

Midway City Council
2 March 2021
Regular Meeting

The Reserve at Midway, Phase 2 /
Preliminary Approval



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: March 2, 2021

NAME OF PROJECT: The Reserve at Midway Phase 2

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 2 of The Reserve at Midway. The proposal contains 22 lots on 36.6 acres, which includes 11.4 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 2 of The Reserve at Midway (formerly known as Midway Vistas). Phase 2 contains 22 lots on 36.6 acres, of which, 11.4 acres is open space. The master plan was approved July 7, 2020 with three phases with a total of 49 lots. The developer has combined phases 2 and 3 with this application to create one large phase. Thus, the subdivision will be developed in two phases instead of three. The project is a large-scale standard subdivision but, unlike most standard

subdivisions where the roads are public, the roads in The Reserve at Midway will be private but there will be a public access easement.

LAND USE SUMMARY:

- 36.6 acres in phase 2
 - Entire master plan 83.19 acres
- 11.4 acres of open space in phase 2
- RA-1-43 zoning
- Proposal contains 22 lots
 - Entire master plan contains 49 lots
- Project is a standard subdivision
- Private roads and trails maintenance will be the responsibility of the HOA
 - Public access easement on all roads and on trails with public easements
- The lots will connect to the Midway Sanitation District sewer and to the City's culinary 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. 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 | 29.1% |
| Phase 2 | 36.6 | 11.4 | 31.1% |
| | 83.19 | 25 | 30% |

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 will irrigate and what common areas that the HOA may want to irrigate in the future when determining to allow areas without water rights. The Water Board recommended 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 2 will contain 22 of the allowed lots.

Access – Each phase of the subdivision must meet the access requirements. Phase 2 does have two points of access and does comply with City code requirements. 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. Likewise, required street frontage for lots may also reduce by the amount of extra open space provided. Because of the extra 15% open space that is being provided, the minimum lot frontage is 127.5' except on the bulb of a cul-de-sac where the minimum is 60'.

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 planned public 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 and will be maintained by the HOA. If the Association fails to maintain the trails, to

City standards, the City will provide written notice to the HOA. If the HOA fails or refuses to correct such deficiency within 30 days, then the City has the right to perform the maintenance and repairs and has the right to bill the HOA.

The proposal will also dedicate a public trail easement for a backcountry 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 common area along the north end of the property running from Interlaken's pump station heading southwest to the west end of the property. 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 has been 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.

Roads and roadside trails - The proposal is a standard subdivision, which usually has public roads, but the annexation agreement specifies that the roads will be private. The recently approved annexation agreement amendment requires that a public access easement is granted for the roads and trails in the subdivision. The easement will be noted on the plats of both phases.

Secondary water meters - The developer will provide secondary water meters to Midway Irrigation Company and the secondary water meters will be installed by the irrigation company at the time of construction of dwellings on those lots. The developer will also construct a water storage tank that will supply the lots with irrigation water.

PLANNING COMMISSION RRECOMMENDATION:

Motion: Commissioner Simons: I make a motion that we recommend approval of the preliminary application of phase 2 of The Reserve at Midway. The proposal contains 22 lots on 36.6 acres, which includes 11.4 acres of open space. The property is located at 285 Luzern Road and is in the RA-1-43 zone. We accept the findings from staff and the proposed conditions listed in the staff report.

Seconded: Commissioner Garland

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

Ayes: Commissioners: McKeon, Garland, Simons, Bouwhuis and Cliften

Nays: None

Motion: Passed

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. Phase 1 would dedicate 120.18-acre feet, Phase 2 would dedicate 32.7-acre feet, and phase 3 would dedicate 38.36-acre feet. All the required water rights will be held in escrow before the master plan agreement is recorded.

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. Recommendation of Approval (conditional). This action can be taken if the City Council 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. 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. Recommendation of Denial. This action can be taken if the City Council 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. All approved non-irrigated areas will be noted on the plats.
2. Private roads in the development will have a public access easement which will be noted on the plats and in the development agreement.
3. Private trails with public access easements will be maintained by the HOA.

