

Midway City Council  
11 July 2018  
Regular Meeting

Whitaker Farm /  
Preliminary Approval



## CITY COUNCIL MEETING STAFF REPORT

**DATE OF MEETING:** July 11, 2018

**NAME OF PROJECT:** Whitaker Farm

**NAME OF APPLICANT:** Luster Development

**AGENDA ITEM:** Phase 1 of Whitaker Farm Subdivision

**LOCATION OF ITEM:** 455 North River Road

**ZONING DESIGNATION:** RA-1-43

### **ITEM: 13**

Luster Development, agent for Tom and Linda Whitaker, is proposing preliminary approval of the Whitaker Farm 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 preliminary approval of Whitaker Farms phase 1 which is located at 455 North River Road. The property is 80 acres and was proposed to be developed in two phases, but the developer would like to move forward with the development all developed in 1 phase. In all, 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 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) though the developer is in discussions with Utah Open Lands because of a possibility that Utah Open Lands will hold a conservation easement on the 20 acres which would be a tax benefit for

the land owner. There will also be a mix of public and private trails throughout the development along with a private amenity which is a barn that members of the community could use. The HOA barn could not be used for any commercial uses because of its location in a residential zone.

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:**

- 83.64 acres
- RA-1-43 zoning
- Proposal contains 50 lots in one phase
- Project is a Standard Subdivision
- 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 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. 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 widening the road for a center turn lane and adding bike lanes on both sides of the road.

*Geotechnical Study* – The developer has submitted a geotechnical study to the City as part of the application. Horrocks Engineers is reviewing that 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 have submitted a public participation plan which includes sending letters to all property owners within 600' and inviting them to comment on the plans. This requirement is to give the developers an opportunity to present the development to the surrounding residents of the proposed development and to address issues that the neighbors feel should be considered.

*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 8' of 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 is proposing 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.

#### **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 RECOMMENDATION:**

Motion: Commissioner Bouwhuis: I move that we recommend preliminary approval for the Whitaker Farm development by Luster Developments as presented. We accept all the findings from the staff and we also accept the proposed conditions one and two as listed in the report and that we add the recommendation that they modify the annexation agreement of the City to allow for a modified profile as agreed with the City along River Road. The final approval will be contingent upon approval from the County on the Memorial Hill access and that the profile of the road be discussed with the annexation discussion with the City. Landscape plan must be submitted and approved by staff.

Seconded: Commissioner Streeter

Chairman Kohler: Any discussion on the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners Streeter, Ream, Nicholas, Payne and Bouwhuis

Nays: None

Motion: Passed

### **PROPOSED FINDINGS:**

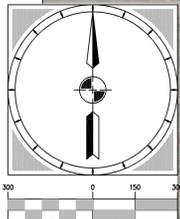
- The proposed development does appear to comply with the requirements of the code for the RA-1-43 zone for frontage, acreage, and width
- The proposal does not have County approval for a new access to Memorial Hill

