



PLANNING COMMISSION MINUTES

Meeting of February 28, 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, February 28, 2019. Chairman Butterfield called the meeting to order at 5:30 p.m.

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

Commissioners Excused: Dave Newman

Staff Present: Mike DeSimone, Russ Holley, Aaron Smith, Debbie Zilles, Kymber Housley, Bill Young, Paul Taylor, Kirk Jensen, Jeannie Simmonds (Council liaison)

Minutes from the February 14, 2019 meeting were reviewed. Commissioner Croshaw moved that the minutes be approved as submitted. Motion seconded by Commissioner Ortiz. Approved unanimously.

PUBLIC HEARING

PC 19-001 Logan Gateway Office Building – *continued from January 10, 2019*

[Zone Change, Design Review & Conditional Use Permit] Gary Blazzard/Craig Adams, authorized agent/owner, are requesting a zone change from Mixed-Use (MU) to Commercial (COM) and Mixed Residential Medium (MR-20) of ~7.8 acres (COM east of the new 100 West Street and MR-20 west of the new 100 West Street and a Design Review and Conditional Use Permit for a 68,000 SF office building, parking and site improvements located at 701 South Main Street; TIN 02-063-0013;-0016;-0012;-0010;-0011. (Woodruff Neighborhood)

STAFF: Mr. Holley reviewed the request to construct a new 4-story glass and steel office building along the new 100 West corridor. The request includes a Conditional Use Permit to allow a limited front-yard parking lot. The approximately 68,000 SF office building is proposed with surrounding surface parking lots with landscaping and sidewalks in perimeter areas. Three potential future development “pad sites” are being proposed along the Main Street frontage with one main driveway approach aligning with 700 South across the street. The rectangular office building has mirrored facades on the west and east sides, creating a “double-front” appearance. The Logan River creates the northern border with a trail conceptually shown along the river’s southern bank. The nearly 7.8-acre site currently consists of five (5) properties including the Ellis Equipment business, a residential home and a single-story restaurant building. The generally flat site is triangular shaped and currently has very little vegetation and trees. The anticipated 100 West street expansion project would bisect the site and create a larger main project area of approximately 5.50 acres and a smaller remaining eastern area of approximately 1.5 acres.

The applicant is requesting a rezone from Mixed-Use (MU) to Commercial (COM) for the main project site located between Main Street and 100 West. Final alignments for 100 West have yet to be completed, but after street alignments and dedication, the main project site should be approximately 5.5 acres. The remainder smaller property that will be created east of the future 100 West street is proposed to be rezoned from Mixed Use (MU) to Mixed-Residential (MR-20). This remainder property should be approximately 1.5 acres after street alignments and dedications.

The Future Land Use Plan (FLUP) designates the entire project site as Mixed-Use Center (MUC). The MUC land use designation is described as having high concentrations of commercial and residential uses mixed together into compact urban and walkable development patterns. When creating compact development footprints, growth is encouraged inwards and upwards to relieve development pressures on surrounding rural areas. This development pattern is contrary to the current status-quo, sprawling, automobile-oriented development patterns typically built over the last several decades. The Commercial (COM) land use designation is designed for a wide-range of commercial uses and services intended to serve local and regional populations. Residential development is possible but not mandatory in the COM zoning district. The Mixed Residential (MR) land use designation is described as areas providing a wide-range of housing options for all stages of life and levels of income.

The Land Development Code (LDC) describes the Mixed-Use (MU) zoning district as areas providing a mix of both commercial and residential developments in either “horizontal” or “vertical” patterns. In urban areas, the “vertical” pattern is encouraged to provide more compact and walkable environments. A range of commercial uses is permitted, including, but not limited to, office, restaurant and retail. Residential uses are permitted at 30 dwelling units per acre. The LDC describes the Commercial (COM) zoning district as areas providing city-wide and regional commercial services. A wide-range of commercial land uses and services, including but not limited to office, restaurant and retail are permitted. Residential uses are only allowed in buildings that provide ground floor commercial. No freestanding residential is permitted. The LDC describes the Mixed Residential (MR-20) zoning district as a residential district providing a range of multi-family housing types and styles with density limited to 20 units per acre.

