



Project #22-001
West Pointe Subdivision Rezone
Located at 310 West 1400 North

REPORT SUMMARY...

Project Name: West Pointe Subdivision Rezone
Proponent/Owner: Jeremy S. Raymond, Olson & Hoggan, LLC / Julie Stoddard, President of West Pointe Subdivision HOA
Project Address: 310 West 1400 North
Request: Rezone from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20) and Subdivision
Current Zoning: MR-12
Date of Hearing: February 10, 2022
Type of Action: Legislative
Submitted By: Tanya Rice, Planner II

RECOMMENDATION

Staff recommends that the Planning Commission recommend **denial** to the Municipal Council for a Rezone of approximately 1.36 acres of property located at approximately 310 W 1400 N (TIN# 05-089-0001, 05-089-0002, 05-089-0003, 05-089-0004, 05-089-0005, 05-089-COMM,) from MR-12 to MR-20.

Land use adjoining the subject property

<i>North:</i>	CS: Commercial Services	<i>East:</i>	MR-12: Mixed Residential Uses
<i>South:</i>	NR-6: Residential Uses	<i>West:</i>	MR-12: Mixed Residential Uses

SITE HISTORY

West Pointe Condominiums (West Pointe) is a 1.36-acre condominium complex consisting of five (5) buildings at 310 West 1400 North. The five (5) buildings are each individually owned with co-ownership of the land maintained and governed by the five building owners via the West Pointe Homeowners Association (HOA). Each of the five buildings are fourplexes, totaling 20 dwelling units in the complex. The remaining areas of the complex are designated as common areas.

This complex is originally known as Lot 2 of 6 of the 1992 Royal Pointe Subdivision. At the time of the initial Royal Pointe subdivision when Lot 2 was legally created, the property was zoned R4 which permitted 19.5 units per acre. The 1.36-acre site would have been allowed up to 26 units. Twenty (20) units were constructed on Lot 2, and in 1994, the West Pointe Condominiums were created through a condominium plat rather than a legal subdivision. The result has been a subdivision of ownership & improvements that the City has not recognized as a legal subdivision of land. Since 1994, the zoning has changed twice and is currently zoned MR-12 (12 units per acre). The current zoning would permit 16 units on the 1.36-acre site.



Figure 1 shows the project request area

PROJECT PROPOSAL

The proponent is requesting a rezone from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20) in order to subdivide the 1.36-acre complex of buildings. The intent is to change the nature of the land & improvements from a “condominium” where only the buildings are individually owned, to a condition where an owner owns both the building and the land underneath. The underlying purpose of the rezone and subdivision is to legitimize the current division of improvements & ownership, tie those improvements & ownership to the real property located underneath, and make the properties easier to market and sale. An HOA, or similar entity, would still be required to own and maintain the common areas, e.g., driveways, open space, etc. A rezone is required to legally subdivide the overall site because the current unit count exceeds the allowable density under the current MR-12 zone. The proposed rezone would permit up to 27 units on the 1.36-acre site.

GENERAL PLAN

The property is currently designated as MR in the Future Land Use Plan (FLUP). The General Plan, a nonregulatory visioning plan, describes Mixed Residential (MR) areas as being intended for all stages of life and levels of income. MR areas are located near employment centers and service areas allowing walkability and transportation choices. MR zones range from 9-30 dwelling units per acre.

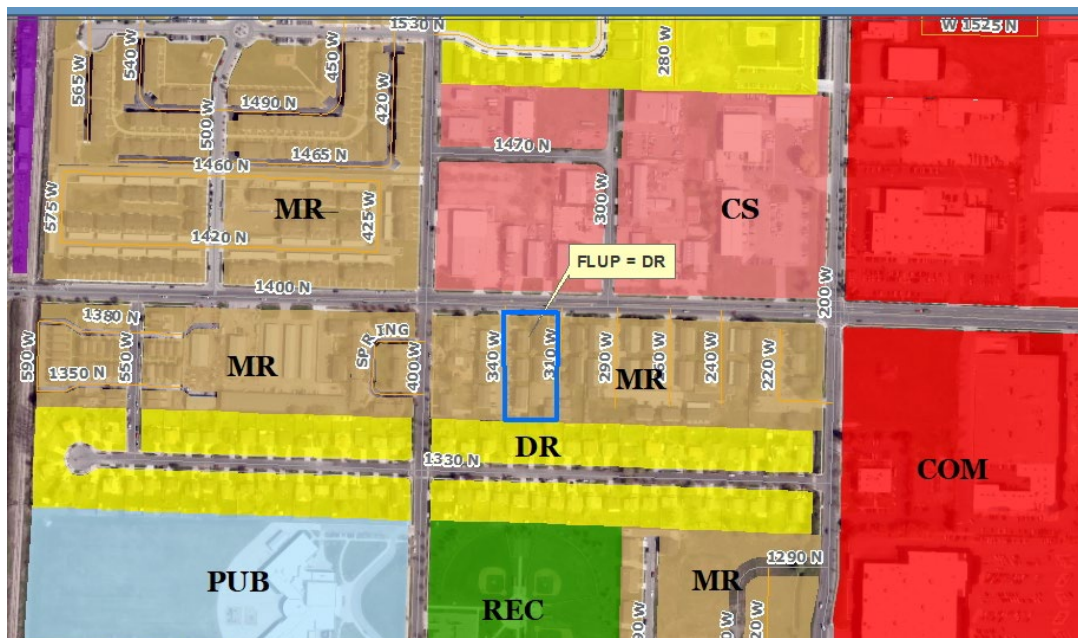


Figure 2 - Future Land Use Map

LAND DEVELOPMENT CODE - ZONING

The Land Development Code (LDC) regulates land uses and entitles properties with specific development allowances. The Mixed Residential Low (MR-12) zoning district (current zoning designation) is a low-density multi-family zone permitting a maximum density of 12 dwelling units per acre. Building heights are limited to 35 feet and lot coverage is capped at 40%. A total of 30% of the site is required to be set aside for open space and outdoor amenity space. This density functions as an appropriate transition between residential areas and commercial centers or higher density complexes.

