

**Minutes of the North Logan City
Planning Commission
Held on August 16, 2018
At the North Logan City Library, North Logan, Utah**

**(The time stamps throughout the minutes below, located next to an item, indicate the time an item begins in the recording of the meeting.)*

***00:00:27**

The meeting was called to order by Nelson Boren at 6:30 p.m.

Commission members present were: Nelson Boren, Craig Humphreys, Buzzy Mullahkhel, Robert Burt and Larry Hepworth. (Casey Moriyama was excused).

Others present were: Tom Collins, Monte Lucherini, Larry & Kaylene Johnson, Zac Humes, Andrew Deceuster, Logan Lucherini, Braden Hoth, Cathy King, Gordon Alley, Neil Murray, Annette Perkes, Marie Godfrey, Lydia Embry, Brad Crookston, Alan Luce, Cordell Batt and Marie Wilhelm.

The Pledge of Allegiance was led by Buzzy Mullahkhel.
An invocation was given by Craig Humphreys.

Adoption of Agenda

00:02:13

Cordell Batt mentioned that on item #2 regarding the rezone, the last sentence should say consider a rezone, not a conditional use permit.

00:02:52 Motion

Larry Hepworth made a motion to adopt the agenda as amended. Buzzy Mullahkhel seconded the motion. A vote was called and the motion passed unanimously.

Approval and Follow-up of Minutes for August 3, 2017 Planning Commission Meeting

00:03:36 Motion

Buzzy Mullahkhel made a motion to approve the minutes as presented. Robert Burt seconded the motion. A vote was called and the motion passed unanimously.

Follow-Up

00:03:51

Cordell Batt discussed the open public meetings act training that the Mayor wanted the Planning Commission to discuss. Nelson Boren asked Cordell to send to them the email from the Mayor regarding this. Cordell said he would send an email out to the Planning Commission with the link for the video that they need to watch on this.

New Business

6:35 p.m. PUBLIC HEARING. The Public Hearing is to receive public input on the proposed conditional use permit to allow an accessory dwelling unit at 1826 North 2070 East, North Logan, Utah, the residence of Andrew Deceuster. Accessory dwelling units are allowed under Ordinance 00-05 in the Land Use – Zoning Section of the Code, Section 12C. The Planning Commission may consider approval of the proposed conditional use permit following the Public Hearing.

00:07:19 Introduction and explanation.

Cordell Batt introduced the item and explained the situation.

00:11:09

Nelson Boren read aloud the guidelines for speaking at a public hearing, and opened the public hearing at 6:46 p.m.

00:14:20

Tom Collins asked how this dwelling would be used. He also said that when they built their home there, covenants would not have allowed something like this, and asked if the covenants are then

no longer valid.

00:15:57

Developer Andrew Deceuster explained the situation further and addressed questions from the commission and the questions made by Mr. Collins, including explaining that the accessory dwelling would be in the basement, and that parking will be in the garage.

00:17:43

As there were no further public comments, Nelson Boren closed the public hearing at 6:50 p.m.

The Planning Commission discussed this further and Cordell addressed their questions.

00:25:29 Motion

Buzzy Mullahkhel made a motion to approve this conditional use permit. Craig Humphreys seconded the motion. A vote was called and the motion passed unanimously.

6:45 p.m. PUBLIC HEARING. A proposal to rezone approximately 1 acre (parcel 04-050-0055) from Residential Single-family Estate (RE-1) zoning to Single-family Min. 20,000 sq. ft. lots (R-1-20). The property is located at 1600 N 2600 E (northeast corner). The Planning Commission may consider approval of the proposed conditional use permit following the public hearing this rezone.

00:26:33 Introduction and explanation.

Cordell Batt introduced the item and explained this request for a rezone. He addressed various questions from the commission.

Nelson Boren opened the public hearing at 7:01 p.m.

00:31:22

Developer Monte Lucherini discussed his project and discussed the issue of precedent.

