

Midway City Council  
1 June 2021  
Regular Meeting

Burgi Hill Subdivision /  
Preliminary and Final Approval



**Midway**

**CITY COUNCIL MEETING STAFF REPORT**

**DATE OF MEETING:** June 1, 2021  
**NAME OF PROJECT:** Burgi Hill Subdivision  
**NAME OF APPLICANT:** Panda Properties  
**AGENDA ITEM:** Preliminary/Final Approval  
**LOCATION OF ITEM:** 1224 N. Interlaken Drive  
**ZONING DESIGNATION:** RA-1-43

**ITEM: 15**

Berg Engineering, agent for Panda Properties, is requesting preliminary/final approval of a one lot subdivision to be known as Burgi Hill subdivision. The lot is 1.69 acre and is located at 1218 Interlaken Road and is in the RA-1-43 zone.

**BACKGROUND:**

This request is for preliminary/final approval of a small-scale subdivision on 1.69 acres. The one lot subdivision has frontage along Interlaken Drive. Interlaken Drive, at this point, is a private road and the applicant has provided easement documents that allow access to the property crossing the private road. The property is in the RA-1-43 zoning district and appears to comply with the minimum requirements of frontage, width and acreage for the zone.

According to a chain of deeds for the property that was supplied to staff, the parcel in its current boundary description was created in 2003. It did not receive any approvals from

the City at that point in time, so it is not eligible for a building permit unless it is approved by the City and a plat is recorded.

There are two easements that cross the property. The first is a Midway irrigation easement for a buried secondary water pipeline that crosses the center of the property from west to east. The second is an easement that runs across parts of the property on the north boundary line. A future dwelling on the property may not encroach onto either of the easements.

In 2014 the applicant applied for and was granted approval by the City Council for a one lot subdivision on this property. The plat was circulated for signatures and even received an extension to the approval but was held up by the Wasatch County surveyor over a boundary line issue. The issue has since been resolved, but the approval from the City Council has since lapsed requiring the applicant to reapply for approval.

#### **LAND USE SUMMARY:**

- 1.69 acre site
- RA-1-43 zoning
- Proposal contains 1 lot
- Frontage along Interlaken Drive (private)
- The lot will connect to the Midway Sanitation District sewer Midway City's culinary water line, and Midway Irrigation Company's secondary water line

#### **ANALYSIS:**

*Roads* – The lot will front Interlaken Drive, which is a private road that is maintained by the residents of Interlaken and the HOA of Burgi Hill Ranches. The applicant has supplied easement documents that allow access to the property crossing the private road.

*Sensitive Lands* – The only sensitive lands that have been identified by the applicant are slopes of 25% or greater. The applicants engineer has suggested that the slopes align with the banks of the historic ditch, which is now piped. Planning staff has visited the site and is in agreement that the majority of the slopes indicated do not appear to be present on site. There does appear to be some areas adjacent to Interlaken Road and along the very east end of the site that are 25% or greater and are unrelated to the ditch banks. These areas should be noted as unbuildable on the plat.

*Trails* – There are no trails that are planned to cross this property though there is a planned trail that runs along the southern boundary of the property and a public trail easement has been dedicated to the City along the northern boundary of the Deer Ridge Estates plat.

*Culinary Water Connection* – The lot will connect to the City's culinary water line located under Interlaken Drive.

*Sewer Connection* – The lot will connect to Midway Sanitations District's line located under Interlaken Drive.

*Secondary Water Connection* – The property will connect to Midway Irrigation Company's water system and this will continue with the new development. The applicant has been provided a will serve letter from Midway Irrigation Company.

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

*Access* – The property will have access directly from Interlaken Drive.

*Water Board Approval* – Water was turned over by the applicant to the city with the previous application.

#### **PLANNING COMMISSION RECOMMENDATION:**

**Motion:** Commissioner Bouwhuis: I make a motion that we recommend approve preliminary/final approval of a one lot subdivision to be known as Burgi Hill subdivision. The lot is 1.69 acre and is located at 1218 Interlaken Road and is in the RA-1-43 zone. We accept staff findings and with no conditions.

**Seconded:** Commissioner Ream

**Chairman Nicholas:** Any discussion on the motion?

**Chairman Nicholas:** All in favor.

**Ayes:** Commissioners: Whitney, Bouwhuis, Garland, Simons, Ream and Wardle

**Nays:** None

**Motion:** Passed

#### **POSSIBLE FINDINGS:**

- The proposed lot meets the minimum requirements for the RA-1-43 zoning district.
- The proposal does meet the intent of the General Plan for the RA-1-43 zoning district.

- The applicant will be required to install or bond for all unfinished improvements previous 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.

