

Midway City Council
19 November 2019
Regular Meeting

Cascades at Soldier Hollow,
Phase 2 / Plat Amendment



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: November 19, 2019

NAME OF PROJECT: The Cascades at Soldier Hollow Subdivision Phase 2

NAME OF APPLICANT: Mike Johnston

AGENDA ITEM: Plat Amendment of Lots 82 and 83

LOCATION: 569 W Boulder Pointe Road

ZONING DESIGNATION: R-1-15 zone

ITEM: 15

Mike Johnston, agent for Steve Mangum, is requesting a Plat Amendment of The Cascades at Soldier Hollow Phase 2. The proposal is to combine lots 82 and 83. The property is located at 569 W Boulder Pointe Road and is in the R-1-15 zone.

BACKGROUND:

Steve Mangum is proposing a plat amendment to The Cascades at Soldier Hollow Subdivision Phase 2. The property is located at 569 W Boulder Pointe Road and is in the R-1-15 zone. The applicant is proposing to combine lots 82 and 83 into one lot to create more space around a future home. Lot 82 is 0.4 of an acre and Lot 83 is also 0.4 of an acre. If the lot combination is approved the size of the lot will be 0.8 of an acre in size. In the past, The City has approved two other plat amendments in The Cascades at Soldier Hollow. Lots 18 & 19 were combined, and lots 36 & 37 has also been 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.

A plat amendment is a legislative item and City Council is not obligated to allow any changes even if they feel that the applicant met the requirements of the Code.

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 the 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.

A plat amendment and plat vacation 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 82 and 83 will be removed.

PROPOSED FINDINGS:

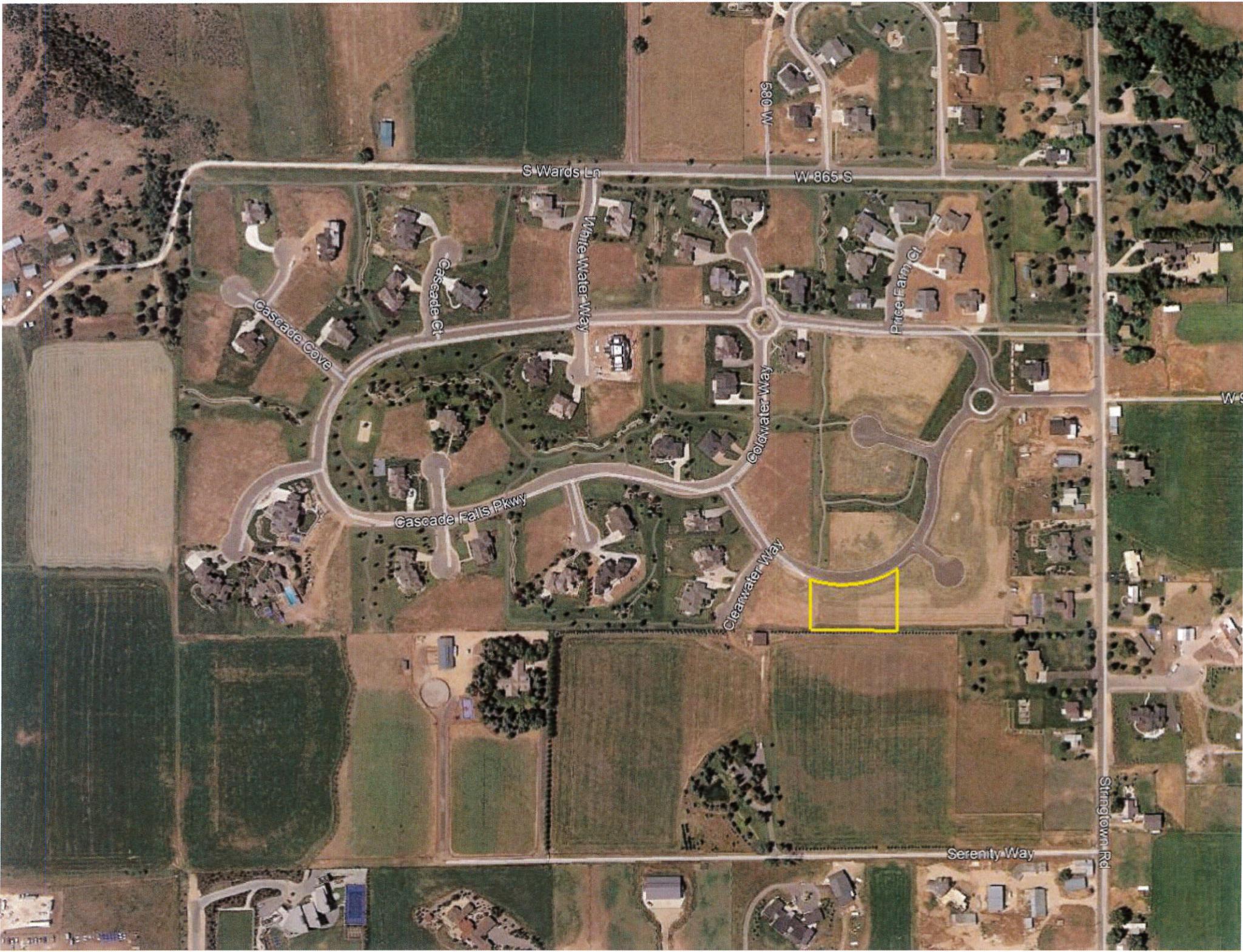
- Potential trips per day generated from the two lots will be reduced
- Density in the subdivision will be reduced
- The area will feel more open because of the reduction of one lot
- No public street, right-of-way, or easement will be vacated or altered

