

Midway City Council
18 July 2023
Regular Meeting

White Acres PUD /
Preliminary Approval



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: July 18, 2023

NAME OF PROJECT: White Acres Planned Unit Development

NAME OF APPLICANT: Midway Meadows Ranch LLC

AUTHORIZED REPRESENTATIVE: Berg Engineering

AGENDA ITEM: White Acres PUD Preliminary

LOCATION OF ITEM: 500 North Whitaker Farm Way

ZONING DESIGNATION: RA-1-43

ITEM: 5

Berg Engineering, agent for Midway Meadows Ranch LLC, is proposing preliminary approval of White Acres Planned Unit Development. The proposal contains six building pads on 1.96 acres. The property is located at 500 Whitaker Farm Way and is in the RA-1-43 zone.

BACKGROUND:

Berg Engineering, agent for Midway Meadows Ranch LLC, is requesting preliminary approval of White Acres Planned Unit Development (PUD). White Acres includes six building pads on 1.96 acres that will front on Whitaker Farm Way next to the Whitaker Farm subdivision. There will not be any new road construction with the development, only the requirement to install sewer and water laterals for of the six building pads. The ability for the applicant to apply for approval of the PUD is based on the Whitaker Farm Annexation Agreement.

The Whitaker Farm annexation was approved on November 8, 2017. The annexation included 164.22 acres, of which approximately 100 acres were owned by the Whitaker family. The annexation agreement divided the Whitaker property into three separate development parcels. One parcel was 80 acres and would become the Whitaker Farm subdivision which included 50 lots and almost 20 acres of open space. The second parcel, currently where the Whitaker home is located, is 14 acres and could either be developed as a four-lot standard subdivision or a 12 pad PUD. The third parcel is about six-acres and can be developed as a Rural Preservation subdivision. The annexation agreement states the following:

Limitation on number of lots and location of lots on Whitaker Parcel: The parcel of property from the existing Whitaker driveway north to the north access road as shown on the Annexation Concept Plan shall be referred to as Whitaker Parcel. The Whitaker Parcel may be further subdivided by the property owner as follows: either a) a maximum of four total residential building lots (with one of the lots including the existing Whitaker home), with no location restrictions except compliance with the required 100 foot setback from River Road, and compliance generally with the lot size and set-backs for lots in the RA-1-43 zone; or b) a planned unit development of no more than 12 units, that may be built no closer to River Road than the west side of the existing Whitaker Residence, and clustered generally to the north and west (east) of the Whitaker Residence. If Whitaker chooses to build a PUD it will be required that the PUD units be made members of the HOA established on the Development Parcel. Further, Whitaker desires to reserve the right to change the use of his existing residence, into a commercial bed and breakfast, which is a conditional use in the agreed zone. The City agrees that a Bed and Breakfast shall be approved, but shall require Whitaker to apply for a conditional use permit, and comply with all requirements set forth in the code at the time of application to approve such use.

White Acres is a proposal for six of the possible 12 PUD pads that are allowed per the annexation agreement.

LAND USE SUMMARY:

- RA-1-43
- 6 building pads
 - 12 PUD pads are allowed in the 14-acre Whitaker parcel per the annexation agreement
- 19.9 acres of open space (dedicated in Whitaker Farms)

- Pads front on Whitaker Farm Way (public)
- Pads will connect to the Midway Sanitation District sewer and to the City’s culinary water line.
- No sensitive lands have been identified

ANALYSIS:

Open Space – 19.9 acres of open space have been dedicated to the Whitaker Farms annexation area. Whitaker Farms covers 80 acres which would have required 12 acres of open space (15% requirement for a standard subdivision). The Whitaker development parcel covers 14 acres and would require seven acres (50% requirement for a PUD). The total open space required by the code for the two types of subdivisions on the property is 19 acres which has been met with the 19.9 acres that have already been dedicated. The annexation agreement also includes a 6 acre museum parcel that may be developed as a Rural Preservation subdivision which does not require open space.

Density – Six pads are proposed with this application. Potentially a maximum of 12 building pads may be approved.

Location of PUD Pads –The PUD pads must be located generally to the north and east of the Whitaker residence. This requirement is to preserve an open view from River Road to the east.

Access – The access for the six building pads will be directly from Whitaker Farm Way.

Sensitive Lands – No sensitive lands have been identified in the application area.

HOA – The PUD units are required to be members of the Whitaker Farms HOA as per the annexation agreement. The applicant and the Whitaker Farms HOA would rather the units in White Acres not be members of the Whitaker Farms HOA. For this to happen, the annexation agreement would ne to be amended. One of the reasons why this provision was included in the annexation agreement was to assure proper maintenance of any private roads in the PUD. With this proposal, there are no private roads included. The applicant would rather White Acres PUD had its own HOA that would maintain the landscaping around the six units. If City Council is agreeable to this option, then the applicant will apply to amend the annexation agreement.

