

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, July 17, 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, City Treasurer Tyson Griffin, City Attorney Kymber Housley and City Recorder Teresa Harris. Excused: Finance Director Richard Anderson.

Chairman Jensen welcomed those present. There were approximately 22 in attendance at the beginning of the meeting.

### **OPENING CEREMONY:**

Burt Lamborn gave the opening thought and led the audience in the pledge of allegiance.

**Meeting Minutes.** Minutes of the Council meeting from June 19, 2018 were reviewed and approved with minor corrections.

**ACTION. Motion by Councilmember Olsen seconded by Councilmember Bradfield to approve the June 19, 2018 minutes as amended and approve tonight's agenda. Motion carried unanimously.**

**Meeting Agenda.** Chairman Jensen announced there are six 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 7, 2018.

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

Logan resident Jeff Hoedt addressed the Council and read a prepared statement regarding the proposed 1000 North Project. He asked the Council to seek responses from the contractor regarding several key issues which, he detailed in a written document that was provided to the Council.

Mayor Daines added that Public Works Director Paul Lindhardt and other City staff have met with Mr. Hoedt regarding his concerns and recently attended an HOA meeting with several residents who reside on 1000 North.

Logan resident Darlene Hoedt addressed the Council regarding 1000 North and said she would like to see other options presented and considered by the Council.

Logan resident Gail Yost addressed the Council and reminded everyone when reciting the Pledge of Allegiance that there should not be a pause when stating “One Nation Under God”. Ms. Yost asked why is the City still working on a plan for 2050 when they don’t know what is going to happen at that time. She served on the Cache 2010 Planning Committee in 1990 and many of the plans and predictions that were made at that time did not occur. She said the residents of her neighborhood don’t want to sacrifice for future unknowns.

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

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

#### **Recognition – Mayor Daines**

Mayor Holly Daines recognized Logan City Recorder Teresa Harris who received her Master Municipal Clerks designation.

City Recorder Teresa Harris thanked Mayor Daines and the Council for their support.

#### **Board Appointments – Mayor Daines**

Mayor Daines asked for ratification of Tina Purintun to serve on the Parks and Recreation Advisory Board which is a three-year term and a new appointment. She also asked for ratification of Madeline Tennant to serve on the Forestry Board which is a three-year term and a new appointment.

**ACTION. Motion by Councilmember Olsen seconded by Vice Chair Simmonds to approve ratification of Tina Purintun and Madeline Tennant as presented. Motion carried unanimously.**

#### **Kim Thorne Street Renaming – Mayor Daines**

Mayor Daines announced on Friday, July 20 at 1:00 pm the City will have a street renaming in recognition of Kip Thorne who is a Nobel Laureate, grew up on the Boulevard and attended Logan High School. Mr. Thorne will be in Logan for the street renaming and will also attend his 60 Year Class Reunion. The location of the street renaming is the Boulevard and 400 East intersection. The public is invited to attend.

### **COUNCIL BUSINESS:**

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

Vice Chair Simmonds reported the Planning Commission meeting on July 12, 2018 was cancelled so she has nothing to report.

No further Council items were presented.

## **ACTION ITEMS:**

***(Continued from the June 19, 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, and June 19, 2018 Council meetings, Community Development Director Mike DeSimone and Planner Russ Holley addressed the Council.

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, 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.

Planner Russ Holley addressed the Council and reviewed several proposed maps for TC-1 and TC-2. He stated that staff looked at other cities such as Provo and Ogden and how they are developing and what types of densities and heights they require. Also considered were how these cities are handling the “fringe” areas and how they interface with lower density residential. Logan has single family neighborhoods adjacent to downtown or lower density neighborhoods adjacent to the downtown, a step-down or buffer is appropriate. Doing this will preserve and keep the neighborhood vibrant. He said one area of slight contention was the religious properties and how they should be designated. Originally it was thought that TC-2 would be appropriate, Commissioner Butterfield was adamant about rezoning all of the religious properties to a Recreation Zone. Staff had some hesitation with changing to a Recreation Zone because this zone is geared toward public uses such as a golf course or a park. The other Planning Commission members voted to keep the way they are as NR-6 or Town Center.

Mr. Holley reported that staff received 80 written comments with the majority being in opposition. Over the course of the Planning Commission meetings that were held, there were more favorable comments but they were mostly 70/30 in opposition in comparison to the written comments. The proposed Garff Garden project was the main topic of a lot of the comments with others referring to density and other issues. He will provide the Council with a summary of the top comments received.

Mr. DeSimone referred to the Comparison Chart of Town Center (TC), TC-1 and TC-2.

**Comparison of Town Center (TC), TC-1 and TC-2**

	<b>Town Center (TC)</b>	<b>TC-1</b>	<b>TC-2</b>
Density	70	70	30
Lot Coverage	100%	100%	80%
Building Frontage	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	Ground Floor 60%/Upper 20%	Same	Same
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 & with up to 50% shared	2.0 stalls/unit & with up to 25% shared
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	No	No	Open Space - 10% & Useable Outdoor Space – 10%

Chairman Jensen announced that a public hearing regarding Ordinance 18-07 would not be held at tonight’s meeting.

Chairman Jensen announced that the public will have another opportunity to provide input before the Council votes on Ordinance 18-07 and 18-08.

Chairman Jensen reviewed the following:

**HEIGHT:**

Chairman Jensen rescinded his recommendation from the June 19, 2018 Council meeting taking the building height down to 75’ from a height of 80’.

**TRANSPARENCY**

The Council agreed for residential projects in the TC-2 zone to increase ground floor transparency for residential from 20% to 40%.

**TC-1 PARKING**

At the June 19, 2018 Council meeting, the Council recommended the following for TC-1 Parking:

- Studio/1 bedroom – 1.5 parking stalls/unit with no shared parking
- 2/bedroom – 2 parking stalls/unit with up to 50% shared
- Add a requirement for visitor parking at 1 parking stall per 10 units

Councilmember Olsen said he still feels that 2 stalls, no shared parking per unit is appropriate. This is for all units including studios.

Councilmember Bradfield concurred and said he was reminded that during his campaign he promised a certain neighborhood that he would commit to 2 stalls per unit.

Councilmember Olsen said the visitor parking of 1 stall per 10 units is still appropriate.

Chairman Jensen said he is concerned because sometimes there can be overparking, especially in a TC-1 zone. If it doesn't impact the neighborhood then it can impact other commercial businesses.

## **TC-2 PARKING**

At the June 19, 2018 Council meeting, the Council recommended the following for TC-2 Parking:

All units – 2 parking stalls/unit with up to 25% shared

Add a requirement for visitor parking at 1 parking stall per 10 units

At tonight's Council meeting, there was a discussion about changing the TC-2 parking to require 2 stalls per unit, and eliminate all shared parking and retain visitor parking.

## **DENSITY**

Chairman Jensen stated the proposed TC-1 density is 70 units per acre and 30 units per acre in TC-2.

Density Bonuses – Offer an additional 10 units/acre in the TC-2 zone if a project does one of the following:

- Project constructed to LEED Standards
- Project includes a full first floor of commercial space
- Project includes structured parking internal to the design
- Front of project facing residential street/residential zone is constructed as townhomes with bulk of the project incorporated behind.

Chairman Jensen said a suggestion was made by Vice Chair Simmonds to have parking underneath the building. He suggested giving a higher density if parking is underneath the building because it would then allow for more surface parking. Parking under a building is very expensive but it is a wonderful amenity to the neighborhood.

Chairman Jensen also suggested that any area of a project that faced the street should be townhomes (2 story) facing the street and development behind the townhomes. He said 30 units does not attract a quality development and that density pays for quality.

Councilmember Anderson said the original density was 50 units per acre. She asked why it jumped from 50 down to 30 units per acre.

