

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, December 3, 2024, in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah 84321 at 5:30 pm. Logan Municipal Council Meetings are televised live as a public service on Channel 17 and the City of Logan YouTube channel at: https://www.youtube.com/channel/UCFLPAOK5eawKS_RDBU0stRQ

Council Members present at the beginning of the meeting: Chair Amy Z. Anderson, Vice Chair Mark A. Anderson, Councilmember Jeannie Simmonds, Councilmember Ernesto López, and Councilmember Mike Johnson. Administration present: Mayor Holly H. Daines, City Attorney Craig Carlston, Finance Director Richard Anderson, and City Recorder Teresa Harris.

Chair Amy Z. Anderson welcomed those present. There were approximately 32 in attendance at the beginning of the meeting.

OPENING CEREMONY:

Chair A. Anderson offered the opening ceremony and led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting held on November 19, 2024 were reviewed.

Meeting Agenda. Chair A. Anderson announced there are eight public hearings scheduled for tonight's Council meeting.

ACTION. Motion by Councilmember Johnson seconded by Vice Chair M. Anderson to approve tonight's agenda and minutes from November 19, 2024 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

Meeting Schedule. Chair A. Anderson announced that regular Council meetings are held on the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, January 7, 2025. Council meeting on December 17, 2024 has been cancelled.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Chair A. Anderson explained that any person wishing to comment on any item not otherwise on the agenda may address the City Council at this point by stepping to the microphone and giving his or her name and address for the record. Comments should be limited to not more than three (3) minutes unless additional time is authorized by the Council Chair. Citizen groups will be asked to appoint a spokesperson. This is the

time and place for any person who wishes to comment on non-agenda items and items that are germane or relevant to the authority of the City Council. Items brought forward to the attention of the City Council will be turned over to staff to respond to outside of the City Council meeting.

John Beard, a resident of Logan expressed concerns regarding the lack of affordable housing and ADA accommodations in housing. He and his wife are both disabled, and struggle as a result to find appropriate housing.

Joshua Molitor, a resident of Logan referenced the Salt Lake Tribune detailing the increased usage of food banks. He highlighted the need for low-income and affordable housing and the current lack thereof.

Brandon Elwood, a resident of Logan spoke regarding the water tank project proposed on Canyon Road. He stated that he and others will continue their effort to preserve the trees along Canyon Road. He stated that on behalf of the Canyon Road Coalition, they requested that the waterline project be paused, and an adjustment be made.

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

MAYOR/STAFF REPORTS:

Recognition of Issa Hamud, Environmental Director – Mayor Daines ([17:43](#))

Mayor Daines recognized Issa Hamud, Logan City Environmental Director, who has served in this position for the past 22 years and has been with the City for a total of 30 years. Mayor Daines added that Mr. Hamud commenced as an intern 30 years ago and has accomplished so much since then. Mr. Hamud will retire officially on January 15, 2025.

Mr. Hamud expressed his gratitude for having been able to serve the community for 30 years. He thanked the Council for the support given to him and the staff who made it all possible throughout the years. He is grateful for the trust placed in him and reiterated his gratitude.

Chair A. Anderson said that she considers herself fortunate to have worked with Mr. Hamud and also thanked his wife, who has also served in the community. The City is blessed to have them both.

Councilmember Simmonds thanked Mr. Hamud for his service and remarked that much would not have been possible if not for Mr. Hamud and it will be hard-hard-pressed to replace him. She also thanked him for being a good friend.

Report on First Dam Tank Pipeline Project Public Meeting - December 5, 2024 at 5:30 p.m. – Paul Lindhardt, Public Works Director ([23:05](#))

Mayor Daines announced that a public meeting will be held on Thursday, December 5, 2024 at 5:30 p.m. in the City Hall Council Chambers. The topic of the public meeting is the First Dam Tank Pipeline Project.

Paul Lindhardt, Public Works Director stated that the format of the meeting is a project presentation by JUB Engineers. Afterward, there will be a Question-and-Answer section. The request is that questions be submitted prior as to have readily available prepared answers but those in attendance will have the opportunity to ask questions at the meeting. There will be a breakout session with displays of the proposed project and project team members will be available to answer additional questions.

Mr. Lindhardt corrected the misinformation that the meeting would be a public hearing rather than a public information meeting. Project information can be accessed at https://www.loganutah.gov/government/departments/public_works/capital_projects.php, and questions can also be submitted to logantank@jub.com.

Councilmember Simmonds asked if members of the public in attendance will be able to submit questions during the meeting.

Mr. Lindhardt responded that questions can be submitted during the meeting via paper and pen, or possibly even a QR code.

Board Appointment (Light& Power Advisory Board) – Mayor Daines

Mayor Daines requested ratification to appoint Brian Juber to serve on the Light & Power Advisory Board.

ACTION. Motion by Vice Chair M. Anderson seconded by Councilmember Simmonds to approve ratification of Brian Juber as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

Citizen Commendation Award – Fire Chief Nate Thompson ([27:25](#))

Fire Chief Nate Thompson addressed the Council regarding the heroic actions of a citizen who helped a female bicyclist on August 20, 2024. The female bicyclist lost control and crashed face down in the Logan River with significant injuries. Blain Housley witnessed the tragic event; he immediately attended to the unconscious victim and held her head out of the water until first responders arrived on the scene. The crew responding to the call

was Captain Bryan Davies, Engineer Chris Morgan, Engineer Diego Carta, Firefighter Emerson Parker, and Battalion Chief John Fullmer.

Mayor Daines emphasized that without a doubt, Mr. Housley saved a life that day. It is an example of what a great community we have, and she thanked Mr. Housley for the life-saving actions he provided that day.

No further Mayor/Staff Reports were presented.

COUNCIL BUSINESS:

Planning Commission Update – Councilmember Simmonds ([30:45](#))

Councilmember Simmonds reported that the Planning Commission did not meet.

Board and Committee Reports – Chair A. Anderson, Councilmember López and Councilmember Johnson

Chair A. Anderson reported that none of her boards or committees met. The Warming Center opened on Friday, November 29, 2024 and is now available for those in need. If anyone is interested, there is a volunteer opportunity and training will be held this Saturday, December 7, 2024. The volunteer time is divided up, it is not an eight-hour stretch. On average per night there are 18 people seeking shelter at the Warming Center.

Councilmember López reported that he attended the Cache Summit which discussed the prioritization of agricultural land and open space conservation. The Light & Power Advisory Board discussed the power sales agreement. The Watershed Project meeting discussed updates on an ongoing project which is currently going through the environmental review process and will take a year to complete. With the retirement of Library Director Karen Clark, Joseph Anderson Assistant Library Director has stepped in as the interim director. The Library Board discussed the search for a new library director and two full-time staff members. The Friends of the Library have the train display available to those interested and Anderson Seed & Garden donated a Christmas tree.

Councilmember Johnson reported that the Parks & Recreation Board met and reviewed updates on the outdoor recreation complex and which parts of the park will be built first. The Recreation Center feasibility study is ongoing through Cache County. The Laub Plaza ice rink is now open as of November 30. The Renewable Energy Sustainability Advisory Board (RESAB) and the Audit Committee did not meet. The Bicycle Pedestrian Advisory Committee (BPAC) met and made a presentation on the proposed bike lane at 500 North. Councilmember Johnson met with JUB Engineers and public works regarding the proposed water line project along Canyon Road. He also met with the Woodruff Neighborhood Council regarding the proposed Willow Lakes project.

Mayor Daines added that the train display at the Library are on for thirty minutes at 11:00 a.m., 1 p.m., 3 p.m. and 5 p.m. on weekdays, and on Saturday at 1 p.m., 3 p.m. and 5 p.m. The trains will be running until January 4, 2025.

Council Chair and Vice Chair for 2025 – Chair A. Anderson ([45:35](#))

Chair A. Anderson stated that the Chair & Vice Chair will be selected for next year to be ready for the first council meeting held January 7, 2025.

Councilmember Johnson thanked Chair A. Anderson for serving as the Chair this past year.

ACTION. Motion by Vice Chair M. Anderson seconded by Councilmember Johnson to elect Councilmember Simmonds as the Council Chair for 2025 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

ACTION. Motion by Councilmember López seconded by Vice Chair M. Anderson to elect Councilmember Johnson as the Council Vice Chair for 2025 as presented.

Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

Council Office Hours – Chair A. Anderson ([48:42](#))

Chair A. Anderson stated that many councils in the State have time set aside to be able to meet with the public. Providing this opportunity provides another avenue for the public, and she asked whether the Council would be in favor. The commitment would be once every week or every few weeks in consideration of some of the Councilmembers' full-time employment and other commitments.

Councilmember Simmonds remarked that the Council will need a conference room or a location to meet.

Councilmember López requested confirmation that the availability would only be by appointment, and if it would be regular business hours.

Chair A. Anderson confirmed that the meetings would only be by appointment. The time availability would be 4 p.m. to 5 p.m. and another week during lunchtime to allow more flexibility.

Councilmember López suggested holding an availability from 4:30 p.m. to 5:30 p.m.

Mayor Daines responded that the doors to City Hall are locked at 5 p.m.

Councilmember Simmonds suggested that the meeting could be held at the library to allow for an afterhours meeting.

The Council all agreed they would be open to this idea and suggested there should be a process of how the information is received and disseminated.

No further Council Business items were presented.

ACTION ITEMS:

PUBLIC HEARING - CODE AMENDMENT – Consideration of a proposed ordinance amending Logan Municipal Code Section 2.19.010 "Police Officer, Firefighter, and Fire Officer Residency Requirements" – Ordinance 24-24 – Fire Chief Nate Thompson ([54:50](#))

At the November 5, 2024 Council meeting, Fire Chief Nate Thompson addressed the Council regarding the proposed code amendment. He explained that the State legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City of Logan to pass ordinances as are necessary and proper to provide for the safety, promote the prosperity, improve the peace and good order, comfort, and convenience of the City and its inhabitants, and for the protection of property in the City. Take home vehicles utilized by law enforcement officers and fire department administration are equipped with lights and sirens that enable them to respond to an emergency from their home in a shorter time than vehicles that are not equipped with lights and sirens. Not all line firefighters have take-home vehicles. Recruitment and retention of law enforcement officers and fire department members has become increasingly challenging due to other agencies' higher compensation funding, lesser or unrestricted residency restrictions, and increased lack of affordable housing within existing residency restrictions.

He proposed that Section 2.19.010 of the Logan Municipal Code be amended as follows:

2.19.010: RESIDENCY REQUIREMENTS:

- A. The municipal council requires sworn, full-time fire chief officers of the Logan City fire department utilizing city vehicles to reside no further than thirty (30) miles from the Logan City office building located at 190 North 100 West Logan, Utah and within the area designated on the attached map, such that their response time in an emergency may be within the requirements of the department. Sworn, full-time firefighters, not utilizing city vehicles will have no restricted living requirement and are subject to emergency recall and disaster response per current Logan City Fire Department policies.
- B. The municipal council requires sworn, full-time officers of the Logan City police department utilizing city vehicles to reside no further than thirty (30) miles from the Logan City office building located at 190 North 100 West Logan, Utah and

within the area designated on the attached map, such that their response time in an emergency may be within the requirements of the department.

Councilmember Simmonds asked how many employees have a take home City vehicle.

Chief Thompson responded that for the fire department, there are 7 employees that have a take home vehicle which consists of the Fire Chief, administrative staff, fire inspector and fire investigators. The number of police officers that have a take home vehicle is about 60 and it is their policy to make sure those with a take home vehicle are available.

Councilmember López inquired when was the last time residency requirement was amended.

Chief Thompson replied that the year was 2021 or 2022 at that time the residency requirement changed from 15 miles to 20 miles.

Councilmember López asked if other cities have amended their residency requirement.

Chief Thompson answered that Brigham City has had similar issues with retaining employees and currently has a one hour requirement to respond back. They are in the process of eliminating that requirement altogether. Ogden, Salt Lake City, and such entities don't have a residency requirement.

Chair A. Anderson opened the meeting to a public hearing.

There were no comments and Chair A. Anderson closed the public hearing.

ACTION. Motion by Councilmember Johnson seconded by Vice Chair M. Anderson to adopt Ordinance 24-24 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

PUBLIC HEARING - Consideration of a proposed resolution approving the Program Year 2023 (PY2023) Consolidated Annual Performance and Evaluation Report (CAPER) in accordance with the entitlement community requirements of the U.S. Department of Housing and Urban Development (HUD) for the receipt of Community Development Block Grant (CDBG) Funds – Resolution 24-44 – Mike DeSimone, Community Development Director ([1:03:25](#))

At the November 19, 2024 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed resolution. He explained that the 2023 Consolidated Annual Performance and Evaluation Report (CAPER) provides an analysis of the fifth and final project year (July 1, 2023 – June 30, 2024) of the City's 5-Year ConPlan completed in 2019. The CAPER is prepared annually to report

accomplishments of the funded activities and to measure the success in achieving the vision, goals, and objectives identified in the ConPlan and the Annual Action Plan.

The main objectives of the ConPlan and AAP are to:

- Invest 40% towards infrastructure projects in LMI areas throughout the City.
- Invest 10% towards the remediation of access and mobility barriers in all areas throughout the city.
- Invest 30% towards community needs that support LMI residents of Logan (20% towards public facilities, 10% towards public service activities).

Projects completed During 2023:

- 900 North 100 West Sidewalk (PY22)
- 100 South Main Sidewalk (PY22)
- 100 East Poplar Ave Crossing (PY22)
- Whittier Center Exterior Paint Remediation (PY22)

These projects benefit approximately 19,810 Logan residents of which 67% (13,360) are Low Moderate Income.

Administration and Planning:

- Total Costs \$104,723.62
- \$97,503.82 towards CDBG Administration
- \$7,219.80 towards 2024-2028 Conplan

Chair A. Anderson opened the meeting to a public hearing.

There were no comments and Chair A. Anderson closed the public hearing.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember López to approve Resolution 24-44 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

PUBLIC HEARING - 1000 West Airport Properties Annexation – Consideration of a proposed annexation petition filed by Steven C. Taylor on behalf of RC Smithfield LLC, Above Tree Line Properties LLC, George L. Talbot Trust and Knowles Development LLC. Property located on the East side of 1000 West at approximately 2200 North, consisting of approximately 57.99 acres – Ordinance 24-25 – Mike DeSimone ([1:05:40](#))

At the November 19, 2024 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed annexation.

Chair A. Anderson opened the meeting to a public hearing.

Joshua Molitor, a resident of Logan expressed concerns about the annexation as it may be a precursor of bad developments. He was not in favor of the annexation.

There were no further comments and Chair A. Anderson closed the public hearing.

Chair A. Anderson requested Mike DeSimone; Community Development Director give a summary of the boundary changes.

Mr. DeSimone referenced the map and explained how the annexation plan would continue. One of the policies is that we do not grow unless it is to our advantage and the water and sewer infrastructure can be installed.

Vice Chair M. Anderson emphasized the fact that the annexation must be requested by the property owner, it is not the City annexing the location.

Councilmember Simmonds requested confirmation that it is not the City that sought the annexation rather that the petition was made by the property owner; and the proposed annexation is IP (Industrial) based on the long-range planning and surrounding area which is also IP.

Mr. DeSimone confirmed that is the case, the annexation is requested by the property owner not the City. The IP zone was requested by the property owner and is suitable based on the annexation plan, and surrounding IP zone.

ACTION. Motion by Vice Chair M. Anderson seconded by Councilmember López to adopt Ordinance 24-25 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

PUBLIC HEARING - BOUNDARY ADJUSTMENT - Consideration of a proposed ordinance adjusting the boundary between the City of Logan and the City of Providence – Ordinance 24-21 – Mike DeSimone ([1:12:15](#))

At the November 19, 224 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed boundary adjustment.

Mr. DeSimone explained that this Ordinance adopts the proposed municipal boundary adjustment between Logan and Providence due to a discrepancy in the location of the jurisdictional boundary. The parcel in question #02-005-0004 on the Logan side (formally Rinderknecht/now Watterson) was annexed into Logan on 5/19/94 under Resolution 94-28 (Attachment B & C) while the parcels in question #02-005-0005/02-05-0010 on the Providence side (formally Checketts/Chugg Farms/now Shoreline Estates)

were annexed into Providence on 1/26/05 (Exhibit D). Waterson and Checketts recorded a Boundary Line Agreement on 2/3/21 to clarify that their common boundary correlated to an existing fence line which was the assumed boundary.

