



## PLANNING COMMISSION MINUTES

### Meeting of October 8, 2020

Logan City Council Chambers (290 N 100 W Logan, UT 84321) [www.loganutah.org](http://www.loganutah.org)

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, October 8, 2020. Chairman Nielson called the meeting to order at 5:30 p.m.

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

**Commissioners Excused:** Dave Newman

**Staff Present:** Mike DeSimone, Russ Holley, Tanya Rice, Tom Dickinson, Jeannie Simmonds (City Council), Debbie Zilles

Commissioner Dickinson moved to approve the minutes from the September 24, 2020 meeting as submitted. Motion seconded by Commissioner Croshaw. The motion was approved unanimously.

### **PUBLIC HEARING**

**PC 20-048 LDC Code Amendment – RV Park Occupancy** [Code Amendment] McKay Winkel is requesting a Code amendment that would create a conditionally-permitted use in the Recreation (REC) zone to allow long-term occupancy of 30 days or more in RV parks.

**STAFF:** Mr. Holley reviewed the request to amend the Land Use Table for the Public (PUB) and Recreation (REC) zones in the Land Development Code (LDC) to conditionally allow long-term Recreational Vehicle (RV) Parks in the REC zone. The applicant proposes to define long-term RV Parks as those that allow an occupancy duration of more than 30 days. The current Land Use Table only allows short-term RV Parks in the REC zone which is defined as less than 30 days in duration.

The General Plan states that long-term residential land use is inappropriate for RV Parks in the REC zone. This open-ended code amendment proposal will create opportunities to accommodate long-term residential uses. Logan has approved two long term RV Parks in the past, one in the late 1980's and the other in the mid 1990's. These RV Parks are located at 447 West 1700 South and 2020 South Hwy 89/91. The Logan Neighborhood Improvement Division has received written complaints for weeds and refuse-related issues for these RV Parks. While property management would ultimately be responsible, staff would argue that appearance complaints, such as weeds and litter, are typically associated with long-term residential users rather than short term vacation users. For these reasons, along with better compliance with the General Plan, the LDC was amended three years ago to eliminate long-term occupancy within RV Parks.

Staff recognizes that some vacationers may stay longer than 30 days and is open to the suggestion of a slightly longer duration, but an open-ended long-term duration will attract long-term residential uses. Affordable housing is a real issue in the city, but RV Parks are not the best solution to that problem. Life-safety building concerns with flimsy structures, less than ideal living situations and surrounding neighborhood character (commercial/industrial) are reasons not to have long-term residents inside RV Parks. Long-term RV Parks will not contribute to the tourism industry and the local economy the way a short-term, vacation-oriented RV Park will. As defined in the Logan City adopted plans, RV Parks are not intended to be long-term residential land uses.

**PROPONENT:** Rick Whiting, representing the applicant, understands the concerns related to long-term occupancy and said there may have been some inadequacy in the request because the intent is not for long-term, permanent residency. They would like to be able to capture off-season revenue by allowing longer than 30 days stays, which could be beneficial for the community and provide value for visitors who want somewhere to stay while traveling. He asked about the opportunity to modify the request to better reflect the vision that is desired by both staff and the applicant. He said they would be willing to add in provisions or contingencies if appropriate.

**PUBLIC:** None

**COMMISSION:** Mr. Holley confirmed for Commissioner Goodlander that there is a reference to “7 days” in the Code, which contradicts 30 calendar days; this wording will be fixed. He also explained to Commissioner Dickinson that 30 days was chosen because that is usually associated with short-term rentals/monthly contracts.

Commissioner Lucero asked if there was anything in the Code that would preclude someone from parking for 30 days and moving to another spot for another 30 days. Mr. Holley said there is not. Mr. DeSimone said this type of scenario might fulfill the objective without the concerns related to long-term stays.

Commissioner Goodlander visited the two RV parks in the City. She spoke with the manager of the park just off Hwy 89 (by the hotel) who said that 60-70% of the occupants are long-term (a year or longer) and they are always at capacity. The manager said there is a real need for more space in the Valley. Riverside Park appeared to have older trailers and more long-term occupancy. She would be fine with going up to 90 days to help provide a service. Commissioner Croshaw agreed that 90 days seems reasonable because that is generally the length of time that “snow birds” visit the Valley and would also be beneficial for laborers who are in town to work on temporary projects and need a place to stay for a short amount of time.

