



**Midway**

**PLANNING COMMISSION MEETING STAFF REPORT**

**DATE OF MEETING:** September 14, 2021  
**NAME OF PROJECT:** Mill Canyon Farms  
**NAME OF APPLICANT:** Berg Engineering for Jordan and Lynne Law  
**OWNER OF RECORD:** Jordan and Lynne Law  
**AGENDA ITEM:** Preliminary Approval  
**LOCATION OF ITEM:** 250 West 970 South  
**ZONING DESIGNATION:** R-1-22

**ITEM: 5**

Berg Engineering, agent for Jordan Law, is proposing preliminary approval of the Mill Canyon Farms subdivision. The proposal contains four lots on 10.16 acres. The property is located 850 South 250 West and is in the R-1-22 zone.

**BACKGROUND:**

This request is for preliminary approval of a standard subdivision on 10.18 acres that will contain four platted building lots. The existing parcel has frontage along 250 West (Street Lane). The existing parcel is bordered on the north and west by existing homes on un-platted lots that range from 0.42 acres to well over 6 acres. To the east is the Saddle Creek development and to the South is agricultural land.

The proposed subdivision is on one 10.18-acre parcel that is wholly owned by the applicant and has been is agricultural production. The existing parcel has frontage along 250 West, which also provides frontages for all four proposed lots. No new roads are

proposed to be constructed as part of the development application. The existing property is in the R-1-22 zone and all the proposed lots appear to comply with the requirements of the code regarding frontage and acreage.

#### **LAND USE SUMMARY:**

- 10.18-acres
- R-1-22 zoning
- Proposal contains four building lots
- The applicant is required to identify and preserve 1.53 acres of open space.
- Access to lots is provided by existing frontage on 250 West
- The applicant has identified sensitive lands on the property which consists of a FEMA floodway, floodplains and an irrigation ditch.
- The lots will connect to the Midway Sanitation District sewer, Midway City's culinary water line, and Midway Irrigation Company's secondary waterline

#### **ANALYSIS:**

*Access* – The existing parcel has frontage along 250 West. The applicant will be required to dedicate their portion of the right-of-way needed for both 250 West (60' right-of-way) and the continuation of 970 South (56' right-of-way), which is shown on the Midway City Master Street plan. The property to the south and west of Snake Creek, known as Double C Ranches, has been previously master planned. The applicant's engineer has confirmed that the dedications from both projects will equal the 56' required for 970 South. The property to the south and east of the Snake Creek channel is a platted single lot subdivision known as the Snake Creek subdivision. This lot was platted previous to the property being annexed into Midway and did not include a right-of-way dedication for 970 South. In working with the city towards a solution, the applicant has committed to dedicating a 50' right-of-way east of the Snake Creek channel for 970 South. Wes Johnson, Midway City engineer, has said that he is supportive of the dedication and that he believes that it would be sufficient for the future road.

The applicant will be improving their portion of 250 West to match current road standards, but 970 South will be improved in the future by others.

*Geotechnical Study* – A Geotechnical Study has been submitted to the City and can be viewed at the Planning Office.

*Sensitive Lands* – The applicants plans show a FEMA floodway and floodplain in addition to an irrigation ditch, that traverse the property. The FEMA floodway and floodplain are associated with the Snake Creek stream channel, and both the floodway and floodplain are considered unbuildable. Per our sensitive lands code, the applicant will be required to show building envelopes that preclude the placement of residential building within 50 feet of the floodway and floodplain. The applicant is proposing to pipe and reroute the ditch within lot 4 so that it has less of an impact on the buildable area of the lot. The ditch easement should be shown on the plat.

The applicant’s engineer has not identified any other sensitive lands.

*Culinary Water Connection* – The lots will connect to existing city culinary water lines located in the area.

*Sewer Connection* – The lots will connect to existing Midway Sanitation District sewer lines located in the area.

