

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, April 4, 2017 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chairman Holly H. Daines conducting.

Councilmember's present at the beginning of the meeting: Chairman Holly H. Daines, Vice Chairman Tom Jensen, Councilmember Herm Olsen, Councilmember S. Eugene Needham and Councilmember Jeannie F. Simmonds. Administration present: Finance Director Richard Anderson, City Attorney Kymber Housley and City Recorder Teresa Harris. Excused: Mayor H. Craig Petersen.

Chairman Daines welcomed those present. There were approximately 46 citizens in the audience at the beginning of the meeting.

OPENING CEREMONY:

Pastor Ron Flessner gave the opening prayer and led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting from March 21, 2017 were reviewed and approved with no changes.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Olsen to **approve the March 21, 2017 minutes and approve tonight's agenda.** Motion carried unanimously.

Meeting Agenda. Chairman Daines announced there are five public hearings scheduled for tonight's Council meeting.

Meeting Schedule. Chairman Daines announced that regular Council meetings would be held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, April 18, 2017.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Logan resident Bill Bower addressed the Council regarding animal control in Logan City and feels that more should be done.

Logan resident Gloria Barrett addressed the Council regarding the Logan Library. She loves the Library and feels it's important that we have a good Library. She is concerned about where the proposed new Library will be located and likes where the Library is currently located. She does not feel the Emporium should be torn down.

There were no further comments or questions for the Mayor or Council.

MAYOR/STAFF REPORTS:

Updates on Projects/Issues – Kymber Housley, City Attorney

City Attorney Kymber Housley gave a report on the following:

1. Current Construction Projects
 - a. The steep dugway will be closed Wednesday for fence installation.
 - b. 200 North 600 East will be closed from April 10 to April 28 for bridge repairs.
 - c. Rendezvous Park is closed from 6:00 a.m. to 6:00 p.m. Monday through Friday until April 21 for work on the railroad trail crossing.
2. To facilitate the upcoming hotel construction, the library book drop will be moved next to the utility payment drop box located in the South City Hall parking lot.
3. Green waste pick-up will take place from April 17 to April 28.

Environmental Director Issa Hamud reported that he, Mayor Petersen and Councilmember Jensen and three board members traveled to Boston to visit a Wastewater Treatment Plant. He said a few months ago he learned there were problems with the design of our new Wastewater Plant. The purpose of the trip to Boston was to look at the technology being used and is something being considered for our new plant. The technology is very simple and can easily be implemented.

Chairman Daines commented when the City makes a large investment in a project, we want to make sure it's done right.

Proclamation: National Day of Prayer – Pastor Ron Flessner

Pastor Ron Flessner read a Proclamation designating May 4, 2017 as the *Day of Prayer in Utah*. This day is set aside to pray for the Nation. He also announced that a Prayer Breakfast will be held on Thursday, May 4, 2017 at the Coppermill Restaurant in North Logan.

Proclamation: Fair Housing Month – Mike DeSimone, Community Development Director

Community Development Director Mike DeSimone addressed the Council and read a Proclamation designating the month of April 2017 as *Fair Housing Month in the City of Logan*.

COUNCIL BUSINESS:

Discussion regarding a letter from the Logan Municipal Council to UDOT supporting the SR 30 Alternative Selection – Chairman Daines

Chairman Daines said there are two parts to the discussion regarding SR 30 and there will be two separate public hearings that UDOT will provide. The first is the SR 30 Funding

Time Line. Mayor Petersen prepared and the Council signed a letter of support to move the funding up to complete the SR 30 project, the letter was sent to UDOT. The second item is Advancing Alternative 5 (5 lane road) for further consideration in the Environmental Impact Statement (EIS). The issue with the Corp of Engineers and the passing lanes all the way through on SR 30, is that two additional acres of wetlands would have to be used and because of this, the Corp was not going to recommend this alternative. A joint meeting was held with the Logan Municipal Council and the Cache County Council and there were concerns that the capacity and the safety from the passing lanes would not function as well with only partial passing lanes. The Council is drafting a letter to send to UDOT regarding the 5 lane road and the letter or letters can be sent as a Council group or can be sent individually.

Councilmember Simmonds said she would like to see a revised letter of the first one drafted by Councilmember Olsen.

Chairman Daines said a revised letter will be prepared for the Council to review and sign.

**Prospective Candidate Open House – Tuesday, April 18, 2017, 4:30 - 5:30 p.m.
Logan Municipal Council Chambers – Chairman Daines**

Chairman Daines announced that a Prospective Candidate Open House will be held on Tuesday, April 18, 2017 from 4:30 – 5:30 p.m. in the Logan Municipal Council Chambers for those who may be interested in running for Mayor or Council this year. A Candidate Guide will also be available with additional information about the upcoming election. Chairman Daines encouraged people to get involved in local government and said serving in this capacity can be very rewarding.

Councilmember Simmonds said the intent of the open house is for those interested to find out what the Mayor and Council do when they serve or for those who just want to know more about city government.

Vice Chairman Jensen said the Mayor and two Council seats are open this election year.

Council Budget Workshop Schedule – Chairman Daines

Chairman Daines announced that Budget Workshops are scheduled for Tuesday, May 9, 2017 beginning at 5:30 p.m. and Tuesday, May 16, 2017 immediately following the Regular Council meeting which begins at 5:30 p.m. The public is invited and encouraged to attend the workshops.

There was no further Council business discussed at this time.

ACTION ITEMS:

PUBLIC HEARING - Budget Adjustment FY 2016-2017 appropriating: \$67,005 for a grant the Storm Water fund was awarded from the State of Utah. The funds will be used for bank stabilization of the Denzil Stewart Nature Park - Resolution 17-11

At the March 21, 2017 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment. This is a state grant the City has received that goes hand in hand with another state grant the City also received for the same project.

Chairman Daines opened the meeting to a public hearing.

Logan resident Bill Bower addressed the Council and asked if we do this work and because of high flows things change, can we get more funding next year. He also asked about the timing of when the stabilization will be completed.

Public Works Director Mark Nielsen responded the project has been completed except for the re-vegetation. Vegetation could migrate downstream and if so, then it will be replaced.

There were no further comments and Chairman Daines closed the public hearing.

ACTION. Motion by Councilmember Olsen seconded by Vice Chairman Jensen to **approve Resolution 17-11** as presented. Motion carried unanimously.

PUBLIC HEARING - Code Amendment – Consideration of a proposed amendment to the Land Development Code. Logan City requests to amend Section 17.38.050.C, eliminating the category of ineligible activities from being able to utilize off-site parking in order to meet minimum parking requirements – Ordinance 17-04

At the March 21, 2017 Council meeting, Community Development Director Mike DeSimone addressed the Council. The proposed request is to amend Section 17.38.050.C (Off Site Parking) of the Land Development Code to eliminate the restriction against using off-site parking for residential uses through the Alternative Parking Plan. The use of off-site parking is a potential solution for alleviating current and future parking issues in multi-family residential developments. The use of off-site parking would be reviewed and permitted through the alternative parking plan process.

The proposed language is as follows:

Section 17.38.050.C:

C. Off-Site Parking.

Required parking may be located off-site, if approved as a part of an Alternative Parking Plan and in compliance with all of the following standards:

2. Location. Off-site parking shall be located within a 600-foot radius from the use served. Off-site parking spaces may not be separated from the use served by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway or other traffic control or safety device is provided.

3. Agreement for Off-Site Parking. Off-site parking requires a written agreement that shall run with the land and which shall be recorded. A signed, notarized copy of the agreement between the owners of record shall be submitted to the Director for review and approval. Recordation of the agreement shall take place prior to the issuance of a building permit for any use to be served by the off-site parking area. An off-site parking agreement may be eliminated only if the required off-street parking spaces are provided in conformance with the provisions of this chapter and as approved by the Director.

The proposed ordinance will be an action item and public hearing at the April 4, 2017 Council meeting.

Mike Desimone explained the need for the adjustment. Sharing of parking is advantageous in some situations such as the Mall with its many stores. By allowing the sharing of parking on uses that are complimentary to each other, allows intensifying development without requiring additional pavement. This will also work with Campus Residential parking. The shared parking will have to be recorded on the deed to the property.