### **ALTERNATIVE ACTIONS:**

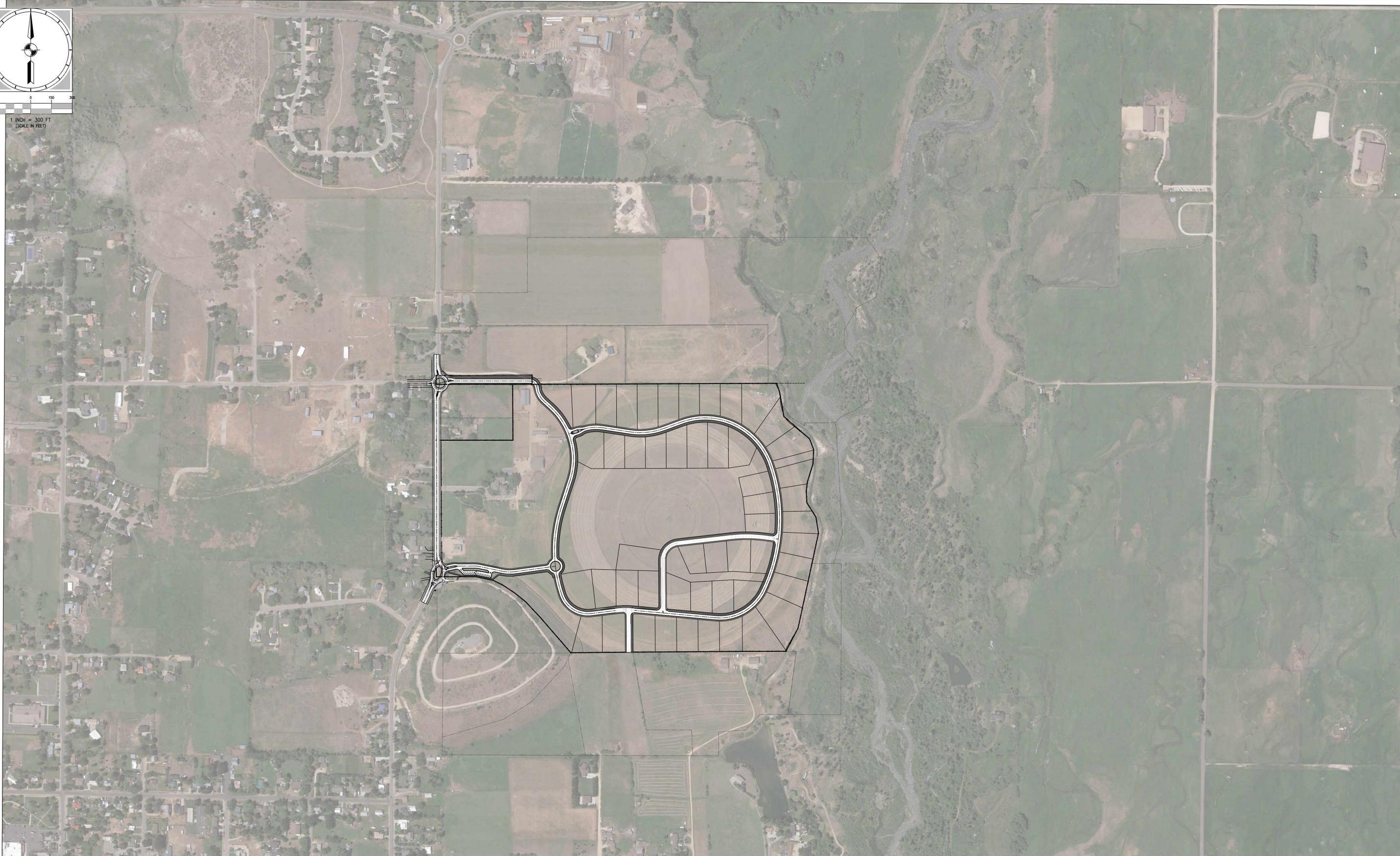
1. Approval (conditional). This action can be taken if the City Council feels the proposal complies with the requirements of the Land Use Code.
  - a. Accept staff report
  - b. List accepted findings
  - c. Place condition(s) if needed
2. Continuance. This action can be taken if the City Council feels 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 developer must present and receive approval from the County Council of an access plan to Memorial Hill before final approval is granted.



1 INCH = 300 FT  
(SCALE IN FEET)



PROJECT

C18-004

SHEET

1 OF 1

ISSUE DATE

07/02/2018

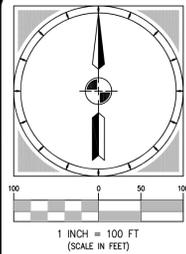


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OF THE ALTERATIONS.

# WHITAKER FARMS SUBDIVISION PRELIMINARY VICINITY MAP

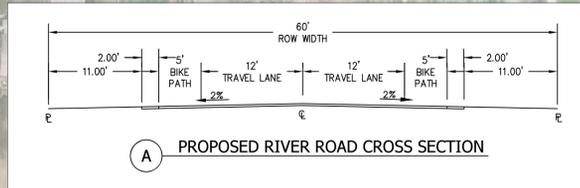
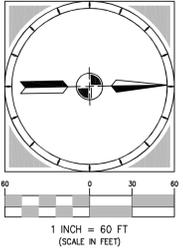


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## WHITAKER FARMS SUBDIVISION PRELIMINARY OVERALL ROAD CONFIGURATION



- 5' BIKE LANE
- EXISTING DRIVEWAYS TO REMAIN
- EXISTING PUMPHOUSE TO REMAIN
- EXISTING ASPHALT PARKING TO BE ELIMINATED
- INSTALL SIGN FOR MEMORIAL HILL
- EXISTING ARCH AND GATE TO BE RELOCATED
- INSTALL SIGN FOR MEMORIAL HILL PARKING
- 8' ASPHALT TRAIL
- 15 PROPOSED ANGLED STALL PARKING AREA FOR MEMORIAL HILL
- MEMORIAL HILL