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



S Wards Ln

W 865 S

White Water Way

Cascade Cr

Cascade Cove

Price Farm Cr

Celestwater Way

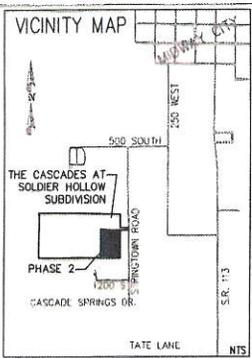
Cascade Falls Pkwy

Clearwater Way

W 9

Serenity Way

Stringtown Rd

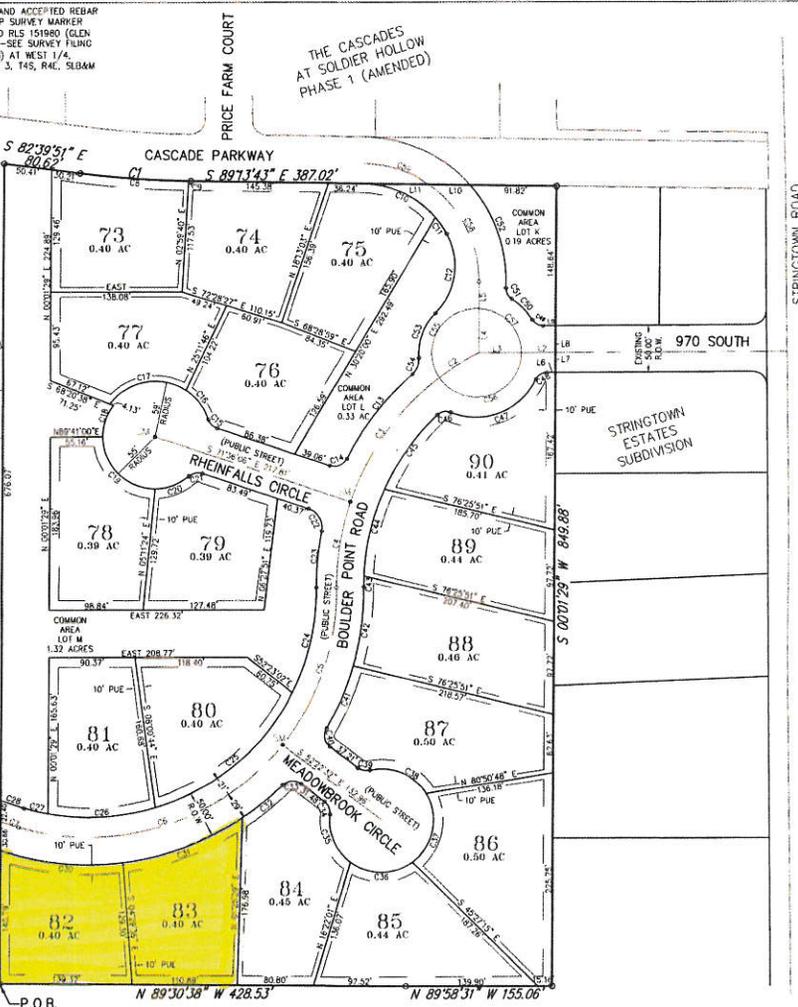


FOUND AND ACCEPTED REBAR AND CAP SURVEY MARKER STAMPED RLS 151980 (GLEN HATCH--SEE SURVEY FILING NO. 668) AT WEST 1/4, SECTION 3, T4S, R4E, S18AM