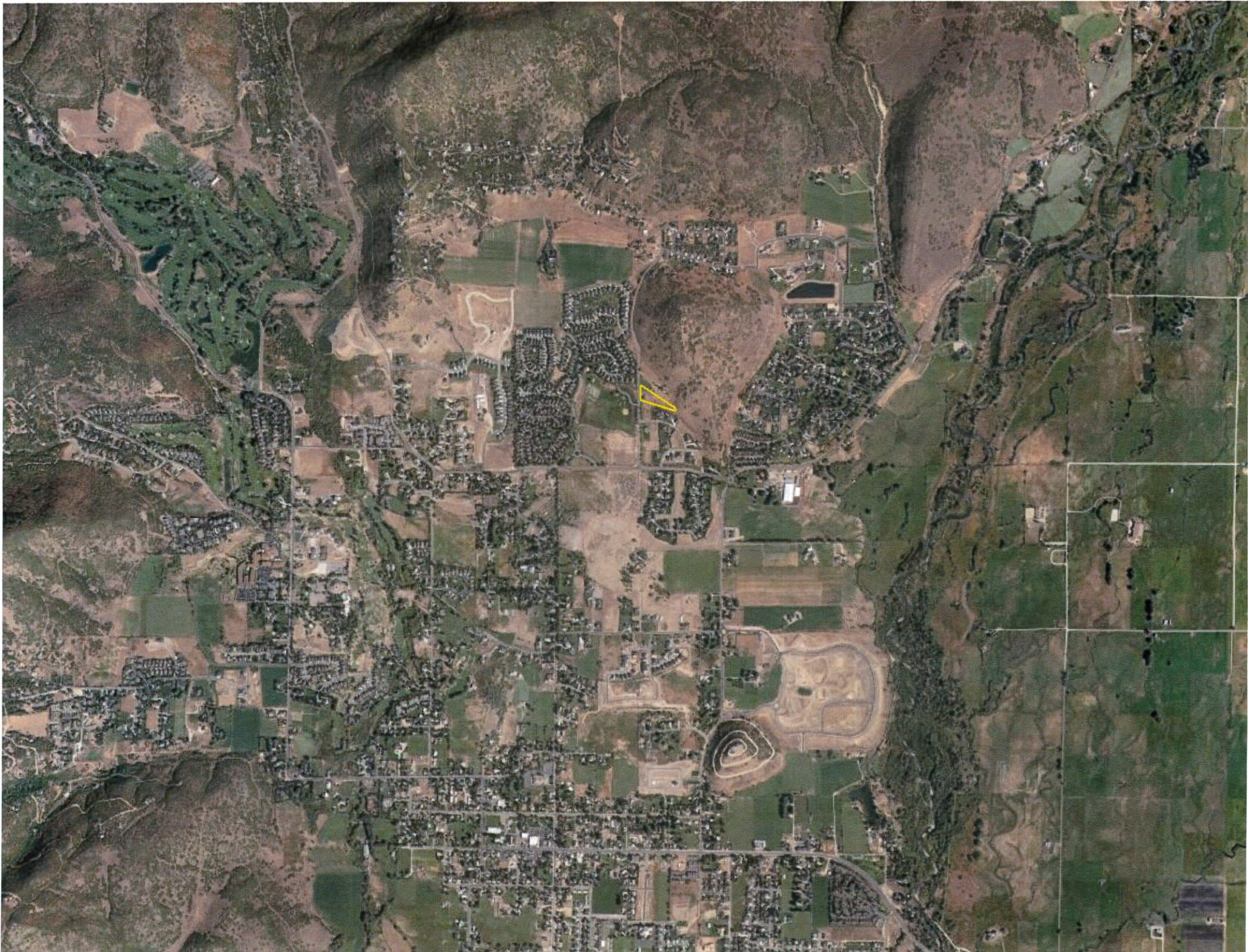
#### **ALTERNATIVE ACTIONS:**

1. Conditional approval. This action can be taken if the City Council 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 City Council 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. Denial. This action can be taken if the City Council feels 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

