



**Project #20-024
Westfield Warehouse Code Amendment**

REPORT SUMMARY...

<i>Project Name:</i>	Westfield Warehouse Code Amendment
<i>Proponent/Owner:</i>	Tony Johnson
<i>Project Address:</i>	City Wide
<i>Request:</i>	Amend Commercial Service Zone
<i>Current Zoning:</i>	NA
<i>Date of Hearing:</i>	April 23, 2020
<i>Type of Action:</i>	Legislative
<i>Submitted By:</i>	Aaron Smith, Planner II

RECOMMENDATION

Staff recommends that the Planning Commission recommend **denial** to the Municipal Council for the Westfield Warehouse Code Amendment.

REQUEST

The proponent is requesting to amend the Commercial Service (CS) zone to permit Live/Work residential use, and permit Residential Treatment and Daycare/Preschool uses as part of a Live/Work use. The request amends CS Development Standards (17.10.120), Allowable Uses in District and Corridor Zones (Table 17.11.030), and the Definitions (17.62) sections of the Land Development Code (LDC).

The Proponent provided a Memorandum to Staff that outlined the desired code amendment. Staff then prepared draft changes to the LDC that met the intent of the Memorandum and provided it to the proponent for review.

LDC AMENDMENT SUMMARY

17.10.120: Commercial Services (CS) Development Standards

Amendments to this section of the LDC include clarifying the CS zone description to include live/work as a permitted use, establishing a density for the use, and noting that residential development shall conform with residential design standards (17.09). The applicant has requested a density of 20 units/acre for the zone.

Table 17.11.030: Allowed Uses in District and Corridor Zones

Amendments to this section of the LDC include the addition of a Live/Work use to the table, changing the residential occupancy to allow Live/Work in the CS zone, and permitting Residential Treatment and Day Care/Preschool as part of a live/work use. In addition to allowing Live/Work in the CS zone, all existing zones that permit residential occupancy have been amended to permit Live/Work.

Chapter 17.62: Definitions: Live-Work

The Live/Work definition has been simplified with the removal of "at the ground floor" from the definition.

GENERAL PLAN

The CS land use designation in the General Plan provides context for the intent of the land use. It reads:

Commercial Service (CS) designations fill a need that is between Industrial and Commercial land uses. CS areas provide alternative locations for light

manufacturing, or wholesale/warehouse uses and uses that support construction and manufacturing trades that are typically service oriented. Compared to COM or IP areas, CS uses will typically be smaller, will have higher quality site and building design, and will have a greater emphasis on landscaping. CS areas are not intended for residential development.

LAND DEVELOPMENT CODE

The LDC mirrors the language of the General Plan in describing the CS zone. The zone is intended as a transitional zone between commercial and industrial development. The zone has minimal setbacks, 38' max building height, parking to the side or rear, and 20% open space. Of importance for this amendment is the permitted uses in the zone. As the CS zone was not intended for residential use, the permitted uses are much less restrictive and include commercial storage units, vehicle storage, automobile repair, heavy truck sales, kennels, light manufacturing and industrial services.

Due to State Code, Residential Treatment uses are permitted in any zone that permits dwelling units. While the proposed code amendment clarifies that the use would be permitted as part of a live/work use in the CS zone, allowing dwellings in the zone would cause the use to be permitted by default.

The residential Daycare/Preschool use has not been permitted in the CS zone as the zone does not allow for residences and is intended for more industrial uses. A Commercial Daycare/Preschool use requires a Conditional Use Permit to help mitigate potential conflict, such as a commercial daycare being located adjacent to an incompatible use, such as machine shop. The proposed amendment would allow residential Daycare/Preschool for up to 16 clients as a permitted use in a live/work scenario.

STAFF REVIEW AND SUMMARY

The CS zone permits a myriad of uses that are not compatible with residential development, including light manufacturing, machine shops, auto repair, and contractor and industrial service uses. While residential and CS zones do occasionally appear next to each other, such as 200 S and 1000 W, these areas are generally buffered by roads and setbacks. Permitting residential development within the CS zone would place incompatible uses directly adjacent to each other with little to no buffer between them. This conflict would be detrimental to the character of neighborhoods, and the health, safety and welfare of residents.

The location of the CS zone and the permitting of residential development is also in conflict. The CS zone is primarily located along the periphery of the city and adjacent to industrial development. The general strategy for residential development is to place residential development near the center of town, and not to push it closer to industrial development along the edge. Allowing residential development in the CS zone will place residential development in the wrong area and erode the buffer between residential and industrial development.

