



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: March 10, 2020
NAME OF PROJECT: Zenger Annexation
NAME OF APPLICANT: Berg Engineering
AGENDA ITEM: Concept Plan Review
LOCATION OF ITEM: 275 Luzern Road
ZONING DESIGNATION: RA-1-43

ITEM: 4

Non-entitlement review of a concept plan for the Zenger Property which contains 49 lots. The applicant is proposing to adjust the location of the lots and open space on the property. The property is 84 acres and is located at 275 Luzern Road and is in the RA-1-43 zone

BACKGROUND:

The Zenger annexation that was approved by the City Council on June 27, 2007 and the property was later annexed into the City on January 30, 2008. The annexation was for 95 acres and included a parcel of land owned by the Zenger family that is 84 acres which is located north of the Valais PUD and south of the town of Interlaken. As part of the approved annexation, an annexation agreement was developed and approved by both the landowner and Midway. The agreement is binding with no expiration date and includes many details pertaining to development of the property. The agreement was based on months of review by the City Council, Planning Commission and staff. Public comment was also gathered and, most likely, influenced the language and terms of the annexation agreement. Stated simply, much effort was used to create the terms of the agreement.

The agreement does contain a provision that allows for amendments. Section V D states the following: *This agreement may be amended in whole or in part by the mutual written consent of the parties to this agreement or by their successors in interest or assigns.* Therefore, the applicant is contemplating petitioning the City to consider an amendment, but the City is under no obligation to grant an amendment, even if the proposed amendment does comply with a previous or current zoning code. The City should only grant an amendment if there is a prevailing communal benefit that a new plan can offer that the approved plan cannot.

Attached to this document are three plans for the property. The first is the approved annexation plan which is entitled, and the applicant could apply for preliminary approval of this plan if all the requirements are met. The second and third documents are proposed concept plans for the City to consider. They are similar but there are variations on road location, open space, and lot locations. Density is the same at 49 lots for all three plans.

POTENTIAL ACTIONS:

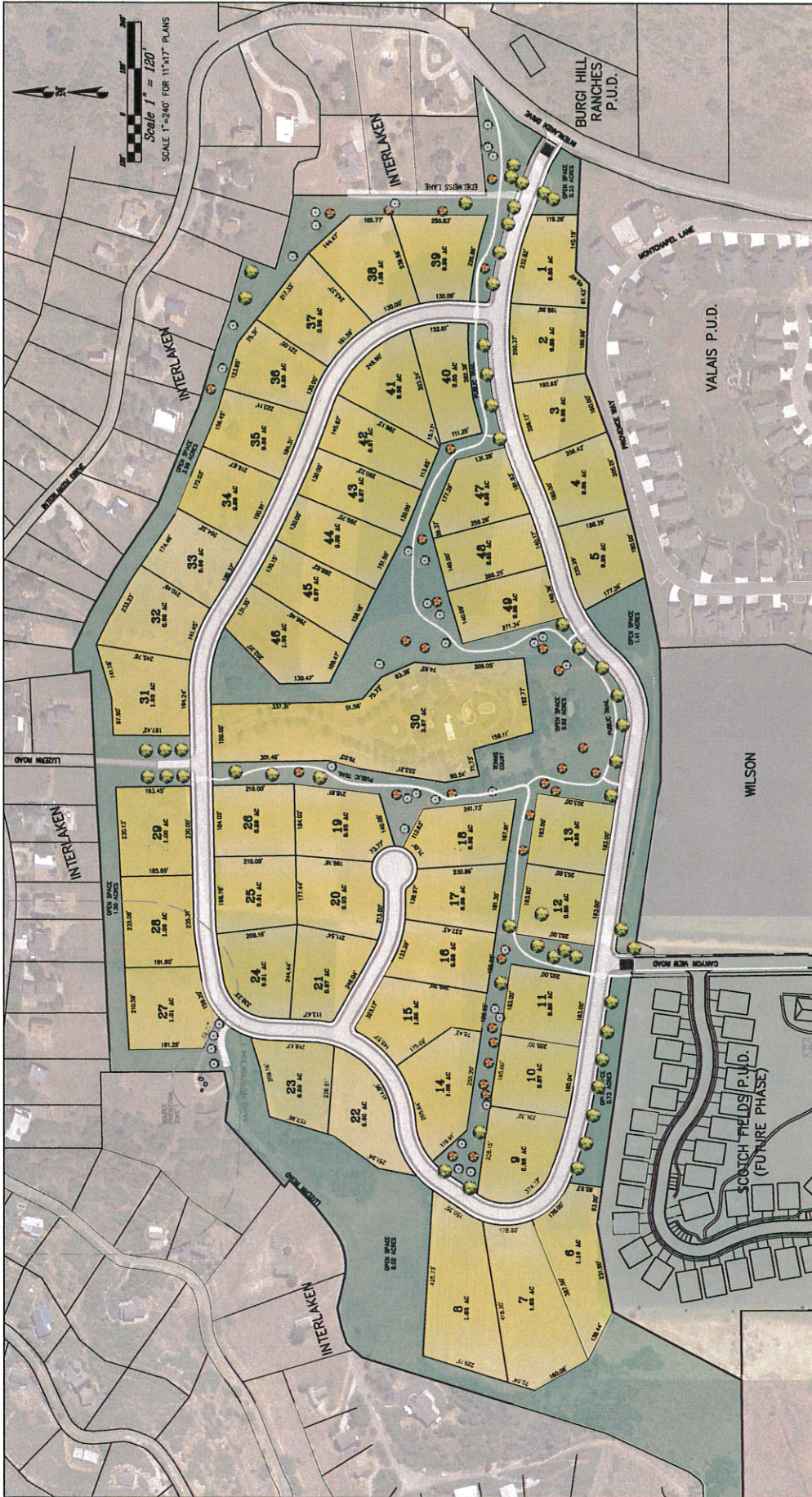
The Planning Commission could give direction that there is interest in one or both of the proposed plans and might consider amending the annexation agreement.

