



PLANNING COMMISSION MINUTES

Meeting of March 10, 2016

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, March 10, 2016. Chairman Davis called the meeting to order at 5:30 p.m.

Planning Commissioners Present: Amanda Davis, Russ Price, Tony Nielson, Eduardo Ortiz

Planning Commissioners Excused: David Butterfield, Dave Newman, Sara Sinclair

Staff Present: Mike DeSimone, Amber Reeder, Kymber Housley, Lance Houser, Paul Taylor, Debbie Zilles

Minutes as written and recorded from the February 25, 2016 meeting were reviewed. Commissioner Nielson moved that the minutes be approved as submitted. Commissioner Ortiz seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 16-010 Johnson Cove Subdivision [Subdivision Permit] Sid Crookston/LJCC Reserve LLC & R&W Enterprises Inc, authorized agent/owner(s), request a 40-lot residential subdivision, just east of the Stewart Nature Park at 130 South 1000 East in the Neighborhood Residential (NR) zone; TIN 06-097-0018, 02-002-0001;-18, 02-021-0002;-03.

STAFF: Ms. Reeder reviewed the request to divide 20.15 acres into a residential development of forty (40) single-family residential lots and a parcel to be combined with the Logan City Stewart Nature Park. The property is located between 1000 East and the Logan River and is adjacent to the Canterbury Estates III Subdivision on the north and River Heights City on the south. The property has been used as a gravel pit for over 50 years and includes natural features such as critical lands, existing trees and other water features.

PROPONENT: Steven Earl, Cache-Landmark Engineering, representing the proponent, agreed with the conditions of approval contained in the report.

PUBLIC: James Jenkins, 777 Stewart Hill Dr. River Heights, has been a resident for 25+ years and acknowledged that potential residential development has always been anticipated. His concerns include the fact that the north hillside has had significant excavation for many years; it is quite steep and is stabilized by natural vegetation which requires continued maintenance. Development might denigrate the stability of the upper lots in River Heights. A restriction with regard to the hillside should mandate that there be no excavation or any activity that would compromise the stability of the area. He would like the true boundary lines to be clear on the plat. Canterbury Drive is inadequately engineered, particularly with regard to the proposed expansion of residential use. This new subdivision will add approximately 80+ vehicles when completed and 1000 East is not adequate to handle that much additional traffic. Mountain Road is often very congested and is a much better designed road; however, it is difficult to regulate speed. The traffic congestion in the area will substantially increase and he suggested reducing the number of lots.

Rodney Lee Gittins, the vice-president of the Providence Logan Irrigation Company, expressed concern about protecting the functioning canal.

Darren Anderson, 757 Stewart Hill Dr., River Heights, suggested that any discrepancy or dispute of land ownership be resolved before development to avoid any potential litigation. Mr. Housley, the City Attorney, advised that once a subdivision is approved it has to go through a verification process including a boundary line survey.

Mark Innocenti, 1101 Lamplighter Dr., River Heights, commended the City on the trail improvements and wanted to ensure that access to the Stewart Nature Park is maintained. He noted the current inconsistent sidewalk policy presents an unsafe condition for children in the area.

Jlene Hansen, 800 East Center St., Logan, owns three acres just below Canterbury Estates. When Canterbury Estates was developed there was grading which compromised the structural integrity of the area. Homes need to have a 50' setback from the ridge because it is just sand. She wanted to make sure the trail system in the area is maintained. Another concern is regarding ground water and consideration for adequate water runoff. The additional homes will make the current problem worse; most property owners in the area have sump pumps. The canal is over 100 years old and there have been breaks over the years; in 1991 a portion of her property was washed out by one of those breaks. She would like to have it evaluated structurally.

Steven Hansen, 800 East Center St., Logan, expressed concern with maintaining the hillside integrity and to consider the canal and property lines before any development.

David Smart, 918 Canterbury Dr., Logan, is concerned about drainage. Many homes have sump pumps and his basement has flooded before. He was also concerned about traffic ingress/egress; Mountain Road has become much busier over the years and this development will add more vehicle congestion into the area.

