Midway City Council 1 September 2020 Regular Meeting

Midway Vistas Subdivision, Phase 1 / Preliminary Approval



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING:	September 1, 2020	
NAME OF PROJECT:	Midway Vistas Phase 1	
NAME OF APPLICANT:	Kirk Malmrose	
PROPERTY OWNER:	John Zenger Trust	
AGENDA ITEM:	Preliminary	
LOCATION OF ITEM:	285 Luzern Road	
ZONING DESIGNATION:	RA-1-43	

ITEM: 7

Kirk Malmrose, agent for John Zenger Trust, is proposing preliminary approval of phase 1 of Midway Vistas. Midway Vistas phase 1 contains 27 lots on 46.89 acres, of which, there are 13.63 acres of open space. The property is located at 285 Luzern Road and is in the RA-1-43 zone.

BACKGROUND:

Kirk Malmrose is proposing preliminary approval of phase 1 of Midway Vistas. Phase 1 contains 27 lots on 46.89 acres, of which, 13.63 acres is open space. The master plan contains three phases and was approved on July 7, 2020 and contains 49 lots. The project is a large-scale standard subdivision but, unlike most standard subdivisions where the roads are public, the roads in Midway Vistas will be private but there will be a public access easement.

LAND USE SUMMARY:

- 46.89 acres in phase 1
 - Entire master plan 83.19 acres
- 13.63 acre of open space in phase 1
- RA-1-43 zoning
- Proposal contains 27 building pads
 - Entire master plan contains 49 lots
- Project is a standard subdivision
- Private road and sidewalk maintenance will be the responsibility of the HOA
 - Public access easement on all roads and sidewalks
- The lots will connect to the Midway Sanitation District sewer and to the City's water line.
- Paved public trails and a public trail easement for a back-country trail
 - Project will participate in an off-site trail about 300' in length along Homestead Drive

ANALYSIS:

Open Space – The code requires that with each phase there is enough open space to comply with the 15% requirement of the code. If phase 1 has 75% open space, then phase 2 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 1	46.89	13.63	29.06%
Phase 2	19.66	8.32	43.90%
Phase 3	16.64	3.08	18.50%
	83.19	25	

Part of the open space will not be irrigated for a couple of reasons. Some of the areas that will not be irrigated are in sloped areas and some are areas that historically have never been irrigated. The City tries to anticipate what areas future lot owners or common areas that the HOA may want to irrigate in the future when determining to

allow areas without water rights. The Water Board did determine to allow some areas that will not be irrigated, and those areas will be noted on the plat. All lots, except lot 30, have water rights that allow the entire lots to be irrigated.

Density – The annexation agreement limits density to 49 lots and phase 1 will contain 27 of the allowed lots.

Access – Each phase of the subdivision must meet the access requirements. Phase 1 does have three points of access. The three access points for the development are Canyon View Road (public), Interlaken Drive (private), and Luzern Road (Interlaken public road). Because Interlaken Drive is a private road the developer arrived at an agreement with owners of the road that will allow use of Interlaken Drive.

Traffic Study – A traffic study was submitted to the City on May 27, 2020. The study has been reviewed by Horrocks Engineers. More information can be found in Horrocks' review letter that is part of this report.

Geotechnical Study – The developers have submitted a geotechnical study to the City as part of the application. Horrocks Engineers has reviewed the study to determine if any special requirements are needed for construction of the roads and future structures in the development. The report is available for viewing in the planning office or by request.

Lot acreage – The land use code allows the area of lots to reduce in size based on the amount of open space in the subdivision. The code requires 15% open space for this proposal and the developer has provided 30%. Because the developer has 15% extra open space, the lots may reduce in size by 15%, therefore the minimal size lot allowed is 0.85 acres, of which there are several in the proposed master plan.

Sensitive Lands – The property does contain slopes greater than 25%. Dwellings are not allowed on areas of slope greater than 25%. The proposed plan complies with this requirement.

Trails – The Trails Master Plan contains two trails that cross the property. One trail runs north from Canyon View Road to Interlaken and the other runs from the center of the property to Interlaken Drive. These trails will be paved. Because of our recent experience with the public trail maintained by the HOA of Dutch Fields that the City is now maintaining with an annual fee from the HOA, staff would like to propose the same arrangement for the public trails in Midway Vistas. Public trails need to be maintained to a standard that allows the public to safely use the trail, otherwise, the trail becomes a liability issue. The resolution to this issue is the City maintains the public trails but the HOA contributes annually to the maintenance.