The Mixed Residential Medium (MR-20) zoning district (requested zoning designation) is a multi-family zone permitting a maximum density of 20 dwelling units per acre. Building heights are limited to 45 feet and lot coverage is capped at 60%. A total of 30% of the site is required to be set aside for open space and outdoor amenity space. Structures in this zone include a mixture of housing types including town houses, apartments, and stacked housing developed at 20 dwelling units per acre.



Figure 3 shows the proposed MR-20 zoning with the surrounding existing zoning

NEIGHBORHOOD COMPATIBILITY

The proposed up-zone to MR-20 is located adjacent to a single-family residential area zoned NR-6, other multi-family complexes zoned MR-12, and a mixture of commercial and light industrial uses located in the CS zone across 1400 North. There are not any other MR-20 zoned properties in the immediate vicinity.

The MR-12 and MR-20 zones are generally similar in design and development standards except the MR-20 allows for more intensive development patterns with taller buildings, greater lot coverages, and higher densities. There are no other MR-20 zoned properties within the immediate area, so increased densities on this site would be incompatible with neighboring single-family residential areas to the south as well as other development patterns in the vicinity. Both the multi-family and single-family residential areas were developed during the same period of time (1994). Adding additional units immediately adjacent changes the overall character. Rezoning this site could lead to similar requests of the adjacent properties in Royal Pointe. The Bridger Neighborhood contains a high percentage of density, multi-family residential development which has negatively impacted the elementary school with high rates of transiency and has contributed to the high rate of transient occupancy. Because the Bridger Neighborhood contains a very high percentage of multi-family residential, the City has authorized a number of

zoning actions to “downzone” Bridger to prevent additional, high-density projects. Rezoning properties to increase the potential density and unit counts is detrimental to the overall neighborhood, the school district, and is contrary to the goals of the Bridger Neighborhood. Staff recommends that this property remain MR-12 zoning.

SUBDIVISION

The owners of the West Pointe Condominiums have enjoyed the benefits of having a subdivision without meeting any of the requirements to be legally created and subdivided. Now, because of the difficulties in marketing and selling these improvements & ownership, the applicant is requesting the City grant an “after the fact” subdivision making it more convenient for them. Staff’s recommendation is that the City deny the proposed subdivision and the proposed rezone.

However, if the Planning Commission and City Council view this request differently, the subdivision of the condominiums is contingent upon the approval of the rezone. The proposed subdivision would be inconsistent with the current zoning. If the rezone is denied, the subdivision is also denied. If the rezone is approved, compliance with the subdivision and zoning standards in MR-20 shall also be met. As a developed site, the expectation is that the subdivision and resulting lots will need to meet minimum zoning setbacks, parking requirements for each building, and minimum open space requirements. As the subdivision is currently proposed, minimum setbacks and open space requirements are not met but can be conditioned. As conditioned, a subdivision permit could be granted.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments have been received.

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, one comment had been received.

PUBLIC NOTIFICATION

Legal notices were posted on the City’s website and the Utah Public Meeting website on 1/3/2022, published in Herald Journal in a quarter page ad on 12/30/2021, Legal Notice published in the Herald Journal on 1/2/2022, and a Public Notice mailed to property owners within 300’ were sent on 12/27/2021.

RECOMMENDED FINDINGS FOR DENIAL of REZONE

The Planning Commission bases its decision on the following findings supported in the administrative record for this project:

1. The existing zoning (MR-12) is compatible with the surrounding neighborhood. The proposed zoning (MR-20) is incompatible with the Bridger Neighborhood.
2. This land was originally developed as a multi-family condominium complex and has functioned as such for 28 years.
3. The change in zoning for a single parcel, in this neighborhood, is contrary to the neighborhood stabilization goals and policies of the Logan General Plan, especially when there are no other parcels zoned MR-20 in the immediate vicinity.
4. Changing the zone from MR-12 to MR-20 is inconsistent with previous zoning actions in this area.

RECOMMENDED CONDITIONS OF APPROVAL of SUBDIVISION if rezone is approved

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. All standard conditions of approval will be recorded with the Subdivision Permit and are available in the Community Development Department.

2. Five (5) lots are approved with this subdivision permit.
3. All building setbacks shall comply with the MR-20 zone and shall be reviewed and approved prior to final plat approval.
4. Two parking stalls per unit will be included within each lot.
5. The overall open space shall comply with the MR-20 zone requirements.
6. The final plat shall be recorded within one (1) year of this action.
7. An HOA, or similar management entity, shall be established to maintain all common areas.
8. Cross access easements shall be granted for access, parking, open space, and utilities.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be 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 the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



APPLICATION FOR PROJECT REVIEW (PETITION FOR REZONE & APPLICATION FOR SUBDIVISION AMENDMENT

For Staff Only				
<input checked="" type="checkbox"/> Planning Commission		<input type="checkbox"/> Land Use Appeal Board		<input type="checkbox"/> Administrative Review
Date Received 11/19/21	Received By	Scheduled Meeting Date JAN. 13, 2022	Zone MK-12	Application Number PC 22-001
Type of Application (Check all that apply): <u>SLIDEX</u> <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input checked="" type="checkbox"/> Subdivision <input type="checkbox"/> Administrative Design Review <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input checked="" type="checkbox"/> Zone Change <input type="checkbox"/> Other				
PROJECT NAME West Pointe Subdivision Rezone				
PROJECT ADDRESS 310 West 1400 North, Logan Utah, 84341			COUNTY PLAT TAX ID # 05-089-0001, 05-089-0002, 05-089-0003, 05-089-0004, 05-089-0005, 05-089-COMM	
AUTHORIZED PROJECT REPRESENTATIVE FOR OWNER Jeremy S. Raymond, Olson & Hoggan, LLC			PHONE # 435-752-1551	
MAILING ADDRESS 130 South Main, Suite 200 P.O. Box 525		CITY Logan	STATE UT	ZIP 84321
EMAIL ADDRESS jsr@oh-pc.com				
PROPERTY OWNER OF RECORD Julie Stoddard, President of West Pointe Subdivision HOA			PHONE # 435-245-4360	
MAILING ADDRESS P.O. Box 113		CITY Providence	STATE UT	ZIP 84332
EMAIL ADDRESS westpointehoa@gmail.com				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE NOTICED AND PRESENTED (Include as much detail as possible - attach a separate sheet if needed) See Attached Proposal			Total Lot Size (acres) 1.36	
			Size of Proposed New Building (square feet) N/A	
			Number of Proposed New Units/Lots N/A	
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permit on behalf of the property owner.			Signature of Property Owner's Authorized Project Representative 	
I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.			Signature of Property Owner 	

