

PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING:	January 14, 2025
NAME OF PROJECT:	Kastle Court
NAME OF APPLICANT:	John Ace Money
OWNER OF RECORD:	Pine Canyon Development LLC
AGENDA ITEM:	Final Approval
LOCATION OF ITEM:	800 North Pine Canyon Road
ZONING DESIGNATION:	R-1-15/R-1-22

ITEM: 3

John Ace Money, representative for Pine Canyon Development LLC, has submitted a final application for a large-scale subdivision to be known as Kastle Court. The final plan includes seven lots on 4.65 acres. The property is in the R-1-15 zone and R-1-22 zone at approximately 800 Pine Canyon Road.

BACKGROUND:

This request is for final approval of a large-scale subdivision on 4.65 acres that will contain seven lots. The seven lots will obtain frontage along a new road built within the subdivision with one becoming a corner lot that will also have frontage on Pine Canyon Road. The property is in the R-1-15 and R-1-22 zones and all the proposed lots comply with the requirements of the code regarding frontage, width, and acreage for the zone in which each is located. The proposed subdivision covers two parcels (OMI-0219-1 and OMI-0223-1). The existing land uses on the property include a tree nursery, storage of

various items, and fallow land. There is also a substantial amount of earthen fill that has been deposited on the property. The property is adjacent on the south with the LaBarge Subdivision (under construction), Swiss Farms on the east, and Midway Farms on the northeast. There are other dwellings on parcels not associated with subdivisions on the north and west across Pine Canyon Road from the proposal.

LAND USE SUMMARY:

- 4.65-acres
- R-1-15/R-1-22 zoning
 - R-1-15 approximately 1.62 acres
 - o R-1-22 approximately 3.03 acres
- Proposal contains seven lots
 - \circ 2 lots in the R-1-15 zone
 - 5 lots in the R-1-22 zone
- 3.57 acres in the lots
- 1.08 acres of right-of-way will be dedicated to Midway
- Access from Pine Canyon Road
- Public bike lane along Pine Canyon Road
- No sensitive lands have been identified
- The lots will connect to the Midway Sanitation District sewer, Midway City's culinary water line, and Midway Irrigation Company's secondary water line

ANALYSIS:

Access – Access will be from Pine Canyon Road. A second access is not required because the cul-de-sac is less than 1,300' in length and there are not more than 11 lots in the subdivision. The new road will create a three-way intersection on Pine Canyon Road.

Geotechnical Study – A Geotechnical Study is required and has been submitted to the City. This is a standard requirement whenever any new roads are built in a development.

Sensitive lands – The applicant has not identified any sensitive lands on the property and staff is not aware of any sensitive lands on the property.

Water Connection – The lots will connect to water lines that will be built by the developer and connect to the City's water line along Pine Canyon Road.

Sewer Connection – The lots will connect to Midway Sanitation District's sewer lines located in the area.

Secondary Water Connection – The lots will connect to Midway Irrigation Company's secondary water system which is already servicing the property. Laterals will be created for all seven lots. Secondary water meters are required for each lateral.

Trails – The Midway City Trail System Master Plan shows an attached asphalt bike trail along both sides of Pine Canyon Road. Staff is proposing that the funds to build the bike lanes are added to the general trails fund and that the bike lane is completed in the future as part of a larger improvement project that will complete the bike lanes along the entirety of Pine Canyon Road where the bike lanes are planned. Staff is recommending that the developer contribute 6,825 (175 x 6 x 6.5) to the general trail fund.

Public Street – The developer will build the proposed road that will create access and frontage for the development. The right-of-way will be 56' wide except where it will extend at the bulb of the cul-de-sac. The street will be 26' with modified curb, 8' park strips, and 5' sidewalks.

Open Space – The property is less than six acres, so no open space is required.

Landscaping Plan – The proposed development is not required to submit a landscaping plan since there is no open space or common area.

100' Setback Requirement – The subdivision code requires a 100' setback from the edge of the right-of-way for Pine Canyon Road for any structures. The setback line will be noted on the plat so no structures, including accessory structures, are placed in this area.

Maximum Height of Structures – The previous owner of the property deposited many truck loads of fill over much of the property. This is of concern to some of the neighbors because of the issue of the maximum height of future structures. The neighbors' concerns are based on the issue that height would be measured from existing grade and not from natural grade as required by the Midway City Code. Staff has assured neighbors that code will be followed, and height will be based on natural

grade. To address this issue, the developer, monitored by Midway's engineering inspector, has dug several test pits on the three lots where the fill has been deposited to determine natural grade. The elevation of natural grade will be placed on the plat and future owners will submit elevation certificates for future building permits based on that information to comply with the maximum height limitation of 35' measured from natural grade.

Dwelling Building Pads – Normally building pads are not shown on Midway subdivision plats but staff feels that they could be helpful in the proposed development. The development is in two zones that have different setbacks and even one of the lots is dissected by two zones. Also, all five of the lots in the R-1-22 zone qualify for a rear setback reduction because of how wide and shallow the lots are. All of this could be confusing to future lot owners. It would be much easier for them to see the dwelling setbacks on the plat. If a building pad is shown on the plat, it would be specifically for dwellings and not for accessory structures since setbacks for accessory structures are different than for dwellings.

Intersection and Driveway Location – Currently the access for the proposed development and the property just north (Christensen) of the proposed road in the new development share a combined access. Driveways and intersections should be separated by 40' to avoid safety issues of them being too close together. The applicant has addressed this issue by moving the proposed subdivision road to the south by 40'.

Lot 7 Access Limitation – Lot 7 is the only corner lot in the subdivision and is also the only lot with frontage on Pine Canyon Road. Access to lot 7 should be limited to Castle Court, with no access to Pine Canyon Road, for the following reasons:

- Pine Canyon Road is a main road in Midway and traffic access should be limited to specific locations on main roads to create a safer road experience with limited points of access.
- A bike lane will be constructed along Pine Canyon Road and limiting crossings across bike lanes is safer for all when there are fewer crossings.
- The location or the detention pond will not allow a driveway to access Pine Canyon Road.

The access limitation should be noted on the plat.

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Garland: I make a motion that we recommend approval of the preliminary application for a large-scale subdivision to be known as Kastle Court Subdivision. The preliminary plan includes seven lots on 4.62 acres. The property is in the R-1-15 zone and R-1-22 zone at approximately 800 Pine Canyon Road. Accept the

findings and conditions and add another condition to clarify the intersection and to add an additional title document regarding the natural grade. Seconded: Commissioner Miles Commissioner Nicholas: Any discussion on the motion? No Commissioner Nicholas: All in favor. Ayes: Commissioners: Wardle, Osborne, Knight, Miles and Garland Nays: None Motion: Passed

WATER BOARD RECOMMENDATION:

The Water Board reviewed this item during their meeting on November 4, 2024, and recommend 13.22 acre feet is dedicated to the City based on the following formula:

- 4.65-acre parcel (202,554 sq. ft.)
- 3.55-acres within lots
 - Impervious area for dwellings, accessory structures, hard surfaces
 1.28 acres (56,000 sq. ft.)
 - Park Strip acreage
 - 0.27 acres (12,093 sq. ft.)
 - Irrigated acreage
 - 2.54 acres (110,642 sq. ft.) x 3 = 7.62 acre feet
- 7 culinary connections for dwellings
 - 5.6 acre feet
- Total = 7.62 + 5.6 = 13.22 acre feet

POSSIBLE FINDINGS:

- The proposal does meet the intent of the General Plan for the R-1-15 and R-1-22 zones.
- The proposed lots do comply with the land use requirements of the R-1-15 and R-1-22 zones.
- The developer will contribute to a bike lane that will benefit members of the community.
- Height of future structures will be measured from natural grade.

ALTERNATIVE ACTIONS:

- 1. <u>Recommendation of Approval (conditional)</u>. This action can be taken if the Planning Commission finds the application complies with the land use ordinance and if any conditions placed on the approval can resolve any outstanding issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s)
- 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 comply with the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITIONS:

- 1. Natural grade must be established and placed on the final plat to determine the maximum height of future structures.
- 2. The developer contributes \$6,825 to the trails fund that will help build the bike lanes along Pine Canyon Road at a future date.
- 3. Lot 7 will only have access from Castle Court and not from Pine Canyon Road. The access limitation will be noted on the plat.
- 4. Lots in the R-1-22 zone (2, 3, 4, 5 & 6) shall meet the 20' side setback for dwellings. The building pads on the final plat will be modified to comply with the code.

Midway City Corporation

Mayor: Celeste T. Johnson City Council Members Lisa Orme • Jeffery Drury J.C. Simonsen • Craig Simons Kevin Payne



75 North 100 West P.O. Box 277 Midway, Utah 84049 Phone: 435-654-3223 Fax: 435-654-4120 midwaycityut.org

January 14, 2025

Midway City Attn: Michael Henke 75 North 100 West Midway, Utah 84049 (Sent via e-mail)

Subject: Kastle Court Development – Final Review

Dear Michael:

The Midway Engineering department recently reviewed the above development plans for Final Approval. The proposed development is located near 800 North Pine Canyon Road. The entire development is 4.62 acres and contains 7 lots. A geotechnical report has been submitted. The following comments should be addressed with Final approval. Construction plans should be submitted and approved by the engineering department prior the final application to City Council.

Water

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The proposed development will be served from the Gerber Mahogany Springs zone.

Irrigation

• Each lot will be served by pressurized irrigation from Pine Canyon Road.

Roads

- A cul-de-sac will be installed within the development with a connection to Pine Canyon Road.
- Curb-gutter and sidewalk will be installed within the proposed development.