The rest of the municipal boundary adjustment involves a small portion of #02-005-0004 with the Logan/Providence boundary shifting to the south (middle arrow) to coincide with the northern boundary of the Providence Hollow Subdivision (parcels #02-295-0314, 02-295-313, 02-295-310, 02-295-309, & 02-295-308). The eastern boundary will shift towards the east (left arrow) to coincide with the eastern boundary of Providence Hollow Subdivision (parcels #02-286-0020 & 02-286-0021) that follows an old ditch line terminating at the corner of #02-005-0004, 02-286-0020 & 02-335-8001.

The proposed municipal boundary adjustment either affects or is adjacent to the following properties:

List of Affected Parcels		
Tax ID	Name	Property Address
02-005-0004	Scott R Watterson	n/a
02-005-0005	Cree & Gene Svauldin2	n/a
02-005-0010	Shoreline Estates 2021LLC	n/a
02-001-0002	Paul Gibbons	n/a
02-295-0314	Mark & Patricia Jensen	570 N Sarah Street
02-295-0313	Michael & Brooke Daines	573 Sarah Street
02-295-0310	Michelle Zilles	629 E 525 N Providence
02-295-0309	Vaughn & Suzanne Nelson	621 E 525 N Providence
02-295-0308	Zachary & Kelli Ross	612 E 525 N Providence
02-286-0020	Scott R Watterson	598 N 520 E Providence
02-268-0021	Eric & Caroline Watterson	574 N 520 E Providence
02-335-8001	Ronald & Daina Zollinger	n/a

Utah Municipal Code 10-2-419 governs the adjustment of common municipal boundaries. Procedurally, (1) each municipal shall adopt a resolution indicating their intent to adjust the common boundaries; (2) hold a hearing no less than 60 days after the adoption of the resolution; (3) publish a public notice for three weeks in the newspaper and on the Utah Public Notice Website; (4) hold a public hearing; (5) adopt an ordinance; and (6) file with the County and the State.

Logan adopted Resolution of Intent 24-38 supporting the modification of municipal boundary and met all of the required noticing and publication requirements.

Once both Cities have adopted ordinances approving the municipal boundary adjustment, the final plat document will be filed with both Cache County and the State for approval and recordation.

Chair A. Anderson opened the meeting to a public hearing.

There were no comments and Chair A. Anderson closed the public hearing.

ACTION. Motion by Vice Chair M. Anderson seconded by Councilmember Simmonds to adopt Ordinance 24-21 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

(Continued from November 19, 2024) - REZONE – Consideration of a proposed rezone (Jed Willets) of approximately 1.80 acres of property located at 1360 North 200 West from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20) – Ordinance 24-23 – Russ Holley, Planner ([1:14:10](#))

At the November 19, 2024 Council meeting, Planner Russ Holley addressed the Council regarding the proposed rezone.

RECOMMENDATION

Staff recommended that the Planning Commission recommend denial to the Municipal Council for a rezone of approximately 1.80 acres of property located at approximately 1360 North 200 West (TIN# 05-041-0056) from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20).

Land use adjoining the subject property

North: CS: Commercial Uses East: COM: Commercial Uses

South: NR-6: Residential Uses West: MR-12: Residential Uses

Background

In 1992, the Logan City Planning Commission approved the six (6) lot Royal Point Subdivision located south of 1400 North between 200 and 400 West. Each lot was approximately 1.30 to 1.80 acres in size. Lot #6 is 1.80 acres and the location of this request. In 1992, the zoning was R4, which allowed multi-family at a rate of one unit per every 6,000 square feet (SF) and an additional 1,000 SF for each subsequent unit (4-plexes would require 9,000 SF). Over the course of two (2) years, seven 4-plexes were built on Lot #6. In 1995, after the seventh fourplex was built, the owners illegally subdivided lot #6 into eight tax identification numbers (TIN) at the county and never received city permits or approvals for this action. The remainder eighth area (0.24-ac.) was subsequently sold off and is now the subject property for this request. In 2000 zoning changed to MFH-14 and the project became "legally existing nonconforming" because lot#6 (the city recognized 1.80-acre building lot) sits at 15.5 units-per-acre with the existing seven permitted four-plex's. In 2013 zoning changed to MR-12, and the project remains nonconforming. Since 2000, zoning has been based on a units-per-acre density rather than the 6,000 SF plus 1,000 SF formula.

The current applicant (Jed Willets) purchased this remainder property (illegal building lot) thinking he could build a duplex because it was zoned MR-12, and it was a 0.24-acre property size. Logan City decided to rezone the 1.80 acre building lot to MR-20 in 2016 to allow for a duplex to be built. This same applicant received a Design Review Permit for a duplex but never pulled a building permit and allowed this entitlement to expire. Again in 2023, the City upzoned the 1.80 acres to MR-20 and issued a new Design Review Permit for the duplex. Again, this same applicant let this entitlement expire in March of 2024 without obtaining a building permit.

This request is from the same applicant; however, this request is an upzone to build a four-plex rather than the duplex. If up-zoned to MR-20, the 1.80 acre building lot could support 36 dwelling units max. With seven existing four-plex's (28 units existing), that could allow for a new 12-plex.

GENERAL PLAN

The Future Land Use Plan (FLUP) identifies this area as Mixed Residential. It does not distinguish between medium and high. As part of the revised Land Development Code (LDC) and Zoning Map update in February of 2011, the area was zoned Mixed Residential Medium (MRM) rather than Mixed Residential High (MRH) because this area was over-saturated with multi-family structures exceeding the balance of housing options outlined in the General Plan.

Numerous Bridger Neighborhood meetings and public comments from the Logan City School District has indicated a desire to down-zone developable areas to get more low-density detached single-family homes for better neighborhood balance and longer-term occupancy in a neighborhood that struggles with transiency. There have been several down zones in the area and new housing developments in the neighborhood over the last several years have been predominately single-family homes (Quayle Meadows, Lloyd Estates, Cottonwood Estates).

LAND DEVELOPMENT CODE

The Land Development Code (LDC) allows for up to 20 residential units per acre of land in the MR-20 zone. The MR-20 zoning district permits a range of multi-family residential structures. The current zoning designation of MR-12 allows for similar structures but at a lower density.

SUMMARY

Jed Willets originally purchased the property thinking he could build a duplex. After discovering the illegal subdivision, the City of Logan rezoned the property twice. Once in 2016 and again in 2023, for the applicant to build a duplex. Both times, the applicant failed to build a duplex. The most recent entitlement was issued in March of 2023. The applicant submitted a duplex building permit application just days prior to the one-year (March 2024) deadline of that entitlement.

Over the last six months, since March of 2024, the applicant has not completed the building permit plans as instructed and paid the fee for final building permit issuance. The Logan City Building Department cancelled the building permit application after six

months and the failure of the applicant's part to finalize and pay the fee, in September of 2024. A typical duplex building permit application is finalized and issued with fees paid in 2-4 weeks.

This application is requesting an upzone for a different reason now, the applicant is seeking to build a four-plex, not a duplex. A four-plex was never discussed or contemplated on this property and in this situation. Staff is recommending denial of this rezone because the Bridger Neighborhood has deliberately made numerous and consistent efforts to downzone remaining developable areas into single-family zones, to better balance out the housing stock that currently has a much higher concentration of multi-family as compared to other Logan City neighborhoods. Going from a duplex to a fourplex is contrary to this neighborhood goal.

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, no comments have been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 10/12/24, posted on the City's and Utah Public Meeting website on 10/14/24, and mailed to property owners within 300 feet on 10/7/24.

RECOMMENDED FINDINGS FOR REZONE DENIAL

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

1. The Logan City FLUP identifies the area as MR. The surrounding areas are zoned MR-12 and this property should also be zoned MR-12 for consistency.
2. The Bridger Neighborhood was specifically downzoned to reduce the number of new multi-family developments in order to better balance housing stock in this neighborhood as compared to other Logan City neighborhoods.
3. The MR-12 zone would prevent future multi-family development as this 1.80 acre lot is already above the maximum density of 12 units per acre.

On October 24, 2024, the Planning Commission recommended denial to the Municipal Council for the Willets Rezone from MR-12 to MR-20. Planning Commissioners vote (4-0).

Russ Holley, Planner stated that the owner agreed to and has signed a deed restriction and agrees to consent to a downzone of the property from MR-20 back to MR-12 after the design review is submitted. The applicant has until January 1, 2026, to do so.

Councilmember Johnson asked if the deed restriction would still be in effect until staff initiated a downzone.

Mr. Holley responded yes that the deed restriction would be in effect until staff initiated a down zone.