Generally, the MU zone requires residential components and a much more compact urban development pattern. The COM zone allows for a more horizontal suburban pattern and does not require residential uses. The commercial uses allowed in the MU and COM zones are similar to one another and should not be the determining factor in this rezone request. The MR-20 zoning district would be 10 fewer units per acre, compared to MU residential development. The 1.5-acre area along the river is better suited and provides a unique opportunity for residential development.

A new project, in accordance with the LDC, will provide the City with a visually better and more efficient use of this land. Additional employment opportunities and housing options within proximity to core areas of Logan will decrease automobile transportation impacts, improve utility distribution services and provide additional vibrancy to a changing and redeveloping area. Trail connections to the south will provide amenities, natural beauty and recreational opportunities to offset the typical harsh urban environment that buildings and parking lots create.

The maximum height of the main building, the equipment screen walls on top of the roof extending to 66’ in height, and the compatibility and consistency of the proposed front yard parking lot to the adjacent and adjoining business will warrant special consideration.

PROPONENT: Craig Adams believes this is a good location for this project and fits well with the Wasatch Properties project across the street. The river is a great amenity. They are working with the City regarding the future development of 100 West. There is not a lot of pedestrian traffic along Main Street, however, there are pedestrian pathways from the building to the retail pads included in the landscaping design plan. Access (exiting) to Main Street will be a right-turn only, per UDOT requirement, therefore there will be a need to have traffic exit onto the existing 100 West for better connectivity. The mechanical equipment (HVAC) will be placed on top of the building, it will be recessed toward the center of the roof and screened to be more aesthetically pleasing, which may result in more than 10% of the rooftop area.

Gary Blazzard, from HKS Architects, explained that pedestrian walkways are required by ADA regulations. The intent is for the retail spaces to be constructed and occupied within a year of construction. The strip along Main Street will be developed and is set back 15' beyond the sidewalk. The area will not be left unsightly, there will be temporary landscaping put in if necessary. The amenities along the river provide a great opportunity for a residential component, which is why that part of the property is being requested to be rezoned to Mixed Residential rather than Commercial.

PUBLIC: LaDonna Connors, lives on 400 West between 100-200 South, had questions about the future development of 100 West including the location, purchase of property and the anticipated speed limit.

COMMISSION: Chairman Butterfield disclosed that the property owner, Craig Adams, has had some minor business dealings with the Credit Union where he is employed, however, he has no personal financial gain with this project and therefore feels there is no conflict of interest.

Mr. Housley, the City Attorney, explained that funding for the planning and design of 100 West is being considered and there have been some properties purchased.

Mr. Holley explained that mechanical equipment is required to be screened. Having the equipment set back to the center area of the roof and upper parapet walls help with this requirement. The Land Development Code allows limited non-habitable height exceptions, such as spires, domes, belfries, etc. on no more than 10% of the roof area. Chairman Butterfield said 10% seems impractical for the HVAC equipment and recommended that it be screened in similar features to the building. Mr. Housley said it is a reasonable interpretation to consider that mechanical equipment is not part of the building and should be applied consistently to all projects.

Mr. Adams clarified for Commissioner Goodlander that the equipment will likely be ~14' in height, depending on the size of the equipment that is needed.

Commissioner Croshaw questioned whether there is any intent to connect the trail across Main Street. Mr. Housley said the goal is to eventually connect them, however, the challenge is finding the funding.

Bill Young, the City Engineer, advised that a consultant was hired in 2016 to complete an environmental assessment for the 100 West expansion. Multiple options have been considered including having the road run along the east side of the LDS church located at 94 West 600 South. The City has purchased two properties in the area. During the corridor study with UDOT and the City, the idea of one-way couplets utilizing 100 West has been considered, and within that option, the road was designed to be able to handle 40 mph if necessary, however the speed limit has not been determined.

Commissioner Dickinson questioned who would be responsible for enforcing the landscaping. Mr. Holley said the initial installation would be handled by the Planning staff and be tied to the Certificate of Occupancy. The maintenance/upkeep would be managed through the Code Enforcement division. Commissioner Dickinson asked if the provision for a voluntary easement of the trail system (as contained in condition 9) is a written agreement. Mr. Housley explained that the City cannot require a trail because it is prohibited in State statute, however, as part of the incentive agreement for redevelopment funds, it will have to comply with the condition.

