



PLANNING COMMISSION MINUTES

Meeting of January 24, 2019

Logan City 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, January 24, 2019. Chairman Butterfield called the meeting to order at 5:30 p.m.

Commissioners Present: David Butterfield, Roylan Croshaw, Regina Dickinson, Sandi Goodlander, Dave Newman, Tony Nielson, Eduardo Ortiz

Staff Present: Mike DeSimone, Russ Holley, Aaron Smith, Kymber Housley, Jeannie Simmonds (Council liaison), Amy Anderson (City Councilmember)

Minutes from the January 10, 2019 meeting were reviewed. Commissioner Goodlander moved that the minutes be approved as submitted. Motion seconded by Commissioner Ortiz. Approved unanimously.

PUBLIC HEARING

PC 18-045 LDC Amendment – TC Density Bonuses – *continued from January 10, 2019*
[Code Amendment] Logan City requests to amend the Land Development Code §17.34 to include provisions for density and height bonuses in the Town Center (TC) zones.

STAFF: Mr. DeSimone outlined the project and the changes made based on the discussion at the January 10, 2019 meeting. In the previous packet, staff sent the Planning Commission minutes from the June 19, 2018 and the July 17, 2018 Logan Municipal Council meeting. The Council wanted the Planning Commission to review and consider a bonus program with a recommendation to the Council. Based on the discussion from the January 10, 2019 Planning Commission meeting, the proposal was refined to only apply the density/height bonus in the TC-1 zone, to change the reference to “brick” to a reference to “traditional materials”; eliminate a bonus for ground floor commercial; eliminate a bonus for row housing, and eliminate a bonus for LEED (or similar) projects. The level of incentive was modified based on the level of cost and/or importance. Providing structured parking is very expensive yet extremely important so it was assigned a density bonus of 30 units/acre and a height bonus of 24’, or two additional floors. The superior design using traditional materials and elements was assigned a density bonus of 15 units/acre and a height bonus of 12’, or one additional floor. A reference to brick or stone was eliminated and replaced with “traditional materials” to avoid limiting the building’s design too much. While traditional design is relatively subjective, it would at least preclude more modern designs.

As mentioned during the last two meetings, in looking for examples of density bonus programs, there are few, if any, other jurisdictions using a similar density or height bonus program. The primary purpose of many other systems is to facilitate the provision of affordable housing for low income residents, provide for open space, senior housing, or public infrastructure. The State of California has adopted state legislation mandating density bonuses for affordable housing, senior housing and/or daycare facilities. The rate of bonus is based on the total percentage of affordable units a project provides, whether they are considered affordable, very low income, low income, moderate income, or other specific types of housing (senior, disabled, etc.) with each category providing for a different bonus percentage. They also have included waiver provisions that give a

developer a right to request waivers for such things as parking requirements, setbacks, housing types, etc., which a city must grant. Regardless of the overall purpose, goals, or even type of program, the mechanics of most programs are similar to what the Planning Commission is reviewing. Each jurisdiction defines what is important (new development downtown), why it is important (people, activity, businesses, etc., downtown), what is happening in the market place that currently precludes it from happening (high cost of land acquisition downtown), and what is necessary to help bridge the gap (offer additional density = additional revenue/profit to incentivize something to happen). A challenging distinction to the proposed plan is that a decision to offer a density bonus is based on a qualitative assessment of a building's design, whereas the decision to offer a density bonus for affordable housing is much simpler as it is based on a quantifiable accounting of numbers of units. The assignment of a bonus for structured parking is also much simpler as it is based on a very quantitative assessment.

The purpose of the density and height bonus program is to encourage new residential development in the TC-1 zone by offering additional residential units and/or additional building height in exchange for a higher level of development. The definition of a higher level of development is a project using superior and traditional materials that respects, and is compatible with, historic Logan, or a project incorporating structured parking to accommodate a majority of the necessary parking.

Residential density and building height bonuses being considered in Chapter 17.34 apply only in the TC-1 zone (see map). A project could be awarded both a density and a height bonus based on whether they meet both criteria. There are specific caps on both density and height bonuses. Density bonuses can be awarded for a superior building design utilizing traditional materials and design elements, or for providing structured parking for up to 75% of the project's parking requirements.

PUBLIC: None

COMMISSION: Commissioner Goodlander asked if "traditional building materials" would preclude the use of the thin brick that was used on the recently-built Hampton Inn at 200 North Main. Mr. DeSimone said the issue to consider is whether the concern is with the aesthetic appearance of a building or the precise materials that are used. There are some nice buildings that use different types of materials to achieve a certain type of look.

Chairman Butterfield asked whether stucco would be considered a traditional material. Mr. DeSimone said he did not think it would, however, there are types of stucco used on historic homes, but generally not commercial buildings.

Mr. DeSimone pointed out that in addition to building materials, there are certain architectural details and historic components found within downtown that can achieve a high-quality project. "Traditional building materials" and "historic design characteristics" were included because of the difficulty in trying to determine a level of specificity.

Mr. Housley, the City Attorney, advised that "traditional materials" should be defined because not everyone agrees with what a traditional material is.

Commissioner Croshaw said "traditional building materials" offers some flexibility. For example, the Sportsman has quite a bit of glass, which is not necessarily traditional, but blends in well with the area. Concrete is a traditionally used material; however, it does not necessarily produce a welcoming design, especially downtown. Chairman Butterfield pointed out that the Cache County building is a good example. Mr. Holley suggested that perhaps traditional could be defined to a certain era or time period. Commissioner Dickinson agreed with that idea.

