



## PLANNING COMMISSION MEETING STAFF REPORT

**DATE OF MEETING:** May 14, 2019

**NAME OF PROJECT:** Bonner Meadows (formerly Lucerne Estates)

**NAME OF APPLICANT:** Berg Engineering

**AGENDA ITEM:** Final Approval

**LOCATION OF ITEM:** 100 South 100 East

**ZONING DESIGNATION:** R-1-9

### **ITEM: 5**

Berg Engineering, agent for Johnsons Landing LLC, is requesting final approval of Bonner Meadows (formerly known as Lucerne Estates.) The proposal is for a 14-lot subdivision that is 4.77 acres and is in the R-1-9 zone. The property is located at approximately 149 South 100 East.

### **BACKGROUND:**

This request is for final approval of Bonners Meadows (formerly known as Lucerne Estates) a large-scale subdivision on 4.77 acres and will contain 14 lots. Preliminary approval from the City Council was granted on March 14, 2018 and a year extension of that approval was granted by the City Council on March 19, 2019. The 14 lots proposed in the subdivision will obtain frontage along new roads built within the subdivision (100 South and 180 East) and four lots will front the existing 100 East. 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 lots the 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 and acreage for duplexes.

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 property has historically been used for agricultural. 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. 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. The developer has included a 5' trail that will run from the end of the cul-de-sac to 185 South that will become school property.

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:**

- 4.77-acre parcel
- R-1-9 zoning
- Proposal contains 14 lots
- Only single-family dwellings will be allowed
- Access from 100 South and 100 East
- 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, 100 East and 180 East. The proposed 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 all 14 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 and acreage 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. The developer has included a 5' trail that will run from the end of the cul-de-sac to 185 South that will become school property.

*City and School District agreement of 185 South* – The City and the Wasatch School District agreed to a property exchange in 2017 that allowed for the construction of Michie Lane (300 South). The agreement was that the school district would deed Michie Lane to the city to allow for construction of the road if the City, at a future date, would deed 185 South to the school district. The catalyst for deeding 185 South was determined to be when 100 South is built which, is part of the proposed Bonners Meadow subdivision. Basically, the City agreed to vacate one road if two new roads were in service. The deeding of 185 to the school district will allow the school to have flexibility regarding future plans for Midway Elementary and its surrounding property. Once 100 South is built and deeded to the City then the City will need to follow the process, as outlined in the State code, to vacate the road and then deed it to the school district.

*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 14 lots. Secondary water meters are required for each lateral.

*Geotechnical report* – The applicant has submitted a geotechnical study and is available for review at the planning office.

*Traffic study* – A traffic study is not required for this proposal since there are less than 15 lots proposed.

**WATER BOARD RECOMMENDATION:**

This item was reviewed by the Water Board on February 6, 2017. The board recommended that 17.6-acre feet of water are tendered to the City before the plat is recorded. This calculation is based on single-family dwellings constructed on each lot.

**PLANNING COMMISSION RECOMMENDATION:**

**Motion:** Council Member Simonsen moved to grant preliminary approval, for the Lucerne Estates Subdivision, based upon what was presented and discussed that evening and subject to further review.

**Second:** Council Member Van Wagoner seconded the motion.

**Discussion:** None

**Vote:** The motion was approved with the Council voting as follows:

Council Member Christen	Aye
Council Member Drury	Excused from the Meeting
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

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

May 14, 2019

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

**Subject: Bonner Meadows Subdivision, – Final Approval**

Dear Michael:

Horrocks Engineers recently reviewed the Bonner Meadow subdivision plans for Final approval. The proposed subdivision is located at approximately 100 South and 180 East just north of the Midway Elementary School. The proposed subdivision consists of 14 lots. 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.

**Water**

- The proposed development will be served from the Gerber Mahogany pressure zone.
- The proposed development will connect to the existing 12" culinary water line in 100 East and the existing 6" culinary water line in 200 East.
- 8" water lines will be installed within the development. The proposed culinary water system will provide adequate fire flows.

**Roads**

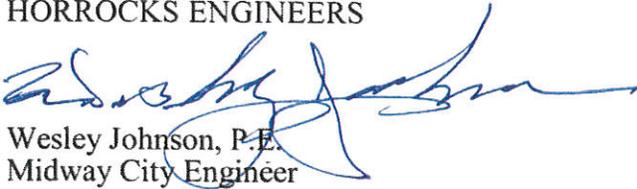
- A new road is proposed to be installed on 100 South from 100 East to 200 East. All new roads within the subdivision will have a cross section of 30' of asphalt, modified curb & gutter, a 5' park-strips and 5' sidewalks.