Commissioner Ortiz believes that a 90-day limit might be acceptable, but there should be very clear expectations and requirements.

Commissioner Goodlander asked if it was within the Commission’s purview to limit it to 90 days because that was not included in the applicant’s request. Mr. Holley said it was legally noticed as “long-term occupancy of more than 30 days”, but there is some discretion if it does not stray too far from the original intent and notice.

Chairman Nielson asked how this would be enforced; although it is a good idea, it may become a problem. He appreciates the guidelines included in the applicant’s proposal. Mr. Housley, the City Attorney, advised that it will be difficult to enforce and will be handled on a complaint basis. Mr. Holley said the City will only enforce the City-defined rules, the other guidelines and rules will have to be handled by the park management.

Commissioner Lucero pointed out that the difficulty of enforcement is the same whether it is 30 days or 90 days. It seems like keeping it at 30 days and allowing visitors to move and/or switch spots would protect the integrity of the Code and allow the intended use.

**MOTION:** Commissioner Lucero moved to **forward a recommendation for denial** to the City Council for an amendment to the Land Development Code as outlined in PC 20-048 with the findings for denial as listed below. Commissioner Goodlander seconded the motion.

## **FINDINGS FOR DENIAL**

1. The amendment conflicts with the Logan General Plan that states that the Recreation (REC) land use is not intended for long-term residential uses.
2. The amendment would result in incompatible land uses and may likely result in additional complaints related to appearance associated with RV Parks.
3. Long-term residential uses in RV Parks will not contribute the tourism and economic development in the City like short-term RV Parks do.

**Moved:** J. Lucero    **Seconded:** S. Goodlander    **Approved:** 6-0

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

**PC 20-049 Meadow Brook Subdivision** [Subdivision Permit] Parker McGarvey-Visionary Homes/Land Haven Inc. & Sterling Land Holdings LLC, authorized agent/owner, request that recently rezoned parcels be added to the preliminary plat for Meadow Creek Subdivision with the purpose of developing additional single-family lots and open space, to total 45 lots on 9.51 acres located at 2200 South 1600 West in the Mixed Residential (MR-9) zone; TIN 03-005-0029;-0060.

**STAFF:** Mr. Holley reviewed the request to subdivide approximately 9.51 acres into 43 single-family building lots. The cluster style subdivision allows for native area preservation in exchange for clusters or pockets of housing while adhering to an overall density. The overall gross density of the project is proposed at 4.73 homes per acre. These properties were recently rezoned from Neighborhood Residential (NR-6) to Mixed Residential (MR-9) to allow the project to continue under the rules of the original 2006 Spring Village Planned Unit Development (PUD). Prior to the rezone, the applicant placed a voluntary deed restriction on the properties limiting future development to only single-family homes, even though the MR-9 zone allows attached housing structure types. No multi-family or attached housing will be allowed on these properties.

**PROPONENT:** Parker McGarvey with Visionary Homes said they have finally acquired the property and are excited to move forward. They have been in discussion with the Department of Natural Resources (DNR) about public access to the fishery. He also noted that the shallowness of the detention basin areas will allow for more landscaping and amenities. They want to design those areas for the highest and best use.

**PUBLIC:** An email was received from Ed Jenson expressing concerns over traffic, density and riparian and fishery protections. It was distributed to the Commission prior to the meeting and has been included in the project file.

Jeannie Simmonds asked about the open canal route and whether this will have curb, gutter and sidewalk on both sides. She noted that on another project on 1400 North, an enhanced setback was required to help mitigate concerns related to fences along the road and suggested considering that alternative in this scenario. Mr. Holley pointed out the current canal location and the proposed piping and location plans.

**COMMISSION:** Mr. Holley pointed out that 1600 West is currently only 20' of asphalt, this proposal includes a right-of-way dedication. The other half of the road will not be improved until the land to the west is annexed into the City and developed. Curb, gutter and sidewalk will occur from the creek crossing down to 2200 South; improvements are tied to final plat recordation and will be implemented in phases.

