

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, August 7, 2018 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chairman Thomas C. Jensen conducting.

Councilmember's present at the beginning of the meeting: Chairman Thomas C. Jensen, Vice Chair Jeannie F. Simmonds, Councilmember Amy Z. Anderson, Councilmember Herm Olsen and Councilmember Jess W. Bradfield. Administration present: Mayor Holly H. Daines, Finance Director Richard Anderson, City Attorney Kymber Housley and City Recorder Teresa Harris.

Chairman Jensen welcomed those present. There were approximately 52 in attendance at the beginning of the meeting.

### **OPENING CEREMONY:**

Councilmember Jess Bradfield gave the opening thought and led the audience in the pledge of allegiance.

**Meeting Minutes.** Minutes of the Council meeting from July 17, 2018 were reviewed and approved with minor corrections.

**ACTION. Motion by Vice Chair Simmonds seconded by Councilmember Bradfield to approve the July 17, 2018 minutes as amended and approve tonight's agenda.**  
**Motion carried unanimously.**

**Meeting Agenda.** Chairman Jensen announced there are nine public hearings scheduled for tonight's Council meeting.

**Meeting Schedule.** Chairman Jensen announced that regular Council meetings are held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, August 21, 2018.

### **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:**

Chairman Jensen recognized several who were in attendance at tonight's Council meeting in regards to the Cache Humane Society (CHS) and Logan City contract. He said unfortunately because the Council has a very long agenda, not everyone's comments will be heard tonight. He gave options for those wanting to speak to this issue such as two speakers with a total time of 8 minutes, wait until the end of tonight's Council meeting and make comments, or Mayor Daines and Police Chief Gary Jensen offered to hold a separate meeting to address concerns and answer questions.

Chairman Jensen said this is the City Council and is not the venue for the animal service issue which is an administrative issue. It's a contract issue and the City Council cannot do anything about it. The City Council reviews and approves the budget, ordinances,

resolutions and zoning. The City Council does not deal with contracts or administrative affairs which is the duty of the Mayor.

Mayor Daines said she and Chief Jensen would be very happy to meet with those who have concerns about the City's animal services and she offered to hold a one hour special meeting to have a discussion.

Logan resident David James addressed the Council and asked why citizens weren't allowed to speak for 3-minutes to voice their concerns.

Chairman Jensen responded that due to the long agenda he will allow two people to speak and again suggested that a separate meeting be held with Mayor Daines and Chief Jensen.

Mr. James said there are a lot of people at tonight's meeting and they want animal rights to be heard. He said the Council needs to hear these comments because it could be related to the budget which the Council determines.

Chairman Jensen said the Council hears the message regarding animal services and he and others have received many phone calls and emails. He said there is also misinformation and the fact that there are so many in attendance shows there is a serious problem but tonight's meeting is not the venue to solve the problem.

Mayor Daines said she met with Mr. James and others regarding dogs in City parks and she said it was a great meeting. She suggested that someone take the lead, schedule a meeting with herself, two council members and Chief Jensen. She would like to talk through the concerns in detail.

Logan resident and employee of Cache Humane Society Nancy Jensen addressed the Council. She expressed her appreciation to the Mayor, Council, Police and Animal Control for their work. She believes in the Cache Humane Society and their mission which, is to care for animals and reunite them with their owners. She clarified information and said that every animal that is brought to the Cache Humane Society and impounded is given an impound card that is printed by the officer who brings the animal to the Center and there is an incident number, location where the animal was found, name of the officer, time and day. The Cache Humane Society cannot change the number of incidents that are being reported and say they have more animals brought in by animal control. The Cache Humane Society is very concerned about reuniting animals with their owners and they would never tell someone not to come and get their animal which, was alleged in the newspaper. She works at the front desk and she is the person that would be talking to the pet owner. She said that 78% of dogs are reunited with their owners. In 2017 there were 52 dogs that were not claimed and because they are a no kill shelter, they retain those dogs for as long as necessary. There is an average 28 days until adoption which is an expense. There are approximately 300 cats who were unclaimed and it takes about 52 days to adoption. There is a 5 month wait list to bring a cat in and a 2 month wait list to bring in a dog from surrender by the public.

Whitney Milligan addressed the Council. She is the Coordinator of Aggie Cats which is the Trap, Neuter, Release Program (TNR) on campus. She presented the TNR Program to

the Council nine years ago in an effort to get the City ordinance changed to allow the TNR Program in Logan City. The Council at the time, voted unanimously to approve the program. There have been several volunteer hours completed to educate the community and TNR has shown to be the most effective way to reduce the number of feral cats and has been proven on campus. Logan Police Captain Tyson Budge was very dedicated to the implementation of the TNR Program. She said the Cache Humane Society has been running privately where many cities fund these programs which, she believes is the responsible thing to do. She said humans are responsible for the wellbeing of animals in our communities.

Mayor Daines commented that after the five days of boarding in Brigham City per State law, Logan Animal Control will pick up those animals and we will be responsible for them. The City is working on another contract to take the animals to after the five days in Brigham City. Mayor Daines read an excerpt from a letter signed by Joshua Gardynik, Cache Humane Society Board President and Stacey Frisk, Cache Humane Society Executive Director dated July 26, 2018. It reads: *We have concluded that the terms offered by Logan City are unacceptable and have reached an impasse. In that light, and considering the length of time since the contract has expired, we will no longer provide impound services for Logan City effective August 1, 2018.*

Mayor Daines said with the short notice from CHS this left Logan City in a very awkward position to try and care for the animals in our charge. She read another excerpt from the letter which reads: *We hope to collaborate with Logan City's future impound service provider to ensure the best possible outcomes for Cache Valley animals.* Mayor Daines said Logan City agrees with that statement but clearly, CHS chose to go another direction so Logan City moved forward to care for animals. Logan City was in negotiations and we disagreed with a few things but rather than CHS coming back to Logan City and offering a counter proposal, we received the letter and based on that we made other arrangements. She offered to send a copy of the letter to anyone who is interested.

David James said he is the creator of Cache Valley Lost Pets. There is another organization by the name of Dog Owners for a Better Cache Valley. Cache Valley Lost Pets is dedicated to lost pets. His main concern is people don't know what is going on. He will work with Mayor Daines and will schedule a meeting to talk about the various issues. He is still concerned that if a dog were to get lost, taken to Brigham City and then killed, he would not be able to deal with it because he loves animals so much.

Logan Police Gary Jensen said to date every dog that Logan City Animal Control has impounded has been reunited with the owners within hours. Currently, there are no animals being held. If, we get to a point where the animal has been in Brigham City for five days, Animal Control will bring the animal home and try and get it adopted through other means. He has no expectation of having any greater kill numbers than CHS. He said the animal will receive great care while they are with LCPD or in Brigham City and we will see the animal through either with their owner or with through adoption.

Chairman Jensen said a contract is between two parties who sign and are willing to come to an agreement. Contracts are not mandatory and both parties need to negotiate with two parties who are willing.

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

### **MAYOR/STAFF REPORTS:**

#### **Logan City School District Report – Superintendent Frank Schofield**

Logan City School District (LCSD) Superintendent Frank Schofield addressed the Council and gave a presentation.

He said the mission of the LCSD is to ensure all students leave our schools ready to create a positive future for themselves and their community.

- Total of 5,894 students
  - 38% from ethnic minorities
  - 14% classified as English learners
  - 56% students in poverty
  -

#### **Achievement in Academics**

- AP and Concurrent Enrollment
  - 469 Students
- Academic Olympiad & Debate
  - Consistently in the Top 3 in Utah
  - Debate State Champions last year
- Student Growth and Proficiency
  - Growth rates at or above the State average in most subjects

#### **Achievement in the Arts**

- Music
  - Band and choir both qualified for the State level competition this year, and had a number of placers
- Visual Arts
  - Students presented several pieces of art at the Springville Art Festival
  - LHS has the only stone sculpture program in Utah

#### **Achievement in Innovation**

- Expanding use of technology
  - 1:1
  - LHS Innovations
- Career and Technical Education
  - Aviation
  - Robotics
  - Alignment with Bridgerland Technical College and USU

#### **Achievement in the Community**

- Neighborhood and Latino Community Outreach

- Hillcrest Elementary Rebuild
- Bear Hugs

Chairman Jensen thanked Superintendent Schofield for his work at the School District.

Superintendent Schofield added there are fewer numbers of students attending AP classes compared to other schools in Cache Valley. The reason for this is Logan High has students who have the potential to be first generation college students who don't have parents who have taken AP courses or concurrent enrollment.

Councilmember Olsen asked about the new Hillcrest Elementary building process.

Superintendent Schofield responded they will build the new school onsite while school is in session. The new school is adjacent to the existing school building. Ellis Elementary will also be remodeled and the plan is to complete the new Hillcrest school and before that school is demolished they will bus students from Ellis to Hillcrest for one year while Ellis is being remodeled.

Superintendent Schofield said the Academic Olympiad was held with 17 different high schools in Northern and Central Utah and Logan High did really well in the competition. He also said there is a high rate of turnover with teachers and there are a number of teachers who move away and leave Cache Valley and even the State of Utah. The pay is higher at the Cache County School District and a lot of teachers go there as well. There has also been a decrease in enrollment over the last few years due to students leaving Logan City and going to Cache County Schools or moving out of State.

