

Midway City Council
20 July 2021
Regular Meeting

Resolution 2021-25 /
Scotch Fields PUD,
Phases 3, 4, and 5
Development Agreement
Amendment



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: July 20, 2021

NAME OF PROJECT: Scotch Fields

NAME OF APPLICANT: Probst Higley Developers, LLC

AUTHORIZED REPRESENTATIVE: Berg Engineering

AGENDA ITEM: Amendment to the Scotch Fields Phases 3, 4, & 5 Development Agreement

LOCATION OF ITEM: 1300 North Canyon View Drive

ZONING DESIGNATION: RA-1-43

ITEM: 14

Berg Engineering, agent for Probst Higley Developers LLC, is proposing to amend the Scotch Fields PUD Development Amendment. The proposed amendment would revise the landscaping plan for phases 3, 4, and 5. The property located at 1300 North Canyon View Drive and is in the RA-1-43.

BACKGROUND:

Probst Higley Developers LLC is proposing an amendment to the approved development agreements for Scotch Fields phases 3, 4, and 5. The proposed amendment would specifically revise the landscaping plan and remove the planned bark mulch from around each of the dwelling sites and replace the bark mulch with Kentucky Bluegrass. Currently the approved plan shows that bark mulch surrounds each dwelling site and extends from the foundation of each structure approximately 10', though that varies throughout the plan.

The proposed amendment would replace 85,688 square feet (1.97 acres) of bark mulch with Kentucky Bluegrass. All bark mulch would be removed from the landscaping plan. The application describes the change as the following:

This is a minor change to the landscape plan for the common areas around units in Scotch Fields Phase 3 and 4. This change does not impact the vision of Midway City or the development."

This change would directly impact the 43 units in the three phases. Staff felt it was important to notice all the owners of property in the three phases. The developer owns 35 units in the phases but eight of the units are owned by other individuals and each one of them received a letter inviting them to the City Council discussion regarding this issue. As of the writing of this report, none of the property owners in the three phases have contacted City planning staff.

The proposed amendment is specific to phases 3, 4, and 5 and would not change the landscape plan or requirements for phases 1 or 2. There have been concerns in phases 1 and 2 about the landscaping being installed in those phases without bark mulch as is shown on the approved plans. Another concern is that the Kentucky Bluegrass has not been installed to the entire area that was approved on the landscaping plan in Phases 1 and 2. Staff has not released all the landscaping bond for those two phases at this time. All five phases in Scotch Fields PUD are part of the same Homeowners Association and the HOA is responsible for maintaining landscaping that the developer is responsible for installing.

The City Code does not have a requirement that bark mulch be included in the landscaping plan. Water rights were required and dedicated to the City for the 1.97 acres that would have bark mulch so those areas can be irrigated.

The decision to approve the proposed amendment is discretionary for the City Council. The approved agreements may only be amended if both parties, the City and the developer, agree to the amendment.

POSSIBLE FINDINGS:

- The proposed amendments would remove all bark mulch from phases 3, 4, and 5 that includes an area of 85,688 square feet (1.97 acres) and replace it with Kentucky Bluegrass
- Water rights have been dedicated to the City for the entire 1.97 acres that have been approved for bark mulch
- The City Code does not require that bark mulch be included in landscaping plans

- Amending the development agreements is discretionary and the City is under no obligation to approve the proposal even if it complies with the land use code

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council finds the proposal is in the best interest of the City.
 - 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 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. Denial. This action can be taken if the City Council finds that the request is not in the best interest of the City.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

