

Midway City Council
20 September 2022
Regular Meeting

Rising Heights Subdivision /
Preliminary and Final Approval



Midway

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: September 20, 2022
NAME OF PROJECT: Rising Heights Small Subdivision
NAME OF APPLICANT: Berg Engineering
OWNER: Rising Heights LLC
AGENDA ITEM: Preliminary/Final Approval
LOCATION OF ITEM: 950 East Michie Lane
ZONING DESIGNATION: R-1-11

ITEM: 14

Berg Engineering, agent for Rising Heights LLC, is proposing a one lot subdivision, to be known as Rising Heights subdivision. The lot is 4.78 acres and is located approximately 950 E Michie Lane and is in the R-1-11 zone.

BACKGROUND:

This request is for preliminary/final approval of a small-scale subdivision on 4.78 acres that will contain one lot. The proposed lot will obtain frontage along Michie Lane. The property is in the R-1-11 zoning district and the lot complies with the minimum requirements of frontage, width, and acreage for a lot in this zone. The applicant will install all required infrastructure for the proposed subdivision.

Sensitive Lands – The applicant has not identified any sensitive lands that are in the subdivision area except for some minor, localized areas above 25% slope. No buildings will be allowed in areas with slopes greater than 25%.

Setbacks – The small-scale subdivision code requires a 50' front setback for any proposed structures fronting Michie Lane. The required setback will be noted on the plat.

Michie Lane – A previous property owner dedicated the right-of-way to Midway for Michie Lane. If the previous dedication has not deeded all the property required based on the current master street plan, then the property required property will be dedicated with the recording of the plat. Michie Lane is categorized as a collector street with a 76' right-of-way width.

Fire Flow - A fire hydrant will need to be located within 500' of the structures, measured by the route of a fire hose from the fire hydrant to the future building sites.

Access – The proposed lot has frontage and direct access from Michie Lane.

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Simons: I make a motion that we recommend approval for a one lot subdivision, to be known as Rising Heights subdivision. The lot is 4.78 acres and is located approximately 950 E Michie Lane and is in the R-1-11 zone. We accept staff findings in the staff report with no conditions.

Seconded: Commissioner Garland

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

Ayes: Commissioners: Ream, Bouwhuis, Wardle, Osborne, Lineback, Garland and Simons

Nays: None

Motion: Passed

WATER BOARD RECOMMENDATION:

The Water Board recommended approval during their 8-1-2022 meeting with the following water dedication requirement:

- 4.79-acre parcel (208,652 sq. ft.)
 - Impervious area for school, roads, parking, & hardscape
 - 1.55 acres (67,518 sq. ft.)
 - Building 0.34 acres
 - Roads & Parking 0.7 acres

- Hardscape 0.51 acres
- Irrigated acreage
 - 2.65 acres x 3 = 7.95 acre feet
 - Grass 0.75 acres
 - Native/Wild Flower Mix 1.25 acres
 - Planter Beds 0.66 acres
 - Non-irrigated area
- 1 culinary connection (250 day x 15 GPD x 85 people)
 - 0.98 acre feet
- 8.98 acre feet requirement

POSSIBLE FINDINGS:

- The proposed lot does meet the minimum requirements for the R-1-11 zoning district
- The proposal does meet the intent of the General Plan for the R1-1-11 zoning district
- Review for access, road connectivity, and water rights have been considered for a future school and not any other uses.
- The applicant will be required to install or bond for all unfinished improvements previous to the plat being recorded
- The duration of Preliminary/Final Approval shall be for one year from the date of approval of the development by the City Council. If the Final Plat is not recorded with the County Recorder within the one-year period of time, the development's approval shall be voided, and both Preliminary and Final Approvals must be re-obtained to reinstate the project, unless, upon request by the applicant and on a showing of extenuating circumstances, the City Council extends the time limit for plat recording, with or without conditions. No more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension.

