

Midway City Council
7 December 2021
Regular Meeting

Mill Canyon Farms Subdivision /
Final Approval



Midway

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: December 7, 2021

NAME OF PROJECT: Mill Canyon Farms

NAME OF APPLICANT: Berg Engineering for Jordan and Lynne Law

OWNER OF RECORD: Jordan and Lynne Law

AGENDA ITEM: Final Approval

LOCATION OF ITEM: 250 West 970 South

ZONING DESIGNATION: R-1-22

Berg Engineering, agent for Jordan Law, is proposing final approval of the Mill Canyon Farms subdivision. The proposal contains four lots on 10.16 acres. The property is located 850 South 250 West and is in the R-1-22 zone.

BACKGROUND:

This request is for final approval of a standard subdivision on 10.16 acres that will contain four platted building lots. The existing parcel has frontage along 250 West (Street Lane). The parcel is bordered along its west and north sides by existing homes on unplatted lots that range from 0.42 acres to well over 6 acres in size. To the east is the Saddle Creek development and to the South is agricultural land, part of which is part of the Double C Ranch Master Plan (west of the Snake Creek channel) and a single six-acre platted lot known as Snake Creek Subdivision (east of the Snake Creek channel).

The proposed subdivision is on one 10.16-acre parcel that is wholly owned by the applicant and has been in agricultural production. The existing parcel has frontage along 250 West, which also provides frontages for all four proposed lots. No new roads are proposed to be constructed as part of the development application. The existing property

is in the R-1-22 zone and all the proposed lots appear to comply with the requirements of the code regarding frontage and acreage.

LAND USE SUMMARY:

- 10.16-acres
- R-1-22 zoning
- Proposal contains four building lots
- The applicant is required to identify and preserve 1.52 acres of open space.
- Access to lots is provided by existing frontage on 250 West
- The applicant has identified sensitive lands on the property which consists of a FEMA floodway and floodplains.
- The lots will connect to the Midway Sanitation District sewer, Midway City’s culinary water line, and Midway Irrigation Company’s secondary waterline

ANALYSIS:

Access – The existing parcel has frontage along 250 West. The applicant will be required to dedicate their portion of the right-of-way needed for both 250 West (60’ right-of-way) and the continuation of 970 South (56’ right-of-way), which is shown on the Midway City Master Street plan. The property to the south and west of Snake Creek, known as Double C Ranches, was previously master planned by the applicants engineer, who has confirmed that the dedications from both projects will provide the 56’ right-of-way required for 970 South. East of the Snake Creek channel, and south of this property is a platted single lot subdivision with a home that is currently under construction. This lot was platted previous to being annexed into the city and did not include a right-of-way dedication for 970 South. In working with the city towards a solution, the applicant has committed to dedicating a 50’ right-of-way east of the Snake Creek channel for 970 South. Wes Johnson, Midway City engineer, has said that he is supportive of the dedication and that he believes that it would be sufficient for the future road.

The applicant will improve their portion of 250 West to match current road standards. 970 South will remain un-improved for now but will likely be improved by the property owners to the south when they develop their future phases.

Geotechnical Study – A Geotechnical Study has been submitted to the City and can be viewed at the Planning Office.

Sensitive Lands – The applicants plan show a FEMA floodway and floodplain in addition to an irrigation ditch, that traverse the property. The FEMA floodway and floodplain are associated with the Snake Creek stream channel and are considered unbuildable. Per our sensitive lands code, the applicant will be required to show building envelopes on the plat that preclude the placement of residential structures within 50 feet of the floodway and floodplain.

The applicant is also proposing that they reroute the ditch within lot 4 so that it creates less of an impact on the buildable area of the lot. The new ditch easement needs to be shown on the plat. If there are any existing easements, these should be released previous the plat being recorded.

The applicant's engineer has not identified any other sensitive lands.

Culinary Water Connection – The lots will connect to existing city culinary water lines located in the area.

Sewer Connection – The lots will connect to existing Midway Sanitation District sewer lines located in the area.

Fire Flow - A fire hydrant will need to be located within 500' of any future dwellings, measured by the route of a fire hose from the fire hydrant to the future home site.

Secondary Water Connection – The lots will connect to Midway Irrigation Company's secondary water system which is already servicing the property. Laterals will be created for all four proposed lots. Secondary water meters are required for each lateral. The applicant has received a will-serve letter from Midway Irrigation Company.

Trails – The Midway City Trail Master Plan shows three 8' asphalt public trails in proximity to this development. One trail parallels 250 West and will be installed within the Saddle Creek development. The second trail parallels both the existing and future 970 South, requiring the applicant to dedicate a 15' public trail easement on the north side of the 970 South right-of-way that they are dedicating. Because 970 South will not be constructed with this subdivision, staff is recommending that the applicant construct the 8' asphalt trail within the right-of-way that the applicant is dedicating for 970 South, near the existing farm road. When 970 South is built in the future, the trail would then be relocated to the dedicated trail easement. The third trail will run along the Snake Creek channel, requiring the applicant to dedicate a 20' public trail easement that parallels the creek channel. The applicant has shown the easement on the east side of the channel. In the motion from the planning commission at preliminary approval, they requested that the applicant provide some additional width to allow for flexibility when the trail gets built. This trail will be built in the future by

others once additional trail easements are secured and the necessary funding is in place.

Open Space – Standard subdivisions greater than six-acres in size are required to provide a minimum of 15% open space. The applicant has elected to incorporate the required 1.52 acres of open space into lot four, which is allowed if the lot size is a minimum of two acres, which it is. Additionally, the applicant’s application is vested under the land use code that allows them to use sensitive lands as 100% of their required open space.

The portion of the lot that counts towards the required open space obligation needs to be clearly identified on the plat along with a note stating that the open space is unbuildable and clarifying what uses can occur on the open space.

Storm Water – The proposed development does not include the creation of new streets but will utilize existing frontage along 250 West. Any needed storm water capacity created by 250 west will be captured in the swales that will run along it.

Utilities – The proposal indicates that the distribution poles along 250 West must be moved to accommodate the improvement and widening of 250 West. The applicant will be required to bury the distribution lines along their frontage. Any costs associated with moving and burying the poles will be borne by the applicant.

WATER BOARD RECOMMENDATION (10/4/21):

- 10.16-acre parcel (442,570 sq. ft.)
 - Area of lots
 - 8.27 acres (360,241 sq. ft.)
 - Impervious area for lots
 - 0.73 acres (4 x 8,000 = 32,000 sq. ft.)
 - Irrigated acreage
 - 7.54 acres x 3 = 22.62 acre feet

- 4 culinary connections
 - 3.2 acre feet

- 25.82 acre feet requirement

POSSIBLE FINDINGS:

- The proposal does meet the intent of the General Plan for the R-1-22 zone

- The proposal does comply with the land use requirements of the R-1-22 zone

- 1.52 acres of open space must be created as part of the development, which will be noted on the plat and restricted from future building or development.
- The applicant will dedicate the remaining portion of the right-of-way needed for 250 West (Street Lane)
- The applicant will be dedicating a 15' public trail easement along the future 970 South. They will construct an 8' asphalt trail that connects 250 West to Stringtown Road. They will also be dedicating a 25' public trail easement along the east side of the Snake Creek channel
- The applicant will be required to install secondary water meters for each lot
- Any failure to submit a proposed final plan and final approval submittal package within one year of the approval of the Preliminary Plan by the City Council shall terminate all proceedings and render the Preliminary Plan null and void

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Simons: I make a motion that we recommend approve the final application of the Mill Canyon Farms subdivision. The proposal contains four lots on 10.16 acres. The property is located 850 South 250 West and is in the R-1-22 zone. We accept staff findings with no conditions.

