

132947 Bk 1865 Pg 923
 16-Sep-2015 01:19 PM Fee \$1.00
 Cache County, UT
 Michael Bleed, Rec. - Filed By GC
 FROM LOGAN CITY



ESTABLISHED 1866
 290 North 100 West, Logan, Utah 84321
 (435) 716-9021 * Fax (435) 716-9001
 www.loganutah.org

ORIGINAL

When recorded return to:
 Community Development
 City of Logan
 290 North 100 West
 Logan, UT 84321

CONDITIONAL USE PERMIT

At its meeting of July 9, 2015, the Logan City Planning Commission conditionally approved **PC 15-033 ABC Supply Company** to use of the existing 7,700 SF building as a distribution warehouse with an office for display, sales and administration and outside storage for continuous operation on all days of the year if necessary on 1.09 acres at 1170 West 200 North in the Commercial Services (CS) zone; TIN 05-064-0025.

This decision is based on compliance with the following conditions. These conditions are binding on the property owner and any subsequent purchaser of the property. If the property is rented or leased to another party, the recorded owner is still responsible for compliance with the conditions.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. Fencing will comply with the LDC §17.37.120-150 and receive a permit. Chain link fencing up to 6' high is permitted with wide slat material to provide screening to the outside display areas.
3. The undeveloped area between the impound area and the streets will be landscaped and have a minimum coverage of 50% plant material. Vertical landscape will be provided along the fence facing 200 North to screen the site and other areas will provide low landscaping to maintain the sight triangle visibility at the intersection.
4. Should access modifications be required on the site, there shall be no less than 4,450 SF of open and useable outdoor space on site, and it be adjacent to 200 North to the extent possible, with no less than four (4) trees provided on site.
5. Prior to issuance of a building permit, the Director of Community Development shall receive a written memorandum from each of the following department indicating that their requirements have been satisfied:
 - a. Fire Department
 - i. Provide a hazardous materials inventory list. List and quantities will be reviewed to determine fire suppression requirements for the building.
 - ii. Provide a racking plan for the interior warehouse space. Interior storage over 12' high will require sprinklers.
 - b. Engineering Department
 - i. Access to SR 300 (200 North) to be approved by CAMP. Pre-application meeting was held July 1, 2015. A variance request will need to be submitted to UDOT.
 - ii. If improvements are planned (mainly pavement area) efforts to address onsite stormwater detention/retention to meet City standards shall be addressed.
 - c. Water/Cross Connection
 - i. Water main will need backflow assembly, such as a DC (ASSE-1015) before any branch-offs. Must be installed and tested.
 - ii. Landscape irrigation must have a high-hazard rated backflow assembly such as an RP (ASSE-1013) or PVB (ASSE-1020) which must be installed and tested.

- iii. If fire suppression system is required, the fire riser would need a DCDA (ASSE-10148) which would need to be installed and tested.
- d. Business License
 - i. ABC Supply Co. will need to apply for a Commercial Level 1 business license.

FINDINGS FOR APPROVAL

Ent 1132947 Bk 1865 Pg 924

1. The project conforms to the requirements of Title 17 of the Logan Municipal Code.
2. The use of the property as a contractor supply store with outside storage conforms to the requirements of Logan Municipal Code Title 17 and is listed as a conditional use in the Use Table for the Commercial Services (CS) zoning district.
3. The proposed building is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties. UDOT has done a pre-application review of the project.
4. The streets providing access and other infrastructure to the subject property have adequate capacities or a suitable level of service for the use.
5. The proposed use provides adequate off-street parking in conformance with Title 17.
6. The project, as conditioned, conforms to landscaping requirements in Title 17.
7. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

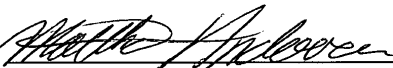
Some conditions are ongoing, which means the property owner shall always be in compliance with the condition(s). If unable to comply, you must return to the Planning Commission for consideration of an amendment to your approval. Failure to comply may result in an action by the City to revoke your permit.

The Planning Commission's decision came on a motion by Commissioner Russ Price with a second by Commissioner Maybell Romero. The motion passed by a vote of 7-0.

This action will expire **one year** from the date of **July 9, 2015** if all conditions have not been met. An extension of time must be requested in writing and received by the Department of Community Development prior to the expiration date. **The City does not send reminder notices or other notification of the pending expiration date. The action to request an extension is the responsibility of the proponent.**

We have reviewed the decision of the Planning Commission and agree to the conditions and requirements. We understand this project expires one year from the date of the Commission's action unless the final plat has been recorded, or the Department of Community Development has issued a Building Permit. If an extension of time is required, we must submit our written request prior to the expiration date of the Planning Commission's action. The length of an extension of time is established in the Logan Land Development Code (LDC) §17.58.

