

Midway City Council
8 August 2018
Regular Meeting

Cascades at Soldier Hollow /
Plat Amendment



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: August 8, 2018

NAME OF PROJECT: The Cascades at Soldier Hollow Subdivision

NAME OF APPLICANT: Berg Engineering

AGENDA ITEM: Plat Amendment of Lots 36 and 37

LOCATION: 1060 South Cascade Falls Circle

ZONING DESIGNATION: R-1-15 zone

ITEM: 8

Berg Engineering, agent for Mark Angelos, is requesting a Plat Amendment of The Cascades at Soldier Hollow. The proposal is to combine lots 36 and 37. The property is located at 1060 South Cascade Falls Circle and is in the R-1-15 zone.

BACKGROUND:

Mark Angelos is proposing a plat amendment to The Cascades at Soldier Hollow Subdivision. The property is located at 1060 South Cascade Falls Circle and is in the R-1-15 zone. The applicant is proposing to combine lots 36 and 37 into one lot to create more space around a future home. Lot 36 is 0.5 of an acre and Lot 37 is 0.52 of an acre. If the lot combination is approved the size of the lot will be just over an acre in size. The Cascades at Soldier Hollow Homeowners' Association (HOA) is currently reviewing the proposal and initial indications are

they will approve the proposal the same as they approved another plat amendment last year that combined lots 18 and 19.

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.

If approved the applicant will need to cap one sewer and one water lateral at the main line. The City Engineer will need to approve and oversee this process.

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. This decision is entirely at the discretion of the City Council as long as the two findings required by State Code, as listed below, are met.

ANALYSIS:

In order for the Land Use Authority to approve a plat amendment Utah State Code dictates that

(a) there is good cause for the vacation, alteration, or amendment; and

(b) no public street, right-of-way, or easement has been vacated or altered.

The aforementioned (a) could be interpreted as having good cause because of the reduction of density, potential traffic and increased open space. As for (b) no public street, right-of-way, or easement will be altered if this amendment is approved.

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Nicholas: I move that we recommend approval of the plat amendment of the Cascades at Soldier Hollow, to combine lots 36 and 37. The property is located at 1060 South Cascade Falls Circle and is in the R-1-15 zone. That we accept the staff report and the staff findings that state that the potential trips per day would be reduced and the density would be reduced, and the area would feel more open because of the reduction of one lot and no public street, right of way or easement will be vacated or altered.

Seconded: Commissioner Streeter

Chairman Kohler: Any discussion on the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners Streeter, Waldrip, Ream, Nicholas, Bouwhuis, Payne, O'Toole