Seconded: Commissioner Garland

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

Ayes: Commissioners Whitney, Ream, Wardle, Garland, Simons and Cliften

Nays: None

Motion: Passed

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council finds 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 finds that there are unresolved issues.
 - a. Accept staff report
 - b. List accepted findings

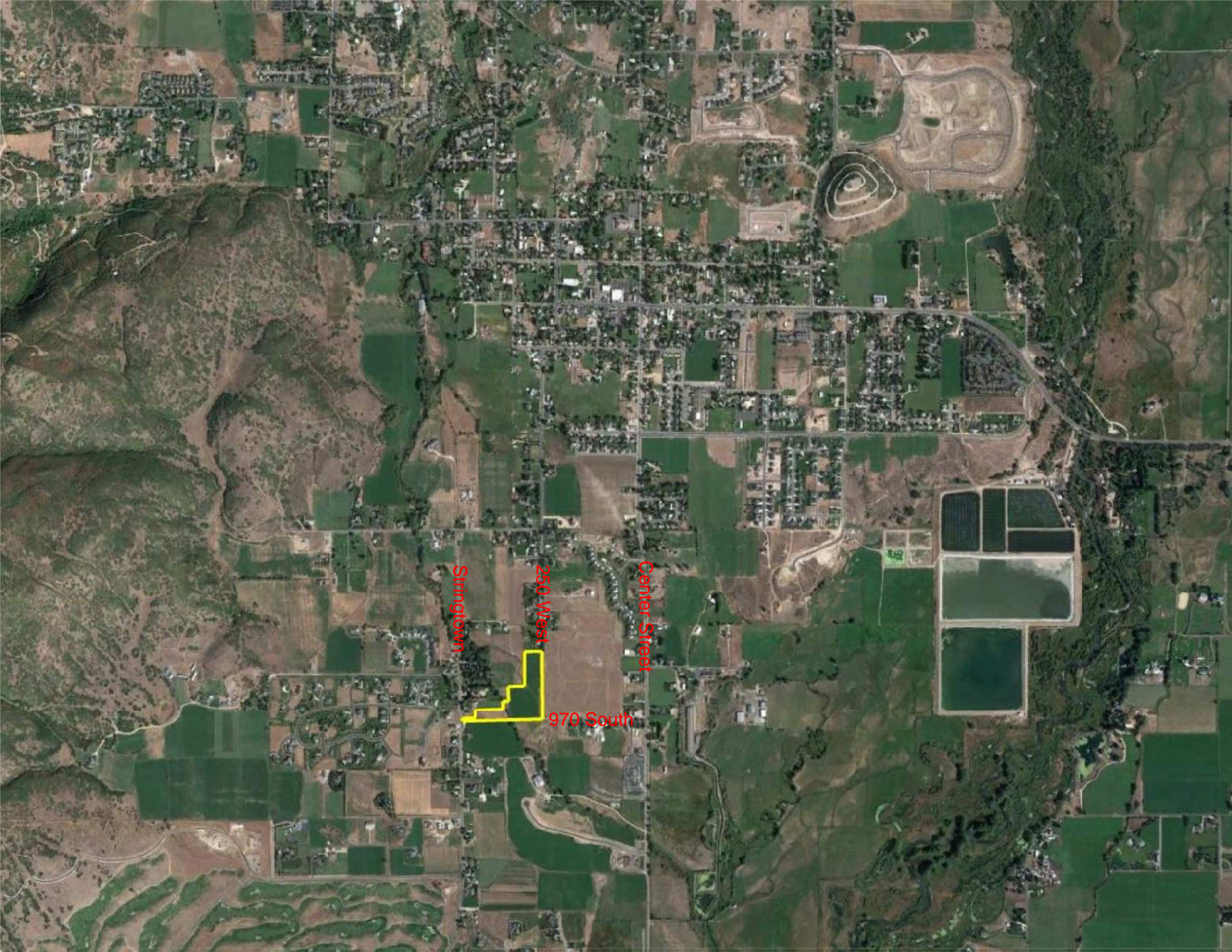
- c. Reasons for continuance
 - i. Unresolved issues that must be addressed
- d. Date when the item will be heard again

3. Denial. This action can be taken if the City Council finds that the request does not meet the intent of the ordinance.

- a. Accept staff report
- b. List accepted findings
- c. Reasons for denial

PROPOSED CONDITIONS:

None

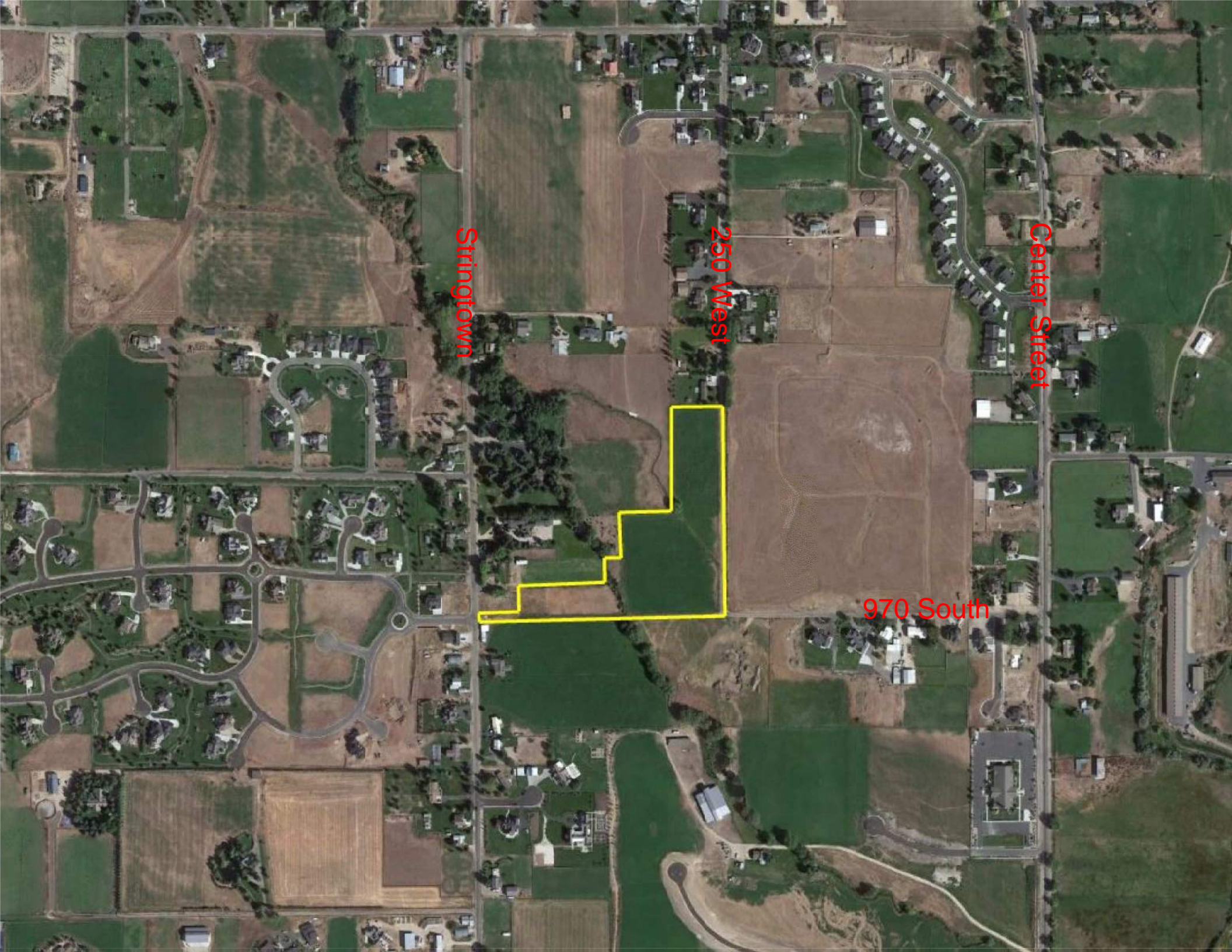


Stringtown

250 West

Center Street

970 South

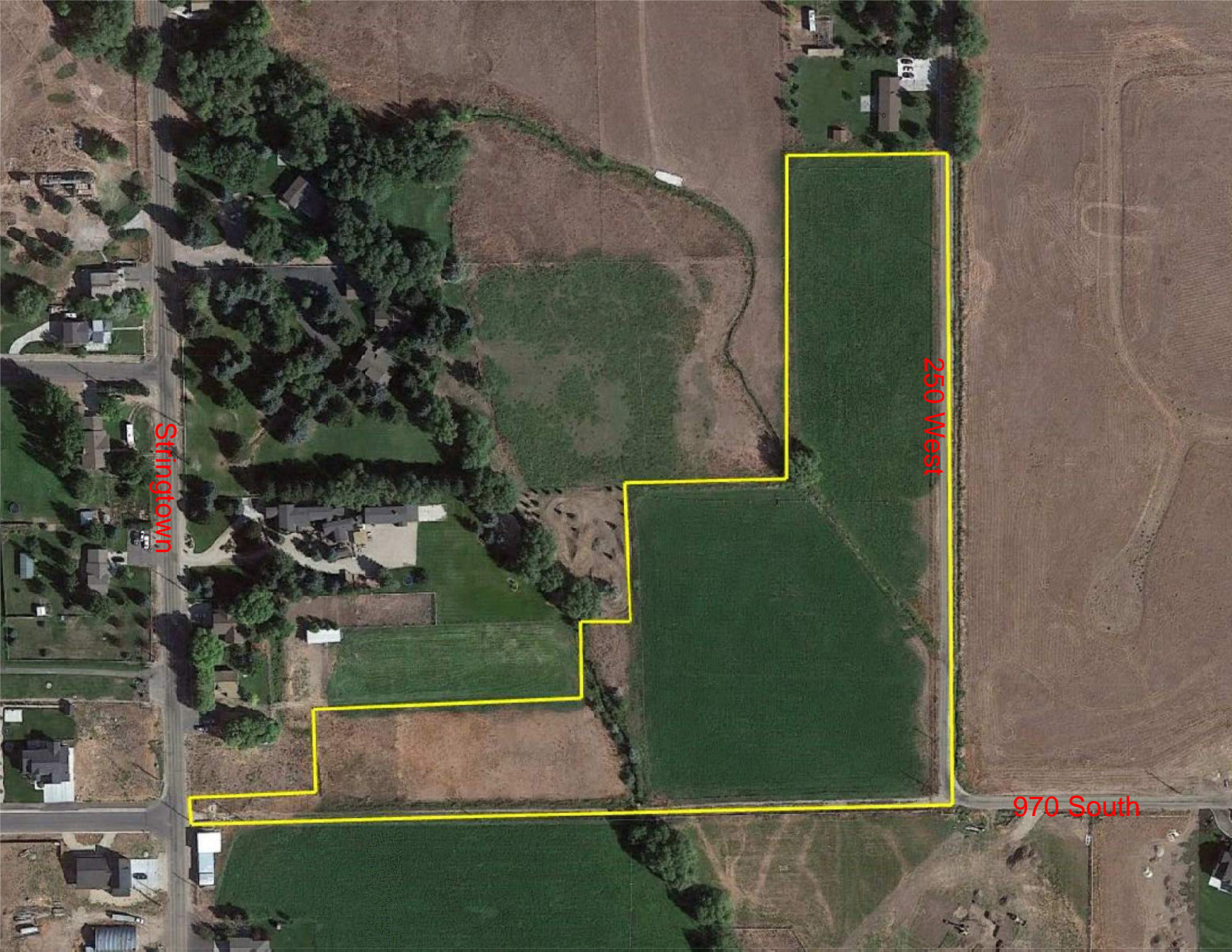


Center Street

250 West

Stringtown

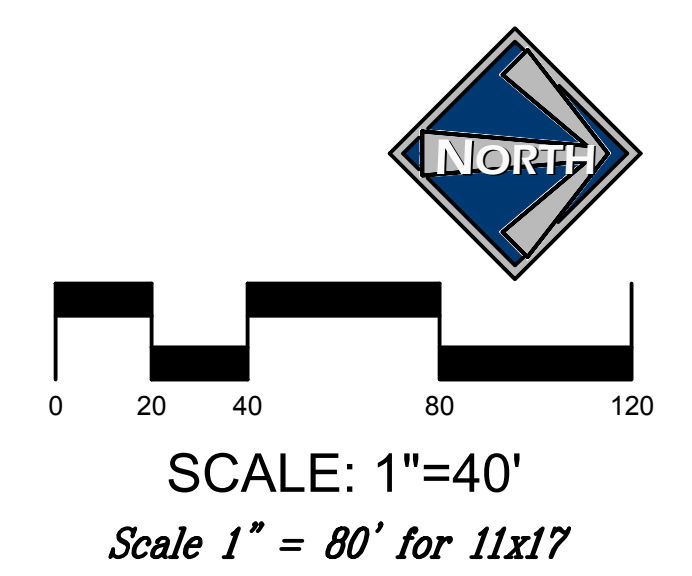
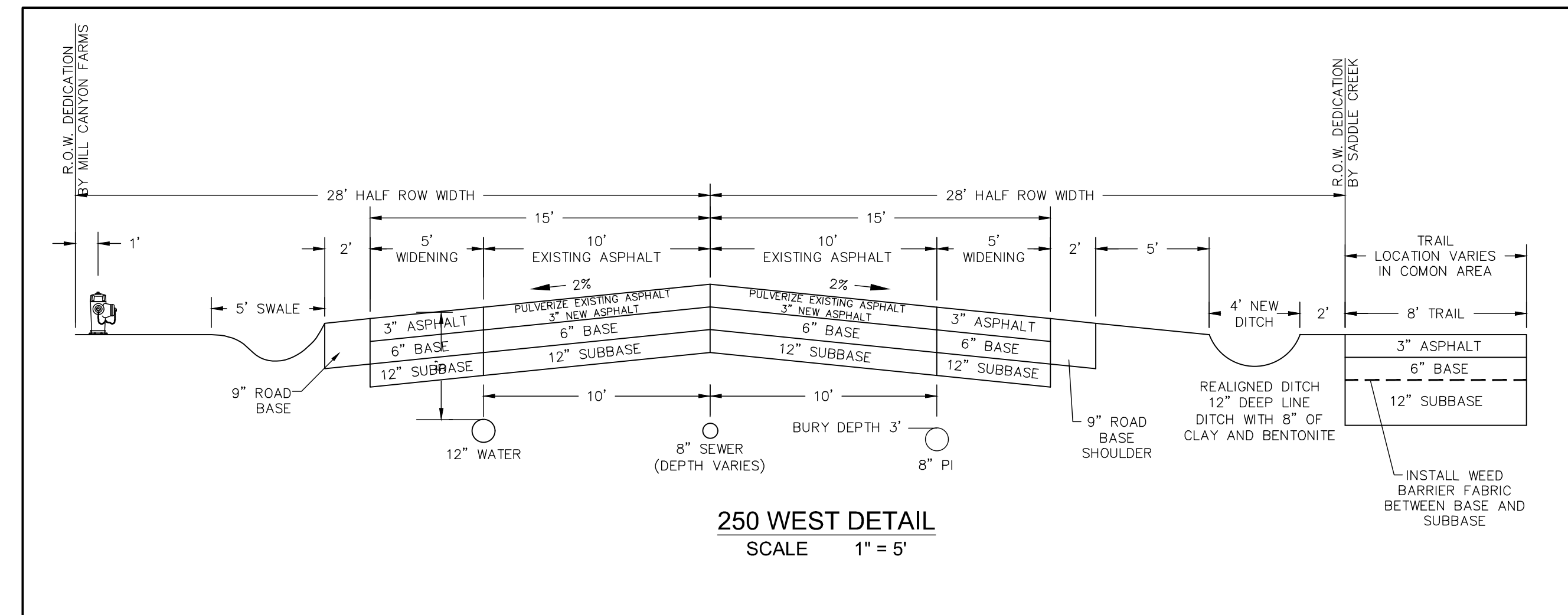
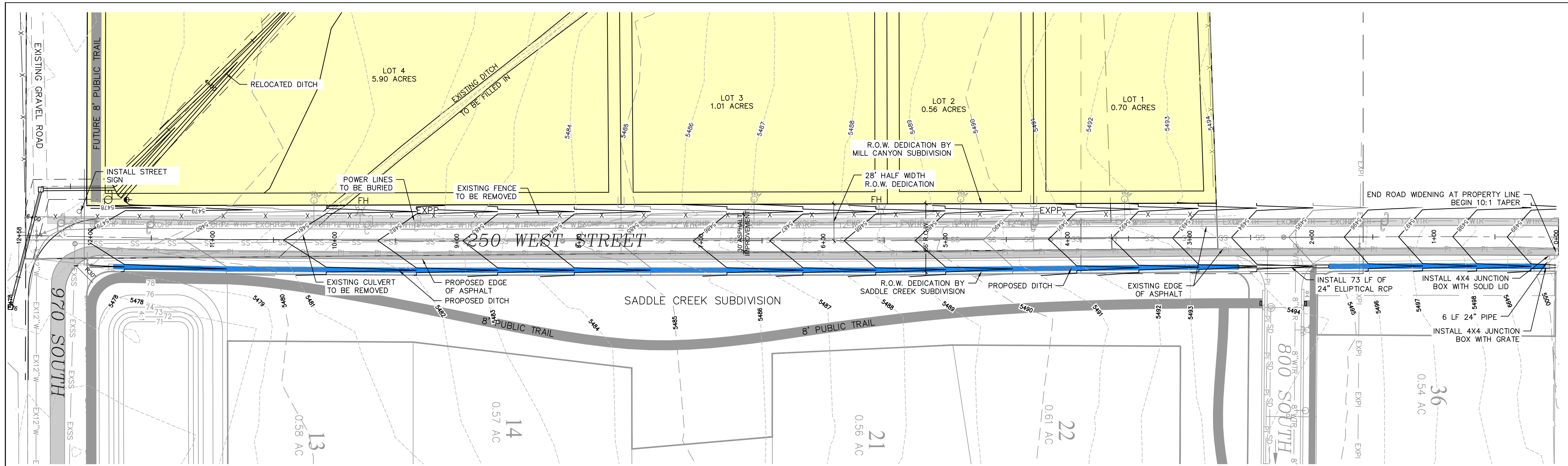
970 South



