



**Project #19-039  
Merrill Rezone  
Located at 1105 West 2200 South**

**REPORT SUMMARY...**

*Project Name:* Merrill Rezone  
*Proponent/Owner:* Dan Larsen / Jed & Reva Merrill  
*Project Address:* 1105 West 2200 South  
*Request:* Rezone from COM to MR-20  
*Current Zoning:* Commercial (COM)  
*Date of Hearing:* September 26, 2019  
*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 of approximately 8.11 acres of property located at approximately 1105 West 2200 South (TIN# 03-006-0009) from Commercial (COM) to Mixed Residential Medium (MR-20).

*Land use adjoining the subject property*

<i>North:</i>	COM: Vacant	<i>East:</i>	MR-20: Residential Uses
<i>South:</i>	Outside of City Boundary	<i>West:</i>	COM: Commercial Uses

**PROJECT**

The proponent is requesting to rezone approximately 8.11 acres at 1105 West 2200 South. The rectangular shaped parcel currently has one home, built in 1961, near the south property line with two adjacent accessory structures. The remaining area is agriculture land. The property has approximately 360 feet of frontage along 2200 South and is approximately 930 in depth running north and south. 1000 West street is planned to align along the east side of this property as it extends south of the newly installed traffic signal at the intersection of HWY 89-91. This property was annexed into Logan City in May 2017. It has been zoned COM ever since.

**GENERAL PLAN**

The Future Land Use Plan (FLUP), adopted in 2008, identifies this property as Commercial (COM). The General Plan, a nonregulatory visioning plan, describes COM areas as being intended for retail, service and hospitality businesses that provide employment centers and serve city-wide and regional populations. New projects should have buildings that meet high architectural standards and constructed with quality materials. Most COM designations are located along or near the Main Street corridor north and south of downtown.

Mixed Residential (MR) areas are described in the General Plan as areas being designed to provide a range of housing options for all stages of life. MR areas will typically be located near employment centers and service areas. MR project will be efficiently designed to preserve surrounding open lands of the valley and minimize traffic congestion. Structures in MR will range from townhomes and apartments.

**LAND DEVELOPMENT CODE**

The Land Development Code (LDC) regulates land uses and entitles properties with specific development allowances. The COM zone allows a wide range of commercial and light industrial uses. The COM zone is located along major collector and arterial streets with nearby large capacity utilities. Building heights are limited to 40' and lot coverage rates kept under 60%. 20% of project sites are required to be improved with open space and usable outdoor space. The Mixed Residential Medium (MR-20) zoning district permits a maximum density of 20 units per acre and building heights at 45 feet. Setbacks are 10 feet in the front yard and lot coverage

is capped at 60%. 20% of the site is required to be open space and an additional 10% is required outdoor space (patios, decks, etc.). Buildings are required to provide 2 off-street parking stalls per dwelling unit.

### **NEIGHBORHOOD COMPATIBILITY**

This area was recently annexed into the City but was anticipated to do so in the 2008 version of the General Plan and identified on the FLUP. The newly traffic signal installed at the intersection of 1000 West/HWY89-91 will significantly impact the character of this quasi-rural area as development pressures continue to intensify. Areas to the south and east largely remain undeveloped agricultural lands with Nibley City and Millville City boundaries in close proximities. The areas to the west are developed as a Motel, built in 1996, and a Recreational Vehicle park. A newly approved office warehouse is located directly west along 2200 South.

Proximity to this intersection should be considered as communities along the South Corridor Plan area implement standards for setbacks, access, and commercial nodal development patterns. The LDC defines a commercial node as being 700 feet away from the center of the traffic signal. This property is located 718 feet away from the center of intersection. The South Gateway Overlay is placed on properties within 300 feet of the Highway and requires enhanced setbacks. This property is 415 feet away from the Highway. With 1000 West planned to continue southward through Nibley, this property along with the neighboring properties to the west, form a triangular island between HWY 89-91, 2200 South and 1000 West.

From a residential land use standpoint, existing developments and approved projects within a ¼ mile radius and within the Logan City boundary, there is a disproportionate value of structure types with approximately 640 Multi-Family Units, 250 Mobile Homes, and 250 Single-Family Homes. Multi-Family dwelling unit breakdown is approximately 120 duplexes, 200 townhomes, and 312 multi-story apartment units. MR-20 developments typically result in multi-story apartment complexes. This property developed at maximum density would result in 162 units.

