

Midway City Council  
3 September 2019  
Regular Meeting

Watts Remund Farms PUD /  
Master Plan Amendment



## CITY COUNCIL MEETING STAFF REPORT

**DATE OF MEETING:** September 3, 2019

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

**NAME OF APPLICANT:** Russ Watts – Watts Enterprises

**AGENDA ITEM:** Master Plan Amendment

**LOCATION OF ITEM:** 200 East 600 North

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

### **ITEM: 6**

Berg Engineering, agent for Watts Enterprises, is requesting a Master Plan amendment of Watts Remund Farms which includes three phases. The proposal is to replace the three phases with eight phases. The number of units, location of units, location of open space and roads do not change with this amendment. Only new phase lines are being proposed except for an adjust to unit 84 and its driveway. The developer is also proposing to add 37 limited common areas behind some of the units. The property is located at 200 East 600 North and is in the R-1-15 zone.

### **BACKGROUND:**

Paul Berg is proposing Master Plan amendment of Remund Farms Planned Unit Development (PUD) which would replace the existing master plan that was approved on March 28, 2018. The applicant is proposing three changes from the approved plan. The first is to replace phases 2 and 3 into seven phases which would bring the total number of phases in the master plan to eight. The second is to add 37 limited common areas behind some of the building pads. The third is to adjust the driveway and dimensions of building pad 84.

According to the Watts Remund Farms PUD development agreement under Section 5, the agreement may only be amended by mutual consent. Therefore, the City has no obligation to allow the developer to change the approved master plan or master plan agreement.

The Land Use Code requires that a Master Plan request must demonstrate that approval of the project in multiple phases can occur such that the project can still function autonomously if subsequent phases are not completed. Therefore, the Master Plan application must demonstrate that sufficient property, water rights, roads, sensitive lands protection, and open space are proposed with each phase to allow the project to function without subsequent phases.

#### **LAND USE SUMMARY:**

- 50.76 acres
- R-1-15 zoning
- Proposal contains 96 building pads (PUD)
- Proposal contains 1 lot (standard subdivision)
- Three phases
  - Phase I – 39 units (1 lot, 38 pads)
  - Phase II – 37 units (37 pads)
  - Phase II – 21 units (21 pads)
- Private roads maintained by the HOA
- The lots will connect to the Midway Sanitation District sewer and to the City's water line.
- Sensitive lands of the property include wetlands, springs, stream corridors, high water table, and wildlife habitat

#### **ANALYSIS:**

*Open Space* – The code requires that with each phase that is approved there is enough open space to comply with the requirements of the code. For example, phase I must have at least 50% open space for that particular phase. If phase I has 75% open space, then phase II only needs to have 25% open space if both phases are equal in acreage.

The applicant has provided an amended open space phasing plan and the proposed plan does comply with the open space requirements.

*Water* – Water rights for each phase are required to be dedicated to the City before the recording of each plat. The Water Board will review and recommend the amount of water rights that are required for each phase. Currently there is a calculation and Water Board recommendation for water requirements for phases 2 and 3. If the amendment is approved then the developer will need to return to the Water Board and receive a recommendation for each of the seven phases.

*Traffic circulation* – The proposed master plan amendment will not change the layout of any of the roads. The proposed amendment would allow the construction of the roads in five construction periods instead of three. The proposed plan does comply with traffic circulation requirements and cul-de-sac lengths that are allowed by the code.

*Sensitive lands protection* – The proposed amendments do not encroach in the delineated wetlands.

*Additional limited common areas* – The proposal is to add limited common areas to 37 of the pads. In the approved master plan the area around the units is all common area except for the driveways. This proposal would add a 12' deep limited common areas to some of the units that would allow a roofless deck, garden, hot tub, fire pit, etc. or other nonstructural improvement in these limited common areas. Pads that do not have a limited common area would not have the ability to have some of these improvements. Decks with roofs, pergolas, additions to the dwelling or any other structure would not be allowed in the limited common area because of Section 16.16.8 (A)(7) which does not allow structures outside of the building pads in PUDs.