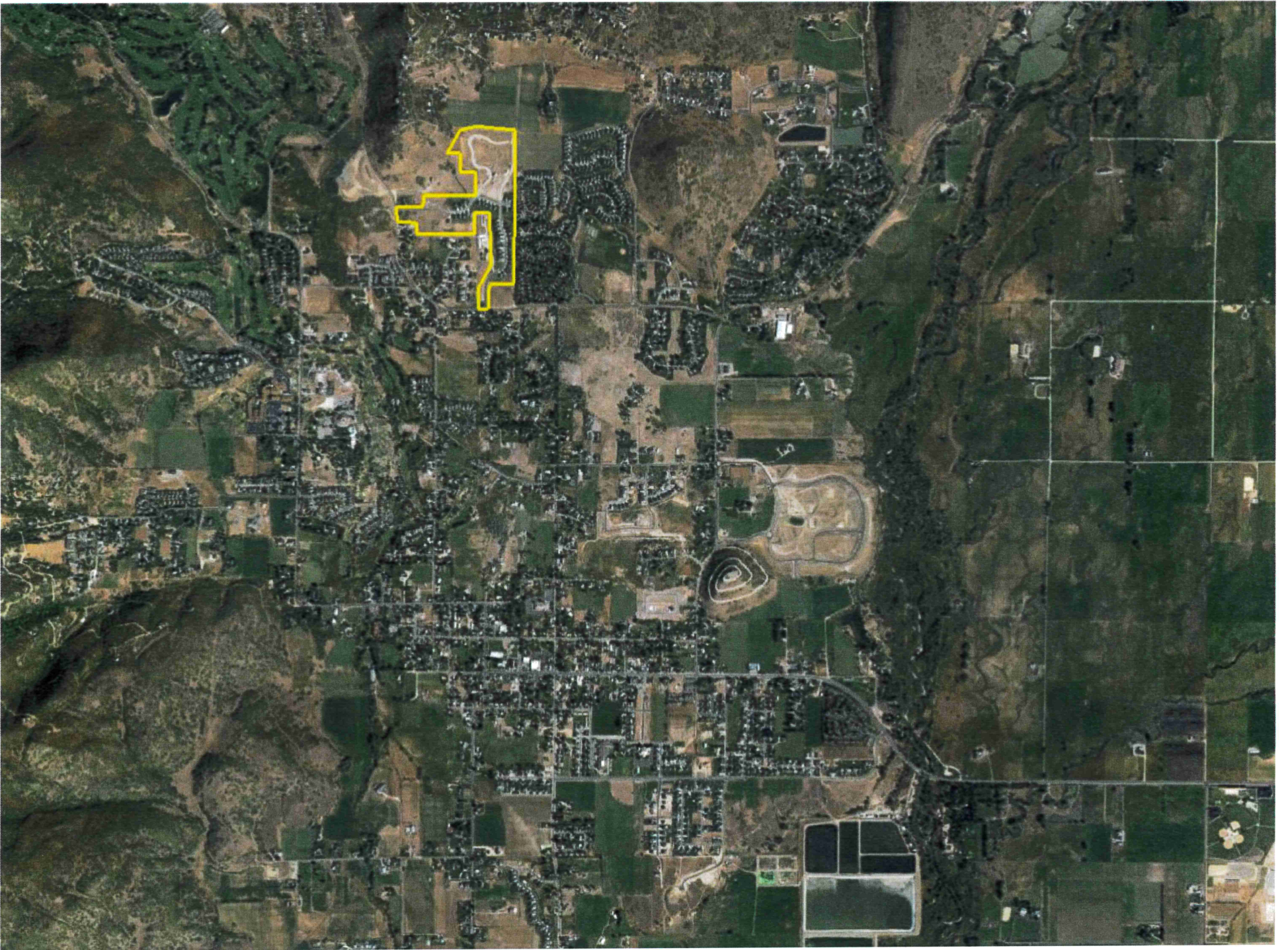
Exhibits

Exhibit 1 – Location Maps

Exhibit 2 – Approved Landscaping Plan

Exhibit 2 – Proposed Landscaping Plan

Exhibit 1



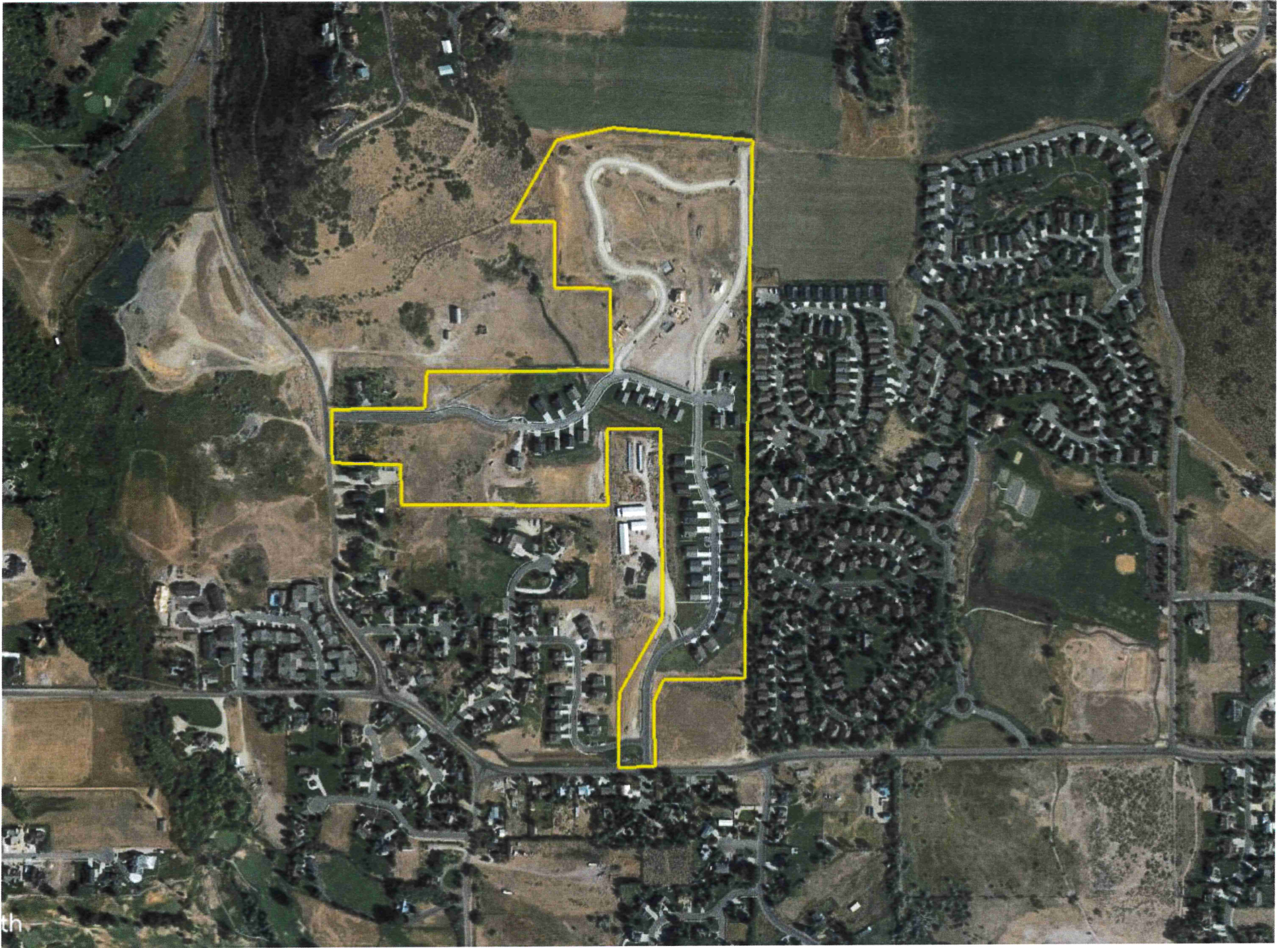
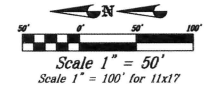




Exhibit 2



LANDSCAPE NOTE:
LANDSCAPERS TO INSTALL PHASES 3-5 AS
SHOWN ON THIS PLAN IN ADDITION TO AREAS
NOT LANDSCAPED IN PHASE 2 DUE TO
CONSTRUCTION STAGING.

