



ENT 762184 Bk. 1013 Pg 225
DATE 1-JUN-2001 9:37AM FEE 0.00
MICHAEL L GLEED, RECORDER - FILED BY DP
CACHE COUNTY, UTAH
FOR CITY OF LOGAN

CITY · OF · LOGAN

S T A T E · O F · U T A H

CERTIFICATE ❖ OF ❖ DECISION

Whereas, the Planning Commission of the City of Logan did receive an application from Larry W. Miller for consideration of a 1,560 sq. ft. addition. Assigned docket number 00-081, the matter was brought to the City of Logan Planning Commission on December 14, 2000.

The Planning Commission held a duly noticed Public Hearing as required by Logan Municipal Code Titles 16 and 17. At the Hearing, the Commission considered the testimony both in favor and opposed to the proposal. The Commission did by majority vote conditionally approved the application.

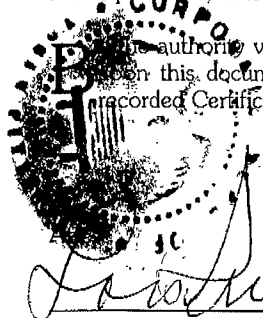
A Record of Decision as issued by the Planning Commission is attached as Exhibit A and executed by the permit holder and the Director of Community Development and Ex-officio Executive Secretary of the City of Logan Planning Commission. If the Commission's action denied the application, The Record of Decision is executed solely by the Director of Community Development.

The subject property, 1020 West 200 North, is more particularly described the document attached as Exhibit B, Legal Description.

The Official Records of the Planning Commission are maintained in the Office of the Department of Community Development, City of Logan.

This decision runs with the land. If issued for a design review permit, conditional use permit, variance, or other construction permit, construction is required to commence within an established time frame set forth in Titles 16 and 17, Logan Municipal Code, that initiates with the action of the Planning Commission. 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 or structure for a period of more than one year also voids this permit.

If the application was denied by action of the Planning Commission, 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, Logan Municipal Code; or it may be subject to a different application submitted at a later time.



In the authority vested in me as Mayor and Chief Executive of the City of Logan, I do hereby affix my signature on this document for purposes of granting from the City of Logan to Larry W. Miller, a permanent and recorded Certificate of Decision to run with the subject property in perpetuity.

By my hand this 8th day of MAY, 2001.

Douglas E. Thompson
Douglas E. Thompson, Mayor
City of Logan, State of Utah

Lois Price
Recorder, City of Logan



When recorded return to:
Dept. of Community Development
City Of Logan
255 North Main
Logan, UT 84321

DESIGN REVIEW PERMIT

At its meeting of December 14, 2000, the City of Logan Planning Commission conditionally approved PC# 00-081, LW's Truck Stop at 1020 West 200 North, for a 1,560 sq. ft. addition. 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 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.

RECOMMENDED STANDARD CONDITIONS OF APPROVAL

1. Any representations by the proponent or 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.
2. No site development activities, including grading, clearing, or vegetation removal shall commence until an executed copy of the Record of Decision signed by the property owner has been filed with the City.
3. Failure to comply with any conditions of approval shall void the permit and require a new Planning Commission hearing.
4. All improvements shall be constructed in substantial conformance with the approved site plan.
5. The proponent is responsible to ensure that any construction is appropriately inspected by the Building Inspection Division through timely scheduled inspections. Failure to obtain an inspection or to continue construction beyond points of inspection may result in an enforcement action by the Chief Building Official. Such action may include and is not limited to:
 - a. Issuance of a stop work order;
 - b. Filing of a complaint with the State Department of Commerce against the contractor licenses; and/or