Trails

• No trails will be installed within the development. However the developer will contribute \$6,825.00 to the General Trail fund.

Storm Drain

• The storm drain system within this development will be public system. All the final details will be submitted and approved with Final plan approval.

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Sewer

• Final Approval must be received from Midway Sanitation District Board. The applicant should contact Becky Wood, with the Midway Sanitation District to apply for Final Board approval.

Sincerely, Wesley Johnson, P.E. Midway City Engineer

cc: John Money

Developer, johnacemoney@gmail.com (sent via email)

Midway City Corporation

Mayor: Celeste T. Johnson City Council Members Lisa Christen • Jeffery Drury J.C. Simonsen • Steve Dougherty Kevin Payne



75 North 100 West P.O. Box 277 Midway, Utah 84049 Phone: 435-654-3223 Fax: 435-654-4120 midwaycityut.org

Kastle Court Subdivision Preliminary Approval

October 8, 2024

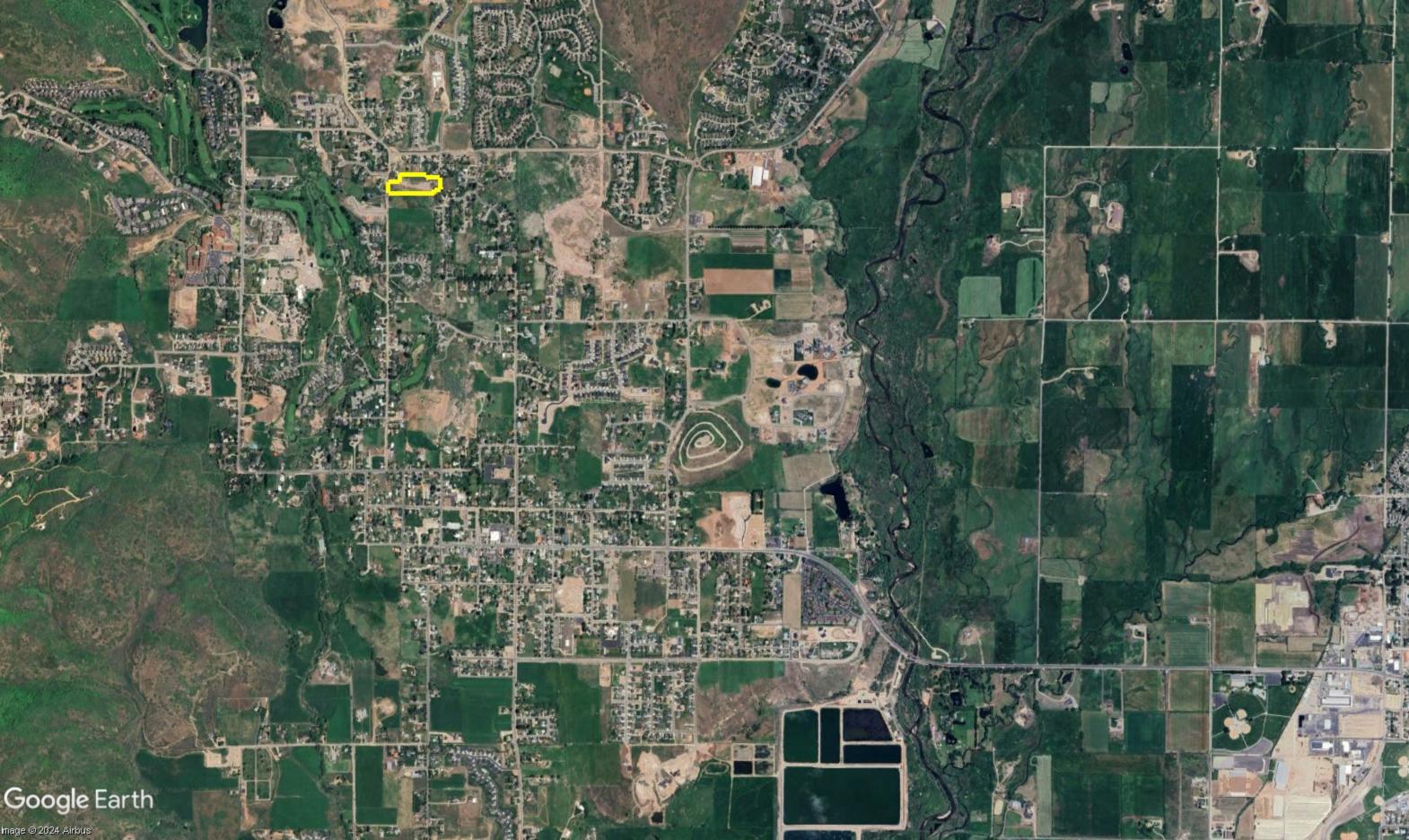
Michael Henke Midway City Planning Director,

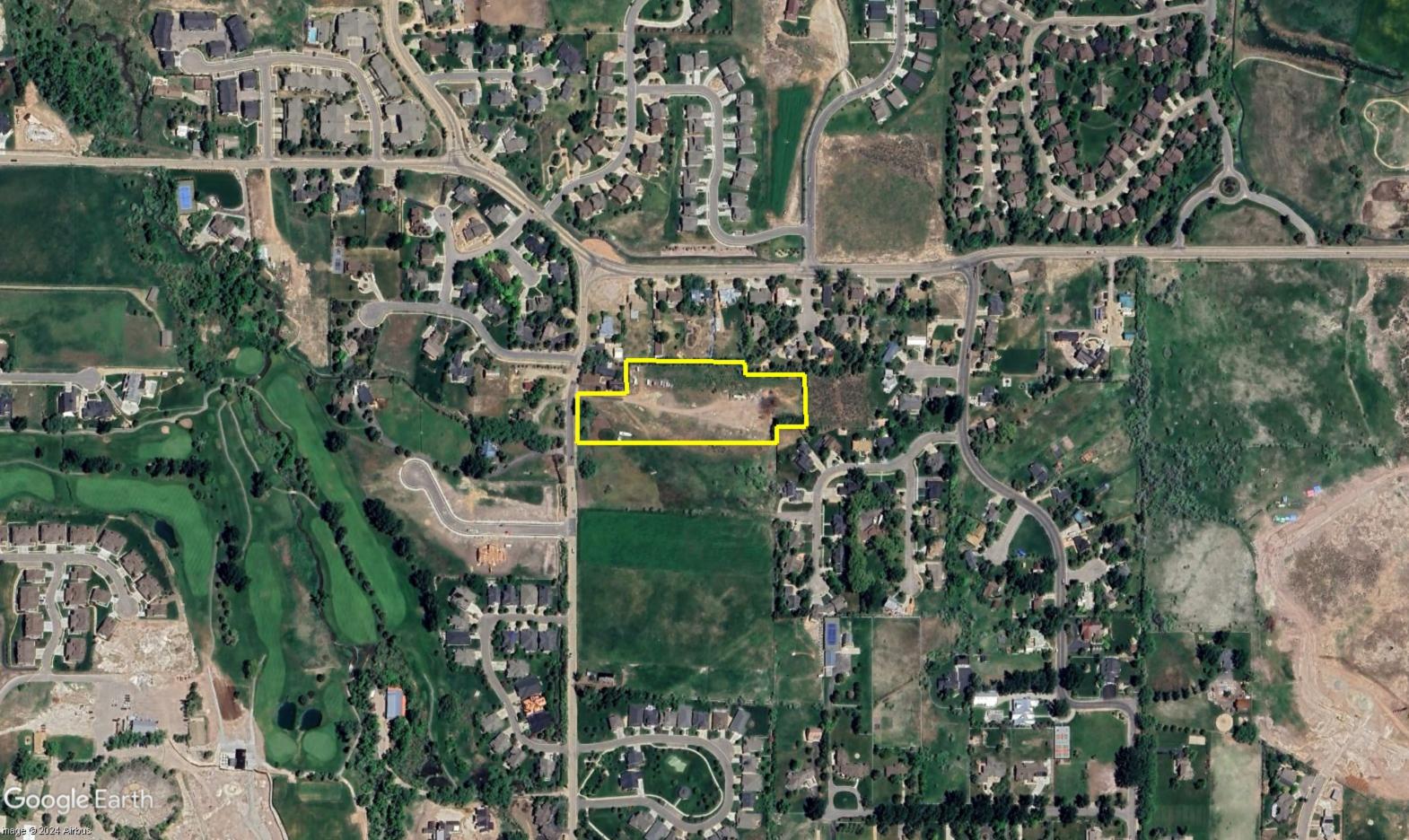
I have reviewed the plans for Kastle Court Subdivision for compliance with the 2021 International Fire Code (2021 IFC).