Density of the zone is also an issue, as density generally decreases as the move away from the central areas of Logan or designated nodes. An amendment that would permit up to 20 units/acre in areas that are on the periphery of town will place density away from the core of Logan and nodes, which is contrary to the zoning policy of the city.

While Staff would like to see more live/work development, the CS zone is not the correct area for it. Mixed use areas of town, such as the TC and MU zones, are ideal locations for live/work, as they are centrally located and designed to accommodate compatible residential and commercial uses. If a live/work uses along the CS and residential interface are desired by the city, then staff recommends the creation of a new zone or overlay that restricts non-compatible

uses in the area and permits a density and structure type that is complementary to adjacent residential development.

The central question of the proposed amendment is whether residential development should be allowed in the CS zone. Staff concludes that the CS zone is not appropriate for residential uses. The allowance of residential development in the CS zone, even as live/work dwelling units, will erode the buffer between residential and industrial uses and create conflicts among neighboring uses. The intent of the CS zone is as a non-residential buffer between commercial and industrial uses, and staff recommends that it remain as intended.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments have been received.

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comment had been received.

PUBLIC NOTIFICATION

Legal notices were posted on the City's website and the Utah Public Meeting website on 4/15/2020, and noticed in a quarter page ad on 3/31/2020, and a Public Notice mailed to property owners within 300' were sent on 3/30/2020.

RECOMMENDED FINDINGS FOR DENIAL OF THE CODE AMENDMENT

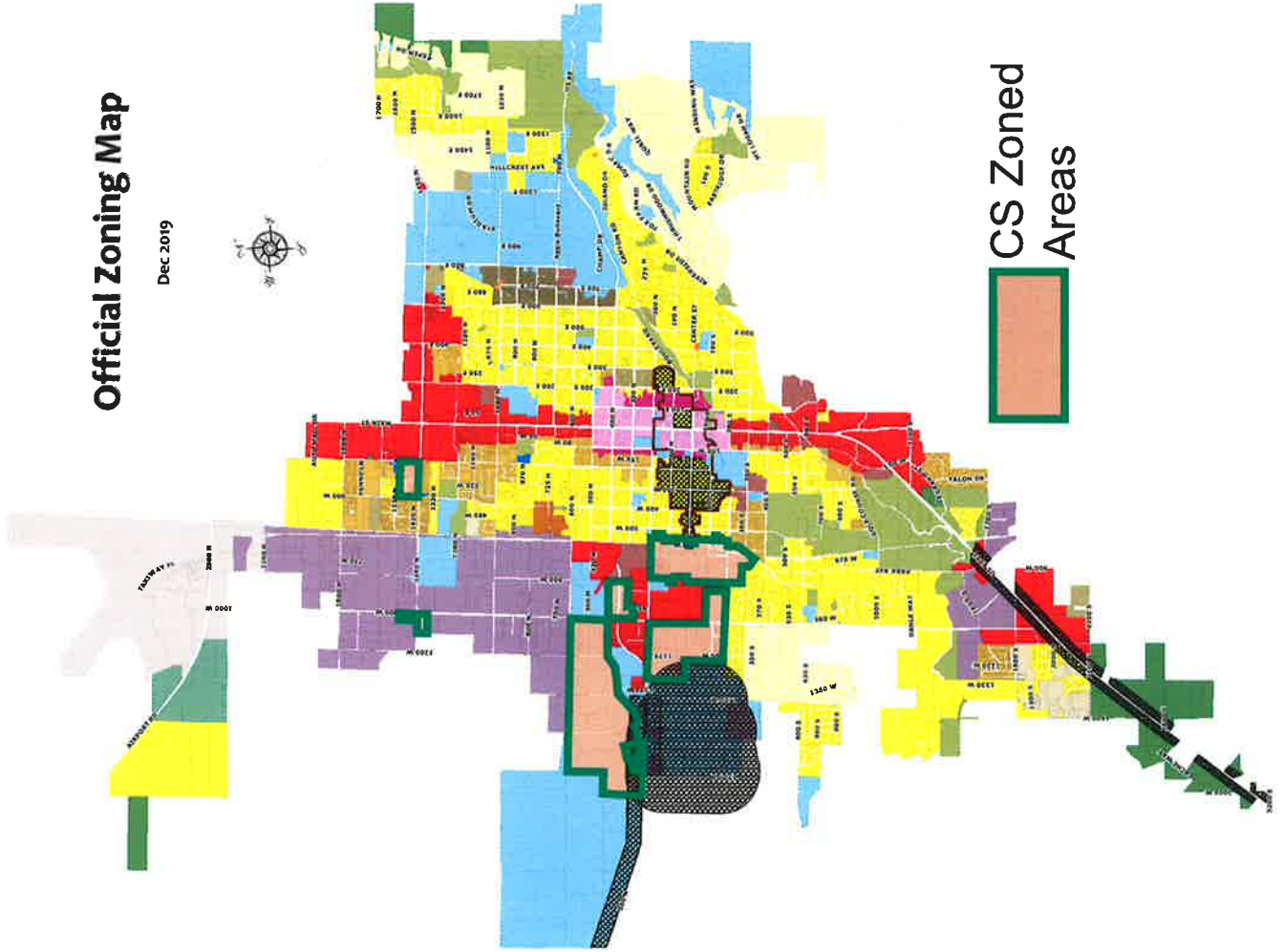
The Planning Commission bases its decision on the following findings supported in the administrative record for this project:

1. The code amendment conflicts with the Logan General Plan that states that the CS land use is not intended for residential development.
2. The code amendment would result in incompatible industrial and residential uses within the CS zone.

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.

Official Zoning Map

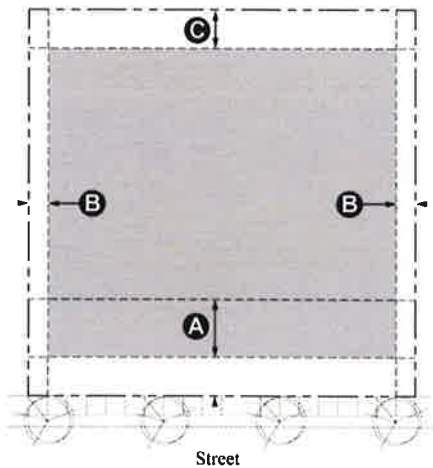
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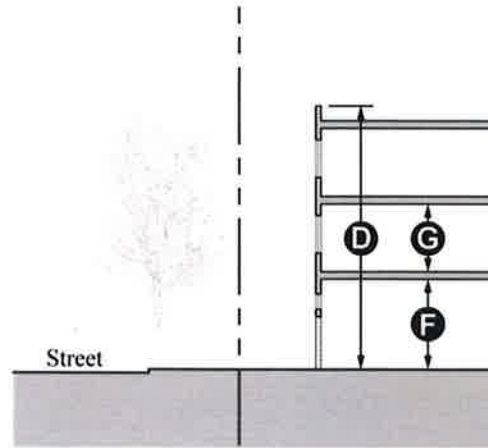
Draft Code Amendment – Commercial Service - Westfield Warehouses Application

17.10.120: Commercial Services (CS) Development Standards

The Commercial Service (CS) designation fills a need between industrial and commercial land uses. Commercial Service areas provide alternative locations for light manufacturing, warehousing, wholesaling, or other uses that support construction and manufacturing trades that are typically service oriented. The Commercial Service district will have the same quality design standards as commercial and industrial projects with an emphasis on higher quality site and building design, and will have an increased requirement for landscaping. Commercial Service areas are not intended for residential uses nor are they intended for heaving industrial types of uses. Live/work residential use is a permitted use in the CS zone.



Site Plan Diagram



Site Plan Diagram

Residential Density (Live/work)

Units/acre (max) 20

Building Setbacks (Minimum)

- A Front 10'
- B Side 5'
- Side Common Wall 0'
- C Rear 10'

Building Heights (Maximum)

- D Primary Building Height 38'
- F Ground Floor Height 12'

Transparency (Fenestration)

- Ground Floor (frontage) 30%
- Ground Floor (exposed sides) 30%
- Upper Floors (frontage) 20%

Parking

- Location Side/Rear
- Front Parking Setback 15'
- Side/Rear Parking Setback 5'

Commercial Parking Requirements: Minimum number of stalls based on use type

Land Set Asides

- Open Space 10%
- Useable Outdoor Space 10%

Residential Design Standards

Residential projects shall comply with the residential design standards in Chapter 17.09.

