



PLANNING COMMISSION MINUTES

Meeting of June 25, 2020

Logan City Council Chambers (290 N 100 W Logan, UT 84321) www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, June 25, 2020. Chairman Nielson called the meeting to order at 5:30 p.m.

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

Staff Present: Mike DeSimone, Russ Holley, Tanya Rice, Debbie Zilles, Craig Carlston, Paul Taylor, Bill Young, Jess Bradfield (Council Liaison), Jeannie Simmonds (City Council)

Commissioner Croshaw moved to approve the minutes from the June 11, 2020 meeting as submitted. Motion seconded by Commissioner Ortiz. Approved unanimously.

PUBLIC HEARING

PC 20-022 Brown Warehouse Mixed-Use Rezone – *continued from May 28, 2020.*

(Design Review & Zone Change) Brown Warehouse LLC/Lance Zollinger, authorized agent/owner request a rezone of 9.12 acres from Resource Conservation (RC) to Mixed-Use (MU). The proposal is for a mix of 4,500 SF commercial space and 192 apartments (12% 1-bedroom; 63% 2-bedroom; and 25% 3-bedroom units) located at 1400 South Legrand Street; TIN 02-084-0018;-0019

STAFF: Mr. Holley reviewed that the original request submitted in March included a Design Review Permit request for 192 apartment units and 4,500 SF of commercial, but has since requested to separate these actions and continue the Design Review to a later date. The proponent is requesting action on the rezone request of two parcels that total ~9.12 acres at 1400 South Legrand Street from Resource Conservation (RC) to Mixed Use (MU). The irregular shaped parcels are bound by Hwy 89/91 and Spring Creek to the northwest with Legrand Street along the southeast border. Logan City owns a vacant parcel to the west, used as a native park, and Autocare (Vehicle Towing and Repair) owns a partially developed parcel to the east. Currently, the subject land is vacant from structures and has historically been used as agricultural.

The dense, urban form the MU zone requires is out of character for this suburban site. With the highway development adjacent, setbacks of 10' and building frontage of 60% would compromise compatibility. The natural spring creek would conflict with the dense and rigid MU development patterns, making the natural riparian preservation of these sensitive lands difficult.

A Commercial (COM) development pattern would allow larger setbacks and flexibility to work around the stream alignments and sensitive lands. A project with higher amounts of commercial and lower amounts of residential would provide better commercial services to area residents and travelers along the highway. If designed in a sensitive way, the stream could be enhanced and become an outdoor amenity. The properties may be large enough to support commercial along the highway frontage and separate residential near Legrand and areas along the east border. Residential development in the area should be similar in nature and density to the surrounding residential projects for neighborhood compatibility. Staff finds that this area is inappropriate for the MU zoning district.

PROPONENT: Danny MacFarlane, from Civil Solutions Group, has discussed different approaches for this property in trying to determine a good zone. UDOT has denied access onto Hwy 89, which would make commercial use difficult. A MU zone would have access points off Legrand Street with some commercial located in the northwest corner and housing along the other portions of the property. Development can occur within a floodplain if the specific requirements are met. This proposal seems like a good fit for this location.

Lance Zollinger, the property owner, appreciates having a public hearing during this difficult time. He is interested in public comment. The objective is for the highest and best use of this property. Mixed-Use will provide an opportunity to create a development that makes sense for the area. He recognizes the importance of this location and is open to ideas to create something nice.

PUBLIC: Several emails were received and distributed to the Commission prior to the meeting and are included in the project file.

Carol Sainsbury is a long-term homeowner in the Country Manor neighborhood and is requesting that the Commission deny the request for a zone change and suggested seeking funds through the LeRay McAllister Critical Lands Conservation Fund to purchase the property. The City has used McAllister funds on other projects and believes that keeping this property greenspace, with the wetland undisturbed and viewscape open, would benefit the City while protecting the landowner's right to profit from the land. This area has a long history with flood mitigation issues. Having access onto Legrand Street would be difficult as that is also access to the soccer park located directly east. The current RC zone fits the challenges of the property. Other concerns with possible residential development include wetlands, liquefaction potential, high water table, and sewer system infrastructure. Zoning should mirror the future intent of the land. Having participated with planning over the years, she understands the challenge of zoning areas in such a way that meets the long-range goals of the City while protecting a landowner's ability to develop their property to the highest and best use. She would like to keep the property as open space and avoid the many complications that development would have.

Kristie Cooley, Country Manor Homeowners Association Acting President, appreciates all the hard work on behalf of the Country Manor neighborhood. She built her home 25 years ago and it has flooded many times over the years. She has seen the "paving of paradise" with more asphalt going in all around. Spring Creek is the reason there is flooding in the area. She would request that this property remain open to help keep flood waters out of the neighborhood. There is usually standing water on the land; keeping it zoned as Resource Conservation will help protect the area.

