

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, May 7, 2019 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chair Jeannie F. Simmonds conducting.

Councilmember's present at the beginning of the meeting: Chair Jeannie F. Simmonds, Vice Chair Amy Z. Anderson, Councilmember Jess Bradfield, Councilmember Herm Olsen and Councilmember Thomas C. Jensen. Administration present: Mayor Holly H. Daines, Finance Director Richard Anderson, City Attorney Kymber Housley and City Recorder Teresa Harris.

Chair Simmonds welcomed those present. There were approximately 32 in attendance at the beginning of the meeting.

OPENING CEREMONY:

Fee Busby offered a thought and led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting from April 16, 2019 were reviewed and approved with minor changes.

ACTION. Motion by Councilmember Jensen seconded by Vice Chair Anderson to approve the April 16, 2019 minutes as amended and approve tonight's agenda. Motion carried unanimously.

Meeting Agenda. Chair Simmonds announced there are five public hearings scheduled for tonight's Council meeting.

Meeting Schedule. Chair Simmonds announced that regular Council meetings are held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, May 21, 2019.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Logan resident Bronwyn O'Hara addressed the Council. She complimented the City on the new blue and white street signs. She also referred to Church Street and said this is a one-way street and she frequently sees people going the wrong direction. She suggested a sign be installed that says, "Do Not Enter".

Logan resident Keith Schnare addressed the Council and said he talked with Planning Commissioner Dave Butterfield and Logan City Planner Russ Holley. He said that Mr. Butterfield stated in regards to design reviews, the Planning Commission does not know the criteria or the reason that triggers a second design review. Mr. Schnare referred to an email sent by City Attorney Kymber Housley which said that every project has a development agreement. Mr. Schnare asked are the development agreements public documents and if so, where can they be accessed.

Mr. Schnare continued and stated that Mr. Butterfield expressed concern about how naïve the City is about development, especially with large, multi-million dollar projects which are the ones that will be built in TC-1. In that discussion, Mr. Butterfield indicated the need for financial review of developers. Mr. Schnare said we all want good, quality projects in the downtown and it was suggested by Mr. Butterfield that he talk with the Council about some of the financial concerns that he has with the proposed project.

Logan City Attorney Kymber Housley responded that all development agreements are public documents except for the agreements that are in draft form. We don't do a development agreement on all developments just those that require some type of City assistance or incentives. Anything that requires the City to participate, a development agreement is in place.

Chair Simmonds added and if there are specific requirements they are always included in the project on the condition of approval.

Mr. Housley continued and said, every development agreement has a paragraph that states the developer must comply with the Planning Commission conditions of approval and we really can't require anything more under a normal development other than what the code requires. If we go beyond that then, there has to be some type of other consideration.

Logan resident Gail Yost addressed the Council. She asked how often do we have to be lied to as a public, as individuals, or as a group before we start concerning ourselves with the person who is lying to us and their behavioral patterns.

There were no further questions or comments for the Mayor or Council.

MAYOR/STAFF REPORTS:

2019 USU Presidential Award for Civic & Community Engagement – Kate Stephens, USU

Kate Stephens from Utah State University addressed the Council. She presented Mayor Holly Daines with the 2019 USU Presidential Award for Civic & Community Engagement. Mayor Daines received this award for her long-standing service to the Cache Valley community and her tireless advocacy specifically for parks, trails, and an improved downtown.

Mayor Daines thanked Ms. Stephens for this award.

Proclamation: Kids to Parks Day, May 18, 2019 and Family Playground Bucket List Challenge – Russ Akina, Parks & Recreation Director

Parks & Recreation Director Russ Akina addressed the Council regarding a Proclamation designating May 18, 2019 as Kids to Parks Day in the City of Logan. The Kids to Parks

Day empowers kids and encourages families to get outdoors and visit America's parks, public lands and water areas. It also encourages children to lead a more active lifestyle to combat issues of childhood obesity, diabetes, hypertension and hypercholesterolemia and broaden children's appreciation for nature and the outdoors.

Mr. Akina also announced the Family Playground Bucket List Challenge and invited the public to use the check off sheet to visit 21 of the City's outdoor playgrounds. After completing the list return to the Logan Community Recreation Center at 195 South 100 West to redeem a prize and be entered into a drawing for a chance to win an iFit and or a Logan Aquatic Center Family Pool pass. The deadline to enter is June 1, 2019.

No further items were presented.

Budget Presentation – Mayor Daines

Mayor Daines read the following budget message to the City Council:

For the City, budgeting is simply prioritizing and allocating limited resources. There are always many more excellent projects which we would LIKE to accomplish, but we are mindful of taxpayer funds and how they are spent. Like a personal or family budget, we must carefully make choices and live within our means. This IS a balanced budget.

Revenues and Expenditures

The city is well managed financially: we have solid "rainy-day" reserves, are conservative with revenue projections, and continually seek ways to reduce expenses so tax dollars are used more efficiently. We are constantly monitoring both revenue and expenses, so we can make adjustments immediately if needed.

We are again increasing our investment in general infrastructure. This year it is an 11% increase. Although it is less than the optimal amount, we are headed in the right direction and making incremental progress toward our goals.

We are requesting five new employees:

- *Three fire employees funded through CCEMS contract increases;*
- *One environmental health refuse driver to help with the increased number of customers;*
- *One recreation center custodian who was formerly a school district employee, and we paid half the salary. It will now be paid as part of the Rec Center maintenance budget.*

Proposed operating expenses in all departments are basically the same, as they have been for several years. The exception is increased budgets for maintenance and utility expenses, which have risen substantially.

One of our biggest challenges is keeping wages competitive to retain experienced and qualified employees. In the current tight labor market, both in Cache Valley and

134 statewide, we are losing well-trained and seasoned employees to other cities, counties
135 and the private sector. There is a significant cost to train new employees, and we are
136 losing on that front.

137 This budget recommends a 4 % wage increase. Department heads in consultation with
138 Human Resources will allocate pay increases to employees based on employee
139 performance: 2% is allocated for pay for performance; 2% is for market adjustments for
140 targeted positions.

141 Unfortunately, our increase for health insurance premiums is nearly 13% for this next
142 year. Of the last four years, only one year had an increase of less than 9 %. This is not
143 sustainable.

144 In summary, the budget is how we get things done. It directs many of our actions for the
145 next fiscal year. Our staff thinks carefully about developing a realistic budget based on
146 long term goals and priorities. They work together and manage limited funds. Each year,
147 departments turn back funds they don't use, as we completely reject the "use it or lose it"
148 mentality to government finance. Employees constantly try to conserve resources and
149 save taxpayer dollars wherever possible. And as always, we constantly monitor and
150 adjust as needed to ensure we end each year in a positive financial position.

151 We will continue to focus our efforts on improving infrastructure, enhancing economic
152 development, helping strengthen neighborhoods, building a strong and vibrant
153 downtown, and providing excellent services and quality of life for our citizens.