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council finds the proposal complies with the requirements of the Land Use Code.
 - a. Accept staff report
 - b. List accepted 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 comply with the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITIONS:

1. None

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Christen • Jeffery Drury
J.C. Simonsen • Steve Dougherty
Kevin Payne



75 North 100 West
P.O. Box 277
Midway, Utah 84049
Phone: 435-654-3223
Fax: 435-654-4120
midwaycityut.org

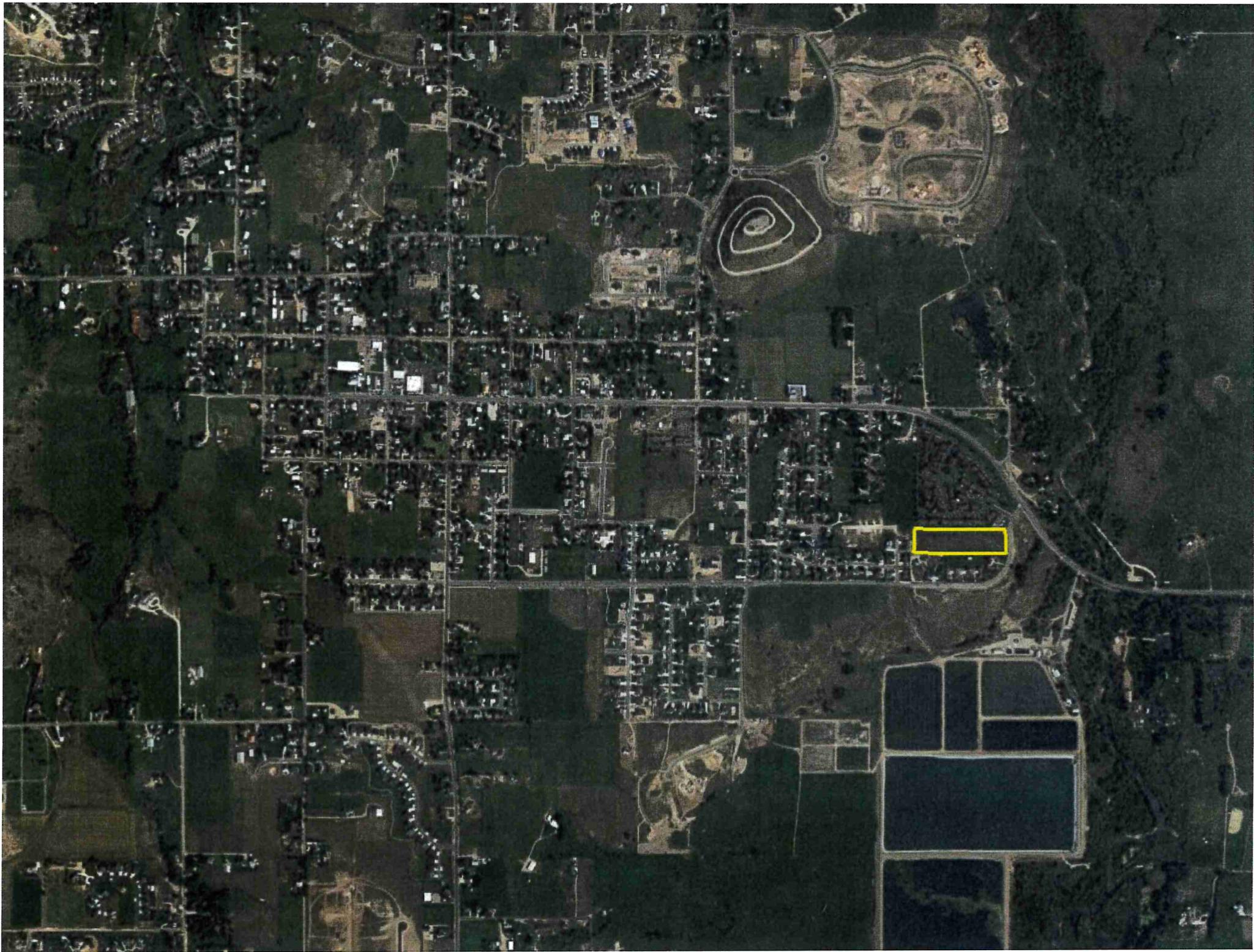
Rising Heights LLC General Plan Amendment