Chairman Butterfield said often, people believe traditional to mean vintage, which is not always the case. The tradition of downtown is difficult to define. Commissioner Dickinson suggested using “traditional downtown Logan”.

Commissioner Goodlander questioned whether having requirements like the Historic District Design Standards (HDDS) would help. Mr. DeSimone said the HDDS focuses on architectural detailing and elements that provide historic character.

Mr. Housley said he understands the need for flexibility because it is impossible to capture everything, however, it is helpful to define “tradition” at least in context. Traditional, by itself, is too broad. Chairman Butterfield proposed referencing similar features and characteristics of downtown; while still somewhat subjective, it provides some specificity. Commissioner Ortiz asked if specific building examples would be helpful. Mr. Housley said that might be an option, however, the downside is that a developer might point to something downtown that could be considered “traditional” but is not necessarily pleasing. The two issues to consider are design and materials. This idea is for a bonus, not a permitted right, so to qualify, a developer would have to go above and beyond what is normally required. He advised using “traditional materials commonly used” so that one bad example would not become the standard. Commissioner Croshaw suggested clearly defining what cannot be used as well.

Commissioner Goodlander said specificity in materials can be met, but a project might still not look quite right; there needs to be a middle ground between too vague and too specific. The ambiguity has been her concern all along. She likes the wording “traditional to downtown Logan in design and building materials” which provides for some latitude.

The Commission agreed that the applicability of the bonus will only be allowed in TC-1 and not in TC-2.

Mr. DeSimone asked the Commission about the incentive of an additional 30 units if structured parking is put in (allowing a total of 100 units). Commissioner Ortiz said parking could be met, but other design elements might not be, he would like to see a way to incentive both types of bonuses. Mr. DeSimone agreed and said that affordable housing offers cumulative bonusing. Mr. Housley pointed out that providing cumulative bonuses might be an incentive for a developer to create a higher-quality project with more units that would help offset the expense of structured parking.

Commissioner Ortiz noted his concern with proportionality, cumulative bonuses might help compensate.

Mr. Holley advised that the objective of structured parking is to help meet the goal to create a vibrant, walkable downtown.

Commissioner Ortiz said that that more than 100 units is too dense, even in the TC-1 zone. Commissioner Dickinson agreed that the height should be limited to no more than 100'. Commissioner Croshaw said it would depend on the type of project. Mr. DeSimone pointed out that, realistically, development cannot go too deep because of the water table; one acre of ground cannot physically accommodate that many units with the number of stories allowed. Commissioner Nielson agreed and cannot envision a 3-4 story parking terrace with a building above. Mr. DeSimone noted that other high-density developments in the CR zone have horizontal parking garages tied in with the project (i.e. The Factory and Millennial Towers). The current allowance of 70 units/acre is quite dense, to obtain extra units will be quite a challenge, however, it would allow developers the option to try and create a workable project.

Mr. DeSimone pointed out that the maximum height with a bonus for structured parking would be 104'. To attain the additional density of 30 units would take at least two stories. He reminded the Commission that the height will be required to meet the step back requirements. The Eccles Theatre is 95' high. Commissioner Goodlander asked if height would be cumulative, allowing for a total of 36' extra feet. Mr. Holley said increments in height should be based 12-15' (a typical floor height). Chairman Butterfield said he would not support more than a 24' allowance in height, Commissioner Goodlander agreed suggested clearly defining that height is not cumulative bonus.

Commissioner Goodlander questioned the process when a project fails to comply with a requirement or cannot fulfill what was proposed and approved. Mr. DeSimone explained that there are reviews during the process and a certificate of occupancy will not be issued unless all the approved conditions have been met.

Mr. DeSimone said he will make the changes as discussed and approved and send an email of the finished version to the Commissioners prior to it being presented to City Council.

MOTION: Commissioner Nielson moved to **forward a recommendation for approval to the Municipal Council** for an amendment to the Land Development Code §17.34 to include provisions for density and height bonuses in the Town Center (TC) zones as discussed with the findings for approval listed below. Commissioner Croshaw 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 amendment is consistent with the Logan City General Plan.
4. The amendment is consistent with the Downtown Logan Specific Plan.
5. The amendment for density and height bonus provisions will encourage higher quality development in the Town Center (TC-1) zone.
6. The application of a density/height bonus to a project does not eliminate, nor vary, any other standard applicable to a project.
7. The geographic area of downtown, as established in the Town Center (TC) zones, generally extends from 300 South to 500 North and from 100 West to 200 East.
8. The use of density and height bonuses in the TC-1 zone will not negatively impact Logan's Center Street Historic District boundaries. Projects occurring within the District boundaries, regardless of zoning, are required to comply with the Historic District Design Standards.
9. No public comment has been received regarding the proposed amendments.

Moved: T. Nielson **Seconded:** R. Croshaw **Approved:** 7-0

Yea: Butterfield, Croshaw, Dickinson, Goodlander, Newman, Nielson, Ortiz **Nay:** **Abstain:**

WORKSHOP ITEMS for February 14, 2019

- ✓ PC 19-003 Daycare Capacity Increase (Conditional Use Permit)
- ✓ PC 19-004 Meadow Creek Subdivision

MEETING ADJOURNED: 6:42 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of January 24, 2019.

Michael A. DeSimone
Community Development Director

David Butterfield
Planning Commission Chairman

Debbie Zilles
Administrative Assistant