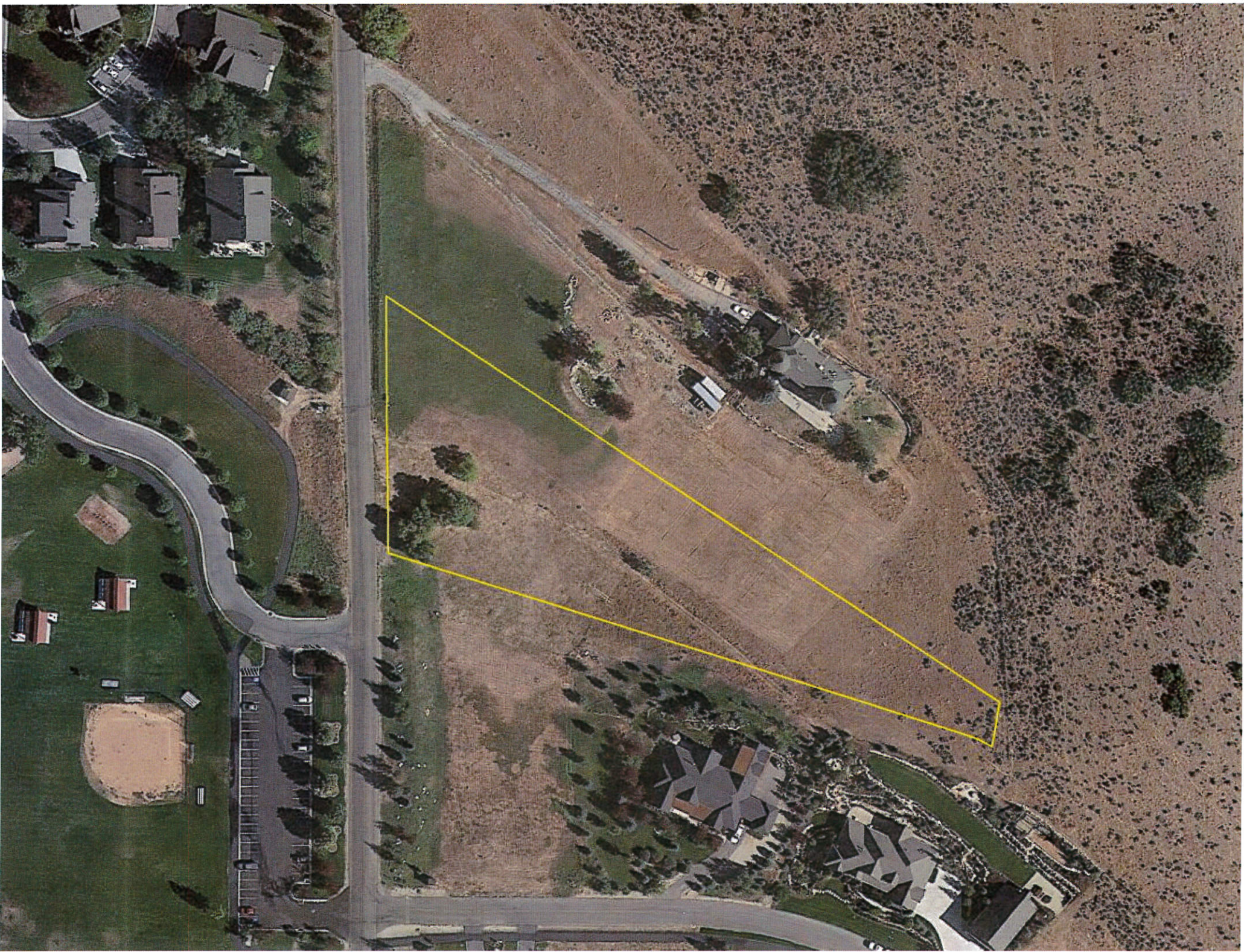








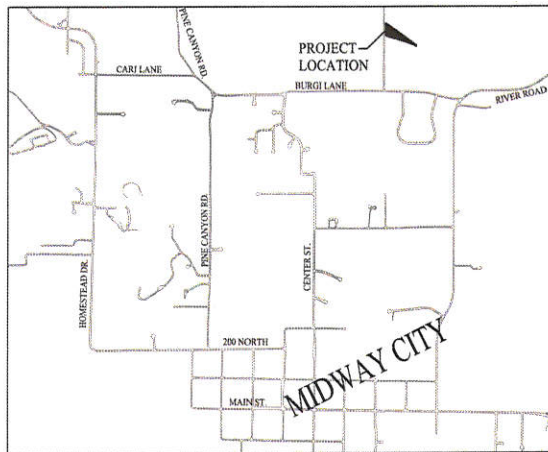






# BURGI HILL SUBDIVISION

## CONSTRUCTION PLANS



VICINITY MAP

### SHEET INDEX

1. BURGI HILL SUBDIVISION PLAT
2. UTILITY PLAN
3. SEWER PLAN & PROFILE
4. SEWER DETAILS
5. WATER DETAILS

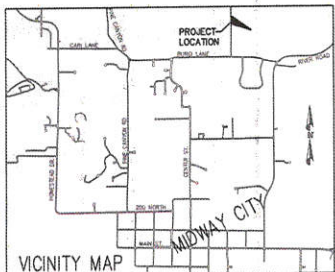
BURGI HILL SUBDIVISION CONSTRUCTION PLANS - 29 OCTOBER 2014



CHRIS DUNN BURGI HILL SUBDIVISION		
COVER SHEET		
 <b>BERG ENGINEERING</b> RESOURCE GROUP P.C. 380 E Main St. Suite 204 Midway, UT 84049 PH: (435) 457-9749		
DESIGN BY: PDB	DATE: 29 OCT 2014	SHEET
DRAWN BY: CNB	REV:	0

HORROCKS ENGINEERS  
APPROVED BY  
DATE: 11/11/14





LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

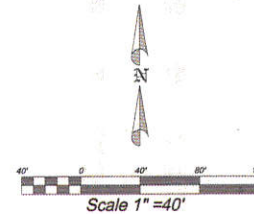
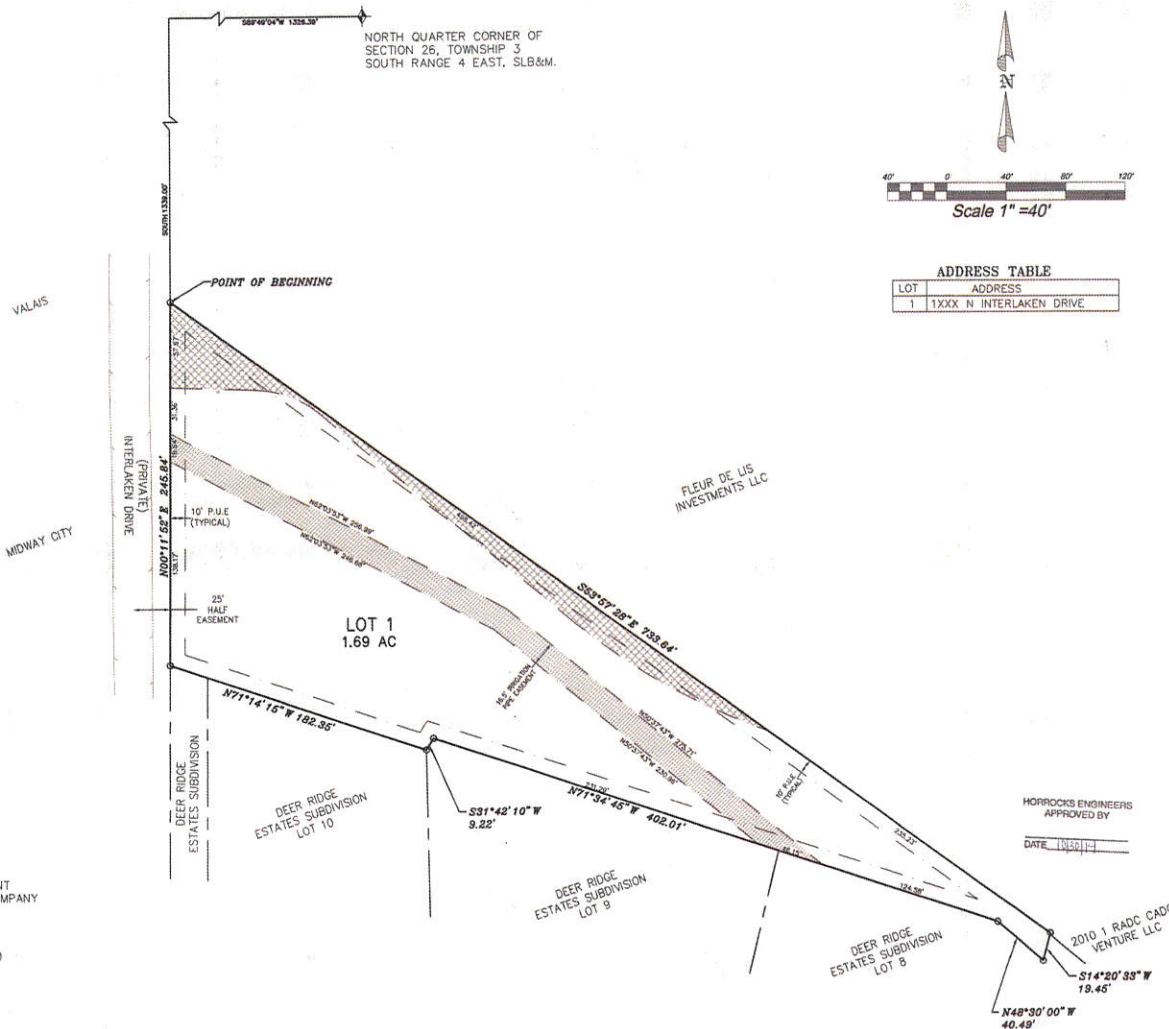
AN ACCESS EASEMENT AGREEMENT WAS GRANTED BY THE INTERLAKEN MUTUAL WATER COMPANY ON MAY 28, 2008 TO ALLOW ACCESS FOR THE PROPERTY USING INTERLAKEN DRIVE. SEE ENTRY 336303 BOOK 987 PAGE 1449-1451, THE WASATCH COUNTY RECORDS.

