



ESTABLISHED 1866

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

Ent 1213210 Bk 2059 Pg 169  
Date: 15-Feb-2019 03:32 PM Fee \$.00  
Cache County, UT  
Michael Glead, Rec. - Filed By SA  
For LOGAN CITY

# DESIGN REVIEW & CONDITIONAL USE PERMIT

At the January 10, 2019 meeting the Logan City Planning Commission conditionally approved **PC 19-002 The Riverwalk at the Riverwoods** for a master planned commercial development, consisting of a hotel and 15,000 SF of retail space, and a conditional use permit to allow for parking in the front yard within the Commercial (COM) zone located at 500 South Main, TIN 02-054-0001;-0007;-0020-0024;0028-0029.

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 – DESIGN REVIEW PERMIT**

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. Building height is limited to 40', unless the 40' setback requirement is met to permit a building height of up to 55' in the Commercial zone.
3. All frontage and exposed sides shall meet 30% transparency requirement.
4. No two adjacent buildings may possess the same front/street-facing elevation.
5. A minimum of 112 parking stalls will be provided for the hotel, a minimum of 58 parking stalls and 6 bike rack spaces will be provided for the commercial buildings.
6. Parking for the commercial buildings will be in the side or rear yard.
7. A minimum parking setback of 10' along 400 South is required.
8. A dense landscaping buffer will be constructed between the parking and the sidewalk along 400 S and 100 E. The buffer shall conform with Type "C" Separation LDC 17.32.070.B.
9. Pedestrian pathway connections shall be made throughout the site, including from the commercial parking area to the hotel and commercial buildings and connecting the buildings to adjacent streets
10. An enhanced barrier will be provided adjacent to existing residential properties along the northern edge of the project site as either enhanced landscaping similar to type C separation or a fence through coordination with the landowners.
11. 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 required along public streets every 30'. Coordinate species and location with the City Forester.
  - b. Open and useable outdoor areas shall total a minimum of 60,500 SF.
  - c. A total of 138 trees and 347 shrubs, perennials and grasses shall be provided.

12. Dumpsters near the street shall be visually screened or buffered with landscaping and/or fencing.
13. Exterior lighting shall be concealed source, down-cast and reviewed and approved prior to the issuance of a building permit and shall comply with current LDC regulations.
14. 10% open space and 10% usable outdoor space are required for this project.
15. If parking stalls exceed required parking by 25% or more, the minimum internal parking lot landscaping requirements shall be increased to 36 SF for each parking stall.
16. No signs are approved with this permit. All signage shall be approved and permitted by staff in accordance with the LDC.
17. No fences are approved with this permit. All fences shall be approved and permitted by staff in accordance with the LDC.
18. Surface storm-water retention and detention facilities shall be in areas away from public streets and buffered from view.
19. 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. Water
    - i. The building's water mains need to have its own RP (ASSE1013) installed and tested on the water main as it enters each building before any branch offs or connections.
    - ii. Any landscape irrigation connected to Logan City water must have a high-hazard backflow assembly installed and tested.  
All backflow assemblies must be tested within 10 days of turning in water to them and annually thereafter.
    - iii. Fire suppression systems connected to Logan City water must have a minimum DC (ASSE1015) installed and tested. Fire risers and B/F assemblies must be installed as per Logan City standards.
    - iv. All points of use of water must comply with 2015 IPC and State of Utah Amendments, during and after construction.
  - b. Engineering
    - i. Provide storm water detention/retention per Logan City Storm Water Design Standards. This shall include the retention of the 90% storm event onsite utilizing Low Impact Design practices near buildings and parking areas for retention of the 90% storm event.
    - ii. Provide water shares or an in-leu of fee for increased demand for proposed new development. Shares required shall be based on Utah Administrative Code R309-510-7 for both indoor and outdoor demands.
    - iii. The current spacing between the development access to 100 East and 500 South is approximately 280'. Moving the existing access further south will not allow for adequate deceleration and stacking for vehicles making left hand turns into the proposed development and onto 500 South. Current access is located approximately same distance from 400 South. Keep existing access at its current location.
    - iv. Any existing water and sewer service connections to the existing City utility mains shall be capped at the City utility main line(s).
    - v. Proposed footbridge over the Logan River shall have a minimum of 3' clearance above the 1% chance flood elevation.
    - vi. Current development is in a Special Flood Hazard Area. City is preparing documents for submittal to FEMA to remove modify this area. Until this is approved by FEMA any development in the Special Flood Hazard Area shall need to meet FEMA and City Flood design standards.
    - vii. All sewer lines to be routed and connected to sewer main in Main Street.
  - c. Fire
    - i. Provide fire access site plan per comments from the Fire Marshall. Fire sprinklers and alarms required. Fire hydrant within 100 ft. of FDC required.
  - d. Business License
    - i. A business license for each business entity is required prior to operation.

