



**Project #19-035  
Mill Creek  
Located at 100 W 100 S**

**REPORT SUMMARY...**

*Project Name:* Mill Creek  
*Proponent / Owner:* Jared Neilson / Mill Creek of Logan, LLC  
*Project Address:* 100 W 100 S  
*Request:* Design Review Permit  
*Current Zoning:* Town Center 1 (TC-1)  
*Type of Action:* Quasi-Judicial  
*Date of Hearing:* September 12, 2019  
*Submitted By:* Aaron Smith, Planner II

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**RECOMMENDATION**

Staff recommends that the Planning Commission **conditionally approve** a Design Review Permit for Project #19-035, Mill Creek, for the properties located at 100 W 100 S, TIN# 02-046-0015,-0016.

*Current Land use adjoining the subject property*

<i>North:</i>	TC-1: Commercial Uses	<i>East:</i>	TC-1: Commercial Uses
<i>South:</i>	TC-1: Commercial Uses	<i>West:</i>	PUB/NR-6: Public School, Residential Uses

**PORJECT PROPOSAL**

The .94 acre project site consist of two (2) parcels that previously contained a gas station and convenient store. The proposal is to construct one (1) residential apartment building with 75 residential units, structured parking, and rooftop patio. The proposed building has a footprint of 25,675 SF. The building varies between four and six floors. The structured parking is located on the first and second floors, with residential units located on the third through sixth floors. The building fronts both 100 S and 100 W, with the primary controlled pedestrian entrance located along 100 S. Vehicular access is provided on both 100 S and 100 W. Limited surface parking is provided south of the building. Other site improvements include a dog park for residents.

**LAND USE**

The project area is zoned Town Center 1 (TC-1). TC-1 zone has been established to encourage a mix of retail, office, commercial, entertainment, residential, and civic uses within a compact, walkable urban form focused on the urban core of Logan. Standalone residential development is allowed within the TC-1 as long as it is not located along Main Street or 400 N.

The area surrounding the project site includes office, retail, entertainment, and restaurant uses, as well as a Logan High School, the Logan Recreation Center, and one residential home located diagonal from the project.

**DESIGN REVIEW**

The LDC 17.43 requires Design Review Permit approval for new multi-family developments to ensure high-quality design, layout and neighborhood compatibility. The Planning Commission may approve or conditionally approve a Design Review Permit upon substantiating findings in conformance with Title 17 of the LDC.

## DENSITY/HEIGHT BONUS

Residential density and height bonuses are permitted for projects that provide structured parking. The LDC states that the purpose of this bonus is to promote exceptional site and building design in conjunction with the efficient and flexible use of land in the TC-1 zone. All density and height bonuses are required to be reviewed by the Planning Commission. The bonuses are also subject to residential height and setback transition standards. The bonus standards state that a building design that includes a parking structure for at least 75% of the required parking stalls may receive a 30 unit density bonus and a 24' height bonus.

The proposed project provides structured parking for 90% of the required parking stalls and meets the density and height bonus requirement. With the bonuses, the project density for the TC-1 zone increases from 70 units/acre to 100 units/acre, and maximum height is increased from 80' to 104'. The proposed project density is 80 units/acre and the maximum height is 71'. As the project is proposed, only the density bonus is applicable. As proposed, the project meets the requirements for a density bonus, and the proposed project density is within the specified range of 100 units/acre after receiving the bonus.

## SITE PLAN

The TC-1 zone allows for dense development with minimal setbacks, lot coverage, or open space requirements. Lot coverage is permitted to be 100%, building frontages are required to be a minimum 75% at the front setback, and no open space or useable outdoor space is required.

### Setbacks

The setback requirements in the TC-1 zone for residential buildings are as follows:

Front (Min/Max):	0'-10'
Side:	8'
Rear:	10'
Parking (Front):	10'
Parking (Side/Rear):	5'

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

Front (100 S):	7.5' (2' after ROW dedication)
Front (100 W):	5'
Side (East):	8'
Rear (South):	10'
Parking (100 W):	2.9'

As the intent of the zone is to promote an urban form, the front setback has been applied to both the 100 S and 100 W frontages. The TC-1 zone specification states that the maximum setback (10') applies unless the Review Authority finds that a reduction within the specified range results in a better design due to design flexibility, building placement, or compatibility with adjoining structures. In this case, the building setback is less than the 10' maximum on both the 100 S and 100 W frontages. Findings that may support this placement are the high level of architectural design on the building, the landscaping buffer around both frontages, the site constraints associated with the canal to the east and south, and the 0' or reduced setback of nearby structures along Main Street, 100 S, and 100 W including Logan's Heroes, Fuhrman's Framing and Fine Art, the Century Building, and the old Hostess store.

