



Ent 824905 Bk 1228 Pg 756  
Date 15-May-2003 2:21PM Fee \$0.00  
Michael Gleed, Rec. - Filed By CL  
**Cache County, UT**  
For LOGAN CITY

# 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 Jodie Esplin for consideration of a 22 lot subdivision on 31.81 acres in the Single Family Residential (SFR) zone. Assigned docket number 03-017, the matter was brought to the City of Logan Planning Commission on March 13, 2003.

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, 600 South 1430 West, is more particularly described in the document attached as Exhibit B, Legal Description.

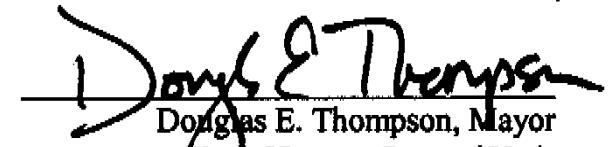
The Official Records of the Planning Commission are maintained in the Office of the Department of Community Development, City of Logan.

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.

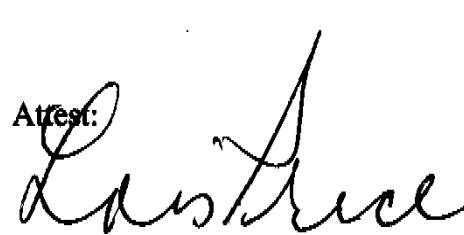
If the application was denied by action of the Planning Commission, the denial may only be reversed by an appeal overturning the Commission's action filed within an appropriate timeframe as established by Titles 16 and 17, Logan Municipal Code; or it may be subject to a different application submitted at a later time.

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

By my hand this 12<sup>th</sup> day of May, 2003

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

Attest:



Lois Price  
Recorder, City of Logan

ORIGINAL



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

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## SUBDIVISION PERMIT

At its meeting of *March 13, 2003*, the City of Logan Planning Commission *conditionally approved PC# 03-017, Green Meadows Subdivision Phase 3 & 4 at 600 South 1430 West*, for a 22 lot subdivision on 31.81 acres in the Single Family Residential (SFR) zone. 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 preliminary plat.
5. 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.
6. 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 or Utah Department of Transportation for work within the State right-of-way.
7. Prior to the submittal of the final plat map, the City Engineer shall review and approve all engineering construction drawings for infrastructure improvements.
8. 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.
9. Prior to the submittal of the plat map, the Director of Community Development shall receive a copy of the 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.

10. The final plat map shall depict a ten-foot public utility easement around the perimeter of the subject property and a five-foot public utility easement on each side of the interior property lines.
  11. 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 #03-017 was heard before the Commission in a public hearing on the 8th day of August, 2002, and was approved in substantial conformance with the requirements and design show upon this plat map. Signed, Jay L. Nielson, AICP, Director of Community Development." The proponent shall ensure that all information is inscribed on the final map with the exception of the actual signature.
  12. 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.
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13. Prior to the submittal of the final plat, the City Engineer shall receive an executed original copy of the Development Agreement for the subdivision.
  14. 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.
  15. Existing irrigation water rights shall not be negatively impacted by this project.

#### **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. *Environmental Health Division – contact Steve Larsen 716-9760*
    1. The proponent shall provide an all weather temporary turn around for the residential collection truck on the south end of Phase three.
  - b. *Fire Department – contact Liz Hunsaker 716-9515*
    1. The proponent shall address fire hydrant location.
    2. The proponent shall address fire department access and turn around.
  - c. *Light and Power Department – contact Garth Turley 716-9741*
    1. 10' Public Utility Easement shall be provided along all property lines and must be included on final site plan.
  - d. *Public Works Department – contact Bill Young 716-9160*
    1. The proponent shall construct curb, gutter, and sidewalks to City of Logan standards.
    2. The proponent shall provide on site storm water detention for a 10 year, 1 hour storm event.
    3. The proponent shall install road pavement to meet City of Logan standards.
    4. The proponent shall provide water and sewer systems to meet City of Logan standards.

#### **RECOMMENDED FINDINGS FOR APPROVAL**

1. The Green Meadows Subdivision Phases 3 & 4 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 Green Meadows Subdivision Phases 3 & 4 is consistent with the goals and policies of the Logan General Plan.
3. 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.
4. The Green Meadows Subdivision Phases 3 & 4 is compatible with existing land uses and zoning.
5. The subdivision lots maintain or enhance neighborhood character.
6. The streets providing access and other infrastructure to the subject property has adequate capacities, or a suitable level of service, for the proposed use.
7. 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.
8. Approval of the Subdivision conforms to the requirements of Utah law.

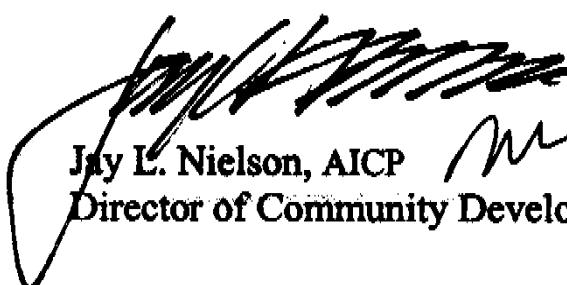
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Some conditions are "ongoing." This means the holder/subdivider shall always be in compliance with the conditions. If you are unable to comply, you must return to the Planning Commission for consideration of an amendment to your approval. Failure to comply, may result in an action by the City to revoke your permit.

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

This action will expire **one year** from the date of the **March 13, 2003** 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. Nielson, AICP  
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's action unless a building permit has been issued by the Department of Community Development. If an extension of time is required, we must submit our request prior to the expiration date 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:  
*Green Meadows Subdivision Phase 3 & 4, by*

*John Lyle Cpl.*  
Title *Operations Manager*  
Date: *4-1-03*

Attachment: Copy of Legal Description, 02-077-0004

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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

020770004, BEG AT NE COR LT 5 BLK 7 PLAT A LOGAN FARM SVY & TH W 96.25 FT TH S 90 RDS TH E 80 RDS 96.25 FT TH N 90 RDS TO S LINE OF LOGAN-MENDON ROAD TH W 80 RDS TO BEG CONT 48.28 AC  
LESS-- GREEN MEADOWS SUBD PHASE 1 AMENDED CONT 7.79 AC NET 40.49 AC M/L

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