



**Midway**

**PLANNING COMMISSION MEETING STAFF REPORT**

**DATE OF MEETING:** June 8, 2021

**NAME OF PROJECT:** Saddle Creek Subdivision

**NAME OF APPLICANT:** DPW Heber Inc.

**AGENDA ITEM:** Phase 2 & 3 Final

**LOCATION OF ITEM:** 970 South 250 West

**ZONING DESIGNATION:** R-1-22

**ITEM: 4**

Berg Engineering, agent for DPW Heber Inc., is requesting final approval of phases 2 and 3 of the Saddle Creek Ranch subdivision. Phases 2 and 3 includes 17 lots on 15.27 acres. The property is located at 970 South 250 West and is in the R-1-22 zone.

**BACKGROUND:**

The applicant is requesting final approval of Phases 2 & 3 of the Saddle Creek Subdivision, which received master plan approval May 7, 2019 and preliminary approval May 4, 2021. The proposed subdivision replaces the existing Saddle Creek Ranch PUD plat that is in the process of being vacated. Phases 2 & 3 of the proposed plat consist of 17 lots on 15.27 acres. Phase one has previously received final approval and is currently under construction. There are a total of four phases in the development.

Phase 2 and 3 make up the western half of the proposed development. It includes 17 lots, public streets, public and private trails, improvements to 250 West and landscaped open space which will be owned by the homeowner's association. It will require the reclamation of the temporary cul-de-sac (900 south) that will be constructed as part of phase one.

## **LAND USE SUMMARY:**

- **Phase 2**
  - Thirteen building lots
  - 12.08 acres (lots and internal roads)
  - 0.48 acres for 250 West dedication
  - 3.24 acres of total open space (26% of phase, 52% of total project open space)
- **Phase 3**
  - Four building lots
  - 2.51 acres (lots only, no new roads)
  - All required open space will be dedicated with phases one and two
- This project is a standard subdivision
- Public road maintenance will be the responsibility of the City
- The lots will connect to the Midway Sanitation District sewer and to the City's water line.
- No sensitive lands have been identified on the property

## **Master Plan**

- 31.99 acres
- 36 lots
- Four phases
  - Phase 1 – 9 lots
  - Phase 2 – 13 lots
  - Phase 3 – 4 lots
  - Phase 4 – 10 lots

## **ANALYSIS:**

*Open Space* – Phases 2 will include 3.24 acres of open space which is 25% of the total phase acreage. This is the remainder of the required open space needed for the development. Phase 3 and phase 4 will not contain any additional open space. The open space will be landscaped by the developer and maintained by the developer/HOA. The applicant has provided a copy of the CC&Rs for the development. City staff, including the City Attorney, will review to ensure that they

contain adequate language to ensure that the common spaces and its associated improvements will be maintained in perpetuity by the HOA.

*Water* – The original developer of the property tendered 109.5-acre feet to the City to comply with the culinary and secondary water requirements. Using current City water requirements, the proposal water requirement is in the range of about 106-109-acre feet. It appears the developer has tendered enough water to the City for the entire development. The applicant has received a will serve letter from Midway Irrigation Company.

*Sensitive lands* – Per the recorded plat, no sensitive lands have been identified. A geotechnical study was submitted to the City that Horrocks Engineers has reviewed.

*Phase 2 Improvements* – As part of the phase 1 improvements, the developer is required to improve the full width of 970 South. Part of those improvement will require the existing transmission line along the north side of 970 South to be moved or buried by the developer or Heber Light and Power. They are also required to make improvements to the intersection of 970 South and Center Street.

The developers phase 2 obligations will include improving the half width of 250 West that borders the developments west boundary, overlaying the entirety of 250 West and the improvement of the remaining open space in the development.

*Timing of approvals* – The developer can continue to receive approvals for any phase of the development, but they are unable to record a plat map or begin improvements, until the transmission line along 970 South is in the process of being buried or being moved so that 970 South can be constructed to its planned width.

*Trails* – As part of phase 2 and 3, the developer will construct an 8' wide paved public trail along 250 West from 970 South to 800 South. The applicant will then dedicate a public trail easement for a future trail along 250 West from 800 South to their northern property line. In lieu of constructing this portion of trail, they have committed to constructing the offsite portion of trail needed to connect their 970 South trail all the way to Center Street. They are proposing a combination of public and private trails along with public sidewalks within the development. The private trails are those that are not bordering roads. All private trails will be maintained by the HOA. Additionally, the applicant received approval from the City Council at preliminary to continue the 8' asphalt trail along the frontage of lots 16-18. The current proposal includes this section of trail along with a 3' public trail easement along the frontages of lots 16-18 to accommodate the additional trail width.

*Water extension line agreements* – The developer is required to pay fees for a water extension line agreement for a water line in 250 West for \$202.68 per connection and a payment for the water line in Center Street for \$1,436.61 per connection. Both payments would be a pass through to the holders of the extension line agreements. In

the motion for Phase 1 final approval, the City Council included the following condition:

“Each water lease agreement could be paid overtime if everyone signed an agreement otherwise the lump sums had to be paid before the recording of Phase 1.”

If no signed agreement is in place, the full payment for all 36 lots will be required before recording the first plat.

### **PROPOSED FINDINGS:**

- The proposed plans for phase 2 & 3 comply with the requirements of the land use code.
- The proposal does meet the vision as described in the General Plan for the R-1-22 zone.
- Road improvements along 250 West will benefit the community in general
- The public trail built along 250 West will help complete the master trail plan that will benefit members of the community
- No plat can be recorded until the existing plat has been vacated by the county recorder
- The duration of final approval shall be for one year from the date of final approval of the development by the City Council. Should a final plat not be recorded by the County Recorder within the one-year period of time, the development's approval shall be voided, and both preliminary and final approvals must be re-obtained, unless, on a showing of extenuating, the City Council extends the time limit for plat recording, with or without conditions. Such conditions may include, but are not limited to, provisions requiring that: (a) construction must be conducted according to any new City standards in effect at the time the plat is ultimately recorded; (b) the property must be maintained in a clean, dust-free, and weed-free condition at all times; (c) each extension will be for a one-year period only, after which time an annual review must be presented before the City Council; and/or (d) no more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension.

### **ALTERNATIVE ACTIONS:**

1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission finds the application 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 Planning Commission finds 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 comply with the requirements of the Land Use Code.
    - a. Accept staff report
    - b. List accepted findings
    - c. Reasons for denial

#### **PROPOSED CONDITIONS:**

1. Any required water extension line agreement fees must be paid for before the recording of the plat.

June 8, 2021

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

**Subject:      Saddle Creek – Phase 2 & 3 – Final Review**

Dear Michael:

Horrocks Engineers recently reviewed the Saddle Creek Phase 2 & 3 plans for the Final Review. All redline comments shall be addressed and the following comments should be addressed.

**General Comments**

- Phase 2 contains 13 lots and phase 3 contains 4 lots.
- The development will realign the irrigation ditch that runs on the east side of 250 west.

**Water**

- The proposed development will be served from the Gerber Mahogany pressure zone.
- A 12" Water line is required to be installed in 250 west from the north property line and tie into the 12" water line in 970 South. Midway City will reimburse the developer for upsizing the line from 8" to 12".

**Pressure Irrigation**

- The subdivision will be serviced by Midway Irrigation Company.
- A new 8" secondary irrigation main will need to be installed from 970 south and tie to the existing secondary line just north of the proposed subdivision.

**Roads**

- The proposed roads within Phase 2 & 3 will be a 56' public right-of-way with side walk or trail on each of the road.
- The east side of 250 west will be rebuilt and widened to a half width of 15'. And the entire roadway will require a chip seal from 970 south to the north property line.

**Trails:**

- An 8' public trail is shown adjacent to 250 west from 970 south to the 800 south. The trail does not extend to the North property line because the developer agreed to install a trail from their east property line on 970 south to Center Street. An 8' trail is also shown within the subdivision.

**Storm Drain**

- The storm water within these phases will be public and will be collected within the proposed curb & gutter and discharged to the proposed catch basins and the proposed retention ponds.

Landscaping

- The proposed landscaping cost shall be included within the improvements bond.

Please feel free to call our office with any questions.

Sincerely,  
HORROCKS ENGINEERS



Wesley Johnson, P.E.  
Midway City Engineer

cc: Paul Berg Berg Engineering



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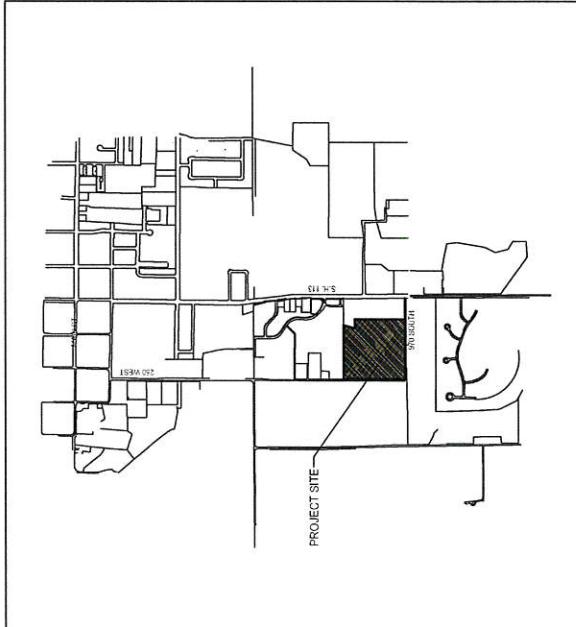


