



Ent 988508 Bk 1550 Pg 1610  
Date: 28-Jan-2009 08:14 AM Fee \$0.00  
Cache County, UT  
Michael Gleed, Rec. - Filed By SP  
For CITY OF LOGAN

ORIGINAL

COMMUNITY DEVELOPMENT

255 NORTH MAIN STREET, LOGAN UTAH 84321  
PHONE (435) 716-9020 FAX (435) 716-9001  
<http://comdev.logautah.org>

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

# DESIGN REVIEW & CONDITIONAL USE PERMIT

The City of Logan Planning Commission held a duly noticed Public Hearing as required by Logan Municipal Code Titles 16 and 17 on *December 11, 2008*. At this meeting the Planning Commission did by majority vote *conditionally approved PC#08-078 Renegade Sports*, for a recreational vehicle showroom and sales with some parts storage on 16.94 acres located at 1903 South 800 West in the Commercial Entry (CE) zone: TIN#03-006-0007. The Planning Commission's action came on a motion by **Commissioner Wuthrich** with a second by **Commissioner Bravo**. The motion passed by a vote of 6,0. The subject property is owned by Richard Gladfelder and is 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.

## 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. A boundary line adjustment shall be completed with the City Engineer showing the addition of the small triangular piece of property at the northwest corner of lot # 03-006-0007.
2. The three large amusement park rides south of the main building cease regular operations and a timeline detailing their removal be submitted to the Department of Community Development prior to occupancy.
3. Up to ten ATV's/Motorcycles may be tastefully displayed along HWY 89 at a 50' setback from the property line and a plan showing display areas be submitted to the Department of Community Development. Trailer display may be located as shown in the submitted site plan at a 50' setback from 800 West. All other outdoor merchandise display shall be located within 150 ft of the sales building.
4. The ATV/Motorcycle school and any additional related operations need the hours and areas detailed and submitted to the Department of Community Development for approval prior to occupancy.
5. Prior to occupancy the proponent shall submit a performance landscape plan to the Department of Community Development for approval, this plan needs to show landscape material where the three large rides are to be removed and the design and layout of the ATV

test tracks. The plan shall show street trees at 30 foot centers along 800 West. Species to be determined by the City Forester.

6. The ATV/Motorcycle test and training areas shall not be used for racing or competitions and shall not exceed the surface areas and boundaries shown on the submitted site plan/inventory. The Pee Wee track is to be no larger than 150' wide by 150' long and the adult track is to be no more than 280' long at its longest portion and 130 wide at its widest portion and at least 125' from the south property line.
7. The Adult ATV test and training track shall have a visual and audio screen to the south and east. This screen shall be a combination of bermed earth and plant material. The screen height shall be the same height as the adjacent ATV track element.
8. All ATV track elements shall be no higher than 12' measured from the sales store finished floor elevation.
9. All exterior commercial signage requires a sign permit prior to installation.
10. Any future amusement park rides or ATV test tracks not shown in the site plan/inventory will need separate Design Review permits.
11. 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. Engineering Department—contact Bill Young 716-9160**

1. Standard Comments.
2. All original Engineering comments for project 03-038 S&S Family Fun Center that are not yet completed.

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**b. Water/Cross Connection—contact Brian Pattee 716-9627**

1. As a condition of New Ownership and or New Business License request, all Commercial or Industrial Facilities that are connected to Logan Cities Culinary Water System must have a Plumbing System Hazard Assessment Inspection performed by Logan City Cross Connection Inspector prior to opening or occupancy. All Plumbing systems will need to meet all the applicable Codes as it pertains to Cross Connection Control. Please contact me early on in this process to arrange an Inspection. Thank You

**c. Fire Department—contact Liz Hunsaker 716-9515**

1. Will need to meet the fire code requirements. A 20' Wide fire access and turn around to the shop building located on the west side.

**d. Environmental (waste management)— contact Steve Larsen 716-9760**

1. Will use existing dumpsters.

**FINDINGS FOR APPROVAL**

The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

1. The proposed project 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 proposed project 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 Design Review and Conditional Use Permit are issued in conformance with the requirements of Title 17 of the Logan Municipal Code.
4. The proposed project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. 800 West, the street providing access and other infrastructure to the subject property, has adequate capacity, or a suitable level of service, for the proposed use.
6. The design of the project and its site, as conditioned, conform to the *Design Review Guidelines*.

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Some conditions are "ongoing." This means the permit 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.

This action will expire **one year** from the date of the **December 11, 2008**. 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.

I have reviewed the action of the Planning Commission and agree to the conditions and requirements of its action. I 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, I must submit our written request prior to the expiration date of the Planning Commission action. The length of an extension of time is established in the Logan Municipal Code 17.58.020. 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 for a period of more than one year also voids this permit. If the application was denied, 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 of the Logan Municipal Code or it may be subject to a different application submitted at a later time.

Accepted and agreed by:

**Mark Reeder, Authorized Agent for Renegade Sports**Print Name: Rich Gladfelder for Renegade SportsSignature: Date: 1-15-09

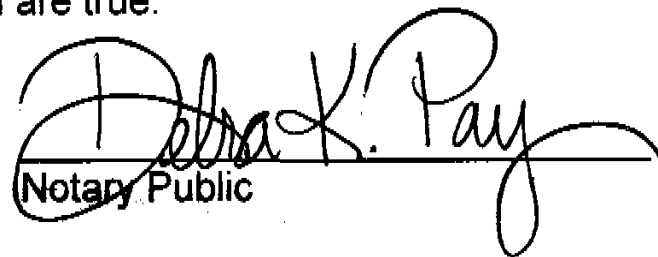
By the authority vested in me as the Director of Community Development, I affix my signature upon this document for the purpose of granting from the City of Logan to «Property\_Owner», a permanent and recorded Planning Commission permit to run with the subject property in perpetuity.

  
Jay L. Nielson, AICP, ASLA *PH*  
Director of Community Development

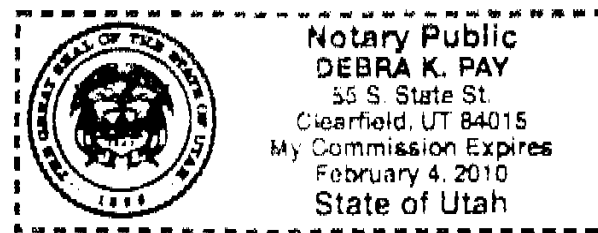
State of Utah     )  
                          :SS  
County of Cache    )

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On this 21 day of January, 2009, before me, Debra K. Pay, a notary public, personally appeared Jay L. Nielson, Director of the Community Development Department for the City of Logan, who is personally known to me and who signed the above permit on behalf of said City and that the statements contained therein are true.

  
Notary Public

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



**Parcel                      Legal Description**

03-006-0004            BEG IN E LINE OF ST RD 12.75 CHS W S 45\*51' W 168 FT OF NE COR NE/4 SEC 17 T 11N R 1E S 45\*51' W IN E LINE SD RD 400 FT TO N BANK OF DITCH ELY ALG DITCH 180 FT SLY ALG SD DITCH 80 FT SELY IN N BANK SD DITCH 160 FT TO PT 596.045 FT S 985.135 FT W OF NE CO

03-006-0006            BEG AT SW COR OF NE/4 OF NE/4 SEC 17 T 11N R 1E N 537 FT E 204 FT S 537 FT W 204 FT TO BEG 2.51 AC B1040B

03-006-0007            BEG 2 RDS W OF SE COR NE/4 OF NE/4 SEC 17 T 11N R 1E W 1083 FT N 537 FT E 176 FT N 170 FT E 58.19 RDS S 41.27 RDS TO BEG 16.66 AC B1040

03-006-0013            THAT PT OF THE FOLL INSIDE LOGAN CITY CORP LIMITS: ~BEG 60 RDS E & 50 RDS N OF CENTER OF SEC 17 T 11N R 1E & TH ~n1.0451w 123.89 FT TH s89.4825e 139.2 FT TH n0.4139w 613.43 FT TH n87.4517w 17.69 FT TH n1.0410w 442.27 FT TO S LN OF HWY 89-91 TH n45.51e 2

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03-006-0033            BEG AT NE COR SEC 17 T 11N R 1E & TH W 12.75 CHS & S 45\*51' W 708 FT & S 45\*57'04" E 94.3 FT & S 1\*16'14" E 17.45 FT TO TRUE POB TH N 86\*23'20" E 98.0 FT (~~93.0 FT CORR~~) TH S 0\*39'12" E 262.71 FT (S 254 FT BR) TH S 89\*10'30" W 93.0 FT TH N 0\*37'34" W 258.