*Fire Flow* - A fire hydrant will need to be located within 500’ of any future dwellings, measured by the route of a fire hose from the fire hydrant to the future home site.

*Secondary Water Connection* – The lots will connect to Midway Irrigation Company’s secondary water system which is already servicing the property. Laterals will be created for all four proposed lots. Secondary water meters are required for each lateral. The applicant will need to provide a will-serve letter from Midway Irrigation Company along with their application for final approval.

*Trails* – The Midway City Trail Master Plan shows three 8’ asphalt public trails in proximity to this development. One trail parallels 250 West and will be installed within the Saddle Creek development. The second trail parallels both the existing and future 970 South, requiring the applicant to dedicate a 15’ public trail easement on the north side of the 970 South right-of-way that they are dedicating. Because 970 South will not be constructed with this subdivision, staff is recommending that the applicant construct the 8’ asphalt trail within the right-of-way that the applicant is dedicating for 970 South, near the existing farm road. When 970 South is built in the future, the trail would then be relocated to the dedicated trail easement. The third trail will run along the Snake Creek channel, requiring the applicant to dedicate a 20’ public trail easement that parallels the creek channel. The applicant has shown the easement on the east side of the channel. This trail will be built in the future by others once additional trail easements are secured and the necessary funding is in place.

*Open Space* – Standard subdivisions greater than 10 acres in size are required to provide a minimum of 15% open space. The applicant has elected to incorporate the required 1.53 acres of open space into lot four, which is allowed if the lot size is a

minimum of two acres. Additionally, the land use code allows the applicant to count sensitive lands towards the required open space.

The portion of the lot that counts towards the required open space obligation needs to be clearly identified on the plat along with a note stating that the open space is unbuildable and clarifying what uses can occur on the open space.

*Storm Water* – The proposed development does not include the creation of new streets but will utilize existing frontage along 250 West. All storm water will be captured in the improved swales that will run along 250 West.

*Utilities* – The proposal indicates that the distribution poles along 250 West must be moved to accommodate the improvement and widening of 250 West. The applicant will be required to bury the distribution lines along their frontage. Any costs associated with moving and burying the poles will be borne by the applicant.

#### **WATER BOARD RECOMMENDATION:**

The water board meeting for September has been cancelled due to the Labor Day holiday. Planning staff has told the applicant that they will not be able to proceed to a city council meeting until they receive a recommendation from the water board.

#### **POSSIBLE FINDINGS:**

- The proposal does meet the intent of the General Plan for the R-1-22 zone
- The proposal does comply with the land use requirements of the R-1-22 zone
- 1.53 acres of open space must be created as part of the development, which will be noted on the plat and restricted from future building or development
- The applicant will dedicate the remaining portion of the right-of-way needed for 250 West (Street Lane)
- The applicant will be dedicating a 15' public trail easement along the future 970 South. They will construct an 8 asphalt trail that connects 250 West to Stringtown Road. They will also be dedicating a 20' public trial easement along the east side of the Snake Creek channel
- Any failure to submit a proposed final plan and final approval submittal package within one year of the approval of the Preliminary Plan by the City Council shall terminate all proceedings and render the Preliminary Plan null and void.

#### **ALTERNATIVE ACTIONS:**

1. Recommendation of Approval (conditional). This action can be taken if the

Planning Commission finds that conditions placed on the approval can resolve any outstanding issues.