Stringtown

250 West

970 South



LEGEND:

- EXISTING EDGE OF ASPHALT
- PROPOSED EDGE OF ASPHALT
- EXISTING DITCH
- PROPOSED DITCH
- ASPHALT WIDENING

NOTES:

1. LOCATION OF EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE AND MAY BE INCOMPLETE. CONTRACTOR IS RESPONSIBLE FOR BLUE STAKING OF UTILITIES.
2. ALL ROAD CONSTRUCTION SHALL MEET MIDWAY CITY STANDARDS AND SPECIFICATIONS.

THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.

PAUL D. BERG _____ P.E.
SERIAL NO. 295595
DATE: 4 OCT 2021

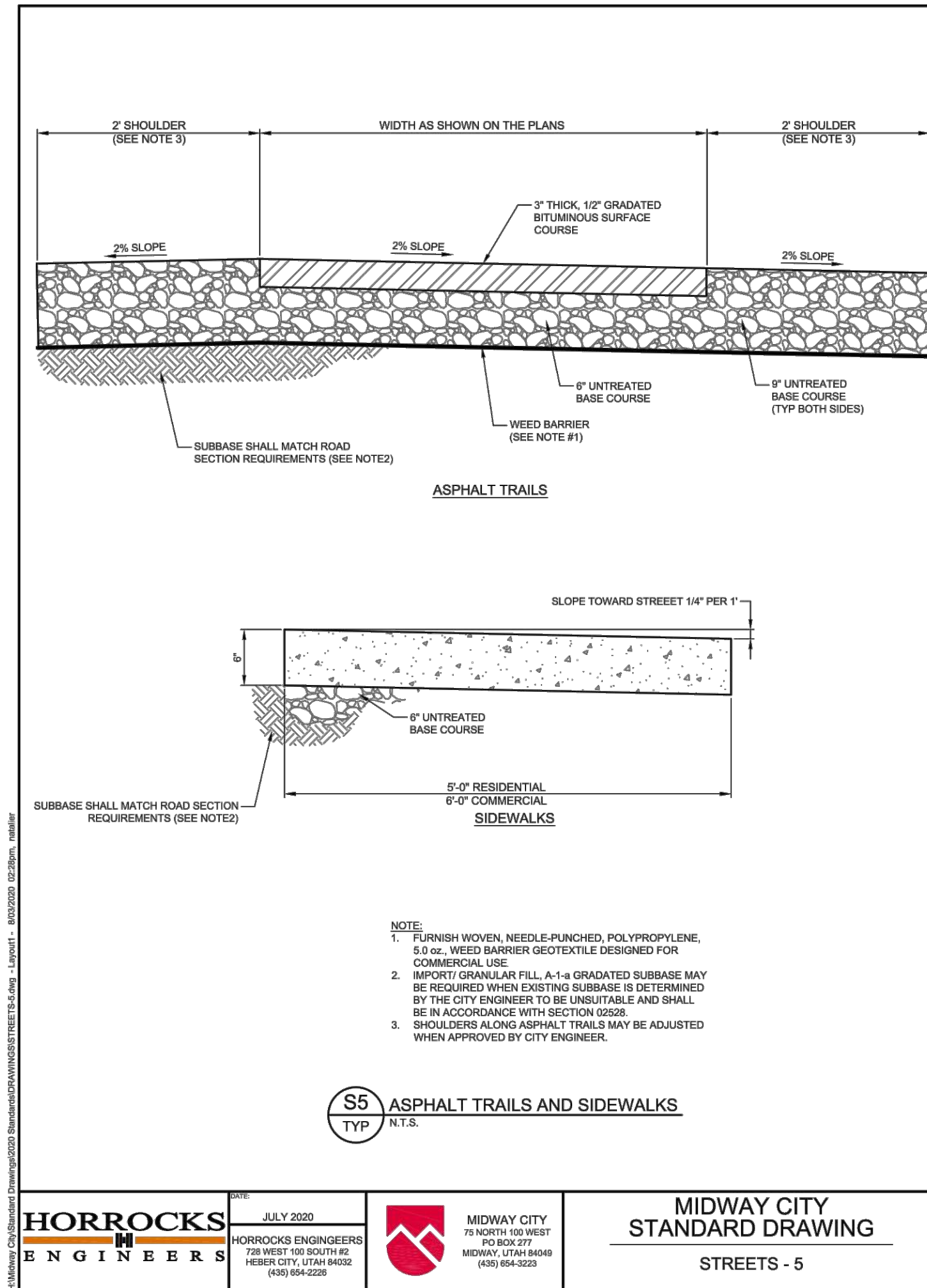
LAW
MILL CANYON FARMS

250 WEST ROAD IMPROVEMENTS

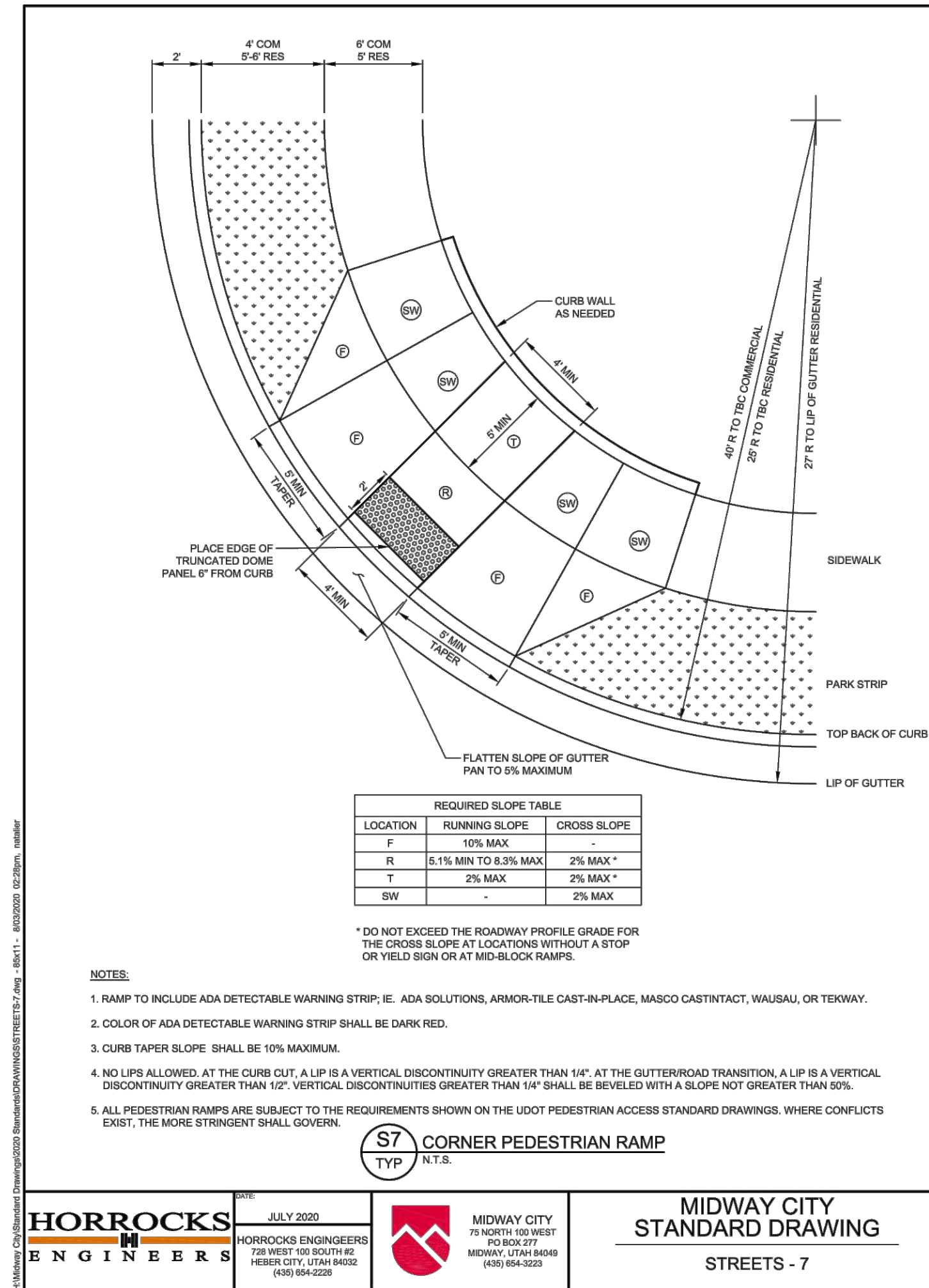
BERG ENGINEERING
380 E Main St. Suite 204
Midway, Ut 84049
ph 435.657.9749

DESIGN BY: PDB	DATE: 4 OCT 2021	SHEET
DRAWN BY: DEJ	REV:	3

11/13/2021 10:58:58 AM 250 West Road Improvements - 250 West Road Improvements.dwg