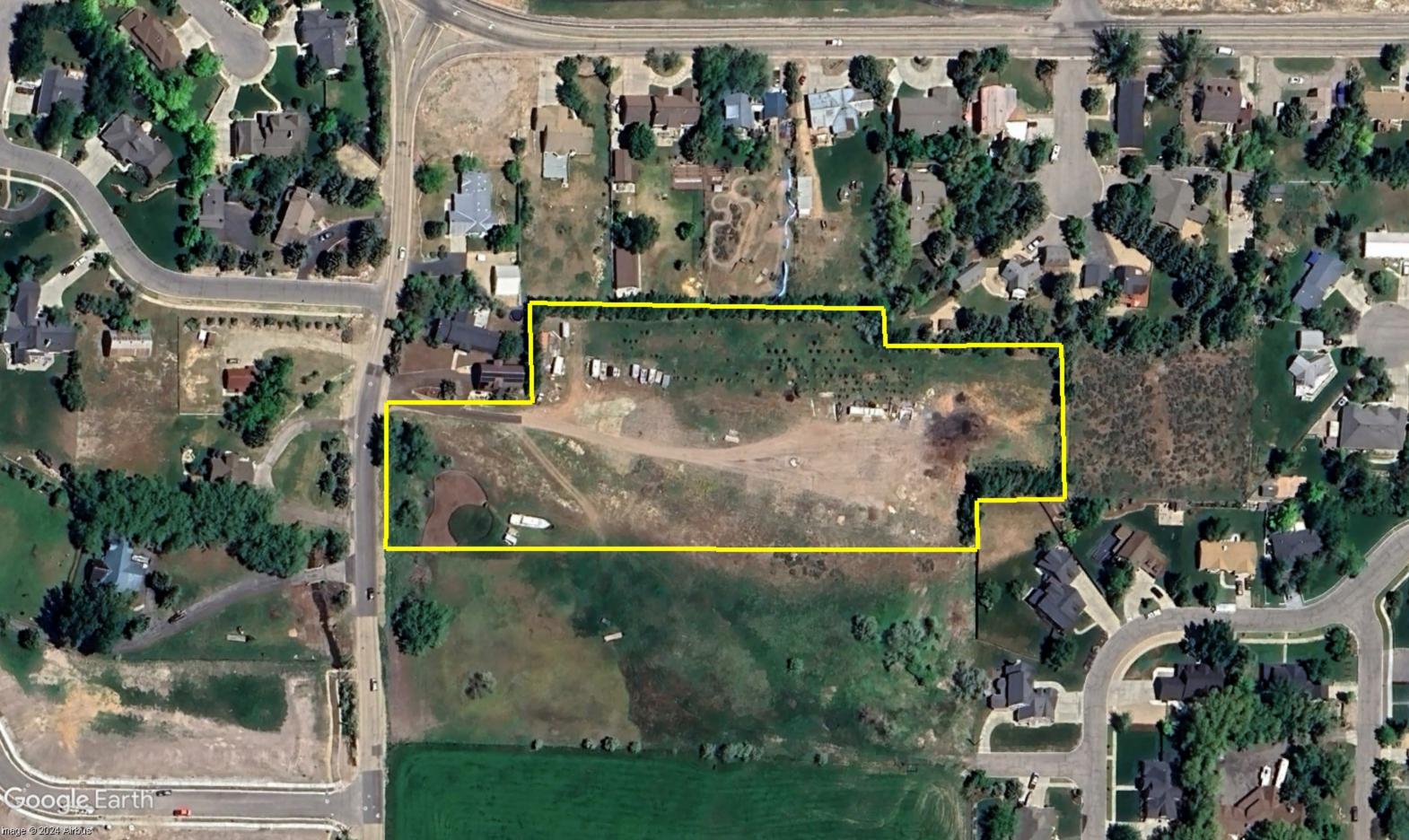
I will perform a final approval fire review of the Kastle Court Subdivision plans and provide another letter recommending final approval, prior to final approval.

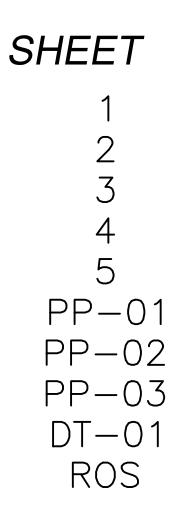
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Tex R. Couch CBO/MCP Midway City Building Official/Fire Marshal 75 West 100 North Midway, Utah 84049 tcouch@midwaycityut.org (435)654-3223 Ext. 107









DATA TABLE TOTAL ACREAGE=4.65TOTAL # OF LOTS=7 TOTAL ÄCREAGE OF LOTS=3.57 ACREAGE IN ROADS=1.08 ACREAGE OF OPEN SPACE/PONDS=0.00 ACRES LOTS/ACRE=1.51 ZONING=R-1-15 & R-1-22

GENERAL NOTES:

- 1. CONTRACTOR TO FIELD VERIFY HORIZONTAL AND VERTICAL LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
- 2. ANY AND ALL DISCREPANCIES IN THESE PLANS ARE TO BE BROUGHT TO THE
- ENGINEER'S ATTENTION PRIOR TO COMMENCEMENT OF CONSTRUCTION. 3. BEFORE PROCEEDING WITH THIS WORK, THE CONTRACTOR SHALL CAREFULLY CHECK AND VERIFY ALL CONDITIONS, QUANTITIES, DIMENSIONS, AND GRADE ELEVATIONS, AND
- SHALL REPORT ALL DISCREPANCIES TO THE ENGINEER. 4. ALL CONSTRUCTION WILL CONFORM TO MIDWAY CITY CONSTRUCTION STANDARDS. 5. ALL RECOMMENDATIONS MADE IN GEOTECHNICAL INVESTIGATION FOR PINE CANYON DEVELOPMENT DATED SEPTEMBER 3, 2024 PERFORMED BY EARTHTEC ENGINEERING,
- PROJECT NO. 240629G, TO BE FOLLOWED EXPLICITLY DURING CONSTRUCTION BUILDINGS AND SITE IMPROVEMENTS.

CONTRACTOR NOTE:

THE SIZE, ELEVATION, & LOCATIONS OF EXISTING IMPROVEMENTS AND UTILITIES SHOWN HEREON ARE ASSUMED AND APPROXIMATELY SHOWN BASED UPON THE FIELD DATA FROM THE SURVEY. ALL SIZES, LOCATIONS & ELEVATIONS ARE TO BE VERIFIED. IF THERE ARE DIFFERENCES OR DISCREPANCIES, ATLAS ENGINEERING, LLC NEEDS TO BE NOTIFIED BEFORE CONSTRUCTION. ATLAS ENGINEERING, LLC WILL NOT BE LIABLE OR RESPONSIBLE FOR REMOVAL, CONSTRUCTION, OR INSTALLATION OF IMPROVEMENTS THAT ARE NOT IN ACCORDANCE WITH THESE PLANS. ANY AND ALL CHANGES OR VARIATIONS IN THE REMOVAL, CONSTRUCTION OR INSTALLATION OF THE IMPROVEMENTS MADE WITHOUT THE APPROVAL OF THE DESIGNER WILL RESULT IN SOLE LIABILITY TO THE CONTRACTOR. IN ADDITION, ATLAS ENGINEERING, LLC ASSUMES NO RESPONSIBILITY FOR ANY AND ALL EXISTING UTILITIES NOT SHOWN ON THIS PLAN AND ASSUMES NO LIABILITY FOR FAILURE TO EXACTLY LOCATE ALL EXISTING UTILITIES, SHOULD THERE BE INCIDENT.

ENGINEER/SURVEYOR CONTACT INFO: ATLAS ENGINEERING LLC (801) 655-0566 946 E. 800 N. SUITE A SPANISH FORK, UT 84660

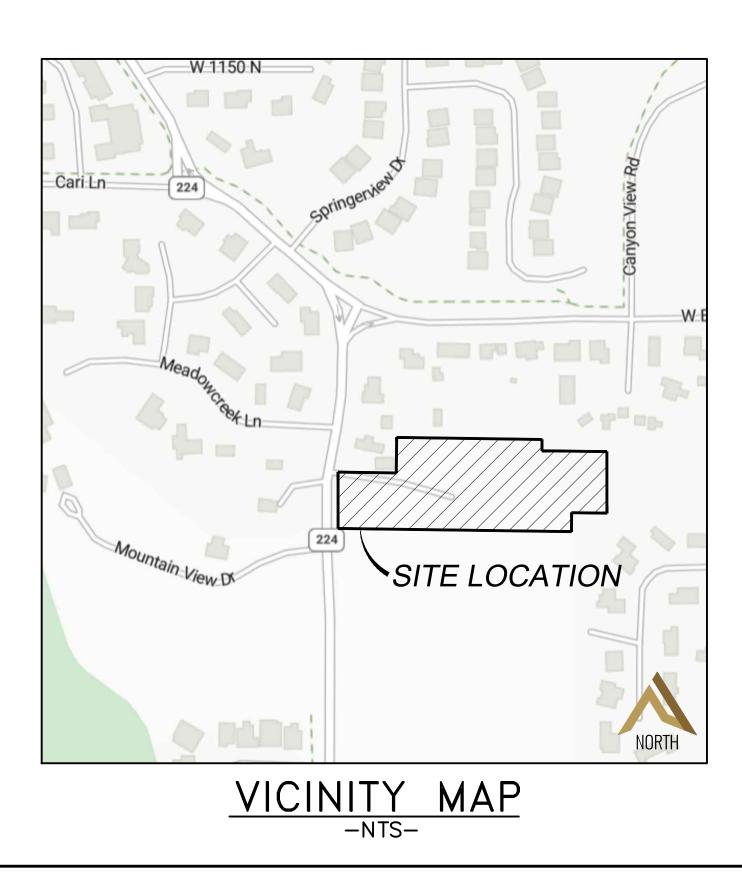
OWNER/DEVELOPER JOHN MONEY - ACE EVERLASTING CONSTRUCTION 6454 WEST PIN OAK DRIVE WEST JORDAN, UTAH 84081 801-471-3322 johnacemoney@gmail.com