*Pad 84 amendments* – The applicant is proposing to amend the dimension of pad 84 and the driveway access to the unit. The current dimensions of the pad are 55' x 60' and the proposed dimensions are 70' x 55'. The overall area of the pad will increase by 550 sq. ft. The driveway modification would change the driveway from accessing the west side of the pad to the north side of the pad.

*Additional phases* – The proposed amendment would increase the number of phases in the development from three to eight and eight plats would be recorded, one per phase. Two of the phases are small in that one has three pads, and another has four pads. This change does create some advantages to the developer such as tax benefits. The developer will pay full taxes on each phase when the plat is recorded. Increasing the number of plats will delay paying as much for taxes per phase as compared to the approved master plan. Creating more plats also reduces developmental risk. If there is an economic downturn after a plat is recorded, then those lots will most likely not sell for some years. The developer will pay taxes on all pads in the phases but if the phases have less units then taxes are less.

There are some impacts for staff that should be considered. The first is this change will add more work for staff and increase the number of public meetings before the Planning Commission and the City Council. Instead of reviewing three plats for Remund Farms PUD there will be eight plats. Each plat would need to be reviewed by planning department, city recorder, county surveyor, and then the city recorder's office would need to gather all those who sign the plats which is a time-consuming process that usually takes a few weeks. Regarding the number of public meetings that will increase; the current three phase master plan generates at a minimum 12 public meetings, six for the Planning Commission and six for the City Council. The proposed amendment would increase that number to 32 public meetings. The Water Board will most likely have more meetings with the phases of this master plan on their agenda. Staff feels the City may want to consider requiring a minimum number of lots/units per phase in a phased development to avoid an excessive number of meetings and time required for each phase.

**PLANNING COMMISSION RECOMMENDATION:**

**Motion:** Commissioner Streeter: I make a motion that we approve the proposed Master Plan amendment 1 and 2 of Remund Farms, to add limited common areas behind 37 units and that each limited common area is 12' deep, and that we adjust the pad dimensions and driveway of unit 84 to 55x70 feet from the current of 55x60 feet. Also, to remove the private trail that runs south from lot 84 to 87.

**Seconded:** Commissioner O'Toole

**Chairman Kohler:** Any discussion the motion?

**There was none**

**Chairman Kohler:** All in favor.

**Ayes:** Commissioners: Streeter, Payne, Ream, Nicholas, O'Toole, Bouwhuis

**Nays:** None

**Motion: Passed**

**Motion:** Commissioner Ream: I move that we approve the proposed master plan amendment 3 changing the number of phases from 3 to 6 by combining 3a, 3b and 3c into one phase. Accept staff findings and one condition of recording all the phases with sequential numbering from 1 to 6.