PROPOSAL to PLANNING COMMISSION

REZONE and AMENDED SUBDIVISION of

WEST POINTE CONDOMINIUMS

PROPOSAL

West Pointe Condominiums (“West Pointe”) is 1.36-acre condominium subdivision consisting of five (5) units. Each unit holds one (1) Fourplex, totaling twenty (20) dwelling units. It is located at 1400 North 310 West, Logan, Utah 84341. Attached hereto are copies of the 1994 subdivision plat, the 2006 subdivision plat, the proposed amended subdivision plat, and a map of the area.

The homeowner’s association consisting of the five (5) property owners desire to amend the plat to remove any reference to ‘condominiums’ in order to facilitate efficient transfer of ownership of their property rights and obtain appropriate insurance. **To effect this change, the area at issue needs to be rezoned from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20)** to allow the approval of the amended subdivision plat, which removes all references to condominiums.

BACKGROUND

West Pointe is a 1.36-acre condominium subdivision located in Logan City, consisting of five (5) units. Each unit is individually owned and consists of one (1) Fourplex, totaling twenty (20) units. The remaining areas of the subdivision are designated as “common areas.” The units and the common areas are governed by the West Pointe Homeowner’s Association consisting of the five (5) property owners.

For reasons unknown, in 1994, when West Pointe was first created, it was done as a condominium rather than a regular subdivision. Under Utah law, a condominium is “the ownership of a single unit in a multiunit project together with an undivided interest in common in the common areas and facilities of the property.” *See* Utah Code Ann. § 57-8-3(8). In the case of West Pointe, the 1994 subdivision plat consists of the five (5) units, individually separated from each other with “common areas” encompassing the remainder of the plat. Because condominiums traditionally create units of space, it remains unclear who owns certain areas of the land, such as the land directly surrounding each unit and the land beneath each Fourplex.

This confusion unnecessarily encumbers any conveyance of property. Since its approval in 1994, each plot of land has been treated as a subdivision, with each owner conveying her property rights as though she owns the land underneath the building. However, due to its status as a condominium, the buyers and sellers often remain confused about the extent of their property rights. Additionally, property owners have difficulty obtaining appropriate financing due to their status as condominium owners. This confusion is compounded when insurance companies will only provide the property owners with condominium insurance, not the more expansive homeowner’s insurance.

In 1994, West Pointe was zoned as MR-30. Since then, it has been downzoned twice to its current zone of MR-12. With twenty (20) dwelling units total in the condominium subdivision, West Pointe includes 14.7 units per acre, which does not conform with the requirements of an MR-12 zone. *See* Logan Land Development Code (“LDC”) § 17.07.080 (setting a maximum of 12 units per acre in MR-12 zones).

The only remaining way for West Pointe to resolve the confusion about ownership rights is to amend the subdivision plat to remove all references to condominiums. This amended plat needs approval by the City to be recorded. Once recorded, it will officially define each property owner’s respective interest in each lot. However, an application to amend the subdivision plat is not currently possible due to West Pointe’s status as a “legally existing nonconformity.” *See* LDC § 17.52.030.

The goal of this application for a zoning change is only to allow West Pointe to file an amended subdivision plat, officially removing all references to condominiums. Development is neither sought nor anticipated and, if need be, will be expressly prohibited via recorded covenants restricting further development.

DISCUSSION

The LDC aims to promote predictability and consistency in land-use decisions. *See* LDC § 17.01.020(G). Additionally, the LDC was created to improve the quality of the community according to Logan City’s General Plan. *Id.* at § 17.01.020(A). When discussing legally existing, non-conforming land uses, the General Plan permits such uses but states that it “encourage[s] transition to conforming uses whenever feasible.” *See* Logan General Plan § 1.5. The General Plan adds that Mixed Residential Zones are intended to include an assortment of housing types to meet the needs of the diverse housing needs met by these areas. *See* Logan General Plan § 3.3.

The LDC provides guidelines for how a zoning change can ensure its conformance with the LDC and the General Plan. *See* LDC § 17.44.050(A). These include:

1. The location of the subject property is compatible with the purpose of the new zoning district.
2. The subject property is suitable for all development within the new zoning district without increasing the need for variances or special exceptions.
3. The subject property is suitable as a location for all the permitted uses within the new zoning district.
4. The infrastructure providing access and utility services to the subject property have adequate capacities or a suitable level of service for the permitted uses within the new zoning district.
5. The subject property, when used for the permitted uses in the new zoning district, will not be incompatible with adjoining land uses of the purpose of the adjoining zoning districts. *Id.*

These guidelines support the proposition that the West Pointe Subdivision area should be rezoned from MR-12 to MR-20.

First, the location of West Pointe is compatible with the purpose of the new zoning district. The proposed new zoning district is Mixed Residential Medium or MR-20. The purpose of an MR-20 zone is to provide “a diversity and range of housing options for all stages of life.” *Id.* at § 17.07.090. They are located within walking distance of employment centers to allow residents to walk to various services or jobs. *Id.* These purposes are very similar to its current zone of MR-12. The notable difference is that MR-20 allows for eight (8) more units per acre. *Id.* Thus, West Pointe is already conforming with the purposes of MR-20 by conforming with MR-12. The only difference is that, if rezoned, West Pointe will no longer be non-conforming.

Second, West Pointe’s application for rezone and subdivision amendment promotes community development by allowing each of the five (5) Fourplexes to remain in place serving the community. West Pointe cannot apply for an amended subdivision plat correcting the condominium issues because the amended plat would exceed the maximum density requirements for MR-12. Rezoning West Pointe to MR-20 will allow it to conform with density requirements to correct these plat issues without removing one of the buildings to conform with MR-12’s density requirements. Removing one of the Fourplexes would increase waste and decrease the diversity of housing available in the area. On the other hand, rezoning West Pointe to MR-20 will not result in any further development but will preserve the current status quo and allow for the correction of the subdivision plat. The rezone will not increase the need for variances or special exceptions.