154 **COUNCIL BUSINESS:**

156 **Planning Commission Update – Chair Simmonds**

158 Chair Simmonds reported that the Planning Commission met on Thursday, April 25,
159 2019 and most of the items discussed at that meeting are workshop items at tonight's
160 meeting.

162 **Council Budget Workshop Dates - Chair Simmonds**

164 Chair Simmonds announced that Council Budget Workshops are scheduled for Tuesday,
165 May 14 beginning at 5:30 p.m. and Tuesday, May 21 immediately following the Regular
166 Council meeting at approximately 7:00 p.m. The public is invited to attend.

168 No further items were presented.

170 **ACTION ITEMS:**

172 **PUBLIC HEARING – Main Street (from 200-400 North)**

174 At the April 16, 2019 Council meeting, Mayor Daines provided a brief history of the
175 congestion and the additional traffic lanes created from 200 to 400 North on Main Street.
176 Some businesses along those two blocks have expressed their concerns about speed,

safety, and accidents. Another unanticipated problem is that the Cache Valley Transit District has had to remove the bus stop in front of the Logan Library to accommodate the third traffic lane. UDOT representatives Daren Smith and Todd Finlinson gave a five-year history as to how the trial of the third lanes came to be. This has been reanalyzed with the results being that if the third lanes were removed, there would be approximately a 10% decrease in efficiency in moving traffic and there would be 10% more emissions. Statistical information showed the number of accidents increased by 36 more since the 3rd lane was installed five years ago. The suggestion was to restripe the lanes, eliminating the 3rd travel lanes while allowing traffic to merge into the other two lanes from the 3rd lane area between 300 and 400 North going North, and between 200 and 300 North going South, and also creating right turn lanes near the intersections.

Mayor Daines noted this is the right time for this discussion as Main Street will be resurfaced this Summer, and restriping will be done

Chair Simmonds opened the meeting to a public hearing.

Logan Downtown Alliance Manager Gary Saxton addressed the Council and said the Alliance supports the change to remove the third lane which they feel will help with safety concerns.

Cache Valley Transit District (CVTD) Manager Todd Beutler addressed the Council. He said the CVTD recommended that the road go back to allow on-street parking and remove the third travel lane. They would also like to put the bus stop back on Main Street near the Library and the new hotel. The CVTD hopes to bring more bus stops to Main Street and the downtown area and that service will also connect to the University. He said with the current third lane, bus drivers are instructed to stay in the second lane and there have been times that cars rush to go around the bus which could be a safety concern.

Chris Wilson, owner of Wilson Motor Company addressed the Council. He said five years ago UDOT hired a public relations firm to go around and talk with the business owners from 200 to 400 North along Main Street. At that time, he expressed his concerns to UDOT about a third lane and felt it would become a raceway of cars going by. He was told by the public relations firm that UDOT would be contacting him about his concerns and he waited and never did speak with anyone from UDOT. Then, he heard from former Councilmember Karl Ward that UDOT conveyed to the City Council that the businesses along Main Street were unanimous with the decision to add a third lane which was not the case. He feels the third lane should be removed for safety concerns and his hope is that UDOT will listen and the third travel lane will be removed.

Councilmember Olsen said he recalls 5 years ago that he asked UDOT if all businesses were in agreement with the third lane and UDOT said yes, everyone agreed.

Logan resident Paul Rogers addressed the Council and said the third travel lane is also a safety concern for pedestrians and someone riding a bicycle. He would also like UDOT

to consider reinstating the crosswalk on the South of Main Street at 400 North. He would like UDOT to remove the third travel lane which will slow traffic.

There were no further comments and Chair Simmonds closed the public hearing.

City Attorney Kymber Housley said there is no formal resolution that the Council needs to approve tonight. He suggested that Mayor Daines report back to UDOT and indicate that we do want changes to the lane and then have UDOT submit a formal plan for the Council to review.

Mayor Daines said she will report back to UDOT that public comments were heard and the recommendation is the third travel lane be removed.

Chair Simmonds asked do we have enough bus stop locations in the core of downtown where people can access the bus if there is a different routing system that is more Main Street focused. If possible not a full block for a turn lane but rather a partial turn lane.

Mayor Daines said she will request that UDOT talk directly with Transit Manager Todd Beutler regarding the bus stops and it can come back to the Council if needed.

Councilmember Bradfield said his preference is that all of Main Street be three lanes on each side which will move cars through more efficiently. He would like to see a more formal plan from UDOT.

Mr. Housley explained the Council will not officially vote on this issue and is a UDOT decision.

PUBLIC HEARING - Consideration of a proposed resolution to approve the CDBG 2019-2023 Consolidated Plan and PY2019 Annual Action Plan – Resolution 19-22

At the April 16, 2019 Council meeting, CDBG Coordinator Debbie Zilles addressed the Council. It is anticipated that the City anticipates it will receive \$454,000 in funds from HUD for CDBG use. The Steering committee met and made recommendations for distribution of the funds. Ms. Zilles displayed and explained the proposed projects and the Funding Goals as Approved in the 2019 – 2024 Consolidated Plan that the anticipated funds would cover.

Chair Simmonds opened the meeting to a public hearing.

Gordon Yonker with the Family Place addressed the Council and expressed his thanks to the Council for their support.

Marty Higham with Options for Independence addressed the Council. One of the requests for funding was audible street lights for the blind and she expressed her appreciation to the Council for funding this project.

Logan resident Joshua Gardynik addressed the Council. He lives on 500 West where two City parades are held each year. He said there are no sidewalks or curbs in this area and asked the Council to consider funding for improvements in the future.

Vice Chair Anderson commented this area was on the list for funding this year but unfortunately it did not get approved. It will remain on the list and will be reconsidered next year.

Mayor Daines added that also taken into consideration for funding improvements to another area was the safety of children in the Woodruff area who are walking to school.

There were no further comments and Chair Simmonds closed the public hearing.

Councilmember Olsen said a citizen commented to him a concern that the Action Plan approved a 20% administrative margin rather than 15%.

Community Development Director Mike DeSimone responded the guidelines for CDBG are to allow 20% for administration and planning. A portion of this money will go towards a planning grant that will be used for a master plan.

ACTION. Motion by Vice Chair Anderson seconded by Councilmember Bradfield to approve Resolution 19-22 as presented. Motion carried unanimously.

PUBLIC HEARING - REZONE – Consideration of a proposed rezone. Logan City requests to zone 3 acres of residual railroad spur property, located at 600 West 400 North, from Commercial (COM) to Mixed-Use (MU) subsequent to the dedication of the new section of 400 North between 600 West and 800 West (Ellis Neighborhood) – Ordinance 19-09

At the April 16, 2019 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed rezone. The proponent is requesting to rezone two (2) parcels that total approximately 3.40 acres of property from COM to MU. The residual properties, resulting from the 400 North street dedication, are part of the original 8.01-acre railroad spur property acquired by the City of Logan in 2012. The other remaining areas of the 8.01-acre property to the North will likely be combined with the mobile home park as 400 North continues to develop. Because of the current misalignment between the 600 West and 800 West blocks, 400 North will require a curved alignment for connection. This 3.40-acre property has limited accessibility because of the railroad tracks along the eastern border and the awkward and narrowing shape.

