



PLANNING COMMISSION MINUTES

Meeting of May 28, 2015

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, May 28, 2015. Vice-Chairman Price called the meeting to order at 5:30 p.m.

Planning Commissioners Present: David Butterfield, Roylan Croshaw, Tom Jensen, Russ Price, Sara Sinclair

Planning Commissioners Absent: Amanda Davis, Maybell Romero

Staff Present: Russ Holley, Amber Reeder, Kymber Housley, Paul Taylor, Bill Young, Craig Humphreys, Debbie Zilles

Minutes as written and recorded from the May 14, 2015 meeting were reviewed. Commissioner Croshaw moved that the minutes be approved as submitted. Commissioner Jensen seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 15-019 Young Auto Mall – Display Lot [Conditional Use Permit] Jeffrey Budge/Young T/H Real Estate LLC, authorized agent/owner, requests a permit for vehicle sales display on 1.5 acres located at 1885 North Main in the Commercial (COM) zone; TIN 04-080-0022.

The applicant has requested to continue this project to the meeting of July 23, 2015.

MOTION: Commissioner Jensen moved to **continue** PC 15-019 to the July 23, 2015 meeting. Commissioner Sinclair seconded the motion.

[Moved: Commissioner Jensen Seconded: Commissioner Sinclair **Passed: 4-0**
Yea: R. Croshaw, T. Jensen, R. Price, S. Sinclair Nay: Abstain:

PC 15-025 Maverik Main Street – *continued from May 14* - [Design Review Permit] Maverik Inc./CA Fullmer Family LLC, authorized agent/owner, request a 5,046 SF 24-hour convenience store with gasoline sales on 1.71 acres at 300 South Main Street in the Commercial (COM) zone; TIN 02-053-0016;-0017;-0018;-0015;-0032;-0033;-0035.

STAFF: Mr. Holley reviewed the request for a new convenience store and gas station. The proposal includes landscaping and streetscape improvements, a new 38-stall parking lot, gas pumps with overhead canopy, and outdoor patio areas. The total project site is approximately 327' wide x 231' deep. The property currently consists of seven (7) different parcels and has recently had ten (10) buildings demolished.

Staff concludes that the additional architectural features and landscaping on the north and west sides are improvements from the original building design, but do not completely comply with building orientation and street facing doorway requirements in the Land Development Code (LDC). The Commission has authority to determine if allowances outlined in LDC §17.50.080 are appropriate in this situation.

PROPONENT: Todd Meyers, representing Maverik, provided a brief history of the company, pointing out the recently remodeled stores located in Richmond and Hyde Park. Quite a bit of time and effort have been put into this design. Two of the walls will be wrapped with coolers which makes transparency and layout difficult. The majority of customers will have vehicles; Main Street is not a pedestrian-friendly street so most of the pedestrian traffic will likely come from the residential area to the east. A fence and landscaping will screen the stormwater detention area. A Utah Department of Transportation (UDOT) condition will require the curb and gutter to be moved 4' to the east to allow for a future deceleration lane – which will eliminate parking on Main Street. Three out of the four curb cuts will be removed. An architectural canopy with pedestrian seating will be added to the northwest corner. The 10' setback allows for a denser landscaping to be added to the north side (similar to Jo-Ann Fabrics). Picnic tables will be located on the east side to cater to pedestrian customers. The east property line will have thick vegetation planted; however, a fence can be installed if necessary. Mr. Meyers has talked with the City Engineering Department about offsetting the access on 300 South, which will move it further away from the highway with access directly into the property. The project meets all ADA and energy code requirements.

Erik Jones, the project architect, reviewed design considerations for the project.

PUBLIC: An email from the Logan Downtown Alliance (LDA) in support of the project was received and distributed to the Commission prior to the meeting.

COMMISSION: Mr. Holley confirmed for Commissioner Jensen that glazing on Main Street will be spandrel glass.

Commissioner Jensen noted the improvement from the original application. Although he recognized the need for the site layout, he would like to see an entrance on Main Street (as has been required in other projects).

Commissioner Butterfield agreed with Commissioner Jensen's concern, however pointed out that Main Street (in this location) is not pedestrian-friendly. The orientation, as proposed, will be nice for the residents who live to the east. Maverik has done a very good job with this difficult location.

Chairman Price expressed concern regarding the treatment of Main Street. He appreciated the berming and setbacks, however Main Street is the gateway to downtown and orienting the entrance away from Main is a bit of a ruse in terms of the intent (in the plan) to make Main Street the urban center of the town. Having no entrance on either Main Street or 300 South is a concern.

