

**Minutes of the North Logan City  
Planning Commission  
Held on February 12, 2015  
At the North Logan City Library, North Logan, Utah**

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

Commission members present were: Chris Nelson, Kevin Christensen, Brad Crookston, Brett Robinson and Nathan Hult.

Others present were: Nick Larsen, Rachel Larsen, Don Huber, Arlene N. Huber, Linda Hayes, Laurel Hayes, Lauralyn Larsen, Gregory Larsen, Lydia Embry, Cordell Batt and Marie Wilhelm.

The Pledge of Allegiance was led by Kevin Christensen.  
An invocation was given by Chris Nelson.

**Adoption of Agenda**

Chris Nelson said that Cordell Batt wants to include an agenda item between item numbers two and three which is a short item to review the City Attorney's comments prior to the public hearing for item number three, so that those comments can be taken into consideration with the public hearing.

*Brett Robinson made a motion to adopt the agenda as amended. Brad Crookston seconded the motion. A vote was called and the motion passed unanimously.*

**Approval and Follow-up of Minutes for November 13, 2014 Planning Commission Meeting**

Brett Robinson wanted a line stricken from the minutes.

*Kevin Christensen made a motion to approve the minutes as amended. Brett Robinson seconded the motion. A vote was called and the motion passed unanimously.*

**New Business**

**Election of new Planning Commission Chairman and Vice-Chairman**

Nathan Hult expressed that while he's open to other nominations, Chris Nelson and Kevin Christensen did a great job in their roles as Chair and Vice-Chair, and said he would like to see them stay.

*Kevin Christensen made a motion to make Brad Crookston chair. Brett Robinson seconded the motion.*

Brett Robinson explained that things should be changed around a bit, as he said last year. He further commented that Chris Nelson has done a great job.

*A vote was called and the motion passed unanimously.*

Chris confirmed that these changes will take effect at the next Planning Commission meeting.

*Brad Crookston made a motion to appoint Brett Robinson as a vice chair. Nathan Hult seconded the motion. A vote was called and the motion passed unanimously.*

**6:35 Public Hearing to receive input on certain revisions to Section 12C-1100. SITE DEVELOPMENT REQUIREMENTS and add a new Section 12D-600. COMMERCIAL/INDUSTRIAL AND INSTITUTIONAL-RESIDENTIAL AND NON-RESIDENTIAL SUBDIVISION GENERAL PROVISIONS for the purpose of adding subdivision requirements for commercial/industrial and institutional-residential and non-residential uses.**

Cordell Batt introduced the item and explained that the City has never had a good section in the code to deal with commercial and non-residential projects, and we have had nothing to refer to; so we've used the same process used for residential subdivisions and applied it to commercial

projects, but that has not been sufficient. He said these requirements are very similar to residential subdivision requirements with some changes, which Cordell further explained.

*Chris Nelson read aloud the rules for speaking at a public hearing, and opened the public hearing at 6:45 p.m.*

Lydia Embry gave her various comments and questions on this item, including asking why certain items were entitled zoning, and asked about site development; and why some items were located where they are in the document. She asked the commission to review the redundancy of the document and to recommend them on to council.

*As there were no further public comments, Chris Nelson closed the public hearing at 6:51 p.m.*

Nathan Hult mentioned that the commission made some changes to this document; and said he also was not certain, but that some definitions may be duplicated, but that he could check that, and commented further.

Chris Nelson discussed the process this document had been put through, and also discussed that some of the definitions may indeed need to be repeated, and commented further, including that definitions can change in different sections, therefore necessitating the seeming repetition in definitions. He commented further, including on how to proceed.

Cordell reminded the Planning Commission that the City Attorney reviews all of our ordinances to ensure that they are appropriate and will work for the City, and has reviewed this one, and found very little that he recommended changing. Cordell said therefore, that in terms of the City Attorney's review of this ordinance, we have an ordinance that is very appropriate, and commented further on all of the review that the Planning Commission had already had with this.

Brett Robinson asked where 12C-1102 fits into this and asked about 1100 that we are passing today, which Cordell addressed. Cordell said we are looking at a firm that will come in and codify all of the City's code, which will renumber it; and said that will then go onto the City's website, and will give it more coherency, etc.

The commission continued their discussion, and Cordell addressed their various questions and comments.

*Nathan Hult made a motion to make a positive recommendation to the City Council to adopt the modifications to 12C-1100 and 12D-600. Kevin Christensen seconded the motion.*

Kevin Christensen said we have two issues before us; one is a formatting issue and the other is the wording of the ordinance. He said the wording is currently the best that the Planning Commission can do; and said the formatting issue is something that can be taken care of in the future, if necessary. He commented further regarding the paper version versus electronic versions. He said he thinks we're on the right track at this point, and if it needs to be reformatted, we can review that. He reiterated that he is comfortable with what the Planning Commission has done thus far.

Brett Robinson asked if this could potentially be in a different section, such as the zoning section; rather than where it is. Cordell said if that would make more sense to do that, he recommended also moving the residential section there, as well. He said we can look at that when the codification is done.