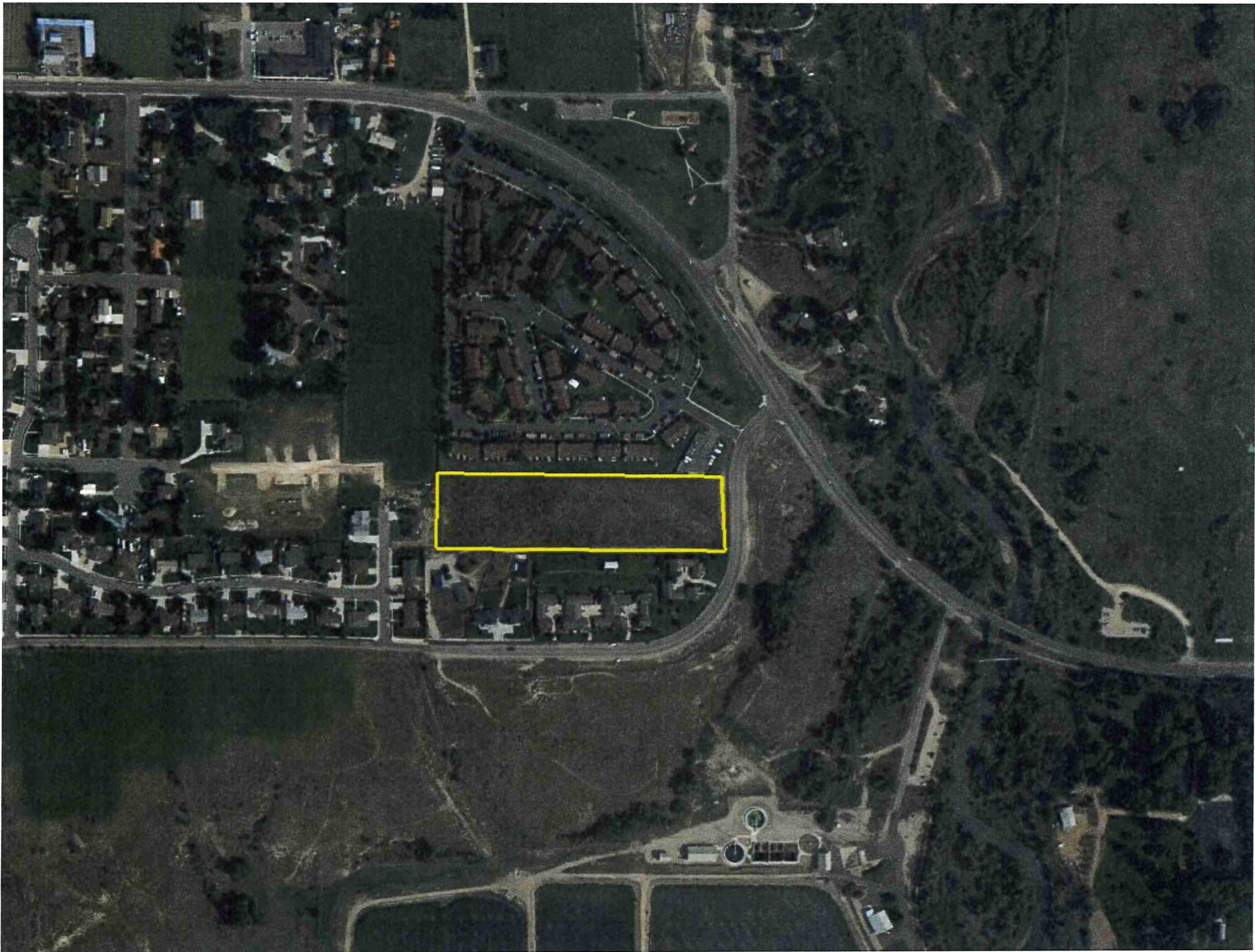
July 6, 2022

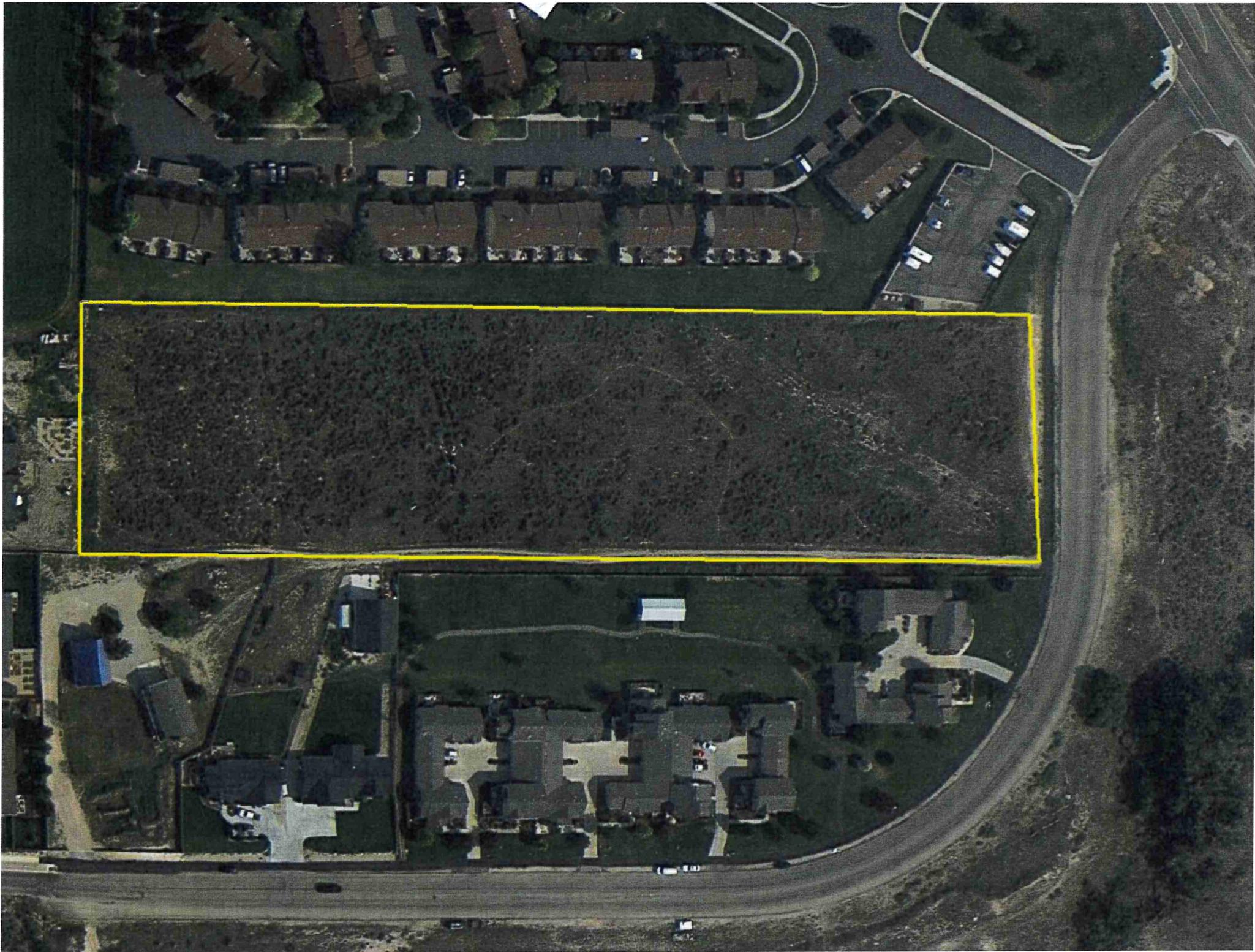
Michael Henke Midway City Planning Director,

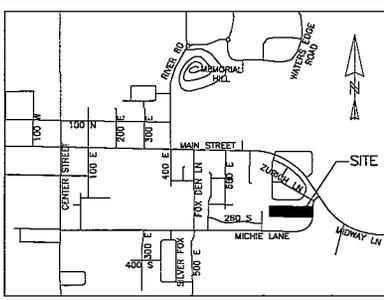
I have reviewed the Rising Height LLC General Plan Amendment for compliance with the 2018 International Fire Code (2018 IFC). I have no fire code concerns currently. Once more detailed plans are available, I will review this development for 2018 IFC code compliance verify proper hydrant location & distances from structures, road widths, etc.