Steve Hoedt, lives in the Blackhawk Condominium Complex and is a retired Risk Manager. This property is always wet and muddy and the marshes around Spring Creek are lush and green. If FEMA changes the ratings on potential flood areas, a lot of people will have to purchase flood insurance. Where grass and weeds used to be, there is now pavement and buildings that can no longer soak up the water at the Y-intersection development. He thinks this is a "coming disaster" and the Logan River Task Force would be appalled by the proposal. Riprap needs to be replaced because it is destructive and changes the temperature and flow of the river. USU's student population may change due to the Coronavirus, which could result in less people paying taxes. Logan's housing is considered lower-middle class and he does not think the City will have the funds to deal with the expenses. The rivers must be continually maintained, and the City has spent a lot of money to modify the Logan River. The creek has already flooded and he does not see any concern about what will happen to Logan River. Vegetation along the riverbank is the only thing that will keep the river healthy. The County Commission should be involved because decisions can affect areas outside of Logan City boundaries.

COMMISSION: Mr. Holley clarified for Commissioner Lucero that setbacks in the MU zone would be 0-10' along the frontage, however, there is a 25' setback from a stream, so there would be some conflicts. He also confirmed for Commissioner Newman that the Gateway Overlay Zone (South Gateway Corridor) is south of this location.

Commissioner Ortiz asked about FEMA involvement. Mr. Holley explained that the 100-year flood map deals with potential development, this request is only for a zone change.

Mr. Holley answered for Commissioner Goodlander that this property was annexed in as Resource Conservation (properties are always annexed in as agricultural land).

Mr. Holley explained that the referenced LeRay McAllister Conservation funds must be applied for by the property owner; the City cannot pursue that type of funding for privately-owned property.

Commissioner Croshaw is concerned about the water table. He has seen Country Manor flood many times over the years and he does not see how this will all be accounted for.

Commissioner Newman asked if this area has been determined to be a wetland. Mr. Holley said it has not been formally delineated as such by the Army Corps of Engineers. Commissioner Newman said there is a lot of water in the area.

Chairman Nielson said the development at the Y-intersection (referenced by Mr. Hoedt) has been designed to account for water runoff. He has faith in the City's building and engineering professionals. He pointed out that this is only consideration for a zone change, which will have to be decided by the City Council.

Commissioner Lucero asked if a zone change could change UDOT's approval for an access to the highway. Mr. Holley explained that access permits are based on several factors. Land use and traffic generated by that use are considered. If there are other accesses available, they are encouraged to be shared/used. State law prohibits UDOT from denying a property any access; if an access is approved, there are safety requirements that would be required if appropriate.

MOTION: Commissioner Dickinson moved to forward a recommendation for **denial** to the Municipal Council for a Zone Change as outlined in PC 20-022 with the findings listed below. Commissioner Newman seconded the motion.

FINDINGS FOR DENIAL

1. The Mixed Use (MU) zone has maximum setbacks and building frontages that do not match the character of the area and speed limits of Hwy 89/91 in this area.
2. The dense urban form associated with the MU zone would conflict with the native meandering Spring Creek and make developing around this sensitive feature difficult.
3. The Future Land Use Plan (FLUP) does not identify MU for this area.

Moved: R. Dickinson **Seconded:** D. Newman **Approved:** 7-0

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

MOTION: Commissioner Goodlander moved to **continue the Design Review** for PC 20-022 to the August 27, 2020 meeting after the City Council has made a decision regarding the zone change. Commissioner Ortiz seconded the motion.

Moved: S. Goodlander **Seconded:** E. Ortiz **Approved:** 7-0

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

PC 20-023 Global Property Town Home Rezone – *continued from May 28, 2020.*

(Design Review & Zone Change) Global Property 2000 LLC/Lance Zollinger, authorized agent/owner request to rezone 2.72 acres from Neighborhood Residential (NR-6) to Mixed Residential (MR-9). The project proposes 15 town home units located at 295 West 500 North; TIN 05-076-0004;0026.

STAFF: Mr. Holley reviewed the request to rezone two parcels that total approximately 2.72 acres at 295 West 500 North from Neighborhood Residential (NR-6) to Mixed Residential (MR-9). The irregular-shaped parcels extend into the middle of the block between 500 North and 600 North. The vacant and relatively flat area has a mix of single-family homes and multi-family structures in the adjacent areas. The land has only one street frontage along 500 North and narrows in that area to approximately 115' wide. The original request included a Design Review Permit for 15 townhome units, but has since been requested in writing, to separate these actions and continue the Design Review Permit to a later date.

Logan City's housing goal for the Bridger Neighborhood has been to increase the number of owner-occupied single-family homes in the area to help provide a more balanced housing portfolio. Much of the remaining undeveloped land, including this parcel, has been rezoned to NR-6 and designated as Detached Residential (DR) on the Future Land Use Plan (FLUP) to help achieve this goal. Balance to the housing in the area will help to increase long-term home ownership, lessen student turnover in local schools, and provide more housing options for residents. With the project site being adjacent to some existing single-family homes, the FLUP designation of the area as DR, along with the need for more single family detached housing in the area, staff recommends that the rezone request from NR-6 to MR-9 be denied to preserve one of the last remaining locations for single-family detached homes in the neighborhood.