# SADDLE CREEK - PHASE 2 & 3

## FINAL APPLICATION

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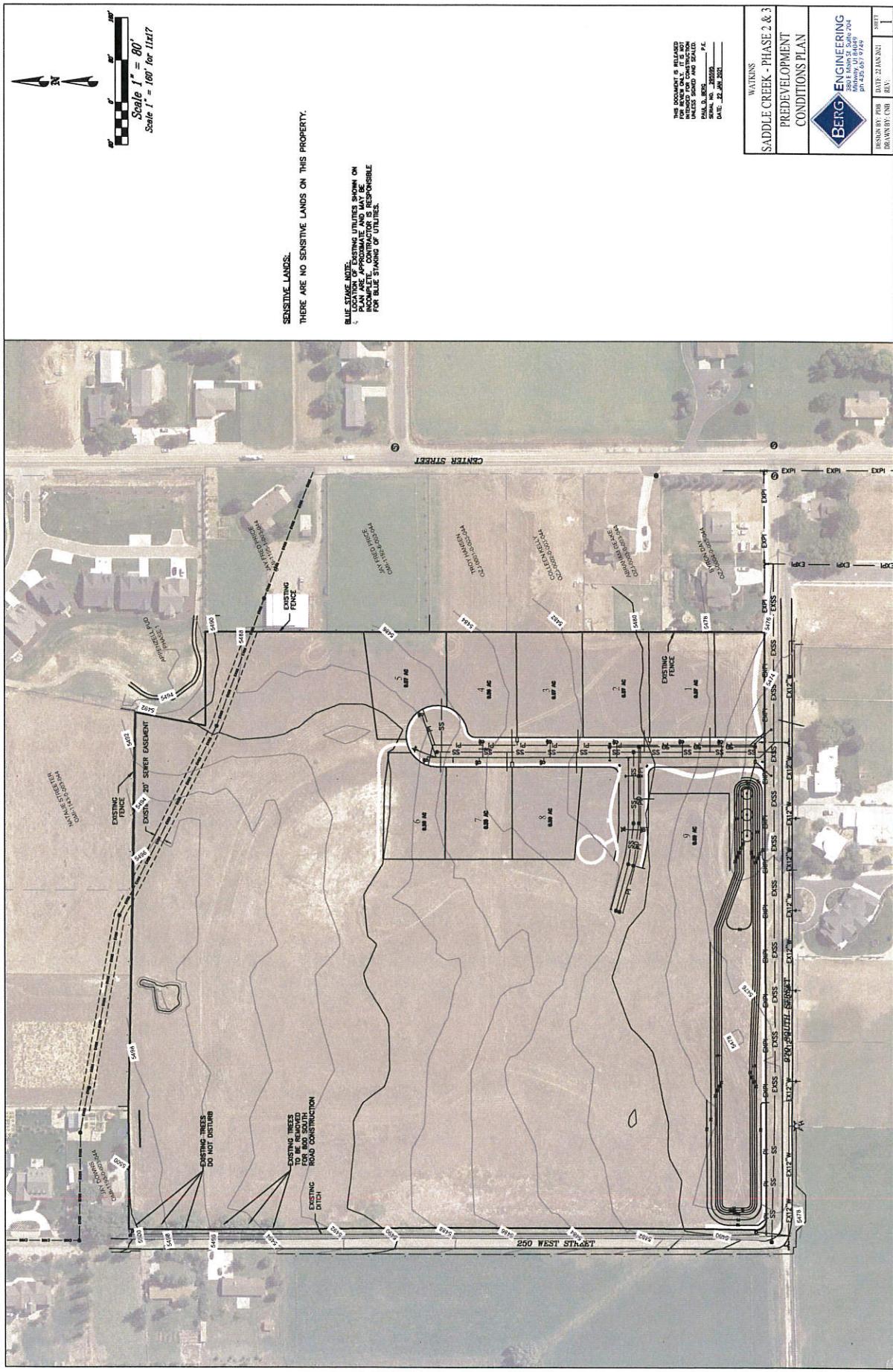
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25. 250 WEST ROAD IMPROVEMENTS
26. SADDLE CREEK PHASE 2 PLAT
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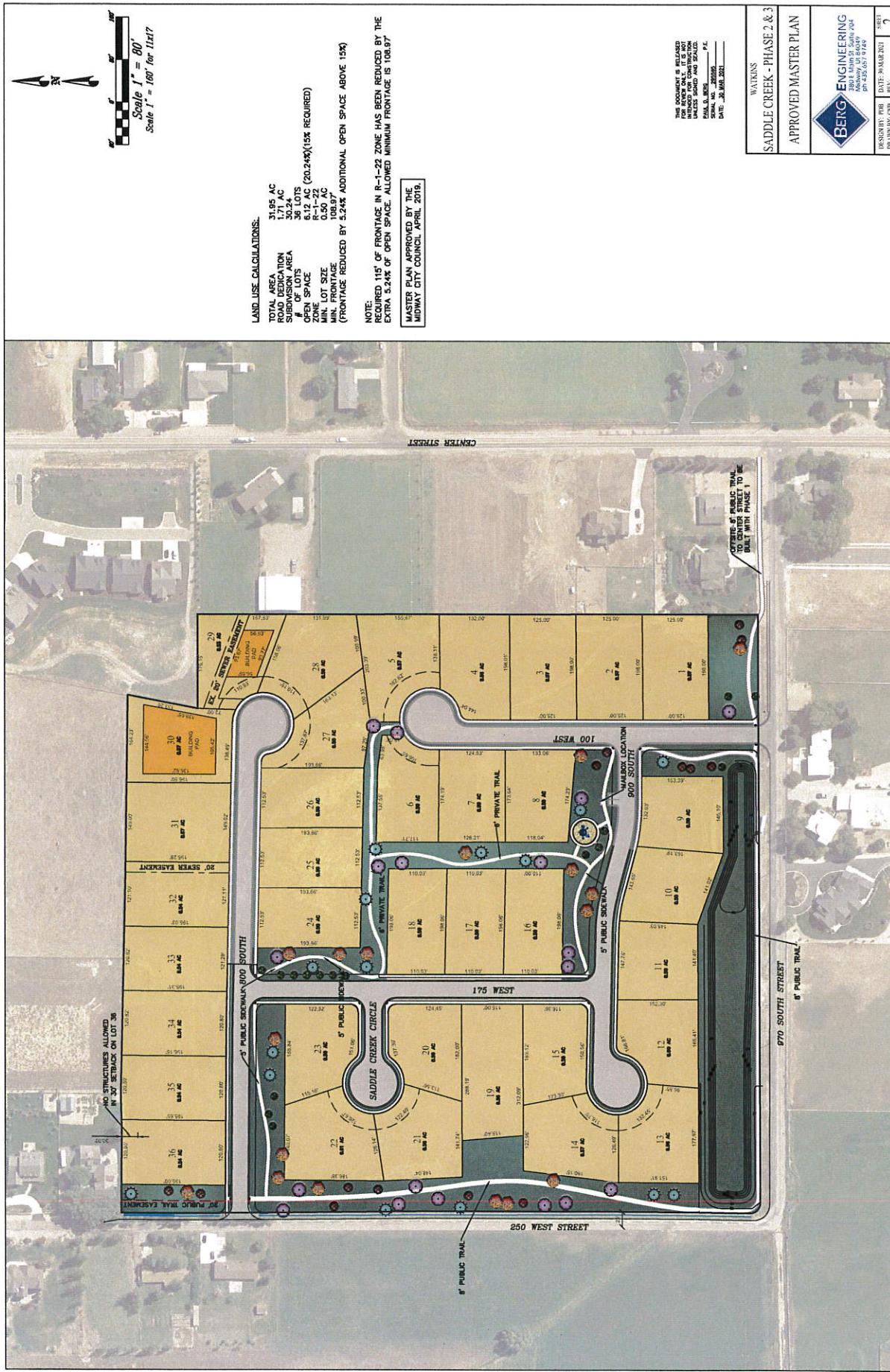


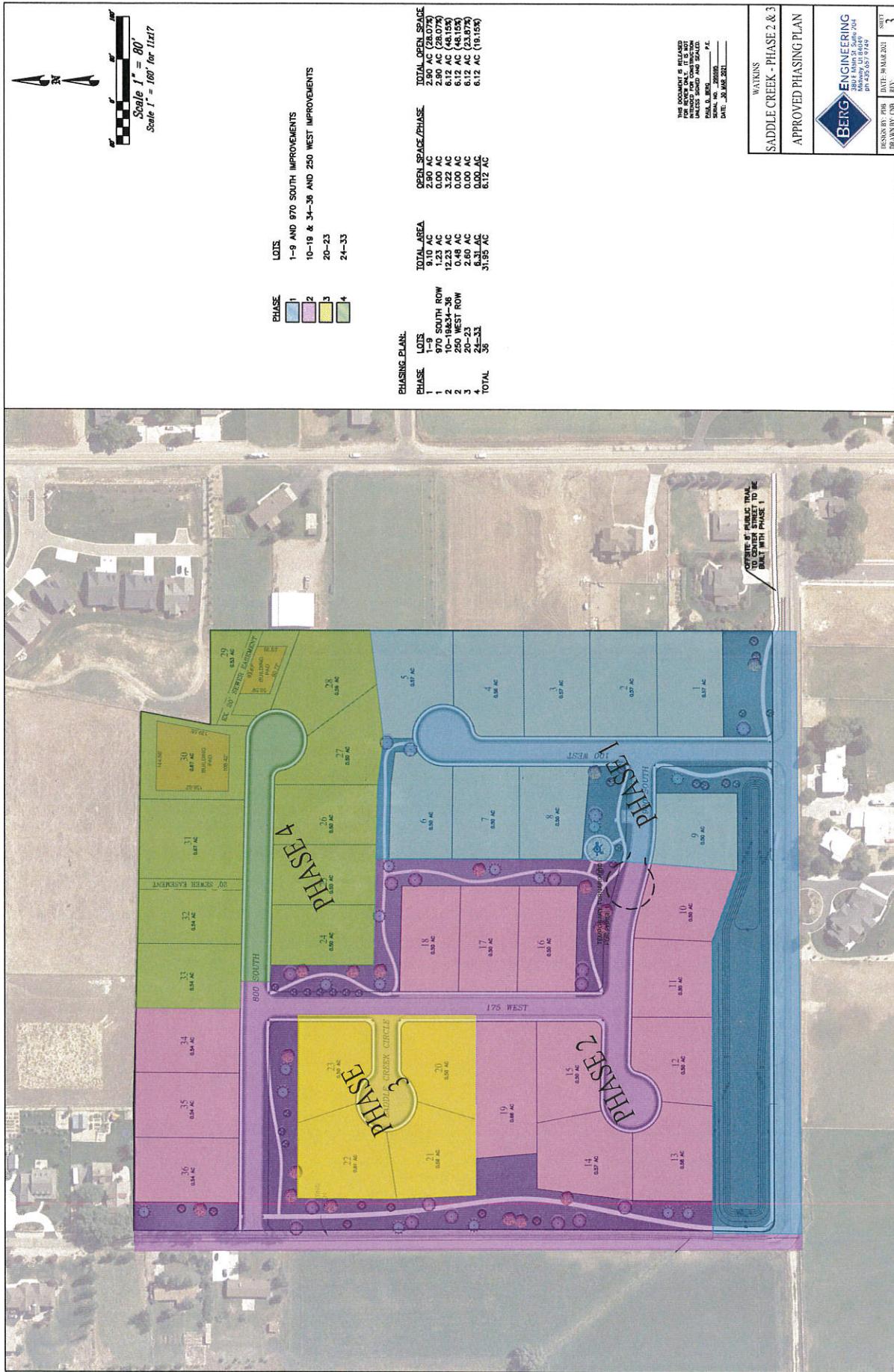
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UNLESS SPECIFICALLY DENIED.  
PHAL A. BROWN, P.E.  
DATE: 12 MAY 2021

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SADDLE CREEK - PHASE 2 & 3  
COVER SHEET