Superintendent Schofield invited the Mayor and Council to tour the newly remodeled Logan High School building.

### **Discussion: Logan's Future Growth to the South – Mayor Daines**

Mayor Daines gave a summary on a recent meeting held with Nibley City regarding possible boundary adjustments. There have been no decisions made but there has been good discussion to determine future growth to the South as it relates to corridor preservation, development of nodes, etc. She feels we are well into having a good positive discussion and there are future meetings scheduled to discuss specifics and will then report back to the Council.

### **COUNCIL BUSINESS:**

#### **Planning Commission Update – Vice Chair Simmonds**

Vice Chair Simmonds reported that the Planning Commission was presented with a proposed rezone in the Meat Packing District which will be presented to the City Council in two weeks.

No further Council items were presented.

## **ACTION ITEMS:**

***(Continued from the July 17, 2018 Council Meeting) - Town Center Rezone – Consideration of a proposed rezone. Logan City requests to rezone multiple parcels on approximately 173 acres from Town Center (TC), Neighborhood Residential (NR-6) and Public (PUB) to Town Center 1 (TC-1), Town Center 2 (TC-2), Public (PUB) and Recreation (REC) – Ordinance 18-07***

At the May 1, 2018, May 15, 2018, June 5, 2018, June 19, 2018 and July 17, 2018 Council meetings, Community Development Director Mike DeSimone and Planner Russ Holley addressed the Council regarding the proposed rezone.

Mr. DeSimone said what will be presented tonight are two separate items, but are somewhat related. Part of the Town Center Rezone includes aspects of the Land Development Code Updates. The Council will act on the Town Center Rezone Map on its own merit and the Council will also act on the Land Development Code Updates which includes the Town Center information as a separate item.

Mr. DeSimone reviewed the following information regarding the Town Center Rezone.

## **REQUEST**

The Logan City Community Development Department is requesting to create two new zoning districts (TC-1 & TC-2) and rezone approximately 173 acres of property located in various areas, in and around Downtown Logan from TC, NR-6, PUB & REC to TC-1, TC-2, PUB & REC. The fundamental reason for this proposal is the creation of two new zoning districts (TC-1 & TC-2), that create a two-tier downtown. TC-1 is designed to be higher density urban development areas positioned along the Main Street and 400 North corridors. TC-2 is designed to be a lower density zone for areas positioned around the edges of downtown. Both TC-1 and TC-2 would be considered commercial zoning districts, with the main difference being that TC-2 requires lower building heights, larger setbacks and would allow stand-alone multi-family residential projects.

The majority of properties under consideration currently contain some form of development, with most being commercial uses and structures. Many of the properties are considered historic, with buildings dating back to the early 1900's. This proposal also includes several civic, public and recreational properties located in various areas throughout downtown. In one area along 100 East, the proposal includes an up-zone of NR-6 properties to TC-2.

## **GENERAL PLAN**

The Future Land Use Plan (FLUP) adopted in 2008 identifies the entire downtown area as TC with the exception of Garff Wayside Gardens and Pioneer Park shown as REC. In 2008, the General Plan did not contemplate a tiered or step-down Town Center pattern. With numerous debates in recent years focused on development compatibility, a step-down transition to lower intensity neighborhoods should increase compatibility while remaining consistent with the General Plan. And the creation of the TC-2 zone should spark additional multi-family residential development around downtown, which is something the General

Plan identifies as important for downtown vibrancy and a way to reduce the demand and pace of outward sprawling suburban development.

## **ZONING**

The TC-1 zone is proposed as being the inner core of Logan City with a mix of retail, office, commercial, entertainment and residential land uses. Projects must contain commercial space and are prohibited from stand-alone residential. The TC-1 zone is proposed with building heights at 80', front yard setbacks at 0' and 70 residential units per acre. The TC-2 zone is proposed in areas off Main Street and 400 North, with a mixture of commercial and residential uses encouraged. Projects in the proposed TC-2 zone could be commercial or stand-alone multi-family residential. The TC-2 zone is proposed with building heights at 45', front yard setbacks at 25' and 50 residential units per acre. Residential bonuses are proposed in the TC-2 zone. The PUB and REC zones are described as areas for public use, such as parks, civic and governmental projects.

## **SUMMARY**

As proposed, the TC-1 and TC-2 concept should preserve prime commercial properties for commercial uses and tax base along Main Street and 400 North within downtown. The TC-2 zone should spark additional housing, being in high demand, in areas around downtown that will create vibrancy, better walk-ability and contribute to downtown business development. With such high demand for housing, Cache Valley is seeing unprecedented amounts of agricultural land, green space, bench land and low-land wildlife habitat being consumed for suburban residential development. This type of development pattern increases reliance on the automobile, worsens traffic congestion and degrades air quality and natural environments. This pattern does not supply a wide-ranging housing stock that meets the wide range of household types and various stages of life for the citizens of Logan. This proposal is attempting to fulfil the saying, "Keep the country, county and the city".

## **AGENCY AND CITY DEPARTMENT COMMENTS**

No comments.

## **PUBLIC COMMENTS**

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, numerous phone calls and comments have been received.

## **PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on 1/14/18, posted on the City's website and the Utah Public Meeting website on 1/14/18, and noticed in a quarter page ad on 1/14/18, and a Public Notice mailed to property owners within 300' was sent on 1/9/18.

## **RECOMMENDED FINDINGS FOR APPROVAL**

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

1. The location of the subject properties is compatible in land-use with the surrounding commercial, residential and civic uses.

2. The subject properties can fulfill the purpose of the General Plan, Downtown Specific Plan and Land Development Code by providing a compact vibrant and urban downtown.
3. The surrounding streets and infrastructure are sufficient in size and capacity to handle uses permitted in the TC-1 and TC-2 zoning districts.

### **RECOMMENDATION**

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council for a Rezone of approximately 173 acres of property located in and around Downtown Logan from Town Center (TC), Traditional Neighborhood Residential (NR-6), Recreation (REC), and Public (PUB) to Town Center 1 (TC-1), Town Center 2 (TC-2), PUB and REC.

On April 12, 2018, the Planning Commission unanimously recommended that the Logan Municipal Council approve the Town Center Rezone project that amends the Official Logan City Zoning Map.

### **Background**

Mr. DeSimone said the process to evaluate the Town Center zoning district was started in July of 2017 following the Garden Park project and rezone. A working group comprised of staff, Mayor, Planning Commission and Council members was organized to look at ways of improving the Town Center zoning district by clarifying general design and site requirements, and to look at developing a transition of intensity between the downtown core and surrounding residential areas. The result was the proposed TC-1 zone in the downtown core and the establishment of TC-2 surrounding the downtown core. The formal process began with the Planning Commission in January of 2018 with their final recommendations sent to the Council on April 12, 2018.

Mr. DeSimone provided updated TC-1 and TC-2 spec sheets that include the suggested changes from the Council. The only exception are the parking standards as these reflect the consensus from the June 19<sup>th</sup> meeting but nothing from the July 17<sup>th</sup> meeting as there was no clear direction given to staff regarding changes to parking. The Council will need to finalize any changes to the parking requirements at tonight's meeting.

Mr. DeSimone reminded the Council that the spec sheets are part of the broader Land Development Code 2018 Update, so following the public hearing, the Council action on Town Center will need to be done in a two-step process. First, the actual zoning boundaries are being considered as a rezone so the Council will need to take action on that specific Ordinance (Ordinance No. 18-07), while the specific TC-1 and TC-2 language is contained in the broader Land Development Code Update project so the Council will need to take action on that specific Ordinance (Ordinance No. 18-08).

### **Ordinance No. 18-07 (Town Center Rezone)**

Planner Russ Holley provided updated TC-1 and TC-2 zoning maps reflecting recent changes made to the NW corner of 2<sup>nd</sup> East/ 3<sup>rd</sup> North by retaining the NR-6 zoning on the eight (8) residential parcels. To summarize, the Town Center Rezone Component contains approximately 173 acres currently distributed across the following zones: TC - 138 acres,



PUB - 20 acres, REC - 3 acres, and NR-6 - 12 acres. The proposal in front of the City Council on August 7<sup>th</sup> redistributes the acreage in this manner: TC-1 - 102 acres, TC-2 – 39.5 acres, PUB - 16 acres, REC - 6 acres and NR-6 – 9.5 acres.

The following table summarizes the proposed zoning action, including general acreages of each specific zone along with the full residential development potential of each zone.

### **Town Center Zoning Summary**

	Existing Acreage	Proposed Acreage	Dwelling Units per Acre	Prior Residential Development Potential	Proposed Residential Dev. Potential
Town Center	138	0	70	9,660	0
Town Center I	0	102	70	0	7,140
Town Center II	0	39.5*	30	0	1,185
Public	20	16	0	0	0
Recreation	3	6*	0	0	0
NR-6	12	9.5	6	72	57
Total	173	173		9,732	8,382

\*A rezone of the ½ acre at Garff Gardens from REC to TC-2 will add an additional 15 units in the TC-2 zone.

