Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, June 6, 2023, in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah 84321 at 5:30 pm. Logan Municipal Council Meetings are televised live as a public service on Channel 17 and the City of Logan YouTube channel at: https://www.youtube.com/channel/UCFLPAOK5eawKS_RDBU0stRQ

Council Members present at the beginning of the meeting: Vice Chair Amy Z. Anderson, Councilmember Jeannie F. Simmonds and Councilmember Tom Jensen. Administration present: Mayor Holly H. Daines, City Attorney Craig Carlston, Finance Director Richard Anderson, City Recorder Teresa Harris and Deputy Recorder Esli Morales.

Excused: Chairman Ernesto López.

Participating via Phone: Councilmember Mark A. Anderson.

Vice Chair Amy Z. Anderson welcomed those present. There were approximately 16 in attendance at the beginning of the meeting.

OPENING CEREMONY:

Isaiah Jones, Senior Director for Diversity of Equity and Inclusion at Utah State University gave the opening remarks, offered a prayer, and led the audience in the pledge of allegiance.

Mr. Jones invited the community to attend the USU events hosted throughout the month to celebrate Juneteenth (June 19th). Juneteenth is a combination of June and the 19th. It is the celebration of the emancipation of African Americans (specifically the event that took place in Galveston Bay, Texas on June 19, 1865). It is a celebration of the past and how the past affects the present both good and bad. How to understand our history as a nation and how to progress going forward with that context in mind. He said it is important to educate and advocate. The more we understand ourselves and others, the more we can have a sense of a community (of inclusion).

Vice Chair A. Anderson invited the community to attend the Juneteenth celebration (held by USU) at Bridger Park. A free lunch will be provided, but registration is required.

Meeting Minutes. Minutes of the Council meeting held on May 16, 2023, were approved with one correction.

Meeting Agenda. Vice Chair A. Anderson announced there is one public hearing scheduled for tonight's Council meeting.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Jensen to approve the May 16, 2023, minutes and approve tonight's agenda. Motion carried by roll call vote.
A. Anderson: Aye
M. Anderson: Aye
Jensen: Aye
López: Absent
Simmonds: Aye

Meeting Schedule. Vice Chair A. Anderson announced that regular Council meetings are held on the first and third Tuesdays of the month at 5:30 pm. The next regular Council meeting is Tuesday, June 20, 2023.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Vice Chair A. Anderson explained that any person wishing to comment on any item not otherwise on the agenda may address the City Council at this point by stepping to the microphone and giving his or her name and address for the record. Comments should be limited to not more than three (3) minutes unless additional time is authorized by the Council Chair. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-agenda items. Some items brought forward to the attention of the City Council will be turned over to staff to respond to outside of the City Council meeting.

Aaron Richie, a resident of Logan commended the Council for accepting public comment. He expressed concern about the immigrant population in the community regarding livable standards for housing and the need for an increase in livable standards. He said the minimum standards are not being met especially for members of the community that have limited access.

Mayor Daines agreed with the concerns brought up by Mr. Richie. However, State Code precludes inspections. Craig Carlston City Attorney confirmed that is the case.

Erin Bennett, a resident of Logan expressed her concerns regarding what she feels are civil rights violations by Logan City Police. She did express these to concerns to Mayor Daines and City Attorney Craig Carlston in an email and Mr. Carlston replied but she felt it was unsatisfactory.

Matthew Fatuesi, a resident of Logan introduced himself and said there are benefits to taking the road less traveled.

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

MAYOR/STAFF REPORTS:

Board Appointments (Parks and Recreation Advisory Board; Planning Commission) – Mayor Daines

Mayor Daines asked the Council for ratification to appoint Val Dee Christensen to serve on the Parks and Recreation Advisory Board, Rachel Behm to be reappointed to serve on the Parks and Recreation Advisory Board and Jess Lucero to be reappointed to serve on the Planning Commission.

