

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, April 18, 2017 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chairman Holly H. Daines conducting.

Councilmember's present at the beginning of the meeting: Chairman Holly H. Daines, Vice Chairman Tom Jensen, Councilmember Herm Olsen, Councilmember S. Eugene Needham and Councilmember Jeannie F. Simmonds. Administration present: Mayor H. Craig Petersen, City Treasurer Tyson Griffin, City Attorney Kymber Housley and City Recorder Teresa Harris. Excused: Finance Director Richard Anderson.

Chairman Daines welcomed those present. There were approximately 56 citizens in the audience at the beginning of the meeting.

Chairman Daines announced that prior to tonight's Council meeting, an hour long open house was held for those interested in running in the upcoming Municipal Election. Positions open this year are Mayor and two Council seats. There were several that attended the open house and she was pleased by those who showed an interest in serving.

#### **OPENING CEREMONY:**

Logan resident Richard Steele gave the opening thought and led the audience in the pledge of allegiance.

**Meeting Minutes.** Minutes of the Council meeting from April 4, 2017 were reviewed and approved with no changes.

**ACTION.** Motion by Councilmember Olsen seconded by Councilmember Simmonds to **approve the April 4, 2017 minutes and approve tonight's agenda.** Motion carried unanimously.

**Meeting Agenda.** Chairman Daines announced there are two public hearings scheduled for tonight's Council meeting.

**Meeting Schedule.** Chairman Daines announced that regular Council meetings would be held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, May 2, 2017.

#### **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:**

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

#### **MAYOR/STAFF REPORTS:**

##### **Updates on Projects/Issues – Mayor Petersen**

Mayor Petersen gave a report on the following:

- The area of 200 North 600 East is closed until April 28 for bridge repairs.
- Rendezvous Park is closed until April 26 for repairs.
- Green Waste/ Spring Clean-Up started April 17 and will go until April 28.
- There has been some consideration about constructing a BMX Bike track in the area of Bridger Park. Discussions will continue regarding this project.

## **COUNCIL BUSINESS:**

### **Council Budget Workshop Schedule – Chairman Daines**

Chairman Daines announced that Budget Workshops are scheduled for Tuesday, May 9, 2017 beginning at 5:30 p.m. and Tuesday, May 16, 2017 immediately following the Regular Council meeting which begins at 5:30 p.m. The public is invited and encouraged to attend the workshops.

### **Logan Municipal Council letter to UDOT supporting the SR 30 Alternative Selection – Chairman Daines**

Chairman Daines stated that UDOT held a series of public hearings regarding SR 30 (Valley View Highway). One of the topics has been the timing of project funding and when UDOT will put this project in their budget. UDOT is also going through an Environmental Impact Statement on what the project will involve. The preferred alternative for SR 30 is to have some passing lanes but not five lanes all the way through. A group including herself, Councilmember Needham, Cache County Executive Craig Buttars and Jeff Gilbert from the CMPO that attended a UDOT budget meeting to let them know this is a critical issue for Cache Valley. Regarding the timing of the project, we were listed for six years from now and UDOT moved the project up by one year and they agreed to consider moving this project to a higher priority if other projects come in under budget. The Council drafted a letter that will be sent to UDOT regarding SR 30 and the project and the preferred 5-lane alternative. The letter has been signed by Mayor Petersen and all five council members; it will be sent to UDOT.

### **Neighborhood Parking Issues – Chairman Daines**

Chairman Daines said at this time there will be a discussion about parking issues which affect several neighborhoods, particularly those that are close to the USU campus. She announced that Community Development Director Mike DeSimone will address parking first and then members of the Parking Appeals Board Keith Schnare and Scott Anderson will speak and then Frank Stewart regarding Adams Park Neighborhood and their parking concerns.

Mr. DeSimone showed a map of the Daytime Residential Parking Restriction Areas. The map shows areas of the Hillcrest Neighborhood and also areas East of 600 East. These restricted areas limit the amount of daytime parking on a City street and a permit is required to park in this area if you are a resident.

#### **a. Comments from Logan City Parking Appeals Board – Keith Schnare and Scott Anderson**

Keith Schnare, Member of the Logan City Parking Appeals Board addressed the Council. He introduced Keith Schnare who also serves on the Appeals Board. Mr. Anderson said they are members of the community that work with Logan Police Officer Troy Thurston to review appeals that individuals make when they feel they have unfairly received a parking ticket. As those appeals accumulate, Officer Thurston schedules a meeting and they review the appeals. They review the circumstances and then make a determination on what should be done with the ticket from that point. In their capacity, the appeals committee has a concentrated viewpoint of what the parking situation is throughout the City of Logan. The Parking Appeals Board prepared a report dated Winter 2016 – 2017 and copies were distributed to the Council.

