

**CITY OF LOGAN, UTAH**  
**ORDINANCE NO. 15-17**

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF LOGAN CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain map or maps entitled "Zoning Map of Logan City, Utah" is hereby amended and the following property is hereby zoned from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20):

TIN#04-081-0016

The above parcels are also described as Exhibits A & B attached hereto.

SECTION 3: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, \_\_\_\_\_  
THIS DAY OF \_\_\_\_\_, 2015.

AYES:  
NAYS:  
ABSENT:

\_\_\_\_\_  
Jeannie F. Simmonds, Council Chair

ATTEST:

\_\_\_\_\_  
Teresa Harris, City Recorder

**PRESENTATION TO MAYOR**

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Jeannie Simmonds, Council Chair

**MAYOR'S APPROVAL OR DISAPPROVAL**

The foregoing ordinance is hereby \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
H. Craig Petersen, Mayor

# EXHIBIT A

**LOGAN**  
CITY OF THE FUTURE

**Bridgerland Meadows Re-Zone**  
1530 N 500 W

**MR-12** **Existing Zoning MR-12** **MR-12**  
**MR-12** **MR-12**

600 W 1400 W 1600 N 1470 N

Planning Commission Aug. 13, 2015

**LOGAN**  
CITY OF THE FUTURE

**Bridgerland Meadows Re-Zone**  
1530 N 500 W

**MR-12** **Proposed MR-20** **MR-12**  
**MR-12** **MR-12**

600 W 1400 W 1600 N 1470 N

Planning Commission Aug. 13, 2015

# EXHIBIT B

A 3.47 acre eastern portion of Phase 4 in the Bridgerland Meadows Townhome Project

Parcel # **04-081-0016**

## Legal Description

----- 2015 -----

BEG AT SE COR LT 1 BLK 6 PLT D LOGAN FARM SVY & TH N0°35'58"E 370.97 FT TH N89°37'31"W 16.5 FT TO TRUE POB BEING IN NEW W LN OF 400 W ST TH N89°37'31"W 1187.55 FT TO E LN OF OSL RR R/W TH ALG SD R/W N1°53'30"E 962.68 FT TH S89°44'21"E 1161.26 FT TO NEW W LN OF 400 WEST ST TH S0°19'35"W 964.65 FT TO BEG CONT 25.98 AC M/B LESS: BRIDGERLAND MEADOWS TOWNHOMES PUD PH 1 (04-183-0101 TO 1504) LESS: BRIDGERLAND MEADOWS TOWNHOMES PUD PH 2 (04-183-0001,0002,0003 & 1601 TO 2408) LESS: BRIDGERLAND MEADOWS TOWNHOMES PUD PH 3 (04-183-2501 TO 4304) LESS: BRIDGERLAND MEADOWS TOWNHOMES PUD PH 4-A (04-183-5301 TO 5404) LESS: BRIDGERLAND MEADOWS TOWNHOMES PUD PH 4-B (04-183-5001 TO 5204) LESS: BRIDGERLAND MEADOWS TOWNHOMES PUD PH 4-C (04-183-4801 TO 4905) NET 3.47 AC



## MEMORANDUM TO MUNICIPAL COUNCIL

DATE: August 25, 2015  
FROM: Russ Holley, Senior Planner  
SUBJECT: Bridgerland Meadows Rezone

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### **Summary of Planning Commission Proceedings**

On Aug 13, 2015, the Planning Commission voted on a **recommendation for denial** to the Municipal to rezone 3.4 acres located in phase 4 of Bridgerland Meadows at approximately 1530 North 500 West from MR-12 to MR-20.

### **Planning Commissioners vote (5 - 1):**

#### **Motion to recommend denial:**

Moved: Commissioner Sinclair Seconded: Commissioner Price Vote: 5-1

Yea: A. Davis, T. Jensen, T. Nielson, R. Price, S. Sinclair Nay: R. Croshaw Abstain:

#### **Attachments:**

*Staff Report*  
*Ordinance 15-17*  
*PC Meeting Minutes*  
*Project Images*  
*Written Comment*



**Project #15-038  
Bridgerland Meadows Rezone  
Located at 1530 North 500 West**

**REPORT SUMMARY...**

*Project Name:* Bridgerland Meadows Rezone  
*Proponent/Owner:* Don Barringer / Don Barringer  
*Project Address:* 1530 North 500 West  
*Request:* Rezone from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20)  
*Type of Action:* Legislative  
*Hearing Date:* August 13, 2015  
*Submitted By:* Russ Holley, Senior Planner