The Planning Commission could indicate that no direction will be given at this time and the petition will be considered at a future date.

The Planning Commission could give direction that there is no interest in one or both of the proposed plans and the approved plan is in the best interest of the community and, therefore, will not consider amending the annexation agreement.



MIDWAY, UTAH ADDRESS: 1300 E. BIRCHLAND DR. 84202 PHONE: (801) 272-7111	# BATTIS ARCHITECTS 1300 E. BIRCHLAND DR. 84202 PHONE: (801) 272-7111	MURANO MASTER PLAN	SOFFER & BILES CONSULTANTS 250 W. 1000 S. SUITE 200 PROVO, UT 84601-8749 PHONE: (435) 867-8749	SCALE 1" = 200'	DESIGN BY: JDB DRAWN BY: CDB	DATE: 7/26/04 SHEET NO.: 1
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KURK MALAKORSE
ZENGER PROPERTY
 2020 CONCEPT PLAN
 49 LOT SUBDIVISION

BERG ENGINEERING
 Resource Group P.C.
 10000 N. 10th St., Suite 200
 Phoenix, AZ 85020
 P.E. PAUL A. BERG
 P.E. JEFFREY BERG

LAND USE TABLE

TOTAL AREA	63.19 AC
COMMON AREA/OPEN SPACE	17.49 AC (16.00%)
OPEN SPACE (PROPOSED)	24.99 AC (23.00%)
NUMBER OF LOTS	49 NEW LOTS
	49 TOTAL LOTS

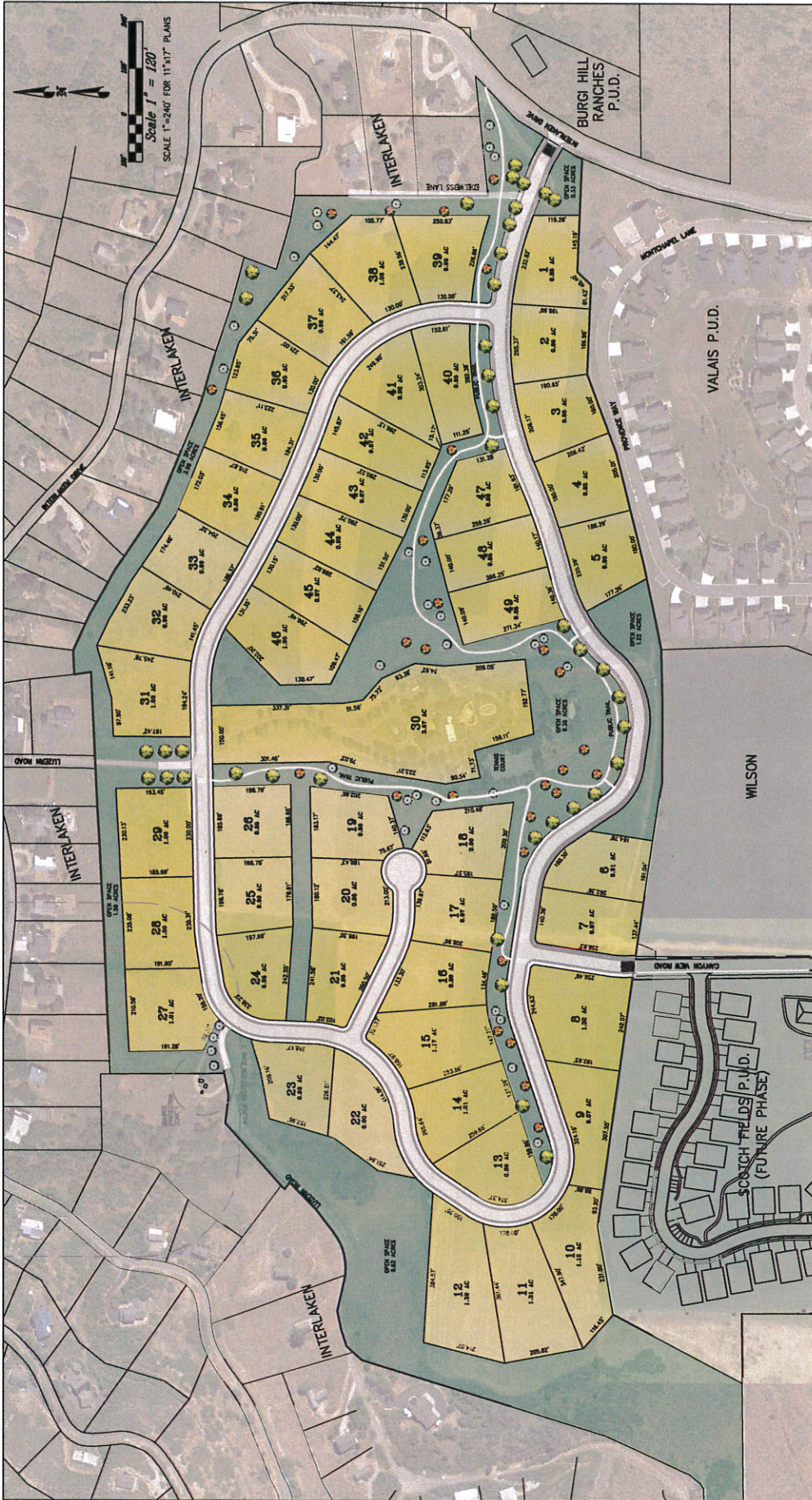
NUMBER OF LOTS MATCHES ANNEXATION AGREEMENT.