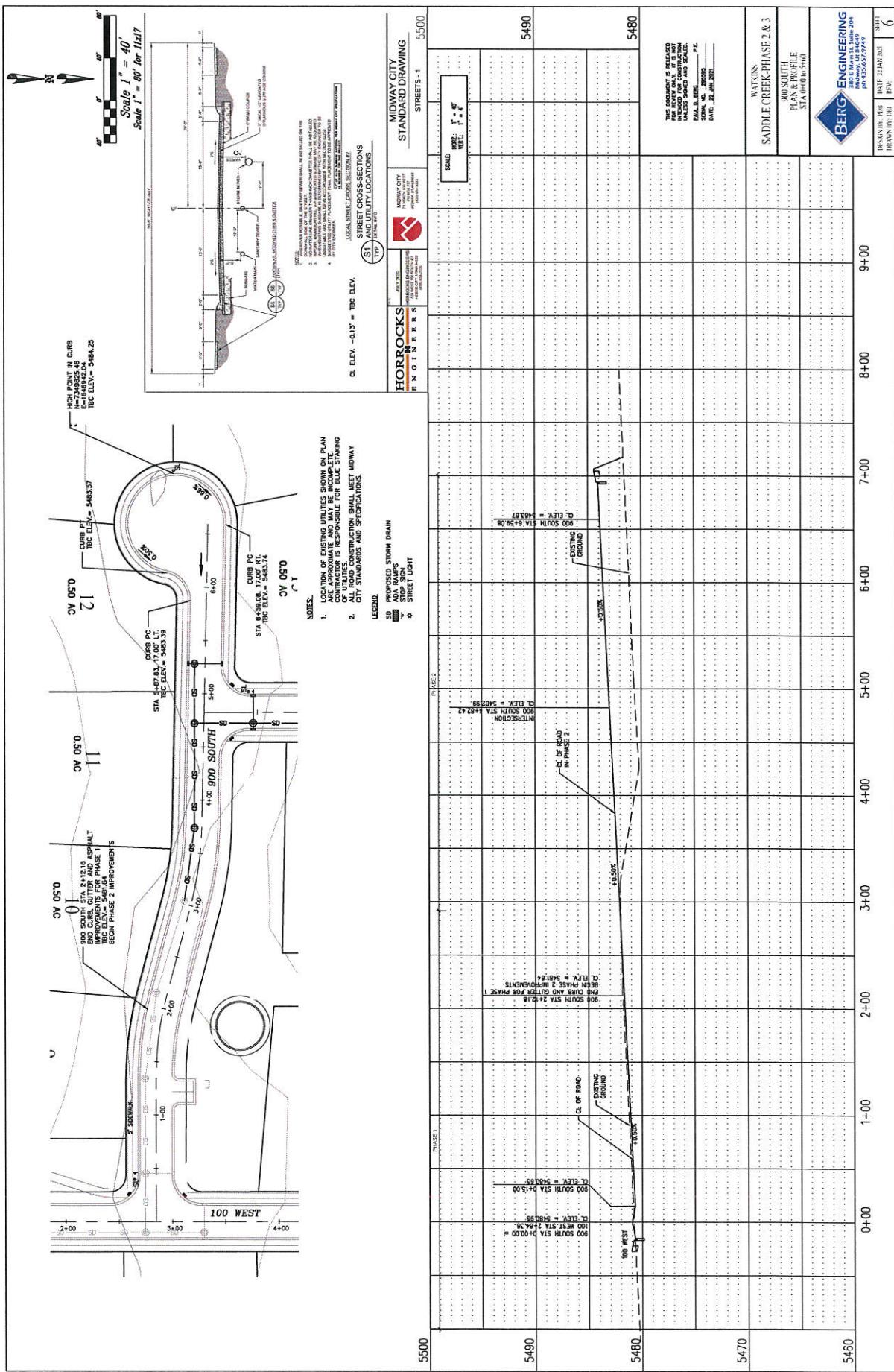


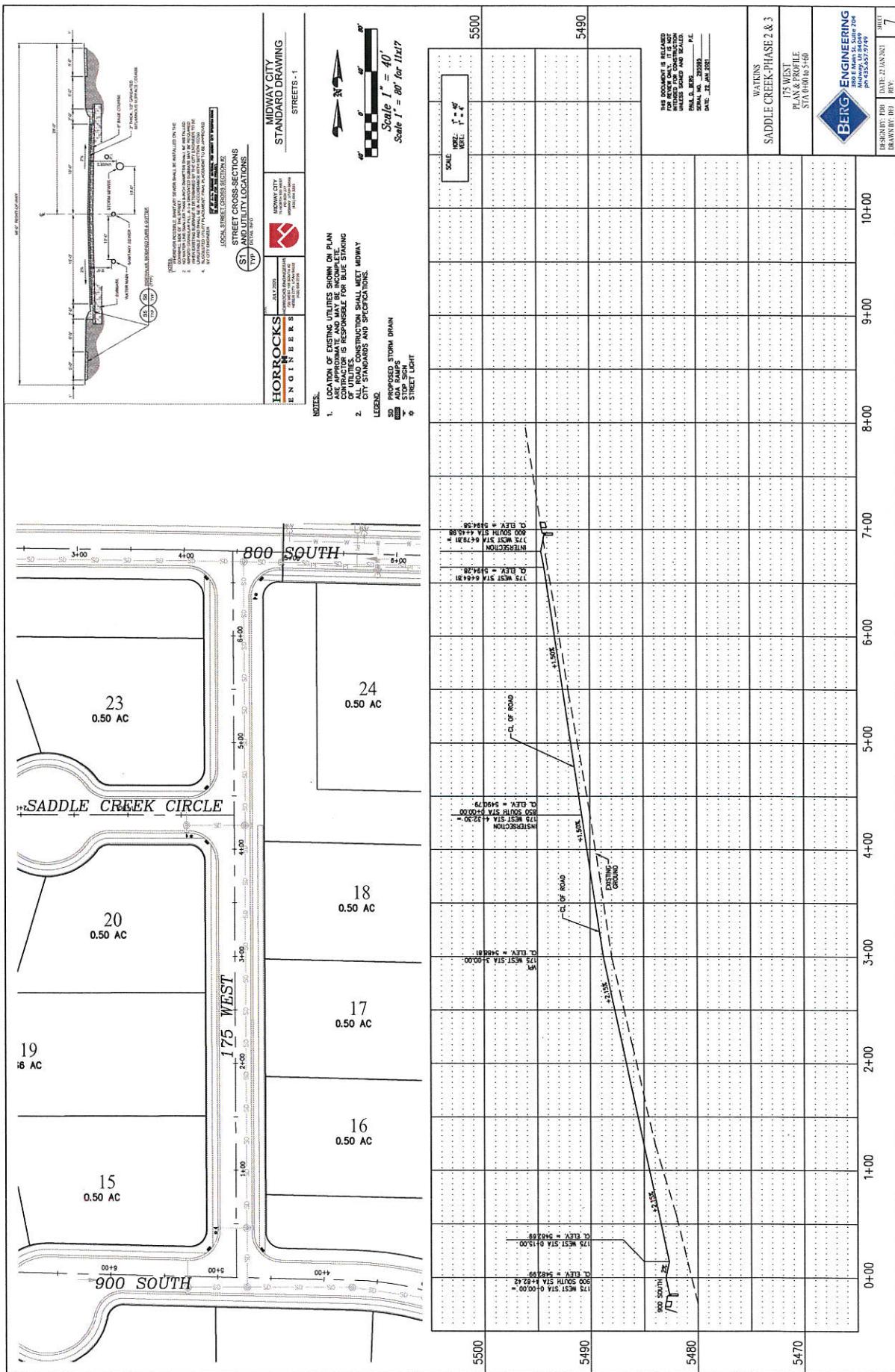


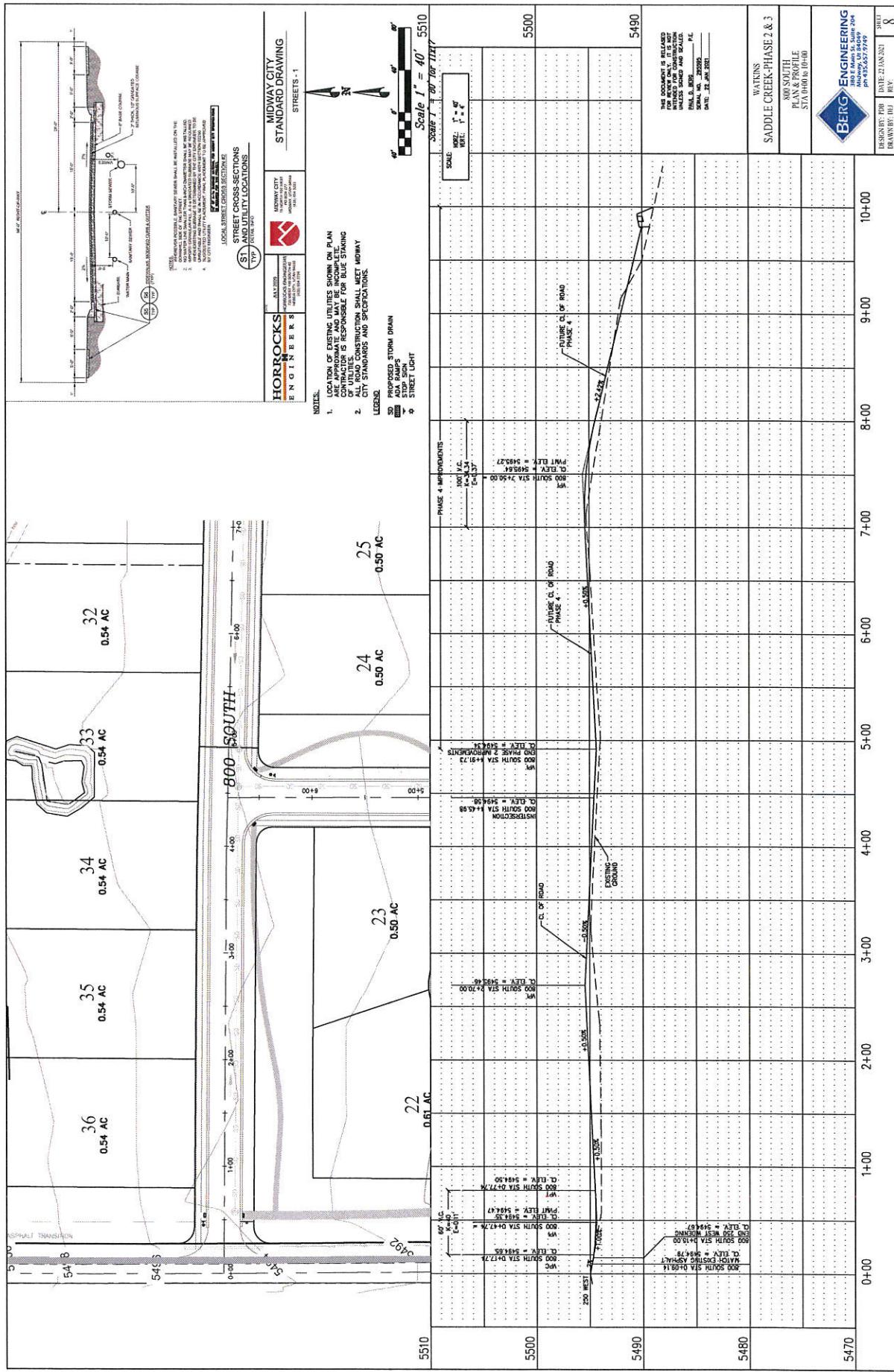


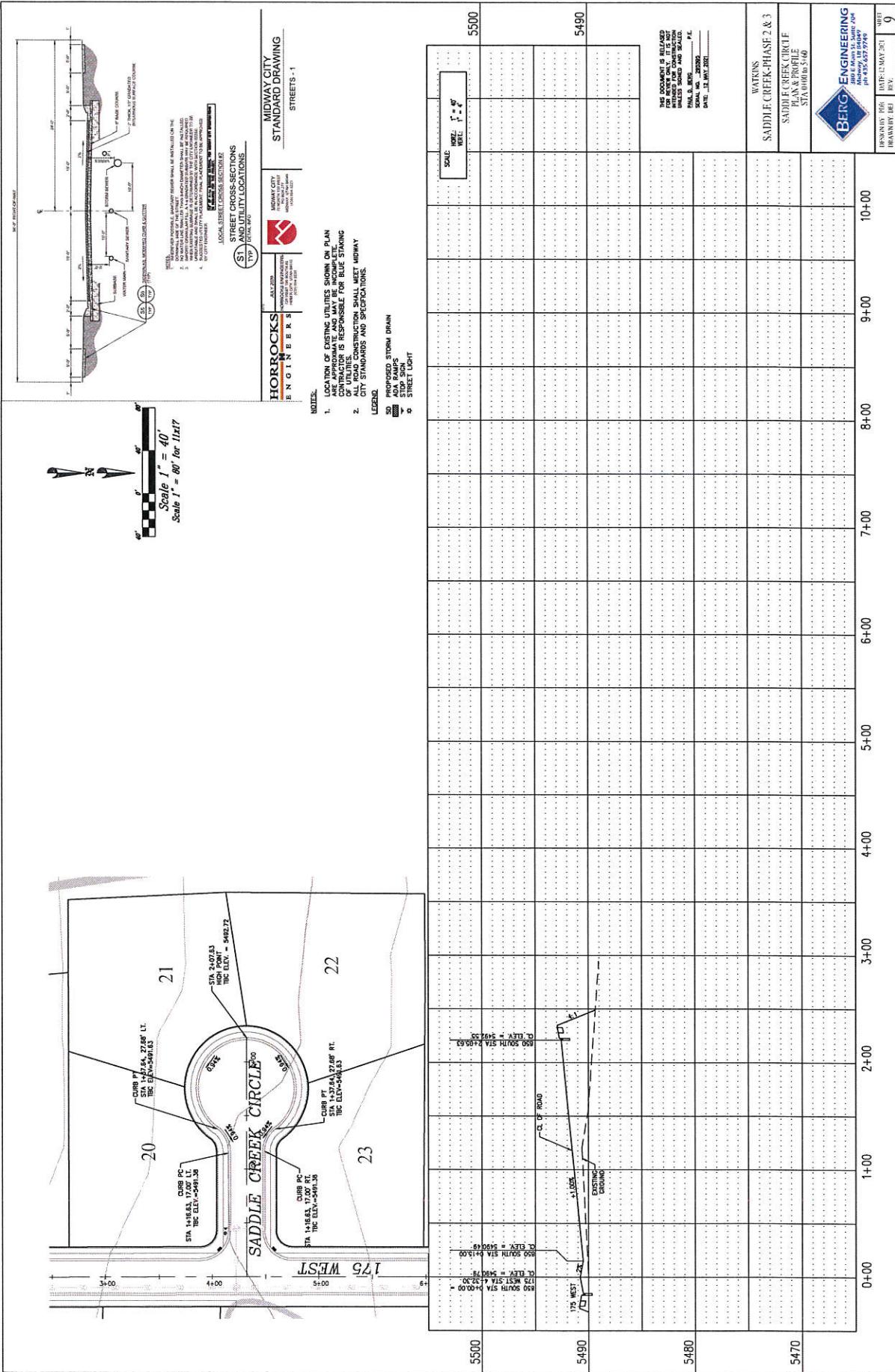


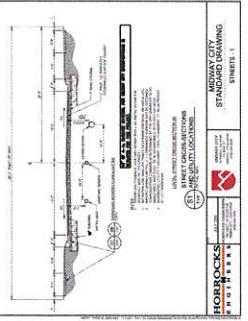






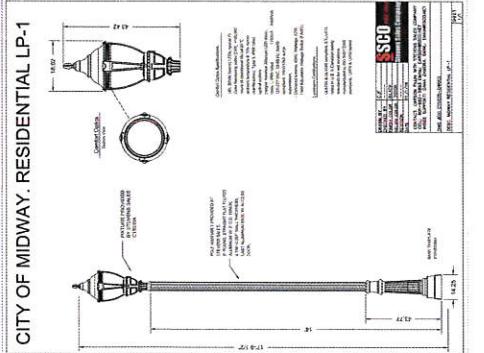