The need for dedication of public right-of-way (ROW) along 100 S may also impact setbacks, and reduce the front setback along 100 S from 7.5' to 2'. The surveyed property lines along this frontage show that much of the sidewalk and parkstrip are within the property boundaries. As conditioned, with the Planning Commission identifying findings consistent with a reduced building setback along 100 S and 100 W, the project meets the requirements in the LDC.

The proposed parking setback along 100 W is approximately 3' and is less than the 5' required for the zone. A simple solution to this would be to reduce the 20' parking stall length to the permitted 18' length. The additional 2' would meet the parking setback requirement. As conditioned, with the project meeting the 5' parking setback requirement, the project meets the requirements of the LDC.

### ***Access & Circulation***

The vehicle accesses to the buildings are located along 100 S and 100 W. The 100 S access the 2<sup>nd</sup> level of the structured parking through a roll-up door. The 100 W access provides access to surface parking and the 1<sup>st</sup> level of the structured parking. Pedestrian access is located along 100 S through the primary building entrance. As this is a controlled access building, no other entrance to the building is located along the frontages. Secondary exits are located along the south and east of the buildings. These secondary exits are not directly connected to the street. With the prominent primary entrance located along the street frontage, no other pedestrian connects are required. As stated in the setback section, a right-of-way dedication or public access easement is required to maintain public access along the 100 S sidewalk. As conditioned, with a right-of-way dedication or public access easement, the project meets the requirements in the LDC.

### ***Parking***

For a residential building in the TC-1 zone, the following parking stalls are required:

Studio/One bedroom:	1.5 stalls/unit
Two Bedroom or larger	2 stalls/unit
Visitor Parking:	1 stall/10 units

The proposed building has the following residential unit composition and required parking stalls:

Studio/One bedroom:	47 units/70.5 parking stalls
Two Bedroom or larger	28 units/56 parking stalls
Visitor Parking:	75 total units/7.5 parking stalls

Total required parking:	134 parking stalls
Total provided in project:	136 parking stalls (12 compact stalls)

The proposed structured parking includes 122 stalls (12 are compact stalls), the surface parking includes 14 stalls. The total parking provided for the project is 136. The LDC allows 10% of parking stalls to be compact stalls. Several of the parking stalls in the structured parking are double loaded, meaning that they are accessed through another parking stall instead of a drive aisle. This parking layout is permitted, but the double loaded stalls are required to be designated to the same dwelling unit so that movement of cars in the parking garage can easily be coordinated within a household. As conditioned, the project meets the requirements of the LDC.

### ***Landscaping***

The LDC 17.32 requires minimum plant material for overall visual aesthetics, ecology, screening, and shading purposes. 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 the .94 acre project site, 19 trees and 47 shrubs, flowers and ornamental plants are required. The proposed landscaping plan includes landscaped areas around the building, parking lot, and roof top patio. In total 54 trees and 305 shrubs, flowers and ornamental plants are proposed. The design of the planting areas along both the 100 S and 100 W frontages, including columnar trees, will help to break up and buffer the ground level building facades and parking areas. Additional project landscaping includes a 6,661 SF turf area, and a 1,545 SF artificial turf area

that will serve as a dog park for residents. As conditioned, with a performance landscaping plan, the project meets the requirements in the LDC.

## **BUILDING DESIGN**

### ***Materials***

The LDC 17.12.020 states that a mixture of building materials is required for all building elevations. Permitted materials include masonry, stucco, wood, fiber cement board, or metal. Stucco (EIFS) is only permitted when sufficient detail and interest is provided to the surface. The proposed building materials include stone veneer, stucco, and architectural concrete. The proposed stucco includes scoring to achieve detail and interest. The proposed concrete on the two ground floors is where the structured parking is located. While not a permitted material, it is within the Planning Commissions purview to grant a design consideration for allowing a material. Also of note, the landscaping plan provides vertical planting materials along the concrete façade that will mask and break-up the form. As conditioned, with the Planning Commission allowing the architectural concrete with detailing and decorative features, such as texture, tie holes, or formliners, the project meets the requirements in the LDC.

