



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: December 10, 2024

NAME OF PROJECT: Reese Burgi Lane Subdivision

NAME OF APPLICANT: Sharron Horrocks, Representative of the Reese Family Trust

NAME OF OWNER: The Reese Family Trust

AGENDA ITEM: Preliminary & Final Approval

LOCATION OF ITEM: 335 West Burgi Lane, Midway, Utah

ZONING DESIGNATION: R-1-15

ITEM: 5

Sharron Horrocks, representative for the Reese Family Trust, is requesting preliminary/final approval of a 2-lot small scale subdivision to be known as the Reese Burgi Lane Subdivision. The proposal is on .98 acres and is located at 335 West Burgi Lane and is in the R-1-15 zone.

BACKGROUND:

This request is for preliminary and final approval of a small-scale subdivision on .98 acres which will contain two lots. Proposed Lot 1 at the corner of Pine Canyon Road and Burgi Lane was subdivided from the lot to its immediate south without going through the subdivision process. The applicant acquired ownership of proposed Lot 2, which is

improved with a home. The applicant seeks to take acreage from Lot 2 to add to Lot 1 to make both lots conforming. The result is an oddly shaped Lot number 1 which now meets the minimum acreage requirements of the Midway City Code. Both lots have sufficient frontage on and access from Burgi Lane and/or Pine Canyon Road so that new roads will not be required for access. The lots comply with the minimum requirements of frontage, width, and acreage for lots in this zone.

LAND USE SUMMARY:

- .98 acre parcel
- R-1-15 zoning
- Proposal contains two (2) lots
- Lot 1 fronts on Pine Canyon Road and Burgi Lane but should have access limited to Pine Canyon Road in light of traffic patterns existing and projected for this area. Lot 2 fronts on Burgi Lane and has an existing home with access from Burgi Lane.
- The lots will connect to the Midway Sanitation District sewer, Midway City’s culinary water line, and will have to be connected per code to Midway Irrigation Company’s secondary water line.

ANALYSIS:

16.10.010 sets forth the objectives and characteristics of the R-1-15 Residential Zone as follows:

“The objective in establishing the R-1-15 Residential Zone is to encourage the creation and maintenance of residential areas within the City which are characterized by medium size lots on which single-family dwellings are situated, surrounded by well-kept laws, trees and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions favorable to family living are also characteristic of this zone.”

Access – Lot 2 is presently improved with a single family residence and has access from Burgi Lane, which will continue. Lot 1 fronts both Pine Canyon Road and Burgi Lane but should have access limited to Pine Canyon Road in light of traffic patterns existing and projected for this area.

Density – The proposed density of the proposed subdivision meets the maximum number allowed by zoning. Proposed Lot 1 is at the minimum lot size of 15,000 square feet for this zone. Lot 2 at 28,106 square feet exceeds the minimum

requirements for the zone but is insufficient in size and lacks sufficient frontage for any additional lots.

Culinary Water Connection – Lot 2 has a current culinary connection to the City’s water line and the current dwelling is connected to the City’s system. Additional connections, laterals, and meter will be required for the proposed Lot 1 at the cost of the developer/owners.

Sewer Connection – Lot 2 has a current connection to Midway Sanitation District’s sewer line and the current dwelling on proposed Lot 2 is connected to that system. Additional connections will be required for Lot 1 at the cost of the developer/owners.

Secondary Water Connection – Midway City Code Section 10.07.090 Secondary Water Infrastructure Requirements (A) provides: “All applicants for residential or commercial building permits and all developers of residential or commercial subdivisions or planned unit developments are required to construct and install, at their own expense, pipes and other necessary infrastructure, both on-site and off-site, to enable the subject property to connect to the secondary water irrigation system”. Pursuant to the above, the developer/owner shall bear the cost and burden of bringing secondary water to the lots and the costs of connections to and water meters for each lot.

Sensitive Lands – The applicant has not identified any sensitive lands within the boundary of the proposed development.

Width and Frontage Requirements – Section 16.10.050 of the Midway City Code provides that the minimum width and frontage of any building site in the R-1-15 zone shall be 100 linear feet. Both proposed lots meet these requirements.