**Seconded:** Commissioner Payne

**Chairman Kohler:** Any discussion the motion?

**There was none**

**Chairman Kohler:** All in favor.

**Ayes:** Commissioners: Payne Ream, Nicholas, O'Toole, Bouwhuis

**Nays:** Streeter

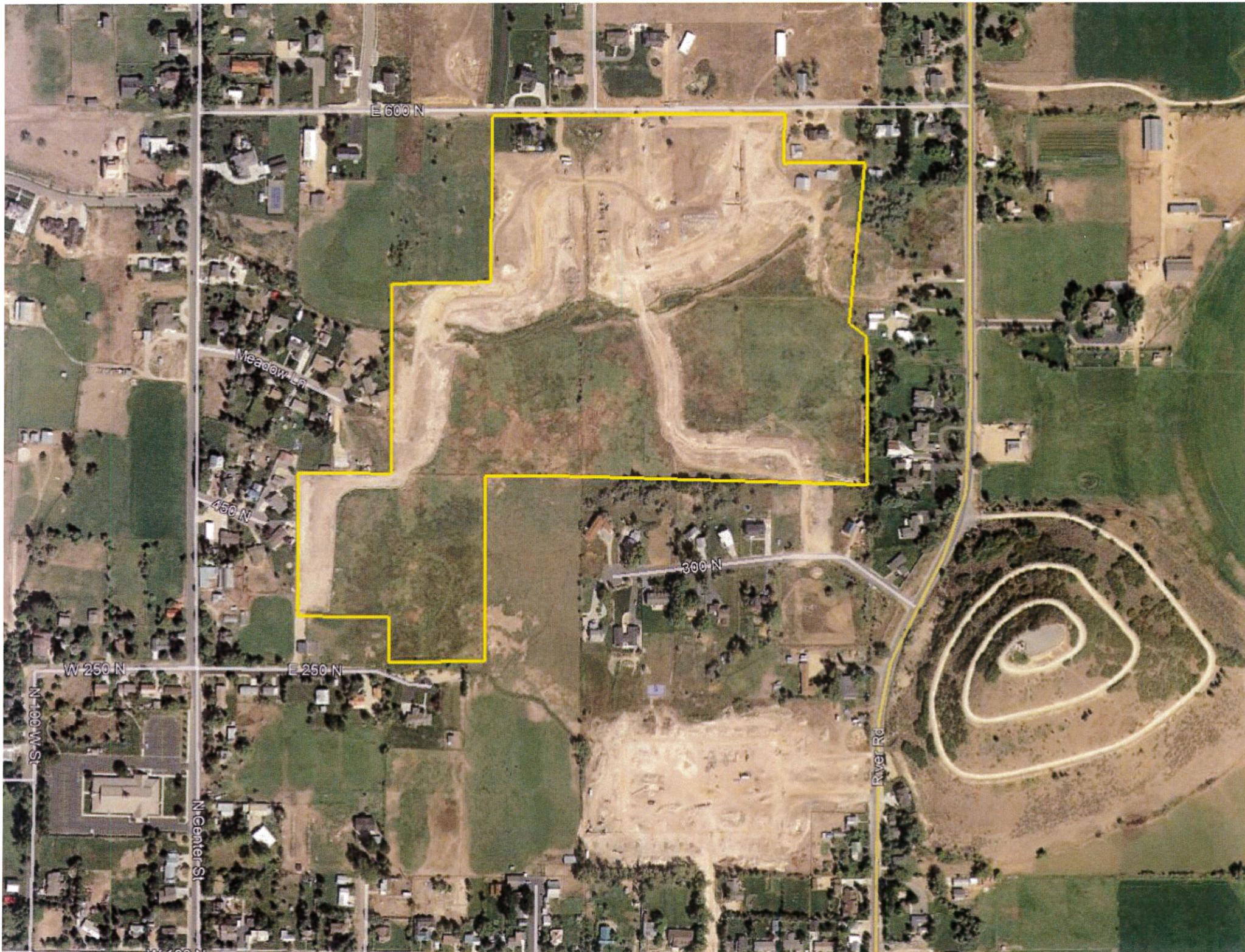
**Motion: Passed**

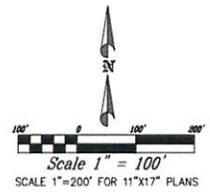
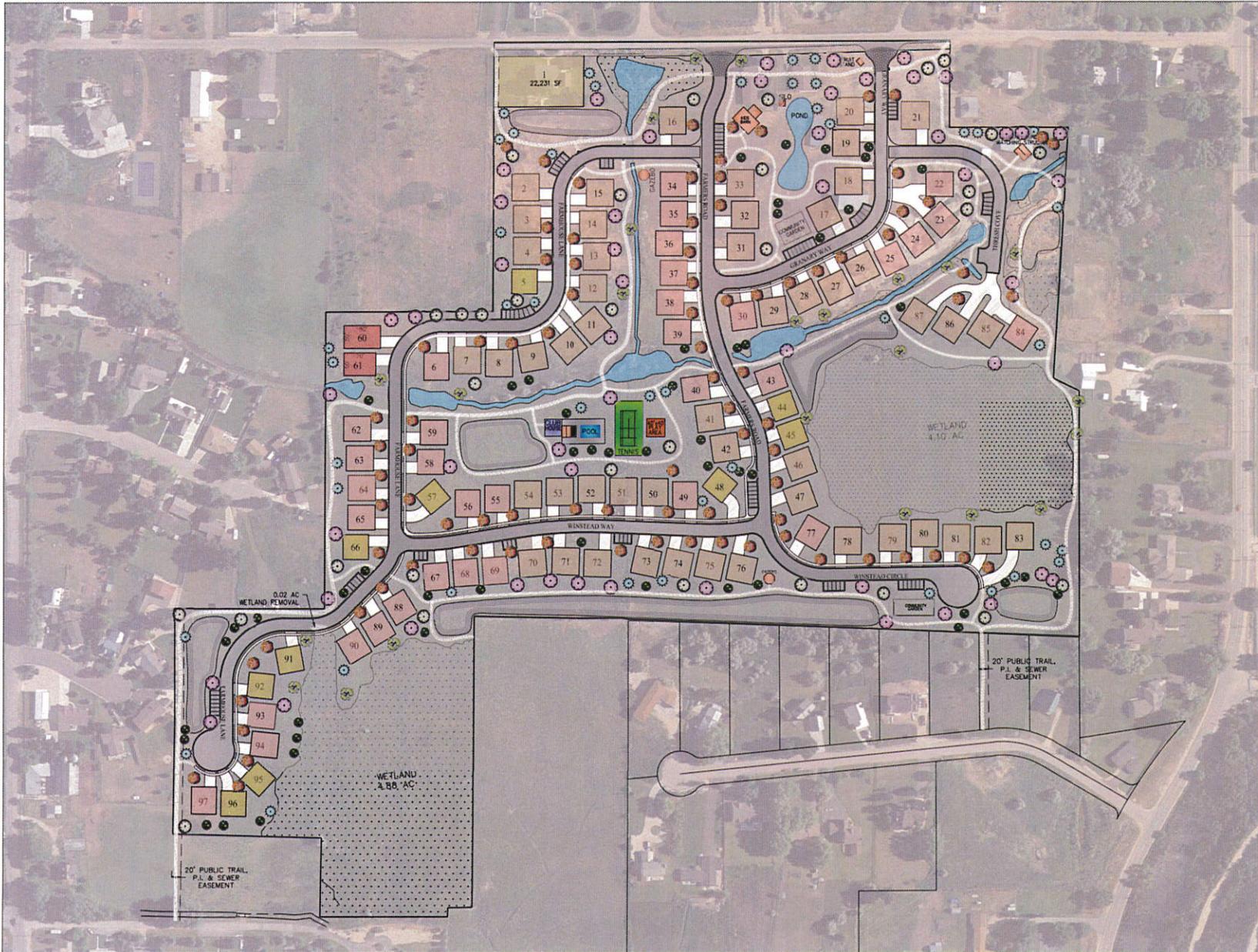
**PROPOSED FINDINGS:**

- The proposed master plan appears to meet the requirements of the code
- The number of phases will increase from three to eight
- The approval of additional phases will increase the number of public meetings and the amount of administrative time required to process the additional phases
- Amending the master plan is discretionary and the City is under no obligation to approve the proposal even if it complies with the land use code

**PROPOSED CONDITIONS:**

Staff has no recommended conditions.





- LEGEND:**
- WETLANDS
  - TRAIL
  - IMPROVED DITCH

**LAND USE SUMMARY**

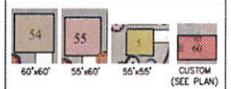
ZONE	R-1-15
TOTAL AREA	50.87 AC
PUD AREA	50.36 AC
SUBDIVISION AREA	0.51 AC
SUBDIVISION LOTS	1 LOT (REMAIN EX. HOME)
PUD UNITS	96 UNITS
TOTAL UNITS	97 TOTAL UNITS

**DENSITY**  
 ONSITE OPEN SPACE 28.36 AC (55.72% OF ENTIRE)  
 OFFSITE OPEN SPACE 1.32 AC (2.59%)  
 TOTAL OPEN SPACE 29.68 AC (58.34% OF ENTIRE)  
 (50% REQUIRED)

**PUD DENSITY CALCULATIONS**  
 TOTAL PUD AREA 50.36 ACRES  
 WETLAND AND 25' BUFFER 13.39 ACRES  
 DENSITY FOR R-1-15 ZONE: 2.50 UNITS/ACRE  
 DENSITY FOR WETLANDS AND 25' BUFFER: 0.10 UNITS/ACRE  
 $2.50(50.36 - 13.39) + 13.39(0.10) = 93.74$

ALLOWED PUD UNITS FOR THE PROPERTY 93.74  
 UNITS FOR OFFSITE OPEN SPACE TRANSFER 2.26  
 TOTAL PUD UNITS ALLOWED FOR PROJECT 96.00

\*SEE OFFSITE OPEN SPACE TRANSFER APPROVAL FROM MIDWAY CITY COUNCIL. MAXIMUM OF 97 UNITS ALLOWED FOR THE DEVELOPMENT.



**MIDWAY CITY CODE EXCEPTIONS NOTE:**  
 THIS PLAN IS BASED ON THE FOLLOWING EXCEPTIONS ALLOWED IN CITY CODE:  
 -CUL-DE-SAC LONGER THAN 500 FEET WITH CITY COUNCIL APPROVAL  
 -WETLAND SETBACKS WITH CITY ENGINEER APPROVAL

THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.  
 PAUL D. BERG, P.E.  
 SERIAL NO. 285560  
 DATE: 18 APRIL 2018

WATTS ENTERPRISES  
 REMUND FARMS

SITE MASTER PLAN

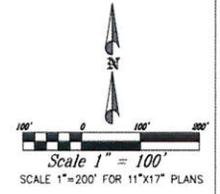
BERG ENGINEERING  
 Resource Group P.C.  
 380 E Main St, Suite 204,  
 Midway, IA 50449  
 ph: (435) 657-9749

DESIGN BY: PDB  
 DRAWN BY: CNB

DATE: 19 APRIL 2018  
 REV:

SHEET 3





**LEGEND**

	WETLANDS	
	PHASING	UNITS
	PHASE 1	1-39
	(15.96 AC)	
	PHASE 2	40-76
	(12.94 AC)	
	PHASE 3	77-97
	(21.98 AC)	



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PAUL D. BERG, P.E.  
 SERIAL NO. 205595  
 DATE: 19 APRIL 2018