Mr. Holley pointed out the possibility of increasing the building height, which would allow outer parapet walls to help screen the mechanical equipment. Chairman Butterfield said that may be a cost-prohibitive alternative, but could be an option for the applicant to consider.

Commissioner Ortiz asked why the Mixed-Residential (MR-20) is being considered rather than a Mixed-Use zone. Mr. Holley said MR-20 is the request of the applicant; staff feels this area would be good for residential use. The main difference is Mixed-Use requires a commercial component and Mixed Residential does not. Commissioner Dickinson said this seems to be piecemeal zoning based on a specific project rather than consideration for the overall area. Mr. Housley explained that from a legal standpoint, the Commission needs to consider whether the request is consistent with the General Plan and the Future Land Use Plan (FLUP). The FLUP designates this area as Mixed-Use and because this project contains both commercial and residential (horizontal mixed-use pattern) it meets the objective. This is similar to the design of the Riverwoods project with commercial along Main Street and residential located behind. Commissioner Goodlander said it makes sense to have residential along the river because there is housing located on the other side.

MOTION: Commissioner Nielson moved to remove the condition ~~“The equipment screen walls, considered to be “similar features” in the building area extensions, as per LDC 17.12.050, may extend above the roofline, but shall be limited to 10% of the roof area and positioned near the center of the building”~~ and change condition 16 to “Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street ~~or~~ and screened from view from the street”. Commissioner Goodlander seconded the motion.

Moved: T. Nielson **Seconded:** S. Goodlander **Approved:** 6-0

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

MOTION: Commissioner Goodlander moved to **forward a recommendation for approval** to the Municipal Council for a zone change from Mixed-Use (MU) to Commercial (COM) and Mixed Residential Medium (MR-20) of ~7.8 acres (COM east of the new 100 West Street and MR-20 west of the new 100 West Street) as outlined in PC 19-001 with the findings for approval as listed below. Commissioner Nielson seconded the motion.

FINDINGS FOR APPROVAL FOR THE REZONE

1. The location is suitable for commercial developments because it is compatible with commercial areas to the south.
2. The property can fulfill the purpose of the General Plan and LDC by providing commercial services to citywide populations because of its location and ease of access.
3. The property is in an area surrounded by streets and infrastructure that can handle and appropriately serve commercial developments.
4. The Commercial zoning designation has sufficient open space, parking, walkable layout and landscaping will ensure neighborhood compatibility.
5. The proposed MR-20 zoning is less intensive and lower densities than that of the Mixed-Use zoning district and can still provide quality and unique housing options along the river corridor.

Moved: S. Goodlander **Seconded:** T. Nielson **Approved:** 5-1

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

MOTION: Commissioner Nielson moved to **conditionally approve** a Design Review and Conditional Use Permit as outlined in PC 19-001 with the amended conditions and findings for approval as listed below. Commissioner Goodlander 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 allows the main building height at 56'-11.5", as it is within the 10% discretionary adjustment allowance in LDC 17.43.080.