PROPONENT: Danny MacFarlane explained that the intent is to keep the underlying maximum density (15 units). The applicant is open to a deed restriction on the parcel. The idea is to cluster the town homes close to 500 North with the open space located in the inner block. Town homes will provide an affordable housing option (individually sold).

Lance Zollinger grew up in this neighborhood. The original idea was for single-family homes, however, with the required road standards, that option was not feasible. He wants to be a good neighbor and thinks this proposal will be a nice project.

PUBLIC: Written comments received prior to the meeting were distributed to the Planning Commission and are included in the project file.

Ezra Eames said something needs to be done with this property; it is a tough area to develop because the only access is from 500 North. The Zollinger's have done as good of a job as possible keeping the weeds down. He thinks this proposal is great.

Makell Mitton, lives on 500 North and future townhomes would be in her backyard. She would prefer single-family homes because the west side of town already has a high number of multi-family rentals. If the current state of the property is any indication of how it will look with rentals, she is very concerned because the weeds get quite high. Another concern is that with the only access is from 500 North, overflow parking will spill out to 500 North, which is already full. She loves the neighborhood and wants to keep it a nice family area. She pointed out that today online there are 95 places available to rent and 190 homes for sale. With possible changes in USU attendance this fall, she feels that currently, there is adequate availability of housing.

Koltin Darley opposes the proposal. The current neighborhood is well taken care. 600 North is congested with vehicles and apartments and he is worried about adding to the traffic congestion in the area.

Mark Maughan owns a property to the east of this location. He is concerned that the current sewer system cannot handle more development.

Joy Reyes walks in the area daily and is concerned about the unkempt weeds. She is against developing the area and changing the zone. She has spoken with several neighbors who have expressed concern that this area will become blighted like the Reeder Mobile Home park, with promises of what would happen and did not. If it is developed, she would like to see single-family homes.

Susan Scott owns a 100-year-old home to the east and is opposed to multi-family housing that will block the view and bring more chaos to the area.

Sue Sorenson, the Ellis Neighborhood Chair, said there is a reason that it was zoned the way it is and encouraged the Commission to not rezone it. She would like to keep the core neighborhood. Single-family homes would be a good option. She is concerned with maintenance of the proposed open area.

Tyla Darley is a realtor and pointed out that rentals in the area are quite run down. She likes the idea of single-family homes or a park.

COMMISSION: Commissioner Newman asked if this would access any of the center block easements that were generally set up with the grid system. Mr. Holley explained that this is landlocked, except for 500 North; there are not many of those easements that still exist.

Commissioner Goodlander said the design has a lot of open space and asked if the proposed development meets the MR-9 density. Mr. Holley advised that initially it was proposed that the City take over the open area as a park, which has been forwarded to the Parks & Recreation Department for consideration. The overall density would be 6-7 units per acre.

Commissioner Dickinson asked about the road restrictions (as noted by the applicant) that would make single-family homes impossible. Mr. Holley explained that the Public Works Standards and Specifications are being updated. Because of the configuration of the property, and with a small amount of frontage, the requirement for the roads decreases the area available for homes and increases the cost of the project. This is one of the challenges of infill development.

Mr. Holley answered for Commissioner Newman that the property is 115' wide and the requirement of a 60' road would make it too narrow to have lots on both sides and would not fully utilize the property. Mr. Holley said this a good example for an argument for smaller roads in some instances.

Commissioner Goodlander does not like the idea of carving out the center of the block and is not inclined to rezone it.

Chairman Nielson said this is difficult for the property owner because it is oddly shaped. It is also difficult for the neighbors. Single-family homes would be a great improvement; however, he is concerned with the proposed density. Town homes, if not individually sold, will likely turn into rentals, regardless of good intentions. The schools in the area need to be sustained with more permanent housing options. He cannot support an up zone in this area.

MOTION: Commissioner Newman moved to forward a recommendation for **denial** to the Municipal Council for the zone change as outlined in PC 20-023 with the findings listed below. Commissioner Dickinson seconded the motion.

FINDINGS FOR DENIAL

1. The Future Land Use Plan (FLUP) identifies the area as Detached Residential (DR).
2. This area is one of the few remaining vacant DR areas in the Ellis Neighborhood.
3. Logan City has made numerous concerted efforts to try and get less multi-family and more single-family in this neighborhood. Downzones from Mixed Residential (MR) to Neighborhood Residential (NR) in 2007 for these areas are evidence of that.
4. As proposed the MR-9 zone does not act as a transition zone as described in the Land Development Code (LDC).
5. The DR designation is intended for single-family detached developments.

Moved: D. Newman **Seconded:** R. Dickinson **Approved:** 7-0

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

MOTION: Commissioner Newman moved to **continue the Design Review** for PC 20-023 to the August 27, 2020 meeting after the City Council has made a decision regarding the zone change. Commissioner Croshaw seconded the motion.

Moved: D. Newman **Seconded:** R. Croshaw **Approved:** 7-0

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

PC 20-029 Canyon View Cares Pet Boarding (Conditional Use Permit) Kimberley Taylor/Joyce Nicholls, authorized agent/owner, request a temporary intake facility for 20-24 dogs and cats located at 1180 ½ West 200 North in the Commercial Services (CS) zone; TIN 05-064-0022.

