

Midway City Planning Commission Regular Meeting Tuesday March 12, 2019

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 7:00 p.m., Tuesday, March 12, 2019, at the
Midway City Community Center
160 West Main Street, Midway, Utah

6:45 P.M. Briefing Meeting

- City Council Liaison Report, no action will be taken and the public is welcome to attend.

7:00 P.M. Regular Meeting

Call to Order

- Welcome and Introductions; Opening Remarks or Invocation; Pledge of Allegiance

Regular Business

1. Review and possibly approve the Planning Commission Meeting Minutes of January 8, 2019.
2. Michael Murphy is requesting a Conditional Use Permits for transient rental unit on his property located at 425 Homestead Drive. This proposal is in the Transient Rental Overlay District and is in the R-1-22 zone.
 - a. Discussion of the proposed conditional use permit
 - b. Possible recommendation to City Council
3. Russ Watts, agent for Watts Enterprises, is proposing to amend the Homestead Master Plan that was approved in 2008. The proposed amendment includes 290 units in the form of hotels, villas, estate lodges, bungalows, and glamping. The proposal is on 50.09 acres and contains 30 acres of open space. The property is in the Resort Zone (RZ).
 - a. Discussion of the proposed master plan amendment
 - b. Possible recommendation to City Council
4. Berg Engineering, agent for Probst Higley Developers LLC, is requesting Preliminary Approval for Phase 3 and Phase 4 of the Scotch Fields PUD a large-scale planned unit development. The proposal is for 48 units located on 20.97 acres. The proposal is located west of Valais and is in the RA-1-43 zone.
 - a. Discussion of the proposal
 - b. Possible recommendation to City Council

5. Adjournment

Review and possibly approve the
Planning Commission Meeting Minutes
of February 12, 2019

Midway City Planning Commission Regular Meeting Minutes February 12, 2019

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 7:00 p.m., February 12, 2019, at the Midway City Community Center
160 West Main Street, Midway, Utah

Attendance

Jim Kohler – Chairman
Kevin Payne– Vice Chairman
Jeff Nicholas
Jon McKeon
Bill Ream
Rob Bouwhuis

Staff

Michael Henke – City Planner
Melannie Egan – Admin. Assistant
Wes Johnson – City Engineer

Excused

Natalie Streeter
Kimberly Whitney

7:00 P.M. Regular Meeting

Call to Order

- Welcome and Introductions; Opening Remarks or Invocation; Pledge of Allegiance
 - Invocation was given by Commissioner Nicholas
 - Chairman Kohler led the Pledge of Allegiance

Liaison Report

Item: 1

Review and possibly approve the Work Meeting and Planning Commission Meeting of February 12, 2019.

Motion: Commissioner Ream: I move that we approve the Planning Commission meeting minutes of January 8, 2019.

Seconded: Commissioner McKeon:

Chairman Kohler: Any discussion the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners: Payne, Nicholas, Ream, Bouwhuis, McKeon

Nays: None

Motion: Passed

areas accessed by the above-mentioned roads, a secondary access/exit out of the canyon built by the developer to City standards will be required. This section shall not apply to Rural Preservation Subdivisions located within the areas accessed by the above-mentioned roads.

Public Hearing Comments Open

Brian Balls with Summit Commission: Is this why this is on the commission agenda today, because of the item that we have submitted for this meeting. Cul-de-sacs are a demand, prices increase and the value increases. Property tax value flows into the city coffers and generates more property taxes, even though the cost is less in creating the cul-de-sac. There is no magic bullet that it should be this or that after discussions from jurisdictions from all over. Wallsburg is 8 miles long and is one giant cul-de-sac. However, it is the fire marshal who is the ultimate hammer. The state allows 30 homes, but this is just the beginning of the discussion. We are looking for consideration and there is going to be other input points to be an active discussion.

Public Hearing Comments Closed

Commissioner Discussion:

Chairman Kolher asked if San Prex would have ever been approved under this new code? Michael Henke stated no. However, we did receive 110K from the developer for a future second point of access.

Fire district has a 1300-foot limit and the fire marshal has a 30 lot limit.

Kevin Payne is in support of the existing language.

Bill Ream: He likes them, if there is not anything that has been documented as an issue, cul-de-sacs is more of a rural feel than the grids like in Salt Lake City.

Motion: Commissioner Payne: I make a motion that we recommend approval of item #2, Midway City proposing a code text amendment to the cities land use code and that would create standards for cul-de-sacs that may include maximum lengths and the number of dwellings allowed to access the cul-de-sac. The proposed amendment would also adopt standards for existing nonconforming cul-de-sacs. The proposed text would be that which was presented by staff and accept the staff findings as listed in the staff report.

Seconded: Commissioner Nicholas

Chairman Kohler: Any discussion on the motion?

Chairman Kohler: All in favor.

Ayes: Commissioners: Payne, Nicholas, Bouwhuis, McKeon

Nays: Ream

Motion: Passed

- A stub from the proposed cul-de-sac is built to access the Brown property to the south that will be used for agricultural access, and if the property is developed in the future, for a road connection to Pine Canyon Road.
- A deed restriction is recorded on lot 1 that in perpetuity restricts the lot from being further subdivided and a note is included on the plat that explains this limitation for lot 1.
- The owner of lot 1 will landscape and maintain the park strip along the south side of the road from lot 1 to the boundary of the Swiss Farms subdivision until the Brown parcel is developed.
- Two Midway Irrigation Company easements would be included on the plat map as described in the staff report.
- 100' setback is shown on the plat parallel Pine Canyon Road.
- All water will be turned over to the City as recommended by the Midway Water Advisory Board.

Mike LaBarge spoke about the easements, there was no irrigation and asked for proof regarding the code and was it just put in. This was not addressed before and before the preliminary approval. To add it to a condition versus a recommendation.

Open for Public Comment

None

Closed for Public Comment

Motion: Commissioner Nicholas: I move that we recommend final approval of the LaBarge Subdivision the final of a large-scale subdivision. The Proposal is for a four-lot subdivision that is 4.2 acres in size, located at 922 Pine Canyon Road and is partially in the R-1-15 zone and partially in the R-1-22 zone. We approve the staff report and staff findings and the recommended conditions listed in the staff report and that we also place the recommended conditions listed in the staff report and water board into this motion.

Seconded: Commissioner Ream

Chairman Kohler: Any discussion on the motion?

Chairman Kohler: All in favor.

Ayes: Commissioners: Payne, Nicholas, McKeon

Nays: Bouwhuis

Motion: Passed

Item 4:

Summit Engineering Group, agent for Devco Homes, is requesting preliminary approval of a large-scale subdivision. The proposal is for a 16-lot subdivision that is 10.03 acres in size. The property is located at 800 East Main Street and is in the R-1-15 zone.

Planner Henke gave a presentation

Land Use Summary

- R-1-15 zone
- 10.03 acres
- 16 lots
- 2.51 acres of open space

Rob Bouwhuis was concerned about the new code regarding the cul-de-sac code change.

Kevin Payne: We cannot allow the new code to be part of this discussion regarding this proposal as it came in before the new code was recommended.

Brian Balls with Summit Engineering stated: The property is on the far east edge of the city
The property is sandwiched in and is limiting in points of access.

The stub road is where it is which is as close as it could be near the master plan road.

The discussions are moving forward with the owner Howder regarding access and the proposed road on the Master plan.

Irrigation is hopefully to be piped north directly to the pond and it looks like the best solution to work with everyone.

The mail box issue will be dealt with before we come to final.

Access to the pond, the map does not show it but the city park parking lot is sitting directly at the beginning of the cul-de-sac and is only 800 feet to the pond.

If the city does not pick up the park to become public than the homeowners will most likely remain a private park.

Notice regarding a temporary turnaround as opposed to a cul-de-sac. A sign on the plat.

Agreement or by practice, need more time and are dedicated to work through.

Ream stated that it would be very nice to have the trail go along the pond and use the park as a trail head.

John from Devco Homes:

Create an atmosphere that all the neighborhood could enjoy the pond, we created a pier for fishing and benches on the back side to create a nice.

If the park remains private than the stub road is not optimal, which is why the pond being public would be optimal.

The commission loves the pond, but the question came up regarding controlling half the pond.

Kevin Payne stated that the code as written gives no leeway regarding the pond and its potential

Ron Sprattling the past owner of the property stated: That the home is vacant, and they have always wanted to develop the property.

If there is a way to help lot 8 and open the view to the pond. Possible to create an easement and have the HOA maintain or the City (if it was a public park) and still meet the requirements for frontage.

Chairman Kolher stated that we swallow the that the density has not been reduced as an observation.

Kevin Payne stated to get rid of the stub road and would be willing that the lots be moved down and create more open space at the pond area.

Bill Ream: likes the idea Payne presented.

Brian Balls: The required space is 15% and we increased the open space by 10 more, so the density is over what is required.

Is open to looking at opening up more open space at the pond in replacement for the stub road.

Michael Murphy is requesting a Conditional Use Permits for transient rental unit on his property located at 425 Homestead Drive. This proposal is in the Transient Rental Overlay District and is in the R-1-22 zone.



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: March 12, 2019

NAME OF PROJECT: Transient Rental Unit Conditional Use Permit

NAME OF APPLICANT: Michael Murphy

AGENDA ITEM: Conditional Use Permit

LOCATION OF ITEM: 425 Homestead Drive

ZONING DESIGNATION: R-1-22 within the Transient Rental Overlay District

ITEM: 2

Michael Murphy is requesting a Conditional Use Permits for transient rental unit on his property located at 425 Homestead Drive. This proposal is in the Transient Rental Overlay District and is in the R-1-22 zone.

BACKGROUND:

Michael Murphy, agent for Big M Investment Company LLC, is requesting a conditional use permit for a transient rental unit. The property is located at 425 Homestead Drive and is located in the R-1-22 zones, within the Transient Rental Overlay District (TROD), but outside the Resort Zone. Therefore, a Conditional Use Permit is required prior to applying for a Transient Rental Unit License. The parcel is not located in a subdivision so there are no special provisions, such as CCRs, that regulate use or activity on the property. If approved, the applicant will need to provide all required information to the City to assure compliance with the City's transient rental unit ordinance.