MEASURED, SURVEYED, PART 65' BETWEEN SECTION CORNERS

THE CASCADES AT SOLDIER HOLLOW PHASE 1 (AMENDED)

MEASURED, SURVEYED, PART 65' BETWEEN SECTION CORNERS



LINE TABLE

LINE	LENGTH	BEARING
L1	16.67'	N 89°41'00" E
L2	36.50'	S 89°41'00" W
L3	45.23'	S 89°42'05" W
L4	47.63'	N 00°01'15" E
L5	29.12'	N 00°01'15" E
L6	9.38'	S 89°41'00" W

LINE TABLE CONT.

LINE	LENGTH	BEARING
L7	21.00'	S 00°01'20" W
L8	29.00'	S 00°01'20" W
L9	13.58'	S 89°41'00" W
L10	44.21'	S 89°41'43" E
L11	69.35'	S 89°41'43" E

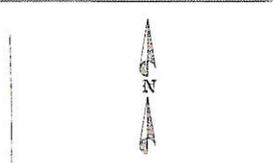
BASIS OF BEARINGS: N89°33'12"E BETWEEN SECTION CORNERS

STREET NOTE:
ALL STREETS WITHIN THE SUBDIVISION ARE PUBLIC STREETS. ALL PUBLIC STREETS HAVE A 50 FOOT RIGHT-OF-WAY.

TROY L TAYLOR - PLS ELEMENT LAND SURVEYING 2296 SOUTH 270 EAST HERBY CITY, UT 84032 801-657-8746

DATE: 3-16-18
DATE: 3-16-18
DATE: 5-14-18

PLANNING COMMISSION APPROVAL
APPROVED THIS 30th DAY OF March, A.D. 2018 BY THE CITY PLANNING COMMISSION



COMMON AREA NOTES:
1. ALL COMMON AREA LOTS ARE DEDICATED AS STORM DRAIN EASEMENTS...
2. THE CASCADES AT SOLDIER HOLLOW HOME OWNERS ASSOCIATION IS OBLIGATED TO MAINTAIN ALL COMMON AREAS...
3. THERE SHALL BE NO STRUCTURES BUILT IN THE COMMON AREA PARCELS...
4. THIS SUBDIVISION IS LOCATED WITHIN AN AGRICULTURAL COMMUNITY AND IS SUBJECT TO THE MOOSE, OODS, DUST, ETC. FOR SUCH ACTIVITIES.

PUE NOTE:
ALL COMMON AREA LOTS ARE DEDICATED AS A PUBLIC UTILITY EASEMENT.

ADDRESS TABLE

LOT	ADDRESS
73	363 WEST CASCADE PARKWAY
74	335 WEST CASCADE PARKWAY
75	313 WEST CASCADE PARKWAY
76	344 WEST RHEINFALLS CIRCLE
77	358 WEST RHEINFALLS CIRCLE
78	359 WEST RHEINFALLS CIRCLE
79	345 WEST RHEINFALLS CIRCLE
80	340 WEST BOULDER POINT ROAD
81	324 WEST BOULDER POINT ROAD
82	369 WEST BOULDER POINT ROAD
83	351 WEST BOULDER POINT ROAD
84	337 WEST BOULDER POINT ROAD
85	511 WEST MEADOWBROOK CIRCLE
86	503 WEST MEADOWBROOK CIRCLE
87	510 WEST MEADOWBROOK CIRCLE
88	527 WEST BOULDER POINT ROAD
89	521 SOUTH BOULDER POINT ROAD
90	513 SOUTH BOULDER POINT ROAD

APPROVED: [Signature] DIRECTOR - PLANNING
APPROVED: [Signature] CITY ATTORNEY

THE CASCADES AT SOLDIER HOLLOW SUBDIVISION PHASE 2
MIDWAY CITY, WASHINGTON COUNTY, STATE OF UTAH

SURVEYOR'S CERTIFICATE
I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 685412 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.