STAFF: Mr. DeSimone reviewed the request for a temporary impound kennel. The proposed use will be in an existing 36' x 60' building on 1.06 acres. The property was originally developed in 1986 and includes two buildings, a large parking area and minimal landscaping/open space. There will be enough kennel space for up to 24 animals at one time. The plan is to house animals for no longer than 5-6 days. There will be minimal veterinary care provided on site. Animal waste will be managed to ensure there are no impacts to adjoining properties.

PROPONENT: Dr. Cody Faerber, a veterinarian from Box Elder County has been working with Cache County Sheriff Jensen for a temporary boarding facility to house abandoned or impounded animals until they can finish building a bigger facility. The property owner is happy with the use. This is a good location due to it being a standalone building that is well ventilated. Sod is being planted in the back fenced area.

PUBLIC: None

COMMISSION: Mr. DeSimone confirmed for Commissioner Croshaw that air circulation will be inspected during the business license inspection/review process.

MOTION: Commissioner Newman moved to conditionally **approve** a Conditional Use Permit as outlined in PC 20-027 with the findings listed below. Commissioner Lucero seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.

2. Five (5) off-street parking stalls shall be provided.
3. All parking stalls shall be clearly marked and conform with the standards of the Land Development Code (LDC).
4. Any change of, or increase in, use requires Logan City approval.
5. No signs are approved with this permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
6. Any outdoor kennel areas or dog runs shall be adequately fenced and are not permitted in the front of the building.
7. 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. Water/Cross Connection
 - i. The buildings water main needs to have an RP (ASSE1013) installed and tested on the water main as it enters the building before any branch offs or connections. Properly sized drain required.
 - ii. All landscape irrigation systems fed from Logan City water must have a high-hazard backflow assembly installed and tested. All backflow assemblies must be tested within 10 days of turning in water to them and annually thereafter.
 - iii. Fire suppression systems that are connected to Logan City water (with no added chemicals) 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.
 - b. Business Licensing
 - i. Business license required.

FINDINGS FOR APPROVAL

1. The use conforms to the requirements of the Land Development Code and is listed as a conditional use in the Use Table.
2. The use is compatible with the surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
3. The streets providing access and other infrastructure to the subject property have adequate capacities and level of service for the conditional use.
4. The use is compatible with neighborhood uses.
5. As conditioned, the proposed use provides adequate off-street parking in conformance with Land Development Code.

Moved: D. Newman **Seconded:** J. Lucero **Approved:** 7-0

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

PC 20-030 Bad Apple Eddy's (Conditional Use Permit) Parker Real Estate/E&L Goodsell LLC, authorized agent/owner, request a 1,915 SF water sport activities shop located 770 West 200 North #4 in the Commercial Services (CS) zone; TIN 06-108-0009.

STAFF: Mr. DeSimone reviewed the request for a seasonal Paddle Sport Equipment Rental business. The use is proposed to be housed in an existing 1,915 SF suite within a larger building.

PROPONENT: Sean Lowe said the location works well, it will be used for year-round storage of equipment and seasonal rentals.

PUBLIC: None

COMMISSION: Commissioner Dickinson would like to see a planter box added in the front. Mr. Lowe said he would be willing to put one in.

MOTION: Commissioner Newman moved to conditionally **approve** a Conditional Use Permit as outlined in PC 20-027 with the findings as listed below. Commissioner Dickinson seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. A minimum of five (5) off-street parking stalls shall be provided for customer parking. These stalls shall remain open and available for customer use and shall not be used to store equipment or trailers.
3. All parking stalls shall be clearly marked and conform with the standards of the Land Development Code.
4. Any change of use or increase of use requires Logan City approval.
5. No signs are approved with this permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
6. No fences are approved with this permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
7. Equipment shall not be placed or stored out along 200 North and shall only be placed/stored either adjacent to the leased space or inside the building.
8. 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. **Engineering**
 - i. All cleaning of boats shall be done inside, and wastewater being collected and discharged to the sanitary sewer system. If this washing is proposed to be done outside, City will have coordinate with the owner to ensure that there are no illegal discharges of pollutants to the storm drainage system.
 - b. **Water/Cross Connection**
 - i. All points of use of water must comply with the 2018 IPC and State of Utah Amendments for backflow protection.
 - c. **Business Licensing**
 - i. Business license required.

FINDINGS FOR APPROVAL

1. The use conforms to the requirements of the Land Development Code and is listed as a conditional use in the Use Table.
2. The use is compatible with the surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
3. The streets providing access and other infrastructure to the subject property have adequate capacities and level of service for the conditional use.
4. The use is compatible with neighborhood uses.
5. As conditioned, the proposed use provides adequate off-street parking in conformance with Land Development Code.

