



PLANNING COMMISSION MINUTES

Meeting of October 9, 2014

City Hall Council Chambers * 290 North 100 West Logan, UT 84321 * www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session Thursday, October 9, 2014. Chairman Davis called the meeting to order at 5:30 p.m.

Planning Commissioners Present: David Adams, David Butterfield, Amanda Davis, Russ Price, Maybell Romero, Sara Sinclair

Planning Commissioners Absent: Tom Jensen

Staff Present: Mike DeSimone, Russ Holley, Amber Reeder, Lee Edwards, Craig Humphreys, Paul Taylor, Debbie Zilles

Minutes as written and recorded from the September 25, 2014 meeting were reviewed. Commissioner Sinclair moved that the minutes be approved as submitted. Commissioner Price seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 14-035 Lincoln Ridge Subdivision (Subdivision Permit) Grey Wilson/Lincoln Ridge Properties, LLC, authorized agent/owner, request to subdivide lot 1 of the Eagles Subdivision for road corridor preservation at 830 North 200 West in the Community Commercial (CC) zone; TIN 05-047-0066.

STAFF: Ms. Reeder requested this project be continued to the October 23, 2014 meeting.

MOTION: Commissioner Price moved to **continue** PC 14-035 to the meeting of October 23, 2014. Commissioner Sinclair seconded the motion.

[Moved: Commissioner Price Seconded: Commissioner Sinclair **Passed: 6-0**
Yea: D. Adams, D. Butterfield, A. Davis, R. Price, M. Romero, S. Sinclair Nay: Abstain:

PC 14-034 The Trailhead (Conditional Use Permit) Wayne Wheeler, authorized agent/owner, requests a permit to operate a shop specializing in outdoor equipment sales and service with operating hours from 8:00 a.m. to 9:00 p.m. at 1341 East 700 North in the Community Commercial (CC) zone; TIN 07-007-0030.

STAFF: Mr. Holley reviewed the Staff Report as written recommending approval. Staff recognizes that considering the existing conditions of the property and current Code requirements is a difficult balance in situations like this one. The proposed land use is similar to the previous dry cleaner with regards to traffic frequency and should have a similar impact to the neighborhood. The Land Development Code (LDC) does not cover the existing conditions as well as it covers the treatment of new development on vacant land. Considerations should be made so that adaptive re-use can continue to revitalize areas rather than letting areas like this become abandoned and deteriorated.

PROPONENT: Wayne Wheeler, the owner of building, said one of the primary concerns is customers using Fredrico's parking lot. He asked if the City would be willing to pay for putting a curb in front of the third parking space. Chairman Davis explained that any costs incurred would be the responsibility of the developer and/or owner. Mr. Wheeler asked if some of the improvements could be delayed due to the cost. Mr. Holley said the City would be willing to work with him and pointed out that the main concern is a vehicle in the third stall pulling straight in/out. Mr. Wheeler agreed and suggested using a garden bed and/or a raised barrier (providing for pedestrian access) to prohibit parking and direct traffic.

PUBLIC: None

COMMISSION: Commissioner Sinclair asked about landscaping. Mr. Holley explained that this project is exempt from the current open space requirements; however, it would be nice to put in a sidewalk and line it with plants. The applicant has expressed interest in improving the image of the property.

Chairman Davis asked about the park strip being converted to landscaping. Mr. Holley clarified that it would be straight out from the second parking stall; the sidewalk could go all the way out to the curb.

Commissioner Price asked about the property behind this building. Mr. Holley said it is currently owned by Fredrico's and is being used as an accessory storage for the restaurant. Because it is zoned Community Commercial (CC) it allows for the building to be rented. Chairman Davis noted that there are apartments being rented there. Mr. Holley advised that it was originally designed for commercial space on the main level, with living space above, and the residential component has continued over the years.

Mr. DeSimone pointed out that the proposal meets the minimum required standard and they can work with the owner of Fredrico's regarding parking.

Commissioner Adams suggested possibly shifting the angled parking on the east to allow for more room. Mr. Holley agreed that this could work; centering the two stalls makes sense and would give customers more options.

Commissioner Price asked about the size of items that will be rented and whether customers would have the need for trailers. Mr. Wheeler said the largest items would be bicycles or skis; should anyone have a trailer they would most likely park across the street.

MOTION: Commissioner Price moved to **conditionally approve** a Conditional Use Permit as outlined in PC 14-034 with the amended conditions of approval as listed below. Commissioner Sinclair seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. The hours will be limited to store hours and shall open no earlier than 7:00 am or operate past 10:00 pm based on the City noise ordinance and the proximity to residential homes.
3. The western parking stall, in front of the main entrance, shall be converted to outdoor space and with a walkway that provides a safe and direct connection from the street to the door.
4. The curb cut shall be reduced approximately 10' on the west side so that it is only wide enough for two back-out stalls and to provide additional parallel parking space on the street. This improvement may be delayed nine (9) months.

