

Midway City Council
4 February 2020
Regular Meeting

Pine Canyon Paradise /
Plat Amendment



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: February 4, 2020

NAME OF PROJECT: Pine Canyon Paradise

NAME OF APPLICANT: Summit Engineering

NAME OF OWNER: BB Ventures LLC

AGENDA ITEM: Plat Amendment to combine Lots 1 and 2

LOCATION: 523 North Pine Canyon Road

ZONING DESIGNATION: R-1-15 zone

ITEM: 10

Summit Engineering, agent for BB Ventures LLC, is requesting a Plat Amendment of Pine Canyon Paradise, a two-lot subdivision. The proposal is to combine lots 1 and 2 into one building lot. The property is located at 523 North Pine Canyon Road and is in the R-1-15 zone.

BACKGROUND:

BB Ventures LLC is proposing a plat amendment of Pine Canyon Paradise which is located at 523 North Pine Canyon Road and is in the R-1-15 zone. The applicant is proposing to combine lots 1 and 2 into one lot to create more space around a future home. Lot 1 is 2.11 acres and Lot 2 is 0.79 acres. The proposed lot will be 2.9 acres, if the lot combination is approved. In the past few years the City has approved seven similar plat amendments where lots were combined.

The approval of the plat amendment will reduce the traffic in the area by, potentially, ten trips per day. It will also create more open space because only one dwelling will be allowed instead of two that are currently allowed. Overall density in the subdivision will also be reduced if the proposal is approved. The applicant will benefit from reduced property taxes if the lots are combined into one lot.

ANALYSIS:

For the Land Use Authority to approve a plat amendment Utah State Code dictates that the Land Use Authority consider the petition in a public meeting. The City Council should consider if the proposal is in the best interest of the community and if the petition matches the vision of Midway as described in the General Plan. The General Plan describes, among many things, the preservation of open space and the rural atmosphere of Midway. This proposal seems to help reach those two goals by reducing the number of dwellings that will be built in the subdivision. Lowering density reduces the impact of development on the community by reducing potential services required by a developed lot, traffic (on average about ten trips per day) and potential impact on the school district.

Most plat amendments and plat vacations are legislative items and the City Council is not obligated to allow any changes even if they feel that the applicant complies the requirements of the Code. Subsection 9a-608(2)(a) states “a land use authority may consider at a public meeting an owner’s petition to vacate or amend a subdivision plat if the petition seeks to:”

- (i) join two or more of the petitioner fee owner's contiguous lots;

No public street, right-of-way, easement will be vacated or altered. A public utility easement that runs along the shared lot line of lots 1 and 2 will be removed.

PROPOSED FINDINGS:

- Potential trips per day generated from the two lots will be reduced
- Density in the subdivision will be reduced
- The area will feel more open because of the reduction of one lot
- No public street, right-of-way, or easement will be vacated or altered

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council finds there is good cause to approve the proposal.
 - a. Accept staff report
 - b. Reasons for approval (findings)
 - c. Place condition(s) if needed

2. Continuance. This action can be taken if the City Council finds that there are unresolved issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again

3. Denial. This action can be taken if the City Council finds that the request does not meet the intent of the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial



Farm Rd

720 N

350 W St

Probst Way

Mountain Springs Dr

S Fairway Dr

Rainbow Ln

Cottage Creek Ct

Pine Canyon Rd

Sharon Ln



PINE CANYON PARADISE

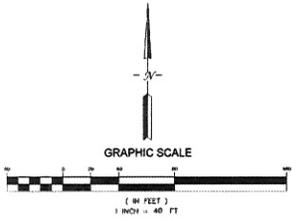
A SMALL SUBDIVISION IN MIDWAY, UT

FOUND PIPE MONUMENT MARKING THE (100) ACCEPTED LOCATION OF THE NORTH 1/4 CORNER SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

