CITY OF LOGAN
ORDINANCE NO. 2000-019

AN ORDINANCE AMENDING THE ZONING MAP OF LOGAN CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN,
STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain map or maps entitled “Zoning Map of Logan City, Utah” is hereby amended as shown on the map or maps entitled “Amendment #226 to the Zoning Map of Logan City, Utah,” and the following property is hereby zoned from Recreation (REC) to the Single Family Traditional-X (SFT-X) zone, as follows:

Tax ID No.02-003-0016.

Also identified as Quail Canyon III, a 2.70 acre six-lot subdivision at approx. 1574 Mt. Logan Drive, owned by the City of Logan.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS 19TH
DAY OF April, 2000.

AYES: 

NAYS: None

ABSENT: None

ATTEST: 

Lois Price, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 25th day of April, 2000.

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _______ APPROVED _______ this 25th day of

April, 2000. 

Douglas E. Thompson, Mayor
Memorandum for the Municipal Council workshop of April 5, 2000
PC Docket #00-019 A ZONING AMENDMENT FOR
QUAIL CANYON III

REPORT SUMMARY...

Project Name: Quail Canyon III
Owner/Proponent: City of Logan
Project Address: Approx. 1547 Mt. Logan Drive
Request: Zoning amendment from REC, Recreation, to SFT-X, Single Family Traditional-Existing Lot Size
Current Zoning: REC, Recreation
Proposed Zoning: SFT-X, Single Family Traditional-Existing Lot Size
Staff Recommendation: Approve

PROJECT

The City of Logan is requesting a zoning amendment from REC, Recreation, to SFT-X, Single Family Traditional-Existing Lot Size. On March 9, 2000, the 6 lot subdivision of Quail Canyon III was conditionally approved by the Planning Commission.

Currently the lots are part of Mt. Logan Park and as such are zoned Recreation. The zoning district must be amended to permit a residential subdivision. The surrounding areas have the Single Family Traditional designation. The proposed lots in the subdivision are large and well over the minimum lot size in this zoning district of 8,000 square feet, therefore, Staff is recommending that these lots not be further subdivided. This is the intended use of the 'X' (existing lot size) combining district.

The Planning Commission moved to approve a recommendation for Zone Change to the Municipal Council. (Passed: 6,0)

ATTACHMENTS

Please find the following attached:
1. Staff Report to the Planning Commission;
2. Minutes of the November 18, 1999 Planning Commission meeting; and
3. Site plan of the project.
**APPLICATION FOR PROJECT REVIEW**

**Type of application (Check all that apply):**
- [ ] PC: Subdivision
- [ ] Conditional Use
- [ ] Design Review
- [ ] Zone/Text Change
- [ ] Amendment
- [ ] Rezone to PD
- [ ] Rezone to X
- [ ] Boundary Line Adjustment

**Project Name:** QUAIL CANYON III

**Property Address:** approx. 1547 MT. LOGAN DR

**County Flat ID Number:** 02-003-0016

**Contact Person:**
ROD BLOSSOM/CACHE LANDMARK ENGINEERING

**Mailing address, City, State Zip:** 666 NORTH MAIN STE 303, LOGAN, UT 84321

**Daytime Phone:** 755-7600

**Alternate Phone/Fax**

**Applicant (if different):**
CITY OF LOGAN/KEVIN HANSEN

**Mailing address, City, State Zip:** 255 NORTH MAIN

**Phone Number:** 787-3590

**Property owner of record (if different):**
CITY OF LOGAN

**Mailing address, City, State Zip:** 255 NORTH MAIN

**Phone Number:** 750-9800

**Describe the proposed project as it is should be presented to the Planning Commission or Board of Adjustment:**

- 6 Lot Subdivision
- Rezone from REC to SFT

**Lot size in acres or sq. feet:**
- approx. 2.70 acres

**Number of dwelling units / lots:**
- 6 Lots

**I certify that the information contained in this application and supporting plans is correct and accurate.**

**Signature of applicant**

**I certify that I am the record owner of the subject property and that I consent to the submittal of this application.**

**Signature of owner (if different)**

Use additional pages if necessary. You must provide the Commission or Board with enough information to make an informed decision.

