
PLANNING COMMISSION MINUTES

Meeting of June 23, 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 on Thursday, June 23, 2016. Vice-Chairman Price called the meeting to order at 5:30 p.m.

Planning Commissioners Present: David Butterfield, Dave Newman, Tony Nielson, Eduardo Ortiz, Russ Price, Sara Sinclair

Planning Commissioners Excused: Amanda Davis

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

Minutes as written and recorded from the May 23, 2016 meeting were reviewed. Commissioner Sinclair moved that the minutes be approved as submitted. Commissioner Ortiz seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 16-026 Aaron's Elite Automotive [Design Review Permit] Vrugg Holdings/Hal Fronk, authorized agent/owner, request construction of a 6,624 SF office and shop on .96 acres located at 1098 West 130 South in the Commercial Services (CS) zone; TIN 05-107-0022.

STAFF: Mr. Holley reviewed the request for a new 6,624 SF concrete building to be used as a vehicle service and repair shop on 0.96 acres. The proposal includes streetscape improvements, a new 29-stall parking lot, landscaping improvements, stormwater detention, 6' privacy chain link fencing and a 1,840 SF awning. The property is within the Westfields Subdivision Phase II.

PROPONENT: None

PUBIC: None

COMMISSION: None

MOTION: Commissioner Nielson moved to **conditionally approve** a Design Review Permit as outlined in PC 16-022 with the conditions of approval 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 Planning Commission accepts the 29% of transparency on the north facade as substantial compliance to the Land Development Code (LDC).
3. 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 all adjacent streets provided every 30' on center.
 - b. Open and useable outdoor areas shall total a minimum of 8,362 SF.
 - c. A total number 19 trees and 48 shrubs, perennials and grasses shall be provided.
 - d. The landscaping areas between the parking lot and 130 South, to the north shall, consist of dense shrubs as per type "B" standards (LDC 17.39.070).
4. The dumpsters shall be visually screened/buffered from 1080 West street with landscaping shrubs and bushes or fences/walls (fences and walls are limited to 4' tall in front yard)
 5. All outdoor storage areas shall be located in the rear yard and completely screened from public streets by a 6' solid fence or wall.
 6. 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.
 7. No signs are approved. Signage shall be approved by staff in accordance with the LDC.
 8. No fences are approved. Fences shall be approved by staff in accordance with the LDC.
 9. 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. Landscape irrigation must have a high-hazard backflow assembly, such as a RP (ASSE1013) or a PVB (ASSE1020), installed and tested.
 - ii. Building water main must have a RP (ASSE1013) installed and tested. Must be as it enters building before any branch offs or connections. Please confirm meter and building supply sizes. Must follow sizing rules for B/F assembly.
 - iii. If fire suppression system is required, a DC (ASSE1015) be installed and tested on the fire riser.
 - b. Engineering
 - i. Cap unused water service laterals and sewer laterals at mains per city standard.
 - ii. 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. Stormwater shall be discharged through means of soil infiltration, evapotranspiration, and/or stormwater harvesting and reuse in accordance with the Small Municipal Separate Storm Sewer System draft permit # UTR090000 dated 12/16/15 Section 4.2.5.3.4. The City encourages the use of low impact development concepts to aid in this requirement. Have site designer work with Logan City Engineering.
 - iii. Provide water shares or in-lieu-of fee for increased water usage of new development.
 - iv. The project is part of a common plan of development that disturbs more than one acre. A full SWPPP is required prior to commencing land disturbing activities.
 - v. Provide a Stormwater Maintenance Agreement.

FINDING FOR APPROVAL

1. The project is compatible with surrounding land uses and will not interfere with the use and/or enjoyment of adjacent properties because of building design, 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 useable outdoor space in conformance with Title 17.
4. The project provides adequate off-street parking.
5. The project meets the goals and objectives of the Commercial Services (CS) designation within the Logan General Plan by providing services near highway capacity roadways and is designed for easy circulation of both pedestrians and vehicles.
6. The project complies with maximum height, density and building design standards and is in conformance with Title 17.
7. The project met the public noticing requirement of the Municipal and Land Development Codes.
8. 1080 West and 130 South provide access and are adequate in size and design to sufficiently handle automobile traffic related to the land use.