The annexation agreement also requires an offsite trail along Burgi Lane. The City completed that trail several years ago so as part of the amended master plan that was approved, the developer will pay for the cost of installing a 300' section of trail along Homestead Drive.

The proposal will also dedicate a public trail easement for a back-country trail that will take the place of an existing similar trail that currently crosses the northern end of the property. The easement for the trail will be 10' wide and will be located in the 50' common area along the north end of the property running from Interlaken's pump station heading east all the way to the entrance of Midway Vistas on Interlaken Drive. There will also be a small connection to the existing trail as in enters into Interlaken. It will be the responsibility of the City to build the trail and it is anticipated that volunteers will complete the construction.

Setbacks – All structures in the proposed development will need to comply with the RA-1-43 standards.

Height of structures – All structures in the proposed development will be no taller than 35' to the roof measured from natural grade.

All three phases will be one HOA – The three phases of the master plan will all be one Homeowners' Association, and this will be memorialized in the master plan agreement. The HOA is responsible for maintenance of the streets, private trails and any amenities, such as the tennis court, that is provided.

Interlaken dumpster location –The development will provide a location for the dumpsters for Interlaken town. The site will be located on the east side of the development in the location of Edelweiss Lane. Originally, the dumpsters for Interlaken were located on Interlaken Drive. When the Burgi Hills Ranches PUD was proposed in in 2006, it was determined that Interlaken Drive would need to be widened to City standards to provide access to the proposed development. The widening of Interlaken Drive also made development of other parcels possible since all would need access from a road built to City standards. Jack Zenger, owner of Midway Vistas, was a signer on the agreement that moved the dumpsters to Valais Park and has benefited from that action by now having access to a road that complies with City requirements for access. In the years since the dumpsters were moved to the park, there have been problems which, include illegal dumping, so an alternative site has been sought and one of the options that was considered was in the Midway Vistas development. As part of the annexation amendment, it was required that the dumpsters would be in phase 1 of Midway Vistas.

Roads and sidewalks - The proposal is a standard subdivision, which usually has public roads, but the annexation agreement does specify that the roads will be private. Staff is recommending, as part of the annexation agreement amendment, that a public access easement is granted for the roads and sidewalks in the subdivision. The easement will be noted on the plats of all three phases and the master plan agreement.

Edelweiss Lane – Edelweiss Lane, which is road that accesses three lots in Interlaken, crosses part of the proposed development. The road will be rerouted, and the access will come directly from the eastern entry road for Midway Vistas.

Irrigation pumps - A note will be placed on the plats informing future owners that the 15 most elevated lots will each require an irrigation pump because they are located above the irrigation ditch. The developer will provide the irrigation pumps to Midway Irrigation Company and the pumps and secondary water meters will be installed by the irrigation company at the time of construction of dwellings on those lots.

WATER BOARD RECOMMENDATION:

The Water Board has reviewed the master plan and has determined that 191.24-acre feet are required for the entire project. The final numbers need to be calculated but Phase 1 would dedicate 120.18 acre-feet, Phase 2 would dedicate 32.7-acre feet, and phase 3 would dedicate 40.91-acre feet. All the required water rights will be held in escrow before the master plan agreement is recorded.

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Bouwhuis: I make a motion that we recommend approval of the preliminary approval of phase 1 of Midway Vistas. Midway Vistas phase 1 contains 27 lots on 46.89 acres, of which, there are 13.63 acres of open space as noted. The property is located at 285 Luzern Road and is in the RA-1-43 zone. We accept staff findings and the conditions listed as noted in the staff report which are that the developer will pay the cost of building a 300' section of trail along Homestead Drive that will take the place of the trail that the City built along Burgi Lane that was originally required of the developer. Payment is required before the phase 1 plat is recorded. All approved non-irrigated areas will be noted on the plats. A note is placed on the plats informing future owners that the 15 most elevated lots will each require an irrigation pump because they are located above the irrigation ditch. Private roads in the development will have a public access easement which will be noted on the plats and in the development agreement.