February 9, 2020

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

Subject: The Reserve Subdivision – Phase 2 Preliminary Review

Dear Michael:

Horrocks Engineers recently reviewed The Reserve phase 2 subdivision plans for Preliminary approval. The proposed subdivision borders Interlaken to the North and Scotch Fields Subdivision to the South. The proposed subdivision consists of 22 lots. All redline comments should be addressed. The following issues 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 10" culinary water line that is to be installed as part of phase 1 of the development.
- Required water pressure and fire flows need to be addressed for lots higher in elevation.

Roads

- The proposed roads within subdivision will be private and have right-of-way widths of 56'.
- As part of the annexation agreement all roads within the subdivision will be private with a public use easement.
- Luzern Road will be relocated through the development using Mountain Top Road.

Pressure Irrigation

- The subdivision will be serviced by Midway Irrigation Company.
- The irrigation system will utilize a water storage tank and private 8" PI lines to serve the homes throughout phase 2.
- All removal, additions, or revisions to the pressure irrigation system must be approved by Midway Irrigation Company.

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.
- The Reserve HOA will be responsible for maintenance of the storm system.

Sewer

- Sewer will be provided by the Midway Sanitation District.

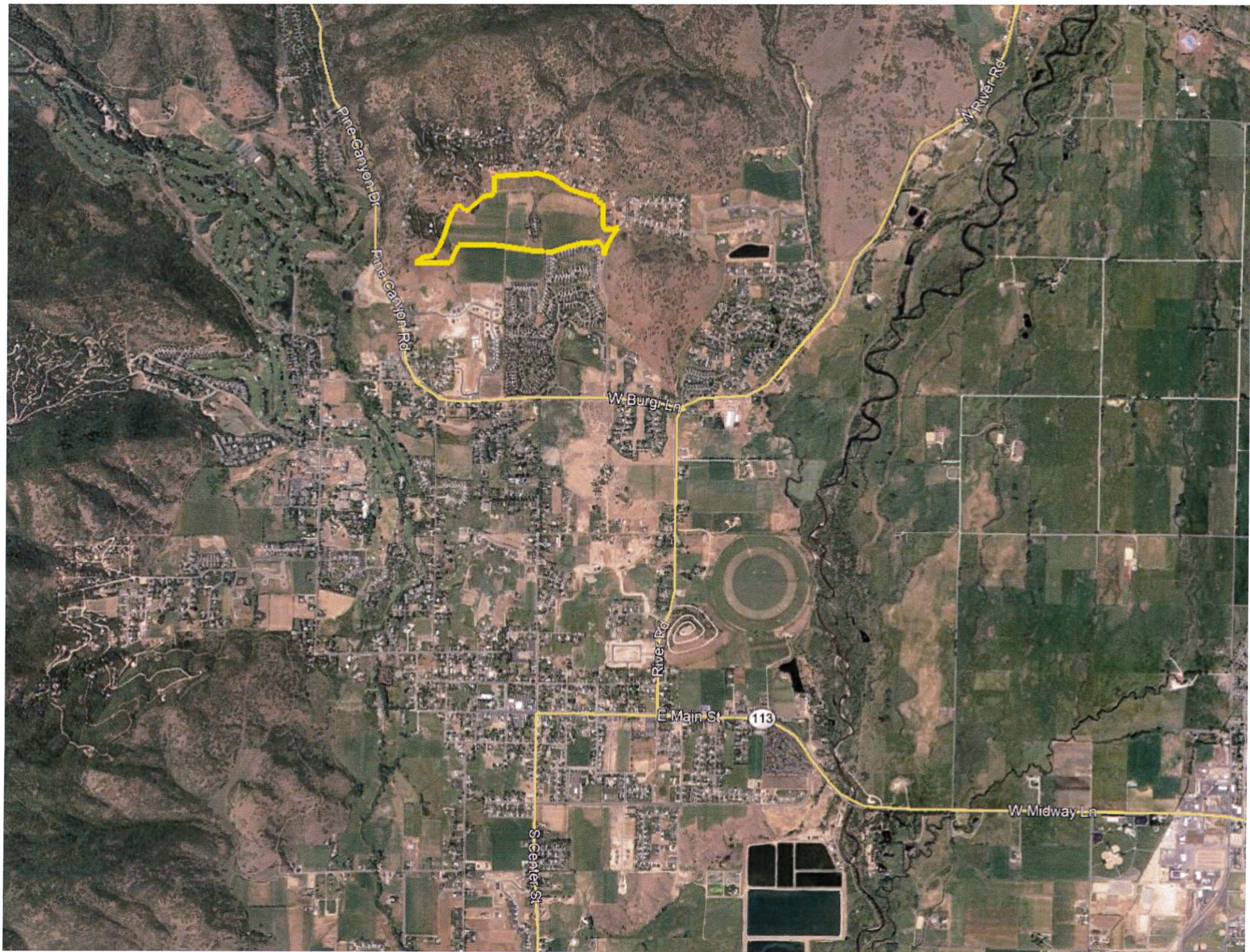
Please feel free to call our office with any questions.