*A vote was called and the motion passed unanimously.*

Discussion and review of the City Attorney's Notes relating to Notice Requirements to be compliant with the Utah Code requirements

Cordell Batt read aloud City Attorney, Bruce Jorgensen's comments regarding the Utah State's requirements for noticing, per Chris Nelson's request. (Please note: a copy the City Attorney's note will be filed in the appropriate location in the City offices, per Cordell Batt).

Nathan Hult mentioned a grammatical error that Cordell took note of. Cordell continued to review the City Attorney's notes.

Kevin Christensen discussed a potential paging issue with the document itself, which Cordell said had already been corrected.

Cordell further discussed Bruce Jorgensen's comments regarding public noticing. Cordell said he feels that the kind of noticing we are doing is sufficient, including that we comply with what the state has put in state code. He said if further noticing is wanted, he said he would rather see that done as a policy, but not to put it into an ordinance.

**6:40 Public Hearing to receive input on certain revisions to Section Chapter 12A-500 which is the city's Notice Requirements which the Planning Commission and the City Council have deemed it necessary to make certain changes to the Notice Requirements for the purpose of correcting/updating the code to follow the Utah Code requirements.**

*Chris Nelson opened the public hearing at 7:15 p.m.*

Don Huber commented that when this issue was on a Planning Commission agenda to be discussed, the meeting was canceled. He also complained that he had not been able to get copies of minutes that were not yet available. He continued to read his comments out loud, including regarding changes to the public notification process, which he said was based on their experience when the Centerfield Subdivision was approved. He commented further, complaining about the process for which the Centerfield Subdivision, adjacent to his home, was developed, including his feelings about the noticing process. He said the City and the Planning Commission should never allow individuals too purposely land-lock property, and commented further. He said there is nothing in the minutes that addressed the concerns he was giving at this meeting, which deals with how that property fits into the adjoining area. He also said the minutes should be available to the public immediately, and should be on the City's website the very next day after a meeting is held. He further cited state code and said he proposed that the City's code should be better than the state's, in order to meet the needs of the citizens.

Lydia Embry said she recognized Don Huber's comments in bringing up some of the issues he did; and mentioned that the information on this has the police station's old address listed.

*As there were no further public comments, Chris Nelson closed the public hearing at 7:24 p.m.*

Brad Crookston said the City is open to ideas for better notification to the community for our meetings and said this has been discussed before.

Brett Robinson said they discussed at length at the last meeting the difficulty in getting the information to the citizens.

Chris Nelson asked about the right for citizens to appeal in ten days, and potentially amending that and making it a longer period of time; but discussed that the commission felt that 20 or 30 days was too long.

Kevin Christensen commented on Mr. Huber's remarks, and said some of the items Mr. Huber brought up are not related to the item at hand. Kevin commented on his concerns about citizens not being able to get information in time for the appeals process.

Cordell addressed this and explained the reality of when and how minutes become available. He also said that when a decision is made, an appeal would be made on that decision, not on the minutes.

Per a question from Chris Nelson, Cordell explained that the parties involved in a decision would not be informed by City minutes; but would be notified of the decision because they are involved with the situation.

After further discussion, Cordell reminded the commission that Mr. Huber went through the appeal process and a decision was made; and that is not even something that relates to the item that the Planning Commission is making a decision on at this meeting.

Chris Nelson reminded the commission about what the decision on this item is about.

Nathan Hult asked Cordell about the phrase in the document that states "if the City elects" to give notice to adjacent property owners, and asked if Cordell was that person. Cordell said that typically, if the item might be something controversial, the Planning Commission or the City Council will potentially ask for "extra" notification, meetings or public hearings.

*Brad Crookston made a motion to make a positive recommendation to the City Council on the revisions to the City's code notice requirements, as presented, including the revisions recommended by the City Attorney; and with the one change, as discussed, to change the word*

176 "any" to the word "a". Brett Robinson seconded the motion. A vote was called and the motion  
177 passed unanimously.

178  
179 **6:50 Public Hearing** to receive input on what City Council and City's Planning and Zoning  
180 Commission have determined a need and good cause to amend the city's land use ordinance to  
181 modify Chapter 12C-1001. Permitted and Conditional Uses in Zones to: Allow Nursing Care  
182 Facility as a permitted use in the CCA (City Center Adjacent) zone in the matrix.

183 Cordell Batt presented the item and said staff felt that this was a use that was overlooked and  
184 should be put in the code as a permitted use, particularly since we have a use almost just like this  
185 in this zone.

186  
187 Chris Nelson made a motion to open the public hearing at 7:41 p.m.

188  
189 Lydia Embry cited two legal situations regarding implementing a law already in place which allows  
190 for voters to petition for referendum on any "local law", and explained further. She explained how  
191 she thought this modification to the code relates to this. She said she is asking that the City  
192 request legal guidance on this.

193  
194 As there were no further public comments, Chris Nelson closed the public hearing at 7:43 p.m.

