in any way, and commented further.

144 Cordell and the Planning Commission continued to discuss how to proceed, particularly in relation  
145 to the roads and infrastructure issues. Cordell reminded the Planning Commission that they are  
146 only making a recommendation to the City Council, not approving the project.

147 Brad discussed potentially recommending approval on this subdivision as presented; but with a  
148 requirement that a new access be developed from the area to help alleviate traffic.

149 Cordell said they need to determine whether they are meeting the requirements for the zone, and  
150 following the code; and also said this project cannot be obligated to fix the infrastructure needs for  
151 the whole City, and explained further.

152 The discussion continued.

153

154 *Nathan Hult made a motion to make a positive recommendation to the City Council on this*  
155 *concept plan as presented without consideration of the transportation issue, provided there are*  
156 *satisfactory studies and reports on the water pressure and capacity, and on soils, taking into*  
157 *account water and any fault lines that might be there; however, it appears there is a significant*  
158 *issue with regards to whether putting the subdivision in complies with the Master Plan and the*  
159 *issue of transportation; and the Planning Commission would like a traffic study to be done and*  
160 *reviewed first, before addressing that particular issue; because the Planning Commission has*  
161 *significant doubts that the City streets presently laid out around it can handle it. Robert Burt*  
162 *seconded the motion.*

163

164 Brett said his concern with Nathan's motion is that it is conditional upon one engineer's traffic  
165 study.

166 The Planning Commission continued to discuss and reiterate, at length, their issues and  
167 concerns, and how to proceed with a motion.

168

169 *Per the Planning Commission's discussion and agreement, Nathan Hult withdrew his motion.*  
170 *Robert Burt agreed with the withdrawal.*

171

172 The commission discussed how to best form another motion.

173

174 *Brad Crookston made a motion to make a positive recommendation to the City Council on this*  
175 *concept plan as presented with the conditions set in the staff report, along with the requirement*  
176 *that a traffic study be provided and the Planning Commission is able to review, that shows that*  
177 *the existing, over-loaded corridors such as 1600 East and 3100 North, aren't further burdened by*  
178 *the subdivision.*

179

180 This motion was discussed and Brad withdrew his motion and the Planning Commission  
181 continued to discuss their various concerns at length, and what they wanted included in a motion.

182

183 *Brad Crookston made a motion to make a positive recommendation to the City Council on this*  
184 *concept plan as presented, with the studies required in the staff report, along with the*  
185 *requirement that a traffic study is done showing the Planning Commission how this subdivision*  
186 *will be accessed and the impacts it will have on the major connection roads to it, such as 1600*  
187 *East and 3100 North. Nathan Hult seconded the motion.*

188

189 Brett said he felt that this motion was not sufficient; that they should do a separate study to  
190 discuss how traffic issues will be mitigated.

191 The Planning Commission continued their discussion and how to form the motion.

192 Cordell discussed what is typically done with the transportation plan, which was further  
193 discussed.

194 Brett said the only motion he could support is a negative motion towards this. He said he feels  
195 that that is fair to the developer in that they don't need to put money towards studies that may or  
196 may not help them in the long run. He said he thinks we should do a negative motion based on  
197 the fact that this is in violation of our General Plan; and then ask the City to review the  
198 infrastructure needs for the whole upper east bench; and if required, to put a moratorium on  
199 [building additional] subdivisions in that area. He said there is a major problem that needs to be  
200 addressed; and it is not fair to have the developer put more money into studies, etc., and then still  
201 have it be an issue down the road.

202 Brad said his problem with rejecting this is that it does meet the zoning and explained further.

203 *Brett Robinson had to leave at this time.*

204 The discussion continued.

205 After further discussion Brad restated his motion for clarity.

206

207 *Brad Crookston made a motion to make a positive recommendation to the City Council as*  
208 *presented with the staff's recommendations; with the added recommendation that the Planning*  
209 *Commission feels a traffic study should be done showing the impact on the major roads, and that*  
210 *the Planning Commission has the opportunity to review that traffic study before this is moved*  
211 *forward; and that the City Council review that study closely and consider having an independent*  
212 *second traffic study done if they deem necessary, and the City Council and the developer can*  
213 *determine who pays for that second study. Nathan Hult seconded the motion. A vote was called*  
214 *and the motion passed unanimously.*

215

216 Discussion on proposal to change the Community Development (CC) zoning matrix to not only  
217 allow light commercial/office development but also allow multi-family residential projects at a  
218 designated density. (Jake Thompson)

219 Cordell Batt introduced the item and explained the history of the situation as they previously  
220 discussed, and used a projected aerial photograph of the site to further explain the area. He said  
221 the City Council denied a rezone request for a site in this zone to build apartments. He explained  
222 that the City Council recommended potentially putting something else on this site, such as town-  
223 homes. He explained the situation and zoning further.

224 Don Fisher explained some of the particulars of the site.

225 Jake Thompson explained a potential concept for a townhome project for this site, which includes  
226 commercial out in the front part of the property. He addressed various minor questions from the  
227 commission.

228 Cordell said at this point, the developers are just trying to determine whether this is a project the  
229 Planning Commission might allow, so that they can know whether or not they should move  
230 forward with putting together a concept plan and asking for the code changes.

