

**CITY OF LOGAN, UTAH
ORDINANCE NO. 18-13**

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF
LOGAN CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF
UTAH AS FOLLOWS:

SECTION 1: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter
17.10.080: "Commercial Development Standards" is hereby amended as attached hereto as
Exhibit A.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2018.

AYES:
NAYS:
ABSENT:

Chairman Thomas E. Jensen

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for
approval or disapproval on the ____ day of _____, 2018.

Chairman Thomas E. Jensen

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of
_____, 2018.

Holly Daines, Mayor

EXHIBIT A

Commercial Zoning District Height and Parking Amendments

17.10.080: Commercial (COM) Development Standards

Building Height

Change 38' Max Building Height to Maximum Building Height: 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 height 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).

Parking

The Planning Commission may authorize the placement of up to 50% of the required parking stalls in the front of a building with a Conditional Use Permit (CUP) 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.



MEMORANDUM TO MUNICIPAL COUNCIL

DATE: July 12, 2018
FROM: Russ Holley, Senior Planner
SUBJECT: Ordinance #18-13

Summary of Planning Commission Proceedings

Project Name: Adams Office Building
Request: Land Development Code Amendment
Project Address: 86 West 1200 South
Recommendation of the Planning Commission: **Approval**

On June 28th, the Planning Commission recommended that the Municipal Council **approve** the Adams Office Building project that amends the Logan City Land Development Code.

Planning Commissioners vote (6-0):

Motion: T. Nielson

Second: D. Newman

Yea: T. Nielson, D. Butterfield, S. Goodlander, R. Dickinson, D. Newman, E. Ortiz

Abstain: none **Nay:** none

Attachments:

Staff Report

Ordinance #18-13

Planning Commission Meeting Minutes from June 28, 2018

Project Slides



**Project #18-027
Adams Office Building
Located at 86 West 1200 South**

REPORT SUMMARY...

Project Name: Adams Office Building
Proponent / Owner: Gary Blazzard / S. Craig Adams (Under Contract)
Project Address: 86 West 1200 South
Request: Design Review Permit & Code Amendment
Current Zoning: Commercial (COM)
Type of Action: Quasi-Judicial & Legislative
Hearing Date: June 28, 2018
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission **conditionally approve** a Design Review Permit and recommend **approval** for a Code Amendment for Project #18-027, Adams Office Building, in the Commercial (COM) zone located at 86 West 1200 South, TIN #2-088-0006; -0008; -0009; -0030.

Current Land use adjoining the subject property

<i>North:</i>	COM: Commercial Uses	<i>East:</i>	COM: Commercial Uses
<i>South:</i>	Outside of City Boundary	<i>West:</i>	COM: Commercial Uses

DESIGN REVIEW PERMIT

Project Description

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.

Land Use

The Land Development Code (LDC) Table 17.17.030 permits office uses outright in the Commercial (COM) zoning district. The COM zoning designation is the City’s primary economic zone and permits a wide range of commercial uses and building types positioned mainly along the Main Street corridor running north and south through the City.

Setbacks

The Land Development Code (LDC) requirements for minimum setbacks in the COM zone are as follows (as measured from property lines):

Front: 10’
 Side: 8’
 Rear: 10’
 Parking: 15’

The following setbacks are proposed for the building (as measured from the exterior property lines of the project site, at closest points):

Front (north): 81’
 Side (east): 120’
 Side (west): 110’
 Rear (north): 211’
 Parking (from 1200 S.): 11’

The project meets minimum setback requirements for the building, but the parking stalls adjacent to 1200 South are not shown outside the minimum setback. As conditioned with a minimum parking setback of 15' from 1200 South, the project complies with the LDC.

Lot Coverage

The LDC 17.19.070 establishes a maximum lot coverage of 60% (building(s) footprint) in the COM zone. The total project site is 3.43 acres (149,410 SF) in size with a proposed 15,000 SF building footprint that equals approximately 10% of the lot and complies with maximum lot coverage in the LDC.

Building Orientation & Site Layout

The LDC 17.18.030 requires the building to be oriented towards the adjacent street with convenient pedestrian entrances that provide weather protection and express a human scale. As part of the 2018 Code update project, there is pending legislation that states that buildings shall provide four-sided architecture and prohibits featureless back facades facing adjacent streets. The proposed building expresses building orientation toward the street with weather protected entrances designed at a human scale. The design of the building's façades shows four-sided architecture as outlined in the Pending Ordinance.

The LDC 17.19.070 requires parking lots to be placed to the side or rear of the building to further convenience pedestrian travel and create a visual precedence of buildings and architectural over asphalt and parking lots. The proposal shows a centered building on the site with a ring of parking lots around the perimeter. Most of the parking is placed in the rear yard area, but some parking is shown up front between the building and the street. As conditioned with the parking stalls removed between the building (north) and the street, the project meets the building orientation and site layout requirements in the LDC.

Building Frontage

The LDC 17.19.070 requires that at least 50% of the overall width of the property contains building mass. This requirement is described in LDC 17.19.020 for pedestrian scale and the creation of urban settings that frame streets with architecture. Considering the property width of 460' and a building width of 247', the building frontage would equal approximately 54%. As proposed, the project meets the requirements on the LDC.

Building Elevations

The LDC 17.19.070 indicates that blank walls exceeding 30 linear feet are prohibited. Acceptable breaks include windows, balconies, wall articulation or changes in color or materials. The LDC also requires a minimum of 30% transparency on ground floor street facing facades. The heavily glazed building, at approximately 60% of transparency, has numerous wall features every 30 linear feet and meets the building elevation and transparency requirements in the LDC as proposed.

Pedestrian Circulation

The LDC requires a pedestrian sidewalk connection between the building door and the adjacent street sidewalk with weather protection provided above public doors. The proposal includes multiple sidewalk connections to the building, but doesn't fully connect them to the 1200 South sidewalk. As conditioned with full sidewalk connection, the project complies with the LDC.

Parking Requirements

The LDC 17.38.070 requires one parking stall per every 300 SF of office area. The LDC also requires bike racks for new office buildings of this size. At 60,000 SF of building space, the LDC would require 200 parking stalls. The proposed site plan shows 221 parking stalls. As conditioned with bike racks and a minimum of 200 parking stalls, the project meets the requirements in the LDC.

Open Space

The LDC 17.19.070 requires 10% open space and an additional 10% useable outdoor space of the project site. The LDC 17.35 generally describes open space as native vegetation or landscaped areas, while useable outdoor space is typically decks, patios and other similar outdoor amenities. The 3.43-acre (149,410 SF) site would require 14,941 SF of both landscaping and usable outdoor space for a total of 29,882 SF of open space. The conceptual plan shows multiple landscaping and outdoor spaces around the site that total 20% of the property. As proposed, the project meets the requirements in the LDC.

Landscaping

The LDC 17.39 requires minimum landscaping for overall visual aesthetics, ecological reasons, visual screening, shading purposes and enhancement of the outdoor experience. The LDC requires a minimum of 20 trees and a combination of 50 shrubs, flowers and ornamental grasses per acre of land in the COM zone. For 3.43 acres, 68 trees and 171 shrubs, flowers and ornamental plants would be required as per the LDC. The submitted plan shows approximately 72 trees. As conditioned with a detailed landscaping plan meeting minimum plant numbers, the project complies with the LDC.

Lighting

The LDC 17.37.090 requires adequate lighting that adds aesthetic quality and improves safety while mitigating unnecessary glare, sky glow and light trespass. The LDC limits freestanding pole height to 32 feet and luminaire fixtures on buildings and canopies to be concealed source, down-cast and shielded from neighboring properties. Light measurements are required to range between 0.5 – 4.0 foot candles, so areas are sufficiently safe, but not excessively bright. As submitted, no exterior lighting has been shown. As conditioned, the project meets the requirements of the LDC.

CODE AMENDMENT

The applicant is requesting an amendment to the Land Development Code that would change the maximum building height allowed in the COM zone from 38' to 55'. The COM zone has been limited to 38' in maximum height for the last nine years. From 1980 to 2011, the height was capped at 40'. Building height limits are typically adopted to preserve a certain community character or to preserve view corridors. Logan City has experienced decades of outward horizontal growth oriented towards automobiles with businesses typically housed in single-story commercial buildings. Aside from the Hospital on 1400 North, Logan City rarely permits buildings in COM zone that are more than one story. With a General Plan that somewhat contradicts these horizontal growth patterns of the past and identifies the need for more compact efficient growth that would help to preserve green-belt areas in the surrounding valley, reduce the quantity of costly infrastructure, decrease vehicle miles traveled and make walking to destinations more viable, an argument could be made that taller building heights would be beneficial to Logan City's goals and objectives.

