

Midway City Council
20 August 2019
Regular Meeting

Bonner Landing /
Preliminary Approval



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: August 20, 2019
NAME OF PROJECT: Bonner Landing
NAME OF APPLICANT: Berg Engineering
AGENDA ITEM: Preliminary Approval
LOCATION OF ITEM: 100 South 100 East
ZONING DESIGNATION: R-1-9

ITEM: 6

Berg Engineering, agent for Johnsons Landing LLC, is requesting preliminary approval of Bonner Landing. The proposal is for a 4-lot subdivision that is 1.22 acres and is in the R-1-9 zone. The property is located at approximately 100 East 100 South.

BACKGROUND:

Berg Engineering, agent for Johnsons Landing LLC, is requesting preliminary approval of Bonner Landing. The proposal is on 1.22 acres and is 4.77 acres and will contain four lots. The current use and historical use of the property has been agricultural. Because the subdivision has more than three lots it is considered a large-scale subdivision which requires preliminary and final approval. The lots proposed in the subdivision will obtain frontage along 100 South which was approved as part of the Bonner Meadows subdivision. The property is in the R-1-9 zones which allows single-family dwellings and duplex dwellings (duplex lots require more frontage, acreage, and water than single-family lots). None of the lots comply with the code requirements for duplexes because all four lots have 90' of frontage and 100' of frontage is required for duplexes. Also, sufficient water rights would be required for two culinary connection per lot and the proposal is to provide water rights for one culinary connection per lot.

This R-1-9 zone does not require open space, so no open space has been included in the proposal. The parcel is located close to Main Street where many services are located. It is also close to the Midway Elementary School and a church. The sidewalks and the park strips in the development will both be 5' wide. The new sidewalks will greatly help the movement of pedestrians, especially school children, in the area with the added sidewalks.

The General plan describes the R-1-9 zone as the following:

The R-1-9 zone (9,000 sf lot) provides a residential environment within the City which is characterized by smaller lots and somewhat denser residential environment than is characteristic of the R-1-11 Zone. Nevertheless, this zone is characterized by spacious yards and other residential amenities adequate to maintain desirable residential conditions. The principal uses permitted in this zone shall be one and two-family dwellings and certain other public facilities needed to promote and maintain stable residential neighborhoods. This zone should be planned with an emphasis on walkability.

This proposal was noticed for two weeks in the Wasatch Wave, it was posted in three locations in Midway, and it was noticed on the State's webpage and the City's webpage.

LAND USE SUMMARY:

- 1.22-acre parcel
- R-1-9 zoning
- Proposal contains 4 lots
- Only single-family dwellings will be allowed
- Access from 100 South
 - 100 South will be built as part of the recently approved Bonner Meadows subdivision
- The lots will connect to the Midway Sanitation District sewer, Midway City's culinary water line, and Midway Irrigation Company's secondary water line

ANALYSIS:

Access – Access will be from 100 South, which was approved as part of the Bonner Meadows subdivision. 100 South will access 200 East north of lot 17 of the Timpanogos View Estates where the City owns a 60' wide area that was deeded to the City for a future road when the Timpanogos View Estates plat was recorded in August of 1973.

Single-family dwellings – Only single-family dwellings will be allowed on the four lots even though the R-1-9 zone does allow duplexes. The reason no duplexes are allowed is because none of the lots comply with the code requirements for duplexes because first, all the lots have only 0.8-acre feet of water which is enough for one culinary connection, second all the lots do not have both the required frontage for duplexes. A note should be included on the plat advising future lots owners of the limitation.

Sidewalks and connectivity – The developer will install 5' sidewalks throughout the development. The new sidewalks will greatly help the movement of pedestrians, especially school children, in the area with the added sidewalks. Many children use 200 East to access school which does not have sidewalk, now children will be able to use the new 5' sidewalks in the proposal which will allow a safer walk to school.

Water Connection – The lots will connect to water lines that will be built by the developer and connect to the City's water lines in the area.

Sewer Connection – The lot will connect to Midway Sanitations District's sewer lines located in the area.

Secondary Water Connection – The lots will connect to Midway Irrigation Company's secondary which is already servicing the property. Laterals will be created for all four lots. Secondary water meters are required for each lateral. There is also a 16.5' irrigation pipe easement that will be located on lot 1 that will limit the location of future structures on that lot. All structures will need to be outside of the easement.

WATER BOARD RECOMMENDATION:

This Water Board has recommended that 5.39 acre feet is tendered to the City for the outdoor and indoor water requirements.