### ***Transparency***

Transparency requirements for the TC-1 zone are as follows:

Residential All Floors: 20%

Proposed transparency for the project are:

Floors 4-6 (non-concrete floors all sides):	35%-40%
North Elevation (100 S Frontage):	28%
West Elevation (Ground Floor/Parking Lvl 2):	17%
West Elevation (Parking Lvl 1):	23%
South Elevation (Parking Lvl 1):	10%
South Elevation (Parking Lvl 2):	10%
East Elevation (Parking Lvl 1):	10%
East Elevation (Parking Lvl 2):	7%

The transparency on the inhabited floors are all compliant with the LDC. Many of the ground floor areas that are primarily structured parking are not compliant with the code. The transparency code in the LDC generally specifies street facing or exposed sides as being of particular importance for meeting transparency requirements. As the TC-1 Residential Transparency requirement does not make a specification regarding exposed sides, the code has been interpreted by staff as applying to all sides of the building. It is within the Planning Commission's purview to broadly or narrowly apply the transparency requirement to apply to all sides or only the exposed sides, which would include the 100 S and 100 W street facing facades. As transparency is considered a design element of the building, the Planning Commission may reduce the requirement below 20%. As conditioned, with the planning commission requiring the 20% transparency requirement only on exposed sides, the project meets the requirements in the LDC.

### ***Elevations and Building Orientation***

The LDC requires 4-sided architecture that emphasizes similar architectural features on all sides of the building. The buildings primary entrance and architectural emphasis is on the 100 S frontage. Repetition of materials, fenestration, and architectural details are repeated on the various facades. One area that lacks consideration is the southern portion of the east façade, both the parking lvl1 and lvl2 floors. This area includes a 48' and 71' blank wall. Blank areas of wall that are visible from a public right-of-way that exceed 40' are prohibited. Vertical detailing, including window/door breaks, changes in wall planes, change in texture/color/materials, or use of vertical elements, including vertical plantings, may be used to break up the façade in this

area. As conditioned, with either additional architectural features or landscape and screening to buffer the areas of the eastern wall, the project meets the requirements in the LDC.

### ***Building Height and Transition Zone***

Building height in the TC-1 zone are limited to 55' along any street facing property line, and may be increased at a ratio of 1 vertical foot for every 2 horizontal feet up to a maximum height of 80'. However, this project is subject to a height transition as a portion of the project is within 150' of a NR-6 zone. The height transition sets the maximum height at the minimum setback line to 35'. The height may increase at a ratio of 1 vertical foot for every 2 horizontal feet. Any portion of the building that is outside the 150' radius of the transition zone is not subject to the height transition.

The height transition requirement for this project affect both the 100 S and 100 W elevations. The proposed height at the corner of 100 S and 100 W is 34' 4" and within the height transition requirement. The building increases in height outside of the 150' transition zone to 54' along the west elevation and 58' along the north elevation. The west elevation, to achieve a permitted height of 58' is required to be set back from the property street facing property line 6'. The closest that the 58' portion of building comes to the 100 S property line is 10'. The highest point of the building is the southeast corner at 71' and within the height requirements of the zone. As conditioned, with adherence to the height transition standards, the project complies with the requirements in the LDC.

### ***Lighting***

The LDC 17.30.090 requires adequate and appropriate site lighting that increases nighttime visibility, adds aesthetic quality, and improves safety while mitigating unnecessary glare, sky glow and light trespass. The LDC limits pole height to 32 feet, and luminaire fixtures 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. Exterior lighting has not yet been submitted. As conditioned, the project complies with the requirements of the LDC.

### **SUMMARY**

The Planning Commission has several areas of discretion to consider regarding the site plan and design. Regarding the site plan, the Commission may consider the adjustment of the setback along 100 S and 100 W to allow the placement of the building less than the 10' maximum setback for residential structures in the TC-1 zone. For building design, the Commission must interpret the application of the 20% transparency requirement for the non-street facing facades, and the use of concrete as a building material. Overall, this project meets the goals of the TC-1 zone to encourage density and urban design forms within the city center.

### **AGENCY AND CITY DEPARTMENT COMMENTS**

Comments were solicited from the following departments or agencies:

• Fire	• Engineering
• Water	

### **PUBLIC COMMENTS**

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

### **PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on 8/31/19 and the Utah Public Meeting website on 9/4/2019. Public notices were mailed to all property owners within 300 feet of the project site on 8/21/2019.

