

**CITY OF LOGAN, UTAH
ORDINANCE NO. 19-10**

**AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF
LOGAN CITY, UTAH**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain map or maps entitled "Official Zoning Map of Logan City, Utah" is hereby amended and the following properties in the Wilson Neighborhood and as specifically identified in Exhibit A, as attached, are hereby zoned from Recreation (REC) and Traditional Neighborhood Residential (NR-6) to Town Center 1 (TC-1) and Mixed Residential Medium (MR-20).

SECTION 3: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2019.

AYES:

NAYS:

ABSENT:

Jeannie F. Simmonds, Chair

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the ____ day of _____, 2019.

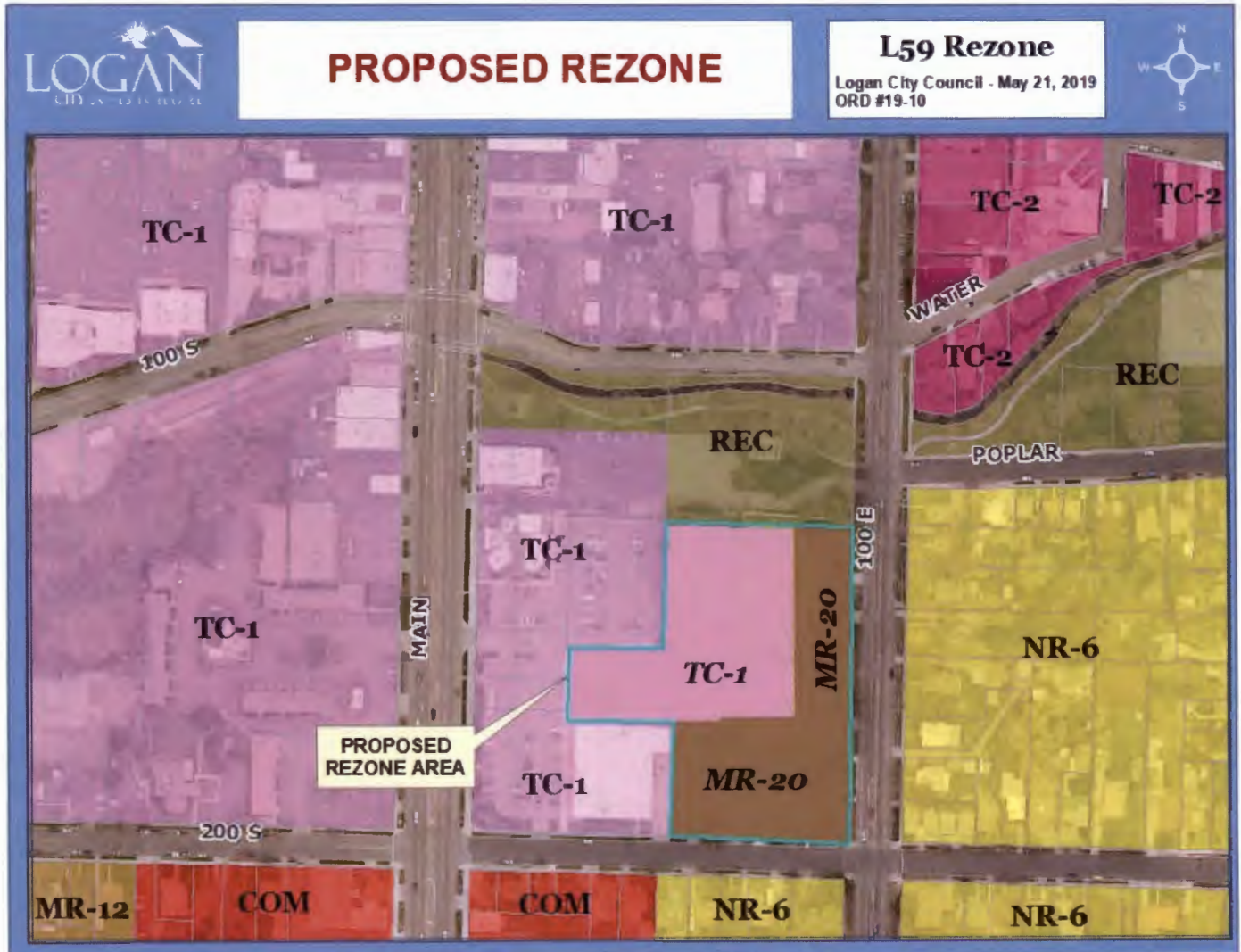
Jeannie F. Simmonds, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____, 2019.

Holly Daines, Mayor

EXHIBIT A





MEMORANDUM TO MUNICIPAL COUNCIL

DATE: May 3, 2019
FROM: Russ Holley, Senior Planner
SUBJECT: Ordinance #19-10

Summary of Planning Commission Proceedings

Project Name: L59 Rezone
Request: Official Zoning Map Amendment
Project Address: ~150 South 100 East
Recommendation of the Planning Commission: **Amended Approval**

On April 22, the Planning Commission recommended that the Municipal Council **approve** the L59 Rezone with **amended areas** from the original submittal. The Planning Commission **continued** the **Design Review Permit** hearing until **May 23, 2019** and subsequent the City Council rezone decision.

Planning Commissioners vote (4-2):

Motion: S. Goodlander

Second: R. Croshaw

vote yea: T. Nielson, R. Croshaw, R. Dickinson, S. Goodlander, D. Newman

vote nay: T. Nielson, D Newman

abstain: none

Attachments:

Staff Report

Ordinance #19-10

Planning Commission Meeting Minutes

Project Slides



**Project #19-012
L59
Located at approximately 150 S. 100 E.**

REPORT SUMMARY...

Project Name: L59
Proponent / Owner: Beth Larchar / DC1 Logan LLC (Trent Cragun)
Project Address: 150 S. 100 E.
Request: Design Review Permit & Rezone
Current Zoning: TC1, REC & NR6
Type of Action: Quasi-Judicial & Legislative
Hearing Date April 25, 2019
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission **conditionally approve** a Design Review Permit for recommend **approval** for a Rezone for Project #19-012, L59, in the Town Center 1 (TC1), Recreation (REC), & Traditional Neighborhood Residential (NR-6) zone located at 150 S. 100 E., TIN #02-047-0005; -0021; -0020; -0019; -0023; -0017; -0014; -0025; -0008; -0006..