Nays: None

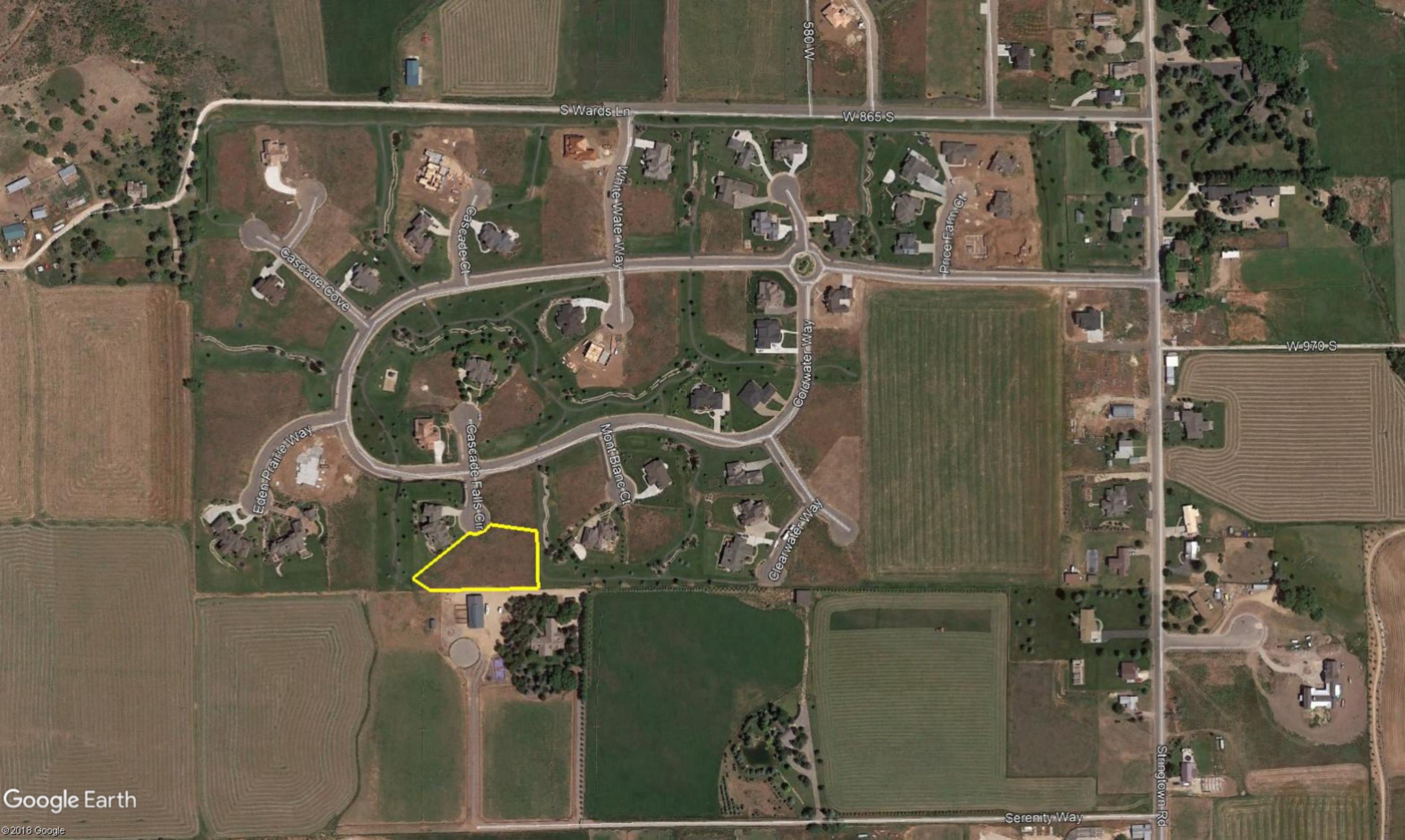
Motion: Passed

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

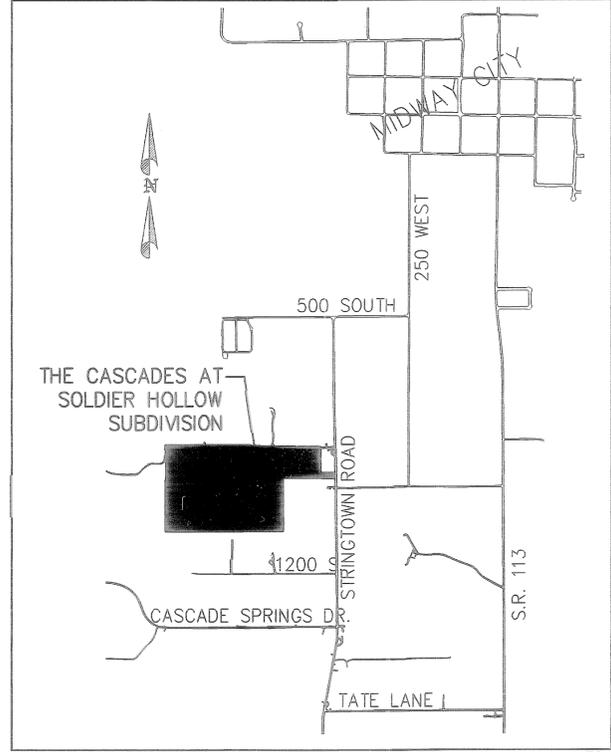
ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council feels 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 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



THE CASCADES AT SOLDIER HOLLOW SUBDIVISION - AMENDED - NOVEMBER 09, 2006

Table with columns: CURVE, LENGTH, RADIUS, DELTA, CHORD, BEARING. Contains curve data for C1 through C166.