Setbacks –The setbacks from Burgi Lane and Pine Canyon Road per Code is 50 feet. The existing structure on proposed Lot 2 meets this setback from Burgi Lane. For Lot 1, the plat should be required to show a building pad for the dwelling showing compliance with the 50’ setbacks from both Burgi Land and Pine Canyon Road.

Building Pads – Normally building pads are not shown on Midway subdivision plats, but staff finds they could be helpful for proposed Lot 1 given the 50’ required setbacks from Burgi Lane and Pine Canyon Road. It would be easier for future owners to see and understand the setbacks on the plat. If a building pad is shown on the plat, it would be specifically for dwellings and not for accessory structures since setbacks for accessory structures are different than for dwellings.

Open Space- The property is less than six acres, so no open space is required.

Landscaping Plan – The proposed development is not required to submit a landscaping plan since there is no open space or common area.

Maximum Height of Structures – The maximum height of structures is 35’ from natural grade.

Trails – The Midway City Trail System Master Plan shows an attached asphalt bike trail along both sides of Pine Canyon Road. Staff is proposing that the funds to build the bike lane that runs along the frontage of the proposal are added to the general trails fund and that the bike lane is completed in the future as part of a larger improvement project that will complete the bike lanes along the entirety of Pine Canyon Road where the bike lanes are planned. Staff is recommending that the developer contribute \$3900 (100 x 6 x 6.5) to the general trail fund.

Intersection and Driveway Location – Lot 2 currently has driveway access from Burgi Lane which shall continue as is. Proposed Lot 1 fronts both Burgi Lane and Pine Canyon Road. Because of the proximity of the intersection of Pine Canyon Road and Burgi Lane, and the projected roundabout at this location, access for Proposed Lot 1 of the development should be limited to Pine Canyon Road and the entire width of the driveway at its intersection with Pine Canyon Road should be required to fall within a distance of 30 feet from the southern property line of proposed Lot 1.

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

WATER BOARD RECOMMENDATION:

The Water Board reviewed this item during their meeting on November 4, 2024, and recommended 1.99 acre feet is dedicated to the City based on the following formula:

- 1-acre parcel (43,878 sq. ft.)
- 0.99-acres within lots
 - Impervious area for dwellings, accessory structures, hard surfaces
 - 0.36 acres (16,000 sq. ft.)
 - Irrigated acreage
 - 0.63 acres (27,442 sq. ft.) x 3 = 1.89 acre feet
- 2 culinary connections for dwellings
 - 1.6 acre feet
 - Credit of 1.5 acre feet for existing dwelling and irrigation
- Total = 3.49 – 1.5 = 1.99 acre feet

POSSIBLE FINDINGS:

- The proposed lots meet the minimum requirements for the R-1-15 zoning district.
- The proposal meets the intent of the General Plan for the R-1-15 zoning district.
- The developer/owner will contribute to a bike lane that will benefit members of the community.
- Access to Lot 2 and its existing dwelling shall continue to be from Burgi Lane. Due to the location of the Pine Canyon Road and Burgi Lane intersection, existing traffic patterns, and the contemplated roundabout planned for the location, driveway access to Proposed Lot 1 shall be restricted to Pine Canyon Road and the entirety of the width of the driveway at its intersection with Pine Canyon Road shall fall within 30 feet from the southern property line of proposed Lot 1.
- The plat shall show a building pad for the main dwelling on Lot 1 to make it easier for future owners to understand the 50’ setback requirements from both Pine Canyon Road and Burgi Lane.
- The owner/developer shall be responsible, pursuant to Midway Code Section 10.07.090, for constructing and installing, at his/her/their own expense, “pipes and other necessary infrastructure, both on-site and off-site, to enable the subject property to connect to the secondary water irrigation system”.
- 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. 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 CONDITIONS:

1. The developer/owner will contribute \$3900 to the trails fund, before the recording of the plat, that will help build the bike lanes along Pine Canyon Road at a later date.

2. Driveway access to Proposed Lot 1 shall be restricted to Pine Canyon Road and the entire width of the entrance to the driveway from Pine Canyon Road shall be located within 30 feet from the southern property line of proposed Lot 1.

3. The plat shall show a building pad for the dwelling on Lot 1.

4. The owner/developer shall be responsible, pursuant to Midway City Code Section 10.07.090, for bringing secondary water irrigation to the subdivision.

5. 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.