Current Land use adjoining the subject property

<i>North:</i>	REC: City Park	<i>East:</i>	NR: Residential Uses
<i>South:</i>	NR6: Religious Institution	<i>West:</i>	TC1: Commercial Uses

Project Proposal

This is a proposal for a new 120 unit multi-family apartment building, 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 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.

Land Use

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

Density

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

Setbacks

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

Front (min-max):	0-5'
Side:	0'
Rear:	5'
Parking:	10'

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

Front (west):	0'
Side (south):	10'
Side (north):	~216'
Rear (east):	14'
Parking:	10'

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

Front (opposite NR):	25'
Side:	8'
Rear:	10'
Parking:	10'

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

Front (east):	22.5'
Side (south):	10'
Side (north):	10'
Rear (east):	10'
Parking:	rear loading garages

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.

Building Orientation, Site Layout & Pedestrian Circulation

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

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

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

Building Elevations

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

Building Heights

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

Open Space

The LDC 17.07.090 requires 20% open space and an additional 10% useable outdoor space in the MR-20 zone. The LDC does not require open space in the TC-1 zone. The LDC 17.35 generally describes open space as vegetation or landscaped areas, while useable outdoor space is typically decks, patios and other similar outdoor amenities. The 0.54-acre MR-20 area would be required 4,704 SF of open space and 2,352 SF of outdoor space. The 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.
7. All public/resident pedestrian entrances shall have weather protection provided above.
8. A performance landscaping plan, prepared in accordance with §17.39 of the LDC, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a) Open Space and Useable Outdoor areas shall total a minimum of 20% and 10% for the MR-20 areas with at least 20 trees and 50 shrubs/perennials per acre of MR-20 area.
 - b) 18 SF of landscaping shall be provided on the interior or direct perimeter of the parking per every parking stall contained within. The interior landscaping shall contain a consistent number of trees for shading and reduction in environmental impacts.
 - c) Street tree shall be provided where they currently do not exist or are removed during construction at every 30 feet on center and as per City Forester specifications.
9. All dumpsters shall be visually screened or buffered from public streets by using fencing, walls and landscaping.
10. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.
11. Exterior lighting shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
12. 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.
13. 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.
14. Surface storm-water retention and detention facilities shall be located in areas away from public streets and buffered from view.
15. 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—contact 716-9760*
 - Minimum inside measurement of a double enclosure without gates is 22 ft. wide and 10 ft. deep. No gates are required but if desired it is a minimum of 24 ft. wide. Minimum 20 ft. over-head clearance on approach and over the enclosure. Place bollards in the back and on the front corners of enclosure.
 - b. *Engineering —contact 716-9160*
 - Comply with Logan City Storm Water Design requirements. This includes the retention of the 90% storm event onsite through the use of Low Impact Design practices. It also includes the retention or detention of 100 year 24 storm as required in the Storm Design standard.
 - All existing sewer and water services not used by the new development shall be capped at the City utility main line.
 - The development shall extend the 8" fire line in 100 East south and connect to the new 8" line being installed through the development. The 4" line currently being connected to will not provide necessary fire flows if 8" line from main is ever closed due to maintenance or repair.
 - Locate 2" meters to townhomes in the park strip along 100 East
 - Provide water shares (rights) or an in-leu of fee increased demand on City system.
 - Property Line Adjustment for development.

c. *Water* —contact 716-9627

- The buildings that are three stories tall or taller (above grade) must have a DC (ASSE1015) installed and tested on the water main as it enters the building/s before any branch offs or connections. This is containment (City's) protection only.
2-) Any 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, report must be submitted to City.
- 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.
- All points of use of water must comply with the 2015 IPC and State of Utah Amendments, during and after construction.

1. d. *Fire* —contact 716-9515

- Fire Apparatus Access, Fire Sprinkler, Fire Alarm and Standpipes required.
- Submit a complete Fire Flow Analysis required.
- 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.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

PROPOSED PROJECT SITE

L59 Rezone

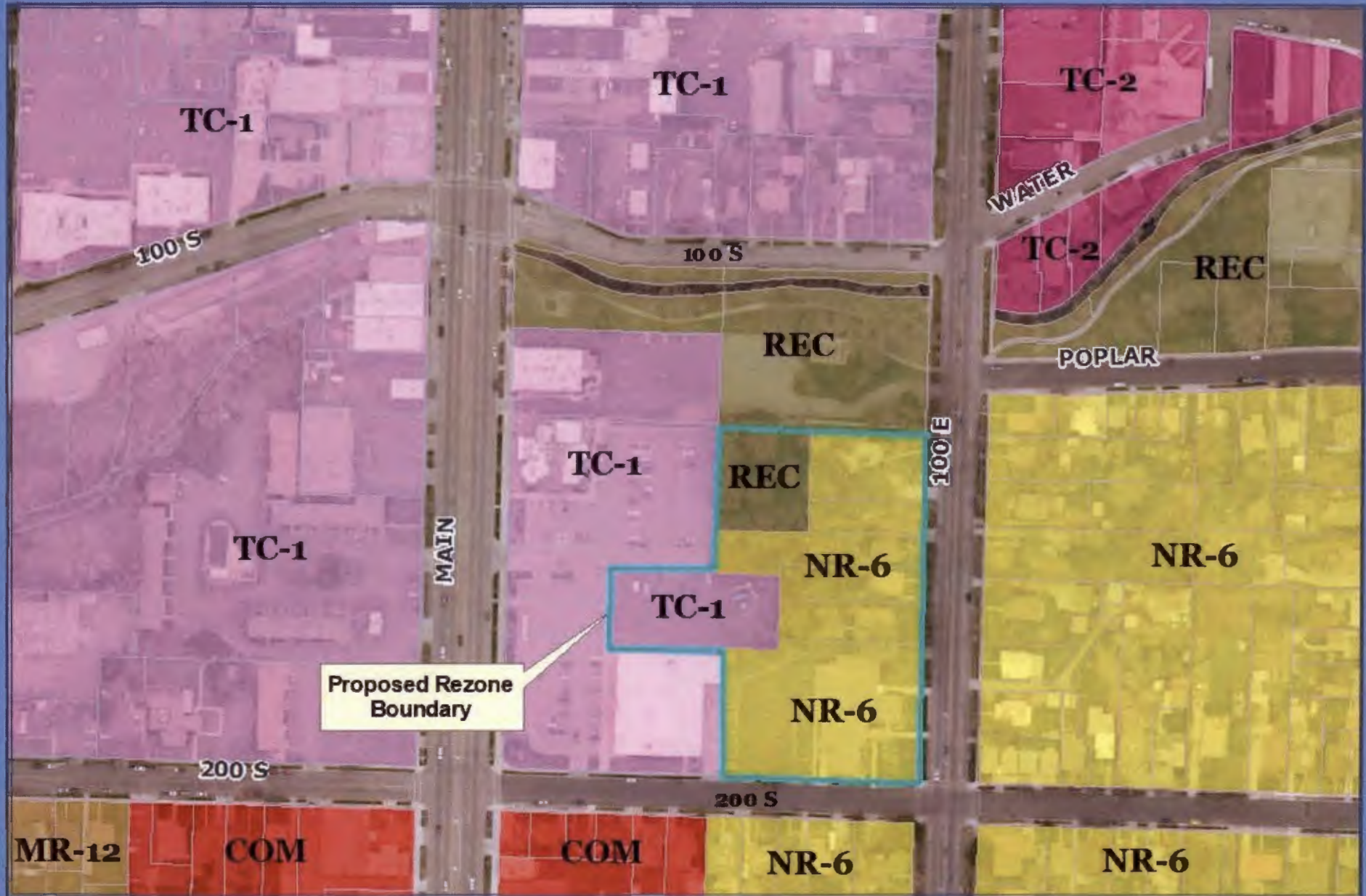
Logan City Council - May 21, 2019
ORD #19-10



