



**Project #19-003
Peard Daycare
Located at 465 E 900 N**

REPORT SUMMARY...

Project Name: Peard Daycare
Proponent/Owner: Jennifer L. Peard
Project Address: 465 E 900 N
Request: Conditional Use Permit
Current Zoning: Traditional Neighborhood Residential (NR-6)
Date of Hearing: February 14, 2019
Type of Action: Quasi-Judicial
Submitted By: Aaron Smith, Planner II

RECOMMENDATION

Staff recommends that the Planning Commission **approve** a Conditional Use Permit for Project #19-003 Peard Daycare, for a home daycare with up to 16 children at the property located at 465 East 900 N; TIN #05-029-0004.

Land use adjoining the subject property

<i>North:</i>	NR-6: Single Family Residential	<i>East:</i>	NR-6: Single Family Residential
<i>South:</i>	NR-6: 900 N, Single Family Residential	<i>West:</i>	NR-6: Multi Family Residential

Conditional Use Permit Request

The proponent is requesting a Conditional Use Permit for a daycare with a maximum of 16 children. The Land Development Code (LDC) allows Family Group Care with a maximum of 16 clients in the Neighborhood Residential (NR-6) zoning district as a Conditional Use. Jennifer Peard currently operates a daycare with up to 8 children at the location, a permitted use in the zone. The daycare operates Monday through Friday from 8:00 am to 5:00 pm.

As a daycare with 1-8 children is a permitted use, the Planning Commission is specifically reviewing the impact of a daycare use in a residence with up to 8 additional children. The concerns with daycare use in a residence are typically traffic, noise, and safety.

Parking and Access

The home has a 20-foot wide by 29-foot long driveway that connects to a single car garage. The property frontage is approximately 75 feet wide along 900 North. There is room in the driveway for up to 2 cars (proposed as employee parking). 900 North has enough room for 3 parallel parking stalls in front of the home. 900 North is approximately 60 feet wide from curb to curb.

The drop off times are anticipated to be at different times as parents or guardians drop their children off based on work and school schedules. Ms. Peard requires scheduling of drop off times as part of the child care contract. No drop off can be scheduled earlier than 7:45 am. The contract instructs parents to park on the street in front of her house, take no longer than five minutes, to not park in front of neighbors' homes, and to not block driveways or sidewalks.

Noise and Safety

The daycare activities will be taking place primarily in the residence. As weather permits, the fenced backyard will be utilized. As there are currently families in the neighborhood, it would not be uncommon or a nuisance to have the sound of additional children's activities at times during the day. Noise is regulated by City ordinances to limit disturbances earlier than 7:00 am and

after 10:00 pm. As the daycare operates from 8:00 am – 5:00 pm and indoor play is scheduled until at least 10:30 am, noise issues are anticipated to be minimal.

The Logan City Fire Department applies minimum space requirements for each child, including caregiver’s children, in a daycare or preschool setting. The Fire Department and Building Department have inspected the facility and it is able to meet their requirements for operation.

The State Department of Health licenses daycares. The Peard Daycare is currently licensed with the State for up to 16 children. The most recent State inspection on 10/17/2018 had no public findings.

As the site has adequate parking, can be safely accessed by adjacent streets, and the use would have minimal impact on the traffic or noise in the area, staff recommends the approval of this project.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following City departments or local agencies; some comments are included as recommended conditions of approval:

• Water/Cross Connection	• Environmental (Waste Management)
• Business License	• Fire

PUBLIC NOTIFICATION

The project was noticed in the Herald Journal on February 2, 2019, and posted on the Utah Public Meeting Notice website on February 6, 2019. Public hearing notices were sent to property owners within 300’ on January 24, 2019.

PUBLIC COMMENTS

As of the time this staff report was prepared, one (1) public comment has been received regarding this proposed daycare. The letter received from Fred Duersch, Jr. expressed concerns about neighborhood character, traffic, parking, and safety.

RECOMMENDED CONDITIONS OF APPROVAL

This project is subject to the proponent or property owner agreeing to comply with the following conditions as written, or as may be amended by the Planning Commission.

1. All standard conditions of approval will be recorded with the Conditional Use Permit and are available in the Community Development Department.
2. The daycare shall not have children outside earlier than 7:00 am.
3. One dedicated off-street parking stall within the driveway shall be provided during business hours for employee parking.
4. Drop-off and pick-up times shall be scheduled and staggered so that no more than three (3) client vehicles are at the home at any one time.
5. The proponent shall comply with all State and local regulations and licenses regarding in-home daycare facilities for up to 16 clients.
6. Prior to issuance of Business License, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a) *Fire Department:*
Passing inspection required prior to opening for 16 children.
 - b) *Water/Cross Connection:*
A hazard assessment should be done at this property to look for the possibility of a cross connection to insure the safety of the water for the home owner, the children, and the City’s water supply.
 - c) *Business License Division:*

- Business license required for daycare use for up to 16 children.
- d) Environmental:
Additional collection bins are available.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

1. This Daycare is compatible with surrounding land uses and zoning designations and, as conditioned, will not interfere with the use and enjoyment of adjoining properties.
2. As proposed, the streets providing access to the subject property has adequate capacity for the proposed use and parking/drop-off/pick-up management will be provided and regulated.
3. Other infrastructure to the subject property has adequate capacity, or suitable levels of service, for the proposed use.
4. The Conditional Use Permit conforms to the requirements of Title 17 of the Logan Municipal Code as an identified conditional use.
5. The project was noticed as required by State and City regulations and proper procedure was followed in processing this request.

