



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: November 15, 2017

NAME OF PROJECT: Sunburst Ranch Planned Unit Development

NAME OF APPLICANT: Crystal Springs Land and Cattle Co., Inc.

AGENDA ITEM: Master Plan Amendment

LOCATION OF ITEM: Tanner Drive and Swiss Alpine Road

ZONING DESIGNATION: R-1-22 and RA-1-43

ITEM: 4

Steve Condie, agent for Crystal Springs Land and Cattle Co. Inc., is proposing a Master Plan Amendment of Sunburst Ranch PUD Phase 3 which was originally approved in 1997. Phase 3 currently consists of 36 building pads. The applicant is proposing to reduce the number of building pads to 33 and is amending the location of the pads within the phase. The property is 16.53 acres in size and located at Ranch Way and Swiss Alpine Road in the R-1-22 and RA-1-43 zones.

BACKGROUND:

Steve Condie, agent for Crystal Springs Land and Cattle Co. Inc., is proposing a Master Plan Amendment of Sunburst Ranch PUD Phase 3, which was originally approved in 1997 and amended in 2010. Phases 1 and 2 will not be amended with the proposal. Phase 3 currently consists of 36 building pads. The applicant is proposing to reduce the number of building pads to 33 and is amending the location of the pads within the phase. The main reason for the proposed amendment is to avoid difficult site construction that would be required with the currently entitled plan. The new layout will reduce the slopes of roads and driveways and reduce the amount of retaining walls that would be required.

The proposed amendment needs to comply with the current code, only density is vested with the previous approval. The current code requires 50% open space and that 50% of the required open space is contiguous. Also, street widths are wider now than in 1997 and the current standards will need to be met. The developer is also proposing to remove the amenities that were shown on the 2010 plan. Those amenities included a tennis court, basketball court, tot lot, and pavilion. All three phases of Sunburst would have maintained the amenities and it is unknown how other residents of Sunburst feel about not having those amenities. Most likely HOA dues will be less without the amenities. The current code does not require any of the amenities to be included in a PUD plan.

Overall, it appears that the proposed plan will have less of an impact on the community and the natural environment of the area. Because density is being reduced by three units, there will be less potential traffic from the development. Likewise, there could be less impact on the school district because of the reduction in units. Regarding, the natural environment, the new plan has more open space and the open space is contiguous creating a more clustered unit configuration. Staff has worked with the applicant on the new plan and has determined these changes to be positive for the community and for the environment.

LAND USE SUMMARY:

- 16.53 acres
- R-1-22 ad RA-1-43 zoning
- Proposal contains 33 building pads (PUD)
- Project is a Planned Unit Development
- Private roads will be maintained by the HOA
- Public roads will be the responsibility of the City
- The lots will connect to the Midway Sanitation District sewer and to the City's water line.
- Sensitive land of the property includes wetlands and stream corridors
- Private trail that will loop through the development

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. The proposal does comply with the 50% requirement for phase 3.

Density – The applicant has an entitled right to 36 units. The proposal will reduce the density to 33 units.

Access – Each phase of the subdivision must meet the access and cul-de-sac limitation requirements of the code. A cul-de-sac is limited to 500' in length, unless approved otherwise by the City Council. The proposal does have a cul-de-sac that is longer than 500' and measures to about 1,000' in length. The maximum length allowed by the County and Fire District is 1,300'. The City Council will need to decide if in this situation an exception is warranted. Ranch Road will be a temporary cul-de-sac until it is extended to the north.

Traffic Study – The developer has not submitted a traffic study since they are already vested with 36 units.

Geotechnical Study – The developer has not submitted a geotechnical study. Staff will need to decide if one is needed for preliminary approval.

Water – The developer has tendered water in 1997 to the city for the entire master plan. Since the number of units is reducing there should be more than enough water for the project.

Sensitive Lands – The property does not appear to contain any sensitive lands. A detailed slope analysis must be submitted the city for preliminary approval to assure that all the building pads are on less than 25% slope.

Swiss Alpine Road Drainage – Water and sediment runoff down Swiss Alpine Road has been an ongoing problem for decades. Staff feels this is an opportunity to readdress this issue and solve the potential flooding problems that are a possibility in the area. The original approved plan for Sunburst Ranch shows a pond for runoff from Swiss Alpine Road. Staff is recommending that permanent solution is incorporated into the plans for phase 3.