 plot date: October 05, 2021 10:58:58 AM
 plot by: eddy



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GET FONTS:
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GET LOGO:
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NOTE: Letter descenders should never touch the bottom of the sign. Change the sign size or font size until there's at least a 1/4" gap.

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SCALE: 1"=40'
Scale 1" = 80' for 11x17

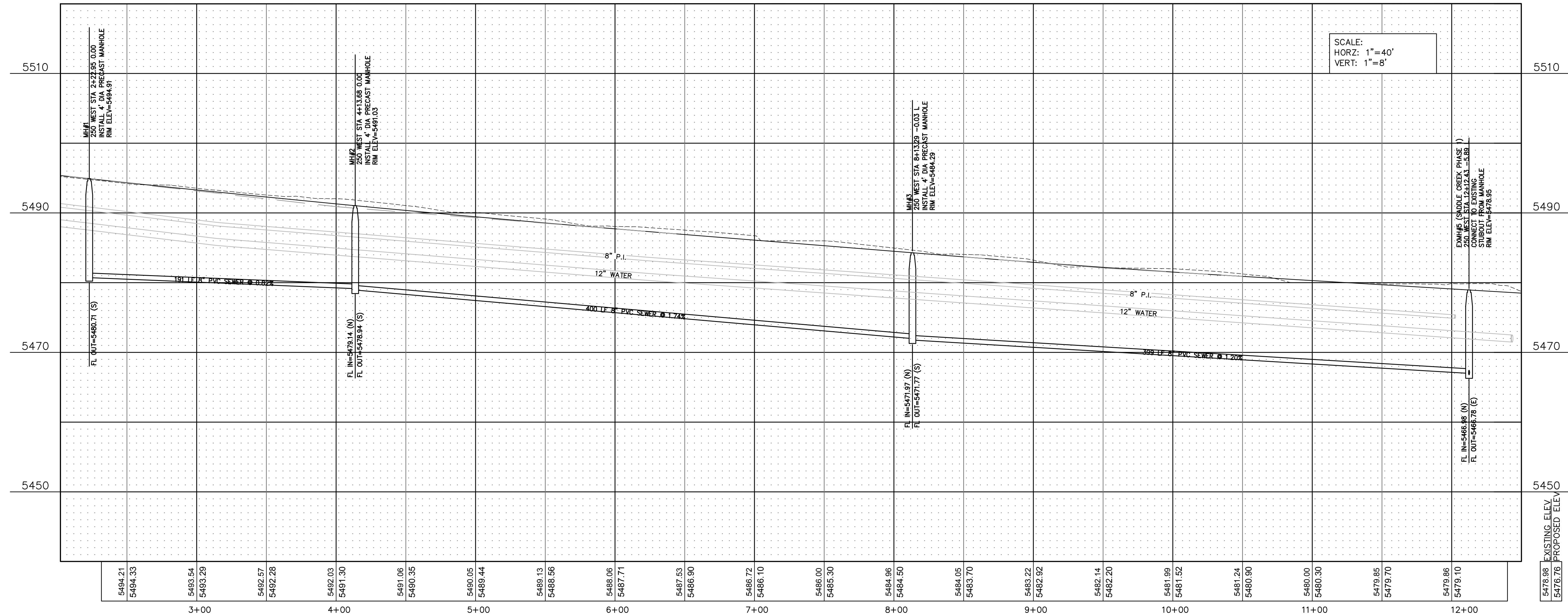
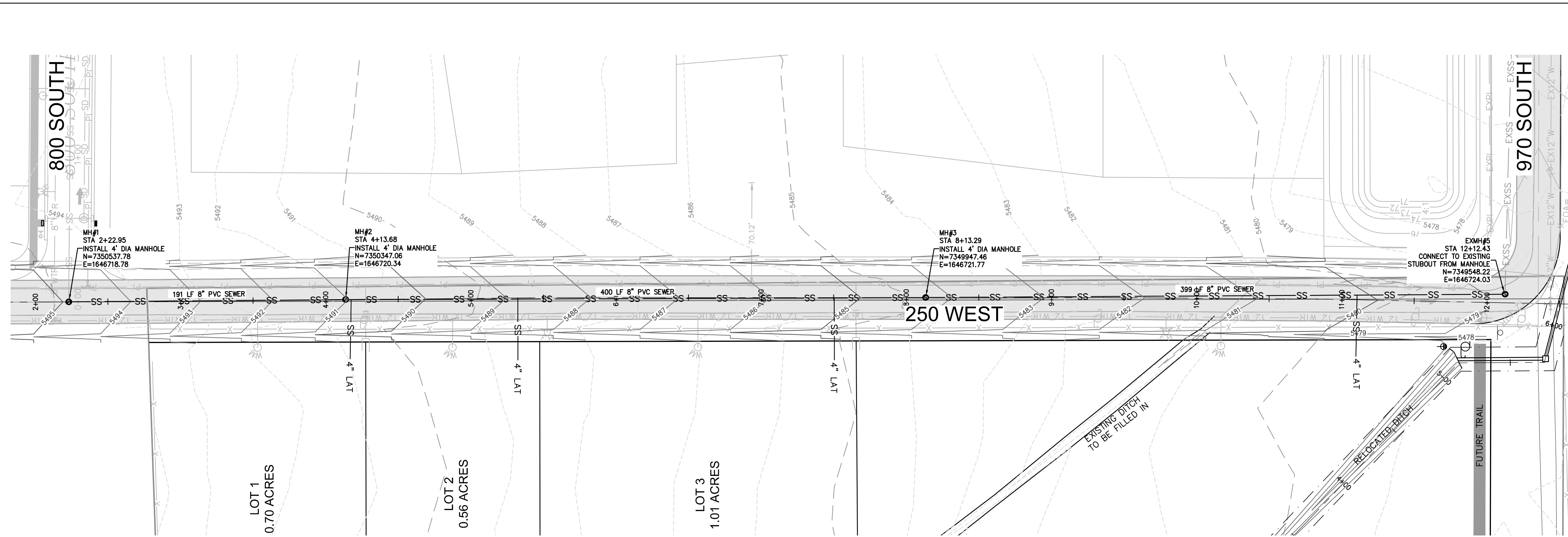
NOTES:

1. LOCATION OF EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE AND MAY BE INCOMPLETE. CONTRACTOR IS RESPONSIBLE FOR BLUE STAKING OF UTILITIES.
2. ALL SEWER CONSTRUCTION SHALL MEET MIDWAY SANITATION DISTRICT STANDARDS AND SPECIFICATIONS.

