



**Project #23-003
Stephens Rezone
Located at 745 E Canyon Road**

REPORT SUMMARY...

Project Name: Stephens Rezone
Proponent/Owner: Mike DeSimone / Ville 364 LLC
Project Address: 745 E Canyon Road
Request: Rezone from NR-6 to MR-12
Current Zoning: Traditional Neighborhood Residential (NR-6)
Date of Hearing: January 12, 2023
Type of Action: Legislative
Submitted By: Mike DeSimone, Director

RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of **Denial** to the Municipal Council for a rezone of approximately .25 acres of property located at approximately 745 E Canyon Road (TIN# 06-048-0011) from Traditional Neighborhood Residential (NR-6) to Mixed Residential Low (MR-12).

Land use adjoining the subject property

| | | | |
|---------------|-----------------------|--------------|------------------------|
| <i>North:</i> | COM: Residential Uses | <i>East:</i> | NR-6: Residential Uses |
| <i>South:</i> | COM: Residential Uses | <i>West:</i> | COM: Residential Uses |

PROJECT

The proponent is requesting to rezone a vacant lot approximately .25 acres from NR-6 to MR-12 on the north side of East Canyon Road for the purpose of constructing multi-family residential dwellings. The rezone request does not include any formal development plans. The existing lot size of .25 acres would accommodate one SFR in the NR-6 zoning designation or up to three residential units in the proposed MR-12 zoning designation.



Figure 1: Subject property at 745 E Canyon Road

GENERAL PLAN

The Future Land Use Plan (FLUP), adopted in 2008, identifies this property as Detached Residential. The Logan City General Plan states that in areas designated Detached Residential (DR), all new development, whether infill between existing homes, replacement of existing homes or new development on vacant land, will be detached single family structures. The site is surrounded by DR (east, west, south) and PUB to the north. The nearest MR FLUP designations are located off of 400 East/600 North or at Canyon Road/600 East.

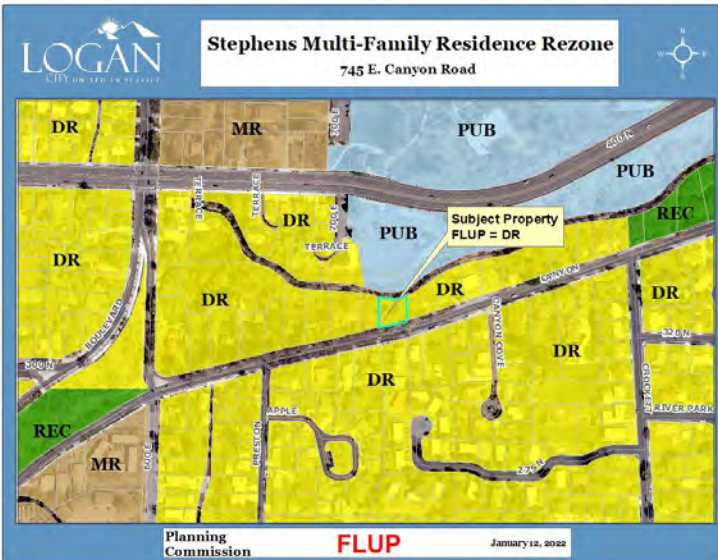


Figure 2: Future Land Use Plan Map

LAND DEVELOPMENT CODE

The Land Development Code (LDC) regulates land uses and entitles properties with specific development allowances. The NR-6 zone permits single family residential dwellings with minimum lot sizes of 6,000 square feet and a maximum gross density of six units/acre. The current zoning would permit one SFR while the proposed MR-12 would allow for up to three units.