ACTION. Motion by Councilmember Jensen seconded by Councilmember Simmonds to approve ratification of Val Dee Christensen as presented. Motion carried by roll call vote.
A. Anderson: Aye
M. Anderson: Aye
Jensen: Aye
López: Absent
Simmonds: Aye

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Jensen to approve ratification of Rachel Behm and Jess Lucero as presented. Motion carried by roll call vote.
A. Anderson: Aye
M. Anderson: Aye
Jensen: Aye
López: Absent
Simmonds: Aye

No further Mayor/Staff Reports were presented.

COUNCIL BUSINESS:

Planning Commission Update – Councilmember Simmonds

Councilmember Simmonds reported the Planning Commission approved the revised amended Sugar Creek plan. Four single-family residential lots were approved at 1900 South 1100 West. The remaining items will come before the Council.

July Meeting Schedule – Vice Chair Amy Z. Anderson

Vice Chair A. Anderson stated the 4th of July will fall on the first Tuesday of the month this year. Therefore, it was determined that the July 4th council meeting be cancelled and a single council meeting be held on July 18th.
No further Council Business items were presented.

ACTION ITEMS:

Consideration of a proposed resolution Designation a Closed Area to Ignition or use of Fireworks – Resolution 23-16 – Fire Chief Brad Hannig

At the May 16, 2023, Council meeting, Fire Chief Brad Hannig addressed the Council regarding the proposed resolution. He stated the proposed boundaries are the same as they were last year.

East Bench Closure
• East side of 1200 East from the North City Boundary to Hwy 89.
• South side of Hwy 89, from 1200 East to 600 East, then the North side of Canyon Road from 600 East to Crockett Avenue.
• East side of Crockett Avenue from Canyon Road to Riverside Drive, continuing the East side of Riverside Drive to Mountain Road, continuing the East side of the Logan River to Stewart Nature Park.
• The North and East side of the Logan City boundary from Stewart Nature Park to the southern city boundary.

West Closure
• West side of 600 West from the North city boundary to 200 South.
• North side of 200 South from 600 West to 1000 West
• West side of 1000 West from 200 South to the South city boundary

Councilmember Jensen inquired if there is a prediction for there to be a high or low fire risk this summer.

Fire Chief Brad Hannig responded there is a low probability of a fire by July 4th, but there is expected to be a much higher risk by July 24th, Pioneer Day. It is predicted to be at a higher risk for fires as the plant growth is significant this year considering the amount of moisture received.

Vice Chair A. Anderson asked if notices will be posted for the benefit of the public.

Chief Hannig confirmed that will be the case. Road signs and other public notices will be visible along with patrols by Police in high-risk areas. (It will also be posted on the City website and at the actual firework sale sites stating the dates for allowing the use of fireworks and the restricted areas where fireworks are not to be used).

Councilmember Simmonds requested confirmation if east of the Logan River in the area around the island will be a protected area as well.

Chief Hannig confirmed that is the case. Adjustments were made to enclose this area as well to ensure the bank area which is at a higher risk for fires is included as well.

ACTION. Motion by Councilmember Jensen seconded by Councilmember Simmonds to <u>approve Resolution 23-16 as presented</u>. Motion carried by roll call vote.
A. Anderson: Aye
M. Anderson: Aye
Jensen: Aye
López: Absent
Simmonds: Aye

PUBLIC HEARING - Budget Adjustment FY 2022-2023 appropriating: $21,569 funds received for police overtime shift reimbursements; $37,000 donated funds toward the purchase of artwork for the new Library; $79,000 funds engineering received from Cache Cunty to be used to purchase equipment and supplies to mitigate flooding in the City; $7,850 donated funds toward the annual police banquet – <u>Resolution 23-21</u> – Richard Anderson, Finance Director

At the May 16, 2023 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

Vice Chair A. Anderson opened the meeting to a public hearing.

There were no comments and Vice Chair A. Anderson closed the public hearing.