**RECOMMENDATION**

Staff recommends that the Planning Commission **recommend denial** to the Municipal Council for a Rezone from MR-12 to MR-20, located at 1530 North 500 West, TIN #04-081-0016

*Land use adjoining the subject property*

<i>North:</i>	MR-20 Residential Uses	<i>East:</i>	NR-6: Residential Uses
<i>South:</i>	MR-12: Residential Uses	<i>West:</i>	MR-12: Residential Uses

**Request**

The request is to rezone a 3.4 acre portion of phase 4 of the previously permitted Bridgerland Meadows multi-family home project from MR-12 to MR-20. The area is approximately the western half of phase 4 directly adjacent to 500 West and 1530 North street.

**Bridgerland Meadows Project**

Phase 1 was approved in 2004 under the MFM zoning classification, with subsequent phases 2-4 being approved in 2006. The total project was approved with 286 townhome style dwelling units, a clubhouse and storage buildings. Phase 1 has 74 units on 7.29 acres, phase 2 has 43 units on 5.54 acres, phase 3 has 93 units on 7.62 acre and phase 4 has 76 units on 4.88 acres. Density was approved on an overall gross project basis, not phase by phase.

In October of 2011 the proponent applied to amend phase 3 so that the last two buildings in that phase would have 3 additional units. The three additional units were taken from phase 4, so that the overall density would not change. The areas of the overall project yet to be constructed, are the storage buildings in phase 2 and the remaining approximate 3.46 acres within phase 4.

**Zoning History**

The City of Logan adopted Zoning regulation in August of 1950. The zoning history of the area is the following:

Year	Zone	Use/Structure Permitted
1986	M1/AG	The area was split between these two zones that allowed manufacturing and agricultural related land uses.
2000	CG	Commercial General zoning allowed a range of commercial, retail, light manufacturing and office land uses.
2004	MFM	Multi-family residential land uses with a maximum density of 11 units per acre
2011	MRM	Multi-family residential land uses with a maximum density of 11 units per acre
2014	MR-12	Multi-family residential land uses with a maximum density of 12 units per acre

### General Plan

The Future Land Use Plan (FLUP) adopted in 2008 identifies this entire area Mixed Residential (MR). The General Plan describes MR areas as having a mix of housing types avoiding repetitious rows of the same house and having a density range between 15-30 units per acre.

### Land Development Code (LDC)

The Land Development Code (LDC) has four different MR zoning designations (MR-9, MR-12, MR-20, and MR-30) that range in densities, heights, setbacks and structure types. The existing zone of MR-12 allows 12 units per acre, 10 foot front yard setbacks, 35 foot tall buildings and a lot coverage maximum of 40%. The proposed zone of MR-20 allows 20 units per acre, 10 foot front yard setbacks, 45 foot tall buildings and a lot coverage maximum of 60%.

### Summary & Recommendation

After numerous public hearings, neighborhood meetings and workshops over the past several years in the Bridger Neighborhood, it has become increasing evident by both local neighborhood residents, the local school board and elected officials, that this area already has enough density and a disproportionate amount of multi-family projects as compared to the other neighborhoods within the city. The applicant willingly proposed and was approved to take 3 units from phase 4 in 2011 to build two new 6-plexes instead of the originally approved 4-plex and 5-plex. The applicant was never given any guarantee or entitlement to somehow re-gain these 3 units later on.

Even with the FLUP indicating the area as MR and the General Plan having a range of 15-30, the zoning ordinance has further defined the MR designations into 4 different classifications. The zoning map for this area has been reviewed and adopted twice in the last five years. Staff is recommending that the City deny this rezone request.

### PUBLIC COMMENTS

Staff has received two (2) phone calls and one (1) written comment from the Logan City School Superintendent expressing opposition to the rezone request. The written comment is attached for review.

### AGENCY AND CITY DEPARTMENT COMMENTS

City Departments and contacted agencies did not have any comments on the rezone at this time.

