

Midway City Council  
5 March 2019  
Regular Meeting

Hidden Haven Subdivision /  
Preliminary Approval



## CITY COUNCIL MEETING STAFF REPORT

**DATE OF MEETING:** March 5, 2019

**NAME OF PROJECT:** Hidden Haven Subdivision

**NAME OF APPLICANT:** Devco Homes

**NAME OF OWNER:** Spratling Limited LP

**AGENDA ITEM:** Preliminary Approval

**LOCATION OF ITEM:** 800 East Main

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

### **ITEM: 6**

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.

### **BACKGROUND:**

This request is for preliminary approval of a large-scale subdivision on 10.03 acres and will contain 16 lots. All the proposed lots would obtain frontage from a new cul-de-sac and stub road that would be built in the subdivision. The property is unique in the fact that a pond covers about two acres. The area of the pond will be used as part of the required open space. There is an existing dwelling on the property that will be demolished if the subdivision is approved. The proposed plan includes a private park that will be maintained and owned, in common, by the property owners of the subdivision. The private park includes a tot lot, pavilion, boardwalk, fishing pier, benches and landscaping. The property is in the R-1-15 zoning district and the lots do comply with the minimum requirements of frontage, width and acreage for lots in these zones.

## LAND USE SUMMARY:

- 10.03-acre parcel
- R-1-15 zone
- Proposal contains 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

## ANALYSIS:

*Access* – Access for all the proposed lots in the subdivision will obtain frontage from a new cul-de-sac that that will be built in the subdivision. There is a proposed stub road that will create two corner lots. The new roads will be public roads that will be owned and maintained by the City

*Density* – The proposed density of the subdivision appears to be the maximum allowed based on the shape and special features contained on the property, such as, the pond.

*Proportional reduction of frontage* – All the proposed lots have an allowed reduction of frontage. The frontage reduction is based on the percentage of open space provided. Lot frontage and acreage may be reduced by the percent of open space provided over the 15% required. In this case the developer is providing 25.1% which allows for a frontage reduction of 10'. Therefore, all lots in the subdivision have a 90' minimum frontage requirement.

*Cul-de-sac length* – The length of the proposed cul-de-sac will be greater than the 500' limit that is found in the City construction standards manual. The proposed length is about 800'. The developer has included a stub road to the Hylton Haueter property to the west where a future roadway may be built. Once the Haueter property is developed, the stub road will connect and the cul-de-sac in the subdivision will be less than the 500' limit. This is similar, in some respects, to other temporary cul-de-sacs that have been approved such as Sunflower Lane, Farm Springs Lane, 300 East in the Deer Creek Estates, and the cul-de-sac in the LaBarge subdivision, to name some examples. For this plan to work, an agreement must be reached with Hylton

Haueter in which he agrees to connect to the proposed stub road once he develops his property.

*Water Connection* – The lots will connect to the City’s water line located under Main Street.

*Sewer Connection* – The lot will connect to Midway Sanitations District’s line located in the area.

*Secondary Water Connection* – The lots will connect to Midway Irrigation Company’s secondary which is already servicing the property. A lateral will be created for all lots. Secondary water meters are also required for each lot.

*Midway Irrigation Company Easement* – Midway Irrigation Company has a prescriptive easement for the ditch the runs along the northwest area of the proposed development. The ditch runs through the property and enters the pond. The developer is working with the Irrigation to reroute the ditch and possibly pipe the ditch. An easement will need to be included on the plat wherever the final route of the ditch is located.

*Sensitive Lands* – As mentioned earlier in the report, a pond covers just less than two acres of the property. There does not appear to be any other sensitive lands on the property.

*Geotechnical Report* – The developer has submitted a geotechnical report to the City which arrived at the following conclusions:

1. Up to two feet of topsoil on the surface of the site, which will require removal beneath structures;
2. Tufa (pot rock) encountered at depths of 1.5 to 6 feet below the surface;
3. Groundwater not encountered;
4. Foundations and floor slabs may be place on suitable, undisturbed natural sand soils or on property placed and compacted structural fill extending to suitable, undisturbed natural sand soils or Tufa rock.