- a. Accept staff report
- b. List accepted findings
- c. Place condition(s)

2. Continuance. This action can be taken if the Planning Commission finds that there are unresolved issues.

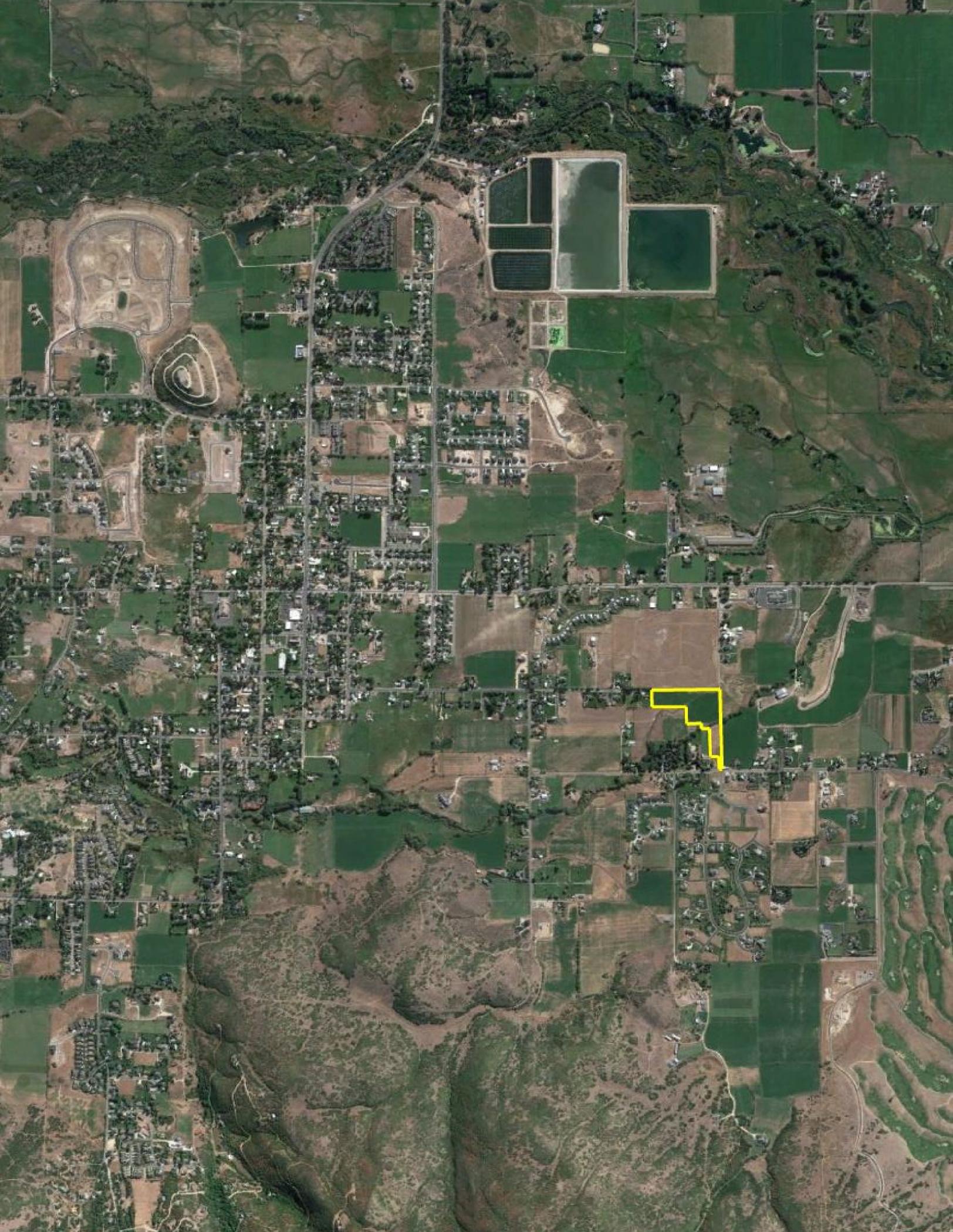
- a. Accept staff report
- b. List accepted findings
- c. Reasons for continuance
  - i. Unresolved issues that must be addressed
- d. Date when the item will be heard again