ACTION. Motion by Councilmember M. Anderson seconded by Councilmember Jensen to <u>approve Resolution 23-21 as presented</u>. Motion carried by roll call vote.
A. Anderson: Aye
M. Anderson: Aye
Jensen: Aye
López: Absent
Simmonds: Aye

<u>WORKSHOP ITEMS</u>:

Consideration of a proposed resolution approving Member Contributions to the Utah Retirement Systems Contributory Retirement Plan FY 2023-2024 – <u>Resolution 23-22</u> – Ambrie Darley, Human Resource Director

Human Resource Director Ambrie Darley addressed the Council regarding the proposed resolution. She explained that the City formally agrees to fund 100% of the required employee contribution for all eligible Tier 1 members who are required to contribute to the Utah Retirement Systems Contributory Retirement Plan for the 2023-2024 Fiscal Year (effective July 1, 2023) according to the applicable Utah Retirement Systems Retirement Contribution Rates. Tier 2 members are responsible for the employee contributions that are required for the 2023-2024 Fiscal year (effective July 1, 2023).

Councilmember Simmonds requested clarification if Tier 2 employees automatically receive employee contributions or are they required to invest.

Ms. Darley clarified that Tier 2 employees will automatically receive employee contributions but depending on how well the fund is doing employees may be required to contribute to their own retirement.

The proposed resolution will be an action item and public hearing at the June 20, 2023, Council meeting.

Consideration of a proposed ordinance approving Elected Official's Wages FY 2023-2024 – Ordinance 23-17 – Ambrie Darley

Human Resource Director Ambrie Darley addressed the Council regarding the proposed ordinance. She stated that elected officials' wages are identified, reviewed, and adjusted annually in accordance with the same procedures applied to all other City employees in the budget process. The public hearing for elected officials' wages will be held on June 20, 2023, as part of the hearing(s) for the annual budget.

The following wages are proposed for this next budget year:
Mayor - $118,270.29 per year plus a $6,000 car allowance
Council Member $18,555.76 per year plus a $300 car allowance

Ms. Darley reminded the Council of the fact that over the past ten years, the Council did not increase their wage. However, we do want candidates to run for office and be attracted to these positions to serve and be compensate for their service.

Vice Chair A. Anderson requested that Ms. Darley present the comparable salary survey that was presented last year.
Ms. Darley stated for example that the City of Spanish Fork, their mayor is part-time with a salary of $30,927, but their City Manager (which is also the function of Mayor Daines) earns $207,093. Their councilmembers are paid $17,096 but are also eligible for benefits. The City of Murray, their mayor is full-time as well as their City Manager. The mayor's salary is $130,624, while the City Manager's salary is $175,448. Their councilmembers salaries are $17,779 but they are also eligible for benefits.

Councilmember Jensen said most run to serve, but he is pleased to see that the community can be compensated for their time.

Councilmember Simmonds asked if the raise increases can be given back to the City if the increase in wages is approved.

Mayor Daines responded that with the salary increases she has received in the past, she has donated the wage increases back to the City to be used for a project.
Finance Director Richard Anderson stated that is correct. The additional salary increases can be donated back to the City if that is the desire of the Council if the increase is adopted.

The proposed resolution will be an action item and public hearing at the June 20, 2023, Council meeting.

Consideration of a proposed resolution establishing a Property Line Adjustments Fee Schedule – Resolution 23-23 – Darren Farar, City Engineer

City Engineer Darren Farar addressed the Council regarding the proposed fee schedule.

PROPERTY LINE ADJUSTMENTS FEE SCHEDULE

Description	**Fee Amount**
BOUNDARY LINE ADJUSTMENTS / MINOR PLAT AMENDMENTS* * If a vacation is required, that fee shall be provided in addition. * If a public hearing is required, multiply the total fee by 1.5. * For 4th and each subsequent review, an additional fee per submittal up to half of the original fee shall be paid as determined by the City Engineer.	$460
RIGHT OF WAY / EASEMENT DEDICATIONS* * For 4th and each subsequent review, an additional fee per submittal up to half of the original fee shall be paid as determined by the City Engineer.	$220
RIGHT OF WAY / EASEMENT VACATIONS* * For 4th and each subsequent review, an additional fee per submittal up to half of the original fee shall be paid as determined by the City Engineer.	$740

Councilmember Simmonds asked if there are Right of Way/ Easement Dedications which are generated by a property owner but also by the Public Works Department, and how they are separated.