*Stub road services and turnaround* – All lots in the proposal have frontage on the cul-de-sac and can be accessed from that road. Two lots in the subdivision will be corner lots and will have access on the stub road. The City will not require a temporary turnaround on the stub road because the two corner lots have access on the cul-de-sac. Because the stub road will not have a turnaround and because there is access in the cul-de-sac the City will not provide services on the stub road which includes snow plowing and garbage receptacle service. The owners of lots 10 and 11 will need place their trash receptacles at the curb on the cul-de-sac. If a future owner wishes to place a driveway and access from the stub road it will be the lots owner’s responsibility to plow the stub road until the stub becomes a through road when the property to the west is developed. A note on the plat will be required which will state the following:

*Until such time as (name of the stub road) extends to the west, Midway City and Wasatch County will not provide any services including snow removal and garbage pickup to the section of said street between 800 East and the west boundary of this plat. If the future homes on lots 10 and 11 front on (name of stub road), those property owners will be responsible for their own snow removal and trash receptacles will need to be placed on 800 East to facilitate pickup.*

Many times, when people purchase property in a subdivision that has a stub road, they feel that they are purchasing property on a cul-de-sac that will never be extended to the next property even though the pavement is to the property line. This becomes an interesting discussion in future years when the property next to the stub road is pursuing approvals and the people that have purchased in the subdivision with the stub road oppose the connection claiming they understood they had purchased a lot in a subdivision that would never connect to another subdivision. Staff is proposing that a sign is placed at the end of the stub road that clearly states the stub road will connect to the next property when that property is developed. Staff has found that other cities have this policy and feel that it should help people understand neighborhood connectivity will happen as properties develop. The Midway City General Plan promotes neighborhood connectivity for several reasons and states the following:

*Neighborhood connectivity is important for local traffic and for emergency response and should be considered for all new development. Neighborhood connectivity will allow local traffic to use local streets and through traffic to use the collector roads which will allow traffic to be the safest and most efficient.*

*Common area and private amenities* – The proposal includes a landscape plan with amenities. The amenities include a tot lot, pavilion, boardwalk with fishing pier, benches, landscaping, and entry feature. A Homeowners' Association is required for maintenance of the open space and amenities. All landscaping and amenities will need to be included in the construction bond (if needed) and warranty bond.

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

This item is scheduled to be heard by the Water Board on March 4, 2019.

#### **PLANNING COMMISSION RECOMMENDATION:**

**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

#### **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.

#### **ALTERNATIVE ACTIONS:**

1. Approval (conditional). This action can be taken if the City Council feels that conditions placed on the approval can resolve any outstanding issues.
  - a. Accept staff report
  - b. List accepted findings
  - c. Place condition(s)
2. Continuance. This action can be taken if the City Council feels that there are unresolved issues.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for continuance
    - i. Unresolved issues that must be addressed
  - d. Date when the item will be heard again

3. Denial. This action can be taken if the City Council feels that the request does not meet the intent of the ordinance.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for denial

**RECOMMENDED CONDITIONS:**

1. 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.
2. 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.
3. 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.
4. An agreement must be reached with Hylton Haueter in which he agrees to connect to the proposed stub road once he develops his property.

February 12, 2019

Midway City  
Attn: Michael Henke  
75 North 100 West  
Midway, Utah 84049

Subject: **Hidden Haven Subdivision – Preliminary Review**

Dear Michael:

Horrocks Engineers recently reviewed the Submitted Plan for the Hidden Haven Subdivision. The following issues should be addressed.

**General Comments**

- The subdivision is located at approximately 800 East, East Main Street. The proposed development consists of sixteen lots.
- A geotechnical report should be submitted.

**Water**

- An 8-inch water line will provide water to the subdivision. This water line will connect to the existing 8-inch water line within East Main Street.

**Roads**

- The subdivision is proposing to install a cul-de-sac that exceeds the Construction Standard Limits of 500'. However, within the cul-de-sac is a road stubbed Haueter property, providing a second point of access. Prior to approval an agreement should be recorded indicating the Haueter's intent to extend the road in the future to a through road.
- The plat should have a note indicating no public services will be provided on the stub road until it is extended and connected to a through road.
- The roadway cross-section within the proposed subdivision should provide the standard roadway cross-section with a 56' right-of-way. This cross-section should have a 5' sidewalk, a 5' park strip, with the standard modified curb & gutter.
- The road within this subdivision will be a public road.