Mr. DeSimone responded that originally 50 units per acre was proposed in TC-2 and the Planning Commission felt that was too much.

Chairman Jensen said there is a set height of 45', there is a parking density and as an architect, he said parking always governs the project. Setbacks, height and parking determines how large the building will be.

Vice Chair Simmonds said what she proposed are standards that are identifiable, verifiable and stay with the structure.

Mr. DeSimone said he's seen the concept of townhomes facing the street with but the challenge are flag lots that would have to be done differently.

Chairman Jensen suggested that the Council talk through these items tonight and then hold a public hearing on August 7 and possibly vote that same evening.

Vice Chair Simmonds suggested that the Council send a recommendation for density bonuses to the Planning Commission and have them review before the Council votes.

Mr. DeSimone suggested the Council adopt the code without the density bonuses on August 7 and then direct it back to the Planning Commission with recommendations for density bonuses for them to review.

The Council all agreed on sending the density bonus provisions back to the Planning Commission for fine tuning after a public hearing on August 7.

## **BOUNDARIES**

Chairman Jensen said that he and Vice Chair Simmonds met with homeowners on the block bounded by 100 East, 200 East, 300 North and 400 North. The South side of that block is recommended to be TC-2 which, is filled with single family homes and are owner occupied. He and Vice Chair Simmonds recommended that for now, this area be removed from consideration.

The Council discussed the recommendation made by Chairman Jensen and Vice Chair Simmonds and support the overall boundaries as presented but recommended to return the 8 parcels at the Northwest corner of 200 East and 300 North from TC-1 to NR-6 and leave the Northeast corner of the same block as proposed at TC-1.

Chairman Jensen suggested in the area immediately adjacent to, and including portions of Garff Gardens. Retain the 5 residential parcels on the westside of 100 East (North of the LDS Chapel on the corner of 100 East/200 South at TC-2 as proposed. The ½ acre park piece that the City had under contract was forwarded to the Council by the Planning Commission with a recommendation to retain as Recreation. He suggested moving park amenities/features into the parking area North of the ½ acre and enhance the park North of the parking lot.



Mr. DeSimone said this is one area in the City where a neighborhood has a lot of park space.

Councilmember Anderson said it's easy to forget what the intention of TC-2 should be which, is a buffer to TC-1 and the other neighborhoods. These are changes we are making for the future and for when our community develops.

Vice Chair Simmonds reminded the Council that a lot of this area was Town Center and there isn't a large change other than we are allowing TC-2 to be 100% residential and we did not have that in Town Center.

Councilmember Olsen agreed to the suggestion made by Chairman Jensen, but he would first like to see more details and a drawing of what the proposed area will look like.

Mr. DeSimone said the Council is making a zoning decision based on a boundary that is zoned. Staff does not have the details that Councilmember Olsen is asking for but can be negotiated with a contractor when they purchase or sell the property.

Vice Chair Simmonds said she is concerned that whatever goes in the TC-2 portion does not impact the park in regards to traffic coming in and out of the park.

City Attorney Kymber Housley said the last version of the project had a fire access. At this point, this is all concept and no project has been approved or is pending.

The Council agreed and they are open to the suggestion made by Chairman Jensen but would like to see a visualization of this concept and how it will look.

Mr. DeSimone said staff will prepare concept plans showing options for enhancing the park North of the parking lot.

**ACTION. Motion by Vice Chair Simmonds seconded by Councilmember Bradfield to continue Ordinance 18-07 to the August 7, 2018 Council Meeting as a public hearing and action item as presented. Motion carried unanimously.**

***(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, and June 19, 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.

**ACTION. Motion by Vice Chair Simmonds seconded by Councilmember Anderson to continue Ordinance 18-08 to the August 7, 2018 Council Meeting as a public hearing and action item as presented. Motion carried unanimously.**

**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 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.

Chairman Jensen opened the meeting to a public hearing.

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

Councilmember Anderson commented there have been several articles regarding affordable housing in our community and she feels this project makes sense to help with the housing stock.

