



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: June 17, 2025

NAME OF PROJECT: The Meadows at Dutch Canyon Lot 1

NAME OF APPLICANT: Berg Engineering

NAME OF OWNER: SES 260 LLC

AGENDA ITEM: Plat Amendment

LOCATION: 787 East Dutch Canyon Drive

ZONING DESIGNATION: RA-1-43 zone

ITEM: 13

Berg Engineering, SES 260 LLC, is requesting a Plat Amendment of The Meadows at Dutch Canyon Subdivision Lots 1 & 2 Amended. The proposal is to remove a note on the plat that prohibits access to Dutch Canyon Road. The property is located at 787 East Dutch Canyon Drive and is in the RA-1-43 zone.

BACKGROUND:

Berg Engineering is proposing a plat amendment to The Meadows at Dutch Canyon Subdivision Lots 1 & 2 Amended. The current plat limits driveway access to Dutch Canyon Road. The proposed amendment would remove the note that limits driveway access to Dutch Canyon Road. The lot is owned by SES 260 LLC. It is located at 787 East Dutch Canyon and is in the RA-1-43 zone.

The Meadows at Dutch Canyon was originally recorded on 4-19-2017 and the original plat included a note that prohibited lots 2 and 4 from directly accessing Dutch Canyon Road with a driveway. Instead, the two lots would have driveway access from Dutch Mountain Way. The 2017 plat was amended on 10-3-2023 which combined lots 1 & 2. The original note that prohibited driveway access was included on the amended plat. It is not clear why the original plat from 2017 prohibited access to Dutch Canyon Road since the road has been listed as a local street on every master street plan since before 2017. Local streets generally do not have access limitations unlike collector roads which are strictly regulated and almost always limit driveway access.

Many plat amendments, including this petition, are legislative actions, and the Land Use Authority has discretion regarding approval.

ANALYSIS:

Current code does not prohibit driveway access from a local street so if the subdivision were proposed today there would not be an access limitation to Dutch Canyon Road. As stated earlier, it is unknown why the note was included on the original plat in 2017. If the note is removed, then the only access limitation that would remain is a 40' separation from the intersection of Dutch Canyon Road and the driveway, which is a driveway access restriction from every intersection.

PROPOSED FINDINGS:

- The proposed amendment would remove the restriction for driveway access to Dutch Canyon Road
- Current code would not limit access to Dutch Canyon Road
- It is unclear why the original note was placed on the plat
- The proposal is a legislative action with discretion by the City Council

ALTERNATIVE ACTIONS:

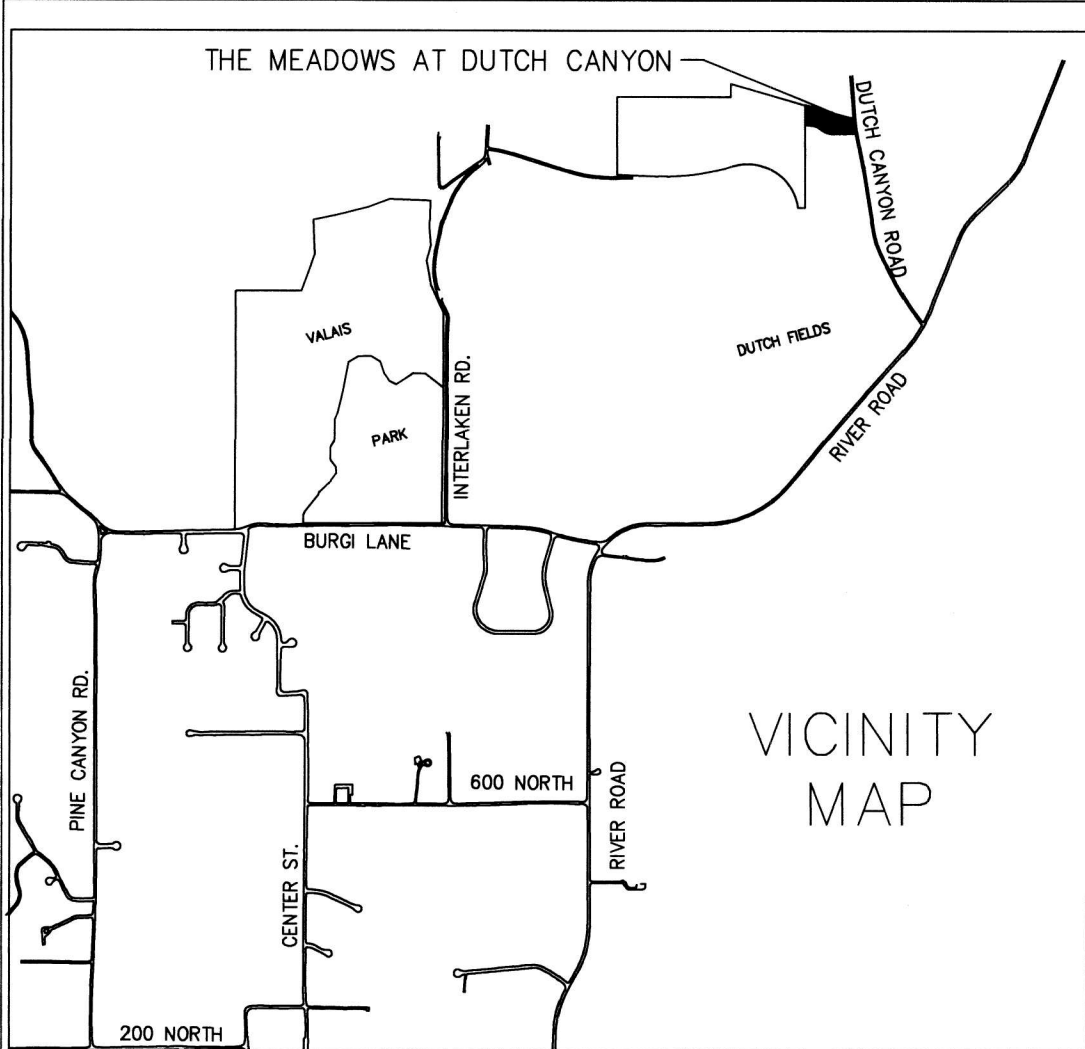
1. Approval (conditional). This action can be taken if the City Council finds there is good cause to approve the proposal.
 - a. Accept staff report
 - b. Reasons for approval (findings)
 - c. Place condition(s) if needed

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









THE MEADOWS AT DUTCH CANYON – LOTS 1 & 2 AMENDED

LOCATED IN THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 3
SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

PLAT AMENDMENT NOTES

- LOTS 1 AND 2 HAVE BEEN COMBINED
- PUBLIC UTILITY EASEMENT BETWEEN LOTS 1 AND 2 HAS BEEN REMOVED.
- 16.5' IRRIGATION EASEMENT WAS ADDED ALONG NORTH PROPERTY LINE.

PLAT NOTES

- LOT 1 HAS A MINIMUM BUILDING SETBACK OF 50' FROM DUTCH CANYON ROAD, AS SHOWN HEREON.
- LOT 1 IS PROHIBITED FROM DIRECTLY ACCESSING DUTCH CANYON ROAD WITH A DRIVEWAY.
- THIS LOT IS SUBJECT TO COVENANTS, CONDITIONS, AND RESTRICTIONS RECORDED IN WASATCH COUNTY PUBLIC RECORDS.

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 6854112 IN ACCORDANCE WITH TITLE 58, 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 PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

Aug 16, 2023
DATE

Troy Taylor
SURVEYOR

(SEE SEAL BELOW)

BASIS OF BEARINGS

THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 89°39'47" WEST FROM THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF THE DUTCH CANYON PLAT A SUBDIVISION, SAID POINT BEING LOCATED SOUTH 89°39'47" WEST ALONG THE SECTION LINE 639.24 FEET AND NORTH 1056.62 FEET FROM THE FOUND WASATCH COUNTY BRASS CAP MARKING THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN; THENCE NORTH 01°05'04" EAST 26.96 FEET; THENCE NORTH 00°56'00" WEST 157.24 FEET; THENCE SOUTH 74°32'43" EAST 33.77 FEET; THENCE SOUTH 80°52'41" EAST 41.83 FEET; THENCE SOUTH 75°39'56" EAST 98.15 FEET; THENCE SOUTH 73°56'53" EAST 78.35 FEET; THENCE SOUTH 54°51'49" EAST 15.18 FEET; THENCE SOUTH 75°51'23" EAST 117.29 FEET; THENCE SOUTH 76°40'42" EAST 66.31 FEET; THENCE SOUTH 04°42'37" EAST 33.96 FEET; THENCE SOUTH 12°51'52" EAST 104.29 FEET; THENCE ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT 26.93 FEET (CHORD BEARS SOUTH 38°33'21" WEST 23.46 FEET); THENCE WEST 183.95 FEET; THENCE ALONG THE ARC OF A 176.00 FOOT RADIUS CURVE TO THE RIGHT 120.65 FEET (CHORD BEARS NORTH 70°21'42" WEST 118.30 FEET); THENCE NORTH 50°43'24" WEST 6.89 FEET; THENCE ALONG THE ARC OF A 174.00 FOOT RADIUS CURVE TO THE LEFT 116.65 FEET (CHORD BEARS NORTH 69°55'47" WEST 114.48 FEET); THENCE NORTH 89°08'01" WEST 36.02 FEET TO THE POINT OF BEGINNING.