#### LEGEND

- 16.5' IRRIGATION PIPE EASEMENT TO THE MIDWAY IRRIGATION COMPANY
- 60' EASEMENT ENTRY# 188128 BOOK 778, PAGES 778-780

SUBMITTER:  
BROMAC LAND SURVEYING  
9229 S REDWOOD RD, SUITE A  
WEST JORDAN, UT 84088  
PHONE: (801) 859-2416

DATE OF SURVEY: AUGUST 2014



ADDRESS TABLE	
LOT	ADDRESS
1	1XXX N INTERLAKEN DRIVE

#### SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER \_\_\_\_\_ IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

DATE \_\_\_\_\_ SURVEYOR (SEE SEAL BELOW)

#### BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS SOUTH 89°49'04" WEST 1326.39 FEET AND SOUTH 1339.00 FEET FROM THE NORTH QUARTER CORNER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING:

THENCE SOUTH 53°57'28" EAST 733.64 FEET; THENCE SOUTH 14°20'33" WEST 19.45 FEET TO THE NORTH BOUNDARY LINE OF DEER RIDGE ESTATES SUBDIVISION-AMENDED AND RUNNING THE FOLLOWING FOUR COURSES: (1) NORTH 48°30'00" WEST 40.49 FEET, (2) NORTH 71°34'45" WEST 402.01 FEET, (3) SOUTH 31°42'10" WEST 9.22 FEET, (4) NORTH 71°14'15" WEST 182.35 FEET; THENCE NORTH 00°11'52" EAST 245.84 FEET TO THE POINT OF BEGINNING.

CONTAINS 1.69 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, AND EASEMENTS, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION 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: PANDA PROPERTIES LLC - CHRIS DURN

#### ACKNOWLEDGMENT

STATE OF UTAH }  
COUNTY OF WASATCH } S.S.  
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 \_\_\_\_\_ CLERK-RECORDER  
(SEE SEAL BELOW)  
APPROVED \_\_\_\_\_ CITY ENGINEER APPROVED \_\_\_\_\_ CITY ATTORNEY  
(SEE SEAL BELOW)

#### PLANNING COMMISSION APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, BY THE  
MIDWAY CITY PLANNING COMMISSION  
PLANNING DIRECTOR \_\_\_\_\_ CHAIRMAN, PLANNING COMMISSION

#### BURGI HILL SUBDIVISION

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH  
LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.  
SCALE: 1" = 40 FEET

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

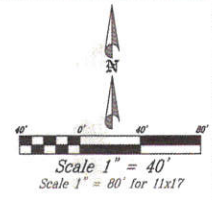
DATE: \_\_\_\_\_  
MIDWAY IRRIGATION COMPANY  
DATE: \_\_\_\_\_  
MIDWAY SANITATION DISTRICT  
COUNTY RECORDER

COUNTY SURVEYOR  
APPROVED AS TO FORM ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
ROS # \_\_\_\_\_  
COUNTY SURVEYOR









**CULINARY WATER SYSTEM NOTES:**

1. ALL CULINARY WATER CONSTRUCTION TO MEET MIDWAY CITY STANDARDS AS ADOPTED IN JUNE 2012 EDITION.
2. ALL UNITS SHALL HAVE A 1" WATER SERVICE WITH A 3/4" METER.

**PRESSURIZED IRRIGATION SYSTEM NOTES:**

1. ALL PRESSURIZED IRRIGATION CONSTRUCTION TO MEET MIDWAY IRRIGATION COMPANY STANDARDS.
2. ALL PIPE SHALL BE AWWA C-900 CLASS OR EQUIVALENT.
3. ALL PRESSURIZED IRRIGATION SERVICES SHALL BE 1".

**SANITARY SEWER SYSTEM NOTES:**

1. ALL SEWER CONSTRUCTION TO BE TO MIDWAY SANITATION DISTRICT STANDARDS INCLUDING THE FOLLOWING:
  - ALL SEWER CLEANOUTS SHALL HAVE METAL LIDS
  - ALL SEWER MAIN LINES AND LATERALS SHALL BE INSTALLED WITH TRACER WIRE.
2. ALL UNITS SHALL HAVE A 4 INCH SEWER LATERAL.



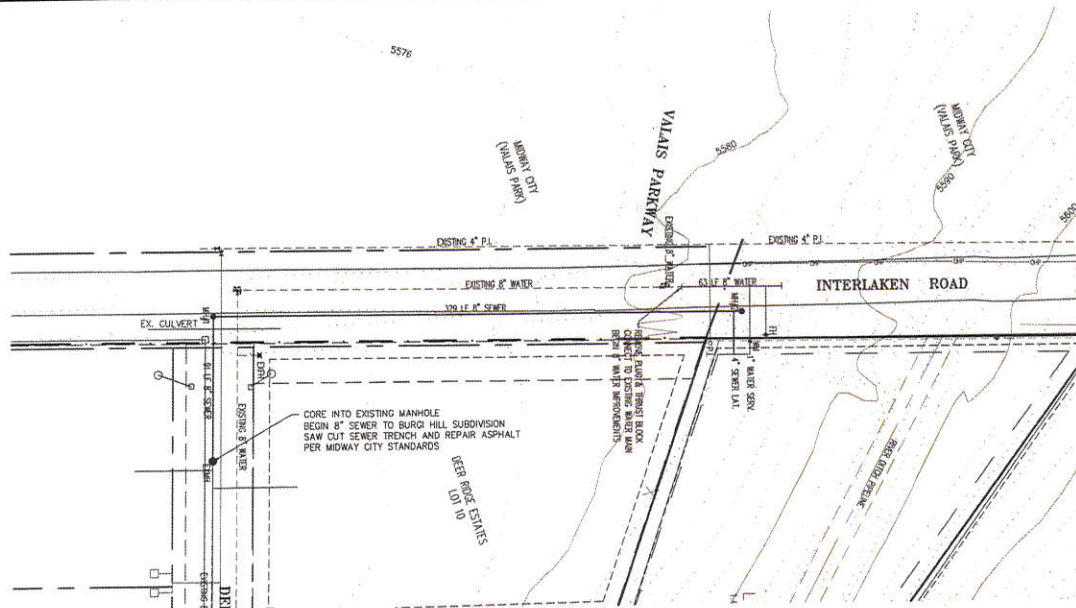
CHRIS DUNN  
BURGH HILL SUBDIVISION  
UTILITY PLAN

HARRIS ENGINEERS  
APPROVED BY  
DATE: 10/21/14



DESIGN BY: PDB  
DRAWN BY: CNB  
DATE: 29 OCT 2014  
REV: 2



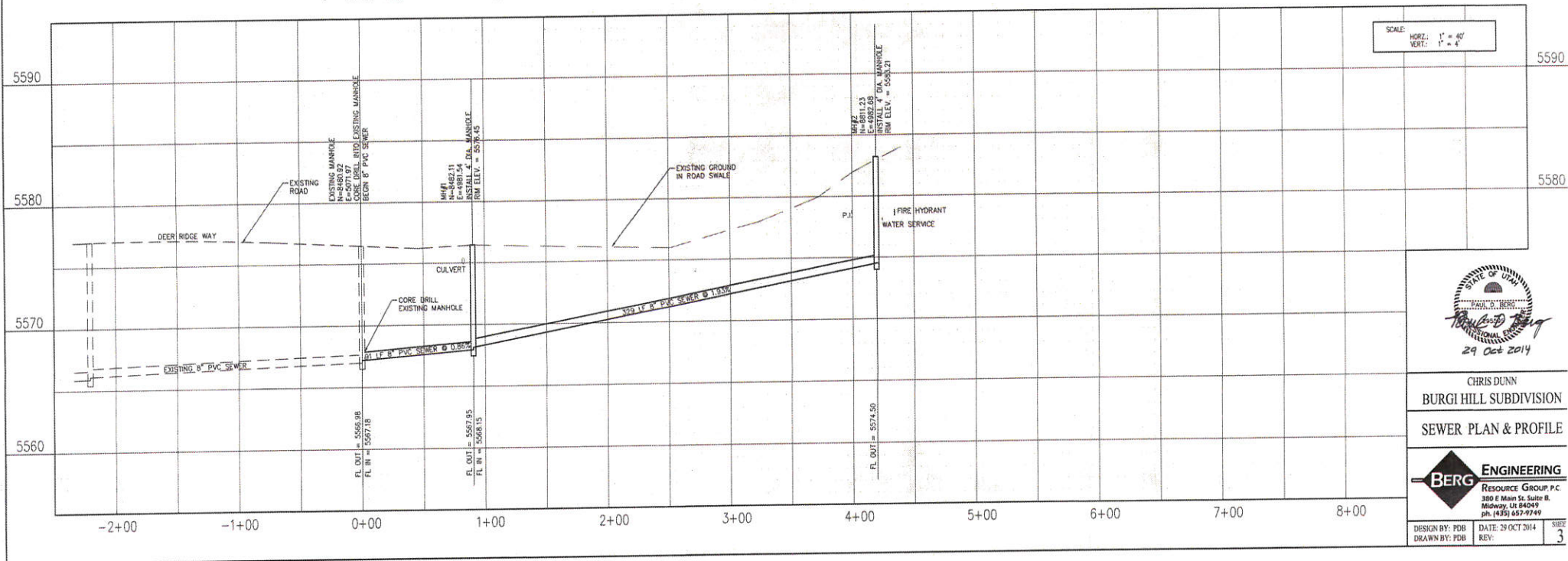
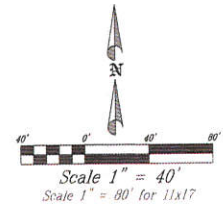


SEE SHEET FOR 4 FOR SEWER CONSTRUCTION DETAILS.

- SANITARY SEWER SYSTEM NOTES:**
1. ALL SEWER CONSTRUCTION TO BE TO MIDWAY SANITATION DISTRICT STANDARDS INCLUDING THE FOLLOWING:
    - ALL SEWER CLEANOUTS SHALL HAVE METAL LIDS
    - ALL SEWER MAIN LINES AND LATERALS SHALL BE INSTALLED WITH TRACER WIRE
  2. ALL UNITS SHALL HAVE A 4 INCH SEWER LATERAL.

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

HORROCKS ENGINEERS  
APPROVED BY  
DATE: 10/24/14



SCALE:  
HORIZ.: 1" = 40'  
VERT.: 1" = 4'



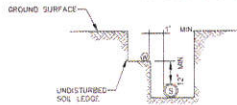
CHRIS DUNN  
BURGHILL SUBDIVISION  
SEWER PLAN & PROFILE

**BERG ENGINEERING**  
RESOURCE GROUP P.C.  
380 E Main St. Suite B  
Midway, UT 84049  
ph: (435) 657-9749

DESIGN BY: PDB  
DRAWN BY: PDB  
DATE: 29 OCT 2014  
REV: 3

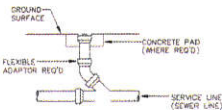


NOTE:  
ALL PLUMBING PRACTICES SHALL CONFORM  
TO THE UTAH STATE PLUMBING CODE.



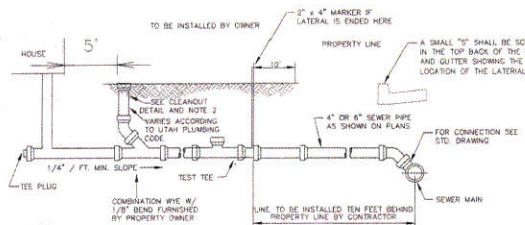
## SEWER AND WATER LATERALS IN COMMON TRENCH

N.T.S.



## CLEANOUT DETAIL

N.T.S.



NOTES:  
1. PIPE GRAPHICS DO NOT  
NECESSARILY INDICATE TYPE  
OF PIPE TO BE USED.  
2. IF SPACING BETWEEN CLEANOUTS  
IS MORE THAN 50' CLEANOUT AT  
PROPERTY LINE WILL BE REQUIRED.

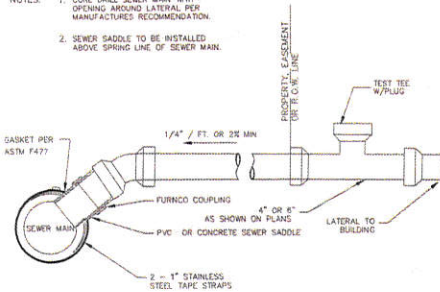
## TYPICAL SEWER SERVICE CONN.

N.T.S.

MIDWAY SANITATION DISTRICT  
STANDARD DRAWING

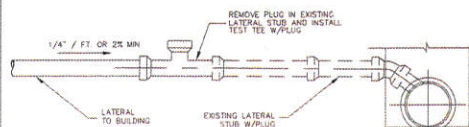
SEWER-1

- NOTES:
1. CORE DRILL SEWER MAIN WITH  
OPENING AROUND LATERAL PER  
MANUFACTURER'S RECOMMENDATION.
  2. SEWER SADDLE TO BE INSTALLED  
ABOVE SPRING LINE OF SEWER MAIN.



## LATERAL CONNECTION TO EXISTING SEWER LINE

N.T.S.

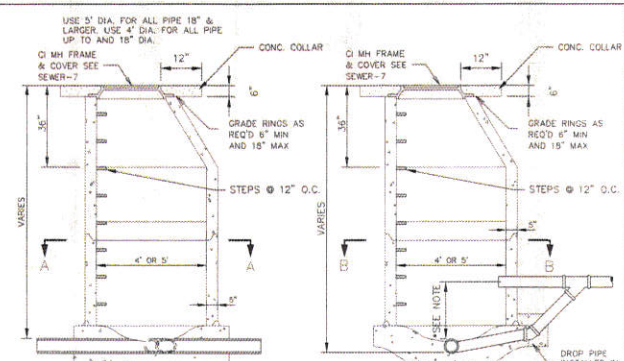


## LATERAL CONNECTION TO EXISTING LATERAL STUB

N.T.S.

MIDWAY SANITATION DISTRICT  
STANDARD DRAWING

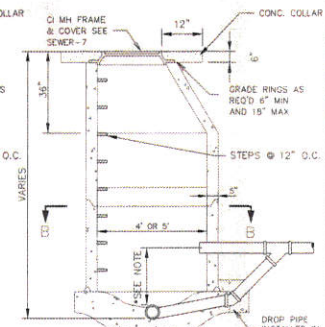
SEWER-2



## SECTION A-A

## TYPICAL JUNCTION MANHOLE

N.T.S.



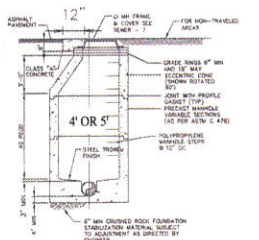
## SECTION B-B

## TYPICAL DROP MANHOLE

N.T.S.

MIDWAY SANITATION DISTRICT  
STANDARD DRAWING

SEWER-3

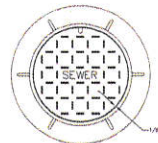


## PRECAST MANHOLE DETAIL

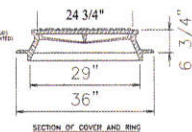
N.T.S.