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Orme • Jeffery Drury
J.C. Simonsen • Craig Simons
Kevin Payne



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

December 10, 2024

Midway City
Attn: Michael Henke
75 North 100 West
Midway, Utah 84049
(Sent via e-mail)

Subject: Reese Burgi Lane Subdivision – Preliminary/Final Review

Dear Michael:

Midway Engineering recently reviewed the above development plans for Preliminary/Final Approval. The proposed development is located near 335 West Burgi Lane. The entire development is 0.98 acres and contains 2 lots. All proposed laterals shall be shown on the plans.

Water

- The proposed development will be served from the Gerber Mahogany Springs zone.

Irrigation

- Outside irrigation should be provided to both lots.

Roads

- To avoid the Burgi Lane Pine Canyon intersection the proposed driveway should connect to Pine Canyon road. The driveway should be on the South side of the proposed lot and contained within 30'.

Trails

- No trails will be installed within the development. However the developer will contribute \$3,900.00 to the trail fund, (100' X 6' X \$6.50).

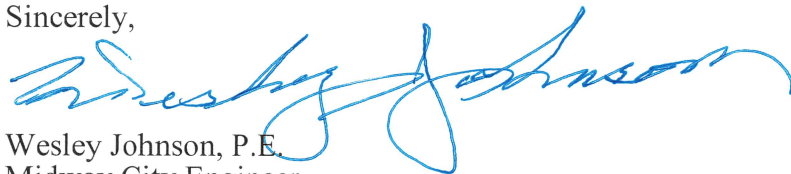
Storm Drain

- Because no new roads will be built, the existing shoulders will provide the storm drain system for the proposed subdivision.

Sewer

- Preliminary & Final Approval must be received from Midway Sanitation District Board. The applicant should contact Becky Wood, for an application to be on the District's Board meeting agenda.

Sincerely,



Wesley Johnson, P.E.
Midway City Engineer

cc:

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
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midwaycityut.org