LEGEND

- EXSS EXISTING SEWER
- SS PROPOSED 8" SEWER
- EX12"W EXISTING WATER
- 12"WTR PROPOSED 12" WATER
- EXPI EXISTING PRESSURIZED IRRIGATION
- PI PROPOSED PRESSURIZED IRRIGATION
- SD PROPOSED STORM DRAIN

CONTRACTOR TO VERIFY EXISTING FLOWLINE ELEVATIONS BEFORE WORK BEGINS IN SEWER



THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.

PAUL D. BERG P.E.
SERIAL NO. 295595
DATE: 4 OCT 2021

LAW
MILL CANYON FARMS

250 WEST
SEWER PLAN & PROFILE



DESIGN BY: PDB DATE: 4 OCT 2021 SHEET
DRAWN BY: DEJ REV: 7

Path: X:\Working\250 West\250 West Sewer - Plan.dwg
Plot name: 07_250 WEST SEWER - Plan.dwg
Plot date: October 07, 2021 | plotted by: deej



SCALE: 1"=40'
Scale 1" = 80' for 11x17

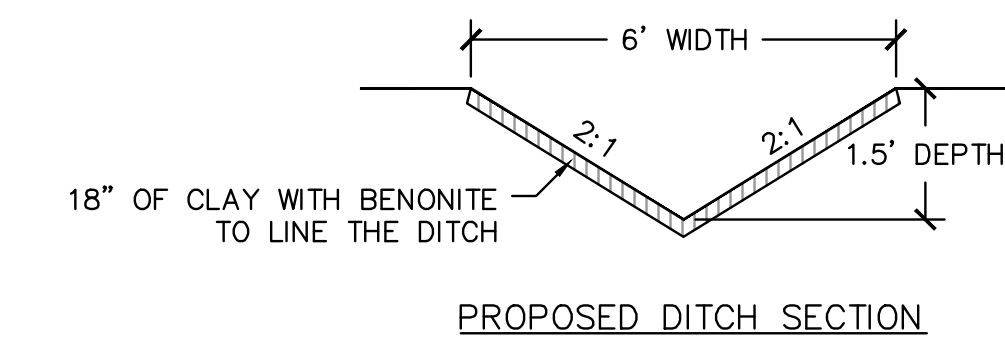
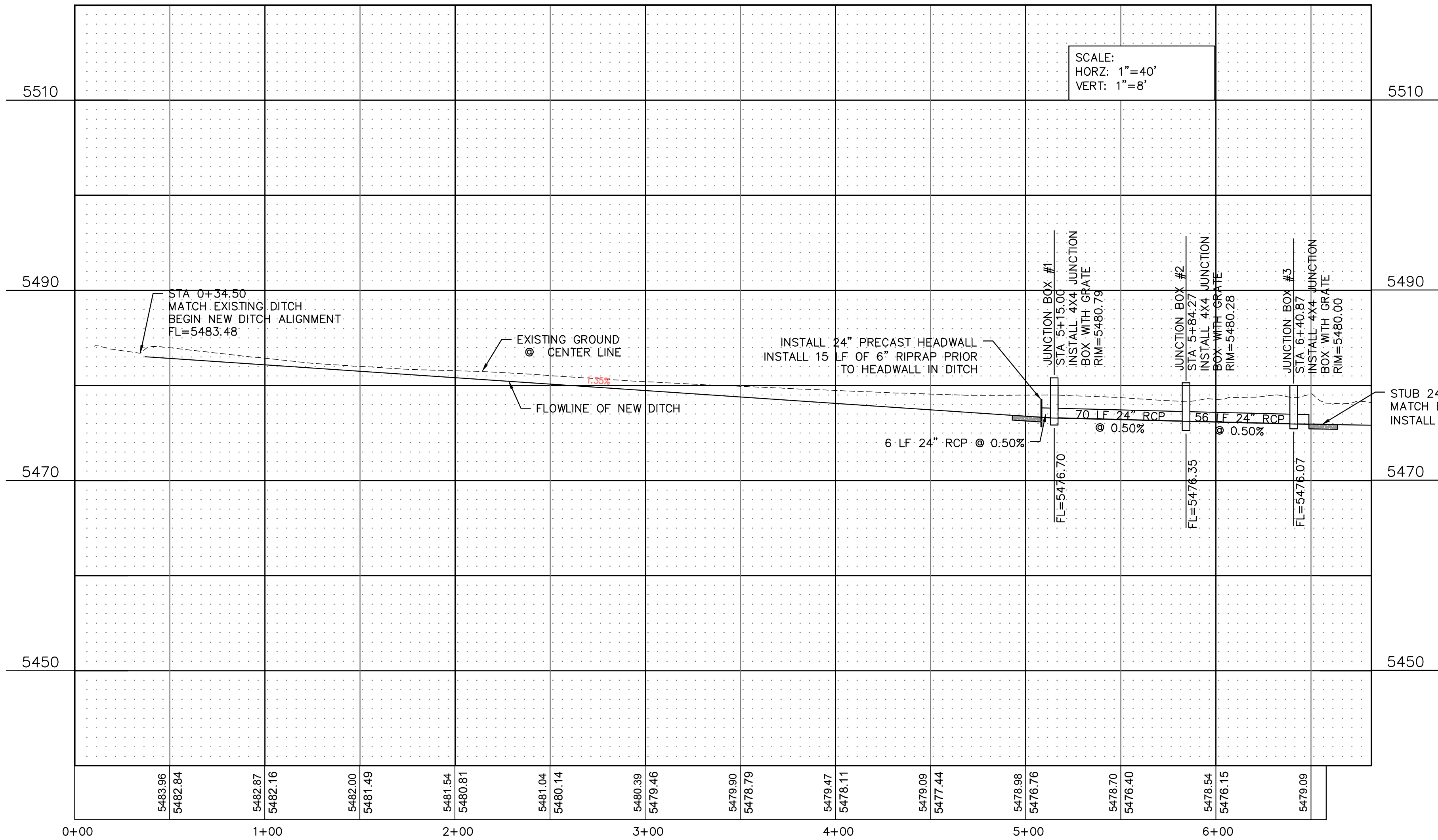
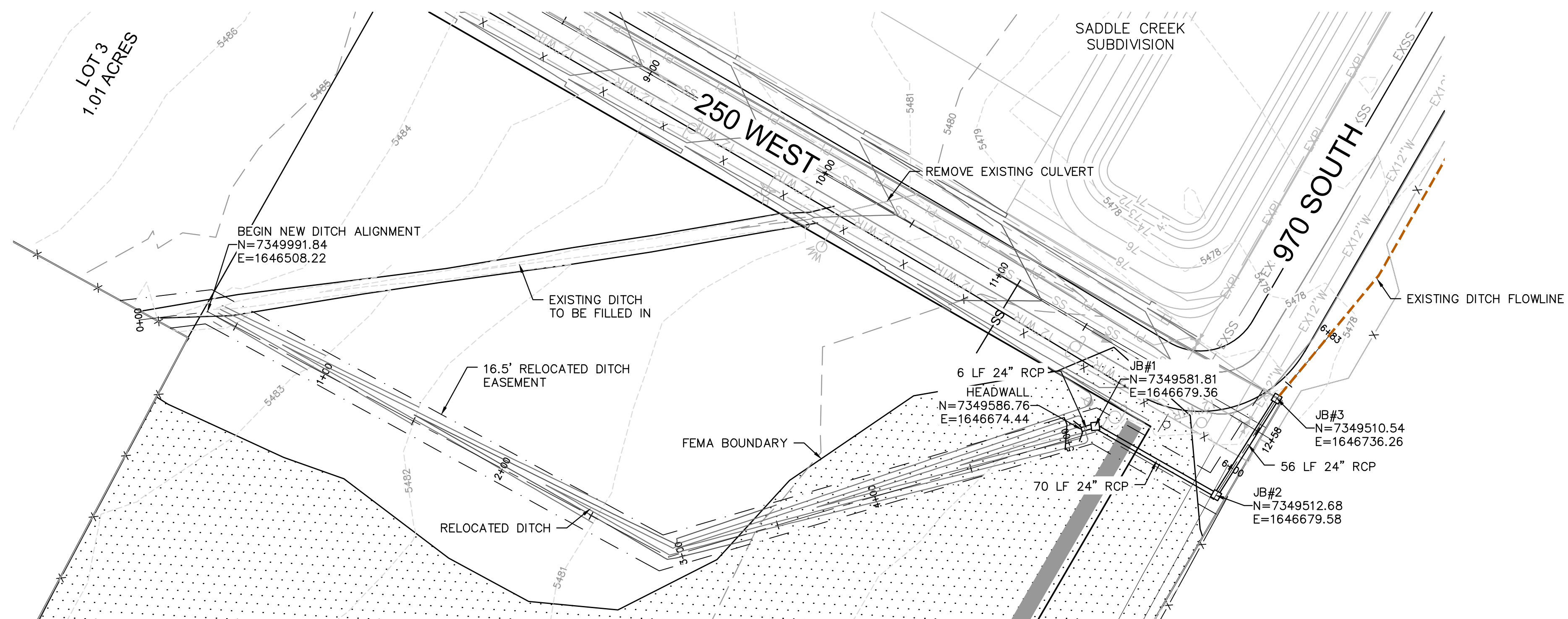
NOTES:

1. LOCATION OF EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE AND MAY BE INCOMPLETE. CONTRACTOR IS RESPONSIBLE FOR BLUE STAKING OF UTILITIES.

LEGEND:

EXSS	EXISTING SEWER
SS	PROPOSED 8" SEWER
EX12"W	EXISTING WATER
12"WTR	PROPOSED 12" WATER
EXPI	EXISTING PRESSURIZED IRRIGATION
PI	PROPOSED PRESSURIZED IRRIGATION
SD	PROPOSED STORM DRAIN

CONTRACTOR TO VERIFY EXISTING DITCH FLOWLINE ELEVATIONS BEFORE WORK BEGINS ON NEW DITCH



THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.

PAUL D. BERG P.E.
SERIAL NO. 295595
DATE: 4 OCT 2021

**LAW
MILL CANYON FARMS**

**PROPOSED DITCH RELOCATION
PLAN & PROFILE**

BERG ENGINEERING
380 E Main St. Suite 204
Midway, UT 84049
ph 435.657.9749

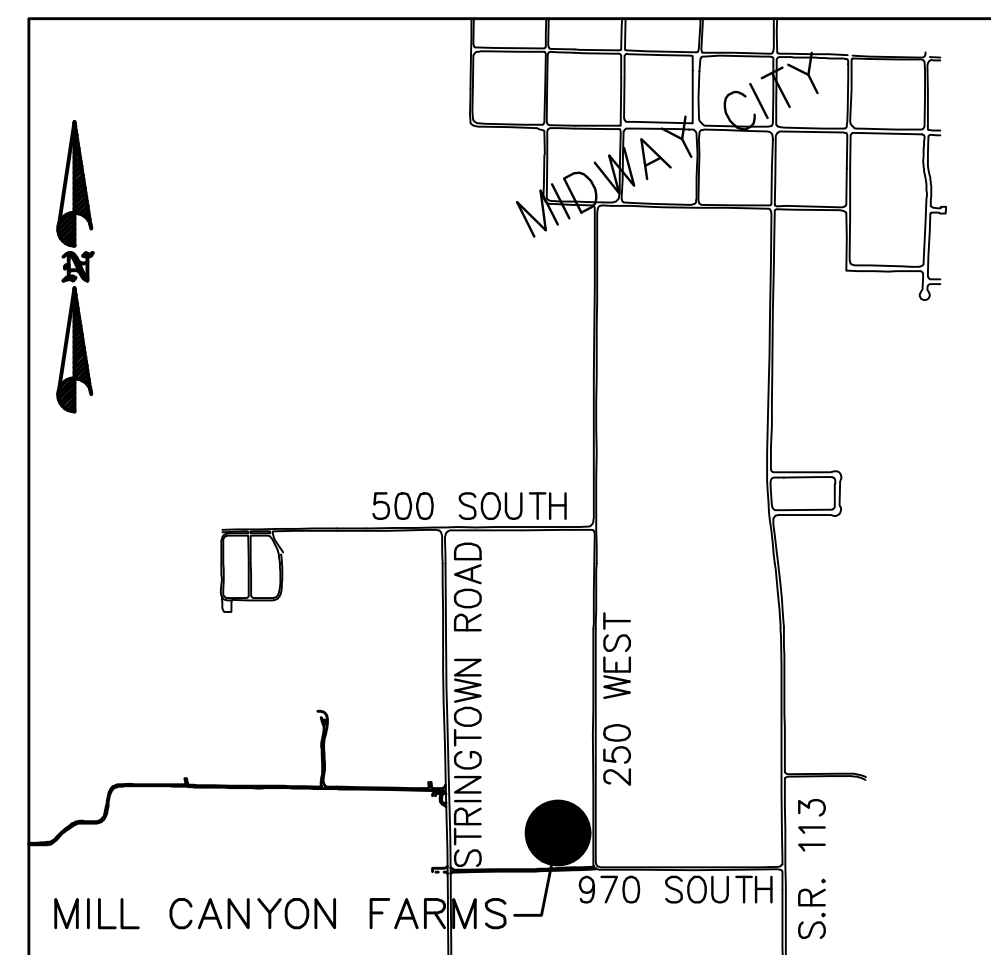
DESIGN BY: PDB	DATE: 4 OCT 2021	SHEET
DRAWN BY: RHH	REV:	9

Path: X:\Projects\Law Mills - 200 West\Plan\...
 Date: 10/01/2021 10:00 AM
 October 08, 2021 | printed by cdean

MILL CANYON FARMS

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

FOUND ASPEN 1976 BRASS CAP MARKING THE NORTH 1/4 CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