Both the prior residential development potential and the proposed residential development potential are a little misleading in that several different factors come into play when re-developing property, e.g., parking, setbacks, building heights, existing buildings, lot consolidation, access points, storm water, willingness to sell, etc., so those numbers are based on gross acreage only, and are relatively high. But what it does show is the overall reduction in potential residential growth in the downtown area with the creation of a TC-1/TC-2 zoning scheme.

Below is an updated summary and comparison of the TC, TC-1, and TC-2 zones.

	<b>Town Center (TC)</b>	<b>TC-1</b>	<b>TC-2</b>
Density	70	70	30
Lot Coverage	100%	100%	80%
Building Frontage (bldg. width to lot width ratio)	75% Main/40% Other	75% Main & 4 <sup>th</sup> /50% Other	50%
Ground Floor Commercial	Unclear (Policy language yes - regulatory language no)	Required on Main & 4 <sup>th</sup> North only/Other streets no	No
Free Standing Residential	Unclear	See above	Yes
Commercial Setbacks	Front: 0'-5'; Side: 0'-5'; Rear: 0'	Front: 0'-5'; Side: 0'; Rear: 5'	Front: 0'-10'; Side: 0'-8'; Rear: 5'
Residential Setbacks	Same as above	Front: 0'-10'; Side: 0'-8'; Rear: 10' with design flexibility based on project/location	Front: 0'-10'; Side: 0'-8'; Rear: 10' with design flexibility based on project/location
Height/Setback Transitions	Yes	Yes	Yes
Building Heights	68' – Main/45' other streets	55' all street frontages & up to 80' internal to block	45'
Ground Floor Height	15' – 20'	Commercial/MU – 12'	None
Transparency/Fenestration (windows)	Ground Floor 60%/Upper 20%	Same	Ground Floor 40%/Upper 20%
Parking (Residential)	0.5 stall/unit – 2.0 stalls/unit	Studio/1 BR – 1.5 stalls/unit & no shared parking 2 + BR – 2.0 stalls/unit & can utilize up to 50% shared Visitors Parking – 1 stall/10 units	All units - 2.0 stalls/unit & can utilize up to 25% shared Visitors Parking – 1 stall/10 units
Parking (Commercial)	Based on Use Type	Based on Use Type & with up to 50% shared	Based on Use Type & with up to 50% shared
Land Set-asides (Open Space)	No	No	Open Space - 10% & Useable Outdoor Space – 10%

## **Ordinance No. 18-08 (2018 Land Development Code Update)**

The proposed Ordinance No. 18-08 updates and re-adopts the entire Land Development Code (LDC) as amended. The amendments are divided into either “general” changes and “specific” changes. The general changes found throughout the document including formatting or grammatical corrections, chapter consolidation, document renumbering, and overall document content streamlining, and are considered relatively minor. The more specific amendments include eliminating vague or general policy language from the regulatory document, eliminating multiple references to specific development standards or regulations, clarifying building design standards regarding orientation, massing, articulation and building length, group homes, and dividing Town Center into two separate and distinct zones (TC-1 and TC-2). We had also proposed restricting alcohol service in the Neighborhood Center (NC) zoning district but the Council directed staff to remove that item.

### **TC Outstanding Issues**

The Council worked through a list of issues in the past two council sessions, with residential parking the remaining issue that needs a decision on. There was agreement on considering some type of density bonus in the TC-2 zone which is not included here, but will go back through the Planning Commission process in a separate code amendment.

Here is the current parking proposal from the June 19<sup>th</sup> Council workshop:

	<b>Town Center (TC)</b>	<b>TC-1</b>	<b>TC-2</b>
Parking (Residential)	0.5 stall/unit – 2.0 stalls/unit	Studio/1 BR – 1.5 stalls/unit & no shared parking 2 + BR – 2.0 stalls/unit & can utilize up to 50% shared Visitors Parking – 1 stall/10 units	All units - 2.0 stalls/unit & can utilize up to 25% shared Visitors Parking – 1 stall/10 units
Parking (Commercial)	Based on Use Type	Based on Use Type & with up to 50% shared	Based on Use Type & with up to 50% shared

It is important to note that shared parking is currently permitted under the Land Development Code Chapter 17.38 (old)/17.31 (new) for all zones, but is not an automatic or outright permitted method for meeting minimum parking standards. Shared parking is discretionary on the part of the decision-making body, requires an evaluation of the proposed uses that will be sharing parking through a formal parking study, requires the approval of an alternative parking plan, requires a formal agreement between all parties, and is recorded with the County. Subsequent changes in use will be evaluated through the business license process and against the original shared parking agreement to determine their compatibility. Because the process is already in place to permit shared parking, one way to simplify the parking requirements in the TC zones is to eliminate any reference to shared parking percentages and then just have the Planning Commission review it on a project by project basis.

Regarding the parking discussion about what is an appropriate ratio of stalls per units, staff researched other jurisdictions to see what their minimum parking requirements were for their downtown residential projects, while Chairman Jensen looked at the private side of the development equation to see what private developers are doing in the marketplace to ensure they have adequate parking in order to make sure their projects are competitive and marketable. Below is a sampling of data from some of the larger multi-family project developers that Chairman Jensen provided.

<b>Data on Parking Ratios from Regional Experience</b>				
<b>Source/ Person</b>	<b>Sample projects</b>	<b># Units</b>	<b>Ratio used</b>	<b>Notes</b>
Wasatch Builders Bracken Atkinson, VP	Over 15,000 units currently managed		1.7 spaces/unit including visitor parking. Could be reduced in urban areas with mass transit	Projects are inhibited from being developed due to overly restrictive parking requirements.
Kier Construction Steve Kier, CEO	30+ years of multi-family construction			
	Liberty Crest, SLC	177	1.24	
	Ball Park Senior Housing, SLC	62	0.6	Senior
	900 East Lofts, SLC	68	0.46	
	Salmon Apartments	62	1.89	
	Midvale Station, Stage 1	102	1.42	
	Midvale Station, Stage II	84	1.56	
	Liberty on Main, SLC	120	1.03	
	Hardware East Village, SLC	186	1.1	Close to city center
	Point of View Apartments, Draper	324	1.72	
	Marmalade Apartments, SLC	249	1.05	
	Liberty Center, Provo	120	1.53	
	Park at City Center, Sandy	330	1.96	
	Artesian Springs, Phase I & II, Murray	245	1.81	
Architectural Nexus Doug Thimm, Sr Princ.	Over \$100 million plus several large shopping/power centers		1.7 overall ratio used	Works with Cowboy
Cornerstone G. Lyman Adams, Director/Co-Owner	41 projects in Utah, Idaho and Nevada			
	Wasatch Pointe	99	2.11	
	North Pointe	80	2.11	
	Bridger Pointe	133	2.09	
	Deer Creek	96	2.55	
	Logan Pointe	105	1.54	

In the private side of the multi-family, market rate housing discussion, the targeted parking ratio is somewhere around 1.7 – 1.8 stalls per unit across a wide range of projects (non-student oriented housing). They have to ensure they provide enough parking to meet their potential tenants needs without overparking the site and pushing parking out onto public streets. The projects downtown or adjacent to a transit stop have reduced parking requirements and demands, while projects further away have higher needs. A developer of a project has to have adequate parking in order to compete in the market place. The interesting trend that is noted in Tom’s research is that the projects listed under Cornerstone with ratio’s above 2 stalls/unit reflect a trend in parking 20 years ago, where overparking a site was the norm. The current trend, due to rising land costs and changing demographics, is to move away from overparking market rate housing projects.

Here is a small sample from a variety of other jurisdictions showing their parking requirements. A very common or typical parking requirement for multi-family projects tends to be around 2 stalls per unit, but those projects, tend to be the suburban style of multi-family project. A number of cities do not have a downtown specific type of zones, so their general default is the standard 2 stalls/unit. Those cities that have a specific downtown mixed-use type of zone have moved towards placing less importance on required parking recognizing the costs associated with redevelopment as well as the changing demographics of who will be residing downtown.

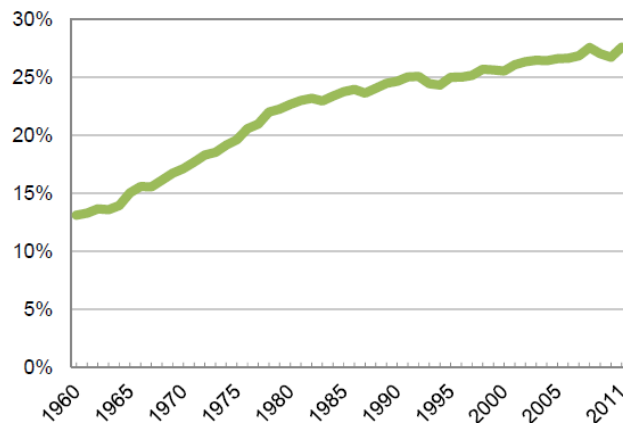
<b>City</b>	<b>Zone</b>	<b>Parking Requirements</b>
Provo	Downtown	1.25 stalls/unit. Projects adjacent to multi-family zones require an increase to 2.25 stalls per unit
Ogden	Downtown	1.5 stalls/unit. Multi-family projects outside of the downtown zone are 2.0 stalls/unit
Orem	Commercial/Residential	2.25 stalls/unit. PUD’s - 1.65 stalls per unit. No downtown specific zone
Draper	Multi-Family	2.0 stalls/unit. No downtown specific zone
Bountiful	Downtown	1.5 stalls per one bedroom unit, 2.0 stalls per two-bedroom unit, 2.5 stalls/unit per three or more bedrooms. Require visitor parking of .25 stall/unit
Sugarhouse	Multi-Family/Mixed Use	1.0 stalls per one bedroom unit, 2.0 stalls per two + bedroom units. Permit reductions if close to transit.
Lehi	Multi-Family	1.0 stalls per one bedroom unit, 2.0 stalls per two + bedroom units. Requires visitor parking of 1 stall/3 units. Allows up to 30% reductions for mixed use projects and up to 50% reduction for transit oriented development

One final point to consider is that our demographics are changing. The graph below shows the change in single person households since 1960, and as of 2014 that number is above 30%. The other consideration about our demographics is that approximately 18% of Logan's total population and approximately 22% of Cache County's total population is in the age ranges of 20 – 24 and 25 – 29. The age range of 20 – 24 are typically college age individuals, while the 25 – 29 group are those just out of college and starting careers. Traditionally, these age groups are also marrying and starting families; however, trends are showing that many people marry later in life and, as the graphic below shows, many are choosing to live on their own. This is the targeted group that we believe will be drawn to downtown living.