Commissioner Jensen asked if all design opportunities were explored and exhausted. Mr. Holley explained that staff met with the applicant several times and vetted many different options. One of the constraints was the need for a line of sight to the gas pumps. There was a decision not to have an entrance on Main Street because there is no parking – they want to have customers able to park and enter the store directly. It has been difficult to design the layout around the gas pumps.

Commissioner Jensen understood the difficult situation, however, as an architect; he pointed out that it is not so much that the entrance be located on Main Street for pedestrian traffic, but to comply with the form of Main Street (everything street-facing).

Commissioner Butterfield said Maverik has done a remarkable job, especially considering the improvements to the original design. He does not believe that there could be a better project. This location and the nature of the business are quite vehicle intensive. This project provides more options for this type of service to the south end of the City and this seems to be an ideal spot.

Commissioner Croshaw suggested adding vertical timbers and a steeper roof pitch to the 300 South elevation which would help tie everything together and address some of the concern regarding the Main Street façade. Chairman Price agreed it would be better to have something that indicated more of a streetscape function on 300 South.

MOTION: Commissioner Butterfield moved to **conditionally approve** a Design Review Permit as outlined in PC 15-025 with the removal of the wording ~~“A functioning street facing doorway shall be added unless the Planning Commission finds that adjustments are justified in accordance with LDCs 17.53.080 in this particular situation”~~ and with the amended conditions of approval as listed below. Commissioner Sinclair seconded the motion and amendment.

Commissioner Jensen offered a friendly amendment suggesting that the building wall below the timber framed (on the intersection corner) be reconfigured to 45 degrees to create better harmony.

Commissioner Butterfield agreed to the friendly amendment (added as condition #3) seconded by Commissioner Sinclair.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. Using 300 South for building frontage requirements, the Planning Commission considers the proposed 49% as acceptable and compliant with the Land Development Code (LDC).
3. The Planning Commission finds that the timber framed gable oriented to the street intersection meets the orientation requirements if the building wall below the timber frame is reconfigured and angled at 45 degrees to give a better impression of a doorway. A window may be added on this angled wall section to meet north façade transparency requirements.
4. The north façade transparency shall increase to 30% unless the Planning Commission finds that adjustments are justified in accordance with LDC §17.53.080 in this particular situation.
5. A Performance Landscaping Plan, prepared in accordance with LDC §17.39, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a. Street trees along adjacent streets provided every 30' on center.
 - b. Open space and useable outdoor areas shall total a minimum of 14,896 SF.
 - c. A total number 34 trees and 85 shrubs, perennials and grasses shall be provided.
 - d. With residential uses located directly to the east, dense vertical landscaping, including a combination of taller trees and shrubs shall be planted along the property line to buffer the impacts of the land use.
6. Dumpsters shall be screened/buffered from public streets by landscaping, fencing or walls.
7. Exterior lighting, including canopy lighting, shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties, in particular the residential uses to the east.
8. No signs are approved with this permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
9. No fences are approved with this permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
10. The Planning Commission may require fencing in addition to the dense landscaping along the east property boundary to sufficiently screen and reduce impacts of the gas station.
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. Environmental
 - i. Minimum inside measurement for a double enclosure is 24' wide x 10' deep with four (4) 6' gates. Gates need drop pins or latches to keep in the open position while they are being emptied. Bollards behind the dumpsters to protect the walls and an 8' concrete pad in front to protect the asphalt.

b. Water

- i. Water meter must meet Logan City standards.
- ii. Building water main must have high-hazard rated backflow assembly as it enters the building before any branch offs.
- iii. Landscape irrigation must have backflow assembly rated for high- hazard such as RPZ (ASSE-1013) or PVB (ASSE-1020).
- iv. If a fire suppression system is required it must have a minimum back flow assembly DCDA (ASSE-1048) installed on fire riser.
- v. Kitchen/mop sinks that will have chemical or soap dispensers must comply with IPC#22 (Utah State Amendment 608.16.7).
- vi. Dedicated water supply to go through an approved backflow assembly or device such as ASME A.112.1.2.

c. Engineering

- i. Dedicate right-of-way as needed for right hand turn lane on US 89/91 and other CAMP requirements.
- ii. Maintain accesses to US 89/91 as required by CAMP.
- iii. Access from 300 South to align with access to Lewiston State Bank.
- iv. Provide onsite stormwater detention/retention as required by City design and construction standards
- v. All infrastructure improvements to meet City design and construction standards.
- vi. Coordinate with Logan City and UDOT regarding potential impacts to signal pole location as turn lane is added and possible impacts to radius corner.

d. Fire

- i. Fire hydrants shall be located within 400' of the building as measured by an approved route around the exterior of the building. Depending on the exact location, an addition fire hydrant may be needed.