Mr. Schnare reported in 2016 the total number of parking citations issued is 3,876 and 84% of these citations fell into three of the fourteen categories:

- Residential – 20%
- Time Restricted – 41%
- Overnight Snow – 22%

The residential and overnight snow citations were mainly in the same street locations where 42% of the parking problems occur in the City. These are the areas of 400 North to 1200 North and 500 East to 900 East, and US 89 to 1100 North and 1200 East to 1500 East.

Major student and residential parking issues exist around USU in the areas mentioned above. Overnight snow parking regulations were an issue this winter due to:

- Less than needed parking space being available to residents
- Large amounts of snow which took away some parking spaces
- Changed and incorrect information on the dates and times of the overnight snow regulation between the ordinance, the Logan City Website and signs on 400 North

Mr. Schnare continued and said the Parking Appeals Board recommended changing the name of the “Overnight Snow” parking regulation to “Overnight Winter” parking so that appeals are not based on the lack of snow. Change the signs to reflect the new regulation and post more signs.

The Parking Appeals Board observed that the current residential parking regulations will not address the developing need resulting from new complexes with insufficient parking space. Originally, the residential parking regulation was needed to prevent drive-in students from clogging up all the curb parking near USU during the day. Now, the issue is that megaplexes (The Factory, 1000 North 600 East Millennial Village) do not have sufficient parking and their vehicles spill out into the adjacent residential area, especially at night. These new developments were billed as improving the City by providing needed student housing. However, the result is cars parked all over, including in no-parking zones up to the intersections. This is causing unsafe situations due to lack of visibility, as well as a very unattractive environment. The proposed change in residential parking of adding six blocks and taking out one block takes away more parking spaces than it adds which will only create more problems especially around the megaplexes.

The Parking Appeals Board recommended that the residential restriction should be 24/7. This would help with the night time parking problem for residents, assuming that residents living in the Campus Residential zone are not eligible for residential parking permits. Unfortunately, this will not help the safety issues at the intersections such as 600 East and 900 North. Additional parking enforcement should be exercised. More signage is needed along these streets to inform people not familiar with the area about the parking regulation.

The Parking Appeals Board observed that too few parking spaces are being allowed for new construction of residential buildings. There is a need for the City and USU to focus on finding solutions to the parking spillage into residential areas caused by the approval of less than needed parking space for recent residential housing complexes. This trend is also continuing with a proposed apartment building on Main Street. It is estimated that the proposed apartment building on Main Street with 1 to 1.5 spaces per apartment allowed will be at least 36% or 67 spaces below the number of spaces needed. This will negatively affect adjacent business parking areas. The new code amendment allowing off-site parking could be a source of conflict when one of the businesses in the agreement changes location, and the business that moves in has hours that conflict with the business that did not leave. There will also be a problem as City lots that are empty and used as off-site now get built upon.

The Parking Appeals recommended that the fact is that many families have more than one vehicle. It is also a fact that more people may live in a rented set of rooms than the planners and builder envisioned. The expense of parking can be paid up front by the builder and passed on to the residents over time, or the cost will be paid by the residents when they get citations. City planners need to understand these facts and plan accordingly.

Chairman Daines stated that the data shows that the percentage of parking is in a certain area and suggested that signage be done.

Mayor Petersen asked of the appeals that come before the Board, what percent they grant.

Mr. Anderson responded it's a small percentage and many of the appeals are simply that the person cannot afford to pay the ticket. There are quite a few that receive a time restricted citation and their appeal is they were only 5 minutes over the 3-hour time limit. The Appeals Board does not generally grant leniency for that reason but they do grant leniency for reasons that are beyond the control of the person such as mechanical difficulty or weather related incidents. The appeals are handled via quorum and they try and be empathetic but they also understand that it's not the position of the Appeals Board to waive the rules of the City.

Councilmember Simmonds asked do Mr. Schnare and Mr. Anderson recommend that the City should actively red stripe intersections 20 feet back and place additional signs regarding the Winter Parking ordinance.

Mr. Anderson said that is correct. The City doesn't normally sign for the Winter Parking ordinance so any signs that go up would be new signs. He feels that for those who are

visiting from out of town signs would be helpful. He said the police department does a great job of advertising the ordinance via radio and print but there are still people that don't understand the ordinance. The Parking Appeals Board meets every 3-4 weeks and they review approximately 50 appeals at each meeting.

Councilmember Simmonds asked if the Appeals Board had any suggestions of what can be done to improve parking.