## Parking Recommendation

In coming to some type of final consensus on the parking, I would suggest eliminating the specific shared percentages from both the TC-1 and TC-2 zones, and let the Planning Commission evaluate a request for shared parking through the existing design review process and on a case by case basis. Shared parking will work in certain applications and will not work in others. The PC is involved with evaluating the details of a project and would be able to make a well-informed decision on a request to share parking. I would also

Percent of Households with one Person:  
1960 to 2011



Source: U.S. Census Bureau, Current Population Survey, 1960 to 2011 Annual Social and Economic Supplements



recommend that the Council consider modifying the TC-2 parking requirements to match that of TC-1 so they are both consistent. These standards are consistent with the approach other jurisdictions are taking with parking as well as consistent with the overall marketplace.

	<b>Town Center (TC)</b>	<b>TC-1</b>	<b>TC-2</b>
Parking (Residential)	0.5 stall/unit – 2.0 stalls/unit	Studio/1 BR – 1.5 stalls/unit and 2 + BR – 2.0 stalls/unit Visitors Parking – 1 stall/10 units	Studio/1 BR – 1.5 stalls/unit and 2 + BR – 2.0 stalls/unit Visitors Parking – 1 stall/10 units
Parking (Commercial)	Based on Use Type	Based on Use Type	Based on Use Type

City Attorney Kymber Housley commented we don't have funding and there is no project at this time. What is being presented is only conceptual.

Mr. DeSimone said on an acre of property you will get approximately 125 parking stalls depending on the layout. The percentage of one person per household is growing. They are no longer students in college and are working and living on their own and that is the type of housing being proposed in the downtown.

Chairman Jensen commented that parking determines how large the building will be. He said in regards to shared parking and based on what Mr. DeSimone has presented, he recommended that shared parking be taken off the table. When someone leases a unit the landlord will give them one parking space and if they want a second parking space they purchase that space. If there is not a second parking space to purchase then the person most likely will not rent that particular unit and they find another place to live.

Chairman Jensen opened the meeting to a public hearing.

Logan resident Marilyn Griffin addressed the Council and expressed her appreciation for all the time and consideration for the proposed Town Center Rezone. She still has concerns regarding the area of 100 East 100 South and the other being 300 North 100 East to 200 East. She suggested that the North side of 300 North reflect the South side and that it remain NR-6.

Logan resident Gail Yost addressed the Council. She said we have a lot of single residents that will eventually get married and have children. We need to make sure that whatever housing we have is affordable and we cannot make housing so upgraded and expensive which can end up being subsidized. We need to meet the needs of the people and have moderate housing.

Logan resident Joe Tennant addressed the Council. He said that he lived in a housing development that allowed two parking stalls per unit. One stall was close by and the other was in parking lot further away from the unit. He always found a parking space and there was never any contention and there were always a few stalls open. He asked the Council to consider 2 parking stalls per unit.

Logan resident Keith Schnare addressed the Council and read a prepared statement. He said several hundred citizens have signed a petition asking for a proposed change from NR-6 to TC-2 at 100 East 200 South be removed and so far the Council has not heard this request. He asked, does a Council Member carry more weight than the view of the citizens who elect them? What is driving the Council to ignore the citizens and listen to the developer? A developer who has no verifiable experience building his proposed structures and has gambled on City support and paid too much for his properties. The proposed project requires more units per acre which does not make for a good transition from single family to multi-family in this area. The property along 100 East has trees that are over 100 years old and Logan is a Tree City. The proposed development would destroy most of this growth. He said the citizens are not opposed to the concept of TC-2 but they are along 100 East and there are better areas for a project such as this one.

Logan resident Paul Borup addressed the Council. He said there were statistics presented tonight regarding the percentage of single family housing but if that is broken down within Cache County it would be two people per household. The average number of cars per person in Cache County is well over two. He said it's a great idea to have a walkable downtown and it's very ideal but we don't live in an ideal world, we live in the real world. He feels the Council should err on the side of caution and decide do we really want to have more parking problems.

Logan resident Roger Johnson addressed the Council. He said the concepts made by the Council will affect future generations to come. Parking has been a problem in the downtown for years and we have kept parking to a minimum which has hurt businesses.

Logan resident David Simmonds lives at 200 East 400 North. He suggested where NR-6 is proposed on the corner of 200 East 300 North, that it be extended North on 200 East because this is also a neighborhood.

Logan resident Mary Ellen Robertson addressed the Council. Her family has owned a home on 100 East for the past 99 years. She suggested keeping the block of 100 East between 100 and 200 South as NR-6. She also suggested adding more parking in TC-2 zones that are bordered by NR-6 residential neighborhoods. She is not clear on what the benefit will be in eliminating the percentage of shared parking in the TC-1 and TC-2 zones. She is also not sure about the thinking behind making the parking requirements for TC-1 and TC-2 exactly the same. They are very different zoning categories and different densities. She does not support the suggestion of sending shared parking back to the Planning Commission because she feels doing that creates a patchwork of doing different things in different areas.

Chairman Jensen clarified that shared parking for residential will not go back to the Planning Commission. The Council is only sending the issue of density bonus to the Commission. The shared parking is only being considered on a case by case basis for commercial retail projects. The Council is considering no shared parking for residential.

Ms. Robertson said she doesn't like the density bonus idea either.



Logan resident Janice Bird addressed the Council. She distributed 125 flyers to concerned citizens about the issue of putting a large project on a postage sized piece of land. She proposed townhomes as a transition and if there is the right percentage there would be no parking problems and would fit much better in the neighborhood.

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

Council recessed at 7:11 pm

Meeting reconvened at 7:18 pm

Chairman Jensen said there were letters written, one specifically by Gail Yost accusing some of the Council Members of having under the table dealings. He said as far as he's concerned, no deal has been made and it would be very transparent if a deal had been made. The other thing mentioned in the letter is that the citizens have control and the Council should do the citizen's bidding. He stated that the Council is a representative democracy and not a direct democracy. On every issue, there will be people who are against it and there will always be people who are negative. Chairman Jensen said the Council is elected to work through issues and make judgements and the Council is trying to do their best. He said the petition of 500 names is a lot but there are others who support the rezone and the Council is trying to make the best decision possible for the entire community. He is going to vote for what he feels is best for the entire community and not just one group of citizens.

Vice Chair Simmonds said the Council has worked hard to create the best possible City for the future. The Council is trying to accommodate a group of people that are coming to Logan and we are one of the fastest growing communities in the State of Utah. Those coming are either going to take all of our open space or we will have to accommodate them in some other way. She is at the point that she does not care whether 100 East is TC-2 or NR-6. There will come a time when a project will come along that will request a zone change and if it's reasonable and in the Future Land Use Plan, she feels the Planning Commission will have every right to put it forward to the City Council. She would like to leave the parking where it is at the recommendation of staff. She would also suggest extending NR-6 two homes to the North on 200 East and two homes to the West on 300 North to make it even.

Mr. DeSimone further explained the area of 300 North 200 East is NR-6 and on the Northwest corner of 300 North 200 East there were eight parcels that through the Planning Commission process an owner came in and asked that it be Town Center. There are some nice homes in this area and the property owners said they don't want to go to Town Center.

Councilmember Anderson said just because these changes happen doesn't mean that next year those properties are going to be built as TC-1 or TC-2. The goal of this process is to look to the future and what makes the most sense for our community. In her opinion, what is currently being proposed is what makes the most sense for the community. Vice Chair Simmonds said sometimes there can be unintended consequences next to a residential neighborhood. Her home is in TC-2 and it was in Town Center.

Councilmember Olsen said Logan is not the only City dealing with growth. He referred to an article in the Salt Lake Tribune regarding growth and said growth is coming to Logan. He read from the summary provided by staff which talked about the high demand for housing in Cache Valley and that we need to keep the country, country and the city, city. Councilmember Olsen said he prefers the conclusions of Envision Cache 2020 that was written several years ago and recommended that we densify and build up rather than surrender to sprawl from the mouth of Sardine Canyon to the North end of the Valley. He supports density but with that density, he has also made it a point of saying that he is troubled by the painful lesson we learned about parking in Campus Residential. He still feels that we should have adequate parking and proposed 2 parking stalls per unit.