VICINITY MAP NTS

Table with columns: LINE, LENGTH, BEARING. Contains line data for L1 through L44.

COUNTY RECORDER stamp: ENTRY # 319221, DATE 3-15-07, TIME 9:41 AM, FEE 135.00 BK 934 PG 1225 FOR WASATCH MOUNTAIN DEV. BY DANCING WASATCH COUNTY RECORDER ELIZABETH M PALMER

ADDRESS TABLE

Table with columns: LOT, ADDRESS. Lists addresses for lots 1 through 72.

SURVEYOR'S CERTIFICATE
IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR...

BOUNDARY DESCRIPTION
BEGINNING NORTH 00'06'36" WEST 683.00 FEET ALONG THE SECTION LINE FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN...

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...

ACKNOWLEDGMENT
STATE OF UTAH
COUNTY OF WASATCH } S.S.
ON THE 23rd DAY OF JANUARY, A.D. 2007, PERSONALLY APPEARED BEFORE ME Douglas Dancy...

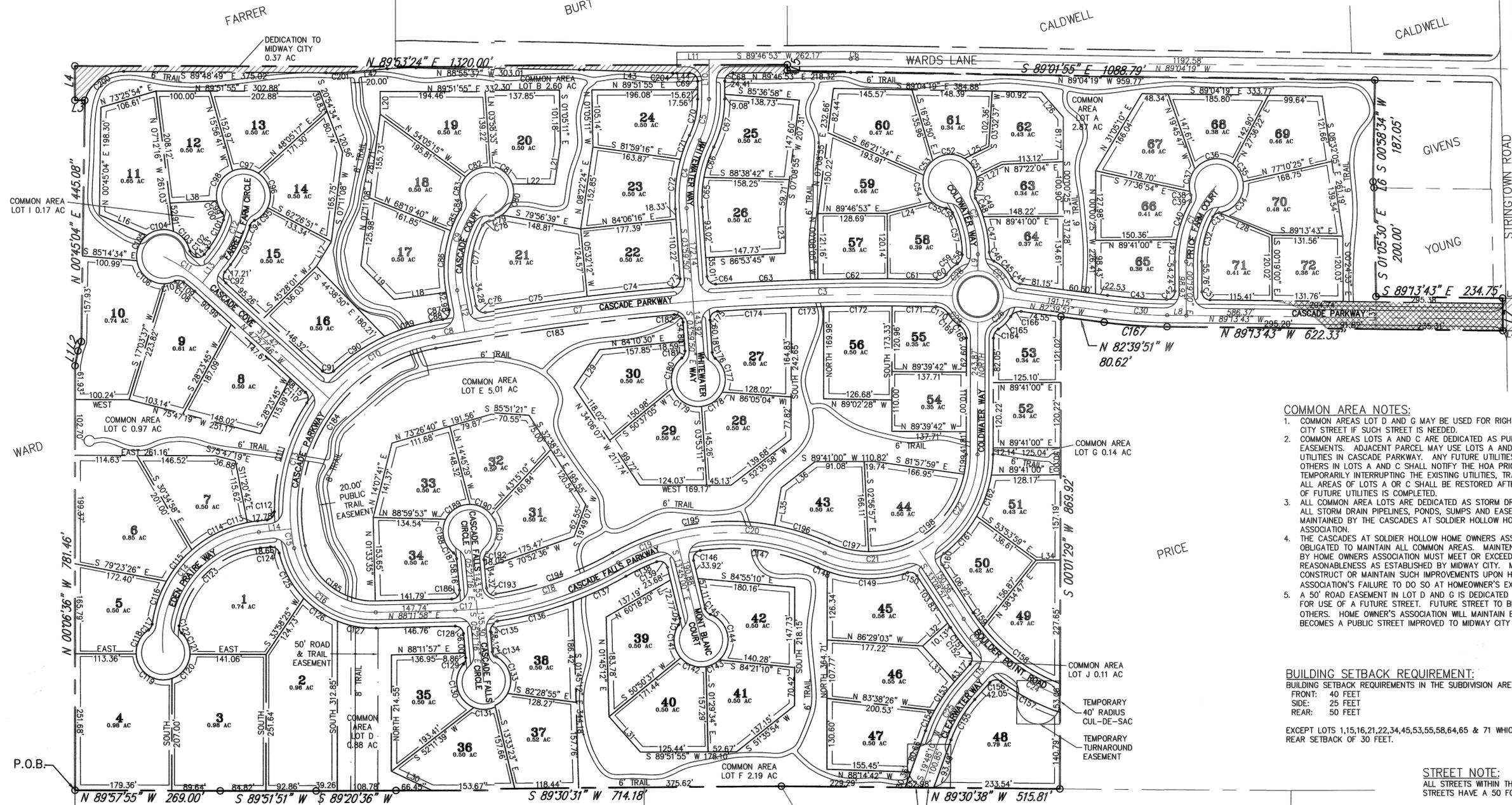
ACCEPTANCE BY MIDWAY CITY
THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.