Linda McLean, 1081 Lamplighter Dr., River Heights, said her concern is mainly winter travel and road maintenance along 1000 East, especially with a proposed access into the new subdivision.

Lisa Ellis, 935 Stewart Hill Dr., River Heights, owns property that was once an irrigation canal that was closed over. She would like any boundary line and ownership issues settled before the project moves forward, to avoid any potential litigation with property owners in the area. She is also concerned with access to 1000 East. When 1000 East was built to Providence, she spoke with the engineers who indicated that the road would go straight north, eventually ending in a cul-de-sac. She would prefer to see the development as a closed subdivision (similar to Thrushwood with one access).

Elise Reeder, 688 Stewart Hill Dr., River Heights, expressed concern with entrance to 1000 East; more homes and vehicles will compound the existing traffic problem.

Karly Adams, 947 Canterbury Dr. River Heights, has a degree in landscape architecture and questioned how the requirement for three connections to this subdivision would be fulfilled. She suggested reducing density and possibly putting in a park. The curve in the road on Canterbury Drive is quite dangerous.

Eric Jenson, 1010 Canterbury Dr. Logan, agreed with everything that has been said. He cannot overemphasize the concern about what has been said with regards to water. His lot was created after girders were placed on the Logan River to create an embankment. There is a sump pump that was put in and runs constantly.

Lee Robison, 980 Canterbury Dr. River Heights, said there are many children in the area and the addition of more traffic in the area seems ridiculous. Often times, because of snow removal, some areas of the road decrease to one lane. He encouraged looking carefully at the density. He questioned the access on the west; Ms. Reeder said the engineers reviewed several options regarding access, the site and slopes on the proposed park parcel were prohibitive. The Johnson Lane corridor is called out as a shared use path in the Bike & Pedestrian Master Plan to connect the Stewart Nature Park to 1000 East. The standard for a shared use path is an 8-10' walkway width. Mr. Robison asked about the mandate for hillside management and the stability of the ground.

Mike Taylor, 1041 Lamplighter Dr. River Heights, suggested that the section that runs along 1000 East (back of properties) be deeded to the City Parks & Recreation to maintain.

Numerous email were received and distributed to the Commission for review prior to the meeting.

COMMISSION: Lance Houser, the Assistant City Engineer, provided a history of 1000 East. The east side of the road is River Heights, the west side is Logan City and the road itself is Cache County. The road is in poor condition and there is a water line that needs to be replaced. Logan City has met with River Heights and Cache County and determined Logan City will most likely take ownership of the 1000 East, which will then have to meet current City standards. He explained that several options regarding ingress/egress were explored, however, due to the steepness of slopes; some of the options were prohibitive. There are existing utilities along 1000 East, the stormwater discharge that comes down to the Logan River will have to be relocated due to a prior agreement. Many of these issues are being included in the engineering geologic study which will be completed and approved by the City Engineer and the Community Development Director. The study will include historic high water table information and areas that would prohibit basement construction – which will be indicated on final plats. Stormwater design will have to meet all requirements. He pointed out that the sanitary sewer system will be designed to ensure safety and integrity. The City Engineer made the decision, based upon current traffic counts, that the proposed development would not cause a substantial increase in traffic.

Commissioner Neilson asked about Canterbury Road. Mr. Houser said the road was built to the standards that were in place at the time.

Ms. Reeder pointed out that the Land Development Code §17.31.070, regarding critical lands, provides development standards due to surface disturbances such as grading, filling, and/or vegetation removal. The standards require a geologic study to be completed by a professional engineer and approved by the City Engineer and Community Development Director. Any permitted development, such as subdivision construction, which disturbs soil and leaves it at 30% or more slope will require re-vegetation and compliance with a Land Disturbance Permit. Cut and fill activities may have to be engineered. The study will also indicate the proximity of the high water table. There are some areas where the existing slope is indicated as exceeding 30% and that these areas will be designated as non-buildable.