Setbacks – The PUD code in the RA-1-43 zone requires a 100’ setback from the peripheral boundary of the PUD. All the units are setback at least 100’ from the edge of the 14-acre Whitaker parcel as described in the annexation agreement. The front setbacks for the pads must be at least 30’. Front setbacks must be staggered except along a curvilinear street if approved by the City Council. The six building pads are fronting along a curvilinear street and the application is petitioning for the exception from the staggered setbacks.

Height of structures – Structures cannot exceed 35’ in height measured from natural grade.

Landscaping Plan – A detailed landscaping plan has been submitted which shows irrigated areas, ground covers, and types and quantities of trees. The code requires 15 trees per acre for non-hard-surface common areas. Based on the plan, 21 trees are required and are included in the landscaping plans.

Building pad size limitations – The code allows a maximum area of a building pad in a PUD to 3,000 square feet. The six building pads are all less than 3,000 square feet.

Building Pad Limited Common Area – Building pads may have a limited common area attached to each pad. The limited common area may be a maximum of 750 square feet, and the maximum depth of the limited common area is 15’. This area may be used for a pergola, covered deck, hot tub, courtyard, or other similar type feature. The maximum height of any improvements in the limited common area is 15’ measured from natural grade. This area may not contain any enclosed living space. The limited common area shall be located to the side or rear of the building pad.

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Simons: I make a motion that we recommend approval of preliminary application of White Acres Planned Unit Development. The proposal contains 6 building pads on 1.96 acres. The property is located at 500 Whitaker Farm Way and is in the RA-1-43 zone. We accept the two findings in the staff report with the third already completed. Adding a condition that the development agreement be complete before the item goes to final approval with the City Council.

Seconded: Commissioner Garland

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

Ayes: Commissioners: Miles, Osborne, Garland, Simons and Ream

Nays: Lineback, Wardle

Motion: Passed

WATER BOARD RECOMMENDATION:

The Water Advisory Board reviewed the proposal during their June 5th meeting. The Water Board has recommended that 8.91 acre feet should be dedicated to cover the secondary and culinary water requirements for the proposal. This calculation is based on the following information:

- 1.96-acre parcel (85,377.6 sq. ft.)
 - Impervious area for dwelling, accessory structures, hard surfaces
 - 0.51 acres (22,215.6 sq. ft.)
 - 0.08 acres (3,600 sq. ft.) driveways
 - Irrigated acreage
 - 1.37 acres x 3 = 4.11 acre feet
- 6 culinary connections for new dwellings
 - 4.8 acre feet

- 8.91 acre feet requirement

POSSIBLE FINDINGS:

- The Whitaker Farms Annexation Agreement allows the property to be developed into a 12-unit PUD.

- The proposed plan complies with the density and location requirements as described in the annexation agreement.

- The proposal complies with the requirements of the code.

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council finds the proposal complies with code requirements.
 - 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 does not comply with code requirements.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITION:

- The applicant submits an annexation agreement amendment application that is approved before, or simultaneously, with final approval.

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Orme • 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

June 13, 2023

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

Subject: White Acres PUD – Preliminary Review

Dear Michael:

The Midway Engineering department recently reviewed the above development plans for Preliminary Approval. The proposed development is located near 500 North Whitaker Farm Way. The entire development is 1.96 acres and contains 6 building pads. The following comments should be addressed with Preliminary approval.

Water

- The proposed development will be served from the Gerber Mahogany Springs zone. The water laterals will connect to the existing 8” water line within Whitaker Farm Way.

Irrigation

- Each lot will be served by pressurized irrigation.

Roads

- Each lot will front the existing Whitaker Farm Way.
- The proposed development must re-pave the full width roadway from the outside limits of the road cuts.

Trails

- No trails will be installed within this subdivision. There is an existing trail on the other side of the road.

Storm Drain

- The existing storm drain system within the Whitaker Farms subdivision will provide the storm drain system.

Sincerely,

Wesley Johnson, P.E.
Midway City Engineer

cc: Berg Engineering (sent via email)

Our vision for the City of Midway is to be a place where citizens, businesses and civic leaders are partners in building a city that is family-oriented, aesthetically pleasing, safe, walkable and visitor friendly. A community that proudly enhances its small-town Swiss character and natural environment, as well as remaining fiscally responsible.

Midway City Corporation

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



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White Acres PUD Preliminary Approval

June 6, 2023

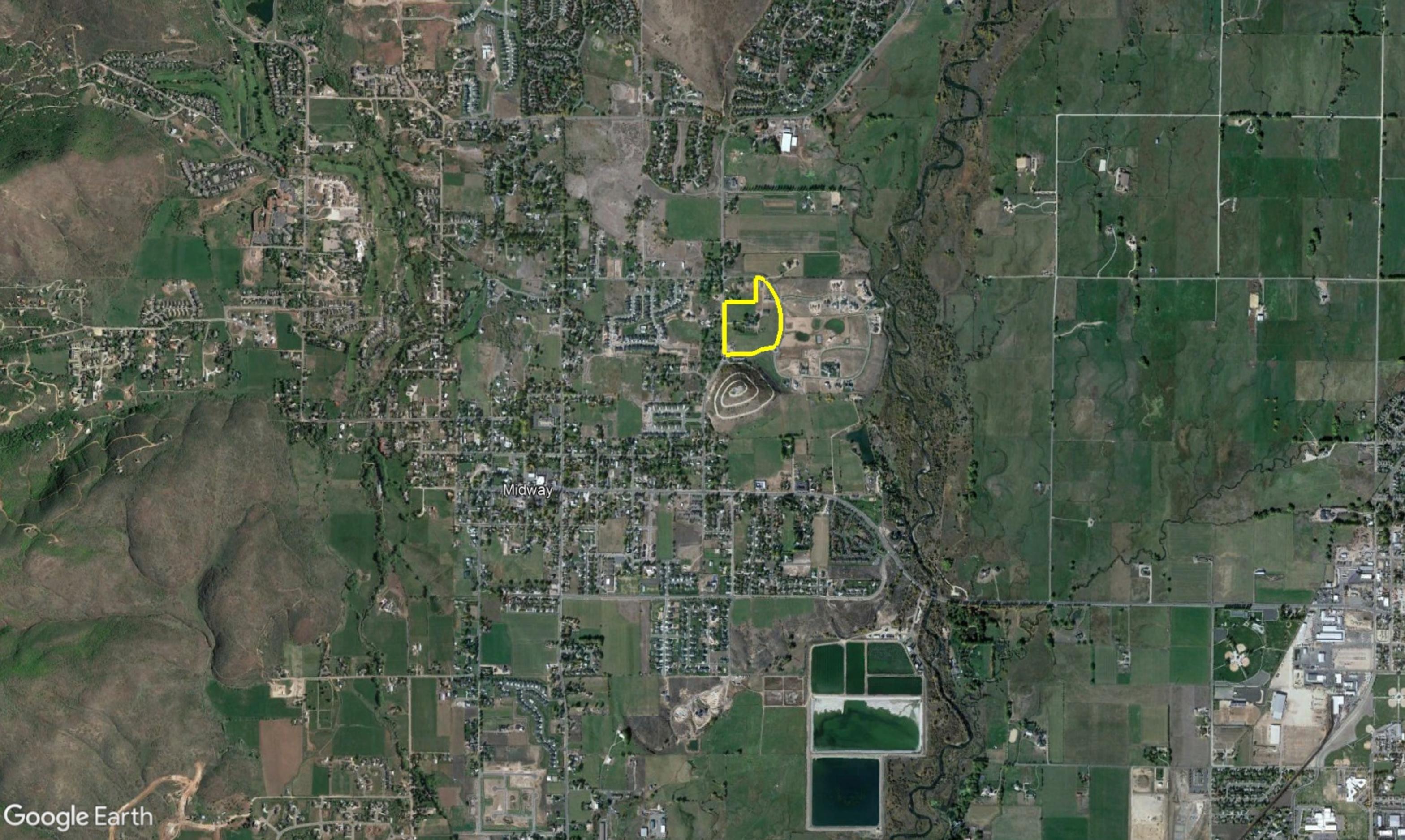
Michael Henke Midway City Planning Director,

I have reviewed the preliminary plans for White Acres PUD for compliance with the 2018 International Fire Code (2018 IFC). The proposed plan meets the fire code requirements in the 2018 IFC including Appendix D for fire apparatus access. I have no fire code concerns with these preliminary plans that have already been approved by the Midway City Planning Commission and are now awaiting preliminary approval from the Midway City Council.

