

Midway City Council
5 February 2019
Regular Meeting

Swiss Creek PUD, Plat "A" /
Amendment



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: February 5, 2019

NAME OF PROJECT: Swiss Creek PUD

NAME OF APPLICANT: Fastbreak Management LLC

AGENDA ITEM: Plat Amendment of Swiss Creek PUD Plat "A" 4th Amendment

LOCATION: 570 North Mountain Springs Drive

ZONING DESIGNATION: R-1-15

STAFF COMMENTS:

ITEM: 8

Paul Berg, agent for Fastbreak Management LLC, is proposing a plat amendment of the Swiss Creek PUD Plat "A" 4th amendment. They are proposing to remove six attached units and replace them with three single-family detached units. The property is located at 570 North Mountain Springs Drive and is in the R-1-15 zone.

BACKGROUND:

Paul Berg, agent for Fastbreak Management LLC, is proposing a plat amendment to the Swiss Creek Planned Unit Development (PUD) located at 570 North Mountain Springs Drive. The recorded plat contains 12 building pads, two lots, private road, and common area that is mostly part of the Crater Springs Golf Course. The Swiss Creeks PUD has been amended three times, with most recent plat being recorded on August 21, 2007. One dwelling was built on a lot and six of the possible 12 building pads have been constructed upon. The 12 building pads are grouped into four three-unit condominiums. The developer is proposing to remove the two triplexes and replace them with three detached building pads for single-family residences. Overall the density in the PUD will reduce from 14 to 11.

There are some positive aspects to the proposal that have been discovered and include the following: With the density decrease of three units the potential reduction in potential traffic is almost 30 trips per day so the potential traffic in the area will most likely be less if the proposed plat amendment is approved. There are also two new visitor parking spaces that will be added with the plat amendment. The proposed amendment does not encroach on the open space on the current plat and it also does not encroach on the golf course easement.

The only identified potential negative impact is the overall pool of members in the Home Owners' Association (HOA) will decrease by three. The HOA is responsible for plowing the road, maintaining the road, and maintaining the open space. Normally the larger the pool of members, the healthier the HOA is because it can absorb the loss better if members do not pay their fees.

Another concern is the existing water and sewer laterals. The City requires that all water laterals are not located under driveway areas. This is because the ground under driveways is colder during the winter because there is not an insulating cover of snow. The developer is aware of this issue and will need to supply the City with construction drawings with driveway and lateral locations. The laterals that are in place now that will be vacated will need to be capped at the main under the direction of the City Engineer.

This item was noticed in the local newspaper for two weeks, letters will be sent to all property owners in the plat and within 600' of the plat for the public hearing before the City Council, and a public notice will be posted on-site for the public hearing.

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. This proposal seems to help reach those two goals by reducing the number of dwellings that will be built in the PUD. Lowering the density reduces the impact of development on the community by reducing potential services required by a developed lot, traffic (on average about ten trips per day) and potential impact on the school district.

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

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Payne: I motion that we approve the proposed plat A, 2nd amendment, the Swiss Creek PUD that would remove the six attached units and replacing them with three

single family detached units. The property is located at 570 North Mountain Springs Drive and is in the R-1-15 zone. And, that we accept staff findings.

Seconded: Commissioner O'Toole

Chairman Kohler: Any discussion on the motion?

Chairman Kohler: All in favor.

Ayes: Commissioners: O-Toole, Payne, Nicholas, Ream, Bouwhuis, Whitney

Nays: None

Motion: Passed

PROPOSED FINDINGS:

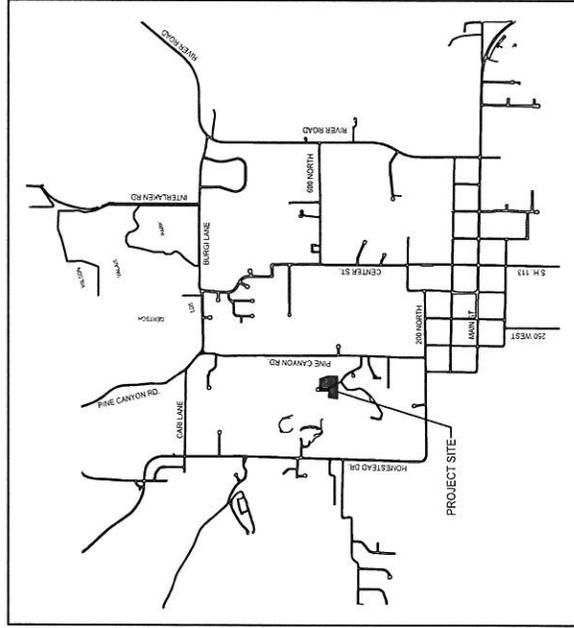
- The proposed amendment will decrease density by three units
- The open space in the PUD will remain the same
- More visitor parking will be added with this amendment
- No public street, right-of-way, or easement will be vacated or altered

ALTERNATIVE ACTIONS:

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



SWISS CREEK P.U.D. 4TH PLAT AMENDMENT



MIDWAY CITY
VICINITY MAP

SHEET INDEX

1. SWISS CREEK P.U.D. 2ND AMENDMENT (RECORDED PLAT)
2. SWISS CREEK P.U.D. 4TH AMENDMENT (PROPOSED PLAT)
3. UTILITY PLAN

THIS DOCUMENT IS BELIEVED
TO BE A TRUE AND CORRECT
COPY OF THE ORIGINAL
UNLESS SHOWN OTHERWISE
DATE: 8. DEC. 2018

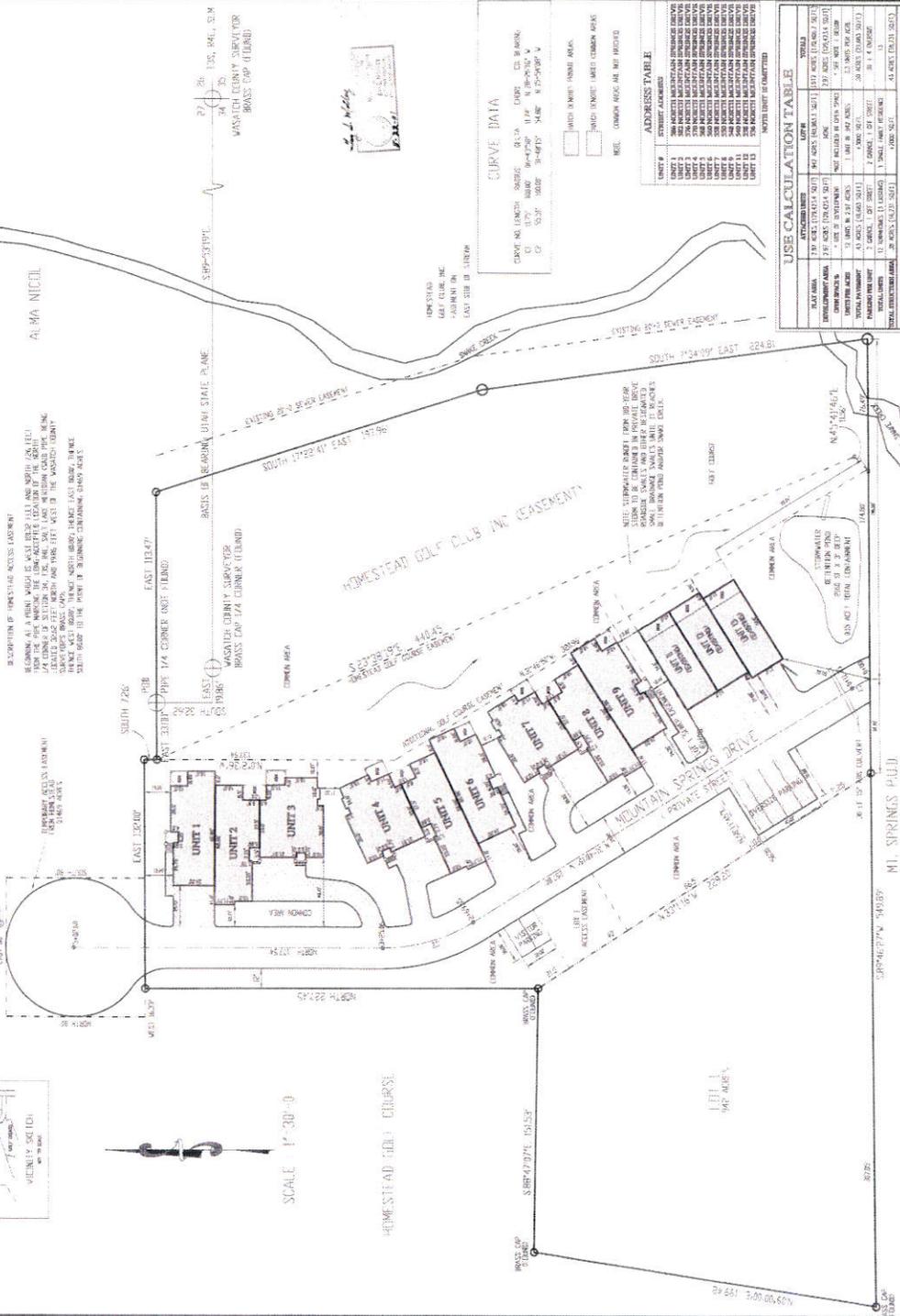
GRANT HARRISON
SWISS CREEK PUD

COVER SHEET



DESIGNED BY:	CHK'D BY:	DATE:	REV:	QTY:
GRANT HARRISON	GRANT HARRISON	8. DEC. 2018		0

SWISS CREEK P.U.D.
PLAT "A" 2nd AMENDMENT
PART OF THE NORTH 1/2 OF THE NORTH 1/2
OF SECTION 34, T. 3 S., R. 4 E. SLB&M



DESCRIPTION OF FORESHORE ACCESS EASEMENT
 BEGINNING AT A POINT WHICH IS WEST 102.00 FEET AND NORTH 100.00 FEET FROM THE CORNER OF THE FORESHORE ACCESS EASEMENT, THE FORESHORE ACCESS EASEMENT BEING DESCRIBED AS FOLLOWS: BEING 100.00 FEET NORTH AND 100.00 FEET WEST OF THE FORESHORE ACCESS EASEMENT, THE FORESHORE ACCESS EASEMENT BEING 100.00 FEET NORTH AND 100.00 FEET WEST OF THE FORESHORE ACCESS EASEMENT, THE FORESHORE ACCESS EASEMENT BEING 100.00 FEET NORTH AND 100.00 FEET WEST OF THE FORESHORE ACCESS EASEMENT.

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BOUNDARY DESCRIPTION

LINE	BEARING	DISTANCE	REMARKS
1	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
2	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
3	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
4	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
5	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
6	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
7	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
8	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
9	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
10	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
