



655 West Center Street  
Midvale, UT 84047  
Phone (801) 567-7200  
Fax (801) 567-0518

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## **MIDVALE CITY COUNCIL MEETING AGENDA**

**June 04, 2013**

**PUBLIC NOTICE IS HEREBY GIVEN** that the **Midvale City Council** will hold a regular meeting on the **4th day of June, 2013** at Midvale City Hall, 655 West Center Street, Midvale, Utah as follows:

**6:30 pm**

### **INFORMATIONAL ITEMS**

#### **I. DEPARTMENT REPORTS**

#### **II. CITY MANAGER BUSINESS**

**7:00 PM**

### **REGULAR MEETING**

#### **III. GENERAL BUSINESS**

A. WELCOME AND PLEDGE OF ALLEGIANCE

B. ROLL CALL

#### **IV. PUBLIC COMMENTS**

Any person wishing to comment on any item not otherwise on the Agenda may address the City Council at this point by stepping to the microphone and giving his or her name for the record. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Governing Body. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-hearing, non-Agenda items. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting.

#### **V. COUNCIL REPORTS**

A. Council Member Paul Glover

B. Council Member Paul Hunt

C. Council Member Robert Hale

D. Council Member Wayne Sharp

E. Council Member Colleen Costello

**VI. MAYOR REPORT**

- A. Mayor JoAnn B. Seghini

**VII. PUBLIC HEARING - 7:00 PM**

- A. Public Hearing to receive comments on the Proposed FY 2014 Budgets [*Laurie Harvey, Asst. City Manager/Admin. Services Director and Kane Loader, City Manager*]
- B. Public Hearing to consider the Kanga Subdivision located at 661 West 5th Avenue [*Lesley Burns, City Planner*]  
**ACTION:** Approve Kanga Subdivision located at 661 West 5th Avenue
- C. Public hearing to consider the Jayne's Place Phase 2 Subdivision located at 189 West 8600 South [*Lesley Burns, City Planner*]  
**ACTION:** Approve Jayne's Place Phase 2 Subdivision located at 189 West 8600 South
- D. Public hearing to consider the Shadow Hills East No. 2 Subdivision Amending and Extending Lot 204, located at 1173 East 7625 South [*Lesley Burns, City Planner*]  
**ACTION:** Approve Shadow Hills East No. 2 Subdivision Amending and Extending Lot 204, located at 1173 East 7625 South

**VIII. CONSENT AGENDA**

- A. Approve Minutes of May 21 and 28, 2013 [*Rori Andreason, H.R. Director/City Recorder*]

**IX. ADJOURN**

**In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the City Recorder at 801-567-7207, providing at least three working days advance notice of the meeting. TTY 711**

**Council Members may participate in the meeting via electronic communications. Council Members' participation via electronic communication will be broadcast and amplified so other Council Members and all other persons present in the Council Chambers will be able to hear or see the communication.**

A copy of the foregoing notice was posted in conspicuous view of the front foyer of the Midvale City Hall, Midvale, Utah. Copies of this notice were provided for the news media via electronic email and/or sent by facsimile to the Salt Lake Tribune and Deseret News. A copy of the agenda was posted on Midvale City's website at [www.midvalecity.org](http://www.midvalecity.org) and the state public notice website at <http://pmn.utah.gov>.

**PLEASE MAKE SURE ALL CELL PHONES ARE TURNED OFF OR ON VIBRATE DURING THE MEETING.**

**DATE POSTED: MAY 31, 2013.**

**RORI L. ANDREASON, MMC  
H.R. DIRECTOR/CITY RECORDER**



## MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: June 4, 2013

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**SUBJECT: Public Hearing to receive comments on the Proposed FY 2014 Budgets**

**SUBMITTED BY: Kane Loader, City Manager  
Laurie Harvey, Asst. City Manager/Admin. Svcs. Director**

**SUMMARY:**

As we go through the process of adopting the FY 2014 budgets there are several procedural steps that you as the City Council are required to take in order to be compliant with state statute.

1. UCA 10-6-111(1) requires the Budget Officer to present a tentative budget for each fund within the city. The budgets must be submitted not later than the first regularly scheduled meeting in May. We presented tentative budgets for the General Fund, Public Utility Fund, Sanitation Fund, Fleet Fund, Capital Improvement Fund, Telecommunications Fund, Street Lighting Fund and Storm Water Utility Fund in a Public Hearing on Tuesday, May 7, 2013. We briefed you on the revenue estimates, provided an overview of the expenditures, and presented budget highlights along with any proposed program changes.
2. UCA 10-6-111(3) further requires the City Council to adopt the tentative budget at this meeting, which you did. During the next several weeks we discussed in detail with the Council each department budget. The Council agreed to some amendments which are included in the proposed final budgets scheduled for adoption on June 18, 2013.
3. While not required by Utah Municipal Code, the Council has requested an additional Public Hearing reflecting amendments to the Tentative Budget. This Public Hearing is scheduled for Tuesday, June 4, 2013.
4. At the time of final adoption, all of the City's budgets must be balanced, meaning that expenditures must be equal to revenues.
5. Resolutions adopting the final budget, certified tax rate, municipal fee schedule, and employee job classification and compensation plan will be presented for your consideration on Tuesday, June 18, 2013.

**FISCAL IMPACT: N/A**

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**RECOMMENDED MOTION: N/A**



## MIDVALE CITY COUNCIL SUMMARY REPORT

June 4, 2013

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### **SUBJECT:**

Public Hearing on a 2-Lot Single-family Residential Subdivision – Kanga Subdivision at 661 West 5<sup>th</sup> Avenue

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**SUBMITTED BY:** Lesley Burns, City Planner

### **SUMMARY:**

The applicant, Lynn Lewis, is requesting approval to subdivide the property located at 661 West Fifth Avenue into two residential lots as shown on the attached subdivision plat. The total property is approximately 10,000 square feet (0.23 acres) in size and includes a single-family house and detached garage on the western portion of the property. The applicant is proposing to keep the existing house, which will be included on Lot 1 of the proposed subdivision. The detached garage will be removed or relocated to make way for a future single-family residential structure on Lot 2. The applicant is proposing to utilize the existing driveway for Lot 1. There is existing curb and gutter along the public street frontage. Improvements to Fifth Avenue were completed by Midvale City a few years ago. Because of limited right-of-way width, sidewalk is only constructed on the north side of the street.

This property is zoned SF-2. This is a single-family residential zone requiring a minimum lot size of 5,000 square feet, a minimum 45-foot lot width/frontage, and a minimum lot depth of 90 feet. The two lots being created with this proposed subdivision plat comply with these lot standards. In addition, the existing house complies with the minimum side yard setback requirement from the new lot line being created. The existing detached garage will need to be removed or relocated to comply with the new division of property and required side yard setback prior to the subdivision plat being recorded. The existing driveway also straddles the new lot line and the portion east of the new lot line will need to be removed before the subdivision plat is recorded. This includes an approximate one-foot wide section from the street back to where the existing driveway widens, as well as the wider portion of the driveway directly in front of and to the east of the existing garage. The applicant will need to provide a plan showing how the two required off-street parking spaces for the existing house will be accommodated on Lot 1. If additional improvements are required, these will need to be completed prior to the subdivision plat being recorded.

The Subdivision Ordinance requires that two-inch caliper deciduous street trees be planted with any new subdivision at a rate of one tree for every 30 feet of frontage. Based on this, one street tree is required on Lot 1, and two street trees are required on Lot

2. Existing street trees can count towards this requirement. Currently, there is one tree on the proposed Lot 1. Water and sewer for the new lot will be provided by Midvale City and a letter indicating the City is able to provide these services has been written.

The Planning Commission conducted a public hearing on this application on May 8, 2013 and forwarded a positive recommendation to the City Council to approve the subdivision plat with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer and City Council.
2. A note shall be added to the subdivision plat indicating that two 2-inch caliper, deciduous street trees shall be planted or guaranteed with a cash bond on Lot 2 prior to a Certificate of Occupancy being issued for the dwelling.
3. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link regarding the utility easements on the subdivision plat prior to the subdivision plat being recorded.
4. The existing detached garage shall be removed or relocated to comply with the new division of property and required side yard setback prior to the subdivision plat being recorded.
5. All portions of the existing driveway that are east of the new lot line will need to be removed before the subdivision plat is recorded. This includes an approximate one-foot wide section from the street back to where the existing driveway widens, as well as the wider portion of the driveway directly in front of and to the east of the existing garage.
6. The applicant shall provide a plan showing how the two required off-street parking spaces for the existing house will be accommodated on Lot 1. If additional improvements are required, these improvements shall be completed prior to the subdivision plat being recorded.
7. The applicant shall comply with all requirements of the Fire Marshal.

The applicant has submitted a final subdivision plat addressing some of these conditions (attached). Both the Fire Marshal and City Engineer have reviewed and approved the final subdivision plat. The applicant has included the required note on the plat regarding street trees on Lot 2.

Provided the conditions regarding the removal and/or relocation of some of the existing improvements that are affected by the new lot line are addressed, the applicant provides an appropriate plan showing the two off-street parking spaces on Lot 1, appropriate public utility easements are shown on each lot, and the utility companies are notified, this proposed subdivision plat complies with the zoning and subdivision requirements for this area.

**FISCAL IMPACT:**

N/A

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**STAFF RECOMMENDATION:**

Staff recommends that the City Council approves the Kanga Subdivision provided the following conditions are satisfied before the subdivision plat is recorded:

1. The applicant shall include the appropriate public utility easements on each lot on the plat and obtain all required signatures on the final subdivision plat Mylar.
2. The applicant shall provide evidence that the required utility companies have been notified.
3. The existing detached garage shall be removed or relocated to comply with the new division of property and required side yard setback.
4. All portions of the existing driveway that are east of the new lot line will need to be removed.
5. The applicant shall provide a plan showing how the two required off-street parking spaces for the existing house will be accommodated on Lot 1. If additional improvements are required, these improvements shall be completed.

**RECOMMENDED MOTION:**

*“I move that we approve the Kanga Subdivision located at 661 West 5<sup>th</sup> Avenue provided the following conditions are satisfied before the subdivision plat is recorded:*

- 1. The applicant shall include the appropriate public utility easements on each lot on the plat, and obtain all required signatures on the final subdivision plat Mylar.*
- 2. The applicant shall provide evidence that the required utility companies have been notified.*
- 3. The existing detached garage shall be removed or relocated to comply with the new division of property and required side yard setback.*
- 4. All portions of the existing driveway that are east of the new lot line will need to be removed.*
- 5. The applicant shall provide a plan showing how the two required off-street parking spaces for the existing house will be accommodated on Lot 1. If additional improvements are required, these improvements shall be completed.”*

**Attachments:**

- Vicinity Map
- Preliminary Subdivision Plat
- Final Subdivision Plat

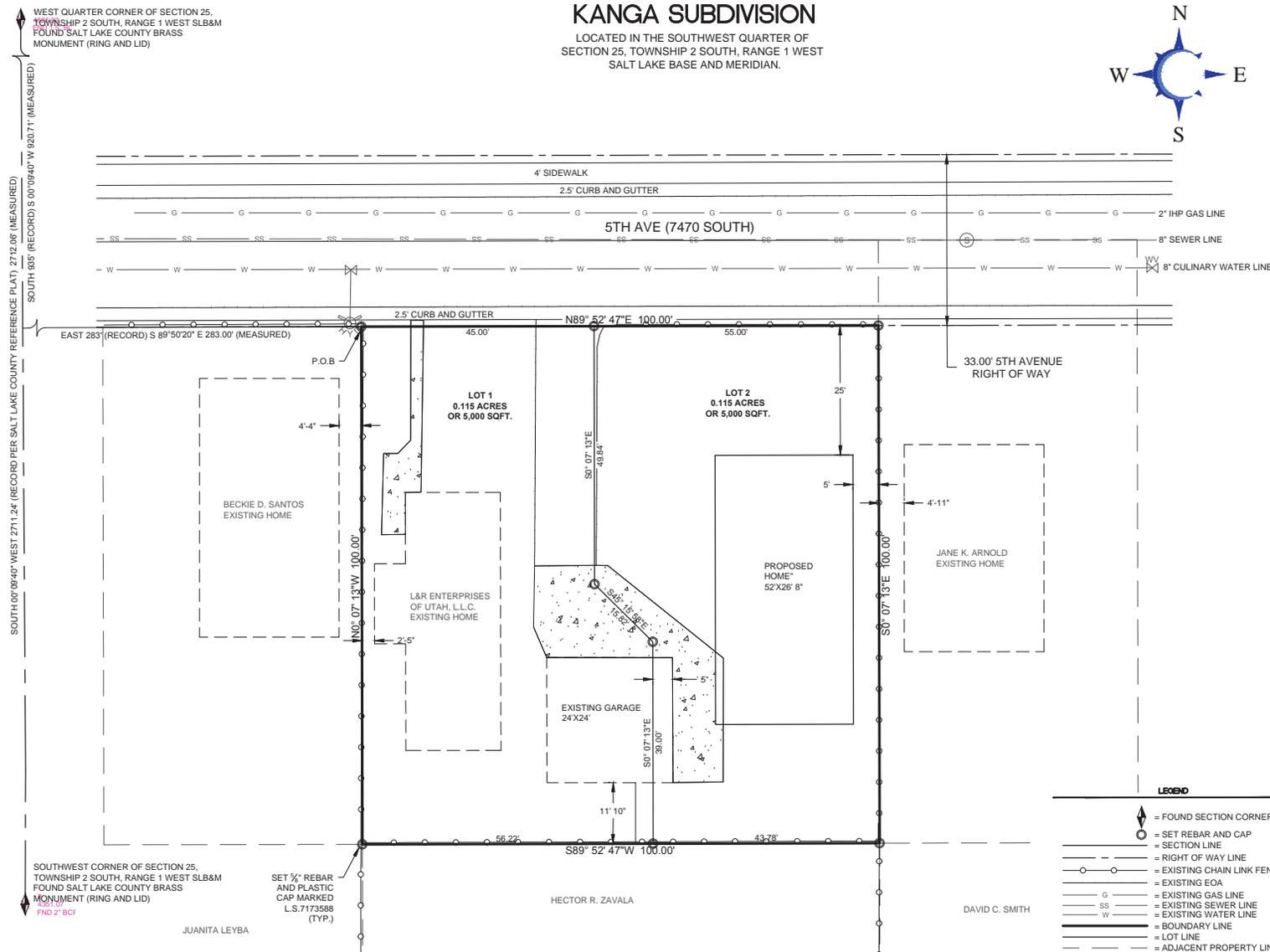
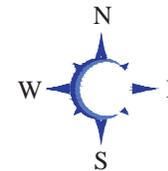


**Kanga Subdivision  
661 West 5th Avenue**

WEST QUARTER CORNER OF SECTION 25,  
TOWNSHIP 2 SOUTH, RANGE 1 WEST SLB&M  
FOUND SALT LAKE COUNTY BRASS  
MONUMENT (RING AND LID)

# KANGA SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF  
SECTION 25, TOWNSHIP 2 SOUTH, RANGE 1 WEST  
SALT LAKE BASE AND MERIDIAN.



### SURVEYOR'S CERTIFICATE

I, DAN E. KNOWLDEN DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD SURVEY CERTIFICATE NO. 7173588 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND THE SAME HAVE BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

SIGNED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013  
DAN E. KNOWLDEN JR. PLS 7173588



### BOUNDARY DESCRIPTION

BE IT KNOWN TO ALL MEN THAT THE UNDERSIGNED OWNER OF THE ABOVE DESCRIBED PARCELS OF LAND HAVE REVIEWED AND APPROVED THIS PLAT.  
EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

### OWNERS CERTIFICATE

BY: \_\_\_\_\_  
LESLIE W. CHILDS AUTHORIZED AGENT

### ACKNOWLEDGMENT

State of Utah )  
County of Salt Lake )  
ON THE \_\_\_\_\_ DAY \_\_\_\_\_, 2013, PERSONALLY APPEARED BEFORE ME LESLIE W. CHILDS, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE AUTHORIZED AGENT OF L&R ENTERPRISES OF UTAH, L.L.C., AND THAT THE WITHIN AND FOREGOING OWNER'S DEDICATION AND CONSENT TO RECORD WAS SIGNED ON BEHALF OF SAID L.L.C. AND DID ACKNOWLEDGE TO ME THAT SAID L.L.C. EXECUTED THE SAME.

NOTARY PUBLIC IN AND FOR THE STATE OF UTAH  
RESIDING IN \_\_\_\_\_, UTAH  
MY COMMISSION EXPIRES: \_\_\_\_\_



P: (801) 616-6848  
F: (801) 704-9384  
surveydanpls@gmail.com  
563 North Rees Ave.  
Spanish Fork, UT 84660

- LEGEND**
- ◊ = FOUND SECTION CORNER
  - = SET REBAR AND CAP
  - = SECTION LINE
  - = RIGHT OF WAY LINE
  - — ○ = EXISTING CHAIN LINK FENCE
  - = EXISTING EOA
  - G = EXISTING GAS LINE
  - SS = EXISTING SEWER LINE
  - W = EXISTING WATER LINE
  - = BOUNDARY LINE
  - = LOT LINE
  - = ADJACENT PROPERTY LINE

DRAWN: DEK	PROJECT #	<b>SCALE</b>	
DESIGNER: DEK	VA091	SHEET 24X36	1"=10'
REVIEWED: DEK	DATE:	SHEET 11X17	
	4-15-13	HORIZ: 1"=20'	

**PROJECT NAME**  
KANGA SUBDIVISION

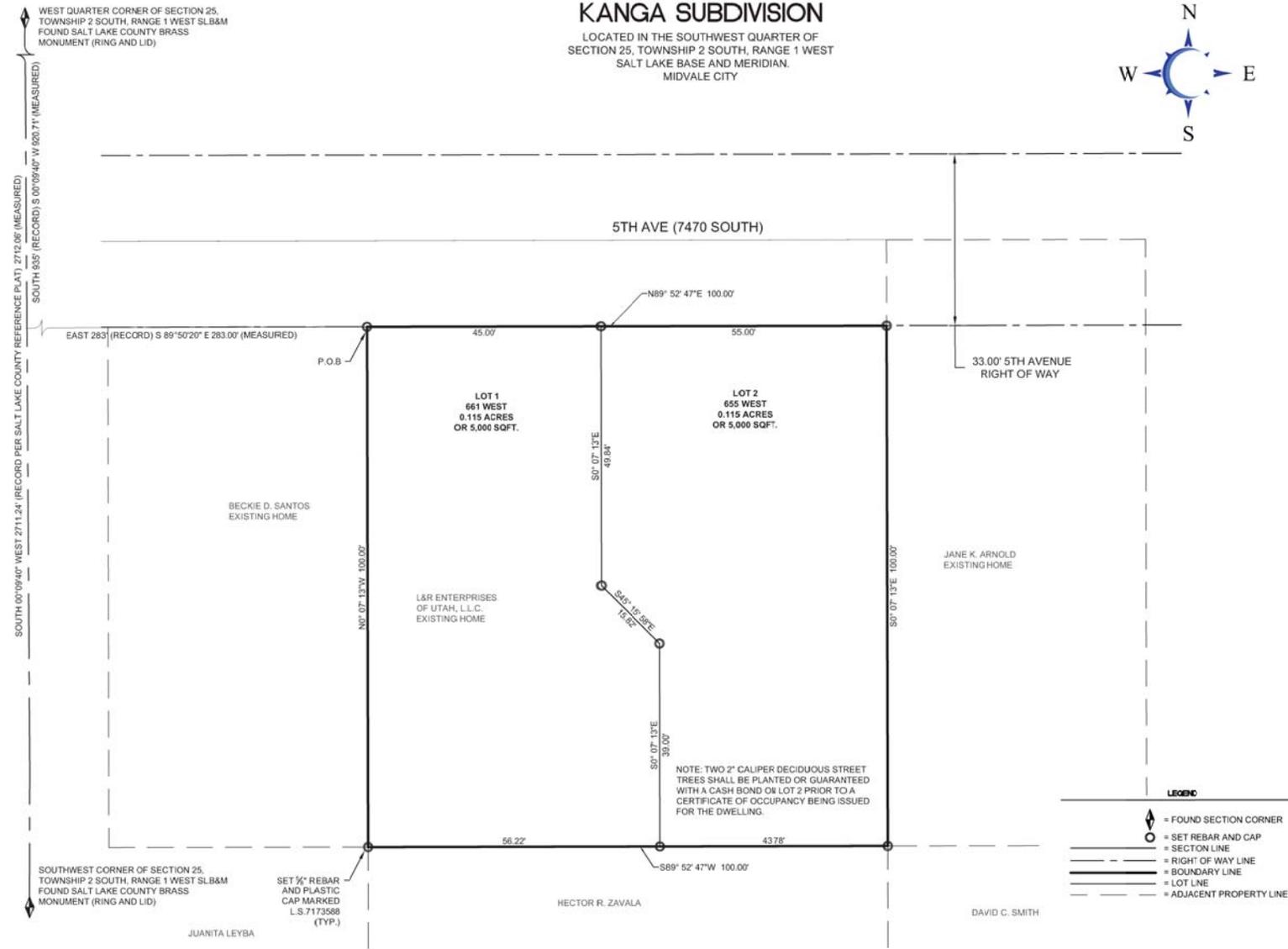
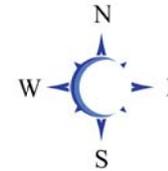
**PROJECT LOCATION**  
661 WEST 5TH AVE (7470 S) MIDVALE, UT

<p><b>PLANNING COMMISSION APPROVAL</b></p> <p>THE MIDVALE CITY PLANNING DIRECTOR HEREBY CERTIFIES THAT THE FOREGOING PLAT WAS APPROVED.</p> <p>THIS _____ DAY OF _____, 20____</p> <p>BY: _____ PLANNING COMMISSION CHAIRMAN</p>	<p><b>CITY COUNCIL APPROVAL</b></p> <p>APPROVED THIS _____ DAY OF _____, 20____</p> <p>BY: _____ MAYOR</p> <p>ATTEST</p>	<p><b>APPROVAL AS TO FORM</b></p> <p>APPROVED AS TO FORM THIS _____ DAY OF _____, 20____</p> <p>OF _____, 20____</p> <p>BY: _____ CITY ATTORNEY</p>	<p><b>CITY ENGINEER</b></p> <p>I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE WITH THIS OFFICE.</p> <p>APPROVED THIS _____ DAY OF _____, 20____</p> <p>BY: _____ MIDVALE CITY ENGINEER</p>	<p><b>BOARD OF HEALTH</b></p> <p>APPROVED THIS _____ DAY OF _____, 20____</p> <p>BY: _____ DIRECTOR, SALT LAKE CO. BOARD OF HEALTH</p>	<p><b>SALT LAKE COUNTY RECORDER</b></p> <p>RECORDED # _____ STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____</p> <p>BY: _____ SALT LAKE COUNTY RECORDER</p>
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<b>SHEET TITLE</b>		<b>SHEET</b>
SUBDIVISION PLAT		1 of 1

# KANGA SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 1 WEST SALT LAKE BASE AND MERIDIAN, MIDVALE CITY



### SURVEYOR'S CERTIFICATE

I, DAN E. KNOWLDEN DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD SURVEY CERTIFICATE NO. 7173588 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND THE SAME HAVE BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

SIGNED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013  
DAN E. KNOWLDEN JR. PLS 7173588



### BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 5TH AVENUE (7470 SOUTH) SAID POINT BEING SOUTH 00°09'40" WEST 920.71 FEET ALONG THE SECTION LINE (SOUTH 905 RECORD) AND SOUTH 89°50'20" EAST 283.00 FEET (EAST 283 RECORD) FROM THE WEST QUARTER CORNER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 89°52'47" EAST 100.00 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE SOUTH 00°07'13" EAST 100.00 FEET; THENCE SOUTH 89°52'47" WEST 100.00 FEET; THENCE NORTH 00°07'13" WEST 100.00 FEET TO THE POINT OF BEGINNING.  
CONTAINING 0.23 ACRES OR 10,000 SQFT.

### OWNERS CERTIFICATE

BE IT KNOWN TO ALL MEN THAT THE UNDERSIGNED OWNER OF THE ABOVE DESCRIBED PARCELS OF LAND HAVE REVIEWED AND APPROVED THIS PLAT.  
EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY: \_\_\_\_\_  
LESLIE W. CHILDS A UTHORIZED AGENT

### ACKNOWLEDGMENT

State of Utah }  
County of Salt Lake }  
ON THE \_\_\_\_\_ DAY \_\_\_\_\_, 2013, PERSONALLY APPEARED BEFORE ME LESLIE W. CHILDS, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE AUTHORIZED AGENT OF L&R ENTERPRISES OF UTAH, L.L.C. AND THAT THE WITHIN AND FOREGOING OWNERS DEDICATION AND CONSENT TO RECORD WAS SIGNED ON BEHALF OF SAID L.L.C. AND DID ACKNOWLEDGE TO ME THAT SAID L.L.C. EXECUTED THE SAME.

NOTARY PUBLIC IN AND FOR THE STATE OF UTAH  
RESIDING IN \_\_\_\_\_, UTAH  
MY COMMISSION EXPIRES \_\_\_\_\_



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F: (801) 704-9384  
surveydanpls@gmail.com  
563 North Rees Ave.  
Spanish Fork, UT 84660

DRAWN: DEK	PROJECT #	SHEET 24X36 HORZ: 1"=10'	SCALES
DESIGNED: DEK	VA091		
REVIEWED: DEK	DATE:	5-11-13	SHEET 11X17 HORZ: 1"=20'

### KANGA SUBDIVISION

661 WEST 5TH AVE (7470 S) MIDVALE, UT

SHEET TITLE	SHEET
<b>SUBDIVISION PLAT</b>	<b>1 of 1</b>

<b>PLANNING COMMISSION APPROVAL:</b> THE MIDVALE CITY PLANNING DIRECTOR HEREBY CERTIFIES THAT THE FOREGOING PLAT WAS APPROVED. THIS _____ DAY OF _____, 20____ BY: _____ PLANNING COMMISSION CHAIRMAN	<b>CITY COUNCIL APPROVAL:</b> APPROVED THIS _____ DAY OF _____, 20____ BY: _____ MAYOR ATTEST: _____	<b>APPROVAL AS TO FORM:</b> APPROVED AS TO FORM THIS _____ DAY OF _____, 20____ BY: _____ CITY ATTORNEY	<b>CITY ENGINEER:</b> I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE WITH THIS OFFICE. APPROVED THIS _____ DAY OF _____, 20____ BY: _____ MIDVALE CITY ENGINEER	<b>BOARD OF HEALTH:</b> APPROVED THIS _____ DAY OF _____, 20____ BY: _____ DIRECTOR, SALT LAKE CO. BOARD OF HEALTH	<b>SALT LAKE COUNTY RECORDER:</b> RECORDED # _____ STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ BY: _____ SALT LAKE COUNTY RECORDER
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## MIDVALE CITY COUNCIL SUMMARY REPORT

June 4, 2013

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### **SUBJECT:**

Public Hearing on a 3-Lot Subdivision – Jayne’s Place Phase 2 Subdivision at 189 West 8600 South

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**SUBMITTED BY:** Lesley Burns, City Planner

### **SUMMARY:**

The applicant, Todd Johnson representing the RHW Trust, is requesting approval to combine and then re-subdivide two properties located between 189-193 West 8600 South into three lots as shown on the attached preliminary subdivision plat. Currently, there are two parcels, both owned by the RHW Trust, with three existing residential structures. The current property configuration includes a 1.02 acre parcel with 2 ½ houses (the westernmost house straddles the property line) and a 0.34 acre parcel with a portion of one house and accessory structures. The applicant’s request will allow each house to be located on its own lot. All existing structures will remain on the property as currently constructed. There is existing curb, gutter and sidewalk along the public street frontage. Improvements to 8600 South were completed by Midvale City a few years ago.

This property is zoned Regional Commercial (RC). The RC zone does not allow new residential development; however, the existing houses are considered legal, non-conforming and are allowed to remain until the property owner decides to redevelop the property. The RC zone does not have a minimum lot size, but the applicant has configured the lots so each existing house is entirely located on its own parcel with side yard setbacks that exceed what would typically be required in a single family residential zone.

The Planning Commission conducted a public hearing on this application on May 8, 2013 and forwarded a positive recommendation to the City Council to approve the subdivision plat with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer and City Council. This final subdivision plat shall address all of the City Engineer’s comments.
2. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link regarding the utility easements on the subdivision plat prior to the subdivision plat being recorded.
3. The applicant shall comply with all requirements of the Fire Marshal.

The applicant has submitted a final subdivision plat addressing these conditions. A copy of this subdivision plat is attached. Both the Fire Marshal and City Engineer have reviewed and approved the final subdivision plat. Water and sewer currently exist and will not need to be changed. The applicant has also notified all of the required utilities, i.e. Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link, notifying them of the new subdivision plat.

This proposed subdivision, although somewhat unconventional, is correcting some issues that have existed on this property for a long time. It also does not preclude future development in accordance with the existing zoning from occurring when the property owner determines the time is right. Overall, this proposed subdivision plat complies with the zoning and subdivision requirements for this area, as well as the conditions recommended by the Planning Commission.

**FISCAL IMPACT:**

N/A

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**STAFF RECOMMENDATION:**

Staff recommends that the City Council approves the Jayne’s Place Phase 2 Subdivision.

**RECOMMENDED MOTION:**

*“I move that we approve the Jayne’s Place Phase 2 Subdivision located at 189 West 8600 South with the condition that the applicant obtain all required signatures on the final subdivision plat Mylar.”*

**Attachments:**

- Vicinity Map
- Preliminary Subdivision Plat
- Final Subdivision Plat



**Jayne's Place Phase 2 Subdivision  
189-193 West 8600 South**

**DEED DESCRIPTION - 27-012-01048**

BEGINNING SOUTH 16.5 FEET & WEST 1506.5 FEET FROM THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; THENCE SOUTH 148.93 FEET; THENCE WEST 299.46 FEET; THENCE NORTH 148.93 FEET; THENCE EAST 299.46 FEET TO THE POINT OF BEGINNING, CONTAINS 1.02 ACRES

**DEED DESCRIPTION - 27-012-01050**

BEGINNING SOUTH 16.5 FEET & WEST 1805.96 FEET FROM THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; THENCE WEST 98 FEET; THENCE SOUTH 184.93 FEET; THENCE EAST 98 FEET; THENCE NORTH 148.93 FEET TO THE POINT OF BEGINNING, CONTAINS 0.24 ACRES

**AS-SURVEYED DESCRIPTION - PARCEL 1**

BEGINNING AT A POINT ON THE SOUTH LINE OF 8600 SOUTH STREET, SAID POINT BEING LOCATED SOUTH 89°59'27" WEST ALONG SECTION LINE 1694.16 FEET & SOUTH 16.50 FEET FROM THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; AND RUNNING THENCE SOUTH 00°00'33" EAST 148.93 FEET; THENCE SOUTH 89°59'27" WEST 209.80 FEET; THENCE NORTH 00°00'33" WEST 148.93 FEET TO A POINT ON THE SOUTH LINE OF 8600 SOUTH; THENCE ALONG SAID SOUTH LINE NORTH 89°59'27" EAST 209.80 FEET TO THE POINT OF BEGINNING, CONTAINS 0.717 ACRES

**AS-SURVEYED DESCRIPTION - PARCEL 2**

BEGINNING AT A POINT ON THE SOUTH LINE OF 8600 SOUTH STREET, SAID POINT BEING LOCATED SOUTH 89°59'27" WEST ALONG SECTION LINE 1694.77 FEET & SOUTH 16.50 FEET FROM THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; AND RUNNING THENCE SOUTH 00°00'33" EAST 148.93 FEET; THENCE SOUTH 89°59'27" WEST 89.39 FEET; THENCE NORTH 00°00'33" WEST 148.93 FEET TO A POINT ON THE SOUTH LINE OF 8600 SOUTH; THENCE ALONG SAID SOUTH LINE NORTH 89°59'27" EAST 89.39 FEET TO THE POINT OF BEGINNING, CONTAINS 0.306 ACRES

**AS-SURVEYED DESCRIPTION - PARCEL 3**

BEGINNING AT A POINT ON THE SOUTH LINE OF 8600 SOUTH STREET, SAID POINT BEING LOCATED SOUTH 89°59'27" WEST ALONG SECTION LINE 1506.50 FEET & SOUTH 16.50 FEET FROM THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; AND RUNNING THENCE SOUTH 00°00'33" EAST 148.93 FEET; THENCE SOUTH 89°59'27" WEST 98.27 FEET; THENCE NORTH 00°00'33" WEST 148.93 FEET TO A POINT ON THE SOUTH LINE OF 8600 SOUTH; THENCE ALONG SAID SOUTH LINE NORTH 89°59'27" EAST 98.27 FEET TO THE POINT OF BEGINNING, CONTAINS 0.336 ACRES

**NARRATIVE**

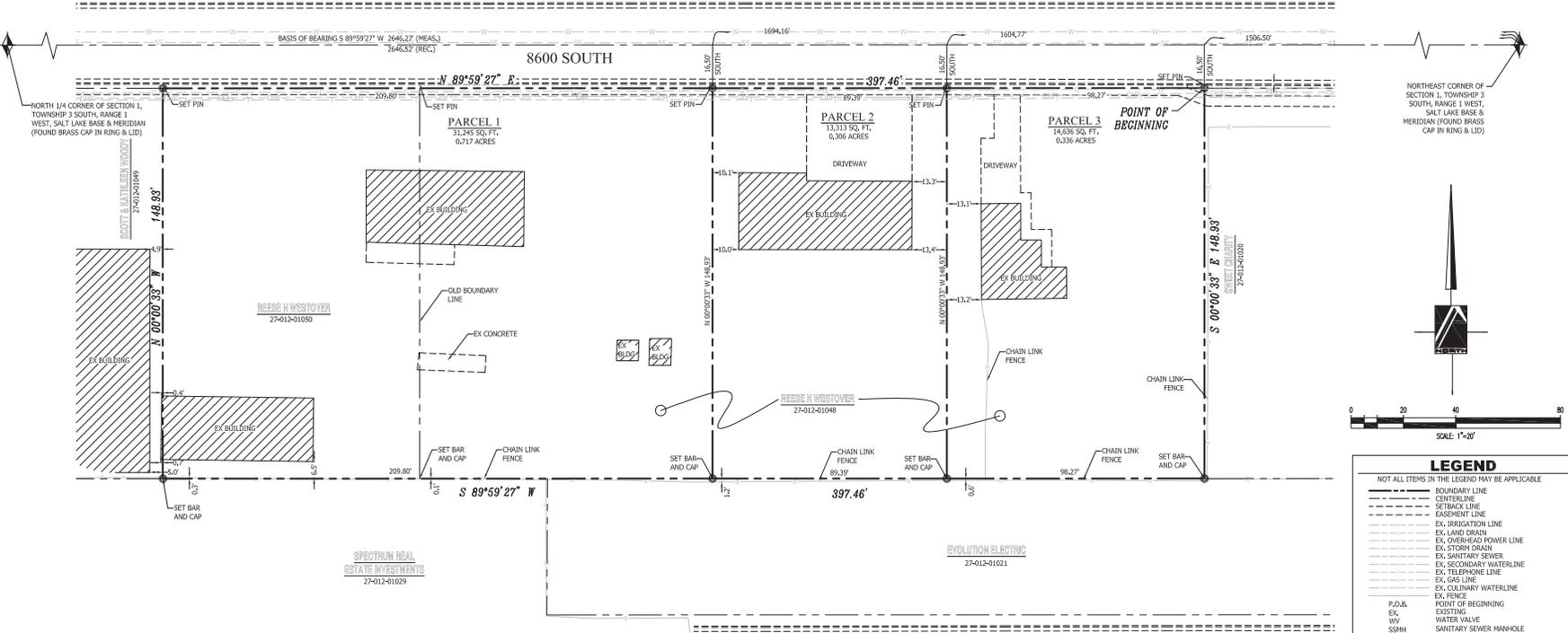
THE PURPOSE OF THIS SURVEY IS TO SPLIT TWO PARCELS INTO THREE PARCELS AND CREATE LEGAL DESCRIPTIONS FOR EACH PER CLIENT'S REQUEST, THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 89°59'27" WEST 2646.27 FEET BETWEEN THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, THE BOUNDARIES WERE RETRACTED BASED UPON THE SECOND DESCRIPTIONS ROTATED TO THE NORTH LINE OF SAID SECTION, CORNERS FOR THIS PROPERTY NOT FOUND WERE SET WITH A 5/8" REBAR, TWO FEET IN LENGTH AND PLASTIC CAP, OR NAIL AND WASHER, STAMPED "PINNACLE".

THE UTILITY INFORMATION SHOWN ON THIS PLAT IS BASED ON ABOVE GROUND STRUCTURES AS OBSERVED BY THE SURVEYOR IN THE FIELD AS WELL AS INFORMATION PROVIDED TO THE SURVEYOR, NO FURTHER INVESTIGATIONS OF EXISTING UTILITIES WERE PERFORMED; THEREFORE THE SURVEYOR IS NOT RESPONSIBLE FOR THE REPRESENTATION OR OMISSION OF SUCH INFORMATION ON THIS PLAT. CONTACT BLUE STAKES IF ANY DIGGING, EXCAVATION OR CONSTRUCTION IS INTENDED.

INFORMATION OBTAINED BY THE SURVEYOR FOR THE PERFORMANCE OF THIS SURVEY CONSISTED OF LEGAL DESCRIPTIONS, MONUMENT REFERENCE SHEETS, AND THE AREA REFERENCE PLAT.  
LOCATED IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN.

**PINNACLE**  
Engineering & Land Surveying, Inc.  
Maura Prassant  
Phone: (801) 774-9110  
Fax: (801) 774-9125  
Layton • West Branch  
2720 North 350 West, Suite #108  
Layton, UT 84041

JAYNE'S PLACE PHASE 2  
PRELIMINARY PLAT  
FOR: TODD JOHNSON  
189 WEST 8600 SOUTH  
MIDVALE, UT  
12-063



**LEGEND**

NOT ALL ITEMS IN THE LEGEND MAY BE APPLICABLE

- BOUNDARY LINE
- CENTERLINE
- SETBACK LINE
- EASEMENT LINE
- EX. IRRIGATION LINE
- EX. LAND DRAIN
- EX. OVERHEAD POWER LINE
- EX. STORM DRAIN
- EX. SANITARY SEWER
- EX. SECONDARY WATERLINE
- EX. TELEPHONE LINE
- EX. GAS LINE
- EX. UTILITY WATERLINE
- EX. FENCE
- POINT OF BEGINNING
- EXISTING WATER VALVE
- EXISTING SANITARY SEWER MANHOLE
- FIRE HYDRANT
- STORM DRAIN CATCH BASIN
- STORM DRAIN BOX
- UTILITY POLE
- P.O.B.
- EX. WY
- SDMH
- FSH
- SDCB
- SD BOX
- UP
- SECTION CORNER
- MONUMENT
- CONTROL POINT
- EX. SPOT ELEVATION
- EG CONTOUR LINE
- BAR & CAP OR NAIL & WASHER TO BE SET
- EXISTING ASPHALT

**SURVEYOR'S CERTIFICATE**

I, STEPHEN J. FACKRELL DO HEREBY DEPOSE THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 191517 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH AND REPRESENT THAT I HAVE MADE A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY

STEPHEN J. FACKRELL DATE  
LICENSE NO. 191517

DATE	REVISION
11/20/12	1

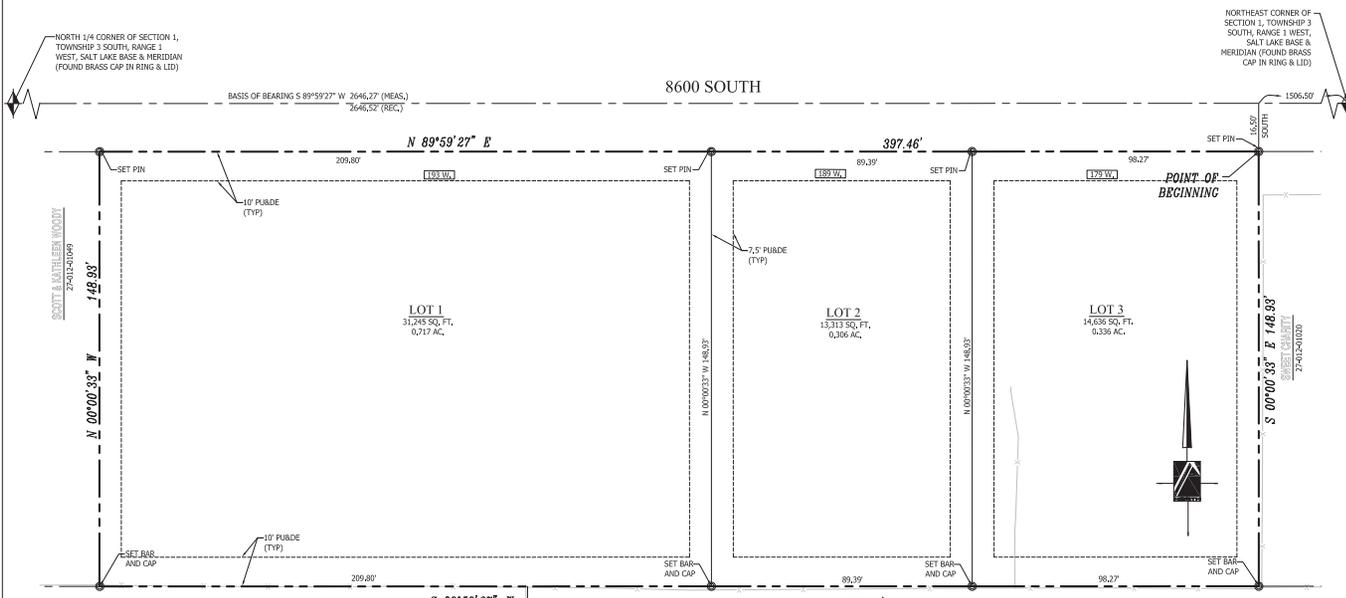
DATE	APPROVED BY
11/20/12	TODD JOHNSON
11/20/12	STEPHEN J. FACKRELL

DATE	APPROVED BY
11/20/12	TODD JOHNSON
11/20/12	STEPHEN J. FACKRELL

# JAYNE'S PLACE PHASE 2 SUBDIVISION

LOCATED IN THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MIDVALE CITY, SALT LAKE COUNTY, UTAH,



- LEGEND**
- PROPERTY LINE
  - LOT LINE
  - CENTER / SECTION LINE
  - STREET RIGHT-OF-WAY LINE
  - EASEMENT LINE
  - EXISTING FENCE
  - ADJACENT PROPERTY LINE
  - ◆ SECTION CORNER
  - FURDE PUBLIC UTILITY & DRAINAGE EASEMENT
  - SET 5/8" REBAR WITH AN ORANGE PLASTIC CAP, OR NAIL & WASHER STAMPED PINNACLE ENG. & LAND SURV.
  - N/R NOI-RADIAL

SPECTRUM REAL ESTATE INVESTMENTS  
27-012-01029

EVOLUTION ELECTRIC  
27-012-01021



## SURVEYOR'S CERTIFICATE

I, STEPHEN J. FACKRELL DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 191517 AS PRESCRIBED UNDER LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, HEREAFTER TO BE KNOWN AS: JAYNE'S PLACE, PHASE 2 SUBDIVISION AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

## BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE SOUTH LINE OF 8600 SOUTH STREET, SAID POINT BEING LOCATED SOUTH 89°59'27" WEST ALONG SECTION LINE 1506.50 FEET & SOUTH 16.50 FEET FROM THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN AND RUNNING THENCE SOUTH 00°00'33" EAST 148.93 FEET; THENCE SOUTH 89°59'27" WEST 397.46 FEET; THENCE NORTH 00°00'33" WEST 148.93 FEET TO A POINT ON THE SOUTH LINE OF 8600 SOUTH; THENCE ALONG SAID SOUTH LINE NORTH 89°59'27" EAST 397.46 FEET TO THE POINT OF BEGINNING, CONTAINS 1.359 ACRES (3 LOTS)

DATE \_\_\_\_\_ STEPHEN J. FACKRELL  
LICENSE NO. 191517

## OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNER(S) OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AS SHOWN ON THIS PLAT, AND NAME SAID TRACT JAYNE'S PLACE PHASE 2 SUBDIVISION.  
SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013

## ACKNOWLEDGMENT

STATE OF UTAH )  
                          ) ss.  
COUNTY OF )  
On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me, \_\_\_\_\_, who being by me duly sworn did say that he/she/they is/are the \_\_\_\_\_ of \_\_\_\_\_, by authority of its members or its articles of organization, and he/she acknowledged to me that said limited liability company executed the same.  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_  
Residing in: \_\_\_\_\_ County, \_\_\_\_\_

## JAYNE'S PLACE PHASE 2 SUBDIVISION

LOCATED IN THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MIDVALE CITY, SALT LAKE COUNTY, UTAH

### BOARD OF HEALTH APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
\_\_\_\_\_  
SALT LAKE VALLEY HEALTH DEPT.

### CITY ATTORNEY'S APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE MIDVALE CITY ATTORNEY.  
\_\_\_\_\_  
MIDVALE CITY ATTORNEY

### PLANNING COMMISSION APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE MIDVALE CITY PLANNING COMMISSION.  
\_\_\_\_\_  
CHAIRMAN, MIDVALE CITY PLANNING COMMISSION

### CITY ENGINEER'S APPROVAL

I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE AND IS HEREBY APPROVED.  
\_\_\_\_\_  
MIDVALE CITY ENGINEER

### CITY COUNCIL APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY MIDVALE CITY COUNCIL.  
\_\_\_\_\_  
CITY RECORDER      MIDVALE CITY MAYOR

### SALT LAKE COUNTY RECORDER

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF \_\_\_\_\_  
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_  
BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
FEE \$ \_\_\_\_\_ SALT LAKE COUNTY RECORDER





## MIDVALE CITY COUNCIL SUMMARY REPORT

June 4, 2013

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### **SUBJECT:**

Public Hearing on a 2-Lot Subdivision – Shadow Hills East No. 2 Amending & Extending Lot 204 Subdivision at 1173 East 7625 South

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**SUBMITTED BY:** Lesley Burns, City Planner

### **SUMMARY:**

The applicant, Rick Hellstrom representing Questar Gas, is requesting approval to subdivide the 1.24 acre parcel located at 1173 East 7625 South into two lots. The property is located in the single-family residential (SF-1) zone and includes a single family house and a large accessory structure (detached garage). The house is accessed from a driveway off of 1200 East, a public road cul-de-sac, and the west portion of the property is directly adjacent to the 7625 South right-of-way where the public road dead ends. The proposed subdivision creates a new 0.27 acre lot on the western portion of the property (Lot 204B), leaving the existing house and accessory structure on a 0.97 acre lot (Lot 204A). There is an existing 15 foot wide gas line easement that runs through the middle of Lot 204B. This lot will be purchased by Questar Gas and will be used to access and maintain the existing gas transmission line that runs through the property. It is not anticipated that a house will ever be built on this lot, especially since the existing easement precludes a usable buildable area. Any improvements made to this lot for Questar's access and maintenance will require a site plan approval.

The two proposed lots comply with the lot standards for the SF-1 zone, i.e. minimum area and dimension requirements. The lots have been configured so the existing structures on Lot 204A comply with the required setbacks from the new lot line being created. Lot 204A has an existing street tree, therefore complying with the City's street tree requirement. Lot 204B does not have street frontage requiring any street trees. Staff would recommend a note be added to the subdivision plat indicating Lot 204B is not intended to be used for a single-family residential structure unless the existing gas line easement is removed or relocated to accommodate a buildable area on the lot.

The Planning Commission conducted a public hearing on this application on May 8, 2013 and forwarded a positive recommendation to the City Council to approve the subdivision plat with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer and City Council. This final subdivision plat shall address all of the City Engineer's comments.

2. A note shall be added to subdivision plat stating that Lot 204B is not intended to be used for a single-family residential structure unless the existing gas line easement is removed or relocated to accommodate a buildable area on the lot
3. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link regarding the utility easements on the subdivision plat prior to the subdivision plat being recorded.

The applicant has submitted a final subdivision plat addressing these comments. Both the Fire Marshal and City Engineer have reviewed and approved the final subdivision plat. Water and sewer currently exist and will not need to be changed. The applicant has included the required note on the plat regarding the intended use of Lot 204B. The applicant has also notified all of the required utilities, i.e. Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link, notifying them of the new subdivision plat.

Overall, this proposed subdivision plat complies with the zoning and subdivision requirements for this area, as well as the conditions recommended by the Planning Commission.

**FISCAL IMPACT:**

N/A

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**STAFF RECOMMENDATION:**

Staff recommends that the City Council approves the Shadow Hills East No. 2 Amending & Extending Lot 204 Subdivision.

**RECOMMENDED MOTION:**

*“I move that we approve the Shadow Hills East No. 2 Amending & Extending Lot 204 Subdivision located at 1173 East 7625 South with the condition that the applicant obtain all required signatures on the final subdivision plat Mylar.”*

**Attachments:**

- Vicinity Map
- Preliminary Subdivision Plat
- Final Subdivision Plat



**Shadow Hills East No. 2  
Amending and Extending Lot 204  
Subdivision**

**1173 E. 7625 S.**

# SHADOW HILLS EAST No. 2 AMENDING AND EXTENDING LOT 204

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER  
OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 1 EAST  
SALT LAKE BASE & MERIDIAN.

## PRELIMINARY PLAT

### BOUNDARY DESCRIPTION

ALL OF LOT 204, SHADOW HILLS EAST No. 2, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILLED IN BOOK 85-11 OF PLATS AT PAGE 204 OF THE OFFICIAL RECORDS OF THE SALT LAKE COUNTY RECORDER.

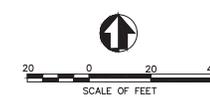
TOGETHER WITH:

COMMENCING 64 RODS NORTH OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE MERIDIAN, AND RUNNING THENCE EAST 20 RODS, THENCE NORTH 8 RODS, THENCE WEST 20 RODS, THENCE SOUTH 8 RODS TO THE POINT OF BEGINNING.

COMBINED DESCRIPTION

Beginning at the Northwest Corner of the SHADOW HILLS EAST No. 2 Subdivision, according to the official plat thereof, recorded in Book 85-11 of Plats, at Page 204 of the Official Records of the Salt Lake County Recorder, said corner being 1,330.13 feet S 89°40'30"W, along the Section Line to the Southeast Corner of the PONDEROSA ESTATES No. 1 Subdivision according to the official plat thereof, recorded in Book LL of Plats, at Page 6 of the Official Records of the Salt Lake County Recorder and 1,041.03 feet N 00°04'01"E, along the easterly boundary line of said PONDEROSA ESTATES No. 1, and the extension thereof, from the Southeast Corner of Section 29, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence N 00°04'01"E, 132.00 feet along the easterly boundary line of the MIDVALE TERRACE SUBDIVISION, according to the official plat thereof, recorded in Book R of Plats, at Page 98 of the Official Records of the Salt Lake County Recorder; thence East 338.17 feet to the northerly extension of the easterly boundary line of said SHADOW HILLS EAST No. 2 Subdivision; thence South 132.00 feet to the Northeast corner of said SHADOW HILLS EAST No. 2 Subdivision; thence West 58.00 feet along the northerly boundary line of said SHADOW HILLS EAST No. 2 Subdivision to the Northeast Corner of Lot 204 of said SHADOW HILLS EAST No. 2 Subdivision; thence along the lot lines of said Lot 204 the following four (4) courses and distances: (1) S 34°10'25"W, 107.93 feet to the point of curvature of a non-tangent 50.00 feet radius curve to the left, said curve being the northerly right of way line of 1200 East Street; (2) westerly 51.92 feet along the arc of said curve to the left through a central angle of 59°30'03"; (Note: Chord to said curve bears N 85°14'42"W, for a distance of 49.62 feet); (3) N 29°19'49"W, 46.88 feet; (4) N 52°00'00"W, 70.00 feet to the Northwest Corner of said Lot 204; thence West 95.00 feet along the northerly boundary line of said SHADOW HILLS EAST No. 2 Subdivision to the point of beginning.

Contains 53,935 square feet in area or 1.238 acres and 2 Lots.

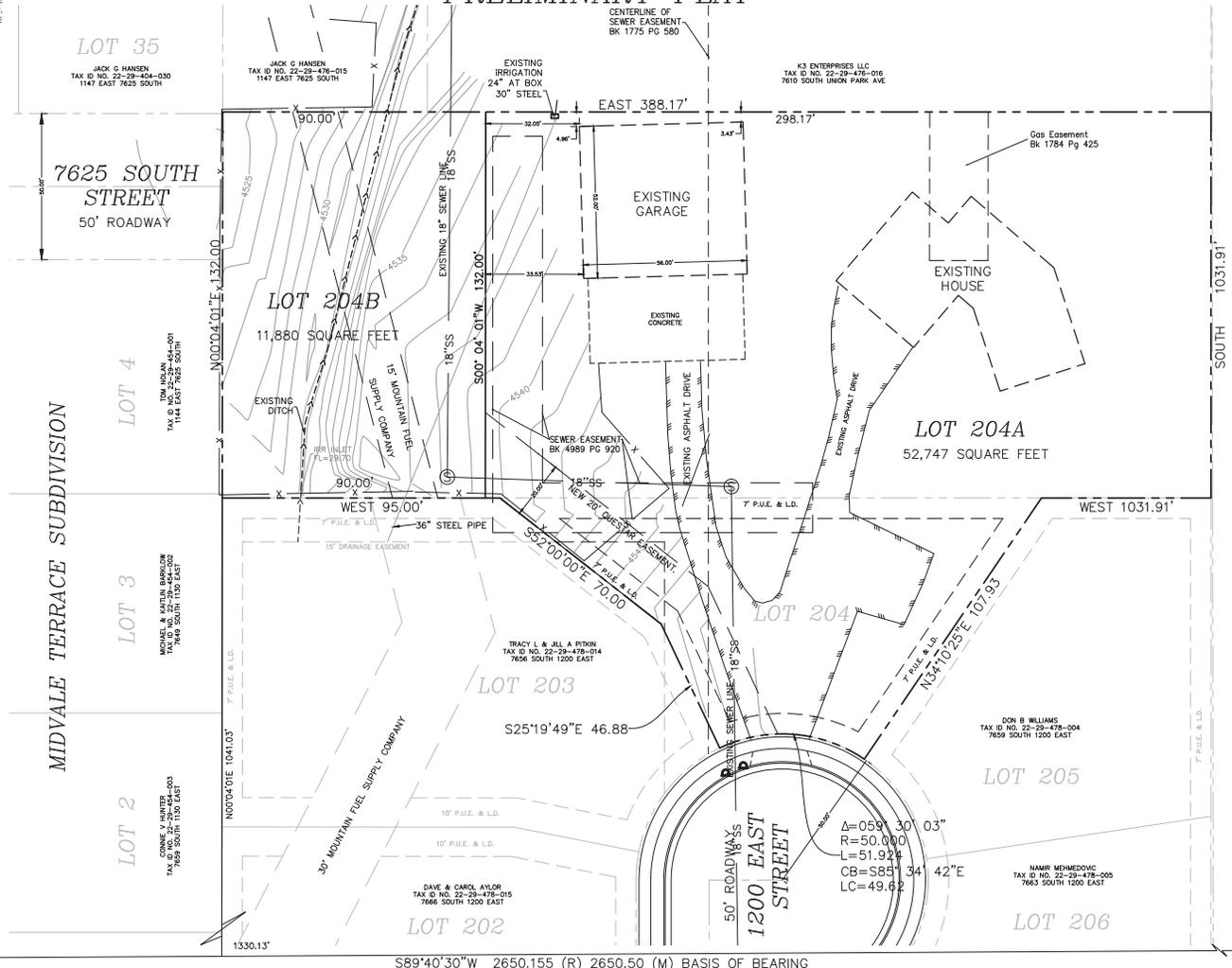


DATE: APRIL 5, 2013  
SCALE: 1" = 20'  
PROJECT NUMBER: 80J010339

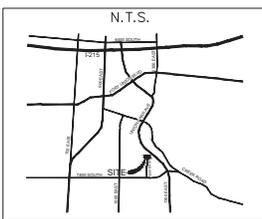
SHADOW HILLS EAST No. 2  
AMENDING AND EXTENDING LOT 204  
PRELIMINARY PLAT  
MIDVALE CITY, UTAH

**PSOMAS**  
4179 Riverboat Road Suite 200  
Salt Lake City, Utah 84123  
(801) 270-5777 (801) 270-5782 (FAX)

DESIGNED	DRAWN	CHECKED	JT
SHEET			
1			
OF			
1			



### VICINITY MAP



**OWNER**  
Merrill J. Warner and Glade L. Warner, as  
successor co-trustees of  
THE WARNER FAMILY LIVING TRUST,  
dated July 12, 2002  
1173 East 7625 South  
Midvale, Utah 84047  
(801) 828-6076  
CONTACT: Merril Warner

**DEVELOPER**  
Questor Gas Company  
1140 West 200 South  
Salt Lake City, Utah 84145  
(801) 324-3737  
CONTACT: Rick Hellstrom

**CIVIL ENGINEERS**  
PSOMAS  
4179 Riverboat Road Suite 200  
Salt Lake City, Utah 84123  
(801) 270-5777  
CONTACT: Craig Ahrens

SOUTH QUARTER CORNER,  
SECTION 29  
TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT  
LAKE BASE & MERIDIAN  
FOUND SLCO SURVEY MONUMENT

29 28  
32 32

S89°40'30"W 2650.155 (R) 2650.50 (M) BASIS OF BEARING

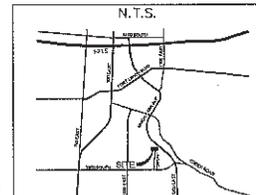
SOUTHEAST CORNER  
SECTION 29  
TOWNSHIP 2 SOUTH,  
RANGE 1 EAST  
SALT LAKE BASE &  
MERIDIAN  
FOUND SLCO SURVEY  
MONUMENT

29 28  
32 32

# SHADOW HILLS EAST No. 2 AMENDING AND EXTENDING LOT 204

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29,  
TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN  
MIDVALE CITY, SALT LAKE COUNTY, UTAH

## VICINITY MAP



## LEGEND

- FOUND BRASS CAP MONUMENT
- SET BAR AND CAP
- BOUNDARY LINE
- - - EASEMENT LINE
- - - CURB AND GUTTER LINE
- - - P.U.E. & L.D. PUBLIC UTILITY EASEMENT & LOT DRAINAGE

## LEGAL DESCRIPTION NEW QUESTAR EASEMENT

Beginning at the Southwest Corner of Lot 204 of the SHADOW HILLS EAST No. 2 Subdivision according to the official plat recorded as Entry No. 4188995 in Book 85-11 of Page 204 in the office of the Salt Lake County Recorder; and running thence along the westerly line of said Lot 204 the following two (2) courses and distances: (1) N.23°19'49"W. 46.88 feet; (2) N.52°00'00"W. 70.00 feet; thence West 5.00 feet; thence N.00°04'01"E. 29.25 feet; thence S.92°00'00"E. 96.87 feet; thence S.25°19'49"E. 55.80 feet to the right of way line of 1200 East Street, thence along said right of way line westerly 20.58 feet along the arc of a non-tangent 50.00 foot radius curve to the left through a central angle of 23°34'42". (Note: Chord to said curve bears S.78°27'37"W. for a distance of 20.43 (feet) to the point of beginning.

The above described part of an entire tract contains 2.752 square feet in area or 0.063 acres.

## QUESTAR GAS APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF  
A.D., 2013, BY QUESTAR GAS.

## ROCKY MOUNTAIN POWER APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF  
A.D., 2013, BY ROCKY MOUNTAIN POWER.

ROCKY MOUNTAIN POWER

## SURVEYOR'S CERTIFICATE

I, Dannie B. Green, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 376073 as prescribed by the laws of the State of Utah. Further, I certify that by Authority of the Owners I have made a Survey of the Parcel of Land shown on this Plat and have subdivided said Parcel of Land into parcels and streets, together with easements hereafter known as

**SHADOW HILLS EAST NO. 2  
AMENDING AND EXTENDING LOT 204**

and that the same has been correctly surveyed and staked on the ground as shown on this Plat.

*Dannie B. Green*  
Dannie B. Green  
P.L.S. 376073



May 17, 2013

Date

## BOUNDARY DESCRIPTION

ALL OF LOT 204, SHADOW HILLS EAST NO. 2, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 85-11 OF PLATS AT PAGE 204 OF THE OFFICIAL RECORDS OF THE SALT LAKE COUNTY RECORDER.

## TOGETHER WITH

BEGINNING 1041 FEET NORTH FROM THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE EAST 330 FEET; THENCE NORTH 132 FEET; THENCE WEST 330 FEET; THENCE SOUTH 132 FEET TO THE PLACE OF BEGINNING.

## COMBINED DESCRIPTION

Beginning at the Northwest Corner of the SHADOW HILLS EAST No. 2 Subdivision, according to the official plat thereof, recorded in Book 85-11 of Plats, at Page 204 of the Official Records of the Salt Lake County Recorder; and running thence East 338.17 feet to the northern extension of the westerly boundary line of said SHADOW HILLS EAST No. 2 Subdivision; thence West 58.00 feet along the northern boundary line of said SHADOW HILLS EAST No. 2 Subdivision to the Northeast Corner of Lot 204 of said SHADOW HILLS EAST No. 2 Subdivision; thence along the lot lines of said Lot 204 the following four (4) courses and distances: (1) N.23°19'49"W. 107.93 feet to the point of curvature of a non-tangent 30.00 foot radius curve to the left, said curve being the northern right of way line of 1200 East Street; (2) westerly 51.82 feet along the arc of said curve to the left through a central angle of 59°30'03". (Note: Chord to said curve bears N.85°54'42"W. for a distance of 49.82 feet); (3) N.23°19'49"W. 46.88 feet; (4) S.92°00'00"E. 70.00 feet to the Northwest Corner of said Lot 204; thence West 85.00 feet along the northern boundary line of said SHADOW HILLS EAST No. 2 Subdivision to the point of beginning.

Contains 53,935 square feet in area or 1.238 acres and 2 Lots.

## OWNER'S DEDICATION

Know all men by these presents that we, Merrill J. Warner and Glade L. Warner, as successor co-trustees of THE WARNER FAMILY LIVING TRUST, dated July 12, 2002, the undersigned owner of the above described tract of land having caused the same to be subdivided into parcels and streets, together with easements to be hereafter known as

**SHADOW HILLS EAST NO. 2  
AMENDING AND EXTENDING LOT 204**

do hereby dedicate for perpetual use of the public of roads and other areas land shown on this plat as inhaled for public use. The undersigned owner also hereby conveys to Middle City, and to any and all public utility companies a perpetual, non-exclusive easement over the public utility and drainage easements shown on this plat. The undersigned owner also hereby conveys any other easements shown on this plat to the parties indicated and for the purposes shown hereon, in witness whereof I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_.

Merrill J. Warner, Co-Trustee

Glade L. Warner, Co-Trustee

## TRUSTEE ACKNOWLEDGMENT

STATE OF UTAH  
COUNTY OF SALT LAKE

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ personally appeared before me, Merrill J. Warner and Glade L. Warner, Co-Trustees of THE WARNER FAMILY LIVING TRUST, dated July 12, 2002, the signers of the herein Owner's Dedication and they acknowledged to me that they signed it freely and voluntarily for the uses and purposes therein mentioned and did so in accordance with the authority as Co-Trustees given under the instrument creating said Trust.

NOTARY PUBLIC

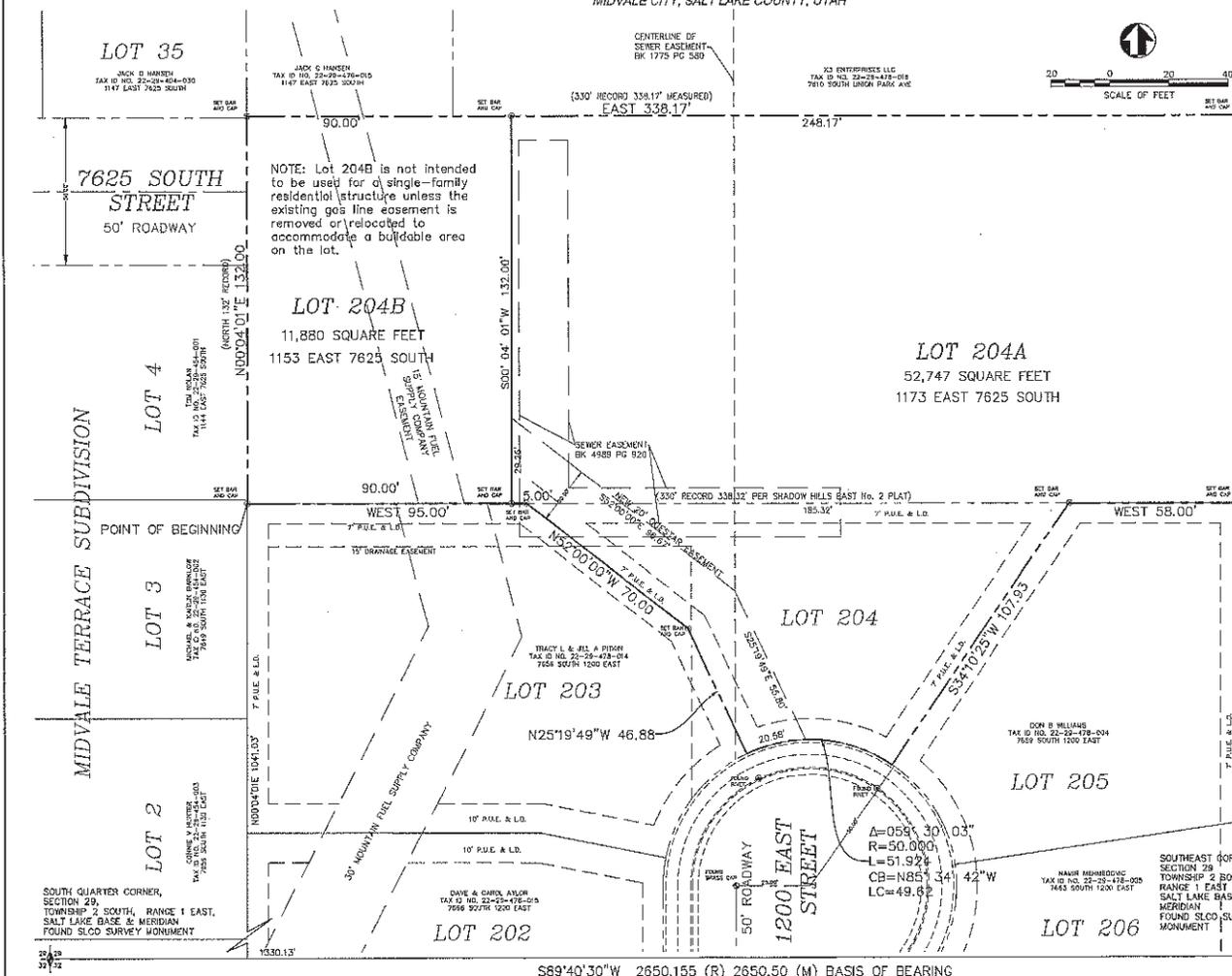
MY COMMISSION EXPIRES \_\_\_\_\_

**SHADOW HILLS EAST NO. 2  
AMENDING AND EXTENDING LOT 204**

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29,  
TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN  
MIDVALE CITY, SALT LAKE COUNTY, UTAH

## SALT LAKE COUNTY RECORDER

RECORDED \_\_\_\_\_  
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE  
REQUEST OF \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
FEE \$ \_\_\_\_\_  
SALT LAKE COUNTY RECORDER



**PSOMAS**  
4179 Riverbend Road Suite 200  
Salt Lake City, Utah 84113  
(801) 270-5777 (801) 270-5782 (FAX)

DATE: 05-17-13  
SCALE: 1" = 20'  
DESIGNER: CBO  
DRAFTED: DBC  
CHECKED: JT

PLANNING AND ZONING COMMISSION  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D., 2013 BY THE CITY OF MIDVALE PLANNING COMMISSION.

CHAIRMAN, MIDVALE CITY  
PLANNING AND ZONING COMMISSION

SALT LAKE VALLEY HEALTH DEPARTMENT  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D., 2013.

DIRECTOR, SALT LAKE VALLEY HEALTH DEPARTMENT

MIDVALE CITY ENGINEERING DIVISION  
I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED  
THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH  
INFORMATION ON FILE IN THIS OFFICE.

DATE \_\_\_\_\_ MIDVALE CITY ENGINEER

APPROVAL AS TO FORM  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D., 2013.

MIDVALE CITY ATTORNEY

MIDVALE CITY COUNCIL  
PRESENTED TO THE MIDVALE CITY COUNCIL, THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_ A.D., 2013, AT WHICH TIME THIS SUBDIVISION  
WAS APPROVED AND ACCEPTED.

ATTEST: CITY RECORDER \_\_\_\_\_ MIDVALE CITY MAYOR \_\_\_\_\_

SHEET 1 OF 1



Midvale City  
CITY COUNCIL MEETING  
*Minutes*

Tuesday, May 21, 2013  
Council Chambers  
655 West Center Street  
Midvale, Utah 84047

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**MAYOR:** JoAnn Seghini

**COUNCIL MEMBERS:** Council Member Wayne Sharp  
Council Member Colleen Costello  
Council Member Robert Hale  
Council Member Paul Glover  
Council Member Paul Hunt

**STAFF:** Phillip Hill, Assistant City Manager/Community and Economic Development Director; Laurie Harvey, Assistant City Manager/Administrative Services Director; Rori Andreason, City Recorder/Human Resource Director; Ken Vance, Public Works Director; Tony Mason, UPD Midvale Precinct Deputy Chief; Chief Stephen Higgs, UFA; Danny Walz, RDA Director; and Jarin Blackham, IT Manager.

Mayor Seghini called the meeting to order at 6:35 p.m.

**I. INFORMATIONAL ITEMS**  
**A. DEPARTMENT REPORTS**

Chief Higgs reported that he is working on scheduling the honor guard for the Memorial Day service.

Laurie Harvey stated that she has the correspondence regarding the David Walker issue that she will distribute to the Council for their consideration.

Ken Vance said Public Works has been very busy with the weather change. He said he is preparing a flier to go out to the residents asking them not to blow their grass clippings into the gutters because it is clogging them. He also reviewed one quote he received for the radar speed sign and the costs associated with that. He is working on obtaining two more quotes.

Councilmember Paul Glover asked if staff was looking into a way to secure the signs so they do not get stolen.

Rori Andreason asked the Council to complete their benefits open enrollment by May 24<sup>th</sup>.

Phillip Hill said he was able to fit the three football fields into the main park master plan which he emailed to the City Council. He asked for feedback regarding the new plan.

Mayor Seghini discussed the issue of installing a crosswalk on Main Street and 8000 South. She said since the new elementary school opened, there are a lot of children crossing there every day and it is very dangerous. One of the problems with this intersection is that the two streets do not line up. She talked with UPD who indicated that when people are waiting to turn at that intersection, other cars go

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around them not paying attention to who may be crossing. She suggested installing a lighted school crossing at that location. She indicated that School Board Member Robert Green also agreed that this is a very dangerous intersection.

Councilmember Paul Hunt agreed with adding the lighted school crossing at that location.

Councilmember Wayne Sharp asked staff to look into getting a traffic study done on that area. Phillip Hill said he would have the consultants look into this.

Phillip Hill reported on a pre-construction meeting held on the Union Park Avenue Gateway Project. He said construction is scheduled to begin on June 18<sup>th</sup>. There will be some traffic restrictions but the construction company has committed to having two lanes open at all times and three lanes open by 3:00 p.m. every day.

Councilmember Robert Hale said he likes the lights at South Union Avenue.

**MOTION: Councilmember Paul Hunt MOVED to go to Council Reports. Councilmember Paul Glover SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.**

**II. COUNCIL REPORTS**

**A. Councilmember Paul Glover** – asked about the picnic areas in the park. He said he wanted to make sure there are enough pavilions available. He said he likes the added trees in the master plan; it has more of a park like setting.

**B. Councilmember Paul Hunt** – had nothing to report.

**A. Councilmember Robert Hale** – said it was good to be back. He said now he watches other governments and how they take care of their cities and sometimes they do a good job. He said he is glad we don't have cobblestone roads. He discussed the tragic tornado in Oklahoma. He asked about the City ability to use radios if phones are down.

Chief Higgs explained that there are radios available for use but you just never know what might happen during a disaster.

**D. Councilmember Wayne Sharp** – said the mosquito season is upon us so remove any standing water on your properties. He thanked Code Enforcement for working on getting the pile of concrete on 8000 South removed.

**E. Councilmember Colleen Costello** – reported on the senior citizens board meeting. She would like to get a schedule for Harvest Day events to take back to them.

**III. MAYOR REPORT**

**A. Mayor JoAnn B. Seghini** – informed the Council about the Memorial Day service at the Cemetery at 11:00 a.m. on Monday.

Mayor Seghini opened the regular meeting at 7:00 p.m.

**IV. REGULAR CITY COUNCIL MEETING**

**V. GENERAL BUSINESS**

**B. Welcome and Pledge of Allegiance**

**C. Roll Call** – Council Members Colleen Costello, Paul Glover, Robert Hale, Paul Hunt and Wayne Sharp were present at roll call.

**VI. PUBLIC COMMENTS**

Winn Hardy said he and his neighbors would like the City to consider averaging the water bills similar to what other utility companies do so they don't have peaks in their costs. He also asked if those individuals who have licenses to offer lawn mowing services could maybe be required to have a color sticker in their window.

Councilmember Paul Glover said some of those businesses may have business licenses from other cities and don't carry that with them.

Winn Hardy also expressed concern for the use of blowers that use two cycle engines and the pollution. He said a lot of other cities are restricting their use. He also asked what the City could do about homeowners that do not have sidewalks in front of their homes. His neighbor removed his sidewalk and has never put it back in.

Mark Alm said he would like to start a shaved ice and ice cream business but his structure is larger than allowed by the ordinance. He said his structure is larger in order to meet the requirements of the Health Department. Other cities have granted a variance to their ordinances so they would be allowed to operate. He asked the same of the City Council. He said not realizing the size restrictions for his business, he went ahead and leased space in the family center but is now not able to open. He requested a change in the ordinance to allow his structure which is on a trailer but is a very nice structure. He said he was willing to remove the tires if need be and they have skirting around the trailer so no one could tell it was mobile.

Phillip Hill said this would require a text amendment to the ordinance. The Council was very specific on the size of the trailers as well as the construction and materials used. This trailer exceeds the size allowed by ordinance. There is no way within the current ordinance that this structure could be granted a variance.

Councilmember Colleen Costello expressed concern with the effect on the taco cart and other trailers.

The Council instructed staff to start the process and bring this back in a workshop meeting.

Mayor Seghini said this process will take a month or more.

Councilmember Robert Hale suggested surveying other cities to see what their rules and regulations are.

Mr. Alm said he felt his business was raising the bar and maybe it's time to look at a change.

Phillip Hill said he would proceed with the process.

**MOTION:** Councilmember Colleen Costello **MOVED** to go into a public hearing. Councilmember Wayne Sharp **SECONDED** the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.

## **VII. PUBLIC HEARINGS**

### **A. PUBLIC HEARING REGARDING THE ISSUANCE AND SALE OF NOT MORE THAN \$3,000,000 AGGREGATE PRINCIPAL AMOUNT OF WATER AND SEWER REVENUE BONDS, SERIES 2013 AND TO ALLOW PUBLIC INPUT REGARDING THE POTENTIAL ECONOMIC IMPACT AND THE IMPROVEMENTS TO BE FINANCED WITH THE PROCEEDS OF THE SERIES 2013 BONDS WILL HAVE ON THE PRIVATE SECTOR**

Laurie Harvey stated the City Council is considering issuing water, sewer, and storm water revenue bonds to finance the cost of some or all of the following Midvale City capital projects:

- Storm Water Improvements
- Public Works Building Improvements

The City Council adopted a parameters resolution approving the issuance of the bonds on April 16, 2013. The parameters resolution authorized the issuance of not more than \$3.0 million of Water, Sewer, Storm Water Revenue Bonds, Series 2013, to bear interest at a rate not to exceed 5.0% per annum, to mature in not more than 26 years from their date, and to be sold at a price not less than 97% of the total principal amount thereof.

A notice of intent to issue bonds was published in area newspapers on April 20 and 27, and was posted on the State website on April 19. The purpose of the public hearing is to receive input from the public with respect to the issuance by the City of the Bonds and the potential economic impact that the project will have on the private sector.

After the 30-day contest period, which expires on May 27, 2013, the designated officers specified within the parameters resolution are authorized to approve issuance of the bonds providing the terms are within the parameters established.

**Fiscal Impact:** Direct placement of the bonds is recommended due to lower issuance costs and quicker funding. Debt service payments will be made from the Midvale City Public Utilities and Storm Water Funds over fifteen years. The annual payment is approximately \$221,000. Projected water, sewer and storm water revenues are adequate to cover the debt service assuming growth rates of 1% in service areas 1 and 3, and 4% in service area 2.

Mark Edminster, Lewis Young Robertson, said the 30-day contestability period ends on May 27. They are expecting five to eight responses from banks on funding. With the adoption of the super parameters resolution, a pricing committee has been authorized to select the purchasers provided all of the numbers fit within the parameters listed in the resolution. The bonds are scheduled to close by May 31<sup>st</sup>.

Mayor Seghini opened the public comment portion of the public hearing. There was no one present who desired to speak on this issue.

**MOTION:** Councilmember Paul Glover **MOVED** to close the public hearing. Councilmember Paul Hunt **SECONDED** the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.

**VIII. CONSENT AGENDA**

**A. APPROVE MINUTES OF MAY 7 AND 14, 2013**

**B. SET DATE AND TIME (JUNE 4, 2013 AT 7:00 PM) FOR A PUBLIC HEARING TO CONSIDER A 2-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION - KANGA SUBDIVISION LOCATED AT 661 WEST 5<sup>TH</sup> AVENUE**

**C. SET DATE AND TIME (JUNE 4, 2013 AT 7:00 PM) FOR A PUBLIC HEARING TO CONSIDER A 3-LOT SUBDIVISION – JAYNE’S PLACE PHASE 2 SUBDIVISION LOCATED AT 189 WEST 8600 SOUTH**

**D. SET DATE AND TIME (JUNE 4, 2013 AT 7:00 PM) FOR A PUBLIC HEARING TO CONSIDER A 2-LOT SUBDIVISION – SHADOW HILLS EAST NO. 2 AMENDING & EXTENDING LOT 204 SUBDIVISION LOCATED AT 1173 EAST 7625 SOUTH**

**MOTION:** Councilmember Wayne Sharp **MOVED** to approve the consent agenda. Councilmember Paul Hunt **SECONDED** the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a roll call vote. The voting was as follows:

Council member Wayne Sharp	Aye
Council member Colleen Costello	Aye
Council member Robert Hale	Aye
Council member Paul Glover	Aye
Council member Paul Hunt	Aye

The motion passed unanimously.

**IX. DISCUSSION ITEMS**

**A. DISCUSS NEEDED SCHOOL CROSSWALK ON 8000 SOUTH MAIN STREET**

Mayor Seghini discussed this issue earlier in the meeting.

**B. DISCUSS A 2-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION – KANGA SUBDIVISION LOCATED AT 661 WEST 5<sup>TH</sup> AVENUE**

Lesley Burns stated the applicant, Lynn Lewis, is requesting approval to subdivide the property located at 661 West Fifth Avenue into two residential lots as shown on the attached subdivision plat. The total property is approximately 10,000 square feet (0.23 acres) in size and includes a single-family house and detached garage on the western portion of the property. The applicant is proposing to keep the existing house, which will be included on Lot 1 of the proposed subdivision. The detached garage will be removed or relocated to make way for a future single-family residential structure on Lot 2. The

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applicant is proposing to utilize the existing driveway for Lot 1. There is existing curb and gutter along the public street frontage. Improvements to Fifth Avenue were completed by Midvale City a few years ago. Because of limited right-of-way width, sidewalk is only constructed on the north side of the street.

This property is zoned SF-2. This is a single-family residential zone requiring a minimum lot size of 5,000 square feet, a minimum 45-foot lot width/frontage, and a minimum lot depth of 90 feet. The two lots being created with this proposed subdivision plat comply with these lot standards. In addition, the existing house complies with the minimum side yard setback requirement from the new lot line being created. The existing detached garage will need to be removed or relocated to comply with the new division of property and required side yard setback prior to the subdivision plat being recorded. The existing driveway also straddles the new lot line and the portion east of the new lot line will need to be removed before the subdivision plat is recorded. This includes an approximate one-foot wide section from the street back to where the existing driveway widens, as well as the wider portion of the driveway directly in front of and to the east of the existing garage. The applicant will need to provide a plan showing how the two required off-street parking spaces for the existing house will be accommodated on Lot 1. If additional improvements are required, these will need to be completed prior to the subdivision plat being recorded.

The Subdivision Ordinance requires that two-inch caliper deciduous street trees be planted with any new subdivision at a rate of one tree for every 30 feet of frontage. Based on this, one street tree is required on Lot 1, and two street trees are required on Lot 2. Existing street trees can count towards this requirement. Currently, there is one tree on the proposed Lot 1. A note has been added to the subdivision plat indicating two trees must be planted on Lot 2 prior to a Certificate of Occupancy being issued for the new structure on this lot.

The Fire Marshal has reviewed the proposed subdivision plat and is not requiring any additional improvements; there are existing fire hydrants to serve this area. The City Engineer has reviewed and approved the proposed subdivision plat finding the existing infrastructure is sufficient in its current condition. Water and sewer for the new lot will be provided by Midvale City and a letter indicating the City is able to provide these services has been written. The applicant is also required to provide the City with copies of letters sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link notifying them of the new subdivision plat.

Overall, this proposed subdivision plat complies with the zoning and subdivision requirements for this area. The Planning Commission conducted a public hearing on this application on May 8, 2013 and forwarded a positive recommendation to the City Council to approve the subdivision plat with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer and City Council.
2. A note shall be added to the subdivision plat indicating that two 2-inch caliper, deciduous street trees shall be planted or guaranteed with a cash bond on Lot 2 prior to a Certificate of Occupancy being issued for the dwelling.
3. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link regarding the utility easements on the subdivision plat prior to the subdivision plat being recorded.

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4. The existing detached garage shall be removed or relocated to comply with the new division of property and required side yard setback prior to the subdivision plat being recorded.
5. All portions of the existing driveway that are east of the new lot line will need to be removed before the subdivision plat is recorded. This includes an approximate one-foot wide section from the street back to where the existing driveway widens, as well as the wider portion of the driveway directly in front of and to the east of the existing garage.
6. The applicant shall provide a plan showing how the two required off-street parking spaces for the existing house will be accommodated on Lot 1. If additional improvements are required, these improvements shall be completed prior to the subdivision plat being recorded.
7. The applicant shall comply with all requirements of the Fire Marshal.

The applicant has submitted a final subdivision plat addressing some of these comments as noted in the analysis above.

**C. DISCUSS A 3-LOT SUBDIVISION – JAYNE’S PLACE PHASE 2 SUBDIVISION  
LOCATED AT 189 WEST 8600 SOUTH**

Lesley Burns stated the applicant, Todd Johnson representing the RHW Trust, is requesting approval to combine and then re-subdivide two properties located between 189-193 West 8600 South into three lots as shown on the attached preliminary subdivision plat. Currently, there are two parcels, both owned by the RHW Trust, with three existing residential structures. The current property configuration includes a 1.02 acre parcel with 2 ½ houses (the westernmost house straddles the property line) and a 0.34 acre parcel with a portion of one house and accessory structures. The applicant’s request will allow each house to be located on its own lot. All existing structures will remain on the property as currently constructed. There is existing curb, gutter and sidewalk along the public street frontage. Improvements to 8600 South were completed by Midvale City a few years ago.

This property is zoned Regional Commercial (RC). The RC zone does not allow new residential development; however, the existing houses are considered legal, nonconforming and are allowed to remain until the property owner decides to redevelop the property. The RC zone does not have a minimum lot size, but the applicant has configured the lots so each existing house is entirely located on its own parcel with side yard setbacks that exceed what would typically be required in a single family residential zone.

The Fire Marshal has reviewed the proposed subdivision plat and is not requiring any additional improvements; there are existing fire hydrants to serve this area. The City Engineer has reviewed the proposed subdivision plat. Because existing infrastructure exists for the property, the City Engineer’s comments only include technical changes that are currently being addressed by the applicant. These will not change the proposed subdivision layout. Water and sewer for the new lot will be provided by Midvale City and a letter indicating the City is able to provide these services has been written. The applicant is also required to provide the City with copies of letters sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link notifying them of the new subdivision plat.

This proposed subdivision, although somewhat unconventional, is correcting some issues that have existed on this property for a long time. It also does not preclude future development in accordance with the existing zoning from occurring when the property owner determines the time is right. Overall, this proposed subdivision plat complies with the zoning and subdivision requirements for this area.

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The Planning Commission conducted a public hearing on this application on May 8, 2013 and forwarded a positive recommendation to the City Council to approve the subdivision plat with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer and City Council. This final subdivision plat shall address all of the City Engineer's comments.
2. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link regarding the utility easements on the subdivision plat prior to the subdivision plat being recorded.
3. The applicant shall comply with all requirements of the Fire Marshal.

The applicant has submitted a final subdivision plat addressing some of these comments.

**D. DISCUSS A 2-LOT SUBDIVISION – SHADOW HILLS EAST NO. 2 AMENDING & EXTENDING LOT 204 SUBDIVISION LOCATED AT 1173 EAST 7625 SOUTH**

Lesley Burns stated the applicant, Rick Hellstrom representing Questar Gas, is requesting approval to subdivide the 1.24 acre parcel located at 1173 East 7625 South into two lots. The property is located in the single-family residential (SF-1) zone and includes a single family house and a large accessory structure (detached garage). The house is accessed from a driveway off of 1200 East, a public road cul-de-sac, and the west portion of the property is directly adjacent to the 7625 South right-of-way where the public road dead ends. The proposed subdivision creates a new 0.27 acre lot on the western portion of the property (Lot 204B), leaving the existing house and accessory structure on a 0.97 acre lot (Lot 204A). There is an existing 15 foot wide gas line easement that runs through the middle of Lot 204B. This lot will be purchased by Questar Gas and will be used to access and maintain the existing gas transmission line that runs through the property. It is not anticipated that a house will ever be built on this lot, especially since the existing easement precludes a usable buildable area. Any improvements made to this lot for Questar's access and maintenance will require a site plan approval.

The two proposed lots comply with the lot standards for the SF-1 zone, i.e. minimum area and dimension requirements. The lots have been configured so the existing structures on Lot 204A comply with the required setbacks from the new lot line being created. Lot 204A has an existing street tree, therefore complying with the City's street tree requirement. Lot 204B does not have street frontage requiring any street trees. Staff would recommend a note be added to the subdivision plat indicating Lot 204B is not intended to be used for a single-family residential structure unless the existing gas line easement is removed or relocated to accommodate a buildable area on the lot.

The Fire Marshal has reviewed and approved the subdivision plat; no new fire hydrants are needed. The City Engineer has reviewed the proposed subdivision plat. Because existing infrastructure exists for the property, the City Engineer's comments only include technical changes that are needed on the plat document. These comments are being addressed and will not change the proposed subdivision layout. Water and sewer currently exist and will not need to be changed. The applicant is also required to provide the City with copies of letters sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link notifying them of the new subdivision plat.

Overall, this proposed subdivision plat complies with the zoning and subdivision requirements for this area. The Planning Commission conducted a public hearing on this application on May 8, 2013 and

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forwarded a positive recommendation to the City Council to approve the subdivision plat with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer and City Council. This final subdivision plat shall address all of the City Engineer's comments.
2. A note shall be added to subdivision plat stating that Lot 204B is not intended to be used for a single-family residential structure unless the existing gas line easement is removed or relocated to accommodate a buildable area on the lot
3. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link regarding the utility easements on the subdivision plat prior to the subdivision plat being recorded.

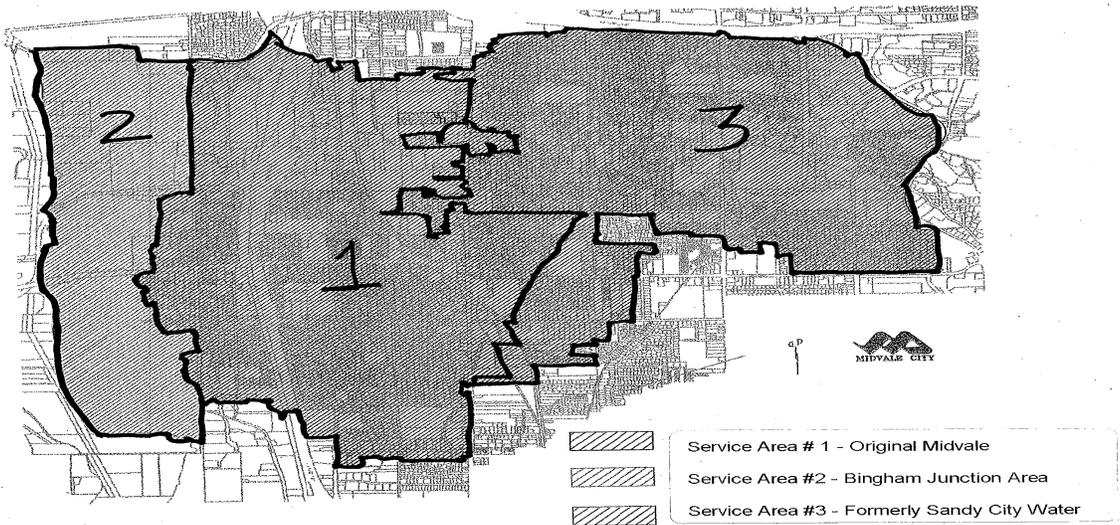
The applicant has submitted a final subdivision plat addressing some of these comments.

**E. DISCUSS PROPOSED PUBLIC WORKS DEPARTMENT BUDGETS; BUILDINGS AND GROUNDS, PUBLIC WORKS ADMINISTRATION, STREETS, PARKS, PUBLIC UTILITIES, STORM WATER, SANITATION, AND FLEET**

Ken Vance discussed the proposed Public Works Department Budgets to include the buildings and grounds, public works administration, streets, parks, public utilities, storm water, sanitation and Fleet.

Laurie Harvey reviewed the public utilities rates as follows:

**MIDVALE UTILITY SERVICE AREAS**



**WATER – OPTION #1**

- Option #1 – continue including 4,000 gallons per month in base rate
  - No change to Service Area 1 or Service Area 2 rates

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- Lower Service Area 3 base and overage rates by 5%
- Impact on homeowner
  - Service Area 1 – no impact
  - Service Area 2 – no impact
  - Service Area 3 –
    - Zero – 4,000 gallons – savings of \$17 per year
    - 9,000 gallons – savings of \$23 per year
- Debt service coverage adequate through 2018

**WATER – OPTION #2**

- Option #2 – reduce consumption allowed in monthly base rate to zero
  - Lower base rates
    - Service Area 1 – 8%
    - Service Area 2 – 9%
    - Service Area 3 – 11%
- Impact on homeowner
  - Zero consumption – savings of \$15 - \$37 per year
  - 2,000 gallons – increase of \$15 - \$23 per year
  - 4,000 gallons or more – increase of \$61 - \$68 per year
- Average number of low consumption accounts
  - 450 zero consumption (7% of 6,600 accounts)
  - 1,780 less than 4,000 (27% of 6,600 accounts)
- Debt service coverage adequate through 2018

**SEWER – OPTION #1**

- Option #1 –continue including 4,000 gallons per month in base rate
  - Service Area 1 – 5% increase
  - Service Area 2 – No rate change
- Impact on homeowners in Service Area 1
  - 9,000 gallons per month - \$14 increase per year
- Debt service coverage is adequate but cash reserves are dwindling – negative by FY 2015

**SEWER – OPTION #2**

- Option #2 – reduce consumption allowed in monthly base rate to zero
  - Lower base and overage rate
    - Service Area 1 – 5%
    - Service Area 2 – 10%
- Impact on homeowner
  - Zero consumption – savings of \$11 - \$25 per year
  - 2,000 gallons – increase of \$13 per year
  - 9,000 gallons – increase of \$35 - \$40 per year
- Adequate debt service coverage. Reserves are negative by FY 2016

**STORM WATER UTILITY**

- Rates are the same for all Service Areas
- Recommended increase 25%

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- FY 2015 increase of 25%
- No increase in FY 2016
- Impact on homeowner - \$12/year

**SANITATION**

- Rates are the same for all Service Areas
- No rate increase recommended
- FY 2015 increase of 5%

**COMBINED UTILITY INCREASES  
SERVICE AREA 1 – 9,000 MONTH**

	W/S Option 1	W/S Option 2
Water	\$0	\$60
Sewer	14	35
Storm Water	12	12
Total	\$26	\$107

**COMBINED UTILITY INCREASES  
SERVICE AREA 2 – 9,000 MONTH**

	W/S Option 1	W/S Option 2
Water	\$0	\$62
Sewer	0	40
Storm Water	12	12
Total	\$12	\$114

**COMBINED UTILITY INCREASES  
SERVICE AREA 3 – 9,000 MONTH**

	W/S Option 1	W/S Option 2
Water	\$(23)	\$68
Sewer	n/a	n/a
Storm Water	12	12
Total	\$(11)	\$80

The Council instructed staff to go with Option #1.

**X. CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL  
COMPETENCE OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL**

The Closed Session was cancelled.

**XI. ADJOURN**

**MOTION: Councilmember Wayne Sharp MOVED to adjourn the meeting. Councilmember Paul Hunt SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.**

Mayor Seghini adjourned the regular meeting at approximately 8:19 p.m.

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**Rori L. Andreason, MMC  
CITY RECORDER**

Approved this 4<sup>th</sup> day of June 2013.



Midvale City  
CITY COUNCIL WORKSHOP MEETING  
*Minutes*

Tuesday, May 28, 2013  
Council Chambers  
655 West Center Street  
Midvale, Utah 84047

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**MAYOR:** JoAnn Seghini

**COUNCIL MEMBERS:** Council Member Wayne Sharp  
Council Member Colleen Costello  
Council Member Robert Hale  
Council Member Paul Glover  
Council Member Paul Hunt

**STAFF:** Kane Loader, City Manager; Phillip Hill, Asst. City Manager/Community Development Director; Laurie Harvey, Asst. City Manager/Admin. Services Director; Rori Andreason, City Recorder/H.R. Director; Ken Vance, Public Works Director; Danny Walz, Redevelopment Agency Director; and Rich Edvalson, Network Administrator.

Mayor Seghini called the meeting to order at 6:30 p.m.

**I. DISCUSS PROPOSED FY 2013 BUDGET AMENDMENTS**

Laurie Harvey reviewed the proposed amendments to the FY 2013 budget including amendments in the General Fund, Communities Building Communities, Capital Improvement Projects Fund, Public Utilities Fund and the Fleet Fund.

**II. FINAL REVIEW AND WRAP UP FOR ALL FISCAL YEAR 2014 BUDGETS**

Laurie Harvey and Kane Loader discussed modifications to the FY 2014 Tentative Budgets to include:

General Fund

- CDBG Grant Increase \$21,700
- Public Safety grants \$1,800
- Recorder – salaries over funded – Expenditure - (\$4,500)
- Non-Departmental – loss contingency – Expenditure - \$4,500

Capital Improvement Projects Fund (CIP)

- Pass-through CDBG grant from General Fund (increase) \$21,700

Public Utilities Fund

- Decrease estimated sewer usage charges – Revenue - (\$120,000)
- Decrease estimated water connection fees – Revenue - (\$65,000)
- Increase contribution from Fund Balance – Revenue - \$456,800
- Decrease estimated employee benefits cost – Expenditure - (\$61,500)
- Increase estimated professional fees – Expenditure - \$10,000
- Increase water for resale – Expenditure - \$5,000
- Increase electricity cost – Expenditure - \$15,000

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- Purchase of Animal Control Shelter – Expenditure - \$240,000
- Debt service – principal – Fluoridation equipment lease – Expenditure - \$22,900
- Debt service – interest – Fluoridation equipment lease – Expenditure - \$400
- Debt service – principal – Series 2013 revenue bond – Expenditure - \$40,000

**Storm Water Utility Fund**

- Debt service – principal – Series 2013 revenue bond - Expenditure - \$103,400
- Debt service – interest – Series 2103 revenue bond – Expenditure - (\$71,700)
- Contribution from Fund Balance – Revenue - \$31,700

**Sanitation Fund**

- Decrease estimated user fees – Revenue - (\$97,500)
- Decrease estimated waste disposal fees – Expenditure - (\$10,000)
- Decrease estimated contribution to Fund Balance – Expenditure – (\$87,500)

**Fleet Fund**

- Surplus from sale of F-350 (Streets) – Revenue \$21,000
- Surplus from sale of Kubota – Revenue - \$8,000
- Contribution from Fund Balance – Revenue – (\$29,000)

**III. ADJOURN**

Mayor Seghini adjourned the meeting at approximately 7:15 p.m.

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**Rori L. Andreason, MMC  
CITY RECORDER**

Approved this 4<sup>th</sup> day of June 2013.