BOUNDARY DESCRIPTION
BEGINNING NORTH 00°06'38" WEST 686.67 FEET ALONG THE SECTION LINE AND EAST 1824.66 FEET FROM THE WASHINGTON COUNTY SURVEY MONUMENT FOR THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;

BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS SUBDIVISION PLAT WAS ESTABLISHED AS NORTH 89°33'12" EAST BETWEEN SECTION CORNERS OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN IN CONFORMANCE WITH THE BASIS OF BEARINGS OF THAT CERTAIN CORNER RETURN SURVEY PERFORMED BY TROY L. TAYLOR FOR HIS FIRM RLS 151980 (GLEN HATCH) WHICH WAS ESTABLISHED AT THAT TIME AS SOUTH 69°04'51" EAST BETWEEN THE FIRST-ORDER IRONMS CAP CORNER ESTABLISHED ON MOUNTAIN, UT, AND THE WASHINGTON COUNTY SURVEY MONUMENT LOCATED AND MEASURED TO OBTAIN UTM COORDINATE SYSTEM 1983 DATUM, TIME REFERENCE DATE THE BEARINGS ON THIS MAP IN THE COUNTERCLOCKWISE DIRECTION.

OWNER'S DEDICATION
I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 685412 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.

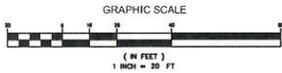
ACKNOWLEDGMENT
STATE OF UTAH, COUNTY OF WASHINGTON, CITY OF MIDWAY, I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 685412 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.

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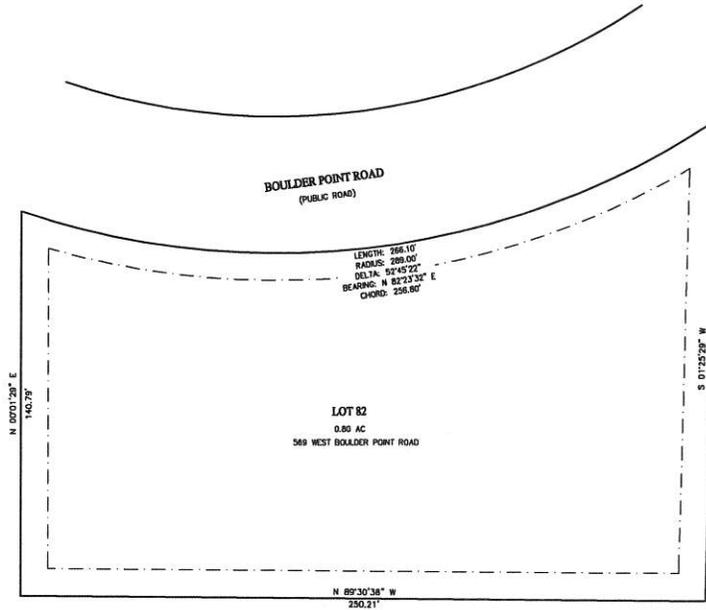
THE CASCADES AT SOLDIER HOLLOW SUBDIVISION PHASE 2
MIDWAY CITY, WASHINGTON COUNTY, STATE OF UTAH

COUNTY RECORDER
ENTRY: 4/17/18 BOOK: 1223 PAGE: 764-773
DATE: 5-13-2018 TIME: 10:33:29 AM FILE: 318
BY: J.A. WASHINGTON COUNTY RECORDER PRECISE PLS/ALASKA

THE CASCADES AT SOLDIER HOLLOW SUBDIVISION PHASE 2 LOT 82 AMENDED



VICINITY MAP



NARRATIVE

THE PURPOSE OF THIS PLAT AMENDMENT IS TO COMBINE LOT 82 & LOT 83 OF THE CASCADES AT SOLDIER HOLLOW SUBDIVISION PHASE 2 INTO ONE LOT, HEREBY TO BE KNOWN AS LOT 82 AMENDED.