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

Yea: D. Butterfield, D. Newman, T. Nielson, E. Ortiz, R. Price, S. Sinclair Nay: Abstain:

PC 16-027 The Falls @ Riverwoods Phase II [FLUP Amendment, Zone Change & Design Review Permit] Bracken Atkinson/Evelyn H. Ellis, authorized agent/owner, request a Future Land Use Plan (FLUP) amendment and zone change to Mixed Use (MU) and expansion of the current multi-family complex for an additional 92 units on 5.4 acres at approximately 650 South 100 East; TIN 06-001-0006.

STAFF: Mr. Holley reviewed the request to annex a 5.28 acre property into the City of Logan, rezone it to Mixed Use (MU) and obtain a permit for 92 new dwelling units. Two accessory garage buildings to be located near the east border and the remaining surface parking lots are dispersed around the residential dwellings. Sidewalks and landscaping are shown throughout the site. A road dedication of an additional 24' is shown along the north border for a future 66' (500 South) right-of-way.

The Mixed Use (MU) zone allows up to 30 dwelling units per acre; with a 5.0 acre site (minus the right-of-way dedication), a maximum of 150 dwelling units could be allowed by base density standards. The Mixed Use zone is designated for compact commercial uses on street-facing ground floors and dense residential uses above or behind. In the case of Riverwoods, it has been determined that all the commercial uses between Main Street and 100 East provide the commercial components and the multi-family buildings east of 100 East provide the residential component.

The applicant has started the annexation/boundary adjustment process and is currently following State statute procedures with the anticipation of being completed and adopted July 2016.

This area is not identified on the Logan City zoning map or the Future Land Use Plan (FLUP) in the General Plan. Because of River Heights' willingness to disconnect the property, the Future Land Use Plan (FLUP) can be adjusted to account for this area. The areas to the west and south are currently zoned Mixed Use (MU). MU zoning is described as having concentration of commercial and residential uses designed in a compact manner for people to be able to live, work and play within walking distance. Considering the project site's proximity to employment centers and commercial services, higher density residential housing has logical value and coupled with the General Plan's desire to build inwards and upwards in core areas, staff considers MU zoning appropriate for this location if appropriate compatibility measures are taken for surrounding lower density areas. The FLUP amendment with a designation of MU would be consistent with the proposed rezone and would also accommodate long term population growth with future redevelopment possibilities.

Mr. Holley distributed an updated site plan that was turned in by the applicant prior to the start of the meeting. Parking was increased from 1.5 to 1.7 stalls per unit; the north setback was increased from 6' to 10' (with a 24' right-of-way dedication) and dwelling units were changed from 94 to 92.

PROPONENT: Bracken Atkinson, representing Wasatch Development and The Ellis family (current land owners) explained that the change to the site plan and reduction of units from 94 to 92 was based on the desire for increased amenity (exercise and activity) space. Parking has been historically 1.5-1.7 in other developments; however, the overall scope of this project provides 2.0 stalls per unit (based on both phases), which seems more than adequate with the access to mass transit. He also noted that there are bike racks available to promote other forms of transportation. The project will contain a mix of 1-3 bedroom units. The north setback, with the right-of-way dedication, is more than adequate. The north elevation will meet all requirements regarding transparency and building breaks. The preference for the north side would be landscaping, not a fence, for screening. This project will meet a housing need on the south end of the valley, especially with the construction of a new Conservice building.

PUBLIC: An email from Dayton Crites, the Cache County Trails Planner, was received and distributed prior to the meeting, encouraging sidewalks to be built along the southern edge of 500 South to help promote and encourage alternate transportation choices of walking and biking.

Blake Wright, a member of the River Heights City Council, submitted a letter that was distributed prior to the meeting, strongly encouraging a 30' setback from the R-1-12 zone (Riverdale neighborhood) which abuts the subject property.

Michael Jablonski, 125 East 500 South, River Heights, has served two years on the River Heights Planning Commission and 4 years on the City Council. The homes to the north will be negatively impacted and this development is not a welcome addition. His main concern is light pollution. In 2001 he received the Allen W. Stokes Conservation Award from the Bridgerland Audubon Society for writing an outdoor lighting ordinance. He would like the developer to keep the light from shining into adjacent residents. When Riverwoods Phase I opened he could cast a shadow in his living room at night from the lighting. The developer did put shields on the light to help mitigate the problem. There are cities around the country with very good outdoor lighting ordinances. He would like to see the City help enforce this issue. He is pleased to hear that there will be landscaping along the north side. He does not want to see 500 South used for construction access.