Reese Burgi Lane Subdivision Final Approval

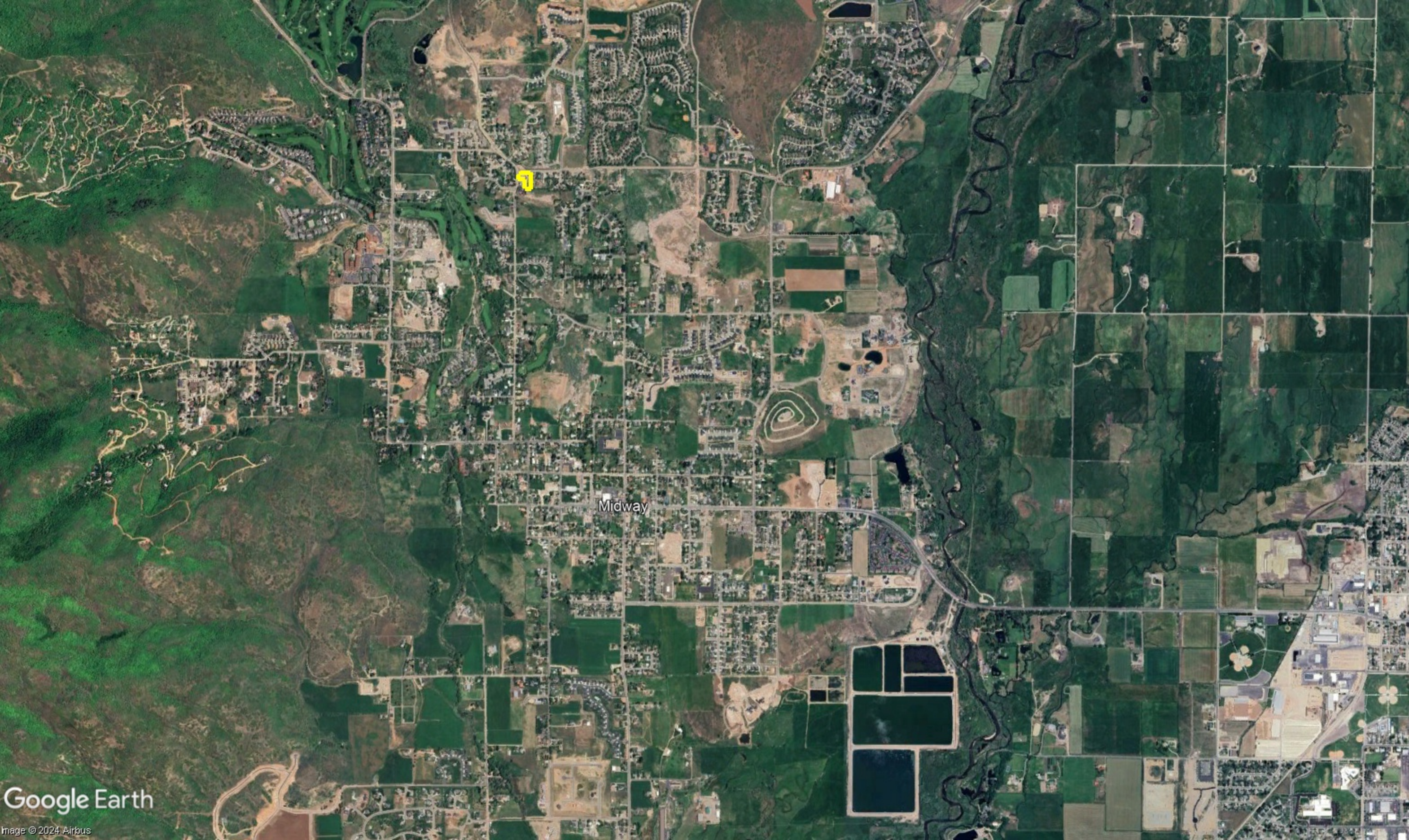
December 2, 2024

Michael Henke Midway City Planning Director,

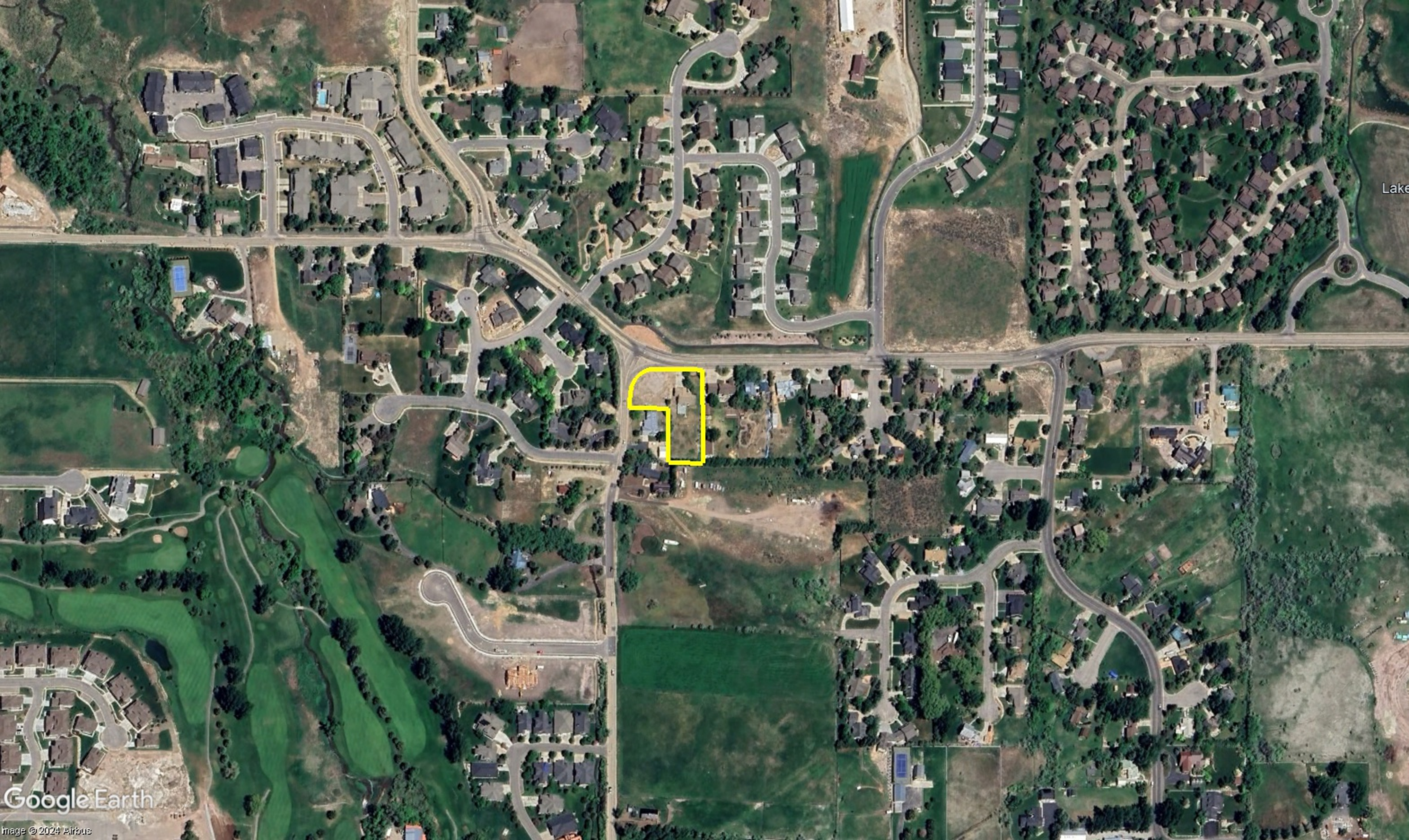
I have reviewed the plans for the Reese Burgi Lane Subdivision for compliance with the 2021 International Fire Code (2021 IFC). I do not see any fire code concerns with the Reese Burgi Lane Subdivision plans currently.