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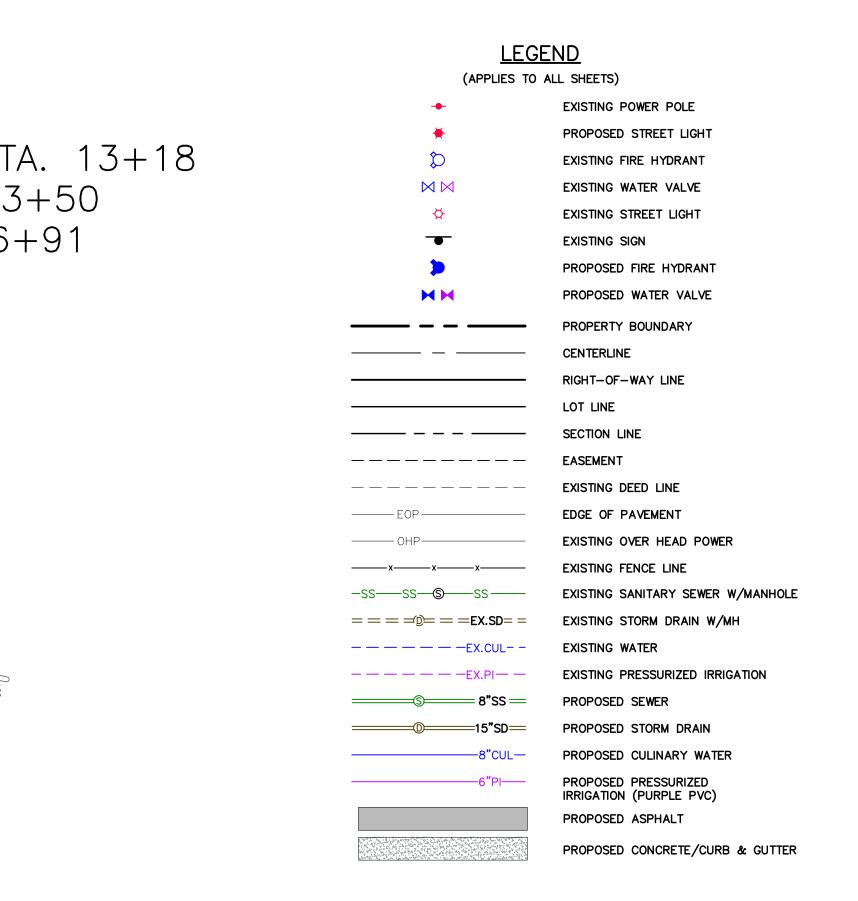
KASTLE COURT A RESIDENTIAL SUBDIVISION MIDWAY, UTAH FINAL PLAN SET DECEMBER 2024



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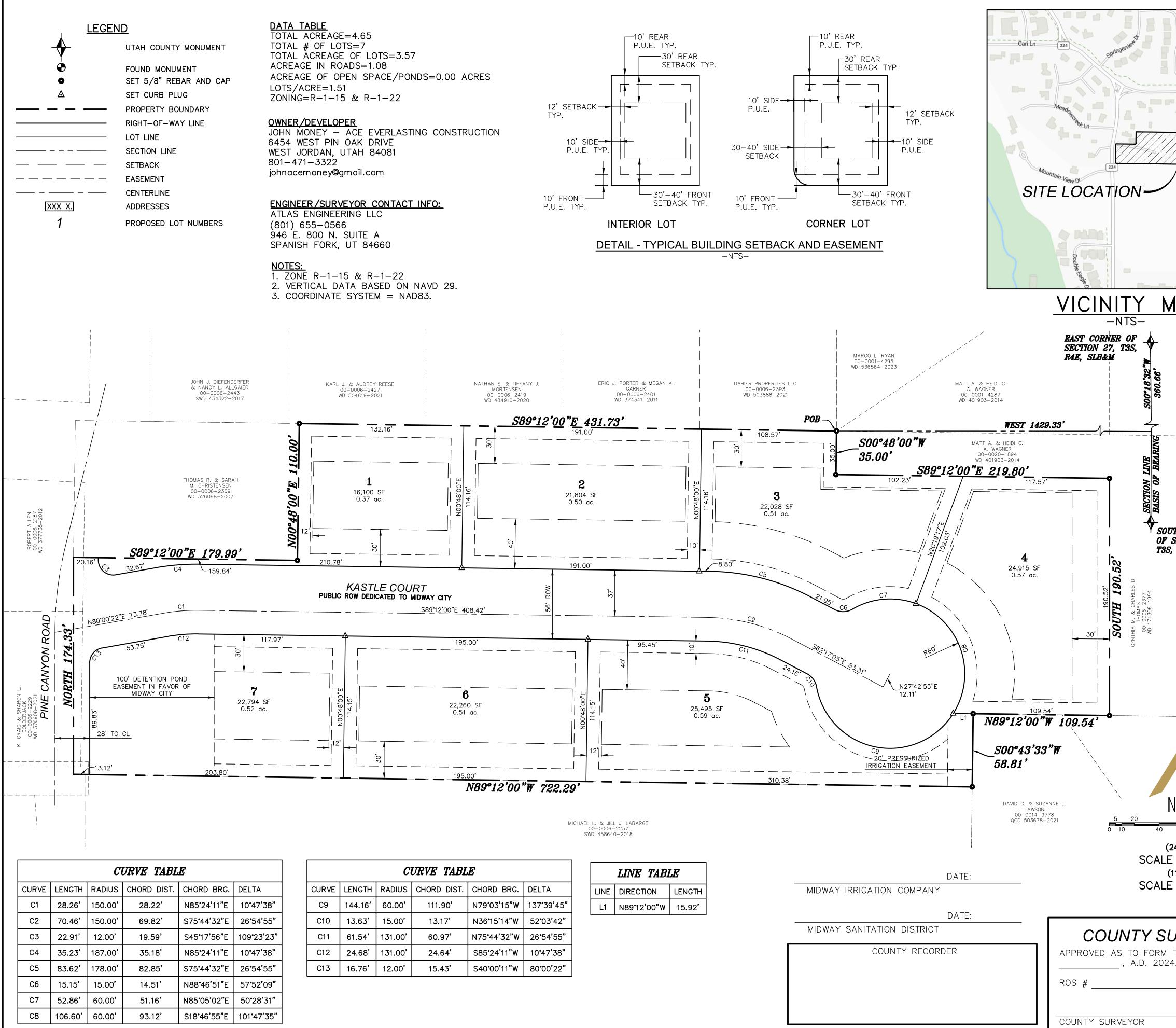