Access

- ii. (IFC 503.1.1) Fire apparatus access shall extend to within 150' of all portions of the facility as measured by an approved route around the exterior of the building.
- iii. Fire apparatus access from Main Street on the west and 300 South from the north appear to provide access within 150' of all portions of the facility as measured by an approved route around the exterior of the building.

Fire Hydrant Locations

- iv. (IFC 507.5.1) Fire hydrants shall be located within 400' of the building as measured by an approved route around the exterior of the building.
- v. Fire hydrant FH00693 is located on the northeast corner of 300 South Main and appears to be more than 400' from the building as measured by an approved route around the exterior of the building.

Fire Water Flow

- vi. (IFC 507.1) An approved water supply capable of supplying the required flow for fire protection shall be provided to the premises upon which facilities, building or portions of buildings that are hereafter constructed or moved into or within the jurisdiction. (IFC 507.3). Fire flow requirements for buildings or portions of building and facilities shall be determined by an approved method.
- vii. According to Table B105.1 fire flow for a 5,046 SF type VB construction is 2,000 gpm.
- viii. According to the Logan City Engineering fire flow model: FH00693 located on the northeast corner of 300 South Main has a fire flow of 9,605 gpm @ 20 psi, which appears adequate.

e. Light and Power

- i. At application for a Building Permit the following will be required:
 - A One Line diagram
 - An Electrical Load Data Sheet
 - A Digital Site Plan in AutoCAD format (DWG), and
 - PUE's- Public Utility Easements on all property lines (10' PUE on all property lines facing a road and a 5' PUE on all other property lines)

ii. Light and Power connection and impact fees are required.

f. Business License

i. A business license for a Commercial Level 1 business is required prior to occupancy and operation.

FINDINGS FOR APPROVAL

1. The project is compatible with surrounding land uses and will not interfere with the use or enjoyment of adjacent properties because of the building design, site layout, materials, landscaping and setbacks.
2. The project conforms to the requirements of Logan Municipal Code Title 17
3. The project provides adequate open space and usable outdoor space in conformance with Logan Municipal Code Title 17.
4. The project provides adequate off-street parking.
5. The project meets the goals and objectives of the Commercial Services (CS) designation in the Logan General Plan by providing services near high-capacity roadways and is designed in a way for easy circulation of both pedestrians and vehicles.
6. The project complies with maximum height, density and building design standards.
7. The project met the noticing requirements of the Land Development and Municipal Codes.
8. Main and 300 North streets provide access and are adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

[Moved: Commissioner Butterfield Seconded: Commissioner Sinclair **Passed: 4-1**
Yea: D. Butterfield, R. Croshaw, T. Jensen, S. Sinclair Nay: R. Price Abstain:

PC 15-027 GW Properties 6-plex – *continued from May 14* - [Design Review Permit] Greg McDonagh/GW Properties LLC, authorized agent/owner, request to remove the existing structure and construct a 3-story 6-plex on .3 acres at 274 East 300 North in the Mixed Residential (MR-20) zone; TIN 06-063-0024.

STAFF: Mr. Holley reviewed the proposal to demolish the existing structures and construct a new 6-plex stacked apartment building near the front of the property with a 12-stall parking lot located in the rear yard. A new driveway is proposed along the west side of the property accessing the parking lot. The building will be three (3) stories with step-back terraces that create outdoor patios for each dwelling unit and will be constructed out of cast-in-place reinforced concrete and finished with a gray granite speckled application similar to the texture of stucco.

PROPONENT: Steven Mansfield, the project architect, explained that the goal is to create a modern LEED (Leadership in Energy & Environmental Design) structure using new building techniques which will be a great asset for the community.

PUBLIC: Emails from Jillian Anderson and Zakk Lewis expressing opposition were received and distributed to the Commission prior to the meeting.

Roxanne Pauni, owns a home across the street, was concerned about no yard for children to play. The home next door to this location is abandoned and condemned and she questioned why this project would be built on such a small area. There is a daycare located behind the proposed parking area. She also noted that it would destroy her current view of the Logan Temple.

