



**Project #16-025
Burton Rezone
Located at 239 North 200 East**

REPORT SUMMARY...

Project Name: Burton Rezone
Proponent/Owner: David Burton / MJ Enterprises Cache Valley
Project Address: 239 North 200 East
Request: Rezone from TC to MR-20
Current Zoning: Town Center (TC)
Date of Hearing: May 26, 2016
Type of Action: Legislative
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission **recommend denial** to the Municipal Council for a rezone from TC to MR-20, Burton Rezone, for the property located at 239 North 200 East; TIN #06-062-0036.

Land use adjoining the subject property

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

Request

The request is to rezone a 0.25 acre parcel from Town Center (TC) to Mixed Residential Medium (MR-20) with the applicant intent of constructing a multi-family apartment building.

Existing Conditions

The site currently sits contains a developed 10-stall asphalt parking lot and driveway approach onto 200 East. The remainder of the site contains multiple trees and low growing vegetation. This parcel was subdivided off the larger medical office complex property located to the west in May of 2009 (Second East Subdivision). The asphalt parking lot still connects to the back parking lot of the medical office complex.

Zoning History

The City of Logan adopted Zoning regulations in August of 1950. The zoning history of the area is as follows:

Year	Zone	Use/Structure Permitted
1950	R-3	Single Family and up to 4 Dwelling Units with 9,000 SF min lot size
1976	R-4	Single Family to Multi-Dwelling Units with 6,000 SF min base lot size plus 1000 SF per additional unit
2000	MFH	Multi-Family Residential Uses up to 14 units per acre.
2011	TC	Town Center – Primary Commercial Uses w/ optional Secondary Residential Uses

Neighborhood Compatibility

Based on the diverse zoning history of this area, the site development patterns and buildings are varied. The three largest structures are the LDS Church on the opposite corner, the Senior Citizen Center and the Medical Office Complex directly west of the site. The majority of the

structures on the block are residential, with 11 single family homes and 10 multi-family structures. Both 100 East and 200 East are used as alternatives to Main Street for north/south travel. Farther north and in some areas to the south, both 100 East and 200 East have significant commercial development.

General Plan

The Future Land Use Plan (FLUP) adopted in 2008, identifies this entire block as Town Center (TC) commercial. TC areas are describes as having the majority of the communities historic and cultural resources. The Town Center will act as the hub of the valley having dense commercial, civic, entertainment and residential development. High-quality developments will provide excellence gathering spaces for residents of Cache Valley and the City of Logan.

Land Development Code (LDC)

The Land Development Code (LDC) §17.15.070 describes the TC zone as a compact commercial zoning district with minimal building setbacks, tall building heights and the promotion of high quality development that is both walk-able and compatible with Logan's rich historical past. The LDC describes the MR-20 zone as a mixed residential zone intended for a variety of housing types developed at a maximum of 20 units per acre.

Summary & Recommendation

With the recent upgrades to 200 East and the projected growth of Cache Valley and Logan, a robust commercial core is vital to the communities overall longevity. Because of the surrounding conditions of the neighborhood and the unique and odd shape of this particular parcel, a better long-term land use resolution would be a consolidated quality commercial development serving the regional and local populations. Although high-density housing is important to a town center, providing 24-hour vibrancy and housing diversity options, the TC zone envisions residential development in the vertical mixed-use layout which better utilizes ground floor space for commercial services. Based on these issues, combined with the General Plan's recommendation, staff is recommending denial of this rezone request and is in favor of leaving the parcel zoned TC for future commercial developments.

PUBLIC COMMENTS

As of the time the staff report was prepared, no written comments have been received; however, two verbal comments from neighbors in the area of the project site voiced opposition to the request.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments.

RECOMMENDED FINDINGS FOR DENIAL

The Planning Commission bases its decisions on the following findings:

1. The proposed re-zone is not consistent with the adopted Logan City Future Land Use Plan.
2. The proposed rezone is not consistent with the Logan City General Plan.
3. The proposed rezone would likely result in the area not being developed as high quality commercial development as contemplated in the General Plan.
4. By not changing the zoning, this site will have a better likelihood of being combined and developed in a collaborative method that may better accomplish the goals in the General Plan.

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.



APPLICATION FOR PROJECT REVIEW

Planning Commission Land Use Appeal

Board Administrative Review

Date Received 04/26/2016	Received By	Receipt Number	Zone TC	Application Number PC 16-025
Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Zone Change <input type="checkbox"/> Administrative Design Review <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Variance <input type="checkbox"/> 4950' Design Review <input type="checkbox"/> Other _____				
PROJECT NAME BURTON REZONE				
PROJECT ADDRESS 239 N 200 E, Logan UT 84321			COUNTY PLAT TAX ID # 06-062-0036	
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) David Burton			MAIN PHONE # 435-762-0100	
MAILING ADDRESS 174 N 400 E	CITY Providence	STATE UT	ZIP 84332	
EMAIL ADDRESS davidm.burton37@comcast.net				
PROPERTY OWNER OF RECORD (Must be listed) MS Enterprises Cache Valley			MAIN PHONE # 435-770-4433	
MAILING ADDRESS 440 N 7200 W	CITY Petersboro	STATE UT	ZIP 84325	
EMAIL ADDRESS				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) Clear unused land from a home burned approx 40 years ago, and build a multi family building. Rezoned from Town Center to MR 20 - NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -			Total Lot Size (acres) .25 Acre	
			Size of Proposed New Building (square feet)	
			Number of Proposed New Units/Lots one lot	
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner.			Signature of Property Owner's Authorized Agent David M Burton	
I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.			Signature of Property Owner See attached Real Estate Purchase Contract	

Council workshop: June 7
Council hearing: June 21

SW⁴Section 34 Township 12 North Range 1 East

Scale 1 Inch = 50 Feet

Block 32, Plat "A" Logan City Survey

TAX UNIT 27

PC 16-025

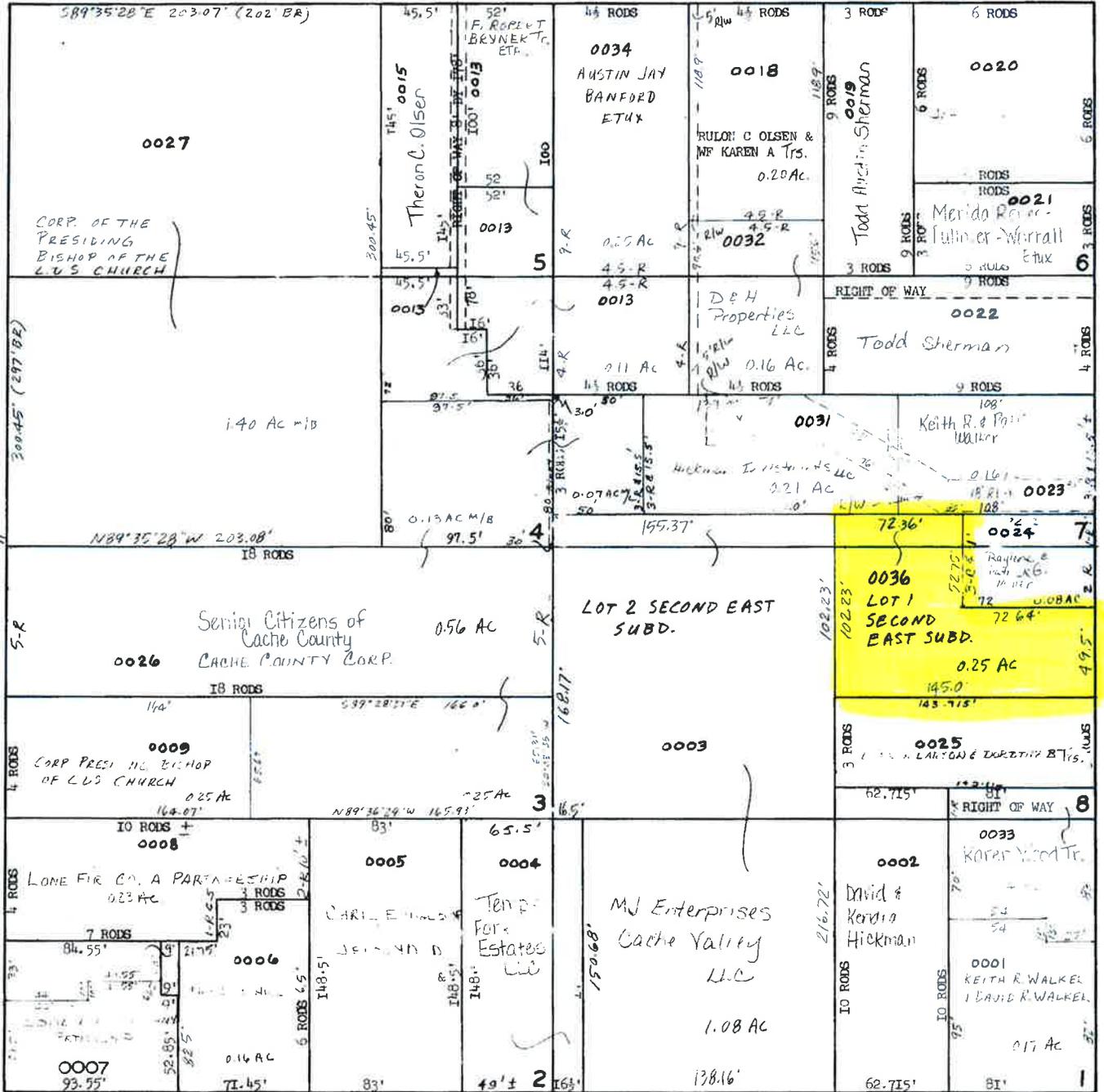
SEE 06-044

THIRD NORTH STREET

EAST STREET

EAST STREET

FIRST STREET



SECOND NORTH STREET

SEE 06-066

SEE 06-017