Considering context, land use compatibility, surrounding buildings, property size, setbacks and proximity to nearby residential uses there will be times when additional building height in the COM zone will have little or no negative impacts to the surrounding commercial land uses. Staff recommends that buildings in the COM zone could go above 38' in height with a Conditional Use Permit, but under no circumstance go above 55'. The conditional use review should consider overall need, adjacent zoning, existing surrounding development and size of the property. The LDC currently requires additional setbacks and height transitions from neighborhood residential zones that provides additional protections. Additional trees and landscaping could also be strategically placed to help buffer and soften the additional building height.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following departments or agencies:

• Environmental	• Water
• Engineering	• Fire

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comments have been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 6/17/18, posted on the City's website and the Utah Public Meeting website on 6/17/18, and mailed to property owners within 300 feet on 6/17/18.

RECOMMENDED CONDITIONS OF APPROVAL

This project is subject to the proponent or property owner agreeing to comply with the following conditions as written, or as may be amended by the Planning Commission.

1. All standard conditions of approval will be recorded with the Design Review and are available in the Community Development Department.
2. The Design Review Permit approval is contingent on the Code Amendment and Conditional Use Permit requirements being passed and adopted by the City Council.
3. The parking setback along 1200 South shall be at least 15'.
4. A complete sidewalk connection between the building's north entrance and the street sidewalk along 1200 South shall be provided.
5. All public pedestrian entrances shall have weather protection provided above.
6. A minimum of 200 parking stalls and a bike rack shall be provided.
7. A performance landscaping plan, prepared in accordance with §17.39 of the LDC, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a) Street trees along all adjacent streets provided every thirty (30) feet on center unless otherwise noted by the City Forrester.
 - b) Open Space and Useable Outdoor areas shall total a minimum of 29,882 SF.
 - c) In addition to the street trees, larger specimen trees shall be planted to the north, east and west of the building to help soften the additional building height.
 - d) A total number 68 trees and 171 shrubs, perennials and grasses shall be provided. 25% of the trees shall be evergreen.
8. All dumpsters shall be visually screened or buffered from public streets by using fencing, walls and landscaping.
9. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.
10. Exterior lighting shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
11. No signs are approved with this Design Review Permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
12. No fences are approved with this Design Review Permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
13. Prior to issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. *Environmental—contact 716-9760*
 - Minimum inside measurement of a single enclosure is 12 ft. wide by 10 ft. deep. If recycle container is also desired, double enclosure measurement is 24 ft. wide. Gates are not required. Place bollards on front corners and in the back to protect enclosure walls.
 - b. *Engineering —contact 716-9160*
 - Driveway spacing and alignment shall be City standards and specifications.
 - A boundary line adjustment shall be completed

- Storm water shall meet all applicable codes and standards.
- c. *Water* —contact 716-9627
- The buildings water main needs to have its own RP (ASSE1013) installed and tested on the water main as it enters the building before any branch offs or connections. Any landscape irrigation connected to Logan Cities water must have a high hazard backflow assembly installed and tested. All backflow assemblies must be tested within 10 days of turning in water to them.
 - Fire suppression systems must have a minimum DC (ASSE1015) installed and tested. Fire risers and B/F assemblies must be installed as per Logan City standards.
 - All points of use of water must comply with the 2015 IPC and State of Utah Amendments, during and after construction.
- d. *Fire* —contact 716-9515
- Fire Hydrants, Fire Alarm, and Fire Sprinklers required as well as Aerial Fire Apparatus Access.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE DESIGN REVIEW PERMIT

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

1. The proposed project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, site layout, materials, landscaping, and setbacks.
2. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The proposed project provides adequate open space and useable outdoor space in conformance with Title 17.
4. The proposed project provides adequate off-street parking.
5. The project meets the goals and objectives of the COM designation within the Logan General Plan by providing services near high capacity roadways and is designed in way for easy circulation of both pedestrian and vehicles.
6. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
7. 1200 S. provides access and is adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE CODE AMENDMENT