5. The project shall provide five (5) off-street parking stalls.
6. Any signage associated shall conform to LDC §17.40 and receive the applicable permits.
7. Prior to the issuance of a building permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. Environmental
 - i. There is room behind the store for placement of a garbage frontload container and a recycling frontload if desired.
 - b. Fire
 - i. Access adequate from 700 North.
 - ii. Hydrant located at 700 North Hillcrest Avenue is within the required 400 ft.
 - iii. A 1,600 SF type VB building requires 1,500 gpm. Need water flow information.
 - c. Water
 - i. Any irrigation must have approved backflow assembly.
 - ii. If there is a fire sprinkler system it must have an approved backflow assembly. Building water main must have approved backflow assembly

FINDINGS FOR APPROVAL

1. The use permitted under this conditional use permit conforms to the requirements of Title 17 of the Logan Municipal Code and is listed as a conditional use in the Use Table for the CC zone.
2. As conditioned, and considering the existing conditions of the property, the use will not interfere with the use and enjoyment of adjoining or area properties.
3. The streets providing access and other infrastructure to the subject property have adequate capacities or a suitable level of service for the conditional use.
4. The proposed use is compatible with neighborhood uses and character while preserving and enhancing the character of the neighborhood.
5. The proposed use provides adequate off-street parking in conformance with this Title.
6. As conditioned, and considering the existing conditions of the property, the proposed use increases the existing open space onsite.
7. Other infrastructure to the subject property has adequate capacity, or suitable levels of service, for the proposed use.
8. As conditioned, the limitation on hours of operation makes the use more compatible with adjacent residential properties.

[Moved: Commissioner Price Seconded: Commissioner Sinclair **Passed: 6-0**]

Yea: D. Adams, D. Butterfield, A. Davis, R. Price, M. Romero, S. Sinclair Nay: Abstain:

PC 14-036 Edgepointe Hall (Design Review Permit) Timothy D. Johnson/Terraco Holdings LLC, authorized agent/owner, request to replace the existing 2-unit structure with 5 townhouse-style units designed for students on .51 acres located at 975 North 700 East; TIN 05-031-0008.

STAFF: Mr. Holley reviewed the Staff Report as written, recommending approval. The proposal is to retain the 6-unit structure on the west side of the property, demolish the existing home and construct a new 5-plex student housing complex in its place. A new driveway access onto 700 East would be located behind the proposed 5-plex and in front of the existing 6-plex.

Mr. Holley pointed out a few issues for the Commission to consider. The LDC has a requirement for structured parking on student housing projects of 10+ units in the Campus Residential (CR) zone; with the goal of reducing surface parking areas. Due to some resistance on smaller projects; an amendment was approved requiring “covered” rather than “structured” parking on projects with 10 or less units. Staff has not been consistent in applying this requirement. There is some concern whether covered parking adequately meets the intent of the Code with regard to reducing the parking footprint. This project has no covered parking proposed.

Mr. Holley explained that the existing 6-plex has 2-bedroom units and was built under a parking code at two 2 stalls per unit; therefore the 12 stalls associated with the existing building are grandfathered and are not considered in determining the required amount of parking for this proposal. LDC §17.15.120 requires 1 (one) parking stall per occupant unless an alternative parking plan is submitted and approved. The alternative parking plan, as per LDC §17.38.050.A.2 allows a 15% deviation to the standard. The proposed 5-plex has 3 units with 6 bedrooms and 2 units with 4 bedrooms for a total of 26 bedrooms. The 5-plex, even with the intention of renting to 26 occupants, could be occupied by 30 individuals based on maximum occupancy allowances of 6 people per unit in the CR zone. There are 21 parking stalls proposed, which equates to 80% of the requirement for parking based on 26 tenants. Based on 30 tenants the proposed parking only provides for 70%. The applicant is requesting permission to utilize compact parking stalls, which will result in 24 stalls that are 8'5" wide X 18' long (2/3 of the entire parking area). The Code does not specifically address compact stalls. There have been other projects with compact stalls, especially in parking garages; however, it is typically a lower percentage of overall stalls.

Mr. Holley clarified that based on the maximum allowable occupancy of 30 tenants, there would need to be 26 stalls to meet 85%.

Mr. DeSimone pointed out that although there is a 15% deviation allowance, the Municipal Council has been quite vocal about discouraging reductions based on complaints regarding lack of onsite parking. He encouraged the Commission to use caution in making the determination so as not to impact surrounding properties.