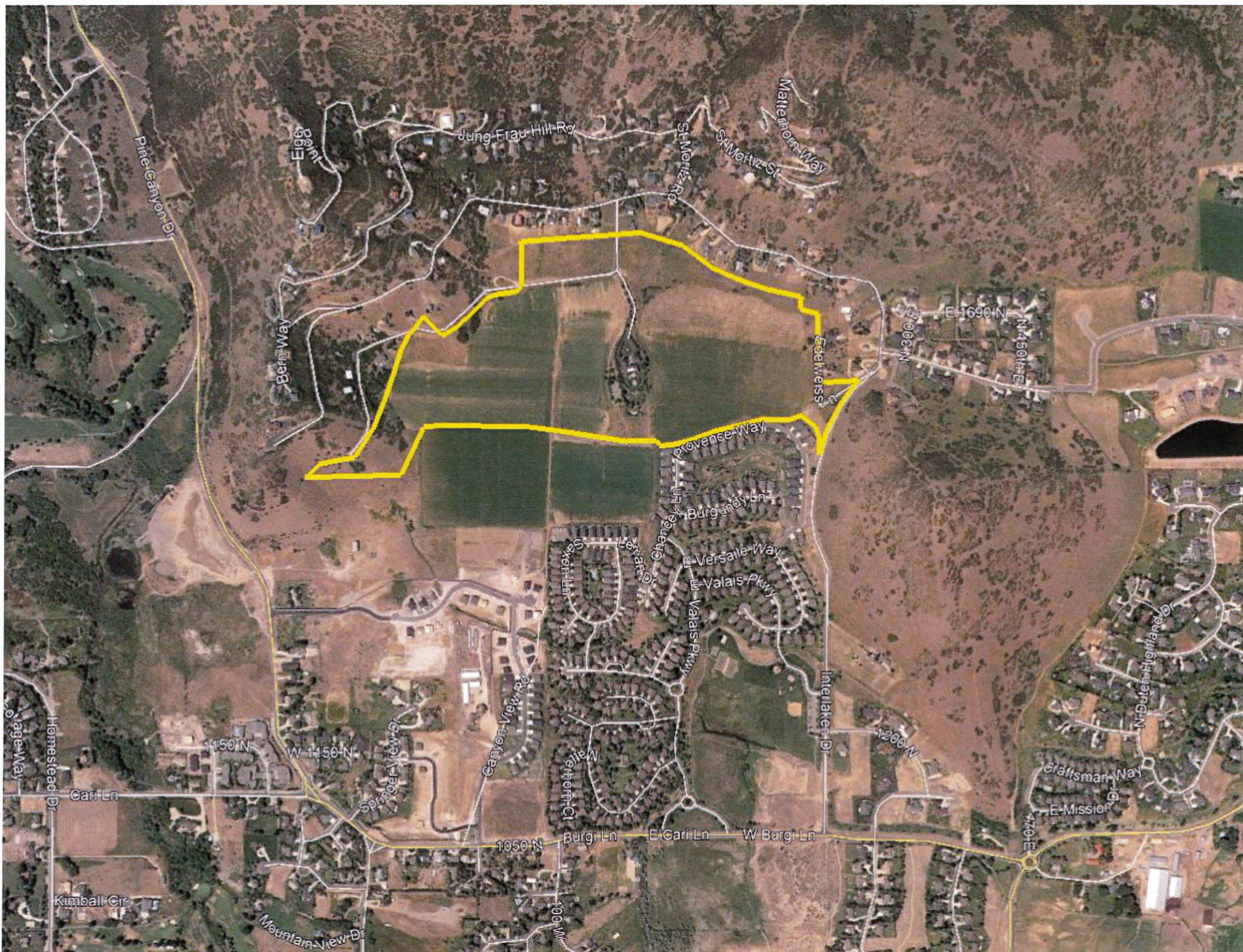
Sincerely,
HORROCKS ENGINEERS