PLANNING COMMISSION APPROVAL
APPROVED THIS 6th DAY OF DECEMBER, A.D. 2006 BY THE MIDWAY CITY PLANNING COMMISSION

THE CASCADES AT SOLDIER HOLLOW SUBDIVISION AMENDED
MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
SHEET 1 of 2

SURVEYOR
BING CHRISTENSEN, RLS
P.O. BOX 176
HEBER CITY, UTAH 84032
PHONE: (435) 654-9229
DATE: 2/2/07
MIDWAY SANITATION DISTRICT
DATE: 2/6/07
MIDWAY IRRIGATION COMPANY
DATE: 2/2/07
MIDWAY WATER BOARD
DATE: 2-15-07

THE CASCADES AT SOLDIER HOLLOW SUBDIVISION - AMENDED - 08 NOVEMBER 2008



- COMMON AREA NOTES:**
1. COMMON AREAS LOT D AND G MAY BE USED FOR RIGHT-OF-WAY FOR A CITY STREET IF SUCH STREET IS NEEDED.
 2. COMMON AREAS LOTS A AND C ARE DEDICATED AS PUBLIC UTILITY EASEMENTS. ADJACENT PARCEL MAY USE LOTS A AND C TO ACCESS UTILITIES IN CASCADE PARKWAY. ANY FUTURE UTILITIES INSTALLED BY OTHERS IN LOTS A AND C SHALL NOTIFY THE HOA PRIOR TO TEMPORARILY INTERRUPTING THE EXISTING UTILITIES, TRAILS OR STREAMS. ALL AREAS OF LOTS A OR C SHALL BE RESTORED AFTER INSTALLATION OF FUTURE UTILITIES IS COMPLETED.
 3. ALL COMMON AREA LOTS ARE DEDICATED AS STORM DRAIN EASEMENTS. ALL STORM DRAIN PIPELINES, PONDS, SUMPS AND EASEMENTS WILL BE MAINTAINED BY THE CASCADES AT SOLDIER HOLLOW HOME OWNERS ASSOCIATION.
 4. THE CASCADES AT SOLDIER HOLLOW HOME OWNERS ASSOCIATION IS OBLIGATED TO MAINTAIN ALL COMMON AREAS. MAINTENANCE PROVIDED BY HOME OWNERS ASSOCIATION MUST MEET OR EXCEED A STANDARD OF REASONABLENESS AS ESTABLISHED BY MIDWAY CITY. MIDWAY CITY MAY CONSTRUCT OR MAINTAIN SUCH IMPROVEMENTS UPON HOME OWNERS ASSOCIATION'S FAILURE TO DO SO AT HOMEOWNER'S EXPENSE.
 5. A 50' ROAD EASEMENT IN LOT D AND G IS DEDICATED TO MIDWAY CITY FOR USE OF A FUTURE STREET. FUTURE STREET TO BE CONSTRUCTED BY OTHERS. HOME OWNER'S ASSOCIATION WILL MAINTAIN EASEMENT UNTIL IT BECOMES A PUBLIC STREET IMPROVED TO MIDWAY CITY STANDARDS.

