



PLANNING COMMISSION MINUTES

Meeting of October 24, 2019

Logan City Council Chambers (290 North 100 West Logan, UT 84321) www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, October 24, 2019. Chairman Nielson called the meeting to order at 5:30 p.m.

Commissioners Present: Roylan Croshaw, Jess Lucero, Dave Newman, Tony Nielson, Eduardo Ortiz

Commissioners Excused: Regina Dickinson, Sandi Goodlander

Staff Present: Mike DeSimone, Russ Holley, Aaron Smith, Debbie Zilles, Kymber Housley, Jeannie Simmonds (City Council liaison)

Minutes from the September 26, 2019 meeting were reviewed. Commissioner Croshaw moved to approve the minutes as submitted. Motion seconded by Commissioner Ortiz. Approved unanimously.

PUBLIC HEARING

PC 19-041 Level 5 Development [Design Review Permit] Level 5 LLC, Black Tower Investments LLC, authorized agent/owner, request to construct a single-story, 2,600 SF bank/savings & loan/credit union building on 1.02 acres located at 730 South Main Street in the Commercial (COM) zone; TIN 02-063-0025.

STAFF: Mr. Holley reviewed the request for a new 2,600 SF Bank, Savings and Loan or Credit Union. The proposal also includes landscaping improvements, a new 18-stall parking lot and drive-thru teller window on a detached canopy in the rear yard. The 1.02-acre property is located along the east side of south Main Street near the "Y" intersection of Highway 89/91 & 165. The relatively flat site is currently vacant with a shared driveway access onto Main Street and cross-easements running to the north and south adjacent commercial properties

PROPONENT: Jason Patty said they have no objections to conditions of approval. He advised that their client, this past week, requested improvements to the Main Street facade. He passed out an updated drawing showing minor adjustments to the roofline, which will improve the curb appeal. The changes still meet all the requirements.

Mr. Patty confirmed for Commissioner Newman that the requirement for a sidewalk connection will be met.

PUBLIC: None

COMMISSION: Commissioner Croshaw asked about the mechanical system. Mr. Patty advised that it will be located on the flatter, rear portion (parking lot side) of the roof and will be screened.

Mr. Holley outlined the access points for Commissioner Ortiz. He explained that the City has purchased some property and is working on a future 80 East extension that will go all the way to Golf Course Road.

MOTION: Commissioner Newman moved to **conditionally approve** a Design Review Permit as outlined in PC 19-041 with the conditions for approval as listed below. Commissioner Croshaw seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. A relative direct-pedestrian connection shall be made between the primary entrance and Main Street.
3. All public pedestrian entrances shall have weather protection provided above.
4. A minimum of 10 parking stalls, 3 stacking positions per drive-thru isle, and a bike rack shall be provided.
5. A performance landscaping plan, prepared in accordance with LDC §17.39, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a. Street trees along Main Street provided every 30' on center and outside of site-distance triangles near intersections or driveway access points, or as otherwise determined by the City Forrester.
 - b. Open space and usable outdoor areas shall total a minimum of 8,886 SF.
 - c. A total of 20 trees and 51 shrubs, perennials and grasses shall be provided. 25% of the trees shall be evergreen.
6. Dumpsters shall be visually screened or buffered from Main Street by using fencing, walls and landscaping.
7. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.
8. Exterior lighting shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
9. No signs are approved with this permit and shall be approved and permitted by staff in accordance with the Land Development Code.
10. No fences are approved with this permit and shall be approved and permitted by staff in accordance with the Land Development Code.
11. Surface storm-water retention and detention facilities shall be in areas away from public streets and buffered from view.
12. Prior to issuance of a building permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. Environmental
 - i. Parking in front of a trash enclosure is not recommended. A minimum 60' straight on access is required for dumpster locations. The minimum inside measurement for a double enclosure is 24' wide x 10' deep. Gates must be designed to fully open and then be held in the open position during the collection process. Place bollards to protect enclosure walls.
 - b. Engineering
 - i. Provide storm water detention/retention per City design standards, including onsite retention of the 90% storm event, which shall be retained using Low Impact Design methods
 - ii. Provide water shares or in-lieu of fee for any increased demand to City system
 - iii. Maintain cross access easements as recorded at the Recorder's Office at Cache County under the entry number:
 - iv. Update all CC&R's, private water utility agreement, and storm water agreement to ensure these are up to date with new development and owner(s)
 - c. Water
 - i. The water main needs to have its own RP (ASSE1013) installed and tested on the water main as it enters the building before any branch offs or possible connections.

- ii. All 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.
 - iii. Fire suppression systems that connect 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.
 - iv. All points of use of water must comply with the 2018 IPC and State of Utah Amendments, during and after construction.
- d. Fire
- i. Fire Apparatus Access shall extend to within 150' of all portions of the facility as measured by an approved route around the exterior of the building.
 - ii. An approved water supply, capable of supplying the required fire flow for fire protection, shall be provided to premises upon which facilities, building or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.3) Fire flow requirements for buildings or portions of building and facilities shall be determine by an approved method.
 - iii. Fire hydrants shall be located within 400' of the building as measured by an approved route around the exterior of the building.

FINDINGS FOR APPROVAL

1. The 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 project conforms to the requirements of Logan Municipal Code Title 17.
3. The project provides required off-street parking in accordance with the LDC.
4. The project meets the goals and objectives of the Commercial (COM) 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 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 provides access and is adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

Moved: D. Newman **Seconded:** R. Croshaw **Approved:** 5-0
Yea: Croshaw, Lucero, Newman, Nielson, Ortiz **Nay:** **Abstain:**

PC 19-031 Kearl Property – **continued from the September 12, 2019 meeting** -
 [Subdivision & Design Review Permit] Travis S. Taylor/Leonard C. Kearl Jr. Trust, authorized agent/owner, request 32-units in eight (8) 4-plex buildings and a rezone of 6.46 acres from Neighborhood Residential (NR-6) to Mixed Residential (MR-9) located at approximately 1136 North 600 West; TIN 05-041-0006.

STAFF: Mr. Smith said the applicant would like to continue this project to the November 14, 2019 meeting due to the fact that the Municipal Council continued discussion and decision regarding the zone change request to the November 5, 2019 meeting.

MOTION: Commissioner Newman moved to **continue** PC 19-031 to the November 14, 2019 meeting. Commissioner Lucero seconded the motion.

Moved: D. Newman **Seconded:** J. Lucero **Approved:** 5-0
Yea: Croshaw, Lucero, Newman, Nielson, Ortiz **Nay:** **Abstain:**

PC 19-040 Foothill Lofts Residential Rezone – PROJECT HAS BEEN WITHDRAWN

OTHER BUSINESS

Annual Open & Public Meetings Training – Kymber Housley, City Attorney

A summary of the presentation was provided to all members (see **-Attachment A-**)

WORKSHOP ITEMS for November 14, 2019:

- ✓ PC 19-042 UT1 Island Verizon Cell Tower
- ✓ PC 19-043 Bruno's Studios (USU Student Housing)

MEETING ADJOURNED at 6:15 p.m.

-Attachment A-

OPEN AND PUBLIC MEETINGS ACT TRAINING

City of Logan, September 2019

1. Intent of the Act:

- a. Public bodies "exist to aid in the conduct of the people's business."
- b. Public bodies should "take their actions openly; and conduct their deliberations openly."

(Utah Code Ann. §52-4-102)

2. Definition of a Meeting:

- a. The convening of a public body, with a quorum present (whether in person or by electronic means), "for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the public body...has jurisdiction or advisory power."
- b. "Meeting" does not mean a chance or social gathering. (Utah Code Ann. §52-4-103(6))

3. Definition of a Quorum: "Quorum" means a simple majority of the membership of a public body, unless otherwise defined by law.

(Utah Code Ann. §52-4-103 (11))

4. Public Notice for a Meeting:

- a. At least 24-hour notice of the meeting, including the agenda, date, time and location of the meeting.
- b. Notice must be posted at the principle office of the public body and on the Utah Public Notice website.
- c. The schedule of regularly scheduled meetings must also be noticed once a year.
- d. Emergency meetings once approved by a majority of the public body require the best notice practicable.

(Utah Code Ann. §52-4-202)

5. Agenda for Meeting:

- a. Agenda items should have reasonable specificity to notify public.
- b. Items raised by the public, but not on the agenda, may be discussed but no action may be taken.

(Utah Code Ann. §52-4-202)

6. Written Minutes/ Meeting Recording:

- a. Written minutes of an open meeting include the date, time and place of the meeting; the names of the members present and absent; and the substance of the matters discussed; a record of each vote taken; a summary of public comments.
- b. A recording of an open meeting shall be a complete and unedited record of the open meeting.

(Utah Code Ann. §52-4-203)

7. Closed Meeting:

- a. A closed meeting may be held if a quorum is present; the meeting starts out as an open meeting for which proper notice has been given; two-thirds of the members present vote to approve closing the meeting; the reasons for closing the meeting are entered into the record of the public portion of the meeting; a recording of the closed meeting is kept (exception for discussion on individual or for security issues).
- b. A list of allowed purposes to enter into a closed meeting are set forth in Utah Code Ann. §52-4-205, but the primary allowed reasons are to discuss the character, professional competence, or physical or mental health of an individual; pending or imminent litigation; real estate transactions, (if the public discussion could compromise the public body's ability to negotiate the best possible terms).

(Utah Code Ann. §52-4-204,205,206)

8. Electronic Meeting: Allowed if done pursuant to an adopted resolution, rule, or ordinance and is properly noticed.

(Utah Code Ann. §52-4-207)

9. Disruption of Meetings: Individuals can be removed from a public meeting if they willfully disrupt the meeting to the extent orderly conduct is seriously compromised.

(Utah Code Ann. §52-4-301)

10. Enforcement:

- a. The attorney general and county attorney have the authority to enforce. b. Criminal penalty for intentionally violating closed meeting provisions. (Utah Code Ann. §52-4-303,305)