Councilmember Simmonds inquired about the reasoning for the timeframe of the deadline.

Mr. Holley replied in the discussion of terms with Mr. DeSimone and Craig Carlston, City Attorney, that a year is a typical entitlement timeframe. The timeframe was suitable and applicable to the request.

Councilmember Simmonds asked what are the challenges resulting from the deed restriction.

Craig Carlston, City Attorney answered that deed restrictions are not preferred because they are difficult to track. This deed restriction would not pose a problem considering the location and size. The idea is to remand it back to the Planning Commission for design review.

Councilmember Simmonds requested confirmation if the proponent requests a decision at this time.

Mr. Carlston responded that the subject was not discussed, but the proponent without a doubt would be obliged as the deed restriction was presented to the Council.

Mr. Holley clarified that regardless, a design review must occur as the previous permit has expired.

Councilmember Johnson asked the proponent of the project whether the proposed timeframe is sufficient.

Jed Willets, the proponent confirmed that the time frame would be sufficient for a design review.

Councilmember López requested confirmation that the proponent intends to build as part of the project, ADA units.

Mr. Willets replied that it was an idea, but the final rendering may change considering the cost.

Councilmember Simmonds requested confirmation that a design review must be issued within thirteen months by January 1, 2026.

Mr. Holley clarified that the design review must be submitted to the Planning Commission by that date, it does not need to be reviewed by that date.

Chair A. Anderon requested clarification that it will be staff who presents the downzone and not the proponent.

Mr. Holley confirmed that it will be staff who will present the downzone of the property not the proponent.

ACTION. Motion by Councilmember Johnson seconded by Vice Chair M. Anderson to adopt Ordinance 24-23 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

PUBLIC HEARING - RIGHT OF WAY VACATION – Consideration of a proposed ordinance vacating Public Right of Way adjacent to Parcel 02-061-0001 100 West 600 South – Ordinance 24-26 – Paul Lindhardt, Public Works Director & Russ Holley, Planner ([1:24:35](#))

At the November 19, 2024 Council meeting, Russ Holley, Planner addressed the Council regarding the proposed right of way vacation. The 100 West Street Expansion project was recently completed. There are two residual properties on both sides of the street, the location is 600 South 100 West. The current zoning is MR-12. The intent is to create affordable housing for essential workers. There would also be a deed restriction, so the property can't simply be flipped for more money.

In order to create the west parcel, there is a need for a vacating of public of right of way. There would be 8 total individually owned townhome units to be built by Visionary Homes. The West parcel is 14,648 sf. (.33 acres), and the east parcel is 14,819 sf. (.34 acres). There would be landscaping included, but there is an amenity package being worked on.

Councilmember Simmonds suggested that as part of the proposed project that some of the units could be used as ADA accommodations.

Mayor Daines noted that the proposed housing is affordable housing for essential workers. The housing would not be low-income.

Mr. Lindhardt remarked that two inquiries were received during the public notice period. One was from a neighbor asking what the project was, and was explained to him. The second inquiry was similar, and an explanation was also given. Both individuals were satisfied with the explanations given.

Councilmember Johnson asked if there are any utilities available in the right-of-way.

Mr. Lindhardt responded that in the western portion, there are utilities and the public utilities will be recorded stating their location.

Chair A. Anderson opened the meeting to a public hearing.

Angie Conger, a resident of Logan is not in favor of the proposal. She said the neighborhood desires the vacant lot to remain open as green space. There are several cars that speed along this roadway going 45 mph instead of 35 mph and sometimes even faster. Traffic noise has also increased and parking is an issue as a result of the narrow configuration which will only be exacerbated by visiting guests of the proposed complex.

Councilmember Simmonds thanked Ms. Conger for her comments. She clarified that tonight's ordinance is only to vacate the property not approval of the property design and construction. She recommended that the concerns stated today be presented at the Planning Commission when this item is on their agenda.

Chair A. Anderson clarified that the Planning Commission has not heard or approved the design review of the project. The motion tonight is only to vacate the property.

Jason Conger, a resident of Logan stated that the property is being vacated without a solid plan.

Chair A. Anderson understood the sentiments of Mr. Conger, but again stated the process is to vacate a property first before discussing what may go there, including green space, and so forth.

I think there was another resident who spoke against the project??

There were no further comments and Chair A. Anderson closed the public hearing.

Councilmember Johnson inquired if the location was ever considered for green space.

Mayor Daines answered the location was intended for green space, but one of the main challenges in the City is affordable housing. The location is suitable to address this need. This location will never be a park considering the location, but it would have been open space if not for another need.

Councilmember Johnson asked about the reason for the increased speed limit and placement of the speed limit signage.

Mr. Lindhardt responded that as part of the design process and review; it was found to be suitable at that location with the speed limit.

Vice Chair M. Anderson suggested that the speed limit remain 25 mph all through that area.

Councilmember Johnson agreed that if housing is built at that location, there will be a concern for speeding.

Councilmember Simmonds encouraged the neighborhood to email the Council their concerns which will also be forwarded to the Planning Commission.

Chair A. Anderson requested Mr. Holley explain the approval process for any project.

Mr. Holley described the approval process of projects and that the Planning Commission will meet again in January and these items will tentatively be on the agenda and at which point concerns can be heard/submitted.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Johnson to adopt Ordinance 24-26 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

PUBLIC HEARING - Consideration of a proposed resolution authorizing and approving the Millard County Power Project Power Sales Contract with Utah Associated Municipal Power Systems (UAMPS) and related matters - Resolution 24-46 – Mark Montgomery, Light & Power Director ([1:48:50](#))

At the November 19, 2024 Council meeting, Light & Power Director Mark Montgomery addressed the Council regarding the proposed resolution.

2023 Integrated Resource Plan (IRP) identified significant need for both baseload and peaking dispatchable resources:

- Natural Gas is cost competitive with other forms of dispatchable power.
- IRP also recommended UAMPS project ownership (versus PPA) to hedge against future volatility in the electricity market.
- Member 20-year forecasts show need for individual members.

	<u>Capacity</u>	<u>COD</u>	<u>Technology</u>
Peaker	200 MW	2029	Gas-Fired Recip Engines
Baseload	360 MW	2031	Combined Cycle

Peaking Facility:

- Located in Millard County
- 200 MW fleet of 10-12 Reciprocating Internal Combustion Units (RICE)
- Able to ramp on and off quickly to meet the members' changing load needs
- Each engine ramps to full load in 2 to 5 minutes
- Fast ramp times enable integration of additional clean, less expensive, renewable energy
- Natural gas peaking units compliment members' intermittent resources
- Capable of burning hydrogen mix when available in the future
- Ideally located near natural gas and transmission lines

Combined Cycle Facility:

Located in Power County, Idaho

- 360 MW 1x1 frame-style combined cycle plant

- Highly efficient system includes a gas turbine and steam turbine, decreasing overall energy cost.
- Natural gas baseload generation is critical to support members' reliable generation needs.
- Capable of burning hydrogen mix when available in the future.
- Ideally located near natural gas and transmission lines.

Levelized Cost of Energy:

- Peaker LCOE: \$93-\$167 (2024\$)
- CF 20% = \$167/MWh (2024\$)
- CF 60% = \$93/MWh (2024\$)
- \$112/MWh (2024\$) at 40% CF
- Baseload LCOE: \$66-\$94 (2024\$)
- CF 40% = \$94/MWh (2024\$)
- CF 80% = \$66/MWh (2024\$)
- \$69/MWh (2024\$) at 75% CF
- Values compare well with Lazard data analysis.

Market Comparison:

- Other market opportunities have been investigated.
- Best alternative is a long-term agreement to utilize an entity's plant as needed (tolling agreement).
- Another entity owns and operates the plant.
- UAMPS would purchase the gas and schedule the output.
- LCOE Pricing • Equivalent usage to the baseload project.
- Between \$160/MWh and \$220/MWh.

Subscription Recommendation:

- 26.25 MW subscription for Millard County Peaker
- 31.35MW subscription for Power County Base Load

Unit	Cost \$ per MWH	Capacity Factor	Subscription (MW)	Total Paid per Year	Paid in 20 Years
Peaker	\$112	40%	26.25	\$10,301,760	\$206,035,200
Base Load	\$69	75%	31.35	\$14,211,895.50	\$284,237,910
<i>Using same calculations for Hunter Coal & Payson NG generations as cost reference.</i>					
Payson	\$71	75%	31.35	\$14,623,834.50	\$292,476,690
Hunter	\$85	75%	31.35	\$17,507,407.50	\$350,148,150

With Rocky Mountain tariffs increasing, Councilmember López asked how much more expensive the tariffs will be.