Seconded: Commissioner Garland Chairman Nicholas: Any discussion on the motion? Chairman Nicholas: All in favor. Ayes: Commissioners: Ream, Bouwhuis, Whitney, Simons, Clifton and Garland Motion: Passed

POSSIBLE FINDINGS:

- The proposal complies with the requirements of the code for standard subdivisions.
- The proposal does meet the vision of the area as described in the General Plan for the RA-1-43 zone.
- The public trails will be built by the developer that will be an amenity to the entire community.

ALTERNATIVE ACTIONS:

- 1. <u>Recommendation of Approval (conditional)</u>. This action can be taken if the Planning Commission finds 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. <u>Continuance</u>. This action can be taken if the Planning Commission finds 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. <u>Recommendation of Denial</u>. This action can be taken if the Planning Commission finds that the request does not meet the requirements of the code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITIONS:

- 1. The developer will pay the cost of building a 300' section of trail along Homestead Drive that will take the place of the trail that the City built along Burgi Lane that was originally required of the developer. Payment is required before the phase 1 plat is recorded.
- 2. All approved non-irrigated areas will be noted on the plats.
- 3. A note is placed on the plats informing future owners that the 15 most elevated lots will each require an irrigation pump because they are located above the irrigation ditch.
- 4. Private roads and sidewalks in the development will have a public access easement which will be noted on the plats and in the development agreement.
- 5. Private trails with public trail easements will be maintained by the City with an annual maintenance fee paid by the HOA.



728 West 100 South Heber, UT 84032 435-654-2226 www.horrocks.com

August 11, 2020

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

Subject: Midway Vistas Subdivision – Phase 1 Preliminary Review

Dear Michael:

Horrocks Engineers recently reviewed the Midway Vistas subdivision plans for Preliminary approval. The proposed subdivision boarders Interlaken to the North, the Scotch Fields Subdivision to the South and Interlaken Drive to the East. The proposed subdivision consists of 49 lots. The following issues should be addressed.

General Comments

- Each phase within the Master Plan appears to be a stand-alone phase.
- Phase 1 has 27 lots, phase 2 has 9 lots, and phase 3 has 13 lots.
- All redline comments should be addressed.

Water

- The proposed development will be served from the Cottages on the Green pressure zone.
- The proposed development will connect to the existing 8" culinary water line near Interlaken Drive to the east of the subdivision and to a 10" culinary water line within Scotch Fields subdivision to the South of the proposed subdivision.
- Required water pressure and fire flows need to be addressed for lots higher in elevation.

Roads

- Access from the Scotch Fields PUD Phase 4 (Canyon View Road) should be addressed at preliminary approval.
- The proposed roads within subdivision will be private and have right-of-way widths of 56' with 5' sidewalk on both sides of the road.
- As part of the annexation agreement all roads within the subdivision will be private with a public use easement.
- Any access issues relative to the town of Interlaken should be resolved.

Pressure Irrigation

- The subdivision will be serviced by Midway Irrigation Company. Lots higher in elevation will likely have issues with low pressure. The use of ponds to assist in regulating pressures should be evaluated.
- All removal, additions, or revisions to pressure irrigation system must be approved by Midway Irrigation Company.

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Trails

- An 8' public trail system is shown throughout the development. This should be shown as a private trail with public use easement.
- The trails will connect with the Scott Fields development on Canyon View Road.

Storm Drain

- The storm drain system will be private and will be collected within the proposed curb and gutter and discharged to a series of catch basins, sumps, and retention basins with the development.
- Midway Vistas HOA will be responsible for maintenance of the detention basins.

Sewer

• Sewer will be provided by the Midway Sanitation District.

Please feel free to call our office with any questions.

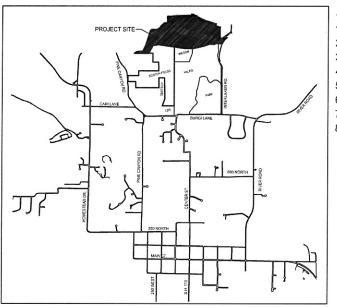
Sincerely, HORROCKS ENGINEERS

me Wesley Johnson, P.E. Midway City Engineer

cc: Berg Engineering



MIDWAY VISTAS PHASE 1 PRELIMINARY PLAN



MIDWAY CITY VICINITY MAP

SHEET INDEX

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- 2. SENSITIVE LANDS PLAN
- 3. APPROVED MASTER PLAN
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- 6. WATER PLAN
- PRESSURIZED IRRIGATION PLAN 7.
- STORM DRAIN PLAN 8.







COVER SHEET