Mr. Anderson responded that the City should concentrate on solutions going forward. He feels that it's a hard to retrofit parking into an established area. In the areas of the "megaplexes" by USU, there is a shortage of parking and of course, the residents that live in these areas don't like cars parked in their neighborhoods. He feels we haven't reached the post car society age and he feels that some of the expectations for parking spaces per housing unit need to be adjusted.

Vice Chairman Jensen said there are a good number of students who have vehicles. He asked about the cars that are only used on weekends and suggested that the owners of the "megaplexes" require their tenant's to park remotely and someplace different than the neighborhoods. Doing this will free up parking for those who need it during the weekday.

Mr. Anderson responded that he feels this idea is worth exploring. He stated that some of the problem is because landlords know they don't have sufficient parking so the cars are going out into the street and neighborhoods and that is not a solution, especially in the winter months. There is already communication about parking between the landlords and tenants. There might be some corrective action that could take place and go back to the landlords and have them try and come up with a parking solution they can communicate to their tenants going forward. Maybe an idea would be the tenants have to pay for their parking space.

Chairman Daines thanked Mr. Schnare and Mr. Anderson for their comments and their service on the Appeals Board.

Police Chief Gary Jensen also thanked the Parking Appeals Board for their service.

#### **b. Discussion of Adams Area Neighborhood Parking Permits – Frank Stewart**

Adams Park Neighborhood resident Frank Stewart addressed the Council and said there are several concerns about over occupancy and as a neighborhood; they have met over the last two months with USU Parking and Logan City regarding extending residential parking. They have observed the spillover that is going down 900 North due to the new Factory student housing. The Factory owners have been very open and courteous working on parking solutions and addressing issues. He stated the new student housing building located at 1000 North 600 East will have 640 beds and 300 parking stalls so they could potentially have that many students parking in the Adams Neighborhood. The residents in this area have watched the value of their homes go down and requested that the residential parking permit be extended further North to 1200 North between 400 and 600 East, except for the areas behind the student housing complex which, goes from 1050 North to 1200 North.

Mr. Stewart continued and said Blue Square housing is extending their parking lot area for permit parking only for those living at Blue Square.

Councilmember Olsen asked what Mr. Stewart's response is to the parking recommendations made by the Parking Appeals Board.

Mr. Stewart responded that increasing the residential restriction to 24/7 is very important to the residents.

Adams Park Neighborhood resident Ted Nyman addressed the Council and said one of the issues with the student parking especially along 700 East is they are suppose to have four residents and they have eight. He feels enforcement is key and there should be occupant enforcement in keeping the numbers of allowed residents in a building and parking enforcement. He suggested that any signs that go up regarding winter parking should be dated so people know when they can and cannot park. He noted that cars are parked almost right up to the intersections/stop signs and suggested better painting of red curbs should be done. He also said that if a building only has parking for 50% of their residents, that once the limit of cars has been met that students who have cars not be allowed to rent at that location and will need to look elsewhere. Doing this would force the owners of the buildings to come up with a better marketing plan to students who attend school and don't have a car. He would like to come up with an action plan with deadlines before the new student housing building opens on 1000 North 600 East. Having a plan will help with the frustration of the students and the residents.

Logan City Attorney Kymber Housley said regarding the question as to whether or not we can require the property owner to not rent to students who have a vehicle once they reach a certain limit of students. He explained that as these projects came through the Planning Commission that is exactly what the developers said they would do. He feels the real solution is that as Community Development has proposed and the neighborhood has requested is that a Neighborhood Parking Program be implemented. The way we enforce parking is by taking away the options. There is a conception that the City made a mistake by allowing .5 parking stalls per unit. At the time, it was a conscious policy decision and the City knew that it would not be enough parking but, the idea was air quality is important and we were trying to change behavior and we wanted students to come to school and not bring a car. It was an internal decision to under park the area and then force people to come without cars and that isn't going to happen until we make it more painful for them to have a car. He feels we are now just going through that painful process and if we keep enforcing this aggressively, eventually the students will make a hard decision to either share a car, not bring a car or start using the bus system. Again, he said the best option for the City is to aggressively enforce and implement a Parking Program which, has been requested and let the property owners decide how to handle it. It's up to the apartment property owner to figure out where their tenants are going to park or don't rent to tenants with cars.

Councilmember Simmonds added that the ordinance in Campus Residential has been changed to a 1/1 basis (1 car per 1 tenant).

Councilmember Needham said he feels that the developers will be hurt by this and if there's no parking then the developers will go somewhere else to build.

Mr. Housley responded all we can do is enforce parking and we also need to do a better job of painting the curbs red.