Third, West Pointe’s location is suitable for all permitted uses in MR-20. MR-20 is intended to promote the traditional neighborhood character while providing its residents with easy access to nearby services and jobs. *See* General Plan § 3.3. West Pointe’s proximity to main roads such as 1400 North and Main Street provides easy access to the service centers and jobs that line Logan’s Main Street. Though a proposal to increase residential areas may be worrisome at first blush, this application only intends to rezone West Pointe to fix issues with its subdivision plat. **No new development is planned or anticipated in West Pointe.** Additionally, the General Plan notes that as Logan has reached its limits for expanding horizontally, the need for infill and redevelopment must be the focus. *See* General Plan § 1. Infill and redevelopment are expensive processes. *See id.* Rezoning West Pointe to MR-20 will allow it to retain all five (5) of the Fourplexes currently built using the property in the most efficient manner.

Fourth, the infrastructure needed for West Pointe is already in place and no new development will occur. The West Pointe fourplexes are all separately metered for utilities (with the exception of water which is paid by the HOA).

Fifth, if West Pointe is rezoned as MR-20, it will remain compatible with the surrounding districts. Directly surrounding West Pointe to the east and west are MR-12 Districts. A short distance further to the east is the COM (Commercial Zone) surrounding Main Street. To the north is CS (Commercial Service), and to the south is NR-6 (Traditional

Neighborhood Residential). Given the diversity of zoning districts surrounding West Pointe, the classification of MR-20 will not be incompatible with the area's goals. Though the increase in maximum density will differ from the surroundings, the buildings in West Pointe will remain the same, providing housing to the same number of residents. Thus, there will be no change in the overall feel of the neighborhood.

CONCLUSION

West Pointe brings this proposal to change its zoning designation from MR-12 to MR-20 and to correct issues with its 1994 subdivision plat. This zoning change will allow West Pointe to submit an amended subdivision plat removing any references to condominiums. The amended subdivision will allow property owners to understand their property interests more clearly and receive the correct financing and insurance coverage. Though this rezone will increase the maximum permitted density in the area, the use of the land will remain unchanged, and no new development will occur.

West Pointe respectfully requests that the Planning Commission approve this application for rezone and recommend that the City Council amend its zoning district from MR-12 to MR-20 to allow West Pointe to amend its subdivision plat. After the subdivision plat is amended to remove any reference to 'condominiums,' West Pointe is open to rezoning back down to MR-12 if necessary.

Your consideration is appreciated.

/s/ Jeremy Raymond

Jeremy Raymond

Attorney for West Pointe Condominiums

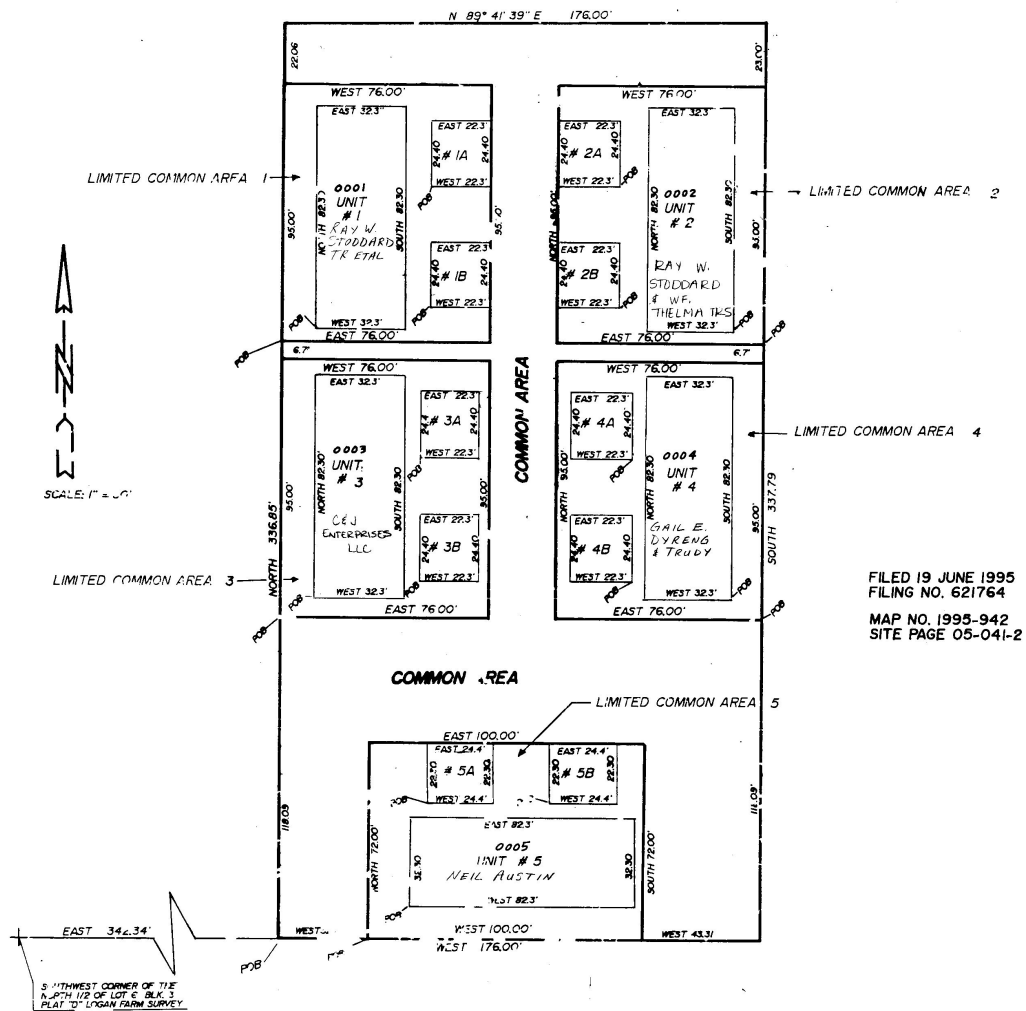
05-089

WEST POINTE CONDOMINIUMS

LOCATED IN SEC. 28, TWP. 12 NO. R 1 E SLB & M
 ALSO PART OF LOT 5 BLK 3, PLAT "D" LOGAN
 FARM SURVEY BEING ALL OF LOT 2 OF THE
 ROYAL POINT SUB. SEPT. 1994