Ms. Reeder said the study can address setbacks for certain areas. The canal is outside the development, however, the Canal Company will be required to review and sign off before the plat is recorded. She outlined the phasing proposal and advised that the survey will be completed before development and prior to recording.

Commissioner Ortiz asked if there were any plans to improve parking and access to the Stewart Nature Park. Ms. Reeder said parking needs at the park have not been addressed at this point. Mr. Houser said the Engineering Department has been tasked to come up with a bridge crossing and have been asked by the Parks Department to look at access, however, that is all in the preliminary stages of development and planning.

Chairman Davis noted that staff has done a good job addressing the issues in the conditions of project approval. Commissioner Nielson agreed that the conditions of approval cover the concerns of many of the residents.

MOTION: Commissioner Nielson moved to **conditionally approve** a Subdivision Permit as outlined in PC 16-010 with the conditions of approval as listed below. Commissioner Price seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. Forty (40) residential lots are approved with this subdivision permit.
3. For lots adjacent to Mountain Road and 1000 East, notes on the plat shall indicate that the lots shall be accessed and have front entries oriented to LJ Circle (980 East) or Johnson Lane (130 South). Lots shall have a minimum rear building setback of 20'.
4. A shared use path will be included in the right-of-way on the south side of Johnson Lane (130 South) to connect 1000 East to the Stewart Nature Park, as indicated in the Bike & Pedestrian Master Plan.
5. Areas of the subdivision adjacent to Mountain Road and 1000 East shall provide landscaped area adjacent to the right-of-ways of a minimum of 10' and a 6' fence, in compliance with the residential fence guidelines in LDC §17.37.110.
6. Utility and access easements to be indicated over infrastructure in the project.
7. Provide 10' public utility easement on all property lines at the bounds of the subdivision and 5' PUE on all other property lines.
8. Parcels on the preliminary plat shall be combined with adjoining parcels, as allowed by the land use authority, or incorporated into proposed lots at final plat. Parcels shall not be considered lots of record.
9. Street trees are required in park strip at 30' on center (average) along all street frontages- Mountain Road, 1000 East, and all interior streets. Species and locations of plantings to be approved by the City Forester.
10. Existing trees, distinctive land forms, and rock formations shall be incorporated into development whenever feasible, per LDC §17.37.020.
11. Sidewalk to be completed and right-of-way improvements to be completed for the subdivision or agreements with Public Works per LDC §17.47.080.
12. Subdivision development to be in compliance with LDC §17.31.070: Development Standards for Geologically Unstable Lands.
13. An engineering geologic study to be completed by a professional engineer and approved by the City Engineer and Community Development Director prior to recordation of a final plat or permitting of any structures on property. The study shall include historic high water table information and areas prohibiting basement construction should be indicated on final plat.
14. All areas of slope greater than 30% shall be indicated as non-buildable areas on final plat.
15. The final plat shall be recorded within one (1) year of this action or comply with LDC §17.58 Expirations and Extensions of Time.
16. Prior to recording of a final plat or issuance of a building permit, the Director of Community Development shall receive a written memorandum from the following departments indicating that their requirement has been satisfied:
 - a. Fire
 - i. Fire flow to be evaluated. At current connection sizes, structures built with a fire area greater than 3,600 SF will have insufficient available water flow for fire protection. Notations would be required on the final plat to make lot owners aware of the issue. Increases in available water flow can be achieved through upgrades to the current system or reductions to the required fire flow can be achieved through building construction and/or residential fire sprinklers.
 - b. Engineering