Mr. Stewart asked the Council about a timeline and as he talked with Police Lt. Brett Randall and others in the City it appears that if the Council approves this in April or May then, the police department would be able to produce the signage and have it installed.

Chief Jensen said one thing the Council should be aware of is there are three part-time parking employees. The police department found the funding in their budget to hire a temporary person to handle overnight winter parking. If the City goes to 24/7 enforcement, realistically he will need to hire more people for parking enforcement.

Councilmember Jensen suggested that the City consider hiring a booting company. He said there are City's that do booting and it's done off the City books and the booters are incentivized by writing tickets. It does solve the problem without raising the budget in the police department to cover the hiring of more employees.

Chief Jensen said the police department doesn't typically have police officers who do parking although they can. When the police department took over parking a few years ago, the Council instructed him that it had to be revenue neutral and it hasn't quite been revenue neutral but it has paid the bills. The City is not making money from parking, they are simply staying afloat.

Community Development Director Mike DeSimone said parking is fluid and varies from semester to semester. The various new student housing developers know there is a parking problem and they are trying to find solutions.

Councilmember Simmonds suggested that a small group consisting of City staff, members of the neighborhood and a council member meet and discuss parking and consider solutions for recommendation.

Chairman Daines added that this group could also talk with the landlords of the student housing and get their recommendations on a parking solution.

Vice Chairman Jensen agreed with the suggestion from Councilmember Simmonds and said Mr. Stewart suggested that we extend the area that is enforced so there are more neighborhoods that are protected.

Chairman Daines asked does the Council approve increasing the parking restrictions that have been mentioned tonight. Is the Council willing to go to 24/7 residential restriction.

Vice Chairman Jensen feels to protect the neighborhood we need to have the restriction of 24/7.

Mr. DeSimone suggested that the Council give more thought into going to 24/7 and to talk with more residents just to make sure they are comfortable with this change.

Councilmember Olsen said he wants to support the neighborhoods and does not want “unintended consequences”. He would like to continue this discussion to a future Council meeting and get additional information from Community Development and from the neighborhood.

Councilmember Simmonds, Councilmember Olsen, Frank Stewart, Chief Jensen and a member from the Parking Appeals Board will meet and discuss the suggestions made at tonight’s Council meeting. Councilmember Simmonds will schedule a meeting.

Councilmember Needham said maybe a permanent solution is property acquisition to provide more parking.

Chairman Daines responded the landlords will do any property acquisitions because it is their problem and they need to own it. The City provides the enforcement.

Chairman Daines said we need to commit to the neighborhoods in regard to parking. She suggested that the newly formed parking committee led by Councilmember Simmonds meet and talk about the issues/solutions and report back at a future Council meeting.

There was no further Council business discussed at this time.

**ACTION ITEMS:**

**PUBLIC HEARING - Budget Adjustment FY 2016-2017 appropriating: \$3,800 donated funds toward a new Marshall Golf Cart at the Logan River Golf Course; \$23,826 for snow removal performed at the Logan Cache Airport - Resolution 17-14**

At the April 4, 2017 Council meeting, Finance Director Richard Anderson addressed the Council and explained the proposed budget adjustments.

Chairman Daines opened the meeting to a public hearing.

Logan resident Bill Bower addressed the Council and said he has concerns about the donated funds in the amount of \$3,800 and where it came from. He is also concerned about the \$23,826 for snow removal.

Councilmember Simmonds responded that the donation of \$3,800 for the golf cart came from a local auto body shop. In regards to the \$23,826, Logan City provides snow removal at the airport during the winter months. The airport then determines the costs incurred and then the airport budget reimburses the City for the cost of snow removal.

There were no further comments and Chairman Daines closed the public hearing.

**ACTION.** Motion by Vice Chairman Jensen seconded by Councilmember Simmonds to **approve Resolution 17-14** as presented. Motion carried unanimously.

**PUBLIC HEARING - Garden Park Apartments Rezone – Consideration of a proposed rezone. Trent Cragun, authorized agent/owner requests a rezone from Recreation (REC) and Traditional Neighborhood Residential (NR-6) to Town Center (TC) for construction of a 129,330 SF 4-story, 123-unit apartment building on 2.7 acres from 115-169 South 100 East – Ordinance 17-05**

At the April 4, 2017 Council meeting, Planner Amber Pollan addressed the Council and presented the proposed rezone. She stated the proposal includes the construction of a new 129,330 SF residential building with open space, landscaping, and parking. The 120-unit apartment complex is 4 stories in height and will incorporate some limited commercial use on the main level. The apartments are primarily one-bedroom units with amenities such as decks, courtyards, rooftop patio, fitness area, and clubroom. The site currently consists of four single family homes, a triplex, a vacant commercial property, and a portion of a City park area. Existing buildings would be demolished for this development.