Sandra Nielsen, 297 East 200 North, walks this area every day and has been told that it is the densest area of the entire City. The property was sold when the previous owner passed away a few years ago. She is concerned that there will be no green space and parking may not be adequate – especially with no street parking allowed. She said it would be nice to see an actual example of what this will look like and expressed concern with “promises vs. reality”.

Larry Hipps, 308 East 300 North, is pleased to see the innovation in terms of energy efficiency, however it looks “anti-green” with all the asphalt and concrete. It seems somewhat “schizophrenic” because the long-term plan for this area is to be down-zoned, however, this project is being built to last a long time – there seems to be some disconnection. The proposal is heavy on impervious surface areas and he does not want it to look like a “concrete bunker”.

COMMISSION: Mr. Holley clarified for Commissioner Jensen that the entire backyard area, with the exception of small strip, would be asphalt.

Mr. Housley, the City Attorney, pointed out that the only matter before the Commission is the Design Review Permit, not whether or not the project is allowed in the zone.

Mr. Holley reviewed the zoning history of the block, which has never been zoned as single-family. The Future Land Use Plan (FLUP) encourages this area to be down-zoned to single-family. During the 2011/12 city-wide rezone, there was extra research and inventory done in this area, at which time it was determined to keep the zone as multi-family.

Chairman Price noted that there was some expectation that there would be a block-by-block assessment and evaluation done during the rezone process. Mr. Holley explained that Mr. DeSimone, the Community Development Director, did examine this area. Chairman Price was concerned that it was not an open public process and now citizens are tied to the zoning that is in place. He said there is some feeling among the Commission that there may not have been enough evaluation done. Mr. Holley pointed out that these areas were inventoried, reviewed and approved by both the Planning Commission and Municipal Council.

Commissioner Jensen asked about the building material. Mr. McDonagh explained that it will be a light-weight cellular concrete, which provides great insulation value. The cast-in-place reinforced concrete will be finished with a gray color which looks similar to granite. This will be the only LEED apartment building in the state. Tree boxes and planters will be placed on all the terraces.

Commissioner Jensen said he has mixed feelings; he is pleased with the innovation but is troubled by the zoning and not being able to see an actual example of the building material that will be used. There is concern that the character of the neighborhood is very different from what is being proposed. There is a certain eclectic personality in this area and there are many homes north of 300 North which have been upgraded and nicely improved.

Commissioner Croshaw said he is not sure it fits in the neighborhood; given another site, it could be a marvelous structure and he would be excited to see how the innovative building material would perform. The overall pattern of terraces is pleasing.

Commissioner Butterfield agreed with Commissioner Jensen about the need to see the building materials.

Mr. Housley reminded the Commission that “ugly” is not a finding, if the project is denied it has to be articulated to the applicant where it does not meet the Code.

Chairman Price expressed concern that the zone in this area does not line up with the FLUP and would like to have the history of the area reviewed further. Because the plans are set up with 2-bedrooms, he asked the applicant who would most likely be the renters; Mr. Mansfield said he anticipated it would be mostly adults and/or students. Mr. Housley pointed out that the City does not regulate renters. Chairman Price said the question related more to parking concerns. Mr. Holley clarified that parking is regulated based on 2 stalls per dwelling unit.

Chairman Price said the question is whether to densify or not in this area. The terraces that come out to the property line are out of character for the rest of the neighborhood. It would help to see this proposal in the context of the adjacent buildings (e.g. height and setback). The articulation of a concrete building is its most important aesthetic aspect and he would like to see exactly how this will be done.

Mr. Mansfield noted that the exterior of the building could be made to look like anything the Commission wanted (stucco, rock, wood). Chairman Price suggested working with the Staff regarding the Code requirements. Mr. Holley advised that one material can be used with a maximum of three (3) different materials that can be used. The only prohibited materials in this zone are vinyl and T1-11.

MOTION: Commissioner Butterfield moved to **continue** PC 15-027 to the June 11, 2015 meeting with a request for the applicant to provide an example of the building material and articulation. Commissioner Jensen seconded the motion.

[Moved: Commissioner Butterfield Seconded: Commissioner Jensen Passed: 5-0]
Yea: D. Butterfield, R. Croshaw, T. Jensen, R. Price, S. Sinclair Nay: Abstain:

PC 15-031 Digis Internet Site – Cliffside [Conditional Use Permit] Digis Construction/Drogheda LC, authorized agent/owner, request to construct a small internet transmission site on 5.58 acres at 190 North 1610 East in the Neighborhood Residential (NR-6) zone; TIN 06-098-0027

STAFF: Mr. Holley reviewed the request for a new 30' tall wireless tower located on the hilltop north of Winding Way, adjacent to existing cellular towers. The proposal includes multiple antennas and microwave dishes that are 2-3' in size. Two cabinet ground equipment enclosures, under 5' tall, are proposed at the base of the tower with a 6' tall chain link fence around the site.

