



290 North 100 West, LOGAN UTAH 84321
 PHONE (435) 716-9021 FAX (435) 716-9001
 www.loganutah.org

ORIGINAL

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

Ent 1030911 Bk 1640 Pg 2032
 Date: 14-Oct-2010 03:39 PM Fee \$.00
 Cache County, UT
 Michael Glead, Rec. - Filed By GC
 For LOGAN CITY

DESIGN REVIEW PERMIT

At its meeting of August 26, 2010, the City of Logan Planning Commission conditionally approved PC 10-036, Logan City Public Recreation Trail to extend the existing Logan River Trail west from its current terminus at 1000 West on 17.78 in the Agricultural (AG) zone; TIN #02-082-0014. 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 property owner 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. All standard conditions of approval will be recorded with the Design Review Permit and are available in the Community Development Department.
2. A right-of-way access agreement shall be obtained with the property owner to the south for the purpose of accessing the new eighteen (18) stall parking area.
3. During times of high water the trail section within the 30' bank full setback, including the 1000 West underpass, shall be closed and all public access restricted.
4. All exterior lighting shall be down lit and dark sky compliant.
5. Construction activities inside the identified 100 year floodplains shall conform to the Land Development Code and be reviewed and approved by the Public Works Department.
6.
 - A. Environmental – Contact Steve Larsen 716-9760
 A turn around in the parking lot will need to be provided if a dumpster is required.
 - B. Engineering – Contact Bill Young 716-9160
 Any fill within in the flood plain will need to be approved by the City Engineer.

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.

PC 10-036 for Logan City Public Recreation Trail

2. The proposed use is compatible with surrounding land uses, zoning, and will not interfere with the use and enjoyment of adjoining or area properties.
3. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal Code.

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Some conditions are "ongoing". This means the property owner 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 Doug Blaser, with a second by Commissioner Allison Hale. The motion passed by a vote of 6,0.

This action will expire **one year** from the date of the **August 26, 2010** if all conditions have not been met. An extension of time must be requested in writing and received by the Director 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 action of the Planning Commission and agree to the conditions and requirements. 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's action. The length of an extension of time is established in the Logan Municipal Code 17.58.020.

Accepted and agreed by:

City of Logan, Property Owner of Logan City Public Recreation Trail

Signed: *Russ Alina*
 Print Name: Russ Alina
 Address: 195 South 100 West
 City/State/Zip: Logan, UT 84321
 Date: 9-7-10

PC 10-036 for Logan City Public Recreation Trail

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 City of Logan, a permanent and recorded Planning Commission permit to run with the subject property in perpetuity.



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

State of Utah)
 :SS
County of Cache)

On this 8 day of September, 2010, before me, Debbie K. Zilles, 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.

Debbie K. Zilles
Notary Public

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



Logan City Planning Commission

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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. The staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be 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 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 or less in an 8 foot park strip on all roads within the residential, commercial or industrial project for each phase. 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.

290 North 100 West Logan, UT 84321 * 435-716-9021 * www.loganutah.gov

Parcel

Legal Description

02-082-0014

LOT 2 LOGAN RIVER LOT SPLIT SUBDIVISON CONT 17.71 AC

PC 10-036

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