



Midway

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: November 15, 2022
NAME OF PROJECT: Van Wagoner Subdivision
NAME OF APPLICANT: Berg Engineering
OWNER: Kenneth B Van Wagoner Trust
AGENDA ITEM: Preliminary/Final Approval
LOCATION OF ITEM: 160 North 200 East
ZONING DESIGNATION: R-1-9/R-1-15

ITEM: 8

Berg Engineering, agent for Kenneth B Van Wagoner Trust, is requesting preliminary/final approval of a one-lot subdivision to be known as Van Wagoner subdivision. The one lot totals 0.63 acres and is located at 160 North 200 East and is partially in the R-1-9 and R-1-15 zones.

BACKGROUND:

This request is for preliminary/final approval of a small-scale subdivision on 0.63 acres that will contain one lot. The proposed lot will obtain frontage along 200 East. The property is mostly in the R-1-9 zone but there is a portion of the lot in the R-1-15 zone. The proposed lot complies with the minimum requirements of frontage, width, and

acreage for a lot in either zone. The applicant will install all required infrastructure for the proposed subdivision which includes extending a water line to the north end of the lot under 200 East.

The current uses on the property are agriculture which includes some nonconforming agricultural structures that do not comply with the setbacks for the R-1-9 or R-1-15 zones. The Van Wagoner Meat Shop, located on the southwest corner of the property, has been actively operating for 60-70 years. The Van Wagoners process both wild and domestic meat. They also retail from the southernmost building on the property. The meat processing shop is a historic structure, and the original building is constructed of pot rock. There was an addition to the building that gives it a more modern feel, but the original pot rock building is still intact. The building was built partially in the City's right-of-way and has been nonconforming from the day it was constructed. It appears some of the buildings and fences were built and encroach on the City's property dating back many decades.

The applicant has not identified any sensitive lands that are in the subdivision area.

LAND USE SUMMARY:

- 0.63-acre parcel
- R-1-9 and R-1-15 zoning
 - Approximately 0.33 acres R-1-9
 - Approximately 0.3 acres R-1-15
- Proposal contains one lot
- Site of a future dwelling
- Frontage on 200 East
- Nonconforming commercial use
- Nonconforming buildings
- The lot will connect to the Midway Sanitation District's sewer line, Midway City's culinary water line, and Midway Irrigation Company's secondary water line

ANALYSIS:

Culinary Water Connection – The property currently has a culinary connection for the meat processing shop. A new culinary connection is required for the future dwelling which will connect to the new water line in 200 East that the developer will install.

Sewer Connections – The lot will connect to Midway Sanitation District's sewer line located in 200 East.

Secondary Water Connection – The property will connect to Midway Irrigation Company's water system. The applicant will need to provide a will serve letter from Midway Irrigation Company before the City Council reviews the proposal. The Midway Irrigation Company also owns the ditch that runs along the northeast border of the lot. An access easement will be required along the ditch.

Sensitive Lands – The applicant has not identified any sensitive lands that are in the subdivision area.

Setbacks – Any future construction will need to comply with the setback requirements for the zone where the future structures will be located. Any additions to any nonconforming structures will need to comply with setback requirements that have been adopted by Midway for conforming structures. The applicant has indicated that they intend to demolish the two smaller structures between the barn and the meat shop.

Nonconforming meat processing and meat shop – The meat processing and retail shop is a nonconforming use. Also, the structure is nonconforming because it does not comply with current setback requirements, and it is located partially on the City's property. The applicant desires that the use and building can continue as it has for the last 60-70 years. The building has always been conforming and has been partially located on the City's property. Essentially, nothing would change regarding the building with this application. Since there is not a dedication requirement, the same portion of the building that has always been on the City's property will remain on the City's property.

Fire Flow - A fire hydrant will need to be located within 500' of the structures, measured by the route of a fire hose from the fire hydrant to the future building sites. The applicant will install a fire hydrant just north of the existing red barn, as outlined on the plans.

Access – The proposed lot has frontage and direct access from 200 East.

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Wardle: I make a motion that we recommend approval of the preliminary/final application of a one-lot subdivision to be known as Van Wagoner subdivision. The one lot totals 0.63 acres and is located at 160 North 200 East and is partially in the R-1-9 and R-1-15 zones. And we include all the staff findings.