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

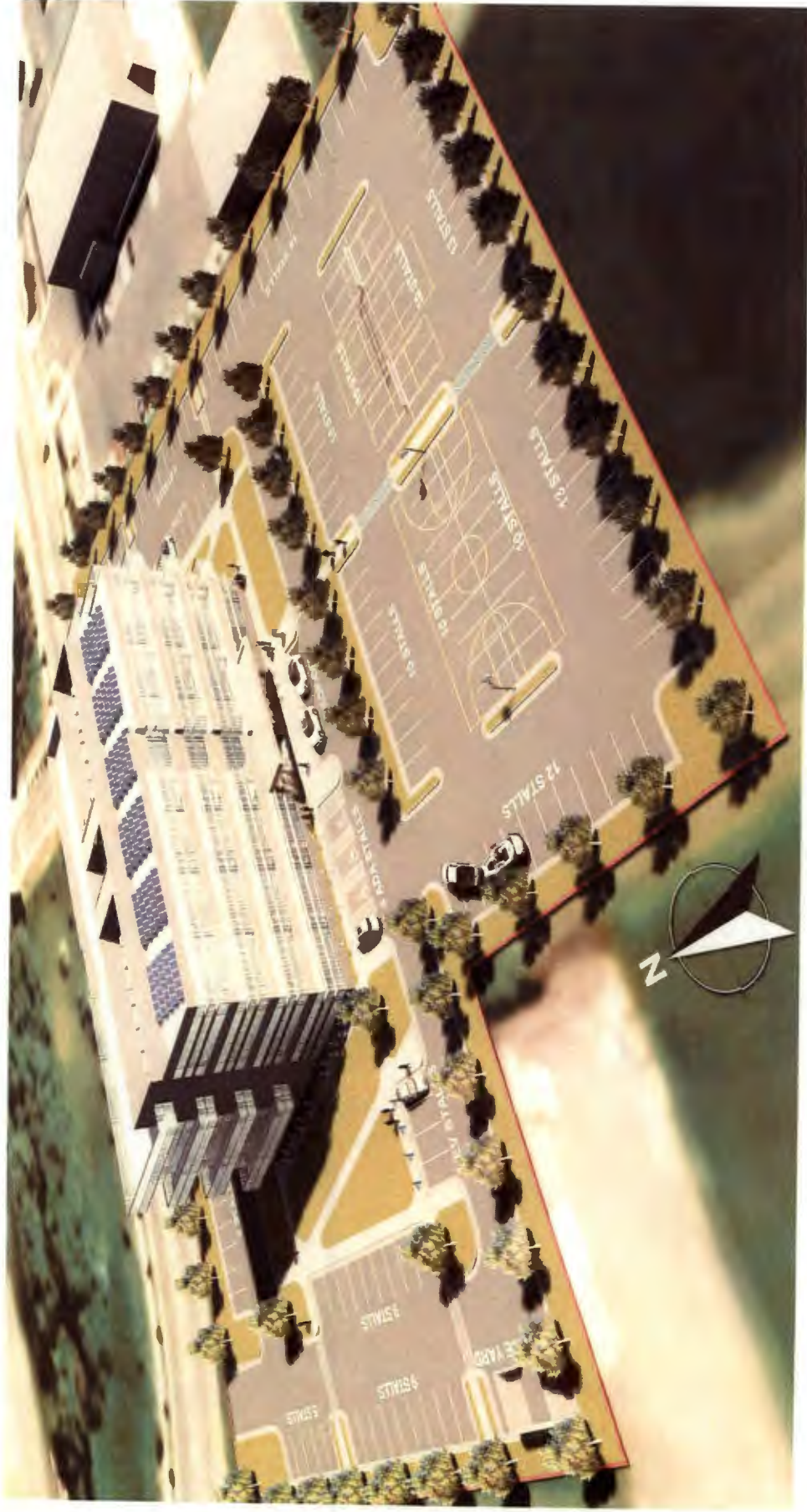
1. The proposed project, with the additional requirement of a Conditional Use Permit that caps heights at 55' and requires a 150-foot proximity setback from neighborhood residential zones will be compatible with surrounding properties from a visual standpoint.
2. With a possibility of taller heights in the COM zone, developments can become more compact and efficient and thus alleviating some of the development pressures on surrounding green-belt areas and creating a more compact walkable city.
3. Based on a site specific conditional use permit review, additional trees and landscaping can be strategically placed to help to buffer and soften the additional building height.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

Adams Office Building

86 West 1200 South





SOUTH / WEST AERIAL VIEW - OVERALL SITE DEVELOPMENT PROPOSAL



NORTH / EAST VIEW - PROMINENT VIEW FROM STREET ACCESS



PLANNING COMMISSION MINUTES

Meeting of June 28, 2018

Logan City Council Chambers (290 North 100 West Logan, UT 84321) www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, June 28, 2018. Vice-Chairman Butterfield called the meeting to order at 5:30 p.m.