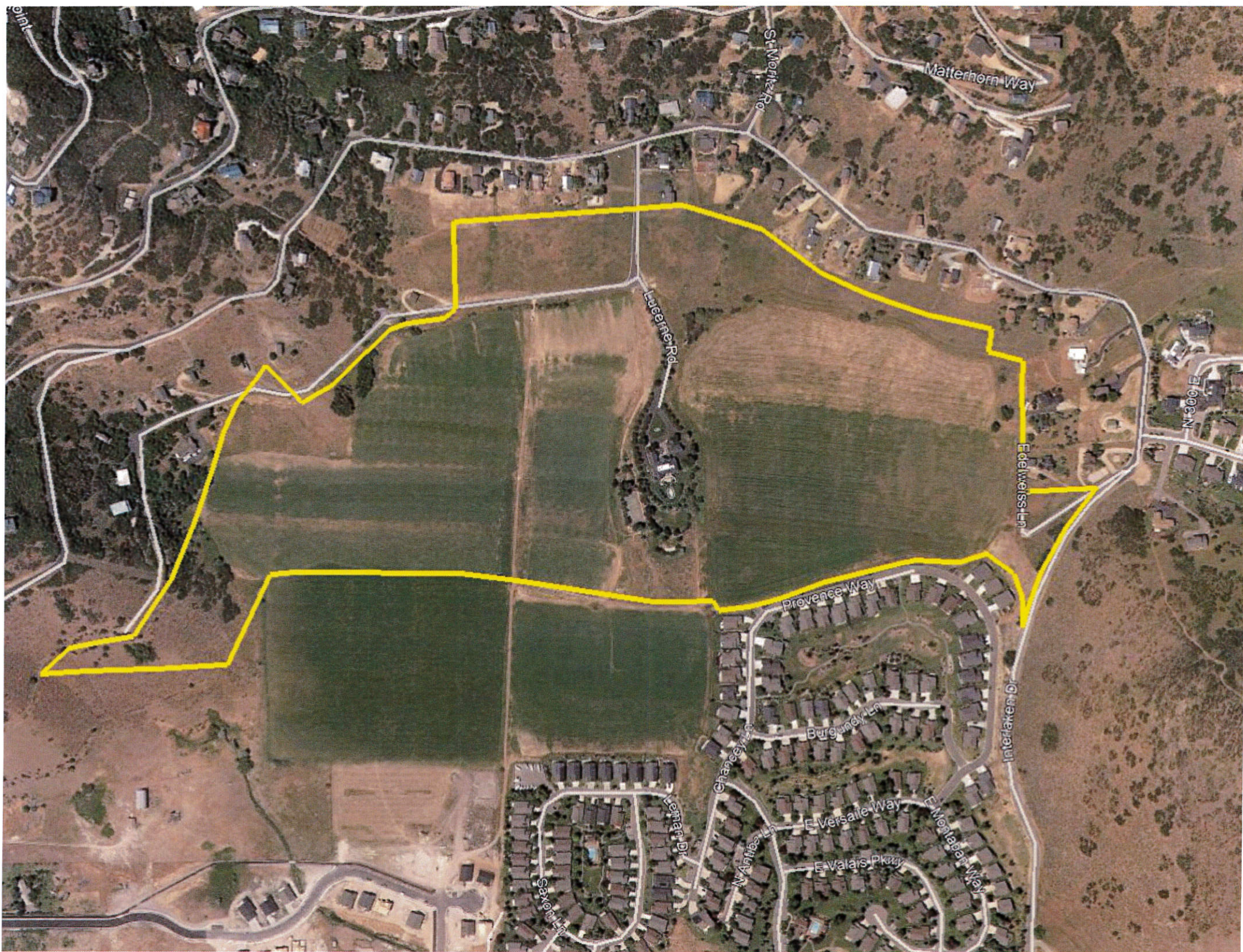