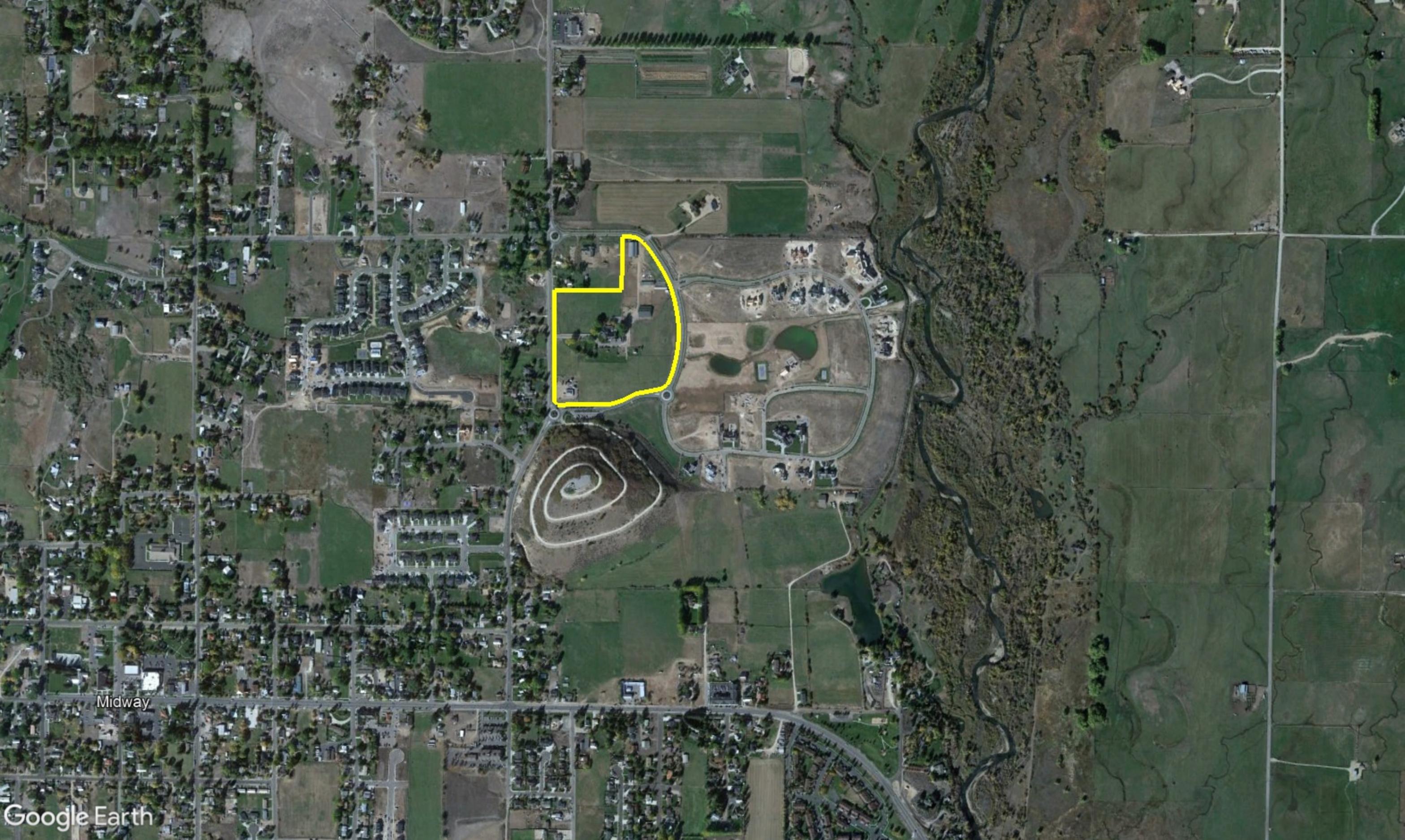
I will perform a final approval fire review of the White Acres PUD plans prior to final approval.