- i. Street improvements along 1000 East are located in River Heights. Design for curb and gutter, park strip, landscaping and sidewalk shall be approved by Logan and River Heights City.
 - ii. Johnson Lane shall be 66' wide from the west right of way line on LJ Circle to 1000 East Street. Transition from 66' back to the proposed 60' ROW shall be at a minimum 15:1 transition rate.
 - iii. The section of park parcel between Lot 23 and 24 shall be a minimum of 30' wide (10' from Lot 23 property line to sanitary sewer line, 10' separation between sanitary sewer and storm drain lines, and 10' from storm drain line to Lot 24 property line).
 - iv. Add a valve in 8" water line, east of 6" water line connections from Kesler Lane, for line isolation and maintenance purposes.
 - v. All cul-de-sacs shall have a minimum of a 55' radius.
 - vi. This subdivision is being fed by a dead end 6" water line from the intersection of Mountain Road and 100 South (approximately 1800 lineal feet of 6" water line). There is an estimated 1,300 lineal feet of 8" (new) water line in this subdivision. Need to verify with the City Water Model that adequate fire/domestic flows and pressures are available at all proposed hydrants and lots. If flows and pressures are inadequate, the developer shall be responsible for all costs to improve water system to achieve required flows/pressures in the near term or wait for City to make needed system upgrades (these upgrades based on current needs and priorities in the City are not in the foreseeable future).
 - vii. City now has a City-wide sewer model; provide estimated sewer flows (average day flows) for subdivision so a model can be run of the existing system to ensure the system can handle increased flows. If deficiencies are found, the same requirements for water line deficiencies described in item 6 apply for the sewer line.
 - viii. The new sewer line from this subdivision to the proposed connection to existing system at 100 South and River Circle Dr transverses through some extremely steep slopes. Design of new sewer line shall meet the more stringent requirements of Logan City Design Standards and the Utah State Administrative Code R317-2 for sewer transmission lines.
 - ix. Development shall construct gravel or other improved access roads acceptable to Public Works to each storm drain manhole/catch basin and sanitary sewer manholes capable of supporting maintenance equipment proposed by Public Works for the maintenance and operation of these lines
 - x. Sewer design shall ensure sewer line connects into existing sewer line without creating any siphons in the sewer main, meets minimum slope and velocity requirements and minimum bury depths.
 - xi. Stormwater design shall be in accordance with current City standards, in addition to these standards, site shall retain all stormwater on site for all storms up to and including the 90th percentile storm event. This stormwater shall be discharged through means of soil infiltration, evapo-transpiration, and/or storm water harvesting and reuse. This is in accordance with the Small Municipal Separate Storm Sewer System draft permit # UTR090000 dated 12/16/15 Section 4.2.5.3.4. City encourages the use of Low Impact Development concepts to aid in this requirement. Have site designer work with Logan City Engineering.
- c. Water
- i. According to the City water model, daily demands within the subdivision can be met but the fire flow demands cannot be achieved. Improvements/upsizing to the existing City mains will need to be made to ensure that fire flows will be sufficient. See water model analysis memo.
 - ii. Recommend a second connection to the subdivision for water quality and second source reasons. This second connection would likely be from 1000 East. Approval for this waterline would need to be from Logan and River Heights.
 - iii. If sewer main at Logan River crossing is suspended on bridge, it will need to meet any flood plain elevation requirements.

- iv. A sewer capacity analysis will need to be performed at 100 South where the subdivision sewer line discharges into existing sewer mains. See Engineering Comments.
- d. Water/Cross Connection
 - i. All water meter setters must meet current City standards by having approved check valves.
 - ii. During construction, all backflow and disinfection rules for water must be followed.
- e. GIS
 - i. Addresses will be assigned by GIS at final plat.
- f. Building Safety
 - i. Compaction testing and a geotechnical report required for building permits to be issued.
- g. Public Works
 - i. Project is recommended to have centrally located mail boxes. This will eliminate problems that exist when trying to remove and place snow during snow events. It will also make it easier for the home owner and the postal carrier. There are eight (8) and sixteen (16) unit cluster boxes available. This subdivision would need to have three (3) boxes located at sites coordinated with the Post Office.
- h. Environmental
 - i. The subdivision will use individual residential refuse and recycle carts. As a note for the cul-de-sac lots, carts are being required to be lined up at the beginning of the cul-de-sac.