The property is relatively large at 6.35 acres. There is one four-bedroom dwelling on the property and most of the property is in agricultural production. The home has been licensed by the City for transient rentals for about 10 years through 1990s. The owner stopped renting the dwelling several years ago and now would like to begin renting again.

The applicant plans to comply with all the requirements as listed in the code which includes that they contract with a City licensed property management company, provide off-street parking, obey occupancy limits, among other requirements. A conditional use permit is required to inform the neighbors of the proposed use. Letters will be sent out to all property owners within 600' of the parcel that will invite them to comment to the City and to invite them to the public hearing that will be held at a future date before the City Council.

There are several benefits the City receives from transient rental units. One benefit to the City is all owners of transient rental units pay a transient rental tax. This money is a benefit to the City and to residents of the City. Another benefit is the resort tax the City collects. Few cities in Utah qualify to be able to gather this tax because the requirement is the ratio of nightly rental rooms and units compared to the permanent population of the community. If the percentage of rental units compared to the permanent population is high enough then the City can continue to collect the resort tax which equaled about \$600,000 last year. The City is actively trying to comply with State requirements to continue to collect the resort tax and every unit that is rented helps the City to continue to collect the tax.

This item has been noticed in the local newspaper for two weeks and in the State's website for the Planning Commission meeting. Mailed notices will be sent out to all property owners within 600' before the public hearing before the City Council.

ANALYSIS:

The comments in italicized represent Planning Staff's comments pertaining to compliance or lack of compliance with the findings the Planning Commission must make in considering this request. Section 16.26.120 requires specifically the Planning Commission to find that:

1. The proposed use is conditionally permitted within the Land Use Title, and would not impair the integrity and character of the intended purpose of the subject zoning district and complies with all of the applicable provisions of this Code; *planning staff believes that the proposal will not have a significant impact on the neighborhood, the nearest dwelling is about 300' from the proposed rental unit and is on the far side of Homestead Drive in The Links PUD. Also, staff has analyzed the proposal and it appears that it will comply with the provisions of the Code.*
2. The proposed use is consistent with the General Plan; *no issues have been identified.*

3. The approval of the conditional use or special exception permit for the proposed use is in compliance with the requirements of state, federal and Midway City or other local regulations; *the applicant is required to apply and receive approval of a transient Rental License before they will be allowed to rent the unit. This license requires them to register with the State for tax purposes, have their unit inspected by the building inspector, fire marshal, and health inspector, and contract with a City licensed property manager.*
4. There will be no potential, significant negative effects upon the environmental quality and natural resources that could not be properly mitigated and monitored; *no issues have been identified.*
5. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses with the general area in which the proposed use is to be located and will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare to the City; *the proposed use and associated traffic is consistent with the adjacent units and the neighborhood.*
6. The subject site is physically suitable for the type and density/intensity of the proposed use; *it appears that the proposal is suitable based on the proposed use.*
7. There are adequate provisions for public access, including internal and surrounding traffic flow, water, sanitation, and public utilities, and services to insure that the proposed use would not be detrimental to public health and safety; *no detrimental impacts have been identified.*

POSSIBLE FINDINGS:

- The proposed use is a conditional use in the R-1-22 zone and is in the Transient Rental Overlay Zone.
- The proposal does meet the vision for residential development the R-1-22 zone within the TROD in the General Plan.
- Every licensed rental unit helps the City to comply with State requirements that allows the City to collect the resort tax

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.
 - 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



M 039 N

St Andrews Dr

750 W St

Kohler Ln

Swiss Alpine Rd

Review and possibly approve the 3.

Russ Watts, agent for Watts Enterprises, is proposing to amend the Homestead Master Plan that was approved in 2008. The proposed amendment includes 290 units in the form of hotels, villas, estate lodges, bungalows, and glamping. The proposal is on 50.09 acres and contains 30 acres of open space. The property is in the Resort Zone (RZ).



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: March 12, 2019

NAME OF PROJECT: Homestead Resort Revitalization

NAME OF APPLICANT: Watts Enterprises

AGENDA ITEM: Master Plan Amendment

LOCATION OF ITEM: 700 North Homestead Drive

ZONING DESIGNATION: RZ

ITEM: 3

Russ Watts, agent for Watts Enterprises, is proposing to amend the Homestead Master Plan that was approved in 2008. The proposed amendment includes 290 units in the form of hotels, villas, estate lodges, bungalows, and glamping. The proposal is on 50.09 acres and contains 30 acres of open space. The property is in the Resort Zone (RZ).

BACKGROUND:

Watts Enterprises is proposing a Master Plan amendment of The Homestead Resort's master plan which was approved by the City Council on August 27, 2008 (2008 Master Plan). The 2008 Master Plan and its accompanying development agreement included hotels, commercial space, cottages, and amenities. The density of the 2008 Master Plan is 245 units with 453 keys (lockout units.) The proposed amendment includes hotels, spa and wellness center, conference center, condominium building, estates, villas, bungalows, employee housing, glamping sites, maintenance building and amenities. The amenities include the golf course, golf clubhouse, discovery barn, estates clubhouse, little white chapel event center, event pavilion, American Girl Village, tree house play area, barn event venue, horse barn and stables, indoor driving range and golf warm-up facility. The

proposed plan includes 1,003 parking stalls that will be spread throughout the master plan. The developer is proposing to amend the master plan to create a greater variety of lodging product and to create more amenities that will attract more visitors on a year-round basis.

The Homestead is a very important heritage landmark in Midway and many tourists associate the names “Midway” and “Homestead” as one. It is important that the essence of The Homestead is preserved in this proposal as it was in the 2008 Master Plan. The developer has included architecture and activities that have been historically associated with The Homestead in the proposal. The Homestead is also an important economic driver in Midway for both economic activity that has a residual impact on other businesses but also an important tax revenue source for the City which, in turn, helps keep property taxes low which is a benefit to all residents of Midway. Some of the items that should be considered are:

- Enhancement of the Homestead property and surrounding neighborhoods
- Impacts of the proposed concept plan on surrounding neighborhoods.
- Economic development
 - Transient room tax
 - Property tax
 - Sales tax
 - Resort tax
 - Residual economic impact on local businesses
- Public trail development

The 2008 Master Plan is entitled under the July 11, 2006 Midway City land use code and the entitlement is effective until August 27, 2058. The 2008 Master Plan contains a provision under section 5 that allows the master plan agreement to be amended if both the City and the developer mutually agree to amend the agreement. The developer has petitioned the City to amend the agreement which leaves vesting rights under the 2006 Midway City zoning ordinance instead of the current RZ code. The City is under no obligation to amend the agreement and should only do so if the proposed plan is more beneficial to the City than the current vested plan. Because of the nature of mutually agreeing to amend the agreement by both parties, the City and the developer can negotiate terms of the agreement. Items not listed in the 2006 zoning ordinance may be required by the City if the City deems those items necessary to mitigate impacts of the development and to promote community benefits. The City has included several requirements that will be explained in this report.

The property is 50.09 acres in size and will be developed in five phases. The applicant is proposing a Planned Unit Development (PUD) within the resort. All roads in the development will be private roads (staff recommends that all private roads will have a public access easement that will be noted on the plat). There will be 74.5% open space according to the phasing plan that has been submitted. Areas outside of buildings will be common area owned by the homeowner's association (HOA). There will also be a mix of public and private trails throughout the development.

Sensitive lands area also located on the property will be left undisturbed as required by the land use ordinance. These sensitive lands include the Crater, which is defined as a major geologic feature, and wetlands.

The Land Use Code requires that a Master Plan request must demonstrate that approval of the project in multiple phases can occur such that the project can still function autonomously if subsequent phases are not completed. Therefore, the Master Plan application must demonstrate that sufficient property, water rights, roads, sensitive lands protection, and open space are proposed with the first phase to allow the project to function without subsequent phases. All water rights required will be held in escrow by the City before the master plan agreement is recorded.

LAND USE SUMMARY:

- 50.09 acres
- Resort Zone (RZ)
- Five phases
- Project is a Planned Unit Development within a resort
- Private roads and storm drain system will be maintained by the HOA
- The lots will connect to the Midway Sanitation District sewer and to the City's culinary water line.
- An 8' paved public trail is planned to run north and south through the length of the property and east and west. Offsite trails will be built along 200 North and Homestead Drive to the southern boundary of the property and north of The Kantons at Village Green to the southern boundary of Kimball Estates.
- Sensitive lands on the property include The Crater and wetlands

ANALYSIS:

Open Space – The code requires that with each phase there is enough open space to comply with the 55% requirement of the code. If phase I has 75% open space, then phase II only needs to have 25% open space if both phases are equal in acreage. The proposed plans do comply with the open space requirements. Open space per phase is the following:

| | Total Acreage | Open Space | % |
|---------|---------------|-------------|---------------|
| Phase I | 23.87 | 17.77 | 74.44% |
| Phase 2 | 6.46 | 4.16 | 64.4% |
| Phase 3 | 5.51 | 4.18 | 75.86% |
| Phase 4 | 13.11 | 10.99 | 83.82% |
| Phase 5 | <u>1.06</u> | <u>0.16</u> | <u>16.67%</u> |
| | 50.01 | 37.26 | 74.5% |

Density – The RZ does not have a density limit. There are requirements that limit density which include required open space, parking, height restrictions, minimum size of rooms, and setbacks. The density of the 2008 Master Plan is 245 units with 453 keys (lockout units) but the density of the current plan is unknown until there are submittals for each phase. With each submittal, code requirements will be verified to assure compliance.

Access – Each phase of the subdivision must meet the access. The south area of the plan that accesses the townhomes and some of the estate lots needs a second point of access. The International Fire Code limits 30 units to one point of access. There are 64 units accessing from the southern loop.

The development has four points of access that will be built to City standards. There is another access to Pine Canyon Road that will be a maintenance road /public trail. Staff and the developer have discussed installing emergency access gates at the entrance to The Links and at the maintenance road from Pine Canyon Road. This will force all resort traffic to Homestead Drive, where it has traditionally been located, and will not allow the resort traffic to enter through surrounding residential neighborhoods. Per the land use code, gates are not allowed in standard subdivisions and PUDs but the RZ code does not limit them.

Traffic Study – The developers have not yet submitted a traffic study to the City as part of the application. Horrocks Engineers will review the study to determine what road improvements are required.

Transient Rental Requirement – The City is requiring that 90% of all units are rented on a transient basis. This will assure a tax base for the City which will benefit the general population. This will be required in the master plan agreement and also in the CCRs for the Homestead. All rental units will need to be licensed with the City and have property managers.

Geotechnical Study – The developers have not yet submitted a geotechnical study to the City as part of the application. Horrocks Engineers will review the study to determine if any special requirements are needed for construction of the roads and future structures in the development.

Public Participation Meeting – The developers held a public participation meeting on February 21, 2019 as required by the ordinance for master plan applications. This requirement is to give the developers an opportunity to present the development to the surrounding residents of the proposed development.

Sensitive Lands – The property does contain some wetlands and geologic sensitive lands that cannot be disturbed through the development process. The wetlands will become part of the open space for the development and will be preserved. If any wetlands are disturbed, approval must first be received from the Army Corp of Engineers. The Crater is defined as a major geologic feature in the sensitive lands ordinance and cannot be developed or disturbed, although the crater has been developed in several way over the past century. The developer is proposing to make the access to the Crater safer. The amended development agreement allows some modifications to access may be made for ADA accessibility if approved by the City Council.

Trails – The Trails Master Plan contains two trails that cross the property. One is the Homestead Trail and the other is a trail connection from Pine Canyon Road to Homestead Drive. The developer will build both trails and dedicate a public easement on the plat. Both will be 8’ paved trails. Further, the developer has agreed to connect the Homestead Trail to the City trail that ends at about 500 East Homestead Drive at his expense. This will allow members of the community to safely access the area around Homestead Drive where a trail is greatly needed. This trail will also allow tourists to safely travel from the resort to Main Street and those tourists may support other businesses in town. The developer has also agreed, at his expense, to construct a trail from the north end of The Kantons to Kimball Estates across the golf course parallel Homestead Drive. This section will also help complete the Master Trail plan that will benefit residents and tourists alike.

Architecture Theme – The developer is petitioning that all structures in the proposal follow the traditional architectural design of The Homestead and not the Swiss and Old European theme the City has adopted. The developer has explained that he would rather follow the historic and traditional Homestead design of the current structures. The Visual and Architectural Committee (VAC) reviewed the proposed theme in their meeting on February 26, 2019 and recommended that the developer be allowed to receive an exception from the required architectural theme. The current City code does allow for an exception in Section 16.15.4 (G)(3) which states:

Building Design Guidelines. Building design guidelines shall reflect: The community's architectural character choices emphasizing Swiss/European Alpine themes (or other themes as approved by the City Council after a recommendation from the VAC and Planning Commission).

Also, the 2008 Master Plan states the following:

Building materials and colors that are compatible with the natural environment and the existing buildings in The Homestead are encouraged.

Setbacks – The proposed development is designed with the setbacks from the 2006 code in which the current master plan is vested. There is a required 100' setback along Homestead Drive. There are 30' setbacks on the north, south and east boundaries. The one exception is area where units are adjacent to areas of platted and dedicated open space the will never be developed. This includes the open space for The Links along the driving range. Because of the dedicated open space and lack of future development the setback is less than 30'.

Height of structures – The height of all structures in the development are required to be no higher than an elevation of 5680', two feet lower than the highest elevation of the Crater. The only structures that will exceed 35' in height are the proposed hotels. All other structures such as the townhomes and the estates homes will be 35' or less in height as required by Section 16.13.10 of the City Code. The applicant will need to submit a contour and elevation information of the property with the preliminary and final plan submittals. All future elevation certificates will need to be based on that information.

Building Area Dimensional Limitations – The 2006 code requires that building coverage not exceed 12,000 square feet per acre or greater than 27.5% of an acre. The applicant has submitted a plan that states that the average building coverage is 14.6% per acre.

Phase 1 Environmental Study – The developer has submitted the required Environmental Study. Horrocks Engineers has reviewed the submitted study (please see attached report).

All five phases will be one HOA – The five phases of the master plan will all be one Home Owners' Association and this memorialized in the amended master plan.

VISUAL AND ARCHITECTURAL COMMITTEE RECOMMENDATION:

The Visual and Architectural Committee (VAC) reviewed the proposed theme in their meeting on February 26, 2019. They recommended approval of the applicant's proposed theme which is not Swiss and Old European design but the historic theme of The

Homestead Resort. The VAC will review individual building architecture in their future meetings for all buildings shown on the master plan.

WATER BOARD RECOMMENDATION:

The Water Board has reviewed the conceptual master plan. The developer is required to return to the Water Board to receive a recommendation with a final calculation for water use before the master plan is reviewed by the City Council.

PROPOSED FINDINGS:

- The proposal will benefit the City financially by creating a greater tax base.
- The proposal will help the City better comply with State requirements regarding collecting resort tax.
- The public trail system in the development will benefit the entire community by creating a detached trail along collector roads.
- A second point of access is required in the south area of the proposal where the townhomes are located.
- A traffic study must be reviewed the City.
- A geotechnical study must be submitted to the City for review.

ALTERNATIVE ACTIONS:

1. Recommendation of Approval (conditional). 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.
 - 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 requirements of the ordinance and the 2008 master plan.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

POSSIBLE CONDITIONS:

1. The southwest end of the proposal which contains 64 units must have a second point of access.
2. A geotechnical study must be submitted to the City for review.
3. A traffic study must be reviewed and accepted by both Midway City and UDOT.
4. All five phases of the Master Plan will be part of one HOA as described in the Master Plan agreement.
5. Landscaping plan must be addressed regarding native grass and wildflower mix.

March 12, 2019

Michael Henke
Midway City Planner
75 North 100 West
Midway, Utah 84049

Subject: Homestead Resort Revitalization, Master Plan Review

Dear Michael:

Horrocks Engineers recently reviewed the Homestead Resort Revitalization Master Plan. The following issues should be addressed.

General Comments

- The required water rights should be addressed and resolved by the Water Board prior to final Master Plan Approval.
- A golf ball analysis should be considered during the Master Plan approval.
- To confirm the findings within the Environmental Site Assessment, a site visit should be performed after the snow melts.
- Figures and Appendices should be included in the Environmental Site Assessment as stated in the Table of Contents.

Water

- The proposed resort will be served from the Cottages on the Green pressure zone.
- Due to the commercial units within this resort the waterlines diameters will need to be analyzed during Preliminary approval. We will use the culinary water computer model to analyze the anticipated fire flow requirements.
- The location of the culinary water meters should be discussed.

Roads

- Access to the Homestead Resort will be from Homestead Drive and Pine Canyon road. Two connections are proposed for Homestead Drive and one from Pine Canyon road. Access to the Resort from Pine Canyon should be minimized.
- The main entrance to the Resort will be relocated to the North to align with the existing Bigler Lane entrance.
- Any improvements to the access roads, such as acceleration and deceleration lanes will be addressed with the traffic study.
- Because Homestead Drive is a UDOT roadway, UDOT should review and approve the traffic study as it is completed.
- The interior circulation of the Resort will be evaluated and reviewed with the traffic study.
- Delivery truck routing should be shown on the traffic plan.
- A more detailed evaluation will be done with preliminary approval.
- All roads within the Resort will be private roads.

Storm Drain

- The storm-drain system within the Resort will be a private system.
- A full storm-drain analysis shall be completed. This will be submitted and reviewed during the Preliminary approval process of each phase.

Trails

- An 8' public trail will be constructed from the North side of the Resort to the existing trail on 200 North and Creek Place. There will also be a proposed public trail connecting the Resort to Pine Canyon road.
- The proposed trails will be a great benefit to the community, connecting the Homestead Resort to Midway's Main Street.

Landscaping

- The landscaping cost for each phase shall be included within the improvements bond.

Please feel free to call our office with any questions.

Sincerely,
HORROCKS ENGINEERS

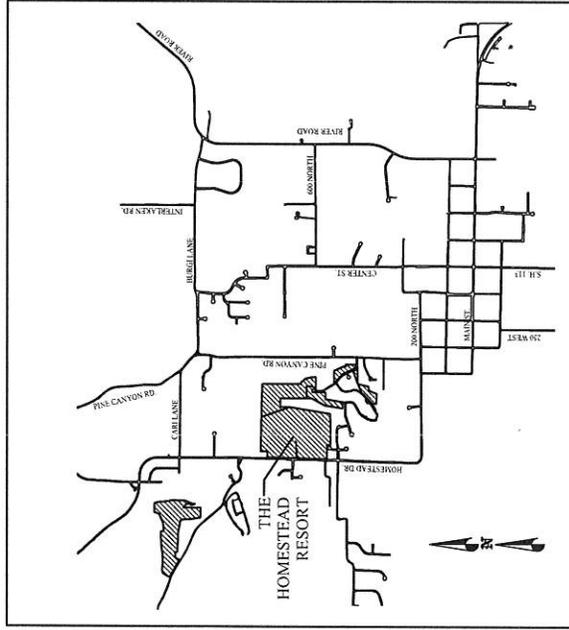
A handwritten signature in blue ink, appearing to read 'Wesley Johnson', is written over the typed name and title.

Wesley Johnson, P.E.
Midway City Engineer

cc: Paul Berg Berg Engineering

THE HOMESTEAD

THE HOMESTEAD RESORT MASTER PLAN



MIDWAY CITY
VICINITY MAP

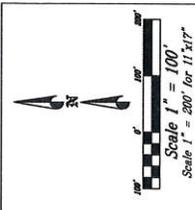
SHEET INDEX

1. EXISTING CONDITIONS PLAN
2. SENSITIVE LANDS MAP
3. RESORT MASTER PLAN
4. DIMENSIONAL LIMITATIONS PLAN
5. PHASING PLAN
6. OVERALL UTILITY PLAN
7. TRAILS PLAN
8. LANDSCAPE PLAN

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DRAWN BY: CNB DATE: 1/11/2008 P.L.
DATE: 11 MAR 2019

| | |
|---|------------------|
| WATTS ENTERPRISES | 0 |
| THE HOMESTEAD | |
| COVER SHEET | |
| BERG ENGINEERING | |
| Resource Group, P.C. 380 E Main St, Suite 204, Salt Lake City, UT 84143 PH: (801) 467-9749 | |
| DRAWN BY: CNB | DATE: 1 MAR 2019 |
| REV: | SHEET |
| | 0 |

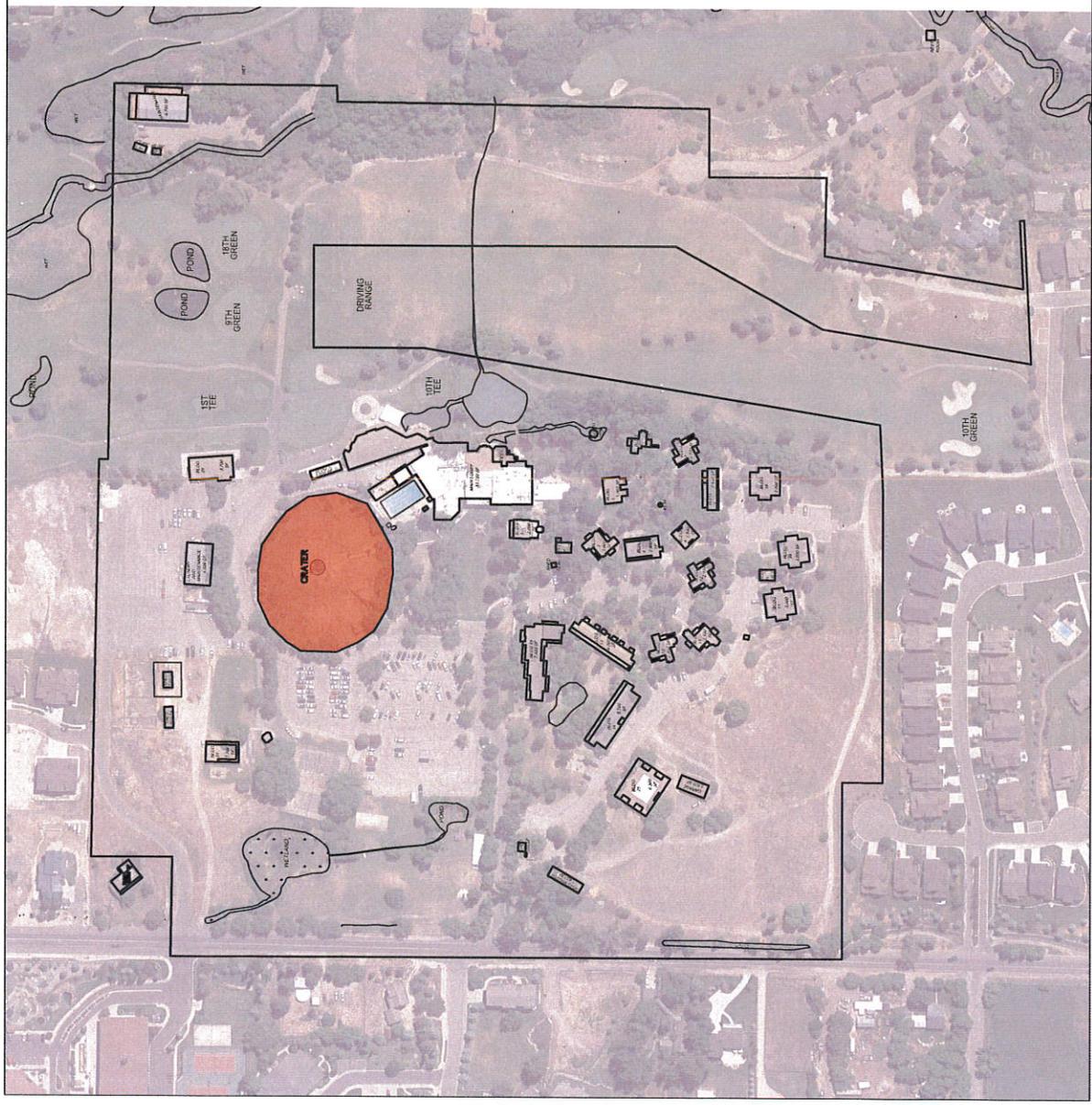
ORIGINAL
MASTER PLAN
APPROVED BY
CITY COUNCIL
AUGUST 27, 2008



EXISTING CONDITIONS:
 EXISTING BUILDING FOOTPRINT
 EXISTING PARKING SPACES
 EXISTING ASPHALT

116,196 SF
 536 VEHICLES
 726 YARDS

LEGEND:
 WETLANDS
 SENSITIVE LANDS

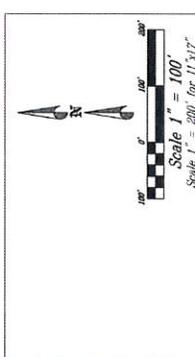


THIS DOCUMENT IS INCOMPLETE
 FOR ALL INFORMATION CONTACT
 THE PROJECT MANAGER
 WATTS ENTERPRISES
 1000 N. W. 10TH AVENUE
 SUITE 1000
 MIAMI, FL 33136

WATTS ENTERPRISES
 THE HOMESTEAD
 EXISTING CONDITIONS AND
 SENSITIVE LANDS



DESIGNED BY: JES
 DATE: 11/08/2014
 DRAWN BY: DAG
 REV: 1



EXISTING CONDITIONS:
 EXISTING BUILDING FOOTPRINT
 EXISTING PARKING SPACES
 EXISTING ASPHALT

188,098 SF
 598 SPACES
 7.39 ACRES

LEGEND:
 WETLANDS
 SENSITIVE LANDS AROUND CRATER

LAND USE TABLE

| | |
|------------------------|------------|
| AC | 50.59 |
| TOTAL AREA | 34.77 |
| OPEN SPACE & AMENITIES | 14.80% |
| BUILDING AREA | 331,865 SF |
| BUILDING AREA | 100.00% |

ESTATES

| | | |
|----------------------------------|------------|---------|
| GRAND HOTEL | 24,470 SF | 7.51% |
| LEISURE CENTER | 10,105 SF | 3.16% |
| CONFERENCE CENTER | 11,710 SF | 3.64% |
| SPA & WELLNESS CENTER | 492,600 SF | 151.47% |
| COMMERCIAL BUILDING | 11,100 SF | 3.45% |
| BUNGALOWS | 10,800 SF | 3.38% |
| COMMUNITY CLUB HOUSE | 1,042 SF | 0.33% |
| HISTORIC BUILDING | 1,800 SF | 0.56% |
| ESTATES CLUBHOUSE | 1,800 SF | 0.56% |
| EVENT PAVILION | 1,519 SF | 0.47% |
| TRAILER PLAY AREA | 1,100 SF | 0.34% |
| TREE HOUSE PLAY AREA | 5,520 SF | 1.70% |
| BARBEQUE VENUE | 2,000 SF | 0.61% |
| INDOOR DRIVING RANGE & CLUBHOUSE | 2,000 SF | 0.61% |
| GLAMPING SITES | 2,000 SF | 0.61% |
| MAINTENANCE BUILDING | 8,640 SF | 2.69% |

PARKING

| | |
|-----------------------------|-------------|
| ESTATES GARAGE AND DRIVEWAY | 598 SPOTS |
| VILLAS GARAGE AND DRIVEWAY | 223 SPOTS |
| TOTAL PARKING SPACES | 1,023 TOTAL |

NOTE:
 GOLF COURSE PROPERTY NOT SHOWN ON THIS PLAN IS NOT INCLUDED IN THE DEVELOPMENT FOOTPRINT.

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 FOR THE USE OF THE CLIENT. IT IS
 NOT TO BE REPRODUCED OR
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 OR BY ANY INFORMATION
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 SYSTEM, WITHOUT THE
 WRITTEN PERMISSION OF
 THE ENGINEER.

WATTS ENTERPRISES
 THE HOMESTEAD
 RESORT MASTER PLAN

BERG
 ENGINEERING

Resort Group, LLC
 200 E. Main St., Suite 204,
 Denver, CO 80202
 PH: 303.733.9000
 FAX: 303.733.9001
 DATE: 1 MAR 2019

ISSUED BY: PBM DATE: 1 MAR 2019 SHEET
 DRAWN BY: DAL REV: 2



EXISTING PERMIT TO
 CONSTRUCT AN ADDITIONAL
 100,000 SF OF
 VILLAS REQUIRED

MAP LEGEND:

- 1 RESORT ARRIVAL COURT
- 2 GRAND HOTEL
- 3 HOTEL TERRACE UNITS
- 4 RESTAURANT/PORCH/TERRACE
- 5 CONFERENCE CENTER
- 6 HOTEL LAWN
- 7 HISTORIC HOME
- 8 HOTEL POOL
- 9 SPA & WELLNESS CENTER
- 10 EVENT PAVILION
- 11 TRAILER PLAY AREA
- 12 TREE HOUSE PLAY AREA
- 13 FAMILY POOL
- 14 DISCOVER BARN
- 15 AMERICAN GIRL VILLAGE
- 16 SECRET GARDEN
- 17 VILLAS
- 18 CLUBBING AND ROPE AREA
- 19 TREE HOUSE PLAY AREA
- 20 HERB GARDEN
- 21 SPA AND WELLNESS CENTER
- 22 MINERAL POOLS
- 23 COMMERCIAL BUILDING
- 24 COMMERCIAL BALL COURTS
- 25 COMMERCIAL DRIVE
- 26 BARN EVENT VENUE
- 27 HORSE BARN AND STABLES
- 28 INDOOR DRIVING RANGE AND GOLF WARMUP
- 29 GOLF CLUB
- 30 COVERED BRIDGE
- 31 GLAMPING SITES
- 32 EMPLOYEE HOUSING
- 33 MAINTENANCE BUILDING



| LEGEND: | PHASE 1 | PHASE 2 | PHASE 3 | PHASE 4 | PHASE 5 | TOTAL AREA | OPEN SPACE | % |
|---------|---------|---------|---------|---------|---------|------------|------------|--------|
| | | | | | | 23.87 AC | 17.77 AC | 74.48% |
| | | | | | | 6.46 AC | 4.16 AC | 64.40% |
| | | | | | | 5.51 AC | 4.18 AC | 75.85% |
| | | | | | | 7.42 AC | 5.30 AC | 71.43% |
| | | | | | | 1.08 AC | 0.18 AC | 16.67% |

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AND SHOULD BE CONSIDERED
FOR INFORMATION ONLY. IT IS
NOT TO BE USED FOR CONSTRUCTION,
BUILDING, OR FIGHT PURPOSES.
ENGINEER: BERG
SERIAL NO.: 200805
DATE: 1 MAR 2019

WATTS ENTERPRISES
THE HOMESTEAD
PHASING PLAN

BERG ENGINEERING
Resource Group #1
10000 Highway 111 #100
P.O. Box 100
Murray, UT 84053
PH: (801) 655-9744

DESIGN BY: PDB | DATE: 1 MAR 2019 | REV: 2
DRAWN BY: DAG | REV: 1





- SETBACKS:**
- ** NO BUILDINGS OR PARKING WITHIN 100 FEET OF HOMESTEAD DRIVE RIGHT-OF-WAY
 - ** NO BUILDINGS WITHIN 30 FEET OF PROPERTY LINES EXCEPT PROPERTY CENT TO GOLF COURSE OWNED OR LEASED PROPERTY
- BUILDING HEIGHTS:**
- ** NO HOTELS SHALL BE HIGHER THAN ELEVATION 6580 OR 2' ABOVE THE FINISHED GRADE PER THE SUBMITTAL AGREEMENT AND SHALL BE AT LEAST 400 FEET FROM HOMESTEAD DRIVE RIGHT-OF-WAY
 - ** NO BUILDINGS, EXCEPT HOTELS, SHALL EXCEED 35 FEET IN HEIGHT

THIS DOCUMENT IS A PRELIMINARY PLAN FOR REVIEW ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY PURPOSES WITHOUT THE WRITTEN CONSENT OF BERG ENGINEERING GROUP, P.C.

PAUL D. BERG
SERIAL NO. 285859
DATE: 1 MAR 2019

WATTS ENTERPRISES
THE HOMESTEAD
DIMENSIONAL LIMITATIONS
PLAN

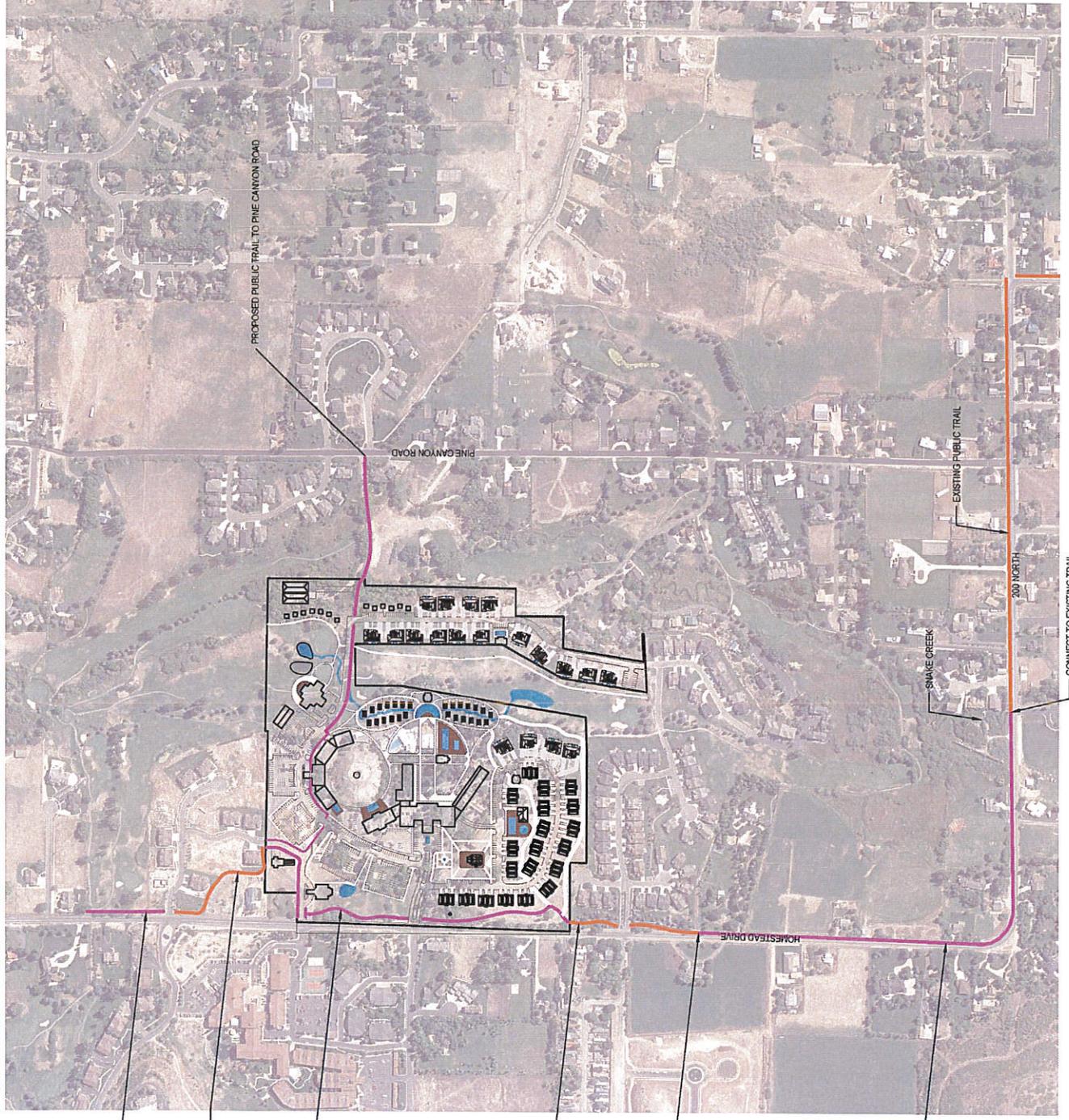
BERG ENGINEERING
GROUP P.C.
1000 E. MAIN ST. SUITE 204
MARIETTA, GA 30067
PH: (770) 425-7749

DESIGNED BY: PDB
DATE: 1 MAR 2019
DRAWN BY: DAG
REV: 3





- LEGEND:**
- PROPOSED & PUBLIC ASPHALT TRAILS
 - EXISTING PUBLIC TRAILS
 - ON-SITE PRIVATE TRAILS AND SIDEWALKS



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| | | | | | |
|--------------------|--|---|--------------------------------|------------------|--------|
| WATT'S ENTERPRISES | | BERG ENGINEERING | DESIGNER: PDR DRAWN BY: DMO | DATE: 1 MAR 2019 | REV: 3 |
| THE HOMESTEAD | | | | | |
| TRAILS PLAN | | BERG ENGINEERING 3801 S. 100th St. Tulsa, OK 74134 Tel: (918) 437-9799 | | | |



PRESSURIZED IRRIGATION
THE HOMESTEAD HAS A PRIVATE IRRIGATION SYSTEM USING PIPES AND VALVES. THE IRRIGATION SYSTEM WILL CONTINUE TO USE THIS SYSTEM.

STORM DRAIN
THE HOMESTEAD WILL HAVE A PRIVATE STORM DRAIN SYSTEM. RUNOFF WILL BE RETAINED AT ON-SITE SUMPS AND A DETENTION POND BETWEEN LINES #9 AND #18. SIZING OF POND AND STORM DRAIN TO BE DETERMINED AT PRELIMINARY APPROVAL.

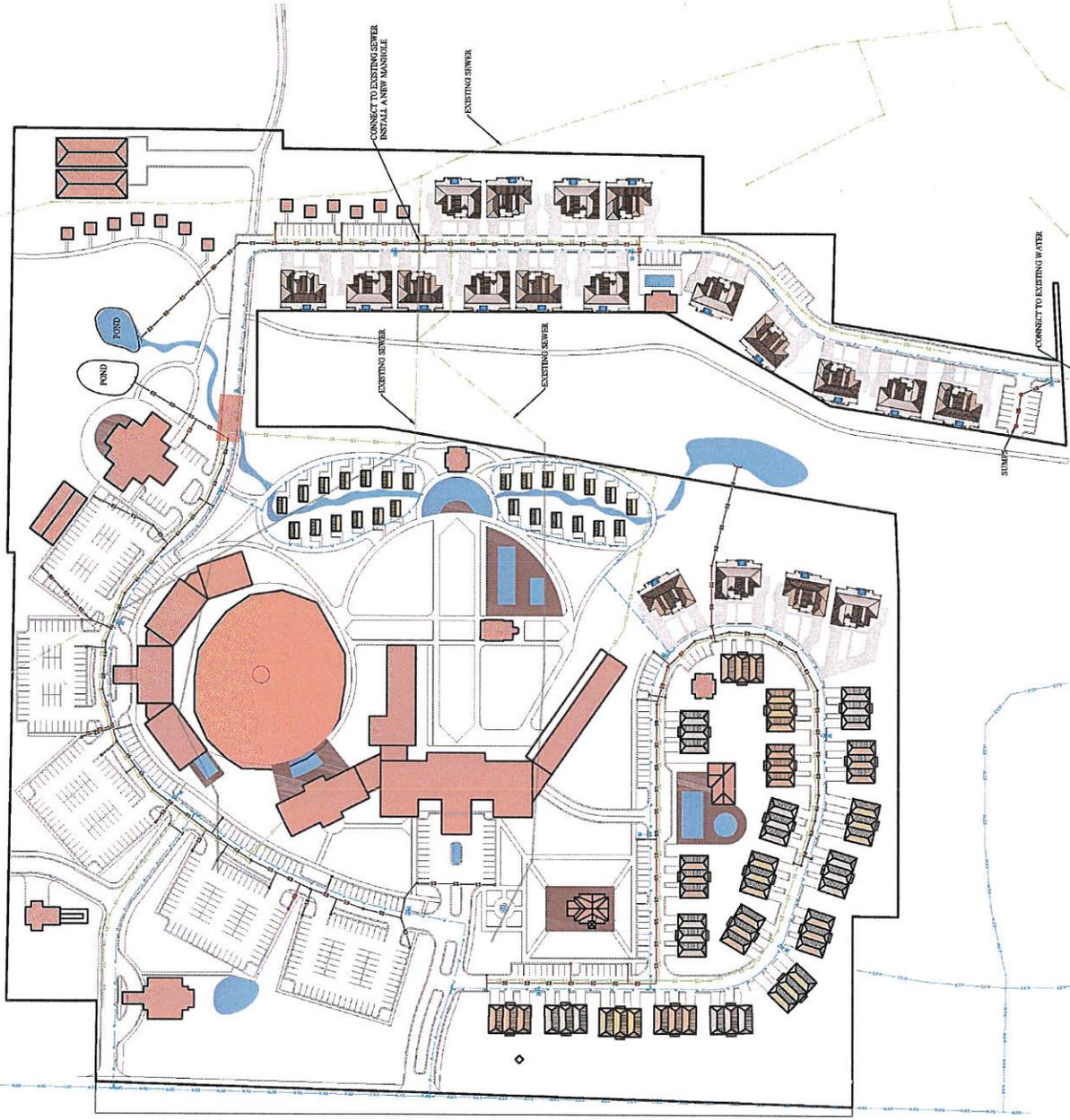
- LEGEND:**
- EXISTING WATER
 - WATER LINES
 - EXISTING SEWER
 - SEWER
 - STORM DRAIN
 - EXISTING SEWER TO BE ABANDONED

THIS DOCUMENT IS INCOMPLETE FOR IRRIGATION REVIEW ONLY. IT IS FOR INFORMATION PURPOSES ONLY. NO RECORDS, OR PERMITS PURPOSES.
PAUL S. JORDAN, P.E.
SERIAL NO. 285585
DATE: 1 MAR 2019

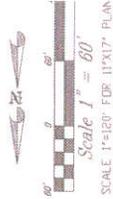
WATTS ENTERPRISES
THE HOMESTEAD
UTILITY MASTER PLAN

ENGINEERING
BERG
Resource Group P
10000 Highway 204
Midway, UT 84049
ph: (435) 657-9749

DESIGN BY: PDB | DATE: 1 MAR 2019 | 3
DRAWN BY: DAG | REV:



2008 Master Plan



| LAND USE TABLE | |
|-----------------------------|--------------|
| TOTAL AREA | 72.01 ACRES |
| RESORT CORE | 35.37 ACRES |
| EXISTING BUILDING FOOTPRINT | 116,196 SF |
| BUILDINGS IN PLAN | 294,200 SF |
| TOTAL REQUESTED FOOTPRINT | 367,750 SF |
| RESORT DENSITY REQUESTED | 5,107 SF/ACR |
| (49% OF ALLOD) | |
| OPEN SPACE & AMENITIES | 36.64 ACRES |
| (77% OF PROJ) | |

| BUILDINGS | |
|----------------|-----------|
| SMALL COTTAGES | 20 UNITS |
| HOTEL 1 | 80 UNITS |
| HOTEL 2 | 168 UNITS |
| HOTEL 3 | 80 UNITS |
| HOTEL 4 | 80 UNITS |
| EXISTING | 45 UNITS |
| TOTAL | 245 UNITS |

| EXISTING BUILDINGS | |
|--------------------|----------|
| COTTAGE 1 | 6 UNITS |
| COTTAGE 2 | 6 UNITS |
| COTTAGE 3 | 6 UNITS |
| COTTAGE 4 | 6 UNITS |
| VERANDA HOUSE | 8 UNITS |
| MILK HOUSE | 3 UNITS |
| INST. HOMESTEAD | 0 UNITS |
| HOTEL 2 | 0 UNITS |
| TOTAL | 45 UNITS |

| TOTAL UNITS | |
|----------------|-----------|
| SMALL COTTAGES | 20 UNITS |
| HOTEL 1 | 80 UNITS |
| HOTEL 2 | 168 UNITS |
| HOTEL 3 | 80 UNITS |
| HOTEL 4 | 80 UNITS |
| EXISTING | 45 UNITS |
| TOTAL | 453 UNITS |

PHASING PLAN
 PHASE 1 - GOLF COURSE COTTAGES 1-4
 PHASE 2 - HOTEL BUILDING 1
 PHASE 3 - HOTEL BUILDING 2 RENOVATION
 PHASE 4 - COMMERCIAL AREA
 OTHER PHASES TO COMPLETE THE MASTER PLAN TO BE DETERMINED

NOTE: THE PHASE 1 ALONG HOMESTEAD DRIVE WILL BE CONSTRUCTED WITH THE FIRST PHASE OF THE RESORT CORE IMPROVEMENTS WHICH IS PHASE 2 OF THE OVERALL RESORT MASTER PLAN.

THIS DOCUMENT IS INCOMPLETE FOR REVIEW AND/OR FOR RECORDING PURPOSES.
 PAUL S. BERG
 SERIAL NO. 255949
 DATE: 3 MAY 2008

| | |
|---|-------------------------|
| DATE: 5 MAY 2008 | DRAWING NO. HOMESTEAD 3 |
| DESIGN BY: CNB | REV: |
| SCALE: 1"=60' | |
| BERG ENGINEERING RESOURCE GROUP 380 E. MAIN ST. SUITE B. MIDWAY, UT PHONE: (435) 657-9749 | |

THE HOMESTEAD RESORT - LAND USE PLAN

THE HOMESTEAD INC.
 ADDRESS: 700 NORTH HOMESTEAD DRIVE
 PHONE: (435) 654-7102

MIDWAY CITY, UT

Review and possibly approve the 3. Berg Engineering, agent for Probst Higley Developers LLC, is requesting Preliminary Approval for Phase 3 and Phase 4 of the Scotch Fields PUD a large-scale planned unit development. The proposal is for 48 units located on 20.97 acres. The proposal is located west of Valais and is in the RA-1-43 zone.



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: March 12, 2019

NAME OF PROJECT: Scotch Fields PUD

NAME OF APPLICANT: Probst Enterprises and Dennis Higley

AGENDA ITEM: Phases 3 & 4 Preliminary

LOCATION OF ITEM: West of Valais along Canyon View Road

ZONING DESIGNATION: RA-1-43

ITEM: 4

Berg Engineering, agent for Probst Higley Developers LLC, is requesting Preliminary Approval for Phase 3 and Phase 4 of the Scotch Fields PUD a large-scale planned unit development. The proposal is for 48 units located on 20.83 acres. The proposal is located west of Valais and is in the RA-1-43 zone.

BACKGROUND:

Probst Enterprises and Dennis Higley are proposing preliminary approval of phases 3 and 4 of Scotch Fields PUD. The original master plan was approved August 12, 2015 and contained five phases. Phases 2 and 3 were later combined into phase 2 so the phases for this application were originally phases 4 and 5 but they will be titled phases 3 and 4 for this application and on the plats.

Phases 3 and 4 encompass 20.83 acres and contains 48 units. The property will be developed as a Planned Unit Development (PUD) and is similar to the Valais PUD to the east. The two phases contain 7.53 acres of open space while the entire master plan contains 27.5 acres of open space. These phases contain both public and private roads. The public road is Canyon View Road that extends to the northern boundary of the development. There is also a private road that will act as the access for all the building

pads in both phases. There will also be a mix of public and private trails throughout phases II and III. The trail that parallels Canyon View Drive will be a public trail while the trails in the common area will be private trails. There are sensitive lands in this phase which are the areas of slope greater than 25%.

LAND USE SUMMARY:

- 20.83 acres
- RA-1-43 zoning
- Proposal contains 48 building pads
- Project is a Planned Unit Development
- Public roads will be the responsibility of the City
- Private roads will be the responsibility of the HOA
- The HOA has been formed and phases 4 and 5 will also become part of this same organization and subject to the same CCRs
- The lots will connect to the Midway Sanitation District sewer and to the City’s water line.
- 8’ paved public trail is planned along Canyon View Road will be built by the developer.
- Sensitive in phases 4 and 5 include sloped area greater than 25%

ANALYSIS:

Open Space –Below is the open space table for all four phases:

| Phase | Units | Total Area | Open Space | Total Project Open Space |
|-------|-------|--------------------|-------------------|--------------------------|
| I | 1-17 | 18.10 acres | 11.85 acres | 69.42% |
| II | 18-41 | 16.31 acres | 8.12 acres | 58.67% |
| III | 42-51 | 4.09 acres | 1.65 acres | 56.18% |
| IV | 52-89 | <u>16.74 acres</u> | <u>5.88 acres</u> | <u>50.00%</u> |
| Total | | 55.01 acres | 27.50 acres | 50.00% |

As shown in the chart above, the open space requirements are met for each phase and for the entire subdivision.

Access/roads – Phases 3 and 4 will have two access points and will comply with the requirements of the code. Canyon View Road is shown on the City's Master Road Plan and therefore will be a public road maintained by the City. The right-of-way will be 56' with 30' of pavement. The west loop road will be a private road and will be maintained by the HOA. On the areas with sidewalks, there will be a 5' park strip and the width of the sidewalk will also be 5'.

There is a section of Canyon View Road that is not on the developer's property. That section is owned by Jared and Kurt Wilson Farm LLC. The property for this section of road will need to be deeded to the City in order for Canyon View Road to count as a point of access. The applicant will need to work with the Wilsons to make arrangements for the property to be deeded to the City. Staff is recommending that an agreement is reached between the two parties before preliminary approval is granted for the two phases.

Water – the developers met with the Water Board on June 1, 2015 and received a recommendation regarding water requirements. The recommended water requirement for phases 4 and 5 is 63.96-acre feet. This calculation will supply the 49 culinary connections (48 dwellings and a clubhouse) and the irrigated areas of phases 4 and 5. This calculation is based on Water Board's minutes for the April 6, 2015 and June 1, 2015 meetings. The Water Board recommended a total of 143.46-acre feet for the entire project. Since that recommendation, 4.68 acres of irrigated area were added to the landscaping plan which equals 14.04-acre feet of water. Also, the developer would like to remove the clubhouse with its culinary connection from the plans which would reduce the water requirement by 0.8-acre feet. Phases 1, 2, and 3 required 60.52-acre feet (61.5-acre feet were tendered to the City) which left a total of 81.96-acre feet that would be required for the last two phases. Also included in the recommendation was an adjustment of 0.2 per culinary connection because of an amendment to a pending City ordinance that adjusted the water requirement for a culinary connection from 1-acre foot to 0.8 per culinary connection. That amendment did take place a few months later therefore allowing a credit for the first three phases and an adjustment in the last two phases. That adjustment is 18-acre feet leaving the total 77.2-acre foot requirement for phases 4 and 5.

Clubhouse- The approved master plan includes a clubhouse that is in phase 5 and would be accessed from Canyon View Road. The developer would like to remove the clubhouse. Staff has concerns with removing the clubhouse. Most of the pads in phase 1 and some of the pads in phase 2 have been sold to property owners that may be expecting a clubhouse. Its staff's opinion that the City Council would need to agree to remove the clubhouse for the clubhouse to be removed.

Unit setbacks - All units along the private road must have a 25' setback from the edge of the right-of-way. All units will also have a minimum 30' setback from all peripheral property lines of the PUD.

Sensitive lands – The property does contain some slopes greater than 25%. This area does not contain any building pads and will be left natural.

Midway Sanitation District - the developers have met with the Sewer Board to determine the requirements regarding sewer connection to Midway Sanitation District's lines.

Geotechnical report - Staff has received two geotechnical reports for the property and has them on file.

Density determination – The developer has received approval for 89 units in the development, though the maximum allowed density would have been 96 units. For a PUD, a developer received 1.5 units (this number has since been adjusted to 1.25 but this application is vested with 1.5) for every acre based on gross acreage (no subtraction of property in roads). The total for this calculation is 82.52 units. They have also asked for a density bonus based on using architectural elements described in the code. The maximum density that could be received is .25 of a unit for every acre of ground which equals 13.75 units. The developer has asked for bonus of 6.48 units based on architecture. The Visual and Architectural Committee has reviewed the proposal and recommends the developer receive the density bonus for a total of 89 units in the PUD. Since the master plan was approved the City did remove the provision for a density bonus for architecture but this application is vested before that change occurred.

Height of structures – The height of all structures in the development will comply with Section 16.13.10 of the City Code. Some fill has been deposited on some localized areas of the property, but height is measured from natural grade and not from the elevation of the fill that has been deposited. The applicant has submitted contour and elevation information of the property with the preliminary and final plan submittals. All future elevation certificates will need to be based on that information and not on existing grade on site.

MIDWAY WATER ADVISORY BOARD RECOMMENDATION:

The recommended water requirement for phases 4 and 5 is 77.2-acre feet. This calculation will supply the 48 culinary connections and the irrigated areas of phases 4 and 5. This includes removing the culinary connection

PROPOSED FINDINGS:

- The proposal appears to meet the requirements of the code for PUDs.
- The proposal does meet the vision of the area as described in the General Plan for the RA-1-43 zone.
- A public Trail will be built by the developer that will be an amenity to the entire community.
- The developer is proposing to remove the clubhouse from phase 5.

ALTERNATIVE ACTIONS:

1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission feels the application meets the requirements of the code and the approved master plan.
 - 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. 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

PROPOSE CONDITIONS:

1. The clubhouse, as discussed in the master plan, must be built in phase 5 unless the City Council agrees to the developer's proposal to remove the amenity.

March 12, 2019

Midway City
Attn: Michael Henke
75 North 100 West
Midway, Utah 84049

Subject: Scotch Fields PUD, Phase 3 and 4 – Preliminary Review

Dear Michael:

Horrocks Engineers recently reviewed the Scotch Fields PUD Phase 3 & 4 plans for the Final Approval. The following issues should be addressed.

General Comments

- Phase 3 contains 10 units and Phase 4 contains 38 units, for a total of 48 units.

Water

- The proposed development will be served from the Cottages on the Green pressure zone. The proposed phases will connect to the existing water line within Phase 2

Roads

- The proposed road within Phase 3 will be a private road. The extension of Canyon View road within phase 4 will be public roads constructed within the 56' right-of-way.
- A portion of Canyon View road is proposed to be installed within the Wilson property. The Wilson property will be dedicated to Midway City prior to Final approval.

Trails:

- An 8' public trail is shown adjacent to Canyon View road. Several 6' private trails are shown within the interior of Phase 4.

Storm Drain

- The storm water within this phase will be collected within the proposed curb & gutter and discharged to the proposed catch basins and the proposed retention ponds.
- The storm drain plans will need to reflect the storm drain modifications within the Phase 2 as-built plans.

Landscaping

- The landscaping cost shall be included within the improvements bond.

Please feel free to call our office with any questions.

Sincerely,
HORROCKS ENGINEERS


Wesley Johnson, P.E.
Midway City Engineer

cc: Paul Berg Berg Engineering

THE DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.

PAUL D. BERG, P.E.
 SERIAL NO. 276599
 DATE: 13 FEB 2019

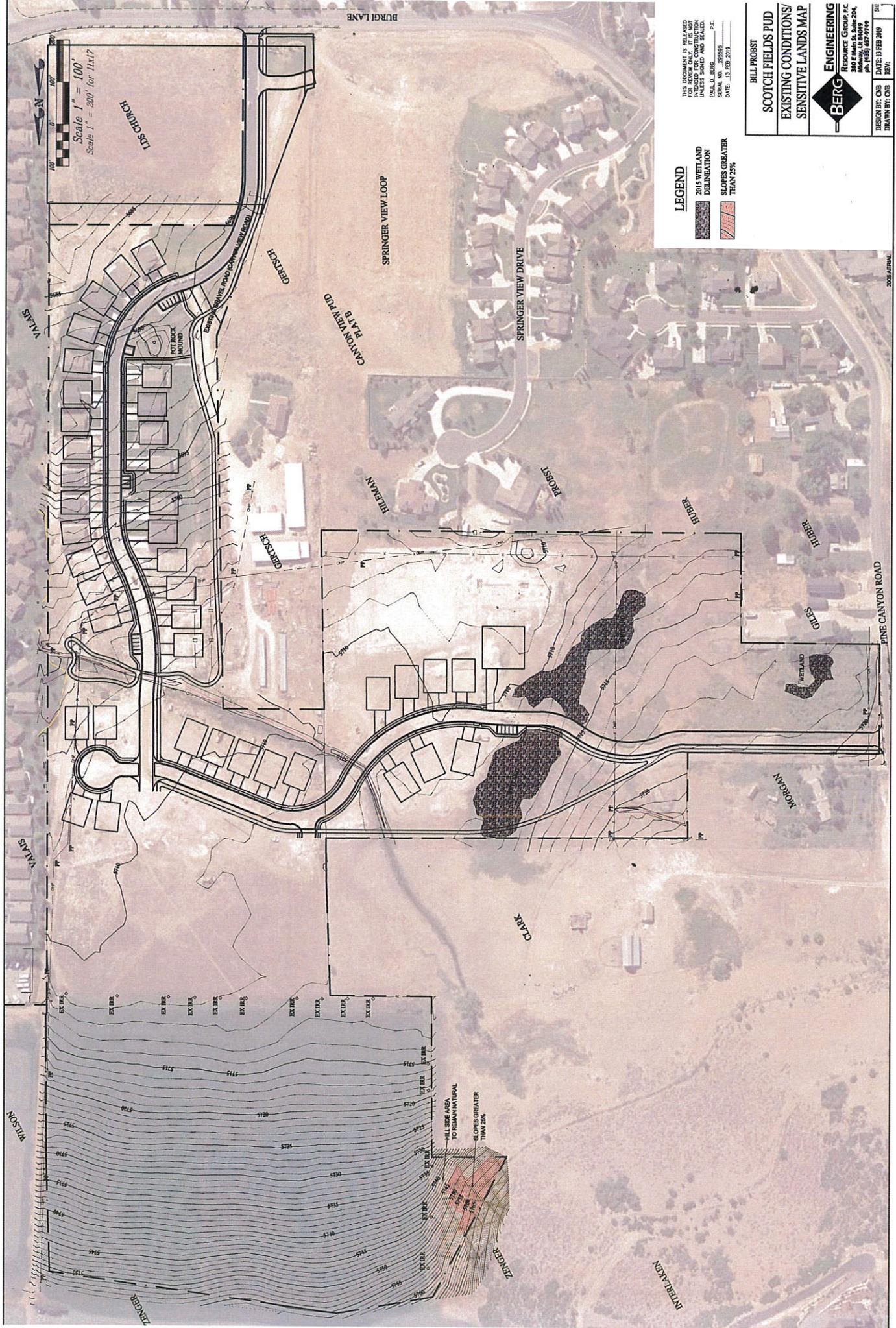
BILL PROBST
 SCOTCH FIELDS PUD
 EXISTING CONDITIONS/
 SENSITIVE LANDS MAP

BERG ENGINEERING
 RESOURCE GROUP P.C.
 200 E Main St., Suite 204
 Phoenix, AZ 85004
 ph: (602) 657-9749

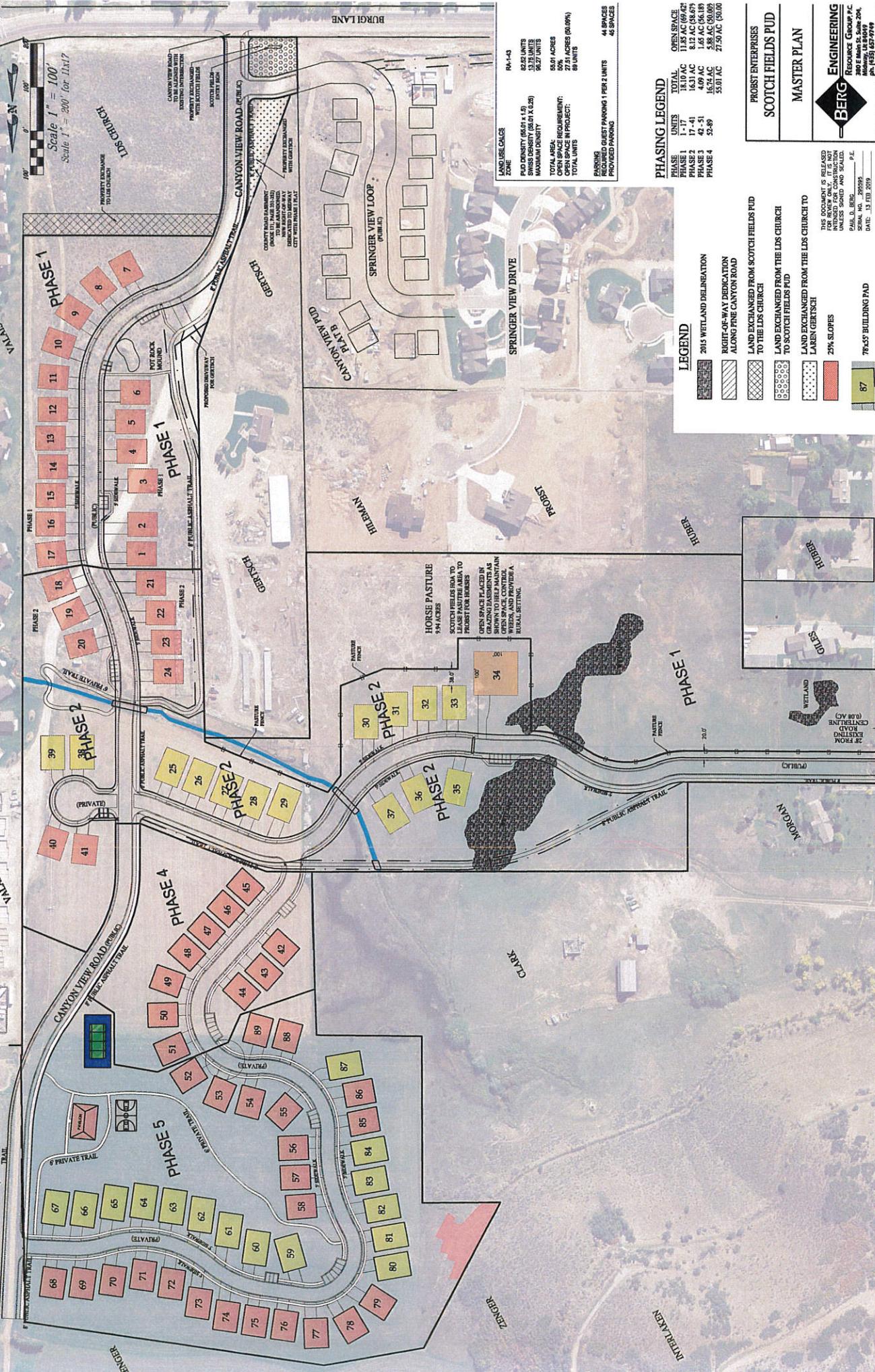
DESIGN BY: CNB
 DRAWN BY: CNB
 DATE: 13 FEB 2019
 SHEET NO. 10

LEGEND

- 2015 WETLAND DELINEATION
- SLOPES GREATER THAN 25%



2006 AFD/AL



Scale 1" = 100'
Scale 1" = 200' for 1x17'

LAND USE ZONE RA-1-A3
 PD DENSITY (80.0' x 140') 62.0 UNITS
 SW DENSITY (80.0' x 140') 33.0 UNITS
 MAXIMUM DENSITY 96.0 UNITS
 TOTAL AREA: 58.61 ACRES (80.89%)
 OPEN SPACE REQUIREMENT: 50%
 TOTAL UNITS 48 UNITS

PHASING LEGEND
 PHASE 1 1'-17'
 PHASE 2 17'-41'
 PHASE 3 42'-51'
 PHASE 4 52'-89'

PARKING
 REQUIRED GUEST PARKING 1 PER 2 UNITS
 PROVIDED PARKING 44 SPACES
 46 SPACES

PHASE 1 TOTAL UNITS 18.10 AC (26.42%)
 PHASE 2 17-41 16.31 AC (28.67%)
 PHASE 3 42-51 4.09 AC (6.98%)
 PHASE 4 52-89 15.74 AC (26.89%)
 TOTAL UNITS 48 UNITS
 55.01 AC (93.00%)

PROST ENTERPRISES
 SCOTCH FIELDS PUD
 MASTER PLAN

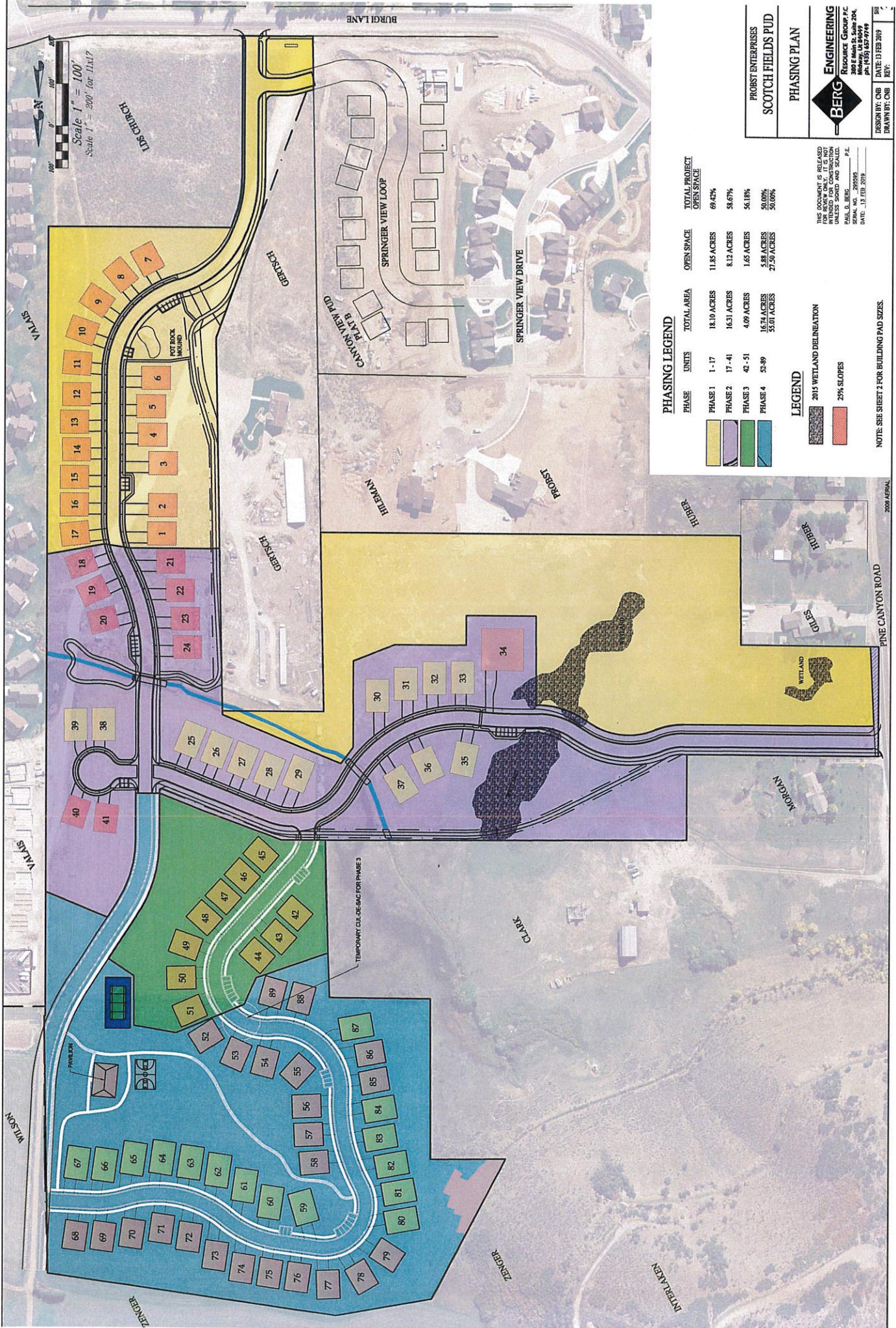
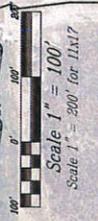
BERG ENGINEERING
 RESOURCE GROUP P.C.
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 P.O. BOX 1657979
 SALT LAKE CITY, UT 84116
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 DATE: 13 FEB 2015
 DESIGN BY: CNB
 DRAWN BY: CNB
 SHEET NO. 204
 REV. 1

LEGEND
 2015 WETLAND DELINEATION
 RIGHT-OF-WAY DEDICATION ALONG PINE CANYON ROAD
 LAND EXCHANGED FROM SCOTCH FIELDS PUD TO THE LDS CHURCH
 LAND EXCHANGED FROM THE LDS CHURCH TO SCOTCH FIELDS PUD
 LAND EXCHANGED FROM THE LDS CHURCH TO LARGER GENTRICH
 25% SLOPES
 76x59 BUILDING PAD
 66x59 BUILDING PAD

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 PAUL D. BERG, P.E.
 SERIAL NO. 205995
 DATE: 13 FEB 2015

HORSE PASTURE 7.4 ACRES
 SCOTCH FIELDS PUD TO MAINTAIN WETLANDS AND PROVIDE A RURAL SETTING.
 OPEN SPACE TO BE USED IN GRASSLANDS AS SHOWN TO HELP MAINTAIN WETLANDS AND PROVIDE A RURAL SETTING.

WETLAND (R.M. 0)
 28' FROM CENTERLINE
 28' FROM CENTERLINE



PHASING LEGEND

| PHASE | UNITS | TOTAL AREA | OPEN SPACE | TOTAL PROJECT OPEN SPACE |
|---------|---------|-------------|-------------|--------------------------|
| PHASE 1 | 1 - 17 | 18.10 ACRES | 11.85 ACRES | 69.42% |
| PHASE 2 | 17 - 41 | 16.31 ACRES | 8.12 ACRES | 56.67% |
| PHASE 3 | 42 - 51 | 4.09 ACRES | 1.65 ACRES | 56.18% |
| PHASE 4 | 52 - 89 | 16.74 ACRES | 5.88 ACRES | 50.00% |
| | | 55.01 ACRES | 27.50 ACRES | 50.00% |

LEGEND

- 2015 WETLAND DELINEATION
- 25% SLOPES

NOTE: SEE SHEET 2 FOR BUILDING PAD SIZES.

PROBST ENTERPRISES
SCOTT'S FIELDS PUD

PHASING PLAN

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DESIGN BY: CNB
DRAWN BY: CNB

DATE: 11 FEB 2019
SHEET: 2

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