



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: October 21, 2026

NAME OF PROJECT: Kohler Farm Subdivision

NAME OF APPLICANT: Berg Engineering

PROPERTY OWNERS: Grant B Kohler Trust & Chad Himmer

AGENDA ITEM: Kohler Farm Subdivision – Preliminary/Final Approval

LOCATION: 970 River Road

ZONING DESIGNATION: RA-1-43 zone

ITEM: 3

Small Scale Subdivision: Berg Engineering, representative of the Grant B. Kohler Trust, has submitted a preliminary/final application for a small-scale subdivision to be known as the Kohler Farm Subdivision. The plan includes two lots on 2.07 acres. The property is in the RA-1-43 zone at 970 River Road.

BACKGROUND:

The Kohler Farm subdivision is a two-lot subdivision. It is proposed on property that was recently approved for annexation into Midway on July 7, 2026. As part of the annexation application, a concept plan for further development of the property was submitted that included two lots. One parcel has a dwelling on it that is connected to Midway's culinary water system. The other parcel is vacant and will become buildable once a subdivision plat is recorded and all requirements are met. One condition that was made by the City Council through the annexation approval is that an

85' setback is required for any structures on lot 2. The properties are in the RA-1-43 zone and do comply with the acreage, frontage and width requirements for that zone.

LAND USE SUMMARY:

- 2.07-acre parcel
- RA-1-43 zoning
- City Council approval of annexation on July 7, 2026
 - The annexation agreement included a concept plan for the proposed subdivision
- River Road frontage
 - Access for both lots limited to the existing driveway access
- The two lots will both need to connect to the Midway Sanitation District sewer, Midway City's culinary water line, and Midway Irrigation Company's secondary water line.

ANALYSIS:

Access – Access for both lots is limited to the existing driveway access from River Road. No other direct access to River Road, other than the exiting access, is allowed. Easements will be recorded across both lots for access to the lots within the subdivision and the surrounding properties that use the current access.

Water rights – Water rights for culinary and secondary water are required to be dedicated to the city before the recording of the subdivision plat.

Heber Light & Power Company – A will serve letter from Heber Light & Power Company has been submitted that addresses electric serves for the proposed subdivision.

Sewer Connection – A will serve letter from Midway Sanitation District and Heber Valley Special Service District has been submitted with the application. Both lots are required to connect to sewer. As part of the annexation approval, a letter from MSD was submitted to the city with a list of requirements that the applicant must follow regarding sewer services. .

Sensitive Lands: Per the application, there are no sensitive lands, ditches, or canals on the property. The Midway City Geological and Hydrological Features Map does not show sensitive lands or water features at this location.

Setbacks for lot 2 - An 85' setback is required for any structures on lot 2. This was required to preserve an open corridor along River Road.

WATER BOARD RECOMMENDATION:

The Water Board will review the application before final approval. The item will most likely be heard by the Water Board in their meeting on November 2, 2026.

POSSIBLE FINDINGS:

1. Both lots will comply with the requirements of the RA-1-43 zone.
2. The proposal does comply with the annexation agreement that was approved for the property.
3. No new direct access from River Road is allowed. Both lots must access from the existing River Road access that crosses lot 1.
4. An 85' setback is required for all structures from River Road.

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. Reasons for approval (findings)
 - c. Place condition(s) if needed
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:

- None