**Trails:**

- No trails are planned for the proposed subdivision, however, sidewalks will be installed.

**Storm Drain**

- Final plans will show the design of the public storm drain system.

Please feel free to call our office with any questions.

Sincerely,  
HORROCKS ENGINEERS

  
Wesley Johnson, P.E.  
City Engineer

cc: Summit Engineering Group



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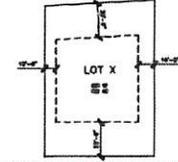
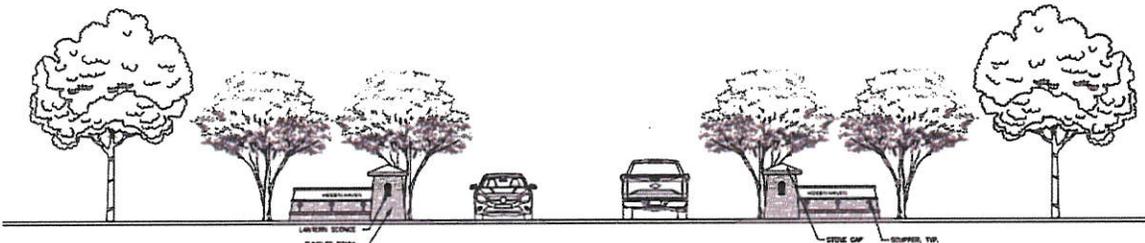
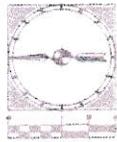
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Hamlet Cir N

N Johnson Mill Rd

S Johnson's Mill Rd





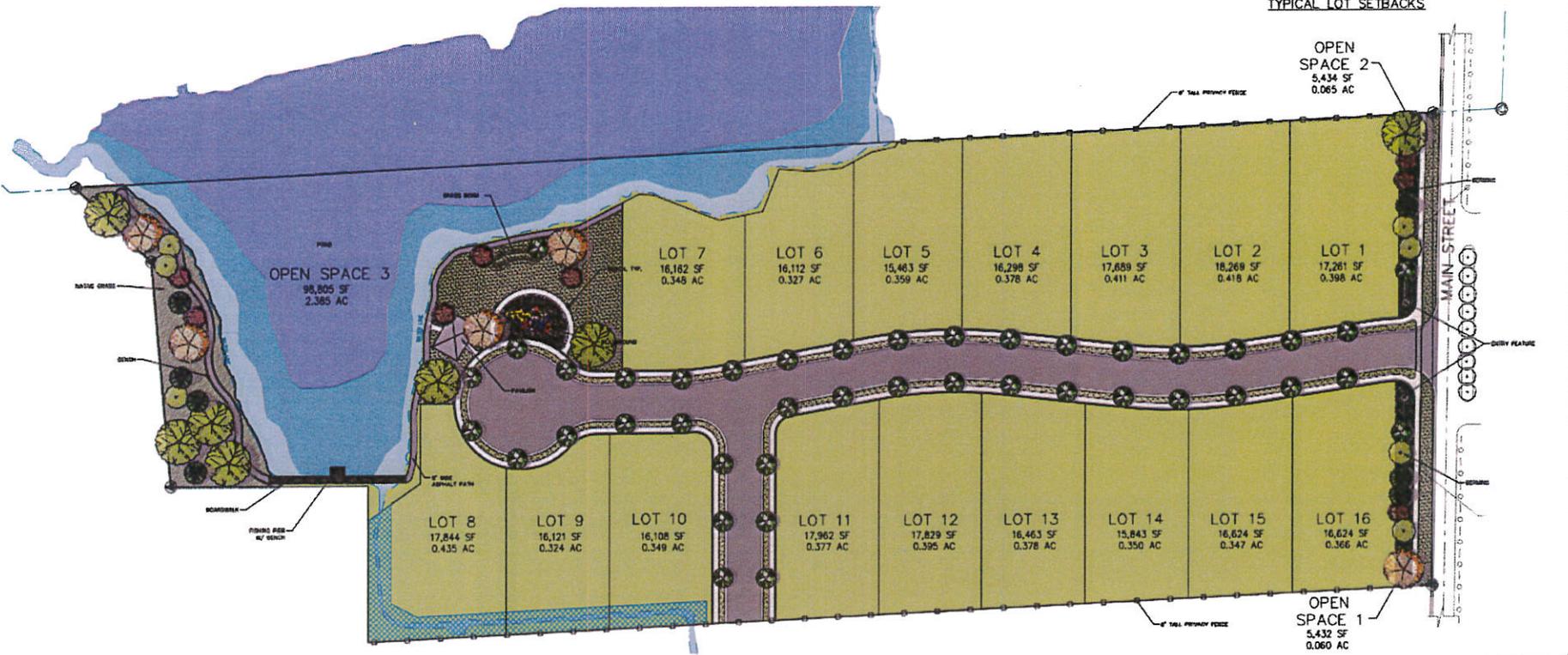
**FRONT SETBACK** - ALL BUILDINGS AND STRUCTURES SHALL BE SET BACK AT LEAST 20 FEET FROM THE FRONT LOT LINE OR PROJECTED FRONT BOUNDARY LINE.