Councilmember Simmonds said she is concerned that if we initiate this opportunity for developers, especially in the Campus Residential Zone, that there could be developments that have no parking on-site.

Mr. DeSimone responded that he does not think that will happen. The idea of the off-site parking is to give one more degree of latitude in trying to allow parking. When the project goes through a review they will make sure it has enough parking on the site and then any overflow or additional parking elsewhere. He said what is important about this, is that it's currently used throughout the City with minimal impact. The idea is to provide some flexibility but it doesn't "open the door" for abuse and is still required to go through a review process and provide parking on-site. The entire parking section of the code addressing Campus Residential requires on-site parking.

Councilmember Simmonds stated that according to the proposed ordinance, if three parking spaces were obtained somewhere else, they would have to be dedicated, notarized and placed on the deed.

Mr. Desimone responded the parking agreement has to be recorded and if things change it would require a signature from the City to remove that requirement from the property. It would be a recorded item that is placed on the deed and would again, require a signature to be removed.

Councilmember Olsen asked how we assess what the available parking capacity is for various parking locations in the City.

Mr. DeSimone responded we would assess the available parking and use and if there were excess parking then we could enter into an agreement between the City and the property owner to use the additional parking available. In the case of residential parking,

he would prefer there be dedicated stalls. The Planning Commission unanimously recommended approval of the code amendment and he added that the alternative parking cannot encroach into residential areas.

City Attorney Kymber Housley said that currently the zoning does not allow for a standalone parking lot in a residential area.

Chairman Daines opened the meeting to a public hearing.

Logan resident Marilyn Griffin addressed the Council and asked what is the meaning of the Code Amendment wording regarding "Ineligible Activities".

Chairman Daines responded in this case it is referring to off-site parking and it is proposed that we eliminate the "Ineligible Activities" wording.

Ms. Griffin said her concern is Campus Residential wanting additional parking. She asked for confirmation that those in Campus Residential cannot purchase property on the West side of 600 East and convert into a parking lot.

Mr. Housley said he doesn't want to overstate and say it could never happen because someone could come in and ask for a zone change. It could not happen under our current ordinance but if the zoning were changed and the Campus Residential Zone was expanded, then it could possibly happen.

Logan resident Jan Nyman addressed the Council and asked why is this being proposed at this time and is it because of the proposed development on 100 East.

Mr. DeSimone responded this is not related to the project on 100 East but rather an ongoing discussion over the past year about parking in the Campus Residential Zone and the fact that there isn't enough parking in this area at the present time.

Logan resident April Mortensen addressed the Council and suggested that the Council make this code amendment dedicated and not make it available. She feels if it's available there will be abuse and the City won't be able to monitor what is happening.

Chairman Daines said property owners will have the responsibility to monitor their properties.

Mr. Housley said under the current proposal the Council could make it dedicated but doing this would defeat the purpose. We are trying to double-purpose and maximize the parking lots we already have rather than pave more parking lots.

Mr. DeSimone said the proposed language takes out a narrow piece of restriction that we want to change.

There were no further comments and Chairman Daines closed the public hearing.

Councilmember Olsen said he is fine with the underlying premise that we maximize available parking that might not otherwise be used and feels it will minimize “blacktopping” of more open space. He is anxious about potential applications which might be approved and overburden parking areas.

Councilmember Simmonds said she agrees that the concept is good but she is concerned that if, for example, a developer has 75 on-site parking spaces and then paves another location with 25 more spaces then we have more paved parking in another location in the City. She said Campus Residential is maxed out when it comes to parking.

Vice Chairman Jensen said the developer would have to build the parking on-site or share it with someone else.

Councilmember Olsen said he trusts Planning and Zoning’s recommendation to support the code amendment.

ACTION. Motion by Vice Chairman Jensen seconded by Councilmember Needham to **adopt Ordinance 17-04** as presented. Motion carried 4-1 (Simmonds voted nay).

PUBLIC HEARING - Consideration of a proposed resolution approving the Budget for the 2017 Freedom Fire Event – Resolution 17-12

At the March 21, 2017 Council meeting, Parks and Recreation Director Russ Akina addressed the Council regarding the proposed Budget for the 2017 Freedom Fire Event. He stated the Parks and Recreation Department is preparing to produce the Freedom Fire annual patriotic community event for Monday, July 3, 2017, at Utah State University Maverik Stadium to commemorate our nation’s independence. The event known as Freedom Fire is composed of live professional entertainment, aerial fireworks, sound and lighting, and promotion of the event that involves marketing and advertising, and the development of sponsorships, grants, and ticket sales to help offset event expenditures.

The proposed budget is the following:

**2017 Freedom Fire Proposed Budget
Parks and Recreation Department**

<u>Revenue:</u>	<u>2016 Actual</u>	<u>2017 Proposed</u>
Ticket Sales	46,680	48,000 (8,000 @ \$6/ea)
RAPZ	40,000	45,000
Sponsorships	39,000	40,000
Donations	578	500
RAPZ Pop. Split	<u>44,520</u>	<u>46,360</u>
Projected Revenue:	170,778	179,860
<u>Expense:</u>		
Production Expenses	18,000	18,000
Entertainment	38,239	38,392
Advertising	4,762	5,000
USU Facilities Fee	12,370	12,500

Portable Toilets	691	0
Staging, Lighting, Sound	25,700	35,000
Fireworks	60,000	60,000
Ticket Printing	779	900
Master of Ceremonies	200	200
Stage Handling, Camera Live Video	5,495	5,500
Sales Tax Expense	3,081	3,168
Miscellaneous Expense	<u>1,368</u>	<u>1,200</u>
Projected Expenses:	170,778	179,860

Chairman Daines said she is concerned that the budget has been increased by \$10,000 and she personally would like to see the budget stay the same.

Vice Chairman Jensen said he feels if we are going to change the budget then it should be done in September and not this close to the July event.

Chairman Daines said the problem is the funding cycle for the budget which is July 1st and planning for the Freedom Fire event is already happening at that time. She also said listed under Revenues, that \$500 has been projected for donations and she feels if \$10,000 more can be raised through donations then it can be used for the event.

Chairman Daines opened the meeting to a public hearing.

Logan resident Bronwyn O’Hara said during the Council workshop regarding Freedom Fire there was a discussion about having large monitors which would cost more and increased the budget. She asked if the monitors are going to be used so people can see through the smoke.

Parks & Recreation Director Russ Akina responded there are side screens in addition to the jumbotron. There are limitations with the jumbotron which cause a time delay. The proposed increased budget is to pay for larger side screens which will provide a better visual display. The side screens would be rented for the Freedom Fire event.

There were no further comments and Chairman Daines closed the public hearing.

Councilmember Olsen said the fireworks have become a tradition and there is community support for the fireworks as well. It may be that we are to a point where we, as a City might not want to utilize our RAPZ tax funds for the fireworks or our City resources. Maybe we should move away from a fireworks display altogether. He feels there should be a discussion about the future of the fireworks but there should also be substantial lead time and the community should also provide input.

Chairman Daines suggested a smaller scale production at Willow Park similar to what we do on July 24th and make it a simpler, less expensive event while still celebrating the July 4th holiday.

ACTION. Motion by Vice Chairman Jensen seconded by Councilmember Needham to **approve Resolution 17-12** as amended with a budget report of the July 2017 Freedom

Fire Event to be presented to the Council in September 2017. Motion carried 4-1 (Daines voted nay).

PUBLIC HEARING - Consideration of a proposed resolution approving adjustments to fees at the Logan River Golf Course – Resolution 17-13

At the March 21, 2017 Council meeting, Parks and Recreation Director Russ Akina addressed the Council regarding the proposed adjustments to fees at the Logan River Golf Course. He said the City of Logan owns and operates public facilities where fees for services are charged by the Parks and Recreation Department, specifically greens fees, cart rentals, driving range, room rental, and golf passes at the Logan River Golf Course. He proposed the following adjustments:

<u>Golf Course</u>	<u>Current</u>	<u>Proposed</u>	<u>Birch Creek</u>	<u>Eagle Mtn.</u>
Regular 9-Hole Greens Fee	\$14.00	\$15.00	\$15.00	\$14.00
Senior 9-Hole Greens Fee	\$11.00	\$12.00	\$13.00	\$13.00
Junior 9-Hole Greens Fee	\$9.00	\$10.00	\$10.00	\$7.00
Cart Rental/Person	\$7.00	\$8.00	\$7.00	\$7.00
Driving Range Small Bucket	\$4.00	\$4.50	\$4.00	\$4.00
Driving Range Big Bucket	\$8.00	\$9.00	\$8.00	\$5.00
Driving Range Season Pass	\$400.00	\$400.00	N/A	\$100.00
Regular Punch Pass	\$235.00	\$250.00	\$250.00	\$220.00
Senior Punch Pass	\$195.00	\$210.00	\$210.00	\$200.00
Junior Punch Pass	\$150.00	\$150.00	\$150.00	\$140.00
Regular Season Pass	\$830.00	\$875.00	\$950.00	\$900.00
Senior Season Pass	\$775.00	\$825.00	\$850.00	\$825.00
Junior Season Pass	\$250.00	\$250.00	\$225.00	\$135.00
Tournament Room Rental:				
Non-Exclusivity Fee	\$0	\$100.00	\$150.00	No Option

Mr. Akina explained the Golf Advisory Board has been presented with the fee adjustments. There is a push to raise interest in youth to participate in this sport; therefore, those fees will not change.

Chairman Daines opened the meeting to a public hearing.

There were no comments and Chairman Daines closed the public hearing.

ACTION. Motion by Councilmember Olsen seconded by Councilmember Simmonds to **approve Resolution 17-13** as presented. Motion carried unanimously.

Consideration of a proposed resolution approving the Annual Municipal Wastewater Self-Assessment Report – Resolution 17-14

At the March 21, 2017 Council meeting, Public Works Director Mark Nielsen addressed the Council regarding the Annual Municipal Wastewater Self-Assessment Report. He

said that each year the City of Logan completes a Municipal Wastewater Self-Assessment Report for the State of Utah Division of Environmental Quality which is required.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Olsen to **approve Resolution 17-14** as presented. Motion carried unanimously.

PUBLIC HEARING – Consideration of a proposed resolution granting local consent for the State Alcoholic Beverage Control Commission to consider granting a variance with regard to proximity requirements for selling alcohol within certain distances of Garff Wayside Gardens Park, to the Cache Venue restaurant, located at 119 South Main Street – Resolution 17-15

Chairman Daines explained the proposed variance and stated that Canyon Road Original Properties L.C. doing business as “The Cache Venue” restaurant, located at 119 South Main Street is requesting to become a full-service restaurant with a liquor license for purposes of alcohol sales and is located less than 200 feet (the Commission does allow variances to the 200’ measurement only with respect to parks and libraries) and less than 600 feet ordinary pedestrian travel of the Garff Wayside Gardens park property boundary. Canyon Road Original Properties L.C. has requested that the City of Logan provide written consent that the State Alcoholic Beverage Control Commission grants a variance to the community location proximity requirements.

Chairman Daines opened the meeting to a public hearing.

Logan resident Bill Bower addressed the Council and stated that he drinks alcohol and he does not see a problem with the Council approving the variance.

Logan resident April Mortensen addressed the Council regarding Ordinance 17-05 which is a Workshop Item on tonight’s agenda. She inquired about the minutes from the Planning Commission meeting and stated that by law, they should be made available within three days of the meeting.

Chairman Daines said the Council will respond to this question later in the meeting when Ordinance 17-05 is discussed. She also asked Community Development Mike DeSimone to talk with Ms. Mortensen about this issue.

Logan resident Bronwyn O’Hara addressed the Council and said the previous business, Gia’s which is now The Cache Venue had an alcohol license and she asked if the alcohol license remains with the business.

Chairman Daines responded no, the alcohol license does not go with the business and when a new business comes in, they have to apply for a new liquor license.

Logan resident Fernando (?) addressed the Council. He is the owner of the Factory Pizzeria in the basement of The Cache Venue location. He is concerned about the parking in this area and if there are problems with liquor being served at the Cache Venue that he will be responsible. The building is owned by the same person but there are two different business owners at this location.

Community Development James Geier stated that Gia's liquor license went inactive in 2016. The Factory Pizzeria shared an alcohol license with Gia's. The State Alcohol and Beverage Control Commission are in the process of trying to reconcile the license because they are not particularly fond of the idea that there are two establishments under a single license. This is under the control of the State and not the City. The Factory Pizzeria currently exists under a limited restaurant license.

Councilmember Simmonds clarified the Council is only considering whether they approve The Cache Venue going forward with their variance request with the proximity of Garff Gardens Park. The Council has no control whatsoever, over the licensing process.

Logan resident Gail Yost addressed the Council. She is concerned about the variance because she lives close to Garff Gardens. With the new standards that the State approved of .05 instead of .08 for someone driving under the influence, she feels a restaurant serving alcohol might not know when to tell someone that they've had enough to drink. She asked if the variance is approved is there any way to assure the neighborhood in this area that they won't have problems.

Cache Venue owner Mark Lunt addressed the Council and said he would like to assure the Council and Ms. Yost that he will take the alcohol licensing very seriously. He is also the owner of the Island Market and one of the first things he did was to remove all of the alcohol signs on the outside of the building and inside along the aisle way. All of the alcohol is located in the back of the store. He indicated that he will follow all of the laws to the best of his ability and try and assure that nobody gets behind the wheel if they have been drinking.

There were no further comments and Chairman Daines closed the public hearing

Vice Chairman Jensen asked if the license requires someone to purchase food if they order alcohol.

Mr. Housley responded that under a full restaurant license, food has to be served if alcohol is ordered.

Councilmember Needham said he feels badly that more restaurants are serving alcohol and does not support the variance request.

Councilmember Simmonds said if we want to energize the downtown and the restaurant owner is willing to go through this process, then we should not stand in their way. She does not feel that Garff Gardens Park will be impacted in this particular instance.

ACTION. Motion by Councilmember Simmonds seconded by Vice Chairman Jensen to **approve Resolution 17-15** as presented. Motion carried 4-1 (Needham voted nay).

WORKSHOP ITEMS:

Budget Adjustment FY 2016-2017 appropriating: \$3,800 donated funds toward a new Marshall Golf Cart at the Logan River Golf Course; \$23,826 for snow removal performed at the Logan Cache Airport - Resolution 17-14 – Richard Anderson, Finance Director

Finance Director Richard Anderson addressed the Council and explained the proposed budget adjustments.

The proposed resolution will be an action item and public hearing at the April 18, 2017 Council meeting.

Garden Park Apartments Rezone – Consideration of a proposed rezone. Trent Cragun, authorized agent/owner requests a rezone from Recreation (REC) and Traditional Neighborhood Residential (NR-6) to Town Center (TC) for construction of a 129,330 SF 4-story, 123-unit apartment building on 2.7 acres from 115-169 South 100 East – Ordinance 17-05 – Amber Pollan, Planner

City Attorney Kymber Hosuley responded to a question made earlier by April Mortensen regarding the Planning Commission minutes. He stated the three day requirement of the minutes being made available to the public is after the minutes are approved which, is done at the next Planning Commission meeting. It is required that a recording of the meeting be posted within three days after the meeting.

Planner Amber Pollan addressed the Council and presented the proposed rezone. She stated the proposal includes the construction of a new 129,330 SF residential building with open space, landscaping, and parking. The 120-unit apartment complex is 4 stories in height and will incorporate some limited commercial use on the main level. The apartments are primarily one-bedroom units with amenities such as decks, courtyards, rooftop patio, fitness area, and clubroom. The site currently consists of four single family homes, a triplex, a vacant commercial property, and a portion of a City park area. Existing buildings would be demolished for this development.

She stated the Town Center Zone encourages buildings to be close to the street and to maximize the use of space. The East side of 100 East has residential homes and is zoned Neighborhood Residential. The District and Corridor Zones have transition requirements that help to provide gradual transition between new development and existing neighborhoods. The standards require compatible setbacks along the street and height transition to provide sensitivity to the context of the existing area.

This area has been designated to transition to Town Center development since the 2008 General Plan adoption. The 100 East access through the area helps support Main Street, downtown activities, and more intense development. This supports the rezoning of the West side of 100 East to Town Center zoning. The Downtown Specific Plan identifies this area as a development opportunity site and encourages the introduction of higher-density housing in downtown.

