CITY OF LOGAN, UTAH
ORDINANCE NO. 19-19

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF LOGAN CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain map or maps entitled “Official Zoning Map of Logan City, Utah” is hereby amended and the following properties in the Woodruff Neighborhood and as specifically identified in Exhibit A, as attached, are hereby zoned from Mixed Use (MU) to Commercial (COM).

SECTION 3: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _________
THIS DAY OF ________________, 2019.

AYES: ____________________________
NAYS: ____________________________
ABSENT: __________________________

Jeannie F. Simmonds, Chair

ATTEST:

______________________________
Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the ____ day of ________________, 2019.

Jeannie F. Simmonds, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby ______________________ this ___ day of ________________, 2019.

Holly Daines, Mayor
EXHIBIT A

Logan Gateway Retail Development
701 South Main Street

PROPOSED ZONING
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: September 25, 2019
FROM: Russ Holley, Senior Planner
SUBJECT: Ordinance #19-19 Logan Gateway Retail Development Rezone

Summary of Planning Commission Proceedings
Project Name: Logan Gateway Retail Dev. Rezone
Request: Official Zoning Map Amendment
Project Address: 701 South Main Street
Recommendation of the Planning Commission: Approval

On September 12, 2019, the Planning Commission recommended that the Municipal Council approve a rezone from Mixed Use (MU) to Commercial (COM) for the Logan Gateway Retail Development project.

Planning Commissioners vote (7-0):
Motion: J. Lucero
Second: E. Ortiz
vote recommend denial: none
abstain: none

Attachments:
Staff Report
Ordinance #19-19
Planning Commission Meeting Minutes
Project Slides
Project #19-036
Logan Gateway Retail Development
Located at 701 South Main Street

REPORT SUMMARY...
Project Name: Logan Gateway Retail Development
Proponent/Owner: Gary Blazzard / Craig Adams, Gordon Wood, Staci Gunnell
Project Address: 701 South Main Street
Request: Rezone / Design Review Permit
Current Zoning: Commercial (COM) & Mixed Use (MU)
Date of Hearing: Sept. 12, 2019
Type of Action: Legislative / Quasi-Judicial
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION
Staff recommends that the Planning Commission recommend approval for a rezone from Mixed Use (MU) to Commercial (COM); and conditionally approve a Design Review Permit for Project #19-036 Logan Gateway Retail Development, with four retail/restaurant buildings located at approximately 701 South Main Street, TIN# 02-063-0010; -0011; -0012; -0013; -0016, -0019; -0017.

Land use adjoining the subject property

| North: MU: Residential Uses | East: COM: Commercial Uses |
| South: COM: Commercial Uses | West: COM: Commercial Uses |

Project Request
The proponent is requesting a Design Review Permit and a rezone on a portion of the project site to construct four new, approximate 5,000 SF, retail/restaurant buildings along the Main Street frontage. The single-story buildings are proposed in front, or east of, the already approved 4-story office building with parking and landscaping areas positioned around the site. The existing buildings have recently been demolished and the land has been cleared off in preparation for the new Logan Gateway project. The proposed retail/restaurant buildings are on 2.12 acres (92,703 SF) along an approximate 920-foot Main Street frontage. A single two-way driveway is proposed in the middle of the project that provides access to Main Street and the future 100 West street.

Rezone Request
The applicant is requesting a rezone from MU to COM for the remaining 0.76 acres located in the southeast corner of the project site. This area was not originally included with the 4-story office building approval. It currently has two smaller single-story buildings that were constructed in 1944 and 1952. Retail and restaurants are both permitted outright in the COM and MU zones, but the applicant is requesting that the entire project be zoned as the same designation.

The Logan City Future Land Use Plan (FLUP) found inside the Logan City General Plan designates the entire project site as Mixed-Use Center (MUC). The MUC land use designation is described as having high concentrations of commercial and residential uses mixed together into compact urban and walkable development patterns. The Commercial (COM) land use designation is described in the Logan General Plan as being designed for a wide-range of commercial uses and services intended to serve local and regional populations.

The Logan City Land Development Code (LDC) describes the MU zoning district as areas providing a mix of both commercial and residential developments in either “horizontal” or “vertical” patterns. The LDC describes the COM zoning district as areas providing city-wide and
regional commercial services. A wide-range of commercial land uses and services, including but not limited to office, restaurant and retail are permitted within the COM zone.

**Design Review Permit**

The LDC 17.43 requires Design Review Permit approvals for new commercial developments to ensure high-quality design, project layout and neighborhood compatibility. The Planning Commission may approve or conditional approve a Design Review Permit upon substantiating findings in conformance with Title 17 of the LDC.