The City is currently in the process of selling this 3.40-acre property to the owners of the approximately 19.84-acre adjacent Meat Packing property. This would create an approximate 23-acre comprehensive project site with better accessibility and redevelopment potential. With the recent rezone of the Meat Packing property to MU, it is anticipated that a mixed project will be proposed in the near future. If the sale of this

3.40-acre property is finalized and rezoned to MU, it would be anticipated that this property would also be included in that Mixed-Use project.

Given the proximity to the existing single-family residential areas to the East and North and the light manufacturing and commercial service areas to the West and South, a Multi-Family, Mixed-Use Commercial project would act as a buffer or transition between these two incompatible land use areas. Given the access difficulties the tracks pose on this awkwardly shaped property, it makes sense to consolidate this property with a larger adjacent property. A large comprehensive project on this site can be designed in a better manner than that of smaller “piece-meal” projects, and typically result in better overall traffic circulation, usable open spaces and strategic commercial/residential interfacing. This location, immediately adjacent to Logan City’s gridded core, offers better mobility and transportation choices for future residents and employees. This location also efficiently utilizes infrastructure and surrounding utilities as compared to the outskirt areas of Logan that excessively burden the transportation and infrastructure networks with inferior logistics, higher vehicle miles driven and longer pipes and lines required for connection.

On March 14, 2019, the Planning Commission recommended that the Municipal council approve the 600 West Railroad Spur Rezone project that amend the Official Zoning Map.

Attorney Housley reported that in the negotiations, when the rezone was approved, they came to the City and were told they would need to dedicate a right-of-way. The City will require them to give 60 ft. for the right-of-way, however, the City is looking now at an 80-ft. right-of-way to meet the needs of the City. It was during those negotiations that the surrounding property owners suggested they purchase the entire property from the City. Functionally, it makes no sense for the City to keep the property.

Attorney Housley noted there will be a dedicated right-of-way required with any sale of this property. There will also be a traffic study performed at the time the City decides to extend 400 North through this area.

Chair Simmonds opened the meeting to a public hearing.

Logan resident Paul Rogers addressed the Council. He said this is his neighborhood and is speaking as a representative of the Ellis neighborhood. He recently attended a presentation by USU students for designs of this property. One thing that dismayed him is the students were given parameters one of which was to create a 102-foot right of way for the future turn of 400 North which would be two lanes of traffic each direction and his neighborhood does not like this plan. The neighborhood does not want this to be a through way which will increase traffic. The neighborhood is also concerned about “compact sprawl” which would be single and two room apartments. There would be no residential homes or townhomes and very little commercial and he and others want a walkable, livable communities. He feels the City needs to clearly define mixed-use and maybe the area should be left commercial or better yet, for this project and the rest of the City clearly define a much higher level of ground floor commercial alongside residential

and then true mixed use which he feels would be residential, rental, townhomes and single-family homes.

Chair Simmonds stated the Council has heard the concerns from the neighborhood and there have been several discussions on the definition of mixed-use. She stated that a revised definition of mixed-use will go to the Planning Commission for their review on June 13, 2019. She invited those interested to attend the June 13 meeting and after the Planning Commission reviews it will come to the City Council.

Logan resident Anne Hedrich addressed the Council. She requested the Council postpone making a decision tonight until after the Planning Commission meets on June 13.

There were no further comments and Chair Simmonds closed the public hearing.

Planner Russ Holley explained the June 13 code amendment has already been submitted so, any project that comes in, will have to follow those rules whatever they may be. It's currently considered "pending legislation".

Chair Simmonds explained there is no project at this time.

Councilmember Jensen said the proposed rezone is a small piece of property that is almost useless, unless it's joined with another zone. This piece is not conjoined with another property and he feels it would be best to have it combined. There also seems to be an assumption that 400 North will become a through-way in the Ellis Neighborhood. We do need to move traffic but not through a neighborhood where there is a school and a lot of children.

Vice Chair Anderson stated that she attended a UDOT meeting today and in their 2050 Transportation Vision Plan they do not have any intentions of using 400 North as a through street.

Mr. Housley said the right-of-way we have is only 80 ft. and he cannot speak to what USU proposed.

Mr. Holley added that the current 400 North right-of-way on 600 West is 99 ft. wide and is not built-out to that amount.

Councilmember Bradfield asked in regards to 400 North, what is the major accomplishment with this road because it does not connect to anything on the West side.

Chair Simmonds said the plan is that 400 North will connect from 1000 West all the way to Logan Canyon.

Councilmember Bradfield asked what is accomplished by this rezone.

Mr. Holley responded it will change the zoning from commercial to mixed-use and it was stated earlier, because of the shape and access challenges to this piece of property it's

going to be difficult to sell or develop the property on its own. That is why it makes sense to combine this piece of property with the other 18 acres to the West.

Mr. Housley said there is a pending offer on the property. We had an applicant who purchased what is known as the Eliason Meat Packing property and it was rezoned to mixed-use and then in the process of preparing development plans, the applicant was told he had to dedicate right-of-way for his project. It was realized there was this piece of property adjacent to his property and he asked if the City was willing to sell. It makes no sense for the City to keep this piece of property because it has no access and once the property develops it will be land locked if it's not included in the other 18 acres.

Mr. Housley said the new code rules that would apply are proposed so in theory they could wait if they could choose to comply with the new rules. When it's all said and done, they could do something different so there could be a risk that something different could occur. The only thing we are changing is the definition of commercial and again, there is no project at this time. We will apply the rules that are currently in place and in the code, unless we have legislation that is pending which is the case. He said practically speaking nothing will be approved until the Planning Commission reviews the code amendment on June 13. He said the Council can also put a moratorium in place if they so choose.

Mr. Holley said from a property acquisition standpoint if the Council continues approving the rezone tonight it will delay the buyer.

ACTION. Motion by Councilmember Jensen seconded by Councilmember Olsen to adopt Ordinance 19-09 as presented. Councilmember Jensen withdrew his motion.

ACTION. Motion by Councilmember Bradfield seconded by Councilmember Olsen to continue Ordinance 19-09 to the June 18, 2019 Council meeting as presented with no public hearing. Motion carried unanimously.

Budget Adjustment FY 2018-2019 appropriating: \$4,000 donated funds for the Logan Police Department Annual Banquet; \$286,400 funds for the Main Street Lighting Project - Resolution 19-20 – Richard Anderson, Finance Director

Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

Chair Simmonds opened the meeting to a public hearing.