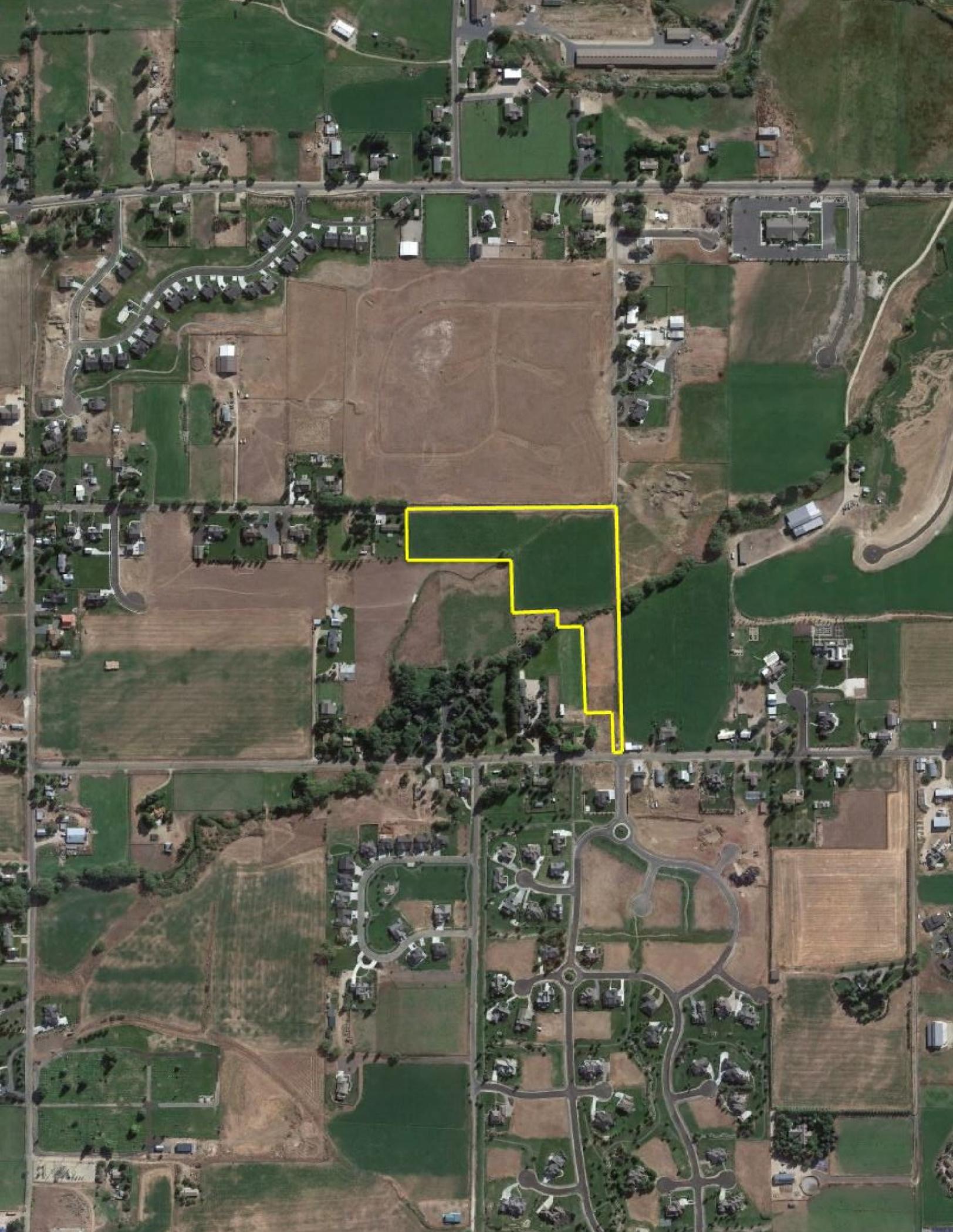
3. Recommendation of Denial. This action can be taken if the Planning Commission finds that the request does not meet the intent of the ordinance.