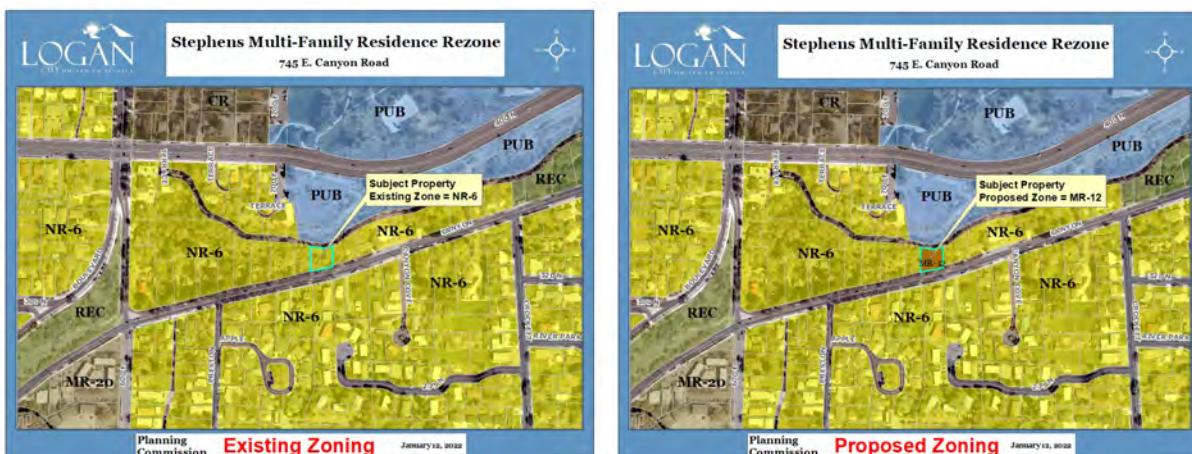


Figure 3: Existing & Proposed Zoning

STAFF SUMMARY

The property is a vacant lot located on the north side of East Canyon Road. The surrounding land uses are predominately single family residential uses interspersed with some multi-family residential uses. Portions of Canyon Road are unimproved or lack curb, gutter, & sidewalk. A

parking lot used by Utah State University is located to the north and across the canal. The site sits below the canal and is constrained with steep slopes which will present a challenge for any type of development. The nearest multi-family zoning designation is located approximately 900' to the west near the 600 East/Canyon Road intersection. From staff's review, the site is zoned and planned for single family residential uses, and a rezone to a more intensive residential use is contrary to the overall goals and vision expressed in the General Plan and the adopted Zoning. The site contains slopes and the development costs associated with developing on this type of a site are going to be higher than an adjoining level site. However, the additional development costs, as suggested by the applicant, are not adequate grounds for a rezone on this site to a more intensive residential use. Staff recommends denial of this rezone request.



Figure 4: Street View and Contour Map

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 comments have been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 12/31/22, posted on the City's website and the Utah Public Meeting website on 1/02/23, and noticed in a quarter page ad on 12/29/23.

RECOMMENDED FINDINGS

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

1. The Logan City FLUP identifies the area as Detached Residential (DR).
2. The surrounding zoning is NR-6 with the nearest multi-family zoning located approximately 900' to the west.
3. The predominate land use pattern in the area is detached single family residential uses.
4. This site fronts onto East Canyon Road with adequate utilities present.
5. The site contains severe slopes which, while not prohibiting development, make any type of development on this site challenging.

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

| | | | | |
|--|----------------|---|--|---|
| For Staff Only <input type="checkbox"/> Planning Commission | | <input type="checkbox"/> Land Use Appeal Board | | <input type="checkbox"/> Administrative Review |
| Date Received 12/5/23 | Planner | Zone/Neighborhood NR-C/WILSON | Scheduled Meeting Date JAN, 13 | Application Number PC 23-003 |
| Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input type="checkbox"/> Administrative Design Review <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input checked="" type="checkbox"/> Zone Change <input type="checkbox"/> Other | | | | |
| PROJECT NAME Stephens Multi-Family Residence | | | | |
| PROJECT ADDRESS 745 E Canyon Rd, Logan, UT, 84321 | | | COUNTY PLAT TAX ID # 06-048-0011 | |
| AUTHORIZED PROJECT REPRESENTATIVE FOR OWNER Barak Stephens | | | PHONE # 575-322-0842 | |
| MAILING ADDRESS 1745 E 1850 N North Logan, UT, 84341 | | CITY | STATE | ZIP |
| EMAIL ADDRESS barakstephens@gmail.com | | | | |
| PROPERTY OWNER OF RECORD Shon Hender | | | PHONE # | |
| MAILING ADDRESS 1142 Deer Ridge Rd, Fruit Heights, UT 84037 | | CITY | STATE | ZIP |
| EMAIL ADDRESS | | | | |
| DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE NOTICED AND PRESENTED (Include as much detail as possible - attach a separate sheet if needed) (Attached to application) | | | Total Lot Size (acres) 0.25 | |
| | | | Size of Proposed New Building (square feet) | |
| | | | 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 permit on behalf of the property owner. | | | Signature of Property Owner's Authorized Project Representative | |
| 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 | |