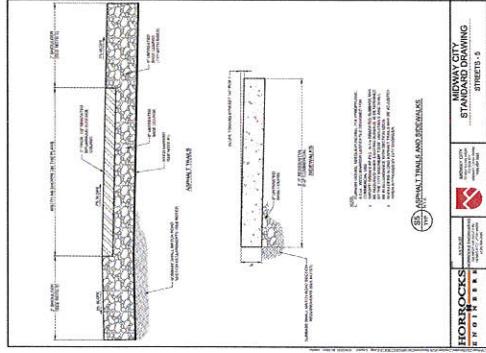
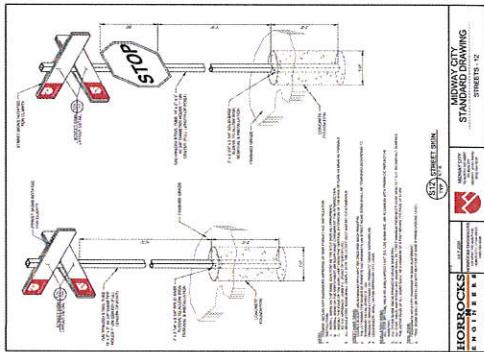
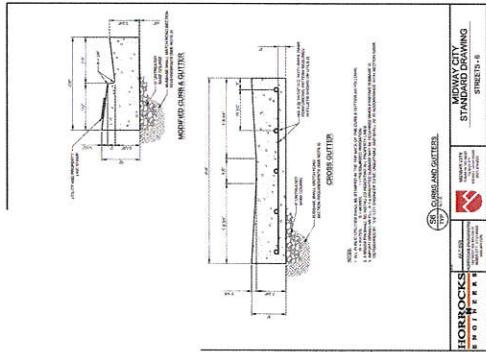
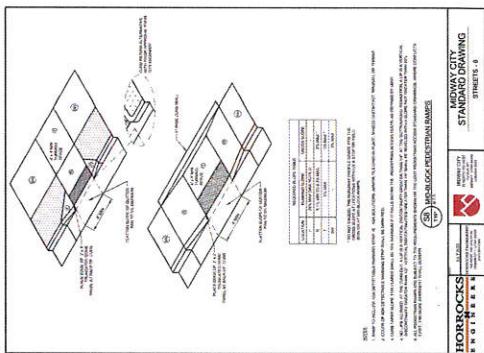
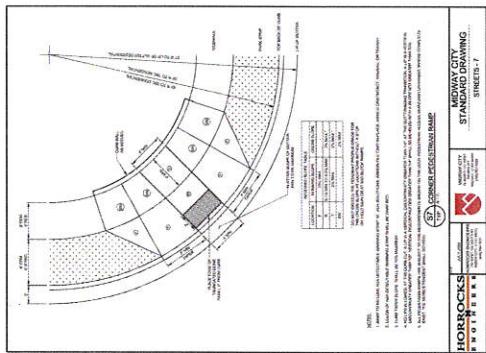
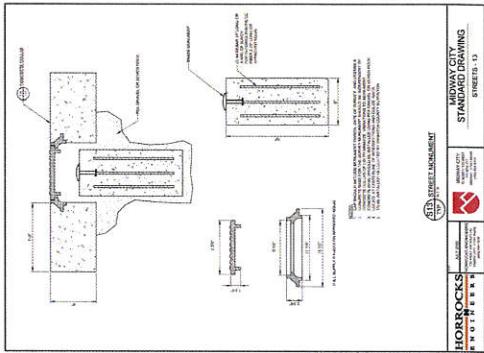
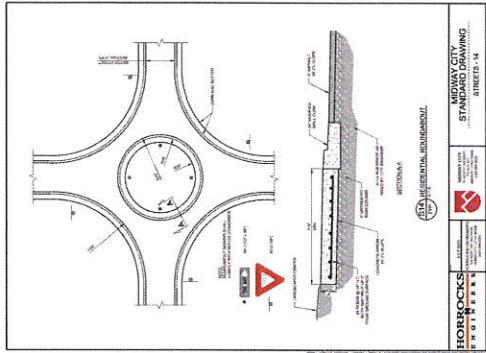


