



PLANNING COMMISSION MINUTES

Meeting of March 24, 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 24, 2016. Chairman Davis called the meeting to order at 5:30 p.m.

Planning Commissioners Present: David Butterfield, Amanda Davis, Dave Newman, Tony Nielson, Eduardo Ortiz, Sara Sinclair

Planning Commissioners Excused: Russ Price

Staff Present: Russ Holley, Amber Reeder, Kymber Housley, Bill Young, Debbie Zilles

Minutes as written and recorded from the March 10, 2016 meeting were reviewed. Commissioner Nielson moved that the minutes be approved as submitted with a minor grammatical change. Commissioner Ortiz seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 16-011 Bridger Verizon Wireless Cell Tower [Conditional Use & Design Review Permit] Nefi Garcia/EKS Properties, authorized agent/owner, request a 60' full array monopole with unmanned equipment at the base at 680 West 600 North in the Commercial (COM) zone; TIN 05-062-0005.

STAFF: Mr. Holley reviewed the request for a new 60' tall wireless monopole tower, ground equipment and 22' x 40' fenced ground lease area. The ground equipment includes a diesel generator, steel equipment cabinets and small shed enclosure that are approximately 7' tall. The tower has a 6' tall lightning rod on top and a large antenna array on the upper area and two microwave dishes approximately halfway up. The antenna array consists of three directional facing groups of 8' tall antennas. The three arrays project out from the side of the pole approximately 6-8' in a triangular shaped pattern. The proposed location is in the very southwest corner of the EKS commercial storage unit property adjacent to some gravel overflow parking.

The applicant has indicated there is a need for improved wireless communications service in this area. The three sided array which extends a maximum of 8' from the pole is the slimmest option that allows for co-location. Staff would prefer to have more intensive use of this new pole than for additional new poles for carriers to build individual facilities in the area. A paint color or other stealth camouflage may be incorporated to mitigate the impact of the facility on the area. Staff did not find a significant architectural feature, color, or plant that could be incorporated. These measures at this site would seem to draw more attention to the facility than the tower as proposed.

PROPONENT: Nefi Garcia explained that Verizon looked at co-locating on the tower to the north which currently has two carries (AT&T and Cricket), however, the third position on the pole was too low for their reception service to work and they were not able to find a suitable existing facility for co-location in the area and would like to construct a new facility that meets their needs and provides allowance for a wider array configuration so that they can accommodate other carries to co-locate at this site in the future

PUBLIC: None

COMMISSION: Commissioner Sinclair asked if the owners of the mobile home park received a notice. Mr. Holley confirmed that every property owner within 300' of the proposed location received a public notice in the mail.

Commissioner Newman asked if there should be consideration given regarding the consistency of various poles designs (i.e. wider vs. vertical antenna arrays). Mr. Housley, the City Attorney, said there should be some concern; however, applications have differing facts and needs which dictate the design and approval. Mr. Holley explained that reception needs may vary depending on factors such as location, topography and/or the tree canopy. Carriers complete comprehensive studies to determine the necessary type and location of arrays. Commissioner Newman noted that there were two similar poles viewed on the bus tour which presented quite different looks and questioned whether it would be better to have fewer poles with larger arrays or more poles with slimmer designs. Mr. Holley advised that carriers can co-locate on existing poles; however, the lowest spot is often not optimal for reception. Chairman Davis agreed that this is a good point to consider aesthetically.

Mr. Reeder answered for Commissioner Nielson that co-location applications are reviewed and approved administratively.

Commissioner Newman asked Mr. Garcia how the differences in the antenna arrays impact the providers. Mr. Garcia said slim lines are less flexible and have less of a down-tilt which can affect the signal and reception.

MOTION: Commissioner Sinclair moved to **conditionally approve** a Conditional Use Permit as outlined in PC 16-011 with the conditions of approval as listed below. Commissioner Newman seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. The tower shall be no taller than 60'.
3. The fencing enclosing the equipment below shall be a solid material fence and/or landscaping so that all equipment is completely screened.
4. The Commission uses their discretionary authority in LDC 17.50 to allow the antennas placed in a horizontal array pattern as proposed to allow for co-location ability on the tower facility for additional carriers rather than the slim vertical pattern which would prohibit future co-location.

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 60' is consistent and a compatible tower height with the surrounding neighborhood.
2. The project conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The project meets the goals and objectives of the Commercial (COM) designation within the Logan General Plan by providing reliable and quality public service options.
4. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

Moved: Commissioner Sinclair Seconded: Commissioner Newman Passed: 6-0

Yea: D. Butterfield, A. Davis, D. Newman, T. Nielson, E. Ortiz, S. Sinclair Nay: Abstain:

PC 16-013 Canyon Creek Motors [Conditional Use Permit] Canyon Creek Motors, LLC/CCS Properties, authorized agent/owner, request a permit for a motor vehicle dealership located on .03 acres at 255 North 950 West #16 in the Commercial (COM) zone; TIN 05-104-0000;-0016.