She stated the Town Center Zone encourages buildings to be close to the street and to maximize the use of space. The East side of 100 East has residential homes and is zoned Neighborhood Residential. The District and Corridor Zones have transition requirements that help to provide gradual transition between new development and existing neighborhoods. The standards require compatible setbacks along the street and height transition to provide sensitivity to the context of the existing area.

This area has been designated to transition to Town Center development since the 2008 General Plan adoption. The 100 East access through the area helps support Main Street, downtown activities, and more intense development. This supports the rezoning of the West side of 100 East to Town Center zoning. The Downtown Specific Plan identifies this area as a development opportunity site and encourages the introduction of higher-density housing in downtown.

The Land Use table and intent of the Town Center Zone is for a mix of complementary uses to be provided within buildings, with commercial on the main level and residential on the upper floors. There is not a percentage requirement of how much area has to be commercial use. Locations along Main Street would be expected to have more intense commercial use. This project would provide a residential component to the mix of office, restaurant, and civic/recreation uses already on the block. The project site is on a side street and is in a location where it would be appropriate to transition the intensity of the use into the adjacent residential neighborhood. The setback requirement of the building would limit the visibility of commercial businesses from 100 East.

Staff recommended that the Planning Commission conditionally approve a Design Review Permit for Project #17-013, Garden Park Apartments, and recommended approval of the rezone from Recreation (REC), Traditional Neighborhood Residential (NR-6), and Town Center (TC) to Town Center (TC) to Town Center (TC), for the properties located at 115-169 South 100 East.

On March 23, 2017, the Planning Commission recommended that the Municipal Council approve the rezoning of approximately 2.7 acres from 115-169 South 100 East from Traditional Neighborhood Residential (NR-6) and Recreation (REC) to Town Center

(TC). The Planning Commission also reviewed the request for an apartment project at this location. The Commission conditionally approved the project which is subject to the rezone of the property. The Planning Commission vote was 4-1.

Vice Chairman Jensen said this is a divisive issue and the neighborhood has strong opinions. He complimented the neighborhood for getting involved with their comments and concerns. There is also a group from the downtown/business district that also has an interest in this project. He has struggled with this project because when he ran for Council, he ran on the platform of the revitalization of neighborhoods and downtown. The issues as he understands from the neighborhood are parking, increased traffic on 100 East, incompatibility with the current neighborhood and the use of Garff Gardens Park. On the other side, a lot of people understand that this type of project is critical for the downtown to thrive and more residents need to be within walking distance of the downtown. He stated that Salt Lake City is a good example of what they call four-story "podiums" and built over parking. He knows that we are talking about a zoning issue and he talked with the developer and members of the Council about the idea of rotating the building 90 degrees. Instead of having a flat wall facing the street at four stories high, there would be two wings coming out and beyond that, step the building back from two to four stories. It would face a courtyard toward the street and a further suggestion made by Councilmember Simmonds was to locate the commercial businesses on the East side facing the street. He said the developer of the proposed project, Trent Cragun is very interested in working through the concerns and not everything will be solved. Traffic will increase whether it's on this property or elsewhere and he is not sure there is a solution to the traffic concerns. He also said Mr. Cragun would like to meet with the neighborhood and talk through the concerns on May 3, a location for the meeting has not been determined at this time.

Councilmember Simmonds commented that it's important at tonight's meeting that the Council hears the concerns of the neighborhood of what they object to and what they don't object to with this project. She said it's only through input from all residents that the Council can make good decisions for the City.

Vice Chairman Jensen said procedurally this will go back to the Planning Commission for their review of the revision that Mr. Cragun is incorporating. After the Planning Commission review then it will come back to the Council for consideration of a zoning change.

Mr. Housley said that is correct. The Council has the option of taking action tonight but, with what has been stated to this point, the plan is for the Council to take public comment tonight then continue to another Council meeting and public hearing if the Council desires. In the meantime, the developer Mr. Cragun will go through the Planning Commission process to seek amendments to the project and address some of the concerns. The next Planning Commission meeting is scheduled for May 11. It can then come back to the Council as soon as May 16 with a recommendation from the Planning Commission.

Chairman Daines opened the meeting to a public hearing.