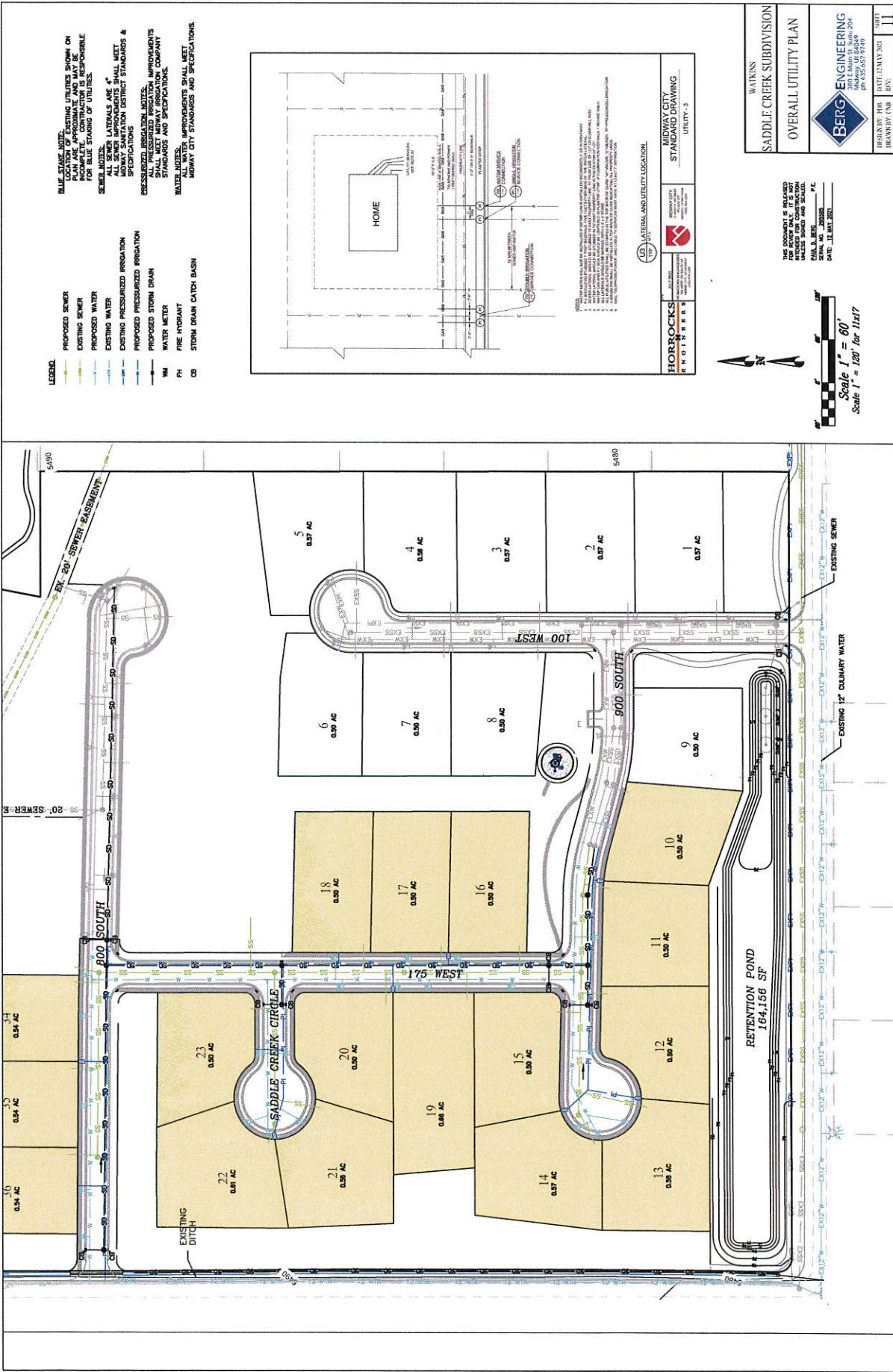


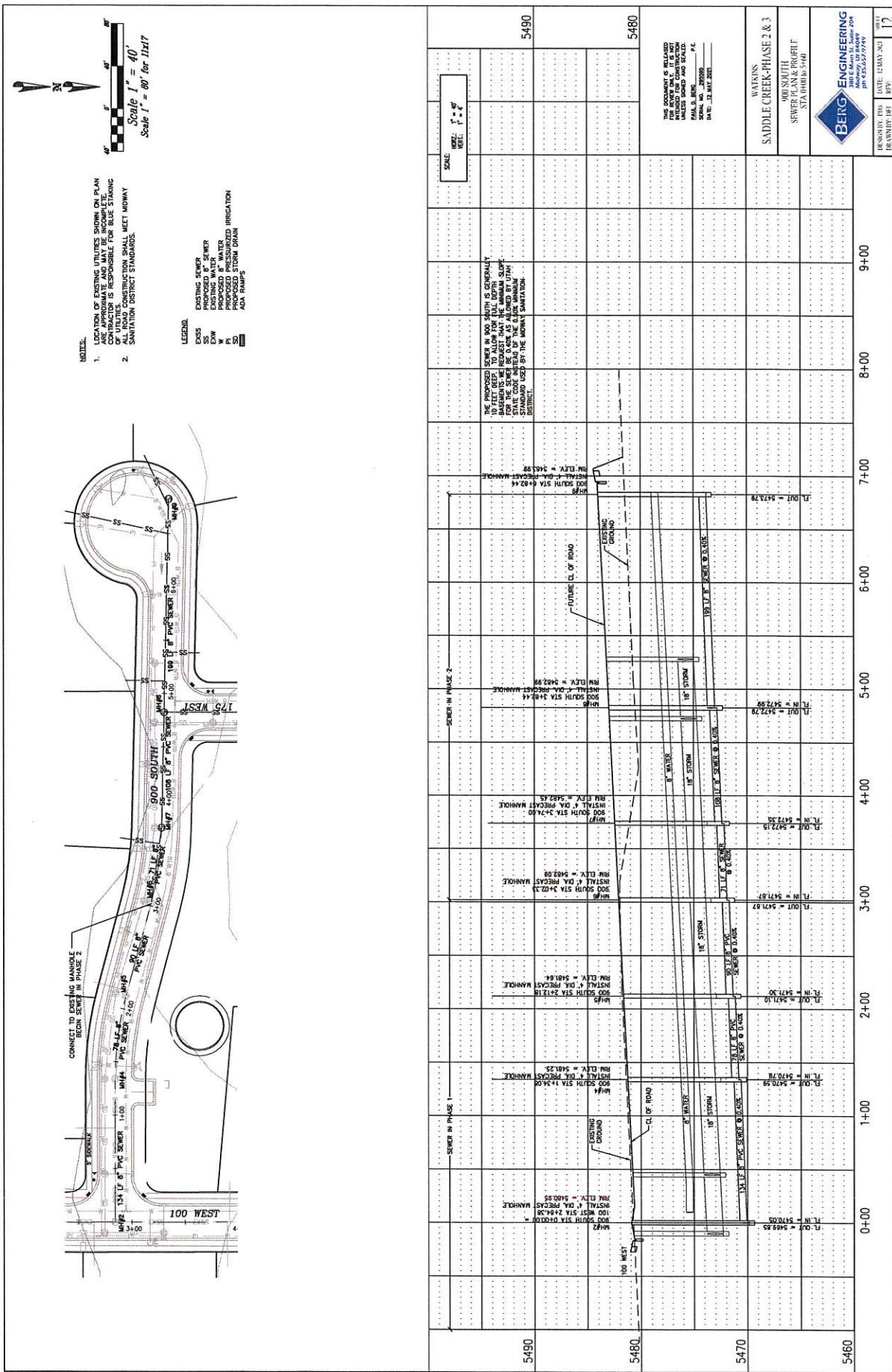


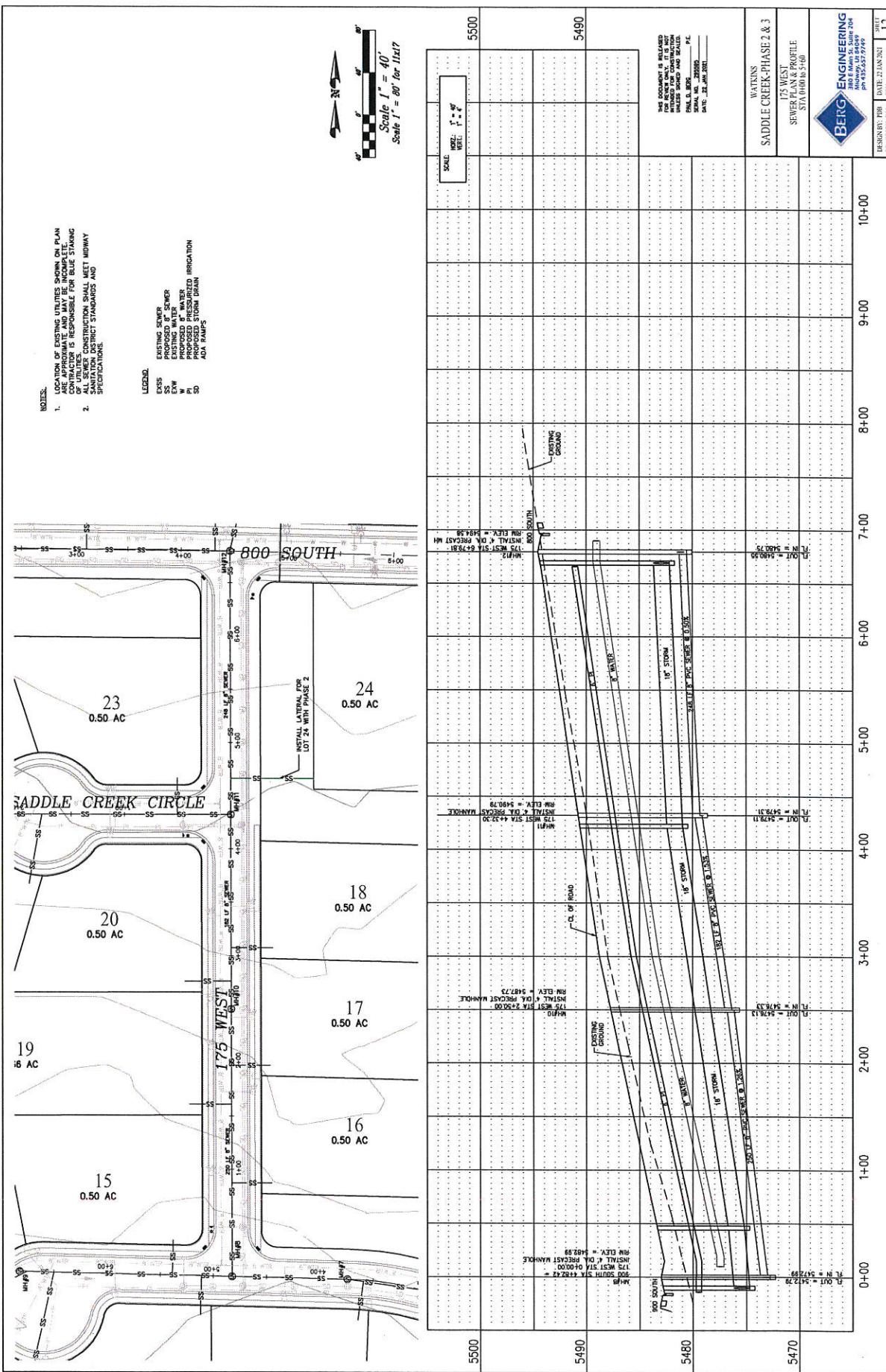
**WATKINS**  
SADDLE CREEK-PHASE 2 & 3  
ROAD CONSTRUCTION  
DETAILS  
**BERG ENGINEERING**  
300 E Main St., Suite 204  
Midway, IL 60449  
(847) 535-5749

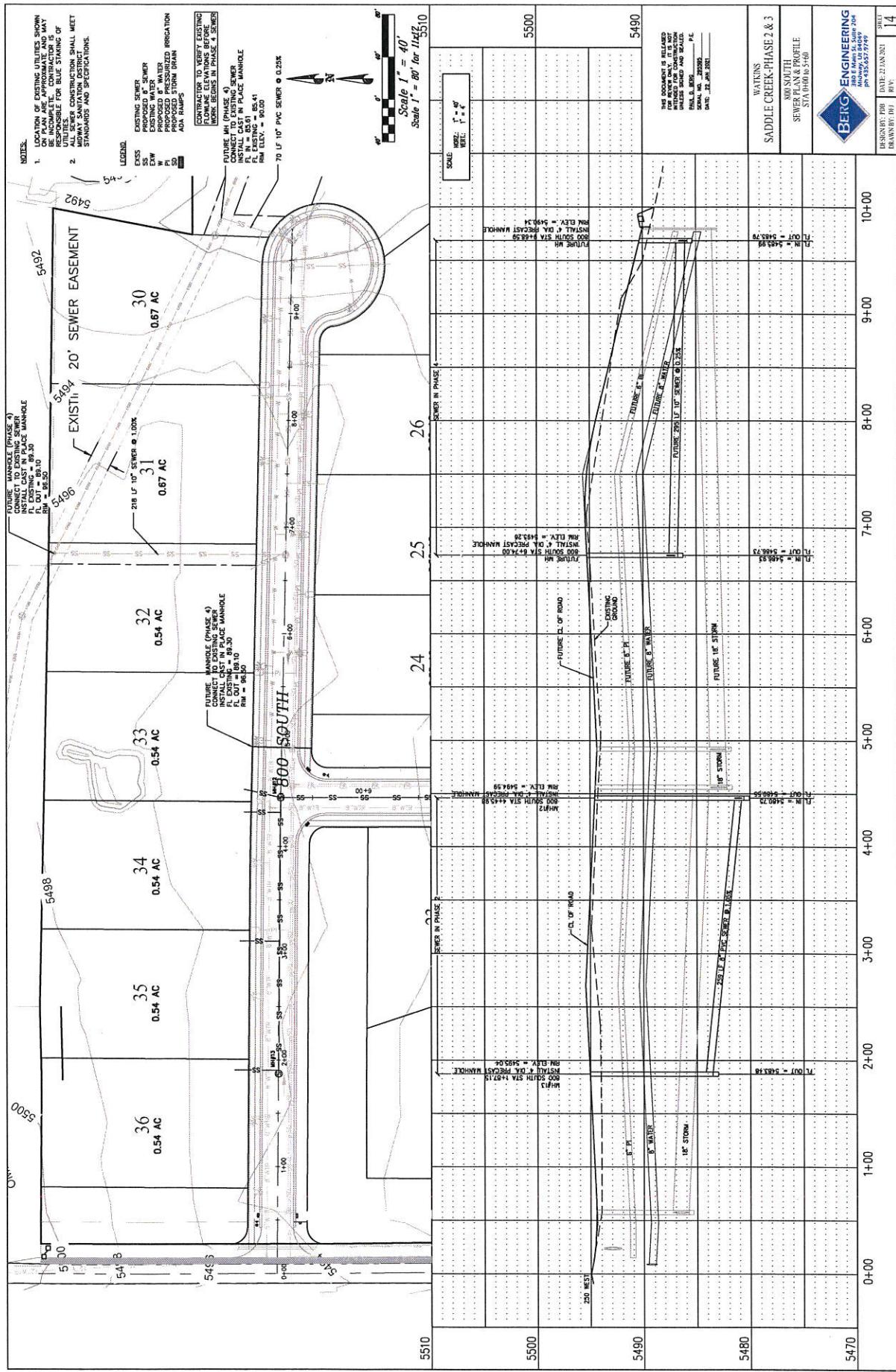
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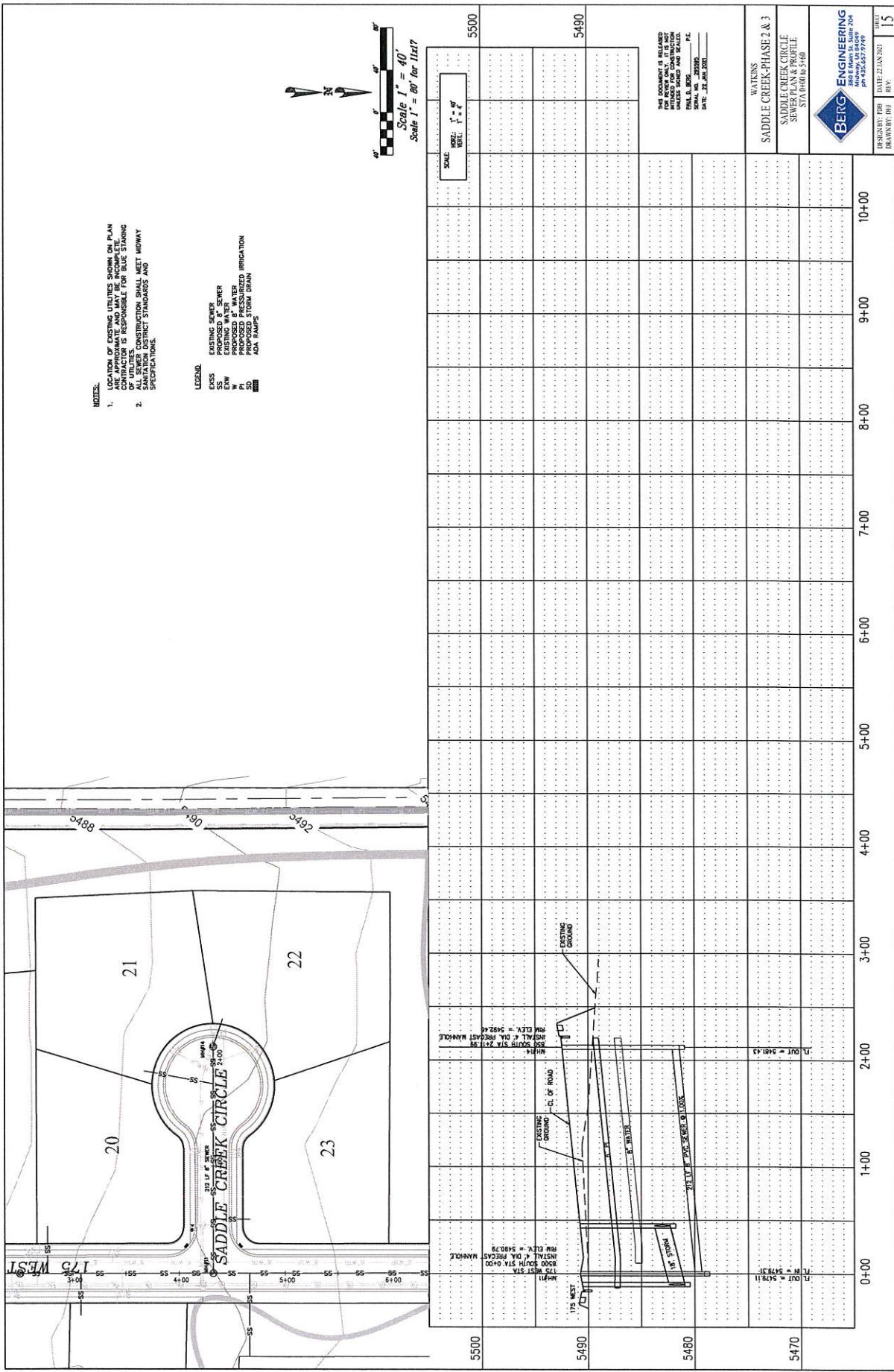