BUILDING SETBACK REQUIREMENT:
 BUILDING SETBACK REQUIREMENTS IN THE SUBDIVISION ARE:
 FRONT: 40 FEET
 SIDE: 25 FEET
 REAR: 50 FEET

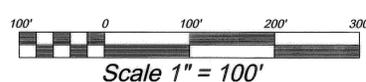
EXCEPT LOTS 1,15,16,21,22,34,45,53,55,58,64,65 & 71 WHICH CAN HAVE A REAR SETBACK OF 30 FEET.

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

BASIS OF BEARINGS
 THE BASIS OF BEARINGS FOR THIS SUBDIVISION PLAT WAS ESTABLISHED AS NORTH 89°33'12" EAST BETWEEN WASATCH COUNTY SURVEY MONUMENTS LOCATED AT THE SOUTHWEST AND SOUTH ONE-QUARTER 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 CONTROL NETWORK SURVEY PERFORMED BY ENGINEERING PLANNING GROUP, INC. FOR MIDWAY CITY IN 1998, WHICH WAS ESTABLISHED AT THAT TIME AS SOUTH 66°04'53" EAST BETWEEN THE FIRST-ORDER BRASS CAP CONTROL POINT LOCATED ON MEMORIAL HILL AND THE WASATCH COUNTY SURVEY MONUMENT LOCATED AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. TO OBTAIN UTAH COORDINATE SYSTEM 1983 CENTRAL ZONE BEARINGS, ROTATE THE BEARINGS ON THIS MAP IN THE COUNTERCLOCKWISE DIRECTION 00°01'29".

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

SOUTH 1/4 CORNER SECTION 3 T4S, R4E, SLB&M



- LEGEND**
- [Hatched Box] RIGHT-OF-WAY DEDICATION TO MIDWAY CITY
 - [Cross-hatched Box] THIS SECTION OF CASCADE PARKWAY MAY BE ABANDONED BY MIDWAY CITY IF IT IS POSSIBLE TO LOCATE AN ALTERNATE INTERSECTION SITE WITH 970 SOUTH.