Mark Montgomery, Light & Power Director responded the increase will be sufficient, but he does not have the exact detailed amount at this time.

Councilmember Simmonds requested clarification on the difference between non-dispatchable and dispatchable energy.

Mr. Montgomery explained that non-dispatchable energy is solar energy, which is only readily available when sunlight is available. Dispatchable energy is readily available all the time like coal or gas powered energy.

Chair A. Anderson inquired why it is important to have both dispatchable and non-dispatchable energy.

Mr. Montgomery replied that renewable options like solar power are non-dispatchable energy sources. Solar, wind, and battery storage are limited, there is a need for dispatchable energy sources when non-dispatchable energy sources are not available.

Chair A. Anderson asked what are the factors that are projected to increase the demand for energy.

Mr. Montgomery answered that the base load growth is estimated at 1.5% annual exponential growth. This has been the average growth for the last twenty to thirty years. With the increase in EVs, the projection may be more aggressive based on the study however, that is not part of the estimated average growth.

Chair A. Anderson inquired about the possibility of having less reliance on the Hunter coal energy project.

Mr. Montgomery responded that the graphs do not show that the Hunter project will go offline in 2035, and the Nebo gas plant will be complete by 2042. These two resources will no longer be available to us after that time.

Councilmember Simmonds asked when the proposed energy projects are scheduled to go online.

Mr. Montgomery replied that the peaking unit will commence in 2029, and the baseload unit in 2031.

Chair A. Anderson inquired if the geothermal project would be readily available.

Mr. Montgomery explained that there was a geothermal project available outside of UAMPS with a developer. The entity and other municipal cities declined which resulted in the project falling through. UAMPS is working on a geothermal project, but many entities want to join. The City will only be getting 2 MW which is a rather small amount of energy. The City is involved in almost every single renewable energy project that UAMPS is offering.

Councilmember López asked how often a commercially viable energy project is available.

Mr. Montgomery answered often enough, the City was able to acquire 5 MW from the Red Mesa project, and 7 MW from Steel Solar. Currently under study is a solar and battery project. Of all the projects presented usually only one out of five is viable.

Councilmember Johnson requested clarification that the number of viable projects is for the total projects or just green energy projects.

Mr. Montgomery clarified that only one out of five total projects is viable. Most of the projects have been renewable projects, the current two energy proposals are the only two non-renewable projects.

Councilmember López inquired what options are available if the two projects are not approved.

Mr. Montgomery responded that the City would be exposed to the open market, and energy would be purchased at the market rate. A large generation project like the current project will not come for a while. A study would first need to occur, and the energy would not be available for several more years until the plant is completed.

Councilmember López asked with the volatility of the market such as the increased price of natural gas, will the price of renewables also increase.

Mr. Montgomery answered that the cost of upcoming renewable energy will increase with time unless UAMPS decides to build a similar project.

Vice Chair M. Anderson said the project is estimated to take five to seven years for completion. Will the project be fast tracked.

Mr. Montgomery responded that if the project is approved, the project is contingent on transmission being assured. Some of the items need to be ordered three to four years in advance, the project may not be fast-tracked.

Councilmember Simmonds inquired if the two projects are conjoined, and what is the City's financial obligation during the investigation phase.

Mr. Montgomery replied that one or both projects could proceed. They are not dependent on each other. The financial obligation of the City is \$180,000 for the transmission studies. If the project falls through, the City will be obligated to pay an amount but not the full amount if the project is pulled out once the project commences. The City will not be held responsible if the transmission is not available or there is a three-quarter vote to stop the project. The City would only be liable for its portion of the studies and any other work that occurred in that regard. If the project goes forward, the City does not commence to pay until the City begins to use energy from the completed project. This will be a twenty-year bond.

Councilmember Johnson asked if there were any estimated power rates expected for residents.

Mr. Montgomery responded that in the first ten years in his position at the City, there was not a single rate increase. The recent cost-of-service analysis revealed that rates needed to

be increased by 2% per year. With energy prices going up along with transmission costs, the rates will continue on that schedule or even go up by 3%.

Councilmember Johnson requested further clarification on whether the rate increase will continue regardless of whether the project is approved or not.

Mr. Montgomery answered that part of that depends on the price of natural gas.

Councilmember López inquired what would occur if gas doubled in price in the next ten years.

Mr. Montgomery explained that the price would go up, but not in the manner imagined. The cost currently is \$2, so if it went to \$6 though triple the cost, it would not be as significant as imagined as the price being paid as a fixed cost.

Councilmember López asked if the fixed cost included transmission costs, and what are the current open market highs.

Mr. Montgomery referred to the graph and explained that the bottom numbers include transmission costs. This time of year, the open market is only \$25 or \$30. However, during the winter months, the projected rate is in the \$60 to \$75 range. In the summer on average, we use 100 MGW or even higher at \$500 or \$1,500 per MWH.

Councilmember Johnson expressed reservations regarding the fiscal obligations the City will need to fulfill for the two projects and referenced the 60% vote of certainty from the Financial Director, Richard Anderson.

Richard Anderson, Financial Director clarified that the two projects naturally carry a financial risk. The first risk is that the City invests in the projects and it goes poorly. The alternative is that the City does not invest and there is nothing available for the City except market rate power.

Councilmember Johnson reiterated his concerns about entering into such a financial obligation.

Councilmember López inquired which of the two projects is a better investment.

Mr. Montgomery responded if there was only one option, he would select the peaker option. The reasoning is that as more solar and wind energy is available, there needs to be dispatchable energy to use when non-dispatchable energy is unavailable. However, the need for baseload is also increasing. The City is always burning 60 to 70 MWH, however, during winter and summer, there is always more energy being used.

Mr. Montgomery stated that one of the considerations is that Rocky Mountain Power is entering into an extended day-ahead market (EDAM). This is where resources are bid into the market. The City is a low-serving market, the City has to enter with enough resources, if not the City will be fined for anything we are short on.

Chair A. Anderson opened the meeting to a public hearing. ([2:25:00](#))

Patrick Belmont, a resident of Logan and Vice Chair of the Renewable Energy & Sustainability Advisory Board (RESAB). He is not in favor of the proposed project and requested the Council continue the item to another meeting. He is in favor of more renewable energy sources and feels that natural gas is not a renewable energy source.

Joshua Molitor, a resident of Logan agreed with Mr. Belmont's concerns. He was not necessarily in favor of the proposal and would like the Council to further consider the proposal.

There were no further comments and Chair A. Anderson closed the public hearing.

Councilmember Simmonds asked if RESAB was created in 2007.

Mayor Daines could not confirm the year.

Councilmember Johnson inquired if there was a reason the proposal did not come before RESAB.

Mr. Montgomery replied that it was due to the timing and the short window available due to the new increased tariff that PacifiCorp will be implementing for transmission.

Chair A. Anderson inquired about the deadline.

Mr. Montgomery answered the deadline had already passed on November 30th, but UAMPS understood that the Council would not meet again until December 3, 2024. The risk if the application is received after December 31, 2024, is that they will not be able to add to the transmission cluster study queue, which will delay it by at least a year.

Councilmember Simmonds requested confirmation on whether they are committed to the project if they enter the cluster study.

Mr. Montgomery explained that the City would be committed to the project if the transmission study is found viable unless a super majority decides otherwise.

Chair A. Anderson inquired if UAMPS would continue without the City if they don't receive a response before the end of the year.

Mr. Montgomery cannot confirm if they will continue as the City is a sizeable shareholder, but if they did, UAMPS would downsize the gas peaker. The baseload would be much more difficult to do.

Councilmember López asked if a similar project would possibly be available in the next two to three years.

Mr. Montgomery responded there is no certainty whether that will occur or not.

Councilmember Johnson requested confirmation on whether UAMPS will move on without the City if the Council continues this item to the next Council meeting for further discussion.

Mr. Montgomery cannot confirm whether that will be the case. UAMPS more than likely will move on with the gas peaker possibly not the baseload, however, he can't be certain.

Councilmember Simmonds requested clarification on whether energy is being increased or rather replacing the existing energy that will go offline.

Councilmember Johnson answered both, increasing energy and replacing the existing energy that will go offline.

Chair A. Anderson inquired if it would be possible to have a designated meeting to address this specific issue.