Dr. Gail Yost – Dr. Yost said she lives at 261 South 100 East and has lived at this location for the past 38 years. She represents herself and others in the neighborhood and none of them want an oppositional confrontational and only want to communicate their views. She feels the process for this project was done backwards and the neighborhood should have been surveyed first before any changes or plans were made. The residents chose to live in this area to avoid big city life with large buildings. She feels there are unintended consequences and things never turn out the way they are planned. The neighborhood does not want the West end of the Island be part of the downtown and they were never part of the downtown before, they don't want to be anything but suburban. They don't want transient neighbors who aren't tied to the surroundings. They don't mind renters and would not mind having town homes with 32 units and enough parking for everyone. But, they do not want the monstrosity that is being proposed in this zone. They do not want big buildings; they want residencies that enhance the area.

Business owner Mark Lunt – Mr. Lunt stated that Cache County's population is set to double by 2050. He said there are only three ways that we can grow which are in, out or up. If we do infill developments then the roads and infrastructure are already in place which helps reduce costs to the citizens. A vibrant downtown is the best way to increase sales and property tax so it doesn't come out of the citizen's pocket as much. He said we need to create jobs for the next generation and what young people are looking for are single bedroom units, near the downtown that cater to an active lifestyle. He feels if we don't facilitate these types of living areas then, other communities will. He feels the City has done a very good job of keeping everyone informed. He encouraged the Council to take all of the efforts that went into the Logan Downtown Master Plan and Cache 2020 and to look at these documents and help Logan to grow.

Richard Steele – Mr. Steele said the neighborhood needs a Mixed Residential Zone on the backside of Main Street on 100 East. Doing this will lower the density of the zone and the height of the building. There should be greater ownership opportunities such as townhomes and condominiums. He feels the proposed complex should have a residential appearance and the park area that was taken away years ago should be returned. He said there is a parking problem and the City is looking at density backwards and should say to the developer there is this many parking stalls and therefore that is how many units you can have based on the zone. He feels doing the parking this way will avoid problems such as what is happening around Utah State. The developers would have to settle for a lower density rather than the maximum housing units in one location.

Trent Cragun – Mr. Cragun, developer of the proposed project addressed the Council and said if he had it to do all over again he would meet with the neighborhood sooner rather than later. He said it's important not to polarize the issue and he feels it's unfair to group this project with the projects that are being built at Utah State. His project is by units rather than bedrooms and 80% are one bedroom and 20% are two bedroom units. These units will be market rate rent and are not subsidized. The people who live here will bring discretionary income to the downtown. Having this development in the downtown will also help preserve green space in the County. He owns most of the parking on the block where this project is proposed and he has not included this in the ratio. There are 300 current parking stalls and he is bringing over 140 more parking stalls. He feels this is a

smart project and more than half of the homes across the street from the proposed project are rentals.

Cory Yeates – Mr. Yeates said he is not here to say the project is not wanted but the size and scope of the project have major problems especially with the number of vehicles that could be involved. If there are 400 parking stalls and they are all filled up then those cars will park on 100 East and there will be traffic congestion in the area. He sat on the Logan City Planning Commission 23 years ago and time and time again he found that when a developer purchased property, was done on speculation. The Council does not owe the developer a profit and he asked that the Council take into consideration the needs of the neighborhood and the impact that more vehicles will have on this area. He suggested the developer have fewer units than what is being proposed.

Michael Taylor – Mr. Taylor is the Civil Engineer on the proposed project. He stated this area was already slated for conversion to a Town Center Zone and the proposed project meets the vision of that zone. In 2010 there was a Parking Study and it was meant to go along with the Downtown Specific Plan and the Plan went through the usage of all the parking in the downtown both on-street and off-street. He said the density is not maxed out for the proposed project and the zone allows for up to 70-units per acre. With this project they are trying to meet projected needs and are trying to work within the constraints that have been set.

Mary Ellen Robertson – Ms. Robertson lives at 156 South 100 East and has housed four generations of her family at this location. She read the parking study and the 100 East block was not included in that study. A letter she submitted to the Council talked about her objections to the zoning change, parking and her concern of underestimating this project. She is pleased that the Council is talking about these issues now and looking for options. She said it's clear to her that the interests of the developer are not in line with the interests of the neighborhood and the long term residents who live there. She has not seen anything from the developer on how he plans to address the parking concerns and she feels it's premature to ask the Council to make a decision at this time.

William Hockstedler – Mr. Hockstedler lives a block East of the proposed area. He and his wife walk to various locations in the downtown including restaurants and the theatre. He is a business owner in Logan and said this is one of the smartest zone changes that he's seen since the Land Development Code in 2009 when residential density to the downtown. People can eat, shop, work and live all in the same area and this is a national trend. He said that pet friendly smaller units are by far the most coveted in Logan City and there is nothing in our Development Code that encourages developers to build smaller units.

Bill Bower – Mr. Bower said he has no interest in this project. He thinks that the project is too large and should be scaled down. He also feels there will be traffic problems.

Joe Needham – Mr. Needham said the area for the proposed project was always planned to have this type of housing development and he is happy to know that areas are protected by zoning. He lives near the downtown and feels that a lot of people desire this type of housing and will enjoy living near the downtown.

April Mortensen – Ms. Mortensen lives at 100 East 200 South. She said it's great to speculate on who will live in this housing and whether or not they will attend the opera and shop but we are not in the business of speculation. In the downtown area it calls for Mixed Use and she doesn't see a lot of Mixed Use in the plans for downtown. With this project the City is selling green space that the community uses in order to sell the property to a developer which she feels is a conflict of interest. She said the developer would also like to take part of the community green space and gate this area and offer nothing back to the community. There will also be a lot of problems with traffic and parking. Most of the homes in a 2-3 block area of the proposed project are owned not rented. She is willing to get signatures from the homeowners and most have already signed a petition that now has 130 signatures. Several of the apartment buildings in the area have conformed to code and have two stories. The few homes that are rentals, most of the owners have told her that this project will really hurt their business because their opportunities will be taken away because of a megaplex. The size and scope of the project is too large and it does not fit with the existing neighborhood. She said the Lundahl's own the majority of the parking and property and Mr. Cragun only owns two homes.

Troy Astle – Mr. Astle is a builder and stated this project is a great opportunity and place to live for young professionals who don't yet have children and need a place to live who are just finishing college and can't yet purchase a home. He said the Planning Commission has approved the zoning of this project and the developer has complied with what has been asked.

Janice Bird – Ms. Bird lives across from the proposed development and her home is on the National Historic Register. She has a petition with 130 signatures from people in the neighborhood who are mostly older people and not young professionals. She feels there are not enough high paying jobs to support people coming out of college. She said the buildings need to be smaller than four stories to accommodate the other homes in the area. The current residents in this area are the ones paying property tax and are the voters. She can get more to sign the petition if needed and she only found about 5 people that would not sign the petition. She asked the Council to make a reduction to the size of the development such as townhomes or two story apartments.

Jess Bradfield – Mr. Bradfield said he would rather not see a development in this area but trying to find housing in Logan is very difficult. The West side of Logan is turning into mixed development and he asked the Council to safeguard the park area from something that could potentially be a mistake.

Marilyn Griffin – Ms. Griffin said if a developer says they are going to meet with the neighborhood, they should do so at the very beginning. As she understands it, the Council's charge is not to approve or disapprove the specific project but to talk about the zone but she feels the Council cannot separate the two. As she reviewed the requirements for the Town Center zone she does not feel the project is compatible. The architects should look at complimenting the existing structures and this new project has no historic value at all. She feels there are too many questions as to what is really going to happen in this area and what impact it will have on the neighborhood. She feels it's the primary

responsibility of the Council to make sure that projects like these don't negatively impact the residents who have been there for so long. She asked the Council to deny the rezone at this time.

Gary Saxton – Mr. Saxton is representing the Downtown Alliance. He said there is a lot of effort put into these projects and City staff works very hard. He said this zoning is something that the Downtown Alliance has been looking at since 2011 and is wanted and needed. Residential, high density projects such as this need to be considered for those not wanting to see green space disappear. He feels this will be an attractive project for the City and he encouraged the Council to approve the zoning.

Whitney Milligan – Ms. Milligan lives directly across from the proposed project area on 100 East. She works at USU and says that all students bring a car when they come to school and those living in the proposed new development will also have a car. She and her husband walk to the downtown area and they enjoy it very much. She has a garden and a large yard and her home was built in 1901. She and others on her block own their homes. She said there is already a lot of traffic on 100 East and this new development will add even more.

Paul Thorpe – Mr. Thorpe said he has spent 20 years trying to get back to Logan and people want to live here for certain reasons. But, in pursuit of trying to grow the economy and have a strong community, we don't want Logan to lose its brand and just become another City. We need to grow and develop and doing this project will not restore green space in the outlying community. Everyone supports growth and development but this project is not right for the proposed area.

Tony Nielson – Mr. Nielson said the thing that sticks out for him regarding this project is the precedence it will set. He feels if the Town Center zone is changed in this area it will change in other areas as well. The parking needs to be addressed and he feels the Town Center should be on Main Street where it's a better fit. The School District is very concerned about this project and voiced their concern at the Planning Commission meeting. We talk about preserving green space but with this project it is taking away a section of a park. He feels that people are moving out of Logan City because they are tired of the direction things are going and he questions just how many rentals Logan can handle. He feels this project will increase the property value and it will add money in terms of utilities but at what cost and how will it affect the neighborhood. He knows the Council is not ignoring the voice of the residents in this area but feels we have developers who come in and want these types of projects and the Council needs to listen to the neighborhoods.