APPLICATION MUST BE ACCURATE AND COMPLETE
NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -

290 North 100 West Logan, UT 84321 – ph: 435.716.9021 email: planning.commission@loganutah.org

City Council; WORKSHOP 2/7/23 HEARING 2/21/23

Description of Proposed Project

745 E Canyon Rd is a small hillside property below Utah State University. The applicant understands that an effort to limit multi-family residences in the area including the proposed project is in effect. The purpose of this application is to establish exception to this effort and to change the zoning of this plot of land.

745 E Canyon Rd is a plot of land that is graded up to about 33°. This limits the uses of the land significantly. If the zoning of this plot of land were to remain unchanged any residential building built on the land would not have a yard. 745 E Canyon Rd would also be greater than \$100,000 more expensive to build on than a plot of land with a reasonable building grade. The severe grade necessitates engineering, excavation, and construction of a retaining wall, all in excess of normal home construction.

If instead the land were zoned for a multi-family residence the additional income of renters within the residence would make the construction of a home worthy of the neighborhood more financially viable. Additionally, in this circumstance the absence of a yard does not devalue the property as much.

While financial reasons should not be considered when determining whether property should be rezoned, they are applicable in this instance as the financial difference provides a good way to quantify why this land has been vacant for 38 years. Additionally, since the land is vacant primarily for financial reasons, the financial problems the property poses are relevant to the rezoning of this property.

Another factor to consider is the plot's proximity to Utah State University. The plot of land is located immediately beneath a parking lot and tunnel that leads under 400 N to the base of Old Main Hill. The property currently hosts a path used to access the school. This property could continue to act as a bypass to the school if the residence accommodates students. It presents a prime location for housing to support the school, especially for students without a vehicle. As a student with a family, the applicant suggests that a multi-family residence with such proximity to the school would be welcome, especially for students with families.

The applicant admittedly does not know what the city has in plan for the neighborhood and realizes that it is very possible despite the arguments in this application rezoning may not be in the community's best interest. Additionally, the applicant is certainly biased, as he plans to live on this property with his family. To summarize, the decision to be made when considering the rezoning of 745 E Canyon Rd is whether it is better for the neighborhood and community to keep a vacant lot indefinitely or rezone the property to allow development of another multi-family residence in the area.



PC-23-003

1 message

Daniel Unger <unger@sfasu.edu>

Thu, Jan 5, 2023 at 8:55 AM

To: "planning.commission@loganutah.org" <planning.commission@loganutah.org>

Dear Planning Commission,

Regarding the upcoming meeting for project number PC-23-003, Zone Change request, my thoughts are as follows:

The Island in Logan is one incredibly nice place and is admired both locally and from a distance for its uniqueness and family friendly environment. It's a shining star in Cache Valley and a highly sought-after place to live and should remain that way. Too many unique locations like this have been altered, and once changed they can never return. Please don't let this happen to the Island where future generations will wonder why changes like these were allowed to occur. Please keep the Traditional Neighborhood Residential zoned areas intact; as changes like these would prove detrimental to the look and feel of not only the Island, but Logan in general.

Daniel R. Unger

Kenneth Nelson Distinguished Professor of Geospatial Science
Arthur Temple College of Forestry and Agriculture
Stephen F. Austin State University
P.O. Box 6109 SFA
Nacogdoches, TX 75962-6109
Phone: [936-468-2234](tel:936-468-2234)
FAX: [936-468-2489](tel:936-468-2489)
E-mail: unger@sfasu.edu