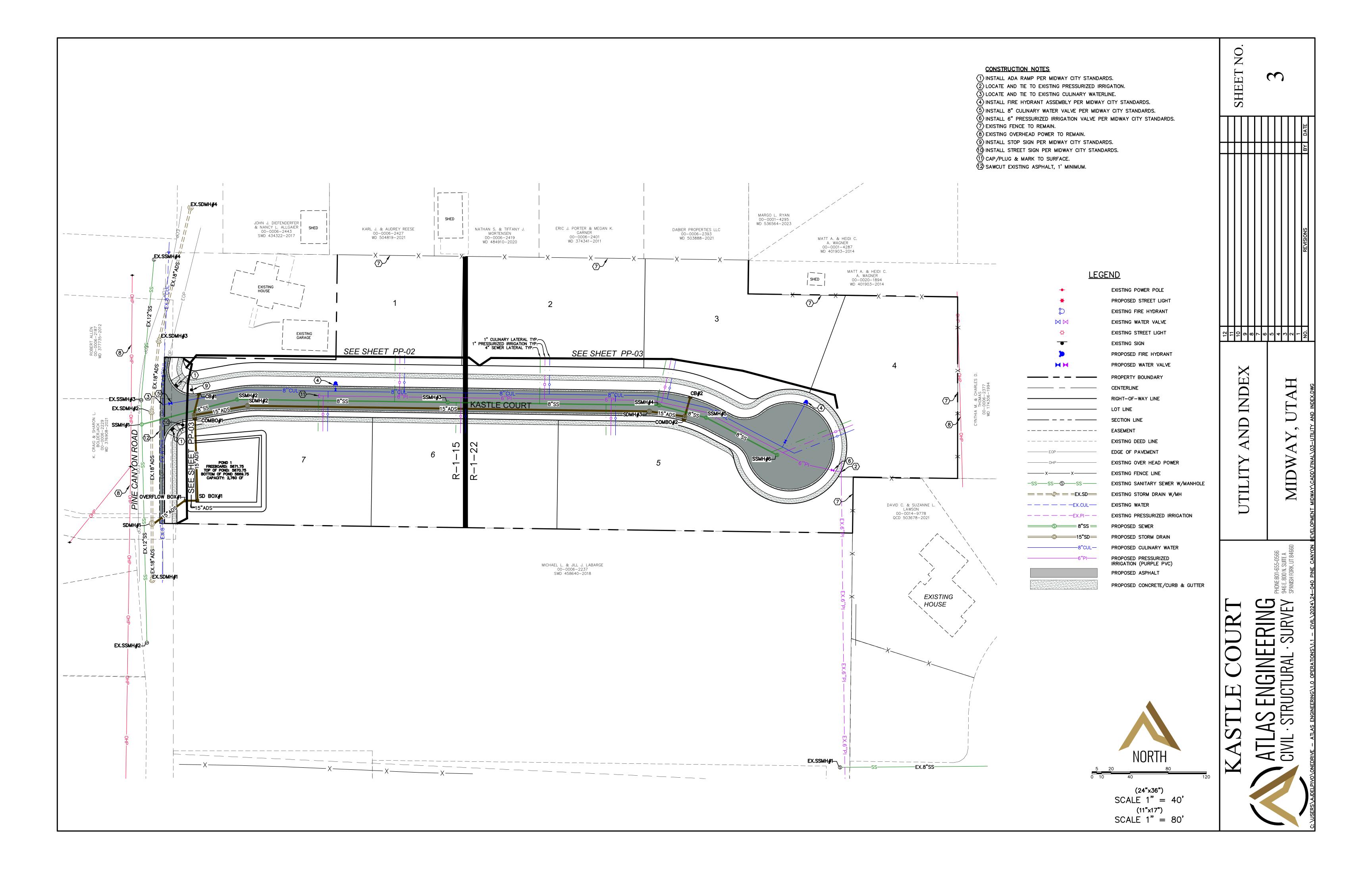


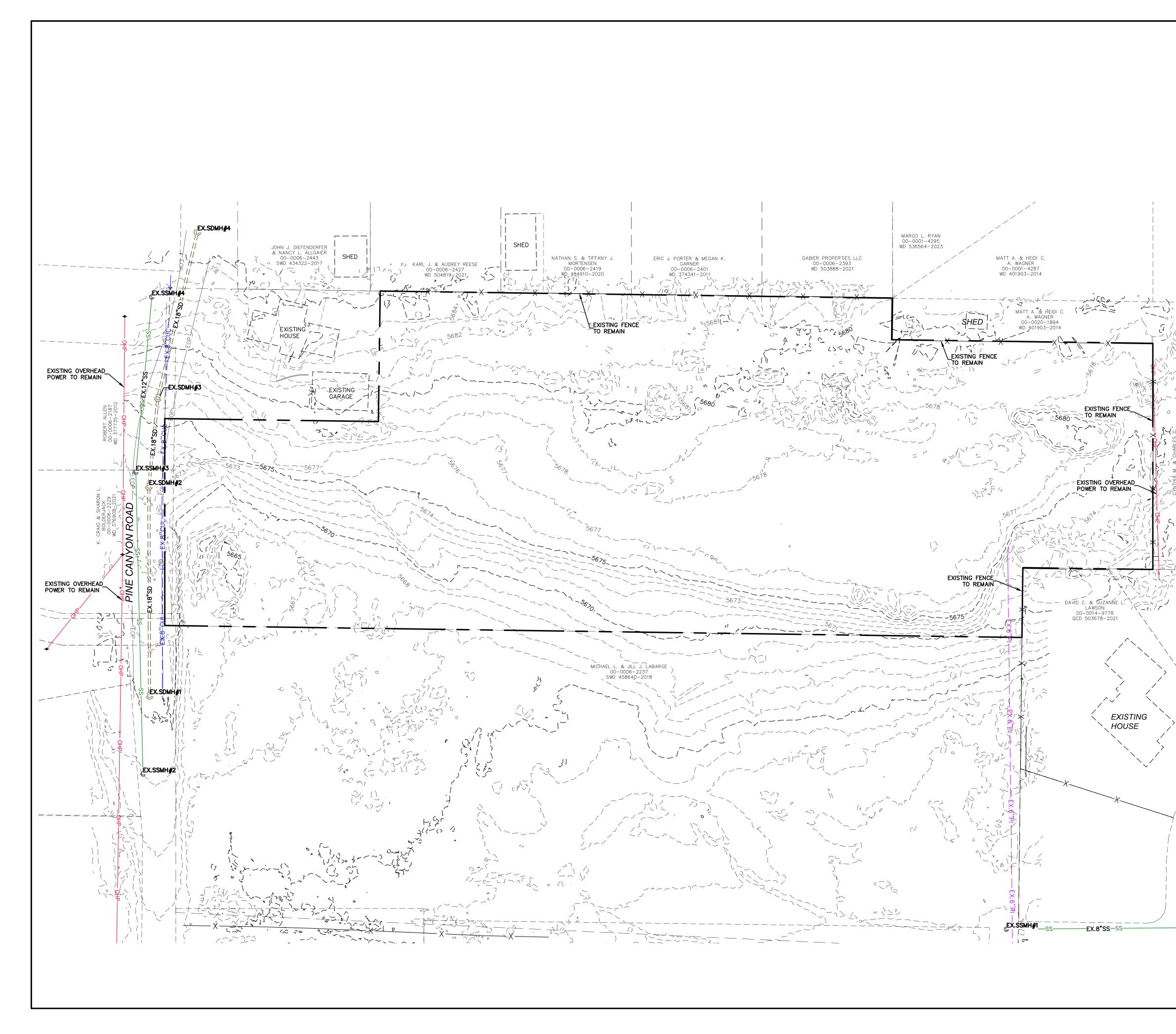
KASTLE COURT

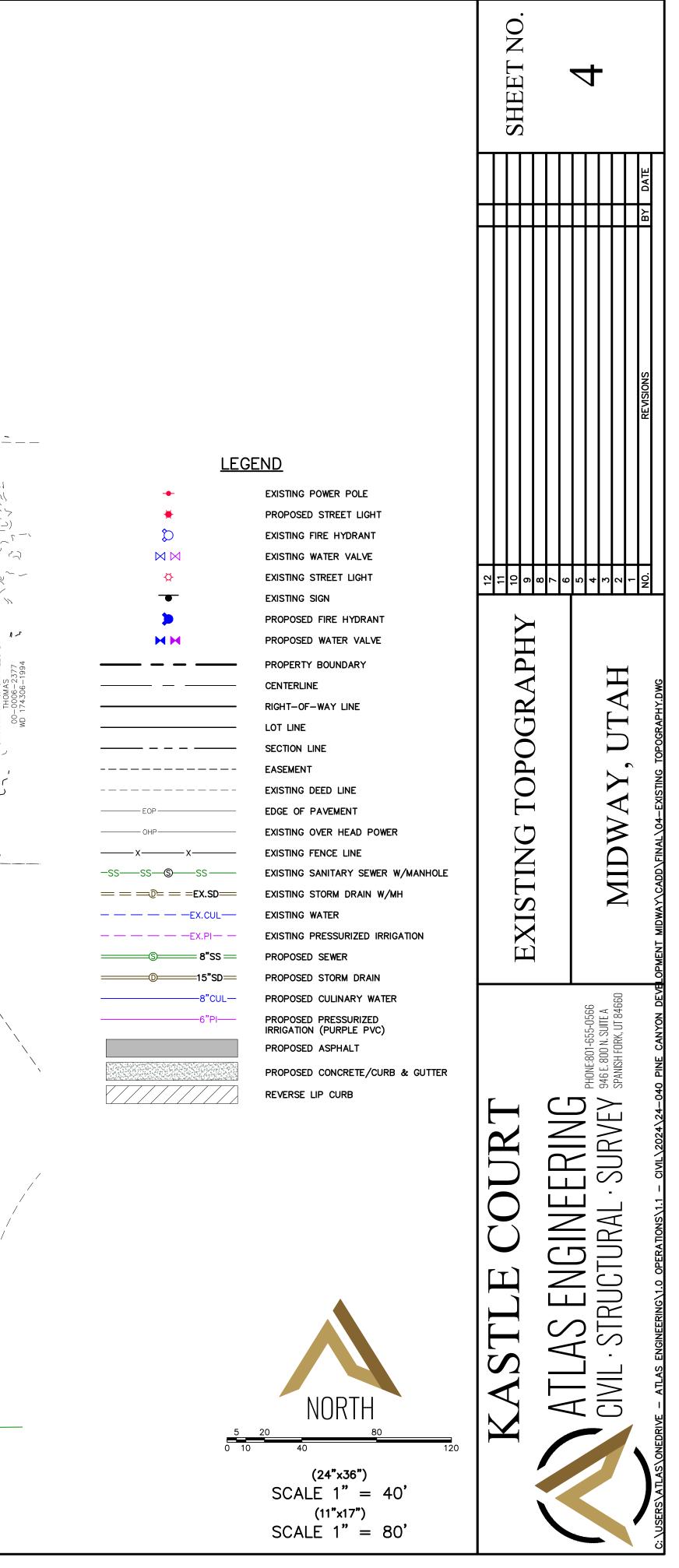
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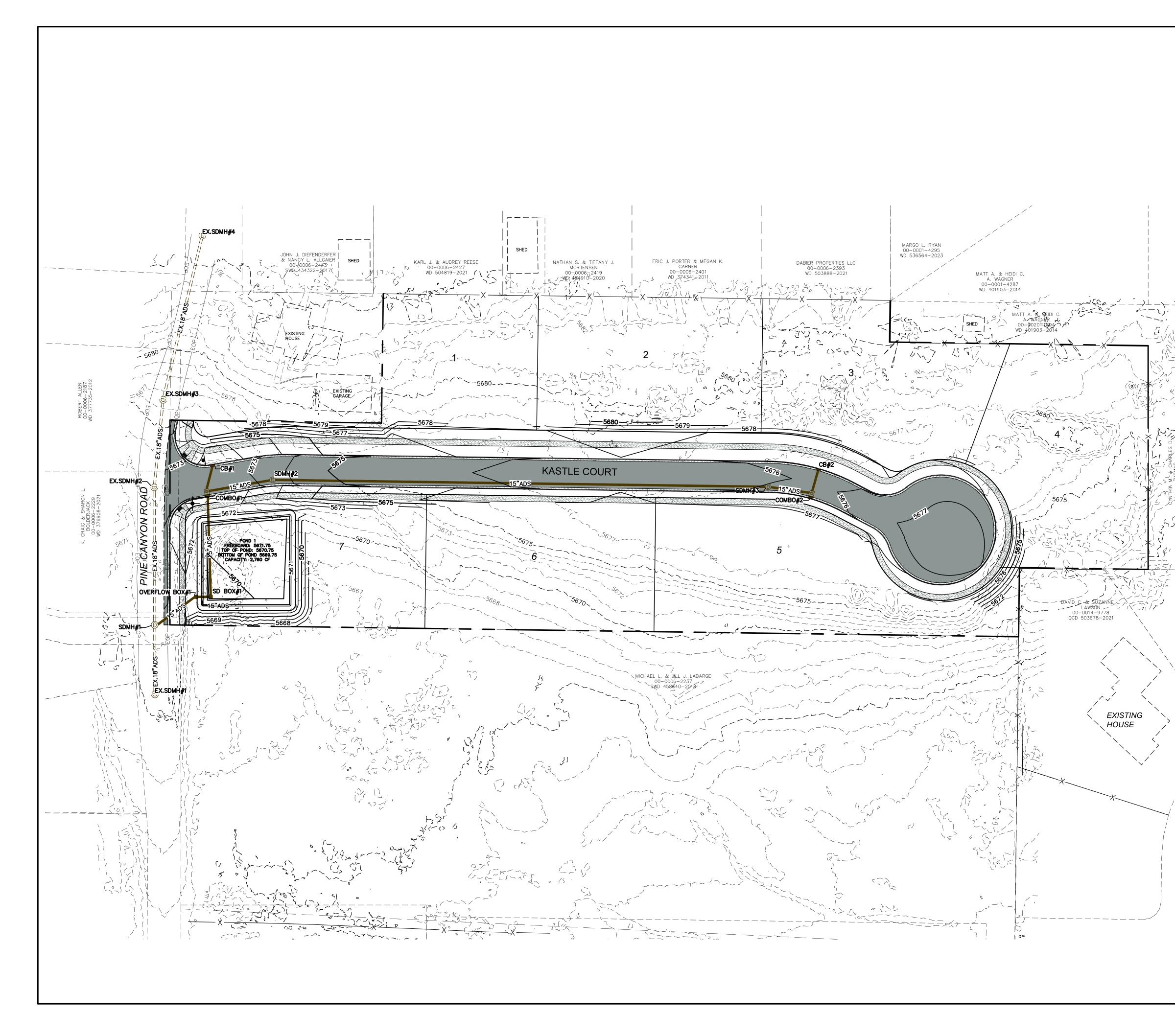


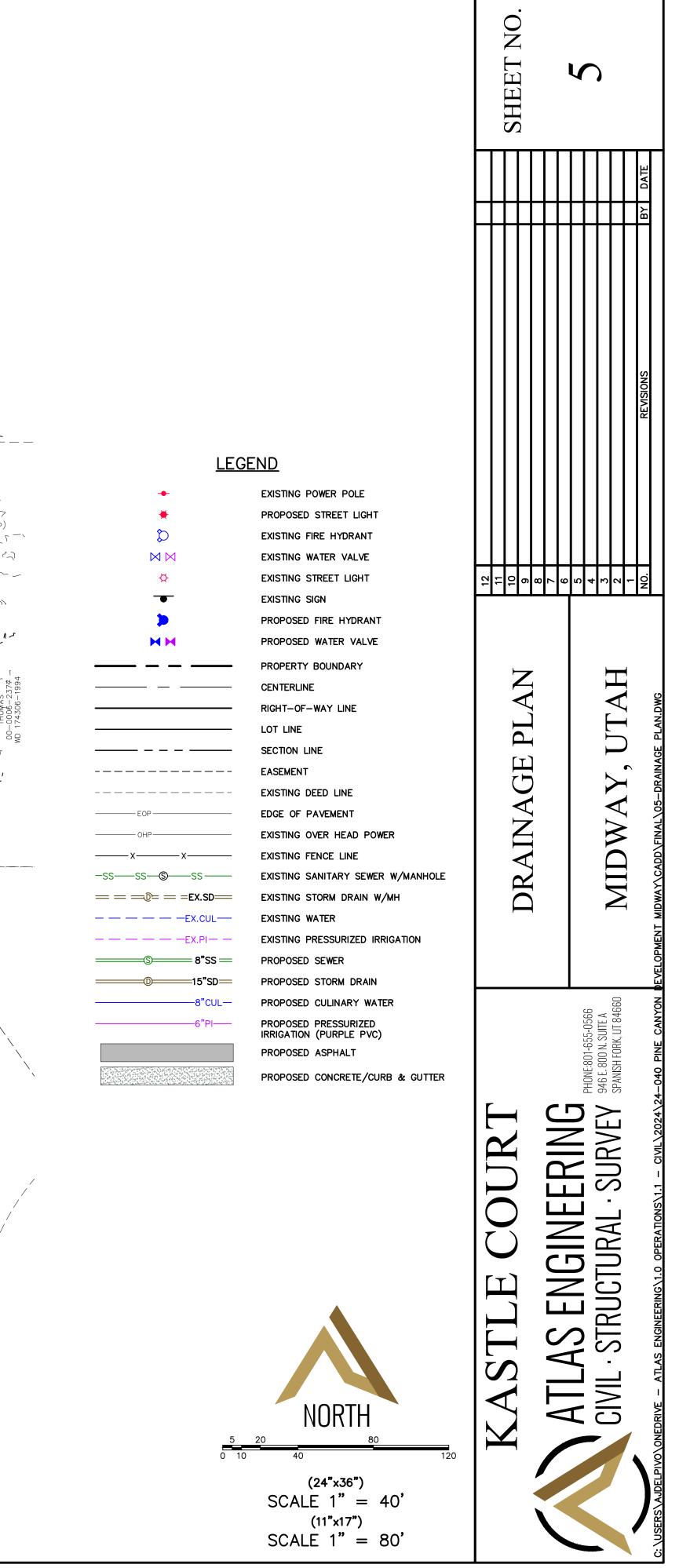
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	ACCEPTANCE BY MIDWAY CITY THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PU PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS DAY (, A.D. 2024.						
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	<u>APPROVED</u> CITY ENGINEER (SEE SEAL BELOW)	ATTEST CLERK-RECORDER	(SEE SEAL BELOW)			
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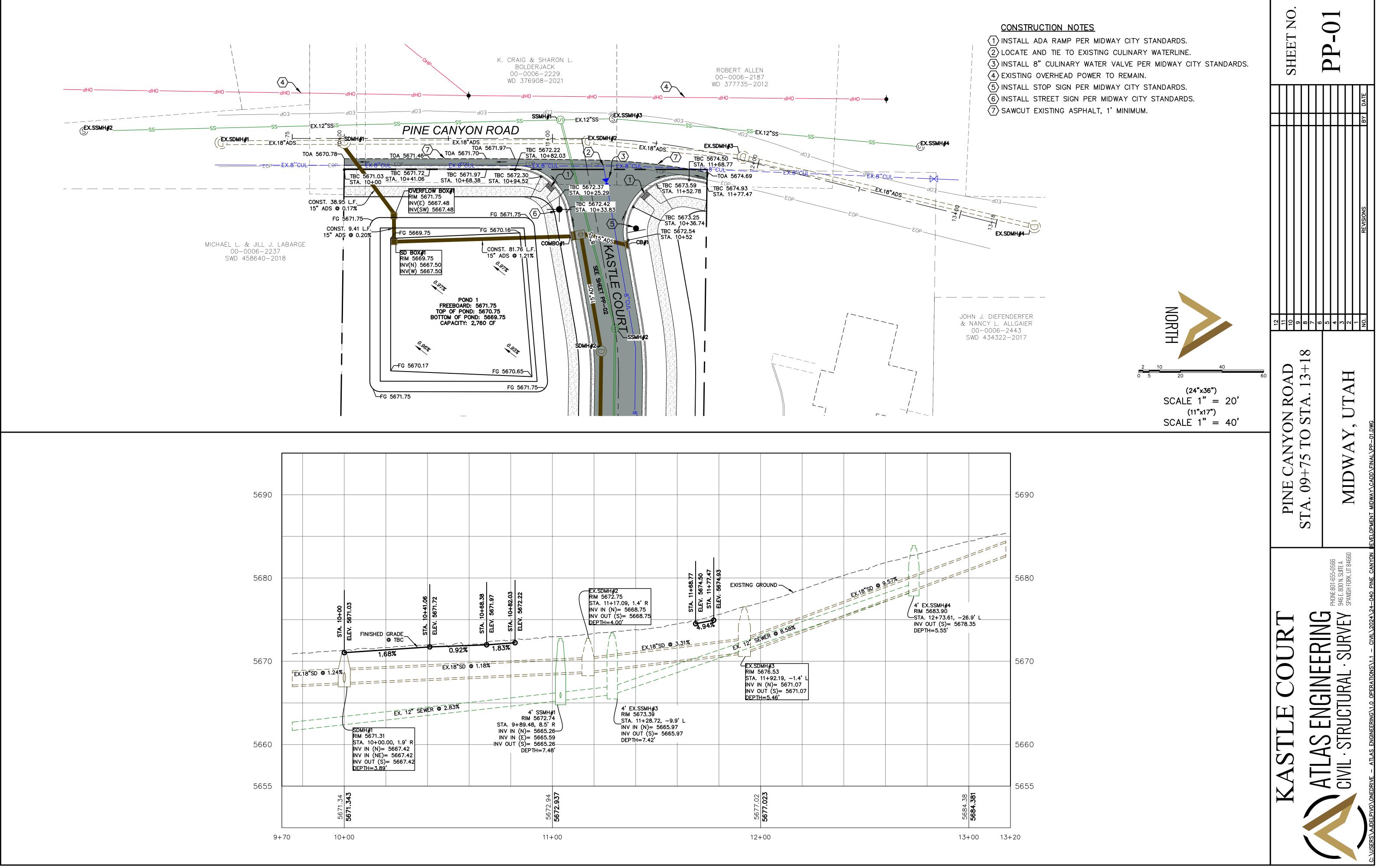