Councilmember Anderson commented that she looks at the environmental impact of having more vehicles. The more parking, we provide the less likely people are going to change. We need to encourage reliance on walkability, bikeability and public transportation. She still feels that 1.7 parking stalls per unit is reasonable. She would like to move into something in the downtown that is walkable but there are no options for housing right now.

Mr. DeSimone referred to the 2014 Census which provided the number of renters who own a car, etc. The number of renters in Logan who do not own a car is 8.7%. The number of renters who own one car is 42%. Half of our rental population has one car or less.

Councilmember Bradfield commented that over the last week he has thought about who he represents and he wants to make the best decision possible. He requested that the Council reexamine some of the plans that have been done in the past. He said all of the cities listed that are close to Logan on the parking survey appear to have 2 parking stalls per unit. We don't have a mass transit system that gets us out of the Valley where other cities do.

Councilmember Anderson said we employ staff, they have the knowledge and the expertise and she puts her trust in them with the recommendations that have been made to the Council.

Chairman Jensen said parking is a data driven study based on other communities that have had success and practice with parking. He also supports the recommendation from staff. He added that density bonus will be considered at a separate time and will not be considered at tonight's meeting.

**ACTION. Motion by Councilmember Olsen to adopt Ordinance 18-07 amended to include two parking stalls per unit in TC-1 and TC-2 with the same visitor parking ratio. Councilmember Olsen withdrew his motion.**

Mr. DeSimone clarified that Ordinance 18-07 is the mapping portion of the rezone and Ordinance 18-08 is the actual Land Development Code language.

Chairman Jensen said it was his understanding that the Council were all in agreement with the exception of parking and the boundaries.

Chairman Jensen called for an informal vote of the Council regarding parking.

Anderson – 1.5 parking stalls per unit

Jensen – 1.5 parking stalls per unit

Simmonds – 1.5 parking stalls per unit

Bradfield – 2.0 parking stalls per unit

Olsen – 2.0 parking stalls per unit

**ACTION. Motion by Vice Chair Simmonds seconded by Councilmember Anderson to adopt Ordinance 18-07 as amended adding two homes to the North into NR-6 on 200 East. Friendly amendment by Councilmember Olsen to adjust 100 East and 100 South as an NR-6 zone. Vice Chair Simmonds accepted the friendly amendment, Councilmember Anderson did not accept the friendly amendment made by Councilmember Olsen. Vice Chair Simmonds withdrew her motion.**

**ACTION. Motion by Councilmember Olsen seconded by Councilmember Bradfield to adopt Ordinance 18-07 as amended to include two homes located on the West side of 200 East north of 300 North as NR-6, and to include five homes located on the west side of 100 East south of 100 South as NR-6 (see maps below). Motion carried 3-2 (Anderson and Jensen voted nay).**





Vice Chair Simmonds commented that she hopes we can find a higher use for the homes that are in terrible condition across the street from the nicer homes on 100 East. If we can find someone that wants to build something in this area, she asked that the neighborhood carefully consider a project and in the context of what it will look like instead of an abstract of what it might be. She hopes that through this process we can be vital as a City and sustainable beyond her lifetime. She lives in TC-2 and her home is zoned TC-2. Her home isn't going anywhere and she has great neighbors. She feels that neighborhoods are defined not necessarily by a zone but, by relationships with the people around us. Those neighbors can live in apartments, townhomes or on 5 acres of land. We are evolving as a City and we need to monitor and embrace change and welcome people that move to our City.

Councilmember Olsen commented that people are coming, density is coming and we need to prepare ourselves for those things.

***(Continued from the June 19, 2018 Council Meeting) - Land Development Code 2018 Updates – Consideration of proposed code amendments. Logan City requests to amend and update the Logan Land Development Code as follows: Delete Chapters 17.07-17.11; re-number and update 17.12-17.61; consolidate 17.12 & 17.15; consolidate 17.16 & 17.19; divide Town Center Zone into TC-1 & TC-2 and add TC-1/TC-2 language into 17.10-17.12; amend 17.09 & 17.12 to add building orientation, massing, length and articulation standards; update 17.36 Home Occupations; amendment includes minor grammatical corrections throughout the entire document; update 17.60 Administrative Enforcement to increase civil fee for over occupancy – Ordinance 18-08***

At the May 1, 2018, May 15, 2018, June 5, 2018, June 19, 2018 and July 17, 2018 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the 2018 Land Development Code Updates. The proposal is to update and re-adopt the entire Land Development Code as amended. The amendments can be divided into either “general” changes and “specific” changes. The general changes including formatting or grammatical corrections, chapter consolidation, document renumbering, and overall document content streamlining and are considered relatively minor. The specific amendments include eliminating vague or general policy language from the regulatory document, eliminating multiple references to specific development standards or regulations, clarifying building design standards regarding orientation, massing, articulation and building length, and replace Town Center (TC) with two separate and distinct (TC-1 & TC-2).

The proposed “general” amendments or changes to existing LDC Chapters are as follows:

**Preface:** Changed dates, eliminated Amendment/Rezone Tables and updated Table of Contents.

**Chapters 17.01 – 17.11, 17.13, 17.20 - 17.35, 17.37, 17.39 – 17.42, 17.44 – 17.59, 17.61 – 17.62.** Minor grammatical corrections, updated references and eliminated reserve chapters.

The proposed “specific” amendments or changes to existing LDC Chapters are as follows:

**Chapters 17.12 & 17.15.** Consolidate these two chapters by eliminating the general descriptions for each specific residential zone, adding a purpose statement to each spec sheet, and eliminating the redundant regulations from the spec sheets already listed elsewhere in the LDC, e.g., fencing, parking, etc. The general language for each of the different zones in Chapter 17.12 is non-regulatory language, or General Plan language, is generally very subjective, difficult if impossible to apply and enforce, and has created confusion when applying the regulatory provisions of the code.

**Chapter 17.14.** Add building length standards targeted to each of the different multi-family zones to replace the generic spec sheet maximum building length language of 120’ (note: this is in wrong location in draft, should be inserted at 17.14.040.C.3).

**Chapter 17.15.** Residential Spec Sheets. Eliminate this chapter and move refined spec sheets into Chapter 17.12 (old) or Chapter 17.07 (new).

**Chapters 17.16 & 17.19.** Consolidate these two chapters by eliminating the general descriptions for each specific commercial/industrial zone, adding a purpose statement to each spec sheet, eliminating the redundant regulations from the spec sheets already listed elsewhere in the LDC, and replacing the existing Town Center (TC) zone with both a Town Center 1 (TC-1) and a Town Center 2 (TC-2) zones.

**Chapter 17.17.** Add TC-2 to the Use Table and define those uses appropriate for this zone. We also have proposed to eliminate some of the specific uses listed in the table as

they can be accommodated under the more general sales/service category. A number of the uses formerly permitted in the Town Center zone are outright permitted in the TC-1 zone while listed as a conditional use in the TC-2 zone.

**Chapter 17.18.** Delete redundant language found elsewhere in the Code, e.g., design, parking landscaping, etc. as well as include specific commercial design language regarding building orientation, four-sided architecture, building massing and building articulation. The following proposed changes have already been workshopped with the Planning Commission.

**Section 17.18.010.D.** Eliminate 17.18.010.D as these items are codified elsewhere in the code.

**Section 17.18.020.C.2.** Clarify that 4-sided building design is required for all projects.

**Section 17.18.020.C.4.** Change Subsection C.4 to clarify this section is about regulating Building Mass through two subcategories (1) Horizontal Articulation and (2) Vertical Articulation.

Horizontal Articulation – changed language to require at least 3 of the 6 different elements. Changed the square feet of surface area and distinct planes listed in subsection a and went to a maximum wall plan length of 40 feet instead, which means that a building shall be broken up into individual components no greater than 40' in length using at least 3 of the 6 different horizontal articulation elements.

Vertical Articulation – added limitations on the vertical height of a blank wall to 12 feet.

Removed the language regarding adaptive reuse in subsection 5 as it isn't regulatory and not any different than rest of design standards.

**Section 17.18.030.** Building Orientation

**Section 17.18.030.A.** We think it is important to keep the overall purpose of orienting buildings towards a public street, but also need to address the reality that each project is different, each site is different, each location or setting is different, each property owner's preference is different, so it is not always realistic to expect that the front door will face the street. The movement away from only requiring that the primary door face the public street allows for flexibility for all parties engaged in the design and review processes.

**Section 17.18.030.C.** Same concept. The City believes that the best side of a building should be oriented towards the street and this can be done regardless of where the front door is located. So, if a developer wants to orient his front door towards the parking lot, which by code is located either to the side or rear of the building (not between building and street), we want to ensure that the side of the building facing the street is equally as attractive.



**Section 17.18.040.** Transition Areas. Included changes to 17.18.040.C by removing references to the height transition standards in the residential section and instead putting those same standards in the commercial section.

