



## PLANNING COMMISSION MEETING STAFF REPORT

**DATE OF MEETING:** July 19, 2017  
**NAME OF PROJECT:** Haven Farms  
**NAME OF APPLICANT:** Lance Ford  
**AGENDA ITEM:** Preliminary Approval  
**LOCATION OF ITEM:** 1170 South Center Street  
**ZONING DESIGNATION:** RA-1-43

### **ITEM: 5**

**Lance Ford, agent for Jeannette S. Higginson, is requesting Preliminary approval of Haven Farms. The proposal is a large-scale subdivision that is 67.46 acres in size and will contain 20 lots. The property is located at 1170 South Center Street and is in the RA-1-43 zone.**

### **BACKGROUND:**

This request is for preliminary approval of a large-scale subdivision on 67.46-acres and will contain 20 lots. The 20 lots proposed in the subdivision will obtain frontage along a new road that will wind through the subdivision. The property is located in an RA-1-43 zoning district and the lots do comply with the minimum requirements of frontage, width and acreage for a lot in this zone. The property has one dwelling that will remain for the time being. There is also a large accessory structure that was approved as an agricultural greenhouse.

Currently the property is being used for agriculture. There is a FEMA floodplain that covers part of the property where Snake Creek crosses from the north side of the property to the east side. All future structures will need to comply with Section 16.14.8 that requires a 50' setback from the floodplain and all floors in structures must be at least

elevated 18” above the base flood elevation shown on the FEMA flood insurance rate maps, as required by code.

There is an 8’ paved public trail that will be placed on a 20’ wide public trail easement planned along Center Street that will be built by the developer but it has not been included on the plans. The trail will need to be added to the plans. There is also a trail planned on Snake Creek that is required and has not been included on the plans. Staff and the applicant have discussed the location of this trail and a decision regarding the alignment of the trail has not been finalized.

The Church of Jesus Crist of Latter Days Saints (LDS) has a church near the north-east section of the property. It is proposed that a new parking area is constructed south of the church that will have two access points from a road that will be built by the LDS. The current access to the church will be removed creating a much safer access to the church.

The large accessory structure that was approved as commercial greenhouse will become an amenity for the lot owners in the subdivision. According to the applicant, a small section will be used as a greenhouse and the rest of the structure will be converted to other uses such as a swimming pool. A floor plan has not been submitted to the City so complete information regarding plans for the structure are not available.

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

- 67.46-acre parcel
- 12.04 acres of open space (17.85%)
- RA-1-43 zoning
- Proposal contains 20 lots
- Public and private trails
- Public roads
- 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 the lots will be from a new road proposed by the applicant. There will be two access points to Hwy 113 that will need to be approved by UDOT.

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

*Secondary Water Connection* – The property currently has connections to the secondary irrigation system. The Water Board has recommended that meters are installed for the secondary system.

*Sewer Connection* – The lot will connect to Midway Sanitations District’s line located under Center Street.

*Center Street Trail* – The developer will dedicate a 20’ public trail easement along Center Street. The developer will also build the 8’ public trail that will be located in the easement. There is also a trail planned on Snake Creek that is required and has not been included on the plans. The City, through discussions with the applicant’s legal counsel and by reviewing case law and the Utah State’s Ombudsman’s decisions on similar items, have determined that because of the relatively low density planned for the subdivision and the legal arguments associated with the lower impact of the development on the community that the City will not pursue the Snake Creek trail.

*Road cross section* – The application indicates the roads will be 25’ wide which does not comply with City standards. The plans will need to be resubmitted that comply with the required profile.

*FEMA Floodplain* – There is a FEMA floodplain that covers part of the property where Snake Creek crosses from the north side of the property to the east side. All future structures will need to comply with Section 16.14.8 that requires a 50’ setback from the floodplain and all floors in structures must be at least elevated 18” above the base flood elevation shown on the FEMA flood insurance rate maps. FEMA will need to review the subdivision plans to make sure that construction will not impact the floodplain maps.

*LDS Church Access* – Access to the LDS Church has become a safety issue. Many vehicles are parked along Center Street making visibility limited when leaving the church parking lot. With the access changed to the church parking lot from the proposed road this safety issue should be greatly reduced partially because the new access will be farther from the church and farther from where people will most likely park. Also, the increased parking stalls will hopefully reduce the number of vehicles parked along Center Street which creates the visibility issues.

**WATER BOARD RECOMMENDATION:**

The Water Board recommended that 181.55-acre feet are tendered to the City before the plat is recorded. There is a well onsite and the developer has asked about trading the water rights from the well to the City. A change application will need to be submitted to

the State Engineer's Office to complete that process. Also, the lots will be required to install secondary water meters.

**POSSIBLE FINDINGS:**

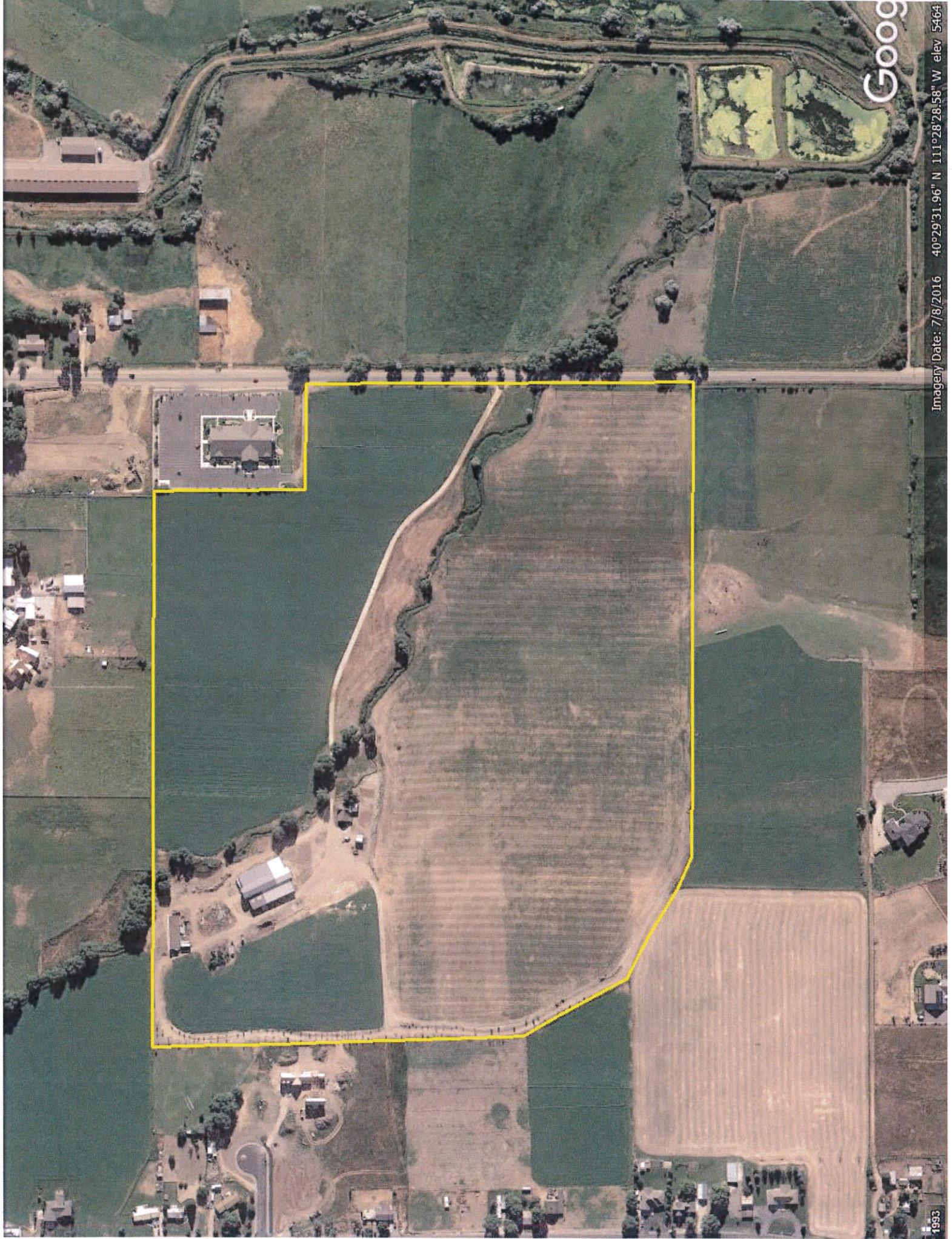
- The proposed lot meets the minimum requirements for the RA-1-43 zoning district
- The proposal does meet the intent of the General Plan for the RA-1-43 zoning district
- The subdivision will dedicate trail easements to the City to help us complete the trail in the area which will make pedestrians safer by allowing them a place to walk off the road

**ALTERNATIVE ACTIONS:**

1. Recommendation of 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 of 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

**PROPOSED CONDITIONS:**

- Infrastructure plans will need to be submitted to the City regarding impacts to the floodplain.
- Plans must be submitted to the City with full constructions drawings along with road profiles that comply with the City's standards
- The Center Street ublic trail and public trail easement must be included on the plans
- Required Hwy 113 improvements must be submitted to the City and to UDOT for their review



Google

Imagery Date: 7/8/2016 40°29'31.96" N 111°28'28.58" W elev 5464

1993



CONTRACT NO.

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PROJECT INFORMATION

HAVEN FARMS  
MIDWAY, UTAH

SCALE/STAMP OF APPROVAL



ISSUE DATE

7/12/2017

NO.	REVISION	DATE
1	ISSUE	7/12/2017
2	ISSUE	
3	ISSUE	
4	ISSUE	
5	ISSUE	
6	ISSUE	
7	ISSUE	
8	ISSUE	
9	ISSUE	
10	ISSUE	

PLANNING INFORMATION



SHEET NAME

PRELIMINARY LANDSCAPE  
PLAN

SHEET NUMBER

L-1.0