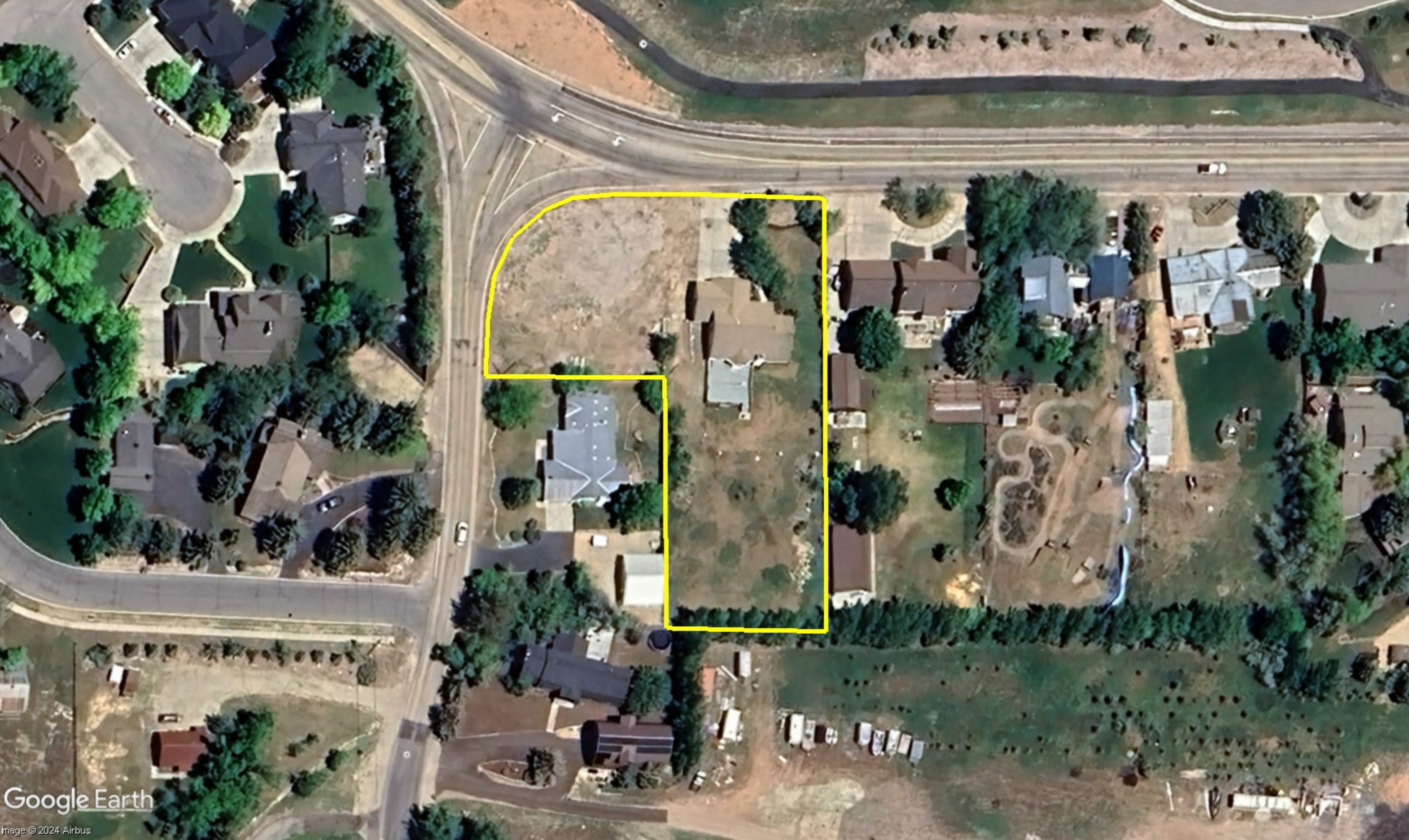
Tex R. Couch CBO/MCP
Midway City Building Official/Fire Marshal
75 West 100 North
Midway, Utah 84049
tcouch@midwaycityut.org
(435)654-3223 Ext. 107