Moved: D. Newman **Seconded:** R. Dickinson **Approved:** 7-0

Yea: Croshaw, Dickinson, Goodlander, Lucero, Newman, Nielson, Ortiz

Nay:

Abstain:

PC 20-031 1700 N Retail Development (Design Review Permit) Justin Campbell-Cartwright AEC/CH Champlin, authorized agent/owner, request construction of two 11,520 SF retail buildings facing Main Street with parking in the back at 1700 North Main in the Commercial (COM) zone; TIN 04-082-0013;04-177-0002-0003.

STAFF: Mr. Holley reviewed the request to construct two (2) 11,520 SF single-story commercial buildings along the Main Street frontage. The project includes parking lot areas, landscaping and outdoor space improvements. The currently vacant land slopes slightly from east to west and is comprised of three (3) parcels totaling 6.5 acres. The project site has approximately 385 linear feet of street frontage along the west side of Main Street. The proposed plans show future commercial phases to the west for a total of six (6) commercial buildings. This action is only for Phase 1, future phases will require subsequent Design Review later.

PROPOSER: Justin Campbell, the project architect, explained that this is being designed as a “destination retail area”. The central access design (entrance between the two Main Street buildings) is intended to be a symmetrical approach into the development. The next phasing will vary in height and different types of buildings. He answered for Commissioner Newman that the buildings being symmetrical is a preference; he appreciates the spirit of the Code and the intent to prevent development from being a “cookie cutter” design, however, with the design of this proposal, the symmetry of the street-facing buildings will be offset by the remainder of the development.

Rick Champlin, one of the project owners, is hoping the Commission will allow the symmetrical entrance design as proposed. There will be differences in articulation with the other buildings within the development. The master plan is to have the buildings centered, with a walkable area in between them.

PUBLIC: An email from North Logan City regarding the 50 East Well was received and distributed prior to the meeting and is included in the project file.

COMMISSION: Commissioner Croshaw asked about the email received from North Logan regarding North Logan City’s 50 East Well. Mr. Holley explained that there is a pump house on the site that will need to be preserved (was installed prior to the annexation of the property into Logan City). The well is located within Phase 2.

Commissioner Dickinson questioned the symmetry of the Main Street buildings and how it might be affected if the entrance is moved. Mr. Holley said any significant change in design would have to be approved by the Commission.

Mr. DeSimone pointed out that accepting the symmetry of the buildings is not considered a “variance” but is part of the Commission’s discretionary allowance as outlined in the Land Development Code (LDC).

Commissioner Ortiz likes the proposed design. Commissioner Newman said there are no other buildings in the area with this similar look and agreed that the design is good.

Commissioner Goodlander agreed that this is a nice project, however, she is concerned about setting a precedent for other projects if an allowance is given for the symmetrical buildings.

Commissioner Lucero said, in the context of the entire development, the symmetry does provide cohesiveness.

Chairman Nielson would prefer to see different architecture on the Main Street buildings as required in the Code.

MOTION: Commissioner Ortiz moved to conditionally **approve** a Conditional Use Permit as outlined in PC 20-027 with the amended findings listed below (removal of “*No two adjacent buildings may possess the same front/street-facing elevation as per façade variation standards in the Land Development Code (LDC) 17.12.020.C*”). 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 minimum of 92 parking stalls and a bike rack shall be provided for Phase 1. Parking requirements will be reviewed and approved for each subsequent business license application within Phase 1.
3. Temporary turn arounds in the parking lots shall be installed at the edge of Phase 1 to ensure adequate project circulation.
4. If UDOT’s access permit alters the location of the driveway onto Main Street, the applicant will be required to obtain subsequent Planning Commission approvals.
5. Pedestrian pathway connections shall be made throughout the site for safe pedestrian circulation.
6. A Performance Landscaping Plan, prepared in accordance with LDC §17.32, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a. Street trees required along public streets every 30’. Coordinate species and location with the City Forester.
 - b. Open and useable outdoor areas shall total a minimum of 16,170 SF.
 - c. A total of 37 trees and 92 shrubs, perennials and grasses shall be provided.
7. Submit a Boundary Line Adjustment to the City Engineer to adjust existing parcel lines to match Phase 1 building and project layout.
8. Any dumpsters near the street shall be visually screened or buffered with landscaping and/or fencing.
9. Exterior lighting shall be concealed source, down-cast and reviewed and approved prior to the issuance of a building permit and shall comply with current LDC regulations.
10. No signs are approved with this permit. All signage shall be approved and permitted by staff in accordance with the LDC.
11. No fences are approved with this permit. All fences shall be approved and permitted by staff in accordance with the LDC.
12. Surface storm water retention and detention facilities shall be in areas away from public streets and buffered from view.
13. 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. Water
 - i. Each unit’s water main needs to have its own RP (ASSE1013) installed and tested on the water main as it enters each unit before any branch offs or possible connections. So, each unit is independently controlled and protected. Properly sized drain required to serve dump port of B/F.
 - ii. All landscape irrigation systems fed from Logan City water must have a high-hazard backflow assembly installed and tested. All backflow assemblies must be tested within 10 days of turning in water to them and annually thereafter.

- iii. Fire suppression systems that connect to Logan City water (with no added chemicals) 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.
- b. Engineering
- i. Provide storm water detention/retention per Logan City Design Standards. This includes the onsite retention of the 90% storm event utilizing Low Impact Design Standards.
 - ii. Provide water shares, or in-lieu fee, for all increased demand to City system for indoor and outdoor uses.
 - iii. Provide City with Private Water Utility agreement for all private water lines on property connected to City system.
 - iv. No civil plans submitted, will address at time plans submitted for permit review
 - v. Provide all easements and accesses required by North Logan to their well and pump house structure
 - vi. Comply with source protection requirements around well as required by both North Logan and Logan codes and standards.
 - vii. Plan shows parking and access to be placed on pump house and well owned and operated by North Logan. Unless North Logan is relocating this well, this will not be allowed.
 - viii. Provide security fencing with setbacks for code and operation as required by Logan and North Logan.
 - ix. If sewer from project is taken to the west, easements through private property shall be obtained and copies provided to City. City considers this sewer line as private.
 - x. Camp access approval of access onto US 91 shall be obtained from UDOT
 - xi. UDOT at the CAMP meeting may also require deceleration and acceleration lanes at approved access location.
- c. Fire
- i. Fire hydrants will be required within 400' of all points around the exterior of all buildings and within 100' of any fire department connections (FDC). Applicant shall provide an AutoCad drawing of the site with the maneuvering specifications of the largest fire apparatus; inside turn: 17', curb-to-curb 32', wall-to-wall 36'.

FINDINGS FOR APPROVAL

1. The conditioned project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, materials, landscaping, and setbacks.
2. The project conforms to the requirements of Logan Municipal Code Title 17.
3. The conditioned project provides adequate open and useable outdoor space in conformance with Title 17.
4. The conditioned project provides adequate off-street parking.
5. The project met the minimum public noticing requirements of the LDC and the Municipal Code.
6. Main Street provides access and are adequate in size and design to sufficiently handle automobile traffic related to the land use.

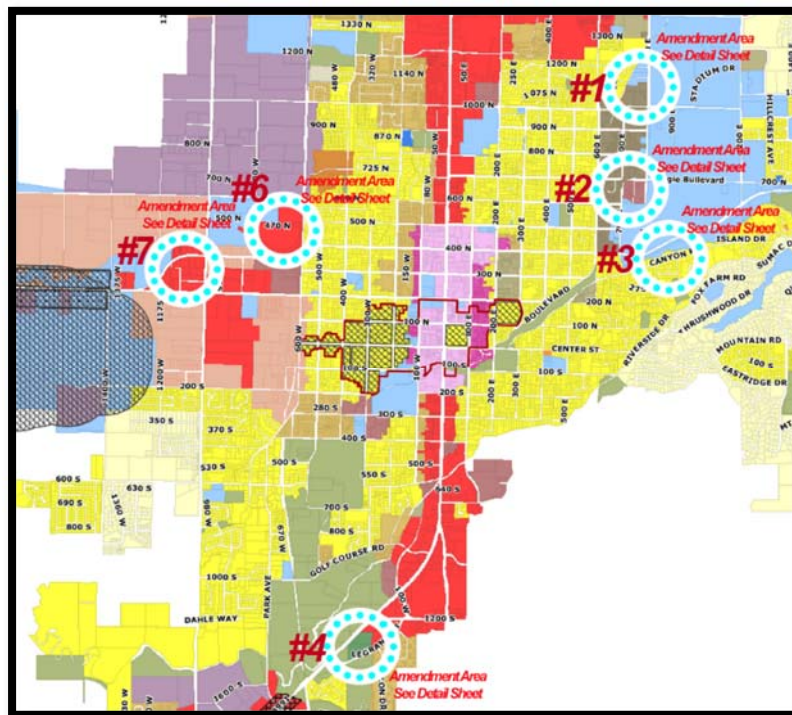
Moved: E. Ortiz **Seconded:** R. Croshaw **Approved:** 6-1

Yea: Croshaw, Dickinson, Goodlander, Lucero, Newman, Ortiz **Nay:** T. Nielson **Abstain:**

PC 20-017 Citywide Zoning Map Amendment – *continued from April 23, 2020.*

Logan City Community Development is proposing a zoning map amendment that includes approximately 64 acres in various areas around the City that better reflect the recent changes to the Future Land Use Plan (FLUP).

STAFF: Mr. Holley reviewed the request by for an Official Zoning Map Amendment for approximately 64 acres in seven different areas, in response to the recent Future Land Use Map (FLUP) amendments. These seven areas include two areas near Utah State University where recent public property acquisition has occurred, one area along Canyon Road where recent park development happened, two areas along south Highway 89/91 with future growth potential and two areas near Highway 30 that better reflect current land use and development patterns. The proposed zoning changes include Campus Residential (CR) to Public (PUB), Neighborhood Residential (NR-6) to Recreation (REC), Resource Conservation (RC) to Commercial (COM), Commercial (COM) to Industrial Park (IP) and Commercial Services (CS).



PUBLIC: A comment was received expressing a desire to rezone the south Highway 89/91 property, near the intersection of Legrand Street, to Mixed-Use rather than the proposed COM.