## **RECOMMENDED CONDITIONS OF APPROVAL FOR THE DESIGN REVIEW AND CONDITIONAL USE PERMIT**

*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 Planning Commission grants a density bonus of 30 units per acre as the project provides for a parking structure for at least 75% of the required parking stalls.
3. One (1) residential structure with seventy-five (75) dwelling units is approved with this permit.
4. Final floor plans of all residential units shall be provided to Community Development to verify unit count and configuration.
5. The Planning Commission permits the setback along 100 S to be reduced to 2' as findings have been made to support a reduction of the 10' maximum setback for residential structures in the TC-1 zone.
6. The Planning Commission permits the setback along 100 W to be reduced to 5' as findings have been made to support a reduction of the 10' maximum setback for residential structures in the TC-1 zone.
7. The parking setback shall be 5'.
8. Right-of-way dedication or a public access easement shall be provided along 100 S so that all sidewalk and parkstrip is accessible to the public.
9. The project shall provide 134 parking stalls. 7 of the parking stalls shall be provided for visitors. Final parking totals subject to verification of unit count and configuration.
10. The project shall provide parking stalls in accordance with LDC dimensional size standards and specifications.
11. Compact parking stalls shall not exceed 10% of total parking and shall be a minimum of 8' 6" wide.
12. Double loaded parking stalls shall be assigned to the same dwelling unit.
13. A performance landscaping plan, prepared in accordance with §17.39 of the LDC and consistent with the proposed landscaping, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit.
14. Street trees shall be planted along all adjacent streets at 30 feet on center.
15. Enhanced vertical landscaping that matches "Type C" in LDC 17.32.070 shall be placed in the areas between the sidewalk and the parking lot along 100 West.
16. The Planning Commission allowing the use of architectural concrete as a building material on all facades that incorporate detailing and decorative features, such as texture, tie holes, or formliners.
17. All floors along street facing facades shall have a minimum transparency of 20%.
18. The east façade (parking structure section) that is visible from the street and has blank wall sections of 40 feet or more shall either have additional architectural features or landscaping buffers planted to screen views.
19. Building height are subject to a residential height transition and shall be a maximum of 35' at the minimum setback for areas with the 150' radius of the NR-6 zone.
20. Building height outside of the transition zone shall be a maximum of 55' at the property line and may increase 1 vertical foot for every horizontal 2 feet up to a maximum of 80'.
21. Dumpster and garbage collection areas shall be screened with landscaping and/or walls from public view.
22. Exterior lighting shall be concealed source, down-cast and reviewed and approved prior to the issuance of a building permit and shall comply with current LDC regulations.
23. 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.
24. 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.
25. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.

26. Weather protection shall be provided above all pedestrian entrances.
27. 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. **Fire – contact 435-716-9515**
    - i. Fire sprinklers, fire alarms, fire hydrants, aerial apparatus access and standpipes required.
    - ii. At least one side shall be established as an Aerial Fire Apparatus Lane. This side shall be free of an aerial obstruction (trees powerlines etc.)
    - iii. A fire hydrant is required within 400 ft. of all points around the exterior of the building and a fire hydrant is required within 100 ft of the fire department connection.
  - b. **Engineering - contact 435-716-9160**
    - i. Provide Storm Water detention or retention per City Storm Water Design Standards. This includes the on-site retention of the 90% storm event through the use of Low Impact Design practices. If site is greater than 1 acre provide City with a Storm Water Pollution Prevention Plan, Storm Water Maintenance Agreement, and an NOI from the State.
    - ii. Provide the City with water shares or an in-lieu fee for increased demands to City water sources. Demand shall be for indoor and outdoor uses as required per Utah Administrative Rule R309-510-7.
    - iii. Land Development Code requires a 15' setback from top of Canal bank. If this project has a lesser dimension, written permission from Canal Company (Crockett and Logan Northwest Field) must be provided to the City. By State law the canal company must sign off on all Civil construction drawings before building permit will be issued.
    - iv. City reserves right to have access to development on 100 South be a right in/right out now or in the future due to signal/road improvements and the proximity of this access to the intersection.
    - v. All enclosed parking floor drains shall discharge to the City sanitary sewer collection system.
    - vi. All sidewalks shall be 5' unless adjacent to curb and gutter which shall be 6'.
    - vii. Provide city with Property Line Adjustment to combine existing lots into a single lot.
  - c. **Water/Cross Connection – contact 716-9627**
    - i. Any landscape irrigation connected to Logan City water must have high hazard backflow protection and be tested.
    - ii. Any fire suppression systems connected to Logan City water must have a minimum DC (ASSE1015) installed and tested.
    - iii. Water main/s must have a RP (ASSE1013) installed and tested as it enters the building. Living units and businesses must have separated water supplies with own backflow protection to help prevent cross contamination incidences.
    - iv. All points of use of water must comply with IPC and Utah state amendments during and after construction.