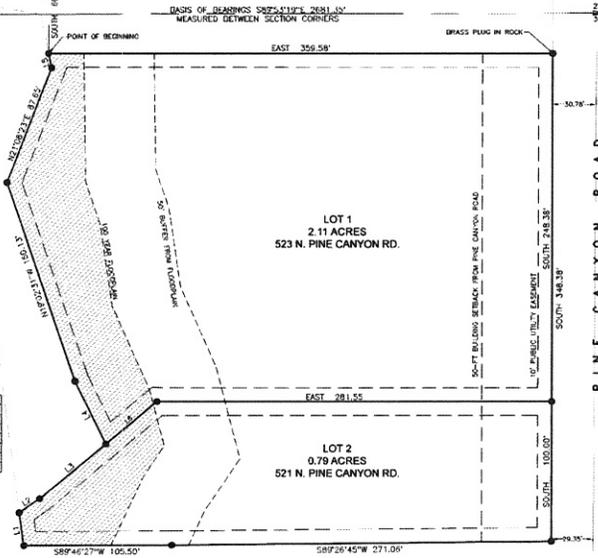
FOUND WASATCH COUNTY MONUMENT AT THE NORTH 1/4 CORNER SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

NORTH 32.62'
WEST 19.86'
EAST 219.17'
SOUTH 60.30'

FOUND WASATCH COUNTY MONUMENT AT THE NORTHEAST CORNER SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.



LINE	BEARING	DISTANCE
L-1	N 21°54'09" W	23.85'
L-2	N 50°53'40" E	17.82'
L-3	N 89°10'51" E	61.08'
L-4	N 20°13'23" W	49.91'
L-5	N 2°47'10" W	10.45'
L-6	N 50°12'51" E	42.59'



PINE CANYON PARADISE SMALL SUBDIVISION PLAT NOTES

The current zoning of the development property is R-1-15. Construction of single-family homes is allowed on these two lots, subject to current city setbacks and building requirements.

Utility laterals coming from Pine Canyon Road for water and sewer are located on the east side of the two lots. Gas, power, and telephone are also available in Pine Canyon Road. Lot owners, at their own expense, shall connect to the existing utility main lines in Pine Canyon Road upon construction of a house.

LEGEND
● SET REBAR & CAP STAMPED "TMMT INC"

MIDWAY SANITATION DISTRICT
CHAIRMAN: *[Signature]* 10-2-19 DATE

MIDWAY IRRIGATION COMPANY
CHAIRMAN: *[Signature]* 10-7-2019 DATE

COUNTY SURVEYOR
[Signature] RBS 2579 9-28-19 DATE

SURVEYOR'S CERTIFICATE

DATE: 9-28-19
SURVEYOR (SEE SEAL BELOW): *[Signature]*

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS EAST 219.17 FEET, AND SOUTH 60.36 FEET FROM A PIPE MARKING THE LONG-ACCEPTED LOCATION OF THE NORTH 1/4 CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN (SAID MONUMENT BEING LOCATED 32.62 FEET NORTH AND 19.86 FEET WEST OF THE WASATCH COUNTY SURVEYORS BRASS CAP); AND RUNNING THENCE EAST 359.58 FEET; THENCE SOUTH 348.28 FEET; THENCE SOUTH 89°20'45" WEST 271.06 FEET; THENCE SOUTH 89°46'27" WEST 105.50 FEET; THENCE NORTH 07°34'09" WEST 23.85 FEET; THENCE NORTH 55°33'40" EAST 17.82 FEET; THENCE NORTH 50°16'51" EAST 61.08 FEET; THENCE NORTH 20°13'23" WEST 49.91 FEET; THENCE NORTH 92°07'31" WEST 156.53 FEET; THENCE NORTH 22°08'23" EAST 87.85 FEET; THENCE NORTH 11°47'30" WEST 10.45 FEET TO THE POINT OF BEGINNING, CONTAINING 2.90 ACRES.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS SOUTH 89°51'38" EAST BETWEEN TWO FOUND WASATCH COUNTY MONUMENTS LOCATED AT THE NORTH QUARTER CORNER AND THE NORTHEAST CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

OWNER'S DEDICATION AND CONSENT TO RECORD

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS 13 day of September, 2019.

BB VENTURES, LLC
BY: *[Signature]*
FOR: MANAGER

ACKNOWLEDGMENT

STATE OF UTAH, COUNTY OF WASATCH, I, *[Signature]*, J.P.S., on this 13 day of September, 2019, personally appeared before me, the officer of the above and signed and acknowledged to me that he signed it freely and voluntarily and for the uses and purposes therein mentioned.

WITNESSED BY ME: *[Signature]* 10/3/19
PUBLIC OFFICER, UTAH COUNTY

MY COMMISSION EXPIRES: 12-27-2020

ACCEPTANCE BY MIDWAY CITY

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE CREATION OF LOTS, EASEMENTS, STRIPS AND PORTIONS OF LOTS HEREIN SHOWN.