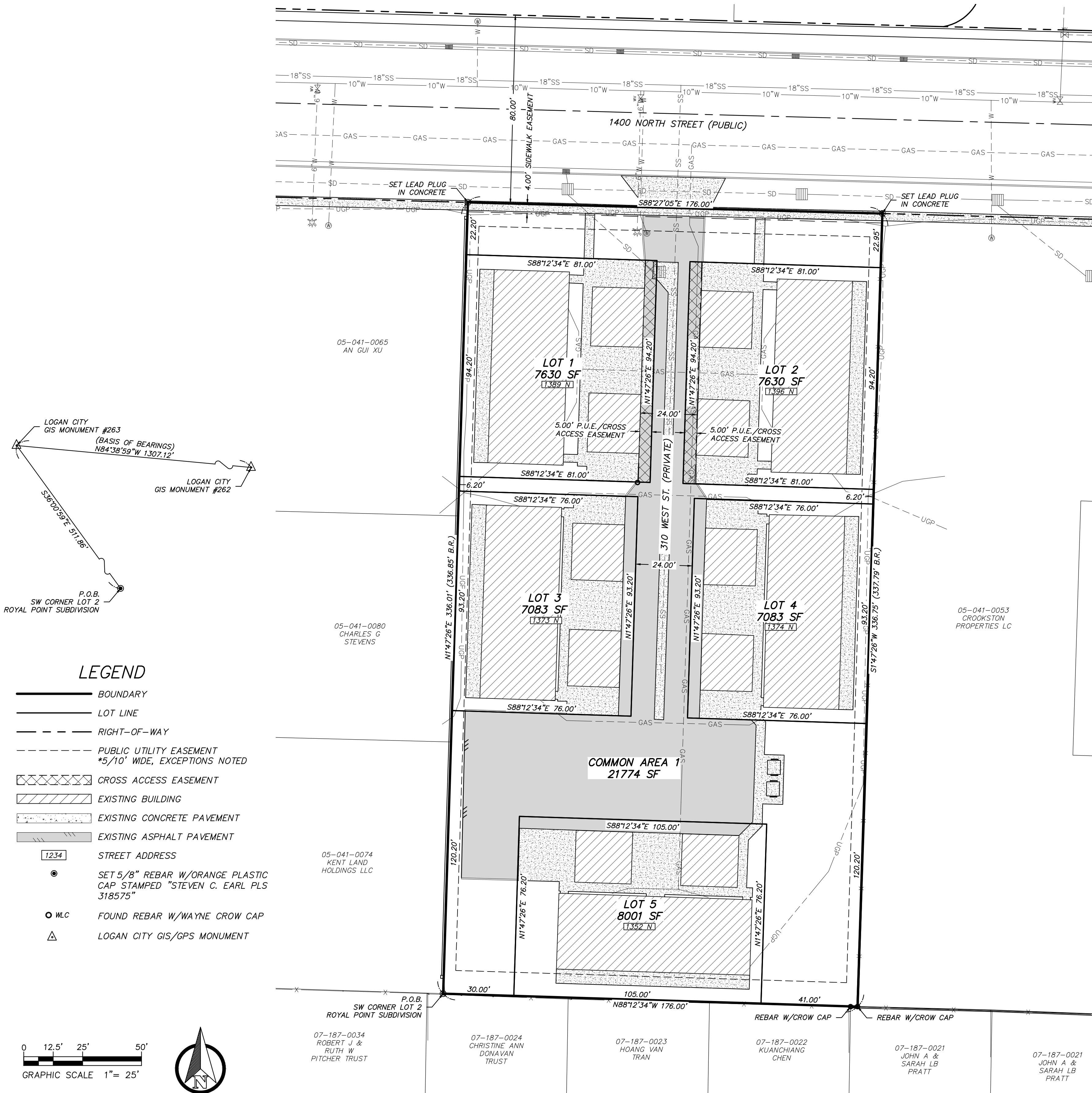
TAX UNIT 27

1400 NORTH STREET



FILED 19 JUNE 1995
 FILING NO. 621764
 MAP NO. 1995-942
 SITE PAGE 05-041-2

WEST POINT SUBDIVISION
(AN AMENDED PLAT OF WEST POINT CONDOMINIUMS)
PART OF SECTION 4 T11N R1E SALT LAKE MERIDIAN
LOGAN CITY, CACHE COUNTY, UTAH



ACKNOWLEDGMENT

STATE OF UTAH } §
COUNTY OF CACHE
ON THIS ____ DAY OF _____, IN THE YEAR 2020, BEFORE ME, _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, TRUSTEE OF THE HELMA STODDARD INTER VIVOS TRUST U/A/D DECEMBER 31, 1999, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THAT SHE HAD THE CAPACITY TO SIGN IN BEHALF OF SAID TRUST, AND THAT SHE SIGNED THIS DOCUMENT IN BEHALF OF SAID TRUST AND THAT SAID TRUST EXECUTED THE SAME.
NOTARY PUBLIC SIGNATURE: _____
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

ACKNOWLEDGMENT

STATE OF UTAH } §
COUNTY OF CACHE
ON THIS ____ DAY OF _____, IN THE YEAR 2020, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, THERON M. STODDARD AND JULIE A. STODDARD, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.
NOTARY PUBLIC SIGNATURE: _____
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

ACKNOWLEDGMENT

STATE OF UTAH } §
COUNTY OF CACHE
ON THIS ____ DAY OF _____, IN THE YEAR 2020, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, NATHAN WELKER, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED HIMSELF TO BE THE MANAGER OF HOLLOW ROAD PROPERTIES, LLC, A LIMITED LIABILITY COMPANY, AND IN THAT CAPACITY BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE LIMITED LIABILITY COMPANY BY HIMSELF AS THE MANAGER.
NOTARY PUBLIC SIGNATURE: _____
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