There were no further comments and Chair Simmonds closed the public hearing.

ACTION. Motion by Councilmember Olsen seconded by Councilmember Bradfield to approve Resolution 19-20 as presented. Motion carried unanimously.

(Continued from April 16, 2019) - Consideration of proposed resolution to approve an increase in fees at the Logan City Cemetery – Resolution 19-18

Parks and Recreation Director Russ Akina proposed the following fees for the Logan City Cemetery:

<u>Item</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Proposed U.S. Military Veteran Fee</u>
Burial Space	\$606.00	\$750.00	\$650.00
Infant/Half Space	\$302.00	\$200.00	N/A
Cremation Space	\$606.00	\$750.00	\$650.00
Open/Close Weekday	\$501.00	\$625.00	\$525.00
Open/Close Saturday	\$1,014.00	\$1,200.00	\$1,100.00
Infant Open/Close Weekday	\$222.00	\$300.00	N/A
Infant Open/Close Saturday	\$342.00	\$350.00	N/A
Cremation Open/Close Weekday	\$222.00	\$350.00	\$300.00
Cremation Open/Close Saturday	\$342.00	\$400.00	\$350.00
Additional Charge After 4:00 p.m.	\$240.00	\$350.00	\$350.00
Deed Transfer	\$ 60.00	\$ 60.00	\$ 60.00
Upright Headstone Install Fee	\$0	\$100.00	\$100.00
Flat Headstone Installation Fee	\$0	\$ 25.00	\$ 25.00

Mr. Akina proposed that the Logan Cemetery fees become effective July 1, 2019.

Mr. Akina addressed the Council and said he will do more research on the costs to install a columbarium at the Cemetery and will bring these costs back to the Council at a future meeting.

ACTION. Motion by Vice Chair Anderson seconded by Councilmember Bradfield to approve Resolution 19-18 as presented. Motion carried unanimously.

(Continued from March 19, 2019) – Consideration of a proposed ordinance repealing Title 6 of the Logan Municipal Code and enacting Title 6A of the Logan Municipal Code Regulation Animal Control – Ordinance 19-06

Assistant City Attorney Craig Carlston addressed the Council regarding the proposed ordinance and referred to minor updates since the March 19, 2019 Council meeting.

Chair Simmonds asked if people can have their leased dogs on the sidewalk in City parks.

City Attorney Housley responded that technically, within the park they are not considered a sidewalk but rather a walkway. There is an exception for service animals.

Councilmember Olsen said people are really invested and care about their pets. Since the City disengaged from the Cache Humane Society the City has done a retrofit to create an impound area and he asked how much is it costing for Logan City to run their own impound service.

Police Chief Gary Jensen responded the cost this year was approximately \$30,000 and that was to pay for the retrofit of the building and for the shelter area. The same amount was budgeted this year. The return to owner percentage is very high and all pets are posted on Facebook to try and find the owner. They are not in the position at this time to house cats although they do respond to check for a chip.

Mayor Daines said the police department has also provided chip clinics for dogs and cats.

Councilmember Olsen said a concern from a resident is the code change from “shall” in regards to an animal pickup to “may”.

Chief Jensen responded and said the “shall” and “may” has been addressed and said there needs to be some flexibility. The police department is trying to work out a solution for cat services.

Councilmember Olsen asked if there are any plans to work with Cache County and the Cache Humane Society to provide animal services. He suggested a taskforce for these groups to come together, coordinate and work out a solution.

Mayor Daines added that she and Chief Jensen met with Bracken Atkinson who is representing the Hansen Family and talked with him about about a potential countywide animal shelter. We can continue operating under our current ordinance and she feels the new ordinance clarifies the language and the language can be amended if needed.

Councilmember Olsen expressed his thanks to Mayor Daines for reaching out to Cache Humane and trying to find a solution.

Mayor Daines said the proposed ordinance amendments are suggestions that came from Cache Humane and others invited and interested in the ordinance.

Chief Jensen commented that the police department/animal control are doing a job and they need language and an ordinance in place they can solidify their position. He has talked with Sheriff Chad Jensen about a countywide shelter and a new shelter is likely several years away.

ACTION. Motion by Councilmember Olsen to continue Ordinance 19-06 pending the creation of an Animal Task Force to include Cache County and the Cache Humane Society. Motion failed for lack of a second.

ACTION. Motion by Councilmember Jensen seconded by Vice Chair Anderson to adopt Ordinance 19-06 as amended. Motion carried 4-1 (Olsen voted nay).

Mayor Daines said if the County is going to build a shelter and be in charge of the shelter she feels it’s presumptive of Logan to organize a task force and it should instead be the County organizing a task force and asking Logan to participate.

Chief Jensen said things are in motion to move toward a countywide shelter but it will take more time and Logan will participate as things move along.

Chair Simmonds requested that Chief Jensen provide regular updates on the status of a countywide shelter.

WORKSHOP ITEMS:

Consideration of a proposed resolution to approve an increase in fees for Park Pavilion Reservations, Logan Aquatic Center, Logan Recreation Center and Recreation Programs – Resolution 19-23 – Russ Akina, Parks & Recreation Director

Logan Parks & Recreation Director Russ Akina addressed the Council regarding the proposed resolution. He proposed the following adjustments to offset costs to deliver services and to operate facilities including the Logan Aquatic Center, Logan Recreation Center, park pavilions, and recreation programs:

<u>Item</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Park Pavilion Reservation Fee	\$34/\$48	\$35/\$50
Youth 1 st /2 nd Grade Basketball	\$20	\$25
Youth 3 rd /4 th Grade Basketball	\$27	\$30
Youth 5 th /6 th Grade Basketball	\$27	\$30
Adult League Team Fee	\$275	\$300
Youth Pre-K Baseball	\$20	\$25
Youth 1 st /2 nd Grade Flag Football	\$25	\$30
Youth 3 rd /4 th Grade Flag Football	\$25	\$30
Aquatic Center Reservation	\$500	\$600
Youth Tackle Football Fee/Jersey Fee	\$80/\$25	\$100/\$35
Recreation Center Daily Adult	\$3.75	\$4
Recreation Center Daily Youth	\$2.75	\$3
Recreation Center Year Adult	\$162	\$170
Recreation Center Year Family	\$229	\$240
Recreation Center 10-Punch Pass	\$26	\$30

He proposed that the effective date for the Park Pavilion Reservation fee shall be April 15, 2020, the Aquatic Center Reservation fee shall be effective for the 2020 Swim Season, and the Recreation Program fees effective date shall be July 1, 2019.

The proposed resolution will be an action item and public hearing at the May 21, 2019, 2019 Council meeting.