### **AGENCY AND CITY DEPARTMENT COMMENTS**

No comments have been received.

### **PUBLIC COMMENTS**

A written comment from the Logan City School district was received opposing the rezone request.

### **PUBLIC NOTIFICATION**

Legal notices were posted on the City's website and the Utah Public Meeting website on 9/18/19, and noticed in a quarter page ad on 9/7/19, and a Public Notice mailed to property owners within 300' were sent on 9/19/19.

### **RECOMMENDED FINDINGS FOR DENIAL**

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

1. The FLUP identifies the area as COM.
2. The subject property is located in close proximity to the new traffic signal at HWY 89-91/1000 West and area designated in the LDC and South Corridor Plan as a commercial node.
3. Based on area residential inventories, multi-family units outnumber single family and mobile home units combined.
4. The future alignment of 1000 West will act as a barrier from commercial uses to the west and residential uses to the east.

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 <b>8-26-19</b>	Received By	Receipt Number	Zone <b>COM</b>	Application Number <b>PC 19-039</b>
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 <b>Merrill Rezone</b>				
PROJECT ADDRESS <b>1105 W 2200 S Logan</b>			COUNTY PLAT TAX ID # <b>03 - 006 - 0009</b>	
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) <b>Dan Larsen</b>			MAIN PHONE # <b>435-755-7000</b>	
MAILING ADDRESS	CITY	STATE	ZIP	
<b>601 west 1700 south</b>	<b>Logan</b>	<b>UT</b>	<b>84321</b>	
EMAIL ADDRESS <b>Dan@Kartchner Inc. com</b>				
PROPERTY OWNER OF RECORD (Must be listed) <b>Jed &amp; Rera Merrill</b>			MAIN PHONE # <b>435-757-7824</b>	
MAILING ADDRESS	CITY	STATE	ZIP	
<b>1105 west 2200 south</b>	<b>Logan</b>	<b>UT</b>	<b>84321</b>	
EMAIL ADDRESS				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) <b>SEE ATTACHED</b> <b>COM to MR20</b>  <b>- NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -</b>			Total Lot Size (acres) <b>8.11 ac</b>	
			Size of Proposed New Building (square feet) <b>NA</b>	
			Number of Proposed New Units/Lots <b>NA</b>	
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: Oct. 15  
Council hearing: Nov. 5

This rezoning request is for the property to be re-zoned MR20. The size of the parcel is 8.11 acres. Given the land uses currently adjacent to this parcel we feel that a residential zone is beneficial. The ground to the east is already a residential zone and a multi-family project has just begun construction. The ground to the south is in Nibley but is currently zoned single family residential. The property to the west is zoned commercial but the majority of that ground is currently operating an RV park, which even though a commercial use is more residential in function and nature. The property to the north is zoned commercial and currently vacant.

We feel that given the surrounding uses this piece of property would better be zoned as multi-family than zoned commercial as it currently is.

LOGAN LODGING SUBDIVISION  
SEE 03-006-2 E

JED R MERRILL & WIFE REVA TRS  
0009 8.11 AC

10TH 489 LLC  
LCAPL LLC  
5.89 AC

MUD LOD ENTERPRISES LLC  
0012 1.60 AC

STAN CHECKETTS PROP. LLC

STRATA APARTMENTS LLC  
0011 2.42 AC

1864 AC IN ALL  
7.32 AC AC M/L

DEL RAY CAMPBELL TR

25 AC

T. U. 120

T. U. 27

R/S COMMERCIAL PROPERTY LLC  
0007 6.21 AC  
499.0'

0003 1 OF 2

13.53 AC IN ALL

BERNCO LIMITED PARTN

519.86'

0003

0047

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0019 LOGAN CITY  
MARK G MILLER 16.5 AC  
0024 1.13 AC  
0027 1.86 AC  
MARK MILLER  
JAMES MILLER

0017 PROFFER FOUNDER PARTN AC  
0018 JARVIS D JOHNSON & WIFE KRISTIE W. 1.00 AC  
0019 N. OF CACHE COUNTY STREET 1000 WEST 0.96 AC  
0020 4.42 AC  
RICHARD N. REESE FAMILY LLC

SAUNDERS ACRES  
SEE PAGE 03-109  
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