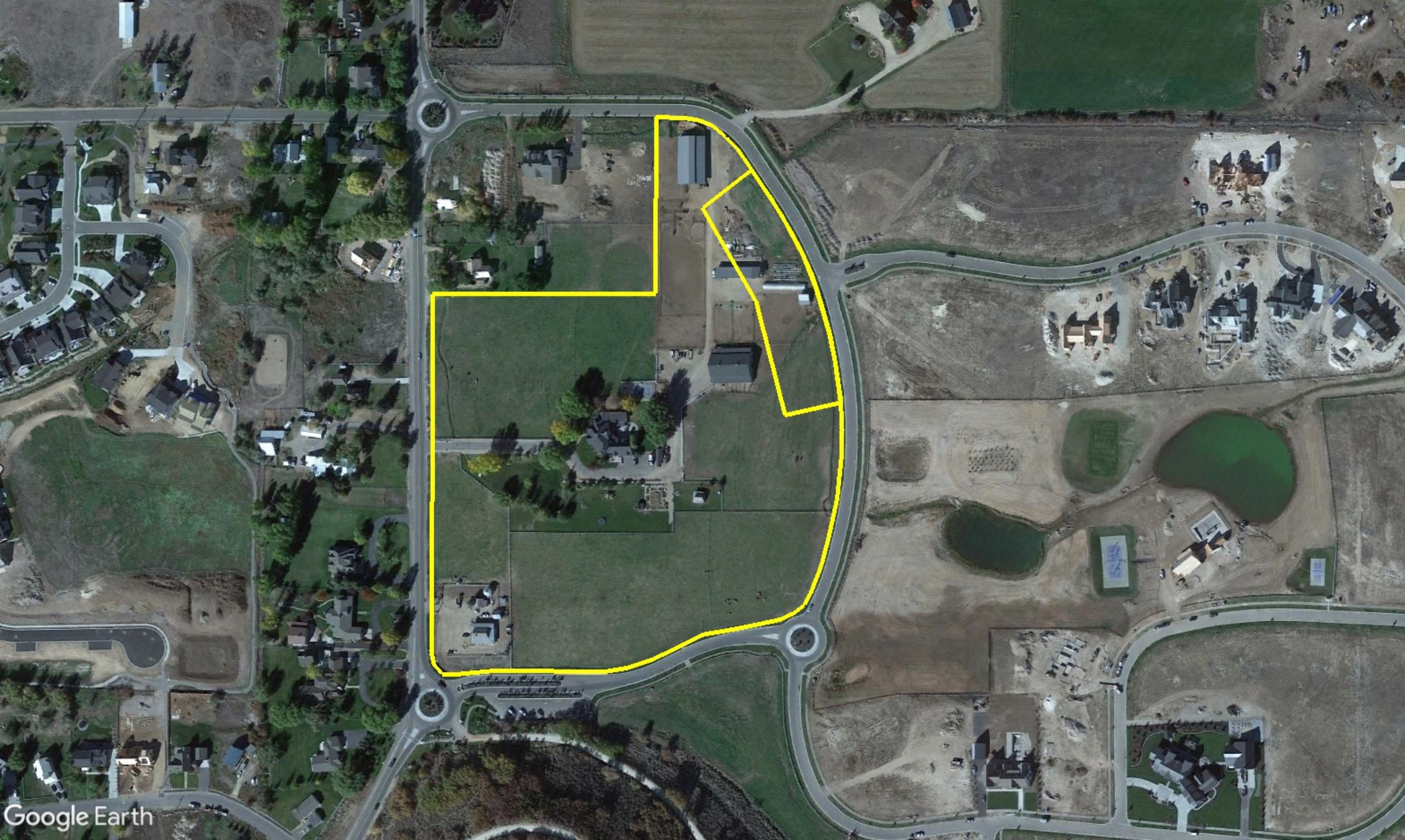
Tex R. Couch CBO/MCP
Midway City Building Official/Fire Marshal
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tcouch@midwaycityut.org
(435)654-3223 Ext. 107