- c. Requirements for inspection by x-ray or by removing any covering or demolition of construction occurring beyond the point of inspection.
6. The proponent shall ensure that the contractor has current copies of the approved plans and amendments to plans onsite at all times during construction.
7. All physical construction shall conform to the approved building plans.
8. All utilities shall be constructed and installed with the requirements of the City of Logan or the public utility provided in effect at the time of construction, or as specified in a Development Agreement.
9. The project shall not be used or occupied, including the placement of inventory into the structure, until a Certificate of Occupancy has been issued by the City.
10. Improvements shall meet the City of Logan requirements for quality, performance, or other requirements as established in the City of Logan "Public Works Standards and Specifications" as approved by the Director of Public Works.
11. No work shall be undertaken within the public right-of-way without a permit issued by the City of Logan for the City right-of-way.
12. The subject property shall not be subdivided for purposes of sale, ground lease, or finance, without obtaining approval from the City through an appropriate application process. If a subdivision occurs without City approval a building permit will not be issued for this property until the situation is resolved. If the subdivision without City approval occurs after the permit has been issued the permit will be revoked.
13. Prior to the issuance of a building permit a landscaping plan shall be submitted and approved by the Department of Community Development, including the common and botanical names of all species.
14. Prior to the issuance of a certificate of occupancy, the Director of Community Development shall approve the installation of landscaping in conformance with the approved landscaping plan. Landscaping which is required to be installed between November 1 of one year and May 1 of the following year may be satisfied to be installed by improvement security in conformance with Title 17 of the Logan Municipal Code to guarantee the installation of landscaping and irrigation systems for the project.
15. Signs have not been reviewed as a component of this permit and require separate and full compliance with Title 17 of the Logan Municipal Code. This permit does not inure any entitlements for signs on the site.

RECOMMENDED 'SITE SPECIFIC' CONDITIONS OF APPROVAL

1. Prior to the 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. *Public Works Department — contact Mike Mecham 716-9160*
 1. A sidewalk shall be required along the 1000 West and 200 North frontage. The applicant may delay the construction of the sidewalk by petitioning the Public Works Department.
 2. If additional food preparation is planned for the new addition, an oil/grease separator shall be required.

- b. *Light and Power Department — contact Garth Turley 716-9741*
 1. The existing electrical service must be relocated in order to accommodate the addition.
 2. A 'Request for Electrical Service Information' shall be submitted and completed.

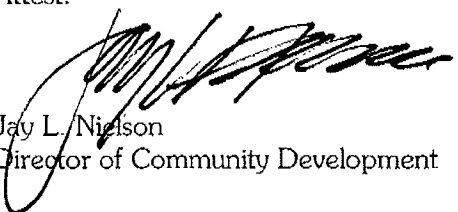
- c. *Environmental Health Department — contact Steve Larsen 716-9760*
 1. If the new addition is built in the location of the existing dumpster, a new enclosure shall be provided with a straight on access for the collection truck to be approved by the Environmental Health Department. No parking shall be allowed in front of this.

Some conditions are "ongoing." This means the 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.

The Planning Commission's action came on a motion by **Commissioner Karl Ward**, with a second by **Commissioner John Kerr**. The motion passed by a vote of **5, 0**.

This action will expire **one year** from the date of the **December 14, 2000** Planning Commission's action if all conditions have not been met, unless an extension of time is requested and **approved in advance** of 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.

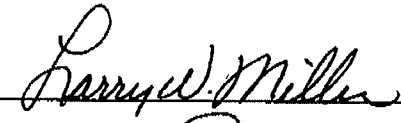
Attest:



Jay L. Nilson
Director of Community Development

We have reviewed the action of the Planning Commission and agree to the conditions and requirements of its action. We understand this project expires one year after the date of the Commission action and if an extension of time is required, we must submit our request prior to the expiration date of one year from the Planning Commission action. The length of an extension of time is established in the Logan Municipal Code 17.58.020.

**Accepted and agreed:
LW's Truck Stop, by**


Title Pres.

Date: 1/22/01

Attachment: Copy of Legal Description, 05-064-0002

Distribution:

- Original #1 with signatures to the County Recorder
- Original #2 with signatures to applicant

Copies to:

- Director of Public Works
- City Engineer
- Chief Building Official
- File

ENT 762184 Bk 1013 Pg 229

050640002, BEG 18 FT W OF NE COR LT 6 BLK 26 PLT E LOGAN FARM SVY & TH S 330
FT TH W 312 FT TH N 330 FT TH E 312 FT TO BEG less COUNTY ROAD ON NORTH NET 2.3
AC M/L

ENT 762184 Bk 1013 Pg 230