MIDWAY SANITATION DISTRICT  
STANDARD DRAWING

SEWER-4



## PLAN OF COVER AND RING



## SECTION OF COVER AND RING

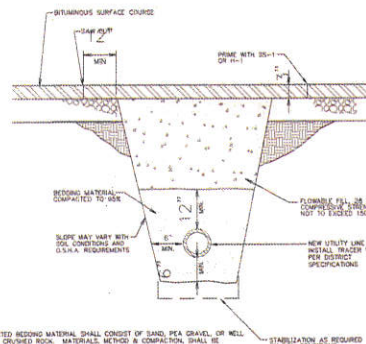
## HEAVY DUTY, HS-20 LOADING MINIMUM, MANHOLE RING AND COVER

N.T.S.

NOTE: 1. MANHOLE COVERS SHALL BE  
USED UNLESS OTHERWISE SPECIFIED  
SPECIES VENTED COVER.

MIDWAY SANITATION DISTRICT  
STANDARD DRAWING

SEWER-5

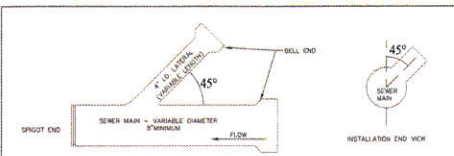


## UTILITY INSTALLATION IN EXISTING ROADWAYS

N.T.S.

MIDWAY SANITATION DISTRICT  
STANDARD DRAWING

SEWER-6



## PRE-CAST SEWER SERVICE LATERAL

N.T.S.

MIDWAY SANITATION DISTRICT  
STANDARD DRAWING

SEWER-7

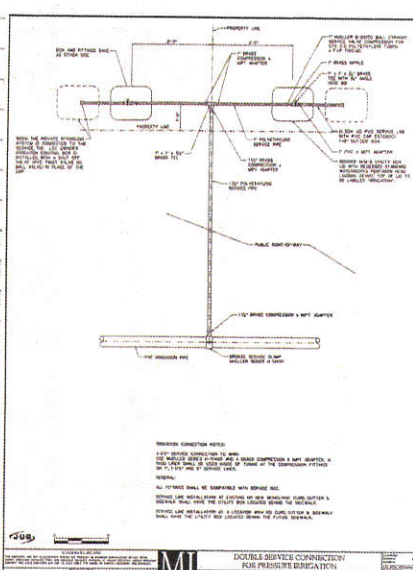
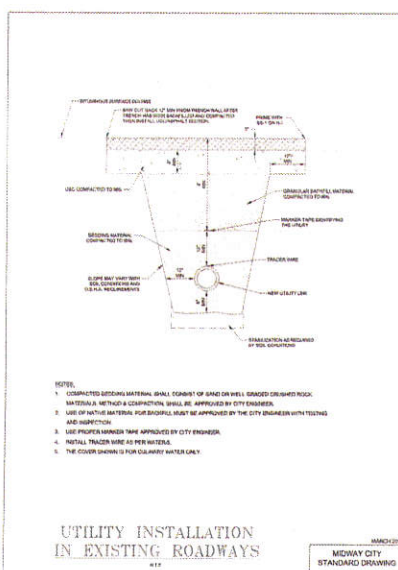
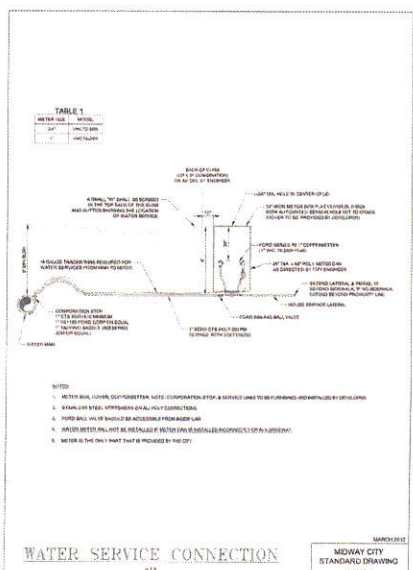
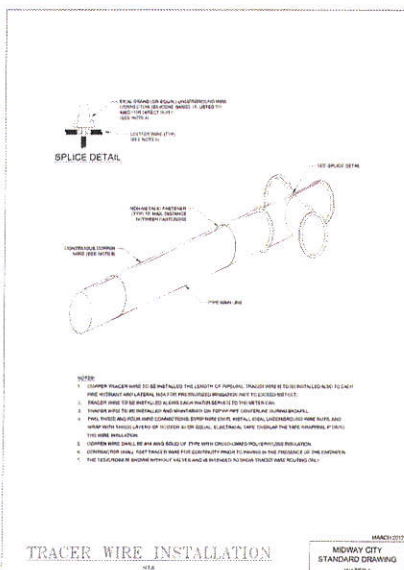
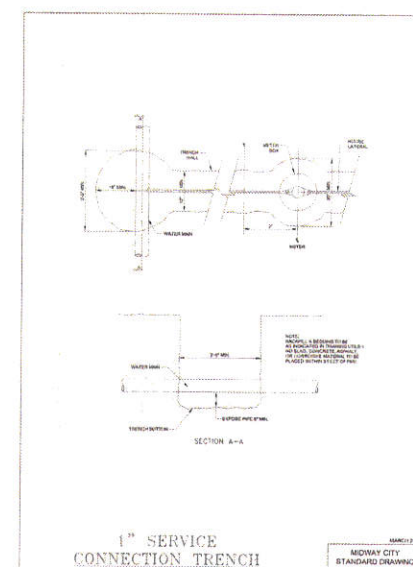
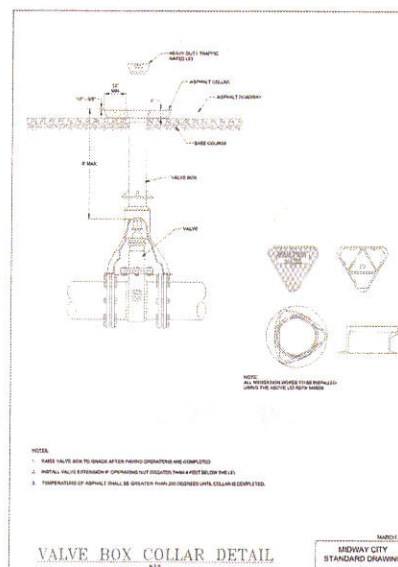
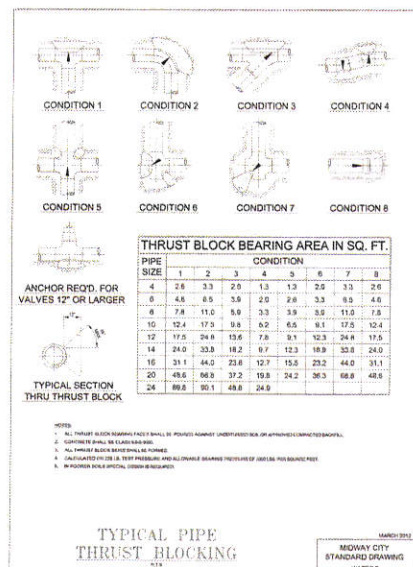
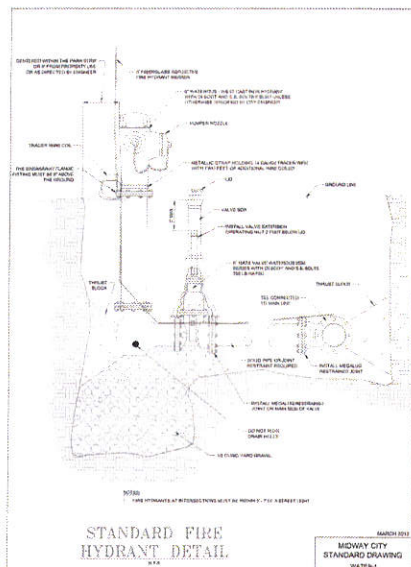
HUFFCOCKS ENGINEERS  
APPROVED BY  
DATE 10/2/14

