



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: July 9, 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: 2

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 item has yet to be reviewed by the Water Board.

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

RECOMMENDED CONDITION:

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



BASIS OF BEARING

NORTH 89°52'33" EAST - BEING THE SOUTH LINE OF THE SOUTHWEST QUARTER CORNER OF SECTION 35, TOWNSHIP 3 NORTH, RANGE 4 EAST, SALT LAKE COUNTY, UTAH, AS SHOWN ON A DEPENDENT RESURVEY OF PORTIONS OF TOWNSHIP 3 NORTH, RANGE 4 EAST, SALT LAKE COUNTY, UTAH, FILED IN THE R.C. SURVEYORS OFFICE ON 08-13-03-001-0-0701 ON FILE IN THE R.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. 16008 AS PREScribed BY THE BOARD OF LAND SURVEYORS, STATE OF UTAH, UNDER THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE EASEMENTS SAID TRACT OF LAND INTO LOTS, BLOCKS, STREET AND EASEMENTS.

DATE _____ SURVEYOR FOR THE BEARING

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS NORTH 118.68 FEET AND WEST 2940.50 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°41'39" EAST 90.00 FEET;
 THENCE NORTH 00°40'51" EAST 72.03 FEET;
 THENCE SOUTH 89°52'33" WEST 72.00 FEET;
 THENCE SOUTH 00°10'57" WEST 72.00 FEET;
 THENCE SOUTH 89°41'39" EAST 186.73 FEET;
 THENCE SOUTH 07°49'55" WEST 130.67 FEET;
 THENCE NORTH 01°49'55" EAST 482.47 FEET TO THE POINT OF BEGINNING
 CONTAINING 1.21 ACRES

OWNER'S DEDICATION

WHEREAS ALL LOTS BY THE UNDERSIGNED OWNERS OF THE PROPERTY DESCRIBED HEREON HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, AND EASEMENTS, AND IN ACCORDANCE WITH THE LAWS AND CONVENTIONS OF THE STATE OF UTAH, I HEREBY DEDICATE AND CONVEY TO THE PUBLIC THE RIGHTS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

DATED THIS _____ DAY OF _____ A.D. 20____
 BY: _____

ACKNOWLEDGMENT

STATE OF UTAH _____
 COUNTY OF WASATCH _____
 ON THE _____ DAY OF _____ A.D. 20____ PERSONALLY APPEARED BEFORE ME _____ WHO DULY ACKNOWLEDGED TO ME THAT HE/ SHE DO DEBATE THE SAME IN THE CAPACITY INDICATED BY COMMISSION EXPRESSES _____ 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-CORPORATOR
 APPROVED _____ APPROVED _____
 CITY ENGINEER (BY SEAL) CITY ATTORNEY

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" = 50 FEET

SURVEYOR'S SEAL	MIDWAY PUBLIC SEAL	CITY ENGINEER SEAL	CITY-CORPORATOR SEAL
-----------------	--------------------	--------------------	----------------------

COUNTY RECORD

DATE: _____
 WASATCH COUNTY SURVEYOR

DATE: _____
 MIDWAY IRIGATION COMPANY

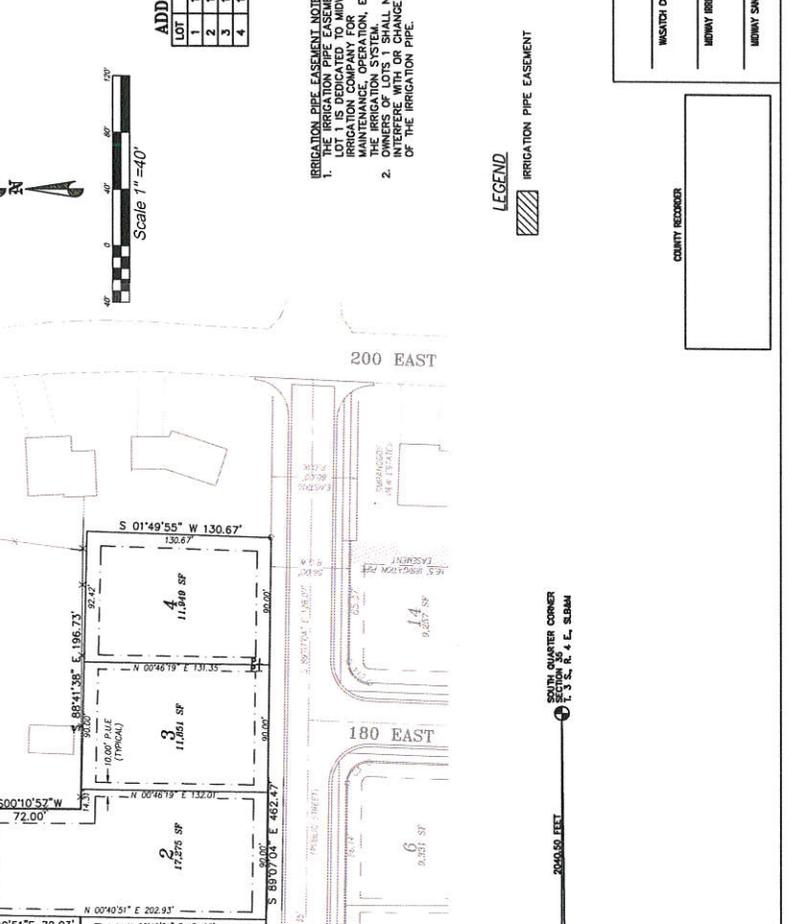
DATE: _____
 MIDWAY SUBDIVISION DISTRICT

ADDRESS TABLE

LOT	ADDRESS
1	177 EAST 100 SOUTH
2	143 EAST 100 SOUTH
3	153 EAST 100 SOUTH
4	171 EAST 100 SOUTH

IRIGATION PIPE EASEMENT NOTES:
 1. THE IRIGATION PIPE EASEMENT ON THE IRIGATION PIPE FOR MIDWAY MAINTENANCE, OPERATION, ETC. OF THE IRIGATION SYSTEM, SHALL NOT INTERFERE WITH OR CHANGE FUNCTION OF THE IRIGATION PIPE.

LEGEND



ESTABLISHED FROM W.C. THE SHEET
 1" = 50 FEET, PLAT 16, S.B.M.
 SOUTH QUARTER CORNER
 1" = 50 FEET, R. 4 E., S.84M

DATE OF SURVEY: JAN 2008
 SURVEYOR
 MARK A. BYRD, RLS #160208
 205 SOUTH 111 WEST
 MIDWAY, UT 84010
 PHONE (801) 582-0400