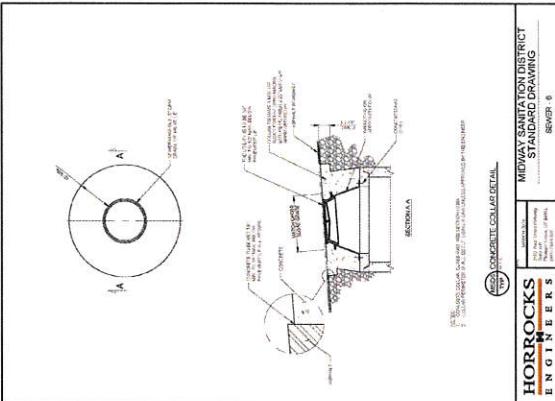
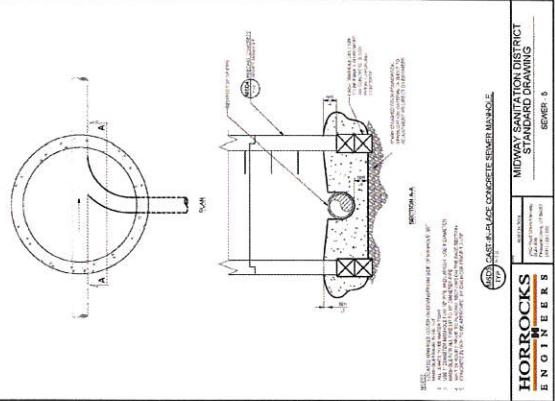
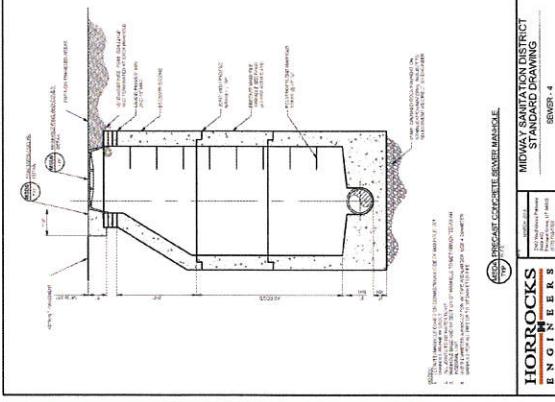
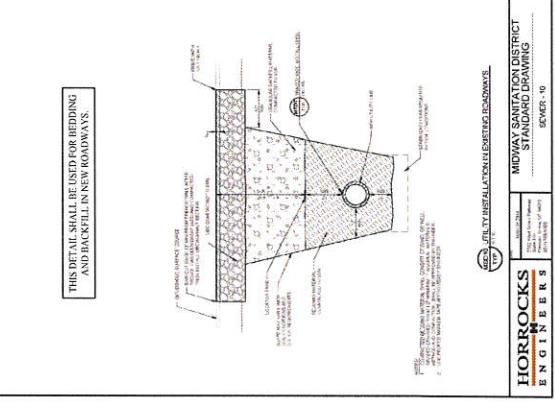
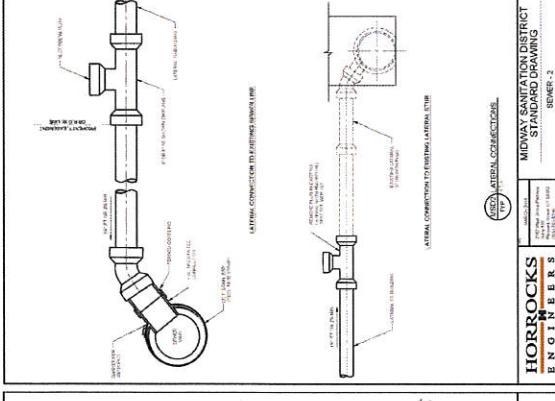
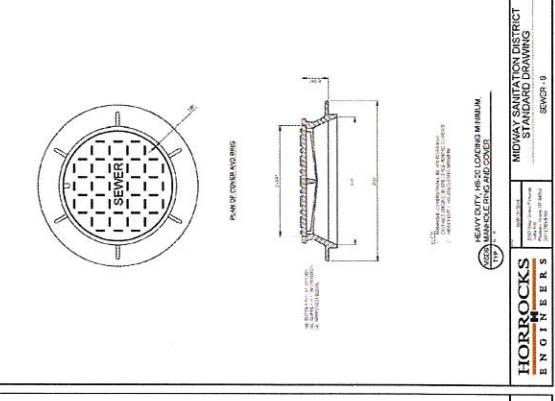
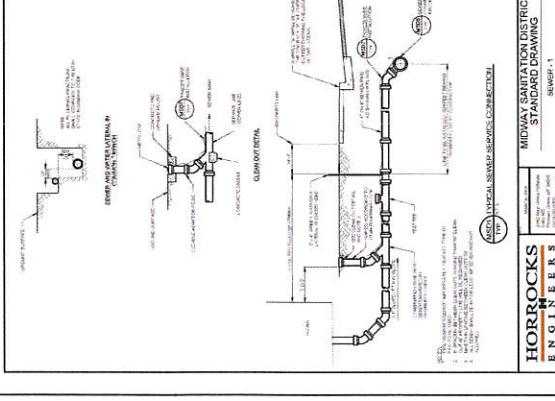
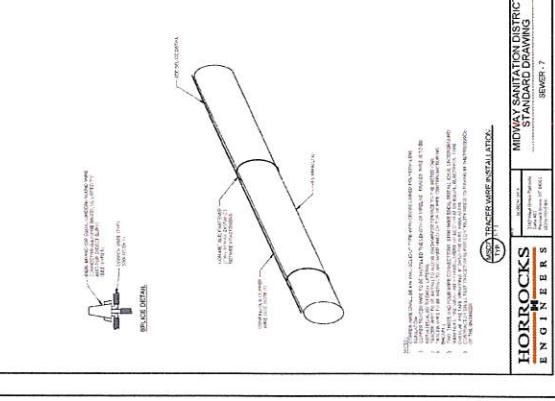