Seconded: Commissioner Garland

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

Ayes: Commissioners: Osborn, Wardle, Lineback, Garland and Simons

Nays: None

Motion: Passed

WATER BOARD RECOMMENDATION:

The Water Board recommended approval during their 10-3-2022 meeting with the following water dedication requirement:

- 0.63-acre parcel (27,442.8 sq. ft.)
 - Impervious area for dwelling, accessory structures, hard surfaces
 - 0.18 acres (8,000 sq. ft.)
 - Irrigated acreage
 - 0.45 acres x 3 = 1.35 acre feet
 - 1 Existing culinary connection for the meat shop
 - 1 New culinary connection for new dwelling
 - 0.8 acre feet
- 2.15 acre feet requirement

POSSIBLE FINDINGS:

- The proposed lot does meet the minimum requirements for the R-1-9/R-1-15 zoning districts
- The proposal does meet the intent of the General Plan for the R-1-9/R-1-15 zoning districts
- The applicant will be required to install or bond for all unfinished required improvements prior to the plat being recorded
- The duration of Preliminary/Final Approval shall be for one year from the date of approval of the development by the City Council. If the Final Plat is not recorded with the County Recorder within the one-year period of time, the development's approval shall be voided, and both Preliminary and Final Approvals must be re-

obtained to reinstate the project, unless, upon request by the applicant and on a showing of extenuating circumstances, the City Council extends the time limit for plat recording, with or without conditions. No more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension.

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council finds the proposal complies with the requirements of the Land Use Code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s) if needed

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 comply with the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITIONS:

1. None

October 11, 2022

Midway City
Attn: Michael Henke
75 North 100 West
Midway, Utah 84049
(Sent by Email)

Subject: Van Wagoner Subdivision – Preliminary & Final Review

Dear Michael:

Horrocks Engineers recently reviewed the above development for preliminary / final plan approval. The proposed development is located 200 East and 160 North. The development contains 1 lot. The following comments should be addressed.

Water

- An 8" water line will be installed from 100 North to the north property line in 200 East. All existing and proposed water services will be connected to the new water line.
- All existing water services to be abandoned at the main water line in 100 North.

Irrigation

- The existing irrigation line will be extended to north property line.

Road

- Show the existing 66-foot ROW of 200 East from 100 North to north property line.
- Provide an 80-foot diameter temporary turnaround at the end of 200 East.

Storm Drain

- With no curb & gutter along 200 East, the existing drainage will continue to be contained in the existing drain boxes and ditches along 100 North.

Please feel free to call our office with any questions.

Sincerely,
HORROCKS ENGINEERS



Wesley Johnson, P.E.
Midway City Engineer

cc: Berg Engineering (Sent by Email)

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Christen • Jeffery Drury
J.C. Simonsen • Steve Dougherty
Kevin Payne



75 North 100 West
P.O. Box 277
Midway, Utah 84049
Phone: 435-654-3223
Fax: 435-654-4120
midwaycityut.org

Van Wagoner Subdivision Final Approval

November 7, 2022

Michael Henke Midway City Planning Director,

I have reviewed the plans and visited the site for the Van Wagoner Subdivision for compliance with the 2018 International Fire Code (2018 IFC). I have no fire code concerns with the plans that have been recommended for approval by the Midway City Planning Commission and have been given final approval by the Midway City Council.

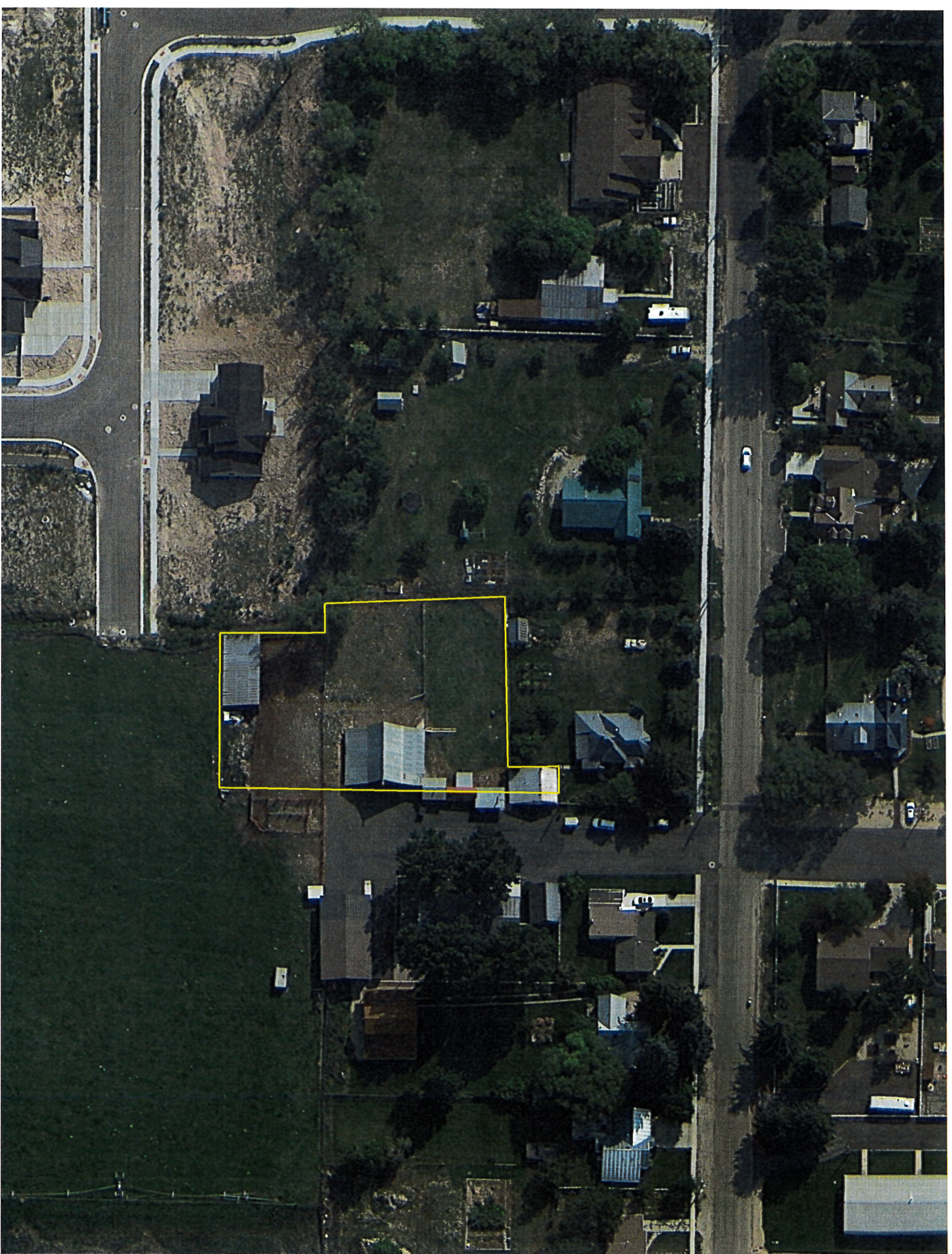
Prior to accepting building permit applications for this project, the developer will need to be granted in writing at least substantial completion by Wes Johnson with Horrocks Engineering, and the Fire Marshal will need to verify hydrant locations and road widths are installed per approved plans.



Tex R. Couch CBO/MCP
Midway City Building Official/Fire Marshal
75 West 100 North
Midway, Utah 84049
tcouch@midwaycityut.org
(435)654-3223 Ext. 107

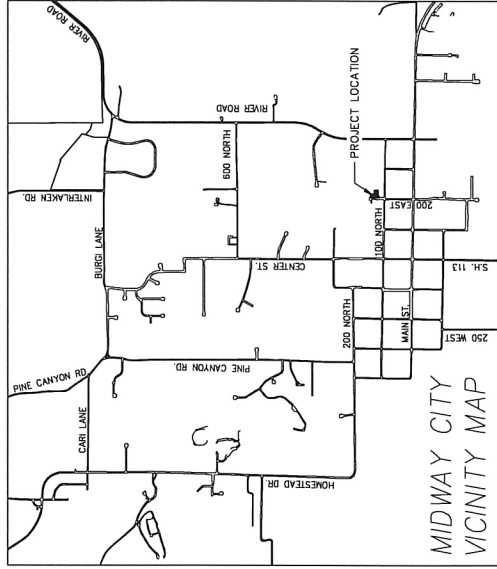






VAN WAGONER SUBDIVISION

FINAL APPLICATION



SHEET INDEX

1. EXISTING CONDITIONS PLAN
2. SITE PLAN
3. PLAT
4. UTILITY PLAN
5. UTILITY CONSTRUCTION DETAILS

THIS DOCUMENT IS INCOMPLETE
FOR REVIEW AND COMMENT.
IT IS NOT TO BE USED FOR
CONSTRUCTION OF PUBLIC UTILITIES.
PAUL G. BERG, P.E.
REGISTERED PROFESSIONAL ENGINEER
DATE: 2.28.2022