**e. Light and Power**

- i. PUE's- Public Utility Easements on all property lines (10' PUE on all property lines facing a road and a 5' PUE on all other property lines) as a recorded document and may be part of a Boundary Line Adjustment.
- ii. Logan City Light & Power requires a 1-Line Diagram, an Electrical Load Data Sheet, a digital site plan in Auto CAD (DWG) format
- iii. At application for a building permit or development of the site, the following will be required: one line diagram, electrical load data sheet and digital site plan in AutoCAD format (DWG).
- iv. Contractors will be responsible to get power to their property, if not all ready there, as well as stubbing a conduit to neighboring properties.

**f. Environmental**

- i. Dumpsters must be screened from the nearest public roads.
- ii. Minimum inside measurement on a double enclosure without gates, is 22' wide x 10' deep.
- iii. If enclosures have gates, the minimum inside measurement is 24' wide x 10' deep. Gates must be designed to fully open and held in the open position during the collection process.
- iv. Place bollards on the front corners and in the back of the enclosure to help protect the walls.

**g. City Forester**

- i. Plant London Plane trees in the park strip north of the river. Allow 6' width at a minimum for the London Plane Trees. Planting should be spaced evenly every 30'. This information is applicable to the main street side of the property.

**FINDINGS FOR APPROVAL - DESIGN REVIEW PERMIT**

1. The conditioned project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, materials, landscaping, and setbacks.
2. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The conditioned project provides adequate open space and useable outdoor space in conformance with Title 17.
4. The conditioned project provides adequate off-street parking.
5. The project met the minimum public noticing requirements of the LDC and the Municipal Code.
6. 100 E and Main Street provides access and are adequate in size and design to sufficiently handle automobile traffic related to the land use.

The Planning Commission's decision came on a motion by Commissioner Dave Newman with a second by Commissioner Eduardo Ortiz. The motion passed by a vote of 4-1.

**CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT**

1. Per the Planning Commission findings regarding the Conditional Use Permit for front yard parking in a Commercial (COM) zone, up to 50% of the required parking stalls for the new hotel can be placed in the front yard.
2. A dense landscaping buffer will be constructed between the parking and the sidewalk along 100 East. The buffer shall conform with Type "C" separation (LDC 17.32.070.B).

**FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT**

1. The conditioned project layout is compatible with adjoining properties, land use and development patterns.
2. The conditioned project layout will provide enhanced pedestrian functionality and walkability in relationship to 100 East and Main Street.
3. The conditioned project layout will not compromise future projects or designs.
4. The conditioned project layout includes substantial landscaping adjacent to the parking area.
5. The conditioned project prioritizes placement toward Main Street as the primary corridor

The Planning Commission's decision came on a motion by Commissioner Dave Newman with a second by Commissioner Eduardo Goodlander. The motion passed by a vote of 4-1.

This action will expire one year from the date of **January 10, 2019** if all conditions have not been met. An extension of time must be requested in writing and received by the Community Development Department 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) Chapter 17.58.

**Accepted and agreed by:  
Property Owner or Agent for The Riverwalk at the Riverwoods**

Signed: 

Print Name: BRACKEN ATKINSON

Address: 595 S. RIVERWOODS PRWY STE. 400

City/State/Zip: LOGAN / UT / 84321

Date: 2/30/19

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

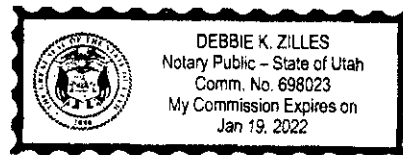


Michael A. DeSimone, AICP  
Community Development Director  
City of Logan

State of Utah     )  
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County of Cache    )

On this 1 day of Feb., 2019, 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.

  
Notary Public



## 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.*

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 Planning Commission meeting. Additional information may be revealed by participants at the Commission meeting which may modify the 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 Logan Public Works Department for City right-of-way or the Utah Department of Transportation (UDOT) for work within a State right-of-way.
7. Some projects require adoption of deed covenants, conditions, and restrictions (CC&Rs) along with a Home Owners Association (HOA) to be imposed upon the project to ensure proper maintenance and delegation of responsibilities. Any required CC&Rs and HOAs 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. Commercial exterior light fixtures shall not exceed 32' in height (18' when adjacent to residential zoning) and residential exterior light fixtures shall not exceed 12' in height.
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.