**Accepted and agreed by:
Property Owner or Agent for ABC Supply Co.**

Signed: 
 Print Name: Matthew Anderson
 Address: 340 No. Main
 City/State/Zip: Millville UT 84326
 Date: 7-17-15

By the authority vested in me as the Logan City Director of Community Development, I affix my signature upon this document for the purpose of granting a permanent and recorded Planning Commission Permit to run with the subject property in perpetuity.

Ent 1132947 Bk 1865 Pg 925

Michael A. DeSimone

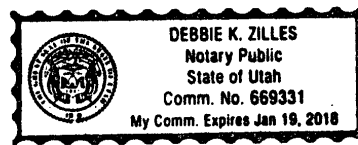
Michael A. DeSimone, AICP
Community Development Director
City of Logan

State of Utah)
 : §
County of Cache)

On this 17 day of July, 2015, before me, Debbie K. Zilles, a notary public, personally appeared Michael A. DeSimone, Community Development Director for the City of Logan, who is personally known to me and who signed the above permit.

Debbie K. Zilles
Notary Public

cc: Director of Public Works
City Engineer
Chief Building Official



S
E
'
A
L

L GAN

**Logan City Planning Commission
STANDARD CONDITIONS OF APPROVAL**

This project is subject to the proponent or property owner agreeing to comply with the following standard conditions as written.

Ent 1132947 Bk 1865 Pg 926

1. The Staff Report is an analysis of the application based on adopted City documents, standard City development practices and available information. The report is used to review and consider the merits of the application prior to, and during, the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the Staff Report and become part of the approved Permit. The Director of Community Development reserves the right to supplement the material in the written report with additional information at the Planning Commission meeting.
2. Any representations by the proponent or authorized agent at the Planning Commission hearing shall be incorporated into the final action as conditions of approval and shall be binding upon the proponent as modifications to the approved project. *"If you show it, you do it."*
3. No site development activities, including grading, clearing, or vegetation removal shall commence until an executed copy of the applicable permit, signed by the property owner or authorized agent, has been filed with the City.
4. Failure to comply with any conditions of approval shall void the permit and require a new Planning Commission hearing.
5. All improvements shall be constructed in substantial conformance with the approved site plan and/or to the satisfaction of the entity with jurisdiction over the improvement.
6. No work shall be undertaken within the public right-of-way without a Right-of-Way Permit. These permits are issued by either the City of Logan Public Works Department for City right-of-way or the Utah Department of Transportation for work within a State right-of-way.
7. Some projects require the adoption of deed covenants, conditions, and restrictions (CC&Rs) to be imposed upon the project. Any required CC&Rs shall be approved by City staff prior to recordation.
8. Street trees shall be placed on 30' centers in the park strip on all roads. The City Forester shall determine the size and species. Occupancy for the final home or building in each phase shall not be granted until all the street trees for that phase have been installed or a bond equal to 110% of the materials and labor necessary to install the street trees has been issued to the City.
9. All projects shall comply with the City Standards and Specifications.
10. All rooftop mechanical equipment shall be screened from view from adjacent public rights-of-way.
11. All exterior lighting shall be down-lit concealed source lighting. Exterior building lights shall be mounted between 6 to 14' above adjacent grade and freestanding luminaires shall not exceed 18'.
12. No signs are approved with this Permit. All signs must be approved through the Sign Permit process.
13. If not initially indicated and detailed on the approved site plan, fences shall receive a separate fence permit from the Department of Community Development prior to construction.
14. Project construction noise shall not create a disturbance across residential property boundaries between 9:30 PM and 7:00 AM and all day on Sundays and Holidays.
15. Dust shall be controlled inside site boundaries and construction debris shall be properly disposed so that negative impacts on neighboring properties are minimized.
16. Public streets and rights-of-way shall not be used as project material storage or staging areas.

290 North 100 West Logan Utah 84321 • ph: 435.716.9000 • fx: 435.716.9001 www.loganutah.org

Legal Description

Parcel 05-064-0025

BEG AT SW COR LT 6 BLK 26 PLT E LOGAN FARM SVY & TH N89*22'01"W (S 89*22'01" E BY MEAS) 165 FT TH N0*04'16"E 222.75 FT TO SVY MARKER TH N0*04'50"E 222.75 FT TO TRUE POB BEING E 25.0 FT & N 0*04'50" E 115.22 FT OF SVY MARKER SPIKE IN ASPHALT TH N0*04'16"E 207.12 FT TO S LN OF ST ROAD TH ALG SD ST ROAD S88*47'E 231 FT TH S0*04'16"W 204.77 FT TH N89*22'01"W 230.96 FT TO TRUE POB CONT 1.09 AC M/B (SEE DECREE FOR DETAIL)

Ent 1132947 Bk 1865 Pg 927

PC 15-033