VAN WAGONER
SUBDIVISION
COVER



DESIGNED BY: PGB
DRAWN BY: BJB
SCALE: AS SHOWN
SHEET: 0



0 10 20 30 40 50 60

SCALE: 1"=20'
Half Scale 117x177: 1"=40'

BLUE DASHED LINES
SHOWING LOCATION OF EXISTING UTILITIES
SHOWN ON PLAN ARE
INCOMPLETE. CONTRACTOR IS
RESPONSIBLE FOR BLUE STAKING
OF UTILITIES.

SYMBOL LEGEND	
---	ADJOINING OWNERS
---	SURVEY BOUNDARY
X---X	EXISTING FENCE
○---○	EXISTING WOOD FENCE
---	E-RFI --- RIGID PVC MEASURED
---	EXISTING WATER MAIN
---	EXISTING SEWER MAIN
---	EXISTING MANHOLE
---	EXISTING MANHOLE

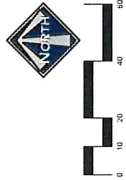
THIS DOCUMENT IS RELEASED
FOR REVIEW ONLY. IT IS NOT
VALID FOR CONSTRUCTION.
PHILIP BERG
PE
DATE: 7.22.2022

VAN WAGONER
SUBDIVISION
EXISTING CONDITIONS



DRAWN BY: PFB DATE: 7/14/22
CHECKED BY: JBT





LAND USE SUMMARY
 AREA 0.63 ACRES
 R-1-9 AND R-1-15
 PUE LOTS

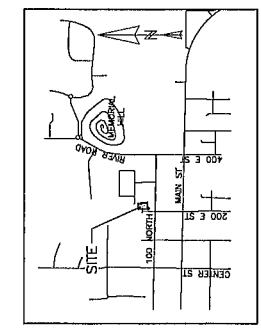
SYMBOL LEGEND	
---	ADJOINING OWNERS
---	SURVEY BOUNDARY
-x-x-	EXISTING FIELD FENCE
○	EXISTING WOOD FENCE

THIS DOCUMENT IS PREPARED FOR REVIEW ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED AND SEALED BY THE PROFESSIONAL ENGINEER.
 PAUL D. BROS. P.E.
 LICENSE NO. 28832
 DATE: 2/28/2022

