

Midway City Planning Commission Regular Meeting Minutes February 12, 2019

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 7:00 p.m., February 12, 2019, at the Midway City Community Center
160 West Main Street, Midway, Utah

Attendance

Jim Kohler – Chairman
Kevin Payne– Vice Chairman
Jeff Nicholas
Jon McKeon
Bill Ream
Rob Bouwhuis

Staff

Michael Henke – City Planner
Melannie Egan – Admin. Assistant
Wes Johnson – City Engineer

Excused

Natalie Streeter
Kimberly Whitney

7:00 P.M. Regular Meeting

Call to Order

- Welcome and Introductions; Opening Remarks or Invocation; Pledge of Allegiance
 - Invocation was given by Commissioner Nicholas
 - Chairman Kohler led the Pledge of Allegiance

Liaison Report

Item: 1

Review and possibly approve the Work Meeting and Planning Commission Meeting of February 12, 2019.

Motion: Commissioner Ream: I move that we approve the Planning Commission meeting minutes of January 8, 2019.

Seconded: Commissioner McKeon:

Chairman Kohler: Any discussion the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners: Payne, Nicholas, Ream, Bouwhuis, McKeon

Nays: None

Motion: Passed

Item 2:

Midway City is proposing a code text amendment to the City's Land Use Code. The amendment would create standards for cul-de-sacs that may include maximum length and the number of dwellings allowed to access from a cul-de-sac. The proposed amendment would also adopt standards for existing nonconforming cul-de-sacs.

Planner Henke gave a presentation

Proposed Code

- Addresses
 - Cul-de-sac length
 - Number of units, trips per day
 - Development along existing public roads with only one access

Length Considerations

- Number of units
 - Nationally 21-28 is the average maximum
 - International Fire Code allows up to 30
- Traffic circulation
 - Longer cul-de-sacs may result in less through roads
- Number of traffic count trips per day
- Emergency services access
- Safety
- Connectivity
- Road maintenance
 - Snow removal
- Addressing and the ability of finding an address

Proposed Code

- **Cul-de-sac unit density.** Cul-de-sacs longer than 500' may provide access up to a maximum of 11 buildable lots. Cul-de-sacs 500' or less shall be allowed density in accordance with the frontage requirements of the applicable zone. Lots on cul-de-sacs greater than 500' in length must be deed restricted and noted on the plat so they can never be further subdivided. If the cul-de-sac ever becomes a through road the deed restrictions prohibiting further subdivision and the plat note may (at the discretion of the City Council) be removed through the plat amendment process.
- **Existing public roads exceeding 500' in length and lacking a second point of access.** Midway City currently has several roads that lead into canyon areas (i.e. Lime Canyon, Swiss Alpine Road, and 500 S.) These areas create safety problems because there is only one access/exit point into and out of the canyon. For safety purposes, proposed development along any of the above-mentioned roads shall be limited to existing frontage and may only be further subdivided as long as the proposal complies with the frontage requirements of the applicable zoning code. If a property owner desires to increase density by installing new city roads internal to a development within any of the

areas accessed by the above-mentioned roads, a secondary access/exit out of the canyon built by the developer to City standards will be required. This section shall not apply to Rural Preservation Subdivisions located within the areas accessed by the above-mentioned roads.

Public Hearing Comments Open

Brian Balls with Summit Commission: Is this why this is on the commission agenda today, because of the item that we have submitted for this meeting. Cul-de-sacs are a demand, prices increase and the value increases. Property tax value flows into the city coffers and generates more property taxes, even though the cost is less in creating the cul-de-sac. There is no magic bullet that it should be this or that after discussions from jurisdictions from all over. Wallsburg is 8 miles long and is one giant cul-de-sac. However, it is the fire marshal who is the ultimate hammer. The state allows 30 homes, but this is just the beginning of the discussion. We are looking for consideration and there is going to be other input points to be an active discussion.

Public Hearing Comments Closed

Commissioner Discussion:

Chairman Kolher asked if San Prex would have ever been approved under this new code? Michael Henke stated no. However, we did receive 110K from the developer for a future second point of access.

Fire district has a 1300-foot limit and the fire marshal has a 30-lot limit.

Kevin Payne is in support of the existing language.

Bill Ream: He likes them, if there is not anything that has been documented as an issue, cul-de-sacs is more of a rural feel than the grids like in Salt Lake City.