Public Works Director Paul Lindhardt said the intersection at 1800 South and 1000 West will not change with the traffic signal project on Highway 89/91. The intersection on 1800 South and Highway 89/91 will be closed off to Highway 89/91 and will be a cul-de-sac once the traffic light on Highway 89/91 and 1000 West is completed.

Councilmember Bradfield commented that he lives across the street from the proposed Woodmoore Pointe project and he agreed that we do need more affordable housing. He also said this project will add approximately 135 people to the area and more vehicles. He said the 1800 South 1000 West intersection is very dangerous and those living in the area are very concerned and is a safety issue.

City Engineer Bill Young commented that based on the current road classification, SR 252 to 1800 South is too close to Highway 89/91 to warrant a traffic light.

Councilmember Olsen said he understands the concerns of Councilmember Bradfield and feels these traffic issues are a problem for the residents living in this area.

Councilmember Anderson commented that without additional development in this area the intersection at 1800 South 1000 West will remain the same. In some ways, adding density with homes, people and vehicles increases the likelihood that a traffic signal will be installed.

Councilmember Bradfield asked what is the goal of 1000 West do we want this to be a bypass or do we want to increase density and add more traffic. He is not willing to risk his wife and children in the game of trying to densify to the point that it becomes a viable option for a traffic light.

Mr. Holley said there currently, there is not a project for this area. The density for this area is 150 homes and he wouldn't be surprised to see a density of at least 140 homes.

Councilmember Olsen asked about the idea of approving the rezone contingent upon an adequate road for the commercial zoned property.

Mr. Housley said we cannot do conditional zoning. The Council can approve the rezone and there will be code requirements as the project is developed.

Councilmember Olsen asked what are Logan City's options relative to the parcel that would create a road to the North.

Mr. Holley said it will depend on the intersectional line and when this area develops then plans for the road will be developed at the same time. All driveway accesses will have to be either on 1100 West, 1600 South or even 1800 South.

Chairman Jensen suggested that the City create the other half of 1100 West and create an intersection at 1600 South.

Mayor Daines responded that area is not on the Capital Plan although, the Council can choose to change the Capital Plan during the budget process if they wish.

**ACTION. Motion by Vice Chair Simmonds seconded by Councilmember Anderson to approve Ordinance 18-11 as presented. Motion failed.**

Councilmember Bradfield pleaded with the Council to vote against the rezone or to continue the rezone until the Council and staff can explore other options for this area in regard to traffic.

Mr. Lindhardt said the traffic light will be completed at 1000 North Highway 89/91 sometime this Fall.

Vice Chair Simmonds requested accident statistics for this area.

Mr. Young said he will gather traffic information and provide this to the Council prior to the October 16 Council meeting.

Police Chief Gary Jensen said he will also gather accident statistics for this area and provide this to the Council.

**ACTION. Motion by Councilmember Olsen seconded by Councilmember Bradfield to continue Ordinance 18-11 to the October 16, 2016 Council meeting as presented. Motion carried unanimously.**

**PUBLIC HEARING – Consideration of a proposed resolution approving the Municipal Waste Water Planning Program (MWPP) Annual Report – Resolution 18-27**

Public Works Director Paul Lindhardt addressed the Council regarding the proposed resolution. He said each year the City of Logan completes a Municipal Wastewater Planning Program Annual Report for the State of Utah Division of Environmental Quality.

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 18-27 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Consideration of a proposed resolution adopting a New Waste Water Master Plan – Resolution 18-17**

At the June 19, 2018 Council meeting, Public Works Director Paul Lindhardt addressed the Council regarding the proposed resolution. He said there is not a rate increase with this master plan.

Logan City hired JUB Engineers to complete a sewer collection system master plan. The main purpose of the master plan is to provide a planning document and tools that help Logan City meet its existing and future sewer collection needs. The primary tool is a computer hydraulic sewer model that is built based on Geographic Information System data provided by the City.