CHRIS DUNN  
BURGI HILL SUBDIVISION  
SEWER CONSTRUCTION  
DETAILS

**BERG ENGINEERING**  
Resource Group P.C.  
380 E Main St. Suite 204,  
Midway, UT 84049  
PH: (801) 462-9949

DESIGN BY: PDB  
DRAWN BY: CNB  
DATE: 29 OCT 2014  
REV: 4







May 11, 2021

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

**Subject: Burgi Hill Subdivision - 1 lot Subdivision – Preliminary / Final Approval**

Dear Michael:

Horrocks Engineers recently reviewed the Submitted Plans for the one lot Burgi Hill Subdivision. The following issues should be addressed.

**General Comments**

- The plan proposes one – one acre lot and is located at 1218 North Interlaken Road.
- A 16.5 foot irrigation easement is located within the lot near the center of the proposed lot. Caution should be taken during the construction of the home to protect the existing large diameter pipe line.

**Water**

- The development will be required to extend the existing eight-inch water line located near the intersection of Interlaken road and Valais Parkway to their development.

**Roads**

- Because the lot fronts the existing Interlaken Road, no road improvements will be required for the proposed one lot subdivision.
- Any repairs to existing Interlaken Road will need to follow Interlaken's standards and specifications and will require a road cut permit from Interlaken.

**Trails:**

- The Trails Master Plan does not show any trails proposed for this section of Interlaken Road.

**Irrigation:**

- The proposed subdivision will connect onto the mainline irrigation within Interlaken Road.

**Storm Drain**

- With no curb & gutter proposed along Interlaken Road, the existing shoulder will contain the roadway drainage.

Please feel free to call our office with any questions.

Sincerely,  
HORROCKS ENGINEERS



Wesley Johnson, P.E.  
City Engineer

cc: Paul Berg Berg Engineering



# **Exhibits**

**Exhibit 1 – Slope Analysis**

**Exhibit 2 – Midway Irrigation Company Will Serve Letter**



# **Exhibit 1**







# **Exhibit 2**

**Midway Irrigation Company Will Serve Letter.**  
**May 26, 2021**

**Project Name:** Burgi Hill Subdivision

**Address:** Midway, Utah.

**Name of Developer:** Chris & Maren Dunn

**Parcel Size:** 1.69 Acres

**Present Land Use:**

**Amount of Irrigated Land:** 1.69 Acres

**Amount of Non-Irrigated Land:** 0.0 Acre

**Scope of the proposed project:**

**Number of ERUs:** 1

**Amount of Irrigated Land:** 1.51 Acres

**Amount of Non-Irrigated Land:**

Home sites, Roads & Trails– 0.18 Acres

Historic Non-Irrigated- 0.0 Acres

**Water Requirement:**

**Culinary Quality Number of Acre Feet:** 0.8 Acre Feet

**Irrigation Quality Number of Acre Feet:** 4.53 Acre Feet

**Water Rights Available to the project:** 2.00 Shares of Midway  
Company Stock



**Project Water Allocation:**

**Culinary Water Provider:** Midway City

**Water Rights Required:** 0.8 ac. ft.

**Infrastructure Requirements:**

**Secondary Water Provider:** Midway Irrigation Company.

**Water Rights required:** 4.53 acre-feet

**Project Approval Required Conditions:**

1. Transfer 0.8 acre-feet of Midway Irrigation Water Right to Midway City for culinary water requirements.
2. Transfer 4.53 acre-feet of Midway Irrigation Water Right to Midway City for secondary irrigation water requirements.
3. Developers will be required to connect to Midway Irrigation Company Main Line under the condition that it is completed under the direction of the Company's Manager and in accordance with the company's construction guide line and policies.
4. Developers must install secondary water meters on each lot. The installation must be in accordance with the company's construction guide line and policies.
5. The final plat will not be approved or signed until all conditions are met.

Steve Farrell, President  
Midway Irrigation Company