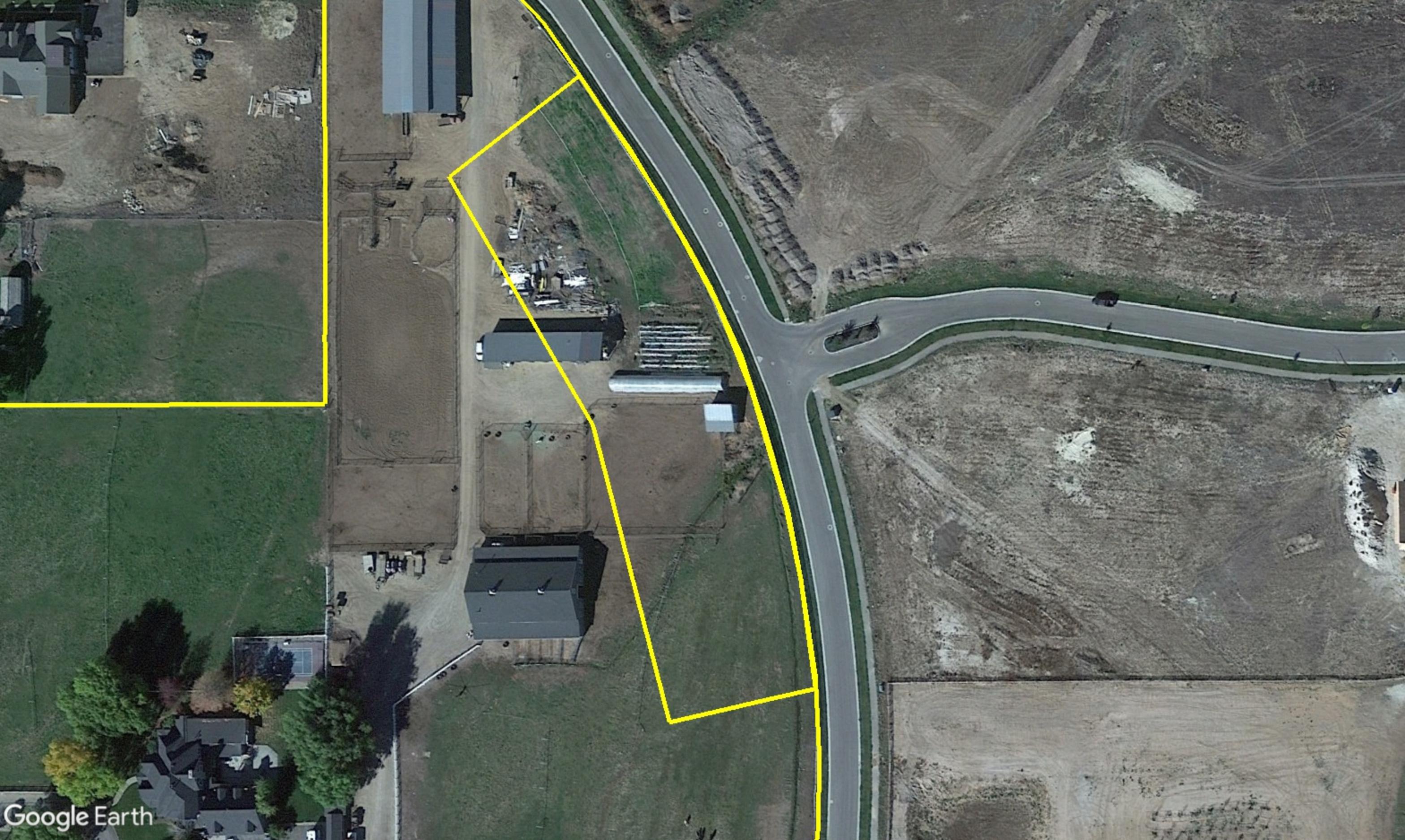


Midway



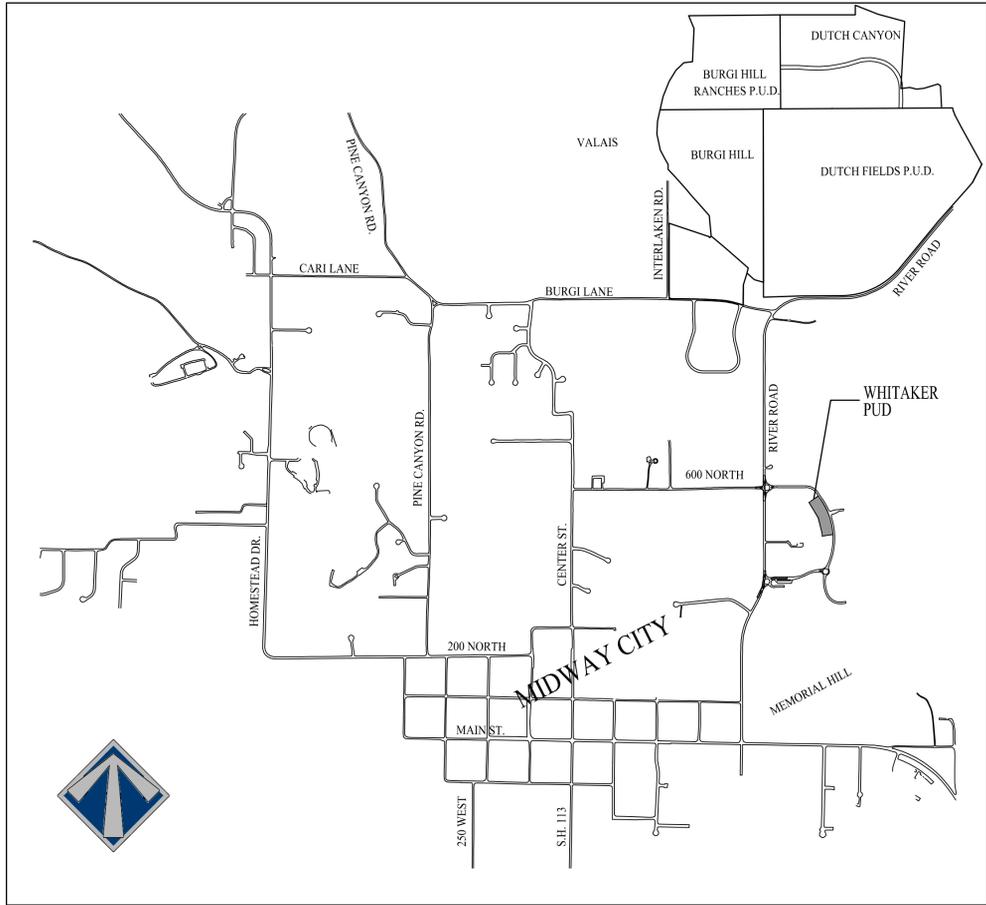
Midway





WHITE ACRES PUD

PRELIMINARY PLANS



VICINITY MAP

SHEET INDEX

1. EXISTING CONDITIONS PLAN
2. PRELIMINARY SITE PLAN
3. PRELIMINARY UTILITY PLAN