Mr. Holley pointed out the access points (Johnson Ridge, 1450 West, Creekside Drive and the new 2100 South) for Chairman Nielson. If Johnson Ridge Lane is turned into a cul-de-sac, the project will still have three access points, which meets the requirement.

Mr. Holley outlined the proposed canal re-alignment for Commissioner Lucero, the open canal will be piped. He also pointed out that open space, even if used for detention, will be usable areas as outlined in the proposal. An HOA is required in the Mixed-Residential zone, so they would be responsible for ongoing maintenance of the open areas.

Chairman Nielson asked about access to the Spring Creek Reservoir and whether this will be available to the public. Mr. Holley said this will be private open space, however, the developer is working with the City on a trail system from the north that could be used to access the area.

Commissioner Ortiz asked about the condition noting that areas of open space and outdoor space shall be listed as non-buildable. Mr. Holley said this will be recorded on the future plat to ensure that these areas are maintained as open areas.

Chairman Nielson asked about building setback requirements in the MR-9 zone of 15' front yard, 8' side yard, 0' common wall side and 10' rear yard. Mr. Holley said that is required in the MR-9 zone, however, it is not applicable for this proposal since this is a deed restriction for single-family housing. He pointed out that forward facing garages require a 20' setback so vehicles do not hang out over the sidewalk.

Chairman Nielson asked about the lots that back 1600 West, especially regarding the fence policy. Mr. Holley said this is a difficult situation; since this will be an arterial road there should not be driveways along it, however, this means that it could potentially be a long line of fences. Fence permits are approved by staff if they meet the requirements. Homeowners have the right to choose the material for the fence. Mr. Holley said, in order to require that they are all one type, an ordinance would have to be adopted to support that condition.

Mr. Holley answered for Chairman Nielson that there are no critical lands affected; there are riparian areas, but they are set back and he is unaware of any wetland issues.

Mr. DeSimone pointed out that there are options in the Code for building orientation along an arterial road. Mr. Holley said MR-9 requires areas of open space and it could be possible to condition those in the area along 1600 West. Chairman Nielson noted that this may not work because it would encroach into the backyards and the lots are quite small as is. Mr. McGarvey said that the HOA can limit the color and type of material that can be used for fences along the road to make it more uniform. The park strips and open spaces will be maintained by the HOA.

**MOTION:** Commissioner Goodlander moved to **conditionally approve** a Subdivision Permit as outlined in PC 20-049 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. 43 building lots are approved with this subdivision.
3. 82,851 SF (1.9 acres) of open space and 41,425 SF (.95 acres) of outdoor space shall be added to the overall open space. The overall project shall provide the indicated 11.62 acres (29.2%) of open space and 5.5 acres (13.8%) of outdoor space.

4. Areas of open space and outdoor space shall be listed as non-buildable on the final plat and contain usable and easily accessible landscaping and outdoor amenities. Open space shall be developed and recorded in a proportionate manner.
5. Single-family homes will be the only structure type allowed within the subdivision.
6. Lots sizes shall be a minimum of 4,000 SF.
7. The final plat for the subdivision shall be recorded within one year unless an extension of time is granted as per LDC. The subdivision may be phased as per LDC regulations.
8. Setbacks will be reviewed and approved on an individual building basis and comply with the MR-9 requirements of 15' front yard, 8' side yard, 0' common wall side and 10' rear yard.
9. Driveways located in the front yard should be at least 20' long to accommodate vehicle parking without obstructing or overhanging onto the sidewalk.
10. If the project is phased, provide minimum emergency vehicle access/circulation each phase.
11. Each home will be reviewed and approved for compliance with LDC regulations concerning garage door width ratios and building design variations with each building permit application.
12. A Performance Landscaping Plan, prepared in accordance with LDC §17.32, shall be submitted for approval to the Community Development Department prior to the recordation of the final plat. The plan shall include the following:
  - a. Final landscape designs for open and usable outdoor space shall detail amenity areas, play equipment, trail surfaces and phasing lines.
  - b. The final landscape design shall indicate re-vegetation techniques and undisturbed native areas with the trail network outlined in the submitted drawings.
  - c. Street trees shall be planted every thirty (30) feet along all streets. Street trees should be planted within a year of occupancy.
13. Storm water retention/detention surface ponds or basins should be positioned outside of the front setbacks. Facilities within view or near the street edge shall be designed in a manner with shallow slopes with plant material and grass so that it does not look like a storm water pond.
14. All streets adjacent to or within the development shall be improved to current city standards and specifications.
15. No signs are approved with this permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
16. No fences are approved with this permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
17. 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. Homes will have residential carts.
    - ii. The homes on the dead-end road on the southwest side of the development will need to pull their cans to the main road.
  - b. Water
    - i. All water meters must meet current Logan City Standards.
    - ii. Any landscape irrigation connected to Logan City water must high-hazard backflow protection installed and tested.
    - iii. All points of use of water during and after construction must comply with 2015 IPC and Utah State amendments.
    - iv. The project shall comply with all Utah division of drinking water rules and regulations, including, but not limited to, those pertaining to backflow protection and cross connection prevention.
  - c. Engineering
    - i. Dedicate Johnson Ridge Lane to City of Logan
    - ii. Extend existing utilities (water, sewer, power, storm drainage) in Johnson Ridge Lane to south and connect existing homes to main lines.