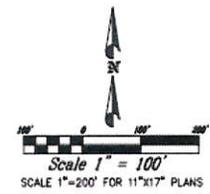
WATTS ENTERPRISES  
 REMUND FARMS

PHASING MASTER PLAN

 **ENGINEERING**  
 RESOURCE GROUP P.C.  
 380 E Main St, Suite 204  
 Madison, WI 53704  
 ph (478) 657-9749

DESIGN BY: PDR DATE: 19 APRIL 2018 SHEET  
 DRAWN BY: CNB REV: \_\_\_\_\_ 4

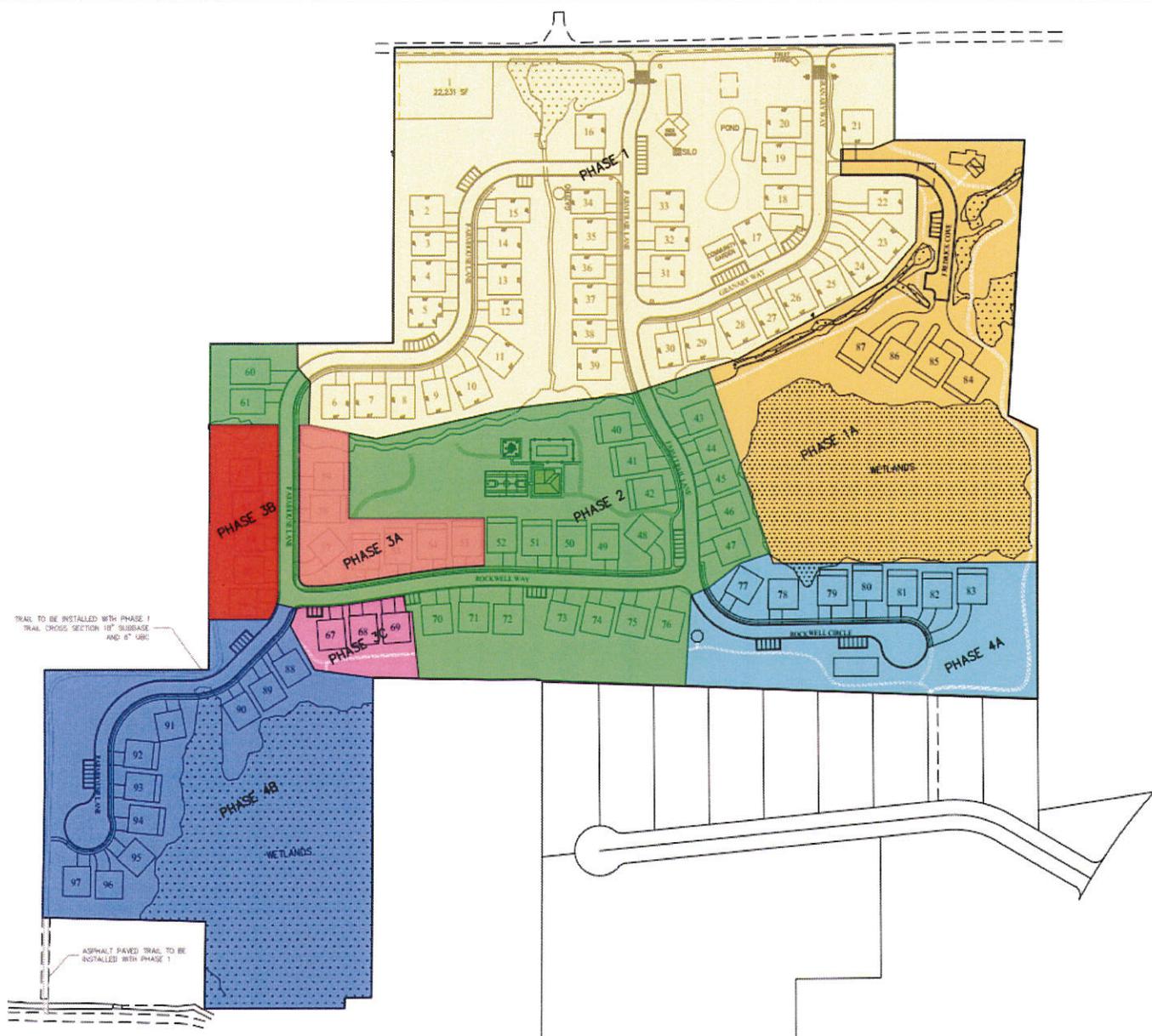




LEGEND

PHASING	AREA	UNITS
	PHASE 1	15.96 ACRES 1-39
	PHASE 1A	8.53 ACRES 84-87
	PHASE 2	9.53 ACRES 40-52 & 60-61 & 70-76
	PHASE 3A	1.40 ACRES 53-59
	PHASE 3B	1.22 ACRES 62-66
	PHASE 3C	0.76 ACRES 67-69
	PHASE 4A	4.13 ACRES 77-83
	PHASE 4B	9.34 ACRES 85-97

WETLANDS



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 CHA. A. BESS, P.E.  
 SERIAL NO. 200095  
 DATE: 11 JULY 2019

WATTS ENTERPRISES  
 REMUND FARMS  
 AMENDED PHASING PLAN

**ENGINEERING**  
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DESIGN BY: PDB DATE: 11 JUL 2019 SHEET: 4  
 DRAWN BY: CNB REV:

# REMUND FARMS PAD 84