THE CASCADES AT SOLDIER HOLLOW SUBDIVISION AMENDED

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH

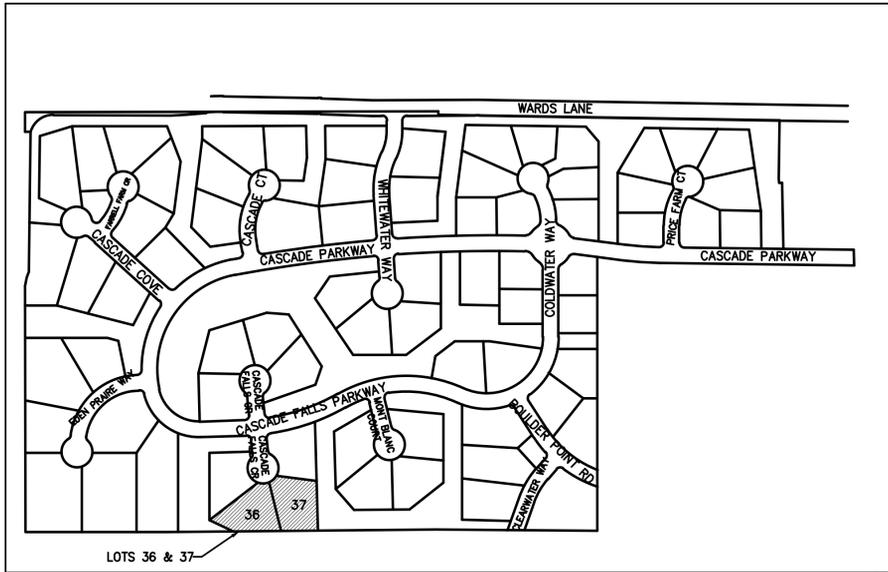
SHEET 2 OF 2

SURVEYOR'S SEAL BRIAN CHRISTENSEN 1-19-08 STATE OF UTAH	NOTARY PUBLIC SEAL	CITY ENGINEER SEAL WESLEY JOHNSON STATE OF UTAH	CLERK-RECORDER SEAL
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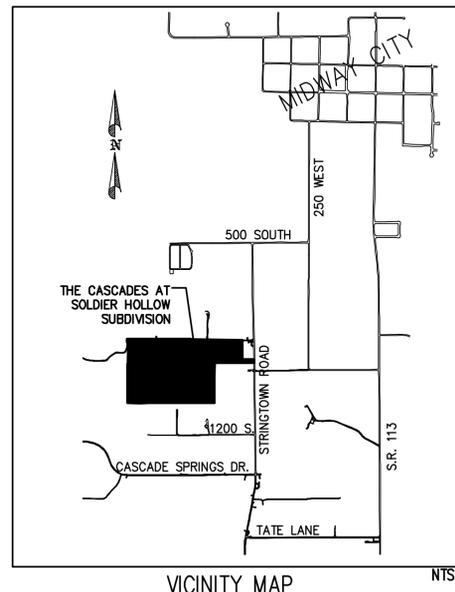
ENTRY # 317021 DATE 2-16-07 TIME 9:41
 FEE 126.00 BK 934 PG 1215 FOR WASATCH COUNTY, UTAH
 BY MNC - WASATCH COUNTY RECORDER ELIZABETH M PALMER