**Chapter 17.19.** Commercial Spec Sheets. Eliminate chapter and move refined spec sheets into Chapter 17.16 (old) or Chapter 17.10 (new).

**Section 17.36.020.** Removed figures/drawings of typical cross sections and instead referenced Public Works to eliminate confusion between the LDC and actual engineering requirements which are based on adopted MUTCD and City road standards.

**Section 17.38.040.** Added a parking standard for call centers of one stall per one employee at largest shift.

**Chapter 17.43.** Simplifying the Home Occupation language to line up with recent changes to the Logan Municipal Code and State Law. We are proposing to eliminate the listing of types of Home Occupations, consolidated 17.43.040 with 17.43.050, and eliminated 17.43.150 and 17.43.160.

**Section 17.60.440.** Increased the civil penalty fee for over occupancy violations from \$50.00 to \$250.00.

Also proposed to add a new Chapter on Residential Density and Height Bonuses (17.37) which is discussed under a different memo.

## **GENERAL PLAN**

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments to update the Land Development Code, along with specific changes to the commercial design standards and the modification to the Town Center zone, are consistent with the General Plan.

## **STAFF RECOMMENDATION AND SUMMARY**

The proposed changes to the Land Development Code will help eliminate ambiguous and conflicting language, works to streamline the implementation of the Code, provides additional flexibility to both applicants and the City in designing and reviewing commercial projects, and works to better execute both the Logan General Plan as well as the Downtown Specific Plan. Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

## **PUBLIC COMMENTS**

As of the time the staff report was prepared, no public comments had been received.

## **PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on January 14, 2018, posted on the City's website and the Utah Public Meeting website on January 14, 2018, and noticed in a quarter page ad on January 14, 2018.

Chairman Jensen opened the meeting to a public hearing.

Wasatch Properties Manager Bracken Atkinson addressed the Council. He said if the Council goes over 2 parking stalls per unit they will limit the ability for any developer to come in and produce substantial housing. Throughout the State of Utah there aren't a lot of housing developments over 4 stories because of the parking needed and mass transit has changed things. Regarding building massing and articulation standards, he said these things need to happen if the Council wants any projects to go through. The Council just spent two years fighting for TC-1 and TC-2 and the standards need to be increased. There is not a 24-plex building in the County that meets the current code, they were all built in previous codes or a variation of codes. He asked the Council to adopt the ordinance as it was presented with no more than 2 parking stalls per unit. He also asked that the exterior of the building length go to 175' and 250' on the interior. He feels there are a lot of good amendments in the Ordinance that will help going forward in the future. He added that the higher the building and higher the density the more money has to be invested into the development.

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

**ACTION. Motion by Councilmember Bradfield to adopt Ordinance 18-08 as amended to increase parking to 1.9/stalls per unit. Motion failed for lack of a second.**

**ACTION. Motion by Councilmember Anderson seconded by Vice Chair Simmonds to adopt Ordinance 18-08 as presented with the parking recommendations for residential uses in either TC-1 and TC-2 as follows: studio and 1 bedroom units require 1.5 stalls/unit, 2 bedroom or larger units require 2.0 stalls/unit, and visitor parking is required at 1.0 stalls/10 units. Friendly amendment by Councilmember Olsen to go to 1.9 stalls/unit. Councilmember Anderson and Vice Chair Simmonds did not accept the friendly amendment made by Councilmember Olsen. Motion carried 3-2 (Olsen and Bradfield voted nay).**

## **PUBLIC HEARING – Update on street improvements at 1000 North from Main Street to 200 West**

At the July 17, 2018 Council Meeting, Public Works Director Paul Lindhardt addressed the Council regarding proposed improvements at 1000 North from Main Street to 200 West. He stated that in October 2016 a public meeting was held to gather questions and concerns from citizens regarding this project. It came to the Council in November 2016 with a resolution which, was approved in December 2016. That resolution spelled out three options which are the following:



- Install a traffic signal at 1000 North and 200 West capable of handling a 5-lane roadway.
- Eliminate parking on 1000 North between Main Street and 200 West and stripe the road to include a continuous center turn lane.
- In the longer term, purchase property to allow the widening of 1000 North to 5 lanes from 200 West through Main Street.

With the the existing turning movement of counts a traffic signal is warranted at 1000 North 200 West. The Counts were seasonally adjusted (Utah State University semester). The following was presented:

### **1000 North Context**

- Significant queueing exists on 1000 North near Main Street
- Public road connections add to congestion West of Main Street
  - 50 West
  - 100 West
- Higher density land-use West of Main Street to 200 West
- Previous improvements made East of Main Street
  - 3 lanes
  - Shoulder striped
  - Signal at 200 East
- Early public comments preferred:
  - 5-lane roadway
  - Full access at 50 and 100 West

### **Recommendations**

- Address immediate needs near Main Street to the West
- Near Term Year 2029 – Scenario 9C
  - 200 West Signal
  - 1000 N = 5-lanes (200 West to 50 East)
  - Single Eastbound left-turn lane at Main Street
  - 200 West & 200 East remain as is
- Long Term Year 2040 – Scenario 7B
  - 200 West Signal
  - 1000 North = 5-lanes (200 West to 200 East)
  - Single Eastbound left-turn lane at Main Street
  - 200 West & 200 East = 5-lanes
- Coordinate signal timing upgrades with UDOT

There is approximately a \$1-2M reduction in cost if 5-lane widening is limited to 100 West to 50 East.

Mr. Lindhardt stated the Council approved a resolution in 2016 to move forward with the proposed project. There are no changes to the initial resolution and what is being presented tonight is an update. There is not another resolution to approve at tonight's meeting.

Councilmember Olsen asked if the concerns brought forward by Jeff Hoedt at the July 17 Council meeting were addressed.

Mr. Lindhardt responded yes, Civil Science and Hales Engineering addressed Mr. Hoedt's concerns in a memo which was also provided to the Council.

Chairman Jensen opened the meeting to a public hearing.

Logan resident Paul Brunson addressed the Council. He is the current HOA President of Lexington Village located at 1025 North 130 West. He said there are many residents that do not support the proposed project. A realtor assessed the property of a resident living in Lexington Village and said there would be a \$20,000 property loss if the project were to move forward and that is just for one unit. This is an owner facing 1000 West and there are 10 units facing the road and 40 units total. As residents, they feel the data provided is not accurate and they would like to know why 1000 North is a priority? This is a minor traffic artery designated in the Master Plan where 200 North is a major artery. The residents do not feel that widening the road is going to help with the flow of traffic and the residents feel there are other options such as UDOT changing the timing of the traffic light on Main Street that will work better.

Kris Larsen owner of Bridgerland Square addressed the Council. He and others in Bridgerland Square located at 1000 North Main Street, support the expansion of 1000 North and Walgreens also supports the project

Logan resident Stacey DeSpain addressed the Council. She asked how far the expansion will go from East to West. She lives on the corner of 200 West 1000 West and is also concerned about a traffic light at this location and how it will impact her and other properties surrounding the traffic light.

Mr. Lindhardt responded the current proposed expansion goes from 200 West to 200 East. He does not have the specifics of the intersection design but, it could require some property acquisition.

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

### **PUBLIC HEARING - Consideration of a resolution amending the Light and Power Fees Schedule – Resolution 18-31**

At the July 17, 2018 Council Meeting, City Attorney Kymber Housley addressed the Council regarding the proposed Light and Power Fee Schedule. He stated these are all existing fees and the proposed resolution is to consolidate into one fee schedule with the exception of a new fee which is the Small Wireless Facilities – Collocation Small Wireless Facility and/or Pole Installation in City right-of-way for Small Wireless Facilities with a fee of up to \$250 annual fee.

Chairman Jensen opened the meeting to a public hearing.

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

**ACTION. Motion by Councilmember Bradfield seconded by Councilmember Olsen to approve Resolution 18-31 as presented. Motion carried unanimously.**

***(Continued from the July 17, 2018 Council Meeting)* PUBLIC HEARING - Woodmoore Pointe Rezone – Consideration of a proposed rezone. Sterling Land Holdings, LLC/Wesethel, LLC, authorized agent/owner, request a zone change from Neighborhood Residential (NR-6) to Mixed Residential (MR-9) on 16.69 acres located at approximately 1100 West 1800 South – Ordinance 18-11**

At the June 19, 2018 and then at the July 17, 2018 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed rezone. The proponent is requesting to rezone approximately 16.69 acres of property from NR-6 to MR-9 with the intention of development the property as multi-family attached housing and will be approximately 150 units. The property is currently vacant and fronts both onto 1800 South and 1100 West along the North and East side of the parcel. The generally flat property has a canal that bisects the piece running North and South, along with an area of standing water near the South border. Both 1800 South and 1100 West streets do not have curb, gutter and sidewalk along the property frontage. The property has primarily been used for agricultural and grazing purposes in the past.

Staff recommended that the Planning Commission recommend approval of the rezone.