Consideration of a proposed resolution approving a revised Logan Light & Power Distributed Generation Metering Policy, Distributed Generation Energy Rate Schedule 10 and Electric Fees Schedule – Resolution 19-24 – Mark Montgomery, Light & Power Director

Logan Light & Power Director Mark Montgomery addressed the Council regarding the proposed resolution. He said a public hearing was held in January regarding changes to the metering policy. Currently, when a customer produces kilowatts we match them with kilowatts. He proposed that the customer use their power through the month and if they produce more than they use that it be pushed back onto the system and the City will buy the power at a given rate. It starts out revenue neutral for the customer at \$0.098. Step one will be adjusted for any future retail rate adjustments if necessary. Both the weighted average wholesale cost and installed solar capacity will be published and communicated to the public once every 12 months. The buyback price will equal the previous year's weighted wholesale average plus 1.5 cents. They will begin ratcheting down at 2500 kilowatts installed.

Councilmember Olsen said his concern is that the Council not adopt anything that would ultimately discourage the implementation of solar.

Finance Director Richard Anderson proposed that the effective date be changed to the wording of, "effective for all billings after August 1, 2019".

Mr. Anderson said where we are buying and selling power it's important to note that we don't pay taxes on power we sell and we won't pay taxes to the customer. The customer however, will pay taxes on the power they purchase from the City and that is a change in this policy and reflective of the dollar amount we are currently offering.

The proposed resolution will be an action item and public hearing at the May 21, 2019, 2019 Council meeting.

Consideration of a proposed resolution approving revised Logan Light & Power Residential, Commercial and Industrial Electrical Rate Schedules – Resolution 19-25 – Mark Montgomery

Logan Light & Power Director Mark Montgomery addressed the Council regarding the proposed resolution which, are various proposed rate changes. The proposed changes are the following:

627 **RATE SCHEDULE #1**

628 **CUSTOMER SERVICE CHARGE:**

~~Not applicable at present~~ \$5.00 per monthly billing cycle.

~~Minimum Bill:~~

~~\$3.80 for single phase service.~~

~~\$11.40 for three phase service.~~

ENERGY RATE:

\$0.0949-0900 per kWh for the first 400 kWh

\$0.1162-1050 per kWh for the next 600 kWh

\$0.1302-1171 per kWh for all additional kWh

629
630
631 **RATE SCHEDULE #6**

632 **CUSTOMER SERVICE CHARGE:**

~~Not applicable at present.~~

~~\$10.00 for single phase service.~~

~~\$15.00 for three phase service.~~

~~MINIMUM BILLING:~~

~~\$7.60 for single phase service.~~

~~\$11.40 for three phase service.~~

DEMAND RATE:

\$0.00 per kW for the first 5 kW

\$11.58-00 per kW for all additional kW

ENERGY RATE:

\$0.09788-09675 per kWh for the first 1,500 kWh

\$0.05002-04889 per kWh for all additional kWh

633
634 **RATE SCHEDULE #7**

635 **MONTHLY BILLING RATES:**

DEMAND AND ENERGY CHARGES:

Demand Rate: \$16.86 per kW for all kW

Energy Rate: \$0.0364-0384 per kWh for all kWh's

Finance Director Richard Anderson proposed that the effective date be changed to the wording of, “effective for all billings after August 1, 2019”.

The proposed resolution will be an action item and public hearing at the May 21, 2019, 2019 Council meeting.

ZONE CHANGE – Consideration of a proposed zone change located at 150 South 100 East (Wilson Neighborhood) from Recreation (REC) and Traditional Neighborhood Residential (NR-6) to Town Center (TC-1) and Mixed Residential Medium (MR-20) – Ordinance 19-10 – Russ Holley, Planner

Logan City Planner Russ Holley addressed the Council regarding the proposed zone change. This is a proposal for a new 120-unit multi-family apartment building located at 150 South 100 East. It also includes 10 townhomes, surface parking areas with site and landscaping improvements. The 5-story apartment building is being proposed with 2,500 SF of commercial space near the West entrance, multiple resident amenity areas, storage spaces and structured parking on the East side of the ground floor. The upper four-floors are intended for private residential uses. The 10 townhomes, two buildings each containing 5 units, are oriented towards and align along 100 East street and positioned East of the apartment building. The two-story townhome structures have rear-loading, double-wide garages and usable rooftop patios. The remainder of the project site is proposed as surface parking lots and landscaping. The project site is approximately 2.68 acres and includes the anticipated future re-alignment of the Garff Wayside Garden Park boundary line. The Logan City administration intends, subsequent to a successful rezone of the park property, to decrease the current size of the park area by approximately 0.60 acres.

Rezone

This city block is currently divided in to three different zoning districts. The northern portion, approximately 2.81 acres (Garff Wayside Gardens), of the block is currently zoned Recreation (REC). The western 4.82 acres is currently zoned Town Center 1 (TC-1). The eastern 2.73 acres is currently zoned Traditional Neighborhood Residential (NR-6).

The applicant is proposing a rezone that includes additional TC-1 area, a general replacement of the NR-6 zone with the MR-20 zone and a reduction in the REC zone area. The request would result in the block divided into the three zoning districts of TC-1, REC and MR-20. The REC area would be approximately 2.21 acres (0.60-acre decrease), the TC-1 area would be approximately 6.32 acres (1.50-acre increase) and the MR-20 area would be approximately 1.81 acres (church and townhome sites). The Logan City Future Land Use Plan (FLUP) designates the block as TC and REC. The FLUP does not demarcate between TC-1 and TC-2. The MR land use is not identified on this block in the FLUP.

688 ***Land Use***

689 The Land Development Code (LDC) Table 17.11.030 permits both residential occupancy
690 of a dwelling unit and a range of commercial uses in the TC-1 zoning district. The MR-20
691 zone permits residential occupancy of a dwelling unit and religious institutions.
692 Commercial uses in the MR-20 zone are extremely limited to day cares and similar types
693 of businesses.

694
695 ***Density***

696 The LDC allows up to 70 dwelling units per acre in the TC-1 zone and up to 20 dwelling
697 units per acre in the MR-20 zone. The area associated with the TC-1 portion of the site is
698 2.14 acres (considering the city park boundary adjustment and rezone) and the area
699 associated with the MR-20 portion of the site is 0.54 acres. The proposed MR-20 area
700 contains 10 dwelling units for a density of 18.51 units per acre. The proposed TC-1 area
701 contains 120 dwelling units for a density of 56.07 units per acre.

702
703 ***Setbacks***

704 The Land Development Code (LDC) requirements for setbacks in the **TC-1** zone are as
705 follows (as measured from property lines):

706 Front (min-max): 0-5'
707 Side: 0'
708 Rear: 5'
709 Parking: 10'

710
711 The following setbacks are proposed for the **TC-1 building** (as measured from the
712 exterior property lines of the project site, at closest points):

713 Front (west): 0'
714 Side (south): 10'
715 Side (north): ~216'
716 Rear (east): 14'
717 Parking: 10'

718
719 The Land Development Code (LDC) requirements for setbacks in the **MR-20** zone are as
720 follows (as measured from property lines):

721 Front (opposite NR): 25'
722 Side: 8'
723 Rear: 10'
724 Parking: 10'

725
726 The following setbacks are proposed for the **MR-20 buildings** (as measured from the
727 exterior property lines of the project site, at closest points):

728 Front (east): 22.5'
729 Side (south): 10'
730 Side (north): 10'
731 Rear (east): 10'
732 Parking: rear loading garages
733

As proposed, the project does not meet the front minimum setback requirement for the townhome structures. Building code and fire safety code restrict buildings with openings not along a public right-of-way to be fire protected/rated or setback. As conditioned with building code considerations and the Planning Commission contemplating a reduction in the front yard setback adjacent to NR zoning, the project complies with setbacks in the LDC.

