



CITY · OF · LOGAN

S T A T E · O F · U T A H

CERTIFICATE ❖ OF ❖ DECISION

Whereas, the Planning Commission of the City of Logan did receive an application from Greg Leishman for property owned by Jardine Petroleum Co Corp. for consideration of design review permit for automated fuel pumps on 3.10 acres in the Industrial (IND) zone; TIN #05-064-0018. Assigned docket number PC #06-070, the matter was brought to the City of Logan Planning Commission on October 26, 2006.

The Planning Commission held a duly noticed Public Hearing as required by Logan Municipal Code Titles 16 and 17. At the Hearing, the Commission considered the testimony both in favor and opposed to the proposal. The Commission did by majority vote conditionally approved the application.

A Record of Decision as issued by the Planning Commission is attached as Exhibit A and executed by the permit holder and the Director of Community Development and Ex-officio Executive Secretary of the City of Logan Planning Commission. If the Commission's action denied the application, The Record of Decision is executed solely by the Director of Community Development.

The subject property, 1070 W 200 N, is more particularly described the document attached as Exhibit B, Legal Description.


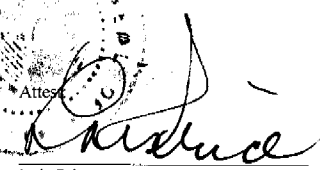
The Official Records of the Planning Commission are maintained in the Office of the Department of Community Development, City of Logan.

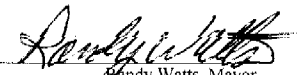
This decision runs with the land. If issued for a design review permit, conditional use permit, variance, or other construction permit, construction is required to commence within an established time frame set forth in Titles 16 and 17, Logan Municipal Code, that initiates with the action of the Planning Commission. Failure to initiate construction activities by establishing use or acquiring required building permits prior to the expiration date voids any approval or conditional approval. Abandoning or vacating a use or structure for a period of more than one year also voids this permit.

If the application was denied by action of the Planning Commission, the denial may only be reversed by an appeal overturning the Commission's action filed within an appropriate timeframe as established by Titles 16 and 17, Logan Municipal Code; or it may be subject to a different application submitted at a later time.

By the authority vested in me as Mayor and Chief Executive of the City of Logan, I do hereby affix my signature upon this document for purposes of granting from the City of Logan to Jardine Petroleum Co Corp., a permanent and recorded Certificate of Decision to run with the subject property in perpetuity.

By my hand this 7 day of NOV, 06.


Attest:

Lois Price
Recorder, City of Logan


Randy Watts, Mayor
City of Logan, State of Utah

Ent 930358 Bk 1435 Pg 131
Date 9-Nov-2006 12:59PM Fee \$0.00
Michael Gleed, Rec. - Filed By SF
Cache County, UT
For CITY OF LOGAN

ORIGINAL



When recorded return to:
Dept. of Community Development
City of Logan
255 North Main
Logan, UT 84321

DESIGN REVIEW PERMIT

At its meeting of *October 26, 2006*, the City of Logan Planning Commission *conditionally approved PC #06-070, Jardine Petroleum Automated Fuel Site at 1070 W 200 N*, for a design review permit for automated fuel pumps on 3.10 acres in the Industrial (IND) zone; TIN #05-064-0018. The subject property is as described on the attached legal description.

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

STANDARD CONDITIONS OF APPROVAL

All standard conditions of approval will be recorded with the Record of Decision and are available in the Community Development Department.