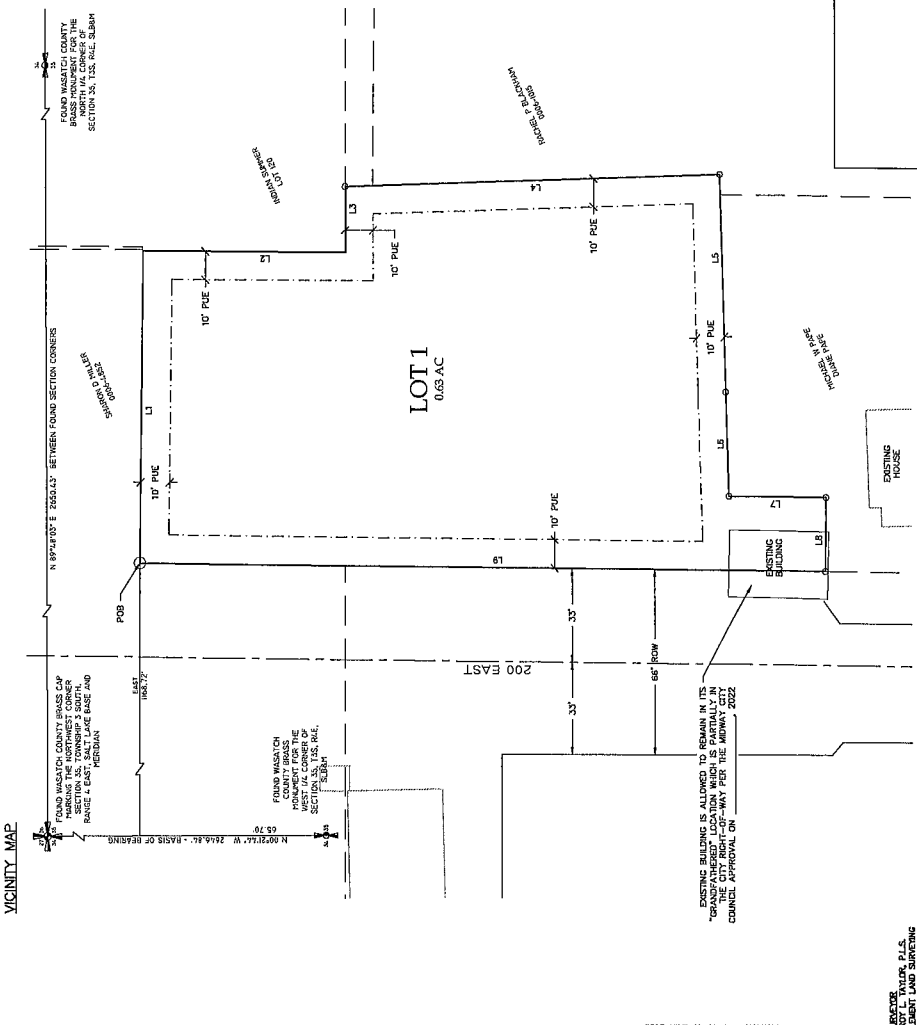
VAN WAGONER
 SUBDIVISION
 SITE PLAN



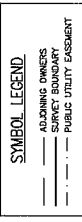
VAN WAGONER SUBDIVISION



ADDRESS TABLE	
LOT	ADDRESS
1	300 NORTH 200 EAST STREET



LINE	LENGTH	DIRECTION
L1	109.77'	S89°26'33"E
L2	71.47'	S00°31'38"W
L3	23.13'	N09°00'00"E
L4	133.74'	S01°54'32"E
L5	76.60'	S89°26'17"W
L6	36.57'	S89°18'46"W
L7	33.82'	S01°33'27"W
L8	26.00'	N89°26'33"W
L9	243.00'	N00°33'32"E



OWNER'S DEDICATION
 KNOW ALL MEN BY THESE PRESENTS THAT OWNERS(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF WASATCH, UTAH, HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES, PUBLIC TRAILS AND EMERGENCY VEHICLE ACCESS.

DATED THIS _____ DAY OF _____, A.D. 20____

KENNETH B VAN WAGONER TRUST

SURVEYOR'S CERTIFICATE
 IN ACCORDANCE WITH SECTION 10-9A-803 OF THE UTAH CODE, I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF UTAH, AND THAT I AM A PROFESSIONAL ENGINEER AND PROFESSIONAL LAND SURVEYOR LICENSED UNDER THE PROFESSIONAL ENGINEERING AND PROFESSIONAL LAND SURVEYING ACT. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH SECTION 10-25-17 OF THE UTAH CODE AND ALL NECESSARILY AND HAVE PLACED MARKERS AS REPRESENTED ON THE PLAT.

DATE _____ SURVEYOR (SEE BACK SIGNATURE)

BOUNDARY DESCRIPTION
 BEGINNING AT A POINT BEING LOCATED ON THE WEST 7/4 CORNER OF SECTION 35, TOWNSHIP 35S, RANGE 4E, SALT LAKE BASE AND EAST 7/4 CORNER OF SECTION 35, TOWNSHIP 35S, RANGE 4E, SALT LAKE BASE, 109.77 FEET TO A POINT MARKED WITH CAP MARKED PLS 145796; THENCE EAST 109.77 FEET TO A POINT MARKED WITH CAP MARKED PLS 145796; THENCE SOUTH 89°26'17" WEST 76.60 FEET TO A POINT MARKED WITH CAP MARKED PLS 145796; THENCE SOUTH 89°18'46" WEST 36.57 FEET TO A POINT MARKED WITH CAP MARKED PLS 145796; THENCE SOUTH 01°33'27" WEST 33.82 FEET TO A POINT MARKED WITH CAP MARKED PLS 145796; THENCE SOUTH 01°54'32" WEST 133.74 FEET TO A POINT MARKED WITH CAP MARKED PLS 145796; THENCE SOUTH 00°31'38" WEST 71.47 FEET TO A POINT MARKED WITH CAP MARKED PLS 145796; THENCE SOUTH 89°26'33" WEST 26.00 FEET TO A POINT MARKED WITH CAP MARKED PLS 145796; THENCE SOUTH 00°33'32" WEST 243.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.63 ACRES.