Lot Coverage

The LDC 17.10.060 establishes a maximum lot coverage of 100% (building(s) footprint) in the **TC-1** zone and LDC 17.07.090 establishes a maximum lot coverage of 60% (building(s) footprint) in the **MR-20** zone. The TC-1 building is below the 100% maximum and the Townhome buildings total 10,800 SF of the 23,522 SF property for a lot coverage of 45%. Both buildings comply with maximum lot coverages as proposed.

Parking Requirements

Residential Parking

The LDC requires 2 parking stalls per every dwelling unit in the MR-20 zone. The proposed MR-20 (10 townhomes) area provides 20 parking stalls within the double garages and meets the full parking requirements of the LDC as proposed.

The LDC 17.10.060 requires 1.5 parking stalls per every studio or one-bedroom dwelling unit and 2.0 parking stalls per every two-bedroom or larger dwelling unit within the TC-1 zone. The TC-1 zone also requires one visitor parking per every 10 stalls required. The proposed project contains 90 one-bedroom dwelling units and 30 two-bedroom dwelling units within the TC-1 portion. Based on the LDC, the proposed project configuration would be required to provide a total of 215 residential and visitor parking stalls for the TC-1 building. The proposed project provides 210 parking stalls on-site and indicates an adjacent area near the Chuck-A-Rama restaurant as having an additional 15 available parking stalls (225 total stalls) for the TC-1 building. The adjacent additional 15 parking stalls currently have a restrictive covenant that prohibits overnight parking. The Planning Commission should consider if visitor, or a portion of visitor parking, could be satisfied with daytime only parking. If 5 of these additional stalls were dedicated to the visitor parking (20 total visitor parking stalls required) requirement that would bring the total parking stall count for the TC-1 building to 215 and the meet the requirements in the LDC. With 215 parking stalls, the proposed project configuration for the TC-1 building would have an overall average parking ratio of 1.79 parking stalls per dwelling unit. Multi-family projects are required to provide bike parking as per the LDC 17.31.040.

Commercial Parking

The project contains approximately 2,500 SF of commercial space within the TC-1 building. Commercial parking requirements are based on the specific commercial use. No commercial uses have been identified at this time. Office, retail or restaurant in this size space would likely require between 7-10 parking stalls. With the additional daytime 15 parking stalls near Chuck-A-Rama, the commercial parking requirement could be fulfilled with these stalls even if 5 stalls were dedicated to residential visitor parking. As conditioned to meet full LDC parking compliance with 245 stalls (commercial and residential), the project meets the requirements in the LDC.

781
782 ***Building Orientation, Site Layout & Pedestrian Circulation***

783 The LDC 17.09.010 requires the building to be oriented towards the street. The primary
784 entrance should be conveniently accessible by adjacent sidewalks and take a prominent
785 role in the architectural design on the front facade. Both the townhomes and the TC-1
786 building orient and have prominent architectural features directed towards adjacent streets.
787

788 The LDC 17.09.010 states that parking lots be positioned to the side and rear of the
789 building. Direct and delineated pedestrian connectivity shall be made from every building
790 to the surrounding streets and throughout the site for overall pedestrian connectivity and
791 better walkability. The parking lots are behind or to the side of the townhomes along 100
792 East. Along Main Street, a parking lot is shown/existing in front of the TC-1 building but
793 the applicant does not fully control this existing parking lot property and it is not considered
794 in the Design Review Permit. At a future time, this property may develop and would have
795 a site layout that would match the rest of downtown and the TC-1 zone.
796

797 The proposed townhomes all have pedestrian connections from the building(s) to the street
798 (100 East). The proposed TC-1 building does not show pedestrian connections to the street
799 and throughout the project site. As conditioned with pedestrian connectivity throughout the
800 TC-1 area, the project meets the requirements in the LDC.
801

802 ***Building Elevations***

803 The LDC 17.10.060 indicates that blank walls exceeding 30 linear feet are prohibited and
804 ground floor street facing facades shall have a minimum of 60% transparency. Acceptable
805 wall-breaks include windows, balconies, wall articulation or changes in color or materials.
806 The building materials proposed are brick, stucco, wood panels and exposed concrete. The
807 ground floor areas near Main Street are shown with at least 60% transparency. Areas along
808 the south façade do not meet minimum 30 linear foot blank wall requirements. As
809 conditioned with either additional architectural features or landscape and screening to fully
810 buffer the areas of the south wall, the project meets the requirements in the LDC.
811

812 ***Building Heights***

813 The MR-20 zone allows building heights at 45'. The LDC requires transitional building
814 heights when higher density zones are positioned adjacent to lower density NR zones. This
815 requirement restricts building heights to 35' at the front setback and allows one (1)
816 additional vertical foot of building height for every two (2) horizontal foot setback. The
817 two-story MR-20 townhomes are proposed at 29' tall. The TC-1 zone allows maximum
818 building heights of 55' along streets and up to 80' in interior spaces of the block. The five-
819 story TC-1 building is proposed at 64' tall.
820

821 ***Open Space***

822 The LDC 17.07.090 requires 20% open space and an additional 10% useable outdoor space
823 in the MR-20 zone. The LDC does not require open space in the TC-1 zone. The LDC
824 17.35 generally describes open space as vegetation or landscaped areas, while useable
825 outdoor space is typically decks, patios and other similar outdoor amenities. The 0.54-acre
826 MR-20 area would be required 4,704 SF of open space and 2,352 SF of outdoor space. The
827 proposed conceptual landscape plan shows front and side yards being landscaped and each

townhome has a rooftop deck. As conditioned with minimum open space and outdoor space in the MR-20 area, the project complies with the LDC.

Landscaping

The LDC 17.39 requires minimum landscaping for overall visual aesthetics, ecological reasons, visual screening, shading purposes and enhancement of the outdoor experience. The LDC requires a minimum of 20 trees and a combination of 50 shrubs, flowers and ornamental grasses per acre of land for commercial and multi-family residential projects. The LDC also requires minimum perimeter and interior parking lot landscaping to reduce the visual and environmental impacts of asphalt parking lots. 18 SF of landscaping shall be provided on the interior or perimeter of the surface parking lot for every parking stall contained within. As conditioned with a detailed landscaping plan meeting minimum plant numbers and parking lot landscaping, the project complies with the LDC.