195  
196 Nathan Hult said while this is legislative, this is in the hands of the City Council, and we only  
197 make a recommendation to them; and that they are the legislative body that decides whether to  
198 change this. He said the public at large is entitled to initiate a referendum on this issue; but that  
199 does not mean that the City Council does not have the authority to make this change. He said  
200 considering the presentation given to them, and how closely tied nursing care is to an assisted  
201 living facility, it makes sense to include "nursing care facility" in this matrix, and commented  
202 further.

203  
204 Nathan Hult made a motion to make a positive recommendation to the City Council to make this  
205 change to the matrix. Kevin Christensen seconded the motion.

206  
207 Chris Nelson commented that he is uncomfortable with allowing a permitted use for a whole area  
208 rather than on one property.

209 Brett Robinson said he agrees with Nathan Hult that we should proceed.

210  
211 A vote was called and the motion passed unanimously.

212  
213 **7:00 Public Hearing** to receive input on what City Council and the City's Planning and Zoning  
214 Commission have determined a need and good cause to Consider a concept mixed-use plan for  
215 a Continuing Care Retirement Community (Assisted Living/Rehabilitation & Skilled Nursing &  
216 Memory Care) with a commercial component, located at approximately 2200 North and 400 East  
217 (southwest corner) in the (CCA) City Center Adjacent and (DT) Downtown zones. (Maple  
218 Springs, LLC – Nick Larsen)

219 Cordell Batt presented the item, and oriented those in attendance to the site on a map of the  
220 location. He discussed some of the particulars of this project that were discussed at the previous  
221 meeting.

222 Chris Nelson asked about the zoning, which Cordell explained.

223 Developer Nick Larson explained the project and said the assisted living facility will be on the  
224 southern portion of the property. He further explained that there will be 55 total units [in this part  
225 of the facility], and that 15 of those units will be memory care, in a secured unit. He said the  
226 northern part of the property will be skilled nursing and rehabilitation, and will include a 2500  
227 square foot rehab gym, and a court yard; and said this section will have 52 units, with double  
228 beds in each unit, totaling 104 beds.

229  
230 Chris Nelson opened the public hearing at 7:51 p.m.

231  
232 Lydia Embry asked about the streets around this site in relation to the total "net" acreage for the  
233 site; and asked what the actual "footprint", i.e. total site coverage, is for this site. She also  
234 mentioned the number of employees; and also referred to the portion owned by North Logan City



and asked when they were going to discuss how it relates to the City. She asked that the City Council request legal guidance on the fitness portion of this project and how it relates to the City Center matrix.

*As there were no further public comments, Chris Nelson closed the public hearing at 7:53 p.m.*

Kevin Christensen referred to the rehab and skilled nursing side, and asked about how much traffic comes in and out that are people just coming for rehab, or whether those are actually just residents.

Mr. Larsen said the rehab is only for residents, i.e., in-patients, only, and that the rehab "gym" is not for public use.

Per Lydia Embry's comments, Kevin confirmed as a question to Mr. Larsen, that this is not in fact a public gym, which Mr. Larsen said was correct.

Chris Nelson commented that the Planning Commission is not a legislative body, and can only discuss the concept and the rezoning issue, and commented further on how to proceed.

Nathan Hult asked if the City was going to develop both sides of 2150 North so that it would be complete.

Cordell said that is still to be worked out in the development plan, including other elements; and said it will come back before the Planning Commission. He said the staff is requiring that the developer do all of the appropriate studies, and explained other requirements further, per the staff report.

Cordell and the Planning Commission briefly commented further on related items.

*Nathan Hult made a motion to recommend a positive recommendation to the City Council on this concept plan. Brett Robinson seconded the motion.*

Brett Robinson said as he looks at this, he thinks it is a very good "first project" [for the City Center] and commented further about how this project makes sense for this location.

*Brad Crookston made a friendly amendment to make the approval contingent upon the change in the ordinance to include this use in the matrix as permitted. Nathan Hult and Brett Robinson accepted this friendly amendment.*

The Planning Commission discussed this further, including Kevin Christensen who said that this is going to change the complexion of this area significantly, and that the parking and traffic issues are going to need to be thought out very carefully.

*A vote was called and the motion passed unanimously.*

#### **Set Next Agenda and/or Discussion**

Chris Nelson commented that he has enjoyed serving in the capacity of Planning Commission Chairman, and commented further.

Chris also discussed 200 East as the main thoroughfare of the City, and the congestion in certain areas on 200 East, particularly between egress points of Walmart and Lowes, and the challenges we have in that area. He said we need to be very mindful of the traffic around the City, particularly around the City Center.

*Brett Robinson made a motion to adjourn the meeting. Brad Crookston seconded the motion. A vote was called and the motion passed unanimously.*

The meeting adjourned at: 8:07 p.m.

Approved by Planning Commission:

May 14, 2015

Transcribed by Marie Wilhelm

Recorded by

  
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Scott Bennett/City Recorder