Commissioners Present: David Butterfield, Regina Dickinson, Sandi Goodlander, Dave Newman, Tony Nielson, Eduardo Ortiz

Commissioners Excused: Russ Price

Staff Present: Russ Holley, Amber Pollan, Paul Taylor, Bill Young, Kymber Housley, Debbie Zilles

Minutes from the June 14, 2018 meetings were reviewed. Commissioner Newman moved that the minutes be approved with a minor correction on page 3 (regarding the vote); the motion was seconded by Commissioner Goodlander. The motion was approved unanimously.

PUBLIC HEARING

PC 18-027 Adams Office Building [Code Amendment & Design Review Permit] Gary Blazzard/S. Craig Adams, authorized agent/owner, request an amendment to the Land Development Code (LDC) to change the maximum building height in the Commercial (COM) zone from 38' to 55' and a Design Review Permit 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.

STAFF: Mr. Holley reviewed the request for a new 4-story 60,000 SF office building, including landscaping, a 221-stall parking lot and streetscape improvements. The vacant site is 3.43 acres and currently consists of four separate parcels of land.

The applicant is requesting an amendment to the Land Development Code (LDC) to change the maximum building height allowed in the Commercial (COM) 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 preserve a certain community character, and/or to preserve view corridors. Logan City has experienced decades of outward horizontal growth, oriented towards vehicles, with businesses housed in single-story commercial buildings. Aside from the hospital on 1400 North, Logan City rarely permits buildings in the COM zone that are more than one-story. The General Plan identifies the need for more compact and efficient growth to help preserve greenbelt areas in the surrounding valley, reduce the quantity of costly infrastructure, decrease vehicle miles traveled and make walking to destinations more viable. Considering the context, land use compatibility, surrounding buildings, property size, setbacks and proximity to nearby residential uses, there will be times when additional building height in the COM zone will have little or no negative impacts to the surrounding land uses. Staff recommends that buildings in the COM zone could go above 38' with a Conditional Use Permit, but under no circumstance above 55'. The review should consider overall need, adjacent zoning, existing surrounding development and size of the property.

PROPOPENT: Craig Adams is excited about this project. He has been looking for property to meet the growing needs of his company. Historically, he likes to make a positive impact on communities (i.e. Ryan's Place Park in Providence). This site is a nice location with a lot of connectivity. The desire is to create a great project to represent the company. This proposal is the most functional and best use of the property. The 60,000 SF office building will house many businesses, quite a few have already verbally committed to occupancy. The design and building placement is based on efficiency; solar panels will be used. The suggestion to move the building closer to the street is difficult because of the building size and the goal to have similar setbacks as adjacent buildings. The goal is to have limited customer parking in front of the building, especially for elderly or customers with special needs who need easy accommodation to the business. Employee parking will be in the back of the building. As part of the design, parking was not only met, but exceeded for future growth. Because of the height of the building, he is asking for consideration regarding the limited parking in the front (between the building and 1200 South). The area also provides ability to have exceptional landscaping.

Glary Blazzard, from HKS Architects, Inc., said this is not just a "spec office building", but will reflect Mr. Adam's company. The building design has some unique characteristics without an offensive feel.

PUBLIC: None

COMMISSION: Mr. Holley clarified that the Riverwoods was built under the Mixed Use (MU) zone, which allowed a building height of 58' (later zoned to Commercial). The Wells Fargo building, in the Town Center (TC) zone, is the tallest building in the City at 68'. One of the concepts that has been an objective with planning has been keeping taller buildings in the downtown area and transitioning outward. In this location, however, 55' is not an egregious height; the perspective/relation to the neighborhood at this site has no negative impact. Staff is comfortable with the request for raising the height with this request, however, the better option would be buildings in the COM zone that go above 38' will need a Conditional Use Permit so that the Commission can review the project and apply mitigating conditions as deemed necessary.

Commissioner Goodlander asked about the height of the buildings on 100 East. Mr. Holley said the office building south of the river is 51' and the Marriott Hotel is 55'; both were built under the Mixed Use (MU) zone.