Lighting

The LDC 17.37.090 requires adequate lighting that adds aesthetic quality and improves safety while mitigating unnecessary glare, sky glow and light trespass. The LDC limits freestanding pole height to 32 feet and luminaire fixtures on buildings and canopies to be concealed source, down-cast and shielded from neighboring properties. Light measurements are required to range between 0.5 – 4.0 foot candles, so areas are sufficiently safe, but not excessively bright. As submitted, no exterior lighting has been shown. As conditioned, the project meets the requirements of the LDC.

Summary

Aside from some design details and the expansive asphalt surface parking lots (inefficient use of space and conflicting with walkability), this project fulfills the vision set forth in the Logan General Plan and the Logan Downtown Specific Plan to create dense downtown housing through infill and re-development of projects. As Cache Valley continues to grow outwardly (sprawl) and rely so heavily on automobile transportation, impacts from this pattern will continue to worsen. Infill and re-development in a more inward and upward pattern that puts less reliance on automobile transportation and more reliance on public transit and walkability is key for future downtown/core area growth within Logan City, especially as outlying greenfield areas continue diminish away.

Given the fact that last year's lengthy TC-1 and TC-2 downtown rezone debate about redevelopment and land-use regulation was essentially initiated by this properties' previous project proposal (Garden Park Apartments), it's safe to say it was anticipated that this area would be rezoned TC-2 and not TC-1 and MR-20. The TC-2 zone was created as a step-down or transitional zone from the higher intensity TC-1. This proposal with the 0.54 acres of MR-20 along 100 E and adjacent to the NR areas, accomplishes this goal in a sense with lower density uses along the 100 E edge and higher densities on the interior of the project site. Given last year's extensive debate and specifically crafted code language, staff would consider it a fair contemplation as to why TC-2 zoning is not the best option for this project site. A TC-2 project, that leaves the 0.64 TC-1 area as is, could yield approximately a total of 105 dwelling units as compared to the 130 total units of this TC-1 and MR-20 project proposal. Ultimately, the Logan City Council will have to determine if this rezone proposal is appropriate for this project site. Once the rezone is decided it's anticipated the Garff

Wayside Garden property boundary adjustment will be completed to reflect the proposed project boundary.

The proposed 15 parking stalls located adjacent to the site and restricted from overnight parking should not be used for general residential uses, however; fulfilling a visitor parking requirement is debatable. Visitors for this project could be both short-term and overnight stays. Staff would consider that it's likely that the 5 out of 20 required visitor parking stalls would not be overnight visitors and could be satisfied in the adjacent shared daytime parking lot. Ultimately, the Planning Commission will need to determine this judgment call.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following departments or agencies:

● Environmental	● Water
● Engineering	● Fire

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, multiple comments have been received both in favor and in opposition. Comments will be forwarded to the Commission and Council and be discussed in further detail at the public meetings.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 4/13/19, posted on the City's website and the Utah Public Meeting website on 4/18/19, and mailed to property owners within 300 feet on 4/11/19. A quarter page ad was published on 4/6/19

RECOMMENDED CONDITIONS OF APPROVAL

This project is subject to the proponent or property owner agreeing to comply with the following conditions as written, or as may be amended by the Planning Commission.

1. All standard conditions of approval will be recorded with the Design Review and are available in the Community Development Department.
2. The project shall provide a total of 245 parking stalls. 20 stalls shall be dedicated to the 10 townhomes, 215 stalls shall be dedicated to the TC-1 building and 10 stalls shall be dedicated to the commercial space.
3. The Planning Commission will determine if 5 out of the 20 required visitor parking stalls can be located in the adjacent daytime only parking area.
4. The Planning Commission will determine if a reduction in the front setback for the townhomes from 25' to 22.5' is appropriate at this project.
5. A relative direct pedestrian (sidewalk) connection shall be made between the TC-1 building and sidewalks along the street and throughout the project site for better walkability.
6. The south façade on the TC-1 building (parking structure section) that is visible from the street shall either have additional architectural features or landscaping buffers planted to screen views.

- 919 7. All public/resident pedestrian entrances shall have weather protection provided
920 above.
- 921 8. A performance landscaping plan, prepared in accordance with §17.39 of the LDC,
922 shall be submitted for approval to the Community Development Department prior
923 to the issuance of the building permit. The plan shall include the following:
- 924 a) Open Space and Useable Outdoor areas shall total a minimum of 20% and
925 10% for the MR-20 areas with at least 20 trees and 50 shrubs/perennials
926 per acre of MR-20 area.
- 927 b) 18 SF of landscaping shall be provided on the interior or direct perimeter
928 of the parking per every parking stall contained within. The interior
929 landscaping shall contain a consistent number of trees for shading and
930 reduction in environmental impacts.
- 931 c) Street tree shall be provided where they currently do not exist or are
932 removed during construction at every 30 feet on center and as per City
933 Forrester specifications.
- 934 9. All dumpsters shall be visually screened or buffered from public streets by using
935 fencing, walls and landscaping.
- 936 10. Rooftop mechanical and/or building wall mechanical equipment shall be placed
937 out of view from the street or screen from view from the street.
- 938 11. Exterior lighting shall be concealed source, down-cast and shall not illuminate or
939 cast light onto adjacent properties.
- 940 12. No signs are approved with this Design Review Permit. All signage shall be
941 approved and permitted by staff in accordance with the Land Development Code.
- 942 13. No fences are approved with this Design Review Permit. All fences shall be
943 approved and permitted by staff in accordance with the Land Development Code.
- 944 14. Surface storm-water retention and detention facilities shall be located in areas away
945 from public streets and buffered from view.
- 946 15. Prior to issuance of a Building Permit, the Director of Community Development
947 shall receive a written memorandum from each of the following departments or
948 agencies indicating that their requirements have been satisfied:
- 949 a. *Environmental—contact 716-9760*
- 950 • Minimum inside measurement of a double enclosure without gates is 22 ft.
951 wide and 10 ft. deep. No gates are required but if desired it is a minimum of 24
952 ft. wide. Minimum 20 ft. over-head clearance on approach and over the
953 enclosure. Place bollards in the back and on the front corners of enclosure.
- 954 b. *Engineering —contact 716-9160*
- 955 • Comply with Logan City Storm Water Design requirements. This includes the
956 retention of the 90% storm event onsite through the use of Low Impact Design
957 practices. It also includes the retention or detention of 100 year 24 storm as
958 required in the Storm Design standard.
- 959 • All existing sewer and water services not used by the new development shall be
960 capped at the City utility main line.
- 961 • The development shall extend the 8" fire line in 100 East south and connect to
962 the new 8" line being installed through the development. The 4" line currently
963 being connected to will not provide necessary fire flows if 8" line from main is
964 ever closed due to maintenance or repair.