Mr. Farar replied that the Right of Way and Easement Dedication are separated via the same process while the fees are not assessed if it is for the Public Works Department vs. the property owner, who does have a generated fee. It will be noted.

Councilmember Simmonds inquired when the proposed fee come before the council.

Mr. Farar answered that the fee will be explained with the additional notations in the fee chart/description.

The proposed resolution will be an action item and public hearing at the June 20, 2023, Council meeting.

Consideration of a proposed resolution approving the Transportation Master Plan – Resolution 23-19 – Darren Farar

City Engineer Darren Farar addressed the Council regarding the proposed resolution. He stated the 2023 Transportation Master Plan replaces the City's 2011 Surface Transportation Master Plan and the 2023 Transportation Master Plan provides a technical reference to manage transportation decisions associated with growth and development in the city and is a reference guide for future capital transportation investments.

The 2023 Transportation Master Plan has coordinated with the Cache Metropolitan Planning Organization (CMPO) Transportation Plans for supportive transportation alignments and configurations.

A Virtual Open House was held on August 25, 2020, that included a virtual public meeting as well as online comments. A total of 595 comments were received from the public.
The Technical Advisory Committee reviewed and provided comments at the 30%, 60%, and 90% stages of plan development.

PURPOSE

- Identify existing and future needs
- 35-year planning horizon
    - Recommended update every 5-7 years
- Integrate other Master Plans
- Transportation Project Planning and Prioritization tool
- Structure Unplanned Areas

INTEGRATING PLANS

- The Logan Transportation Master Plan is a Comprehensive Plan that defines the City's Roadway Network in a manner that allows for the successful pursuit and completion of all other transportation-related plans which considered existing plans such as the Bicycle and Pedestrian Master Plan; Cache Valley transit district short-range transit plan; Cache County Transportation Master Plan; CMPO Regional Transportation Plan & Travel Model; USU Transportation Study, and that of other municipalities.

UDOT STUDIES

  - Main Street &West Cache Corridor Study
  - US 89/91 I-15 to Logan City Corridor Study
- The Utah Department of Transportation is currently conducting multiple corridor studies. The City Council will have the option to adopt any new or revised roadway alignment or functional classifications that are recommended by these studies or otherwise adapt addenda to this master plan.

Councilmember Simmonds inquired how the bicycle and pedestrian plans were incorporated to show their importance rather than merely listed as is.

Mr. Farar answered that with each anticipated roadway project, they have identified which constitutes will be tied to each project (area) such as a trail being part of a construction project, etc. It is a 35-year plan, but it is really a 5-to-7-year plan before the Master Plan is once again updated or revaluated. From this approach, it gives time to reassess and determine if this is the correct path going forward.

Councilmember Simmonds commented that the gray areas shown on the map will certainly need to be reevaluated as these are unincorporated areas of the County. The Bicycle and Pedestrian Master Plan would not cover these areas since they are not part of the city at this time. The bicycle and pedestrian use have changed drastically over the last few years. And there may be a need to revisit the plan sooner rather than later to address the growing use.

Mr. Farar agreed and added that the current plans include trails, bike paths, and pedestrian sidewalks to be constructed along with roads/projects to be all-inclusive.

Councilmember Simmonds asked as the City moves forward and integrates various plans, if our plan says one thing vs. the CMPO (Cache Metropolitan Planning Organization), who determines what the road will be.

Mr. Farar responded they have been working together to try to match each of their Master Plans. (On how travel moves via the CMPO's travel mode, county-wide vehicle volumes, the city's own traffic study, micro models, etc. to determine a level of service map). It has been successful thus far.

Councilmember Simmonds requested confirmation on whether unilateral changes by another organization can be made without involving the City as part of the planning process.

Mr. Farar confirmed that this is correct. The City must be included in the planning process.

Vice Chair A. Anderson inquired if the basis for unacceptable E & F levels of service is based on peak times of the day.

Mr. Farar replied the levels of service are based on peak hours of the day (usually between 5 p.m. to 7 p.m. per day). It goes back to the issue of safety of whether it is safe to have this influx of traffic for all users of the roadway. He explained the basis of why or why not to expand a certain road to accommodate the flow of traffic.

