



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: October 9, 2018

NAME OF PROJECT: Reed Bezzant Property Lot 9 lot split

NAME OF APPLICANT: Steven and Kala Francis

AGENDA ITEM: Plat Amendment

LOCATION OF ITEM: 95 South 700 East

ZONING DESIGNATION: R-1-11

ITEM: 3

Steven and Kala Francis are proposing a plat amendment of the Reed Bezzant Property (14-lot subdivision). The proposal is to divide lot 9 into two lots. This proposal would allow one more dwelling in the acreage of the current lot 9. The property is located at 95 South and 700 East and is in the R-1-11 zone.

BACKGROUND:

This request is for a plat amendment that would divide lot 9 into two lots. This proposal would allow one more dwelling in the acreage of the current lot 9, which is a 0.59-acre lot. If the petition for the plat amendment is successful, then a subdivision approval will also be required to create the new lot. The Reed Bezzant Property plat (see attached) was recorded in 1975 and consists mostly of lots that are about one-quarter of an acre in size. There were two lots in the subdivision that were larger than the others which are lots 9 and 12. Lot 12 was about two acres and that lot was split in 2007 into lots 12A and 12B. The subdivision is currently a cul-de-sac but there is the potential for a road to connect to 700 East through parcel 11 on the plat which is directly across the street from lot 9.

LAND USE SUMMARY:

- 0.59-acre parcel
- R-1-11 zoning
- Lot 9 of a 14-lot subdivision
- Proposal petitions to split one lot into two lots
 - Lot 9A – 0.32 acres
 - Lot 9B – 0.25 acres
- Frontage along 700 East
- The new lot will connect to the Midway Sanitation District sewer, Midway City's culinary water line, and Midway Irrigation Company's secondary water line

ANALYSIS:

A plat amendment of this type is discretionary. The City Council can approve or deny this request even if other lots in recorded plats have been further subdivided in Midway. The applicant purchased one lot in the subdivision that has one residential building right and even if the lot is larger than most, there was never a guarantee that the lot could be further subdivided. There are impacts on the community and on the residents of 700 East if the lot is further subdivided. Some of these impacts are traffic, services, and potentially an impact on the school district.

Another side of this discussion involves the analysis of if the proposal complies with the General Plan and the land use code requirements. As for the General Plan, the current general plan creates the vision of open space and retaining a rural atmosphere. Adding another home on a relatively larger lot does not seem to meet that vision. On the other hand, the General Plan describes quarter acre lots in the R-1-11 zone which this proposal does comply with. Further, the land use code for the R-1-11 zone gives specific acreage, frontage, width and setback requirements that are all met with the proposal.

To staff's knowledge, the last two lots that were further subdivided occurred both in 2007. One was the aforementioned lot 12 in the Reed Bezzant Property and the other was lot 8 of the Midway Meadows subdivision. Another occurrence that was similar to but not the same was the Walker Ranch that was a 14-acre, one lot subdivision that was vacated then approved as the six lot Dutch Hills subdivision.

POSSIBLE FINDINGS:

- Density and traffic in the area will most likely increase if the plat is amended
- More services from the city will be required if approved that will most likely not be offset by the increased property taxes collected from the proposed lot
- No public street, right-of-way, or easement will be vacated or altered
- The proposed lot meets the minimum requirements for the R-1-11 zoning district
- In the past 10 years no other lots in recorded subdivisions have been subdivided
- More than 10 years ago other lots in recorded subdivisions have been subdivided in Midway

ALTERNATIVE ACTIONS:

1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission feels the proposal is in the best interest of the community.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s) if needed
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 is not in the best interest of the community.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial