



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: November 15, 2017

NAME OF PROJECT: Midway Springs

NAME OF APPLICANT: Watts Enterprises

AGENDA ITEM: Midway Springs Preliminary Approval of Phase I

LOCATION OF ITEM: 600 North 200 East

ZONING DESIGNATION: R-1-15

ITEM: 3

Berg Engineering, agent for Watts Enterprises, is requesting Preliminary Approval for phase I of the Midway Springs which is a large-scale standard subdivision and Planned Unit Development. The proposal is for 20 lots and 11 building pads located on 11.2 acres. The proposal is located at 200 East 600 North and is in the R-1-15 zone.

BACKGROUND:

Watts Enterprises is proposing preliminary approval of phase 1 of the Midway Springs subdivision which is comprised of a large-scale standard subdivision and Planned Unit Development. The proposal is for 20 lots and 11 building pads located on 11.2 acres. The property is about 25 acres in size and contains about two acres of open space.

The area of the proposed subdivision has historically been in agricultural production. A dairy farm has been on the property for decades. There is generally a high-water table on the property which lends itself to wetlands which are also present on the property. Residents of the city, particularly those living next to the property are have raised concerns with staff regarding the development of the property. The City is committed to assuring the requirements established by the City are met as the project is reviewed by staff.

There are 11 pads proposed in this phase are all 55' x 60' (3,300 sq. ft.) in size. All structural improvements must be located within the building pad for each dwelling including window wells, eave overhangs, bay window, pop outs, decks, pergolas, and other structural items.

There are 20 lots proposed in this phase and the average lot size is 13,390 sq. ft. in size. The minimum requirement in the R-1-15 zone when 16.16% open is provided is 12,576 sq. ft. All 20 lots comply with the minimum acreage requirement. The streets located within the area of the standard subdivision will be public roads unless approved otherwise by the City Council. If any private roads are included in this area the development a public access easement will allow access to all. All open space will be common area that will be owned by the homeowner's association (HOA). There will be two public trails located in this area of the development. One is a trail that will run north and south and is planned as a linear park trail. The other is a trail running along 600 North. Both will be 8' wide paved public trails that will be constructed by the developer. Sensitive lands area also located on the property and will be left undisturbed as required by the land use ordinance. These sensitive lands include wetlands and stream corridors.

The streets located within the area of the PUD will be private roads and will be maintained by the HOA. A public access easement will allow access to all the streets in the PUD. All open space will be common area that will be owned by the homeowner's association (HOA). There will be a public trail located in this area of the development. The trail will run north and south and is planned as a linear park trail. The trail will be 8' wide paved public trails that will be constructed by the developer. Sensitive lands area also located on the property and will be left undisturbed as required by the land use ordinance. These sensitive lands include wetlands and stream corridors.

LAND USE SUMMARY:

- Roughly 25 acres
- Roughly two acres of open space
- R-1-15 zoning
- Proposal contains 11 pads (PUD)
- Proposal contains 20 lots
- Private roads will be maintained by the HOA
- The lots will connect to the Midway Sanitation District sewer and to the City's water line.

- 8' paved public trail is planned to run north and south through the length of the property
- Sensitive land of the property includes wetlands, and stream corridors

ANALYSIS:

Open Space – The code requires that 50% open space is required in a PUD and 15% in the standard subdivision area.

Open Space Credit – The City Council has approved off-site open space for this proposal. Watts Enterprises owns much of the property around the River Road roundabout. The parcel is OMI-0563-0-026-034 and comprises 1.32 acres that will be deeded to the City. Watts Enterprises will need to landscape the property and deed the required water acre-feet to the City as it would if the open space was part of the open space within the proposed Midway Springs subdivision. Midway Springs HOA will be required to maintain the open space unless another option is approved by the City Council. The City Council has not granted additional density because of this credit and did limit the maximum density of the development to 97 units of the off-site open space is included in the development.

Density – The applicant is asking for approval for 97 dwellings in the development. This is less than the maximum density allowed by the zoning. Staff and the applicant have debated the amount of density the code allows on this property. The focus of the debate has been on the sensitive lands areas. Staff has determined that only one unit of density is allowed for every 10 acres of open space and 25' buffer area around the wetlands. Because of this, staff has determined the proposed density for the entire project does not comply with the requirements of the code. Staff is recommending this item is continued until either the plan complies with staff's density determination or the item is appealed and potentially overturned by the City Council.

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. Staff has reviewed the phasing plan and all street length and access requirements have been met as presented in the application.

Two Points of Access – The development plans have two points of access onto 600 North. This is not the most road plan for access for a development of this size. The developer has attempted to access from three other location that include 250 North, 300 North and River Road. All three options were unattainable. The two points of access on 600 North do meet the City requirements regarding the two points of access ordinance but it would be better if an access point was acquired to another collector road.

Traffic Study – The developers have submitted a traffic study to the City as part of the application. Horrocks Engineers is in the process of reviewing that study to determine what road improvements are required on impacted surrounding streets.

Geotechnical Study – The developers have submitted a geotechnical study to the City as part of the application. Horrocks Engineers is in the process of reviewing that study to determine if any special requirements are needed for construction of the roads and future structures in the development.

Water – the developers have yet to meet with the Water Board to determine the recommendation about the amount of water that will be required for the proposal. Review by the Water Board will need to occur before this item is heard by the City Council.

Sensitive Lands – The property does contain some wetlands that will not be disturbed through the development process. The wetlands will become part of the open space for the development and will be preserved. There is a stream/ditch that runs through the property. It will be impacted by the roads crossing the development because of the culverts that will cover the ditch. Midway Irrigation Company owns an easement to the ditch area and will need to approve modifications made to the current ditch. There is a hot spring on the property that will be preserved also. There are also acres of wetlands on the property that are included in the open space areas of the development. A study has been submitted by the developer and will be reviewed by three organizations that include The Army Corps of Engineers, Horrocks Engineers, and another third-party wetland expert that will be decided by the City. There is concern by residents and of the area and the City regarding the location of wetlands and therefore the City has decided to have three entities review the study that has been submitted.

Staggered Setbacks – The Land Use Code requires staggered setbacks to help mitigate the “wall effect” that dwellings with the same setback on a straight street creates. The code states the following in Section 16.16.8.5.c:

Front setbacks for buildings from all private streets within the PUD shall be staggered at seven and one-half feet variances, with 25 feet the minimum setback. One-third of the buildings containing dwelling units shall be at each of at least three different setbacks as recommended by the Planning Commission and approved by the City Council. For example, one-third at 25 feet, one-third at 32 ½ feet and one-third at 40 feet. Setbacks for accessory buildings shall be as recommended by the Planning Commission and approved by the City Council. Setbacks from private streets shall be measured from top-back of curb or back of sidewalk or trail, whichever is further from the street centerline. The City Council may waive this requirement when a curvilinear street design is used and shown to create the same varying setback effect.

The following pads should be staggered to help mitigate this issue: 1-3 and 70-72.

Trails – The Trails Master Plan and the Master Parks Plan calls for a linear park and trail to run north and south across the proposal. The City feels this is a very important community amenity that will benefit current residents and future residents for generations. Staff feels the trail should be of highest priority and careful review of the alignment and landscaping must happen to assure the trail will function and have the effect that it is versioned to have. Staff also feels the trail should be built with the first phase in its entirety. If it is built per phase then it could take several years, if not more, to complete the trail. For this reason, it should be completed as a requirement of phase 1. The trail will be an 8’ wide paved public trail that will be constructed by the developer. The trail plan also calls for a connection the Blackner property that is also part of the linear park trail system that will also be an 8’ wide paved trail. This trail will eventually connect to the Indian Summer subdivision with its part of the linear park trail system. Also looping trails are important for the community. Even though the trail may be private and is not shown on the Master Trails Plan, a trail along the east boundary of the proposal next to the wetlands would create a valuable trail.

PROPOSED FINDINGS:

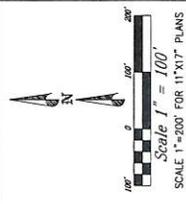
- The proposed plan for phase 1 does not appear to meet the requirements of the code for the R-1-15 zone.
- The proposal has not yet been presented or received a recommendation from the Water Board.

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



LEGEND

	WETLANDS (8.62 AC)
	SUBDIVISION OPEN SPACE (50' MINIMUM) 1.82 (16.07%) (15% REQUIRED)
	PUD OPEN SPACE (100' MINIMUM) 19.86 AC (18.43%)
	OPEN SPACE 23.33 AC (21.74%) (20% REQUIRED)

OPEN SPACE AREAS

①	5.74 ACRES
②	8.64 ACRES
③	0.89 ACRES
④	0.39 ACRES
⑤	1.43 ACRES
⑥	0.12 ACRES
⑦	0.28 ACRES

DEVELOPMENT NOTES:

- 38.59 ACRES
- PUD AREA: 20.49 ACRES (52.59%)
- OPEN SPACE IN PUD: 23.33 ACRES (57.41%)
- SINGLE OPEN SPACE: 19.86 ACRES (46.83%)
- OPEN SPACE IN PUD: 11.80 ACRES (28.83%)
- MINIMUM OPEN SPACE REQUIREMENT FOR ALL OPEN SPACE TO BE PROVIDED IN A SINGLE OPEN SPACE AREA: 100 FEET
- OPEN SPACE PARCELS 1&4 MEET THE PUD REQUIREMENT.
- OPEN SPACE PARCELS 1&8&9 ALL FOR A PUBLIC TRAIL.
- THE CITY MASTER PLAN FROM 200 NORTH TO 600 NORTH.

THIS DOCUMENT IS PRELIMINARY AND NOT BE USED FOR CONSTRUCTION UNLESS SO NOTED AND SEALED.

DATE: 08.06.2022

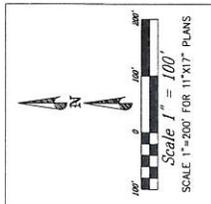
WATTS/ENTERPRISES
MIDWAY SPRINGS
PRELIMINARY
OPEN SPACE PLAN

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DESIGNED BY: FIBB
DRAWN BY: FIBB
CHECKED BY: FIBB
DATE: 08.06.2022

WAST
SHEET
9





LEGEND

WETLANDS	...
PHASE 1	Yellow
PHASE 2	Orange
PHASE 3	Pink

SUBDIVISION	BLDG.
20	11
0	40
0	25

THE CONTENTS OF THIS PLAN
 FOR REVIEW ONLY. IT IS NOT
 TO BE USED FOR CONSTRUCTION
 UNLESS SAID AND SEALED
 SEAL & SIGNATURE OF THE
 ENGINEER ARE PRESENT.
 DATE: 08/20/2017
 P.E. NO. 100000000
 DATE: 08/20/2017

WATTS ENTERPRISES
 MIDWAY SPRINGS
 PRELIMINARY
 PHASING PLAN

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DRAWN BY: CHB | DATE: 08/20/2017 | REV: 10

