

Project #23-013
Chris Bice Daycare
Located at 510 North 400 West

REPORT SUMMARY...

Project Name: Chris Bice Daycare
Proponent/Owner: Chris Bice / Wesston & Christine Bice
Project Address: 510 North 400 West
Request: Conditional Use Permit
Current Zoning: Traditional Neighborhood Residential (NR-6)
Date of Hearing: Dec. 15th 2022
Type of Action: Quasi-Judicial
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission **conditionally approve** a Conditional Use Permit for Project #23-013 Chris Bice Daycare, for a home daycare with up to 16 children at the property located at 510 North 400 West: TIN #05-066-0012.

Land use adjoining the subject property

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

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 daycare with a maximum of 16 clients in the Suburban Neighborhood Residential (NR-4) zoning district as a Conditional Use. The proposed daycare operation times are from 6:00 AM to 5:00 PM Monday-Friday for typical days. Clients will stagger times throughout the day with drop-off typically between 6:00-8:00 AM and pickup around 3:00-4:00 PM.

Daycares for 1-8 children is a permitted use in the NR-6 zoning district. The Planning Commission is specifically reviewing the impact of a daycare with an addition eight (8) children above the permitted base number of eight (8), or a total of 16. The typical concerns with daycare use in a residence are pick-up, drop-off, parking, outdoor noises, and child safety.

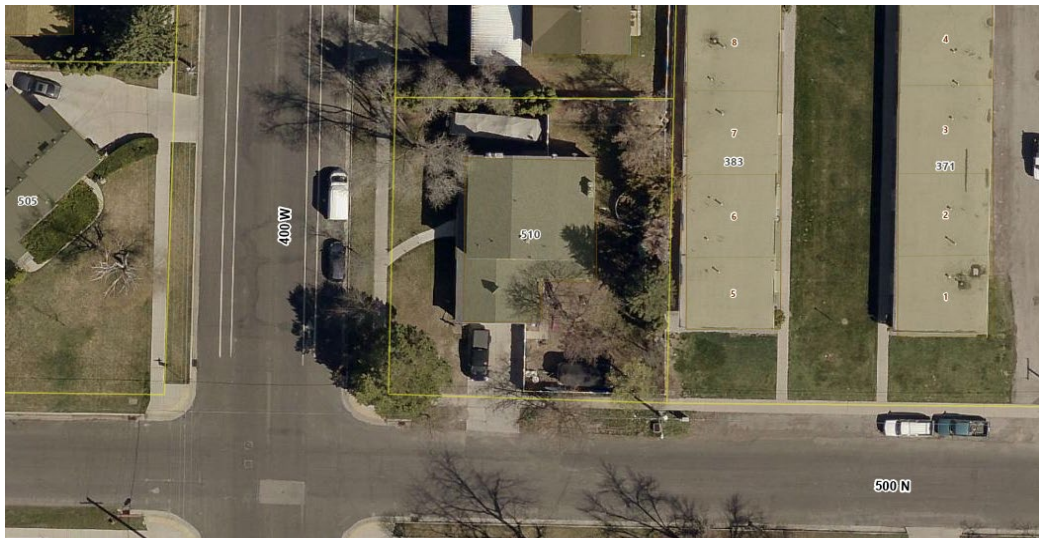


Figure 1 shows the submitted site plan

Parking and Access

The western oriented home is located on the northeast corner of 400 West and 500 North with one driveway entering the home from 500 North. The double-wide driveway leads to a two-car garage on the south side of the home. Submitted site plan shows drop-off zones along 400 West adjacent to the front door of the home and employee parking in the driveway. The applicant indicated to staff that she is planning one additional employee. The property frontage along 400 west is approximately 108 feet and could fit up to five (5) cars in a parallel parking position. The double wide driveway is approximately 25 feet deep and could fit two cars in addition to the two-car garage. Pick-up and drop-off times associated with daycares typically stagger in the morning and evening revolving around client work schedules. As per LDC 17.31, two (2) stalls are required for the home and one (1) parking stall is required for every 500 SF of daycare space. As conditioned with staggered pick-up and drop-off times and employee parking in the existing driveway, the project meets the parking requirements of the LDC.