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Nicholas: I make a motion to recommend preliminary approval of Bonner Landing. The proposal is for a 4-lot subdivision that is 1.22 acres and is in the R-1-9 zone. The property is located at approximately 100 East 100 South. We accept staff report

and findings and also accept the condition that a note will be included on the plat advising future lots owners that only single-family dwellings are allowed on the lots.

Seconded: Commissioner Bouwhuis

Chairman Kohler: Any discussion the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners: Payne, Nicholas, Ream, Bouwhuis, McKeon

Nays: None

Motion: Passed

POSSIBLE FINDINGS:

- The proposal does meet the intent of the General Plan for the R-1-9 zoning district
- The proposal does comply with the land use requirements of the R-1-9 zoning district
- The sidewalks crossing the property and connecting to neighboring roads and existing sidewalks will benefit the community by allowing safe pedestrian access.

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council feels 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 City Council feels 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 feels that the request does not meet the intent of the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

RECOMMENDED CONDITION:

1. A note is included on the plat advising future lots owners that only single-family dwellings are allowed on the lots.

728 West 100 South
Heber, UT 84032
www.horrocks.com



Heber Office
Tel: 435.654.2226
Fax: 435.657.1160

July 9, 2019

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

Subject: Bonner Landing Subdivision, –Preliminary Approval

Dear Michael:

Horrocks Engineers recently reviewed the Bonner Landing subdivision plans for Preliminary approval. The proposed subdivision is located at approximately 100 South and 180 East just north of the proposed Bonner Meadow subdivision. The proposed subdivision consists of 4 lots. An irrigation easement should be provided to accommodate the existing irrigation line. The following issues and red-line comments should be addressed.

General Comments

- The roads, culinary water, and storm drain systems within this development will be public infrastructure and maintained by Midway City. Each of the public utilities are planned to be installed with the Bonner Meadow Subdivision.

Water

- The proposed development will be served from the Gerber Mahogany pressure zone.
- The 4 lots will connect to the proposed 8" culinary water line in 100 South with the Bonner Meadows subdivision.

Roads

- The road fronting each of the 4 lots is proposed to be installed with the Bonner Meadows subdivision.

Storm Drain

- The storm drain for each of the 4 lots is proposed to be installed with the Bonner Meadows subdivision.

Trails

- No trails are proposed for this subdivision. A 5' sidewalk will be installed along the frontage of each lot as part of the Bonner Meadows subdivision.

Please feel free to call our office with any questions.

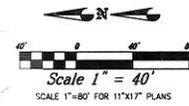
Sincerely,
HORROCKS ENGINEERS

A handwritten signature in blue ink, appearing to read 'Wesley Johnson', is written over a circular stamp. The stamp contains the text 'Wesley Johnson, P.E. Midway City Engineer'.