Tex R. Couch CBO/MCP
Midway City Building Official/Fire Marshal
75 West 100 North
Midway, Utah 84049
tcouch@midwaycityut.org
(435)654-3223 Ext. 107







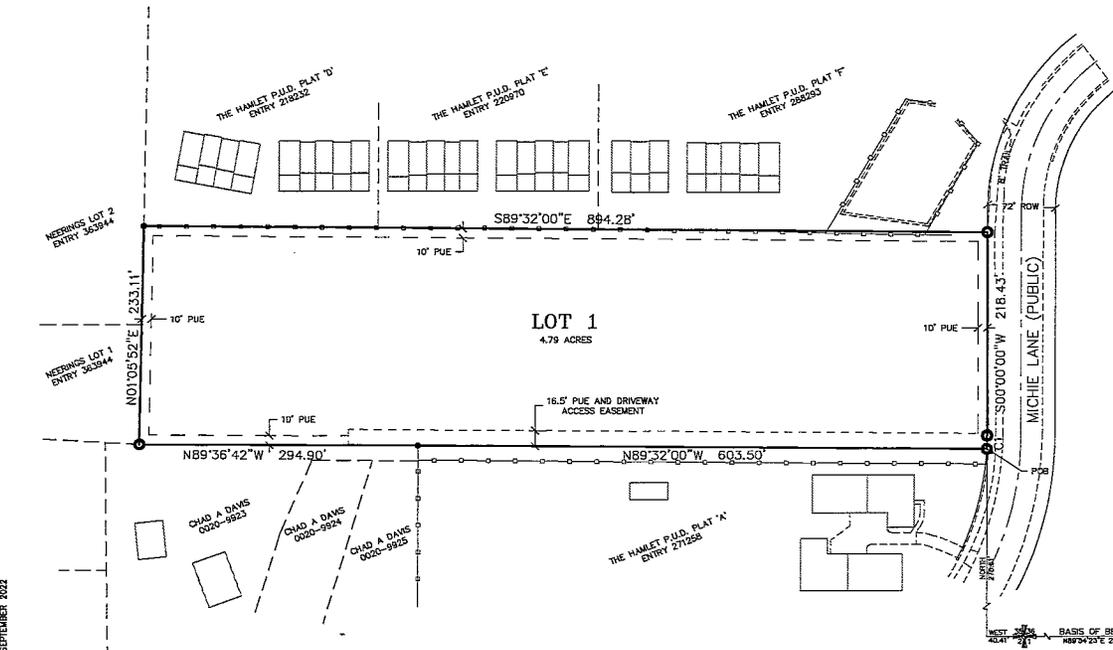


RISING HEIGHTS SCHOOL

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN.

ADDRESS TABLE	
LOT	ADDRESS
1	XXXX MICHE LANE

VICINITY MAP



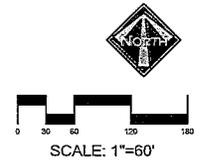
OWNER'S DEDICATION
 KNOW ALL MEN BY THESE PRESENTS THAT, OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, AND EASEMENTS, AND HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES, PUBLIC TRAILS AND EMERGENCY VEHICLE ACCESS.

DATED THIS _____ DAY OF _____, A.D. 20____

RISING HEIGHTS LLC

SURVEYOR'S CERTIFICATE
 IN ACCORDANCE WITH SECTION 10-6A-603 OF THE UTAH CODE, I TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 6584112 IN ACCORDANCE WITH TITLE 80, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAN IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAN.