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 1-10-19	Received By AS	Receipt Number	Zone NR	Application Number PC 19-003
<input type="checkbox"/> Design Review <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input 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 Peard Daycare Capacity Increase				
PROJECT ADDRESS 465 E 900N Logan, UT 84321			COUNTY PLAT TAX ID # 05 009 0004	
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete)			MAIN PHONE #	
MAILING ADDRESS		CITY	STATE	ZIP
EMAIL ADDRESS				
PROPERTY OWNER OF RECORD (Must be listed) Jennifer L Peard			MAIN PHONE # (435) 760-8231	
MAILING ADDRESS		CITY	STATE	ZIP
465 E 900 N		Logan, UT	84321	
EMAIL ADDRESS jenniferpeard@gmail.com				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) I am requesting an increase of allowed children in care on premises from the current number of 8 to a maximum of 16. I am approved for 16 children by Utah State Childcare Licensing. I am hoping to be able to provide a more consistent full day/week program instead of having to stagger children AM/PM or M, T, W & T, Th schedules.				Total Lot Size (acres)
<p style="background-color: yellow; margin: 0;">- NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -</p>				Size of Proposed New Building (square feet) N/A
				Number of Proposed New Units/Lots
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 	

PC 19-003

SE 1/4 Section 27 Township 12 North, Range 1 East

Scale 1 Inch = 50 Feet

TAX UNIT 27

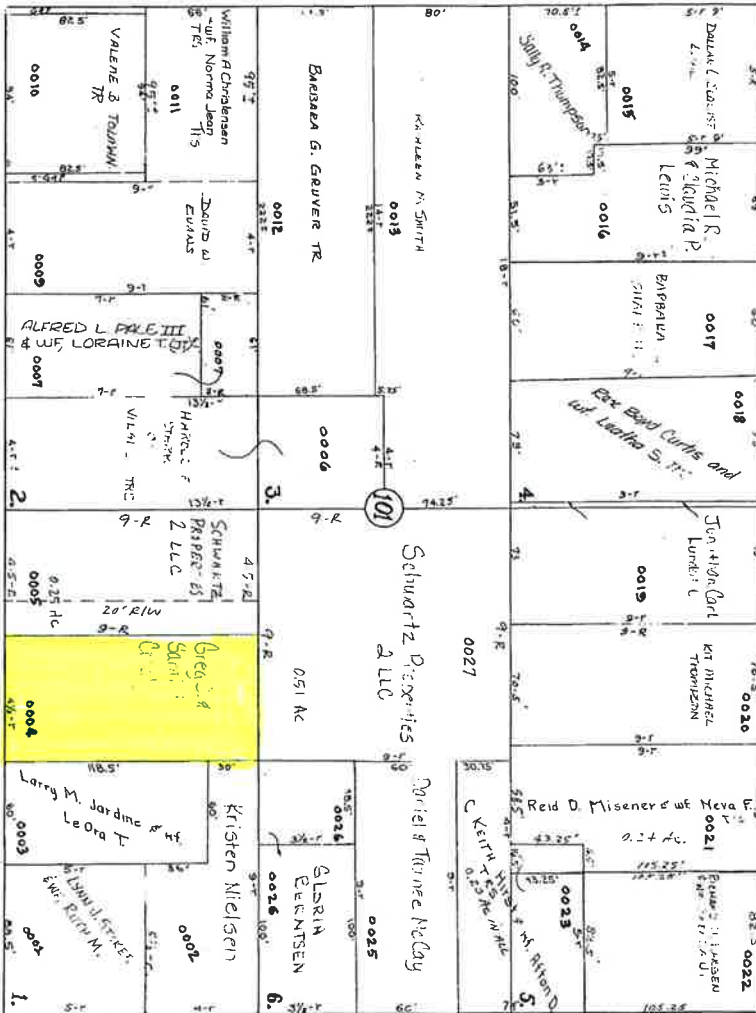
05-029

BLOCK 101, PLAT "A" LOGAN CITY

TENTH NORTH ST.

FOURTH EAST ST.

SEE 05-010



SEE 05-030

FIFTH EAST ST.

NINTH NORTH ST.

SEE 05-036