Vice Chair A. Anderson excused Councilmember M. Anderson from the meeting at this time (7:56 p.m.).

Councilmember Jensen asked if the numbers assigned to the capital improvement program represent the project itself.

Mr. Farar confirmed that is the case. The corresponding numbers are assigned to a specific project which is listed in the master plan.

Councilmember Simmonds inquired if empty pipes are ever put in the roadway to prevent having to dig up the roadway to put in a connecting sewer or stormwater line in the future.

Mr. Farar responded that can occur on 1000 West, there are miles of sewer line which are not connected to the sewer system. The lines have been installed to prevent having to go back and dig up the road to put it in a new sewer line.

Vice Chair A. Anderson requested the Transportation Master Plan be publicly available on the city website.

Mr. Farar replied a draft will be put on the website for the public to view.

The proposed resolution will be an action item and public hearing at the June 20, 2023, Council meeting.

CODE AMENDMENT – Consideration of a proposed code amendment. Mike DeSimone/Logan City is requesting an amendment to the Land Development Code, Chapter 17.11 "District and Corridor Zone Uses" to remove waste-related uses as a permitted or conditional use in any of the District or Corridor Zones - <u>Ordinance 23-18</u> – Mike DeSimone Community Development Director

Community Development Director Mike DeSimone addressed the Council regarding the proposed code amendments.

RECOMMENDATION
Staff recommended that the Planning Commission recommend approval to the Municipal Council of the proposed amendments to Chapters 17.11 of the Land Development Code.

REQUEST
This is a proposal to eliminate "waste related uses" as either a permitted or a conditional use in the Industrial or Commercial Services zoning districts.

SUMMARY OF CHANGES
The proposal is to eliminate Waste Related Uses from the CS or IP zones. The proposed changes to Use Table 17.11.030 are as follows:

Land Use	Districts & Corridors								
	TC-1	TC-2	COM	MU	CC	GW	CS	IP	AP
Industrial Uses									
Waste Related Uses	N	N	N	N	N	N	~~C~~<u>N</u>	~~C~~<u>N</u>	N

STAFF RECOMMENDATION AND SUMMARY
The City's current waste collection operations are located at the existing transfer station and landfill which are zoned "Public." Because Logan City is phasing out regional trash collection, and as other communities in Cache Valley work to secure new service providers, concerns have been raised about regional waste related uses serving the rest of the County yet locating in Logan. The City believes that it is more important for the success of those systems and facilities if they are located in or near communities being served, rather than choosing to locate in Logan.

GENERAL PLAN
The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments continue to implement the vision of, and are consistent with, the General Plan.

PUBLIC COMMENTS
As of the writing of this report, there has not been any public comment. Public comments received prior to the preparation of this report will be included as an attachment. Any other comments will be forwarded to the Planning Commission.

PUBLIC NOTIFICATION
Legal notices were published in the Herald Journal on 5/13/23, posted on the City's website and the Utah Public Meeting website on 5/15/23, and noticed in a quarter page ad on 5/11/23.

AGENCY AND CITY DEPARTMENT COMMENTS
As of the time the staff report was prepared, no comments have been received.

RECOMMENDED FINDINGS FOR APPROVAL
The Planning Commission bases its decisions on the following findings:
1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. No public comment has been received regarding the proposed amendments.

On May 25, 2023, the Planning Commission recommend to the Municipal Council approval of the code amendments (6-0).

Vice Chair A. Anderson requested clarification on whether waste-related uses no longer be permitted in commercial service zones but are still permitted in the public zone.

Mr. DeSimone confirmed that this is correct.

The proposed ordinance will be an action item and public hearing at the June 20, 2023, Council meeting.

REZONE – Consideration of a proposed zone change. Michael Arambel, Carniea Kanski/Nibley Corner LLC, authorized agents/owner are requesting a rezone of a .22-acre lot from Mixed Residential Low (MR-12) to Community Commercial (CC) to use the building as a Commercial Daycare Center (Little Wonders West Building Two), located at 1362 North 400 West; TIN 05-041-0093 (Bridger Neighborhood) - Ordinance 23-19 – Mike DeSimone

Community Development Director Mike DeSimone addressed the Council regarding the proposed rezone.