Teresa Harris, City Recorder reminded the Council that the December 17 Council meeting was cancelled.

Councilmember López requested clarification as to the reason for the delay.

Chair A. Anderson explained it was to permit RESAB an opportunity to meet and review the proposals.

Councilmember López said he is torn and although he understands the sentiments, he also wants to sure that reliable, affordable power is available to the public. He is in favor of approving the gas Peaker project, but not both proposals at the same time.

Councilmember Johnson expressed similar sentiments and is in favor of the gas peaker project.

Mr. Montgomery stated that the supply for baseload continues to drop and the demand for baseload power continues to increase. There isn't a solution that he can provide as baseload power drops in availability as the lifeline of coal projects comes to an end. Solar projects work well in the day, but not at night, and there is a need for baseload power at night as well.

Chair A. Anderson asked if only the gas peaker is approved but not the baseload would the subscription amount change or if there would be an opportunity to increase the subscription amount.

Mr. Montgomery replied that the two projects are separate, the subscription amount would unlikely change even when the project is completed. There likely won't be an opportunity to increase the subscription amount unless the City opts to pay much more.

Councilmember Simmonds pointed out that the peaker does not run all the time, so it would not offset the baseload as needed. They would need to buy on the open market the baseload needed which may offer renewable options.

Councilmember López inquired if the Hunter baseload project had any possibility of remaining online for longer than 2035, and the reasoning for closing the project.

Mr. Montgomery explained that the Hunter project is owned by three entities including the City. PacificCorp is the primary and their intent is to close by that date. The current legislation may desire to preserve it, but the intention of Rocky Mountain Power & PacificCorp is to close the plant by 2035. The product is carbon-based and dirtiest energy producer, natural gas emits only half the emissions. There have also been supply issues this year, where they are unable to run the plant.

Councilmember Johnson said from what he's heard from the experts he has talked with; the Peaker is important and the baseload is less important. Reducing fossil fuels is important and his thought is to approve the Peaker but not the baseload.

Vice Chair M. Anderson said it still comes down to which risk are we going to mitigate the most.

Councilmember Johnson said he feels we can some mitigation of both. Some climate and some environmental and health risks. But still doing some financial mitigation by doing the Peaker.

ACTION. Motion by Councilmember Johnson seconded by Vice Chair M. Anderson to approve Resolution 24-46 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

PUBLIC HEARING - Consideration of a proposed resolution authorizing and approving the Power County Power Project Power Sales Contract with Utah Associated Municipal Power Systems (UAMPS) and related matters – Resolution 24-47– Mark Montgomery ([2:51:51](#))

At the November 19, 2024 Council meeting, Light & Power Director Mark Montgomery addressed the Council regarding the proposed resolution. The presentation was combined with the above presentation of Resolution 24-46.

Chair A. Anderson opened the meeting to a public hearing.

There were no comments and Chair A. Anderson closed the public hearing.

Councilmember Simmonds asked if it would be possible to refer this contract to RESAB for their review and opinion and an alternative on how to provide reliable, reasonably priced baseload power to the City.

Craig Carlston, City Attorney answered that it would be possible, but the Council would need to continue Resolution 24-47 and would be subject to the risk articulated by Mr. Montgomery.

Councilmember Simmonds emphasized the importance of conservation, but also providing reliable energy, a mix of energy portfolios is required moving forward.

Vice Chair M. Anderson pointed out that even if power is conserved, it does not change the demand for baseload power as EV cars grow in demand there will be a demand for power. Risks must be mitigated with what is available now not with what we hope to have in a decade.

Chair A. Anderson requested confirmation that the two cluster studies are separate, they are independent from each other as they are separate projects.

Mr. Montgomery clarified that the two cluster studies are independent of each other.

Chair A. Anderson requested Mayor Daines speak on the potential energy increase requirements from USU.

Mayor Daines explained that the City has agreed to increase USU's solar energy capacity onsite. This means that the City must have sufficient energy to provide a backup in case solar energy is not available to USU. The original increase was from 500 kilowatts to 3,000 kilowatts. USU desires even more solar energy which means the City needs to have more backup energy in reserve.

Vice Chair M. Anderson indicated that it shows that as USU switches to 100% renewable energy, the demand for more power increases.

Mr. Montgomery agreed that it is a cycle and hence the need for baseload power.

Councilmember Johnson reiterated his reservations.

Chair A. Anderson stated that it would not be reasonable for RESAB to provide a report in two weeks as it typically takes three months, and the deadline is December 31, 2024.

Mr. Montgomery said he does not desire to pressure the Council on the decision to approve the resolution.

Councilmember López said that based on his experience of serving on RESAB, more than likely the board would recommend not approving the project.

Mayor Daines said RESAB can certainly provide other alternatives for baseload power. The City has signed up for every renewable energy project within UAMPS and outside of UAMPS.

Councilmember Johnson recommended considering conservation as a means of mitigation and he feels the City can do better with conservation.

Mayor Daines agreed conservation is a good suggestion, but at this moment, the City does not have the software needed to implement conservation rates.

ACTION. Motion by Councilmember López seconded by Councilmember Johnson to deny Resolution 24-47 as presented. Motion failed (3-2)

A. Anderson: Nay

M. Anderson: Nay

Johnson: Aye

López: Aye

Simmonds: Nay

ACTION. Motion by Vice Chair M. Anderson to approve Resolution 24-47 as presented. Motion failed for lack of a second.

Councilmember Simmonds said she would prefer to continue Resolution 24-47 to the January 7, 2025 Council meeting and take the time to get feedback from RESAB on how they feel about alternative for baseline power in the future. She is torn between the fact that part of her responsibility is to plan for that future and part of RESAB's job is to also plan for that future but both parties are saying, we don't know what this looks like. But, when we turned down IPP, we figured it out.

Councilmember Johnson said rates might be more expensive during certain parts of the day but, that helps with conservation.

ACTION. Motion by Councilmember Simmonds to continue seconded by Vice Chair M. Anderson to continue Resolution 24-47 to the January 7, 2025 Council meeting as an action item and public hearing as presented.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

PUBLIC HEARING - Budget Adjustment FY 2024-2025 appropriating: \$8,502 fund received from HUD for CDBG programs that need to be allocated in FY25 – Resolution 24-45 - Richard Anderson, Finance Director ([3:07:06](#))

At the November 19, 224 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment.

Chair A. Anderson opened the meeting to a public hearing.

There were no comments and Chair A. Anderson closed the public hearing.

ACTION. Motion by Councilmember Johnson seconded by Vice Chair M. Anderson to approve Resolution 24-45 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Johnson: Aye

López: Aye

Simmonds: Aye

No further action items were presented.

The Council recessed at 8:55pm and resumed at 9:00pm.

WORKSHOP ITEMS:

Willow Lakes Phase 5 – Planned Development Overlay - Brett Jensen/Willow Lake Holdings LLC, authorized agent/owner is requesting a Planned Development Overlay for Phase 5 of the Willow Lakes Community. The proposed concept for Phase 5 includes a 40,000 SF fitness/boat club, five beachfront short-term rental homes, 160 luxury condominiums, and a 60-unit assisted living center. Phase 5 includes 12 acres of the development area located at approximately 1100 South 1400 West in the Traditional Neighborhood Residential (NR-6) zone; TIN 02-080-0007; - 0008; -0010, 02-081-0004, 02-338-8001 (Woodruff Neighborhood) – Russ Holley, Planner ([3:16:10](#))

Planner Russ Holley addressed the Council regarding Willow Lakes Phase 5, Planned Development Overlay.

CONCEPT REVIEW

As part of the Planned Development Overlay (PDO) process, an initial concept plan review is required. The concept plans and narratives are sent to Neighborhood Councils, Planning Commission, and City Council for informal review and feedback.

Recommendations will be given to the applicant by both the Planning Commission and the City Council during the concept plan review phase.

Current Land use adjoining the subject property

<i>North:</i>	Outside of Logan City Boundary	<i>East:</i>	NR-6: Residential Uses
<i>South:</i>	NR-6: Residential Uses	<i>West:</i>	NR-6: Residential Uses

Current Zoning and FLUP Designation

The site is currently zoned NR-6 and designated on the Future Land Use Plan Map as Detached Residential (DR). The recently completed Woodruff neighborhood plan designates this area as single family residential.