EXISTING ZONING

L59 Rezone

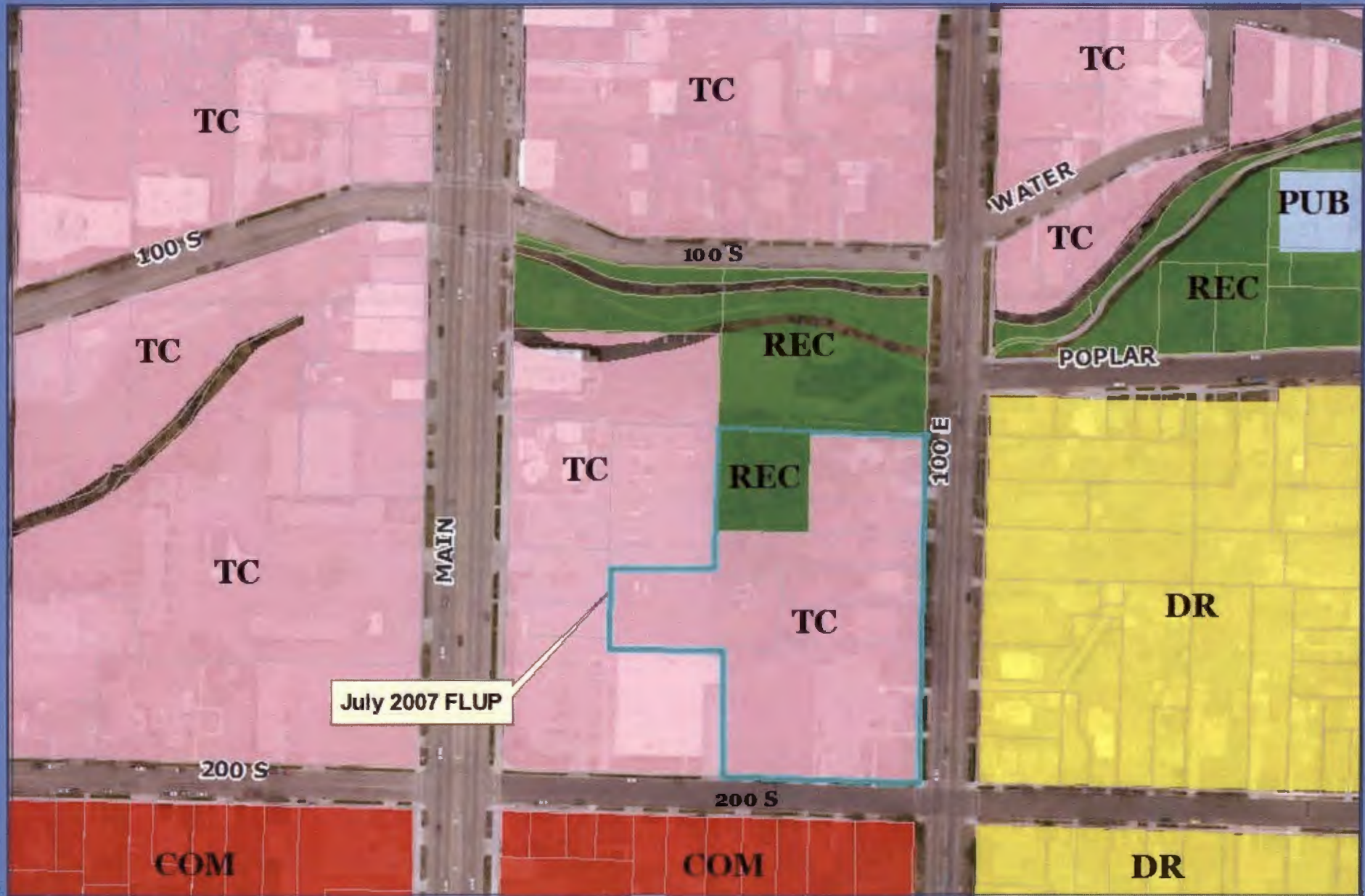
Logan City Council - May 21, 2019
ORD #19-10