Commissioner Nielson asked about the front parking setback. Mr. Holley said it requires a 15' setback and a minimum of 200 parking stalls; they have proposed 221.

Commissioner Ortiz asked about the transitional distance between the building and the closest MR or NR zone. Mr. Holley said the closest residential area would be the Blackhawk Condos, which are zoned MR. The height transition is 2-1 (2 horizontal feet for every 1 vertical foot). Because of the size of this property and position of the building there is no significant impact on this site.

Commissioner Newman likes the design and setback for this proposal. If additional building height in the COM zone is allowed, there should be a required additional setback. The larger the building, the more it should be set back from the road to minimize the building mass.

Chairman Butterfield pointed out that the amendment is a global decision which requires consistency regarding setbacks because the change will apply to all property in the COM zone. He asked if the Commission would have the ability to make decisions within the Conditional Use review of each project. Mr. Housley, the City Attorney, said specific conditions need to be put the Code (i.e. certain heights require certain setbacks). Generally, conditions of approval mitigate negative impacts, therefore, they should be clearly defined. He reminded the Commission that this is a recommendation to the City Council for approval.

Commissioner Newman pointed out that the Code includes the requirement that if a project is next to a residential zone, it requires a 2-1 step back.

Commissioner Goodlander said a Conditional Use Permit would still be required to meet the conditions within the Code, approval for a project would need to comply with the established requirements. Mr. Housley advised that this project will be dependent on approval of the amendment by the City Council for additional building height.

Commissioner Ortiz noted that the last update to the Code in 2011 reduced building height. He questioned whether this consideration is historically consistent. Mr. Housley said this is an aesthetic and policy issue. The Commission needs to decide if taller buildings are appropriate in the COM zone. Mr. Holley noted that the General Plan refers to Logan continuing to grow up and in, rather than outward. As the population increases and developable land decreases, there will be development pressure to allow for taller buildings to help meet the growing demands. Chairman Butterfield said this is really a philosophical question about how to preserve open/green space. There are many differing opinions, but no solutions, only tradeoffs.

Commissioner Nielson believes that 38' building height is too low and he is in favor of raising the height with more usable green space located around the site. Anything above 38', not to exceed 55' could include the 2-1 transition, or another specified ratio.

Commissioner Goodlander noted that this is a beautifully designed project, however, before an amendment is made, there needs to be a clear understanding of how other properties/areas might be affected by the change.

Commissioner Ortiz said allowing 55' would be setting a precedent for future development.

Mr. Holley said 55' works well at this site and with this project, however, there could be other areas within the COM zone, especially those adjacent to a residential area, that may be more challenging. Staff feels that the 150' setback requirement from a residential area and requirement for approval of a Conditional Use Permit provide additional protections. There are some COM zoned areas that are appropriate for taller buildings. When front setbacks are increased, the building height perspective decreases and helps soften the impact from the street, however, with additional room in the front setback, more applicants will want parking in that front space to provide for a more efficient layout.

Commissioner Newman said there are residential areas along 100 West which could be quite impacted by a 55' tall building. He suggested a 40' setback for 55' building height, nevertheless, there are still questions about parking and where it would be located and/or allowed.

Mr. Holley explained that a double-loaded parking stall is 65'. The average parking stall is 10'x20'. If a front setback were increased to 40' it may not allow room for parking, but could be an ideal location for landscaping.

Commissioner Goodlander said one of the biggest objectives since she joined the Commission is for the street-facing facade to look like a front entrance. If the entrance is going to be located on the front then the area in front of it needs to be usable.

Chairman Butterfield is hesitant to be too specific. He would prefer to review projects on a case-by-case basis and condition them appropriately. Mr. Housley said this would only change the height limitation, there will always be concerns and challenges. Rather than height being handled within a Conditional Use application, it could be parking that would require a permit and staff could determine what the criteria would be.

Mr. Holley said years ago an ordinance was adopted in the Industrial Park (IP) zone allowing for additional height with a Conditional Use Permit upon demonstration of need. Mr. Housley said the challenge is codified language that requires specific criteria in order to be enforceable.

Chairman Butterfield asked if it would be possible to continue the amendment to the next meeting based on tonight's discussion and move forward with the Design Review Permit. Mr. Housley said that is an option if the Commission is not comfortable with what has been presented.

Commissioner Goodlander asked about the reason for the current 38' height. Mr. Housley said it was based on the average height for a 3-story building.

Mr. Holley pointed out that parking is not tied to the height of a building. Ms. Pollan noted that additional height, setbacks, and transition are partly design issues for each project.

Commissioner Nielson suggested approving the 55' height maximum. Heights between 40-55' would be based on a 2-1 ratio or another specified setback. Mr. Holley said if the impact is mainly setback and building perspective, additional setbacks can be built into the Code and the Conditional Use Permit process could be bypassed if that is the only concern.

Commissioner Nielson highlighted the wording in the Staff Report: "*The conditional use review should consider overall need, adjacent zoning, existing surrounding development and size of the property*" and noted that this will be different for each project. He agrees that applications should be reviewed on a case-by-case basis, if an exact figure is required, it may be difficult for different designs/spaces. There should be a Conditional Use Permit required to consider each project.

Mr. Housley said another challenge is that developers need predictability. Expectations need to be clearly defined and it would be better to be specific about what is expected.

Commissioner Newman said there is still a need to determine what can and cannot be done in the setback area and whether parking should be considered to make it more of a usable area.

Commissioner Nielson said there is the same concern in the Town Center (TC) zone.

Commissioner Newman pointed out the condition of approval that states "*The proposed project, with the additional requirement of a Conditional Use Permit that caps heights at 55' and requires a 150' proximity setback from neighborhood residential zones will be compatible with surrounding properties from a visual standpoint.*" This would be significantly larger than the 2-1 ratio. Mr. Housley pointed out that 150' residential transition is from the zone, not from the property line.

Commissioner Goodlander recommended heights up to 40' require a 10' setback, and any height above 40' – not to exceed 55' – be based on a 2-1 ratio, with the front setback area defined by a Conditional Use review. Mr. Housley suggested adding specific criteria. Commissioner Goodlander asked if "compatibility" would be too vague, Mr. Housley said it would be.

Commissioner Newman suggested using the parking stall measurements to determine what is allowed within a setback with a Conditional Use Permit. Mr. Holley said extensive berming and/or landscaping are normally required. Mr. Housley said the conditions would have to be identified. Staff will need to review the wording. A recommendation on the height could be approved with a condition that parking could be considered/allowed with a Conditional Use Permit.

MOTION: Commissioner Nielson moved to **forward a recommendation of approval** to the Municipal Council for an amendment to the Land Development Code (LDC) increasing building height in the Commercial (COM) zone up to a 55' maximum, with a base height of 40'. Setbacks of buildings under 40' will remain the same, buildings 40-55' tall will require a 2-1 setback for each additional foot in height with a Conditional Use Permit for parking in the front in setback as determined by staff. Commissioner Newman seconded the motion.

FINDINGS FOR APPROVAL FOR CODE AMENDMENT

1. The project, with the additional requirement of a Conditional Use Permit that caps heights at 55' and requires a 150' proximity setback from neighborhood residential zones, will be compatible with surrounding properties from a visual standpoint.
2. With the possibility of taller heights in the COM zone, developments can become more compact and efficient, thus alleviating some of the development pressures on surrounding green-belt areas and creating a more compact walkable city.
3. Based on a site specific conditional use permit review, additional trees and landscaping can be strategically placed to help to buffer and soften the additional building height.

Moved: Commissioner Nielson **Seconded:** Commissioner Newman **Approved:** 6-0
Yea: Butterfield, Dickinson, Goodlander, Newman, Nielson, Ortiz **Nay:** **Abstain:**

Chairman Butterfield advised that the Design Review will be discussed with the assumption that the Code Amendment be approved by the City Council.

Commissioner Goodlander asked if parking could still be functional with the required 15' front setback (along 1200 South). Chairman Butterfield said the building can be moved back for parking accommodation if necessary. Mr. Holley said pointed out that the setback does need to move 4' to meet the 15' requirement. Parking in the front is currently prohibited. The access points are still being reviewed by the City Engineer. One option could be moving the building forward and redesigning the parking layout (ensuring that the minimum requirement is met).

Commissioner Nielson asked about ADA stalls. Mr. Holley said the accessible stalls would have to be placed near the entrance to the building either in the front (if approved) or the rear. Chairman Butterfield said the Commission can also consider approving the project as the applicant has proposed.

Gary Blazzard said the building can be moved closer to the street, however, it would make the building perspective appear larger and it would be difficult to figure out how to keep the number of parking stalls and open space. There is an entrance on the front facade. Craig Adams said the idea is to have a main customer entrance on the front of the building with an employee entrance on the back. Entering in the main (front) is more efficient for customers. He has aging customers who need easy access to the building. He suggested the 15' setback with added landscaping and a berm to help screen parking. Deleting parking entirely in the front is losing an effective way to use the building. This proposal is the highest/best use of the parcel.

Commissioner Goodlander likes the way it has been proposed and does not see a problem with parking in the front with landscaping and a berm (similar to Walgreen's). It looks better to have the front of the building face the street. She recommended eliminating the condition "*Parking stalls shall be positioned in side and rear yard areas and not between the building and the street.*"

Commissioner Newman agreed and likes the layout, it seems to make good use of the property and provides continuity with the adjacent buildings. Commissioner Ortiz and Commissioner Nielson agreed.

Commissioner Dickinson said she agrees with Staff's recommendations. Having parking in the front could be visually detracting if the landscaping is not always maintained. Mr. Housley said a 15' setback and a berm for screening could be required.

MOTION: Commissioner Goodlander moved to **conditionally approve** a Design Review and Conditional Use Permit as proposed and outlined in PC 18-027 with the amended conditions of approval as listed below. Commissioner Newman seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. The Design Review Permit is contingent upon approval of the Code Amendment and Conditional Use Permit requirements being adopted by the City Council.
3. The parking setback along 1200 South shall be 15'.
4. A complete sidewalk connection between the building's north entrance and the street sidewalk along 1200 South shall be provided.
5. All public pedestrian entrances shall have weather protection provided above.
6. A minimum of 200 parking stalls and a bike rack shall be provided.
7. A performance landscaping plan, prepared in accordance with LDC §17.39, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a. Street trees along all adjacent streets provided every thirty (30) feet on center unless otherwise noted by the City Forester.
 - b. Open and useable outdoor areas shall total a minimum of 29,882 SF.
 - c. In addition to the street trees, larger specimen trees shall be planted to the north, east and west of the building to help soften the additional building height.
 - d. A total of 68 trees and 171 shrubs, perennials and grasses, shall be provided. 25% of the trees shall be evergreen.
8. All dumpsters shall be visually screened or buffered from public streets by using fencing, walls and landscaping.
9. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.
10. Exterior lighting shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
11. No signs are approved with permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
12. No fences are approved with this permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
13. Prior to issuance of a building permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. Environmental
 - i. Minimum inside measurement of a single enclosure is 12' wide X 10' deep. If recycle container is desired, double enclosure measurement is 24' wide. Gates are not required. Place bollards on front corners and in the back to protect enclosure walls.
 - b. Engineering
 - i. Driveway spacing and alignment shall be per City standards and specifications.
 - ii. A boundary line adjustment shall be completed
 - iii. Storm water shall meet all applicable codes and standards.
 - c. Water
 - i. The building's water main needs to have its own RP (ASSE1013) installed and tested on the water main as it enters the building before any branch offs or connections. Any landscape irrigation connected to Logan Cities water must have a high-hazard backflow assembly installed and tested. All backflow assemblies must be tested within 10 days of turning in water to them.
 - ii. Fire suppression systems must have a minimum DC (ASSE1015) installed and tested. Fire risers and B/F assemblies must be installed as per Logan City standards.
 - iii. All points of use of water must comply with the 2015 IPC and State of Utah Amendments, during and after construction.
 - d. Fire
 - i. Fire hydrants, alarms and sprinklers required as well as Aerial Fire Apparatus Access.

FINDINGS FOR APPROVAL

1. The project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, site layout, materials, landscaping, and setbacks.
2. The project conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The project provides adequate open space and useable outdoor space in conformance with Title 17.
4. The project provides adequate off-street parking.
5. The project meets the goals and objectives of the COM designation within the Logan General Plan by providing services near high capacity roadways and is designed in way for easy circulation of both pedestrian and vehicles.
6. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
7. 1200 South provides access and is adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

Moved: Commissioner Goodlander **Seconded:** Commissioner Newman **Approved:** 6-0
Yea: Butterfield, Dickinson, Goodlander, Newman, Nielson, Ortiz **Nay:** **Abstain:**

86