## **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. Reduced residential setbacks are consistent with the design and placement of the building, the use of landscape buffers, and setbacks for other buildings in the area.
3. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal Code.
4. The proposed project provides required off-street parking.

5. The project meets the goals and objectives of the TC-1 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. 100 South and 100 West provide access and is adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

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.




































# PLANT SCHEDULE UPDATE

PLANT	BOTANICAL NAME	COTTON NAME	QTY
	ACER PALMATUM 'TANGERINE'	TANGERINE JAPANESE MAPLE	1
	ACER PALMATUM 'BERNAL' LARINE	NORWAY MAPLE	3
	ACER PALMATUM 'GINKGO'	AMUR MAPLE	2
	GINKGO BILOBA 'GOLDEN GLOBE'	GOLDEN GLOBE GINKGO	15
	GINKGO BILOBA 'VACCINIUM'	ALLEGRA PLACIDUS TREE	4
	PICEA ABIES 'CUPRESSINA'	NORWAY SPRUCE	2
	PICEA GLAUCA 'PENDULA'	SEEDING WHITE SPRUCE	3
	PICEA GLAUCA 'PENDULA'	SEEDING WHITE SPRUCE	2
	POPULUS TREMULOIDES 'ERECTA'	SWITCH ALDER	8
	QUERCUS ROBUR X ALBA 'CORNUS SPICE'	CORNUS SPICE OAK	10
	BOTANICAL NAME	CORNUS SPICE OAK	QTY
	CARYOPTERIS X CLAUSENAE	BURLEIGH	16
	CORNUS ALBA 'IVORY HALO' TM	TANDEM DOUGLASS	20
	CORNUS SERICEA 'VELETY'	KELSON DOUGLASS	26
	RISES ALPINUM	ALPINE CURRANT	11
	BOTANICAL NAME	CORNUS SPICE	QTY
	CAULOPHYLLUM X ACUTIFOLIA 'KAME FORESTER'	FEATHER REED GRASS	23
	HELICTOTRICHON SEMPERVIRENS	BLUE OAT GRASS	16
	BOTANICAL NAME	CORNUS SPICE	QTY
	LEPIDOCAULIS X STELLA DE ORO	STELLA DE ORO DAYLILY	56
	HELICIDULA X ARBERIS LAVERS	CORAL BELLS	11
	HOSTA X 'AUGUST HOOK'	PLANTAIN LILY	6
	BOTANICAL NAME	CORNUS SPICE	QTY
	ARTIFICIAL TURF	ARTIFICIAL TURF	1,448 SF
	FILLING BANK GRASS	FILLING BANK	2,143 SF
	ROCK MULCH 1" FINES	1" FINES ROCK MULCH	1/15
	TURF SOD BLUEGRASS	KENTUCKY BLUEGRASS	1,000 SF