FLUP

L59 Rezone

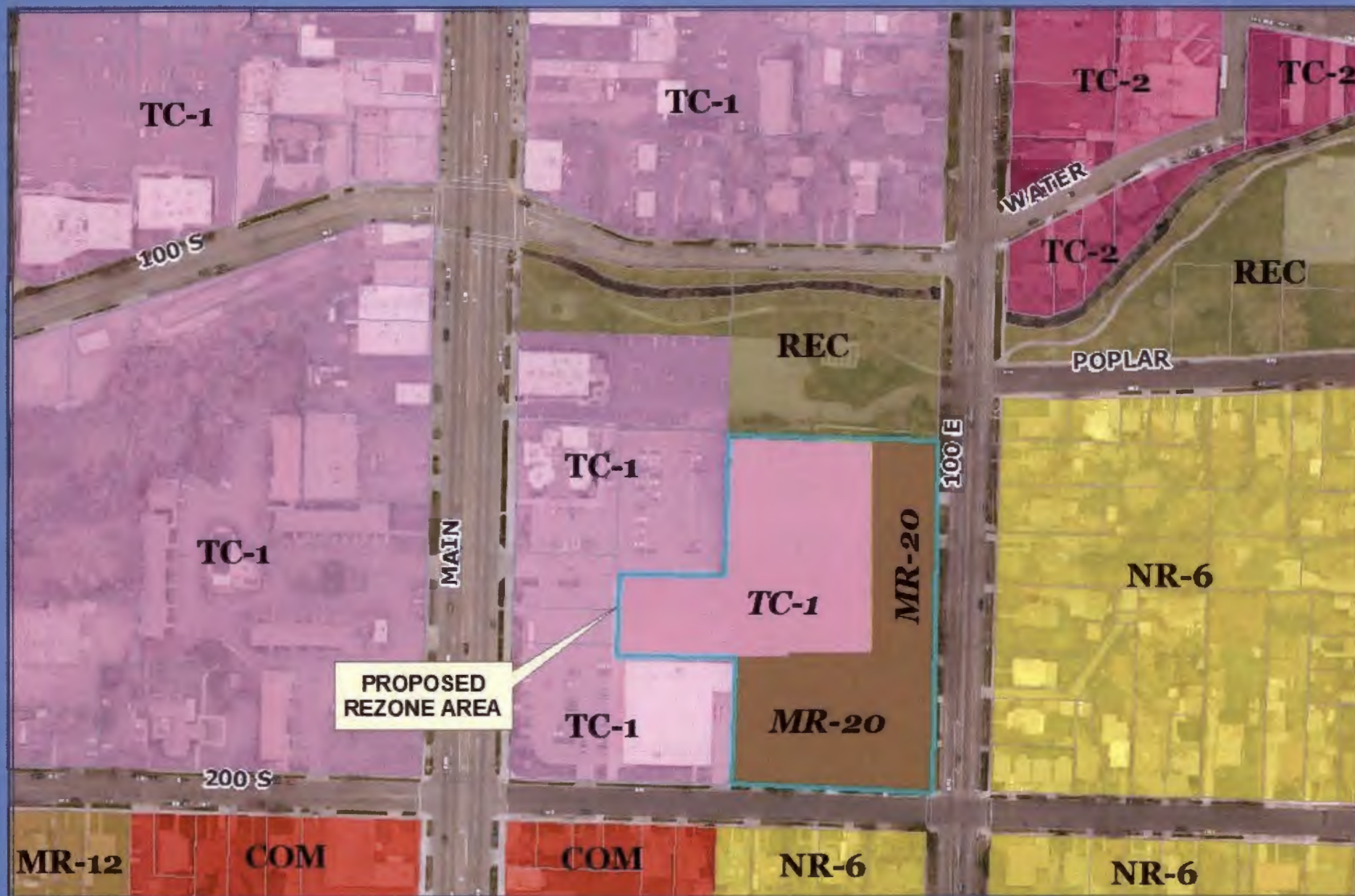
Logan City Council - May 21, 2019
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PROPOSED REZONE

L59 Rezone

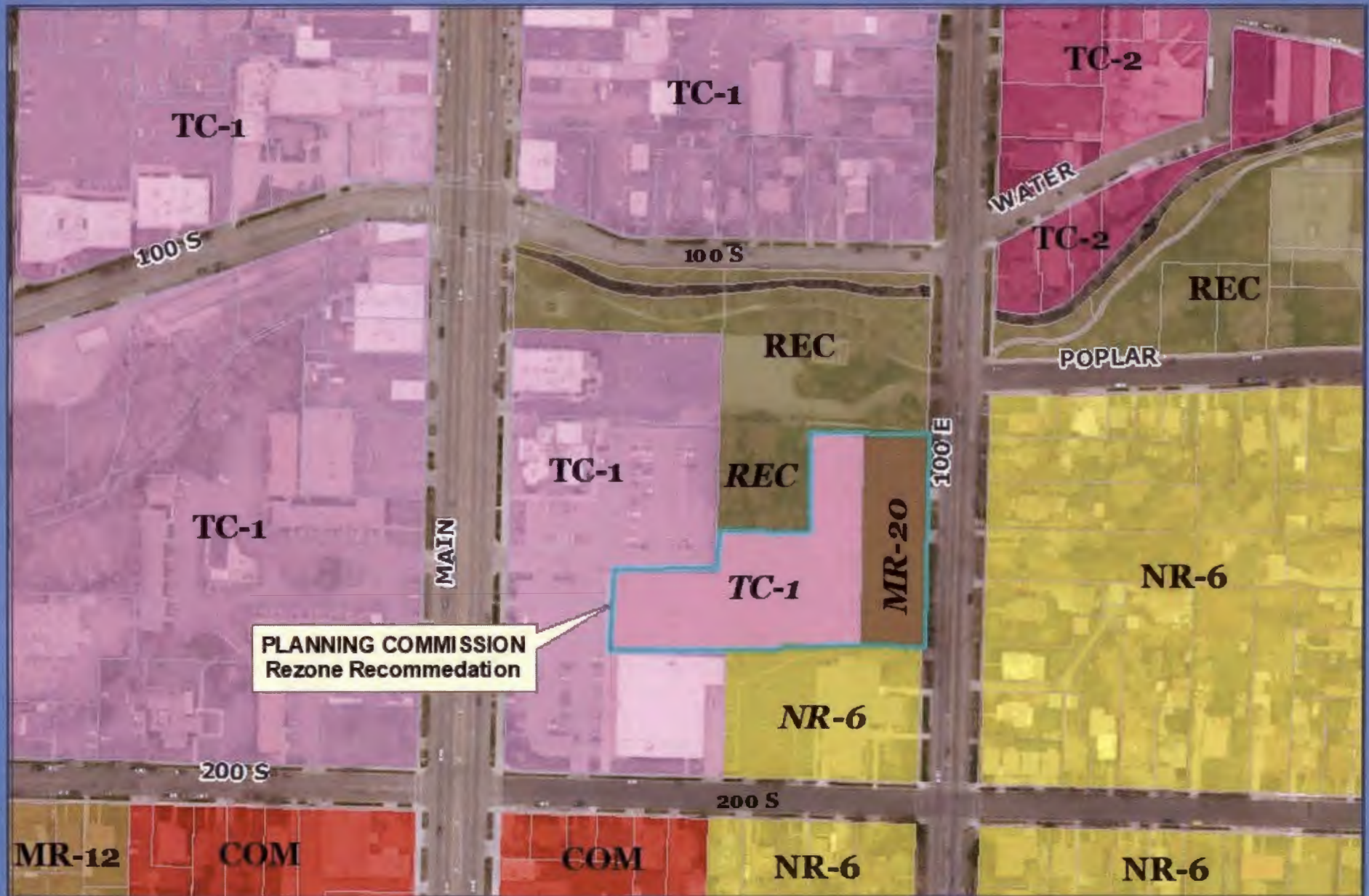
Logan City Council - May 21, 2019
ORD #19-10



PLANNING COMMISSION

L59 Rezone

Logan City Council - May 21, 2019
ORD #19-10



EXISTING ZONING

L59 Rezone

Logan City Council - May 21, 2019
ORD #19-10



PROPOSED ZONING

L59 Rezone

Logan City Council - May 21, 2019
ORD #19-10



BOUNDARY ISSUES

L59 Rezone

Logan City Council - May 21, 2019
ORD #19-10



Submitted Applicant Rezone Map





Looking West Across 100 E



Looking West at subject 0.60 acres



Looking West Inside Garff Wayside Gardens



Looking East Near Jo Ann



Looking North near LDS Church

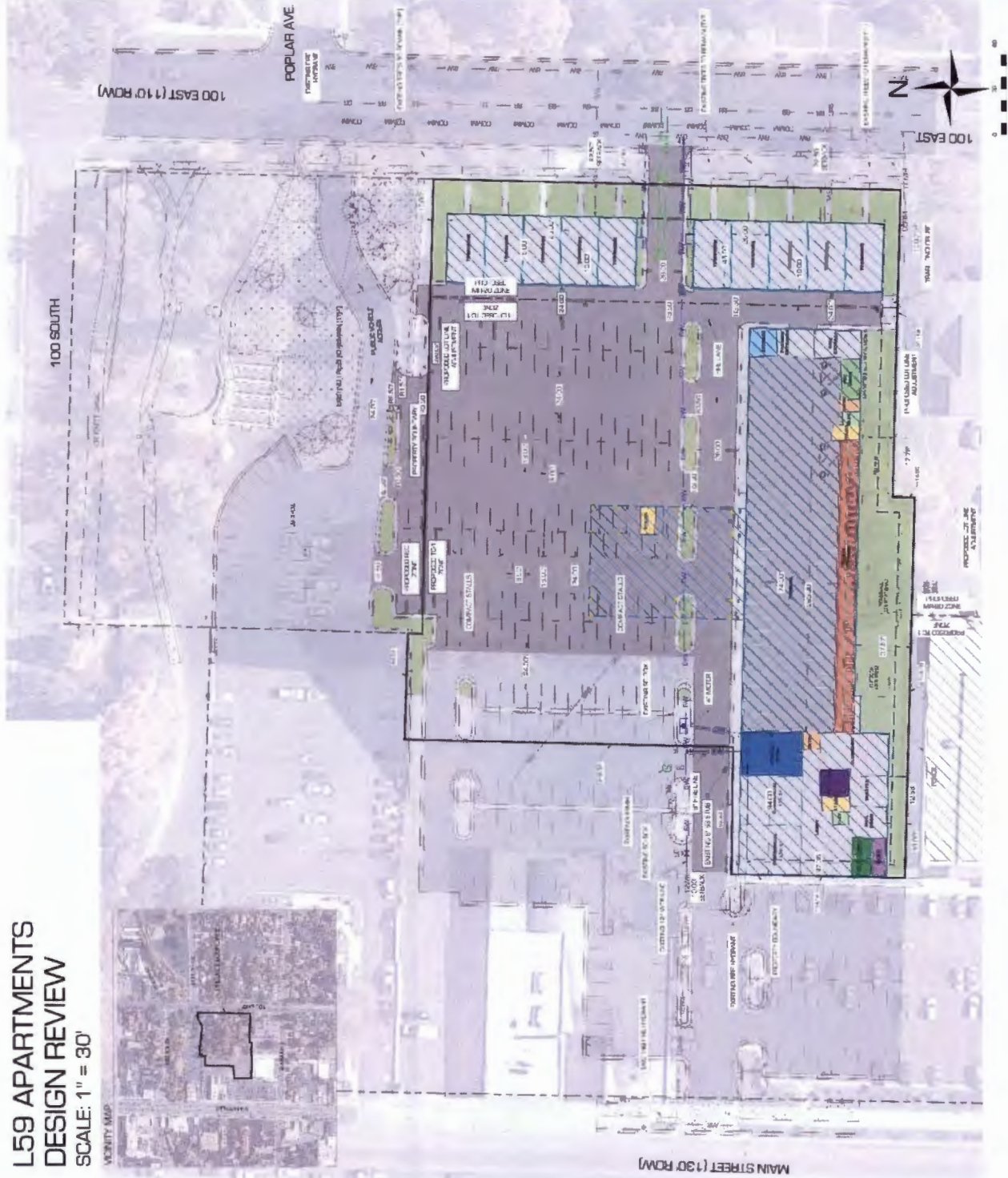


Looking North along 100 E



L59
~ 159 S 100 E



[illegible]

1. IDENTIFY THE PROBLEM AND THE FACTORS THAT MAY BE AFFECTING IT.
 - 1.1. IDENTIFY THE PROBLEM: What is the problem?
 - 1.2. IDENTIFY THE FACTORS: What factors may be affecting the problem?
2. ANALYZE THE PROBLEM AND THE FACTORS THAT MAY BE AFFECTING IT.
 - 2.1. ANALYZE THE PROBLEM: What is the cause of the problem?
 - 2.2. ANALYZE THE FACTORS: What factors may be affecting the problem?
3. DEVELOP A SOLUTION AND IMPLEMENT IT.
 - 3.1. DEVELOP A SOLUTION: What is the best solution to the problem?
 - 3.2. IMPLEMENT IT: How can the solution be implemented?

DATE	MARK DATE	DESCRIPTION
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DESIGN
REVIEW
C-101

Civil Solutions Group Inc.
PROVIDENCE | P. 435.213.3752
SALT LAKE CITY | P. 801.216.3192
www.civilsolutionsgroup.net

L59 APARTMENTS
DESIGN REVIEW
100 SOUTH 100 EAST
LOGAN, UT 84321



FIVE DEGREES DESIGN





1 MAIN BUILDING EAST ELEVATION
SCALE: 3/32" = 1'-0"



2 MAIN BUILDING WEST ELEVATION
SCALE: 3/32" = 1'-0"



FIVE DEGREES DESIGN

1457 EAST 840 NORTH
OREM, UTAH 84097
801.850.4583
ohus@fivedegreedesign.com

DATE: 20 FEBRUARY 2019
PROJECT # 15 051
DRAWN BY
CHECKED BY

REVISIONS



PROJECT

**L59
APARTMENTS**

ADDRESS:
LOGAN, UTAH

ARCHITECTURAL

EXTERIOR ELEVATIONS

AE202

FIVE DEGREES DESIGN

1457 EAST 840 NORTH
DREM, UTAH 84097
801 850 4583
chris@evsdegrensdesign.com

DATE 20 FEBRUARY 2019
PROJECT # 18-051
DRAWN BY.
CHECKED BY.

REVISIONS



1 MAIN BUILDING NORTH ELEVATION
AE201 SCALE: 1/16" = 1'-0"



2 MAIN BUILDING SOUTH ELEVATION
AE201 SCALE: 1/16" = 1'-0"



PROJECT

L59 APARTMENTS

ADDRESS
LOGAN, UTAH

ARCHITECTURAL

EXTERIOR ELEVATIONS

AE201

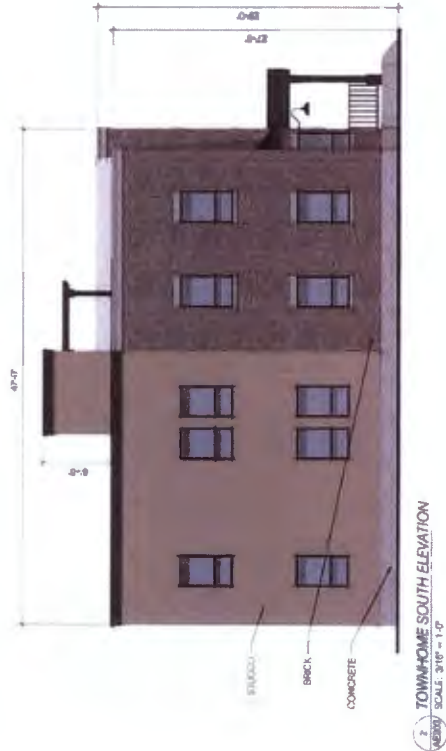
	FIVE DEGREE DESIGN 1417 EAST 1940 NORTH OREO, UT 84057 801.863.4883 www.fivedegree.com			PROJECT L59 APARTMENTS	ARCHITECT LOGAN, UT 84041	ARCHITECTURAL EXTERIOR ELEVATIONS	AE204
	DATE: 10/15/2014 PROJECT: 2014 FEBRUARY 20TH DRAWN BY: [Redacted] CHECKED BY: [Redacted]						
	REVISIONS						



1 TOWNHOME WEST ELEVATION
 SCALE 3/16" = 1'-0"



2 TOWNHOME EAST ELEVATION
 SCALE 3/16" = 1'-0"



	FIVE SEASONS DESIGN 1457 EAST 940 NORTH OREM, UTAH 84057 801.850.4583 OFFICE@FIVESEASONSDESIGN.COM			PROJECT L59 APARTMENTS	ADDRESS LOAN LUTAH	ARCHITECTURAL EXTERIOR ELEVATIONS	AE203
	DATE: 20 FEBRUARY 2019 DRAWN BY: [REDACTED] CHECKED BY: [REDACTED] REVISIONS:						

PLANNING COMMISSION MINUTES

Meeting of April 25, 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, April 25, 2019. Chairman Butterfield called the meeting to order at 5:30 p.m.

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

Commissioners Excused: Eduardo Ortiz

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

Minutes from the April 11, 2019 meeting were reviewed. Commissioner Goodlander moved to approve the minutes as submitted. Motion seconded by Commissioner Nielson. Approved unanimously.

PUBLIC HEARING

PC 19-012 L59 [Design Review & Zone Change] Beth Larchar/Trent Cragun, authorized agent/owner, request to construct one (1) 120-unit apartment building with ground floor commercial fronting Main Street, and ten (10) town-homes in two (2) buildings fronting 100 East. The project is located at 150 South 100 East. Total project boundary is 2.89 acres, is currently zoned TC-1, Recreation, and NR-6 and includes the following parcels, or portions thereof, 02-047-0017, 02-047-0023, 02-047-0019, 02-047-0020, 02-047-0021, 02-047-0005, 02-047-0025 & 02-047-0014. The proposed rezone request includes the following: rezone approximately 0.50 acres of REC to TC-1 on a portion of 02-047-0014 (southern portion of Garff Gardens Park), rezone approximately 0.57 acres of NR-6 to MR-20 on the easterly 80' of 02-047-0017, 02-047-0023, 02-047-0019, 02-047-0020, & 02-047-0021 (100 East frontage), and rezone approximately .88 acres of NR-6 to TC-1 on the westerly portions (west of the proposed 80' boundary for MR-20) of 02-047-0017, 02-047-0023, 02-047-0019, 02-047-0020, & 02-047-0021. The rezone request also includes rezoning 02-047-0022 (LDS Church) from NR-6 to MR-20; however, this parcel is not included in the proposed project boundaries. (Wilson Neighborhood)

STAFF: Mr. Holley reviewed the request for a rezone that includes additional TC-1 area, replacement of the NR-6 zone with MR-20, and a reduction in the REC zone area. The request would result in the block being divided into three (3) 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. Given last year's lengthy TC-1 and TC-2 downtown rezone debate about redevelopment and land-use regulation, the anticipation was that this area would be rezoned TC-2 and not TC-1 and MR-20. The TC-2 zone was created as a transitional zone from the higher intensity of TC-1. This proposal, with the 0.54 acres of MR-20 along 100 East and adjacent to the NR areas, accomplishes this goal with lower density uses along 100 East and higher densities on the interior of the project site

Based on last year's extensive debate and specifically-crafted Code language, staff would question why TC-2 is not the best option for this project. Ultimately, the City Council will determine if this rezone proposal is appropriate. Once a rezone is decided, it is anticipated the Garff Garden property boundary adjustment will be completed to reflect the proposed project boundary.

PROPONENT: Beth Larchar, from Obodo Development, is working with Trent Cragun on this project. She explained that this will be the first project of its kind in downtown Logan. They have received quite a bit of feedback and have tried to be very receptive. The project has improved since the original proposal over a year ago. They went door-to-door and spoke with some of the neighbors, of which 60% were renters who had little-to-no interest in the project; 13 were homeowners and 92% of them were pleased with the changes that have been made. The reason for the rezone request is to create a buffer and provide a pleasing streetscape along 100 East. One of the neighbors, Richard Steele, recommended making each townhome unique; which has been incorporated in the proposal.