**Logan River Walk LLC Legal Description**

Beginning in the East line of Lot 5, Block 1, Plat "D" **LOGAN CITY SURVEY** 159.50 feet South of the Northeast Corner of Lot 4; thence South 50.88 feet to a point 18 rods East of a point 12.75 rods South of the Southwest Corner of Lot 3; thence East 180 feet to a point 20 feet at a right angle with the North bank of the Logan River Northeasterly to a point 190 feet East of beginning; thence West 190 feet to beginning.

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ALSO: Beginning in the East line of Lot 5; 159.5 feet South of the Northeast Corner of Lot 4; thence South 186 feet Northwesterly 188 feet at a point 17 rods East of the West line of said Block and 20.5 feet West of beginning; thence East 20.5 feet to beginning.

ALSO: Beginning at a point which is South 166.5 feet and West 198 feet from the Northeast Corner of Lot 1, Block 1, South 81 feet to a fence line; thence following the fence Line South 54°04' West 122 feet to the Southeast Corner of Lot 3; thence North 154.3 feet to a point 99 feet West of the point of beginning; thence East 99 feet to the point of beginning.

SUBJECT TO AND TOGETHER WITH a right-of-way approximately 28 feet in width extending from the Northeast corner of said tract, adjacent to the North bank of Logan River Northeasterly to the West line of First East Street.

*Tax Parcel No. 02-054-0001*

Beginning 12.75 rods South of the Southwest corner of Lot 3, Block 1, Plat "D" **LOGAN CITY SURVEY**; thence South 4 rods; thence East 18 rods; thence North 4 rods; thence West 18 rods to beginning.

*Subject to an apparent boundary overlap over the South & East property line. See plat map for location.*

*Tax Parcel No. 02-054-0002*

Beginning 128.40 feet South of the Northeast Corner of Block 1, Plat "D" **LOGAN CITY SURVEY**; thence South 69°49' West 151 feet South 52°49' West 120.20 feet South 7°21' East 10 feet North 84°28' East 238 feet, more or less, thence North 112.2 feet to beginning. Further described as being situated in the Northeast Quarter of Section 4, Township 11 North, Range 1 East of the Salt Lake Base and Meridian.

LESS Parcel to the Utah Department of Transportation for 100 East Street as recorded in Entry No. 1022091, records of Cache County, Utah.

*Tax Parcel No. 02-054-0004*

Commencing at the Northeast Corner of Block 1, Plat "D" **LOGAN CITY SURVEY**, and running thence West 66 feet; thence South 152 feet; thence Northeasterly to a point 123 feet South of the place of beginning; thence North 123 feet to the place of beginning, and further described as being situated in the Northwest Quarter of Section 3, Township 11 North, Range 1 East of the Salt Lake Base and Meridian.

LESS Parcel to the Utah Department of Transportation and the City of Logan for 100 East Street as recorded in Entry Nos. 993153 and 993154, records of Cache County, Utah.

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*Tax Parcel No. 02-054-0005*

Commencing at a point 4 rods West of the Northeast corner of fractional Lot 1, Block 1, Plat "D", **LOGAN CITY SURVEY**, and running thence West 4 rods; thence South to a South boundary of said Lot 1; thence Northeasterly along the Southern line of said Lot 1, to a point due South of the place of beginning; thence North to the place of beginning and further described as situate in the South half of the Northeast Quarter of Section 4, Township 11 North of the Range 1 East of the Salt Lake Base and Meridian.

*Tax Parcel No. 02-054-0006*

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Beginning at a point 8 rods West of the Northeast corner of fractional Lot 1, Block 1, Plat "D" **LOGAN CITY SURVEY**, and running thence West 4 rods; thence South 14 rods; thence Northeasterly to a point 11 rods South of the place of beginning; thence North 11 rods to the place of beginning and situate in the Northeast Quarter of Section 4 and the Northwest Quarter of Section 3, Township 11 North of Range 1 East of the Salt Lake Base and Meridian.

*Tax Parcel No. 02-054-0007*

Beginning 3.25 rods South of the Southwest corner of Lot 3, Block 1, Plat "D" **LOGAN CITY SURVEY**, thence East 18 rods; thence South 3.25 rods; thence West 18 rods; thence North 3.25 rods to beginning, and being situate in the Northeast Quarter of Section 4, Township 11 North, Range 1 East of the Salt Lake Base and Meridian.

*Tax Parcel No. 02-054-0020*

Beginning 6.5 rods South of the Southwest corner of Lot 3, Block 1, Plat "D" **LOGAN CITY SURVEY**, thence East 18 rods; thence South 3.25 rods; thence West 18 rods; thence North 3.25 rods to beginning and being situate in the Northeast Quarter of Section 4, Township 11 North, Range 1 East of the Salt Lake Base and Meridian.

*Tax Parcel No. 02-054-0021*

Part of Lot 5: Beginning at a point 9.75 rods South of the Southwest corner of Lot 3, Block 1, Plat "D" **LOGAN CITY SURVEY**; thence South 3 rods; thence East 17 rods; thence North 3 rods; thence West 17 rods to beginning and being situate in the Northeast Quarter of Section 4, Township 11 North, Range 1 East of the Salt Lake Base and Meridian.

*Tax Parcel No. 02-054-0022*

Beginning at a point 16 rods and 7.375 feet South of the Southwest Corner of Lot 3, in Block 1, Plat "D" of **LOGAN CITY SURVEY**, and running thence South 3.5 rods; thence East 18 rods; thence North 3.5 rods; thence West 18 rods to the place of beginning, and further described as situate in the South half of the Northeast Quarter of Section 4, Township 11 North, Range 1 East of the Salt Lake Base and Meridian.

*Tax Parcel No. 02-054-0023*

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All of Lot 2, **KOHN SMITH SUBDIVISION**, as shown by the official plat thereof filed September 3, 1999, as Entry No. 723507 in the office of the Recorder of CACHE County, Utah.

Subject to a Right-of-Way over the North 30 feet of subject property for Lot 1, KOHN SMITH SUBDIVISION.

*Tax Parcel No. 02-054-0025*

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All of Lot 1, **KOHN SMITH SUBDIVISION**, as shown by the official plat thereof filed September 3, 1999, as Entry No. 723507 in the office of the Recorder of CACHE County, Utah.

Together with a 30 foot wide right-of-way for ingress and egress along the North property line of Lot 2.

*Tax Parcel No. 02-054-0027*

Beginning at a point 18 rods East of a point 12.75 rods South of the Southwest Corner of Lot 3, Block 1, Plat "D" **LOGAN CITY SURVEY** and being situate in the Northeast Quarter of Section 4, Township 11 North, Range 1 East of the Salt Lake Base and Meridian; thence South 182.5 feet, more or less, to North bank of Logan River; thence Northeasterly following meanderings of said River to a point due East of beginning; thence West 180 feet, more or less to beginning.

TOGETHER WITH a right-of-way approximately 28 feet in width extending from the Northeast corner of said tract, adjacent to the North bank of Logan River Northeasterly to the West line of First East Street.

*Tax Parcel No. 02-054-0028*

Beginning 19 rods and 15.62 feet South and 139 feet East of the Southwest Corner of Lot 3, Block 1, Plat "D" **LOGAN CITY SURVEY**, and running thence East 9 rods and 9.5 feet; thence South 1 rod; thence Southwesterly along the bank of a river to a point 3.5 rods South and due East of beginning; thence West to a point due South of beginning; thence North 3.5 rods to the point of beginning.

TOGETHER with a right-of-way. Further described as being situate in the Northeast Quarter of Section 4, Township 11 North, Range 1 East of the Salt Lake Base and Meridian.

*Tax Parcel No. 02-054-0029*

Beginning 240.60 feet South of the Northeast corner of Block 1, Plat "D" **LOGAN CITY SURVEY**, and running thence South 84°28' West 238 feet; thence South 7°21' East 102 feet; thence West 72 feet; thence South 126.6 feet; thence East 190 feet to the North bank of Logan River; thence Northeasterly along river to a point 132.4 feet South of beginning; thence North 132.4 feet to beginning.

ALSO: Beginning South 84°28' West 238 feet from a point South 240.6 feet from the Northeast Corner of said Block 1, South 7°21' East 102 feet; thence West 72 feet; thence North 3.25 rods Northeasterly 75 feet to beginning. Further described as being situated in the Northeast Quarter of Section 4 and the Northwest Quarter of Section 3, Township 11 North, Range 1 East of the Salt Lake Base and Meridian.

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SUBJECT TO a right-of-way approximately 28 feet in width extending from the Northeast corner of said tract, adjacent to the North bank of Logan River Northeasterly to the West line of First East Street.

LESS Parcel to the Utah Department of Transportation for 100 East Street as recorded in Entry No. 1022091, records of Cache County, Utah.

*Tax Parcel No. 02-054-0030*

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