ACKNOWLEDGMENT

STATE OF UTAH } §
COUNTY OF CACHE
ON THIS ____ DAY OF _____, IN THE YEAR 2020, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, SHUFANG TAO, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED HERSELF TO BE THE MANAGER OF SIXPARKWAY, LLC, A LIMITED LIABILITY COMPANY, AND IN THAT CAPACITY BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE LIMITED LIABILITY COMPANY BY HERSELF AS THE MANAGER.
NOTARY PUBLIC SIGNATURE: _____
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

ACKNOWLEDGMENT

STATE OF UTAH } §
COUNTY OF CACHE
ON THIS ____ DAY OF _____, IN THE YEAR 2020, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, NEIL AUSTIN, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS DOCUMENT, AND ACKNOWLEDGED HE EXECUTED THE SAME.
NOTARY PUBLIC SIGNATURE: _____
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

ACKNOWLEDGMENT

STATE OF UTAH } §
COUNTY OF CACHE
ON THIS ____ DAY OF _____, IN THE YEAR 2020, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, NEIL AUSTIN, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS DOCUMENT, AND ACKNOWLEDGED HE EXECUTED THE SAME.
NOTARY PUBLIC SIGNATURE: _____
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

ACKNOWLEDGMENT

STATE OF UTAH } §
COUNTY OF CACHE
ON THIS ____ DAY OF _____, IN THE YEAR 2020, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____, NEIL AUSTIN, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS DOCUMENT, AND ACKNOWLEDGED HE EXECUTED THE SAME.
NOTARY PUBLIC SIGNATURE: _____
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

PLANNING COMMISSION APPROVAL

THIS SUBDIVISION, ENTERED INTO CITY RECORDS AS PLANNING COMMISSION DOCKET # _____, WAS HEARD BEFORE THE COMMISSION IN A PUBLIC HEARING ON THE ____ DAY OF _____, IN THE YEAR _____. AND WAS APPROVED IN SUBSTANTIAL CONFORMANCE WITH THE REQUIREMENTS AND DESIGN SHOWN UPON THIS PLAT MAP.

MIKE DESIMONE, DIRECTOR OF COMMUNITY DEVELOPMENT

SURVEY CERTIFICATE

I, STEVEN C. EARL, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 318575-2201, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, TOGETHER WITH EASEMENTS, HEREINAFTER TO BE KNOWN AS WEST POINT SUBDIVISION AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.

LEGAL DESCRIPTION

PART OF THE NORTH HALF OF SECTION 28, TOWNSHIP 12 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN; ALSO A PART OF LOT 6, BLOCK 3, PLAT D OF THE LOGAN FARM SURVEY, LOCATED IN LOGAN CITY, CACHE COUNTY, UTAH, DESCRIBED AS FOLLOWS:

LOT 2 OF ROYAL POINT SUBDIVISION, ENTRY 565507, FILED ON OCTOBER 13, 1992.

CONTAINING 1.36 ACRES, MORE OR LESS.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNERS OF THE TRACT OF LAND DESCRIBED HEREON, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS:

WEST POINT SUBDIVISION
AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL STREETS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF UTILITY LINES AND FACILITIES. FURTHERMORE, WE INCORPORATE THE NOTES AND RESTRICTIONS LISTED HEREON.

BY: THELMA STODDARD INTER VIVOS TRUST, U/A/D December 31, 1999 (LOTS 1 AND 2)

BY: _____
THELMA STODDARD, TRUSTEE

BY: _____
THERON M. STODDARD (LOT 1) JULIE A. STODDARD (LOT 1)

BY: _____
HOLLOW ROAD PROPERTIES LLC (LOT 3)
BY: _____
NATHAN WELKER, MANAGER

BY: _____
SIXPARKWAY LLC (LOT 4)
BY: _____
SHUFANG TAO, MANAGER

BY: _____
NEIL AUSTIN (LOT 5)

SURVEY NARRATIVE

THIS SURVEY WAS ORDERED BY JONATHAN NASH TO CONVERT THE SUBJECT PROPERTIES FROM CONDOMINIUMS TO STANDARD BUILDING LOTS AS SHOWN. ROYAL POINT SUBDIVISION, GREENFIELD VILLAGE SUBDIVISION, AND THE RIGHT-OF-WAY FOR 1400 NORTH STREET WERE RETRACED TO RE-ESTABLISH THE BOUNDARIES AS SHOWN. 24 INCH LONG 5/8" REBARS WITH ORANGE PLASTIC CAPS STAMPED "STEVEN C EARL PLS 318575" WERE SET AT ALL CORNERS, EXCEPTIONS NOTED.

NOTES & RESTRICTIONS

- COMMON AREA 1 IS SUBJECT TO A BLANKET PUBLIC UTILITY EASEMENT. IT IS ALSO SUBJECT TO A BLANKET CROSS ACCESS EASEMENT FOR INGRESS AND EGRESS TO ALL LOTS.
- LOTS 1 AND 2 ARE SUBJECT TO 5-FEET WIDE EASEMENTS FOR PUBLIC UTILITIES AND INGRESS/EGRESS AS SHOWN.

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS ____ DAY OF _____, 2020.

KYMBER HOUSLEY, CITY ATTORNEY

LAND USE AUTHORITY

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE AND THE CITY ORDINANCE, THIS ____ DAY OF _____, 2020.

WILLIAM YOUNG, CITY ENGINEER

COUNTY RECORDER'S NO.

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ FEE _____ ABSTRACTED _____

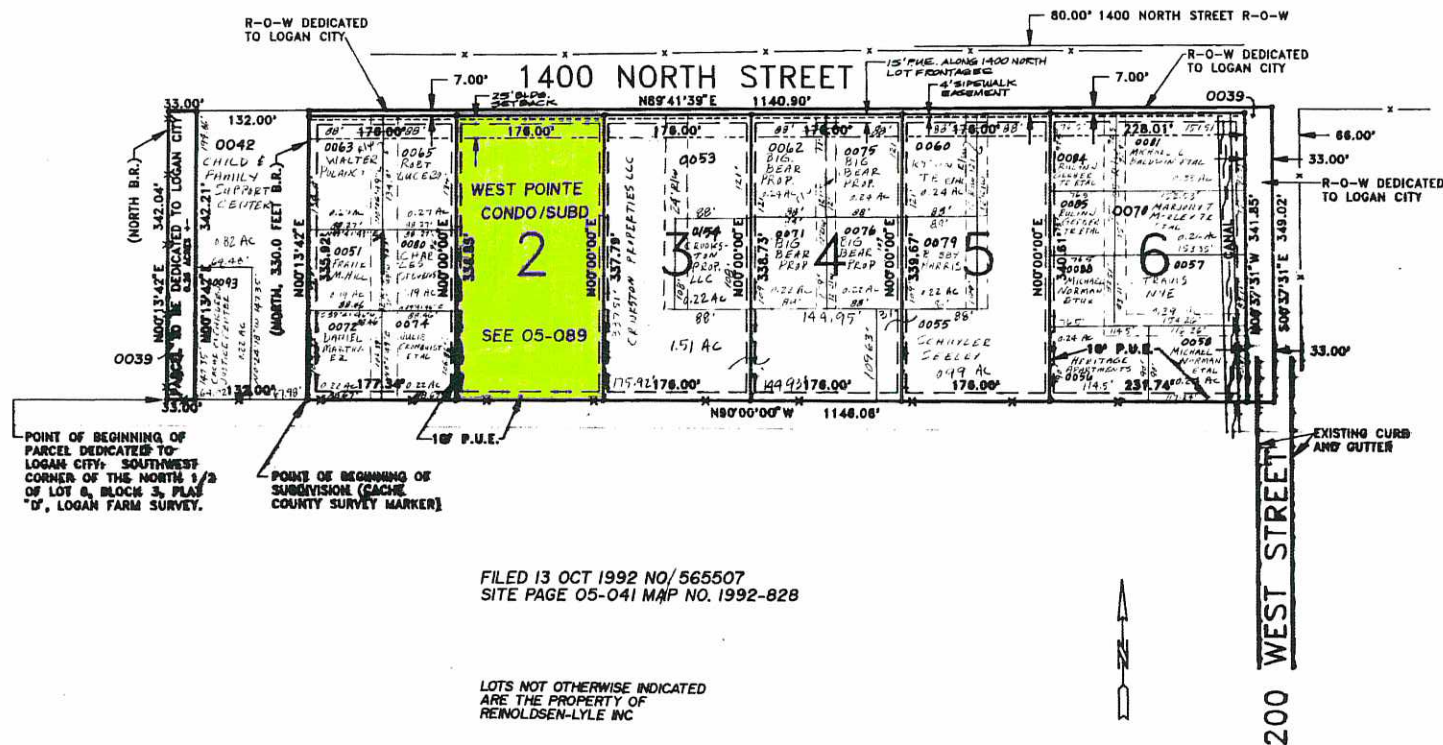
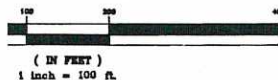
INDEX FILED IN: FILE OF PLATS MICHAEL GLEED, COUNTY RECORDER

ROYAL POINT SUBD

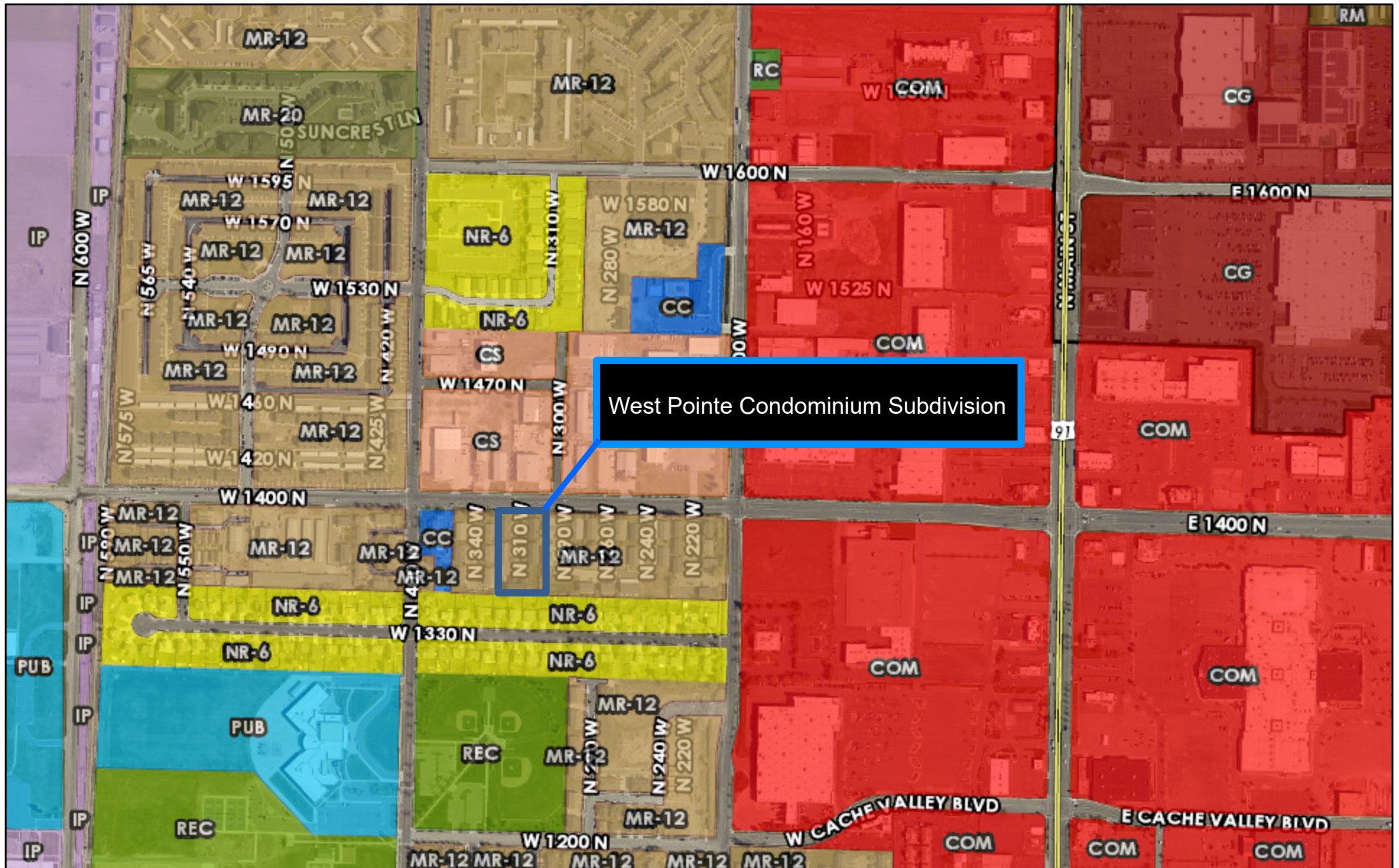
PART OF THE NORTH HALF OF LOT 6, BLOCK 3,
PLAT "D", LOGAN FARM SURVEY OF THE NORTH
HALF SECTION 28, TOWNSHIP 12 NORTH, RANGE
1 EAST OF THE SALT LAKE BASE AND MERIDIAN.



