

Ent 1072919 Bk 1734 Pg 393
Date: 4-Oct-2012 04:23 PM Fee \$1.00
Peach County, UT
Michael Bleedy, Rec. - Filed By GC
FOR LOGAN CITY



ORIGINAL

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

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

DESIGN REVIEW PERMIT

At its meeting of July 26, 2012, the Logan City Planning Commission conditionally approved PC 12-042, Riverside Apartments Expansion, for the demolition of the existing residential structure at the south end of the apartment complex and construction of a new 12-unit apartment building in its place at 1251 North 800 East in the Campus Residential (CR) zone; TIN #05-016-0019;05-016-0030-31. 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 recorded owner is still responsible for compliance with the conditions.

CONDITIONS OF APPROVAL

1. All standard conditions of approval will be recorded with the Design Review and are available in the Community Development Department.
2. A boundary line adjustment shall be completed that at least adjusts the north property line to comply with side building setbacks of 5'.
3. A performance landscaping plan, prepared in accordance with LDC §17.39, 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) Mature street trees shall be provided inside of the sidewalk along 800 East, spaced every 30'. Species and sizes shall be approved by the Logan City Forrester.
4. Building elevations shall match floor plans and additional windows shall be placed on the east and north facades in the areas that have large blank walls.
5. Additional pedestrian sidewalks shall be added to safely and conveniently accommodate pedestrian traffic to and from the site.
6. All exterior lighting shall be down-lit concealed source lighting. Exterior building lights shall be mounted between 6-14' above adjacent grade and freestanding luminaries shall not exceed 12' in height, as per LDC §17.11.140 and §17.36.210.
7. No signs are approved with this permit. Signs must be approved through the Sign Permit process.
8. 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. Engineering
 - i. A boundary line adjustment will need to be completed for this project.
 - ii. Comply with City standards for design and construction.
 - iii. Compliance with existing City Storm Water Design Standards.
 - iv. Provide a maintenance access along canal bank in accordance with the City's Land Development Code.
 - v. Remove and repair curb, gutter and sidewalk for existing south entrance to development.
 - b. Fire

- i. Fire sprinkler system, fire alarm system, fire access key box required.
 - ii. Fire hydrant needed within 100' of fire sprinkler Fire Department Connection (FDC).
 - iii. Access from 800 East. If the building exceeds 30' aerial apparatus access shall be evaluated on site plan.
 - iv. If the floor level of the highest story is more than 30' above the lowest level of the fire department vehicle access a standpipe are required.
- c. Water Ent 1072919 Bk 1734 Pg 394
- i. Backflow prevention will be required on main culinary water line, recommend in utility closet with main water shut off.
 - ii. Landscape Irrigation system for the entire complex appears to be changing, this will require current code backflow protection for that system.
- d. Environmental
- i. Leave room at the current container location to add another dumpster to handle the extra volume.

FINDINGS FOR APPROVAL

1. The proposed building is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, landscaping, and setbacks to adjacent development.
2. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The proposed project provides adequate off-street parking in conformance with Title 17.
4. The project meets the goals and objectives of the CR zoning designation within the Logan General Plan by providing high-density student housing near the university, thus reducing vehicle miles traveled and the unnecessary burden to city-wide infrastructure.
5. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
6. 800 East Street provides access and is adequate in size and design to sufficiently handle automobile traffic related to the land use.

Some conditions are ongoing, which means the property owner shall always be in compliance with the condition(s). 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 decision came on a motion by Commissioner David Adams, with a second by Commissioner Allison Hale. The motion passed by a vote of 5,0.

This action will expire **one year** from the date of **July 26, 2012** 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:
Authorized Agent or Property Owner of Riverside Apts Expansion

Signed: [Signature]

Print Name: Darren Child

Address: 45. W. 100 S. #386

City/State/Zip: Logan, UT 84321

Date: 8/13/2012

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

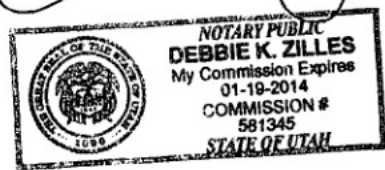
[Signature]

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

State of Utah)
 : §
County of Cache)

On this 16 day of August, 2012, before me, Debbie 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.

[Signature]
Notary Public



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A
L

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

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. 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.

Legal Description

05-016-0030

BEG ON E BANK OF CANAL 10 RDS S OF NE COR OF LOT 7 BLK 1 PLAT F LOGAN FARM SVY & TH S 0*14'25" W 190 FT TO PT N 0*12'20" E 668.24 FT & N 1*42'26" W 85.18 FT & N 0*14'25" W 170.52 FT FROM SE COR LT 8 SD BLK 1 & TH N 89*45'35" W 61.33 FT TH S 28*48'01" W 160 FT TH N 61*33' W 39.72 FT TO E BANK OF CANAL TH ALG E BANK IN 3 COURSES: N 28*27' E 46.53 FT N 28*48'01" E 167.08 FT N 30*00'56" E 142.86 FT TO BEG WITH 25 FT R/W BEG 10 RDS S & S 0*14'25" W 352.84 FT FROM NE COR SD LT 7 & TH S 88*17'34" W 25.86 FT TH N 61*33' W 109.43 FT TO BEG CONT 0.37 AC M/B

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05-016-0031

BEG ON E BANK OF CANAL 10 RDS S OF NE COR OF LOT 7 BLK 1 PLAT F LOGAN FARM SVY & TH S 0*14'25" W 190 FT TO TRUE POB TH N 89*45'35" W 61.33 FT TH S 28*48'01" W 160 FT TH S 61*33' E 50 FT TH N 28*27' E 20 FT TH S 61*33' E 63 FT TH N 88*17'34" E 28.97 FT TO E LN OF LT 7 AT PT N 0*12'20" E 668.24 FT & N 1*42'26" W 80.36 FT FROM SE COR LT 8 SD BLK 1 TH N 1*42'26" W 4.82 FT TH N 0*14'25" E 170.52 FT TO TRUE POB WITH 25 FT R/W BEG 10 RDS S & S 0*14'25" W 352.84 FT FROM NE COR SD LT 7 & TH S 88*17'34" W 25.86 FT TH N 61*33' W 109.43 FT TO BEG CONT 0.39 AC M/B

05-016-0019

BEG ON E BANK OF CANAL 10 RDS S OF NE COR OF LOT 7 BLK 1 PLAT F LOGAN FARM SVY & TH S 0*14'25" W 360.52 FT TO TRUE POB TH S 1*42'26" E 80.36 FT TO PT N 0*12'20" E 668.24 FT FROM SE COR LT 8 SD BLK 1 & TH N 87*37'45" W 242.86 FT TO E BANK OF LOGAN NORTHERN CANAL TH N 28*27' E 141.69 FT TH S 61*33' E 89.72 FT TH N 28*27' E 20 FT TH S 61*33' E 63 FT TH N 88*17'34" E 28.97 FT TO TRUE POB CONT 0.49 AC M/B

PC 12-042