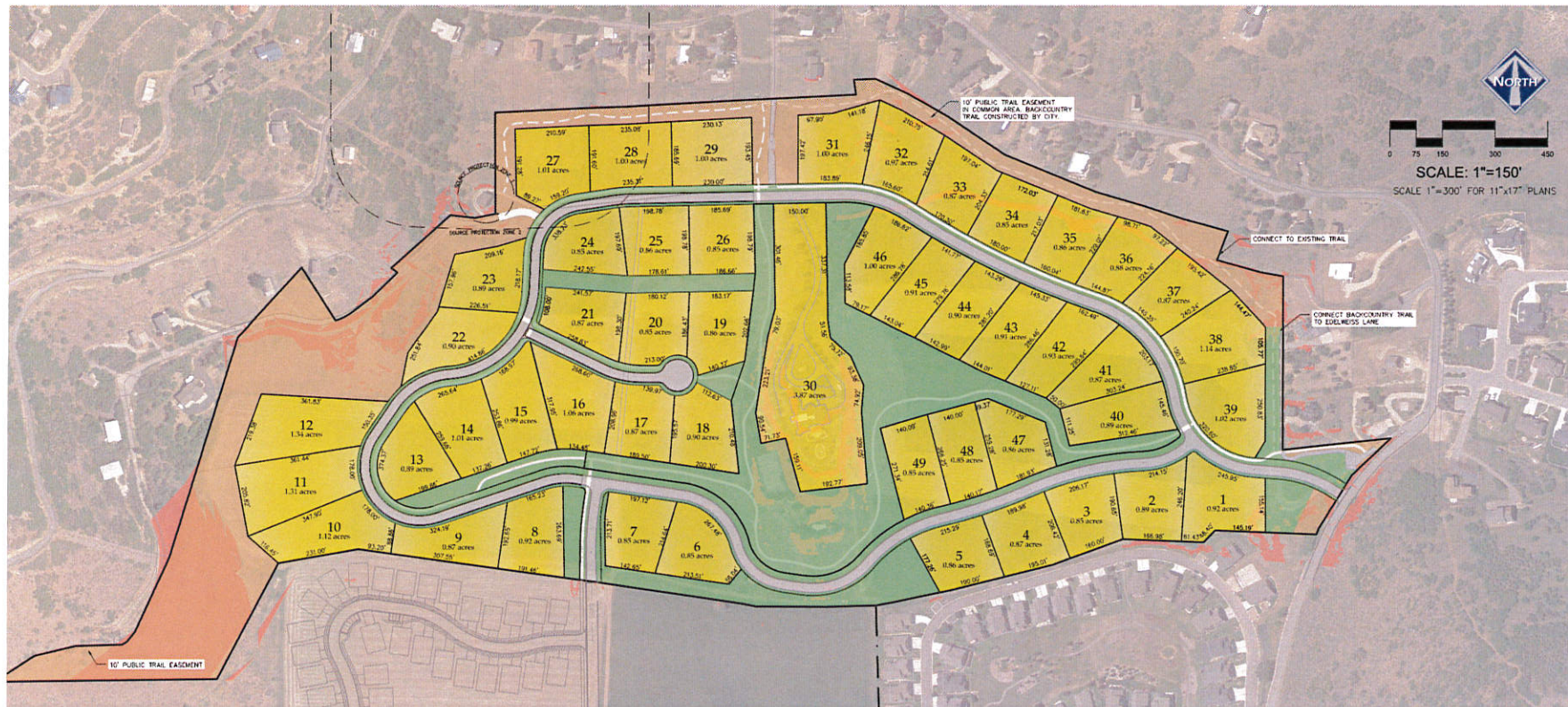
Wesley Johnson, P.E.
Midway City Engineer