Table 17.11.030: Allowed Uses in District and Corridor Zones

Land Use	Districts & Corridors								
	TC-1	TC-2	COM	MU	CC	GW	CS	IP	AP
Residential Uses									
Assisted Living Center	N	C	C	C	C	N	N	N	N
Dormitories, Fraternities, Sororities	N	N	N	N	N	N	N	N	N
Live/Work	P	P	P	P	P	N	P	N	N
Nursing Home, Convalescent Home	N	C	C	C	C	N	N	N	N
One caretaker or security guard may be permitted to live on-site as an accessory use with a Conditional Use Permit.	N	N	N	N	N	N	C	C	N
Residential Group Homes (communal living exceeding occupancy limits).	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹
Residential Group Homes for individuals with disabilities.	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹
Residential occupancy of a dwelling unit by a family, or no more than three unrelated individuals.	P	P	P	P	P	N	N ³	N	N
Residential Treatment Programs where care, training, or treatment IS provided on site.	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ^{1,2}	N ¹	N ¹
Public/Institutional Uses									
Clubs, Lodges, similar uses	C	C	C	C	C	C	N	N	N
Day Care/Preschool, Commercial (17 or more clients)	P	P	C	C	C	C	C	N	N
Day Care/Preschool (1-8 Clients) or (9-16 Clients)	P	P	P	P	P	N	N ²	N	N
Hospitals	N	N	P	P	N	P	N	N	N
Libraries, Museums, Community Centers	P	P	C	C	C	C	N	N	N
Parks and Open Space	P	P	P	P	C	P	P	P	P
Public Safety Services (Police, Fire)	C	C	P	P	C	P	P	P	P

Land Use	Districts & Corridors								
	TC-1	TC-2	COM	MU	CC	GW	CS	IP	AP
Religious Institutions	C	C	C	C	C	C	C	N	N
Schools, Colleges, University, Technical College	C	C	C	C	N	C	N	C	C
Schools, Private (K-12)	N	N	C	C	C	C	N	N	N
Schools, Trade, vocational, commercial	C	C	C	C	N	C	N	C	C
Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community	C	C	P	P	C	P	C	C	C

¹ Indicates use may be allowed where State or Federal law preempts local zoning.

² Indicates use permitted as part of a Live/Work use.

³ Permitted as a Live/Work use only.

Chapter 17.62: Definitions

“Daycare” means those uses providing care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day, unless approved by Conditional Use Permit.

“Live-Work” means an integrated dwelling unit and working space, occupied and utilized by a single household in a structure, either single or multi-dwelling that has been designed or structurally modified to accommodate joint residential occupancy and work activity **at the ground floor**.

“Residential Treatment Program” means a nonprofit or for-profit group home for the sheltered care of persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation.



APPLICATION FOR PROJECT REVIEW

Planning Commission Land Use Appeal Board Administrative Review

Date Received 3-23-20	Received By	Scheduled Meeting Date Apr. 23	Zone	Application Number PC 20-024
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Type of Application (Check all that apply):

Design Review Conditional Use Subdivision Zone Change
 Code Amendment Appeal Other **Location PUE** Administrative Design Review

PROJECT NAME
Nestfield Warehouses

PROJECT ADDRESS
130 South 1200 West

COUNTY PLAT TAX ID #
05-107-0023-0028

AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete)
Tony Johnson

MAIN PHONE #
435-764-2200

MAILING ADDRESS
255 South Main St., Ste. 100 Logan UT 84321

EMAIL ADDRESS
tony.johnson@amlutah.com

PROPERTY OWNER OF RECORD (Must be listed)
HRT Holdings, LLC

MAIN PHONE #
435-764-5486

MAILING ADDRESS
255 South Main St., Ste. 100 Logan UT 84321

EMAIL ADDRESS
lexi.johnson@amlutah.com

DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED
(Include as much detail as possible - attach a separate sheet if needed)

Total Lot Size (acres)
4.37

Size of Proposed New Building
(square feet)
N/A

Number of Proposed New Units/Lots
N/A

Code Amendment: see attached memo.