GRAPHIC SCALE



Parcel Map





7/8/2021, 9:08:10 AM

— Override 1 — Override 2

Areas	Wellsville Zoning
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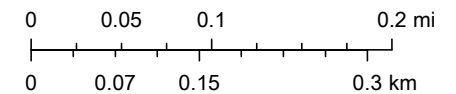
 Override 1  NEIGHBOR

 COMMUNITY COMMERCIAL - C1 - C2  MANUFACTURING

 GENERAL COMMERCIAL - GC

 HIGHWAY COMMERCIAL - CH

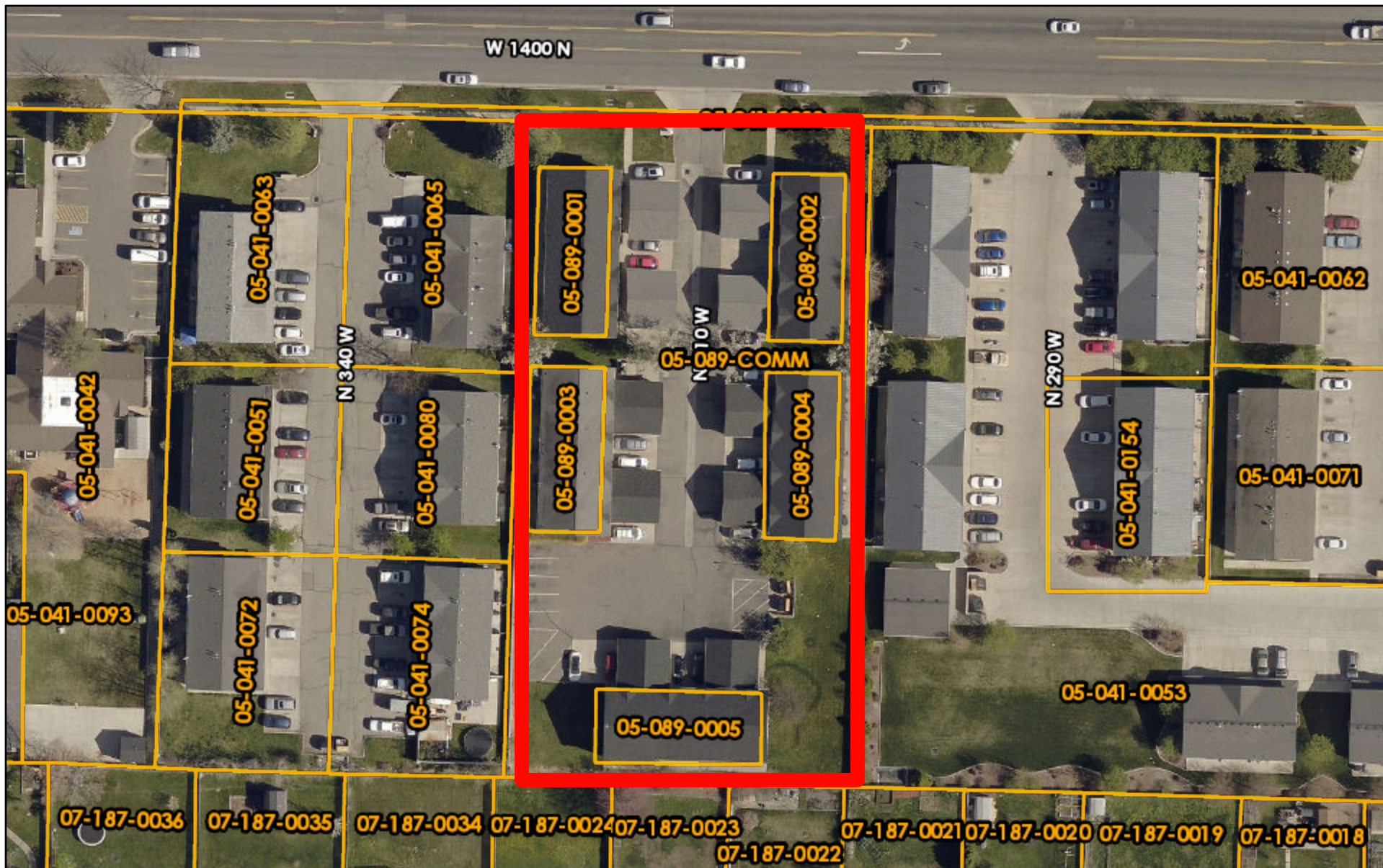
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Maxar

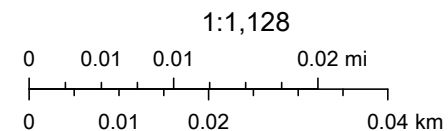
Web AppBuilder for ArcGIS

Parcel Map



7/2/2021, 11:37:31 AM

- | | | |
|--------------------|------------------------------|---------------------------|
| Override 1 | CITY CENTER COMMERCIAL - CCC | COMMUNITY COMMERCIAL - CC |
| North Logan Zoning | CITY CENTER ADJACENT - CCA | DOWNTOWN - DT |
| AGRICULTURAL - A10 | COMMERCIAL GENERAL - CG | HOSPITAL - HOSP |



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