Noise and Safety

The daycare activities will be taking place primarily inside the residence. As weather permits, and only at certain times of the day, the fenced rear-yard space will be utilized for outdoor activities. With nearby residents living in the neighborhood, it would not be uncommon or a nuisance to have the sound of other family 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 6:00 AM to 5:30 PM, outdoor noise disturbance will not be allowed during the first hour in the morning time. As conditioned, with no outdoor activities before 7:00 am, the project meets the requirements of the LDC.

The State Department of Health licenses daycares and the Logan City Fire Department applies minimum space requirements for each child, including caregiver's children, in a daycare or preschool setting. As a condition of approval, the project is required to be inspected by the Fire Department for 16 children with space assessments completed.

Summary

As the site has adequate parking for the one additional employee and drop-off space for children, parking and traffic should not be too impactful. There are existing front-yard trailer and work truck violations, but with space in the rear and side yards, those violations can be mitigated. The project is conditioned to meet all applicant State and Local daycare requirements, and the use will likely have minimal impact on the surrounding area, consequently, 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:

• Environmental	• Engineering
• Water/Cross Connection	• Fire

PUBLIC NOTIFICATION

The project was noticed in the Herald Journal on 2/11/23 and posted on the Utah Public Meeting Notice website on 2/13/23. Public hearing notices were sent to property owners within 300' on 2/6/23.

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.

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. This Conditional Use Permit authorizes a daycare for up to 16 children.
3. No outside activities permitted earlier than 7:00 am.
4. Drop-off and pick-up times shall be located on 400 West and staggered so that no more than three (3) client vehicles are at the home at any one time.
5. An employee parking stall shall be established in the double-wide driveway on the southside of the home.
6. The existing travel trailer and work truck parked in the front yard area must be moved to a conforming rear or side-yard location prior to the issuance of the business license.
7. The proponent shall comply with all State and local regulations and licenses regarding in-home daycare facilities for up to 16 clients.
8. 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—contact 716-9515**
 - A fire inspection has been conducted and type II group care, up to 16 is approved.
 - b. **Water/Cross Connection—contact 716-9627**
 - A water hazard assessment of the point of use of water beyond the properties water meter is highly recommended to check for any possible cross connections of the water system that could pose a threat to the drinking water for the occupants/employees of the building and or the city's water system.
 - a. **Environmental—contact 716-9761**
 - Additional residential cans can be provided upon request.

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.