- a. Accept staff report
- b. List accepted findings
- c. Reasons for denial

#### **PROPOSED CONDITIONS:**

1. Must provide a will serve from Midway Irrigation before applying for final approval.
2. Distribution lines along 250 West will need to be buried along entirety of the project frontage.
3. Must show the ditch easement on the plat.
4. Must have a recommendation from the water board previous to being considered by the city council for preliminary approval.
5. The applicant will dedicate a 20' trail easement along Snake Creek and a 15' trail easement along the north side of the 970 South right-of-way. They will also construct an 8' asphalt trail in the 970 South right-of-way, connecting 250 West to Stingtown Road.
6. The applicant will increase the dedication for 970 South, east of the Snake Creek channel, from 41' to 50'.

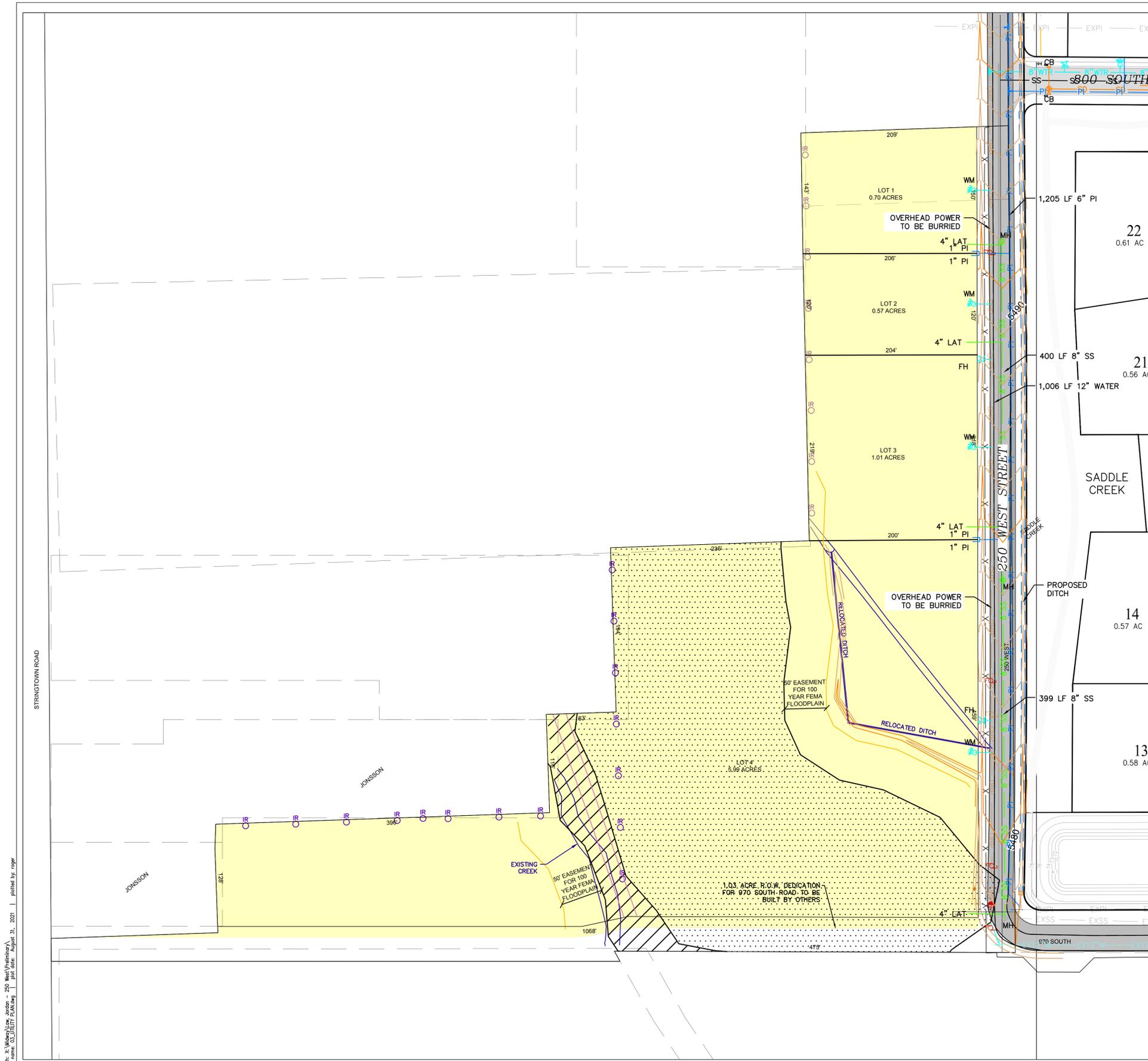












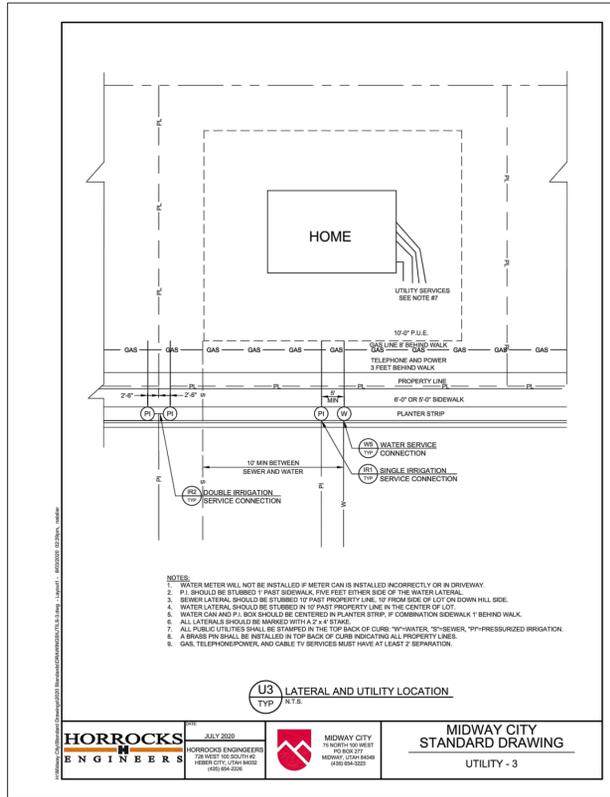
- LEGEND**
- SS PROPOSED SEWER
  - EXSS EXISTING SEWER
  - W PROPOSED WATER
  - EXW EXISTING WATER
  - EXPI EXISTING PRESSURIZED IRRIGATION
  - PI PROPOSED PRESSURIZED IRRIGATION
  - SD PROPOSED STORM DRAIN
  - WM WATER METER
  - FH FIRE HYDRANT
  - CB STORM DRAIN CATCH BASIN
  - IR EXISTING IRRIGATION RISERS

**BLUE STAKE NOTE:**  
 LOCATION OF EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE AND MAY BE INCOMPLETE. CONTRACTOR IS RESPONSIBLE FOR BLUE STAKING OF UTILITIES.

**SEWER NOTES:**  
 ALL SEWER LATERALS ARE 4"  
 ALL SEWER IMPROVEMENTS SHALL MEET MIDWAY SANITATION DISTRICT STANDARDS & SPECIFICATIONS

**PRESSURIZED IRRIGATION NOTES:**  
 ALL PRESSURIZED IRRIGATION IMPROVEMENTS SHALL MEET MIDWAY IRRIGATION COMPANY STANDARDS AND SPECIFICATIONS.

