

EXHIBIT E



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: June 18, 2019
NAME OF PROJECT: Whitaker Farms Subdivision
NAME OF APPLICANT: Luster Development
AGENDA ITEM: Final Approval
LOCATION OF ITEM: 455 North River Road
ZONING DESIGNATION: RA-1-43

ITEM: 8

Luster Development, agent for Tom Whitaker, is proposing final approval of the Whitaker Farms Subdivision. The proposal consists of 50 lots on 80 acres and contains 20 acres of open space. The property is located at 455 North River Road and is in the RA-1-43 zone.

BACKGROUND:

Luster Development is proposing final approval of the Whitaker Farms subdivision which is located at 455 North River Road. There will be 50 lots in the development which will be developed as a large-scale standard subdivision. All roads in the development will be public roads which will require City maintenance once the roads are accepted by the City. There will be 25% open space (20 acres) included in the development which is 10% more than the minimum requirement of 15%. The open space/common area will be owned by the homeowners' association (HOA). There will also be a mix of public and private trails throughout the development along with private amenities which may include a barn/clubhouse and sports facilities that members of the community could use. The amenities will be constructed by the developer and owned and maintained by the HOA.

Sensitive land is located on the property and will be left undisturbed as required by the land use ordinance. For residential development, these sensitive lands are areas of slope 25% or greater. Most of the areas of slope that are 25% or greater are located in the open space area that contains part of Memorial Hill. There are some small areas of slope greater than 25% that are located on the far east side of the property and will be located in some of the lots. For those lots, a building envelope will be placed on the plat limiting areas where structures will be located.

LAND USE SUMMARY:

- 80 acres
- RA-1-43 zoning
- 50 lots
- Project is a Standard Subdivision
- Public roads
- The lots will connect to the Midway Sanitation District sewer and to the City's water line.
- An 8' paved public trail is planned to run north and south through the length of the property with a connection to Memorial Hill. There will also be a public trail that will run alongside the eastern loop road.
- Sensitive lands of the property include areas of slope 25% or greater and wildlife habitat

ANALYSIS:

Open Space – The code requires 15% (12 acres) open space. The developer is proposing 25% (20 acres) open space and therefore meets the requirement of the code. The open space is also contiguous and connects to Memorial Hill.

Density – The applicant is asking for approval for 50 lots in the development as per the annexation agreement that was signed by the petitioner and the City. The applicant is bound to that agreement and cannot petition for more density unless an amendment is made to the annexation agreement. Generally, 80 acres in the RA-1-43 zone would allow about 68 lots (this is based on streets covering about 15% of the property).

Two Points of Access – The development plan has two points of access onto River Road though only one of the two has been secured. The two points of access on River Road do meet the City requirements regarding the two points of access construction standards. There is a third point of access planned on the southside of the property that will be stub road until connected to a future road.

Traffic Study – The developer has submitted a traffic study to the City as part of the application. Horrocks Engineers has reviewed that study to determine what road improvements are required. The developer is required, through the annexation agreement, to make significant improvements to River Road which include building two roundabouts and constructing a bike lane on both sides of River Road.

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

Sensitive Lands – Sensitive land is located on the property and will be left undisturbed as required by the land use ordinance. For residential development, these sensitive lands are areas of slope 25% or greater. Most areas of slope that are 25% or greater are located in the open space area that contains part of Memorial Hill. There are some small areas of slope greater than 25% that are located on the far east side of the property and will be located in some of the lots. For those lots, a building envelope will be placed on the plat limiting areas where structures can be located.

Trails – The developer is required to build public trails as part of the proposal. The public trails will run along all roads in the development and will consist of an 8' paved surface.

Water Connection – The lots will connect to the City's water line located under River Road.

Sewer Connection – The lots will connect to Midway Sanitations District's sewer line that crosses through the property.

Road Cross Section – The developer has proposed a rural road cross section instead of the default urban cross section. The rural cross section has the same 56' right-of-way width and 30' of asphalt width but it includes an 8' trail on one side of the street, 2' flat concrete curb and a road side drainage ditch instead of the standard 5' park strips and 5' sidewalks with modified curb on both sides of the street. The rural cross section can only be approved if the Planning Commission and City Council both approve the road design. The rural cross section can only be petitioned if the average frontage of the lots is greater than 150'. This has been reviewed by staff and the average frontage is greater than 150'.

20-acre Whitaker Parcel – There are 20 acres located to the west of the 80-acre proposal that are associated with each other through the annexation agreement. All density in the 100-acre area will be part of one Homeowner's Association. An HOA will be formed for the 50 lots and later, when the 20-acre area is developed, a 12-unit PUD will be created that will also be subject to the HOA as discussed when the property was considered for annexation.

Both phases will be one HOA – The developments located in the 100 acres (this proposal on 80 acres and a future proposal on the remaining 20 acres) owned by the annexation petitioners will all be one Home Owners' Association.

View corridors – The development has been designed to maintain view corridors from Memorial Hill and from River Road. The positioning of the open space and lots will all the development to be mostly unseen from River Road.

Memorial Hill access – The developer must present and receive approval from the County Council of an access plan to Memorial Hill.

Landscaping Plan – A landscaping plan has been submitted to the City and a copy is attached to this report. Staff has concerns about the proposed prairie grass and the maintenance of the prairie grass. The developer has stated that the prairie grass will be cut, at a minimum, three times each year. Language will be included in the development agreement regarding maintenance of the prairie grass.

Proportional Frontage and Acreage Reduction – The lots in the subdivision may reduce in frontage and acreage based on the amount of open space provided. The developer is providing 25% open space which is 10% more than the required amount. This allows the lots and frontage to reduce by 25% based on the code that was in place at the time of vesting. This allows frontage to reduce from 150' to 112.5' and lots may reduce from one acre to 0.75 acres.

Roundabouts – The developer has proposed two roundabouts as part of the development. The two roundabouts were included as part of an annexation agreement amendment. The roundabouts serve several purposes including slowing traffic, allowing River Road to remain a two lane road thus, preserving a rural atmosphere, beautification and aesthetics, deterring through traffic, creating a safe intersection where multiple accesses meet River Road at the base of Memorial Hill, and helping to create better parking for Memorial Hill. The City has diligently worked with Wasatch County and the developer to facilitate the approval process of the Memorial Hill roundabout because the City feels the proposed plan has many benefits to the residents of Midway and Wasatch County. Since some of the property where the roundabout will be located is owned by Wasatch County, their approval is required for the proposal to move forward. As of the writing of this report, Wasatch County has not approved the proposed plans. The developer has offered to bond for all infrastructure costs of the roundabout so that the project can move forward but this presents issues that must be considered regarding granting final approval of the

subdivision. Without County approval of the roundabout before final approval is granted there is no guarantee that the proposed plan will ever be possible. Bond money will cover the cost but without approval cannot be used. Which would leave the proposal without two approved points of access. The developer has submitted a plan B proposal (which has yet to be engineered) that appears to meet code requirements but there are other issues that will need to be worked out such as trail access to Memorial Hill, which is important to the trails master plan. The question is, does the City Council feel that plan B is an acceptable option or not? If it is acceptable then the City could grant final approval for both options. The Memorial Hill roundabout would be the preferred option and a condition could be required that would allow the developer several months to receive approval from the County. If approval is not obtained in the specified time period, then the developer would have to build plan B. Bonding would need to cover the maximum cost required by code for either option. All the details, such as trails, would still need to be discussed.

WATER BOARD RECOMMENDATION:

The Water Board reviewed the proposal and has recommended that 235.17-acre feet of water are required for the 83.64-acre proposal.

PLANNING COMMISSION FINAL APPROVAL RECOMMENDATION:

Motion: Commissioner Nicholas: I motion that we recommend approval, proposing final approval of the Whitaker Farm Subdivision. We accept staff findings with the five conditions listed in on the Power Point Presentation Slide that are noted in the report along with the condition that engineering plans be submitted and approved prior to scheduling this item to City Council, and the condition of reducing the width of the cross section and asphalt to 26 feet and the savings to be used by the city for trails and bike paths. The proposal consists of 50 lots on 80 acres and contains 20 acres of open space. The property is located at 455 North River Road and is in the RA-1-43 zone.

Second: Commissioner Payne

Chairman Kohler: Any discussion on the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners: Payne, Nicholas, O'Toole, Whitney, Ream, Bouwhuis

Nays: None

Motion: Passed

PROPOSED FINDINGS:

- The proposed development does comply with the requirements of the RA-1-43 zoning code

- The proposal does not have County approval for a new access to Memorial Hill
- The amended annexation agreement has not been signed
- The developer is providing 10% more open space than required by code

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council 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 City Council 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 City Council feels that the request does not meet the intent of the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITION:

1. The amended annexation agreement must be signed before the plat is recorded.
2. The developer must build either the proposed roundabout plan or the proposed plan b to provide the required second access to the development
3. The developer must pursue approval of the roundabout from Wasatch County for six months or be denied by Wasatch County before plan b may be considered as an option for access.
4. If plan b becomes the access for the development, all trail connectivity in the development, along River Road, and to Memorial Hill must be approved by the City before construction begins in the development.

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Heber, UT 84032
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Heber Office
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Fax: 435.657.1160

June 18, 2019

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

Subject: Whitaker Farm Subdivision –Final Plan Review

Dear Michael:

Horrocks Engineers recently reviewed the Whitaker Farm subdivision plans for Final approval. The proposed subdivision is located at approximately 450 River Road just north and east of Memorial Hill. The proposed subdivision consists of 50 lots. The following issues should be addressed.

General Comments

- The subdivision plans generally comply with the Midway City construction standards. All redline comments will be addressed.
- The roads, culinary water, pressurized irrigation system, and storm drain systems within this development will be public infrastructure and maintained by each entity.

Water

- The proposed development will be served from the Gerber Mahogany pressure zone.
- The proposed development will install a new 12" culinary water line within River Road. Impact fees will upsize the water line from 8" to 12".

Irrigation

- All outside irrigation for the proposed development will be served by the pressure irrigation system.

Roads

- The roadway right-of-way within the proposed development will be 56'. The rural cross-section using a ribbon curb and an 8' trail on one side will be used.
- The existing plans show a round-a-bout at the Memorial Hill entrance. The proposed round-a-bout will provide access to Memorial Hill and 15 parking spaces for the pedestrian access to Memorial Hill.
- The construction plans show a 5' bike lane on each side of River Road with a 12" rumble strip separating the vehicle and bicycle traffic.
- The original Annexation Agreement requires the developer to install a 14' center turn lane within River Road along the frontage of the development and a 5' bike lane along each side of the road. To better maintain the rural nature of River Road the Annexation Agreement was amended to require the developer to install a round-a-bout at the entrance to Memorial Hill and at the 600 North intersection, and the two 5' bike lanes. The construction cost of the development will be bid with both

scenarios, the cost to installing the 14' center turn lane and two 5' bike lanes, and the cost to install the two round-a-bouts, and two 5' bike lanes. If the cost to install the center turn lane is higher than the cost to install the two round-a-bouts, that difference will be provided to the City. The City may decide to install additional bike/pedestrian access along River Road.

Trails

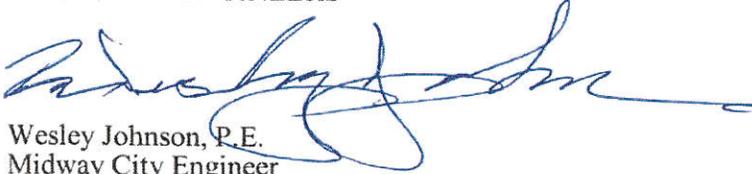
- The plans show a trail system will be installed throughout the subdivision. The proposed trail system will connect to Memorial Hill and 600 North.

Storm Drain

- The storm drain system is a public system. The storm drain system consists of surface swales, catch basins, and detention basins within the development.

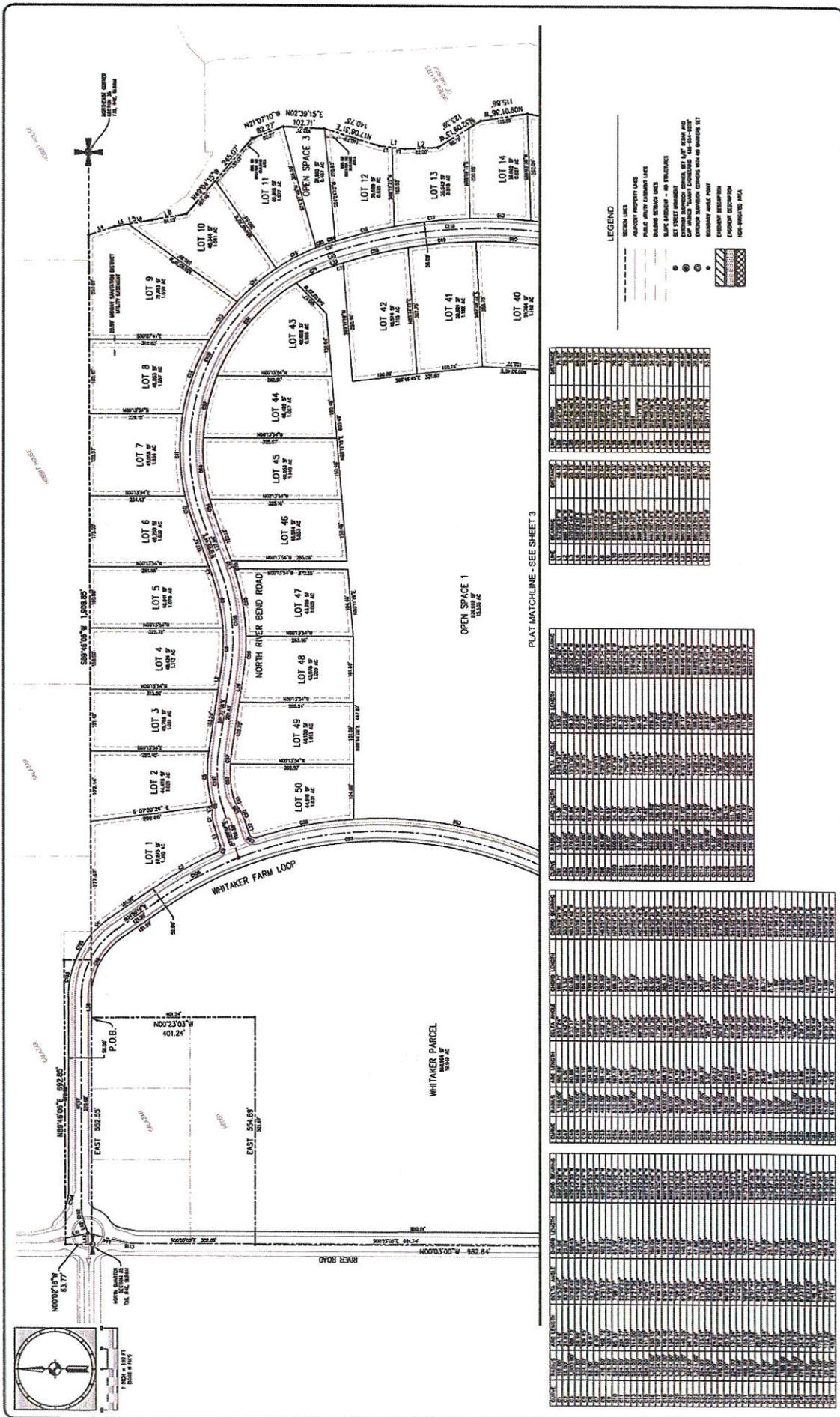
Please feel free to contact our office with any questions.

Sincerely,
HORROCKS ENGINEERS



Wesley Johnson, P.E.
Midway City Engineer

cc: Dan Luster Developer, (sent by e-mail)
 Brian Balls Summit Engineering Group Inc. (sent by e-mail)



WHITAKER FARMS SUBDIVISION
 LOCATED IN THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SUBM.
 HENRY CITY, WASHINGTON COUNTY, UTAH



Survey Engineering Group Inc.
 1000 W. 1000 S., SUITE 100
 HENRY CITY, UTAH 84040
 (435) 467-4222

PROJECT: C18-004
 SHEET: 2 OF 3
 SCALE: 1"=100'
 DATE: 06/17/2018

UTAH REGISTERED PROFESSIONAL ENGINEERING LICENSE NO. 40174

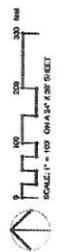
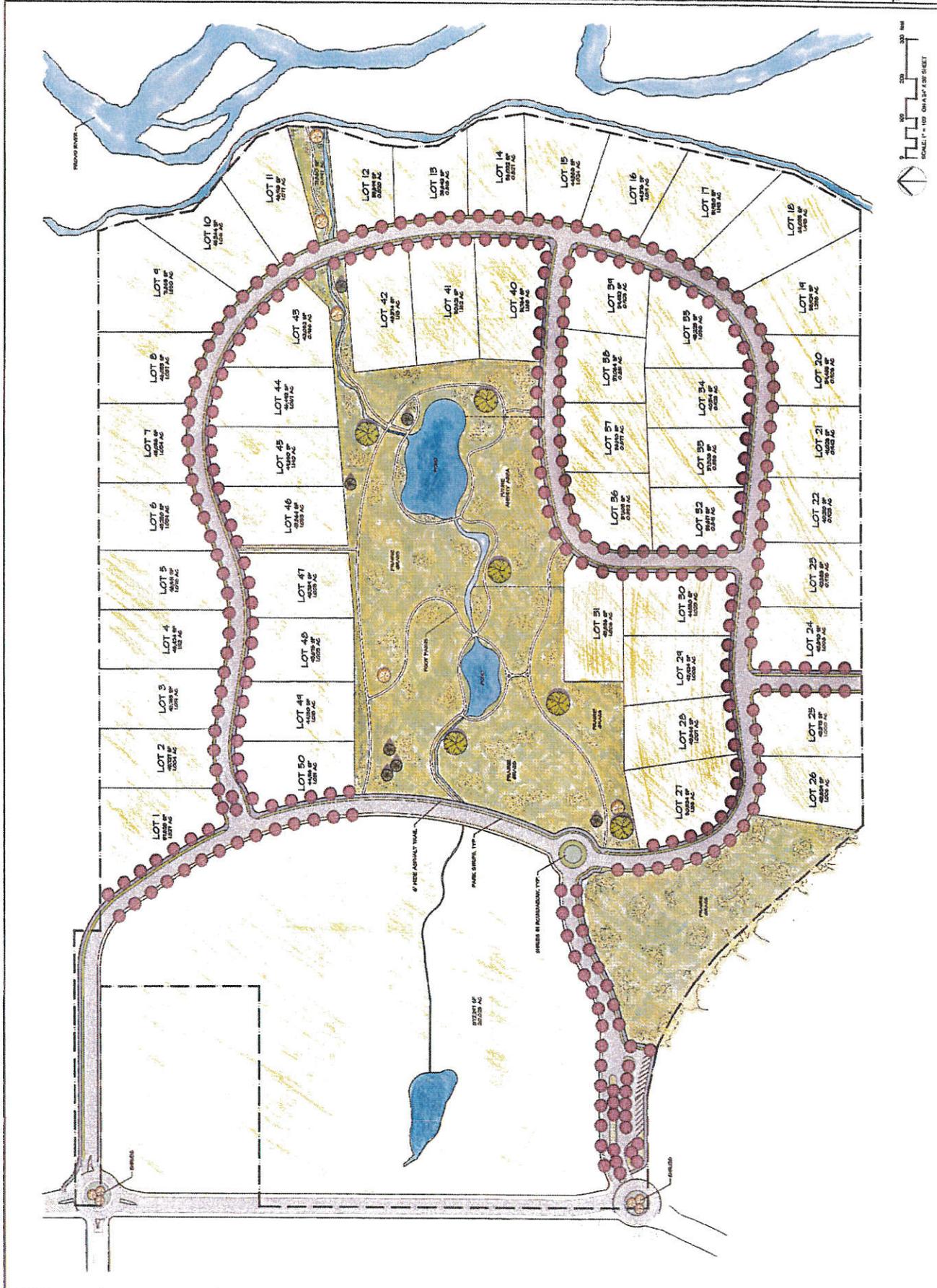


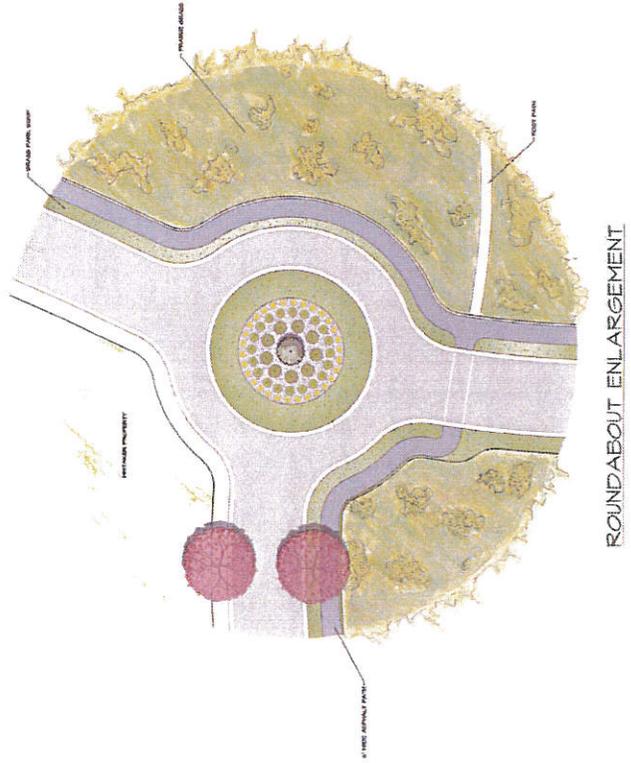
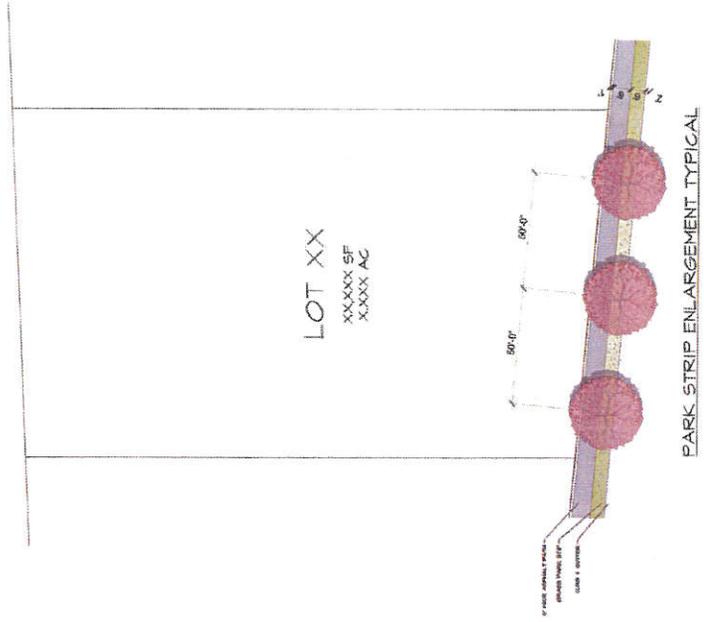
M. TAKER PLAN