**Lot Coverage & Building Height**

The LDC 17.10.080 limits lot coverage at a maximum of 60% (building(s) footprint) and building heights at 40' in the COM zone. The project site is approximately 2.12 acres (92,703 SF) in size with the total proposed buildings footprint at approximately 20,700 SF, lot coverage would equal 22% and comply with LDC requirements. The proposed buildings are 18'-24' tall and comply with LDC building height requirements as proposed.

**Building Design**

The LDC 17.10.080 states that commercial buildings should be designed to promote high-quality and aesthetically pleasing developments with 30% transparency along street facing facades, wall articulations every 40 linear feet and inviting four-sided architectural design. The proposed retail/restaurant buildings show glass, galvanized metal, modular wood and composite siding materials with 55% transparency along the street and numerous wall articulations. The building design employs 4-sided architecture with balanced design features complying with LDC building design standards as proposed.

**Site Layout**

The LDC 17.10.080 typically requires parking areas to be in subordinate positions to the side and rear in the COM zone to prioritize architecture and curb-appeal. The proposed project shows parking lots positioned to the side and rear of the four buildings. The LDC 17.10.080 requires a 50% building frontage, a ratio of building mass to project site, in the COM zone. Including the trellis features, the four buildings total 49% building frontage. As conditioned with building frontage allowance, the project meets the requirements of the LDC.

**Setbacks**

The Land Development Code (LDC) requirements for setbacks in the COM zone are as follows (as measured from property lines):

- **Front:** 10'
- **Side:** 8'
- **Rear:** 10'
- **River:** 25' (top of bank or high-water mark)
- **Parking (front):** 10'
- **Parking (side & rear):** 5'

The following setbacks are proposed for the building(s) (as measured from the exterior property lines of the project site):

- **Front: (East)** 12'-22'
- **Side: (South):** 34'
- **Side: (North):** 38'
- **Rear: (West):** 15'-83'
- **River: (North):** 38'
- **Parking (front):** 15'
- **Parking (side & rear):** 5+'

As proposed, the project meets minimum setback requirements of the LDC.
Pedestrian Circulation
The LDC 17.30.160 requires pedestrian circulation within a project and connecting to adjacent public streets. Pedestrian circulation should provide a safe, convenient and well-connected sidewalk network. The proposed project shows sidewalks around the buildings, along Main Street and along the river in the form of a trail. A pedestrian connection between the retail/restaurant area to office building is not shown. As conditioned with complete pedestrian circulation throughout the project, the proposal meets the requirements in the LDC.

Parking Stall Requirements
The LDC 17.31.040 requires one (1) parking stall per every 150 SF of dining area for restaurants and (1) parking stall for every 250 SF or retail area. The proposed building(s), as configured, would require 95 parking stalls. The proposal provides 85 parking stalls within the project site area and 10 adjacent parking stalls available for shared parking with the office building. As conditioned with a written 10-stall shared parking agreement submitted and approved, the project meets the parking requirements in the LDC.

Open Space
The LDC 17.10.080 requires 10% open space and an additional 10% useable outdoor space of the project site in the COM zone. The LDC 17.28 generally describes open space as native vegetation or landscaping areas, while useable outdoor space is typically decks, patios and other similar amenities. The approximate 2.12-acre (92,703 SF) site would require 9,270 SF of open space and 9,270 SF of usable outdoor space for a total of 18,540 SF of open area. The proposal shows conceptual landscaping and outdoor spaces above the 20% requirement. As conditioned with minimum open space requirements, the project complies with the LDC.

Landscaping
The LDC 17.32 requires minimum landscaping for overall visual aesthetics, ecological reasons, visual screening, shading purposes and enhancement of the outdoor experience. The LDC requires a minimum of 20 trees and a combination of 50 shrubs, flowers and ornamental grasses per acre of land in the COM zone. For 2.12 acres, 42 trees and 106 shrubs, flowers and ornamental plants would be required as per the LDC. The proposed project shows only conceptual landscaping. As conditioned with a detailed landscaping plan meeting minimum plant numbers, the project complies with the LDC.

Lighting
The LDC 17.30.090 requires adequate lighting that adds aesthetic quality and improves safety while mitigating unnecessary glare, sky glow and light trespass. The LDC limits freestanding pole height to 32 feet and luminaire fixtures on buildings and canopies to be concealed source, down-cast and shielded from neighboring properties. Light measurements are required to range between 0.5 – 4.0 foot candles, so areas are sufficiently safe, but not excessively bright. As submitted, no exterior lighting has been shown. As conditioned, the project meets the requirements of the LDC.

Staff Summary
Staff finds that the majority of the overall 7-acre project area has already been rezoned to COM and that the small 0.76 acre remaining area of MU zoning does not make sense to remain as is. The MU zone would require a residential component with project approval and given the location and the proximity to this section of Main Street, residential uses would be potentially problematic. The retail and restaurant land use are allowed in both zones providing tax base for the city and commercial services for the region.