RECOMMENDATION
Staff recommended that the Planning Commission recommend approval to the Municipal Council for a rezone of approximately .22 acres of property located at 1362 North 400 West (TIN# 05-041-0093) from Mixed Residential Low MR-12 to Community Commercial (CC) and that the Planning Commission conditionally approve a Conditional Use Permit authorizing the use of the building as a Commercial Daycare Center (Little Wonders West Bid. 2).

Background
The applicant is in the process of purchasing the site from the Cache County Children's Justice Center for use as additional daycare space associated with Little Wonders West. The applicant owns the adjoining property which was purchased from the Family Place in 2016. Logan City issued a CUP (#16-045) for the use of that site as a commercial daycare center. Logan City issued a CUP (#97-098) in 1998 for the
Children's Justice Center.

REQUEST
The proponent is requesting to rezone the 0.22-acre parcel from Mixed Residential Low (MR-12) to Community Commercial (CC) and a Conditional Use Permit to enable a change in the use of the building to a commercial daycare center. The proposal is to expand the existing Little Wonders West campus to incorporate this building to house an additional 35 - 40 children.

GENERAL PLAN
The Future Land Use Plan (FLUP) identifies this area as Mixed Residential. The existing building was constructed in 1998. The MR plan designation contemplates multi-family residential uses. The conversion of this existing building into a daycare center is complementary to surrounding residential uses.

LAND DEVELOPMENT CODE
The site is zoned MR-12 and does not allow commercial daycare centers. These uses are permitted in the Community Commercial zone with a CUP and which is complementary to the uses surrounding the site. The range in uses allowed in the CC zone are relatively narrow and would also be complementary to the surrounding residential uses.

DESIGN REVIEW
Because the request involves utilizing an existing building originally constructed with office space and children's areas, the conversion of this space to a childcare center does not impact the exterior or physical layout of the site.

Conditional Use Permit
The CUP process provides a system for discretionary consideration of proposed uses that, because of unique characteristics or potential impact to surrounding properties or

adjacent land uses may require additional scrutiny. CUP approvals should preserve and enhance neighborhood character and allow for conditions necessary to mitigate any potential impacts. LDC 17.42.050 governs the approval criteria for Conditional Uses. In order to approve a CUP, the Planning Commission needs to substantiate the following findings:

A. The proposed use is consistent with the allowable maximum densities of the underlying zone.

B. The proposed use is consistent with the requirements of the Land Development Code.

The conversion of the existing facility into a commercial daycare center is consistent with LDC requirements.

C. The use is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining properties.

The proposed use is adjacent to the applicant's current daycare facility and does not interfere with the use and enjoyment of other adjoining properties. The proposed change from the Children's Justice Center to a daycare will increase the amount of daily vehicular traffic, but not significantly. The majority of the anticipated traffic increase will be confined to the applicant's existing facility where drop off & pick up will occur.

D. The site will be served by infrastructure having sufficient capacities to meet the service demands of the proposed use.

The proposed use as a commercial daycare center utilizes an existing facility constructed for similar activities. The existing infrastructure in this area is sufficient to accommodate the change in use.

E. The proposed use is compatible with the surrounding neighborhood character as defined in Section 17.62.

The proposed use as a commercial daycare center utilizes an existing facility constructed for similar activities. The facility will utilize shared space, outdoor play areas, parking, staff, etc., with the existing facility to the north. The addition of approximately 35 children to the overall operation will expand daycare opportunities for the surrounding residential areas with minimal impacts. Additional daycare opportunities in residential areas are a positive impact.

F. The proposed access is consistent with Logan City access and roadway standards and Utah Department of Transportation requirements where applicable.

The proposal is not changing or impacting current roads.

