



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: October 8, 2019

NAME OF PROJECT: The Willows at Midway –
A Rural Preservation Subdivision

AUTHORIZED REPRESENTATIVE: Brett Walker

NAME OF OWNER: Probst Raspberry LLC

AGENDA ITEM: Preliminary/Final Approval

LOCATION OF ITEM: 500 West Main

ZONING DESIGNATION: RA-1-43

ITEM: 3

Brett Walker, agent for Probst Raspberry LLC, is requesting preliminary/final approval of The Willows at Midway, a rural preservation subdivision. The proposal is for a 5-lot subdivision on 36.72 acres. The property is located at about 100 South and 500 West and is in the RA-1-43 zone.

BACKGROUND:

This request is for preliminary/final approval of a Rural Preservation Subdivision on 36.72 acres and will contain five lots. There are no existing structures on the property and the property is currently in agricultural production. The property will be deed restricted so no further subdividing of any kind will be allowed within the subdivision plat. The density of the 36.72-acres will never be more than five dwelling units. If the property were developed using the density for the RA-1-43 zone, then there could potentially be dozens lots on the property. If the proposal is approved and recorded the density of five dwellings will remain in perpetuity.

LAND USE SUMMARY:

- RA-1-43 zoning
- 36.72-acre parcel
- Proposal contains five lots
- Access from Main Street
- The lots will have septic tanks, connect to Midway City's culinary water line, and Midway Irrigation Company's secondary water line

ANALYSIS:

Access – The developer must submit an access plan, and potentially documents, that provides access. The code requires 30' of access that includes a 20' driveway with 5' clear areas on both sides of the driveway.

Geotechnical Study – A Geotechnical Study has not been required or submitted to the City.

FEMA Floodplain – There is a FEMA floodplain in the west side of the property along Snake Creek. All future structures will need to comply with Section 16.14.8 that requires a 50' setback from the floodplain and all habitable floors in the future dwelling must be at least elevated 18" above the base flood elevation shown on the FEMA flood insurance rate maps. The required 50' setback will be drawn on the plat.

Water Connection – The lots will connect to a water line that will be built by the developer and connect to the City's water line in Main Street. A fire hydrant is required to be installed for fire protection of the future dwelling and any future accessory structures.

Sewer Service – The future lot owners will install septic tanks that will provide septic service for the lots. Percolation tests will be performed by the developer on each lot and approved by the Wasatch County Health Department before the plat is recorded to verify the area is suitable for septic drain fields.

Secondary Water Connection – The lots will connect to Midway Irrigation Company's secondary which is already servicing the property. A secondary water meter will be installed to monitor secondary water use on the property.

Trails – The developer will construct trail T-022 per the Midway City Master Trails Plan along Snake Creek, which is planned as an 8' wide paved trail along the eastern side of the property. A public trail easement will also be deeded to the public for the

trail. The developer will also be responsible for paying for half of two pedestrian bridges that will cross Snake Creek just as what was required for the Ray Farm Rural Preservation Subdivision. It is possible that an existing bridge crossing will be used for the crossing at the north end of the property. If the bridge is used, then the developer will be responsible the cost of for only half of a pedestrian bridge that will connect to the Ray Farm subdivision. There is evidence that the City has a prescriptive public access easement from the intersection of 400 West and Main that runs west about 600' and crosses onto Kem Gardner's property and then runs south about another 600' to the current concrete bridge that crosses Snake Creek. Staff has found documents from 1975 between Calvin Probst and the Midway City Council that an agreement was made for public access and maintenance. This access will be used as a public trail from the intersection of 400 West and Main to the trail T-022 that runs through the proposal along Snake Creek.

Deed Restriction – The 36.72 acres within the plat will be deed restricted so no further subdividing of any kind will be allowed within the subdivision plat. The density of the 36.72 acres will never be more than five dwelling units. A note will also be placed on the plat indicating the restriction.

WATER BOARD RECOMMENDATION:

The Water Board has not yet made a water requirement recommendation. This proposal is scheduled for their October 7th Water Board meeting.

POSSIBLE FINDINGS:

- The proposal does meet the intent of the General Plan for the RA-1-43 zone
- The proposal does comply with the land use requirements of the RA-1-43 zone
- The proposal does comply with the requirements for the Rural Preservation Subdivision code

ALTERNATIVE ACTIONS:

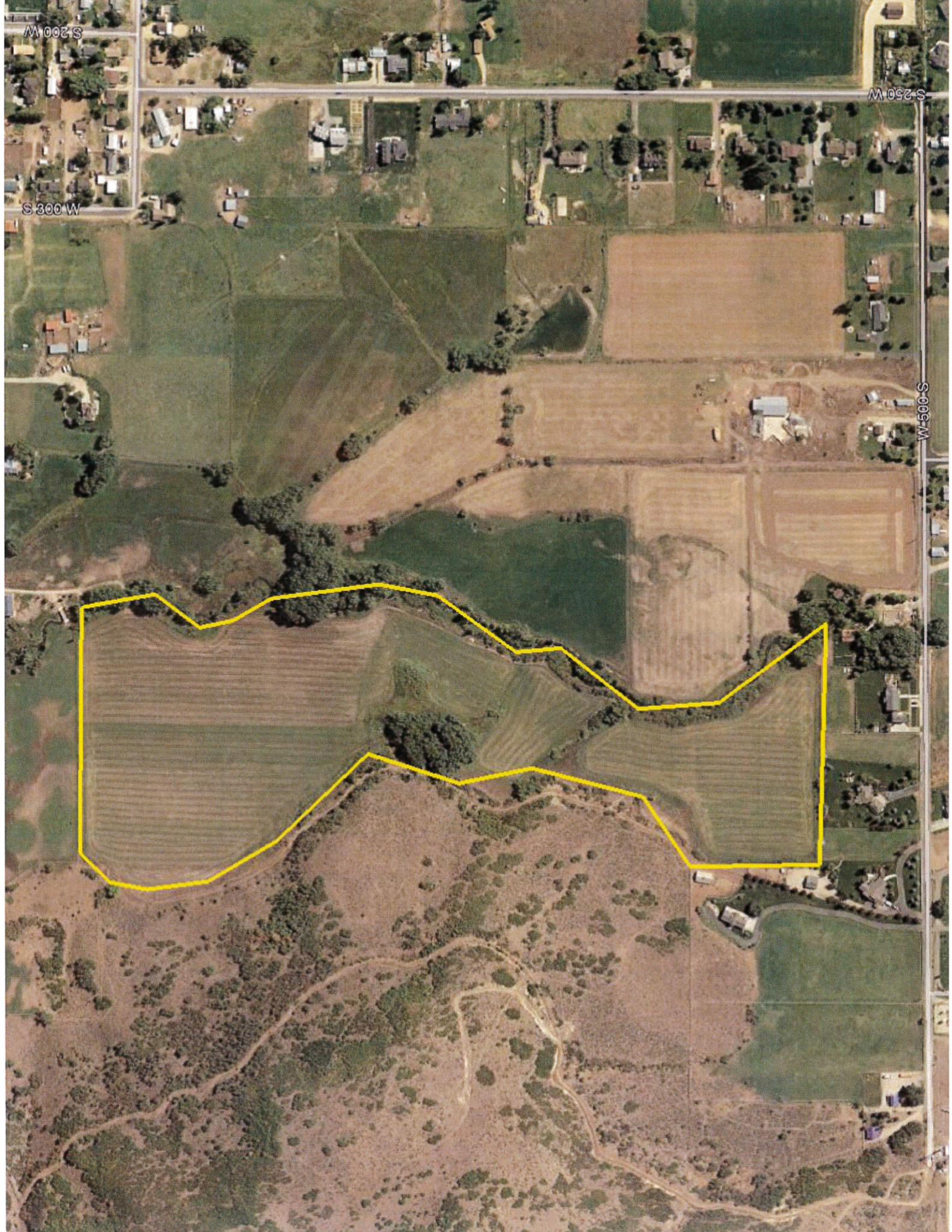
1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission finds that conditions placed on the approval can resolve any outstanding issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s)