Sunburst HOA Reimbursal – Crystal Springs Land and Cattle Company is required to pay to the Sunburst HOA \$55,000 for grading and drainage improvements installed by the HOA in 2009. \$1,000 is required for each building permit issued in phases 2 and 3. The total number of units in phase 2 and phase 3 is 55 which equals \$55,000. By reducing the units in phase 3 from 36 to 33 there will be \$3,000 shortfall. Staff is proposing that \$3,000 is paid to the HOA at the recording of the plat to make up for that shortfall. There is also a requirement that the remainder of all unpaid fees are

paid to the HOA on June 14, 2021. Another option is the \$3,000 could also be paid on that date.

PROPOSED FINDINGS:

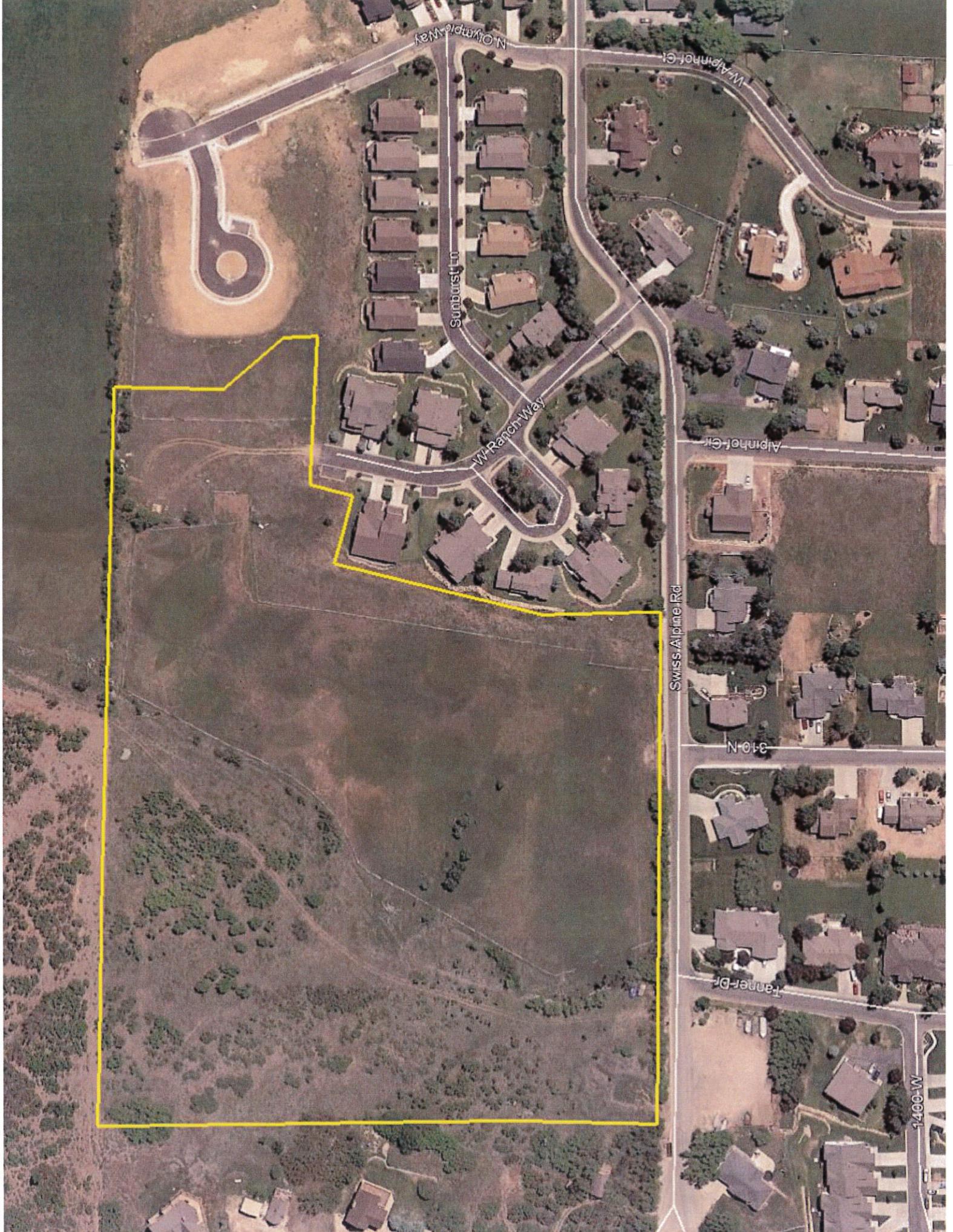
- The proposed master plan appears to meet the requirements of the code.
- The proposal does meet the vision as described in the General Plan for the R-1-22 and RA-1-43 zones.