## **PUBLIC NOTIFICATIONS**

Legal notice was published in the Herald Journal on 7/23/2015, and the Utah Public Meeting website on 7/27/2015. A Quarter Page Ad was published in The Herald Journal on 7/26/2015. A public notice was mailed to property owners with 300' of the project on 7/27/2015.

## **RECOMMENDED FINDINGS FOR DENIAL**

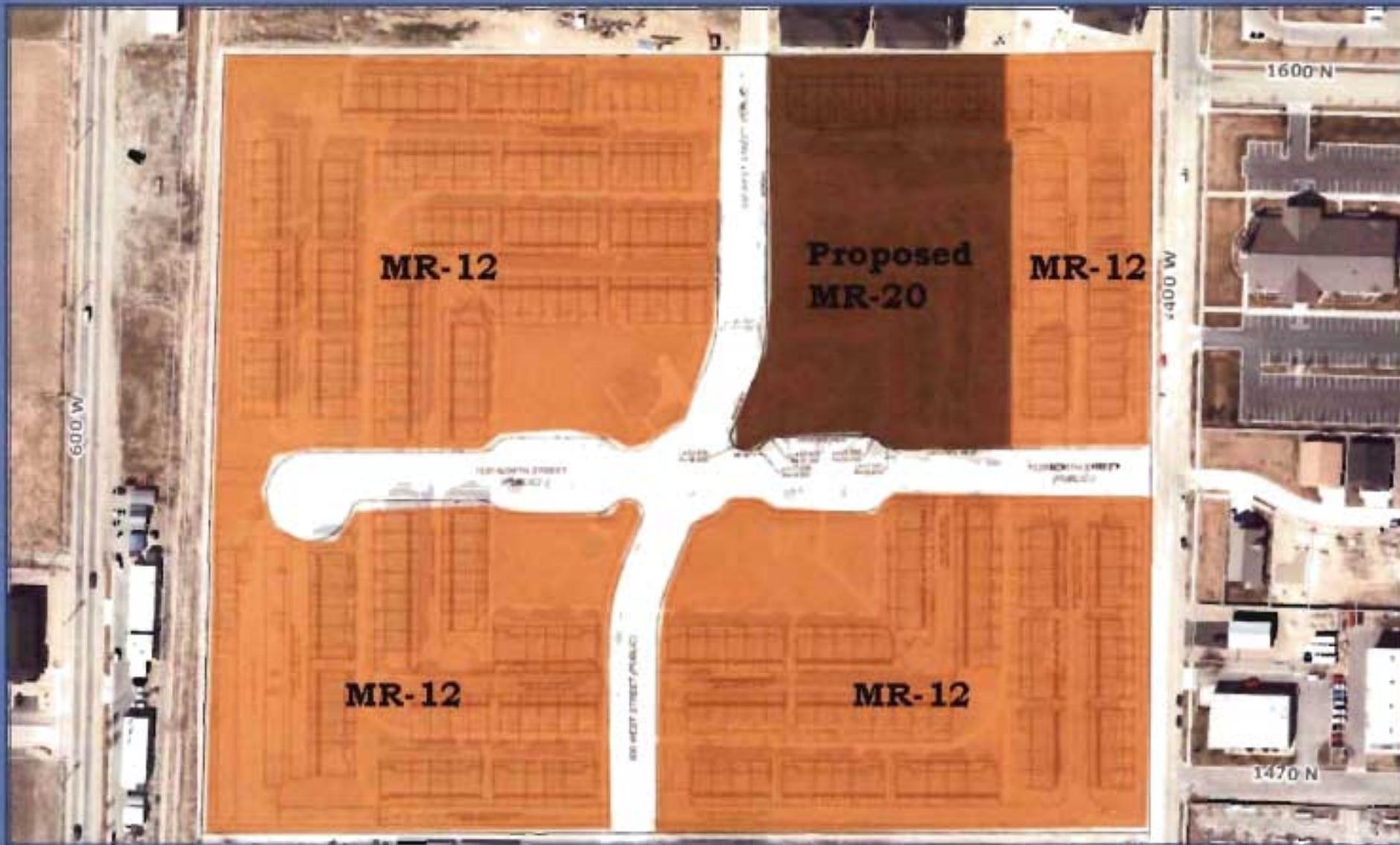
The Planning Commission bases its decisions on the following findings:

1. The proposed rezone is not consistent with the original project approval and development project.
2. The proposed rezone would likely result in further frustration by neighborhood residents and school district employees about land use in the Bridger Neighborhood.
3. The zoning in this area has already been reviewed and adopted twice in the last 5 years to allow existing multi-family projects to be completed, but to not allow changes or new multi-family projects in the area.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

# Bridgerland Meadows Re-Zone

1530 N 500 W



# Bridgerland Meadows Re-Zone

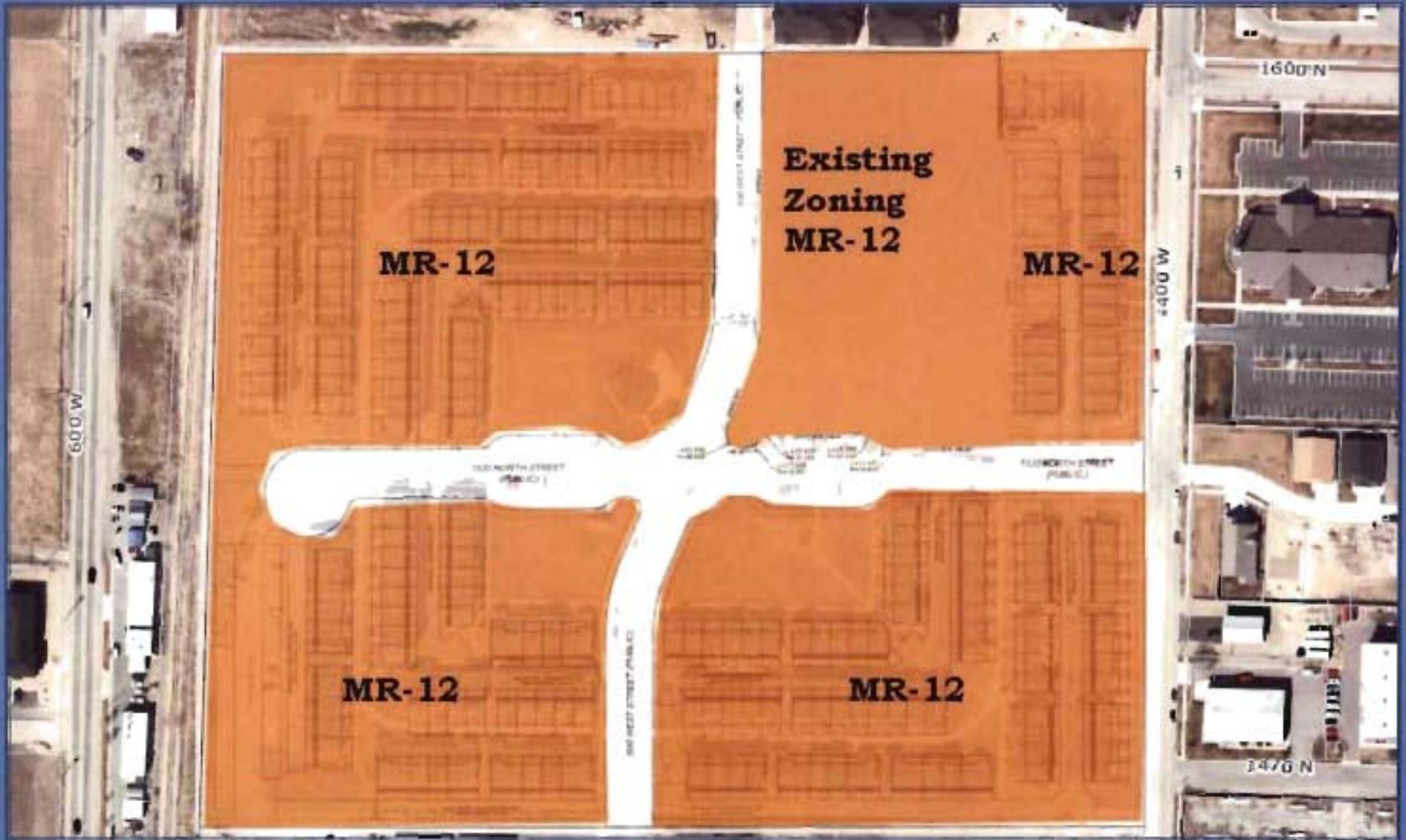
1530 North 500 West



Re-Zone Area  
Current Zoning = MR-12

# Bridgerland Meadows Re-Zone

1530 N 500 W



# Bridgerland Meadows Re-Zone

1530 North 500 West



Re-Zone Area





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## PLANNING COMMISSION MINUTES

### Meeting of August 13, 2015

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City Hall Council Chambers \* 290 North 100 West Logan, UT 84321 \* [www.loganutah.org](http://www.loganutah.org)

Minutes of the meeting for the Logan City Planning Commission convened in regular session Thursday, August 13, 2015. Chairman Davis called the meeting to order at 5:30 p.m.