AGENCY AND CITY DEPARTMENT COMMENTS
Comments were solicited from the following departments or agencies:
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 8/31/19, posted on the City’s website and the Utah Public Meeting website on 9/4/19, and mailed to property owners within 300 feet on 8/21/19.

RECOMMENDED 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 Design Review and are available in the Community Development Department.
2. The project shall provide 95 parking stalls for all four buildings. A 10-stall shared parking agreement shall be submitted in writing and approved as per the LDC.
3. The Planning Commission allows the 49% building frontage as proposed.
4. Enhanced landscaping that matches “Type B” in LDC 17.32.070 shall be placed in the areas between Main Street and the parking lots to help screen those areas.
5. Convenient pedestrian walkways shall be provided along Main Street and throughout the entire Logan Gateway project site.
6. A trail easement is voluntarily provided that will allow the City to extend the trails network along the river corridor.
7. A performance landscaping plan, prepared in accordance with §17.32 of the LDC, 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 thirty (30) feet on center unless otherwise noted by the City Forrester.
   b) Open Space and Useable Outdoor areas shall total a minimum of 20% of the project site (18,540 SF).
   c) A total number 42 trees per acre and 106 shrubs/perennials per acre of the final project site shall be provided.
8. Decorative street lights along South Main Street be completed as per Logan City Light and Power plans and specifications.
9. All dumpsters shall be placed outside of front setbacks and visually screened or buffered from public streets by using fencing, walls and landscaping.
10. Storm-water retention/detention surface ponds or basins shall be positioned outside of the front setback and screened with dense vegetation from adjacent public street views.
11. All streets adjacent to or within the development shall be improved to current city standards and specifications.
12. Rooftop mechanical and building wall mechanical equipment shall be placed out of view and screened from adjacent streets.
13. Exterior lighting shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
14. 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.
15. 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.
16. 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. Fire—contact 716-9515
   • Fire hydrants, fire sprinklers, fire alarms etc. will be determined at the time of
     plans submittal for building permits.

b. Water—contact 716-9627
   • All buildings water mains must have a RP (ASSE1013) as it enters the buildings
     before any branch offs or connections. Separate tenants water mains with own shut
     offs and backflow assemblies to prevent cross contamination between tenants.
   • All fire suppression systems connected to Logan City water must have a minimum DC
     (ASSE1015) installed and tested.
   • Any landscape irrigation connected to Logan City water must have high hazard
     backflow assembly installed and tested.
   • All points of use of water must comply with current IPC and Utah state amendments
     for backflow during and after construction.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE DESIGN REVIEW AND
CONDITIONAL USE PERMIT
The Planning Commission bases its decisions on the following findings supported in the
administrative record for this project:
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 conditioned building design, site
   layout, materials, landscaping, building orientation, heights and setbacks.
2. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal
   Code.
3. The proposed project provides adequate open space and useable outdoor space in
   conformance with Title 17.
4. The proposed project provides off-street parking in compliance with the LDC.
5. The proposed project complies with maximum height, density and building design
   standards and is in conformance with Title 17.
6. The project met the minimum public noticing requirements of the Land Development Code
7. 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.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE REZONE
The Planning Commission bases its decisions on the following findings supported in the
administrative record for this project:
1. The location of the subject property is suitable for commercial developments because it
   is compatible with commercial areas to the south and west.
2. The subject property can fulfill the purpose of the General Plan and LDC by providing
   commercial services to city-wide populations because of its location and ease of access.
3. The subject property is in an area and surrounded by streets and infrastructure that can
   handle and appropriately serve Commercial developments.
4. The proposed Commercial zoning designation along with review and approval of Design
   Review Permits with sufficient open space, parking, walkable layout and landscaping will

   ensure neighborhood compatibility.
Logan Gateway Retail Development
701 South Main Street

Existing Zoning = MU

Planning Commission
Existing Zoning
September 12, 2019
Logan Gateway Retail Development
701 South Main Street

PROPOSED ZONING

Proposed Zoning = COM
Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, September 12, 2019. Chairman Nielson called the meeting to order at 5:30 p.m.

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

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

PC 19-036 Logan Gateway Retail Development [Zone Change & Design Review Permit]
Craig Adams, authorized agent/owner, requests to construct a retail development along Main Street containing four separate buildings for a total of 20,700 SF at the Logan Gateway Office building site and rezone the southeast parcel from Mixed-Use (MU) to Commercial (COM). TIN 02-063-0017;0019;0016.

STAFF: Mr. Holley reviewed the request to construct four new, approximate 5,000 SF, retail and restaurant buildings along the Main Street frontage. The single-story buildings are proposed in the front, or east of, the already approved 4-story office building with parking and landscaping areas positioned around the site.

