

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: March 19, 2024

NAME OF PROJECT: Vincent Fields Subdivision – Plat Map Amendment

NAME OF APPLICANT: Kevin Payne

PROPERTY OWNER: The Kevin & Kimberly Payne Family Trust

ENGINEER: Paul Berg/Berg Engineering

AGENDA ITEM: Preliminary/Final Approval

LOCATION OF ITEM: 1315 South Stringtown Road

ZONING DESIGNATION: RA-1-43

ITEM: 10

Kevin Payne, of the Payne Family Trust, is requesting a Plat Map Amendment for the Vincent Fields Subdivision located at 1315 South Stringtown Road. The property is zoned RA-1-43.

BACKGROUND:

This request is for a Plat Map Amendment for the Vincent Fields Subdivision, a three-lot small subdivision comprising 9.46 acres. The current subdivision consists of three (3) lots: Lot 1 (comprised of 4 acres), Lot 2 (comprised of 1.30 acres), and Lot 3 (comprised of 4.16 acres).

It is proposed that 5 acres of this 9.16 acres, consisting of parts of current lots 1 and 3, will be vacated from the Vincent Fields Subdivision and become the Vincent Fields Rural Preservation Subdivision (comprised of a single five-acre lot).

Of the remaining 4.16 acres:

Lot 2 (comprised of 1.30 acres) would remain unchanged.

Lot 1 would be amended so that the new Lot 1 (consisting of part of current Lot 3) would consist of 1.0 acre located immediately south of Lot 2.

The remaining 2.16 acres (consisting of parts of the exiting Lot 1) would be vacated from the existing Vincent Fields Subdivision and added to the applicant's existing Lot 2 of the Whimsy Willow Subdivision.

The resulting Vincent Fields Subdivision - Amended would consist of two lots: Lot 1 (1 acre) and Lot 2 (1.30 acre - unchanged).

According to the application:

This 5.00 acre rural preservation lot enables us to reconfigure an existing 4.00 acre lot [former Lot 1 of the Vincent Fields Subdivision] and a 4.16 acre lot [former Lot 2 of the Vincent Fields Subdivision] into a 1.00 acre lot [new Lot 1 of the Vincent Fields Subdivision - Amended] and a 5.00 acre lot [new Vincent Fields Rural Preservation Subdivision] with the remaining 2.16 acres being added to our existing Lot 2 of the Whimsy Willow Subdivision. No additional lots are being created nor are any additional streets being created. This will allow more of this acreage to remain as a field to grow and raise hay and to pasture horses.

LAND USE SUMMARY:

- 9.46 acres subdivision to be amended to a 2.30 acres subdivision, with 5 acres vacated and used to create a new subdivision to be known as the Vincent Fields Rural Preservation Subdivision (consisting of one five-acre lot) and 2.16 acres to be vacated and added to Lot 2 of the existing Whimsy Willow Subdivision.
- RA-1-43 zoning
- The Vincent Fields Subdivision is reduced by one lot (from 3 to 2), but that lot
 is to be incorporated into a new subdivision to be known as the Vincent Fields
 Rural Preservation Subdivision, also owned by this applicant, so that the
 overall number of lots remains constant but now spreads across two
 subdivisions.
- Sensitive lands None identified.

ANALYSIS:

Access – The proposed amendment does not compromise access. Both resulting lots (1 and 2) front and have access from Stringtown Road.

Culinary Water Connection – Lot 2 is already connected to Midway City's culinary water line located in Stringtown Road and the new Lot 1 has a proposed connection. The proposed amendment reduces the anticipated water connections for this subdivision (because the number of lots goes from 3 to 2), but overall remains the same (because the third lot becomes the new Vincent Fields Rural Preservation Subdivision).

Fire Flow - A fire hydrant will need to be located within 500' of any future dwelling, measured by the route of a fire hose from the fire hydrant to the future home site.

Secondary Water Connection – The proposed amendment will not affect the number of connections to Midway Irrigation Company's water system for the reasons set forth under "Culinary Water Connection" set forth above.

Sewer Connection – Lot 2 is already connected to the Midway Sanitation District sewer line along Stringtown Road. Lot 1 will have to connect to Midway Sanitation District as it does not meet the requirements for an onsite septic system under the code. The location of the sewer lateral is subject to approval from the City Engineer and Midway Sanitation.

Sensitive Lands – The applicant has not identified any sensitive lands that are part of the proposed development.

Stringtown Road – Both Lots 1 and 2 front and have access from Stringtown Road.

Setbacks – Any proposed building envelopes and future buildings must comply with the minimum setback requirements.

WATER BOARD CONSIDERATIONS:

The application does not change the water requirements for the involved applicant. While it reduces the water requirements for this subdivision by reducing the lots from 3 to 2, the third lot becomes the single 5 acre parcel for the Vincent Fields Rural Preservation Subdivision whose owner is the applicant. Water requirements were reviewed and assessed by the Water Board and the shares dedicated by the applicant as a prerequisite to filing the plat for the Vincent Fields Subdivision.

POSSIBLE FINDINGS:

- The proposed lot meets the minimum requirements for the RA-1-43 zoning district
- The proposal does meet the intent of the General Plan for the RA-1-43 zoning district
- The proposal does comply with the requirements for Small Subdivision code
- The subdivision helps comply with the vision stated in the General Plan to preserve open space and a rural atmosphere

ALTERNATIVE ACTIONS:

- 1. <u>Approval (conditional)</u>. This action can be taken if the City Council finds that the proposal complies with the intent of the land use code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s)
- 2. <u>Continuance</u>. 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. <u>Denial</u>. This action can be taken if the City Council finds the request does not comply with the intent of the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITIONS:

- The plat will contain a note using the triangular system to explain its formation through reconfiguring and vacating land from the Vincent Fields Subdivision.
- A fire hydrant will need to be located within 500' of the future dwelling, measured by the route of a fire hose from the fire hydrant to the future home site.
- A new sewer lateral hookup with placement as approved by the City Engineer and the Midway Sanitation District.
- The applicant will need to show a 30' wide driveway easement to allow access to the proposed Vincent Fields Rural Preservation subdivision lot (which it is understood also will serve as a Public Utility Easement). The proposed Vincent Fields Subdivision Amended and the Vincent Fields Rural Preservation Subdivision plats shall be revised to show a 30' wide rather than 20' wide easement.
- The plats for the Vincent Fields Rural Preservation Subdivision, Vincent Fields Subdivision Amended, and the Whimsy Willow Subdivision Lot 2 Third Amendment will be filed contemporaneously, and the Vincent Fields Rural Preservation Subdivision Plat shall not be filed without filing of the Vincent Fields Subdivision Amended showing the required access easement, unless the applicant shows proof of a separately recorded 30' wide access easement meeting the access requirements set forth above.