APPROVED BY: *[Signature]* DATE: 10/3/19
APPROVED BY: *[Signature]* DATE: 10/3/19

PLANNING COMMISSION APPROVAL

WILL R. KELSO 9-28-2019 JENNIFER P. VERA 9/28/19
DIRECTOR, PLANNING DEPARTMENT DATE CHAIRMAN, PLANNING COMMISSION DATE

PINE CANYON PARADISE

LOCATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SEAM IN MIDWAY CITY, WASATCH COUNTY, UTAH.

SCALE: 1" = 40 FEET

MIDWAY PUBLIC SEAL, CITY ENGINEER SEAL, CLERK OF COURTS SEAL, COUNTY RECORDER SEAL.

NO. 148796, BING CHRISTENSEN, COUNTY RECORDER, STATE OF UTAH, 10-3-19.

RECORDED: 10-21-2019 9:32 AM, \$54.00, FOR BB VENTURES, LLC, BY LA.

PROJECT NO: L17-262
SHEET NO: 1 OF 1

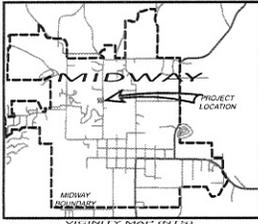
MIDWAY CITY
WASATCH COUNTY
LOCATED IN THE NE 1/4, SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SLB&M

PINE CANYON PARADISE SUBDIVISION PLAT

Summit Engineering Group Inc.
Structural • Civil • Surveying

PINE CANYON PARADISE AMENDED

A SMALL SUBDIVISION IN MIDWAY, UT

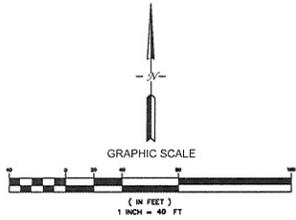


FOUND PIPE MONUMENT MARKING THE LONG ACCEPTED LOCATION OF THE NORTH CORNER SECTION 34, TOWNSHIP 3 SOUTH RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

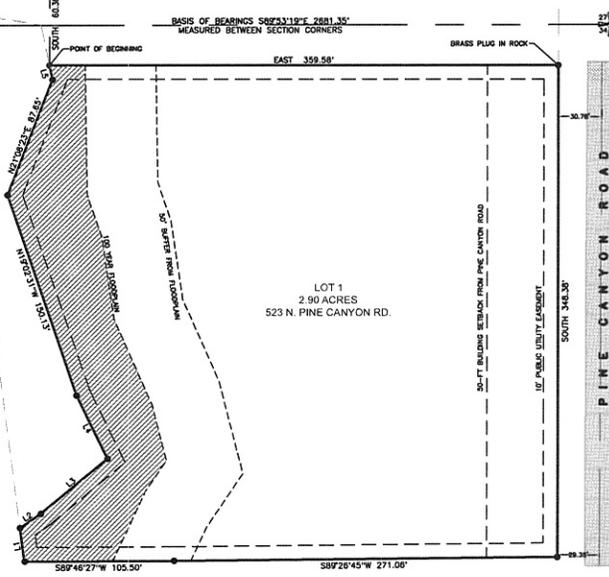
NORTH 32.82° WEST 19.88' EAST 219.17'

FOUND WASATCH COUNTY MONUMENT AT THE NORTH 1/4 CORNER SECTION 34, TOWNSHIP 3 SOUTH RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

FOUND WASATCH COUNTY MONUMENT AT THE SOUTHWEST CORNER SECTION 34, TOWNSHIP 3 SOUTH RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.



LINE	BEARING	DISTANCE
L1	N 02°34'09" W	23.80'
L2	N 55°33'40" E	17.80'
L3	N 50°18'51" E	61.00'
L4	N 22°13'53" W	49.91'
L5	N 11°47'10" W	10.45'



PINE CANYON PARADISE
SMALL SUBDIVISION
PLAT NOTES

1. THE PURPOSE OF THIS AMENDMENT IS TO COMBINE THE TWO ORIGINAL LOTS INTO ONE LARGER LOT.
2. THE CURRENT ZONING OF THE DEVELOPMENT PROPERTY IS R-1-15. CONSTRUCTION OF SINGLE-FAMILY HOMES IS ALLOWED ON ONE LOT, SUBJECT TO CURRENT CITY SETBACKS AND BUILDING REQUIREMENTS.
3. UTILITY LATERALS COMING FROM PINE CANYON ROAD FOR WATER AND SEWER ARE LOCATED ON THE EAST SIDE OF THE ONE LOT. GAS, POWER, AND TELEPHONE ARE ALSO AVAILABLE IN PINE CANYON ROAD. LOT OWNERS, AT THEIR OWN EXPENSE, SHALL CONNECT TO THE EXISTING UTILITY MAIN LINES IN PINE CANYON ROAD UPON CONSTRUCTION OF A HOUSE.