3. The Planning Commission allows for front yard parking as proposed along 100 West because it is less than 50% of the total parking requirement and the surrounding properties and character of the area currently include some front yard parking lots.
4. Enhanced vertical landscaping that matches "Type B" in LDC 17.32.070 shall be placed in the areas between the street and the front-yard parking lot along 100 West.
5. Enhanced pedestrian walkways shall be provided through the front yard parking lot connecting the building to 100 West.
6. In the interim, temporary landscaping shall be provided in "pad site" areas. No weeds, gravel, cobble or bare dirt will be permitted ground treatments.
7. Pedestrian sidewalks and delineated painted crossings through the parking lots shall provide convenient and complete connections from the building to 100 West and Main Street.
8. A trail easement is voluntarily provided that will allow the City to extend the trails network along the river corridor.
9. The project shall provide a minimum of 216 parking stalls for the proposed office building.
10. 10% open space and an additional 10% outdoor space shall be provided prior to building permits. If the "pad site" areas are slightly adjusted, open space shall be adjusted proportionately so that "pad sites" and the office building provide either collectively or individually 10% open space and 10 % outdoor space.
11. A performance landscaping plan, prepared in accordance with LDC §17.32, 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 unless otherwise noted by the City Forester.
 - b. Open and useable outdoor areas shall total a minimum of 20% of the project site.
 - c. A total number 20 trees per acre and 50 shrubs/perennials per acre of the final project site shall be provided.
12. Decorative street lights along South Main Street to be completed as per Logan City Light & Power plans and specifications.
13. All dumpsters shall be placed outside of front setbacks and visually screened or buffered from public streets by using fencing, walls and landscaping.
14. Storm water retention/detention surface ponds or basins shall be positioned outside of the front setback and screened with dense vegetation from adjacent public street views.
15. All streets adjacent to, or within, the development shall be improved to current City standards and specifications.
16. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street and screened from view from the street.
17. Exterior private property lighting shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
18. No signs are approved with this Design Review Permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
19. No fences are approved with this Design Review Permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
20. 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. Dumpsters must be screened from the nearest public roads.
 - ii. A minimum 60' straight on access is required to all dumpsters. Parking lot driveways work well for this.
 - iii. No parking is allowed in front of, and immediately adjacent to, the dumpsters.
 - iv. Minimum inside measurement of a single dumpster enclosure is 12' wide and 10' deep. The minimum inside measurement on a double enclosure without gates, is 22'.

- v. If the enclosure will have gates, the minimum inside measurement is 24' wide and 10' deep. Gates must be designed to fully open and then be held in the open position during the collection process.
 - vi. Place bollards on the front corners and in the back of the enclosure to help protect the walls.
- b. Water
- i. The building's water main needs to have its own RP (ASSE1013) installed and tested on the water main as it enters the building, before any branch offs or connections. Landscape irrigation connected to Logan City water must have a high-hazard backflow assembly installed and tested. All backflow assemblies must be tested within 10 days of turning in water to them and annually thereafter.
 - ii. Fire suppression systems connected to Logan City water must have a minimum DC (ASSE1015) installed and tested. Fire risers and B/F assemblies must be installed as per Logan City standards.
 - iii. All points of use of water must comply with the 2015 IPC and State of Utah Amendments, during and after construction.
- c. Engineering
- i. Provide storm water detention/retention per Logan City Storm Water Design Standards. This shall include the retention of the 90% storm event onsite utilizing Low Impact Design practices near buildings and in parking areas for the retention of the 90% storm event.
 - ii. Provide water shares or an in-leu of fee for increased demand for new development. Shares required shall be based on Utah Administrative Code R309-510-7 for both indoor and outdoor demands.
 - iii. Dedicate road right-of-way for 100 West. City is proposing to extend the existing north right-of-way width of 99' at 600 South through this development (recognizing it may need to purchase 19' of right-of-way). At a minimum, the City will require a dedication of 80' of right-of-way. A dedication of a roadway easement of 10' on each side of the required 80' road right-of-way. Road alignment shall be designed for 40 miles per hour. City has developed an alignment for each width which will need to be adhered to.
 - iv. Construct 100 West to a full road section of 80'. Sidewalk and park strip on west side of 100 West are not required to be constructed with this development.
 - v. Road design shall require a geotechnical study to determine the subgrade California Bearing Ratio. If less than 5, a geotechnical report shall be required. Pavement design shall support 15,000 vehicles per day. In no case shall the pavement section be less than 5" asphalt, 4" untreated base course, 12" granular borrow. This applies to 100 West only, not private roads in development site.
 - vi. Extend water line, sewer line and storm drain piping in 100 West to a point south of future bridge as agreed to by the City during design. Water line shall be 12" minimum size.
 - vii. Provide City with data to determine sewer flows from development. The City will run a sewer model to determine if there is a capacity issue in existing sewer mains for increased flows. If issues are found, development may be delayed until existing sewer main capacity issues are resolved.
 - viii. Dedicate right-of-way on parcels 02-063-0011 and 02-063-0010 per dedication descriptions provided by the City for the South Main Sidewalk project. Right-of-way for this dedication shall be to UDOT standards.
 - ix. Construct all curb, gutter and sidewalk, park strip and landscaping required by the current South Main Sidewalk project and this design review permit. City will work with developer if minor changes are needed to support new development.
 - x. Perform a Property Line Adjustment for combining existing lots, or modifying property lines, to support new development. This can also be done with subdivision plat.
 - xi. Any existing water and sewer service connections to the existing City utility mains shall be capped at the City utility main line(s).
 - xii. Attend CAMP for UDOT approval, Traffic Impact Study of intersection at 700 South may be required by UDOT.