**Storm Drain**

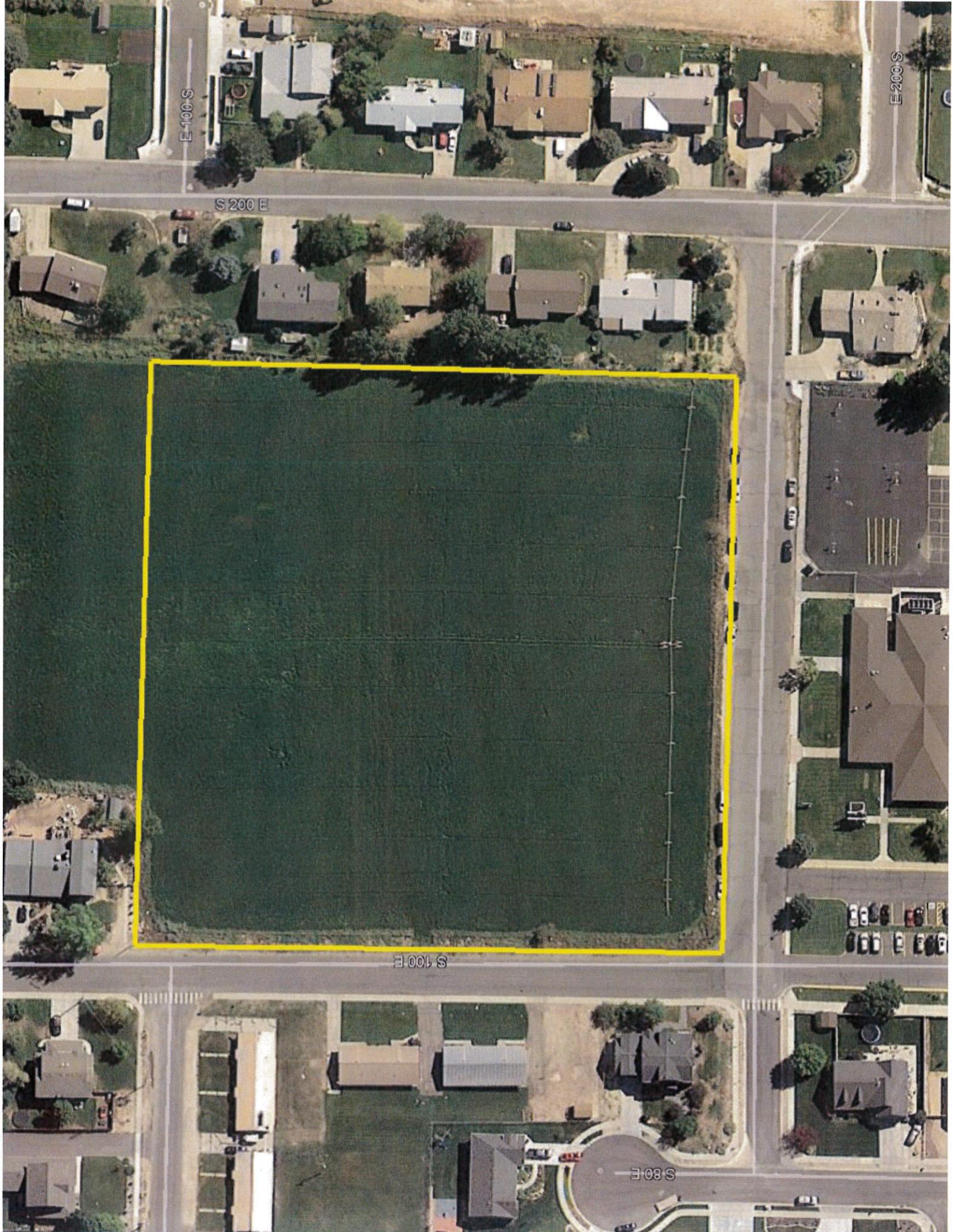
- The storm water within the proposed development will be collected and dispersed through the use of catch basins, sumps, and a retention basin.
- For maintenance, a utility easement within 185 South should be provided to maintain access to the storm drain retention basin and sumps.

Please feel free to call our office with any questions.

Sincerely,  
HORROCKS ENGINEERS

  
Wesley Johnson, P.E.  
Midway City Engineer

cc: Paul Berg                      Berg Engineering



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