PLANT SCHEDULE

SYMBOL	QTY	COMMON BOTANICAL NAME	CONT	SIZE	NOTE
	14	Canada Red Chokeberry / <i>Pyrus virginiana</i> 'Canada Red'	BHD	12" Cal	
	89	Chardonnay Fox - <i>Pyrus californica</i> 'Chardonnay'	BHD	12" Cal	
	19	Black & White Birch / <i>Betula platypholia</i> 'Tango' TM	BHD	12" Cal	
	13	Green Robin / <i>Fraxinus pennsylvanica</i>	BHD	12" Cal	
OVERLAPPING TREES	QTY	COMMON BOTANICAL NAME	CONT	SIZE	NOTE
	23	Flowering Blue Spruce / <i>Picea pungens</i> glauca 'Hoopsii'	0 4 B	6-10'	
SHRUBS	QTY	COMMON BOTANICAL NAME	CONT	SIZE	NOTE
	485, 177 sf	Patunka Dogwood / <i>Flax proteoides</i>			Soil or Hydrangea
	47,411 sf	Harbor Grass Mix / Mixed Grass Mix			Hydrangea



BILL PROBST
SCOTCH FIELDS PUD

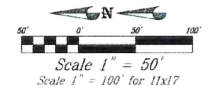
LANDSCAPE PLAN
PHASES 3 & 4



DESIGN BY: CNB
DRAWN BY: CNB
DATE: 10 NOV 2020
REV:

SHEET
3

Exhibit 3



PLANT SCHEDULE

SYMBOL	PLANT	QUANTITY	NOTES
1	1" Calceolaria (Yellow)	100	1" Calceolaria (Yellow)
2	2" Calceolaria (Yellow)	100	2" Calceolaria (Yellow)
3	3" Calceolaria (Yellow)	100	3" Calceolaria (Yellow)
4	4" Calceolaria (Yellow)	100	4" Calceolaria (Yellow)
5	5" Calceolaria (Yellow)	100	5" Calceolaria (Yellow)
6	6" Calceolaria (Yellow)	100	6" Calceolaria (Yellow)
7	7" Calceolaria (Yellow)	100	7" Calceolaria (Yellow)
8	8" Calceolaria (Yellow)	100	8" Calceolaria (Yellow)
9	9" Calceolaria (Yellow)	100	9" Calceolaria (Yellow)
10	10" Calceolaria (Yellow)	100	10" Calceolaria (Yellow)
11	11" Calceolaria (Yellow)	100	11" Calceolaria (Yellow)
12	12" Calceolaria (Yellow)	100	12" Calceolaria (Yellow)
13	13" Calceolaria (Yellow)	100	13" Calceolaria (Yellow)
14	14" Calceolaria (Yellow)	100	14" Calceolaria (Yellow)
15	15" Calceolaria (Yellow)	100	15" Calceolaria (Yellow)
16	16" Calceolaria (Yellow)	100	16" Calceolaria (Yellow)
17	17" Calceolaria (Yellow)	100	17" Calceolaria (Yellow)
18	18" Calceolaria (Yellow)	100	18" Calceolaria (Yellow)
19	19" Calceolaria (Yellow)	100	19" Calceolaria (Yellow)
20	20" Calceolaria (Yellow)	100	20" Calceolaria (Yellow)
21	21" Calceolaria (Yellow)	100	21" Calceolaria (Yellow)
22	22" Calceolaria (Yellow)	100	22" Calceolaria (Yellow)
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87	87" Calceolaria (Yellow)	100	87" Calceolaria (Yellow)
88	88" Calceolaria (Yellow)	100	88" Calceolaria (Yellow)

THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED. SWS, S. 0805, L.A. SERIAL NO. 17852790, DATE: 15 MAY 2019.

BILL FROST
SCOTCH FIELDS PUD

LANDSCAPE PLAN
PHASES 3 & 4

berg
LANDSCAPE ARCHITECTS

380 E Main St, Suite 304
Midway, UT 84049 ph: (801) 723-2000
DESIGN BY: CNB DATE: 15 MAY 2019
DRAWN BY: CNB REV: 3