4. PRELIMINARY LANDSCAPE PLAN

WHITE ACRES PUD PRELIMINARY PLANS - 31 MAY 2023

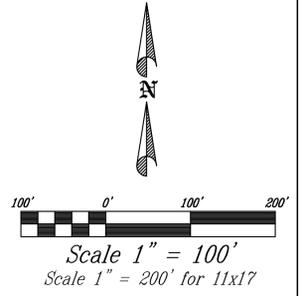
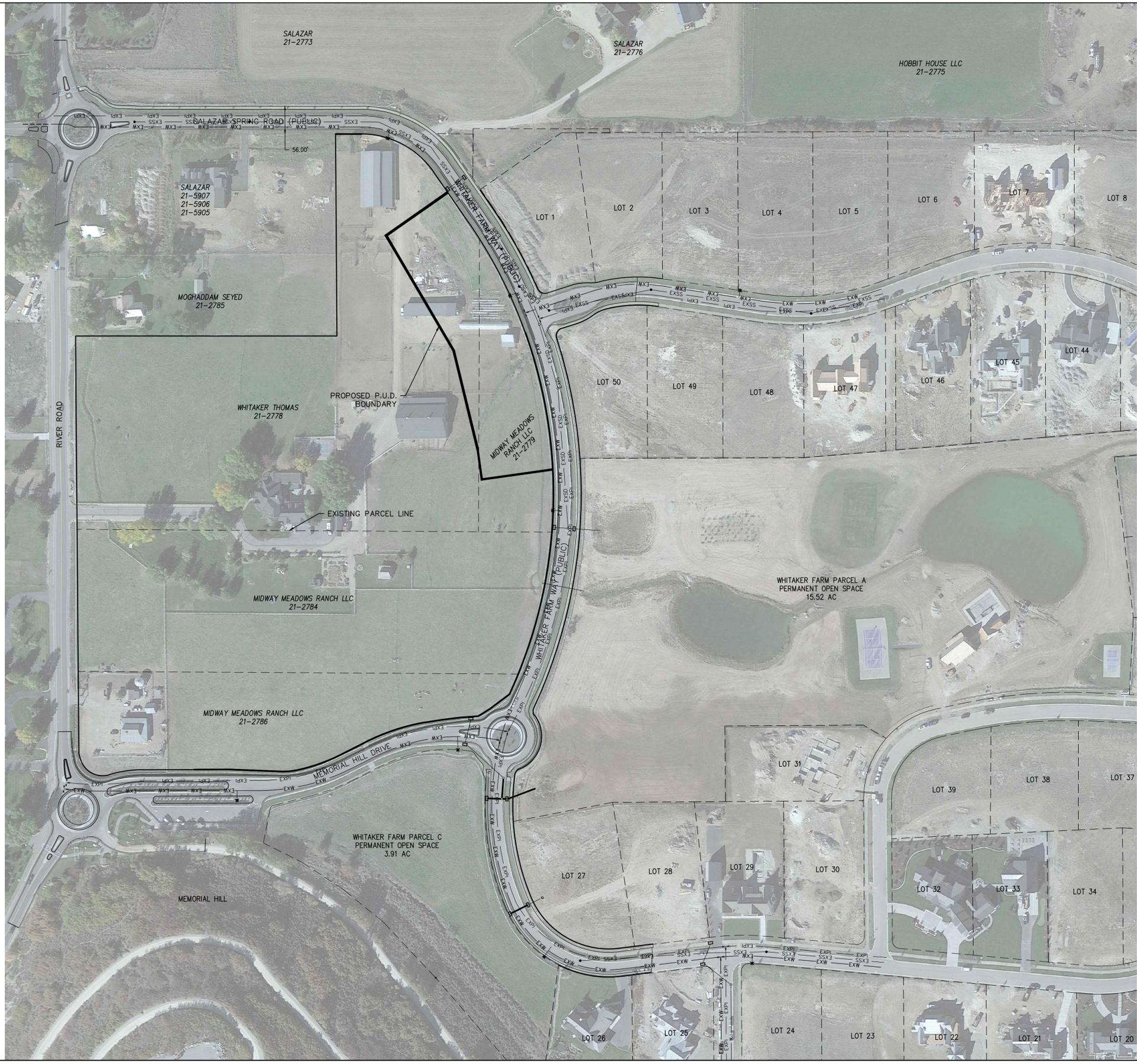
Scale: 1/4" = 1'-0" | PUD: 2023-05-01 | plotted by: Paul Bergman on 05/01/2023