**WATER NOTES:**  
 ALL WATER IMPROVEMENTS SHALL MEET MIDWAY CITY STANDARDS AND SPECIFICATIONS.

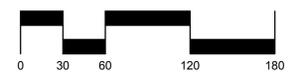


- NOTES:**
1. WATER METER WILL NOT BE INSTALLED IF METER CAN IS INSTALLED INCORRECTLY OR IN DRIVEWAY.
  2. PI SHOULD BE STAKED 1' FROM SIDEWALK, FIVE FEET EITHER SIDE OF THE WATER LATERAL.
  3. SEWER LATERAL SHOULD BE STAKED 1' FROM PROPERTY LINE, 1' FROM SIDE OF LOT ON DOWN HILL SIDE.
  4. WATER LATERAL SHOULD BE STAKED IN 10' FROM PROPERTY LINE IN THE CENTER OF LOT.
  5. WATER CAN AND PI JOBS SHOULD BE CENTERED IN PLANTER STRIP, 1' FROM SIDEWALK, 1' BEHIND WALK.
  6. ALL LATERALS SHOULD BE MARKED WITH A 2" X 4" STAKE.
  7. ALL PUBLIC UTILITIES SHALL BE STAKED IN THE TOP BACK OF CURB: "W"-WATER, "S"-SEWER, "PI"-PRESSURIZED IRRIGATION.
  8. A BRASS PIN SHALL BE INSTALLED IN TOP BACK OF CURB INDICATING ALL PROPERTY LINES.
  9. GAS, TELEPHONE/POWER, AND CABLE TV SERVICES MUST HAVE AT LEAST 2' SEPARATION.

<b>HORROCKS ENGINEERS</b>	JULY 2020 HORROCKS ENGINEERS 120 WEST 100 SOUTH MIDWAY CITY, UT 84049 435.657.9749		MIDWAY CITY STANDARD DRAWING UTILITY - 3
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**REVISION NOTES:**

250 WEST PLAN REVISED TO WIDEN ROAD TO 30' AND INSTALL WATER, PI AND SEWER IN THE ROADWAY



**SCALE: 1"=60'**  
 Scale 1" = 120' for 11x17

LAW  
**MILL CANYON FARMS**  
 PRELIMINARY UTILITY PLAN

THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.

PAUL D. BERG P.E.  
 SERIAL NO. 295595  
 DATE: 30 AUG 2021

DESIGN BY: PDB	DATE: 30 AUG 2021	SHEET
DRAWN BY: CNB	REV:	3

1. 250 West Utility Plan - 2021 (11x17) - 30 AUG 2021 - plotted by: cnb



September 14, 2021

Midway City  
Attn: Michael Henke  
75 North 100 West  
Midway, Utah 84049

**Subject: Mill Canyon Farms – Preliminary Review**

Dear Michael:

Horrocks Engineers recently reviewed the Mill Canyon Farms plans for the Preliminary Review. The following comments should be addressed.

**General Comments**

- The development is on 10.16 Acres and will consist of 4 lots.

**Water**

- The proposed development will be served from the Gerber Mahogany pressure zone and will connect to the exiting water line within 250 West.

**Pressure Irrigation**

- The subdivision will be serviced by Midway Irrigation Company.

**Roads**

- The west side of 250 west will be rebuilt and widened to a half width of 15 to match the east side done as part of Saddle Creek Subdivision.
- The development will dedicate R.O.W for a future road to extend 970 South from 250 West to Stringtown Road.

**Trails:**

- No trails are shown to be constructed within the development, the development will need to dedicate 15' R.O.W for a future trail along future 970 South and will need to dedicate 20' R.O.W for a future trail along Snake Creek.

**Storm Drain**

- The proposed swale along the west side of 250 West will accommodate any storm drainage from the widening of 250 West and this development.

**Sensitive Lands**

- The proposed lot 4 in the subdivision is within a designated FEMA flood plain. A 50' setbacks shall be maintained around all FEMA flood Zones.

Please feel free to call our office with any questions.

Sincerely,  
HORROCKS ENGINEERS

  
Wesley Johnson, P.E.  
Midway City Engineer

cc: Paul Berg Berg Engineering

# Midway Trail System Master Plan