cc: Berg Engineering









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

LOT 30:
IRRIGATED AREA = 1.63 ACRES
NON-IRRIGATED AREA = 1.24 ACRES
IMPERVIOUS AREA = 1.00 ACRES

ROAD ROW IRRIGATED AREA FOR SWALES = 1.91 ACRES

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

LEGEND

- COMMON AREA WITH TRAILS & TENNIS COURT (12.03 ACRES)
- IRRIGATED COMMON AREA (11.15 ACRES)
- NON-IRRIGATED COMMON AREA/OPEN SPACE (13.48 ACRES)
- LOTS
- 6" PUBLIC ASPHALT TRAILS (4,100 LF)
- 4" PUBLIC BACKCOUNTRY TRAIL
- SLOPES GREATER THAN 25%

LAND USE TABLE

| | |
|--|--|
| TOTAL AREA | 83.19 AC |
| OPEN SPACE REQUIREMENT | 12.48 AC (15.00%) |
| OPEN SPACE (PROPOSED) | 25.42 AC (30.56%) |
| NUMBER OF LOTS | 48 NEW LOTS 1 RANGER LOT 49 TOTAL LOTS |
| NUMBER OF LOTS MATCHES ANNEXATION AGREEMENT. | |

THIS DOCUMENT IS RELEASED
FOR REVIEW ONLY. IT IS NOT
FORWARDED FOR CONSTRUCTION
UNLESS SIGNED AND SEALED.
PAUL D. BERG, P.E.
SERIAL NO. 285205
DATE: 12 JAN 2021