Chairman Butterfield asked if this project could be done without a rezone. Ms. Larchar said it could not, the current TC-1 area is too small and any type of infill would be too limited to work. Chairman Butterfield asked about the piece that is currently zoned Recreation (REC). Ms. Larchar said without that parcel, there would not be enough room to meet the parking requirement.

PUBLIC: A resolution of support endorsing the project, signed by 42 downtown business owners, was received and distributed prior to the meeting. Several emails were received and distributed prior to the meeting and are included in the project file.

Keith Schnare, a member of the Wilson Neighborhood Council, is representing a group of Wilson residents who have opposed this project and rezone. He conceded that this proposal is much better than the original one, however, there are still reservations. He requested that the church not be included in the rezone and is concerned with the request to rezone the Recreation piece. The main reason for objection to this development and rezone is about trust with the developer and the City. This will be the first densified housing project in the newly-created TC-1 zone and will set a standard for future development. The developer has no experience with a project of this size and the City has allowed major changes to recent development against public comment. He requested that a development agreement, as suggested by Councilmember Tom Jensen, be reached between the City and the developer which would take care of the trust concern. Preservation of trees is a major issue, Logan is a "Tree City" and this proposal would remove many of the older trees that provide shade at the park. The townhomes should have varied exteriors and not be a "cookie cutter" design. Traffic should not be allowed to pass from Main Street to 100 East through the development. Year-round site management is needed. These concerns may move the construction schedule back, however, a binding agreement will be worth the wait to ensure a quality development. He requested the rezone be denied at this time.

Lynn Hobbs, the area Stake President, said he knows of no other church property that is zoned anything other than NR and he does not understand why the church would have to be rezoned to MR-20. He has been following this process since the original request and is opposed to the change to MR-20, especially the church property. Mr. DeSimone pointed out that there are churches near the University that are in the Campus Residential (CR) zone. A church is considered an ancillary use to the uses around it.

Dr. Gail Yost lives two blocks south of this project site; she challenged the 92% figure that Ms. Larchar indicated. Of the 13 homes that were visited, at least three were opposed to the proposal, including herself, which would be 77%. She does not understand why the project cannot fit the zoning that already exists. A lot of work went into the TC-2 zone.

Janice Bird said the proposal is much different than residents were led to believe and they were not told that there would be a request for a zone change. This proposal would be recreating the old Garff Garden Apartments project that was rejected by the public. The lack of transparency seems like a misrepresentation and neighbors feel this is a "back door approach" to the same situation.

Mike Young is the Director of the Small Business Development Center at USU and long-time Logan resident. His office has done a lot of research on housing density and how that impacts economic growth and development. There is currently a housing crisis and every roadblock that is put in the way of developers increases the costs for development, making projects less profitable, which, in turn, makes it difficult to attract investors. For the community to continue to move forward and see sustainable economic growth and development, these types of projects are needed. Housing affordability is a huge issue and many have the "not in my backyard" mentality, however, not allowing projects such as this to move forward, or making it not financially viable or feasible, impacts the entire community.

Chairman Butterfield pointed out that the Commission spent a lot of time coming up with a good plan for zoning that would be conducive to these types of projects. He takes exception to the insinuation that this Commission is holding back projects. The Commission considers many different interests when making decisions.

Mary Ellen Robertson has had a family-owned home on 100 East for over 100 years. Her concern is the demand to reduce precious recreation space. Once that is gone, it does not come back. Garff Gardens has already become smaller than its original footprint. She is opposed to any loss of open space. The developer needs to come up with a project that fits into the area they currently have. There was a lot of work that went into the TC-2 zone and this block is one of the areas that it was planned for. She would like to see development work around established neighborhoods, rather than compromise them.

Gene Needham, a downtown Logan resident and business owner, is in favor of this proposal and any projects that bring housing closer to downtown. As a unified voice of downtown, and as the Chairman of the Design Committee, he said it is critical for the future of downtown to have densified housing. He appreciates the concerns that have been voiced, however, there are ways to make this work.

Roger Yost said there is no space in the proposed MR-20 zone for parking and the townhome parking should not be mixed with the apartment building parking. Mr. Schnare pointed out that the parking is proposed to be under the townhomes.

Erika Blomdahl understands that Logan is growing and there is a demand for housing, however, she would like to see downtown remain charming. A large housing project might increase the vitality of downtown and she would be more supportive if the project did not reduce recreational space and remove a block of century-old homes. There are rundown, vacant and blighted structures downtown that could be used for housing. She is opposed to the rezone, however, if the development moves forward, she would like it to be high-quality and have a historic

appearance. She encouraged the Commission to exert control over the quality and aesthetics of structures and locations to the extent that they can.

David Soderberg said this proposal is better than the original one and he appreciates the work of the Commission. He generally supports high-density housing and understands the need and value of affordable housing. He is concerned with removing green space from the park, and that trust with the developer has eroded, especially given the lack of concern on the developer's part to address the neighbors' concerns about parking. The past response from Mr. Cragun seemed ingenuine. He would like to see the character of Logan preserved.

Kendall Becker is a new homeowner in this neighborhood and lives on the corner of 100 East and 100 South. She expressed her desire for the recreational part to be retained and appreciates the Commission's work to accommodate concerns despite the pressure for development.

Randy Penrod does not want to see the recreational area reduced. He is surprised by the request for a rezone as he thought the zoning had been decided. He does not understand why the developer wants to change the zone just to make more money, the applicant knew what the zone was when the property was purchased.

Gary Saxton, Logan Downtown Alliance (LDA) Manager, has spent years working on how to preserve the personality, character and heritage of the City and incorporate new uses into old buildings. Downtowns need economic vibrancy to survive and there is not enough of a population base to create that vibrancy. He believes this new zoning, as formulated, protects the neighborhood and creates a good transition between high-density and residential. He is in favor of the rezone so it can bring a quality project close to downtown.

Commissioner Goodlander asked if any of the downtown business owners who submitted letters had any financial interest in this project. Mr. Saxton said he is not aware of any.

Keith Shaw questioned why the church would have to be rezoned and why the developer purchased the property if the zone was not appropriate for the project he had in mind.

Carole Johnson echoed the concerns that have been expressed. She is worried that if this project goes bad, it will be an element that will destroy the City; she does not want Logan to become like the "old downtown Ogden". There are areas downtown where nothing is being done to enhance the beauty of the City (abandoned and blighted buildings). Her concern is that business owners are expecting developers to come in and save downtown instead of working with what we have and preserving parks.