- iii. Cul-de-sac Johnson Ridge Lane with necessary turnaround per City standards and close access to US 89/91
  - iv. Reconstruct Johnson Ridge Lane to City standards
  - v. Access spacing shall comply with current road design standards for a minor arterial road.
  - vi. Dedicate right-of-way along 1600 West for an arterial road (design standards call for a 102' road). Additional vacation needed at intersection of 1600 West 2200 South for right hand turn lanes.
  - vii. Coordinate with the City Water/Wastewater Department to determine size of lot, access, security fence, etc. for Lift Station parcel.
  - viii. All previous comments and requirements for Meadow Brook subdivision shall apply
- d. Fire
- i. Approved fire apparatus access roads shall be provided within 150' of every portion of every building as measured by an approved route around the exterior.
  - ii. Approved fire hydrants shall be provided within 600' of every portion of every building as measured by an approved route around the exterior.

#### FINDINGS FOR APPROVAL

1. The development is consistent with the ordinances and regulations associated with the Mixed Residential (MR-9) zone.
2. The project conforms to the requirements of the Logan Municipal Code Title 17.
3. The project meets the goals and objectives of the MR-9 zone within the Logan General Plan by providing housing in transitional areas.
4. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
5. 2200 South and 1600 West provide access and are adequate in size and design, after the required improvements are installed, to sufficiently handle traffic and utility demands related to the land use.

**Moved:** S. Goodlander    **Seconded:** R. Croshaw    **Approved:** 5-1  
**Yea:** Croshaw, Dickinson, Goodlander, Lucero, Ortiz    **Nay:** Nielson    **Abstain:**

**PC 20-050 Woodmore Pointe** [Design Review, Subdivision & Zone Change] Bryce Goodin-Visionary Homes/Sterling Land Holdings LLC, authorized agent/owner, request that two (2) recently-purchased parcels, totally 2.99 acres be integrated into the approved 150 townhome subdivision (adding 10 additional townhomes) located at 1200 West 1800 South in the Mixed Residential (MR-9) zone; TIN 03-005-0003;0063. The proposal includes a request to rezone parcel 03-005-0063 from Neighborhood Residential (NR-6) to Mixed Residential (MR-9).

**STAFF:** Ms. Rice reviewed the request to rezone approximately 2.99 acres of property from Neighborhood Residential (NR-6) to Mixed Residential (MR-9) with the intention of developing the property as a contiguous extension of the recently approved Woodmore Pointe townhome project. The Woodmore Point townhome project was approved in October of 2018 and contains 150 townhomes on approximately 17 acres. This 2.99-acre parcel is directly south of the Woodmore Pointe townhome project and has limited access opportunities, sensitive lands and challenging topography. The riparian areas associated with Spring Creek and Spring Creek Reservoir cover the lower part of the site, making full site development unlikely. Approximately half of the site is reasonably developable and suitable for approximately 10-14 additional townhomes aligned along the extension of the currently dead-ending 1280 West. This site also presents a unique opportunity for a Logan City trails network extension along Spring Creek and around the Reservoir from the current Trapper Park Trail.