- d. Fire
 - i. Provide fire access site plan including aerial apparatus access.
 - ii. Fire sprinklers and alarms are required. Fire hydrant within 100' of FDC required.
- e. Forrester
 - i. Columnar Oaks were planted across the street from this location; it may be a good choice for this park strip as well.

FINDINGS FOR APPROVAL FOR THE DESIGN REVIEW & CONDITIONAL USE PERMIT

1. The project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the conditioned building design, site layout, materials, landscaping, building orientation, heights and setbacks.
2. The project conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The project provides adequate open and useable outdoor space in conformance with Title 17.
4. The project provides off-street parking in compliance with the LDC.
5. The front yard parking allowance does not compromise neighborhood character in the area and is done in accordance to LDC standards.
6. The project complies with maximum height, density and building design standards and is in conformance with Title 17.
7. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
8. The surrounding streets provide access, utilities and are adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

Moved: T. Nielson **Seconded:** S. Goodlander **Approved:** 6-0

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

PC 19-005 LDC Amendment & Zone Change – Chapter 17.21 (South Gateway Overlay)
requesting continuance to March 14, 2019

MOTION: Commissioner Dickinson moved to **continue** PC 19-005 to the March 14, 2019 meeting. Commissioner Ortiz seconded the motion.

Moved: R. Dickinson **Seconded:** E. Ortiz **Approved:** 6-0

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

WORKSHOP ITEMS for March 14, 2019

- ✓ PC 19-006 Schaefer Bed & Breakfast (Conditional Use Permit)
- ✓ PC 19-007 Essex Vintage Cars (Conditional Use Permit)
- ✓ PC 19-008 600 West Railroad Spur Rezone

OTHER BUSINESS

Mr. Housley explained that there is a constant movement in the legislature to continue to limit municipalities ability to make discretionary decisions. There is some discussion about eliminating Planning Commissions altogether, however, there is the argument that Commissions should be able to consider certain “gray areas”. Budgetary decisions must be made by the City Council; the Planning Commission can forward recommendations but cannot pass motions that appropriate funds. Development, by its very nature, is choppy; improvements are made as development goes in. The Commission’s focus is on aesthetics, functionality and ensuring that the project meets all Code requirements.

Commissioner Dickinson said developers should be aware of the standards and present clean projects. Mr. Housley agreed, however, there are certain situations that are unique. Before projects are presented to the Commission they have gone through pre-development meetings.

Mr. Housley said it is always a balance to simplify the process; the City is constantly trying to balance the concerns of competing interests.

Mr. DeSimone said many times a project has gone through several meetings and reviews before it comes before the Commission. He encouraged the Commission not to worry about the number of conditions placed on the project as a benchmark, it is the nature of the oversight of projects.

Commissioner Goodlander asked what the Commission's purview is with regards to requiring a developer to clean up a project and/or make changes before a decision is made. Mr. DeSimone pointed out that the Commission should feel comfortable making a decision and if a project does not seem complete enough, the Commission can direct the applicant to make changes before a decision is rendered. There are various styles of presentation and everyone has a different perspective, however, the information does need to be clear. If a project changes substantially for any reason, it will have to be reviewed and approved by the Commission. He reminded the Commission that there are some technical items outside of the Commission's jurisdiction.

Commissioner Ortiz said there are technical issues (i.e. traffic) that are beyond the scope of the Commission, however, have bearing on the project. Even if a project complies with the Code, it is important to understand all the information. Mr. DeSimone said the challenge is many of those issues are outside the Commission's purview and are governed by specific standards and requirements. Decisions cannot be made based on the public's perspective (i.e. too much traffic will result from a specific development). Mr. Housley said a property owner is allowed certain rights and if a development meets the requirements of the zone, it cannot be denied. The Commission can forward recommendations for zoning decisions that will be made by the City Council. Mr. DeSimone said it is important to rely on the decisions made by the professionals of specific areas.

MEETING ADJOURNED: 7:15 pm