Midway

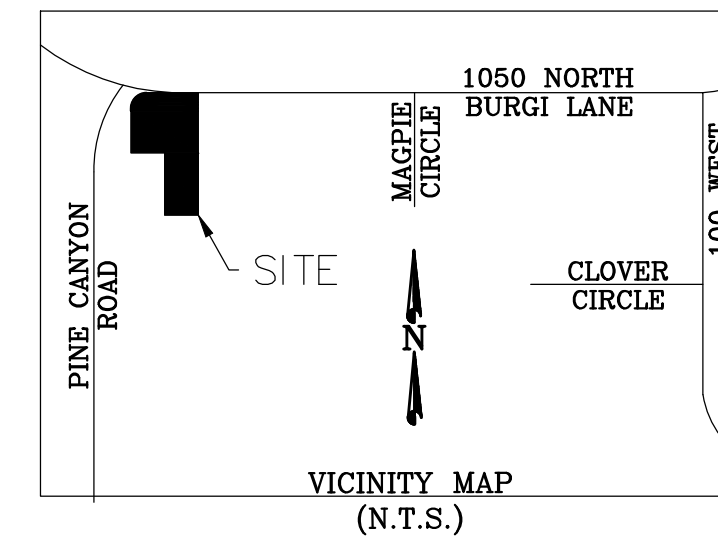
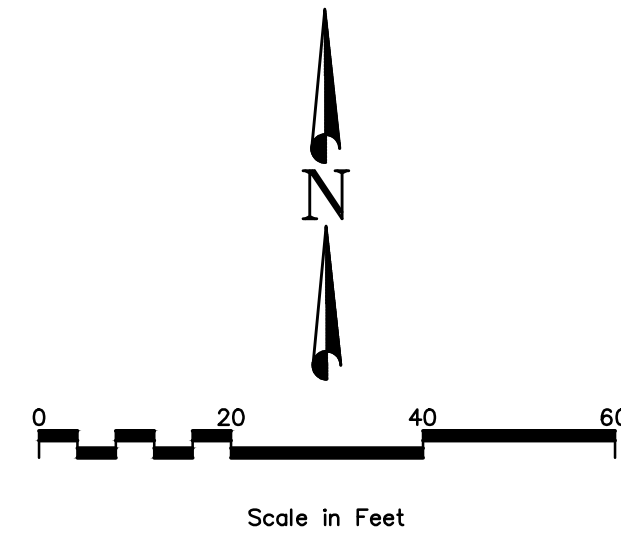


