



**Project #16-035
The Family Place Rezone
Located at 380 West 1400 North**

REPORT SUMMARY...

Project Name: The Family Place Rezone
Proponent/Owner: Lance Parker / Child and Family Support of Cache Valley Inc.
Project Address: 380 West 1400 North
Request: Rezone from MR-12 to CC
Current Zoning: MR-12
Date of Hearing: Aug. 11, 2016
Type of Action: Legislative
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission **recommend approval** to the Municipal Council for a rezone from MR-12 to CC, The Family Place Rezone, for the property located at 380 West 1400 North; TIN #05-041-0042.

Land use adjoining the subject property

<i>North:</i>	CS- Commercial Uses	<i>East:</i>	MR-12 Residential Uses
<i>South:</i>	MR-12 Residential Uses	<i>West:</i>	MR-12 Residential Uses

Request

The request is to rezone a 0.82 acre parcel from Mixed Residential Low (MR-12) to Community Commercial (CC) with the applicant's intent of broadening the range of permitted land uses for the purposes of selling the property to a future user. A commercial daycare (17 or more clients) is indicated as the proposed future land use.

Existing Conditions

The building was originally constructed in 1987 and a substantial building addition was constructed in 2004 on the north side. A conditional use permit was also issued for community services (The Family Place) in 2004. The site contains a 6,000 SF one-story brick building, a 16 stall parking lot, circular driveway drop-off area, a playground and full landscaping. The parking lot is accessed via 1400 North and the drop-off area is accessed via 400 West.

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
1983	R-4	Single 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	MRH	Multi-Family Residential Uses up to 14 units per acre.
2012	MR-12	Multi-Family Residential Uses up to 12 units per acre.

Allowed Land Use in CC Zoning District

	CC
Assisted Living Center	C
Nursing Home, Convalescent Home	C
Caregiver, Certified NA or CA	P
Group Home where care, training, or treatment IS provided on-site.	C
Residential occupancy of a dwelling unit by a family, or no more than three unrelated individuals. *One caretaker or security guard may be permitted to live on-site as an accessory use with a Conditional Use Permit.	P ¹
Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community	C
Family Day Care/Preschool (1-8 Clients) Family Group Day Care/Preschool (9-16 Clients)	P
Commercial Day Care (17 or more clients)	C
Parks and Open Space	C
Religious Institutions	C
Clubs, Lodges, similar uses	C
Libraries, Museums, Community Centers	C
Public Safety Services	C
Public School (K-12)	C
Private Schools (K-12)	C
Utilities, basic service delivery and laterals	P
Utilities, structures, physical facilities (Regional Facilities)	C
Office – General business, government, professional, medical, or financial	C
Bank, savings and loans, or credit union	C
Clinic, medical, dental, or optical	C
Bed and breakfast	C
Firms involved in the sale, lease or rent of new or used products to the general public. These firms may also provide personal services or entertainment, or provide product repair or services for consumer and business goods	C
Animal clinic or pet hospital, No outdoor pens	C
Antique or collectible shop	C
Art supply store	C
Barber or beauty shop	C
Bakery or confectionery shop, retail sales	C
Camera shop	C
Clothing	C
Convenience Market (no gasoline)	C
Copy Center	C
Dairy products or ice cream	C
Drug store or pharmacy	C
Dry cleaner	C
Florist shop	C
Garden shop, plant sales, nursery	C
Grocery store	C

	CC
Handicraft and art object sale	C
Hardware store	C
Hobby shop	C
Laundromat	C
Locksmith or key shop	C
Music store	C
Personal services such as milliner, tailor, etc.	C
Pet shop for small animals, bird, fish	C
Provisioning and recreational sporting goods sales	C
Restaurant, Fast Food	C
Restaurant, General	C
Shoe, boot, or other leather goods sale and repair	C
Studio, health& fitness	C
Studio, photographer, artist, music, dance, and drama	C
Electric fueling facilities for vehicles (not petroleum) in conjunction with a primary use	C
Detention Facilities	N ²
Residential Programs for Drug & Alcohol Treatment	N ²
Alternative or Post Incarceration Facilities	N ²
Railroad tracks and lines for the movement of trains	C

Allowed Land Uses in MR-12 Zoning District

	MR-12
Assisted Living Center	P
Nursing Home, Convalescent Home	P
Group Home where care, training, or treatment IS provided on site.	N ²
Group Home where care, training, or treatment IS NOT provided on site.	C
Residential occupancy of a dwelling unit by a family, or no more than three (3) unrelated individuals.	P
Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community	C
Family Day Care/ Preschool (1-8 Clients)	P
Family Group Day Care/ Preschool (9-16 clients)	C
Neighborhood Parks and Open Areas	P
Community/Regional Parks	C
Religious Institutions	P
Clubs, Lodges, similar uses	C
Libraries, Museums, Community Centers	C