Motion: Commissioner Payne: I make a motion that we recommend approval of item #2, Midway City proposing a code text amendment to the cities land use code and that would create standards for cul-de-sacs that may include maximum lengths and the number of dwellings allowed to access the cul-de-sac. The proposed amendment would also adopt standards for existing nonconforming cul-de-sacs. The proposed text would be that which was presented by staff and accept the staff findings as listed in the staff report.

Seconded: Commissioner Nicholas

Chairman Kohler: Any discussion on the motion?

Chairman Kohler: All in favor.

Ayes: Commissioners: Payne, Nicholas, Bouwhuis, McKeon

Nays: Ream

Motion: Passed

Item 3:

Epic Engineering, agent for Michael LaBarge, is requesting final approval of a large-scale subdivision. The proposal is for a four-lot subdivision that is 4.2 acres in size. The property is located at 922 North Pine Canyon Road and is partially in the R-1-15 zone and partially in the R-1-22 zone.

Planner Henke gave a presentation

Land Use Summary

- R-1-15/R-1-22 zones
- 4.2 acres
- 4 lots
 - Lot 1 – 1.96 acres
 - Lot 2 – 0.51 acres
 - Lot 3 – 0.61 acres
 - Lot 4 – 0.63 acres

Proposed Recommendation

- 4.12-acre parcel
 - Area of lots
 - 3.71
 - Impervious area of 4 lots
 - 0.73 acres (4 x 8,000 sq. ft. = 32,000 sq. ft.)
 - Irrigated lot area
 - 2.98 acres
 - ROW - park strip
 - 0.13 acres
 - Total irrigated acreage
 - 3.11 (3 x 3.11) = 9.33-acre feet

4 culinary connections

- 4 x 0.8 = 3.2-acre feet
- 12.53-acre feet requirement

Possible Findings

- The proposed lot meets the minimum requirements for the R-1-15 and R-1-22 zoning districts.
- The proposal does meet the intent of the General Plan for the R-1-15 and R-1-22 zoning districts.
- The subdivision will contribute to the master trails plan by either building the bike lane along the frontage of the project or adding funds the general trails fund that will be used to help complete the master trails plan.

Recommended Conditions

- The property owned by Larry Brown is deeded to the City before the plat is recorded.
- Funds to build the bike lane along Pine Canyon Road are added to the general trails fund. Those funds will be used as part of a larger improvement project that will complete the bike lane along the entirety of Pine Canyon Road.

- A stub from the proposed cul-de-sac is built to access the Brown property to the south that will be used for agricultural access, and if the property is developed in the future, for a road connection to Pine Canyon Road.
- A deed restriction is recorded on lot 1 that in perpetuity restricts the lot from being further subdivided and a note is included on the plat that explains this limitation for lot 1.
- The owner of lot 1 will landscape and maintain the park strip along the south side of the road from lot 1 to the boundary of the Swiss Farms subdivision until the Brown parcel is developed.
- Two Midway Irrigation Company easements would be included on the plat map as described in the staff report.
- 100' setback is shown on the plat parallel Pine Canyon Road.
- All water will be turned over to the City as recommended by the Midway Water Advisory Board.

Mike LaBarge spoke about the easements, there was no irrigation and asked for proof regarding the code and was it just put in. This was not addressed before and before the preliminary approval. To add it to a condition versus a recommendation.

Open for Public Comment

None

Closed for Public Comment

Motion: Commissioner Nicholas: I move that we recommend final approval of the LaBarge Subdivision the final of a large-scale subdivision. The Proposal is for a four-lot subdivision that is 4.2 acres in size, located at 922 Pine Canyon Road and is partially in the R-1-15 zone and partially in the R-1-22 zone. We approve the staff report and staff findings and the recommended conditions listed in the staff report and that we also place the recommended conditions listed in the staff report and water board into this motion.

Seconded: Commissioner Ream

Chairman Kohler: Any discussion on the motion?

Chairman Kohler: All in favor.

Ayes: Commissioners: Payne, Nicholas, McKeon

Nays: Bouwhuis

Motion: Passed

Item 4:

Summit Engineering Group, agent for Devco Homes, is requesting preliminary approval of a large-scale subdivision. The proposal is for a 16-lot subdivision that is 10.03 acres in size. The property is located at 800 East Main Street and is in the R-1-15 zone.