Avoiding the overloading of existing sewer pipes from new development or re-development is of major importance. Re-development can significantly change peak flows in collection pipes near the re-developed area. The sewer model created for this plan is detailed enough to allow each proposed development or re-development to be evaluated to verify its potential impact on the system. Every mapped pipe (with the exception of some dead-end pipes that do not have manholes at the upstream end) is modeled to allow for capacity checks of the pipes in these types of situations.

**Master Plan Goals**

- Create a detailed calibrated model that is efficient to operate and update
- Identify existing system capacity and condition deficiencies
- Identify future system deficiencies
- Master plan a conceptual collection system to serve undeveloped areas
- Provide a prioritized list of capital improvement projects needed now and for years 2020, 2025, and build out

The master plan combined with the Logan City 20115 Sewer System Management Plan complies with the requirements of the Utah Division of Water Quality's Utah Sewer Management Program including the System Evaluation and Capacity Assurance Plan requirements. The program is authorized under State of Utah Administrative Code.

He introduced Chris Slater with JUB Engineers.

Mr. Slater gave a presentation on the 2018 Sewer Collection Master Plan.

Capital Improvement Projects for the existing Service Area is the following:

- 0-5 years - Projects that should be completed within 5 years of the plan adoption  
\$6,640,000
- 6-10 years - Projects that should be completed 6 to 10 years from plan adoption  
\$233,000
- 11-15 years - Projects that should be completed 11 to 15 years from plan adoption  
\$737,000
- Build Out - Projects that should be completed prior to build out but may depend on  
Development - \$2,452,000

Total Improvements within existing service area - \$10,062,000

Recommendations:

- Construct prioritized capital improvement projects in the existing service area as funding allows.
- Construct future pipes and lift stations to serve new service areas based on the master plan projections.
- Implement stringent requirements for new developments and enforce installation of tight sewer systems to minimize new sources of Infiltration and Inflow.
- Utilize the model to determine impacts from proposed developments and high-density re-developments.
- Update the overall Master Plan projections every 5-10 years.

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 Anderson to approve Resolution 18-17 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Consideration of a proposed ordinance vacating Public Utility Easements between Parcels 05-109-0003, 05-109-0004, 15-109-0005, 05-109-0007 of the Communities in the Deer Crest Subdivision – Ordinance 18-09**

At the June 19, 2018 Council meeting, Public Works Director Paul Lindhardt addressed the Council regarding the proposed ordinance. The request is to vacate Public Utility and Home Owners Association landscape easements located on the interior lot lines between



lots 3 and 4 and between lots 4 and 5 and certain Home Owners Association 20' landscape easement (40' in total) located on the interior lot lines between lots 4-5 and Lot 6-7 combined in The Communities at Deer Crest, Logan, Utah. This is single family neighborhood.

Councilmember Olsen asked if there is any commercial value to the easements to be vacated.

Mr. Lindhardt responded no, there is no commercial value to these easements.

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 Bradfield to adopt Ordinance 18-09 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Consideration of a proposed ordinance vacating Public Utility Easements between Parcels 05-109-0044 and 05-109-0045 at 2018 & 2030 Crestwood Lane – Ordinance 18-10**

At the June 19, 2018 Council meeting, Public Works Director Paul Lindhardt addressed the Council regarding the proposed ordinance. The request is to vacate certain parcels located at 2018 and 2030 Crestwood Lane in Logan, Utah.

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 Councilmember Anderson to adopt Ordinance 18-10 as presented. Motion carried unanimously**

**PUBLIC HEARING – Consideration of approving a portion of Center Street as The Center Street Assessment Area, in the City of Logan, Cache County, Utah, for the purpose of replacing and installing curb, gutter, sidewalk, landscaping and appurtenant improvements and to pay some or all of the costs of the improvements by an assessment as provided in Chapter 11, Title 42, UCA, 1953, as amended, on the property within said Assessment Area for the benefit of the property being assessed**

Mayor Daines reviewed the proposed Center Street Assessment Area information. The general description of the ASSESSMENT AREA includes all properties located on the frontage of Center Street between Main Street and 100 West. The improvements proposed will include the following:

- Install new curb, gutter, and wider sidewalk along both sides of Center Street;
- Install storm drainage as needed to manage storm water runoff;
- Improve existing corners to meet ADA requirements;

- Install landscaping and street furnishings;
- Relocate decorative lighting;
- Install a mid-block crossing;
- Re-grade and asphalt the street;
- Install water utility upgrades;
- Upgrade traffic signal on 100 West.