**SIDE SETBACK** - ALL BUILDINGS SHALL BE SET BACK FROM THE SIDE PROPERTY LINE A DISTANCE OF AT LEAST 10 FEET, AND THE SIDE SETBACK OF THE 3' SIDE BOUNDARY SHALL BE AT LEAST 10 FEET. THE EXCESSIVE SIDE SETBACK FOR ACCESSORY BUILDINGS SHALL BE THE SAME AS FOR MAIN BUILDINGS, EXCEPT THAT A 5-FEET SIDE SETBACK SHALL BE REQUIRED FOR ACCESSORY BUILDINGS WITH AN LOCATED MORE THAN 10 FEET FROM THE FRONT LOT LINE AND AT LEAST 10 FEET TO THE REAR OF ANY BUILDING ON ADJACENT LOTS. THE SIDE SETBACK FROM ANY STREET SHALL NOT BE LESS THAN 10 FEET FOR MAIN BLDG AND ACCESSORY BUILDINGS.

**REAR SETBACK** - FOR LOT 16 ONLY, ALL BUILDINGS AND OTHER MAIN BUILDINGS SHALL BE SET BACK FROM THE REAR PROPERTY LINE A DISTANCE OF AT LEAST 10 FEET. NECESSARY SETBACKS TO OTHER LOTS SHALL BE 10 FEET NOT LESS THAN 10 FEET FROM THE REAR PROPERTY LINE. EXCEPT FOR A 5-FEET REAR SETBACK SHALL BE PROVIDED FOR ACCESSORY BUILDINGS WITHIN THE RESPECTIVE BOUNDARIES OF THE BOUNDARY LINE. FOR OTHER LOTS, ALL BUILDINGS AND OTHER MAIN BUILDINGS SHALL BE SET BACK FROM THE REAR PROPERTY LINE A DISTANCE OF AT LEAST 10 FEET. EXCEPT FOR THE BUILDING HAVING AN REARING CHANGE IN CORNER TO 15 FEET, MAIN BLDG. SHALL NOT BE SET BACK FROM THE REAR PROPERTY LINE A DISTANCE OF AT LEAST 10 FEET. ACCESSORY BUILDINGS TO OTHER LOTS SHALL BE SET BACK FROM THE REAR PROPERTY LINE A DISTANCE OF AT LEAST 10 FEET.

POSSIBLE ENTRY

TYPICAL LOT SETBACKS



PROJECT C18-048	PREPARED FOR DEVCO HOMES	PRELIMINARY PLAT/LANDSCAPE PLAN	LOCATED IN THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 9 EAST, UTMZ	CONTRACT NO. 2017	
SHEET 3	PROJECT HIDDEN HAVEN			REVISED BY BND	
			WASATCH COUNTY, UTAH		