G. The conditional use is aimed at mitigating the possible negative impacts of excessive light, noise, and traffic.

The existing Little Wonders property and play areas wrap around the subject building. Play areas already exist between the subject building and residential areas to the south and east. The increase in total number of children on the entire site will not negatively impact neighboring properties. Any modifications necessary for the change in use will be internal to the building and are minimal.

Parking
The site contains five (5) existing stalls which are sufficient for employee parking. The LDC requires one stall per 500 square feet. The building is just under 2,500 sf in size, so the existing parking area is compliant. The site would also share the existing parking area to the northeast of the current daycare facility for additional employee parking. Drop off areas for children will be accommodated in the existing drop off area at the current facility.

SUMMARY
The change of zoning to Community Commercial (CC) and the approval of a CUP authorizing the use of the existing building as a commercial daycare center is compatible with the adjoining area, provides additional childcare opportunities for surrounding families, and is consistent with the City's applicable plans and regulations. The range of uses in the Community Commercial zone are also compatible with surrounding land uses.

PUBLIC COMMENTS
Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comments have been received.

PUBLIC NOTIFICATION
Legal notices were published in the Herald Journal on 5/13/23, posted on the City's website and the Utah Public Meeting website on 5/15/23, and mailed to property owners within 300 feet on 5/8/23. An amended public notice was mailed to surrounding property owners on 5/15/23. The quarter page ad was published on 5/11/23.

RECOMMENDED FINDINGS FOR APPROVAL (rezone & CUP)
The Planning Commission bases its decision on the following findings:
1. The Logan City FLUP identifies the area as Mixed Residential (MR).
2. The surrounding zoning is NR-6, MR-12, and CC. The site is adjacent to an existing daycare center, multi-family residential, and single family residential.
3. The site contains an existing office building permitted and constructed in 1998.

4. The change to Community Commercial (CC) enables the expansion of the existing daycare campus which serves the surrounding residential community.
5. The range of uses permitted in the Community Commercial zone are compatible with neighboring uses and zones.
6. The proposed use is compatible with the surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
7. The Planning Commission has found the proposed project is consistent with the applicable CUP findings enumerated in 17.42.050.

PLANNING COMMISSION CONDITIONS OF APPROVAL

This project is subject to the proponent or property owner agreeing to comply with the following conditions as written, or as may be amended by the Planning Commission.
1. All standard conditions of approval will be recorded with the Conditional Use Permit and are available in the Community Development Department.
2. This Conditional Use Permit authorizes the expansion of the Little Wonders West Daycare center into the building located at 1362 North 400 West.
3. All parking shall be accommodated on site (05-041-0042 & 05-041-0093).
4. Child drop off for the proposed building shall occur at the main Little Wonders West building utilizing the existing drop off area.
5. A Building Permit is required from Logan City prior to initiating any interior remodeling.
6. Prior to use of the building for additional childcare operations, the Business License for Little Wonders West shall be updated to reflect the additional building/space.
7. A fire inspection, in conjunction with the City's business license and/or building permit is required and shall be completed prior to use of the building/space.
8. All dumpsters shall be visually screened or buffered from public streets by using fencing, walls and landscaping.
9. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.
10. Exterior lighting shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
11. No signs are approved with this Design Review Permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
12. No fences are approved with this Design Review Permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
13. Surface storm-water retention and detention facilities shall be located in areas away from public streets and buffered from view.
14. 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:

1. Additional water shares or in-lieu fee for indoor and outdoor increased water demands shall be provided to the City in accordance with City Code 17.29.210 and Utah Administrative Rule R309-510-7.
2. A traffic impact study may be required as a part of a new development plan. Costs associated with improvements identified in the study shall be borne by the owner.
3. The rezone of this development may require additional potable water demands and sewer generation. The cost of additional studies and recommended improvements to the City's utility system due to new development shall be borne by the owner.
4. Storm water detention/retention management systems will be required to be updated to current City standards as a part of any new development of the property.