Lake



REESE BURGI LANE SUBDIVISION

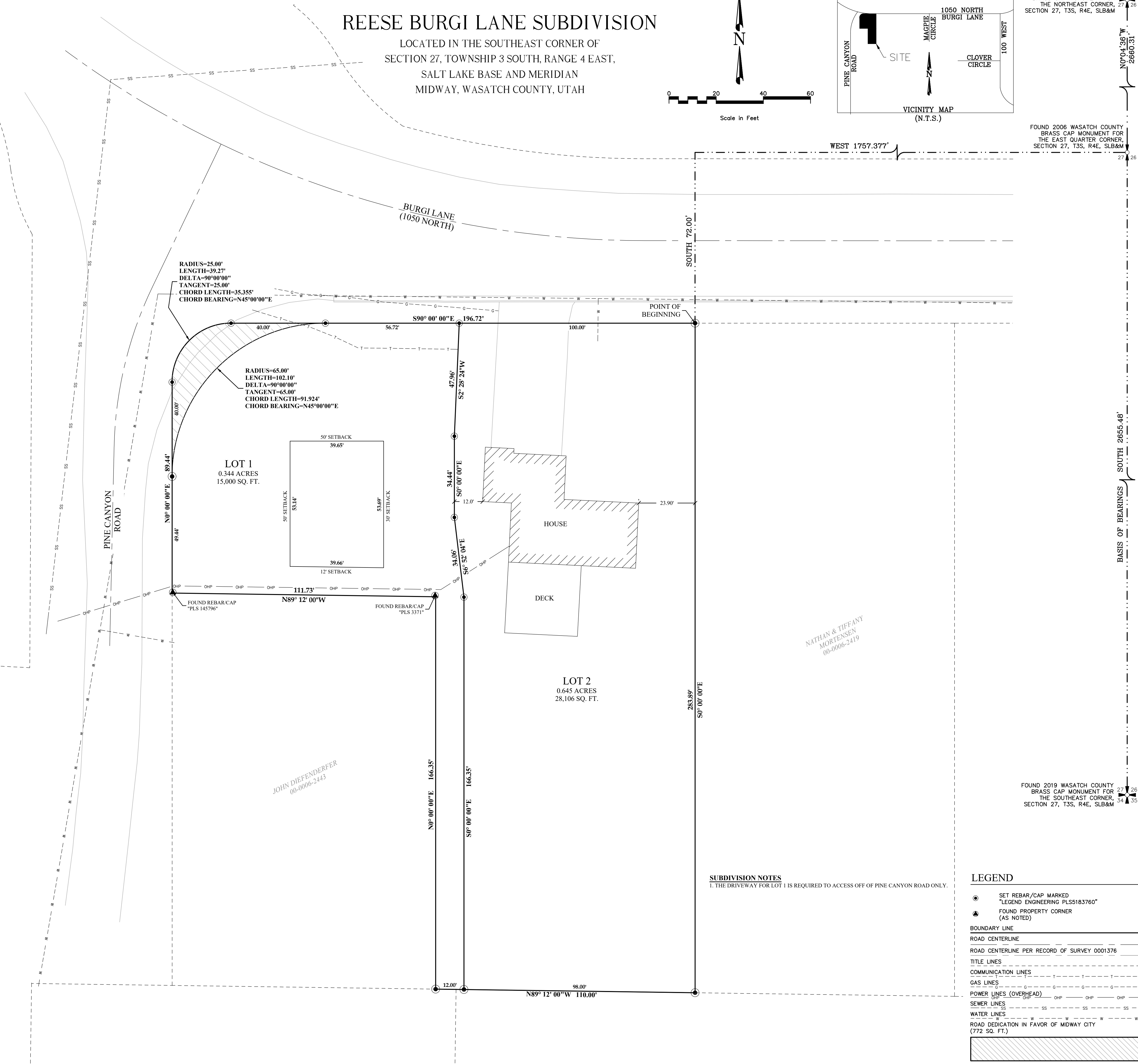
LOCATED IN THE SOUTHEAST CORNER OF
SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
MIDWAY, WASATCH COUNTY, UTAH



FOUND 1975 WASATCH COUNTY
BRASS CAP MONUMENT FOR
THE NORTHEAST CORNER,
SECTION 27, T3S, R4E, SLB&M

FOUND 2006 WASATCH COUNTY
BRASS CAP MONUMENT FOR
THE EAST QUARTER CORNER,
SECTION 27, T3S, R4E, SLB&M

FOUND 2019 WASATCH COUNTY
BRASS CAP MONUMENT FOR
THE SOUTHEAST CORNER,
SECTION 27, T3S, R4E, SLB&M



BOUNDARY DESCRIPTION

BEGINNING AT A POINT BEING WEST 1757.377 FEET AND SOUTH 72.00 FEET FROM THE EAST QUARTER CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;
THENCE SOUTH 283.89 FEET;
THENCE NORTH 89°12'00" WEST 110.00 FEET;
THENCE NORTH 166.35 FEET;
THENCE NORTH 89°12'00" WEST 111.73 FEET;
THENCE NORTH 89.44 FEET;
THENCE 39.27 FEET ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT THRU A CENTRAL ANGLE OF 90°00'00"
CHORD BEARS NORTH 45°00'00" EAST 35.355 FEET;
THENCE EAST 196.72 FEET TO THE POINT OF BEGINNING.