- 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

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

mc w: may 5
mc H: may 19

WESTFIELD SUBDIVISION PHASE 2

05-107

PART OF SECTION 32, TOWNSHIP 12 NORTH,
RANGE 1 EAST, SALT LAKE BASELINE AND MERIDIAN,
ALSO

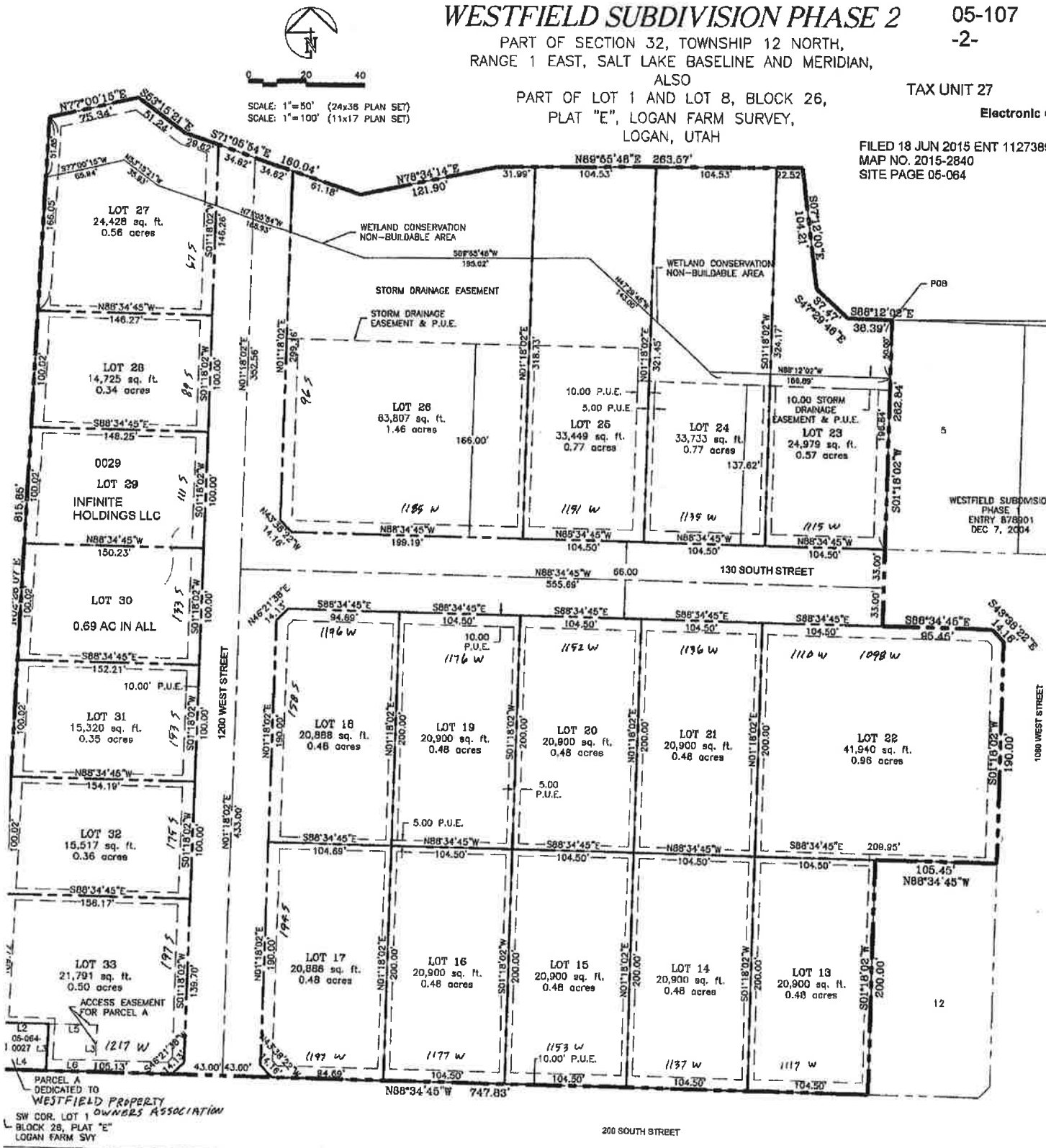
-2-

PART OF LOT 1 AND LOT 8, BLOCK 26,
PLAT "E", LOGAN FARM SURVEY,
LOGAN, UTAH

TAX UNIT 27

Electronic Only

FILED 18 JUN 2015 ENT 1127389
MAP NO. 2015-2840
SITE PAGE 05-064



PARCEL A
DEDICATED TO
WESTFIELD PROPERTY
OWNERS ASSOCIATION
SW COR. LOT 1
BLOCK 26, PLAT "E"
LOGAN FARM SVY

200 SOUTH STREET

Memo

To: Staff

From: TRJ

Date: March 15, 2020

Re: Westfield Warehouses Project – Code Amendment Request
130 South 1200 West, Logan Utah

We respectfully request the following modifications to the schedule of uses for the “Commercial Services” zone:

1. Residential “Live/work”. Provide for a “Live/Work” permitted use under either or both of the “Residential Uses” schedule and the “Commercial Uses” schedule. A Live/Work scenario seems to be effectively identical to a Bed and Breakfast permitted use under the Commercial Uses schedule.
2. Residential Treatment. Provide that a Residential Treatment Program can be a permitted use under a Live/Work scenario.
3. Daycare/Preschool. Provide that a Daycare/Preschool can be a permitted use under a Live/Work scenario.

End