Chairman Adams asked if occupancy could be limited. Mr. Holley said a deed restriction could be placed on the project. Chairman Davis pointed out that even with the restriction there are generally issues related to compliance and over-occupancy.

Commissioner Butterfield asked about renting units with and without a parking stall (based on an agreement at the time of lease). Mr. DeSimone said that can be done in theory but is very difficult to enforce.

Commissioner Butterfield asked how many student housing developments are 100% occupied. Mr. DeSimone said very few are, however, the Municipal Council has determined that a 1-1 parking ratio is the best solution because 90+% of students have vehicles. Commissioner Butterfield said that although the 1-1 ratio sounds nice, it seems to be a high standard for what is actually happening in terms of occupancy. The intent of the Campus Residential (CR) zone is to create high-density housing in specific areas.

PROPONENT: Timothy Johnson said he has other student projects and is aware of the need to appropriately handle parking. He advised that a parking service is hired and parking spots are assigned when a unit is rented. The project was designed with three large units and two smaller units. If the intent were to maximize occupancy, they would have done five 6-bed units. He has found that 4-bed units more viable and easier to fill. The proposal is based on 26 occupants, the bedrooms are not large and the 4-bed unit only has two bathrooms, making it more difficult to "double up". He wants to come up with a good solution. The plans could be changed; however, they would like to begin development soon.

Commissioner Price asked about occupancy limitation. Mr. Johnson said they would be willing to consider it; although it seems arbitrary if the real issue is parking. There would be no harm in renting to more than 26 students if some of them did not have vehicles. Commissioner Price noted that parking in high-density areas has been a difficult facet; he noted that he is not a proponent for over-planning in regards to parking.

Commissioner Butterfield asked Mr. Johnson how this issue is managed and/or mitigated in his other developments. Mr. Johnson explained that tenants sign a contract and are assigned a specific parking stall which is monitored by a parking service. He also pointed out that 700 East is nothing but student housing.

Commissioner Butterfield asked if other projects have more students than parking stalls. Mr. Johnson said that other developments have been approved under different standards. He again reiterated that the desire for this project is to cater to smaller groups with the 4-bed units.

PUBLIC: None

COMMISSION: Chairman Davis outlined the main issues regarding the number of stalls, covered parking and compact parking stalls.

Mr. Holley confirmed for Commissioner Butterfield that the Land Development Code does not address compact stalls. There are other larger complexes which have a limited amount of compact stalls; however, this proposal is for 2/3 of the overall lot to be compact.

Chairman Adams asked if 8'5" is the standard for a compact vehicle. Mr. Holley explained that it can vary based on location. Mr. DeSimone noted that Logan City's 9' standard is smaller than some other jurisdictions; it is not unreasonable to provide for and allow compact stalls.

Commissioner Butterfield noted that this seems like a good way to deal with this issue. Commissioner Adams was concerned that it may set a precedent for other projects. Mr. DeSimone advised that more research in this area can be done and it might be productive to include this discussion in the next LDC amendment cycle.

Commissioner Adams asked if allowing 25% compact stalls would be based on the entire lot or just this specific project (referring to the 12 stalls already grandfathered). Mr. DeSimone suggested allowing the applicant to design it how it would work best as long as they meet the requirements.

Commissioner Butterfield noted that a Toyota Camry is less than 72" wide. Mr. DeSimone pointed out that the majority of students typically drive older, smaller cars.

Commissioner Adams likes the idea of assigning stalls to tenants.

Chairman Davis noted that if maximum occupancy of 30 is considered, with the 15% allowance, there would be 26 parking stalls required and they have 23 proposed, if the compact stalls are approved. Her inclination would be not to dip below that due to past problems.

Commissioner Price advised that covered parking does not "get us much" because there is not a strong enough design standard; however, if that is the standard then it should be applied. Chairman Davis agreed that the Commission is bound by the requirements of the Code. Mr. Holley explained that the Code requires 50% be covered parking – which would be approximately 10-12 stalls in this project.

Mr. Holley confirmed for Commissioner Butterfield that the point of the requirement is to maximize space and encourage vertical parking development so as not to waste space on large surface parking in high-density areas. Commissioner Butterfield asked if there would be any latitude as it seems to be superfluous in this situation and agreed with Commissioner Price that it "doesn't get us anything". Mr. DeSimone advised that the Commission could make that recommendation.

Commissioner Adams asked about the requirement for other projects. Chairman Davis pointed out that there have been other projects approved without requiring covered parking. Lee Edwards, the City Attorney, noted that because it has been required in some and not others, the Court would most likely uphold the decision based on the Commission's discretion.