Carole Sainsbury (reference [Area 4](#)) is concerned about the area around Legrand Street as discussed in the earlier projects. She recommended that the Commission postpone changing the Resource Conservation (RC) designation until many of the water concerns can be adequately addressed and resolved.

Alex Bearnson (reference [Area 5](#)) said the parcel to the east, in Nibley, is proposing 135 homes on 10 acres, the Vooray building is to the north, and Thomas Edison Charter School is to the south. He suggested a Mixed-Use (MU) zone for this property, rather than Commercial (COM). There are currently nine residential home sites around the property and no Commercial (COM) adjacent to it. Although a commercial use is viable, with residential around it, Mixed-Use would make more sense.

Allan Cooley (reference Area 4) lives in the Country Manor neighborhood. He pointed out that Country Manor has one access onto Legrand Street. In past flooding emergencies, that access has been blocked. There are already problems with traffic in the area (Walmart trucks and soccer season) and changing to Commercial (COM) would only make the problem worse.

Kristie Cooley (reference Area 4) expressed gratitude for the recommendation to deny the zone change for the Brown Warehouse project. The water problems in the area are a real issue and commercial development would add to the problem. She would like it to remain Resource Conservation (RC) to keep the integrity of the area.

COMMISSION:

AREAS 1-3



Areas 1 and 2 are properties purchased by USU. The proposal reflects public ownership with a Public (PUB) zoning designation. Area 3 shows the new Canyon Road park area. It was previously developed for residential homes, the proposal to Recreation (REC) reflects the current land use.

MOTION: Commissioner Goodlander moved to forward a recommendation to the Municipal Council for **approval to change the zones in Areas 1-3 as proposed.** Commissioner Ortiz seconded the motion.

Moved: S. Goodlander **Seconded:** E. Ortiz **Approved:** 7-0

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

AREA 4



Area 4 shows a perimeter growth area for Logan City. Historically used as agriculture, this property will likely experience development pressure soon.

Commissioner Newman's preference is for it to remain Resource Conservation (RC), especially with the water concerns of the area.

Commissioner Dickinson said if it is changed to Commercial (COM) someone may come in and fix the water problem. Commissioner Newman said that would be very expensive. Commissioner Dickinson agreed but said the potential could be beautiful, it is not an appealing area currently. Commissioner Newman said a future project could request a zone change.

Commissioner Lucero said, given the challenges discussed tonight, she would prefer that it remain Resource Conservation (RC) at this time.

Mr. Holley confirmed for Commissioner Croshaw that there has been no wetland delineation determined at this time.

Mr. Holley explained that Resource Conservation (RC) allows one home per 40 acres of land or agricultural uses.

Commissioner Goodlander agrees that without a project, it does not make sense to rezone this area.

Commissioner Ortiz understands the logic of the proposal, based on the location, however, he is uncomfortable with making a change. He feels it is important to have a risk assessment done to help make a more informed decision. There are many challenges with this area.

Chairman Nielson agreed that the water issues should be adequately addressed before any change to the zone is made.

MOTION: Commissioner Newman moved to forward a recommendation to the Municipal Council to **keep the area zoned Resource Conservation (RC)**. Commissioner Ortiz seconded the motion.

Moved: D. Newman **Seconded:** E. Ortiz **Approved:** 7-0

Yea: Croshaw, Dickinson, Goodlander, Lucero, Newman, Nielson, Ortiz

Nay:

Abstain:

AREA 5



Area 5 shows a perimeter growth area for Logan City. Historically used as single-family and agriculture, this property will likely experience development pressure in the near future. The property was annexed into Logan City as Resource Conservation (RC). The Future Land Use Plan identifies this area as Commercial (COM).

Commissioner Lucero asked about the property just north of the proposed area. Mr. Holley said it is similar to the proposed area with older single-family homes and open agricultural areas. Further east is the Vooray Warehouse and the Strata Apartment development currently under construction, south of the area is Nibley City.

Commissioner Dickinson is worried that leaving this area as Resource Conservation (RC) may discourage someone from proposing a project.

Mr. Holley confirmed for Chairman Nielson that the Commission can only make a recommendation on what has been proposed. The public comment about possibly changing it to Mixed-Use cannot be considered with this application.

Chairman Nielson said there have been rezones happen with the greatest of intentions and then the project goes sideways when it is sold to another owner. He prefers leaving it Resource Conservation (RC). Mr. DeSimone pointed out that a rezone should not be based upon a specific project, but rather consideration should be given to the range of uses allowed in a specific zone, and whether they are appropriate for the specific location.

Commissioner Lucero said Commercial (COM) does not necessarily make sense with what is around it, she would prefer it to remain Resource Conservation (RC) for now.

Commissioner Newman noted that this property is in the Gateway Overlay Zone, which requires a 100' setback from the highway.

Mr. Holley confirmed for Commissioner Ortiz that the property was annexed in as Resource Conservation (RC).

MOTION: Commissioner Goodlander moved to forward a recommendation to the Municipal Council to **keep the area zoned Resource Conservation (RC) and deny the proposed change to Commercial (COM)**. Commissioner Newman seconded the motion.

Moved: S. Goodlander **Seconded:** D. Newman **Approved:** 6-1

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

AREA 6



Area 6 shows a remnant railroad right-of-way, now owned by Logan City (PUB,) and a storage unit property with a rezone proposal to better match the existing land use of Industrial Park (IP).

Mr. Holley confirmed for Commissioner Ortiz that the change to IP will not affect the land value. The County assesses properties based on their use.

Commissioner Dickinson said she is fine with the small railroad remnant being changed to Public (PUB) but has concerns with the existing Commercial (COM) zone being changed to Industrial Park (IP) because of the residential neighborhood to the east. If the storage sheds are ever removed, she would prefer to see the uses in a Commercial (COM) zone rather than those in an Industrial Park (IP) zone. Commissioner Newman said he does not anticipate the storage units being changed any time soon. Mr. DeSimone said this rezone is being proposed to match with the uses currently there.

Commissioner Newman said the road provides a considerable transition barrier between the neighborhood. Commissioner Dickinson pointed out that with the recently approved Homestead project, there will be additional children in the area who will be walking to school. Chairman Nielson said the entire side of the road, next to the neighborhood, is currently zoned Industrial Park (IP).

MOTION: Commissioner Dickinson moved to forward a recommendation to the Municipal Council to **approve the the zone change of the railroad remnant to Public (PUB) as proposed.** Commissioner Ortiz seconded the motion.

Moved: R. Dickinson **Seconded:** E. Ortiz **Approved:** 7-0

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

MOTION: Commissioner Dickinson moved to forward a recommendation to the Municipal Council to **maintain the existing zone of Commercial (COM) and deny the request to change it to Industrial Park (IP).** Commissioner Goodlander seconded the motion.

Moved: R. Dickinson **Seconded:** S. Goodlander **Approved:** 6-1

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

AREA 7



Area 7 shows areas with a rezone proposal to better match the existing land use of Commercial Services (CS) rather than Commercial. It also shows a small area purchased by the State of Utah that should be changed from Commercial (COM) to Public (PUB).

Mr. Holley confirmed for Commissioner Goodlander that Jones-Simkins is the only commercial office building in the area. The Commercial Services (CS) zone allows similar uses to Commercial (COM) with a few more industrial type uses.

Commissioner Dickinson said she would like to keep the property along 200 North as Commercial.

Commissioner Lucero said the change makes sense based on the current uses.

MOTION: Commissioner Dickinson moved to forward a recommendation to the Municipal Council to **approve the zone change in Area 7 to Commercial Services (CS) as proposed.** Commissioner Ortiz seconded the motion.

Moved: J. Lucero **Seconded:** E. Ortiz **Approved:** 6-1

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

PC 20-032 Deer Pen Substation – **requesting continuance to July 9, 2020 meeting.**
(Design Review & Conditional Use Permit) Logan City requests to install a substation at approximately 1880 East 1500 North in the Recreation (REC) zone.

MOTION: Commissioner Newman moved to **continue** PC 20-032 to the July 9, 2020 meeting. Commissioner Goodlander seconded the motion.

Moved: D. Newman **Seconded:** S. Goodlander **Approved:** 7-0

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

PC 20-033 LDC Amendment – Public Works Design Standards – requesting continuance to July 9, 2020 meeting. (Code Amendment) Logan City requests to amend Chapters 17.29 “Standards, Specifications and Improvements” and 17.30 “Supplemental Development Standards” of the Land Development Code to adopt the City of Logan Public Works Design Standards for sanitary sewer systems, culinary water systems, storm drain systems, and street systems. Amend 17.29.170 to clarify location, design, placement and landscaping of storm water management systems.

MOTION: Commissioner Newman moved to **continue** PC 20-033 to the July 9, 2020 meeting. Commissioner Goodlander seconded the motion.

Moved: D. Newman **Seconded:** S. Goodlander **Approved:** 7-0

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

PC 20-034 LDC Amendment – 17.39, 17.40, 17.43 – requesting continuance to July 9, 2020 meeting. (Code Amendment) Logan City requests to amend Chapters 17.39 “Permit Authority” to include section on accommodating ADA; 17.40 “Subdivisions” to clarify preliminary plat reviews; and 17.43 “Design Review Permits” to clarify wording.

MOTION: Commissioner Newman moved to **continue** PC 20-034 to the July 9, 2020 meeting. Commissioner Goodlander seconded the motion.

Moved: D. Newman **Seconded:** S. Goodlander **Approved:** 7-0

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

WORKSHOP ITEMS for July 9, 2020:

- ✓ PC 20-035 Harvest Meadows Subdivision
- ✓ PC 20-036 LDC Amendment – 17.38
- ✓ PC 20-037 LDC Amendment – 17.09, 17.12, 17.20

Meeting adjourned 8:30 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of June 25, 2020.

Michael A. DeSimone
Community Development Director

Tony Nielson
Planning Commission Chairman

Debbie Zilles
Administrative Assistant