'SITE SPECIFIC' CONDITIONS OF APPROVAL

1. The proponent shall submit a performance landscape plan that details the species, quantity, and location of all landscape elements.
 - a. Street trees shall be planted in the parkstrip at 30 foot centers along 200 North as shown in site plan; City forester shall determine size and species. The proponent must receive approval from the City Forester prior to planting trees.
 - b. Landscaping within the setback areas is to include a mix of vegetation and/or trees, not only grass.
 - c. The two parking stalls closest to the street shall either be removed or the parking shall be moved to the south to be at least 30 feet away from the property line.
 - d. Sidewalk and park strips to be installed as shown on site plan.
2. Proponent shall submit copies of all UDOT approvals prior to final inspections.
3. Prior to the issuance of a building permit and/or business license, 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 Department – contact Liz Hunsaker 716-9515* Ent **930358** Bk **1435** Pg **132**
 1. Will need tank permits if new tanks are to be installed. Must meet with fire department to go over all applicable codes.
 - b. *Permits and Compliance Division — contact Lynn Miller 716-9756*
 1. Needs to disconnect old sump and drain at old pump site so drain water can not go to ground. No drains to sewer in petroleum product fill site.
 - c. *Public Works Department — contact Bill Young 716-9160*
(For Standard Engineering Comments see Bill Young, City Engineer)

1. Contact Bill Young for any site specific conditions.

FINDINGS FOR APPROVAL

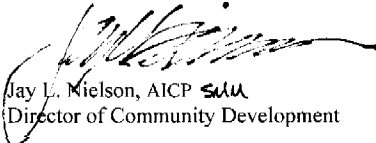
1. The Jardine Petroleum Automated Fuel Site has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Jardine Petroleum Automated Fuel Site has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Logan Municipal Code, the City of Logan Public Works Standards and Specifications, and the requirements of various departments and agencies.
3. The Jardine Petroleum Automated Fuel Site is compatible with existing land uses and zoning.
4. The Design Review Permit is issued in conformance with the requirements of Title 17 of the Logan Municipal Code.
5. The Jardine Petroleum Automated Fuel Site is compatible with surrounding land uses and will not interfere with the use of adjoining or area properties.
6. 200 North, the street providing access and other infrastructure to the subject property, has adequate capacity, or a suitable level of service, for the proposed use.
7. The landscaping, as conditioned, will provide some visual interest to the property and break up the expanse of asphalt and the building.
8. The reduction of one access and the moving of another provides for a safer flow of traffic and reduces the number of access points onto the state highway.
9. UDOT requirements have been conditioned appropriately.

Some conditions are "ongoing." This means the holder/subdivider shall always be in compliance with the conditions. If you are 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 action came on a motion by **Commissioner John Kerr**, with a second by **Commissioner Maggie Hinckley**. The motion passed by a vote of **6, 0**.

This action will expire **one year** from the date of the **October 26, 2006** Planning Commission's action if all conditions have not been met and the final plat has not been recorded or a building permit has not been issued. If the project involves a subdivision, an extension of time must be requested in writing and received by the Director of Community Development prior to the expiration date. If the project involves a Conditional Use Permit or a Design Review Permit an extension of time may be granted by the Director of Community Development consistent with findings and requirements in Chapter 17.58 of the Logan Municipal Code. **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.

Attest:



Jay L. Nielson, AICP *SM*
 Director of Community Development

We have reviewed the action of the Planning Commission and agree to the conditions and requirements of its action. We understand this project expires one year after 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 from the Planning Commission action. The length of an extension of time is established in the Logan Municipal Code 17.58.020.

Accepted and agreed by:

Jardine Petroleum Co Corp., Property Owner of Jardine Petroleum Automated Fuel Site

Signed: Grey Leishman

Print Name: Grey Leishman

Title: Logan Operation Mgr.

Address: 1070 W 200 N.

City/State/Zip: Logan, Ut. 84321

Date: Nov. 2, 2006

Legal Description 05-064-0018

cc: Director of Public Works
City Engineer
Chief Building Official
Project File



DEPARTMENT OF COMMUNITY DEVELOPMENT
255 NORTH MAIN STREET, LOGAN, UTAH 84321 • 435-716-9020 • FAX 435-716-9001

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, or as may be amended by the Planning Commission.