Mr. DeSimone gave an update on the proposed Woodmoore Pointe Rezone. The Council originally tabled this item until the second weeks in October until the signal at SR 89/91 and 10<sup>th</sup> West was installed, and to see how this integrated with the intersection at 10<sup>th</sup> West & 1800 South. Chairman Jensen put this back on the agenda as there is sufficient data for the Council to make a decision on this application. As requested Chief Jensen provide to the Council accident data of the intersection at 10<sup>th</sup> West 1800 South:

### **2017**

Five Property Damage Accidents

Three Injury Accidents

One Hit and Run Accident

### **2018**

Two Property Accidents

Two Injury Accidents

One Hit and Run Accident

Councilmember Bradfield asked for a comparison of the accident for several different intersections which was provided.

Staff look at UDOT's Annual Average Daily Traffic Counts on a specific roadway (AADT) counts, and the segment of 10<sup>th</sup> West between SR 89/9 and 600 South has an average of approximately 11,000 vehicular trips per day over the four plus one lanes.

Comparing the intersection of 10<sup>th</sup> West and 1800 South with other areas around town shows that it is a busy intersection, as are other areas. But many of those same intersections have gone through formal engineering and budgetary processes where a need is identified, warrants are established, solutions are evaluated, the project gets placed on the City's Capital Improvement Plan, and eventually funding is made available to improve the intersection and/or install improvements.

Looking past a rezone request from NR-6 to MR-9, a specific project on this site will be required to perform a Traffic Impact Study to determine what the specific traffic problems are, what specific impacts the project, at build-out will have on the immediate traffic systems, and what, if any, specific mitigating conditions will be placed on the project in order for it to proceed. Waiting on a decision for a rezone request until the traffic signal is installed at 10<sup>th</sup> West and Highway 89/91 sometime this fall won't provide any immediate or measurable results that relate back to this project site, the intersection, or any solutions to any of the perceived problems.

The reason why numbers and factual analysis, as opposed to anecdotal analysis, is so important is that they factually establish those conditions that "warrant" some type of traffic control device or improvement based on traffic volumes, conditions, or roadway characteristics. From the City's perspective, this warrant validates the need for an improved roadway or traffic control device which then leads to inclusion into future engineering evaluation and design processes, CIP programming and budgeting process, and eventually funding and construction. It also establishes a legal basis for further improvements.

Logan City and UDOT have entered into a Corridor Agreement for 10<sup>th</sup> West outlining future intersection locations and 10<sup>th</sup> West and 1800 South is not on the list of agreed upon intersections. The nearest potential intersection location is 10<sup>th</sup> West and 1600 South. So as the area continues to develop at some point an intersection may be "warranted" at 10<sup>th</sup> West and 1600 South that serves the areas West.

Staff has also met with the landowner of the parcels West of 10<sup>th</sup> West and North of 1800 South, and they are aware of the access limitations directly onto 10<sup>th</sup> West as well as the potential need for a future intersection at 1600 South. So, if and when we see a project there, they will also be required to do a traffic study.

Mr. DeSimone said the Council needs to make a decision based on the facts. The Council was also provided a copy of the UDOT Corridor Agreement and he added that the speed limit along this road is also regulated by UDOT.

Chairman Jensen opened the meeting to a public hearing.

Logan resident Keith Schnare said this road is a safety concern and he suggested changing the speed limit at 1600 South to 35 MPH.

Logan resident Joe Tennant addressed the Council. He asked by going from NR-6 to MR-9 how much will that increase the development.

Chairman Jensen responded it increases to 3 units per acre.

Jeff Jackson with Visionary Homes addressed the Council. He said they are under a time sensitive contract and thanked the Council for considering the rezone at tonight's meeting. He asked the Council to decide tonight regarding the rezone and not the project or traffic. If the rezone is approved by the Council they will move forward with traffic studies and other things related to a specific project.

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

Councilmember Bradfield said he is fine with the rezone but doesn't think the Council can discuss the rezone without also considering other things such as safety. He requested that the City attempt to reach out to UDOT and ask them to decrease the speed limit into the 40 MPH range along 1800 South.

**ACTION. Motion by Councilmember Bradfield seconded by Vice Chair Simmonds to adopt Ordinance 18-11 as presented and requested that the City reach out to UDOT to negotiate the speed limit on 1800 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Consideration of a proposed Code Amendment – Gary Blazzard/S. Craig Adams, authorized agent/owner, requests an amendment to the Land Development Code to change the maximum building height in the Commercial (COM) Zone from 38' to 55' for construction of a new 60,000 SF office building with parking and landscape improvements on 3.43 acres located at 86 West 1200 South in the Commercial (COM) Zone; TIN 02-088-0006; -0008; -0009; -0030 – Ordinance 18-13**

At the July 17, 2018 Council meeting, Planner Russ Holley addressed the Council regarding the proposed code amendment. This is a proposal for a new four-story 60,000 SF office building. The proposal also includes landscaping improvements, a new 221-stall parking lot and streetscape improvements. The roughly flat project site is 3.43 acres in size and currently consists of four separate parcels of land. The grassy site is currently vacant from buildings and trees. The applicant is requesting an amendment to the Land Development Code to change the maximum building height allowed in the Commercial Zone from 38' to 55'. The COM Zone has been limited to 38' for the last nine years. From 1980 to 2011, the height was capped at 40'. Building height limits are adopted to reserve a certain community character, and/or preserve view corridors. Staff recommended that buildings in the COM Zone could go above 38' with Conditional Use Permit, but under no circumstance above 55'.

Staff recommended that the Planning Commission conditionally approve a Design Review Permit and recommended approval for a Code Amendment, Adams Office Building, in the Commercial (COM) Zone located at 86 West 1200 South.

On June 28, 2018, the Planning Commission recommended that the Municipal Council approve the Adams Office Building project that amends the Logan City Land Development Code. The Planning Commission also recommended approval of the placement of up to 50% of the required parking stalls in front of a building with a Conditional Use Permit if findings can be made demonstrating the proposed site layout is compatible with adjoining properties, is consistent with surrounding land use and development patterns, provides enhanced pedestrian functionality and walkability in relationship to the adjoining street, will not compromise future projects or design, and includes substantial landscaping adjacent to the parking areas. They also recommended to change the 38' Maximum Building Height to a Maximum Building Height of 40' and include the following additional language: The Maximum Building Height may be increased up to 55' with the provision that the front yard building setback is increased by a ratio of 2:1 (each foot of vertical building above 40' requires an additional two feet of front building setback) or Maximum Building Height along any street frontage is 40' with a step up to 55' using the height transition standards (2" horizontal/1' vertical).

Vice Chair Simmonds commented that over the past 10 years we have tried through Planning and different areas to limit parking in front of commercial buildings and push the parking to the back and to the sides of the building so we can have streetscape that we can all be proud of and if we change it she feels it will set a precedent that we can't come back from.

Chairman Jensen opened the meeting to a public hearing.

Gary Blazzard, Architect of the proposed project addressed the Council. He agreed with the Council that the building has a different characteristic because of where it's located. In order to raise the scale of the building more parking was needed. By pushing the building back, it lowers the scale of the building. They are proposing 15 parking stalls out of 200 to be placed in front of the building.

Mr. Housley explained a conditional use permit is a permitted use and the developer has to meet certain conditions.

Mr. Blazzard said curb, gutter and sidewalk will be added to the project.

Logan Planning Commission Member Tony Nielsen addressed the Council. He said the plane of the building with the other surrounding buildings lines up quite nicely. He agreed with Vice Chair Simmonds in regards to the parking. He has a hard time with "token" green space around the perimeter of the building. This project is unique with landscaping on both sides. He feels this project merited the height increase and the conditional use permit.

Mr. Housley said there was not a discussion regarding the percentage and that decision was left to the staff to come up with an appropriate amount.

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

**ACTION. Motion by Vice Chair Simmonds to adopt Ordinance 18-13 amending the 50% front parking to 20% parking. Motion failed for lack of second.**

**ACTION. Motion by Councilmember Olsen seconded by Councilmember Bradfield to adopt Ordinance 18-13 as presented with 50% front parking. Motion carried 4-1 (Simmonds voted nay).**

**PUBLIC HEARING - Consideration of a proposed resolution approving the Logan City CDBG Access and Mobility Plan – Resolution 18-30**

At the July 17, 2018 Council meeting, CDBG Coordinator Aaron Smith addressed the Council regarding the proposed resolution approving the Logan City CDBG Access and Mobility Plan. This was a project that was approved in 2016 with CDBG funding to study access mobility in Logan neighborhoods. The priority areas were identified in the Bridger, Adams, Hillcrest, Wilson, Woodruff and Ellis Neighborhoods. A Transit Assessment was also completed. A lengthy public process was utilized, including a steering committee consisting of residents, City officials, and community leaders. A series of workshops with community stakeholders was also held.

Chairman Jensen opened the meeting to a public hearing.

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

**ACTION. Motion by Councilmember Anderson seconded by Councilmember Olsen to approve Resolution 18-30 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Consideration of a proposed ordinance amending Sections of the Logan Municipal Code regarding Mobile Food Vendors – Ordinance 18-12**

At the July 17, 2018 Council Meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed ordinance amending the Logan Municipal Code Chapters 5.20 dealing with mobile food vendors. The State Legislature adopted new rules during the 2018 Session regarding how local municipalities may regulate and license mobile food vendors (food trucks) through Senate Bill 167 which states that a local municipality may not require that a food truck operate, proved, or keep on file in the food truck, the private property owner's written consent that they are able to operate in a given location.