DATE _____ SURVEYOR (SEE SEAL BELOW) _____



BOUNDARY DESCRIPTION
 COMMENCING AT THE QUARTER CORNER COMMON WITH SECTIONS 36 AND 1, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE, SOUTH 80°24'23" WEST, ALONG THE SECTION LINE COMMON WITH SECTIONS 36 AND 1, A DISTANCE OF 2658.21 FEET; TO THE SECTION CORNER COMMON WITH SECTIONS 36, 1, 2, AND 35; THENCE, WEST, A DISTANCE OF 41.41 FEET; THENCE, NORTH, A DISTANCE OF 278.51 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION; SAID POINT LIES ON THE WESTERLY SIDELINE OF MICHE LANE (72 FEET WIDE); THENCE, NORTH 89°32'00" WEST, A DISTANCE OF 633.50 FEET; THENCE, NORTH 89°36'42" WEST, A DISTANCE OF 294.90 FEET; THENCE, NORTH 01°05'50" EAST, A DISTANCE OF 233.11 FEET; THENCE, SOUTH 89°32'00" EAST, A DISTANCE OF 894.28 FEET TO THE WEST LINE OF SAID MICHE LANE; THENCE, SOUTH, A DISTANCE OF 218.43 FEET; THENCE, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 260.00 FEET, THROUGH A CENTRAL ANGLE OF 02°48'17", A DISTANCE OF 14.28 FEET TO THE POINT OF BEGINNING.

CONTAINS 4.79 ACRES MORE OR LESS

BASIS OF BEARINGS
 THE BEARING NORTH 08°54'33" EAST ALONG THE LINE FROM THE SOUTHEAST CORNER OF SECTION 35 TO THE SOUTH QUARTER OF SECTION 36.

ACKNOWLEDGMENT
 STATE OF UTAH } ss
 COUNTY OF WASATCH }
 ON THE _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME, _____, who daily acknowledged to me that he/she did execute the same in the capacity indicated.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____

SYMBOL LEGEND

- ADJOINING OWNERS SURVEY BOUNDARY
- - - DRIVEWAY ACCESS EASEMENT
- - - PUBLIC UTILITY EASEMENT
- EXISTING WOOD FENCE
- FOUND REBAR AND CAP
- BOUNDARY CORNER
- SECTION CORNER
- ⊙ 1/4 CORNER

ACCEPTANCE BY MIDWAY CITY
 THE 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.

THIS _____ DAY OF _____, A.D. 20____

APPROVED _____ MAYOR ATTEST _____ CLERK-RECORDER (SEE SEAL BELOW)

APPROVED _____ CITY ENGINEER (SEE SEAL BELOW) APPROVED _____ CITY ATTORNEY

PLANNING COMMISSION APPROVAL
 APPROVED THIS _____ DAY OF _____, A.D. 20____, BY THE _____ CITY PLANNING COMMISSION

PLANNING DIRECTOR _____ CHAIRMAN, PLANNING COMMISSION _____

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	14.28'	260.00'	2°48'17"	14.28'	S01°24'41"W

FOUND MONUMENT STANDARD FLAT BRASS 3" DISC IN CONCRETE SECTION CORNER SECTION 36, 1, 2, & 35 TOWNSHIP 3 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN

DATE _____
 MIDWAY IRRIGATION COMPANY _____
 DATE _____
 MIDWAY SANITATION DISTRICT _____

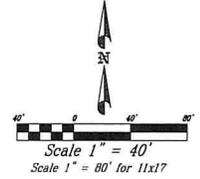
COUNTY SURVEYOR'S CERTIFICATE
 APPROVED AS TO FORM ON THIS DAY OF _____, 20____
 ROS# _____
 COUNTY SURVEYOR _____

RISING HEIGHTS SCHOOL
 MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
 SCALE: 1" = 60 FEET

SURVEYOR'S SEAL _____ NOTARY PUBLIC SEAL _____ CITY ENGINEER SEAL _____ CLERK-RECORDER SEAL _____

SURVEYOR: TROY L. TAYLOR, P.L.S., ELEMENTAL SURVEYING, 2298 SOUTH 270 EAST, HERRICK CITY, UT 84032, PHONE (801) 857-8749, DATE OF SURVEY: SEPTEMBER 2022

COUNTY RECORDER



SITE PLAN NOTE:
THIS IS A CONCEPT PLAN ONLY AND HAS NOT RECEIVED APPROVALS FROM MIDWAY CITY.