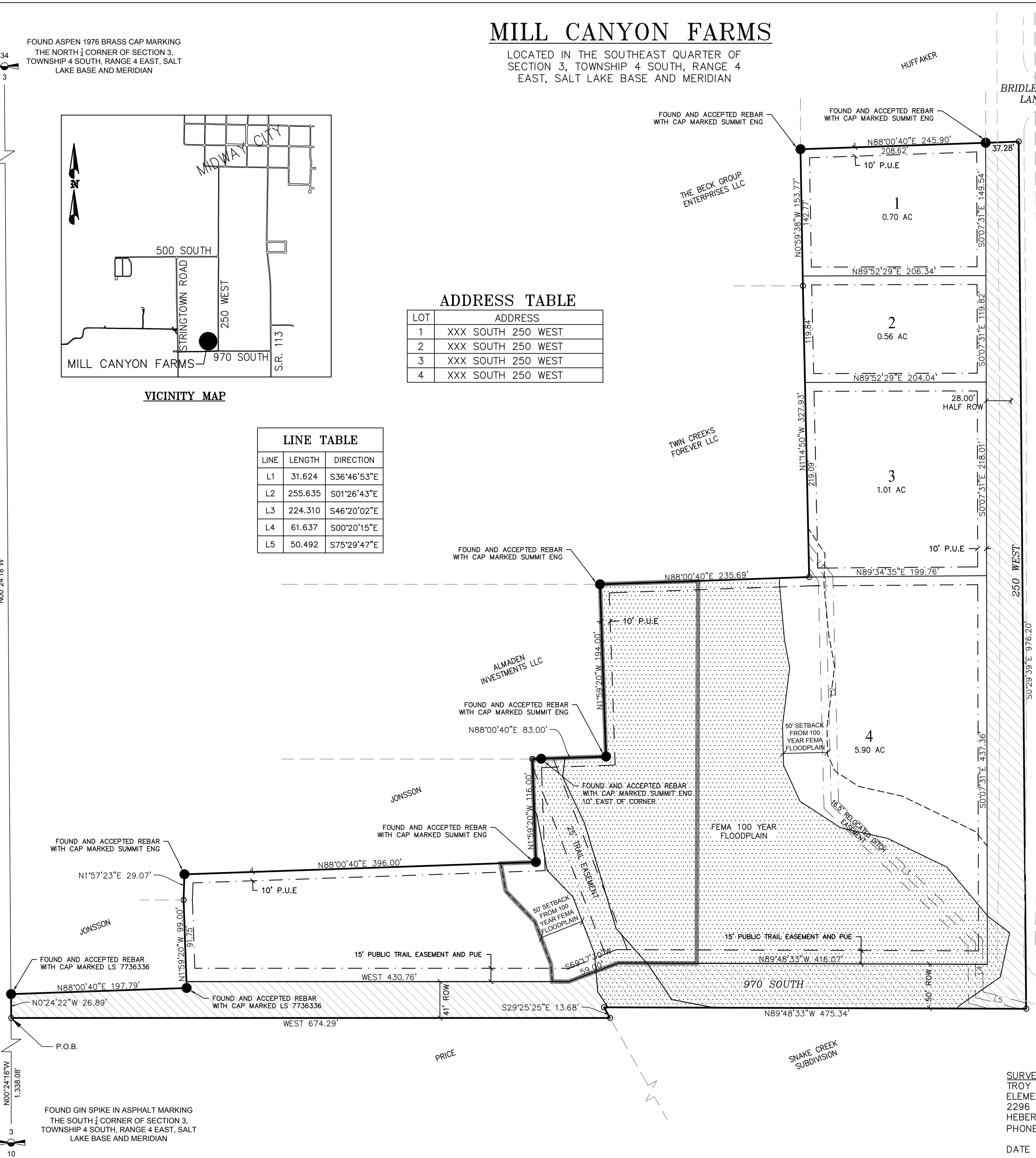


VICINITY MAP

LOT	ADDRESS
1	XXX SOUTH 250 WEST
2	XXX SOUTH 250 WEST
3	XXX SOUTH 250 WEST
4	XXX SOUTH 250 WEST

LINE	LENGTH	DIRECTION
L1	31.624	S36°46'53"E
L2	255.635	S01°26'43"E
L3	224.310	S46°20'02"E
L4	61.637	S00°20'15"E
L5	50.492	S75°29'47"E

MILL CANYON FARMS PLAT - 22 OCTOBER 2021



SURVEYOR'S CERTIFICATE
I, TROY L TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 6854112, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I HEREBY CERTIFY THAT DURING THE MONTH OF JUNE 2021, I HAVE MADE A SURVEY OF THE HEREON DESCRIBED PARCEL AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

DATE _____ SURVEYOR (SEE SEAL BELOW)

BASIS OF BEARING
THE BASIS FOR BEARING FOR THIS SURVEY IS NORTH 00°24'18" WEST FROM A FOUND GIN SPIKE IN THE ASPHALT ROAD (STRINGTOWN ROAD) MARKING THE SOUTH 1/4 CORNER OF SECTION 3 TO A FOUND 1976 ASPEN MONUMENT MARKING THE NORTH 1/4 CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.



SCALE: 1"=60'
Scale 1" = 120' for 11x17

- LEGEND**
- SM SURVEY MONUMENT
 - ROW DEDICATION 2.22 ACRES
 - OPEN SPACE - AREA TO BE PRESERVED AS OPEN SPACE. NO STRUCTURES ALLOWED.
 - FEMA 100 YEAR FLOODPLAIN

DATE: _____
MIDWAY IRRIGATION COMPANY

DATE: _____
MIDWAY SANITATION DISTRICT

COUNTY SURVEYOR'S CERTIFICATE
APPROVED AS TO FORM ON THIS DAY OF _____, 20____.

ROS# _____
COUNTY SURVEYOR

COUNTY RECORDER

SURVEYOR
TROY L TAYLOR, PLS
ELEMENT LAND SURVEYING
2296 SOUTH 270 EAST
HEBER CITY UT
PHONE (801) 657-8748

DATE OF SURVEY: JUNE 2021

BOUNDARY DESCRIPTION

BEGINNING AT A POINT IN STRINGTOWN ROAD, SAID POINT BEING NORTH 00°24'18" WEST ALONG THE SECTION LINE 1338.08 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;

AND RUNNING THENCE NORTH 00°24'22" WEST 26.89 FEET; THENCE NORTH 88°00'40" EAST 197.79 FEET; THENCE NORTH 01°59'20" WEST 99.00 FEET; THENCE NORTH 01°57'23" EAST 29.07 FEET; THENCE NORTH 88°00'40" EAST 396.00 FEET; THENCE NORTH 01°59'20" WEST 116.00 FEET; THENCE NORTH 88°00'40" EAST 83.00 FEET; THENCE NORTH 01°59'20" WEST 194.00 FEET;

THENCE MORE OR LESS ALONG A FENCE LINE NORTH 88°00'40" EAST 235.69 FEET TO A FENCE CORNER; THENCE ALONG A FENCE THE FOLLOWING TWO COURSES: (1) NORTH 01°14'50" WEST 327.93 FEET; (2) THENCE NORTH 00°59'38" WEST 153.77 FEET; THENCE NORTH 88°00'40" EAST 245.90 FEET TO THE WESTERLY BOUNDARY LINE OF THE SADDLE CREEK RANCH SUBDIVISION; THENCE ALONG SAID BOUNDARY LINE SOUTH 00°29'39" EAST 976.20 FEET TO THE NORTHERLY BOUNDARY LINE OF THE SNAKE CREEK SUBDIVISION; THENCE ALONG SAID NORTHERLY BOUNDARY LINE NORTH 89°48'33" WEST 475.34 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION; THENCE SOUTH 29°25'25" EAST ALONG THE WESTERLY BOUNDARY LINE OF SAID SUBDIVISION 13.68 FEET TO THE NORTHEAST CORNER OF THE REBECCA AND JAY PRICE PROPERTY (SEE RS#2318); THENCE WEST ALONG THE NORTHERLY BOUNDARY LINE OF SAID PROPERTY 674.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.16 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, PUBLIC TRAILS AND EASEMENTS, AND 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: JORDAN LAW

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF WASATCH }
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 (SEE SEAL BELOW) CITY ATTORNEY

PLANNING COMMISSION APPROVAL

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

PLANNING DIRECTOR CHAIRMAN, PLANNING COMMISSION

MILL CANYON FARMS

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
SCALE: 1" = 60 FEET

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

November 9, 2021

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

Subject: Mill Canyon Farms – Final Review

Dear Michael:

Horrocks Engineers recently reviewed the Mill Canyon Farms plans for Final Review. The following comments should be addressed.

General Comments

- The development is on 10.16 Acres and will consist of 4 lots.

Water

- The proposed development will be served from the Gerber Mahogany pressure zone and will connect to the new water line within 250 West that will be done as the Saddle Creek development.

Pressure Irrigation

- The development will be serviced by Midway Irrigation Company.
- The development will relocate an existing irrigation ditch in lot 4 and will need to pipe it to the existing ditch in the intersection of 970 South and 250 West.

Roads

- The west side of 250 west will be rebuilt and widened to a half width and will be built in conjunction with the east side, which will be constructed as part of Saddle Creek development.
- The development will dedicate R.O.W for a future road to extend 970 South from 250 West to Stringtown Road and along 250 West.

Trails:

- The development will install a paved temporary trail along 970 South from 250 West to Stringtown Road.
- The development will need to dedicate 15' easement for the future trail along 970 South and will need to dedicate 20' easement for a future trail along Snake Creek.

Storm Drain

- The proposed swale along the west side of 250 West will accommodate any storm drainage from the widening of 250 West and this development.

Sensitive Lands

- The proposed lot 4 within the development is within a designated FEMA flood plain. A 50' setbacks shall be maintained around all FEMA flood Zones.

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