SOUTHWEST CORNER SECTION 3 T4S, R4E, SLB&M

THE CASCADES AT SOLDIER HOLLOW SUBDIVISION - AMENDED PLAT FOR LOTS 36 & 37 - 12 JUNE 2018



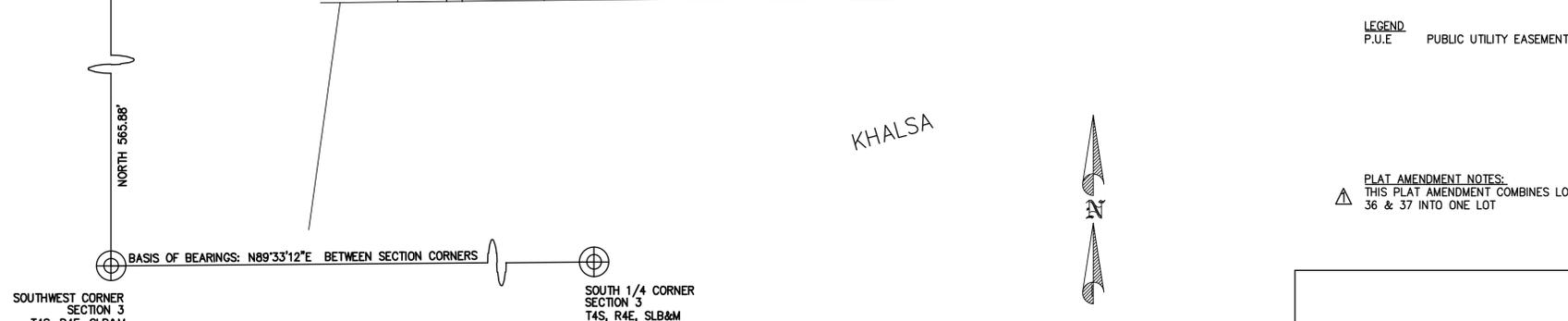
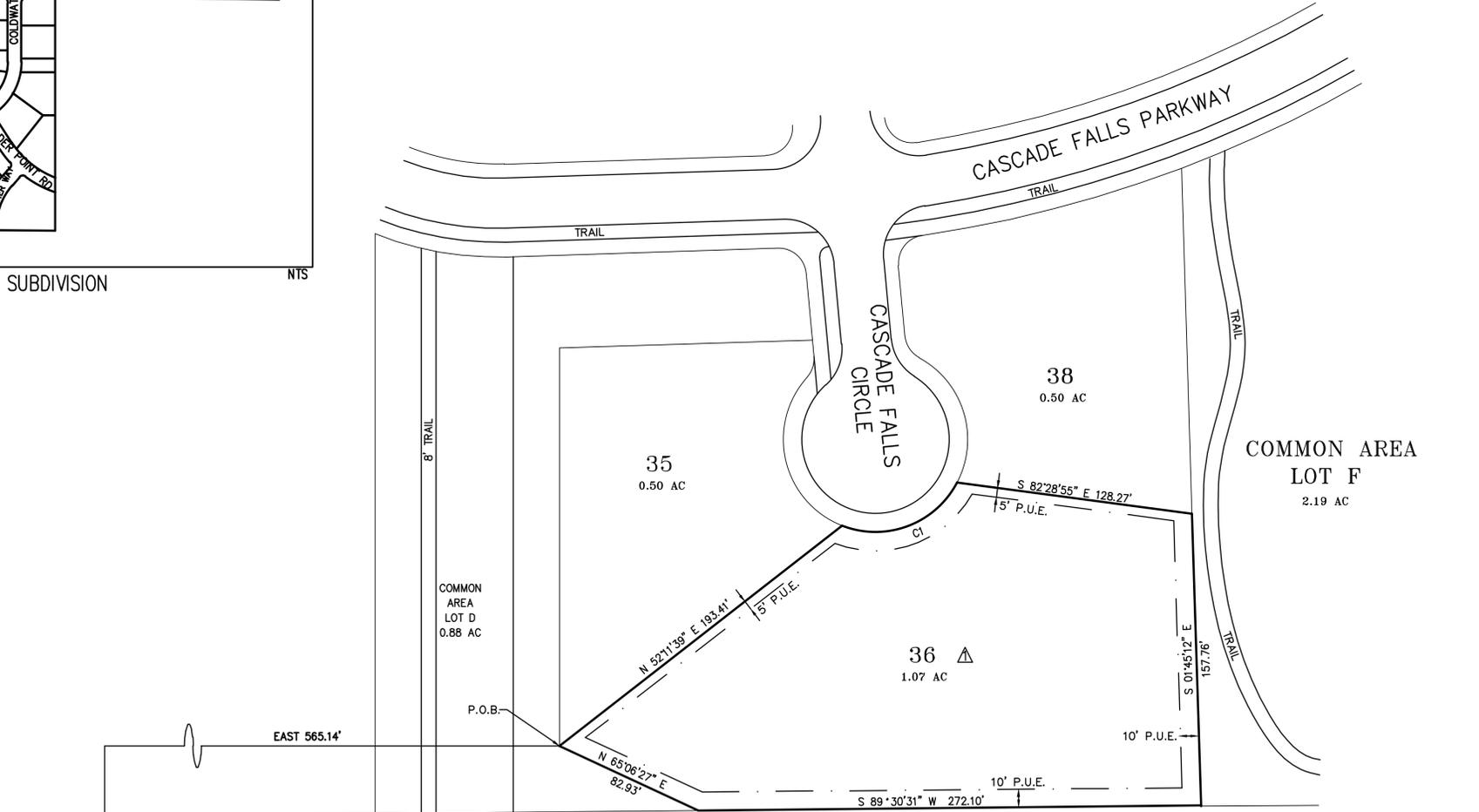
CASCADES AT SOLDIER HOLLOW SUBDIVISION NTS