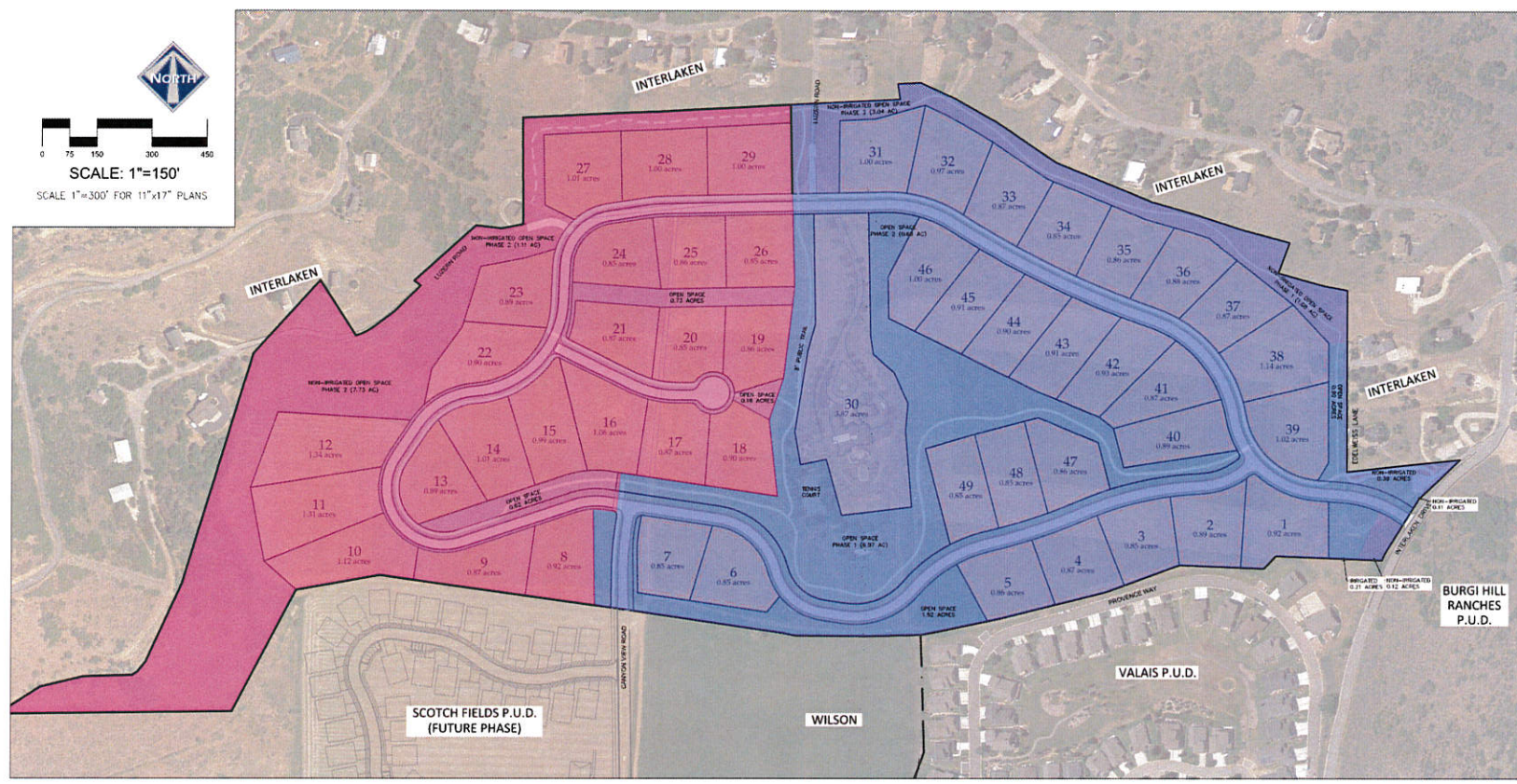
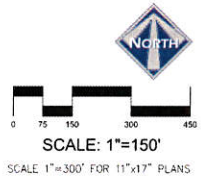
KIRK MALMROSE
THE RESERVE

APPROVED MASTER PLAN

BERG ENGINEERING
380 E Main St, Suite 204
Midway, UT 84049
ph 435.657.9249

DESIGN BY: CNB
DRAWN BY: DEJ
DATE: 13 JAN 2021
REV:

SHEET
3



NOTES:
 15% REQUIRED PER CITY ORDINANCE.
 30% REQUIRED FOR REDUCE LOT SIZES PROPOSED WITH THIS PROJECT.

| PHASE | TOTAL LOTS | LOTS# | TOTAL AREA | OPEN SPACE IN PHASE | OPEN SPACE % | CUMULATIVE OPEN SPACE % IN PROJECT | NON-IRRIGATED OPEN SPACE |
|-------|------------|------------|------------|---------------------|--------------|------------------------------------|--------------------------|
| 1 | 27 | 1-7, 30-49 | 46.89 AC | 13.63 AC | 29.06% | 29.06% | 3.36 AC |
| 2 | 22 | 8-29 | 36.60 AC | 11.40 AC | 31.15% | 30.09% | 9.87 AC |
| | | | 83.19 AC | 25.03 AC | | | |



PHASE 3 HAS BEEN REMOVED, PREVIOUSLY SHOWN PHASES 2 AND 3 WILL BE COMBINED INTO PHASE 2 AS SHOWN ON THIS PLAN.

| LAND USE TABLE | |
|--|--|
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 PAUL G. BERS, P.E.
 SERIAL NO. 232595
 DATE 15 JAN 2021

KIRK MALMROSE
THE RESERVE

PHASING PLAN

BERG ENGINEERING
 380 E Main St Suite 204
 Midway, UT 84049
 ph 435.657.9749

DESIGN BY: CNB
 DRAWN BY: DEJ

DATE: 13 JAN 2021
 REV:

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