The Commission has directed Staff to continue projects if the application is not complete.
PRELIMINARY PLAT
QUAIL CANYON III
LOGAN CITY, UTAH

PART OF THE NORTHWEST QUARTER OF SECTION 2,
TOWNSHIP 11 NORTH, RANGE 1 EAST
CACHE COUNTY, UTAH

GENERAL NOTES:
1) ALL MEASURES ARE ESTIMATES AS PER PLAN AND FIELD LOCATION EXCEPT
   FOR MEASURES ON EXISTING ROADWAY WHICH HAVE NOT BEEN IMPROVED
2) THE BASIS OF MEASUREMENT IS THE EXISTING QUAIL CANYON PHASE II

LEGEND
- PHASE II BOUNDARY
- BUILDING ENCLOSES
- PUBLIC UTILITY ENSCLOSES
- WATER LINE
- DRAINAGE DITCH
- PHASE I BOUNDARY
- STREET ACCESS
- STREET NAME
- EXISTING STREET
- SCHEDULE

12.00 FT ROW
LOGAN CITY
16
14,586 Sq.Ft.
15
18,258 Sq.Ft.
17
18,079 Sq.Ft.
18
20,766 Sq.Ft.
19
18,079 Sq.Ft.
20
25,825 Sq.Ft.
21
20,766 Sq.Ft.
22
25,825 Sq.Ft.
23
16
13
11
10

CITY OF LOGAN
QUAIL CANYON PHASE II
QUAIL CANYON PHASE III
PRELIMINARY PLAT
LOGAN CITY, UTAH

SHEET
OF 1
BOUNDARY LINE ADJUSTMENT & SUBDIVISION PERMIT

At its meeting of March 9, 2000, the City of Logan Planning Commission conditionally approved PC# 00-019, Quail Canyon III at approx. 1574 Mt. Logan Dr., for a 6 lot subdivision. 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.

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. The proposed project shall be developed in conformance with the revisions imposed by the conditions of the project approval.

3. 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.

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.

6. 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 license(s); and/or
c. Requirements for inspection by x-ray or by removing any covering or demolition of construction occurring beyond the point of inspection.

7. All physical construction shall conform to the approved building plans.

8. 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. Logan City Light and Power — contact Garth Turley 750-9941
      1. The developer shall be responsible for both primary and secondary conduit installation which must be installed and inspected according to the LCL&P specifications.
      2. Developer shall be responsible for all secondary connections (including lugs) in transformer (de-energized equipment only).
      3. Prior to a Certificate of Occupancy a digital copy of the final plat map and electrical plan, in AutoCad or DXF format, must be submitted to LCL&P. The plat map shall indicate all easements for utilities and all existing LCL&P electrical facilities overhead and underground (if any).

9. 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.

10. No work shall be undertaken within the public right-of-way without a permit issued by the City of Logan for City right-of-way.

11. Prior to the submittal of the final plat map, the City Engineer shall review and approve all engineering construction drawings for infrastructure improvements.

12. The final plat map(s) shall be submitted with all owner, lien-holder, beneficiaries of easements, and public utility signatures appropriately notarized (where required) and affixed to the vellum or mylar. The City Engineer, upon approval of the final plat map, shall obtain necessary City signatures and shall cause the plat map to be recorded with the Cache County Recorder.

13. Prior to the submittal of the plat map, the Director of Community Development shall receive an amended copy of the deed covenants, conditions, or restrictions to be imposed upon the subdivision for Quail Canyon II to include Quail Canyon III. Following approval of the covenants, conditions, and restrictions, the Director of Community Development shall forward the original copy to the City engineer for recordation with the plat map.

14. The final plat map shall depict a five foot public utility easement around the perimeter of the subject property and on each side of the interior property lines.
15. The final plat map shall include the following information in the “Planning Commission approval” certificate: “This subdivision, entered into City Records as Planning Commission Docket #00-019 was heard before the Commission in a public hearing on the 9th day of March, 2000, and was approved in substantial conformance with the requirements and design show upon this plat map. Signed, Gina Wickwar, Chair, City of Logan Planning Commission.” The proponent shall ensure that all information is inscribed on the final map with the exception of the actual signature.

16. 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 the Development Agreement.

17. Prior to the submittal of the final plat, the City Engineer shall receive an executed original copy of the Development Agreement for the subdivision.

18. All streets, roads, and alleys shall be constructed to the standards of the City of Logan in effect at the time of construction, unless otherwise specified in the Development Agreement.

19. Prior to the issuance of a building permit on Lot 17 new deeds shall be recorded for Lot 16 and Lot 17.

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 Paul Larsen, with a second by Commissioner Karl Ward. The motion passed by a vote of 6, 0.

This action will expire one year from the date of the March 9, 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:

Eric Jay Toll AICP
Director of Community Development
March 16, 2000
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:
Quail Canyon III, by

Title ______________________

Date: ________________

Attachment: Copy of Legal Description, 02-003-0016

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
REPORT SUMMARY...

Project Name: Quail Canyon III  
Owner/Proponent: City of Logan  
Project Address: Approx. 1547 Mt. Logan Drive  
Request: A 6 lot subdivision with a boundary line adjustment between Lot 17 and Lot 16 to the south, and a zoning amendment from REC, Recreation, to SFT-X, Single Family Traditional-Existing Lot Size.  
Current Zoning: REC, Recreation  
Proposed Zoning: SFT-X, Single Family Traditional-Existing Lot Size  
Staff Recommendation: Conditionally Approve

PROJECT

Subdivision
The project will divide an existing approximate 2.70 acre parcel into 6 buildable lots. In the Single Family Traditional (SFT) zoning district the minimum lot size is 8,000 square feet. At the front setback line of 25 feet, the property must be 70 feet wide. The average lot size for the 6 lots is approximately 19,600 square feet.

Setbacks
In the SFT zoning district the front yard setback is 25 feet, the side yard setback 8 feet, the side yard setback for a corner lot 20 feet, and the rear yard setback 10 feet.

Zoning Amendment
Currently the property is part of Mt. Logan Park and is within the Recreation, REC, zoning district. The lots as proposed will be rezoned to Single Family Traditional-Existing Lot Size, SFT-X. The City has determined that these lots shall not be further subdivided. This is the intended use of the 'X' combining district.

Boundary Line Adjustment
Once the subdivision is approved there will be a boundary line adjustment between Lot 17, which is part of Quail Canyon III, and Lot 16, which is part of Quail Canyon II. Approximately 950 square feet of land will be sold to Lot 16 from Lot 17.
SITE DESCRIPTION

Land use adjoining the subject property
North: REC: Mt. Logan Park
East: SFT: Single Family Homes
West: REC: Mt. Logan Park
South: SFT: Single Family Homes

The site is undeveloped with no significant vegetation. Curb and gutter exists but no sidewalk. This is a residential subdivision with large single family homes. Quail Canyon II is not built out so some lots are still undeveloped. These single family homes are multi-story with two or three car garages.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were received from the following departments or agencies with specific recommendations for project conditions:

- Light and Power Department

No comments were received from the following departments or agencies:

- Logan Transit Department
- Public Works Department
- Fire Department
- Police Department
- Utah Department of Transportation
- Cache Metropolitan Planning Organization
- Logan City School District
- United States Post Office

PUBLIC COMMENTS

Notices were mailed to 27 property owners located within three hundred feet of the subject property. No comments were received as of the date the staff report was published.

DEPARTMENT OF COMMUNITY DEVELOPMENT COMMENTS

Subdivision

The existing 2.70 acres is proposed to be subdivided into 6 lots for single family detached housing. In the Single Family Traditional zoning district the minimum lot size is 8,000 square feet. These lots well exceed that with an average lot size of 19,600 square feet. The 6 lots also meet the minimum lot width standard of 70 feet at the front setback line. Staff has no concerns with the subdivision and believes that substantial sized homes will be built on these lots as a result of the larger lot sizes.

Setbacks

A decent sized home can be accommodated on these lots while keeping within the required setbacks.
Zoning Amendment

Staff has no concerns with the zoning amendment from REC, Recreation, to SFT-X, Single Family Traditional-Existing Lot Size.

Boundary Line Adjustment

Once 950± square feet is sold to Lot 16 from Lot 17, Lot 17 will have a lot size of approximately 15,638 square feet. This is still well above the minimum lot size for this zoning district. Staff recommends that prior to the issuance of a building permit on Lot 17 all new deeds be recorded for the Boundary Line Adjustment.

RECOMMENDATION

1. Staff recommends that the Planning Commission approve a motion to Conditionally Approve PC Docket#00-019 for Quail Canyon III, a Subdivision Permit for the property located at approximately 1547 Mt. Logan Drive; TID#02-003-0016.

2. Staff recommends that the Planning Commission approve a motion to recommend to the Municipal Council PC Docket#00-019 for Quail Canyon III, a Zoning Amendment from Recreation, REC, to Single Family Traditional-X, SFT-X, for the property located at approximately 1547 Mt. Logan Drive; TID#02-003-0016.

3. Staff recommends that the Planning Commission approve a motion to Conditionally Approve PC Docket#00-019 for Quail Canyon III, a Boundary Line Adjustment for the property located at approximately 1547 Mt. Logan Drive; TID#02-003-0016, 06-107-0016.

RECOMMENDED CONDITIONS OF APPROVAL

This project is subject to the proponent or property owner agreeing to comply with the following conditions as written, or as may be amended by the Planning Commission.

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. The proposed project shall be developed in conformance with the revisions imposed by the conditions of the project approval.

3. 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.

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.

6. 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 license(s);
   and/or
c. Requirements for inspection by x-ray or by removing any covering or demolition of construction occurring beyond the point of inspection.

7. All physical construction shall conform to the approved building plans.

8. 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. Logan City Light and Power — contact Garth Turley 750-9941
      1. The developer shall be responsible for both primary and secondary conduit installation which must be installed and inspected according to the LCL&P specifications.
      2. Developer shall be responsible for all secondary connections (including lugs) in transformer (de-energized equipment only).
      3. Prior to a Certificate of Occupancy a digital copy of the final plat map and electrical plan, in AutoCad or DXF format, must be submitted to LCL&P. The plat map shall indicate all easements for utilities and all existing LCL&P electrical facilities overhead and underground (if any).

9. 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.

10. No work shall be undertaken within the public right-of-way without a permit issued by the City of Logan for City right-of-way.

11. Prior to the submittal of the final plat map, the City Engineer shall review and approve all engineering construction drawings for infrastructure improvements.

12. The final plat map(s) shall be submitted with all owner, lien-holder, beneficiaries of easements, and public utility signatures appropriately notarized (where required) and affixed to the vellum or mylar. The City Engineer, upon approval of the final plat map, shall obtain necessary City signatures and shall cause the plat map to be recorded with the Cache County Recorder.

13. Prior to the submittal of the plat map, the Director of Community Development shall receive a signed and notarized copy of any deed covenants, conditions, or restrictions to be imposed upon the subdivision. Following approval of the covenants, conditions, and restrictions, the Director of Community Development shall forward the original copy to the City engineer for recordation with the plat map.

14. The final plat map shall depict a five foot public utility easement around the perimeter of the subject property and on each side of the interior property lines.

15. The final plat map shall include the following information in the "Planning Commission approval" certificate: "This subdivision, entered into City Records as Planning Commission Docket #00-019 was heard before the Commission in a public hearing on the 9th day of March, 2000, and was approved in substantial conformance with the requirements and design show upon this plat map. Signed, Gina Wickwar, Chair, City of Logan Planning Commission." The proponent shall ensure that all information is inscribed on the final map with the exception of the actual signature.
16. 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 the Development Agreement.

17. Prior to the submittal of the final plat, the City Engineer shall receive an executed original copy of the Development Agreement for the subdivision.

18. All streets, roads, and alleys shall be constructed to the standards of the City of Logan in effect at the time of construction, unless otherwise specified in the Development Agreement.

19. Prior to the issuance of a building permit on Lot 17 new deeds shall be recorded for Lot 16 and Lot 17.

RECOMMENDED FINDINGS FOR APPROVAL
The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

1. The proposed project has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.

2. The proposed project has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Logan Municipal Code, the City of Logan Public Works Standards and Specifications, and the requirements of various departments and agencies.

3. The proposed project is consistent with the goals and policies of the Logan General Plan.

4. The proposed project conforms to the requirements of Title 17 of the Logan Municipal Code.

5. The proposed project is compatible with existing neighborhood land uses and zoning.

6. The proposed project is compatible with the neighborhood and will enhance and improve neighborhood character.

7. The subdivision is consistent with the goals and policies of the Logan General Plan.

8. Each lot conforms to the requirements of Title 17 of the Logan Municipal Code in terms of lot size, width, and depth.

9. Each lot is physically suitable for development, has an adequate building site, and will not require variances due to physical constraints in order to be developed.

10. The subdivision lots maintain or enhance neighborhood character.

11. Each lot has access to a street or easements to provide for connection to sewer service, water service, and other public utilities.

12. The subdivision has been revised and amended by the conditions of project approval to respond to the issues raised by City Departments and public agencies, and to address legitimate concerns of the public.
13. The subdivision meets the approval of the City Engineer for technical specifications, standards, and conforms to the conditions imposed on the subdivision by the Commission.

14. Approval of the subdivision conforms to the requirements of Utah law.

15. Approval of the subdivision includes appropriate road rights-of-way, easements, and offers of dedication meeting the needs of the City.

Respectfully submitted,

Brandi L. Clement
Planner II
Report Published: March 3, 2000
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. The sign must be installed by a contractor licensed in the State of Utah. A sign permit is required.

9. This permit is for the pole sign only. All other signs must be approved by staff.

[Moved: Mr. Ward__ Seconded: Mr. Kerr___ Passed: 6__, 0__]
Yea: Ward, Larsen, Kerr, Hooper, Kartchner, Box

Tape 1B

00-019 QUAIL CANYON III. Subdivision, Rezone, and Boundary Line Adjustment. City of Logan, owner/applicant, requests a 6 lot subdivision of 2.70 acres and a rezone from the Recreation (REC) zone to the Single Family Traditional-X (SFT-X) zone at approx. 1574 Mt. Logan Dr. TIN#02-003-0016, 06-107-0016.

STAFF: Staff reviewed the report as written.

Mr. Kartchner asked who the sub-divider of Quail Canyon Phase II is. Mr. Toll said that George Getty, and the City was. Mr. Toll said lots 1-16 are the City of Logan’s.

Mr. Ward asked if there are covenants associated with this development. Mr. Toll said yes, they are already recorded, they need to be amended to include the six new lots.
Ms. Wickwar noted that there is a restriction here of 28' because it's above 5,070. Mr. Toll said the lots above 5,070 are actually in the Canyon. Mr. Toll said they do not fall in those restrictions. The 28' limit is to keep houses from going above the rooftop.

PROPONENT: Mr. Kevin Hansen, Public Works Director, represents the City as the proponent. Mr. Hansen said the land was required for the extension and expansion of Mt Logan Park. The area was deemed in excess to City needs. That is why they elected this route to surplus this property. Mr. Hansen would like to point out one feature that he thinks is an important feature in the consideration of the design, there is a right of way established that would allow an access into this neighborhood into the park to allow unrestricted public access in To the park.

Mr. Kartchner comments as a citizen, where land has been dedicated to the City for use of the park, then the City decides to become a developer and decides to sale it for commercial, for monies for the City. Mr. Hansen said when the property was purchased 7.3 acres, the City already had about 15 acres, they felt if they added the entire property to it, it was way to big of a park. It becomes a Regional Park rather than a Neighborhood Park. They only wanted five acres for the park. The School board who owned the property wanted an offer for the entire property. They want to retain Mt Logan as a Neighborhood Park. The five acres is the land area that the City wants to make into the park, it fit the pattern and fit the design scheme much better. The proposal is to take the proceeds of the sale of this extra property and roll it back into Park development, particularly Mt Logan Park. The City will turn this back into something the people can use, that they've actually paid for.

PUBLIC: Robert Jensen lives in Quail Canyon Phase II. His concern is that 6 lots were going to be put down in the middle of two very nice subdivisions with out any protected covenants. He asked if the City would have the same restricted covenants. Mr. Toll said yes.

Julia Jensen is a neighbor; her home is next to lot 16. Her question is that if Planning & Zoning were doing this all over again. She said that there has been For Sale signs along the street for over two years. Mr. Toll said this was for Phase II. Ms. Clement said the sign on lot 16 is for Phase II, lots 17-22.

Mr. Spicer commented on what Mr. Kartchner had touched on, because he thinks it's very important as far as a subdivision. He really sees the merit of the value of the subdivision, but the practice is what he wants to speak to. There are many land developers that are out there, whether they're in the residential lot area or in the commercial lot area. When cities have very specific CC&R's he thinks it's a concern when the cities are like that. If the market were to change many people would not be able to sale seven lots. But on the other side, he says it's easy to balance, and say were gonna take profits and build Park material, park equipment, and that's a good rational and reasoning. But again when it comes to taxpayer's funds and monies he thinks it's a line that the administration profits. His question is how are these lots going to be sold. Mr. Housley, said by Public auction.

COMMISSION: Mr. Kartchner said that we should state that the CC&R's of Quail Canyon Phase II would apply to the conditions.
MOTION: Moved to approve the project with the conditions as listed below: The following conditions were changed from the original staff report.

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. The proposed project shall be developed in conformance with the revisions imposed by the conditions of the project approval.

3. 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.

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.

6. 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 license(s); and/or
   c. Requirements for inspection by x-ray or by removing any covering or demolition of construction occurring beyond the point of inspection.

7. All physical construction shall conform to the approved building plans.

8. 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. Logan City Light and Power — contact Garth Turley 750-9941
      1. The developer shall be responsible for both primary and secondary conduit installation which must be installed and inspected according to the LCL&P specifications.
      2. Developer shall be responsible for all secondary connections (including lugs) in transformer (de-energized equipment only).
      3. Prior to a Certificate of Occupancy a digital copy of the final plat map and electrical plan, in AutoCad or DXF format, must be submitted to LCL&P. The plat map shall indicate all easements for utilities and all existing LCL&P electrical facilities overhead and underground (if any).

9. 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.
10. No work shall be undertaken within the public right-of-way without a permit issued by the City of Logan for City right-of-way.

11. Prior to the submittal of the final plat map, the City Engineer shall review and approve all engineering construction drawings for infrastructure improvements.

12. The final plat map(s) shall be submitted with all owner, lien-holder, beneficiaries of easements, and public utility signatures appropriately notarized (where required) and affixed to the vellum or mylar. The City Engineer, upon approval of the final plat map, shall obtain necessary City signatures and shall cause the plat map to be recorded with the Cache County Recorder.

13. Prior to the submittal of the plat map, the Director of Community Development shall receive an amended copy of the deed covenants, conditions, or restrictions to be imposed upon the subdivision for Quail Canyon II to include Quail Canyon III. Following approval of the covenants, conditions, and restrictions, the Director of Community Development shall forward the original copy to the City engineer for recordation with the plat map.

14. The final plat map shall depict a five foot public utility easement around the perimeter of the subject property and on each side of the interior property lines.

15. The final plat map shall include the following information in the “Planning Commission approval” certificate: “This subdivision, entered into City Records as Planning Commission Docket #00-019 was heard before the Commission in a public hearing on the 9th day of March, 2000, and was approved in substantial conformance with the requirements and design show upon this plat map. Signed, Gina Wickwar, Chair, City of Logan Planning Commission.” The proponent shall ensure that all information is inscribed on the final map with the exception of the actual signature.

16. 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 the Development Agreement.

17. Prior to the submittal of the final plat, the City Engineer shall receive an executed original copy of the Development Agreement for the subdivision.

18. All streets, roads, and alleys shall be constructed to the standards of the City of Logan in effect at the time of construction, unless otherwise specified in the Development Agreement.

19. Prior to the issuance of a building permit on Lot 17 new deeds shall be recorded for Lot 16 and Lot 17.

First Motion: Move for Subdivision permit
[Moved: Mr. Larsen Seconded: Mr. Ward Passed: 6, 0]
Yea: Ward, Larsen, Kerr, Hooper, Kartchner, Box

Second Motion: Move for SFT-X
[Moved: Mr. Kerr Seconded: Mr. Hooper Passed: 6, 0]
Yea: Ward, Larsen, Kerr, Hooper, Kartchner, Box
March 9, 2000 Planning Commission Minutes.

Third Motion: Boundary Line Adjustment

[Moved: Mr. Larsen Seconded: Mr. Hooper Passed: 6, 0]
Yea: Ward, Larsen, Kerr, Hooper, Kartchner, Box

Tape 2A

00-020 SPRING CREEK FITNESS CENTER. Design Review. David Bell, owner/applicant, requests design review of a 3,200 sq. ft. addition to an existing 5,725 sq. ft. building on 1.3 acres at 1352 LeGrand St in the Multi Family Medium (MFM) zone. TIN#02-087-0005.