- 965 • Locate 2” meters to townhomes in the park strip along 100 East
966 • Provide water shares (rights) or an in-leu of fee increased demand on City
967 system.
968 • Property Line Adjustment for development.
969
970 c. *Water —contact 716-9627*
971 • The buildings that are three stories tall or taller (above grade) must have a DC
972 (ASSE1015) installed and tested on the water main as it enters the building/s
973 before any branch offs or connections. This is containment (City’s) protection
974 only.
975 2-) Any landscape irrigation connected to Logan City water must have a high
976 hazard backflow assembly installed and tested.
977 All backflow assemblies must be tested within 10 days of turning in water to
978 them, report must be submitted to City.
979 • Fire suppression systems connected to Logan City water must have a
980 minimum DC (ASSE1015) installed and tested. Fire risers and B/F assemblies
981 must be installed as per Logan City standards.
982 • All points of use of water must comply with the 2015 IPC and State of Utah
983 Amendments, during and after construction.
984 1. *d. Fire —contact 716-9515*
985 • Fire Apparatus Access, Fire Sprinkler, Fire Alarm and Standpipes required.
986 • Submit a complete Fire Flow Analysis required.
987 • Additional Hydrants will be required.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE DESIGN REVIEW PERMIT

The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

1. The proposed 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. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The proposed project provides required off-street parking.
4. The project meets the goals and objectives of the TC-1 designation within the Logan General Plan by providing services near high capacity roadways and is designed in way for easy circulation of both pedestrian and vehicles.
5. The proposed project complies with maximum height, density and building design, open space standards and is in conformance with Title 17.
6. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
7. Main Street and 100 East provides access and is adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE REZONE

The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

1. Although the FLUP does not indicate MR for the area, the MR-20 will act as a step down or transitional area to better buffer the NR areas to the east.
2. The proposed rezone and project meets the goals and objectives of the Logan General Plan and the Downtown Specific Plan by providing dense housing in core downtown areas.
3. The TC areas of the rezone comply with the FLUP.
4. The REC areas in the FLUP were specifically delineated because of the current boundary of the park and with a park boundary adjustment, the REC adjustment should coincide.

988
989 On April 22, 2019, the Planning Commission recommended that the Municipal Council
990 approve the L59 Rezone with amended areas from the original submittal. The Planning
991 Commission continued the Design Review Permit hearing until May 23, 2019 and
992 subsequent the City Council rezone decision.
993
994 The Planning Commission voted 4-2 in favor of the rezone (Newman and Nielson voted
995 nay). Some of the concerns were lack of green space and placement of scale. The
996 Planning Commission did not review the design review portion of the project and focused
997 on the rezone.
998
999 Mr. Holley stated the MR-20 zone will accomplish the same goals as TC-2 because it has
1000 a step-down transitional requirement and is a lower density at 20-units per acre and
1001 requires more green space.

Mr. Holley referred to an area of boundary overlap and said this is an area that is not identified as part of the proposed rezone but, the proposed site plan actually overlaps into this area and is .13 acres. There is also a boundary overlap in the parking lot area and this can be resolved through the design review process. The law office building has a cross easement in place on the park property. The law office owners wrote a letter to the Planning Commission and said they are not opposed to the project but they do not like the idea of vehicular crossing through their parking lot and asked that a barrier be considered.

Councilmember Olsen said he spoke with Paul Willie who represents the law firm building and his concerns are that customers still be able to access the law office from 100 East and the apartment dwellers would not access the ingress/egress immediately North and immediately South of the law office.

Mr. Holley said regarding public comment there were a lot in favor of the proposed project and like the idea of downtown housing. There are residents who are not in favor because of the lack of green space and the TC-1 apartment area but, they were in favor of townhomes.

Mr. Holley reviewed the proposed design plan, details of which are mentioned previously.

Councilmember Jensen complimented the proponent for the changes made to the project from the last time it was presented.

The proposed ordinance will be an action item and public hearing at the May 21, 2019, 2019 Council meeting.

Budget Adjustment FY 2018-2019 appropriating: \$12,000 to increase the budget for the Community Development Plan Review Budget due to larger than normal plan reviews – Resolution 19-26 – Richard Anderson, Finance Director

Logan Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment.

The proposed resolution will be an action item and public hearing at the May 21, 2019, 2019 Council meeting.

Consideration of a proposed resolution approving Water Rates – Resolution 19-28 – Cameron Draney, Water/Wastewater Manager

Cameron Draney, Logan City Water/Wastewater Manager addressed the Council and explained that the City of Logan approved a new Water Master Plan that included recommendations for Capital Improvement Funding. The previously adopted Resolution 18-04 states that the annual rate increase be reviewed by the Logan Municipal Council on an annual basis.

Finance Director Richard Anderson further explained that last year, the Council adopted New Water Rates for the next 5 years. The first year was an increase of 35% with 3% each year for the following 4 years. In that resolution, it stated that the Council would review and approve these rates annually. The City planned to implement the rates May 1, however, it was not brought before the Council in time so the rates will be effective June 1, 2019. He also proposed that the Council adopt new language in the resolution and that it change from “Rate change will be reviewed annually by the Council for approve” to Rate Change will be reviewed by Council during the budget process.”

While he feels it was a good idea to bring these rates before the Council for re-adoption the first year (considering the 35% increase), he would not recommend it going forward. The Council can review and change rates at any time however, reviewing rates during budget time seems to be a more appropriate time.

The proposed resolution will be an action item and public hearing at the May 21, 2019, 2019 Council meeting.

OTHER CONSIDERATIONS:

There were no further items of consideration discussed by the Council.

ADJOURN TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY

Chair Simmonds welcomed those present. There were approximately 12 in attendance at the beginning of the Logan Redevelopment Agency meeting.

ACTION ITEM:

PUBLIC HEARING - Budget Adjustment FY 2018-2019 appropriating: \$361,100 for the Main Street Lighting Project - Resolution 19-21 RDA

At the April 16, 2019 Council meeting, Economic Development Director, Kirk Jensen, addressed the Council regarding the proposed budget adjustment.

The lighting project will actually cost \$340,100, but may go up to nearly \$350,000 as some lamps will need have 3 lights rather than 2 lights on the poles. This money will come from the fund reserve. The South Main portion would be \$179,000, and the Downtown RDA portion would cost from \$160,000 to \$165,000. This project has been a goal for some time to stretch the streetscape, making it a worthy project with continuity both visually and for pedestrians.

Chair Simmonds opened the meeting to a public hearing.

There were no comments and Chair Simmonds closed the public hearing.

ACTION. Motion by Councilmember Bradfield seconded by Councilmember Olsen to approve Resolution 19-21 RDA as presented. Motion carried unanimously.

1095

1096 **ADJOURNED.** There being no further business to come before the Council, the meeting
1097 of the Logan Municipal Council adjourned at 8:35 p.m.
1098

1099

1100 Teresa Harris, City Recorder