Mary Burrus, 225 East 500 South, River Heights, moved into her home in 1971. She understands that times change, however, she wants the Commission to know that there are residents who enjoy living in the area and will be impacted by this development. She would like to see a larger setback and is concerned with the tall buildings. She is also concerned with construction access, traffic and parking.

Brian Lundahl, representing his parents who own property adjacent to the subject property, grew up in the area and supports this development. This is a good project that is needed as the population increases, the location is good due to the proximity to Conserve and the design is nice. Riverwoods have been conscious about being good neighbors, keeping the property clean and landscaping neat. He noted that the land is worthless for farming and years from now this will be considered "great planning".

COMMISSION: Mr. Holley answered for Chairman Price that there is no minimum amount of commercial required on a project in the Mixed Use zone. Decisions are considered on a case-by-case basis. The Economic Director reviews these types of projects due to concerns about losing any commercial tax base and he did not express any concerns about this project. Mr. DeSimone pointed out that there is a considerable amount of commercial in Phase I, with additional commercial being constructed to the south.

Chairman Price questioned long-term planning if the trend for boundary line changes continues. Mr. Housley, the City Attorney, noted that this is a unique situation with River Heights, and he does not see this becoming a trend.

Mr. Holley pointed out that the north and east setbacks are most impacted by setbacks. River Heights requested a fence on the north side. Chairman Price is opposed to fences defining a streetscape. Mr. Holley said taller fences are not allowed in front yards.

Chairman Price asked for a review of lighting restrictions. Mr. Holley explained that the Land Development Code recently amended the exterior lighting section to help minimize glare and light trespass and includes requirements for shields and downcast lighting. Lighting is reviewed and approved during the building permit stage of development.

Mr. Holley confirmed for Chairman Price that the 6-unit townhomes will be two stories.

Commissioner Butterfield pointed out that he would be in favor of the Mixed Use (MU) zone, especially as this a continuation of Phase I.

MOTION: Commissioner Butterfield moved to **recommend approval** to the Municipal Council for a zone change to Mixed Use (MU) and a Future Land Use Plan (FLUP) amendment as outlined in PC 16-027 with the findings as listed below. Commissioner Newman seconded the motion.

FINDINGS FOR APPROVAL FOR THE REZONE & FLUP AMENDMENT

1. The rezone does not conflict with the Future Land Use Plan (FLUP) or the Logan City General Plan, as this area is not identified and designated for existing or projected land use.
2. The FLUP designation of Mixed Use (MU) will allow for future growth and redevelopment consistent with the General Plan.
3. This area is in close proximity to employment centers and consistent with the Logan City General Plan for compact mixed use developments where one could live, work and play within walking distance.
4. The subject property with appropriate setbacks and landscape buffers will not be incompatible with the existing surrounding land uses.
5. The infrastructure providing access and utilities services are adequate in size for this development.

Moved: Commissioner Butterfield Seconded: Commissioner Newman Passed: 6-0
Yea: D. Butterfield, D. Newman, T. Nielson, E. Ortiz, R. Price, S. Sinclair Nay: Abstain:

Commissioner Butterfield suggested adding a condition of approval calling for landscaping to be used to screen the north side as it would be more aesthetically pleasing than a fence.

Chairman Price asked about River Heights' request for a fence. Mr. Housley explained that it is not a condition of the boundary adjustment and therefore does not have to be required.

Commissioner Nielson asked about the parking breakdown. Mr. Holley explained that Phase II, if considered individually, is 19 stalls short of the required amount (89%). If the entire project is considered it meets the requirement.

Commissioner Butterfield asked if the entire project would be considered if an Alternative Parking Plan were submitted. Mr. DeSimone said it would be considered and it seems to be compliant with the standard.

Commissioner Ortiz asked about the current parking situation. Mr. Atkinson said each resident is assigned one stall, extra stalls are for guests. Every unit has a garage, which could fit up to two (2) vehicles. With easy access to public transportation and additional bike racks, the proposed parking seems more than adequate.