435. 153. 5542  
#10, 2 N MAIN ST  
PROVIDENCE, UT 84332

PROJECT NAME AND ADDRESS  
MILL CREEK  
LOGAN, UT 84341

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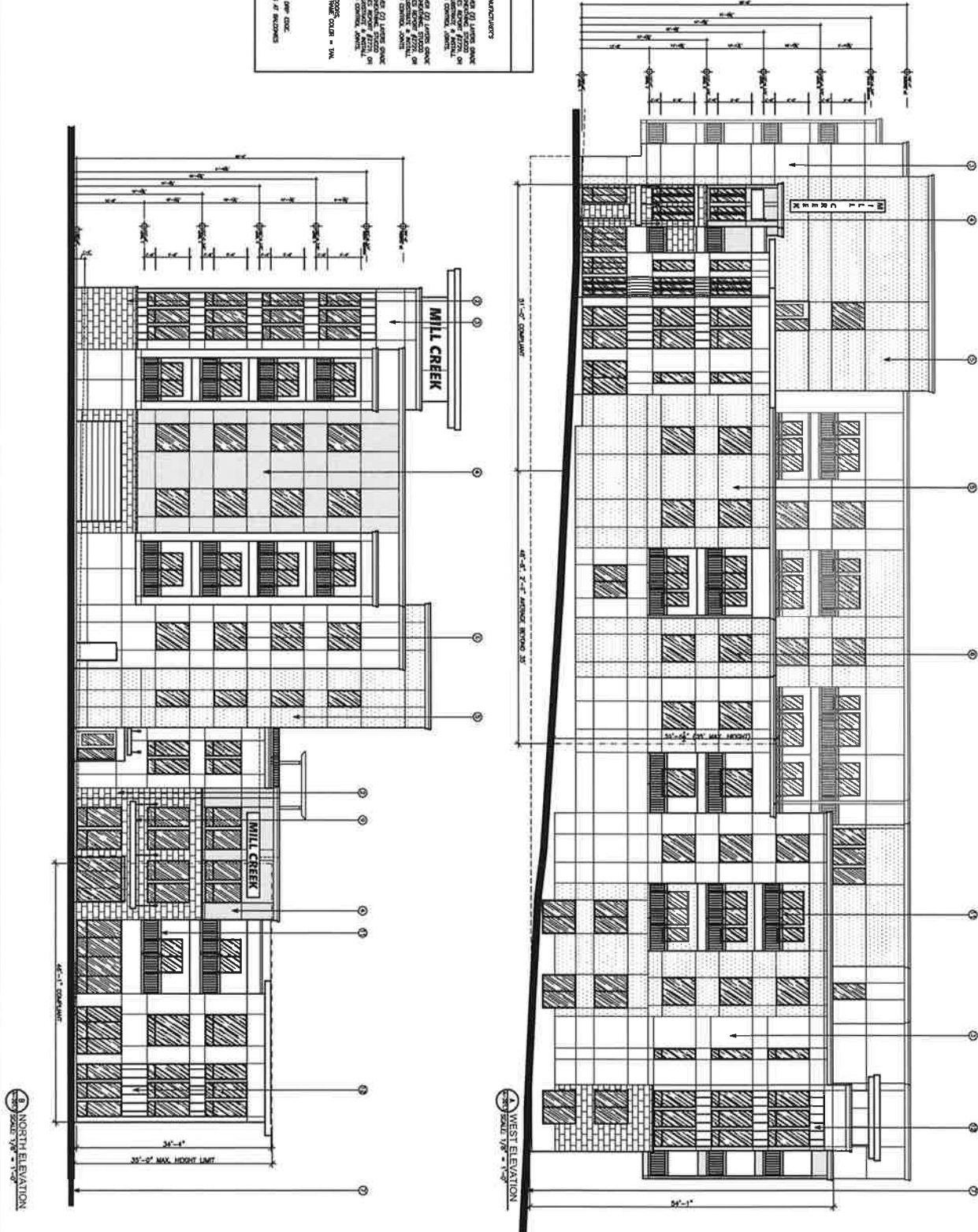
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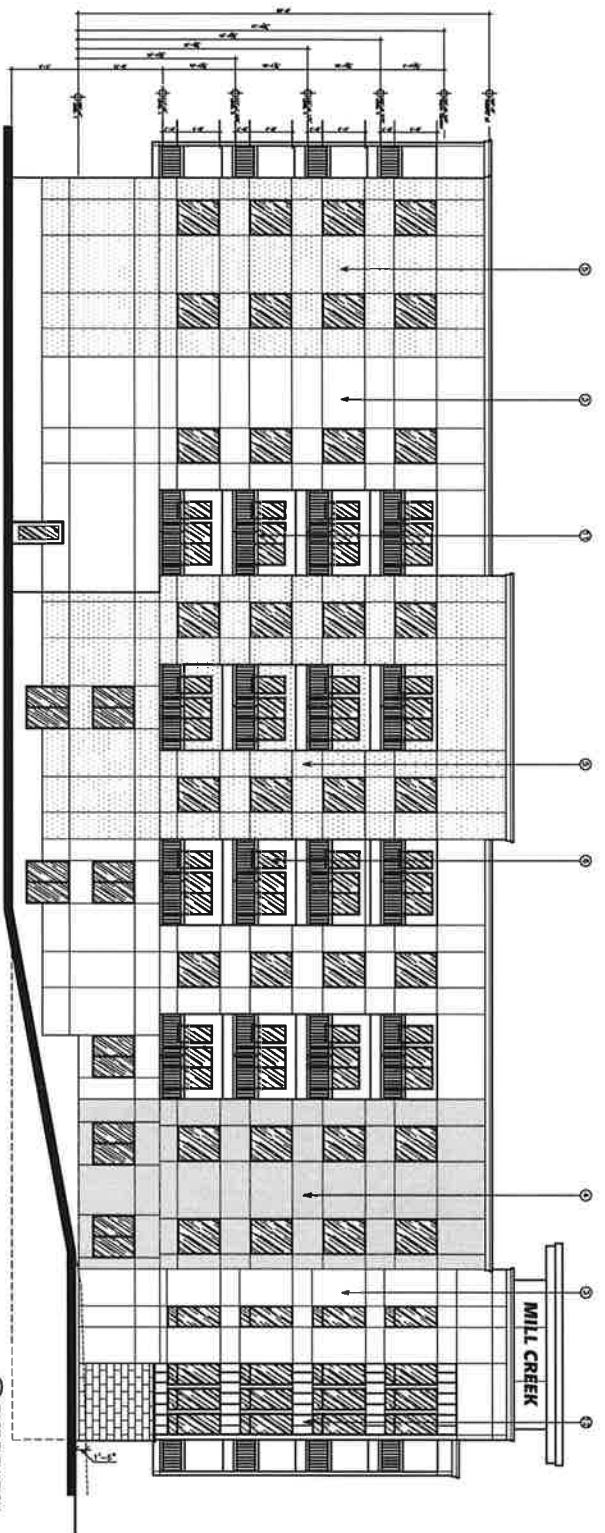
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LANDSCAPE PLAN