FINDINGS FOR APPROVAL

1. The subdivision is consistent with the goals and objectives of the Detached Residential (DR) designation within the Logan General Plan.
2. The subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because it meets the minimum requirements of the LDC.
3. Each lot, as conditioned, conforms to the requirements of Title 17 of the Logan LDC development requirements.
4. As conditioned, each lot is suitable for development within the Traditional Neighborhood Residential (NR-6) zone with adequate building site and will not require variances due to physical constraints in order to be developed.
5. Each lot will have access to a street or easements to provide for connection to sewer service, water service, and other public utilities.
6. The subdivision has been revised and amended by the conditions of project approval to respond to issues raised by City Departments and public agencies.
7. The design and layout of the lots and streets conforms to the City grid to the greatest extent possible.
8. Two (2) street connections are provided. The proposed layout is consistent with the intent of the zone to provide for single-family detached development and this infill project fits within the topographical constraints and form of the existing neighborhood.
9. The design and layout of lots and their associated building area is configured to protect critical lands, existing trees, and other natural features.
10. The subdivision can be completed in five (5) phases, subject to approval of the Public Works Department approving the phasing lines to ensure construction of infrastructure and utilities meet the requirements of the Department and all Standards and Specifications.
11. The subdivision conforms to the requirements of Title 17.47 concerning hearings, procedures, application requirements and plat preparations.
12. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

Moved: Commissioner Nielson Seconded: Commissioner Price **Passed:** 4-0
Yea: A. Davis, T. Nielson, E. Ortiz, R. Price Nay: Abstain:

PC 16-012 LDC Amendment – 17.12, 17.15 & 17.62 CR Density [Code Amendment] Logan City requests to amend the Land Development Code Chapters 17.12, 17.15 & 17.62 to modify how density is calculated in the Campus Residential (CR) zone. The change would provide an alternative process, enabling project to utilize a density calculation based on an occupant per acre standard in addition to the traditional unit per acre standard.

STAFF: Mr. DeSimone reviewed the request to amend the Land Development Code to provide an alternative method for calculating density utilizing occupancy as the base standard rather than dwelling units. The amendment request was rejected by the Planning Commission. The Municipal Council disagreed with the PC decision, but did not like the proposed language, and thereby directed staff to explore this concept further and craft alternative language providing for an alternative method. Currently in the CR zone, the maximum residential density is 40 units per acre while the maximum occupancy is six (6) unrelated individuals per unit. Elsewhere in the City, density varies by zone while occupancy remains constant at either three (3) unrelated individuals or one family per unit. The CR zone extends north from 400-1000 North between 600-800 East, as well as extending north of 1000 North to 1400 North and generally east of the canal.

The proposal is to amend the Campus Residential zone to provide an alternative process for calculating the total density of a project. The proposed amendment to Section 17.12.110 includes the proposed language changes:

Residential projects choosing to develop based on an occupant per acre standard rather than the dwelling unit per acre standard shall:

1. Obtain a Conditional Use Permit;
2. Delineate the occupancy allocation per unit on the proposed development plan, including the submittal and approval of a floor plan during the CUP process;
3. Meet a minimum size of 70 square feet per single occupant bedroom and a minimum size of 110 square feet per double occupant bedroom;
4. Comply with Building Code requirements for habitable areas and minimum room sizes;
5. Comply with all other Land Development Code requirements.

As this concept was evaluated and researched, it was discovered that this is definitely a different way of calculating the overall density of a project. Only a small handful of other jurisdictions utilize this concept in a relatively narrow manner. However, in evaluating this approach, it really is not substantially different, especially in the CR zone where projects are generally being built to accommodate individuals (students), in calculating density using an occupancy standard rather than a per unit standard.

A Conditional Use Permit provides an additional level of scrutiny whereby the Commission can evaluate the project and condition appropriately. The Overlay Zone adds a second layer of review through the Municipal Council as it is a rezone type of action; however, it does not give the City the ability to place project specific conditions on a site if merited.

The criteria requires a project proponent to submit specific floor plans delineating where specific occupancy is going to be allocated while the minimum bedroom sizes helps further define minimum occupant loads. The project will also be required to meet minimum building code requirements for habitable spaces and minimum room sizes as well comply with the Land Development Code for such things as parking, setbacks, building heights, open space/landscaping, etc. This alternative method does not give a project anything beyond the method with which density is calculated, nor does it mean an increase in the overall occupancy of a project. If a project site can accommodate 240 individuals using all 6 bedroom apartments, than there is really no difference if a project can accommodate 240 individuals using a combination of apartments.

PUBLIC: Marilyn Griffin thanked the Staff for all the time and effort put into this issue to help solve many of the concerns. She reiterated the need for 100% parking on these types of projects.

COMMISSION: Commissioner Price asked about the single bed layout. Mr. DeSimone explained that once the area is over 110 SF, it will be counted as a double bed unit. The requirement is still 6 occupants per unit maximum, this proposal would allow for some flexibility on layout and design.

Mr. Housley noted that another improvement from the original proposal is that a proponent would have to declare the maximum occupancy at the time of a Conditional Use Permit. This defined occupancy per unit criteria will make enforcement more effective.

Commissioner Price expressed some concern with the 110 SF single room layouts and it becoming a "Pandora's box". Mr. DeSimone advised that the trend in design is for more single rooms.

Chairman Davis had some concerns regarding enforcement. Mr. DeSimone explained that the idea for this is that the proponent will outline the occupancy load for the project. The City operates on a complaint basis; all problems are investigated and enforced.

Commissioner Ortiz asked if any helpful information regarding enforcement was found during discussions and research with other cities. Mr. DeSimone said Orem City has been using a similar format for about 15 years with no significant issues.

MOTION: Commissioner Ortiz moved to **forward a recommendation for approval** to the Municipal Council for an amendment to the Land Development Code §17.12, 17.15 & 17.62 as outlined in PC 16-012 with the conditions of approval as listed below. Commissioner Nielson seconded the motion.

FINDINGS FOR APPROVAL

1. Utah state law authorizes local Planning Commissions to recommend ordinance changes to the legislative body (Municipal Council).
2. The amendment is in conformance with the requirements of Logan Municipal Code Title 17.51.
3. The Code Amendment provides an alternative method of calculating project density in the Campus Residential (CR) zone using occupants per acre versus dwelling units per acre.
4. The Campus Residential zone permits occupancy of six (6) unrelated individuals per unit. The maximum density in the Campus Residential zone is 40 dwelling units per acre.
5. The intent of the CR zone is to densify student housing adjacent to Utah State University.
6. The provision of an alternative method for calculating project density in the Campus Residential zone requires compliance with the adopted Building Codes and Land Development Code.
7. The use of the Conditional Use Permitting process to review the alternative method for calculating project density in the Campus Residential zone allows for site specific review and conditioning to mitigate for any potential impacts.
8. The amendment is consistent with the overall goals and objectives of the Logan General Plan.
9. No public comment has been received regarding the proposed amendment.

Moved: Commissioner Ortiz Seconded: Commissioner Nielson **Passed:** 4-0
Yea: A. Davis, T. Nielson, E. Ortiz, R. Price Nay: Abstain:

WORKSHOP ITEMS for March 24, 2016

- ✓ PC 16-011 Bridger Verizon Tower [Design Review & Conditional Use Permit]
- ✓ PC 16-013 Canyon Creek Motors [Conditional Use Permit]
- ✓ PC 16-014 Standard Plumbing [Design Review & Conditional Use Permit]

Meeting adjourned at 7:15 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of March 10, 2016.

Michael A. DeSimone
Community Development Director

Amanda Davis
Planning Commission Chair

Russ Holley
Senior Planner

Amber Reeder
Planner II

Debbie Zilles
Administrative Assistant