STAFF: Mr. Holley reviewed the project. The applicant has indicated that his business operation is mainly web-based and does not require a large property and/or expansive merchandise display lots. No more than five (5) vehicles will be located on the property for sale at any given time. The number of employees will be limited to the applicant and one (1) business partner. The property is currently developed, with the exception of the final building pad area at the northwest corner. This proposal does not change any site layout or building design features associated with the property office and/or warehouse complex. As this suite is adjacent to the final undeveloped area, slight adjustments may need to be made if the final building is constructed, but the plat map shows potential space for the three additional display stalls.

PROPONENT: None

PUBLIC: None

COMMISSION: Mr. Holley pointed out the area for vehicle display for Chairman Davis.

MOTION: Commissioner Nielson moved to **conditionally approve** a Conditional Use Permit as outlined in PC 16-013 with the conditions of approval as listed below. Commissioner Ortiz seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. This permit authorizes vehicle sales at this property for no more than five (5) vehicles placed inside the building or on the asphalt area directly adjacent to suite #16.
3. A minimum of three (3) customer and employee parking stalls shall be provided onsite.
4. If dumpsters are moved near the adjacent streets, they shall be visually screened or buffered from public streets by using landscaping, fencing or walls.
5. Any new 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.
6. No signs or fences are approved with this project. All signs and fences shall be approved and permitted by staff in accordance with the Land Development Code.
7. 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. Water
 - i. Water main for this unit will need to have a high-hazard backflow assembly installed and tested, if not already done.
 - b. Environmental
 - i. New dumpster location might be needed. Straight on access of a minimum 60' is required.

FINDINGS FOR APPROVAL

1. As conditioned with designated display locations, the project is compatible with surrounding land uses and zoning designations and will not interfere with the use and enjoyment of adjoining properties.
2. As conditioned, the street providing to the subject property has adequate capacity for the proposed use and parking/drop-off/pick-up management will be provided and regulated.
3. Other infrastructure to the subject property has adequate capacity, or suitable levels of service, for the proposed use.

Moved: Commissioner Nielson Seconded: Commissioner Ortiz **Passed:** 6-0

Yea: D. Butterfield, A. Davis, D. Newman, T. Nielson, E. Ortiz, S. Sinclair Nay: Abstain:

PC 16-014 Standard Plumbing [Design Review & Conditional Use Permit] Dawson Development LLC/Richard Reese Family Real Estate, authorized agent/owner, request a conditional use permit for expansion of a nonconforming use of a contractor supply store and a design review of a 24,000 SF new building on 1.25 acres at approximately 1860 South 1000 West in the Gateway (GW) zone; TIN 03-006-0001.

STAFF: Mr. Holley reviewed the project. The applicant is proposing an expansion of the existing land use (Standard Plumbing business) on a 4.43 acre property located at 1860 South 1000 West. The property also has frontage along Highway 89/91, including a driveway access that is shared with convenience store located to the south. There are currently two (2) buildings (built in 1990) on the property that house the Standard Plumbing business, which include warehousing, wholesale and commercial retail of plumbing related products. The site layout generally consists of parking lot areas, fenced storage areas and perimeter landscaping. The surrounding area is very eclectic with a mix of remnant agriculture uses, residential uses, industrial uses and highway commercial businesses. The Gateway Zone does not currently permit warehouse/retail land uses.

The Land Development Code (LDC) 17.59.050 allows the enlargement of a legally existing nonconforming use with a Conditional Use Permit, which includes but is not limited to, additional land area, floor area and accessory uses and buildings. The Planning Commission may, at its discretion, approve a conditional use permit to expand a nonconforming use if it can substantiate that correct procedures are followed and that the proposal is found to be compatible with surrounding land uses.

Regarding surrounding compatibility the three (3) residential homes located directly north of the proposal warrant the most attention and sensitivity. The proposed building is placed near the highway, away from the homes, but some parking and vehicle circulation areas are proposed within 3.4' of the homes rear property line. A solid 6' fence currently exists at this boundary, but additional landscaping could help buffer and mitigate the impacts of the expansion area. As conditioned with additional setbacks and landscaping, the project meets the compatibility requirements in the LDC.

This is a design review proposal is for a new 24,000 SF single-story commercial building to be used as a retail and wholesale of plumbing related products. The proposal also includes streetscape and landscaping improvements, a new 29-stall parking lot, stormwater detention and fencing. The total site is 4.43 acres, but the project area consists of approximately 2.02 acres. The total project site is currently open fields free from any structures.

PROPONENT: Brandon Dawson said they originally wanted parking in the front, which is prohibited in the Gateway zone. After discussions with the owner, they are requesting to have parking on the south side of the building and adding more transparency to create a more presentable entrance into the showroom. Mr. Holley said he did not see any issues with this change as long as the 15' parking setback and 24' drive aisle are maintained and landscaping is wrapped around.

PUBLIC: None

COMMISSION: Commissioner Butterfield questioned the access off of Hwy 89/91 and whether it was currently shared with the Common Cents convenience store. Mr. Holley said there is a shared access easement. UDOT has concluded that traffic counts would not significantly increase with this project and there is no current need for mitigation. Commissioner Butterfield asked if UDOT had the purview to review and/or change the access in the future. Mr. Housley said they certainly have that right, however, there would have to be reasonable access provided and they would have to pay the cost for any changes made. Mr. Holley advised that that intersection currently warrants a signal light. Bill Young, the City Engineer, explained that the City is in discussions with UDOT and the property owner to the south regarding potential development and possible future changes to accesses and intersections in that area.

Commissioner Newman pointed out that the only other access to the property (other than the access off Hwy 89/91) is from the west and questioned whether there is an option to allow for another point of egress to the north. Mr. Holley said it would be prohibited by the property line. Commissioner Newman expressed concern that if the main access from the highway were ever closed it could become quite problematic. Mr. Young explained that UDOT cannot eliminate access into a property. Depending on the amount of traffic, they may choose that one access is better than another. Currently there is a shared access in place that would have to be addressed if there is ever a change. There could be a possibility of considering internal cross accesses as development grows.

MOTION: Commissioner Newman moved to **conditionally approve** a Design Review and Conditional Use Permit as outlined in PC 16-014 with the conditions of approval as listed below. Commissioner Nielson seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. Relocate one parking stall on the east, adjacent to the neighboring residential use, and add additional vertical dense landscaping creating a 14' wide buffer area. The Planning Commission accepts the 14' setback buffer as substantial compliance to the Land Development Code (LDC).
3. Plant a minimum of eight (8) trees along the two residential borders to the north and east of the proposed development.
4. Increase the highway facing (south) facade glass transparency to the required 30%. On the two side facades visible from the public right-of-way, use clusters of evergreen trees and plantings to help break-up blank areas of wall.
5. Increase open space (landscaping and outdoor space) by an additional 3,946 SF.
6. 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. Open and usable outdoor areas shall total a minimum of 26,428 SF.
 - b. A total number 40 trees and 101 shrubs, perennials and grasses shall be provided.
7. All dumpsters shall be visually screened or buffered from public streets by using landscaping, fencing or walls.
8. Exterior lighting, including gas canopy lighting, shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties, in particular the residential uses located to the east.
9. No signs are approved with this permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
10. No fences are approved with this permit. All fences shall be approved and permitted by staff 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. Environmental
 - i. Will use existing dumpsters
 - b. Water
 - i. Building water main will need to have a high-hazard backflow assembly such as a RP (ASSE 1013) installed and tested on the water main as it enters the building before any branch offs or connections and be tested.
 - ii. Landscape irrigation will need to have a high-hazard backflow assembly installed, such as a RP (ASSE 1013) or a PVB (ASSE1020) and tested.
 - iii. If a fire suppression system is required for the building it must have a minimum DC (ASSE-1015) installed and tested.

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 of the building design, site layout, materials, landscaping, and setbacks.
2. As conditioned, with additional buffers, the expansion of the non-conforming use is compatible with surrounding land uses justifying a conditional use permit be granted to allow the existing business to continue and compete in current marketplace conditions.
3. The project conforms to the requirements of Logan Municipal Code Title 17.
4. As conditioned, the proposed project provides adequate open space and usable outdoor space in conformance with Title 17.
5. The proposed project provides adequate off-street parking.
6. The project meets the goals and objectives of the Gateway (GW) designation within the Logan General Plan by providing high quality projects with generous front yard landscaping.
7. The project complies with maximum height, density and building design standards and is in conformance with Title 17.
8. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
9. Highway 89/91 and 1000 West 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 Newman Seconded: Commissioner Nielson **Passed:** 6-0

Yea: D. Butterfield, A. Davis, D. Newman, T. Nielson, E. Ortiz, S. Sinclair Nay: Abstain:

WORKSHOP ITEMS for April 14, 2016

- ✓ PC 16-015 LDC Amendment 17.25 Water Source Protection Overlay Zone
- ✓ PC 16-016 Mountain Lion Motors
- ✓ PC 16-017 Willets Rezone
- ✓ PC 16-018 Logan City Block Rezone

Meeting adjourned at 6:30 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of March 24, 2016.

Michael A. DeSimone
Community Development Director

Amanda Davis
Planning Commission Chair

Russ Holley
Senior Planner

Amber Reeder
Planner II

Debbie Zilles
Administrative Assistant