Susan Tryon – Ms. Tryon said she lives in the proposed project area and over the years she has seen a lot of growth. There is a lot of traffic already on 100 and 200 East and she worries about more traffic along this road. She walks in the downtown area but feels there are safety concerns in trying to cross the street.

Chairman Daines asked Police Chief Gary Jensen to provide crosswalk enforcement on 200 East and remind people they need to stop for pedestrians.

Susan Scheelke – Ms. Scheelke lives on 100 South across from Garff Gardens. She read from the Planning Commission meeting minutes and said that a four-story apartment building is not “gradual” and from the plans she has seen it looks like just a plain apartment building and would not work well with a historic neighborhood.

Roger Yost – Mr. Yost lives near the proposed area. He referred to the “unintended consequences” statement made by Councilmember Olsen and said he is worried about sewer, water, power and all of the things that are going to be affected by a much larger development going into this area and asked if any studies have been done on how it will affect the area. There are a lot of older homes in this area and they have older infrastructure.

There were no further comments and Chairman Daines closed the public hearing.

Chairman Daines thanked all those that spoke during the public hearing and for taking the time to attend tonight’s meeting and express their opinion and doing so in a respectful manner.

Councilmember Simmonds said she would be in favor of continuing the rezone, having it go back to the Planning Commission and give them an opportunity to revisit the rezone request.

**ACTION.** Motion by Councilmember Simmonds seconded by Councilmember Needham to continue Ordinance 17-05 to the May 16, 2017 Logan Municipal Council Meeting as presented. Motion carried unanimously.

### **WORKSHOP ITEM:**

**Budget Adjustment FY 2016-2017 appropriating: \$15,000 for a grant the police department received from the State of Utah, these funds will be used to purchase camera equipment; \$700 donated funds for a flag pole at Don Reese Park; \$85,000 Community Development rolling stock reserves toward the purchase of replacement vehicles; \$1,000 from the Heritage Title Insurance Agency, donation towards the completion of the pickleball court project at Bridger Park - Resolution 17-16 – Tyson Griffin, City Treasurer**

Logan City Treasurer Tyson Griffin addressed the Council and explained the proposed budget adjustments.

The proposed resolution will be an action item and public hearing at the May 2, 2017 Council meeting.

### **OTHER CONSIDERATIONS:**

Councilmember Olsen referred to information he received from the Idaho Department of Transportation regarding upcoming road construction which is a multiyear project. He said people traveling North on I-15 should be aware of the construction and plan accordingly.

No further considerations for the Council were discussed.

## **ADJOURN TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY**

### **WORKSHOP ITEM:**

#### **Budget Adjustment FY 2016-2017 appropriating: \$112,000 RDA reserves (low income funds) for the purchase of property located at 64 East 300 South - Resolution 17-17 RDA**

Logan City Attorney Kymber Housley addressed the Council and explained the proposed resolution. Initially, the property along 100 East and the corner of 300 South, was acquired when improvements were made on 100 East and we ended up acquiring the entire property because it was cheaper than doing a partial purchase. After that, the property to the West which is approximately .164 acres, burned down and the property owner contacted the City and asked if we would like to purchase the property at a cost of \$34,000 which we did. Subsequent to that purchase, the owner of the home to the West consisting of .164 acres died and the person representing the deceased contacted the City to see if we were interested in purchasing the property. We don't have any specific plans for the property but for the right price we would be interested. The total acres would be .39 acres and with the other property involved it gets us to almost one acre which we can do something with if needed. Two of the properties were acquired with affordable housing funds and that money is either used for affordable housing or ultimately given back to the State's Olene Walker Fund. It's not money that can be used for anything else. With the proposed resolution tonight, if we do something different with the property then we will simply refund the affordable housing fund. Whatever project goes into this location the Council will have input. Currently it is zoned Single Family Residential but is Commercial in the long term plan. There are no specific projects planned for the area at this time. Because the purchase is over \$100,000 it is required that a public hearing be held on May 2. Once all of the property is acquired the intent is to tear down both homes.

The proposed resolution will be an action item and public hearing at the May 2, 2017 Council meeting.

**ADJOURNED.** There being no further business to come before the Council, the meeting of the Logan Municipal Council adjourned at 8:00 p.m.

Teresa Harris, City Recorder