STAFF: Staff reviewed the report as written.

Mr. Ward asked about condition for additional parking to meet code. Mr. Hanlan said Staff is essentially leaving that to the Planning Commission. They have considered the applicant's request to provide fewer than required by code, if Planning Commission agrees it would stand as proposed. If Commission would like additional parking then an additional site plan would be required.

PROPOONENT: David Bell who has constructed facility about 2 1/2 years ago would like to expand so that more people could use the equipment. They would like additional room for more equipment. He said most of the day the lot is empty except for at night, so he feels the additional parking spaces he's requested is adequate.

Mr. Bell said that if they extend parking this is property to the West that he may want to build on in the future. Additions on the Westside wouldn't incrouch on the remaining property.

Ms. Wickwar asked Mr. Bell asked about 10 stalls for parking. Mr. Bell said, there are 4 and 6 more. Ms. Wickwar said, if they do build additional buildings in the future they would run into parking problems. Mr. Bell said, depending on the usage of the building.

Mr. Kartchner said that on street, parking doesn't count, and the facility North of town is getting to be a real problem. He said they park on both sides of the street. It is a real problem. Mr. Kartchner was very concerned about Logan City adding onto the Recreation facility. He wants to be careful about adjusting parking downward for one person based on maybe not needing parking. Parking is a big part of this facility he stated.

Mr. Bell would be willing to make out additional parking if the City would send their employees to his Gym. Mr. Kartchner wants to make sure there is enough parking.

Mr. Hooper asked about putting more parking to the South side of the building.

Mr. Larsen asked when his peak hours would be. Mr. Bell said between 5:30 and 8:30 at night. Mr. Larsen would like parking to be considered at its peak. Mr. Bell said there is adequate parking at this time.
STATE OF UTAH
COUNTY OF CACHE

On this 6th day of April, 2000, personally appeared before me Jean Willmore who being first duly sworn, deposits and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal, a daily newspaper published in Logan, City, Cache County Utah, and that the advertisement

LEGAL NOTICE TO RECONSIDER REZONE LOGAN MUNICIPAL COUNCIL

a copy of which is hereto attached, was published in said newspaper for...one (1) issue....

commencing April 6, 2000 and ending April 6, 2000.

Signed

Subscribed and sworn to before me, the day and year above written.

Signed

Notary Public.


LEGAL NOTICE TO CONSIDER REZONE LOGAN MUNICIPAL COUNCIL

The Logan Municipal Council will hold a public hearing to reconsider the following rezone proposal:

QUAIL CANYON III
City of Logan, owner/applicant, requests a rezone of an approved 2.70 acre six-lot subdivision from the Recreation (REC) zone to the Single Family Traditional-X (SFT-X) zone at approx. 1574 Mt. Logan Drive, identified at the Cache County Recorder's Office as TIN #02-003-0016.

Public hearing will be held before the Logan Municipal Council on Wednesday, April 19, 2000, not before 6:15 p.m. in the Council Chambers at 255 North Main Street, Logan, Utah.

Lois Price, Recorder
Publication Date: April 6, 2000.
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE

On this 5th day of May, A.D. 2000,
personally appeared before me, Jean Willmore, who being first duly sworn,
deposes and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal,a daily newspaper published in Logan, City, Cache County Utah, and that the advertisement.

LEGAL NOTICE
SUMMARIES OF ORDINANCES passed by the Logan Municipal Council are as follows:

1. ORD. 00-019. An ordinance amending the Zoning Map of Logan City, was passed April 19, 2000, adopting Amendment #220 rezoning 2.70 acres, more or less, at 1574 Mt. Logan Drive and identified on the Cache County Tax Records as TIN#/02-003-0016 from Recreation (REC) to the Single Family Traditional-X (SFT-X) zone. Also identified as Quail Canyon Subdivision, owned by City of Logan.

2. ORD. 00-17. An ordinance annexing 11 acres of property, more or less, at approximately 1000 North and 1100 West and identified as the "Gossners Annexation," to the municipality of the City of Logan was passed April 19, 2000, after acceptance of the petition of Dolores Wheeler and public hearing, as required by law.

Lois Price, Recorder
Publication Date: May 5, 2000

Signed

Subscribed and sworn to before me, the day and year above written.

 Signed

Notary Public.