

ORIGINAL

Ent 1219551 Bk 2074 Pg 277
 Date: 29-May-2019 12:40 PM Fee \$.00
 Cache County, UT
 Michael Glead, Rec. - Filed By TJ
 For LOGAN CITY



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

DESIGN REVIEW PERMIT

At the April 11, 2019 meeting the Logan City Planning Commission conditionally approved **PC 19-011 L.W.'s Car Wash** to construct one (1) new 13,000 SF commercial building and one (1) 5,000 SF car wash on an approximately 2.6-acre site. The site has been divided into two parcels through a boundary line adjustment. The western parcel is approximately 1.3 acres and is proposed to contain the commercial building. The eastern parcel is approximately 1.3 acres and proposed to contain the car wash. The site fronts three streets, 1000 West, 200 North, and 950 West. 1000 West and 200 North are both UDOT highways. Access to the site is proposed on 1000 North and 950 West. In addition to the two proposed buildings, site development includes surface parking, covered vacuum stations, RV dump station, and landscaping located at 975 West 200 North in the Commercial (COM) zone; TIN 05-094-0006;-0007.

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 are recorded and available in the Community Development Department.
2. Provide a phasing plan for the site development that details proportional development across phases, including open space and landscaping.
3. Provide a pedestrian pathway that connects the commercial building to 1000 West.
4. A minimum of 52 parking stalls, 8 stacking positions within the drive-thru lane and a bike rack shall all be provided for the commercial building.
5. A minimum of one (1) stacking space for self-serve bays and six (6) stacking spaces for auto wash bays shall be provided for the car wash.
6. All parking along 200 North should be constructed during phase two and placed in the side yard of the commercial building.
7. A landscaping buffer will be constructed between the parking and the sidewalk along 200 North. The buffer shall conform with Type "B" Separations, LDC 17.32.070.B.
8. 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. 10% open space and 10% usable outdoor space.
 - c. Open and usable outdoor areas shall total a minimum of 22,760 SF.
 - d. A total number 52 trees and 130 shrubs, perennials and grasses shall be provided. 25% of the trees shall be evergreen.
 - e. The drive-through shall be buffered and screened from 1000 West with shrubs and vegetation.

9. 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.
10. The south elevation of the car wash shall have horizontal articulation that meets the requirements of §17.12.020.4.a.
11. The south elevation of the car wash shall have minimum transparency of 30%.
12. The south elevation of the commercial building shall have a minimum transparency of 30%.
13. Any dumpsters near the street shall be visually screened or buffered with landscaping and/or fencing.
14. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.
15. No signs are approved with this Design Review Permit. All signage shall be approved and permitted by staff in accordance with the LDC.
16. No fences are approved with this Design Review Permit. All fences shall be approved and permitted by staff in accordance with the LDC.
17. Surface storm water retention and detention facilities shall be in areas away from public streets and buffered from view.
18. 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 car wash's water main must have its own RP (ASSE1013) installed and tested on the water main as it enters the building before any branch offs or connections. (This is for containment protection only.) The water main must then tee and serve the bathrooms. The other side of tee must have an RP(ASSE1013) to serve the car wash only (point of use only).
 - 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 on the 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 the 2015 IPC and State of Utah Amendments, during and after construction.
 - v. The water supply for RV Dump must have its own RP (ASSE1013) installed and tested. Any water outlets down stream of this backflow assembly must be labeled "NONPOTABLE". (Point of use Protection).
 - vi. Commercial Units-- Each unit's water main must be separate and have their own RP (ASSE1013) installed and tested as it enters each unit.
 - vii. The project shall comply with all Utah Division of Drinking Water rules and regulations, including but not limited to, those pertaining to backflow and cross connection prevention.
 - b. Fire
 - i. Fire sprinkler, fire alarm system may be required depending on future use and occupancy of tenant units.
 - ii. Provide AutoCAD two track drawing indicating the following apparatus specifications on all fire access roads and lanes: Inside turn 17', curb-to-curb 32', and wall-to-wall 36'.
 - iii. The required fire flow of 3,000 gpm (VB Construction) shall be required via three (3) accessible hydrants.
 - iv. Fire hydrant is required within 400' of all areas of the building exterior. If fire sprinklers are installed a fire hydrant is required within 100' of the fire sprinkler fire department connection (FDC).

c. Environmental

- i. The minimum inside measurement for a double enclosure without gates is 22' wide x 10' deep. If gates are desired, it is 24' wide. For collection efficiency, preference would be no gates.
- ii. Place bollards on the front corners and in the back of the enclosure to help protect the walls.

FINDINGS FOR APPROVAL

- 1. The project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of design, materials, landscaping, and setbacks.
- 2. The project 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. 1000 West and 950 West provide access and are adequate in size and design to sufficiently handle automobile traffic related to the land use.
- 6. The project meets the goals and objectives of the COM designation within the Logan General Plan by providing services near high capacity roadways and is designed in a way for easy circulation of both pedestrian and vehicles.
- 7. The project met the minimum public noticing requirements of the LDC and the Municipal Code.

The Planning Commission's decision came on a motion by Commissioner Goodlander with a second by Commissioner Nielson. The motion passed by a vote of 7-0.

This action will expire **one year** from the date of **April 11, 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 L.W.'s Car Wash**

Signed: Brent Miller

Print Name: Brent Miller

Address: 1020 W 200 N

City/State/Zip: Logan, Ut. 84321

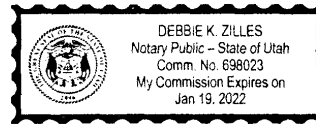
Date: 4/25/19

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)
 : §
County of Cache)

On this 29 day of April, 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

3/12/2019

CORE - Parcel #05-094-0007 in 2019

Parcel #05-094-0007 in 2019 - Cache County CORE

Owner(s)

History



LARSEN MILLER LLC (06/27/2018 - Present) (Vesting: 1198042)

Property Address

Current Owner Mailing Address

1075 N MAIN ST STE 120
LOGAN, UT 84341-3106

- 1 Tax District: LOGAN CITY (027)
- 2 Tax Status: **Taxable**
- 3 Parcel History: PT 05-062-0045 12/97; REM 12/10 UDOT;
- 4 Water Rights: NO

- 1 Building Type: Comm
- 2 Square Feet: 4464
- 3 Year Built: 2003
- 4 Acres: 1.33
- 5 Legal Description: LOT 7 AMENDED COPPER SPRINGS 3 COMMERCIAL PARK CONT 1.34 AC LESS PARCEL TO UDOT FOR 1000 W ST ENT 1034935 CONT 0.01 AC NET 1.33 AC

Taxation Term

Value

Prior Year Taxes (2018)

\$6,222.68


The Assessor has not certified values for this year. Please refer to a previous year for an estimate.

3/12/2019

CORE - Parcel #05-094-0006 in 2019

Parcel #05-094-0006 in 2019 - Cache County CORE

Owner(s)

History 

LARSEN MILLER LLC (06/27/2018 - Present) (Vesting: 1198042)

Property Address

Current Owner Mailing Address

1075 N MAIN ST STE 120
LOGAN, UT 84341-3106

- 📍 Tax District: LOGAN CITY (027)
- 📍 Tax Status: Taxable
- 📍 Parcel History: PT 05-062-0045 12/97; REM 12/10 UDOT;
- 📍 Water Rights: NO

- 📍 Acres: 1.29
- 📍 Legal Description: LOT 6 AMENDED COPPER SPRINGS 3 COMMERCIAL
PARK CONT 1.31 AC LESS PARCEL TO UDOT FOR 1000 W ST ENT
1034935 CONT 0.02 AC NET 1.29 AC

Taxation Term

Value

Prior Year Taxes (2018)

\$6,035.52

The Assessor has not certified values for this year. Please refer to a previous year for an estimate.



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.

Ent 1219551 Bk 2074 Pg 284

Misc *2/10*
When Recorded Mail To:
Larsen Miller, LLC
c/o Jason Larsen
1075 North Main Street
Suite 120
Logan, Utah 84341

Ent: 1198042 Bk 2024 Pg 1881
Date: 20-Jun-2018 12:57 PM Fee \$11.00
Cache County, UT
Michael Glead, Rec. - Filed By SA
For NORTHERN TITLE COMPANY

WARRANTY DEED

L W Miller, LLC

Grantor(s) of Logan, County of Cache, State of Utah, hereby *CONVEY AND WARRANT* to

Larsen Miller, LLC

Grantee(s) of North Logan, County of Cache, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Cache County, State of UT:

LOTS 6 AND 7 OF AMENDED COPPER SPRINGS 3 COMMERCIAL PARK SUBDIVISION AS SHOWN BY THE OFFICIAL PLAT OF SAID SUBDIVISION FILED IN THE OFFICE OF THE RECORDER OF CACHE COUNTY, UTAH. LESS PARCEL TO UDOT FOR 1000 W STREET.
Tax Parcel No.s: 05-094-0006 AND 05-094-0007

Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

Witness, the hand(s) of said Grantor(s), this *19th* day of June, 2018.

L W Miller, LLC

Larry W. Miller
By: Larry W. Miller
Its: Managing Member

State of UT)
County of Cache)§

On June *19*, 2018, personally appeared before me Larry W. Miller who, being by me duly sworn, did say that he/she is the Manager/Member of L W Miller, LLC and that the said instrument was signed on behalf of said Limited Liability Company by the authority of its Articles of Organization and Operating Agreement, and the aforesaid individual acknowledged to me that said Company executed the same.



Kent D Stratford
Notary Public

Ent: 1219551 Bk 2074 Pg 283