OPEN SPACE 5

OPEN SPACE 2

OPEN SPACE 1

WHITTAKER PARCEL

MEDDY

SALAZAR

SALAZAR

WASATCH COUNTY

PROJECT  
C18-004  
SHEET  
1 OF 1  
ISSUE DATE  
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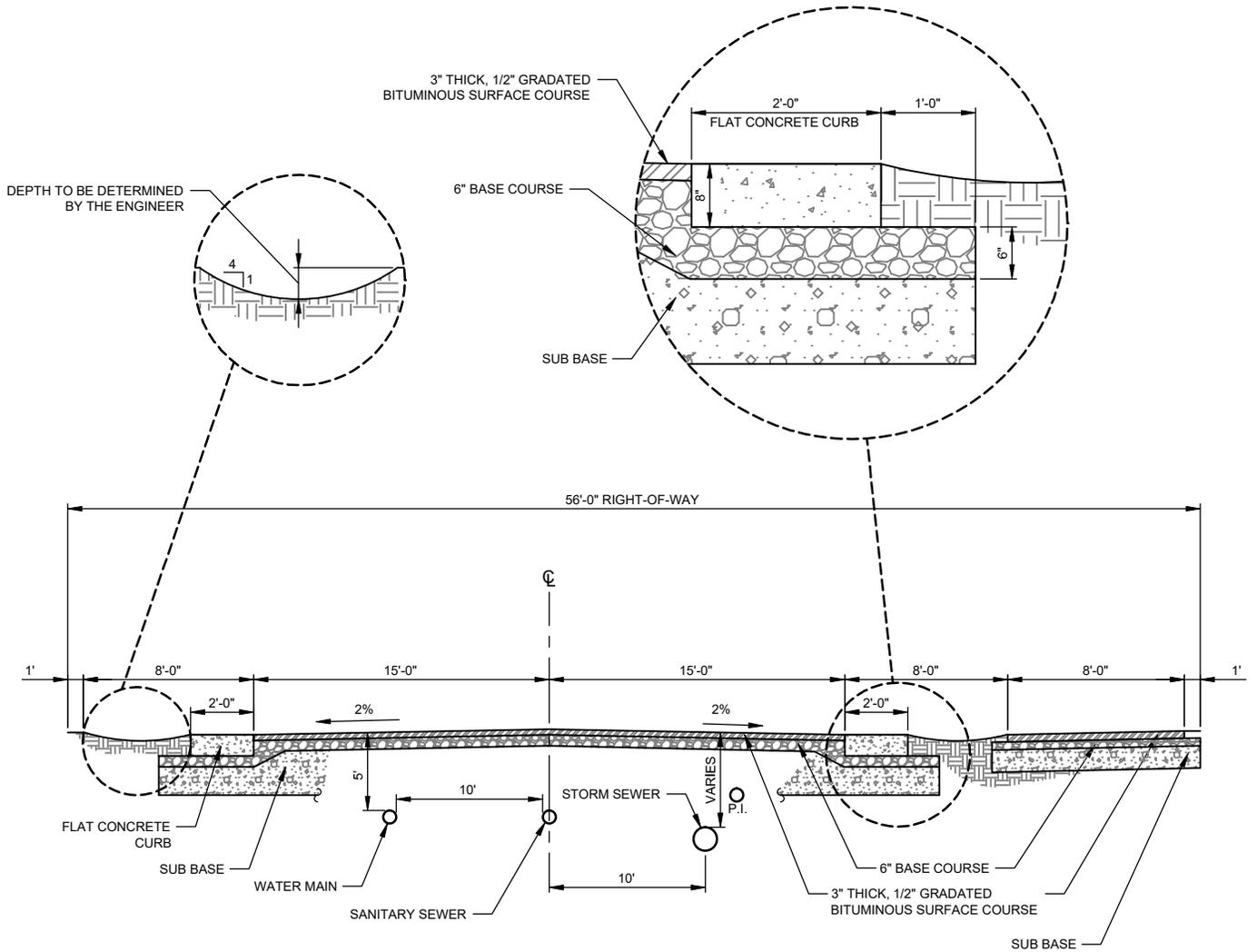
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# WHITTAKER FARMS SUBDIVISION

LOCATED IN THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SLB&M, MIDWAY CITY, WASATCH COUNTY, UTAH

H:\Midway City Standard Drawings\2014 Standard Drawings\STREETS-3.dwg - Layout1 - 10/17/2014 11:51am - natalier



**NOTES:**

1. THIS CROSS SECTION MAY BE USED WHEN THERE IS AN AVERAGE FRONTAGE OF 150' PER LOT (CORNER LOTS BOTH FRONTAGES MUST BE CALCULATED) AND ONLY AFTER APPROVAL BY PLANNING COMMISSION & CITY COUNCIL.
2. WHEREVER POSSIBLE, SANITARY SEWER SHALL BE INSTALLED ON THE DOWNHILL SIDE OF THE STREET.
3. NO WATER LINE SMALLER THAN 8-INCH DIA. SHALL BE INSTALLED.
4. A-1-a GRADATED SUBBASE MAY BE REQUIRED WHEN EXISTING SUBBASE IS DETERMINED BY THE CITY ENGINEER TO BE UNSUITABLE.
5. SUGGESTED UTILITY PLACEMENT; FINAL PLACEMENT TO BE APPROVED BY CITY ENGINEER.
6. STORM WATER FLOW TO CONTINUE THROUGH THE DRIVEWAY CONNECTION.

**LOCAL STREET CROSS SECTION #4**

M-S3  
TYP
**STREET CROSS-SECTIONS  
AND UTILITY LOCATIONS**  
 N.T.S.

**HORROCKS**  
ENGINEERS

DATE: SEPTEMBER 2014  
728 WEST 100 SOUTH #2  
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**MIDWAY CITY  
STANDARD DRAWING**

STREETS - 3