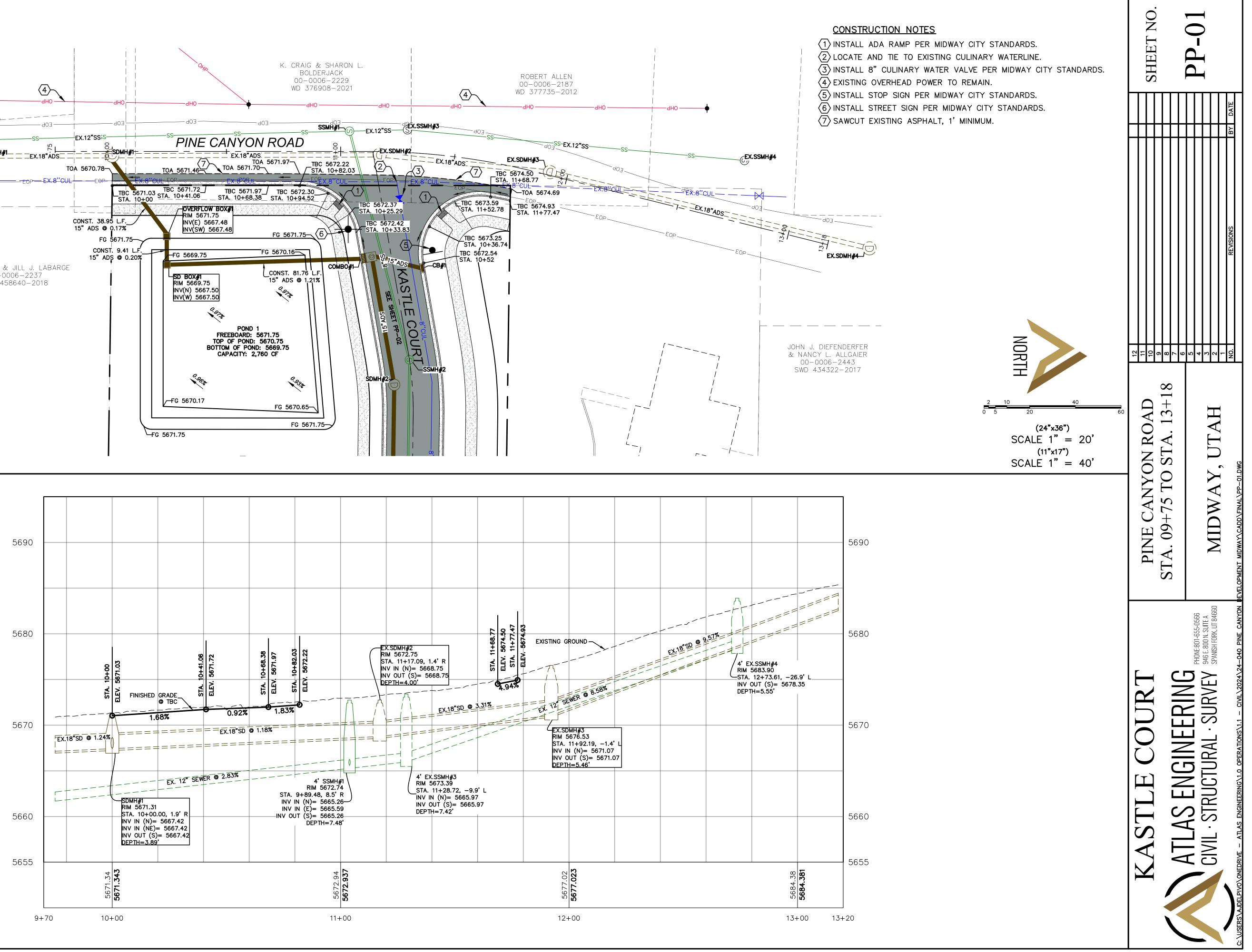


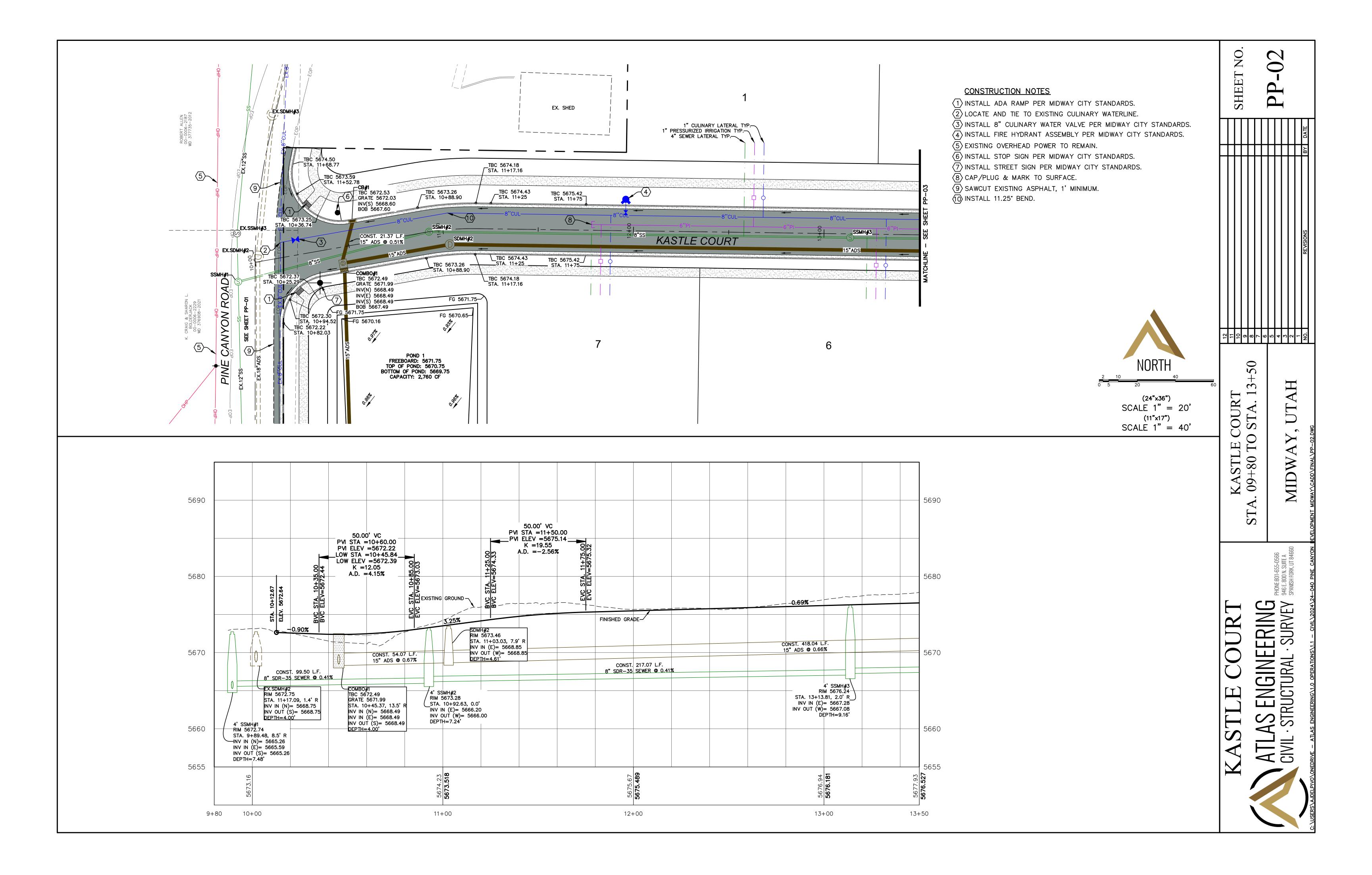


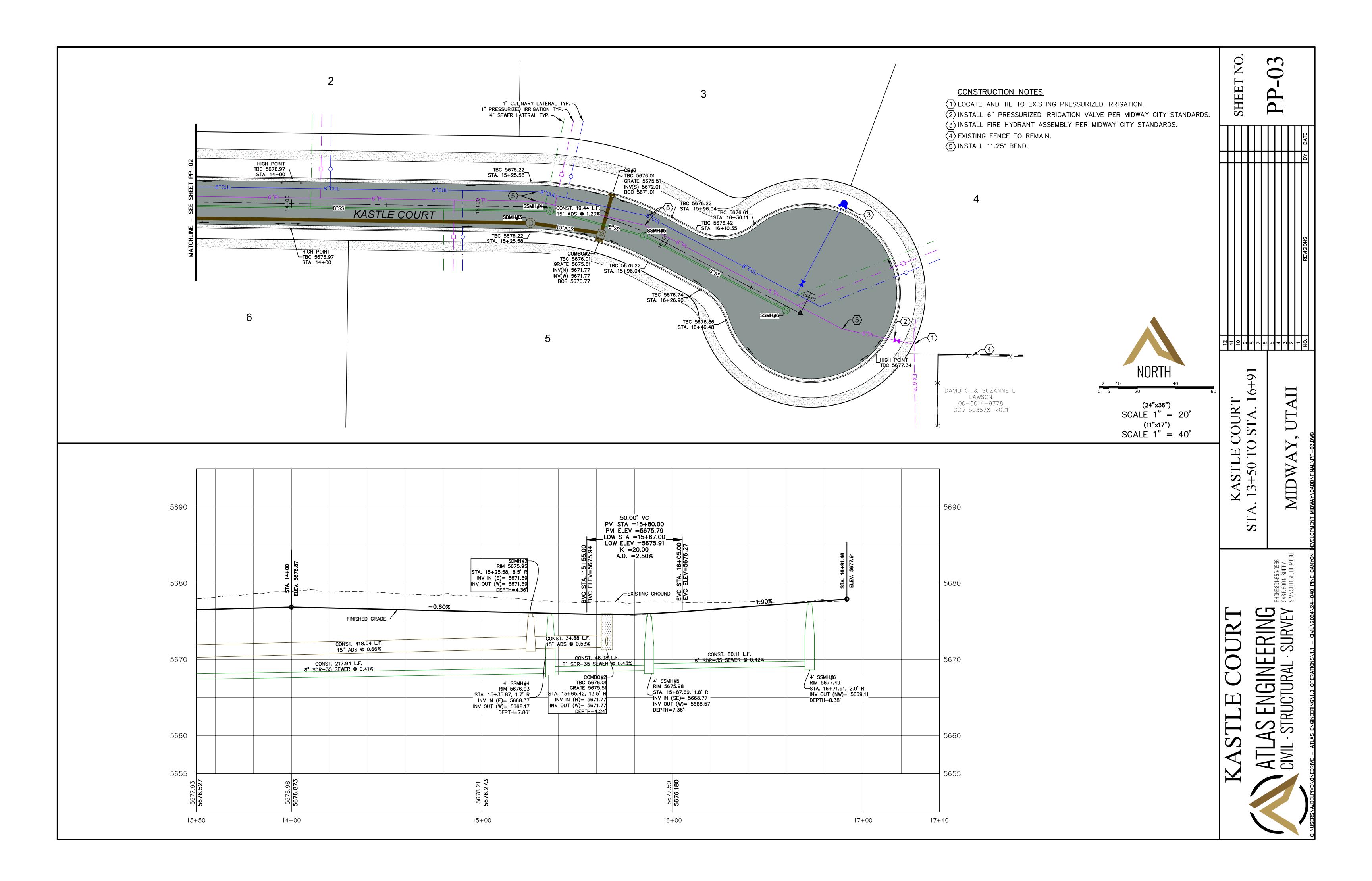




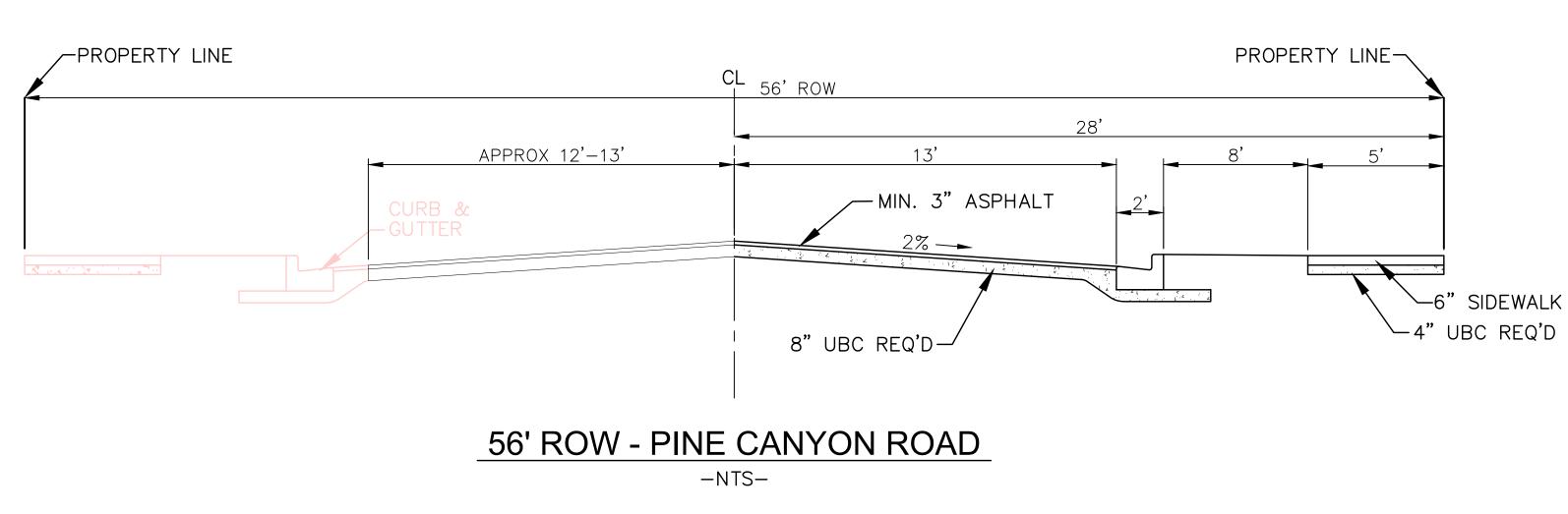


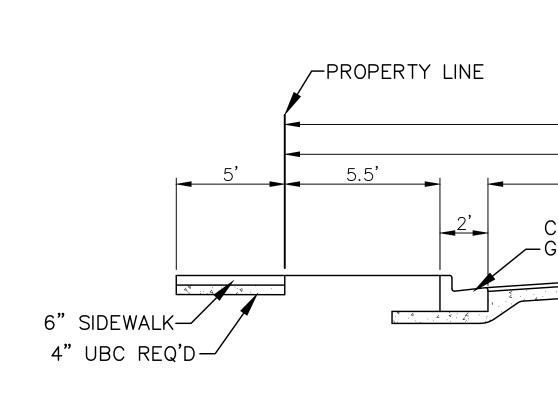


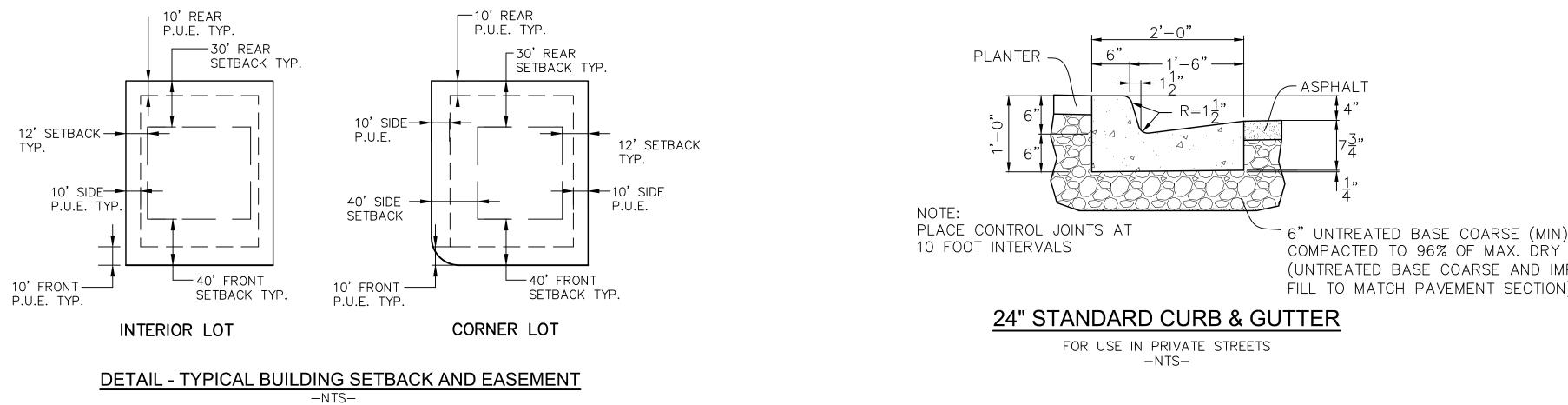


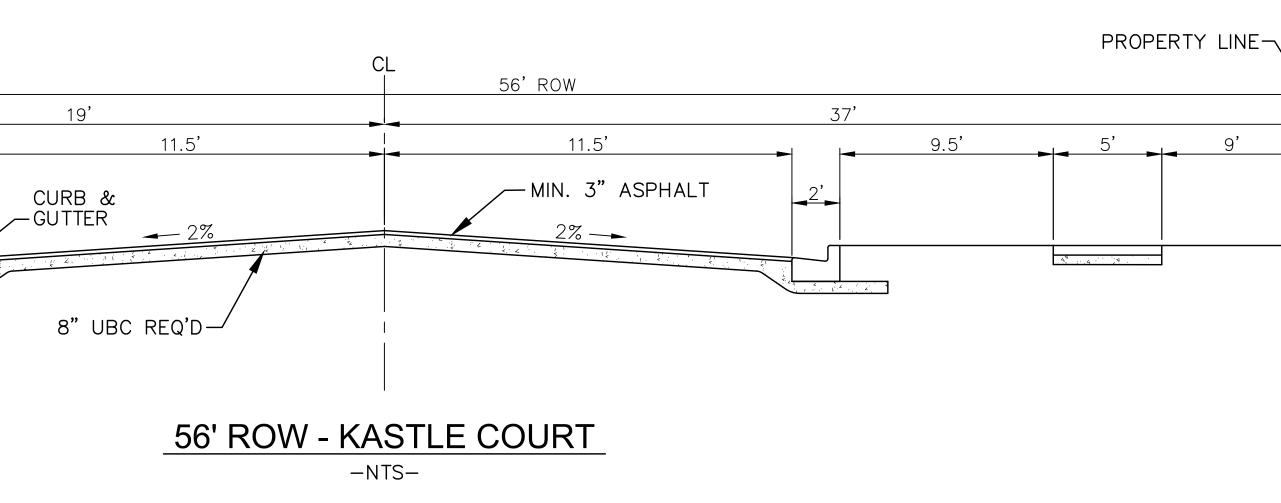


NOTE: FOLLOW RECOMMENDATIONS FROM GEOTECHNICAL INVESTIGATION FOR PINE CANYON DEVELOPMENT DATED SEPTEMBER 3, 2024 PERFORMED BY EARTHTEC ENGINEERING, JOB NO. 240629G.









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