Mr. Holley confirmed for Commissioner Ortiz that condition #3 will be amended to reflect a 10' setback on the north side (as has been submitted).

Commissioner Newman said he was sympathetic to the concerns about lighting and asked if the lighting would be similar to Phase I. Mr. Atkinson said the Code has been amended since Phase I and is more stringent. They will be sensitive to the concerns and will try and go above and beyond to mitigate any issues.

Commissioner Butterfield noted that condition #2 be changed from 94 to 92 units, condition #4 noting that it is in aggregate of both phases, strike condition #5 and amend condition #7 to reflect landscaping along 500 South.

MOTION: Commissioner Butterfield moved to **conditionally approve** a Design Review Permit as outlined in PC 16-027 with the amended conditions of approval 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. This project is approved for 92 dwelling units.
3. The north building setbacks along 500 South shall be increase to 10', subsequent to additional right-of-way dedication, and garages shall be outside of the canal setback.
4. The project, considering both phases combined, shall provide two (2) parking stalls per dwelling unit or at least 165 parking stalls for Phase II. Bike racks shall be provided as shown.
5. Rear and side elevations visible from public streets, including 500 South, shall have a minimum of 20% transparency and 30' linear wall articulation.
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 useable outdoor areas shall have a minimum area of 43,560 SF with vertical landscaping adjacent to single family, providing a buffer.
 - b. A total of 100 trees and 250 shrubs, perennials and grasses shall be provided.
 - c. Shrubs, grasses and perennials shall be planted around stormwater, garbage dumpsters and parking areas to visually screen these utilitarian areas from public street view.
 - d. 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.
 - e. Shrubs and trees shall be planted along the north border to help buffer the development from the adjacent homes.
8. Exterior lighting shall be 32' height maximum with concealed source, down-cast fixtures to be reviewed and approved prior to the issuance of a building permit.
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. All rooftop mechanical equipment shall be fully screened from view.
12. 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. Coordinate 500 South roadway width and alignment with River Heights.
 - ii. Provide 15' setback at canals/irrigation ditches. No structures allowed within setbacks from canal.
 - iii. 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. Stormwater shall be discharged through means of soil infiltration, evapotranspiration, and/or stormwater harvesting and reuse 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.
 - iv. Provide water shares or in-lieu-of fee for increased water usage of new development.
 - v. The project is part of a common plan of development that disturbs more than one acre. A full SWPPP is required prior to commencing land disturbing activities.
 - vi. Provide a Stormwater Maintenance Agreement.
 - vii. Site plan did not show how buildings were to be served for water and sewer connections. Need to resolve during design. It is not clear if the waterline is intended to be a publicly owned line or privately owned. The developer shall sign and submit a Private Utility Agreement to the City for publically owned utilities on private property.
 - viii. The International Building Code requires setbacks from steep slopes. Where structures do not meet the required setbacks, a geotechnical investigation and design is required.

b. Fire

- i. Fire Sprinklers are required in 24 unit buildings and properly place fire hydrants.

c. Water

- i. The 24-plex's will need to have DC (ASSE1015) assemblies installed and tested on the building water main before any branch offs or connections.
- ii. b. Fire suppression systems must have proper backflow assemblies installed and tested based on system contents. DC (ASSE1015) NSF 61 rated RP (ASSE 1013) non potable.
- iii. If culinary water is used for landscape irrigation, it must have currently approved high-hazard backflow protection. Is it going to tie into existing system for Phase I.

c. Environmental

- i. Due to the need for the larger 8 yd dumpsters in this development, it is critical that the minimum inside measurement for each dumpster is at least 10' deep and a minimum of 12' wide for the approach; with the gates in the open position. The existing enclosures barely handle the 8 yd dumpsters so any additional space that can be provided will be a benefit to the driver and will provide more convenient resident access. Additional locations for the recycle dumpsters will also need to be provided.

FINDINGS FOR APPROVAL FOR THE DESIGN REVIEW PERMIT

1. The project conforms to the requirements of Title 17 of the Logan Municipal Code.
2. As conditioned, the project provides adequate off-street parking in conformance with Title 17.
3. The project meets the goals and objectives of the Mixed Use (MU) zoning designation within the Logan General Plan by providing housing near employment centers and core areas of town.
4. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
5. 100 East provides access and is adequate in size and design to sufficiently handle transportation and infrastructure related to the land use.

Moved: Commissioner Butterfield Seconded: Commissioner Nielson Passed: 6-0
Yea: D. Butterfield, D. Newman, T. Nielson, E. Ortiz, R. Price, S. Sinclair Nay: Abstain:

PC 16-028 DD Heavy Towing & Recovery [Conditional Use Permit] R. Lowell Huber/Michael K. Jones, authorized agent/owner, request a vehicle storage impound yard on .19 acres located at approximately 50 North 700 West in the Commercial Services (CS) zone; TIN 06-001-0006.

STAFF: Ms. Pollan reviewed the request for vehicle storage parking in the CS zone. Recreational vehicle and vehicle storage parking requires a Conditional Use Permit in the Commercial Service (CS) zone. There will not be any wrecking or salvage taking place on the site. The applicant has indicated that this will be a 24-hour operation for temporary vehicle impound or storage for towed vehicles. There will be no employees on-site and any customers to the site would be by appointment only.

Mr. Huber has a lease with the railroad that allows him to access his property through the railroad right-of-way. There is a partially paved and graveled road to the site. The property is currently undeveloped, with an existing shop building on the property. The property is proposed to be fenced with a 6' chain link fence and a gate would be placed on the east fence line that extends 30' from the shop to the north property line.

PROPONENT: Lowell Huber, owner of DD Heavy Towing & Recovery, explained that there are two accesses to the property (one from 100 North and one from 100 South). Approximately 1/3 of the access road is paved. He has been there for 25 years and had no problems. There will be no more than 3-4 vehicles on site at any one time; he has another yard at 1976 West 200 North that is used to store vehicles impounded by the County, this lot will only be used for vehicles impounded by Logan City. He would like to paint the building to make it more visible and will have a fence and outdoor LED lighting as required by the State. Large trucks are stored on the other lot.

PUBLIC: None

COMMISSION: Ms. Pollan confirmed for Chairman Price that there is a partially paved and graveled road to the site.

MOTION: Commissioner Nielson moved to **conditionally approve** a Conditional Use Permit as outlined in PC 16-028 with the conditions of approval 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. This permit authorizes a vehicle storage yard at this property. The use is limited to vehicle impound and no salvage or wrecking is permitted.
3. A plan will need to be provided for review and approval by Public Works and Planning staff on drainage and ground water protection with the storage of damaged vehicles on the site.
4. The applicant will amend all business licenses with the City to reflect the use of this site.
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 permit. All signs and fences shall be approved and permitted by staff in accordance with the Land Development Code.

FINDINGS FOR APPROVAL

1. The use permitted under the permit conforms to the requirements of Title 17 of the Logan Municipal Code and is listed as a conditional use in the Use Table.
2. As conditioned, with a drainage plan, DD Heavy Towing & Recovery impound yard is compatible with surrounding land uses and zoning designations and will not interfere with the use and enjoyment of adjoining properties.
3. Streets and right-of-ways providing access to the property have adequate capacity for the proposed use.
4. Other infrastructure to the subject property have adequate capacity, or suitable levels of service, for the proposed use.
5. The project met the minimum public noticing and hearing requirements of the Land Development Code and the Municipal Code.

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

Yea: D. Butterfield, D. Newman, T. Nielson, E. Ortiz, R. Price, S. Sinclair Nay: Abstain:

WORKSHOP ITEMS for July 14, 2016

- ✓ PC 16-029 Bridgerland Neighborhood Downzone [Zone Change]
- ✓ PC 16-030 Deer Pen Rezone & Subdivision [Zone Change & Subdivision Permit]
- ✓ PC 16-031 LDC Amendment 17.46, 17.47 & 17.62 [Code Amendment]
- ✓ PC 16-032 Berntson Estates [Subdivision Permit]
- ✓ PC 16-033 South Gateway Code & FLUP Amendment & Rezone

Meeting adjourned at 6:58 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of June 23, 2016.

Michael A. DeSimone
Community Development Director

Amanda Davis
Planning Commission Chairman

Russ Holley
Senior Planner

Amber Pollan
Planner II

Debbie Zilles
Administrative Assistant