

Midway City Council  
1 October 2019  
Regular Meeting

Watts Remund Farms PUD,  
Phase I / Amendment



## CITY COUNCIL MEETING STAFF REPORT

**DATE OF MEETING:** October 1, 2019

**NAME OF PROJECT:** Watts Remund Farms PUD

**NAME OF APPLICANT:** Russ Watts

**AGENDA ITEM:** Plat Amendment of Watts Remund Farms Planned Unit Development Phase 1, Pad 22

**LOCATION:** 552 North Granary Lane

**ZONING DESIGNATION:** R-1-15 zone

### **ITEM: 10**

Russ Watts, agent for Midway Springs LLC Series 1, is proposing a plat amendment of Watts Remund Farms Planned Unit Development Phase 1. The amendment is to relocate unit 22 to the east by 28'. The property is located at 552 North Granary Lane and is in the R-1-15 zone.

### **BACKGROUND:**

Russ Watts is proposing an amendment to Watts Remund Farms Planned Unit Development Phase 1. The amendment is exclusive to unit 22. The proposal is to move the building pad for unit 22 to the east by 28'. The applicant stated that the reasons for the proposal is "to provide more open area along the road and better sight lines for unit 23.

The recorded plat contains 39 building pads and unit 22 is located in the first phase of a three-phase master plan that contains 97 units.

A plat amendment is a legislative item and City Council is not obligated to allow any changes even if they feel that the applicant has complied with all requirements of the Code. This decision is entirely at the discretion of the City Council.

This item was noticed in the local newspaper for two weeks, the agenda was posted on the City's and State's websites, notices were posted in three public location in town, and letters will be sent to all property owners in the plat and within 600' of the plat amendment for the public hearing before the City Council.

### **ANALYSIS:**

In order for the Land Use Authority to approve a plat amendment Utah State Code dictates that the Land Use Authority consider the petition in a public meeting. The City Council should consider if the proposal is in the best interest of the community and if the petition matches the vision of Midway as described in the General Plan. The General Plan describes, among many things, the preservation of open space and the rural atmosphere of Midway.

The plan also discusses preserving view corridors. This proposal will create a better view corridor for unit 23 by moving unit 22 farther from the road. Currently unit 22 is partially between unit 23 and the street. The streetscape will also be improved by creating a better view of unit 23 from the road. It does not appear that moving unit 23 will alter any neighboring property owners' view corridors in a negative manner.

No public street, right-of-way, easement will be vacated or altered.

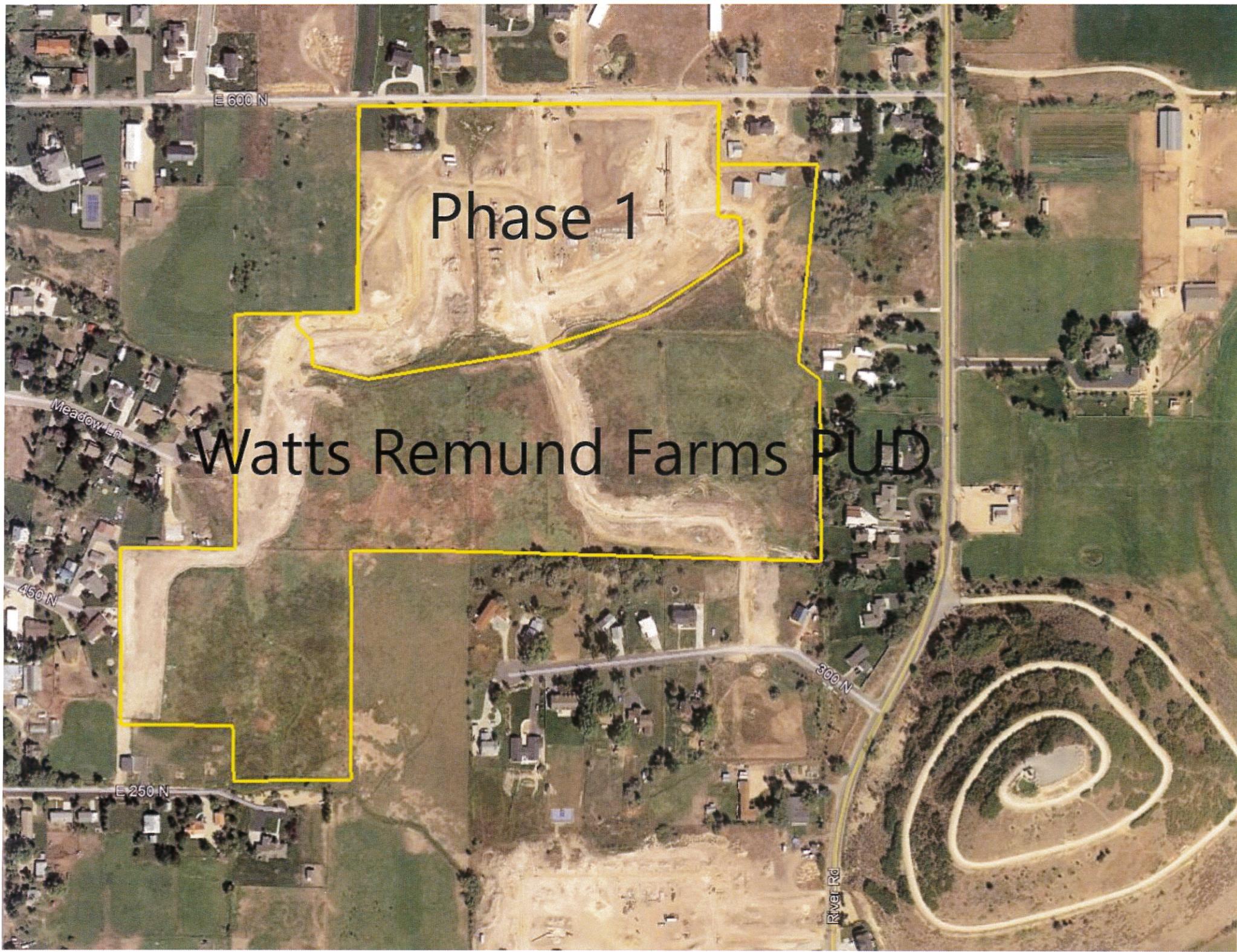
### **PROPOSED FINDINGS:**

- The proposal complies with PUD requirements
- No public street, right-of-way, or easement will be vacated or altered

### **ALTERNATIVE ACTIONS:**

1. Approval (conditional). This action can be taken if the City Council finds there is good cause to approve the proposal.
  - a. Accept staff report
  - b. Reasons for approval (findings)
  - c. Place condition(s) if needed

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



Phase 1

Watts Remund Farms PUD

E 600 N

Meadow Ln

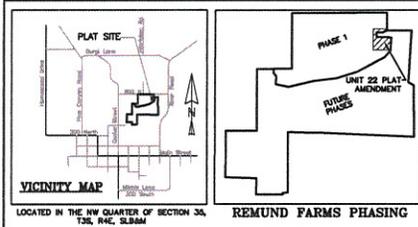
450 N

E 250 N

500 N

River Rd



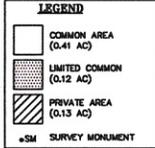


# WATTS REMUND FARMS PUD PHASE 22-AMENDED

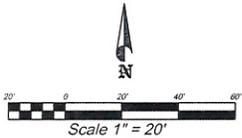
LINE	LENGTH	BEARING
L1	30.00'	S00°00'00"E
L2	15.00'	SOUTH
L3	15.00'	SOUTH
L4	1.50'	N90°00'00"E

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	83.00'	47.07'	29°00'00"	S75°39'37"E	48.53'
C2	110.00'	87.74'	35°17'10"	N17°38'35"E	66.68'

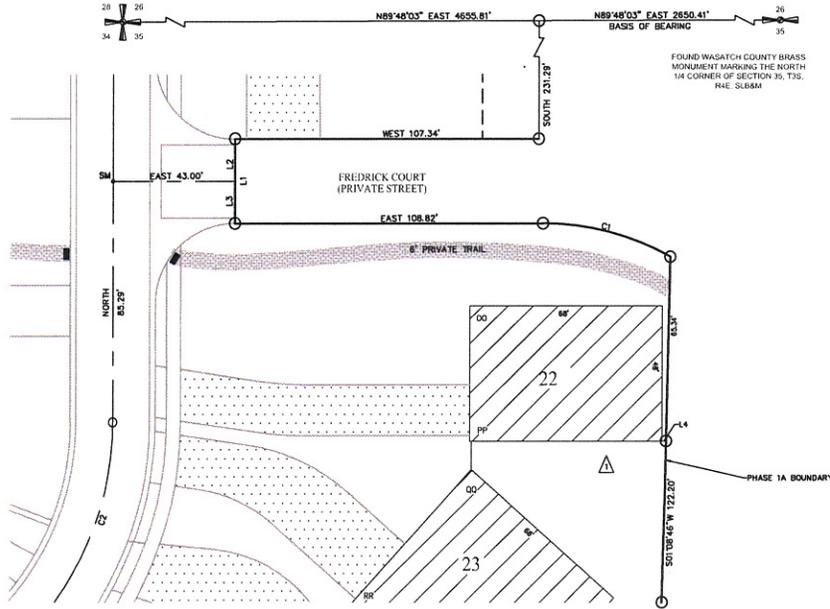
MIDWAY PUD COORDINATES			
POINT	NORTHING	EASTING	UNIT
CP	N 12358.86	E 12004.71	FEET
PP	N 12277.88	E 12004.71	FEET
CP	N 12277.88	E 12004.71	FEET
MR	N 12220.83	E 11962.36	FEET



ADDRESS TABLE	
22	1562 NORTH GRANARY LANE



FOUND WASATCH COUNTY BRASS CAP FOR THE NORTHWEST CORNER OF SECTION 35, T3S, R4E, S13M



**BASIS OF BEARING**  
BASIS OF BEARING IS NORTH 89°46'03" EAST 2850.41 FEET (MEASURED) BETWEEN THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AND THE NORTH 1/4 CORNER OF SAID SECTION 35.

**SURVEYOR'S CERTIFICATE**  
IN ACCORDANCE WITH SECTION 10-94-803 OF THE UTAH CODE, I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 6854112 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.

I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

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

**IRRIGATION DITCH NOTE:**  
MIDWAY IRRIGATION COMPANY SHALL HAVE THE RIGHT TO ACCESS ALL MIDWAY IRRIGATION COMPANY DITCHES WHICH INCLUDES A 10 FOOT EASEMENT ALONG BOTH SIDES OF THE DITCH FOR ACCESS AND MAINTENANCE.

**STORM WATER RETENTION POND NOTE:**  
HOME OWNERS ASSOCIATION SHALL NOT DISTURB, INTERFERE OR CHANGE THE GRADING, ELEVATION OR LANDSCAPING IN THE STORM WATER RETENTION PONDS.

"ALL HOMEOWNERS ARE PUT ON NOTICE THAT THE REMUND FARMS HOA HAS FULL FINANCIAL AND PHYSICAL RESPONSIBILITY FOR MAINTENANCE AND UPKEEP OF THE THREE (3) LANDSCAPE PONDINGS LOCATED AT THE RIVER ROAD ROUNDABOUT IN PERPETUITY. ALL COSTS FOR ON-GOING CARE OF THESE PARCELS WILL BE INCLUDED IN HOA FEES. THESE LOTS WERE COUNTED AS OPEN SPACE IN REMUND FARMS SUBDIVISION AND AN ADDITIONAL 2.25 UNITS OF DENSITY WAS GRANTED BASED ON THIS OPEN SPACE AS SUCH THE OPEN SPACE IS FULL OBLIGATION OF THE HOA. MIDWAY CITY HAS NO FINANCIAL OR MAINTENANCE OBLIGATIONS ASSOCIATED WITH THESE TWO PARCELS, AS SET FORTH IN THE DEVELOPMENT AGREEMENT.

**RIGHT TO FARM NOTICE:**  
PURCHASERS OF LOTS IN THIS DEVELOPMENT ARE HEREBY NOTIFIED THAT THEY ARE PURCHASING PROPERTY ADJACENT TO OR NEARBY FARMLAND AND AGREE TO PROTECT THE RIGHT TO FARM OF THESE PROPERTY OWNERS. PURCHASERS ARE ADVISED THAT FARM HOURS RUN LATE AND BEGIN EARLY AND THAT FARM OPERATIONS AND ANIMALS CREATE NOISE AND ODOORS WHICH MAY BE OBJECTIONABLE TO SOME PURCHASERS. EVEN THOUGH FARMERS MAY NOT DIRECTLY WATER YOUR PROPERTIES, YOU MAY EXPERIENCE GROUND WATER SEEPAGES AND/OR SPRINKLER OVERSPRAY FROM THEIR IRRIGATION, DUMPING GRASS CLIPPINGS OR ANY OTHER MATERIALS ONTO THE PROPERTY OF ANOTHER WITHOUT PERMISSION IS AN ILLEGAL TRESPASS.

**COMMON AREA AND LIMITED COMMON IS A PUBLIC UTILITY EASEMENT:**  
ALL COMMON AREA AND LIMITED COMMON IS DEDICATED AS A PUBLIC UTILITY EASEMENT INCLUDING A STORM DRAIN EASEMENT FOR PIPELINES AND RETENTION PONDS.

**RESERVATION OF COMMON AREA**  
THE OWNER, HAS DESIGNATED HEREIN CERTAIN COMMON AREAS INTENDED FOR THE USE BY THE OWNERS, THEIR GUESTS, AND INVITEES, AND ARE HEREBY RESERVED FOR THEIR COMMON USE AND ENJOYMENT AS PROVIDED IN THE DECLARATION OF COVENANTS AND RESTRICTIONS OF THE REMUND FARMS P.U.D. AND AS ENFORCED BY THE HOME OWNERS ASSOCIATION.

**OWNER'S DEDICATION**  
KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SURVEYED INTO PADS, PRIVATE STREETS AND DRIVEWAYS, EASEMENTS, LIMITED COMMON, AND COMMON AREA AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PRIVATE STREETS AND DRIVES, EASEMENTS, LIMITED COMMON, AND COMMON AREA, FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

BY: \_\_\_\_\_  
RE: REMUND FARMS HOA

BY: \_\_\_\_\_  
RE: MIDWAY SPRINGS LLC SERIES I

BY: \_\_\_\_\_  
RE: MIDWAY SPRINGS LLC SERIES II

**ACKNOWLEDGMENT**  
STATE OF UTAH )  
COUNTY OF WASATCH ) S.S.  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_ PERSONALLY APPEARED BEFORE ME, \_\_\_\_\_, WHO SOLEMNLY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.

MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC \_\_\_\_\_

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**ACCEPTANCE BY MIDWAY CITY**  
THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS PLANNED UNIT DEVELOPMENT AND ACCEPTS THE DEDICATION OF EASEMENTS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

APPROVED \_\_\_\_\_ ATTEST \_\_\_\_\_  
MAYOR CLERK-RECORDER  
(SEE SEAL BELOW)

APPROVED \_\_\_\_\_ ATTEST \_\_\_\_\_  
CITY ATTORNEY CITY ENGINEER  
(SEE SEAL BELOW)

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

PLANNING DIRECTOR CHAIRMAN, PLANNING COMMISSION

**WATTS REMUND FARMS PUD  
UNIT 22-AMENDED**  
PLANNED UNIT DEVELOPMENT, MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH  
SCALE: 1" = 80 FEET

**COUNTY SURVEYOR'S CERTIFICATE**  
APPROVED AS TO FORM ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
ROSA \_\_\_\_\_  
COUNTY SURVEYOR

BURVEYOR'S SEAL MIDWAY PUBLIC SEAL CITY ENGINEER SEAL CLERK-RECORDER SEAL

**COUNTY RECORDER**

DATE: \_\_\_\_\_  
MIDWAY SANITATION DISTRICT

DATE: \_\_\_\_\_  
MIDWAY IRRIGATION COMPANY

REMUND FARMS PUD UNIT 22 AMENDED- 7 AUGUST 2019

**SURVEYOR**  
TROY L. TAYLOR, PLS  
ELEMENT LAND SURVEYING  
2286 SOUTH 270 EAST  
HEBER CITY, UTAH 84032  
PHONE (801) 857-8748  
DATE OF SURVEY: APRIL 2018