FINDINGS FOR APPROVAL (Design Review)
1. The proposed project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, site layout, materials, landscaping, and setbacks.
2. LDC 17.43.080 authorizes the Planning Commission to make design adjustments on aesthetical issues and requirements if they are consistent with surrounding areas and do not compromise future approvals.
3. The proposed project provides required off-street parking.
4. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

On May 25, 2023 the Planning Commission recommended to the Municipal Council approval of the request to rezone 1362 North 400 West (Little Wonders West Building 2) from MR-12 to Community Commercial (6-0).

Vice Chair A. Anderson asked what the site is currently zoned.

Mr. DeSimone responded the current zoning is MR-12 and is proposed to change to CC (Community Commercial).

The proposed ordinance will be an action item and public hearing at the June 20, 2023, Council meeting.

Budget Adjustments FY 2022-2023 appropriating: $5,310 a reimbursement we will receive from the US Department of Justice for federal cases worked by police officers; $30,500 funds received from the Logan City School District for After School Programs; $9,189 reimbursement funds for fire training – <u>Resolution 23-24</u> – Richard Anderson, Finance Director

Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments and requested permission to add the reimbursement funds for fire training for consideration as they were not previously included when the packet was distributed to the Council.

The Council gave permission for Mr. Anderson to add the reimbursement as part of the budget adjustments for consideration.

The proposed resolution will be an action item and public hearing at the June 20, 2023, Council meeting.

OTHER CONSIDERATIONS:
Councilmember Simmonds commented that she participated in the Water Smart Program which is a county-wide conversation regarding the future of water resources in the valley.

Vice Chair A. Anderson requested an update from the City Recorder regarding elections.

Teresa Harris, City Recorder reported that a primary election will be held on August 15th and stated the candidates are presently listed on the city website. Prospective candidates have until Wednesday, June 7, 2023, from 8 a.m. to 5 p.m. to declare their candidacy.

No further items were discussed.

ADJOURNED. There being no further business, the Logan Municipal Council adjourned to a meeting of the Logan Redevelopment Agency at 7:25 pm.

Minutes of the meeting of the Logan Redevelopment Agency convened on Tuesday, June 6, 2023, in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah 84321 at 7:25 pm.

Council Members present at the beginning of the meeting: Vice Chair Amy Z. Anderson, Councilmember Jeannie F. Simmonds and Councilmember Tom Jensen. Administration present: Mayor Holly H. Daines, City Attorney Craig Carlston, Economic Director Kirk Jensen, Finance Director Richard Anderson, City Recorder Teresa Harris and Deputy Recorder Esli Morales.

Excused: Chairman Ernesto López and Councilmember Mark A. Anderson.

Vice Chair Amy Z. Anderson welcomed those present. There were approximately 6 in attendance at the beginning of the meeting.

ACTION ITEM:

Consideration of a proposed resolution adopting a survey area to initiate the potential creation of the 1400 North Main Community Reinvestment Project Area Plan – Resolution 23-20 RDA – Kirk Jensen, Economic Development Director

At the May 16, 2023 Council meeting, Economic Development Director Kirk Jensen addressed the Council regarding the proposed resolution. He stated that the Redevelopment Agency of the City met and finds that the location described in the area of 1400 North Main may benefit from the creation of a Community Reinvestment Project Area Plan. The Agency proposed the following:

1. The area South of 1400 North to 1000 North and between Main Street and 200 East, is designated as a Survey Area.
2. This Survey Area requires study to determine whether project area development is feasible within one or more proposed Community Reinvestment Project Areas within the Survey Area.
3. The Agency is authorized to prepare a proposed Community Reinvestment Project Area Plan within the Survey Area for a proposed Community Reinvestment Project Area.
4. The Agency is authorized to conduct any examination, investigation, or negotiation regarding the proposed Community Reinvestment Project Area that the Agency considers appropriate.
5. The Agency will not use eminent domain in a project area within the Survey Area so no blight study will be performed.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Jensen to <u>approve Resolution 23-20 RDA as presented</u>. Motion carried by roll call vote.
A. Anderson: Aye
M. Anderson: Absent
Jensen: Aye
López: Absent
Simmonds: Aye

ADJOURNED. There being no further business, the Logan Redevelopment Agency adjourned at 7:28 p.m.

Esli Morales, Deputy City Recorder