Planning Commissioners Present: Amanda Davis, Roylan Croshaw, Tom Jensen, Tony Nielson, Russ Price, Sara Sinclair

Planning Commissioners Absent: David Butterfield

Staff Present: Mike DeSimone, Russ Holley, Amber Reeder, Bill Young, Paul Taylor, Craig Humphreys, Kymber Housley, Debbie Zilles

The oath of office was given to new Planning Commissioner Tony Nielson by City Recorder, Teresa Harris.

Minutes as written and recorded from the July 23, 2015 meeting were reviewed. Commissioner Price moved that the minutes be approved as submitted. Commissioner Sinclair seconded the motion. The motion was unanimously approved.

### PUBLIC HEARING

**PC 15-038 Bridgerland Meadows Zone Change** Don Barringer, authorized agent/owner, requests a rezone of 3.46 acres (a portion of Phase IV) from MR-12 to MR-20 located at 1530 North 500 West.

**STAFF:** Mr. Holley reviewed the request to rezone a 3.4 acre portion of phase 4 of the previously permitted Bridgerland Meadows multi-family home project from MR-12 to MR-20. The area is approximately the western half of phase 4 directly adjacent to 500 West and 1530 North.

Phase 1 was approved in 2004 under the MFM zoning classification, with subsequent phases 2-4 approved in 2006. The total project was approved with 286 townhome-style dwelling units, a clubhouse and storage buildings. Phase 1 has 74 units on 7.29 acres, phase 2 has 43 units on 5.54 acres, phase 3 has 93 units on 7.62 acres and phase 4 has 76 units on 4.88 acres. Density was approved on an overall gross project basis, not phase by phase.

In October of 2011 the proponent applied to amend phase 3 so that the last two buildings in that phase would have three (3) additional units. The additional units were taken from phase 4, so that the overall density would not change. The areas of the overall project yet to be constructed are the storage buildings in phase 2 and the remaining approximate 3.46 acres within phase 4.

After numerous public hearings, neighborhood meetings and workshops over the past several years in the Bridger Neighborhood, it has become increasing evident that this area already has enough density and a disproportionate amount of multi-family projects as compared to the other neighborhoods.

The applicant willingly proposed and was approved to take three (3) units from phase 4 in 2011 to build two new 6-plexs instead of the originally approved 4-plex and 5-plex. The applicant was never given any guarantee or entitlement to somehow regain these 3 units later on.

The Future Land Use Plan (FLUP) indicates the area as MR having a range of 15-30; the zoning ordinance has further defined the MR designations into four different classifications. The zoning map for this area has been reviewed and adopted twice in the last five years. Staff recommends denial of this rezone request.

**PROPONENT:** Don Barringer, owner of the development, explained that they have been working on this project since 2004. It was originally approved for 286 units on 26 acres with approximately 4 acres of open space/park area in the middle of the development. Coming out of the recession in 2011, the decision to build a smaller unit to be more affordable and marketable was made. Staff was asked if it would be feasible to build a smaller unit during phase 3 while still maintaining the overall number of units. At that time, the City had a density bonus program and the developer was told that those units would be given back during phase 4. When phase 4 was started, Mr. Barringer was told that there was no longer a density bonus program. He explained that this zone change request is confusing because it states that MR-20 is being requested on 3.46 and that is not what they are trying to accomplish, the goal is to build two 6-plex units instead of two 4-plex units on the north end of the property.

Kris Kvarfordt, Cache-Landmark Engineering, clarified that the original density worked out to be 11 units/acre (which is lower than the current MR-12 zone). Based on the current zone, there could be a maximum of 312 units; however, the request is only for a total of 293. Requesting this zone change is the only mechanism in which to get back the additional units. A design review packet was submitted at the same time as the zone change application to emphasize that the intent is for only the additional units; the proponent would even be willing to enter into a development agreement if necessary.