11	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
12	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
13	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
14	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
15	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
16	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
17	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
18	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
19	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT
20	S 89° 58' 00" E	100.00	TO CORNER OF FORESHORE ACCESS EASEMENT

OWNER'S DECLARATION

I, the undersigned, being the owner of the above described property, do hereby certify that the same is as shown on the attached plat, and that the same is in accordance with the provisions of the applicable laws of the State of Colorado.

ACKNOWLEDGEMENT

STATE OF COLORADO

COUNTY OF MOUNTAIN

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

ACCEPTANCE BY MIDWAY CITY

APPROVED BY THE CITY ENGINEER: _____

APPROVED BY THE CITY COMMISSIONER: _____

USE CALCULATION TABLE

NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (ACRES)
1	UNIT 1	10,000	0.23
2	UNIT 2	10,000	0.23
3	UNIT 3	10,000	0.23
4	UNIT 4	10,000	0.23
5	UNIT 5	10,000	0.23
6	UNIT 6	10,000	0.23
7	UNIT 7	10,000	0.23
8	UNIT 8	10,000	0.23
9	UNIT 9	10,000	0.23
10	UNIT 10	10,000	0.23
11	UNIT 11	10,000	0.23
12	UNIT 12	10,000	0.23
13	UNIT 13	10,000	0.23
14	UNIT 14	10,000	0.23
15	UNIT 15	10,000	0.23
16	UNIT 16	10,000	0.23
17	UNIT 17	10,000	0.23
18	UNIT 18	10,000	0.23
19	UNIT 19	10,000	0.23
20	UNIT 20	10,000	0.23

SWISS CREEK P.U.D.

PLAT "A" 2nd AMENDMENT

PART OF THE NORTH 1/2 OF THE NORTH 1/2 OF SECTION 34, T. 3 S., R. 4 E. SLB&M

APPROVED BY THE CITY ENGINEER: _____

APPROVED BY THE CITY COMMISSIONER: _____

SWISS CREEK P.U.D.

PLAT "A" 2nd AMENDMENT

PART OF THE NORTH 1/2 OF THE NORTH 1/2 OF SECTION 34, T. 3 S., R. 4 E. SLB&M