VICINITY MAP NTS

BASIS OF BEARINGS
 THE BASIS OF BEARINGS FOR THIS SUBDIVISION PLAT WAS ESTABLISHED AS NORTH 89°33'12" EAST BETWEEN WASATCH COUNTY SURVEY MONUMENTS LOCATED AT THE SOUTHWEST AND SOUTH ONE-QUARTER 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 CONTROL NETWORK SURVEY PERFORMED BY ENGINEERING PLANNING GROUP, INC., FOR MIDWAY CITY IN 1998, WHICH WAS ESTABLISHED AT THAT TIME AS SOUTH 66°04'53" EAST BETWEEN THE FIRST-ORDER BRASS CAP CONTROL POINT LOCATED ON MEMORIAL HILL AND THE WASATCH COUNTY SURVEY MONUMENT LOCATED AT THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. TO OBTAIN UTAH COORDINATE SYSTEM 1983 CENTRAL ZONE BEARINGS, ROTATE THE BEARINGS ON THIS MAP IN THE COUNTERCLOCKWISE DIRECTION 00°01'29".

**THE CASCADES AT SOLDIER HOLLOW SUBDIVISION
 LOTS 36 AND 37 AMENDED**

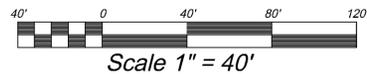


ADDRESS TABLE

LOT	ADDRESS
36	1060 SOUTH CASCADE FALLS CIRCLE
37	REMOVED

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	73.06'	50.00'	83°43'26"	66.73'	N 69°31'30" E



LEGEND
 P.U.E. PUBLIC UTILITY EASEMENT

PLAT AMENDMENT NOTES:
 THIS PLAT AMENDMENT COMBINES LOTS 36 & 37 INTO ONE LOT

SURVEYOR:
 SUMMIT ENGINEERING GROUP, INC.
 BING CHRISTENSEN, PLS
 P.O. BOX 176
 HEBER CITY, UTAH 84032
 PHONE: (435) 654-9229

DATE OF SURVEY: APRIL 2018

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 145796 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.

DATE _____ SURVEYOR (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

ALL OF LOTS 36 AND 37 OF THE CASCADES AT SOLDIER HOLLOW SUBDIVISION AMENDED PLAT AS RECORDED AS ENTRY NUMBER 317021 IN THE OFFICIAL RECORDS OF WASATCH COUNTY, UT.

ALSO DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT WHICH IS NORTH 565.88 FEET AND EAST 565.14 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;
 THENCE NORTH 52°1'39" EAST 193.41 FEET;
 THENCE ALONG THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT 73.06 FEET (CENTRAL ANGLE OF 83°43'26" AND A CHORD BEARING NORTH 69°31'30" EAST 66.73 FEET);
 THENCE SOUTH 82°28'55" EAST 128.27 FEET;
 THENCE SOUTH 01°45'12" EAST 157.76 FEET;
 THENCE SOUTH 89°30'31" WEST 272.11 FEET;
 THENCE NORTH 65°06'27" EAST 82.93 FEET TO THE POINT OF BEGINNING.

CONTAINING: 1.07 ACRE

OWNER'S CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNERS OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE COMBINED INTO ONE LOT, AND HEREBY GRANT THOSE AREAS LABELED AS EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES.

DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____
 MARK ANGELOS
 BY: _____
 BRYANT ANGELOS JORDAN L. ANGELOS

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.
 MY COMMISSION EXPIRES _____ NOTARY PUBLIC

ACCEPTANCE BY MIDWAY CITY

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AMENDMENT AND ACCEPTS THE GRANT OF PUBLIC UTILITY EASEMENTS AS SHOWN HEREON.

THIS _____ DAY OF _____, A.D. 20____
 APPROVED _____ ATTEST _____
 MAYOR CLERK-RECORDER (SEE SEAL BELOW)
 APPROVED _____ APPROVED _____
 CITY ENGINEER (SEE SEAL BELOW) CITY ATTORNEY

PLANNING COMMISSION APPROVAL

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

THE CASCADES AT SOLDIER HOLLOW SUBDIVISION LOTS 36 AND 37 AMENDED

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
 IN THE SOUTHWEST CORNER OF SECTION 3,
 TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

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

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