Planner Henke gave a presentation

Land Use Summary

- R-1-15 zone
- 10.03 acres
- 16 lots
- 2.51 acres of open space

- Allows frontage and acreage to reduce by 10%
- Frontage on a new cul-de-sac to be built in the subdivision
- The lots will connect to the Midway Sanitation District sewer, Midway City's culinary water line, and Midway Irrigation Company's secondary water line

Points of Discussion

- Access
- Density
- Proportional frontage reduction
- Midway Irrigation Company Easement
- Sensitive lands
- Geotechnical report
- Cul-de-sac length
- Common area and private amenities
- Stub road

Water Board

- Scheduled for Water Board review on March 4th, 2019

Possible Findings

- The proposed lots meet the minimum requirements for the R-1-15 zoning district
- The proposal does meet the intent of the General Plan for the R-1-15 zoning district
- The proposal does exceed the maximum street length of 500' but does include a stub road that will allow for future connectivity.

Recommended Conditions

- A sign is required at the end of the stub road noticing future property owners that the road will continue to the next property and a note is included on the plat to the same effect.
- Draft codes covenants and restrictions is submitted with the application for final approval that will form the HOA and have a maintenance plan for the common area and amenities.
- The developer will work with the post office to find a location, out of the sight visibility triangle, for the Cluster Box Unit that will service the subdivision and submit that plan with the application for final approval.
- An agreement must be reached with Hylton Haueter in which he agrees to connect to the proposed stub road once he develops his property.

Staff and Commissioner Discussion:

Open space discussion, they are over 10 % of the 15 % required

Ponds are not considered sensitive lands

There was a discussion that the pond area could become a public pond and park.

Rob Bouwhuis was concerned about the new code regarding the cul-de-sac code change.

Kevin Payne: We cannot allow the new code to be part of this discussion regarding this proposal as it came in before the new code was recommended.

Brian Balls with Summit Engineering stated: The property is on the far east edge of the city
The property is sandwiched in and is limiting in points of access.

The stub road is where it is which is as close as it could be near the master plan road.

The discussions are moving forward with the owner Hylton Haueter regarding access and the proposed road on the Master plan.

Irrigation is hopefully to be piped north directly to the pond and it looks like the best solution to work with everyone.

The mail box issue will be dealt with before we come to final.

Access to the pond, the map does not show it, but the city park parking lot is sitting directly at the beginning of the cul-de-sac and is only 800 feet to the pond.

If the city does not pick up the park to become public than the homeowners will most likely remain a private park.

Notice regarding a temporary turnaround as opposed to a cul-de-sac. A sign on the plat.
Agreement or by practice, need more time and are dedicated to work through.

Ream stated that it would be very nice to have the trail go along the pond and use the park as a trail head.

John from Devco Homes:

Create an atmosphere that all the neighborhood could enjoy the pond, we created a pier for fishing and benches on the back side to create a nice.

If the park remains private than the stub road is not optimal, which is why the pond being public would be optimal.

The commission loves the pond, but the question came up regarding controlling half the pond.

Kevin Payne stated that the code as written gives no leeway regarding the pond and its potential

Ron Sprattling the past owner of the property stated: That the home is vacant, and they have always wanted to develop the property.

If there is a way to help lot 8 and open the view to the pond. Possible to create an easement and have the HOA maintain or the City (if it was a public park) and still meet the requirements for frontage.

Chairman Kolher stated that we swallow the that the density has not been reduced as an observation.

Kevin Payne stated to get rid of the stub road and would be willing that the lots be moved down and create more open space at the pond area.

Bill Ream stated that he likes the idea Payne presented.

Brian Balls: The required space is 15% and we increased the open space by 10 more, so the density is over what is required. Is open to looking at opening up more open space at the pond in replacement for the stub road.

The cost of the stub road installation is about 130k to create.

John: has no problem eliminating the stub road and creating more open space at the pond

Motion: Commissioner Bouwhuis: I move to recommend that we approve the preliminary approval of the large-scale subdivision Hidden Haven. The proposal is for a 16-lot subdivision that is 10.03 acres in size. The property is located at 800 East Main Street and is in the R-1-15 zone. And that we accept the findings from the staff report and that we apply all of the recommended conditions that are indicated 1 through 4.

Seconded: Commissioner Ream

Chairman Kohler: Any discussion on the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners: Payne, Nicholas, Ream, Bouwhuis, McKeon

Nays: None

Motion: Passed

Item 4:

Adjournment

Motion: Commissioner Ream

9:40 pm



Chairman – Jim Kohler



Admin. Assistant – Melannie Egan