

Ent 1139345 Bk 1878 Pg 1092
Dec 29-Dec-2015 01:47 PM Fee \$1.00
The County, UT
Shel Bleed, Rec. - Filed By GC
LOGAN CITY



ORIGINAL

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

DESIGN REVIEW PERMIT

At its meeting of September 10, 2015, the Logan City Planning Commission conditionally approved **PC 15-034 Maverik – 1000 W** for a new 5,046 SF convenience store with 39 parking stalls and up to seven (7) fuel pump dispenser stands, diesel fueling stands, and CAT scale located at 1000 West 200 North in the Commercial (COM) zone; TIN 05-062-0064.

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. Building entrances are located on the east and south elevation. The Commission allows for adjustment to orientation standards on the north and west elevation as the north elevation provides fenestration, architectural features and landscaping and the west is a side elevation.
3. The site layout is found to be compatible with the area and unique constraints of the site.
4. 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. Street trees along all adjacent streets provided every 30' on center in the park strip or property adjacent to the sidewalk where sidewalk is adjacent to the roadway.
 - b. Open and useable outdoor areas shall total a minimum of 27,942 SF.
 - c. A total number 64 trees and a minimum of 5 varieties of species shall be provided. A minimum total of 161 shrubs, perennials and grasses shall be provided.
 - d. A minimum of 25% of the required plant material will be evergreen varieties.
 - e. Parking lot landscaping adjacent to 1000 West and parking areas of 250 North will meet the Type guidelines of LDC§17.39.070.B.2 and §17.39.070.C for Parking Lot Interior Landscaping.
5. Dumpsters shall be visually screened or buffered from public streets by using landscaping, fencing or walls.
6. Exterior lighting, including gas canopy lighting, shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
7. No signs are approved. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
8. No fences are approved. All fences shall be approved and permitted by staff in accordance with the Land Development Code.

9. 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. Environmental

Ent 1139345 Bk 1878 Pg 1093

- i. Minimum inside measurement for a double enclosure is 24' wide x 10' deep with four 6' gates. Gates need drop pins or latches to maintain the open position while they are being emptied. Bollards behind the dumpsters to protect the walls and an 8' concrete pad in front to protect the asphalt.

b. Water

- i. Water meter must be to current Logan City standards.
- ii. Building water main must have high-hazard rated back flow assembly as it enters building before any branch offs.
- iii. Landscape irrigation must have backflow assembly rated for high hazard such as RPZ (ASSE-1013) or PVB (ASSE-1020).
- iv. If a fire suppression system is required it must have a minimum backflow assembly DCDA (ASSE-1048) installed on fire riser.
- v. Kitchen sink and/or mop sinks that will have chemical or soap dispensers must comply with IPC#22 Utah State amendment 608.16.7
- vi. Dedicated water supply and go through an approved backflow assembly or device such as ASME A.112.1.2)

c. Engineering

- i. Provide a 10' public utility easement on all four property lines.
- ii. Existing site has 3 water services piped into property off of 250 North. Any water services not used shall be capped at City main water line.
- iii. Existing site has 3 sewer laterals piped into property off of 250 North and an 8" sewer main piped to manhole on 200 North. Verify location of all sewer laterals and cap any unused laterals or mains at City main sewer line.
- iv. Construct curb, gutter and sidewalk per UDOT standards along 200 North (SR-30).
- v. Construct sidewalk and park strip along 250 North.
- vi. Maintain all existing irrigation ditches and/or piping which may exist on parcel or in public right-of-way.
- vii. Stormwater shall be designed and constructed to meet Logan City design and construction standards.
- viii. All accesses to SR-30 or SR-252 shall be approved by UDOT.
- ix. Public Works proposes that 1100 West be constructed to City standards and SR-30 access is located to 1100 West. City will work to provide costs to construct all utilities in 1100 West and 50% of road construction costs.

d. Forestry

- i. Street trees required on average of 30' centers on all street frontages.

e. Business License

- i. A business license for a Commercial Level 1 business will be required prior to occupancy and operation.

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 the building design, site layout, materials, landscaping, and setbacks.
2. The project conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The building orientation and façade adjustments have been conditioned with additional landscaping and architectural features on the 250 North elevation that meet the intent of human scale and accessibility.
4. The proponent has expressed security concerns and internal functional layout limit the ability to provide entrances on all building facades.

5. The site layout is compatible and consistent with development in the area. The proponent has a need to provide for high volumes of vehicle traffic and large commercial vehicles and access to the site is limited by the UDOT roads and regulations on access points.
6. Adequate open space and useable outdoor space are provided in conformance with Title 17.
7. The proposed project provides adequate off-street parking.
8. 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 way for easy circulation of both pedestrian and vehicles.
9. The project complies with maximum height, density and building design standards and is in conformance with Title 17.
10. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
11. Existing and proposed roadways provide access and are adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

Ent 1139345 Bk 1878 Pg 1094

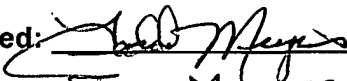
Some conditions are ongoing, which means the property owner shall always be in compliance with the condition(s). If unable to comply, you must return to the Planning Commission for consideration of an amendment to your approval. Failure to comply may result in an action by the City to revoke your permit.

The Planning Commission’s decision came on a motion by Commissioner David Butterfield with a second by Commissioner Sara Sinclair. The motion passed by a vote of 5-2.

This action will expire **one year** from the date of **September 10, 2015** 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.**

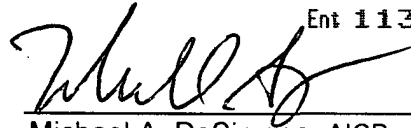
We have reviewed the decision of the Planning Commission and agree to the conditions and requirements. We understand this project expires one year from the date of the Commission’s action unless the final plat has been recorded, or the Department of Community Development has issued a Building Permit. 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 Agent for Maverik – 1000 W.**

Signed: 
 Print Name: TODD MEYERS
 Address: 880 W CENTER ST
 City/State/Zip: NORTH SALT LAKE UT 84054
 Date: 9/24/15

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

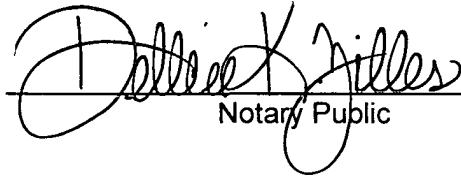
Ent 1139345 Bk 1878 Pg 1095



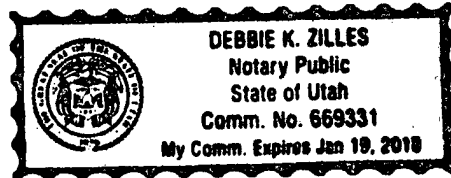
Michael A. DeSimone, AICP
Community Development Director
City of Logan

State of Utah)
 : §
County of Cache)

On this 5 day of October, 2015, 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



S
E
A
L

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.

Ent 1139345 Bk 1878 Pg 1096

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 luminaries 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.

Legal Description

Parcel 05-062-0064

BEG AT SE COR RAYMOND COMMERCIAL SUBD PHASE 1 & TH N 88°30'51" W 616.11 FT TH S 1°10'18" W 230.10 FT TO N LN OF 200 N ST TH S 88°35'02" E 616 FT M/L TO PT S 1°09'55" W 229.35 FT OF BEG TH N 1°09'55" E 229.35 FT TO BEG CONT 3.24 AC SIT NF/4 SEC. 32 T 12N R 1E

Ent 1139345 Bk 1878 Pg 1097

PC 15-034