



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: April 19, 2017

NAME OF PROJECT: Deer Creek Estates Subdivision

NAME OF APPLICANT: Return Development LLC

AGENDA ITEM: Final Review Phase I

LOCATION OF ITEM: 300 East Michie Lane (south side)

ZONING DESIGNATION: R-1-15

ITEM: 8

Christopher Huffman & Ethan Poppleton, agents for Return Development LLC, are requesting Final Approval for the Deer Creek Estates Subdivision Phase 1. The proposal is a large-scale subdivision that is 14.84 acre is size, of which phase 1 comprises 6.89 acres in size and contains ten lots and 2.23 acre of open space. The property is located at 300 East Michie Lane (south side) and is in the R-1-15 zone.

BACKGROUND:

Christopher Huffman & Ethan Poppleton are proposing final approval of Deer Creek Estates Phase I. The property is 14.84 acres and is zoned R-1-15 which allows for third-acre lots, though the developer has chosen to reduce the density and create lots closer to a half-acre in size. The property will be developed as a large-scale standard subdivision which will be developed in two phases. There are 20 lots total and ten of those lots are in phase 1. There will also be 15% open space that is proposed to be deeded to the City as a public park and is 2.23 acres in size. The park covers two separate parcels, one on each side of 300 East. Phase 1 will include all the required open space for the entire development (both phase 1 and phase 2).

A staff proposed change from the preliminary review of phase 1 is now the park is located almost completely on the west side of 300 East. This change was accomplished by moving two of the lots from the west side of the road to the east side. The reasons for proposing the change are the following:

- Staff feels that it will be safer for park users to have the larger area of the park in one location so that park users are not crossing from one side of the road to the other. With the previous plan with two equal sized park areas on both sides of the road, staff feels this would have promoted more crossings of the road and therefore lead to more potentially unsafe situations especially for younger park users.
- Staff feels that the park will be more functional if there is a larger playing area that is not dissected by a City street.
- There is a possibility that more park space could be added if properties to the west are developed and are required to create open space.
- Also, the west side of the road was chosen because the property is wider on the west side than on the east side.
- There is still a 50' area of park on the east side of the road that will be landscaped and will help maintain an open feel along Michie Lane.

There are two roads planned in the subdivision. The first is 300 East that will run north to south and create a four-way intersection with 300 East at Michie Lane as it enters Bowden Fields. Also 400 South is planned and runs East to West. This road will connect to the stub road in Fox Pointe and this road will stub to the west boundary of the proposed subdivision so it can connect to future developments. Some of the roads will require temporary turnarounds as required by the City Engineer.

The City code promotes that open space is located along collector roads wherever possible to benefit the most members of the community and the applicant has complied with this request. The property has historically been used mostly as agricultural land.

LAND USE SUMMARY:

- 14.86-acre parcel
- R-1-15 zoning
- Proposal contains 20 lots, 10 lots in Phase I
- Developer is providing 2.23 acres of open space which does comply with the 15% requirement.

- Access from Michie Lane and 400 South
- 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 – The subdivision will have access from Michie Lane and from 400 South. The City is planning to construct Michie Lane from Center Street to 480 East this year. The developer will deed the Michie Lane right-of-way to the City as soon as they close on the property in March. Michie Lane will be a limited access collector road and will allow good traffic circulation for the southeast section of town.

Geotechnical Study – The Geotechnical Study was prepared by CMT Engineering Laboratories.

Sensitive Land – The developers have submitted to the City that no sensitive land or located on the property.

Water Connection – The lots will connect to water lines that will be built by the developer and connect to the City's water lines along Michie Lane.

Sewer Connection – The lot will connect to Midway Sanitations District's sewer lines located in the area.

Secondary Water Connection – The lots will connect to Midway Irrigation Company's secondary which is already servicing the property. Laterals will be created for all 20 lots and both park parcels. Secondary water meters are required for each lateral including the park laterals.

Sidewalks – The developer will construct five-foot sidewalks on both sides of the streets within the development. The City will construct a six-foot sidewalk along the south side of Michie Lane.

Lot frontage – The Land Use code requires 15% open space for this proposal. The code also allows that the frontage and acreage of the lots may be reduced by 15% because of this requirement. For this proposal, the acreage has not been reduced for any of the 20 lots but the frontage has been reduced. None of the lots have less frontage than 85', which is the minimum requirement in this case, but about half of the lots do have less than 100' of frontage. All lots do comply with the frontage and acreage requirements of the code.

Open Space/public park – The Land Use Code requires a minimum of 15% open space for the development and the proposal does comply with that requirement. The developer is proposing that the open space is dedicated to the City as a public park. The City’s Master Park Plan Map indicates that a park should be in the general vicinity of this proposal therefore, accepting the park will comply with the vision as described in the General Plan. The developer has proposed to develop some of the park facilities but if the City would like to upgrade those facilities or add others then park impact fees could be used to accomplish this. Some amenities in the park include a sledding hill, park equipment, pavilion, sports court, walking trails, and landscaping.

WATER BOARD RECOMMENDATION:

The Water Board has recommended that 36.5 acre feet are tendered to the City before the recording of each plat. Phase 1 will need to tender 20.5 acre feet. Phase 2 will need to tender 16 acre feet. The Water Board also recommended secondary water meters are installed on each lot.

POSSIBLE FINDINGS:

- The proposal does meet the intent of the General Plan for the R-1-15 zoning districts
- The proposal does comply with the land use requirements of the R-1-15 zoning districts
- The City’s Master Park Plan Map indicates that a public park should be in the general vicinity of the proposal
- A public park will benefit the future residents of this proposal and the residents of the surrounding subdivisions

ALTERNATIVE ACTIONS:

1. Recommendation for Approval (conditional). This action can be taken if the Planning Commission 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 Planning Commission feels that there are unresolved issues.
Accept staff report
 - a. List accepted findings
 - b. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - c. Date when the item will be heard again

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



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Imagery Date: 7/8/2016 40°30'17.15" N 111°27'58.14" W elev 5534 f

370 E
320 S
490 S

S Fox Den Rd

Silver Fox Rd

S Center St

E 500 S

E 450 S St

113

W 350 S

W 300 S

S 80 E

S 100 E

S 200 E

E 200 S

110 S

S 550 E

S 580 E

700 E

740 E

E 260 S

200 S

Hamlet Cir W 750 E

Geneva Dr

W 250 W