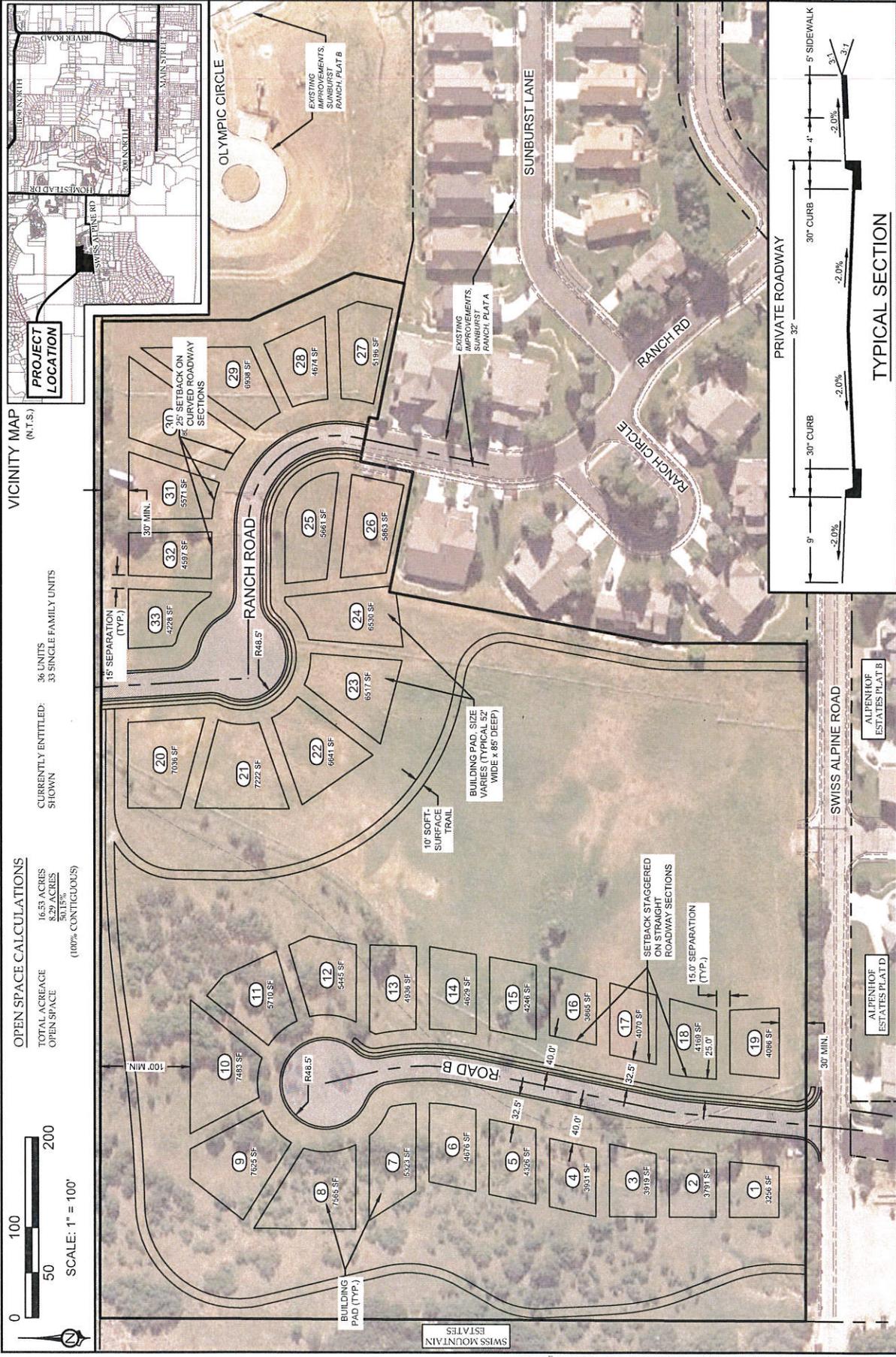
ALTERNATIVE ACTIONS:

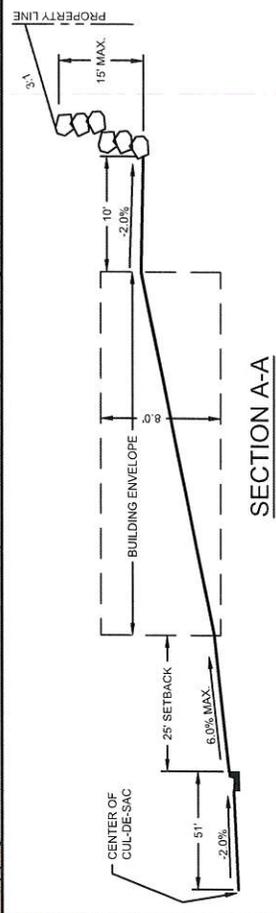
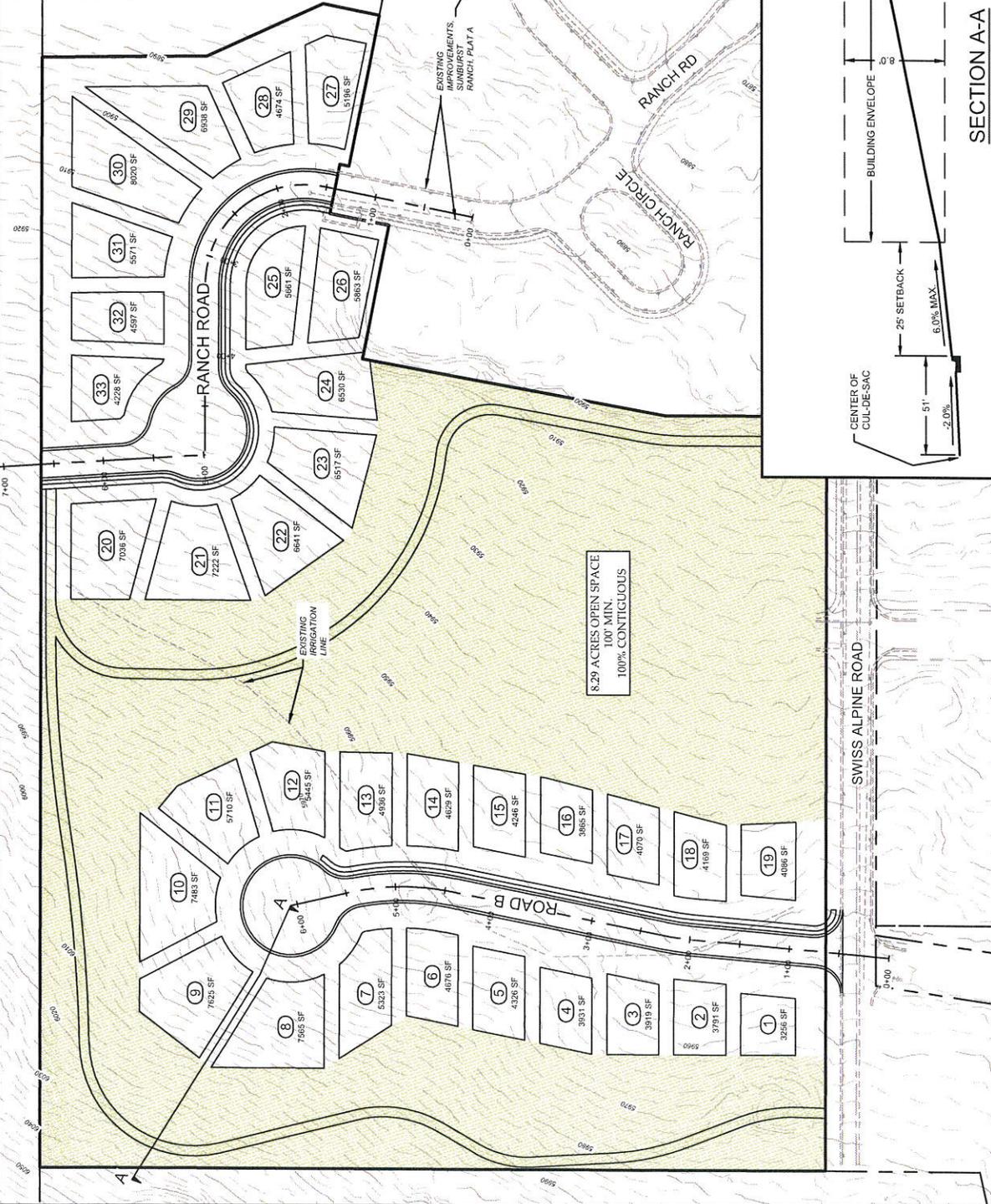
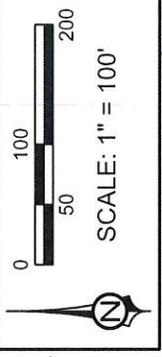
1. Recommendation of Approval. This action can be taken if the Planning Commission feels the proposal complies with the requirements of the Land Use Code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s) if needed

2. Continuance. This action can be taken if the Planning Commission 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. 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

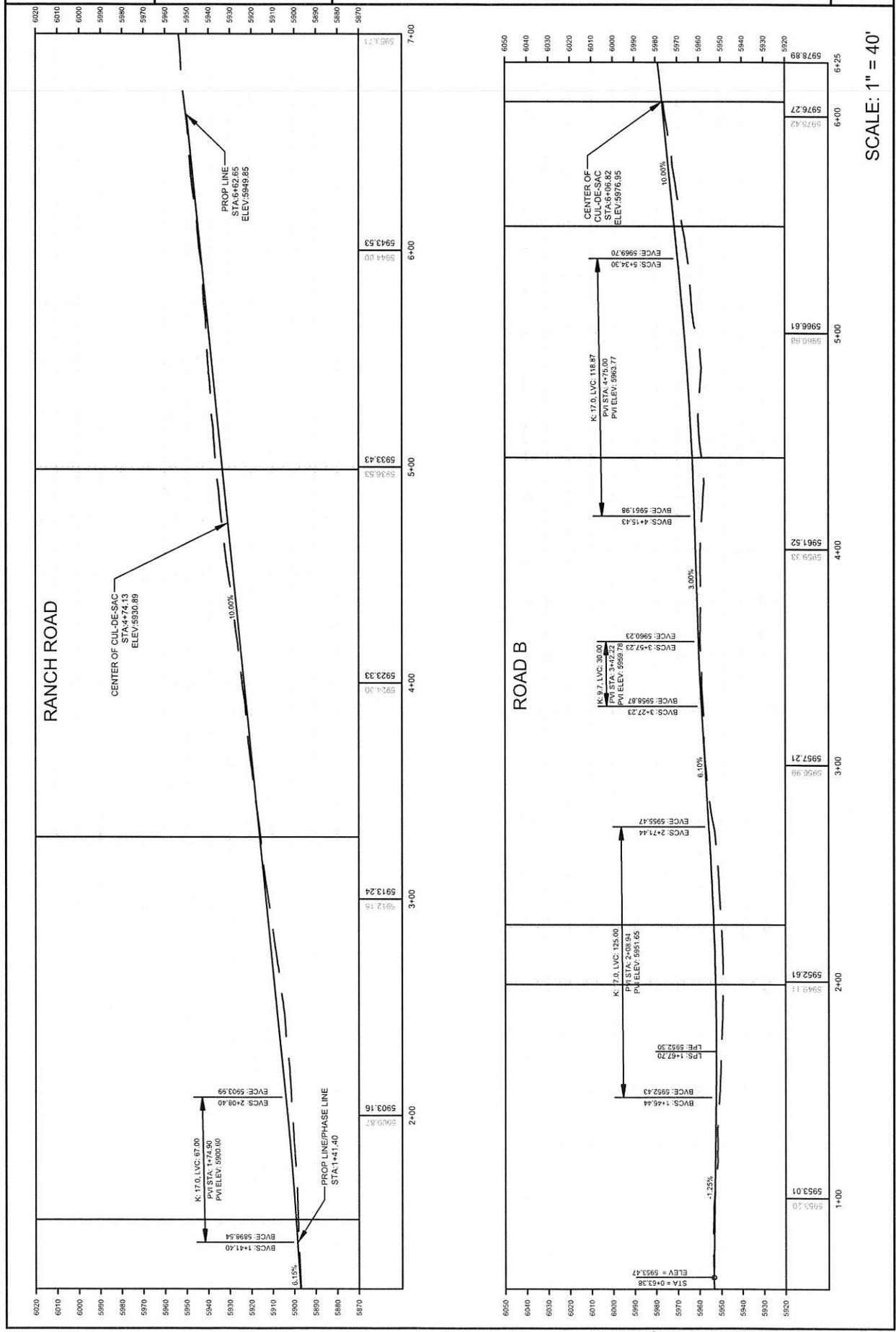




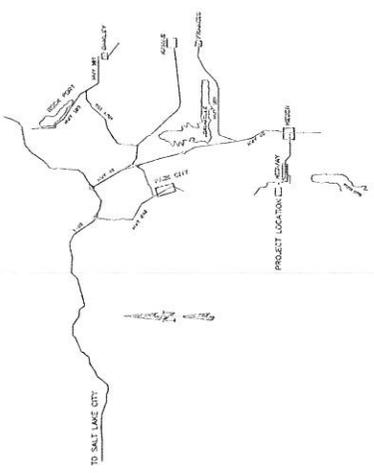
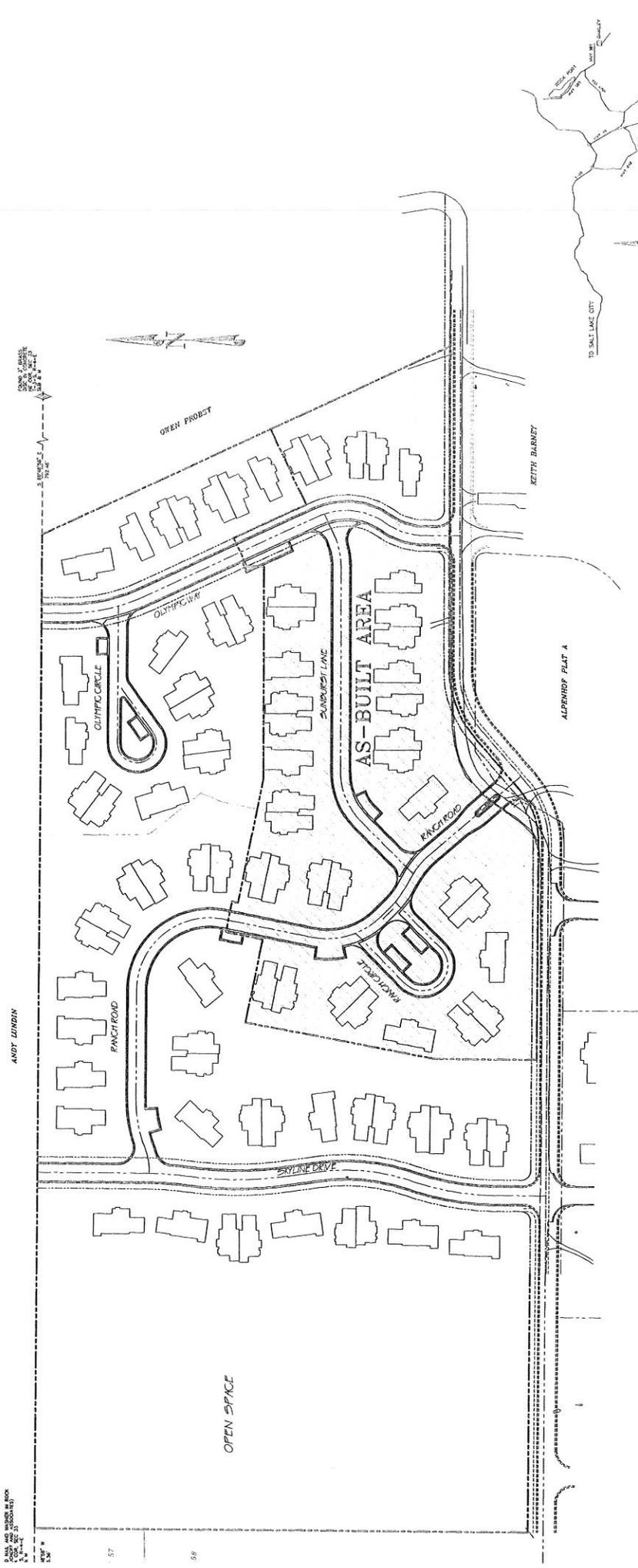


8.29 ACRES OPEN SPACE
100' MIN.
100% CONTIGUOUS

SCALE: 1" = 40'



SUNBURST RANCH PLANNED UNIT DEVELOPMENT



VICINITY MAP

AS-BUILT RECORD
 DECEMBER, 2000
 BASED ON INFORMATION
 PROVIDED BY CONTRACTOR
 TO CITY AND DEVELOPER
 CONSULTATION

| LET # | DESCRIPTION |
|-------|-------------------------------------|
| 1 | COVER |
| 4 | RECORD PLATS |
| 8 | UTILITIES PLANS |
| 9 | SEWER PLAN AND PROFILE LINES B. & C |
| 17 | PLAN AND PROFILE SHEETS |
| 19 | GRADING PLAN |
| 23 | DETAILS |
| | LANDSCAPING |

| DATE | DESCRIPTION | REV | BY | DATE | DESCRIPTION |
|------|-------------|-----|----|----------|----------------------------|
| | | Δ | BC | 12-23-00 | AS-BUILT FOR PLAT "A" ONLY |

CRS
 CONSULTING ENGINEERS, INC.
 CALDWELL, RICHARDS, SORRESEN

265 EAST 100 SOUTH, SUITE 240
 SALT LAKE CITY, UTAH 84111
 PHONE: 801/488-4272
 FAX: 801/488-4272

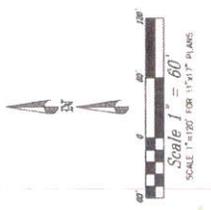
SUNBURST RANCH
 PLANNED UNIT DEVELOPMENT
 LOCATED IN NORTHEAST QUARTER OF SEC. 33, T. 3 S., R. 4 E., S.L.B. & M.
 MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH

ANDY LUDWIN

DATE AND APPROVALS

57

58



LEGEND

| | |
|--|-------------------|
| | NATURAL LANDSCAPE |
| | GRASS |
| | EXISTING TREE |
| | PROPOSED TREE |
| | ASPHALT TRAIL |
| | RETAINING WALL |

- NOTES:**
1. OLYMPIC WAY IS A PUBLIC STREET WITH PUBLIC SIDEWALKS.
 2. ALL OTHER STREETS, TRAILS AND SIDEWALKS WITHIN SUNBURST RANCH ARE PRIVATE.

SUNBURST RANCH P.U.D.
 AMENDED MASTER PLAN

BERG ENGINEERING
 Resource Group, Inc.
 3800 E. 10th St., Suite 8
 Aurora, CO 80014
 Phone: (303) 755-9749
 Fax: (303) 755-9749

DESIGNED BY: CHB DATE: 7 JAN 2010
 DRAWN BY: CHB REV: 1

THIS DOCUMENT IS INCOMPLETE AND IS BELIEVED TEMPORARILY NOT BEING USED FOR CONSTRUCTION. IT IS THE USER'S RESPONSIBILITY TO VERIFY THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE USER'S RESPONSIBILITY TO VERIFY THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE USER'S RESPONSIBILITY TO VERIFY THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

365 NORTH



RESOLUTION 2010-07

A RESOLUTION BY THE MIDWAY CITY COUNCIL APPROVING AN AMENDED MASTER PLAN FOR SUNBURST RANCH P.U.D.