MIDWAY CITY ATTORNEY

CITY ATTORNEY _____ DATE _____

MIDWAY SANITATION DISTRICT

DATE _____

MIDWAY ENGINEER APPROVAL

CITY ENGINEER _____ DATE _____

PLAT NOTES:

1. THIS PLAT AMENDMENT HAS BEEN APPROVED FOR THE PURPOSE OF COMBINING LOTS 82 AND 83 INTO A LARGER LOT 82 AS SHOWN HEREON.
2. UPON RECORDATION OF THIS PLAT AMENDMENT THE 18-FT PUBLIC UTILITY EASEMENT BETWEEN LOTS 82 AND 83 OF THE ORIGINAL PLAT FOR THE CASCADES AT SOLDIER HOLLOW SUBDIVISION PHASE 2 IS HEREBY TERMINATED BY THE MIDWAY CITY COUNCIL. THERE ARE NO EXISTING UTILITIES USING THIS EASEMENT.
3. ALL PRIOR PLAT NOTES, COVENANTS, AND RESTRICTIONS OF RECORD SHALL REMAIN IN EFFECT FOR THIS NEW LOT. SEE SUBDIVISION PLAT FOR THE CASCADES AT SOLDIER HOLLOW SUBDIVISION PHASE 2 RECORDED AS ENTRY 451720 IN WASATCH COUNTY OFFICIAL RECORDS.
4. REFER TO THE ORIGINAL RECORDED PLAT FOR THE CASCADES AT SOLDIER HOLLOW SUBDIVISION PHASE 2 FOR SECTION TIES, BASIS OF BEARINGS, AND OTHER LOCATION AND SURVEY INFORMATION.

MIDWAY IRRIGATION

DATE _____

PROJECT L19-244	PREPARED FOR CASCADES II AT SOLDIER HOLLOW, LLC
SHEET 1 OF 1	PROJECT CASCADES AT SOLDIER HOLLOW PHASE 2 82 & 83 LOT COMBO

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SUMMIT ENGINEERING GROUP, INC.
UNLESS ALTERNATE
IT IS A VIOLATION OF THE UTAH SURVEYING ACT TO REPRODUCE OR TRANSMIT IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SUMMIT ENGINEERING GROUP, INC.

**THE CASCADES AT SOLDIER HOLLOW
SUBDIVISION PHASE 2 LOT 82 AMENDED**

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 4
SOUTH, RANGE 4 EAST, S.04M,
MIDWAY CITY, WASATCH COUNTY, UTAH

COUNTY SURVEYOR APPROVAL

APPROVED AS TO FORM RECORD OF SURVEY # _____

WASATCH COUNTY SURVEYOR _____ DATE _____

SURVEYOR'S CERTIFICATE

I, BRIG CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 54878 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE CHIEF OF ENGINEERS THAT I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW.

BRIG CHRISTENSEN _____ DATE _____
PROFESSIONAL LAND SURVEYOR SURVEYOR'S SEAL

BOUNDARY DESCRIPTION

LOTS 82 AND 83 OF THE CASCADES AT SOLDIER HOLLOW SUBDIVISION PHASE 2, ACCORDING TO THE ORIGINAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF RECORDER, WASATCH COUNTY, UTAH.
CONTAINS 8.88 ACRES

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS PER THE ORIGINAL RECORDED SUBDIVISION PLAT FOR THE CASCADES AT SOLDIER HOLLOW SUBDIVISION PHASE 2 (ENTRY 451720).

OWNER'S DEDICATION AND CONSENT TO RECORD

WE, THE UNDERSIGNED OWNERS OF LOTS 82 AND 83 IN THE CASCADES AT SOLDIER HOLLOW SUBDIVISION PHASE 2, SHOWN ON THIS PLAT AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THIS PLAT, HAVE GRANTED THIS PLAT AMENDMENT TO BE CREATED AND GRANT TO MIDWAY CITY THE PUBLIC UTILITY EASEMENTS AS SHOWN HEREON, AND HEREBY GIVE CONSENT TO RECORD THIS PLAT.

STEVE MANGUM _____ DATE _____
TROBA MANGUM _____ DATE _____

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF MORGAN

ON THE _____ DAY OF _____, 2016, I, _____, STATE PERSONALLY APPEARED BEFORE ME STEVE MANGUM AND TROBA MANGUM, WHO SHOWED ME ADEQUATE EVIDENCE OF IDENTIFICATION AND CONSENT TO RECORD, AND WHO ALSO ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF MIDWAY, UTAH, APPROVES THIS BOUNDARY PLAT AMENDMENT SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, THIS _____ DAY OF _____, 2016.

WAFER _____
CLERK-RECORDER _____

PLANNING APPROVAL

APPROVED THIS _____ DAY OF _____, 2016 BY THE CITY COUNCIL OF MIDWAY, UTAH.

PLANNING DIRECTOR _____

WASATCH COUNTY RECORDER