Chairman Jensen opened the meeting to a public hearing.

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

**ACTION. Motion by Councilmember Olsen seconded by Vice Chair Simmonds to approve adopt Ordinance 18-12 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Budget Adjustment FY 2018-2019 appropriating: \$4,444 funds to be used for Community Promotions; \$13,992 for a grant the Library received from the State of Utah; the following RAPZ Grants for Fiscal Year 2019:**

**\$45,000 2018 Freedom Fire Independence Day Celebration at USU; \$181,000 Bridger Bike Park Construction; \$34,000 Trail Connections and Landscaping in Stewart Nature Park; \$45,000 Logan Aquatic Center 50-Meter Pool Surface Re-Coating; \$95,000 1700 South Park Construction; \$97,624 2018 RAPZ Tax Municipal Population Allocation. The Money will be used for the 2018 Freedom Fire, Bridger Park Design, Riverside Drive pathway, Sumac park fence replacement, and the trail from 900 North to 1400 North – Resolution 18-32**

At the July 17, 2018 Council meeting, City Treasurer Tyson Griffin addressed the Council regarding the proposed budget adjustments.

Chairman Jensen opened the meeting to a public hearing.

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

**ACTION. Motion by Vice Chair Simmonds seconded by Councilmember Olsen to approve Resolution 18-32 as presented. Motion carried unanimously**

**PUBLIC HEARING – Consideration of a proposed resolution authorizing the Logan River Golf Course to enter a 48-month Lease for Electric Golf Carts – Resolution 18-35**

Finance Director Richard Anderson addressed the Council regarding the proposed resolution. He explained the Logan River Golf Course offers sixty electric golf carts to patrons as a revenue service of the golf course. Funding has been approved by the Logan Municipal Council in Fiscal year 2019 to replace the fleet previously under a lease from 2014. The proposed resolution authorized to fund the proposed PNCEF Golf Car Lease beginning July 1, 2018 and through the duration of the prescribed lease, ending June 30, 2021.

Chairman Jensen opened the meeting to a public hearing.

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

**ACTION. Motion by Councilmember Anderson seconded by Vice Chair Simmonds to approve Resolution 18-35 as presented. Motion carried unanimously**

**WORKSHOP ITEMS:**

**Zone Change – Consideration of a proposed zone change. Keven McGaha/Michael K. Jones Trustee of Ralph L. Huber Family Trust, authorized agent, owner, requests to have a 1.54-acre parcel rezoned from Recreation (REC) to Commercial (COM) as it was previously zoned (2006-2012) located at 114 East 1000 North – Ordinance 18-14 – Russ Holley, Planner**

Planner Russ Holley addressed the Council regarding the proposed zone change. He explained the following:



## **BACKGROUND**

The proponent is requesting to rezone approximately 1.5 acres of property from REC to COM. This property was developed in 1964 as the “Municipool” and used as a public indoor swimming pool for several decades. The ownership and management has varied over the years between the City of Logan and the Logan City School District. In 2006 the property was acquired by Lowell Huber and was operated as a scuba diving training facility. Recently, the property has been poorly maintained and is currently accruing Logan City code enforcement fines for refuse and unauthorized business activities. Based on visual inspections, used cars are being displayed and offered for sale on the property. The REC zoning district does not permit used car sales. The COM zone allows used cars sales after a Conditional Use Permit is approved. The current Cache County parcel map and recorded legal description show the southern property line on this parcel bisecting the north portion of the Middle School building creating a setback violation. In 2011, there was a property boundary dispute along the southern property line adjacent to the school. Staff was unable to locate a recorded document concerning the parcel line adjustment.

## **GENERAL PLAN**

The Future Land Use Plan (FLUP) adopted in 2008 identifies this property as REC. REC zones are described in the General Plan as areas for recreation and park facilities. They are typically publicly owned, but may also be privately owned facilities such as, but not limited to, campgrounds and golf courses. REC lands may also be designated as open space for trails and nature preserves. COM areas are intended for retail, service and hospitality businesses that serve city-wide populations. COM zoning districts allow for the widest range of commercial uses within the City.

## **ZONING HISTORY**

From 2011 to present, the zoning is REC. From 2007-2011 the zoning was COM. From 2000-2007 the zoning was SFR. From 1968-1999 the zoning was R2. Other than a short period of time between 2007-2011, the property has been zoned as lower density residential or recreation.

## **SUMMARY**

Given the proximity to existing commercial developments along Main Street and 1000 North the COM zone designation is a logical designation for this property. Aside from the Middle School interface along the southern property boundary, the neighborhood and streetscapes in the area are commercial in nature. With commercial developments and services already established along three sides of the Middle School property (west, south, north), the City is unaware of property incompatibilities or complaints.

The property appears (cars parked on the property with writing on the windshield saying; “For Sale”) to currently operate as a used car lot, which is not permitted in the REC zone. The Planning Commission may choose to hold this action request until the apparent unauthorized use is completely removed. If the property is successfully rezoned, a Conditional Use Permit would be required prior to the legal establishment of a car sales business.

Based on a newspaper article from 2011, an apparent property agreement changed the boundary between the middle school and this property that would potential eliminate

building setback violations and create a buffer between the two buildings. This agreement has not been recorded with the County Recorder and staff is unaware of its whereabouts. Again, the Planning Commission could choose to hold this request until this agreement is reviewed, considered and recorded.

Staff recommended that the Planning Commission recommend approval to the Municipal Council for a rezone of approximately 1.5 acres of property located at 114 East 1000 North from Recreation (REC) to Commercial (COM).

On July 26, 2016, the Planning Commission recommended that the Municipal Council approve the 114 East 1000 North rezone project that amends the Official Zoning Map.

Councilmember Olsen said he is concerned about a Commercial Rezone virtually right on top of the Middle School.

Vice Chair Simmonds agreed and said there was a concern brought forward at the Planning Commission meeting that Mr. Huber has so many violations right now why would we approve a rezone when the property hasn't been cleaned up.

Mr. Holley stated that the Council could wait to vote on the rezone until the pending violations are addressed such as the used car area. The Council could also let the violations run independently and let enforcement action go forward.

Mr. Housley said he doesn't think the issues at this location will be resolved. This was technically not a boundary dispute; the parties knew where the boundaries were and it was just negotiating a new boundary line. They will still have to go through the boundary line process which means filing a request with the City Engineer and if they haven't done that yet he doesn't think it will be completed in the next two weeks.

Mayor Daines suggested that for every week the code violations are not addressed, the Council will delay voting on the rezone.

Mr. Housley said the rezone can move forward to the August 21 Council meeting and if at that time we don't have the boundary line adjustment, the Council can continue the rezone. We need to know where the boundary is in order to complete the rezone.

Chief Jensen said there is an agency with the State of Utah called the Motor Vehicle Police and they will take jurisdiction over a car lot that has been created that doesn't really exist. He will notify this agency and ask them to look at the area located at 114 East 1000 North.

The proposed ordinance will be an action item and public hearing at the August 21, 2018 Council meeting.

**Budget Adjustment FY 2018-2019 appropriating: \$10,000 to record EZ Links revenue from golf cart lease – Resolution 18-36 – Richard Anderson, Finance Director**

Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment.

The proposed resolution will be an action item and public hearing at the August 21, 2018 Council meeting.

**OTHER CONSIDERATIONS:**

No further considerations were addressed by the Council.

**ADOURN TO MEETING OF THE LOGAN REDEVELOPEMNT AGENCY**

Chairman Jensen welcomed those present. There were approximately 5 in attendance at the beginning of the meeting.

**WORKSHOP ITEM:**

**Consideration of a proposed resolution adopting a Survey Area to initiate the potential creation of the South Main River Community Reinvestment Project Area Plan – Resolution 18-34 RDA – Kirk Jensen, Economic Development Director**

Economic Development Director Kirk Jensen addressed the Council regarding the proposed resolution. He explained the following is a survey area to initiate the potential creation of the South Main River Community Reinvestment Project Area Plan.

1. The area south of 400 South to the Logan River and west of 100 East to Main Street and the area south of 400 South to approximately 750 South and east of 100 West to Main Street.
2. To prepare a proposed community reinvestment project area plan for a proposed community reinvestment project area.
3. To conduct any examination, investigation, or negotiation regarding the proposed community reinvestment project area that the agency considers appropriate.
4. Eminent domain will not be used in a project area within the survey area so no blight study will be performed.

Staff has met and had early discussions with Wasatch Development/Wasatch Properties regarding a potential development which, would be on the East side of Main Street, North of the Logan River. This would be a mixed-use project and more information will be coming to the Council. Also, West of Main Street, Public Works is gathering funds for 100 West and future extension of that road going South and connecting to the Highway. There is significant future development opportunities along that section so it would make sense for staff to include that portion. If the Council approved the resolution, the next step will be to bring the Council a draft plan. The Ellis property is the southernmost extension of the survey area.

Mr. Housley said based on the preliminary concepts, the new buildings would be consistent with the Riverwoods development.

The proposed resolution will be an action item and public hearing at the August 21, 2018 Council meeting.

**ADJOURNED.** There being no further business to come before the Council, the meeting of the Logan Municipal Council adjourned at 9:30 p.m.

Teresa Harris, City Recorder