231 Don Fisher said they haven't had any interest from anyone on this property for 15 years; and said  
232 the only other real option would be to build potential storage sheds on the rear of the property,  
233 which he further explained. He said townhomes would be so much nicer, and would generate  
234 impact fees for the City. Don said he is at a point where he is going to build *something* on it.

235 Cordell said that one of the main concerns when the rezone was done was that they lost  
236 commercial; but that with this proposal, we would maintain both commercial as well as multi-  
237 family.

238 Per a question from Bruce Lee, Cordell said this is one of the very few pieces like this left in the  
239 City, and explained further.

240 Don said the other advantage is that this would be cleaning up this space, and creating additional  
241 value.

242 Nathan Hult said his inclination is that he thinks this is a good idea in this case, and commented  
243 further.

244 The Planning Commission continued their discussion with Cordell, and agreed that they wanted  
245 to review this further and Cordell would schedule a public hearing on this.

246 The general message from the Planning Commission to the developers was that they liked the  
247 concept.

248

249 Consideration and recommendation on an ordinance amending TITLE 11- Streets and Public  
250 ways and TITLE 12- Land Use Ordinance of the City's Code of Revised Ordinances by modifying  
251 certain sections to better regulate trails in all areas of the city. (Staff)

252 Cordell Batt discussed the current situation and City Attorney, Mark Hancey's comments. Cordell  
253 said after reviewing Mark's comments, he recommends not changing anything that is in the  
254 existing ordinance.

255 Robert Burt said he had questions about who maintains the trails and the land that goes with  
256 them.

257 Alan Luce said it is not a "one-size fits all" answer and explained further, including what should  
258 take place with potential upcoming proposals. He explained that on some, we only have a right-  
259 of-way for maintenance, but we wouldn't *want* the property and explained further; for some, we  
260 have trail easements; and, for some we do have the property as well, and explained further.

261 This was discussed further, and Alan addressed the commission's various questions.

262 Robert Burt said in the case of sidewalks, the resident is responsible for maintaining the section  
263 between the sidewalk and the road [the planting strips]. Robert said he feels that it shouldn't be  
264 any different in the case of these trails and commented further, and said he doesn't think the City  
265 should be responsible for all those little pieces all over the City that are not owned by the City.

266 After further discussion about the City's potential responsibility in having to maintain trails,  
267 particularly when they are privately owned; Alan recommended including a line that says  
268 something like, "a developer shall maintain and install these trails unless otherwise approved by  
269 the City Council through a development agreement". Cordell said that could be added. They  
270 discussed this further.

271 Cordell said he would put something together for the City Council and Planning Commission to  
272 review. Robert Burt asked Cordell to email it to them so he could read it, which Cordell said he  
273 would do, and then if they have any changes, he can include them when he takes it to the City  
274 Council for review.

275

276 *Nathan Hult made a motion to make a positive recommendation to the City Council on this*  
277 *revised ordinance; with the additional provision they discussed with regards to requiring the*  
278 *developers to have a plan for installing and maintaining trails; unless some other specific reason*  
279 *arises in which the City wants to make an exception; and that this will be tied to a development*  
280 *agreement. Bruce Lee seconded the motion. A vote was called and the motion passed*  
281 *unanimously.*

282

283 Continued discussion of the flag lot ordinance and if modifications are needed which allow people  
284 to get reasonable use out of their land, but may avoid some unwanted development patterns, if  
285 the flag lot ordinance is used in established subdivisions. (Staff)

286 Cordell Batt reviewed the Planning Commission's previous discussion on this, as well as their  
287 concerns and the Planning Commission continued their discussion. Cordell discussed an  
288 ordinance that Robert Burt had a question about, and said the attorney explained to him that that  
289 ordinance deals with a specific issue; which is on undeveloped lots that are in a zone that don't  
290 meet the requirement, width-wise, in that zone. He said if that is the case, then we have an  
291 ordinance that has a list of requirements, that if met, the City will allow them to build on that  
292 parcel, *if* it was created prior to 1970. He said there is a restriction, however, that states, that you  
293 cannot create that lot through a subdivision process. He explained further.

294 Cordell then explained the flag-lot ordinance, which allows someone to create a lot that has a  
295 "narrow neck", and it then has to meet certain criteria.

296 He explained and discussed flag-lots further. He said after discussing it with the attorney, the  
297 Planning Commission could add language that simply states "the flag lot ordinance cannot be  
298 used in an existing subdivision".

299 The Planning Commission generally agreed with this suggestion and discussed this further.

300

301 *Robert Burt made a motion to make a positive recommendation to the City Council that we create*  
302 *language either in the existing flag-lot ordinance, or create a new ordinance that states that flag*  
303 *lots do not apply to existing subdivisions. Nathan Hult seconded the motion. A vote was called*  
304 *and the motion passed unanimously.*

305

306 Set Next Agenda and/or Discussion

307 Brad Crookston said that we need to put Curtis Jacobs' project back on the agenda for  
308 discussion, which Cordell said he would do.

309

310

311 *Nathan Hult made a motion to adjourn the meeting. Robert Burt seconded the motion. A vote*  
312 *was called and the motion passed unanimously.*

313

314 The meeting adjourned at: 8:53 p.m.

315

316

317 Approved by Planning Commission:

November 3, 2016

318

319 Transcribed by Marie Wilhelm

320

321 Recorded by

322

323

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