The Future Land Use Plan (FLUP) indicates this area as Mixed Residential (MR) and could be considered transitional, with commercial and industrial employment centers located east of the site. The single-family developments located to the south and west provide a variety of housing options and overall composition of housing supply for the neighborhood. With the recently approved 150 townhomes adjacent, this 2.99-acre area becomes isolated and difficult to independently develop. If this area is combined with the adjacent townhome project, trail network development becomes easier to coordinate and develop with only one project design and one owner.

Based on draft Woodruff Neighborhood Plan information, the neighborhood has approximately 6% of the total area zoned MR. Most of the neighborhood land area is currently zoned Neighborhood Residential (NR), Recreation (REC) and Resource Conservation (RC) with over 65%. Commercial (COM) and Industrial Park (IP) zoned areas make up the second largest portion of land area.

Vehicle traffic concerns seem to be the biggest issues with this neighborhood. These areas, like virtually every other area in the valley, are developed in an automobile-oriented manner. This manner of development continues to exponentially impact existing infrastructure and street networks, typically resulting in costly new road-widening and signalized intersection projects. As the area continues to grow, it would be expected that additional facilities will be constructed.

**PROPONENT:** Bryce Goodin with Visionary Homes said they are ready to move ahead now that the remainder of the property has been purchased. When this originally came through, the zone change request was denied. The MR-9 zone would allow up to 27 additional units to be spread throughout the subdivision, the City Council did not like that plan. This proposal is for two buildings totaling 10 units. They have been working with Russ Akina for the past year on the trail system in the area. The City Council has approved funding for the first phase of the trail. A traffic study was done with the original project and adding 10 additional units will not change the outcome. He said, as proposed, only four of the ten units would exceed the 50% garage door requirement.

**PUBLIC:** Two emails expressing concerns were received and distributed to the Commission prior to the meeting.

Javier Arredondo's backyard will be facing the proposed units and he is concerned with the trail along this area, especially with people on it late at night and possible graffiti and/or vandalism.

**COMMISSION:** Mr. DeSimone confirmed for Commissioner Dickinson that this area has been zoned Neighborhood Residential (NR-6) for over 10 years. She is not in favor of changing the zone and would like to see it remain NR-6. Chairman Nielson agreed.

Commissioner Goodlander said some of the homes in the original design were allowed to exceed the 50% garage frontage due to wetland areas. She does not agree with the private drive and feels that it should have sidewalk, curb and gutter.

Mr. DeSimone said the Future Land Use Plan (FLUP) has outlined this area for multi-family use and this project is an extension of that. Leaving this small area NR-6 will be difficult to access and develop into something usable based on what is surrounding it.

Commissioner Goodlander does not necessarily disagree with the rezone, but she has more concerns with the project design.

Commissioner Ortiz said 10 units on three acres is not a very high density, however, he understands both points of view.

Commissioner Dickinson worries about access to the trails and amenities.

**MOTION:** Commissioner Goodlander moved to **forward a recommendation for approval** to the City Council for the Zone Change as outlined in PC 20-050 with the findings for approval as listed below. Commissioner Lucero seconded the motion.

**FINDINGS FOR APPROVAL**

1. The location of the subject property is compatible in land use with the surrounding Commercial areas to the east and MR-12 areas to the north and would be considered a logical extension of the approved adjacently located Woodmore Pointe townhome project.
2. The property can fulfill the purpose of the General Plan and Land Development Code by providing a range of housing types for all stages of life in areas near employment centers.
3. The property is in an area that can be serviced by surrounding City utilities and infrastructure.
4. The proposed MR-9 zone is limited in density, height and required to provide sufficient open space and landscaping to ensure neighborhood compatibility.

**Moved:** S. Goodlander    **Seconded:** J. Lucero    **Approved:** 4-2

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

In addition to the rezone, the proponent is requesting the approval to develop the northern portion of the property as a contiguous extension of the Woodmore Pointe townhome project. The request is to subdivide and add 10 townhomes aligned along the extension of the south end of 1280 West. The proponent intends to leave the remainder of the parcel natural with its riparian areas and open space. This 2.99-acre site also presents a unique opportunity for a Logan City trails network extension along Spring Creek and around the Reservoir, to existing adjacent neighborhood trails and from the current Trapper Park Trail.