00:32:37

Larry Johnson said he lives directly south of this property and would likely be the most affected; and said he would give his approval on this.

00:32:58

Marie Godfrey said that she appreciates her neighbors, but that this is about zoning. She said they have property adjacent to this and said she feels like it is so lovely in North Logan to have R1 zoning. She said she thinks it adds to the charm and beauty of our community, and that the open space is what makes it so wonderful. She said for her, every time there is a change, it sets a new precedent and we start to lose all of our R1 zoning; and that pretty soon this beautiful open space that R1 provides is gone. She said land is a one-time crop and then it's gone. She said for her, and representing her family, they would prefer, and their choice, is to keep the R1 and not allow this, in the hopes to preserve that.

00:34:19

Braden Hoth said he is in favor of this and that one of the big reasons is that he does see a lot of open space, but also sees that the City and the demographics are changing. He said he doesn't think that the amount of open space that he sees is sustainable long-term, from a water standpoint and an economic standpoint. He says he thinks we could try to manage this a letter better, and take a small step, and thinks is something that the City can do as a small step and commented further.

00:35:36

Cathy King said she lives just south of the Johnson's and that she approves this.

00:36:11

Gordon Alley said he lives across the street from the Johnsons, and is completely in favor of this. He said if we get more neighbors like the Lucherinis, it will only benefit North Logan City. He said if we were going to oppose this, we should have done it years ago when the Johnsons and the Kings and the house to the south were rezoned. He said as he understands it, the property to the

121 south of their properties is also rezoned to the R-1-20. He said he thinks there are really not any
122 negatives things to this. He said years ago, he thought the church wanted to build the church on
123 1600 East, and said people would have to think really hard to find a church that is not on a main
124 road, and said he thinks that so that the people driving past and members can help keep an eye
125 on the church. He said people would be surprised at the things that go on behind the Johnson's
126 and King's properties at night. He said when he farms with his on in the middle of the night, they
127 see people doing drugs and other illegal activities; so he said he thinks this is a good thing.

128
129 **00:38:53**

130 *As there were no further public comments forthcoming; Nelson Boren closed the public hearing at*
131 *7:11 p.m.*

132
133 **00:39: 00 Discussion**

134 The Planning Commission discussed this and Cordell addressed various questions from the
135 commission.

136 Craig Humphreys said while he is in favor of agricultural land, he thinks the precedent was
137 already set, and feels that this fits with the nature of the neighborhood, and said he does not have
138 a problem with this.

139 Robert Burt said the church property to the south maintains the density of one home per acre and
140 explained further. He said the other property there seems to have been spot-zoned, which is
141 what is being proposed here, and said he has stated previously that he is opposed to that. He
142 said if we do this, we've "done it all", and said what would stop people from continuing to ask for
143 smaller and smaller lots, particularly if there is no rationale for *why* we're doing it, other than
144 someone wants to. He said he thinks as a Planning Commission, it is their duty to plan this
145 development and this road. As a Planning Commission, if we want to rezone the area; then we
146 should look at the area rather than this one property. He said even if we want to rezone, this is
147 an area in North Logan that he would be opposed to dropping down to a lower zoning,
148 regardless, and that by increasing the density, we are not saving any water from an irrigation
149 standpoint and commented further. He said we want to preserve one acre or larger lots in North
150 Logan, and the area we are going to do that would be below the upper canal, and between the
151 middle canal and the upper canal is the last undeveloped irrigated property we have in North
152 Logan. He said it seems that rezoning, or spot zoning that to high density, we are throwing away
153 the property that we could have that still maintains that open look and feel that many people love
154 about North Logan. He said for this reasons he is opposed to this rezone today, but would be
155 open at looking at other rezones in the future that would include maintaining the larger lot sizes,
156 or at least not doing away with it altogether, and commented further.

157 Cordell argued that this is not high density, and the discussion continued.

158 Buzzy Mullahkhel commented as well, and disagreed with Robert that zoning this one property
159 means that the whole City would go this route, and discussed this further. He said in relation to
160 this one piece of property, he has a hard time seeing the negative of this project, and commented
161 further. He said he would be in favor of this rezone.