CONTAINING: 1.87 ACRES

OWNER'S DEDICATION

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

DATED THIS 7th DAY OF September, A.D. 20 23

Natalie, Manager
SES 260 LLC

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF WASATCH }
ON THE 7th DAY OF September, A.D. 20 23 PERSONALLY APPEARED
BEFORE ME, Natalie, WHO DULY ACKNOWLEDGED
TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.
MY COMMISSION EXPIRES 1/9/27 Becky Chien Ward
NOTARY PUBLIC

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 27th DAY OF SEPTEMBER, A.D. 20 23

APPROVED [Signature] ATTEST [Signature]
MAYOR CLERK-RECORDER
APPROVED [Signature] APPROVED [Signature]
CITY ENGINEER CITY ATTORNEY
(SEE SEAL BELOW)

PLANNING APPROVAL

APPROVED THIS 30th DAY OF August, A.D. 20 23 BY THE
Midway PLANNING
DIRECTOR

THE MEADOWS AT DUTCH CANYON LOTS 1 & 2 AMENDED

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SLB&M
SCALE: 1" = 30 FEET

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

PROFESSIONAL LAND SURVEYOR
TROY LAVAA
TAYLOR
#6854112
STATE OF UTAH

BECKY CHIEN WARD
Notary Public, State of Utah
My Commission Expires on
1/9/27

PROFESSIONAL ENGINEER
WESLEY S. WILKSON
STATE OF UTAH

CLERK-RECORDER
MIDWAY, UTAH

COUNTY SURVEYOR'S CERTIFICATE

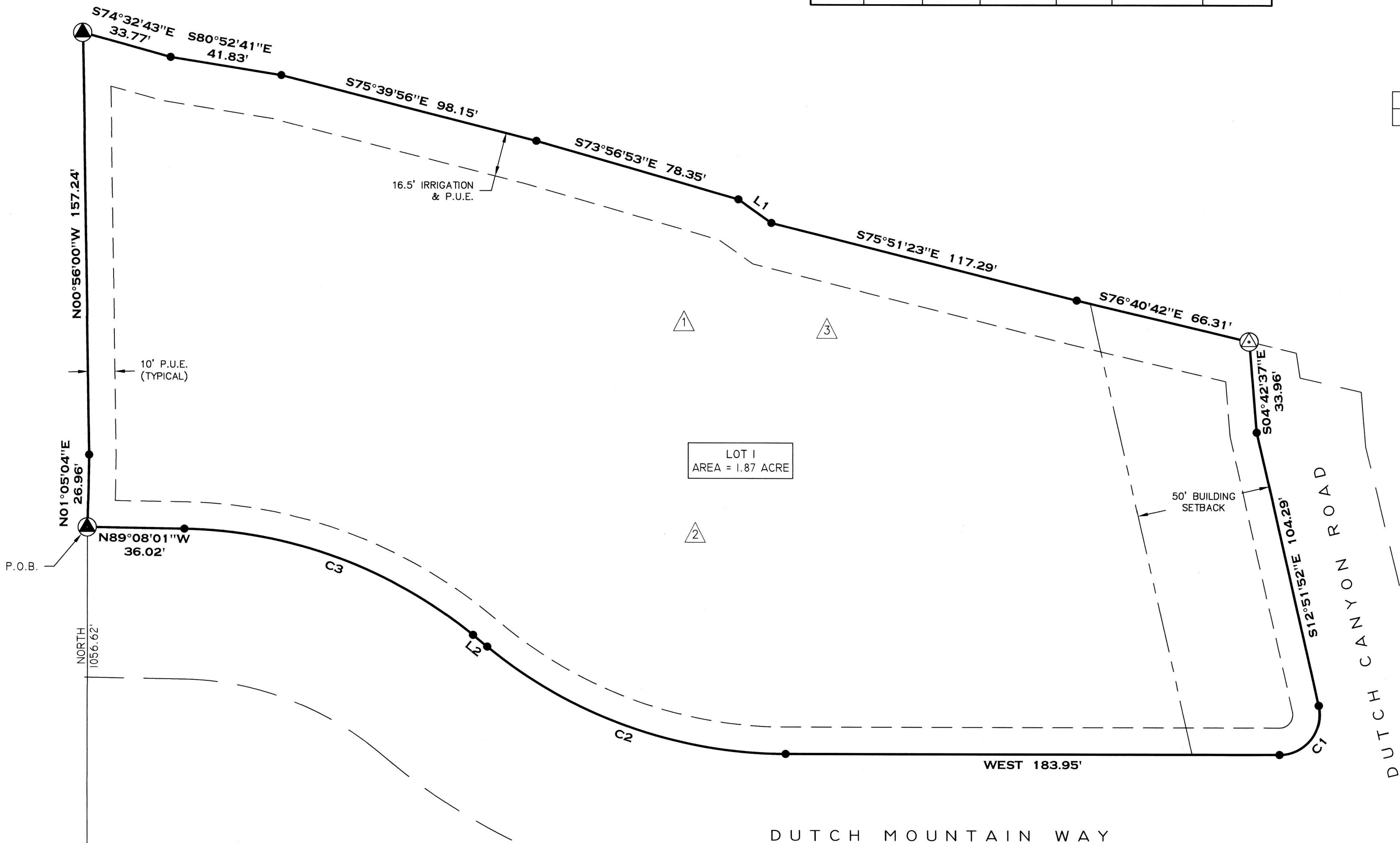
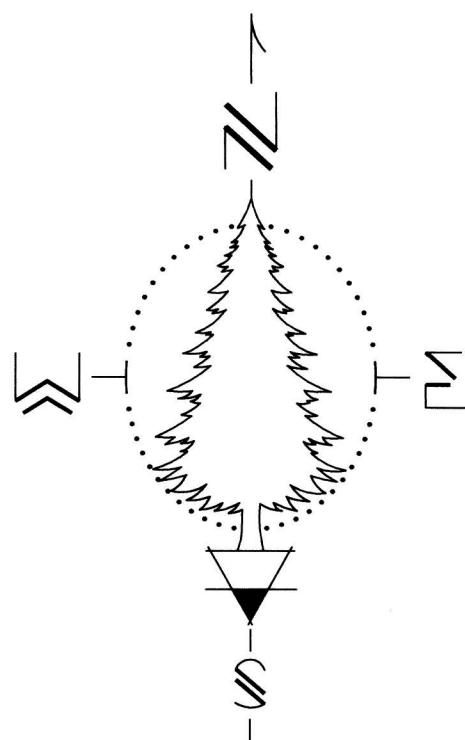
APPROVED AS TO FORM ON THIS
DAY OF August, 20 23

ROS# 4047

Troy Taylor
COUNTY SURVEYOR

COUNTY RECORDER
ENTRY # BOOK PAGE
DATE OCT 3 2023 TIME 2:16 PM FEE \$54.00
FOR SES 260 LLC
BY K.M. WASATCH COUNTY RECORDER MARCY M MURRAY
ENT# 537329 BK 1455 Pg 329

GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.



SURVEYOR
TROY L. TAYLOR, PLS
ELEMENT LAND SURVEYING
2296 SOUTH 270 EAST
HEBER CITY, UT 84032
PHONE (801) 657-8748

FOUND WASATCH COUNTY BRASS CAP
MARKING THE SOUTHWEST CORNER OF
SECTION 23, TOWNSHIP 3 SOUTH, RANGE
4 EAST, SALT LAKE BASE AND MERIDIAN



FOUND WASATCH COUNTY BRASS CAP
MARKING THE SOUTHWEST CORNER OF
SECTION 23, TOWNSHIP 3 SOUTH, RANGE
4 EAST, SALT LAKE BASE AND MERIDIAN

639.24'
N89°39'47"E 2662.32' BETWEEN FOUND SECTION CORNERS - BASIS OF BEARING

DATE OF SURVEY: AUGUST 2023