The Land Use table and intent of the Town Center Zone is for a mix of complementary uses to be provided within buildings, with commercial on the main level and residential

on the upper floors. There is not a percentage requirement of how much area has to be commercial use. Locations along Main Street would be expected to have more intense commercial use. This project would provide a residential component to the mix of office, restaurant, and civic/recreation uses already on the block. The project site is on a side street and is in a location where it would be appropriate to transition the intensity of the use into the adjacent residential neighborhood. The setback requirement of the building would limit the visibility of commercial businesses from 100 East.

Staff recommended that the Planning Commission conditionally approve a Design Review Permit for Project #17-013, Garden Park Apartments, and recommended approval of the rezone from Recreation (REC), Traditional Neighborhood Residential (NR-6), and Town Center (TC) to Town Center (TC) to Town Center (TC), for the properties located at 115-169 South 100 East.

On March 23, 2017, the Planning Commission recommended that the Municipal Council approve the rezoning of approximately 2.7 acres from 115-169 South 100 East from Traditional Neighborhood Residential (NR-6) and Recreation (REC) to Town Center (TC). The Planning Commission also reviewed the request for an apartment project at this location. The Commission conditionally approved the project which is subject to the rezone of the property. The Planning Commission vote was 4-1.

Chairman Daines asked for clarification on the setbacks which is normally 25' and the Planning Commission has some latitude and they can change to 22.5' and at that point the building could be no higher than 35'. But, if the building were to move back then it could go as high as 45'.

Ms. Pollan responded that is correct and it can go 1' up for every 2' back. Councilmember Simmonds asked what is the commercial component in the Town Center.

Ms. Pollan responded there are a broad number of uses that are permitted in commercial, office, retail uses. When there is the use of residential, it does have to be included in the same building as the commercial use. There are height requirements for the first floor of the building in the Town Center Zone.

Vice Chairman Jensen said he read somewhere that the parking ratio was not where the Planning Commission wanted and the project would need off-site parking.

Ms. Pollan responded the Planning Commission required that the project provide additional parking on the site plan but that can be provided by a shared parking agreement (off-site). This is a condition of approval and will need to be in place before building permit is issued.

Vice Chairman Jensen said he remembers when this area was zoned Town Center and then it went back to residential in 2012 for the reason that it did not provide a transition to a family neighborhood. In his opinion, it's very hard to take an urban zone and have Town Center on one side of the street and a traditional, residential neighborhood on the other side of the street. The culture of a street is that both sides are similar and that is why we transition at the backyard because 100 East and Main Street don't really interact with

each other. He is struggling with the idea of a zone change on one side of the street and single family on the other side of the street.

Chairman Daines said this was done on 600 East in Campus Residential and that was the primary reason why we did put the transition as a requirement in the code.

Vice Chairman Jensen said he feels there is regret on what has happened with the Factory project being built on 600 East and single family on the other side of the street. He feels this is an unsuccessful project and it really hurt the neighborhood.

Ms. Pollan said a Wilson Neighborhood Plan has not been completed but a discussion was held in reference to the Downtown Specific Plan and the General Plan.

Chairman Daines said the Downtown Specific Plan does address this type of project.

The proposed ordinance will be an action item and public hearing at the April 18, 2017 Council meeting.

OTHER CONSIDERATIONS:

Chairman Daines said after a discussion with staff and some members of the Planning Commission it was felt there are some areas of the Code that need to be reviewed. It was proposed that a joint meeting with the Municipal Council and the Planning Commission be held to discuss several items. She asked the Council to look at their calendars and determine a date for the joint meeting to be held.

Vice Chairman Jensen commented that he noticed in the Herald Journal an article that the Cache County School's are struggling because they have so many students moving into their classrooms. It also said that Logan City School's are losing students and he feels this has something to do with our neighborhoods. He and others including Councilmember Simmonds met and came up with some good ideas regarding neighborhoods but he feels there is more to do and suggested that the group reconvene.

There were no further items discussed by the Council.

ADJOURNED. There being no further business to come before the Council, the meeting of the Logan Municipal Council adjourned at 7:25 p.m.

Teresa Harris, City Recorder