With two large existing towers and numerous antennas and ground equipment enclosures, this hilltop area has become a wireless facility center. Geography and a willing landowner contribute to this, as well as a growing wireless industry. Access to the site between two homes on Winding Way, via a small shared driveway, is becoming an issue as traffic increases to service the increasing number of facilities located there. The proposed tower at 30' tall and less than 2' wide will be considerably smaller than the two existing towers at over 50' tall and with antenna arrays over 10' wide. Co-location is the best option to minimize impacts; however, if that is not feasible, earth toned color shall be utilized with minimal horizontal projections applied to help camouflage this tower against the mountain backdrop in order to minimize the overall impacts.

PROPONENT: Dennis Watt, the construction manager for Digis, explained that the existing Verizon wood pole would not accept another carrier.

PUBLIC: None

COMMISSION: Commissioner Croshaw asked about the setback requirements from other towers and whether the current towers meet the property easements. Mr. Holley advised that there is no setback requirement and the existing towers do not meet the 2-1 setback and are nonconforming with current standards. The existing towers are 50' and the proposed tower will be 30'.

Chairman Price asked about the written requirement regarding co-location attempts. Mr. Holley said the Code requires a written submittal to the Community Development Director to determine whether the request is valid (addressed in condition #2). Chairman Price said he is sensitive to this particular issue and wants to ensure that all requirements are met. Mr. Holley noted that the Commission can waive the written request if it is determined that co-location is unfeasible.

Mr. Holley confirmed for Chairman Price that the equipment attached to the pole shall not project outward more than 12 inches (addressed on condition #5).

Chad Pope, from Digis, explained that line of sight is the main concern with the setback.

Mr. Holley noted that the Code requires “stealth” design measures to limit negative visual impacts and the best approach in this application, given the size and shape of the pole, would be to paint it an earth tone color.

Mr. Holley explained that all the adjacent properties have the same owner. The area is zoned single-family; however given the topography of the site it is unlikely homes will be located in that particular area, they would more likely be further north and east where the slope levels out.

Chairman Price said he is concerned about breaking away from requirements that have been put in place for specific reasons. Mr. Housley pointed out that as conditioned, the project meets all of the applicable requirements.

MOTION: Commissioner Sinclair moved to **conditionally approve** a Conditional Use Permit as outlined in PC 15-031 with the conditions of approval as listed below. Commissioner Butterfield seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. The applicant shall attempt to co-locate this facility on one of the existing towers; if co-location is not feasible a written statement shall be submitted and approved by the Department of Community Development explaining why.
3. The tower shall be no taller than 30’.
4. The tower must be setback at least two (2) horizontal feet per every one (1) vertical feet of tower height from adjacent property lines.
5. All antennas and equipment attached to the pole shall not project outward more than 12’.
6. The tower and antennas shall be painted an earth toned color the blend into the hillside.
7. Any wires or cables associated with the radio tower shall be routed directly down the pole and not slung or stretched out across the site.
8. 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. Comply with City land disturbance requirements and submit a sediment/erosion control drawing for review and approval.

FINDINGS FOR APPROVAL

1. The project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because 30’ is consistent with a compatible tower height with the surrounding neighborhood.
2. The project conforms to the requirements of Logan Municipal Code Title 17
3. The project meets the goals and objectives of the Neighborhood Residential (NR-6) zone in the General Plan by providing reliable and quality public services and transportation options.
4. The project met the minimum public noticing requirements of the Land Development and Municipal Codes.

[Moved: Commissioner Sinclair Seconded: Commissioner Butterfield **Passed: 4-1**
Yea: D. Butterfield, R. Croshaw, T. Jensen, S. Sinclair Nay: R. Price Abstain:

WORKSHOP ITEMS for June 11, 2015

- ✓ PC 15-032 Northern Utah Medical Center – amended [Subdivision Permit]

Meeting adjourned at 7:52 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of May 28, 2015.

Michael A. DeSimone
Community Development Director

Amanda Davis
2015 Planning Commission Chair

Russ Holley
Senior Planner

Amber Reeder
Planner II

Debbie Zilles
Administrative Assistant