162 Larry Hepworth discussed the issue of young families being able to afford properties in North
163 Logan and said we need a mix.

164 The discussion continued.

165 Nelson Boren said citizens need to know that there *is* a plan in place, but that plans change
166 situationally from proposal to proposal, based on the Planning Commission's best judgment. He
167 said the public needs to know that the Planning Commission is very pro-open space. He said the
168 Planning Commission struggles with that greatly with the fact that the "pulse of the City" says to
169 keep it open; but that the reality of the demographics is that 5,000 new inhabitants per year are
170 slated to move into Cache Valley. He commented further and said that as planners, they feel a
171 responsibility to plan for the future, and said people need a place to live. He said he sees this
172 project as not a big deal and commented further. He said he does not have a problem with this
173 proposal, but would if it were much bigger; and that someone coming in with higher density would
174 have a very hard time trying to get it passed with this Planning Commission.

175
176 **01:02:16 Motion**

177 *Craig Humphreys made a motion to make a positive recommendation on this rezone to the City*
178 *Council. Larry Hepworth seconded the motion. A vote was called and the motion passed with*

Larry Hepworth, Craig Humphreys, and Buzzy Mullahkhel and Nelson Boren voting in favor, and Robert Burt voting against.

Consideration of a concept plan for the IFA Commercial Subdivision located at approximately Main and 2200 North. (Intermountain Farmers Association).

01:03:10 Presentation and discussion.

Cordell Batt explained the situation and the request, which includes the owners wanting to be able to sell a piece of the property, which is the rezone for the subdivision request. He discussed further details and addressed various questions from the Planning Commission.

The commission continued to discuss various items.

01:22:13 Motion

Robert Burt made a motion to make a positive recommendation to the City Council to approve the concept plan with staff's recommendations. Buzzy Mullahkhel seconded the motion. A vote was called and the motion passed unanimously.

Consideration of a Preliminary Plat for the Sullivan Street Commercial Subdivision located at approximately Wolfpack Way and 2500 North. (Eagleton Holdings).

01:23:01 Presentation and discussion.

Cordell Batt referred to the previous discussions the Planning Commission had on the concept plan, and explained the situation, in which the owner wishes to sell lots off of this property which requires that a subdivision be done, and they are now at the plat stage. Cordell discussed the staff requests regarding access points.

Cordell addressed various, minor questions from the commission.

01:27:40 Motion

Larry Hepworth made a motion to make a positive recommendation to City Council on this preliminary plat, including staff's recommendations. Craig Humphreys seconded the motion. A vote was called and the motion passed unanimously.

Consideration and possible recommendation of an Ordinance making changes to the Permitted and Conditional Uses Matrix concerning Assisted Living, Skilled Nursing and Dog and Cat Day Care.

01:29:01 Presentation and discussion.

Cordell Batt explained the situation and reasoning behind doing this, and reviewed the proposed changes with the commission.

Cordell and the commission discussed this further. Nelson Boren asked Cordell to review whether we need to keep the "Professional Zone" on the matrix. The discussion continued.

Per a question from Nelson, Cordell said they would be bringing various items to the Planning Commission for consideration, including adult uses in the matrix.

Cordell said this has to come back to the Planning Commission for a public hearing before they can approve it.

01:45:19 Motion

Larry Hepworth made a motion for this to move forward with a public hearing. Buzzy Mullahkhel seconded the motion. A vote was called and the motion passed unanimously.

01:45:33 Motion

Larry Hepworth made a motion to adjourn the meeting. Buzzy Mullahkhel seconded the motion. A vote was called and the motion passed unanimously.

The meeting adjourned at: 8:18 p.m.

Approved by Planning Commission:

November 8, 2018

Transcribed by Marie Wilhelm

Recorded by



Scott Bennett/City Recorder