The City of Logan proposes to levy an assessment on benefitted property within the ASSESSMENT AREA to pay some or all the costs of the improvements according to the estimated benefits to the property from the improvements. The total estimated costs for the improvements have been estimated by a project engineer and are based on recent prices of construction in Logan. The specific items that are included in the proposed ASSESSMENT AREA are included in the cost estimate provided in Attachment D. The estimated total costs for the project improvements are \$1,466,060.00 and \$350,000.00 of it will be paid by an assessment to be levied against the properties abounding, abutting upon or adjacent to the roadway area which will be benefitted by said improvements. Assessment shall be levied based on linear feet of frontage immediately adjacent to Center Street. The estimated cost of \$288.19 per foot of frontage of the real property adjacent to said improvements is the basis of assessment for each parcel and is according to the estimated benefits to the property from the improvements. If the actual construction costs for the improvements are less than the estimate, then the estimated cost per foot of frontage will be reduced accordingly. The total estimated costs of the proposed improvements to be paid by the City of Logan are \$1,116,060.00.

The City of Logan will provide financing for this project. The assessment may be paid by the abutting property owners in full at the completion of the improvements (with no interest charge) or in ten (10) equal annual installments. If the abutting property owner elects to pay over the 10-year period, the installments will include an interest rate of 3.05% per annum. There will be no penalty for early payment. If after ten (10) years a balance remains to be paid, an interest rate of 10% per annum will be charged on the unpaid balance until the assessment is paid in full. The assessment will be collected by inclusion on a property tax notice issued in accordance with UCA 59-2-1317 and in compliance with UCA 11-42-401.

Mr. Housley said a 60-day protest period begins after today's meeting. Then, on September 18 it will come back to the Council. If there are adequate protests then the Assessment Area cannot move forward. If there are not adequate protests then, the Council has the option to approve the Assessment Area and if approved then we go through the process of creating a Board of Equalization and formalize the Assessment Area.

Chairman Jensen opened the meeting to a public hearing.

Logan resident Keith Schnare addressed the Council and asked if the point of making improvements on Center Street is to have more activities on the street?

Mayor Daines responded it's a complete street improvement with the items listed in the proposed Assessment Area notice.

Downtown Alliance Manager Gary Saxton addressed the Council and reported the Center Street owners met and those attending expressed their desire that the street be a destination place. The business owners are encouraged by the possibility of what Center Street can be and look forward to the Assessment Area process.

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

Chairman Jensen said this project works well with the recommendations made by Roger Brooks. Chairman Jensen complimented the merchants along Center Street who have built wonderful businesses along Center Street. He also complimented Mayor Daines for her work on this project.

### **WORKSHOP ITEMS:**

#### **Update on street improvements at 1000 North from Main Street to 200 West – Paul Lindhardt, Public Works Director**

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.

Mr. Lindhardt stated that since December 2016 the City contracted with Civil Science Inc. and he introduced Kyle Comer from Civil Science and Bryan Hale who attended tonight's meeting and gave a presentation on the options for 1000 North. Several meetings have been held with residents along 1000 North such as Jeff Hoedt and the HOA where Mr. Hoedt resides. Based on public comments, more scenarios will be presented tonight. No final designs have been completed and have only completed additional traffic modeling of 1000 North. Tonight, will be a presentation to the Council and then at the August 7 Council meeting there will be a public hearing scheduled.

Mr. Comer addressed the Council and said the project started out by looking at the congestion that currently exists on 1000 North principally around the Main Street area.

Mr. Hale addressed the Council and said with 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). He presented the following:

### **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
- 

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

Mr. Hale said the sooner the better in starting the process to implement some of the recommendations made in Scenario 9C. Traffic issues will not improve in this area and funding also needs to be addressed.

Councilmember Olsen asked the consultants to respond to the questions asked by Mr. Hoedt.

Mr. Lindhardt said in regards to the Capital Improvement Plan, 1000 North is the third major project listed for the upcoming fiscal years. The City just started Fiscal Year 2019 and we would be funding over two years with the bulk of the funding available in Fiscal Year 2021 and, construction could begin at that time.

**Consideration of a resolution amending the Light and Power Fees Schedule –  
Resolution 18-31 – Kymber Housley, City Attorney**

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.

The proposed resolution will be an action item and public hearing at the August 7, 2018 Council meeting.

**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 – Russ Holley, Planner**

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).

Mr. Holley stated the majority of the parking is located South of the building.

Vice Chair Simmonds said the Land Development Code (LDC) specifies that there is to be no parking in the front of a building.

Mr. Holley responded that for approximately 10 years in commercial zones, the LDC has required the parking to be to the side and to the rear of the building. One of the reasons for this is aesthetics and the other is walkability.

Chairman Jensen said if the building is on the street and there is a front door people won't go in the front door because everyone will park behind the building.

Mr. Holley said there were no objections from adjacent property owners to the proposed project.

Chairman Jensen said he sees this as less of a problem because this is a suburban area and not in the downtown.

Mr. Holley said if approved, the code amendment would apply to all commercial zoning districts which extends from 300 South to the South end of Logan and 500 North to the North end of Logan and, also some areas on the West side.

Councilmember Simmonds said an ordinance was enacted before Walgreens was built and they were made to do a lot with their landscaping to allow them to have parking in the front of their building. She feels the City should be consistent with this and future projects.

Mr. Holley said the Planning Commission does want this project to have berming. He said there are businesses that are turning their building around backwards to face the parking lot because the parking lot is a higher priority.

Chairman Jensen asked Mr. Housley if there is conflict if he is a client of the owner of the building.

Mr. Housley said there is a conflict if Chairman Jensen or any member of his family will financially benefit from this project.

Chairman Jensen said he likes the project but he wished that it were closer to the core on South Main Street.

Councilmember Bradfield said he has no opinion on the proposed code amendment. He asked the Council their thoughts on what percentage of parking there should be for this project.

Chairman Jensen responded the allocation for visitor and employee parking can be calculated. Employee parking would be towards the rear of the building and parking for visitors would be calculated in the front.

Mr. DeSimone said we don't want to see this type of parking in the core of Logan but this is a suburban location and is appropriate. The Council needs to look at the functionality of the project but, there is latitude not to approve the project as well and reminded the Council that it is contrary to our current code.

The proposed ordinance will be an action item and public hearing at the August 7, 2018 Council meeting.

**Consideration of a proposed resolution approving the Logan City CDBG Access and Mobility Plan – Resolution 18-30 – Aaron Smith, CDBG Coordinator**

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.

The proposed resolution will be an action item and public hearing at the August 7, 2018 Council meeting.

**Consideration of a proposed ordinance amending Sections of the Logan Municipal Code regarding Mobile Food Vendors – Ordinance 18-12 – Mike DeSimone, Community Development Director**

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.

The proposed ordinance will be an action item and public hearing at the August 7, 2018 Council meeting.

**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 – Tyson Griffin, City Treasurer**

City Treasurer Tyson Griffin addressed the Council regarding the proposed budget adjustments.

The proposed resolution will be an action item and public hearing at the August 7, 2018 Council meeting.

**OTHER CONSIDERATIONS:**

No further considerations were addressed by the Council.

**ADJOURNED.** There being no further business to come before the Council, the meeting of the Logan Municipal Council adjourned at 8:50 p.m.

Teresa Harris, City Recorder