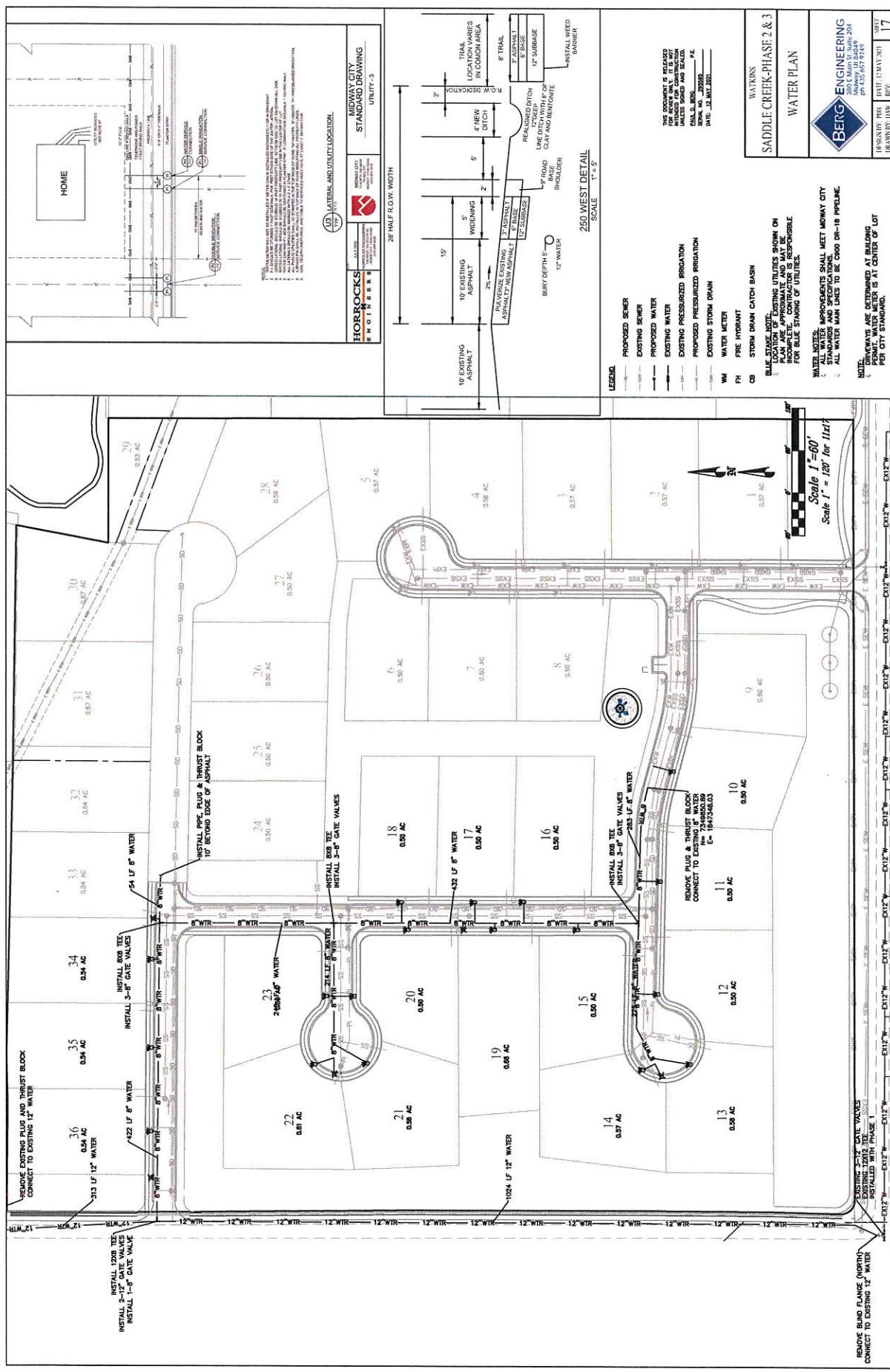


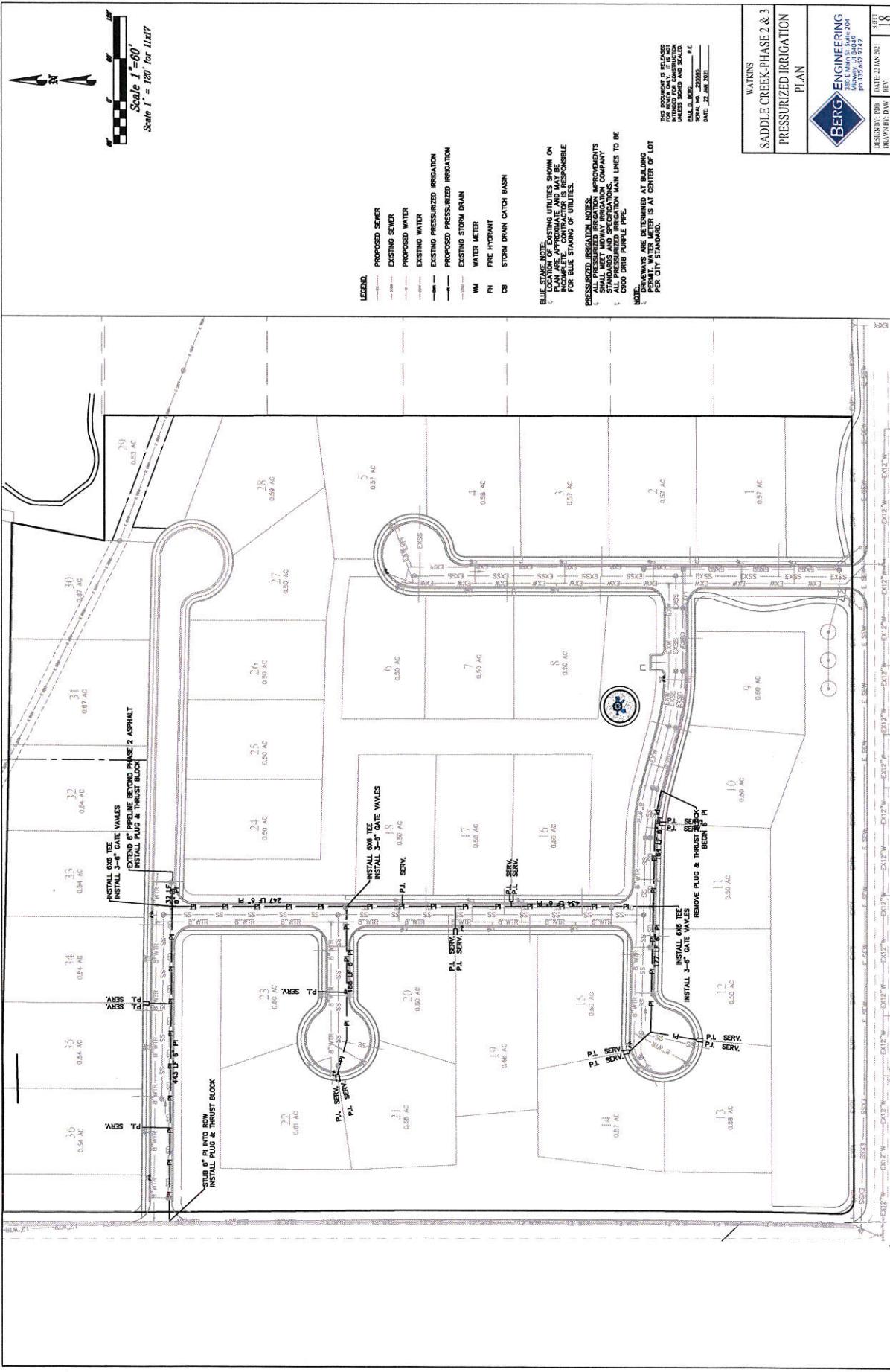


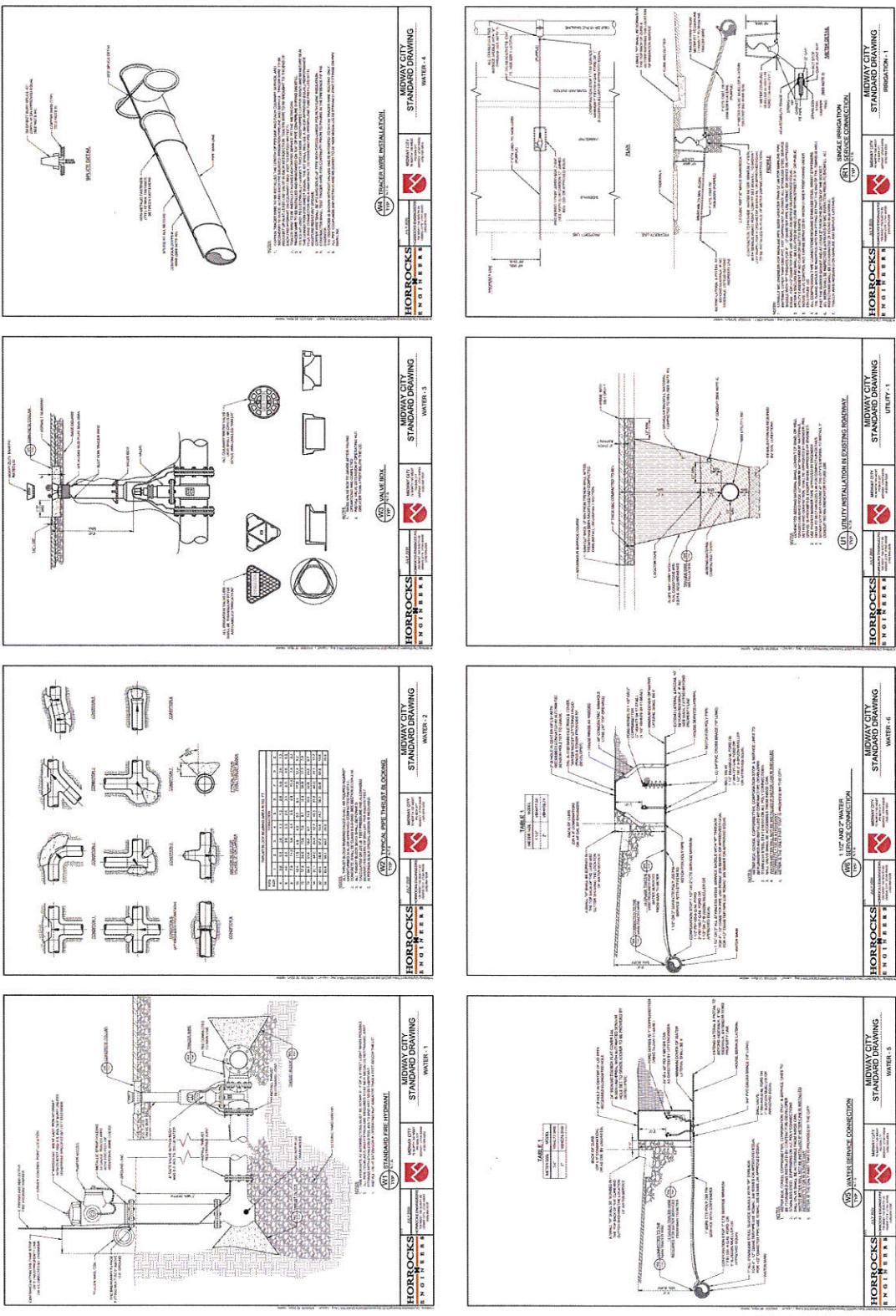


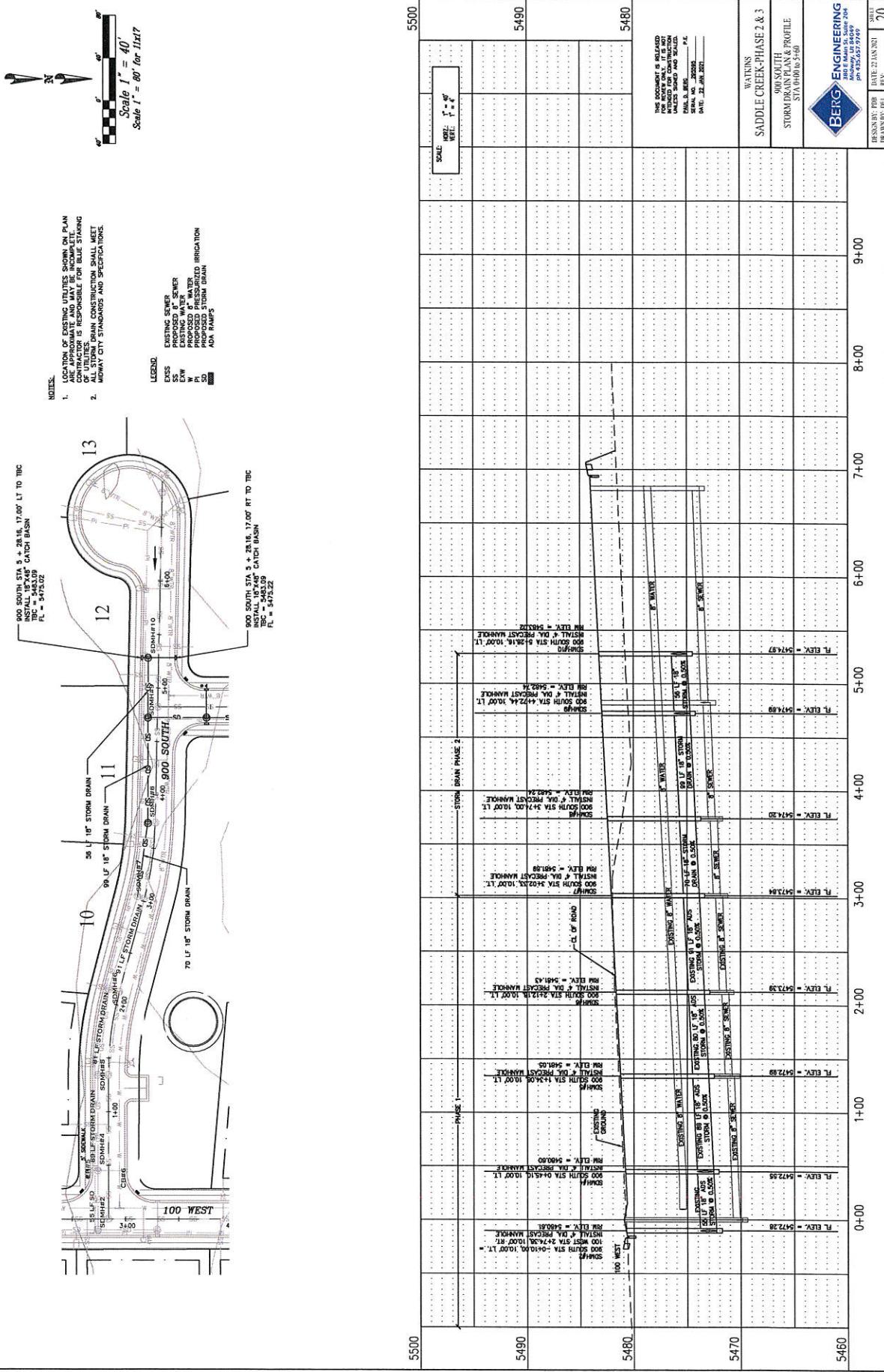


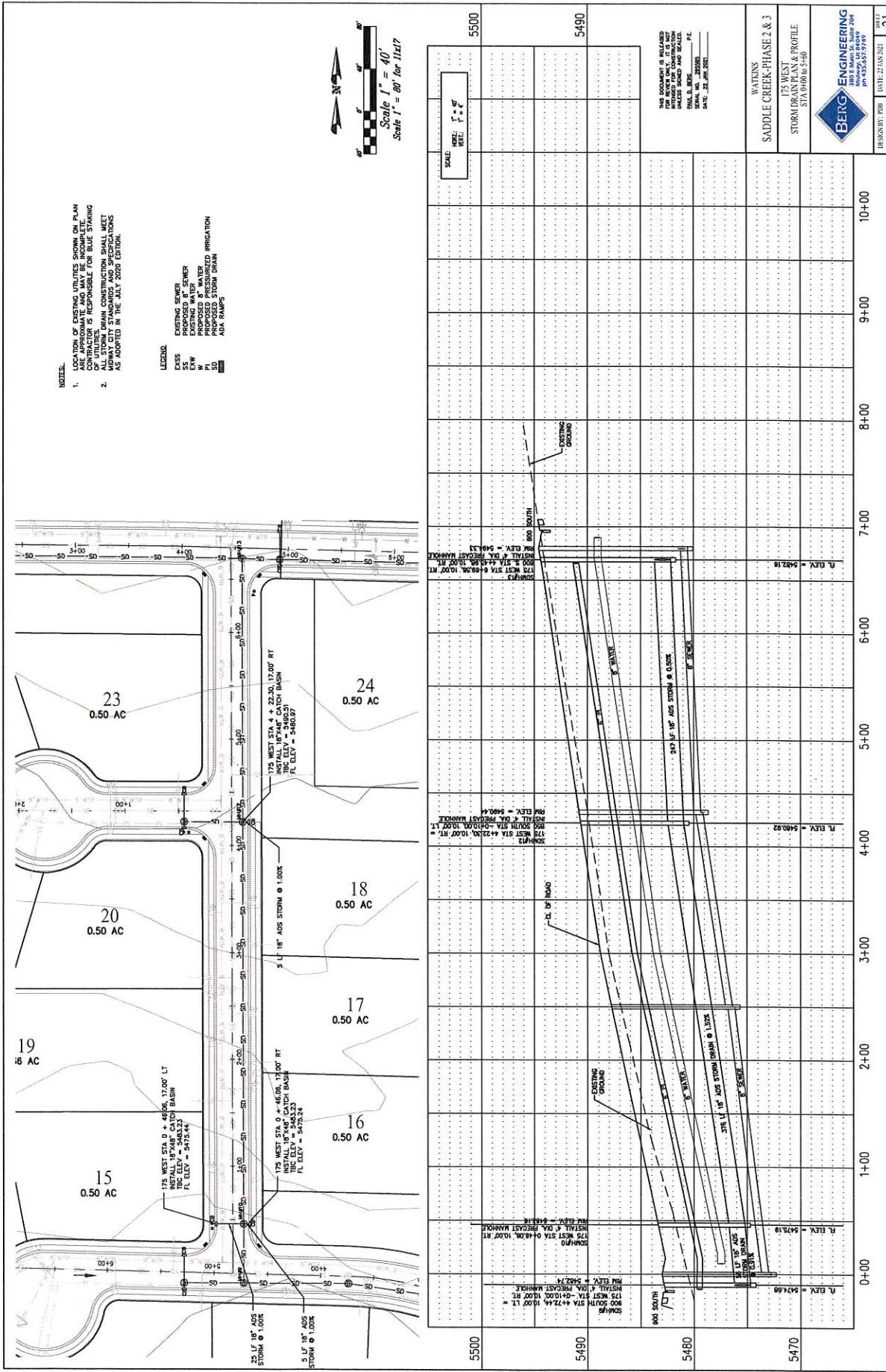
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| <p><b>WATKINS</b></p> <p><b>SADDLE CREEK-PHASE 2 &amp; 3</b></p> <p><b>SEWER</b></p> <p><b>CONSTRUCTION DETAILS</b></p> <p><b>BERG ENGINEERING</b></p> <p>360 Main St., Suite 200<br/>Midway, UT 84049<br/>Ph: 435.527.7979</p> |  | <p><b>DATE: 22 JAN 201</b></p> <p><b>DESIGNED BY: DED</b></p> <p><b>DRAWN BY: BD</b></p> <p><b>REV: 16</b></p>                         |  |

