



**PLANNING COMMISSION MEETING STAFF REPORT**

**DATE OF MEETING:** February 11, 2025

**NAME OF PROJECT:** Midway 1050 North Church Subdivision

**NAME OF APPLICANT:** Mike Davey, BHD Architects, as representative for the Corporation of the Presiding Bishop LDS

**OWNER:** Corporation of the Presiding Bishop LDS

**AGENDA ITEM:** Preliminary/Final Approval

**LOCATION OF ITEM:** Approximately 154 West Burgi Lane, Midway, Utah

**ZONING DESIGNATION:** RA-1-43

**ITEM: 2**

Mike Davey, BHD Architects, as representative for the Corporation of the Presiding Bishop LDS, has submitted a preliminary/final application for a small-scale subdivision to be known as Midway 1050 North Church Subdivision. The plan includes 1 lot on 4.46 acres. The property is in the RA-1-43 zone at approximately 154 West Burgi Lane.

## **BACKGROUND:**

This request is for preliminary/final approval of a small-scale subdivision on 4.46 acres that will contain one lot. The proposed lot has frontage along Burgi Lane to the south and Canyon View Road to the west. The property is in the RA-1-43 zone, which is primarily residential-agricultural. Section 16.12.010 of the Midway City Code states:

*The RA-1-43 zone has been established for the primary purpose of providing low-density areas in the City where livestock can be maintained. This zone is currently characterized by large lots or tracts of land with occasional dwelling units, barns, corrals, and agricultural service buildings in connection with farming operations.*

The proposed use of the lot as an LDS church is a permitted use under Midway Code Section 16.12.020(G). The lot complies with the minimum requirements of frontage, width, and area for a lot in the RA-1-43 zone. A vicinity site plan, concept site plan, and proposed plat are attached to this report showing the potential layout of the proposed church and parking areas. The applicant is responsible for installing all required infrastructure for the proposed subdivision.

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

## **LAND USE SUMMARY:**

- 4.46-acre parcel
- RA-1-43 zoning
- Proposal contains one lot
- Site of a future LDS church, which is a permitted use in this zone
- Frontage on Burgi Lane and Canyon View Road
- 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:**

*Access* – Access for the lot is depicted to be from Burgi Lane to the south and from Canyon View Road to the west.

*Culinary Water Connection* – The lot will connect to the City's water system.

*Secondary Water Connection* – The lot will connect to Midway Irrigation Company’s secondary water system. The applicant will have to install and extend the Midway Irrigation line along Burgi Lane to the end of the lot’s frontage.

*Sewer Connection* – The lot will connect to the Miday Sanitation District system.

*Sensitive Lands* – The applicant has not identified any sensitive land that is in the subdivision area.

*Setbacks* – Any construction will need to comply with the setback requirements for the RA-1-43 zone.

*Fire Flow* - A fire hydrant will need to be located within 500’ of all future structures, measured by the route of a fire hose from the fire hydrant to the future structure and future accessory structure sites.

*Road and Trail Improvements* – Per the City Engineer, no road improvements will be required on Burgi Lane, however, the applicant will be responsible for installing the 8’ wide detached trail along Burgi Lane and the sidewalk along its frontage on Canyon View Road. The City’s North Center Street trail project includes a trail along the east side as far north as Burgi Lane, with a raised crosswalk across Burgi Lane.

*Impact Fees* – The applicant will be responsible for all applicable impact fees and connection fees.

*Height* – Midway City Code Section 16.13.100, Maximum Height Provisions for All Buildings, restricts the height of buildings to 35 feet. Subsection C, relating to church spires, provides such architectural features “*may extend above the specified maximum height limit by up to 50 percent of the height limit (52 feet 6 inches for a 35-foot building) but shall not contain any habitable space above the maximum height*”. The Applicant is contemporaneously seeking a code text amendment to Section 16.13.100 [C] to allow a church steeple up to 70’ in height.

#### **WATER BOARD RECOMMENDATION:**

The Water Board has not yet reviewed this proposal. This item is scheduled to be reviewed during their meeting on March 3, 2025. A Water Board recommendation is required before the City Council reviews the proposal. The required water shares will have to be dedicated prior to or at the time of any plat recordation.

## **POSSIBLE FINDINGS:**

- The proposed lot does meet the minimum requirements for the RA-1-45 zoning district.
- The proposal does meet the intent of the General Plan for the RA-1-45 zoning district.
- The applicant will be required to connect to the City's water system, Midway Irrigation Company's secondary water system, and Midway Sanitation Company's sewer line meeting requirements and paying applicable connection and impact fees. The applicant will have to install and extend the Midway Irrigation line along Burgi Lane and to the end of the applicant's frontage.
- The applicant will be required to install the 8' wide detached trail along Burgi Lane and the sidewalk along its frontage on Canyon View Road.
- 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.

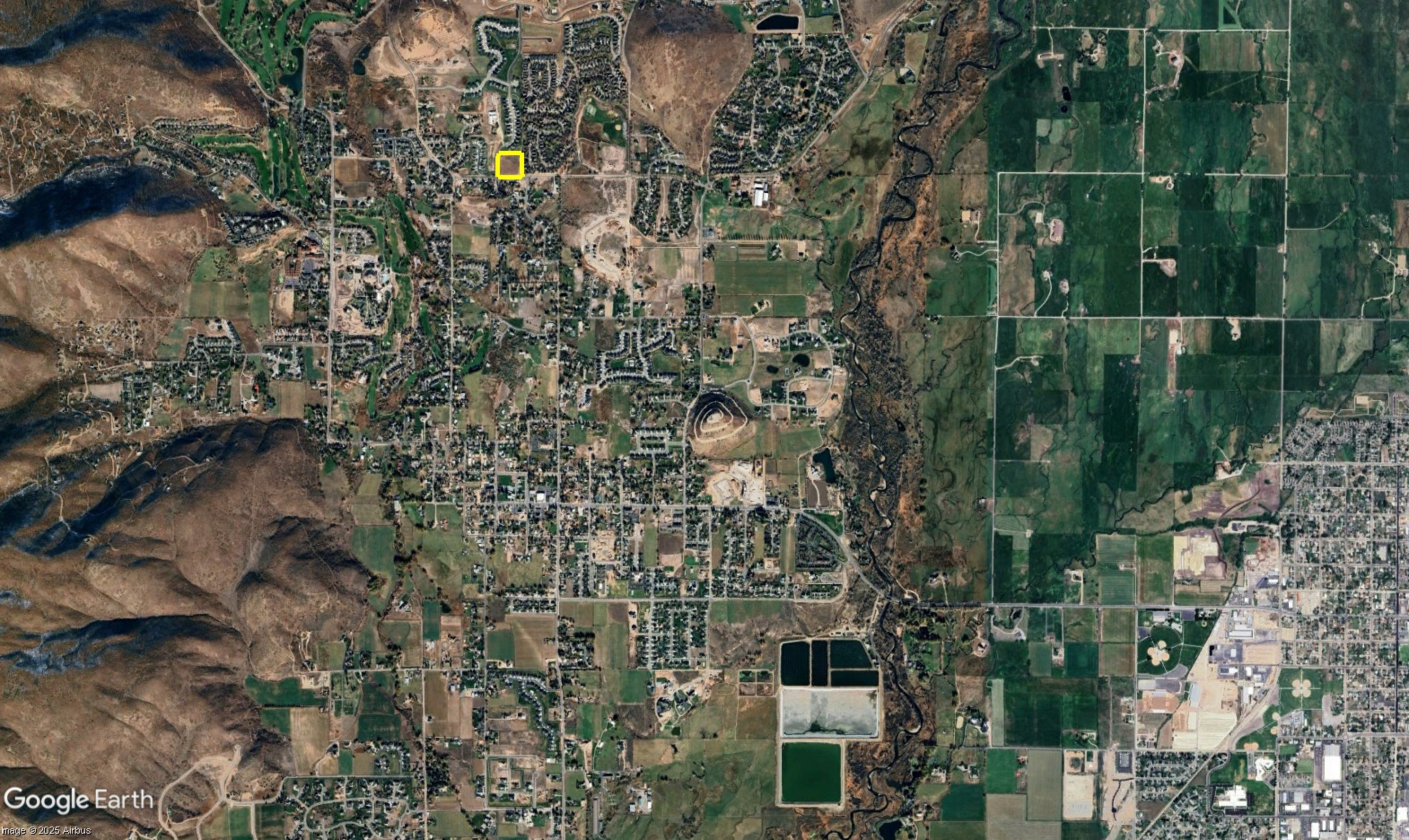
## **ALTERNATIVE ACTIONS:**

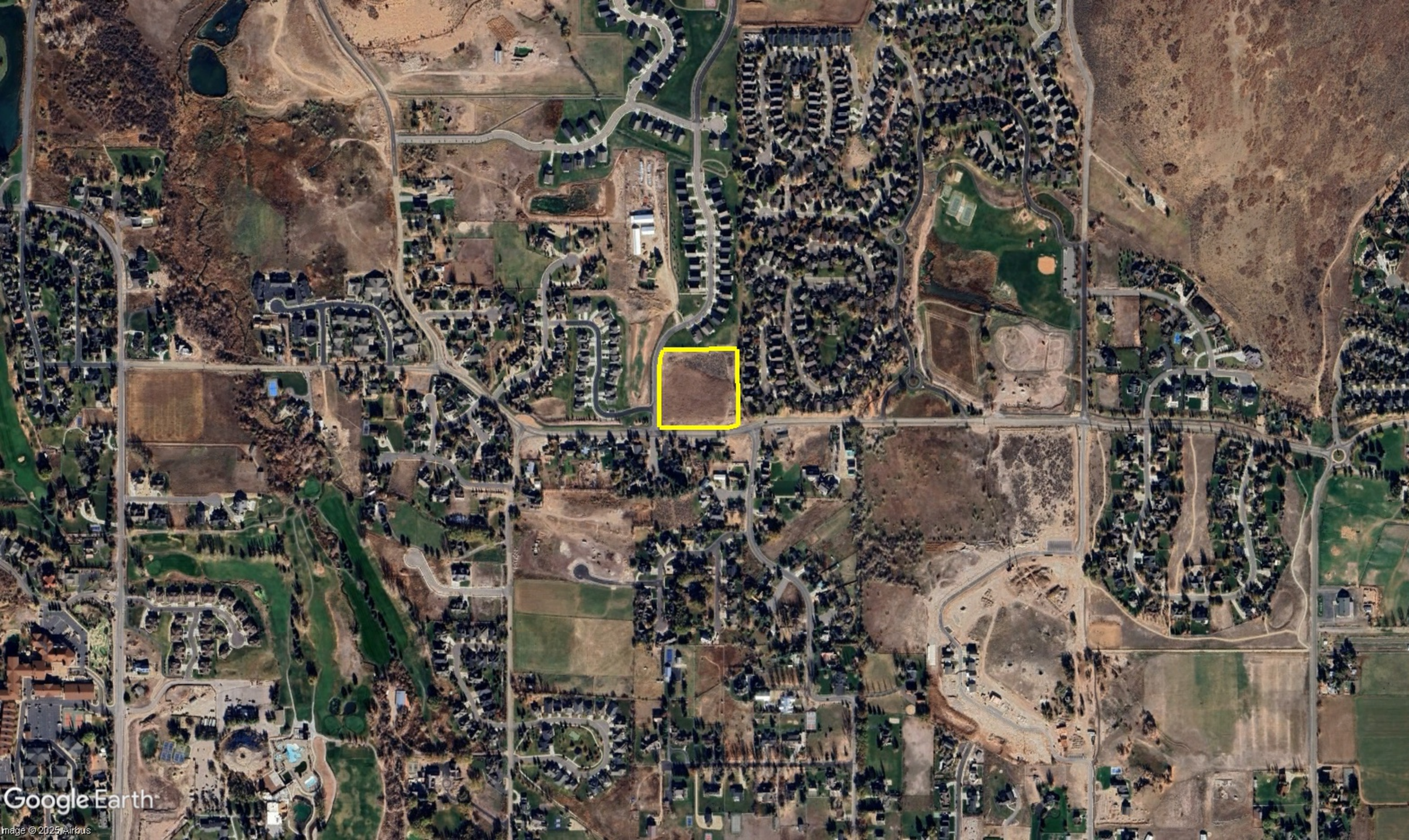
1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission finds the proposal complies with the requirements of the Land Use Code.
  - a. Accept staff report
  - b. List accepted findings
  - c. Place condition(s) if needed

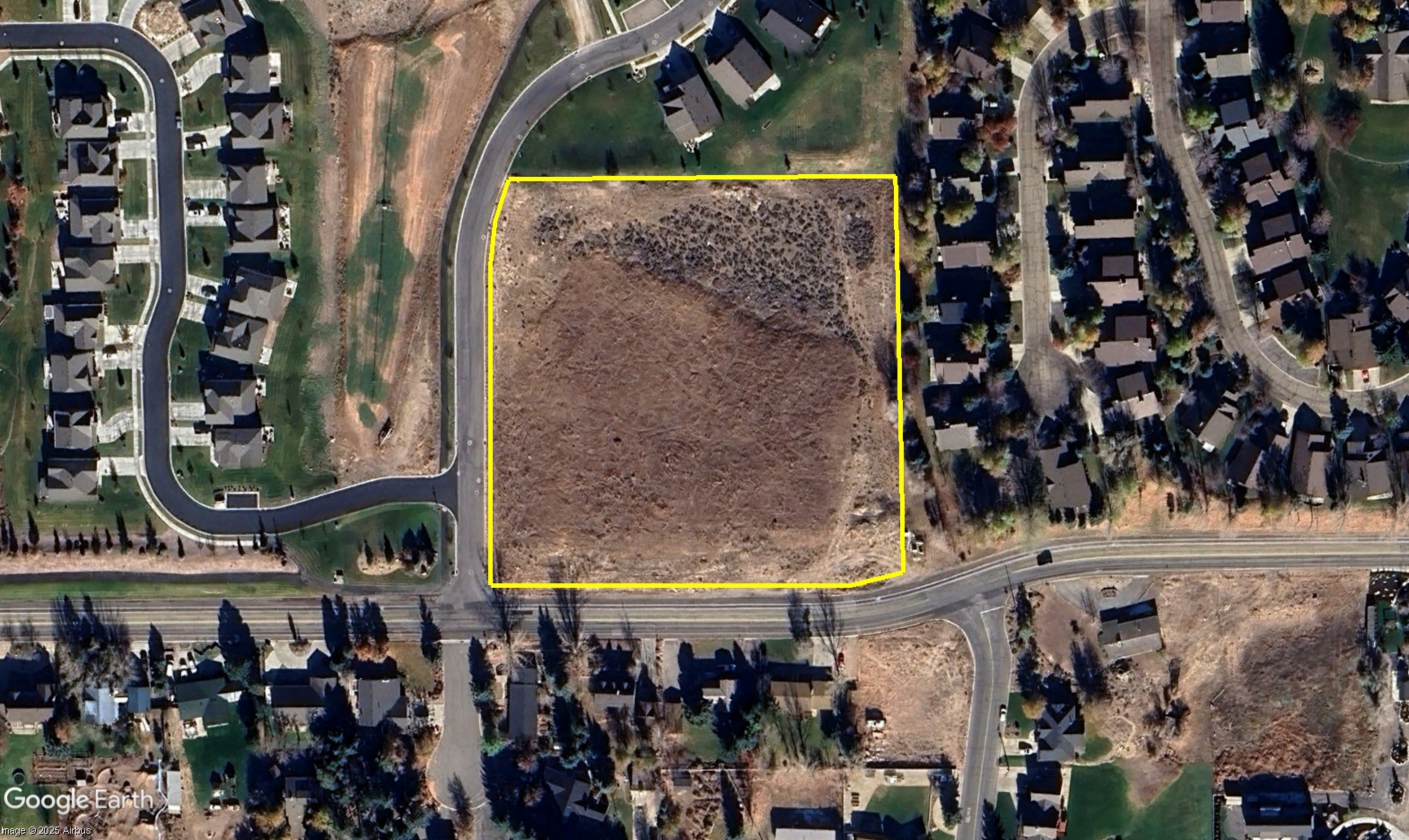
2. Continuance. This action can be taken if the Planning Commission finds that there are unresolved issues.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for continuance
    - i. Unresolved issues that must be addressed
  - d. Date when the item will be heard again
  
3. Recommendation of Denial. This action can be taken if the Planning Commission finds that the request does not comply with the ordinance.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for denial

**PROPOSED CONDITIONS:**

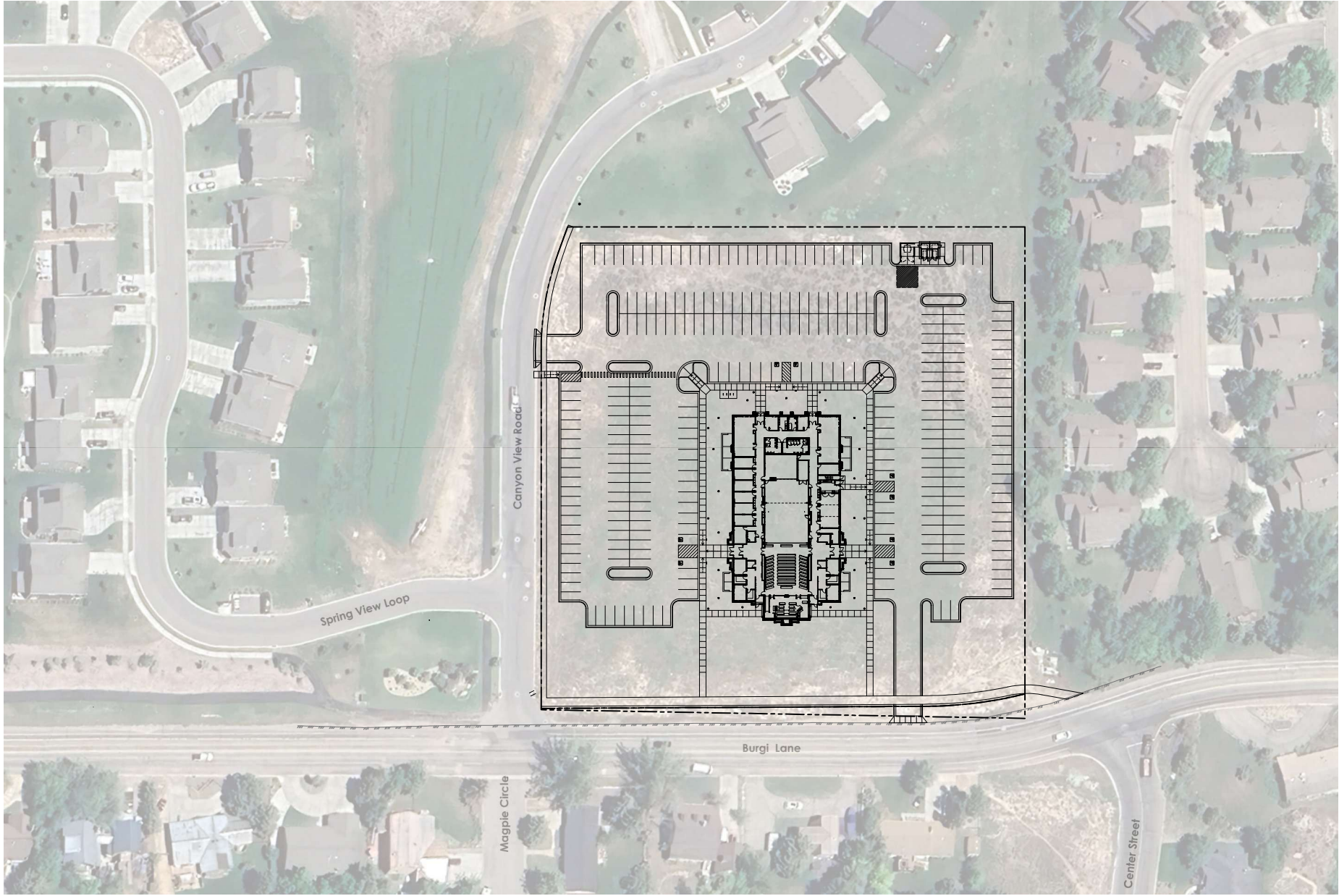
1. None





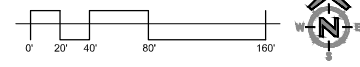






**1 Vicinity Site Plan**

Scale: 1" = 40'-0"



**1b1**  
ARCHITECTS  
www.1b1architects.com  
Phone 801.571.0010  
Fax 801.571.0303  
Toll Free 888.571.0010  
65 East Wadsworth Park Drive  
Suite 205 Draper, Utah 84020

Preliminary -  
Not for  
Construction

THE CHURCH OF  
**JESUS CHRIST**  
OF LATTER-DAY SAINTS

**Wasatch Mountain &  
Midway UT West Stake**  
1600 Wasatch Mountain Blvd., Suite 100A  
40120 P.O. Box 1114, Park City, UT 84302  
Maple Falls, UT 84042  
Maple Falls, UT 84042

DATE: 21 Jan 2025  
BY: 2435  
CHECKED BY: 2435  
PROJECT: 5442775

Revised Date and Revision Schedule

NO.	DATE	BY	REVISION
1	21 Jan 2025	2435	ISSUE FOR PERMIT

Vicinity Site Plan

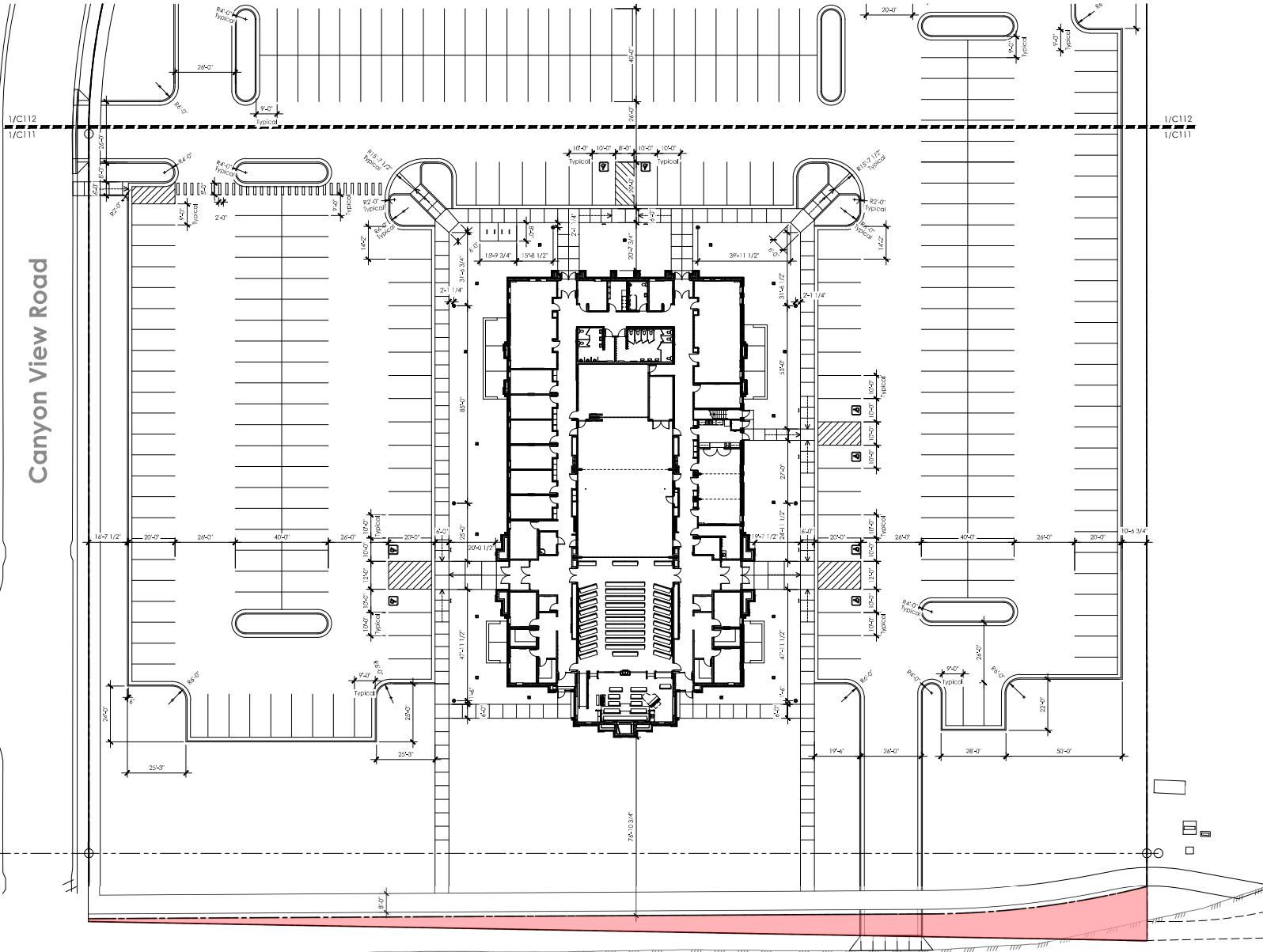
**C100**

DATE: 31 Jan 2025 1:24 PM

DATE: 3/14/2025 10:04 AM

# 1 Site Dimension Plan - South

Scale: 1" = 20'-0"



www.b1marchitects.com  
 Phone 801.571.0010  
 Fax 801.571.2303  
 Toll Free 888.571.0210  
 65 East Woodworth Park Drive  
 Suite 205 Draper Utah 84020

Preliminary -  
 Not for  
 Construction

THE CHURCH OF  
**JESUS CHRIST**  
 OF LATTER-DAY SAINTS

Wasatch Mountain &  
 Midway UT West Stake

1600 West 800 North, Suite 1000, Utah  
 401.529.1561 | 1.476.936

DATE: 21 Jan 2025  
 MAP # 2435  
 COUNTY PERMIT 00402-4-2025  
 FILE # 5442775  
 OWNER: 5442775

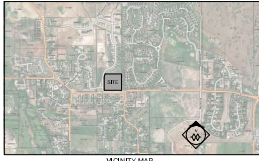
Revised Date and Revision Schedule

NO.	DATE	DESCRIPTION
1	2025-01-21	ISSUE FOR PERMIT

Site Dimension  
 Plan - South

C113





MAP

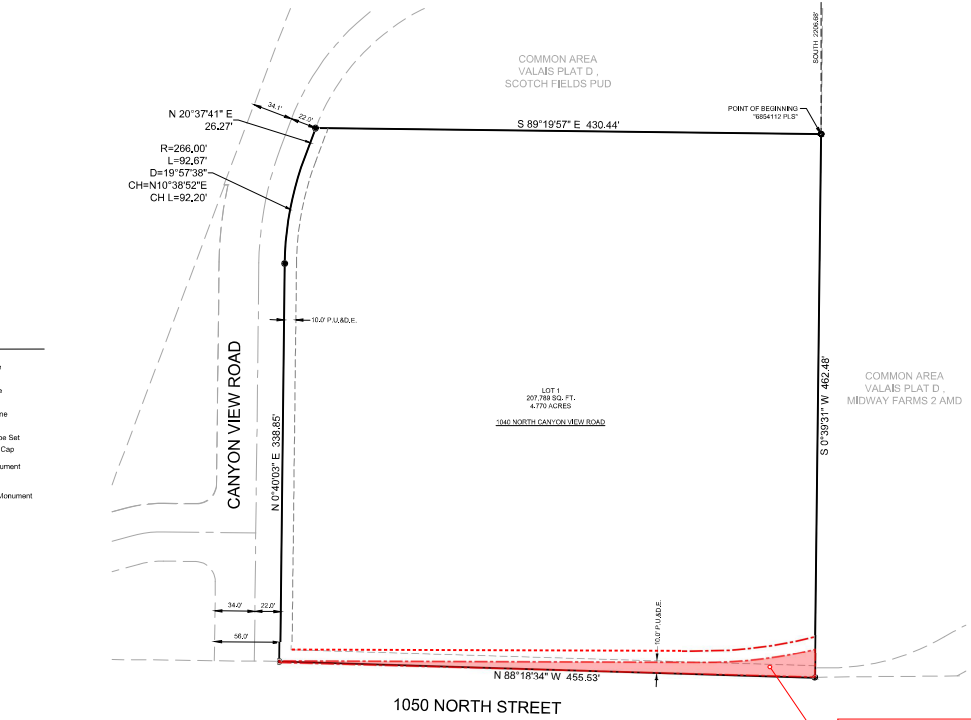
# MIDWAY 1050 NORTH CHURCH SUBDIVISION

LOCATED IN THE EAST HALF OF SECTION 27,  
TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN,  
MIDWAY CITY, WASATCH COUNTY, UTAH  
JANUARY 2025

NORTH QUARTER CORNER OF SECTION 27,  
T3S, R4E, S18M  
FOUND 3" BRASS CAP MONUMENT  
GRID NORTHING: 7364108.6130'  
GRID EASTING: 1645472.7970'

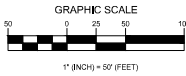
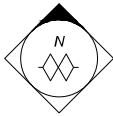
NORTHEAST CORNER OF SECTION 27,  
T3S, R4E, S18M  
FOUND 3" BRASS CAP MONUMENT

NORTHEAST CORNER OF SECTION 27,  
T3S, R4E, S18M  
FOUND 3" BRASS CAP MONUMENT  
GRID NORTHING: 7364108.6700'  
GRID EASTING: 1648143.4000'



### LEGEND

- Boundary Line
- Adjacent Line
- Easement Line
- Tie Line
- Street Center Line
- Section Line
- Property Corner to be Set
- Found Rebar and Cap
- Found Quarter Monument
- Found Corner Section Monument



**SURVEYOR'S NARRATIVE:**  
 THE BASE OF BEARING IS WEST BETWEEN MONUMENTS FOUND IN THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AS SHOWN.  
 THE PURPOSE OF THIS SURVEY IS TO RETRACE AND MONUMENT THE BOUNDARY OF THE ABOVE DESCRIBED PROPERTY ACCORDING TO THE OFFICIAL RECORDS AND TO SUBDIVIDE THIS PROPERTY INTO A SINGLE (1) LOT SUBDIVISION.

### SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 108-60(3) OF THE UTAH CODE, I, NATHAN B. WEBER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 5152762 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT ON BEHALF OF DIAMOND LAND SURVEYING, LLC, I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAN IN ACCORDANCE WITH SECTION 17-24-17 OF UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, SHOWN AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS MIDWAY 1050 NORTH CHURCH SUBDIVISION, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAN.

### BOUNDARY DESCRIPTION

A PART OF THE EAST HALF OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, MIDWAY CITY, WASATCH COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 27, AND RUNNING THENCE WEST 72.07 FEET ALONG THE SECTION LINE BEING THE BASE OF BEARING BETWEEN THE FOUND 3" BRASS CAP MONUMENT IN THE NORTHEAST CORNER AND THE FOUND 3" BRASS CAP MONUMENT IN THE NORTH QUARTER CORNER OF SAID SECTION 27, THENCE SOUTH 206.6 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 0°39'31" WEST 402.48 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 1050 NORTH STREET; THENCE NORTH 89°19'57" WEST 455.53 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CANYON VIEW ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES:  
 (1) NORTH 0°40'03" EAST 338.85 FEET TO A POINT IF CURVATURE;  
 (2) NORTHEASTERLY 92.67 FEET ALONG THE ARC OF A 266.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 19°57'38" AND A LONG CHORD BEARING NORTH 19°57'38" EAST 92.20 FEET; AND  
 (3) NORTH 20°37'41" EAST 26.27 FEET;  
 THENCE SOUTH 89°19'57" EAST 430.44 FEET TO THE POINT OF BEGINNING.  
 CONTAINS 207,789 SQ. FT. OR 4.710 ACRES

### OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVE CAUSED SAME TO BE SUBMITTED INTO A LOT, PARCELS, AND STREETS TOGETHER WITH EASEMENTS AND RIGHTS-OF-WAY, TO BE HEREAFTER KNOWN AS:

### MIDWAY 1050 NORTH CHURCH SUBDIVISION

AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC AND CITY ALL PARCELS, LOTS, STREETS, EASEMENTS, RIGHTS-OF-WAY AND PUBLIC AMENITIES SHOWN ON THIS PLAN AS INTENDED FOR PUBLIC OR CITY USE, THE OWNERS, SUCCESSORS, AND ASSIGNS VOLUNTARILY, OPENLY, FREELY, AND SURE, WITHOUT THE CITY AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCE ON A DEDICATED STREET, EASEMENT, OR RIGHT-OF-WAY THAT WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE, AND OPERATION OF THE STREET OR UTILITIES. THE OWNERS AND ALL AGENTS, SUCCESSORS, AND ASSIGNS ASSUME ALL LIABILITY WITH RESPECT TO THE CREATION OF THE SUBDIVISION, THE ALTERATION OF THE GROUND SURFACE, VEGETATION, DRAINS, OR SUB-SURFACE, AND FLOODS WITHIN THIS SUBDIVISION, AND THE DEVELOPMENT ACTIVITY WITHIN THIS SUBDIVISION BY THE OWNERS AND ALL AGENTS, SUCCESSORS, AND ASSIGNS.

IN WITNESS WHEREOF I HAVE SET FORTH MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2025.

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A UTAH CORPORATION SOLE

BY: AUTHORIZED AGENT'S SIGNATURE \_\_\_\_\_ PRINT NAME \_\_\_\_\_ TITLE AND ENTITY \_\_\_\_\_

STATE OF UTAH \_\_\_\_\_ COUNTY OF UTAH \_\_\_\_\_

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025, PERSONALLY APPEARED BEFORE ME \_\_\_\_\_

PRINT NAME \_\_\_\_\_ TITLE \_\_\_\_\_ ENTITY \_\_\_\_\_

PERSONALLY KNOWN TO ME TO BE AN AUTHORIZED AGENT OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A UTAH CORPORATION SOLE, WHO KNOWLEDGED BEFORE ME THAT HE/SHE BROUGHT THE FOREGOING INSTRUMENT AS AUTHORIZED AGENT FOR THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A UTAH CORPORATION SOLE, THAT SAID INSTRUMENT IS THE FREE AND VOLUNTARY ACT OF SAID CORPORATION, FOR THE USES AND PURPOSES HEREIN MENTIONED, AND ON WHICH I STATED THAT THERE WAS AUTHORITY TO EXECUTE SAID INSTRUMENT ON BEHALF OF SAID CORPORATION AND THAT SAID CORPORATION EXECUTED THE SAME.

WITNESS MY HAND

NOTARY PUBLIC SIGNATURE \_\_\_\_\_

PRINT NAME AS COMMISSIONED: \_\_\_\_\_

COMMISSION NUMBER: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

A PUBLIC NOTARY COMMISSIONED IN UTAH

### ACCEPTANCE BY MIDWAY CITY

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THE SUBDIVISION AND ACCEPTS THE DEDICATION OF EASEMENTS AND PUBLIC RIGHT-OF-WAY HEREBY SHOWN.

THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2025

\_\_\_\_\_  
 \_\_\_\_\_

APPROVED: CITY ENGINEER (SEE SEAL BELOW) ATTEST: CLERK-RECORDER (SEE SEAL BELOW)

APPROVED: CITY ATTORNEY

### PLANNING COMMISSION APPROVAL

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2025, BY THE \_\_\_\_\_, CITY PLANNING COMMISSION

\_\_\_\_\_  
 DIRECTOR - SECRETARY \_\_\_\_\_ CHAIRMAN, PLANNING COMMISSION

### MIDWAY 1050 NORTH CHURCH SUBDIVISION

LOCATED IN THE EAST HALF OF SECTION 27,  
TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN,  
MIDWAY CITY, WASATCH COUNTY, UTAH  
JANUARY 2025

SURVEYOR'S SEAL CITY ENGINEERS SEAL CLERK-RECORDER SEAL



6891 South 700 West Ste. 150  
 Midvale, Utah 84047  
 Phone (801) 266-9099  
 office@diamondlandsurveying.com  
 www.diamondlandsurveying.com

WASATCH COUNTY HEALTH DEPARTMENT	MIDWAY WATER BOARD	MIDWAY SANITATION DISTRICT	MIDWAY IRRIGATION COMPANY
APPROVED THIS ____ DAY OF _____, A.D. 2025 BY THE WASATCH COUNTY HEALTH DEPARTMENT.	APPROVED THIS ____ DAY OF _____, A.D. 2025 BY THE MIDWAY WATER BOARD.	APPROVED THIS ____ DAY OF _____, A.D. 2025 BY THE MIDWAY SANITATION DISTRICT.	APPROVED THIS ____ DAY OF _____, A.D. 2025 BY THE MIDWAY IRRIGATION COMPANY.
WASATCH COUNTY HEALTH DEPARTMENT DATE	MIDWAY WATER BOARD DATE	MIDWAY SANITATION DISTRICT DATE	MIDWAY IRRIGATION COMPANY DATE