Mr. DeSimone pointed out that the road connection to the north, approved as part of Phase 1, is an alleyway with no sidewalk and it should be consistent with what it is connected to. Commissioner Dickinson pointed out that this phase is being considered individually and should be conditioned separately. Mr. DeSimone agreed but also encouraged the Commission to look in broader terms as to how this will all connect.

Mr. Holley said most times this design has the front of the homes face the street with the alley located in the back. Some of the homes in the proposal are forward-facing; the Commission allowed the exception of 64% for those on the left side and was not associated with the wetland area, which is why the developer is asking for a similar concession in this phase. Commissioner Goodlander did not feel good about that earlier decision and remembered discussions about the wetland areas. Mr. Holley said it was based on a desire for a mix of product-type. It is the forward-facing units that this would apply to and would only be the north/south road.

The Commission agreed to striking conditions ~~“Forward-facing garage door widths along street frontages shall not exceed 50% of the overall building width except for up to three buildings, not adjacent to one another, may have garage door width ratios of 64%” and “Alleyways/private streets do not require sidewalks; however, sidewalks should be considered along 1280 West for adequate pedestrian circulation”.~~

**MOTION:** Commissioner Croshaw moved to **conditionally approve** a Design Review & Subdivision Permit as outlined in PC 20-050 with the amended conditions for approval as listed below. Commissioner Goodlander seconded the motion.

**CONDITIONS OF APPROVAL**

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



2. 10 building lots and remainder open space are approved with this subdivision. The areas labeled as remainder and/or open space shall be listed as non-buildable and only contain landscaping or accessory subdivision amenities.
3. The final plat for the subdivision shall be recorded within one year unless an extension of time is granted as per the Land Development Code (LDC). The subdivision may be phased as per LDC regulations.
4. Building setbacks shall be reviewed on an individual building basis and comply with the MR-9 requirements of 15' front yard, 8' side yard, 0' common wall side and 10' rear yard.
5. Townhome buildings within the MR-9 shall have a maximum occupancy of one family or no more than three (3) unrelated people within each dwelling unit.
6. Buildings adjacent to NR zones shall be limited to 150' in length and all buildings shall not exceed 200' in length.
7. Buildings placed adjacent to streets shall be oriented with primary entrances and front facades oriented towards the street.
8. For every 100' of 2-story building length along a public street, there shall be one significant wall break that is at least 8' in depth and 20' in width and continue the entire height of the building.
9. No two adjacent buildings shall have the same street-facing facade design and must vary at least four (4) out of the eight (8) design categories listed in the LDC 17.09.040.
10. All buildings placed adjacent to streets shall have convenient and delineated sidewalk connecting the building to the street. Pedestrian circulation shall be provided throughout open space and amenity areas of the project.
11. A minimum of 2 parking stalls per unit shall be provided. If intended for parking, driveways shall be a minimum of 20' in length.
12. A Performance Landscaping Plan, prepared in accordance with LDC §17.32, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
  - a. Street trees along all adjacent streets provided every 30' on center unless otherwise noted by the City Forrester.
  - b. Open and usable outdoor areas shall total a minimum of 39,072 SF.
  - c. A total number 60 trees and 150 shrubs, perennials and grasses shall be provided. 25% of the trees shall be evergreen.
13. Dumpsters shall be placed outside of front setbacks and visually screened or buffered from by using fencing, walls and landscaping. Dumpsters should be placed adjacent to alleyways where possible in accordance with Environmental Department requirements.
14. Storm water retention/detention surface ponds or basins shall be positioned outside of the front setback and screen with dense vegetation from street views.
15. All streets adjacent to, or within the development, shall be improved to current City standards and specifications.
16. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.
17. Exterior lighting, including gas canopy lighting, shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
18. No signs are approved with this permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
19. No fences are approved with this permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
20. Prior to issuance of a building permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
  - a. Environmental
    - i. Residents will be provided carts.