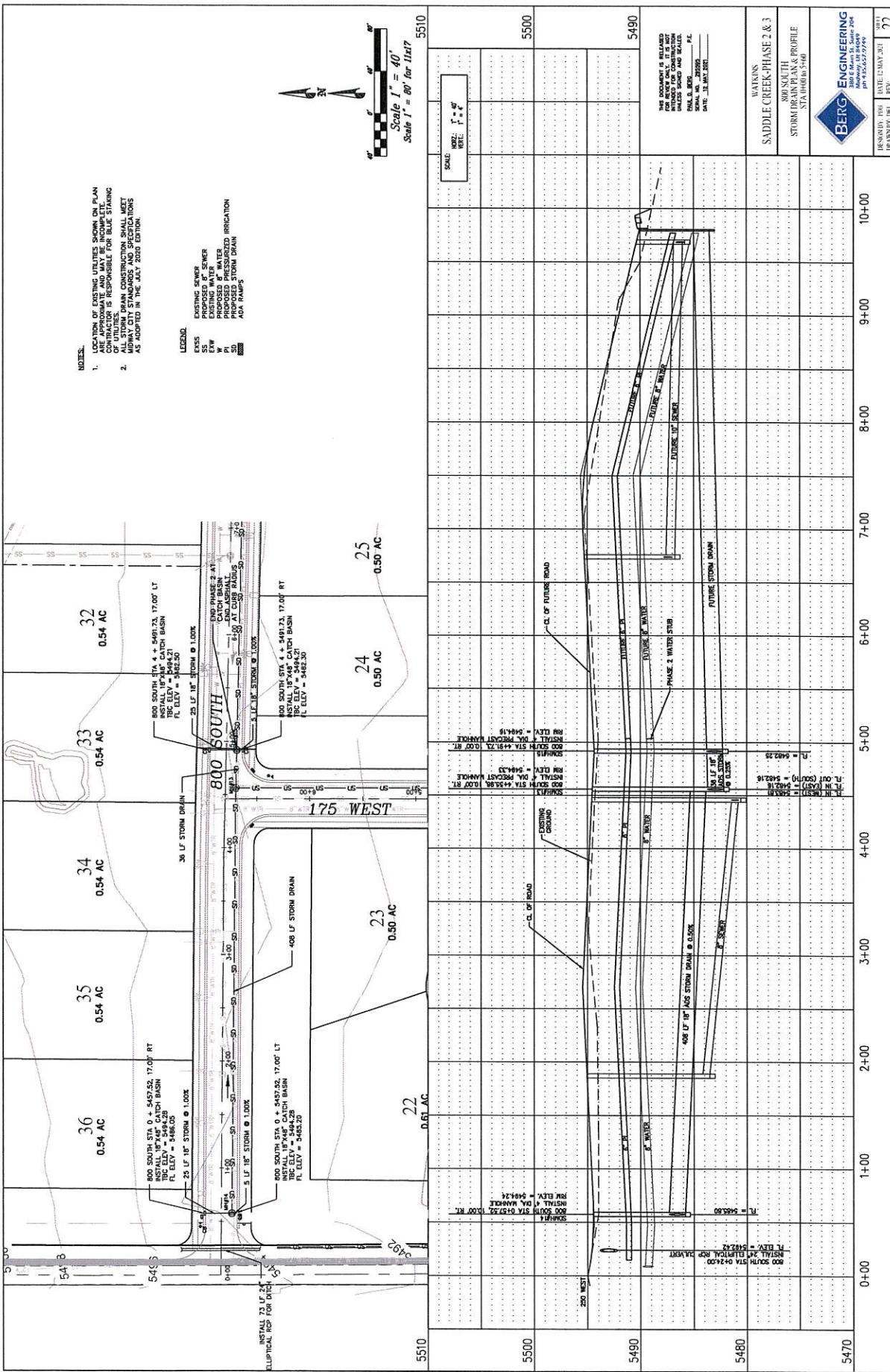


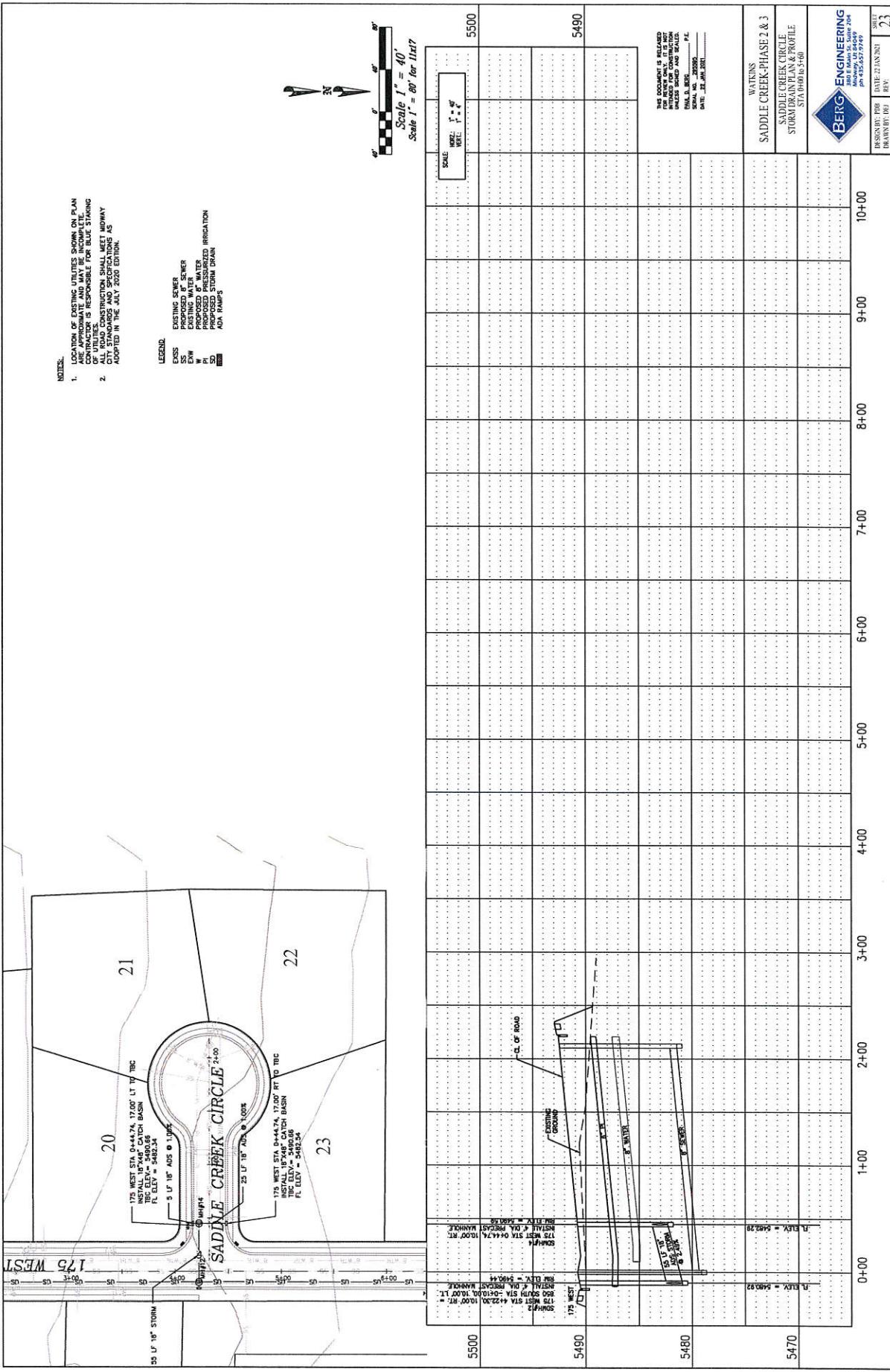


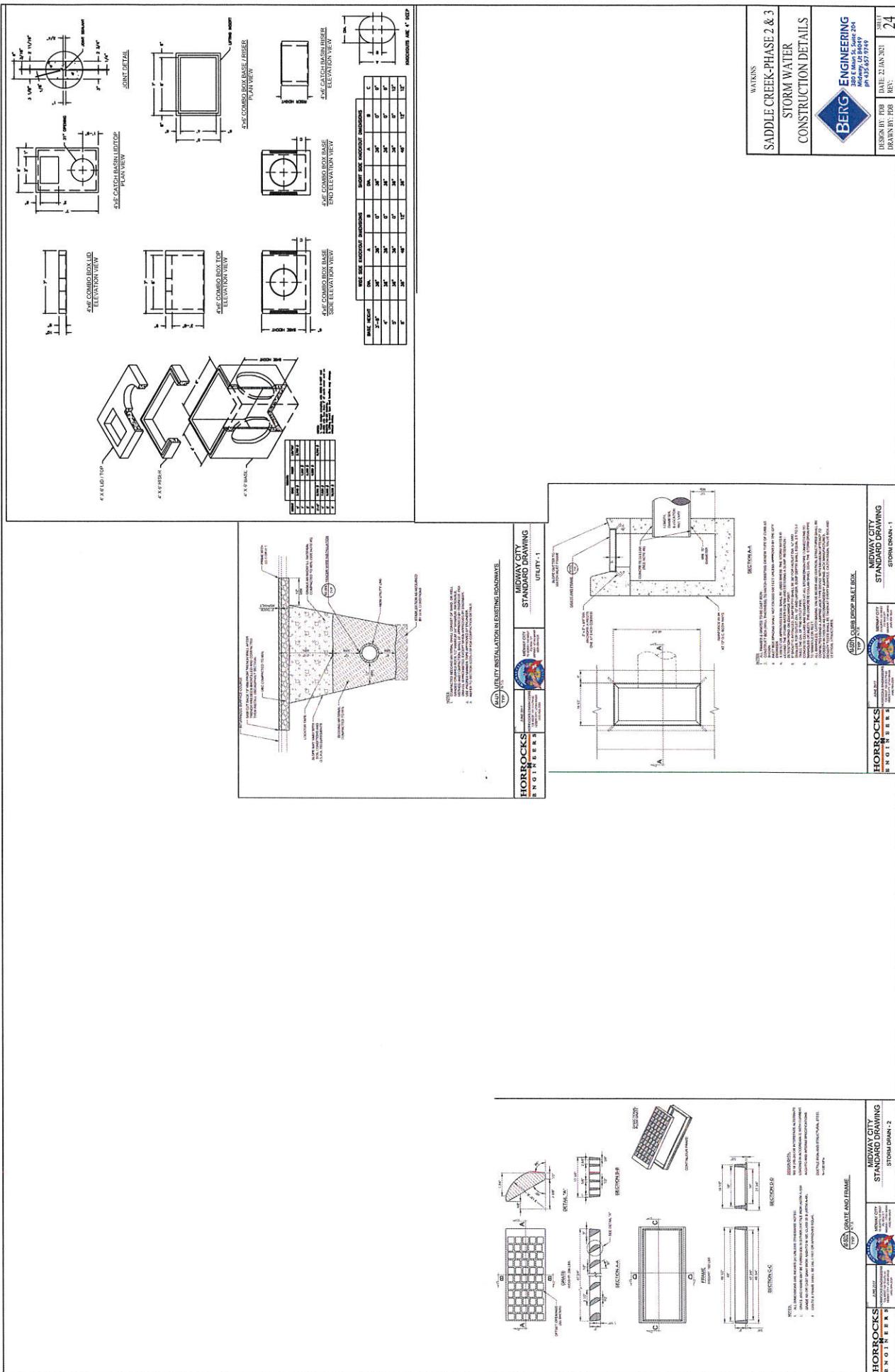


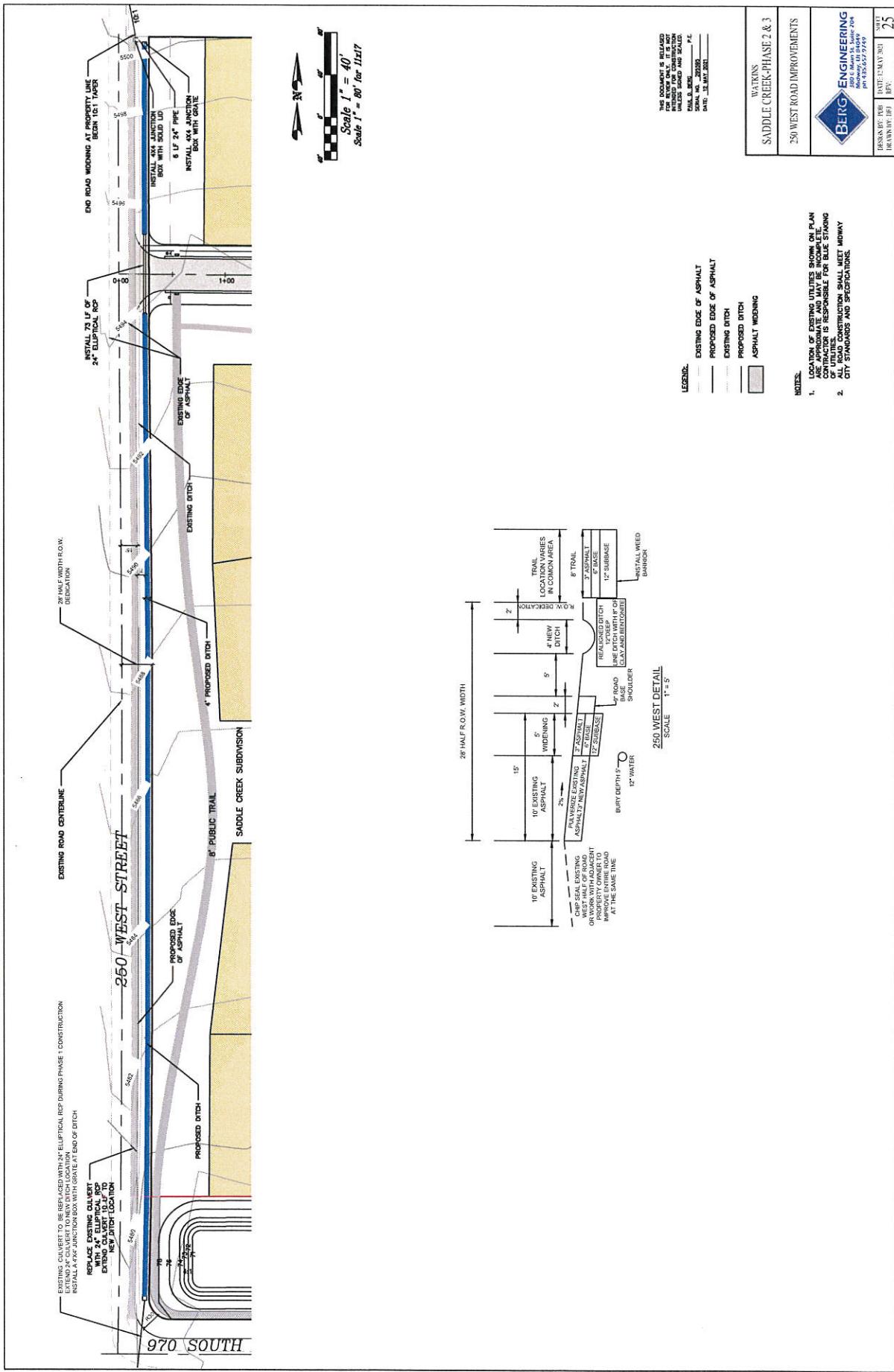














SADDLE CREEK PHASE 3