COMMISSION: Chairman Butterfield pointed out that the Commission went through a lengthy and exhaustive process to consider this area for rezone to TC-2; he questioned why that is not being considered and why staff is recommending approval for the request. Mr. Holley said the rezone is the request from the applicant and staff is recommending approval because the introduction of the MR-20 zone fulfills the same goals as the TC-2 zone would.

Commissioner Dickinson thanked the staff for the time put into the presentation and the different overlays that have been presented.

Commissioner Newman asked why the church property is included in the proposal, as it will not be changing use. Mr. DeSimone said staff asked that it be included to provide a more uniform and contiguous area of zoning. The NR zone has height and transition setbacks and a church

does not have the same effect as a single-family dwelling. This proposal provides consistency with the rest of the block.

Commissioner Goodlander asked why there is not a “church” zone. Mr. DeSimone explained that a church is a permitted use in any zone and is an ancillary use, therefore, a separate zone is not necessary.

Mr. DeSimone noted that the City Council recognized that the TC-2 zone was not perfect and decided to wait to make the change based on a project with the right elements. The applicant has the right to request a change. The Future Land Use Plan (FLUP) calls for more intensive uses in this area; TC-2 was designed to serve as a transition to TC-1, the MR-20 that has been requested is an appropriate transition zone.

Mr. Housley, the City Attorney, explained that a development agreement has a basic element of consideration. If a project meets all the ordinances, the City cannot extract anything more than what is required. The City uses development agreements all the time, primarily in RDA areas, which this project is in, to offer an incentive (like tax incentives); in this case it would be the small parcel of park property. Because the City is giving up something, concessions can be extracted. This is a function of the Mayor’s office. In speaking with the Mayor, one of the things that would be required is that the townhomes be built concurrently with the apartment complex; if there is phasing, townhomes would be the first phase. This is not something the Commission would be tasked with negotiating.

Mr. Housley noted that a lot of the comments expressed concern about not using the TC-2 zone. He explained that MR-20 accomplishes the same thing that a TC-2 zone would.

Commissioner Goodlander pointed out that the entire park property was recommended to remain REC during the TC-2 discussions.

Commissioner Dickinson is not in favor of three different zones being changed in one area as that does not make sense. It does not seem like the developer has made any attempt to make a project work in the area and one of the reasons for the change is to allow for more units. She is not in favor of reducing the recreation property and is opposed to widening the TC-1 zone.

Commissioner Newman said removing six homes and yards and replacing them with townhomes does not net any green space. The proposal to replace the 30 parking stalls in the park area takes away public parking for the developer’s use. To take every square inch possible with total disregard to the public is unacceptable. He would like to have the developer come up with a plan that fits on his property which would allow the church to remain in the NR zone and the project would be less dense.

Commissioner Goodlander likes the look of the proposed townhomes. She noted that TC-2 allows more density than MR-20.

Commissioner Croshaw likes the idea of TC-2 rather than MR-20 and leaving the church property in the NR zone. He is a proponent of green space and recreational area and would be opposed to reducing the park space.

Commissioner Nielson said it is not the Commission’s job to redesign the project. The City needs this type of housing; however, he appreciates the resident’s concerns and other public comment. Because the project “will not pencil” is the developer’s problem. A boundary line

adjustment and/or a reconfiguration of the park parcel might be worth considering. He agrees with Commissioner Dickinson that the request for three zone changes is a stretch.

Mr. DeSimone pointed out that this neighborhood has the highest amount of park acreage in the entire city. No one wants to lose green space, however, there is a large park within walking district. The City bases decisions on the sale of land with an eye toward a city-wide benefit.

Chairman Butterfield agreed that there is quite a bit of green space in this area, however, people have connections to spaces and places, and this went through a significant process that should be respected. There is a need for these types of projects and he commends any developer and/or investor willing to invest time and capital in bringing projects to the City. The Commission tries to balance the rights of investors and property owners with the needs and concerns of the residents.

Commissioner Newman pointed out the differences between MR-20 and TC-2. MR-20 allows for up to 20 units/acre and TC-2 allows for 30 up to units/acre; lot coverage in MR-20 is up to 60% and TC-2 is 80% maximum; setbacks are close, particularly as it relates to the proximity to single-family properties; both MR-20 and TC-2 allow up to 45' in height. TC-2 and MR-20 are quite similar. Mr. DeSimone pointed out that TC-2 allows for commercial. Commissioner Newman said erring on the conservative side would be allowing MR-20.

Chairman Butterfield voiced frustration that the Council did not implement the Commission's original recommendation to rezone the NR-6 area to TC-2 after all the work and debate put into the matter; instead they decided to leave it NR-6 until a project was submitted.

Commissioner Goodlander said her initial thought was to not allow a change to the Recreation property, however, after carefully listening to the discussion, she acknowledges the fact that this area has quite a bit of green space. There needs to be a good project put in and she likes the look of the townhomes. MR-20 allows for less density than TC-2, which placates the neighbor's concerns about a transition. She would encourage green space. Mr. Holley asked for clarification as to whether she is referring to public green space, or green space/amenity areas within the development itself. Commissioner Goodlander said she was referring to private green space. Chairman Butterfield and Commissioner Newman said they would prefer public open space. Commissioner Nielson said that although there is a large park nearby, having a park closer is nice.

Mr. Schnare pointed out that a development agreement would determine what the zoning should be. Chairman Butterfield agreed. Mr. Holley said that there was a purchase/development agreement under the previous administration which has since expired. Mr. Housley reminded the Commission that this is ultimately a Council decision.

Trent Cragun noted that as a property owner, he has rights and has carefully considered what options are available. One of the concerns with the original proposal was that it would be low-income housing. He said this project will be the highest rate market project in all of downtown. If this cannot be done as proposed, one of the options would be to turn it into affordable housing where it could be sold for tax credits. He said he wanted to be "clear and on the record that this is not a type of project he would be willing to put his name on", so he would more than likely sell the property. Commissioner Dickinson said it seemed as if the Commission was just threatened with low-income housing, which does not seem right.

MOTION: Commissioner Goodlander moved to **forward a recommendation** to the City Council for a zone change as proposed, with the exception that the church property remain zoned NR and the Recreation property remain as is until there is a development agreement in place. Commissioner Croshaw seconded the motion.

Moved: S. Goodlander **Seconded:** R. Croshaw **Approved:** 4-2
Yea: Butterfield, Croshaw, Dickinson, Goodlander **Nay:** Newman, Nielson **Abstain:**