- LEGEND:**
- GRASS (0.74 ACRES)
 - NATIVE/WILDFLOWER MIX IRRIGATED (1.25 ACRES)
 - EXISTING NATIVE NON-IRRIGATED (0.33 ACRES)
 - PLANTER BEDS (0.66 ACRES)

TOTAL AREA	4.78 ACRES
BUILDING	0.34 ACRES
ROADS & PARKING	0.70 ACRES
HANDSCAPE	0.91 ACRES
LANDSCAPING (IRRIGATED)	2.65 ACRES
LANDSCAPING (NON-IRRIGATED)	0.33 ACRES
DRIVEWAY EASEMENT	0.26 ACRES

THIS DOCUMENT IS INCOMPLETE AND IS RELEASED TEMPORARILY FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
PAUL D. BERG P.E.
SERIAL NO. 295292
DATE: 1 AUG 2022

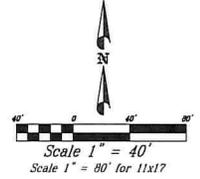
AS SURVEYED DESCRIPTION:
COMMENCING AT THE QUARTER CORNER COMMON WITH SECTIONS 36 AND 1, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89°32'21" WEST, ALONG THE SECTION LINE COMMON WITH SECTIONS 36 AND 1, A DISTANCE OF 2858.21 FEET, TO THE SECTION CORNER COMMON WITH SECTIONS 36, 1, 2, AND 35, THENCE WEST, A DISTANCE OF 40.41 FEET; THENCE NORTH, A DISTANCE OF 278.51 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION, SAID POINT LIES ON THE WESTERLY SIDELINE OF MICHE LANE (72 FEET WIDE); THENCE NORTH 89°32'00" WEST, A DISTANCE OF 803.50 FEET; THENCE NORTH 89°36'42" WEST, A DISTANCE OF 294.80 FEET; THENCE NORTH 01°05'20" EAST, A DISTANCE OF 233.17 FEET; THENCE SOUTH 89°32'00" EAST, A DISTANCE OF 894.28 FEET TO THE WEST LINE OF SAID MICHE LANE; THENCE SOUTH, A DISTANCE OF 218.43 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 290.00 FEET, THROUGH A CENTRAL ANGLE OF 02°49'17", A DISTANCE OF 14.28 FEET TO THE POINT OF BEGINNING.
CONTAINS 4.793 ACRES MORE OR LESS

INFORM ARCHITECTURE
RISING HEIGHTS SCHOOL

SITE PLAN

BERG ENGINEERING
300 E Main St, Suite 204
Midway, UT 84049
ph: 435.657.9249

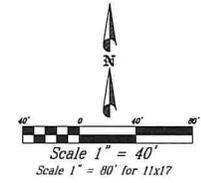
DESIGN BY: PDB	DATE: 1 AUG 2022	SHEET
DRAWN BY: DAA	REV	1



SLOPE LEGEND
 0 - 10% SLOPES
 10 - 20% SLOPES
 20 - 25% SLOPES
 25% + SLOPES

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 BIDDING, OR PERMIT PURPOSES.
 PAUL G. BERG P.E.
 SERIAL NO. 292295
 DATE: 11 MAY 2022

RISING HEIGHTS SCHOOL	
SLOPE MAP	
 BERG ENGINEERING 380 S. Main St. Suite 204 Midway, IL 60059 ph 435.657.9749	
DESIGN BY: PDB	DATE: 11 MAY 2022
DRAWN BY: DEJ	REV:
	SHEET 4



SENSITIVE LANDS NOTE:
 PROPERTY DOES CONTAIN SLOPES GREATER THAN 25%.
 PROPERTY DOES NOT CONTAIN FEMA FLOODPLAINS, HOT
 SPOTS, TREES OR WETLANDS.

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 AND IS RELEASED TEMPORARILY
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 PAUL S. BERG P.E.
 SERIAL NO. 292292
 DATE: 11 MAY 2022

RISING HEIGHTS SCHOOL		
ENVIRONMENTAL CONSTRAINTS PLAN		
 <small>300 E Main St, Suite 204 Midway, IL 60449 ph 435.657.9749</small>		
DESIGN BY: PDB	DATE: 11 MAY 2022	SHEET
DRAWN BY: DEJ	REV:	5