CONTAINS
2.1 LOTS
1.007 ACRES
43,878 SQUARE FEET, MORE OR LESS.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS DUE SOUTH BETWEEN THE EAST QUARTER CORNER AND THE SOUTHEAST CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, CORY B. NEERINGS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 5183760 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.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED, HEREAFTER TO BE KNOWN AS THE
REESE BURGI LANE SUBDIVISION
DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND, STREETS AND EASEMENTS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.
IN WITNESS WHEREOF WE HAVE HERETO SET OUR HAND(S) THIS ___ DAY OF _____, 2022.

KARL REESE FAMILY TRUST AGREEMENT DATED JULY 29, 1981.

PRINT NAME _____ PRINT NAME _____
SIGNATURE _____ SIGNATURE _____
KARL REESE, TRUSTEE AUDREY REESE, TRUSTEE

TRUSTEE ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF WASATCH }

ON THIS ___ DAY OF _____, 2022 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____, IN SAID STATE OF _____, THE SIGNER(S) OF THE ABOVE OWNER'S DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT THEY SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR THE PURPOSES MENTIONED.

NOTARY PUBLIC _____ COMMISSION NUMBER _____
COMMISSIONED IN UTAH _____
PRINT NAME _____ MY COMMISSION EXPIRES _____

ACCEPTANCE BY MIDWAY CITY

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL LOTS, STREETS, EASEMENTS, AND OTHER PARCEL OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC, THIS ___ DAY OF _____, 2022.

APPROVED _____ ATTEST: _____
MAYOR CLERK-RECORDER
(SEE SEAL BELOW)

APPROVED _____ APPROVED _____
CITY ENGINEER CITY ATTORNEY
(SEE SEAL BELOW)

PLANNING APPROVAL

APPROVED THIS ___ DAY OF _____, A.D. 2022, BY THE MIDWAY CITY PLANNING COMMISSION.

PLANNING DIRECTOR _____ CHAIRMAN _____

COUNTY SURVEYOR

MIDWAY SANITATION DISTRICT _____ DATE _____ APPROVED THIS ___ DAY OF _____, A.D. 2022.
MIDWAY IRRIGATION COMPANY _____ DATE _____ R.O.S. # _____ COUNTY SURVEYOR _____

SURVEYOR SEAL CITY ENGINEER SEAL CLERK/RECORDER SEAL

ELEVATE ENGINEERING

ELEVATE ENGINEERING
2208 WEST 700 SOUTH
SPRINGVILLE, UT 84663
PHONE: (801) 718-5993
lorvin@elevateng.com

Recorder _____ DATE: 11/19/24
SCALE: 1"=20'
PAGE: 1 OF 1
PROJECT: S24-070

SUBDIVISION NOTES
1. THE DRIVEWAY FOR LOT 1 IS REQUIRED TO ACCESS OFF OF PINE CANYON ROAD ONLY.

- LEGEND**
- SET REBAR/CAP MARKED "LEGEND ENGINEERING PLS5183760"
 - ▲ FOUND PROPERTY CORNER (AS NOTED)
- BOUNDARY LINE _____
ROAD CENTERLINE _____
ROAD CENTERLINE PER RECORD OF SURVEY 0001376 _____
TITLE LINES _____
COMMUNICATION LINES _____
GAS LINES _____
SEWER LINES (OVERHEAD) _____
SEWER LINES _____
WATER LINES _____
ROAD DEDICATION IN FAVOR OF MIDWAY CITY (772 SQ. FT.) _____

JOHN DIEFENDERFER
00-0006-2443

NATHAN & TIFFANY
MORTENSEN
00-0006-2419

REVIEW COPY