- ii. The southeast dead-end street will need to have the residents bring their cans out to a main road as there is no turn around for the trucks.
- b. Engineering
  1. All previous Public Works permit requirements for Woodmore Pointe subdivision and development shall apply to this modification.

#### 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 conditioned building design, site layout, materials, landscaping, building orientation, heights and setbacks.
2. The project conforms to the requirements of Logan Municipal Code Title 17.
3. The project provides adequate open and usable outdoor space in conformance with Title 17.
4. The project provides off-street parking in compliance with the Land Development Code.
5. The project meets the goals and objectives of the MR-9 designation in the Logan General Plan by providing high-quality projects designed for easy circulation of both pedestrians and vehicles.
6. The project complies with maximum height, density and building design standards and is in conformance with Title 17.
7. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
8. The surrounding streets provide access, utilities and are adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

**Moved:** R. Croshaw    **Seconded:** S. Goodlander    **Approved:** 4-2

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

**PC 20-051 100 West Apartments** [Design Review Permit] Justin Campbell-Cartwright/Gene Needham, authorized agent/owner, request to construct a 55,460 SF 4-story apartment building with 37 2-bedroom units over a 42,480 SF 2-story parking structure with 74 parking stalls located on .60 acres at 162 South 100 West in the Town Center (TC) zone; TIN 02-046-0019.

**STAFF:** Ms. Rice reviewed the request for construction of one (1) residential apartment building on the .60-acre site. The building consists of a two-story parking structure with four levels of apartments. There are 37 2-bedroom units and rooftop patio. The proposed apartment building has a footprint of 55,460 SF and a parking structure of 42,480 SF, totaling 97,940 SF. The building varies between three (3) and six (6) floors. The structured parking is located on the first and second floors, with residential units located on the third through sixth floors. The apartment building fronts 100 West, with the primary controlled pedestrian entrance and vehicular access provided on 100 West.

**PROPONENT:** Justin Campbell, the project architect, expressed concern with the condition that *"the project shall provide 78 parking stalls (proposed 74). Four (4) additional parking stalls shall be provided for visitors and constructed in accordance with LDC dimensional size standards and specifications"*. He would like an opportunity to provide an Alternative Parking Plan to demonstrate that there is not a need for the four additional stalls. He believes not all tenants will need two stalls. Commissioner Dickinson asked if the stalls would be assigned; Mr. Campbell said it would be controlled by the building management. Mr. DeSimone said if a request for a reduction in parking is submitted, it must contain how the parking will be managed on the property. Mr. Campbell asked, if an alternative plan is not approved, and the number of dwellings must be reduced, whether it would require a new submittal. Mr. Housley said if it was not an entirely new re-design of the project, it would not require a re-submittal, an amendment to the plan could be presented for consideration. Mr. DeSimone also pointed out that one solution could be to reduce the bed count in some of the units.

Mr. Campbell said the plan is to screen the north and south sides of the building. International Building Code (IBC) provisions need to be met. Open air flow is important for safety and he is not in favor of screening in any capacity. There is a limit on the number of openings allowed so he is trying to maximize the air flow. Any screening material would be counted as an obstruction. The openings are at 42", which will limit direct light from most vehicles. He would like to remove the recommended condition "*screen parking structure openings on north and south elevations with architectural metal panels*".

Mr. Campbell understands the legal provisions regarding setbacks, however, if this were a commercial project, the parking structure could go all the way to the lot line. As an architect, he is charged with the health, safety and welfare of those who use the building, he would like to have some latitude (3' on the north and south) which will vastly improve the safety. An 8' setback does not create usable space and will not allow what they are trying to achieve. Open space is important, which is why outdoor spaces are being provided.

Commissioner Croshaw expressed concern related to the topography of the area, specifically the entrance into the parking structure at the base of the hill. Mr. Campbell explained that there is currently a loading dock on the north side of the site. He can mitigate the grade change within the design process, especially with just one entrance into the parking structure.

Commissioner Dickinson asked if all the landscaping will be along the perimeter. Mr. Campbell said the setback does not allow for too much. With the proposed height of 70', nothing will grow on the north side of the building.

Mr. DeSimone explained that the residential setbacks were determined to avoid any conflict with pedestrians and people entering/exiting the building. A parking structure was never considered, there is a notation on the TC-1 spec sheet which gives the Commission latitude (with compelling reasons) to adjust the setbacks.