Project Proposal

This proposal is for the 12-acre phase 5 of the Willow Lakes project. Phases 1-4 have already been approved and platted. Construction is underway on the two artificial lakes, public infrastructure, and single-family homes. This proposal is for a PDO, which eventually results in both a LDC amendment and the application of the overlay zone, in order to permit a 40,000 SF Fitness/Boat Club Commercial Building, 5 Beachfront Homes intended for short-term rental, 160 Luxury Condominiums within four, three-story buildings, and a 60-bed Assisted Living two-story building located near the 1000 West frontage.

Boat Club & Fitness Commercial Building

The concept plan shows a large multi-use commercial building near the far west edge of phase 5. The three-story, 40,000 SF building with upper floor observation decks, is located along the north shore of the Big Wake and Tube Lake. Access to the commercial building is via the new 1000 South public street. Parking areas are shown north of the building and a series of beach amenities are shown along the lake edge. This commercial building is planned with Boat Club area, Clubhouse/Events area, Fitness/Gym area, and office space.

Beach Homes

East of the Fitness Center building, the proposal shows 5 beach front single family homes along the Big Wake and Tube Lake north beach. The two-story home design shows vehicular access from the north via the fitness center parking lot and the south yards of the homes have direct access to the beach. These 5 homes are being proposed as short-term rentals.

Luxury Condominiums

Farther east of the beach homes, the proposed concept plan shows a row of four three-story condominium buildings along the north shore of Slalom Ski Lake. Each building would contain 40 dwelling units ranging from 1-4 bedrooms for a total of 160 units. The building design shows structured parking on the east and west wings of the building. The three-story buildings show larger areas of articulation and upper-floor balconies on both the north and south facades.

Assisted Living

Shown at the far east side of phase 5, and along 1000 West, the concept plan proposes a two-story 60-bed assisted living building. Access to the assisted living building is via 1100 South. The assisted living building is shown at lower heights and is somewhat separate from the other areas of phase 5 being located across the street and having no associated lake frontage.

Planned Development Code Amendment

Chapter 17.27 is the PDO Land Development Code (LDC) chapter, and if approved, new language specific to the proposed project will be adopted and codified into the LDC. The specific language adopted as part of the PDO process would address proposed uses, residential densities, building placement and design, setbacks, heights, amenities, etc., and tie a project to a higher level of specificity than just a general zoning district. PDO's are intended for unique and specific projects that would not otherwise fit into regular

zoning districts and is designed to provide flexibility and discretion to all parties involved in the normal rezone and Design Review processes. With that, the City's expectation is that a project coming through the PDO process should be fully vetted with the market so that future changes are minimal. If any future changes to the project are proposed, an applicant would have to go back through the PDO process seeking an amendment to the approved PDO language.

Density

Although the proposed phase 5 site sits seamlessly into the overall Willow Lake community, the PDO is exclusive to the 12-acre phase 5 remainder parcels. Unless the applicant wants to subject phase 1-4 to future changes, that area of Willow Lakes has already been approved and platted. Phase 1-4 are not included in the PDO application and thus should not be considered in the approval process because the City has no authority to go back and change the approvals for phases 1-4 unless included in the PDO proposal. The PDO process is not bound to a zoning district density and the Planning Commission and City Council can assign any density they feel is appropriate for this area. At 12 acres, and with 165 dwelling units, the proposed density is approximately 13.5 units per acre. The assisted living center is not calculated in the unit per acre density count, but rather is viewed as a structure and/or use similar to group treatment homes or hotels.

Building Heights

The proposal shows building heights as tall as 49 feet. The fitness and assisted living building are shown at 43 feet tall, and the luxury condominiums are shown at 49 feet at the top of the roof peak and 44.5 feet at mid-gable. Typical height restrictions in the LDC are based on the mid-gable points in the roofline. The current height limitation in the NR-6 zone is 35'.

Parking Requirements

Based on the different land use categories and their associated parking requirements, the proposed project meets or exceeds all parking stall requirements either on-site or within the off-site 600-foot proximity requirements. They show, collectively, 32 parking stalls above base LDC requirements with a total of 563 stalls in this project. The Condo's include 192 stalls of structured parking underneath the residential uses.

Pedestrian Circulation & Open Space

The proposed site layout shows standard sidewalks along public streets within phase 5 areas. There are no crosswalk enhancements or safe delineated sidewalks through the parking lot areas. The proposal does not show any trails or pathways that would allow people to use alternative transportation.

The proposed project narrative explains the overall Willow Lakes open space and conservation easement areas totaling 75 acres of easement area and 36 acres of open space in phase 1-4 (primarily the lake surfaces). The beachfront areas near the fitness center have been detailed in this proposal, but the remaining areas of phase 5 show little open space detail or connectivity to the bigger overall Willow Lakes open space areas.

Process

The concept review gives citizens, elected officials, and appointed officials an opportunity to review a project and work with an applicant in providing design and element feedback for further project refinement. City officials may suggest that the project, as presented, is acceptable and no changes are requested, or they may provide feedback that suggests the concept is nowhere near what would be acceptable and that significant changes are warranted. This is a workshop for a concept plan that will inform the formal legislative and design processes. This workshop review does not provide any zoning entitlements or vested property rights beyond the current rights allowed under the current zoning designation of NR-6 and any other applicable City land use regulation.

Staff recommended sufficient neighborhood and public outreach buy-in on this project because it is contrary to the long-range planning efforts of the General Plan and the Specific Neighborhood Plan. Both of those plans call for more single-family homes. If determined that multi-family is better for this area, then staff recommends more trails and open space specific to the 12-acre phase 5 be implemented to justify the uptick in density and land use intensity. Staff also recommends enhanced setbacks, i.e., a 25-foot minimum front yard setback, for the condominium buildings as the area to the north will likely be single family homes. A requirement to include building setback and height transitions is consistent with the City's multi-family to single-family building transition requirements. The larger front yards would give more area to plant large specimen trees to help buffer the taller building heights. The Concept Plan review process also requires that the applicant engage with the neighborhood for input and feedback into the proposal. Staff encourages engagement from nearby residents to gauge their opinions on how this proposal would impact their property and neighborhood, and what mitigation strategies, if any, could be employed to off-set any potential impact. If the review bodies feel that this project is viable, then the next steps would be for the applicant to incorporate any changes, recommendations, etc., into the project layout and design and submit formal applications for Design Review, Rezone, and Code Amendments.

Councilmember Johnson asked if it would be an issue that the Woodruff Neighborhood did not formally meet due to the holidays to hear this presentation.

Russ Holley, Planner answered that it would not be an issue. The neighborhood will still have opportunities to voice their questions and concerns at the public hearings to be held at future Planning Commission meetings and/or City Council Meetings.

Councilmember Simmonds asked what occurs if the City has an opinion and it differs from the Planning Commission or the neighborhood.

Mr. Holley said the Council can listen to the comments of both, but ultimately the City Council is the final decision-making body. The Council would supersede the Planning Commission and the Woodruff Neighborhood Council.

Councilmember Johnson summarized the meeting with the Woodruff Neighborhood Council and said there was a very good discussion with the developers.

Councilmember Simmonds asked if there were any significant concerns.

Councilmember Johnson responded that there were no significant concerns beyond requests made by the neighborhood. Overall, the sentiment is this is a good project, but there are typical concerns such as sidewalks, trails, traffic, and so forth.

Chair A. Anderson read a section of the involvement of the Neighborhood Council's code. It states that She indicated that a formal neighborhood meeting did not occur with public noticing with an email or on social media. All of these things need to be completed according the Neighborhood Code.

Councilmember Johnson said it was never noticed as a public neighborhood meeting.

Mr. Holley stated that we are still in phase one, step two is incomplete and we are currently discussing step three. There is no formal vote needed from the Council tonight, merely a discussion.

Councilmember Simmonds inquired if the 100 acres included the conservation easement.

Mr. Holley confirmed that the acreage includes the conservation easement.

Chair A. Anderson requested clarification on the meaning of Commercial in terms of residents and the public.

Mr. Holley said his understanding is that the Commercial aspect is available for the landowners, the residents of the property. They will also make the facilities available to the public via a membership program.

Councilmember Simmonds requested clarification on the total square footage of the building which is housing the clubhouse.

Mr. Holley clarified that the entire building is 40,000 square feet.

Chair A. Anderson pointed out the proposed five short-term rentals on the beachfront, and asked how that would work with the existing short-term rental code.

Mr. Holley said because of the PUD overlay, the five beach homes would be exempt from the proximity requirements if allowed.

Councilmember López inquired if the five short-term rental units would count as the total number of units allowed in the City.