LANDSCAPE PLAN

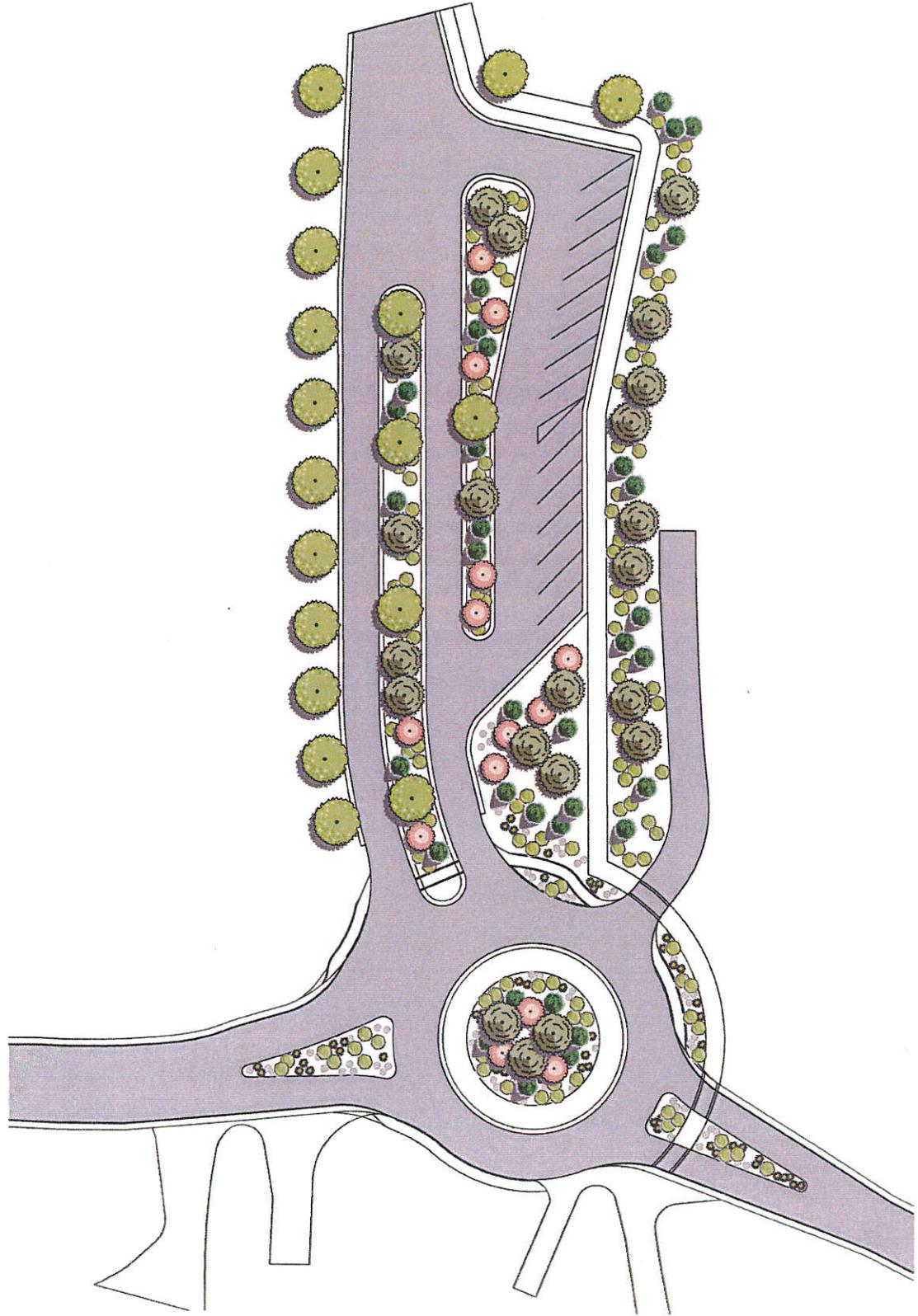
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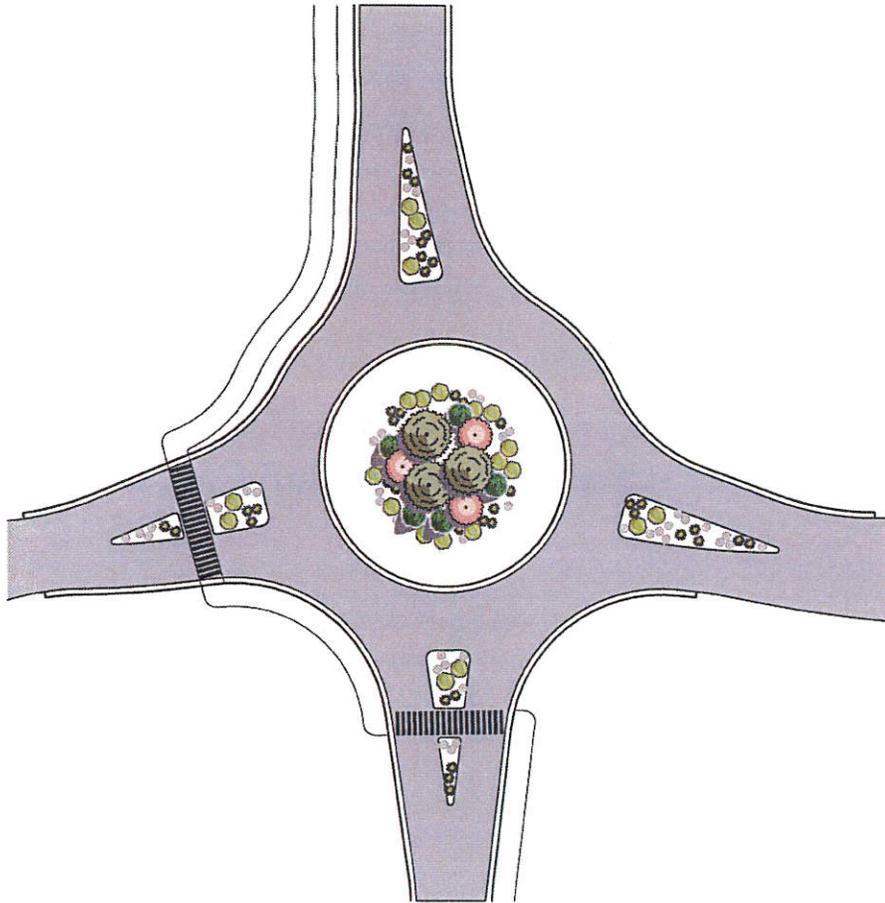
PLANT LEGEND

	EMERALD PINNACLE TREE	31
	CREAM HAZEL TREE	14
	ECOLOGICAL TREE	16
	SMALL EVERGREEN TREE	18
	SMALLER	19
	ETERNALS	21
	SHADE	138



WHITAKER FARMS ROUNDABOUT @ 600 N & RIVER RD
 McHenry, Ill

SHEET
 05/13/17



PLANT LEGEND

	EMERGENT TREE	21
	SHRUB	14
	DECIDUOUS TREE	18
	SMALL EVERGREEN TREE	36
	GRASS	53
	PERENNIAL	71
	SEDUM	155