LEGEND:

- COMMON AREA/OPEN SPACE (24.99 ACRES)
- LOTS
- PUBLIC TRAILS

LUZERN ROAD NOTE:
 LUZERN ROAD WILL BE ABANDONED THROUGH LOTS 27 AND 28 IN LUZERN ROAD AND CONNECT TO THE NEW ROAD IN LUZERN ROAD. THE NEW HOUSE AND LOT 27 TO CONNECT TO THE NEW ROAD IN THE SUBDIVISION.

ALLOWED LOT SIZE
 LOT SIZE AND FRONTAGE MAY BE REDUCED 15% DUE TO THE EXTRA 15% OPEN SPACE THAT IS BEING DONATED TO THE SUBDIVISION.
 ALLOWED MINIMUM LOT SIZE: 0.85 ACRES
 ALLOWED MINIMUM FRONTAGE: 127.50 FEET



KIRK MALAROSE
ZENGER PROPERTY
 2020 CONCEPT PLAN #2
 49 LOT SUBDIVISION

DESIGNED BY CNB DATE: 05/28/2020
 DRAWN BY CNB
 BERG ENGINEERING
 Resource Group P.C.
 1000 N. 10th Street, Suite 204
 Tulsa, OK 74103
 P.O. Box 1429799
 Tulsa, OK 74114

THE DOCUMENT IS RELEASED
 HEREIN FOR THE SUBDIVISION
 INTEREST ONLY. THIS DOCUMENT
 SHALL BE VOID IF THE
 DATE IS AFTER 05/28/2020.

LAND USE TABLE	
TOTAL AREA	63.19 AC (15,000)
OPEN SPACE REQUIREMENT	12.48 AC (30,000)
OPEN SPACE (PROPOSED)	24.99 AC (30,000)
NUMBER OF LOTS	48 NEW LOTS
	1 EXISTING LOT
	49 TOTAL LOTS
NUMBER OF LOTS MATCHES ANNEXATION AGREEMENT.	

LEGEND

	COMMON AREA/OPEN SPACE (24.99 ACRES)
	LOTS
	PUBLIC TRAILS

LUZERN ROAD NOTE:
 LUZERN ROAD WILL BE ABANDONED THROUGH LOTS
 27-29. LUZERN ROAD WILL CONNECT TO THE NEW
 HOUSE AND LOT 27 TO CONNECT TO THE NEW ROAD
 IN THE SUBDIVISION.

ALLOWED LOT SIZE
 LOT SIZE AND FRONTAGE MAY BE REDUCED 15% DUE
 TO THE EXTRA 10% OPEN SPACE THAT IS BEING
 PROVIDED. THE MINIMUM LOT SIZE SHALL BE:
 ALLOWED MINIMUM LOT SIZE: 0.65 ACRES
 ALLOWED MINIMUM FRONTAGE: 127.50 FEET