1. Any representations by the proponent or 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.
2. No site development activities, including grading, clearing, or vegetation removal shall commence until an executed copy of the Record of Decision signed by the property owner has been filed with the City.
3. Failure to comply with any conditions of approval shall void the permit and require a new Planning Commission hearing.
4. All improvements shall be constructed in substantial conformance with the approved site plan.
5. The proponent is responsible to ensure that any construction is appropriately inspected by the Building Inspection Division through timely scheduled inspections. Failure to obtain an inspection or to continue construction beyond points of inspection may result in an enforcement action by the Chief Building Official. Such action may include and is not limited to:
 - a. Issuance of a stop work order;
 - b. Filing of a complaint with the State Department of Commerce against the contractor licenses; and/or
 - c. Requirements for inspection by x-ray or by removing any covering or demolition of construction occurring beyond the point of inspection.
6. The proponent shall ensure that the contractor has current copies of the approved plans and amendments to plans onsite at all times during construction.
7. All physical construction shall conform to the approved building plans.
8. The project shall not be used or occupied by customer traffic until a Certificate of Occupancy has been issued by the City.
9. Improvements shall meet the City of Logan requirements for quality, performance, or other requirements as established in the City of Logan "Public Works Standards and Specifications" as approved by the Director of Public Works.
10. No work shall be undertaken within the public right-of-way without a permit issued by the City of Logan for City right-of-way or Utah Department of Transportation for work within the State right-of-way.

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DEPARTMENT OF COMMUNITY DEVELOPMENT

255 NORTH MAIN STREET, LOGAN, UTAH 84321 • 435-716-8030 • FAX 435-716-6001

11. The subject property shall not be subdivided for purposes of sale, ground lease, or finance, without obtaining approval from the City through an appropriate application process. If a subdivision occurs without City approval, a building permit will not be issued for this property until the situation is resolved. If the subdivision without City approval occurs after the permit has been issued the permit will be revoked.
12. All utilities shall be constructed and installed with the requirements of the City of Logan, or the public utility provided in effect at the time of construction, or as specified in the Development Agreement.
13. All streets, roads, and alleys shall be constructed to the standards of the City of Logan in effect at the time of construction, unless otherwise specified in the Development Agreement.
14. Prior to the issuance of a building permit a landscaping plan shall be submitted and approved by the Department of Community Development including the common and botanical names of all species.
15. Prior to the issuance of a certificate of occupancy, the Director of Community Development shall approve the installation of landscaping in conformance with the approved landscaping plan. Landscaping which is required to be installed between November 1 of one year and May 1 of the following year may be satisfied to be installed by improvement security in conformance with Title 17 of the Logan Municipal Code to guarantee the installation of landscaping and irrigation systems for the project.
16. Prior to the submittal of the final plat map, the City Engineer shall review and approve all engineering construction drawings for infrastructure improvements.
17. The final plat map(s) shall be submitted with all owner, lien-holder, beneficiaries of easements, and public utility signatures appropriately notarized (where required) and affixed to the vellum or mylar. The City Engineer, upon approval of the final plat map, shall obtain necessary City signatures and shall cause the plat map to be recorded with the Cache County Recorder.
18. Prior to the submittal of the plat map, the Director of Community Development shall receive a copy of the deed covenants, conditions, or restrictions to be imposed upon the subdivision. Following approval of the covenants, conditions, and restrictions, the Director of Community Development shall forward the original copy to the City engineer for recordation with the plat map.
19. Existing irrigation rights shall not be negatively impacted by this project.

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050640018, BEG AT A PT E 494.30 FT FRM THE W LN OF LOT 6 BLK 26 PLAT E LGN
FM SVY E 209.57 FT S 406.25 FT W 301 FT N ALG FENCE LN 200 FT E 2.30 FT N 26.35
FT E 89.13 FT N 179.90 FT TO BEG ALSO BEG E 494.30 FT FRM W LN OF LOT 6 SD BLK S
179.90 FT W 96 FT N 179.90 FT E 96 FT TO BEG CONT 2.83 AC ALSO BEG 648.93 FT W &
218.97 FT N OF SE COR LT 6 SD BLK & TH W 300.12 FT TH N 25.75 FT TH E 301 FT TH S
25.75 FT TO BEG 0.18 AC ALSO BEG IN S LN OF ST HWY 69 AT PT 642.24 FT W OF E LN
LT 4 SD BLK 26 & TH S 432.03 FT TH W 6.69 FT TO PT BR 703.87 FT E OF W LN SD LT
6 TH N 432.03 FT TH E 6.69 FT TO BEG 0.07 AC CONT 3.08 AC IN ALL