



**Project #19-040
Foothill Lofts Residential Rezone
Located at 1300 East 1300 North**

REPORT SUMMARY...

Project Name: Foothill Lofts Residential Rezone
Proponent/Owner: Nic Porter / Foothill Lofts Residential LLC
Project Address: 1300 East 1300 North
Request: Rezone from NR-4 to NR-6
Current Zoning: Suburban Neighborhood Residential (NR-4)
Date of Hearing: October 10, 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 8.37 acres of property located at approximately 1300 East 1300 North (TIN# 05-011-0005) from Suburban Neighborhood Residential (NR-4) to Traditional Neighborhood Residential (NR-6).

Land use adjoining the subject property

<i>North:</i>	NR-4: Vacant	<i>East:</i>	NR-4: Residential Uses
<i>South:</i>	NR-4: Religious Uses	<i>West:</i>	MR-20: Residential Uses

PROJECT

The proponent is requesting to rezone 8.37 acres of vacant land located at approximately 1300 East 1300 North from NR-4 to NR-6. The applicant does not specifically state the intent of rezone request. Rezone requests for higher densities are, in most cases, submitted with the intent of producing a higher number of units. Originally used for gravel/rock material extraction associated with the LeGrand Johnson Construction Company, the vacant bench-land slopes northwards with alluvial fan sediment geology. The 8.37-acres is a residual piece from the 20-acre Foothill Lofts 180-unit multi-family project located to the east of this site. Recently, to the south, two (2) Churches were constructed and to the north approvals were given for a 76-lot single family subdivision on approximately 26 acres but have since expired and remains vacant and unentitled. Utah State University owns and controls property southwest of the site and existing single family homes, built in circa 1970's, are located to the east of the site.

ZONING HISTORY

The City of Logan adopted Zoning regulations in August of 1950. The zoning history of the property is as follows:

Year	Zone	Use/Structure Permitted
1976	R-1	Single Family Residential - Minimum lot size of 8,000 sf
2000	SFT	Single Family Residential - Minimum lot size of 8,000 sf & 5 units/acre
2011	MRH	Mixed Residential High – 20 units per acre (Renamed Mixed Residential Medium MR-20 in 2013)
2014	NR-6	Single Family Residential - Minimum lot size of 6,000 sf & 6 units/acre
2017	NR-4	Single Family Residential - Minimum lot size of 10,000 sf & 4 units/acre

GENERAL PLAN

The Future Land Use Plan (FLUP), adopted in 2008, identifies this property as Detached Residential (DR). Mixed Residential (MR) is shown on the adjacent area to the east. The General Plan, a nonregulatory visioning plan, describes DR areas as being intended for single-

family detached residential structures. New development should create traditional neighborhood character with homes oriented towards streets laid out in block patterns. A variety of home sizes and lot sizes will provide housing options for different income levels and stages of life. The DR designation suggests a range of densities but does not specifically indicate different areas of the city as being appropriate for lower or higher density.

LAND DEVELOPMENT CODE

The Land Development Code (LDC) regulates land uses and entitles properties with specific development allowances. The NR-4 zone permits single-family detached homes at a density of 4 homes per acre of land. Minimum lot size is 10,000 SF and lot width minimums are 90 feet. Building heights are limited to 35 feet for primary structures and 15 feet for accessory structures. The NR-6 zone permits single-family detached homes at a density of 6 homes per acre of land. Minimum lot size is 6,000 SF and lot width minimums are 50 feet. Building heights are limited to 35 feet for primary structures and 15 feet for accessory structures.

SUMMARY

The parent 20-acre parcel has been heavily debated from a zoning standpoint for the last several years. The property was up-zoned in 2011 to MRH because General Plan efforts concluded that additional density was needed near Utah State University for transportation/proximity to campus reasons. After a city-wide outreach effort in 2014 by the Community Development Department that included numerous neighborhood meetings at Hilcrest Elementary, City Council and Planning Commission, of the original parent parcel, 11 acres were downzoned to NR-6 and 9 acres were zoned MR-20. At that time, no neighborhoods were zoned NR-4. In 2017, after directed by members of City Council, the Community Development Department conducted a city-wide down-zoning exercise that resulted in parts of Hilcrest, Wilson and Woodruff Neighborhoods being changed from NR-6 to NR-4 to more closely reflect the existing neighborhood density. Also, in 2017, the 20-acre property was approved for the Logan Station subdivision, with 32 single-family building lots and 2 remainder lots intended for future multi-family development to the west. The Logan Station project expired and shortly afterwards the single-family area was zoned to NR-4. The Foothill Lofts project was approved in 2018 for 180 multi-family units on the western 9-acres of MR-20 zoning and 19 single-family lots on the NR-4 east side. The multi-family project was permitted and is currently under construction. The 19 single-family lots were not recorded and expired on September 27, 2019.

Staff finds that by rezoning this 8.37-acre piece, at this time, will compromise all the community outreach efforts done over the last several years. At these meetings it was overwhelmingly evident that the residents in the Hillcrest Neighborhood preferred a lower density zone for these last few remaining open areas. The neighborhood and previous land owners came to agreements on this property in the form of deed restrictions, building height maximums and anticipated densities. Any changes, at this point, undermines these efforts. This is a new applicant/owner that recently purchased the property with the NR-4 zoning designation already in place and was not involved with previous zoning discussions.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments have been received.

PUBLIC COMMENTS

No written comments have been submitted, but several phone calls expressing opposition have been received.

PUBLIC NOTIFICATION

Legal notices were posted on the City's website and the Utah Public Meeting website on 10/1/19, and noticed in a quarter page ad on 9/30/19, and a Public Notice mailed to property owners within 300' were sent on 9/23/19.

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 DR and does not distinguish between NR-4 or NR-6.
2. The Planning Commission finds that the NR-6 zone is not compatible with the existing single-family homes in the near proximity because of the 6-unit per acre density and minimum lot size of 6,000 SF.
3. Previous neighborhood outreach and city public hearings have resulted in a desire for NR-4 zoning in this area.
4. Additional NR-4 properties will help to increase the city's inventory of larger lots and bring a better balance to the overall mix of housing options within the City of Logan.

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 9-9-19	Received By RH	Receipt Number 	Zone NR-4	Application Number PC19-040
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 FOOTHILL LOFTS RESIDENTIAL (Rezone)				
PROJECT ADDRESS ~ 1300 E 1300 N.			COUNTY PLAT TAX ID # 05 - 011 - 0005	
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) NIC PORTER			MAIN PHONE # 435-535-1137	
MAILING ADDRESS	CITY	STATE	ZIP	
PO BOX 56 LOGAN UT 84323				
EMAIL ADDRESS NIC@SMPLGR.COM				
PROPERTY OWNER OF RECORD (Must be listed) FOOTHILL LOFTS Residential LLC				MAIN PHONE #
MAILING ADDRESS	CITY	STATE	ZIP	
PO BOX 6221 NORTH LOGAN, UT 84341				
EMAIL ADDRESS				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) NR 4 TO NR 6 REZONE				Total Lot Size (acres) 8.37
				Size of Proposed New Building (square feet) N/A
				Number of Proposed New Units/Lots 48
- 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 [Signature]	
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 [Signature]	

Council workshop: Nov. 5
Council hearing: Nov. 19

NE⁴ Section 26 Township 12 North Range 1 East

05-011

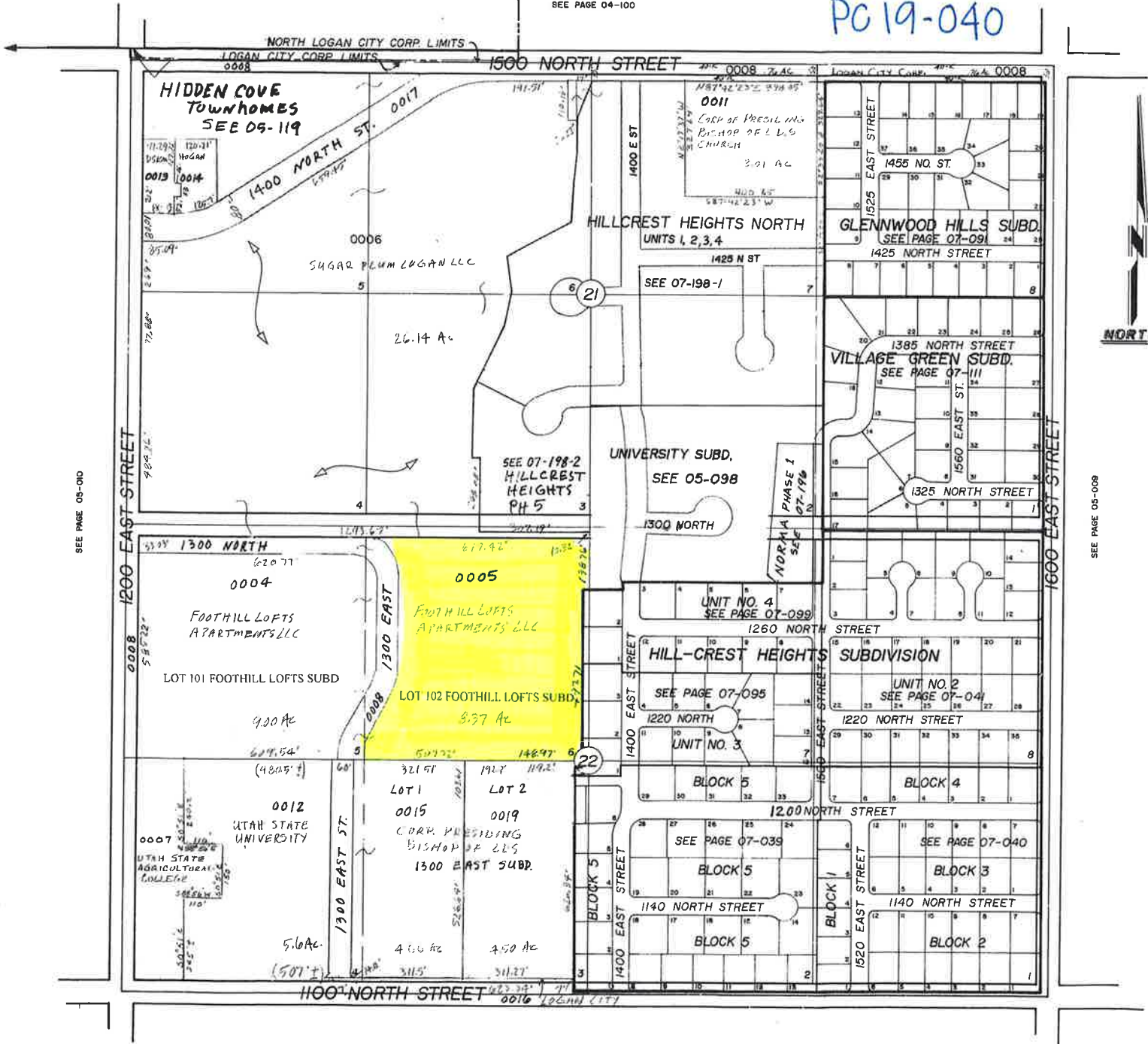
Scale 1 Inch = 200 Feet

TAX UNIT 27

PART OF BLK'S 21 and 22, PLAT "G" LOGAN FARM SURVEY

SEE PAGE 04-100

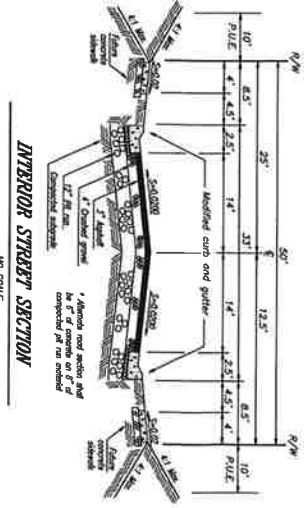
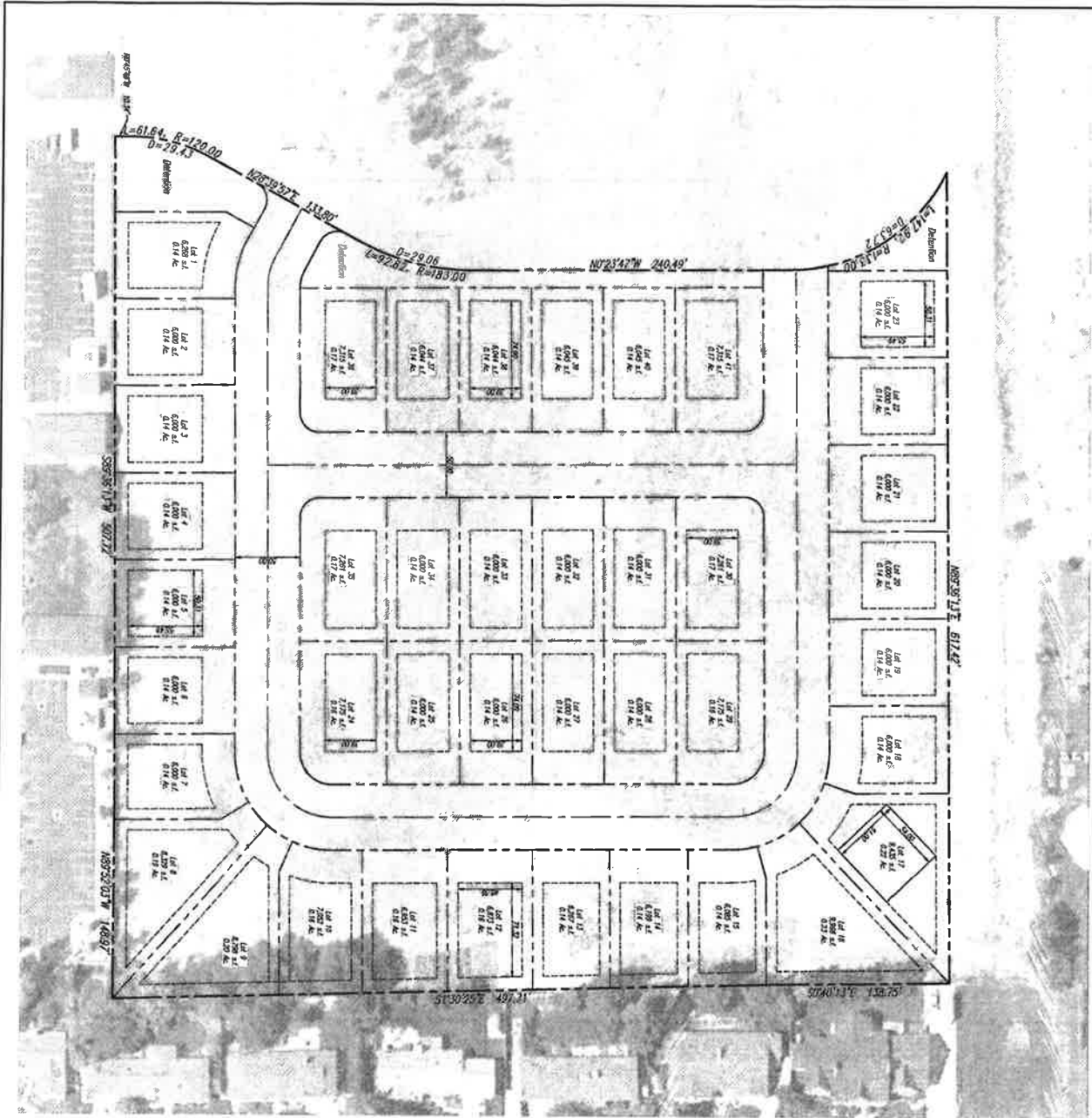
PC19-040



SEE PAGE 08-010

SEE PAGE 05-009

SEE PAGE 05-013



STREETS
 Road 10'
 Side 5'
 Corner 10'

Turner Design Engineering, Inc.
 CIVIL ENGINEERING & LAND PLANNING
 1015 SOUTH 600 EAST PROVIDENCE, UTAH 84332
 (435) 886-8245



OVERALL UTILITIES
HILLCREST LAYOUT
 LOGAN, UTAH

Revisions	Date	By

Job Number
19-011
 Sheet
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