Mr. Holley explained that the five units would not count against the number of units of short-term rentals allowed as they are part of a PUD overlay.

Councilmember Simmonds indicated that Covenants, Conditions and Restrictions (CC&R's) can be changed, Councilmember Johnson requested confirmation the CC&R's fall under City code.

Mr. Holley confirmed that CC&R's can be changed and they do fall under City code.

Chair A. Anderson referred to a rendering and asked how close the deck in the rendering was to phase one.

Mr. Holley replied that they are 28 feet apart.

Councilmember Simmonds referred to the rendering showing the slalom ski and asked if there was a setback from the street, and that it is across from single-family residential, and if setbacks must be followed.

Mr. Holley said as shown it would be ten feet, and it is located across from unincorporated land, but the Future Land Use Map will designate the area as single-family residential. The setbacks may need to be followed depending on the final outcome of the PUD. A standard development in the City would be required to have a larger setback but would instead be similar to the L-59 housing development.

Councilmember Johnson inquired what the setback is for the homes on the south side of the beach.

Mr. Holley answered that the setback would be 20 to 25 feet from the beach and from the water's edge it would be thirty feet.

Proponent Brett Nelson came forward to answer the Council's questions.

Chair A. Anderson asked if there would be any first-floor housing.

Mr. Holley stated that there would be first-floor housing along with a parking terrace.

Mr. Nelson indicated they do not yet have a south-side rendering as it is still in process of design.

Chair A. Anderson requested confirmation that the assisted living facility would be two stories.

Mr. Holley confirmed that the assisted living facility will be two stories.

Mr. Nelson stated that the fitness center will be closer to 35,000 square feet on two floors.

Councilmember Simmonds inquired about the timeline for the installation of the light at 1000 South.

Mr. Holley responded that there is not a timeline at this point.

Chair A. Anderson asked who is responsible for the construction of the proposed trail system.

Mr. Holley replied that typically it is the responsibility of the City to develop the trail systems, but the developers intend to help with portions of the trail system.

Councilmember Simmonds inquired what part of the trail system is a conservation easement and will it be available to the public.

Mr. Holley answered that the majority of the trail along the north side will be part of a conservation easement. The trail will be open to all members of the public. The challenge of the trail will be building it as it will be crossing wetlands, so some areas will be boardwalk, and others paved.

Councilmember Johnson mentioned that one of the main concerns of the neighborhood is trail connectivity and access to the trail system. He discussed possible solutions for connectivity including the need for parking.

Mr. Nelson indicated he is open to discussing trail connectivity as part of the PUD overlay.

Chair A. Anderson requested confirmation that there will be trail connectivity on the property throughout all of the phases.

Mr. Nelson confirmed there are trail connection points and referred to the renderings.

Chair A. Anderson expressed reservations regarding the drive-thru restaurant as it does not seem to fit the project.

Councilmember Johnson shared similar sentiments in regard to the drive-thru restaurant.

Mr. Nelson clarified that a drive-thru was a considered concept but has since been discarded.

Councilmember Simmonds said if the development had to comply with traditional setbacks, what would be the changes made and required for the project.

Mr. Holley responded the phase near the single-family housing would need a fifteen-foot setback, and thirty-five feet for the façade. The forty-five feet could be allowed but units would be lost due to the setback. He estimated that the units on the fourth floor would be eliminated.

Chair A. Anderson asked how many units that may be.

Mr. Holley replied there is not a definitive answer at this time.

Mr. Nelson clarified that the final result would be downsizing the units rather than reducing the number of units.

Councilmember Simmonds requested clarification that the units will not be rentals.

Mr. Nelson answered that the units will be condos for sale to own.

Chair A. Anderson suggested that as part of the HOA that only a certain number of units can be for rent at a time.

Mr. Carlston stated he will review the City code as to whether that is a possibility or not.

Councilmember Johnson inquired if the short-rental beach properties meet the setbacks when across from single-family homes.

Mr. Nelson confirmed that the short-term rentals would meet the setbacks.

Councilmember Simmonds asked how purchased memberships from outside the housing area will be controlled as to not pose a problem with the residents who will be using the facilities as well.

Mr. Nelson responded that the intent is to be open and transparent with buyers. In terms of use, it will be the use of perception. Three boats can be out on the lake at a time, and a single boat on the smaller lake, for a total of four boats. The boats will be provided, professionally driven, and can be scheduled which will eliminate any chaos. By analysis only 20% of capacity of the lake area will be used by lot owners, so there will be 50% capacity open to outside patrons.

Chair A. Anderson remarked that allowing outside memberships will minimize homeowner dues and their obligations in this instance.

Mr. Nelson confirmed that allowing increased memberships will help minimize the costs. A typical HOA for his property will charge \$600 to \$800 in dues per month. With public patrons, membership dues will drop to \$100 or so per month. The HOA fee covers maintenance of the surrounding areas.

Chair A. Anderson cautioned the proponent when saying “public”, the facilities will be available to the public, but to ensure there is not a misunderstanding on the meaning of public lake.

Councilmember Johnson inquired how many single-family homes are available.

Mr. Nelson replied there are 129 single-family units which includes the five short-term rental properties.

Chair A. Anderson requested confirmation that the road is 20 feet away from the next property line.

Mr. Nelson answered that the road is 20 feet away from the nearest property line so as not to cause any inconvenience. An extra fifteen feet was allowed to ease the setbacks as the road was widened.

Chair A. Anderson asked if some of the setbacks would be 10 feet and would be articulated further back to create even more space.

Mr. Nelson confirmed that some of the setbacks will be 10 feet, but the rest will be even further back. The intent was to create open space in front including an outdoor lounging area.

Councilmember Simmonds requested confirmation that the streets will meet City code.

Mr. Holley clarified that all the streets will have sidewalks, curb, gutter, and are as wide as is required for a public street.

Councilmember Johnson inquired if the meandering paths would be open to the public.

Mr. Nelson responded that the areas are open to the public, this will not be a gated community.

Councilmember Simmonds asked how close the condos are to the lake.

Mr. Nelson replied the condos are thirty feet away from the lake, but the articulated areas are fifty to sixty feet back.

Chair A. Anderson inquired if there was an estimate of parking stalls available.

Mr. Nelson explained that they will have more than 215 parking stalls.

Chair A. Anderson said she is concerned about the lack of outdoor space for the assisted living facility.

Mr. Nelson answered there will be open space for the assisted living facility which is not shown very well on the rendering at this time.

Councilmember Simmonds requested confirmation that the assisted living facility is approved as part of the PUD overlay which is the only building that can be built at that location.

Mr. Holley stated that is correct, otherwise, the proponent would have to return to the Council seeking an amendment, and the Council would need to approve the change.

Brett Jenson, another proponent stated that their entity runs two other assisted living facilities in the State of Utah. The center is a low parking area, the primary individuals parking at the center are staff. It is a low-impact use and is a good amenity.

Mr. Nelson stated that roughly 85% of the buyers are owner-occupied out of the 52 lots sold, but only three are not. The three in question will be sold to a primary occupant.

Councilmember López's said his main concern is the traffic impact and Councilmember Johnson shared the same concern at the lack of a traffic light.

Mr. Nelson said the argument may come down to UDOT as they may change their master plan, so it is difficult to invest into something which may later be torn out.

Chair A. Anderson requested clarification on whether there would be any issues if two or more Councilmembers attended the Woodruff Neighborhood Council meeting.

Mr. Carlston explained that there would be no issues as this meeting is being convened for the purpose of presenting the project to the neighborhood. The Council can attend, but not for the purpose of discussion or to make decisions merely to listen.

Budget Adjustments FY 2024-2025 appropriating: \$90,000 a grant Parks & Recreation received from the State of Utah to cleanup and stabilize river banks around Trapper Park; \$15,000 funds Community Development received for historical preservation projects within the City; \$12,514 funds the Police Department received for hosting a K9 training seminar; \$20,000 funds the Electric Department received from the Utah Clean Air Partnership (UCAIR) to rebate citizens with qualifying electric purchases – Resolution 24-48 – Richard Anderson (4:59:00)

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

The proposed resolution will be an action item and public hearing at the January 7, 2025, Council meeting.

No further workshop items were presented.

OTHER CONSIDERATIONS:

Councilmember Johnson wished everyone happy holidays.

There being no further business, the Logan Municipal Council adjourned at 10:30 p.m.

Esli Morales, Deputy City Recorder