WHEREAS, the City Council of Midway City has received an application from Crystal Springs Land and Cattle Company to grant an amendment to the master plan for the real property development known as Sunburst Ranch P.U.D., the full legal description of which P.U.D. is attached hereto as Exhibit A; and

WHEREAS, the City Council has held numerous meetings and public hearings to discuss said request; and

WHEREAS, the Midway City Planning Commission has also discussed the requested master plan amendment and has recommended that the City adopt the proposed amendment; and

WHEREAS, a concept drawing for the Amended Master Plan is attached hereto as Exhibit B; and

WHEREAS, the City Council finds that adoption of the requested master plan is appropriate, lawful and in the public interest.

NOW THEREFORE, be it hereby RESOLVED by the City Council of Midway City, Utah, as follows:

Section 1: The master plan for the planned unit development known as Sunburst Ranch P.U.D. is hereby amended.

Section 2: The Amended Master Plan of Sunburst Ranch P.U.D. shall be as set forth on the drawing attached hereto as Exhibit B and as set forth in the terms of this Resolution.

Section 3: Lot 15 will remain in Phase 1 of the development.

Section 4: Phase 3 of the development will contain 36 units.

Section 5: The total number of units in all three phases of the development is 86.

Section 6: The total combined size of all phases of the development is 29.87 acres, with 17.10 acres of open space.

Section 7: All roads in the development will be private, except for the road known as Olympic Road, which will be public.

Section 8: All water shares and/or water rights required for all units and all phases of the development have already been tendered to and accepted by the City.

Section 9: This master plan amendment does not affect any proceedings that have previously occurred regarding Phase 2 of the development except as explicitly stated herein.

Section 10: The developer of Phase 3 will be required to submit applications for preliminary and final approval of Phase 3 for processing according to standard City procedures, and pursuant to the terms of this amended master plan approval, at the time development of Phase 3 occurs. Development and construction in Phase 3 will be subject to all building and construction standards of the City in effect at the time final approval of Phase 3 is granted.

Section 11: Crystal Springs Land and Cattle Company ("Crystal Springs") will pay to the Sunburst Ranch Owners Association the amount of \$55,000.00 to reimburse said Association for certain costs of grading and drainage improvements installed by the Association in the development during 2009. Crystal Springs shall cause this reimbursement to be made by paying to the Sunburst Ranch Owners Association the amount of \$1,000.00 at the time each building permit for a unit in Phase 2 and/or Phase 3 is issued by the City; provided, however, that upon the expiration of ten (10) years from the approval and execution of this resolution approving the amended master plan, Crystal Springs shall be required to pay, in one lump sum, any remaining portion of the \$55,000.00 to the Association that has not to that point already been paid. The requirements of this paragraph are explicitly made binding upon any future owner and/or developer of any property included in the proposed Phase 3 of Sunburst Ranch P.U.D. Upon passage of this Resolution by the Midway City Council, Crystal Springs shall cause to be dismissed the Complaint and Petition for Review, Case Number 090500525, filed October 22, 2009 in Fourth District Court, Wasatch County, Utah. Crystal Springs voluntarily agrees to the requirements of this paragraph, and all other terms of this resolution, as evidenced by the signature of said Company at the end of this Resolution.

Section 12: The terms of this Resolution and master plan amendment will be binding upon all future owners and/or developers of any land contained within all phases of Sunburst Ranch P.U.D. The covenants and obligations contained herein shall be appurtenant to said land, and this Resolution shall be recorded in the office of the Wasatch County Recorder.

Section 13: Pursuant to Midway City ordinances and policies, the developer of any phase and/or units of Sunburst Ranch P.U.D. shall pay all applicable City fees and charges, including but not limited to the costs the City incurs in processing and reviewing all development plans and applications, including engineering, legal and other professional and consultant fees. As a condition precedent to this resolution, all such fees and charges shall be paid current.

Section 14: All property in all phases of Sunburst Ranch, whether developed or undeveloped, shall be kept clear of weeds on a year-round basis by spraying, revegetating or mechanical clearing so that the height of any weed vegetation does not exceed six inches. For any particular parcel of real property, the responsibility of complying with this paragraph shall rest with the owner of said real property.

PASSED AND ADOPTED by the Midway City Council the 10th day of February, 2010.

Midway City



Connie Tatton, Mayor

ATTEST:



Brad Wilson, Recorder