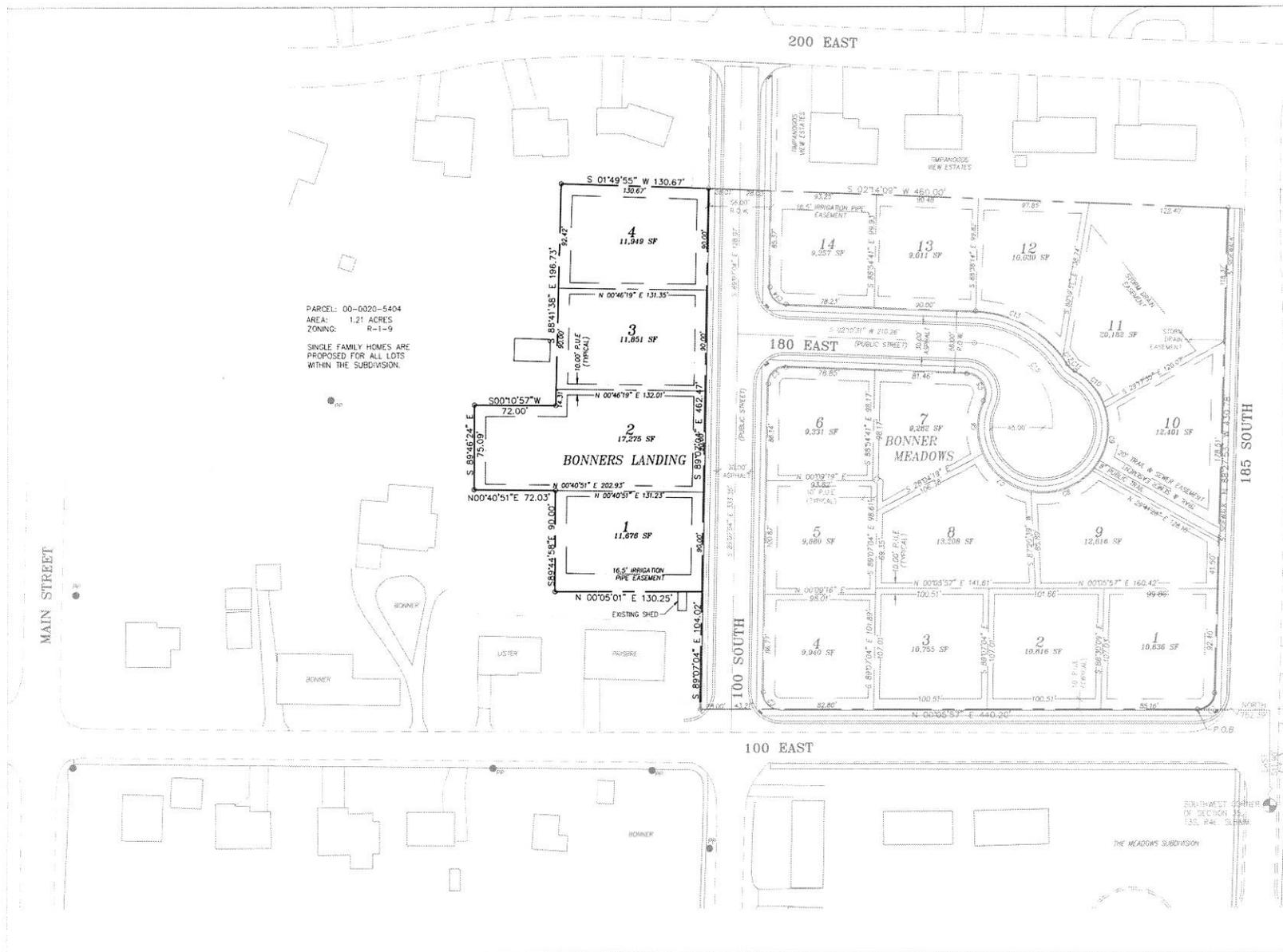
Wesley Johnson, P.E.
Midway City Engineer

cc: Paul Berg Berg Engineering





PARCEL: 00-0020-5404
 AREA: 1.21 ACRES
 ZONING: R-1-9
 SINGLE FAMILY HOMES ARE
 PROPOSED FOR ALL LOTS
 WITHIN THE SUBDIVISION.



THIS DOCUMENT IS RELEASED
 FOR REVIEW ONLY. IT IS NOT
 INTENDED FOR CONSTRUCTION
 UNLESS SIGNED AND SEALED.
 PAUL D. BERG P.E.
 SERIAL NO. 305560
 DATE: 18 MAY 2018

MATRIX CAPITAL ADVISORS
BONNERS LANDING

SITE PLAN

BERG ENGINEERING
 RESOURCE GROUP P.C.
 380 N. Main St. Suite 204
 Midway, UT 84049
 PH: (435) 657-9749

DESIGN BY: PDB DATE: 18 MAY 2018 SHEET: 1
 DRAWN BY: CNB REV:

BONNER LANDING SUBDIVISION PLAT - 16 MAY 2018

SURVEYOR
 MARK A. BYRD, RLS #160206
 505 SOUTH MAIN STREET
 BOUNTIFUL, UT 84010
 PHONE: (801)-292-0400
 DATE OF SURVEY: JAN 2008

BASIS OF BEARING

NORTH 89°54'33" EAST - BEING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, CITY OF MIDWAY, WASATCH COUNTY, UTAH, SHOWN ON A DEPENDENT RESURVEY OF PORTIONS OF TOWNSHIP 3 SOUTH, RANGE 4 EAST, S.L.B.M. AS FILE NUMBER OMC-034-001-0-0731 ON FILE IN THE W.C. SURVEYORS OFFICE.

SURVEYOR'S CERTIFICATE

I, MARK A. BYRD, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 160206 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREET AND EASEMENTS.

DATE: _____ SURVEYOR: (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS NORTH 1188.88 FEET AND WEST 2040.50 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;
 THENCE NORTH 00°05'01" EAST 130.25 FEET;
 THENCE SOUTH 89°44'58" EAST 90.00 FEET;
 THENCE NORTH 00°40'51" EAST 72.03 FEET;
 THENCE SOUTH 88°46'24" EAST 75.09 FEET;
 THENCE SOUTH 00°10'57" WEST 72.00 FEET;
 THENCE SOUTH 88°41'38" EAST 196.73 FEET;
 THENCE SOUTH 01°49'55" WEST 130.67 FEET;
 THENCE SOUTH 89°07'04" EAST 462.47 FEET TO THE POINT OF BEGINNING.
 CONTAINING: 1.21 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, PUBLIC STREETS, AND EASEMENTS, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____
 MATHEX CAPITAL ADVISORS

ACKNOWLEDGMENT

STATE OF UTAH)
 COUNTY OF WASATCH) S.S.
 ON THE _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME _____ WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.
 MY COMMISSION EXPIRES: _____ 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 _____ DAY OF _____, A.D. 20____

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

PLANNING COMMISSION APPROVAL

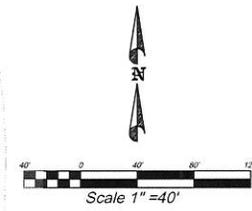
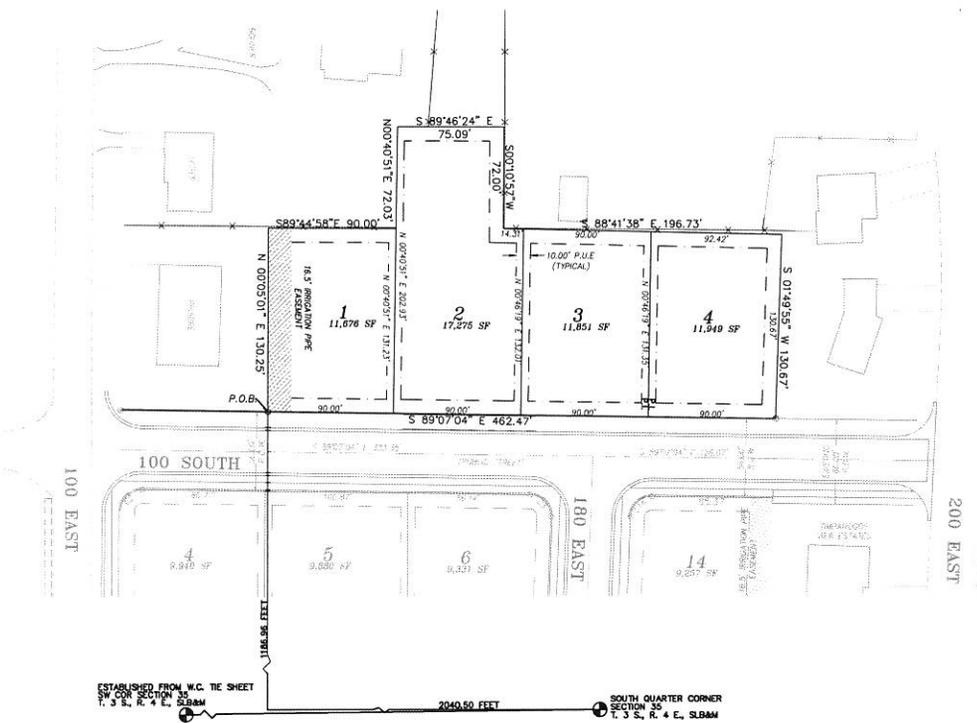
APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE
 _____ MIDWAY _____ CITY PLANNING COMMISSION
 PLANNING DIRECTOR CHAIRMAN, PLANNING COMMISSION

BONNER LANDING SUBDIVISION

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
 SCALE: 1" = 40' FEET

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

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ADDRESS TABLE

LOT	ADDRESS
1	127 EAST 100 SOUTH
2	143 EAST 100 SOUTH
3	155 EAST 100 SOUTH
4	171 EAST 100 SOUTH

IRRIGATION PIPE EASEMENT NOTES:

1. THE IRRIGATION PIPE EASEMENT ON LOT 1 IS DEDICATED TO MIDWAY IRRIGATION COMPANY FOR MAINTENANCE, OPERATION, ETC. OF THE IRRIGATION SYSTEM.
2. OWNERS OF LOTS 1 SHALL NOT INTERFERE WITH OR CHANGE FUNCTION OF THE IRRIGATION PIPE.

LEGEND

IRRIGATION PIPE EASEMENT

COUNTY RECORDER

DATE: _____
 WASATCH COUNTY SURVEYOR
 DATE: _____
 MIDWAY IRRIGATION COMPANY
 DATE: _____
 MIDWAY SANITATION DISTRICT