Mr. Holley advised that the developer can layout the configuration as long as the thresholds of 25% maximum compact stalls and no fewer than 85% of the maximum capacity of occupants are met. Commissioner Romero agreed that it should be left up to the applicant to design it as long as it meets the approved standards.

Commissioner Price was excused from the meeting.

MOTION: Commissioner Romero moved to **conditionally approve** a Design Review Permit as outlined in PC 14-036 with the amended conditions of approval as listed below. Commissioner Adams seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. An Alternative Parking Plan shall be submitted and approved by the Department of Community Development showing parking stalls for no less than 85% of the maximum capacity of occupants in the new 5-plex.
3. 25% of the parking lot may be converted to compact stalls with widths no smaller than 8'5".
4. If future occupancy changes from that which is declared on the Alternative Parking Plan, the entire property will be subject to additional parking review and approval.
5. Mechanical equipment shall be placed in the rear or side yards or in areas screened from view of the street.
6. Parking setbacks in side and rear yards shall maintain a minimum 2' setback unless the parking lot is joined and shared by adjoining properties and parking lots.
7. A Performance Landscaping Plan, prepared in accordance with LDC §17.39, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a. Street trees where they don't already exist along all adjacent streets provided every 30' on center.
 - b. Open space and useable outdoor areas shall total a minimum of 6,795 SF.
 - c. A total number of 11 trees and 74 shrubs, perennials and grasses, shall be provided.
 - d. Shrubs, grasses and perennials shall be planted around storm water and parking areas to visually screen these utilitarian areas from public view.
 - e. Dense landscape material shall be planted along the north and south side of the parking lot to act as a visual screen from the neighboring property and mitigate the reduced setback accepted by the Planning Commission.
 - f. Varieties and sizes of all plant material shall be specified on the plan and plant quantities shall be per LDC §17.39.050 and include a minimum of 25% evergreen varieties for year-round visual interest.
8. 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.
9. No signs are approved with this project. All signage shall be approved and permitted in accordance with the Land Development Code.
10. No fences are approved with this project. All fences shall be approved and permitted in accordance with the Land Development Code.

11. 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. Engineering
 - i. Provide storm water detention/retention for entire parcel.
 - ii. Provide separate water and sewer connections to each of the proposed 5 new units.
 - b. Environmental
 - i. 22' wide x 10' deep dumpster pad if no enclosure; 24' wide if there is a dumpster enclosure. 60' straight on access.
 - c. Fire
 - i. Discuss preserving access to the existing building - No Parking signs.
 - ii. Hydrant on the southwest corner of 700 East 1000 North is within the required 400'.
 - iii. Minimum water flow of 1,000 gpm.
 - iv. Townhouse styles do not require fire sprinkler systems.
 - v. Less than 30' in height does not require aerial apparatus access.
 - vi. Resident access to portable fire extinguishers is required (IFC 906.1) and must be serviced annually (IFC 906.2/NFPA 10).
 - d. Water
 - i. Water main(s) must have a minimum D/C (ASSE-1015) when it enters the building, before any branch off. Location and approved assembly must be shown.
 - ii. Must have current, approved B/F assembly for irrigation system – whether new or tie into existing system.
 - iii. If building requires fires suppression system it must have DCDA (ASSE-1048) or RPDA (ASSE-1047).

FINDINGS FOR APPROVAL

1. The proposed building is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, landscaping, and setbacks adjacent to residential development.
2. The project conforms to the requirements of Title 17 of the Logan Municipal Code.
3. With the approval of an alternative parking plan, the proposed project provides adequate off-street parking in conformance with Title 17.
4. The project meets the goals and objectives of the CR zoning designation within the Logan General Plan by providing high-density student housing near the university, thus reducing vehicle miles traveled and the unnecessary burden to city-wide infrastructure and by giving students more transportation options.
5. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
6. Based on LDC §17.50.080 the Planning Commission adjusts the requirement for covered parking because it does not meet the intent of the Code section to reduce the overall parking lot footprint size.
7. 700 East provides access and is adequate in size and design to sufficiently handle traffic related to the land use.

[Moved: Commissioner Romero Seconded: Commissioner Adams **Passed: 5-0**
Yea: D. Adams, D. Butterfield, A. Davis, M. Romero, S. Sinclair Nay: Abstain:

WORKSHOP ITEMS for October 23, 2014

- ✓ PC 14-035 Lincoln Ridge Subdivision (continued)

Meeting adjourned at 6:37 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of October 9, 2014.

Michael A. DeSimone
Community Development Director

Amanda Davis
Planning Commission Chairman

Russ Holley
Senior Planner

Amber Reeder
Planner II

Debbie Zilles
Administrative Assistant