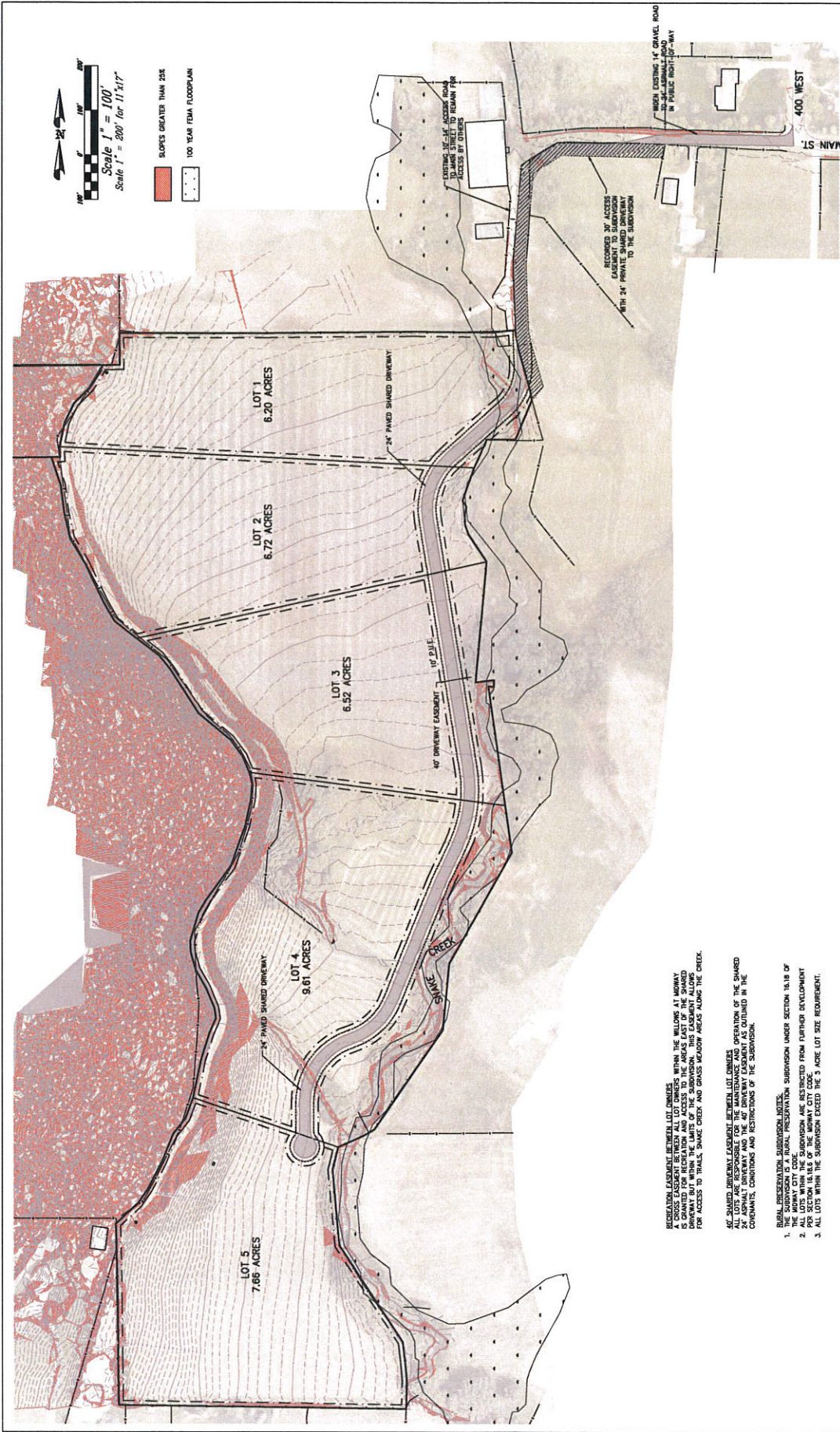
2. Continuance. This action can be taken if the Planning Commission finds that there are unresolved issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again

3. Recommendation of Denial. This action can be taken if the Planning Commission finds 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:

- An access plan and or documents are submitted to the City for review and approval that provides the required 30' for the driveway.





RECORD 30' ACCESS EASEMENT TO SUBDIVISION WITH 24' PRIVATE TO THE SUBDIVISION

WALK EXISTING 14' GRAVEL ROAD TO 30' CEMENT ROAD IN PAVED DRIVEWAY

400 WEST MAIN ST.

RECORD 30' ACCESS EASEMENT TO SUBDIVISION WITH 24' PRIVATE TO THE SUBDIVISION

40' DRIVEWAY EASEMENT 10' R/W

24' PAVED SHARED DRIVEWAY

24' PAVED SHARED DRIVEWAY

SHAKE CREEK

LOT 5
7.66 ACRES

LOT 4
9.61 ACRES

LOT 3
6.52 ACRES

LOT 2
6.72 ACRES

LOT 1
6.20 ACRES

SLOPES GREATER THAN 2%

100 YEAR FEMA FLOODPLAIN

Scale 1" = 100'

Scale 1" = 200' for 11'x17"

THE WILLOWS AT MIDWAY RURAL PRESERVATION SUBDIVISION UNDER SECTION 16.18 OF THE MIDDLETOWN CITY CODE

ALL SHARED DRIVEWAY EASEMENTS BETWEEN LOT OWNERS A CROSS EASEMENT BETWEEN ALL LOT OWNERS WITHIN THE WILLOWS AT MIDWAY DRIVEWAY BUT WITHIN THE LIMITS OF THE SUBDIVISION. THIS EASEMENT ALLOWS FOR ACCESS TO THALL, SHAKE CREEK AND GRASS MEADOW AREAS ALONG THE CREEK.

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BRETT WALKER
ENGINEERING

THE WILLOWS AT MIDWAY
RURAL PRESERVATION
SUBDIVISION
SITE PLAN

REVISION BY: FDB DATE: 11 SEP 2019
DRAWN BY: FDB REV: 1

BERG ENGINEERING
Resource Group PC
300 E. Main St., Suite 206
Middletown, MO 64579
PH: 417.557.9249

THIS DOCUMENT IS PREPARED FOR THE PROJECT OF THE WILLOWS AT MIDWAY RURAL PRESERVATION SUBDIVISION AND IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF BERG ENGINEERING, P.C.
DATE: 11 SEP 2019