LEGEND

● SET NEWM & CAP STAMPED "SUMMIT ENG"

MIDWAY SANITATION DISTRICT	
CHAIRMAN	DATE
MIDWAY IRRIGATION COMPANY	
CHAIRMAN	DATE
COUNTY SURVEYOR	
COUNTY SURVEYOR	DATE

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-61-603 OF THE UTAH CODE, I, **PEGGY FOY BALSER**, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 14098 IN ACCORDANCE WITH TITLE 36, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 10-2-11 OF THE UTAH CODE, AND HAVE SURVEYED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT.

DATE: _____ SURVEYOR (SEE SEAL BELOW): _____

BOUNDARY DESCRIPTION

ALL OF LOTS 1 AND 2 OF THE PINE CANYON PARADISE SUBDIVISION PLAT (SEE ENTRY #470030)

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS SOUTH 89°53'18" EAST BETWEEN TWO FOUND WASATCH COUNTY MONUMENTS LOCATED AT THE NORTH QUARTER CORNER AND THE NORTHEAST CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

OWNER'S DEDICATION AND CONSENT TO RECORD

THE UNDERSIGNED OWNER OF THE PROPERTY DESCRIBED HEREON HAS CAUSED THE SAME TO BE COMBINED INTO ONE LOT WITH PUBLIC UTILITY EASEMENTS AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CITY APPROVAL, HEREBY DEDICATES THOSE AREAS LABELED AS PUBLIC ROADS AND PUBLIC UTILITY EASEMENTS TO MIDWAY CITY FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC ROADS AND UNDERGROUND PUBLIC UTILITIES.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS DAY OF _____, 2020.

BY: **TRISH BLACK**
ITS MANAGER

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF }
ON THE DAY OF _____, 2020, PERSONALLY APPEARED **TRISH BLACK**, THE SIGNER OF THE ABOVE OWNER'S DEDICATION AND PUBLIC UTILITY EASEMENTS TO ME THAT SHE IS THE FREE AND VOLUNTARY LAND FOR THE USES AND PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC (SEE SEAL BELOW): _____

ACCEPTANCE BY MIDWAY CITY

THIS CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS OF WAY HEREON SHOWN.

APPROVED: MAYOR _____ DATE _____ ATTEST: CITY RECORDER _____ DATE _____

APPROVED: CITY ENGINEER _____ DATE _____ ATTEST: CITY ATTORNEY _____ DATE _____

PLANNING COMMISSION APPROVAL

DIRECTOR, PLANNING DEPARTMENT _____ DATE _____ CHAIRMAN, PLANNING COMMISSION _____ DATE _____

PINE CANYON PARADISE AMENDED

LOCATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, S.L.B.&M. IN MIDWAY CITY, WASATCH COUNTY, UTAH.

SCALE: 1" = 40 FEET

SURVEYOR'S SEAL	NOTARY PUBLIC'S SEAL	CITY ENGINEER SEAL	CLERK RECORDER SEAL
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COUNTY RECORDER

ENTRY # _____ DATE: _____ TIME: _____

FEEL: _____ BOOK: _____ PAGE: _____ FOR: _____

BY: _____ WASATCH COUNTY RECORDER PEGGY FOY BALSER.

Summit Engineering Group Inc.
STRUCTURAL, CIVIL, LAND SURVEYING
1000 WEST 1000 SOUTH, SUITE 100
MIDWAY, UT 84042

DATE: JANUARY 12, 2020	REVISIONS
DRAWN BY: CAM	
REVIEWED BY: JWP	
APPROVED BY: JFC	

MIDWAY CITY
WASATCH COUNTY
LOCATED IN THE NE 1/4, SECTION 34, TOWNSHIP 3 SOUTH, RANGE 4 EAST, S.L.B.&M.

PINE CANYON PARADISE AMENDED

PROJECT NO:	L17-262
SHEET NO:	1 OF 1