Commissioner Ortiz asked about the "high-level architectural design" that would justify a reduced setback. Mr. Campbell explained that this is only related to the parking structure, he would not ask for a reduction of the residential portion. It would allow some flexibility within the design process for proper flow of traffic.

Commissioner Dickinson said the 100 West facade is not visually friendly. Mr. DeSimone pointed out that the Town Center zone was created to be more an urban area.

Mr. Campbell confirmed for Commissioner Croshaw that the garbage dumpster will likely be located on the north side; they will meet all the requirements from the Environmental Department.

Mr. Campbell confirmed for Commissioner Lucero that bicycle parking can be put in on the southwest and southeast corners of the parking terrace, on both levels.

Commissioner Lucero asked about the concrete finishing. Mr. Campbell said it will have an architectural finish to it. Chairman Nielson suggested something more than just a stripped concrete panel. Mr. Campbell agreed that from an aesthetic standpoint, they want quality finishes. Mr. DeSimone said having a deliberate pattern and/or finish is the objective.

**PUBLIC:** A letter in support of the project from Gary Saxton, the Director of the Logan Downtown Alliance, was received and distributed to the Commission prior to the meeting.

Blake Parker has a vested interest and history with this site. The rents in Logan are high enough now to bring in these types of projects. Tenants will have an expectation of safety and security,

and he questioned how tenants will get into the building and parking (i.e. key cards) and how visitor parking will be managed with secure parking. He agreed that there should not be a design that invites people around to the back of the building. The Town Center zone passed in 2011 and this is the first project. Everything around this property is currently listed for sale and he anticipates similar future projects which create the highest and best use of the area.

Jeannie Simmonds appreciated the concern about garbage collection since that was now shown on the plan. She would prefer to see perimeter landscaping. If the parking garage is pushed to a 0' setback and is planned for security (i.e. key card) she questioned how it would be managed as far as entrance/exit and queuing of vehicles to get in. She noted that there needs to be safety railings around the open space on the upper levels of the building. She gets frustrated when changes are requested after all the time and discussion related to creating the Town Center zone.

**COMMISSION:** Commissioner Dickinson asked how street trees will be required if this is at a 0' lot line. Ms. Rice said park strips are required and street trees will be located within those.

Mr. DeSimone confirmed for Commissioner Ortiz that there are no special requirements with a project that is adjacent to the Historic District.

Commissioner Croshaw would like to see how some of the issues discussed will be addressed to get a better idea of the overall project. Commissioner Lucero agreed, she said there are quite a few unanswered questions and would like to give the architect more time to address the details. Commissioner Dickinson agreed and said she would like to see specific things addressed for the next meeting to include screening, architectural detail, garbage, the final number of units, parking, including bike parking, setbacks, and screens on the parking structure. This project can and will likely affect future adjacent development.

Commissioner Goodlander said she would be fine with a 5' setback (rather than 8'). Mr. Campbell is concerned about the practicality of landscaping and maintenance. He would like to request 3' with perimeter landscaping.

**MOTION:** Commissioner Lucero moved to **continue** PC 20-051 to the October 22, 2020 meeting. Commissioner Ortiz seconded the motion.

**Moved:** J. Lucero    **Seconded:** E. Ortiz    **Approved:** 6-0  
**Yea:** Croshaw, Dickinson, Goodlander, Lucero, Nielson, Ortiz    **Nay:**    **Abstain:**

**PC 20-032 Deer Pen Substation** – **requesting continuance to the November 12, 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 Goodlander moved to **continue** PC 20-032 to the November 12, 2020 meeting. Commissioner Dickinson seconded the motion.

**Moved:** S. Goodlander    **Seconded:** R. Dickinson    **Approved:** 6-0  
**Yea:** Croshaw, Dickinson, Goodlander, Lucero, Nielson, Ortiz    **Nay:**    **Abstain:**

**WORKSHOP ITEMS for October 22, 2020:**

- ✓ PC 20-052 Foothill Subdivision (25-lot)
- ✓ PC 20-053 Dominion Energy (Conditional Use Permit)

Meeting adjourned at 8:52 p.m.