The existing buildings have recently been demolished and the land has been cleared off in preparation for the new Logan Gateway project. The proposed retail/restaurant buildings are on 2.12 acres (92,703 SF) along Main Street. A single, two-way driveway is proposed in the middle of the project providing access to Main Street and the future 100 West.

The applicant is requesting a rezone from Mixed-Use (MU) to Commercial (COM) for the remaining 0.76 acres located in the southeast corner of the project site. This area was not originally included with the 4-story office building approval. It currently has two smaller single-story buildings that were constructed in 1944 and 1952. Retail and restaurants are both permitted outright in the COM and MU zones, but the applicant is requesting that the entire project be zoned as the same designation. The Logan City Future Land Use Plan (FLUP) designates the entire project site as Mixed-Use Center (MUC). The MUC land use designation is described as having high concentrations of commercial and residential uses mixed together into compact urban and walkable development patterns. The Commercial (COM) land use designation is designed for a wide-range of commercial uses and services intended to serve local and regional populations.

Staff finds that the majority of the overall 7-acre project area has already been rezoned to COM and that the small 0.76 acre remaining area of MU zoning does not make sense to remain as is. The MU zone would require a residential component with project approval and given the location and the proximity to this section of Main Street, residential uses would be potentially problematic. The retail and restaurant land use are allowed in both zones providing tax base for the City and commercial services for the region.

PROPONENT: Scott Hamblin, representing Craig Adams, agrees with Mr. Holley’s presentation.

PUBLIC: None
COMMISSION: None

MOTION: Commissioner Lucero moved to forward a recommendation for approval to the Municipal Council for a rezone from Mixed Use (MU) to Commercial (COM); and conditionally approve a Design Review Permit as outlined in PC 19-036 conditions and findings for approval as listed below. Commissioner Ortiz seconded the motion.

CONDITIONS OF APPROVAL
1. All standard conditions of approval are recorded and available in the Community Development Department.
2. The project shall provide 95 parking stalls for all four buildings. A 10-stall shared parking agreement shall be submitted in writing and approved as per the LDC.
3. The Commission allows the 49% building frontage as proposed.
4. Enhanced landscaping that matches "Type B" in LDC 17.32.070 shall be placed in the areas between Main Street and the parking lots to help screen those areas.
5. Convenient pedestrian walkways shall be provided along Main Street and throughout the entire project site.
6. A trail easement is voluntarily provided that will allow the City to extend the trails network along the river corridor.
7. 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 be a minimum of 20% of the project site (18,540 SF).
   c. A total number 42 trees per acre and 106 shrubs/perennials per acre of the final project site shall be provided.
8. Decorative street lights along South Main Street be completed as per Logan City Light and Power plans and specifications.
9. All dumpsters shall be placed outside of front setbacks and visually screened or buffered from public streets by using fencing, walls and landscaping.
10. Storm water retention/detention surface ponds or basins shall be positioned outside of the front setback and screened with dense vegetation from adjacent public street views.
11. All streets adjacent to or within the development shall be improved to current City standards and specifications.
12. Rooftop mechanical and building wall mechanical equipment shall be placed out of view and screened from adjacent streets.
13. Exterior lighting shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
14. No signs are approved with this permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
15. No fences are approved with this permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
16. 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. Fire
      i. Fire hydrants, fire sprinklers, fire alarms etc. will be determined at the time of plans submittal for building permits.
   b. Water
i. All buildings water mains must have a RP (ASSE1013) as it enters the buildings before any branch offs or connections. Separate tenants water mains with own shut offs and backflow assemblies to prevent cross contamination between tenants.

ii. All fire suppression systems connected to Logan City water must have a minimum DC (ASSE1015) installed and tested.

iii. Any landscape irrigation connected to Logan City water must have high-hazard backflow assembly installed and tested.

iv. All points of use of water must comply with current IPC and Utah state amendments for backflow during and after construction.

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 Title 17 of the Logan Municipal Code.
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 LDC.
5. The project complies with maximum height, density and building design standards and is in conformance with Title 17.
7. 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.

FINDINGS FOR APPROVAL FOR THE REZONE
1. The location is suitable for commercial developments because it is compatible with commercial areas to the south and west.
2. The property can fulfill the purpose of the General Plan and LDC by providing commercial services to city-wide populations because of its location and ease of access.
3. The property is in an area and surrounded by streets and infrastructure that can handle and appropriately serve commercial developments.
4. The Commercial zoning designation along with review and approval of Design Review Permit with sufficient open space, parking, walkable layout and landscaping will ensure neighborhood compatibility.

Moved: J. Lucero  Seconded: E. Ortiz  Approved: 7-0
Yea: Croshaw, Dickinson, Goodlander, Lucero, Newman, Nielson, Ortiz  Nay:  Abstain: