

Ent 1094976 Bk 1784 Pg 1767  
 Date: 16-Sep-2013 12:08 PM Fee \$ .00  
 Cache County, UT  
 Michael Bleed, Rec. - Filed By GC  
 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 & CONDITIONAL USE PERMIT

At its meeting of July 25, 2013 the Logan City Planning Commission conditionally approved **PC 13-033 SA Ferrous Industries** for new development to include a new office on the corner of the property, parking area, area future development, and warehouse facility for sorting and transfer of recycled materials including pulp paper, plastics and metals on the corner of 200 North 1900 West in the Gateway (GW) zone; TIN 05-060-0011. 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 are recorded and available in the Community Development Department.
2. Subject to approval of the proposed text amendment, allowing for the proposed uses as conditional uses in the Gateway zone.
3. The outside bin storage area shall be relocated from the 1900 West frontage. Outside storage on the site shall be screened and shall not extend above the height of a sight-obscuring screening fence.
4. A public pedestrian entrance is required on the north and west elevations facing public streets. Weather protection (awnings, canopies, colonnades, marquees, building overhang) required for all ground floor entrances.
5. Right-of-way improvements (curb, gutter, park strip, street trees, and sidewalk) to be constructed on street frontages.
6. A pedestrian path between buildings on the site shall be delineated.
7. Land set asides required per code, a minimum of 20% of the site (81,632 SF) to be open space and a minimum of 10% of the site (40,816 SF) to be useable outdoor space. The landscaped setback on 1900 West is to be extended to provide additional landscaped area.
8. A Performance Landscaping Plan, prepared in accordance with LDC §17.39 shall be submitted to the Community Development Department for approval prior to the issuance of the building permit. The plan shall include the following:
  - a. Street trees to be provided along frontages at a minimum of 1 tree per 30' of frontage, species approved by City Forester.
  - b. Open Space (landscaped) areas and useable outdoor space shall consist of a minimum of 30% of the total site.

- c. 20 trees per gross acre of land and 50 shrubs/perennials/ornamental grasses per gross acre of land shall be planted throughout the property (25 % shall be evergreen) as per LDC §17.39.050. A minimum of 5 species of trees are required.
- d. Vertical landscape shall be provided in bermed areas to visually screen parking areas. Plant species should vary and provide visual interest year round.
- 9. Screening shall be implemented on the interior of the site, adjacent to the warehouse or in areas that will allow vertical landscaped elements to screen the warehouse building.
- 10. The north and west elevations of the office building shall provide for 30% transparency (window fenestration) in their design.
- 11. A screening fence is required on the north and west sides of the facility. The fencing must be 8' tall, be solid and sight-obscuring, have landscaping along the entire fence line, and be constructed of a durable material such as wood or masonry.
- 12. 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. Fire Ent 1094976 Bk 1784 Pg 1768
    - i. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed, or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements and shall extend to within 150' of all portions of the facility, and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
    - ii. All portions of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400' from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided.
    - iii. Each building and suite shall be labeled to be seen from the street for approaching emergency vehicles.
    - iv. Fire sprinkler and fire alarm systems required.
  - b. Light and Power
    - i. Require a one line diagram, a load data sheet, a digital site plan in AutoCAD format (DWG) and Public Utility Easements (PUE) on all property lines, 5' PUE on all property lines facing a road and a 10' PUE on all other property lines.
  - c. Engineering
    - i. Connect to City water line at approx. 1400 N and extend to site. Provide water model of new line to ensure size is capable of meeting flow requirements. Minimum line size for industrial/commercial is 12".
    - ii. Need sewer easement and agreement with City to connect sewer to landfill system.
    - iii. Need water agreement for services outside of public right-of-way.
    - iv. Permission and encroachment permits must be obtained from UDOT for new water line extension.
    - v. Comply with Public Works design and construction standards & specifications.

#### **FINDINGS FOR APPROVAL**

1. The building is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties because of the building design, landscaping, and setbacks are consistent with area properties.
2. As conditioned, the project conforms to the requirements of Logan Municipal Code Title 17.
3. The project is consistent with the intent of the Gateway Zone as stated in LDC §17.16.040E.
4. The use provides adequate off-street parking in conformance with Title 17.
5. The project, as conditioned, conforms to landscaping requirements in Title 17.

- 6. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

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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 Konrad Lee, with a second by Commissioner Amanda Davis. The motion passed by a vote of 5-0.

This action will expire **one year** from the date of **July 25, 2013** 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:**  
**Property Owner or Authorized Agent SA Ferrous Industries**

Signed: Gregory Merrill

Print Name: GREGORY MERRILL

Address: 1289 N 1500 EAST

City/State/Zip: LOGAN, UT 84341

Date: AUG 13, 2013

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

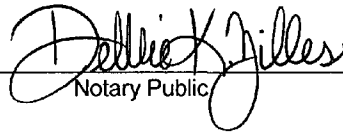


Michael A. DeSimone, ACP *AR*  
Community Development Director  
City of Logan

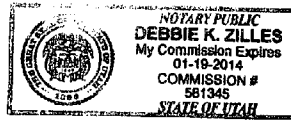
State of Utah )  
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County of Cache )

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On this 14 day of August, 2013, 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

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



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## 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.*

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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 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 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 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 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. All exterior lighting shall be down-lit concealed source lighting. Exterior building lights shall be mounted between 6 to 14' above adjacent grade and freestanding luminaires shall not exceed 18'.
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.

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290 North 100 West Logan Utah 84321 • ph: 435.716.9000 • fx: 435.716.9001 www.loganutah.org

**Legal Description**

**05-060-0011**

THE W/2 LOT 5 BLK 27 PLAT E LOGAN FARM SVY SE/4 SEC 31 T 12N R 1E CONT 10 ACLESS PARCELS TO UDOT ENT 846336  
& LOGAN CITY ENT 846337 NET 9.71 AC

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