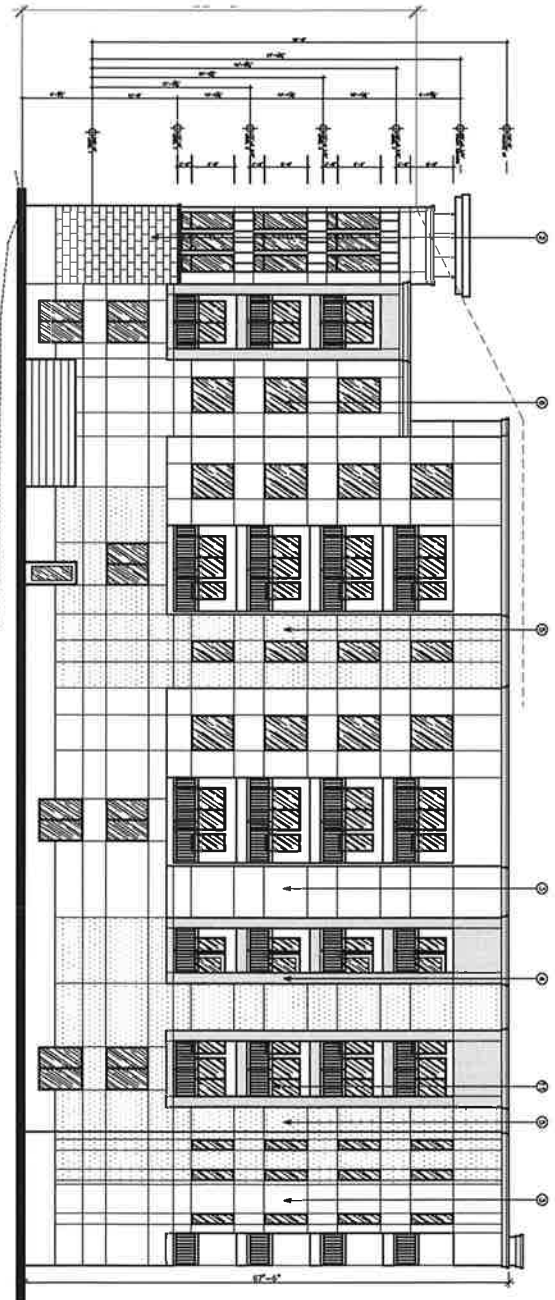
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1 EAST ELEVATION  
SCALE 1/8" = 1'-0"



2 SOUTH ELEVATION  
SCALE 1/8" = 1'-0"

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Tuffield & Associates, Inc.  
ARCHITECTS  
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MILL CREEK  
Logan, Utah

EXTERIOR ELEVATIONS

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A-201.2





# DESIGN REVIEW SITE PLAN