**PUBLIC:** Emails from Todd Grant, Dean Quayle and Frank Schofield, the Superintendent of the Logan City School District, regarding opposition to the zone change were received and distributed to the Commission prior to the meeting.

**COMMISSION:** Mr. Holley pointed out that consideration at this meeting is only for the rezone of 3.4 acres. Any change in building and/or layout would be addressed during the design review process.

Mr. Barringer confirmed for Commissioner Croshaw that the units are sold, although some may be turned in rentals, the goal is for private ownership.

Commissioner Jensen asked about the difference in the number of units allowed if the zone was changed from MR-12 to MR-20. Mr. Holley said it could be approximately 20 additional units on the 3.4 acre portion at maximum density. The applicant has only asked for 6 additional units.

The Commission reviewed the current zoning of the area.

Commissioner Jensen pointed out that although the additional units would not be a huge concern, that area has been very vocal about over-density and changing the zone would not send the right message. He did note his appreciation for the open space considerations in the design.

Although the project as a whole is under the allowable density, Commissioner Croshaw agreed with Commissioner Jensen's concerns.

Mr. Housley answered for Commissioner Jensen that because this is a separate parcel, the only way to obtain the additional units would be through a zone change.

**MOTION:** Commissioner Sinclair moved to forward **a recommendation for denial** to the Municipal Council for a zone change as outlined in PC 15-038 with the findings as listed below. Commissioner Price seconded the motion.

FINDINGS FOR DENIAL

1. The rezone is not consistent with the original project approval and development project.
2. The rezone would likely result in further frustration by neighborhood residents and school district employees about land use in the Bridger Neighborhood.
3. The zoning in this area has already been reviewed and adopted twice in the last 5 years to allow existing multi-family projects to be completed, but to not allow changes or new multi-family projects in the area.

Moved: Commissioner Sinclair Seconded: Commissioner Price **Passed: 5-1**  
Yea: A. Davis, T. Jensen, T. Nielson, R. Price, S. Sinclair Nay: R. Croshaw Abstain:

Russ Holley <[russ.holley@loganutah.org](mailto:russ.holley@loganutah.org)>**Fwd: Project Review for Aug 27 Planning Commission Items**

1 message

**Debbie Zilles** <[debbie.zilles@loganutah.org](mailto:debbie.zilles@loganutah.org)>

Thu, Jul 30, 2015 at 2:19 PM

To: Mike Desimone <[mike.desimone@loganutah.org](mailto:mike.desimone@loganutah.org)>, Russ Holley <[russ.holley@loganutah.org](mailto:russ.holley@loganutah.org)>, Amber Reeder <[amber.reeder@loganutah.org](mailto:amber.reeder@loganutah.org)>

----- Forwarded message -----

From: **Frank Schofield** <[Frank.Schofield@loganschools.org](mailto:Frank.Schofield@loganschools.org)>

Date: Thu, Jul 30, 2015 at 1:42 PM

Subject: Re: Project Review for Aug 27 Planning Commission items

To: Debbie Zilles <[debbie.zilles@loganutah.org](mailto:debbie.zilles@loganutah.org)>

Debbie,

The Logan City School District is concerned about the continued building of multi-family dwellings in the Logan. Our preference would be to focus on building single family homes.

Frank Schofield  
Superintendent, Logan City School District

>>> **Debbie Zilles** <[debbie.zilles@loganutah.org](mailto:debbie.zilles@loganutah.org)> 7/30/2015 10:08 AM >>>

Attached are the items to be reviewed for the Aug. 27 Planning Commission meeting.

**Debbie Zilles**

Logan City Community Development

290 North 100 West

Logan, UT 84321

435.716.9021

[debbie.zilles@loganutah.org](mailto:debbie.zilles@loganutah.org)



Russ Holley <russ.holley@loganutah.org>

**Russ; I am opposed to the zoning change at Bridgerland Meadows from mr-12**

1 message

Todd Grant <toddgrant1959@gmail.com>

Thu, Aug 6, 2015 at 4:15 PM

To: "russ.holley@loganutah.org" <russ.holley@loganutah.org>

to mr-20. I own one of the town homes there. Thanks Todd Grant. I can be reached at 801-787-7235 or toddgrant1959@gmail.com. Pass this on to the city council