BASIS OF BEARINGS
 THE BASIS OF BEARING FOR THIS SURVEY WAS ESTABLISHED AS NORTH 007°14'4" WEST FROM THE FOUND WASATCH COUNTY BRASS CAP MARKING THE WEST 7/4 CORNER OF SECTION 35, TOWNSHIP 35S, RANGE 4E, SALT LAKE BASE, THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 35S, RANGE 4E, SALT LAKE BASE, THE POINT OF BEGINNING OF THE 1983 ZONING SYSTEM 1983 CENTRAL ZONE BEARINGS.

ACKNOWLEDGMENT
 STATE OF UTAH)
 COUNTY OF WASATCH) S.S.
 I, _____, A.S. OR _____, PERSONALLY APPEARED ON THIS _____ DAY OF _____, AND I HAVE READ AND APPROVED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.

BY 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 PUBLIC STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.

THIS _____ DAY OF _____, A.D. 20____

APPROVED: MAYOR _____ ATTEST: CLERK-RECORDER _____
 CITY ENGINEER _____ APPROVED: CITY ATTORNEY _____

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

VAN WAGONER SUBDIVISION
 MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
 SCALE: 1" = 20' FEET

SURVEYOR'S SEAL: _____ MIDWAY PUBLIC SEAL: _____ CITY ENGINEER SEAL: _____ CLERK-RECORDER SEAL: _____

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

COUNTY RECORDER

VAN WAGONER SUBDIVISION - 7 SEPTEMBER 2022
 SURVEYOR: TROY L. TAYLOR, P.E., L.S.
 2205 SOUTH 270 EAST
 MIDWAY, UT 84049
 PHONE (801) 657-8746
 DATE OF SURVEY: JULY 24, 2022



SCALE: 1"=20'
Half Scale 1/4"=20'

- BLUE STAKE NOTE:**
- EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE. CONTRACTOR IS RESPONSIBLE FOR BLUE STAKING OF UTILITIES.
- SEWER NOTES:**
- ALL SEWER LATERALS ARE 4"
 - ALL SEWER LATERALS SHALL MEET MEDWAY SANITATION STANDARDS AND SPECIFICATIONS.
- PRESSURIZED IRRIGATION NOTES:**
- ALL PRESSURIZED IRRIGATION SHALL MEET MEDWAY SANITATION STANDARDS AND SPECIFICATIONS.
- WATER NOTES:**
- ALL WATER IMPROVEMENTS SHALL MEET MEDWAY SANITATION STANDARDS AND SPECIFICATIONS.
 - NEW 8" WATER SHALL BE CDDO OR 18 PIPE.