	MR-12
Cemetery, Mausoleum	C
Public Safety Services (fire, police)	C
Public Private Schools (K-12)	C
Wireless Telecommunication Facilities	C
Radio, television, microwave towers or other telecommunication towers	C
Amateur radio towers of 50' or less in height above the average elevation of the subject property	C
Utilities, basic service delivery and laterals	P
Utilities, distribution network	C
Utilities, structures, physical facilities, (Regional Facilities)	C
Municipal water well, reservoir, or storage tank	C
Residential Programs for Drug & Alcohol Treatment	N ²
Alternative or Post Incarceration Facilities	N ²

Neighborhood Compatibility

This area is quite diverse with commercial/industrial business across the street to the north and farther west. Some single family residential is south of the site, but the majority of the surrounding residential is multi-family structures. The site is already developed in a manner close to the CC zoning district requirements, with the building oriented to the street, low building heights, small parking lots areas and front yard landscaping.

Based on the use tables above for both zones, impacts to the area would be similar. Although there are numerous larger commercial options 2-4 blocks east, some small scale, walk-able neighborhood serving commercial uses could be beneficial to area residents. A commercial daycare is indicated by the applicant as the proposed first use, and this property, with the drop-off up front and playground out back is configured nicely for that.

General Plan

The Future Land Use Plan (FLUP) adopted in 2008, identifies this area as Mixed Residential (MR). The CC zoning district did not exist when the General Plan was adopted, but could be considered similar to the Neighborhood Commercial (NC) zoning district. The General Plan encourages small scale NC dispersed throughout the city with strict design standards to mitigate impacts to the adjacent neighbors while providing walk-able commercial services for residents.

Land Development Code (LDC)

The Land Development Code (LDC) §17.12.080 describes the MR-12 zone as a district providing a mix of housing options for all stages of life. MR-12 zones are typically located near employment centers and commercial services. LDC §17.16.040 describes the CC zone as a district that encourages small scale commercial and neighborhood compatibility. This zone encourages the preservation of existing structures through adaptive reuse. To ensure compatibility and proper mitigation the majority of the uses allowed in the CC zoning require a Conditional Use Permit.

Summary & Recommendation

This building was constructed as a commercial structure and to convert it to a residential structure in conformance with the MR-12 zone is impractical. The allowed commercial uses on the MR-12 are very limited. The property is already developed in a manner that is sensitive to the adjacent residents and with Conditional Use Permits required for most CC land uses, further opportunities to control impacts will be reviewed case by case. Staff considers the rezone request and the opportunity for additional small-scale walk-able neighborhood serving commercial beneficial to the area.

PUBLIC COMMENTS

As of the time the staff report was prepared, no written comments have been received.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decisions on the following findings:

1. The proposed re-zone is consistent with the site layout and property configuration as currently developed.
2. The proposed rezone, if considered similar to that of the Neighborhood Commercial, is consistent with the Logan City General Plan.
3. The proposed rezone is limited enough to ensure neighborhood compatibility with the current character of the area.
4. The streets and infrastructure services in the property are sufficient in size and capacity to handle all allowed uses in the CC zoning district.

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 7-11-16	Received By	Receipt Number 312462	Zone MR-12	Application Number PC 16-035
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 The Family Place Rezone				
PROJECT ADDRESS 380 West 1400 North Logan, UT 84341			COUNTY PLAT TAX ID # 05 -- 041 -- 0042	
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) Lance Parker			MAIN PHONE # 435-764-8561	
MAILING ADDRESS 45 E 200 N Ste 200	CITY Logan	STATE UT	ZIP 84321	
EMAIL ADDRESS lparker.logan@gmail.com				
PROPERTY OWNER OF RECORD (Must be listed) Child and Family Support Center of Cache County Inc			MAIN PHONE # 435-752-8880	
MAILING ADDRESS 380 W 1400 N	CITY Logan	STATE UT	ZIP 84341	
EMAIL ADDRESS				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) see Attached. Rezone from MR-12 to Community Commercial.			Total Lot Size (acres) .82	
			Size of Proposed New Building (square feet) N/A	
			Number of Proposed New Units/Lots N/A	
- NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -				
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 	
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 	

Council workshop: Sept. 6
Council hearing: Sept. 20

We request that this property be rezoned as Community Commercial. Community Commercial zoning would allow the property to be used by other public, nonprofit, or charitable organizations providing local services to people of the community and would broaden the spectrum of possible community services such as commercial daycare (17 or more clients), assisted living, health services, etc. for which this building and location are well suited. Most of our inquiries from interested buyers have been for daycare uses, but it simply doesn't make fiscal sense if they are limited to 16 or fewer children.

Community Commercial zoning would also allow the city to retain more control of the future use of the property through conditional use requirements, as compared to Commercial zoning.