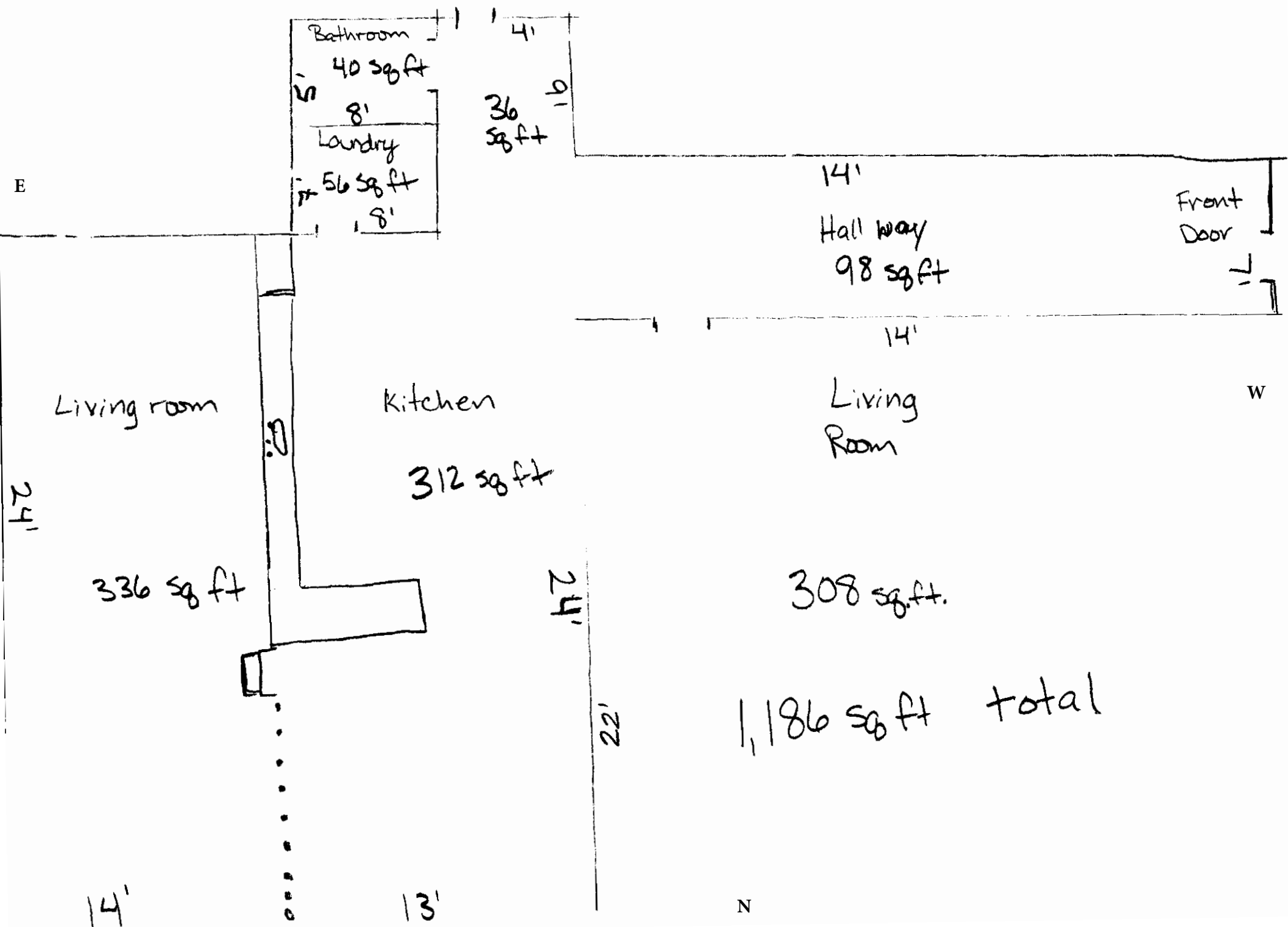


APPLICATION FOR PROJECT REVIEW

For Staff Only					
<input checked="" type="checkbox"/> Planning Commission		<input type="checkbox"/> Land Use Appeal Board		<input type="checkbox"/> Administrative Review	
Date Received 1/5/23	Planner	Zone/Neighborhood NK-6/ELLIS	Scheduled Meeting Date Feb. 23	Application Number PC 23-013	
Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input type="checkbox"/> Administrative Design Review <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Zone Change <input type="checkbox"/> Other					
PROJECT NAME Chris Bice					
PROJECT ADDRESS 510 N 400 W				COUNTY PLAT TAX ID # 05-066-0012	
AUTHORIZED PROJECT REPRESENTATIVE FOR OWNER 510 N 400 W				PHONE # 801-845 8471	
MAILING ADDRESS cbice3@icloud.com		CITY Logan	STATE UT	ZIP	
EMAIL ADDRESS Christine Bice					
PROPERTY OWNER OF RECORD WESTON & CHRISTINE BICE				PHONE #	
MAILING ADDRESS		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) Home Daycare 16 Kids.				Total Lot Size (acres) .24 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 -

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E

Front Doors

Employee
parking

500 N

Front Porch.

drop off zone.

400 N

500 N.

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