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PAUL D. BERG _____ P.E.
 SERIAL NO. 295595
 DATE: 31 MAY 2023

MIDWAY MEADOWS RANCH LLC WHITE ACRES PUD	
COVER	
	
DESIGN BY: PDB DRAWN BY: DW	DATE: 31 MAY 2023 REV: 0

Plot date: June 01, 2023 | plotted by: Paul



- LEGEND**
- EXSS — EXISTING SEWER
 - EXW — EXISTING WATER
 - EXPI — EXISTING PRESSURIZED IRRIGATION
 - EXSD — EXISTING STORM DRAIN

BLUE STAKE NOTE:

- LOCATION OF EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE AND MAY BE INCOMPLETE. CONTRACTOR IS RESPONSIBLE FOR BLUE STAKING OF UTILITIES.

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PAUL D. BERG P.E.
SERIAL NO. 295595
DATE: 31 MAY 2023

MIDWAY MEADOWS RANCH LLC WHITE ACRES PUD		
EXISTING CONDITIONS PLAN		
380 E Main St. Suite 204 Midway, Ut 84049 ph 435-657-9749		
DESIGN BY: PDB	DATE: 31 MAY 2023	SHEET
DRAWN BY: DW	REV:	1

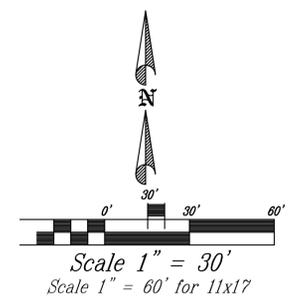


LEGEND

- GRASS AREA (1.33 ACRES)
- PUBLIC TRAIL
- ROADS
- MULCH (0.13 ACRES)
- UNIT (0.41 ACRES)
- PATIO/DECK (0.10 ACRES)

PLANT SCHEDULE

TREES	QTY	COMMON / BOTANICAL NAME	CONT	CAL
	5	Autumn Blaze Maple / <i>Acer freemanii</i> 'Autumn Blaze'	B & B	2"Cal
	6	Common Hackberry / <i>Celtis occidentalis</i>	B & B	
	3	Autumn Purple Ash / <i>Fraxinus americana</i> 'Autumn Purple'	B & B	2"Cal
	7	Canada Red Chokecherry / <i>Prunus virginiana</i> 'Canada Red'	B & B	2"Cal
SHRUBS	QTY	COMMON / BOTANICAL NAME	CONT	
	36	Tatarian Dogwood / <i>Cornus alba</i> 'Ivory Halo' TM	5 gal	
	36	Northern Gold Forsythia / <i>Forsythia</i> x 'Northern Gold'	5 gal	
	36	Incrediball White Hydrangea / <i>Hydrangea arborescens</i> 'Incrediball'	5 gal	
	36	Black Lace Elderberry / <i>Sambucus nigra</i> 'Black Lace'	5 gal	
	18	Magic Carpet Spirea / <i>Spiraea japonica</i> 'Magic Carpet'	5 gal	
EVERGREEN SHRUBS	QTY	COMMON / BOTANICAL NAME	CONT	
	36	Dwarf Serbian Spruce / <i>Picea omorika</i> 'Nana'	5 gal	
GRASSES	QTY	COMMON / BOTANICAL NAME	CONT	
	18	Feather Reed Grass / <i>Calamagrostis</i> x <i>acutiflora</i> 'Karl Foerster'	1 gal	
PERENNIALS	QTY	COMMON / BOTANICAL NAME	CONT	
	18	Summer Pastels Yarrow / <i>Achillea millefolium</i> 'Summer Pastels'	1 gal	
GROUND COVERS	QTY	COMMON / BOTANICAL NAME	CONT	
	69,595sf	Kentucky Bluegrass / <i>Poa pratensis</i>	sod	
MULCH	QTY	COMMON / BOTANICAL NAME	CONT	
	5,505sf	Wood Mulch / Wood Mulch	Mulch	



THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.
 CARL N. BERG PLA
 SERIAL NO. 7162790
 DATE: 31 MAY 2023

MIDWAY MEADOWS RANCH LLC
 WHITE ACRES PUD
 PRELIMINARY
 LANDSCAPE PLAN



380 E Main St, Suite 204
 Midway, Ut 84049 ph. (801) 723-2000

DESIGN BY: PDB	DATE: 31 MAY 2023	SHEET
DRAWN BY: DW	REV:	4

Carl N. Berg, Landscape Architect, PLS 12500, State of Utah, License No. 12500, dated June 01, 2023. Printed by: Prof.