SYMBOL LEGEND

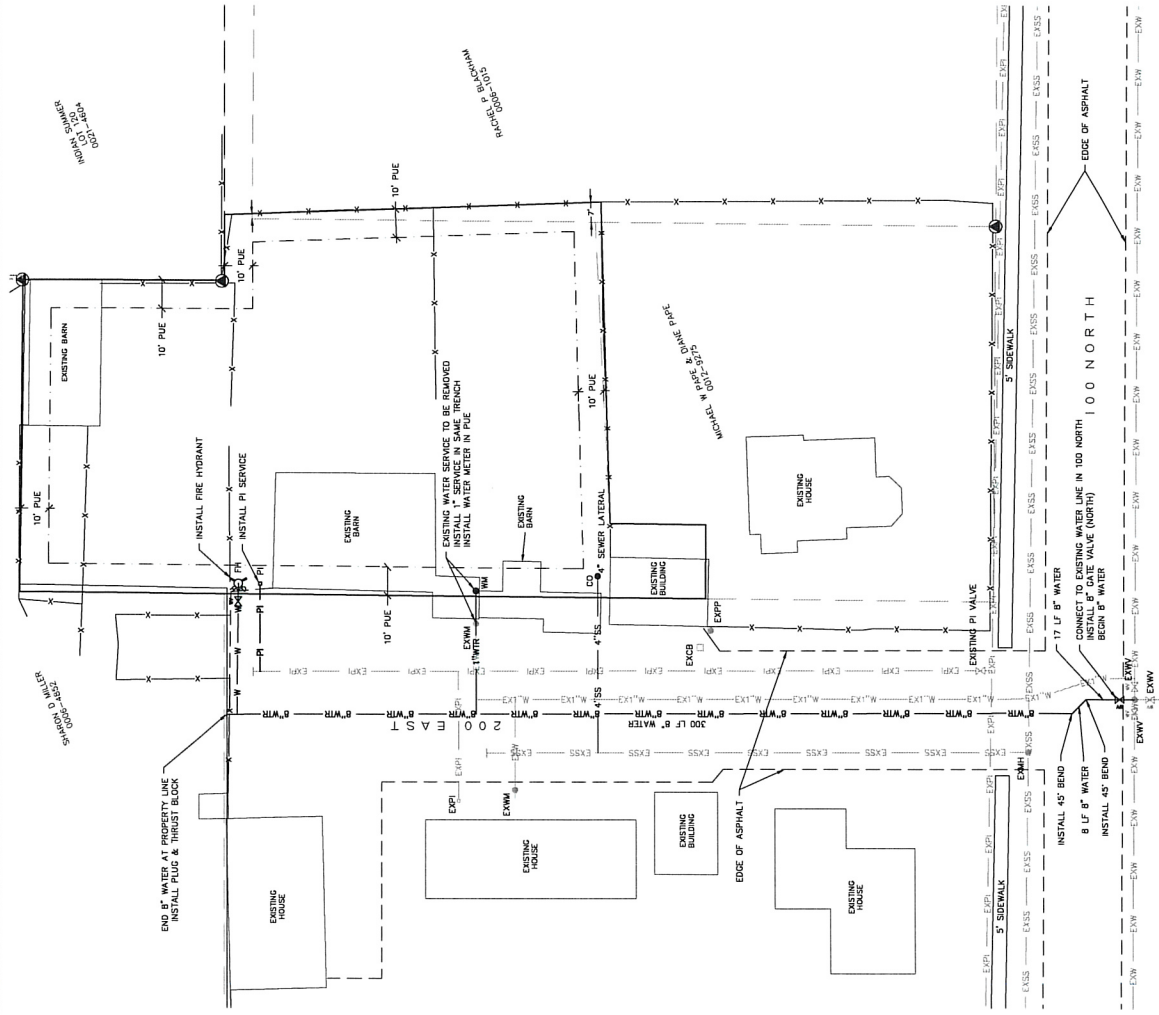
—	ADJOINING OWNERS
—	SURVEY BOUNDARY
—	EXISTING FENCE
—	EXISTING PRESSURIZED IRRIGATION
—	EXISTING 1" WATER MAIN
—	EXISTING 8" SEWER MAIN
—	PROPOSED WATER
—	PROPOSED 4" SEWER LATERAL
—	SEWER CLEANDOUT
—	PI SERVICE
—	WATER METER
—	FOUND REBAR WITH CAP (AS NOTED ON DRAWING)

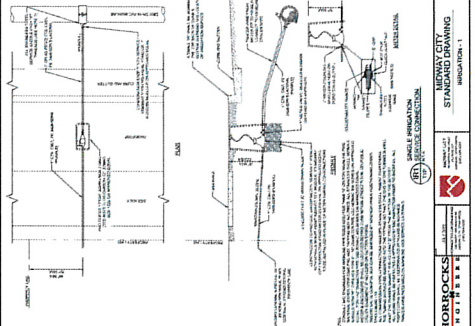
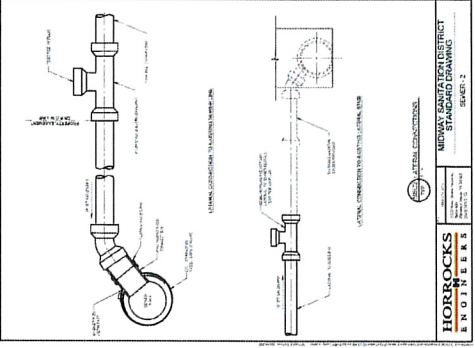
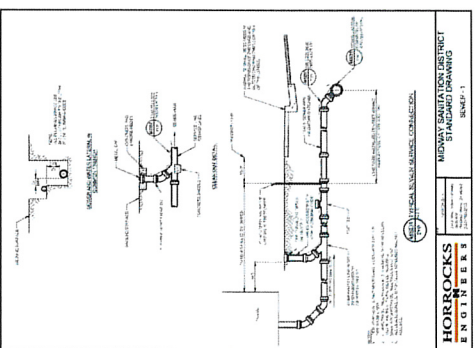
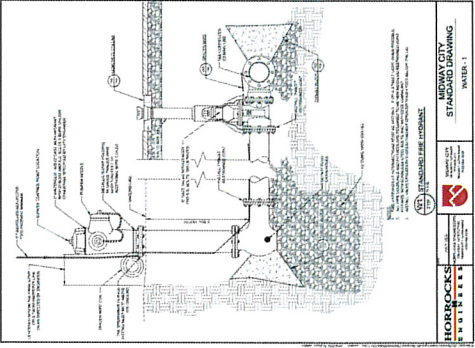
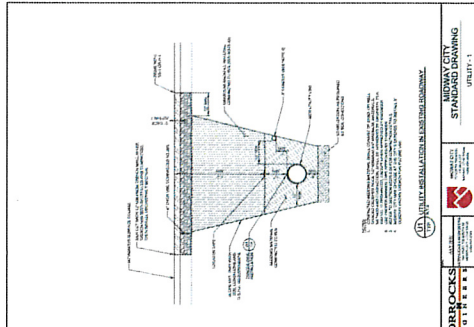
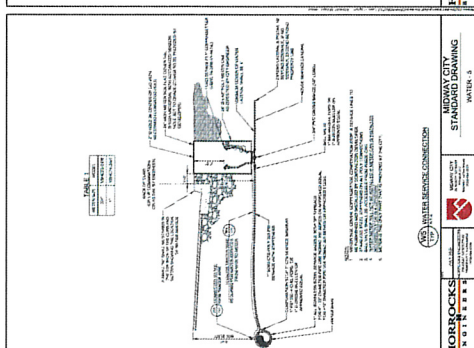
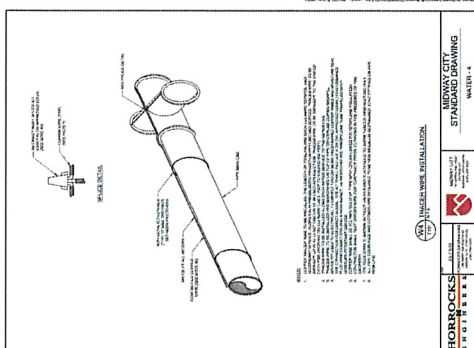
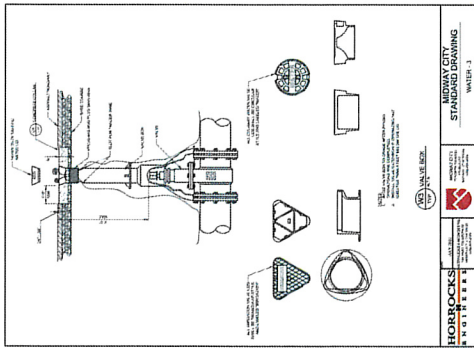
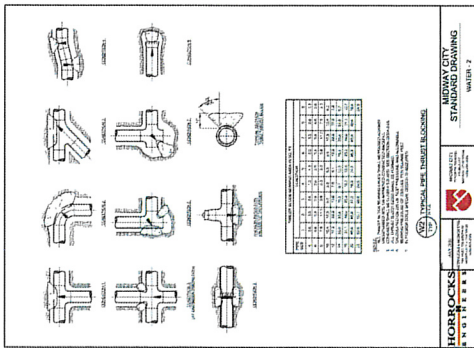
THIS DOCUMENT IS INCOMPLETE FOR ANY PURPOSES OTHER THAN THE RECORDING OF PUBLIC PURPOSES.
 SHALL BE REVISIONS
 DATE: 7.24.2022

VAN WAGONER
 SUBDIVISION
 UTILITY PLAN



ISSUED FOR DATE: 7/24/2022
 DRAWN BY: BJB
 SHEET 4





HORROCKS ENGINEERS
 1000 ...
HORROCKS ENGINEERS
PROFESSIONAL ENGINEERS
 1000 ...
MEMBER CITY STANDARD DRAWING
 WATER - 1
UTILITY CONSTRUCTION DETAILS

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 WATER - 1
UTILITY CONSTRUCTION DETAILS

DATE: 10/12/11
 DRAWN BY: BEI
 SHEET: 5