



**PLANNING COMMISSION MEETING STAFF REPORT**

**DATE OF MEETING:** October 8, 2024  
**NAME OF PROJECT:** Kastle Court  
**NAME OF APPLICANT:** John Ace Money  
**OWNER OF RECORD:** John Ace Money Pine Canyon Development LLC  
**AGENDA ITEM:** Preliminary Approval  
**LOCATION OF ITEM:** 800 North Pine Canyon Road  
**ZONING DESIGNATION:** R-1-15/R-1-22

**ITEM: 2**

John Ace Money, representative for Pine Canyon Development LLC, has submitted a preliminary application for a large-scale subdivision to be known as Kastle Court. The preliminary plan includes seven lots on 4.62 acres. The property is in the R-1-15 zone and R-1-22 zone at approximately 800 Pine Canyon Road.

**BACKGROUND:**

This request is for preliminary approval of a large-scale subdivision on 4.65 acres that will contain seven lots. The seven lots will obtain frontage along a new road built within the subdivision with one becoming a corner lot that will also have frontage on Pine Canyon Road. The property is in the R-1-15 and R-1-22 zones and all the proposed lots comply with the requirements of the code regarding frontage, width, and acreage for the zone in which each is located. The proposed subdivision covers two parcels (OMI-0219-1 and OMI-0223-1). The existing land uses on the property include a tree nursery, storage

of various items, and fallow land. There is also a substantial amount of earthen fill that has been deposited on the property. The property is adjacent on the south with the LaBarge Subdivision (under construction), Swiss Farms on the east, and Midway Farms on the northeast. There are other dwellings on parcels not associated with subdivisions on the north and west across Pine Canyon Road from the proposal.

#### **LAND USE SUMMARY:**

- 4.65-acres
- R-1-15/R-1-22 zoning
  - R-1-15 approximately 1.62 acres
  - R-1-22 approximately 3.03 acres
- Proposal contains seven lots
  - 2 lots in the R-1-15 zone
  - 5 lots in the R-1-22 zone
- 3.5 acres in the lots
- 1.12 acres of right-of-way will be dedicated to Midway
- Access from Pine Canyon Road
- Public bike lane along Pine Canyon Road
- No sensitive lands have been identified
- The lots will connect to the Midway Sanitation District sewer, Midway City's culinary water line, and Midway Irrigation Company's secondary water line

#### **ANALYSIS:**

*Access* – Access will be from Pine Canyon Road. A second access is not required because the cul-de-sac is less than 1,300' in length and there are not more than 11 lots in the subdivision. The new road will create a three-way intersection on Pine Canyon Road.

*Geotechnical Study* – A Geotechnical Study is required and has not been submitted to the City. This is a standard requirement whenever any new roads are built in a development.

*Sensitive lands* – The applicant has not identified any sensitive lands on the property.

*Water Connection* – The lots will connect to water lines that will be built by the developer and connect to the City’s water line along Pine Canyon Road.

*Sewer Connection* – The lots will connect to Midway Sanitation District’s sewer lines located in the area.

*Secondary Water Connection* – The lots will connect to Midway Irrigation Company’s secondary water system which is already servicing the property. Laterals will be created for all seven lots. Secondary water meters are required for each lateral.

*Trails* – The Midway City Trail System Master Plan shows an attached asphalt bike trail along both sides of Pine Canyon Road. Staff is proposing that the funds to build the bike lanes are added to the general trails fund and that the bike lane is completed in the future as part of a larger improvement project that will complete the bike lanes along the entirety of Pine Canyon Road where the bike lanes are planned. Staff is recommending that the developer contribute \$6,825 (175 x 6 x 6.5) to the general trail fund.

*Public Street* – The developer will build the proposed road that will create access and frontage for the development. The right-of-way will be 56’ wide except where it will extend at the bulb of the cul-de-sac. The street will be 26’ with modified curb, 5’ park strips, and 5’ sidewalks.

*Open Space* – The property is less than six acres, so no open space is required.

*Landscaping Plan* – The proposed development is not required to submit a landscaping plan since there is no open space or common area.

*100’ Setback Requirement* – The subdivision code requires a 100’ setback from the edge of the right-of-way for Pine Canyon Road for any structures. The setback line will be noted on the plat so no structures, including accessory structures, are placed in this area.

*Maximum Height of Structures* – The previous owner of the property deposited many truck loads of fill over much of the property. This is of concern to some of the neighbors because of the issue of the maximum height of future structures. The neighbors’ concerns were based on the issue that height would be measured from existing grade and not from natural grade as required by the Midway City Code. Staff has assured neighbors that code will be followed, and height will be based on natural grade. Staff has discussed this with the applicant and some ideas have formed on how

to determine natural grade and how that information should be made known to future lot owners. One idea is to show natural grade contours on the plat map that will determine the maximum height of future structures. Natural grade information could be gathered by digging pits on the property where fill has been deposited to find natural grade.

*Building Pads* – Normally building pads are not shown on Midway subdivision plats but staff feels that they could be helpful in the proposed development. The development is in two zones that have different setbacks and even one of the lots is dissected by two zones. Also, all five of the lots in the R-1-22 zone qualify for a rear setback reduction because of how wide and shallow the lots are. All of this could be confusing to future lot owners. It would be much easier for them to see the setbacks on the plat. If a building pad is shown on the plat, it would be specifically for dwellings and not for accessory structures since setbacks for accessory structures are different than for dwellings.

*Double Fronted Lot* – The proposed plan creates a double fronted lot for lot 18 in the neighboring Swiss Farm Subdivision. The applicant will need to modify the proposed plan and move the right-of-way away from lot 18 to conform to the code.

*Intersection and Driveway Location* – Currently the access for the proposed development and the property just north (Christensen) of the proposed road in the new development share a combined access. Driveways and intersections should be separated by 40' to avoid safety issues of them being too close together. One solution is that the Christensen property access from the new road instead of Pine Canyon Road.

#### **WATER BOARD RECOMMENDATION:**

The Water Board will review this item during their meeting on November 4, 2024.

#### **POSSIBLE FINDINGS:**

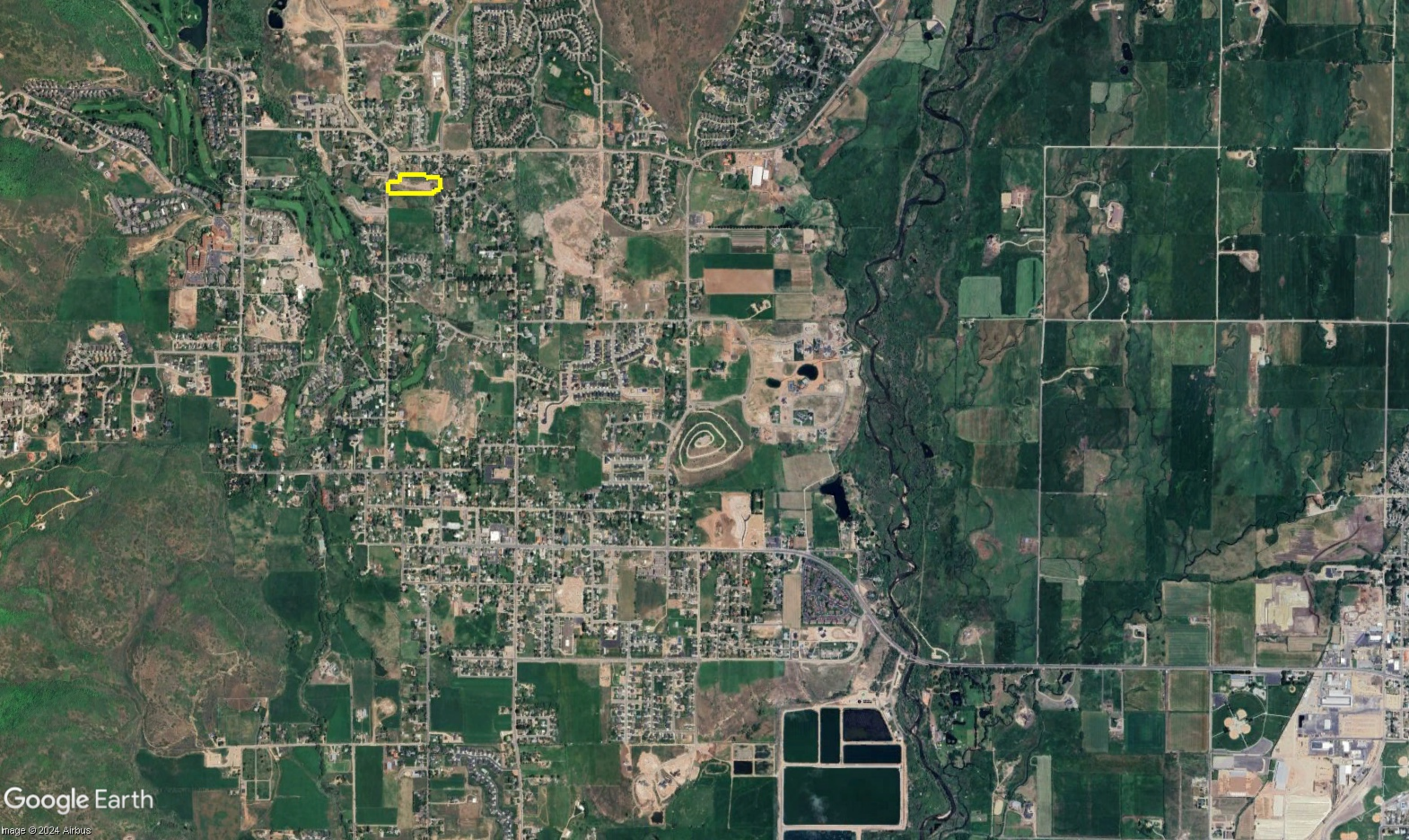
- The proposal does meet the intent of the General Plan for the R-1-15 and R-1-22 zones.
- The proposed lots do comply with the land use requirements of the R-1-15 and R-1-22 zones.
- The developer will contribute to a bike lane that will benefit members of the community.
- Height of future structures will be measured from natural grade.

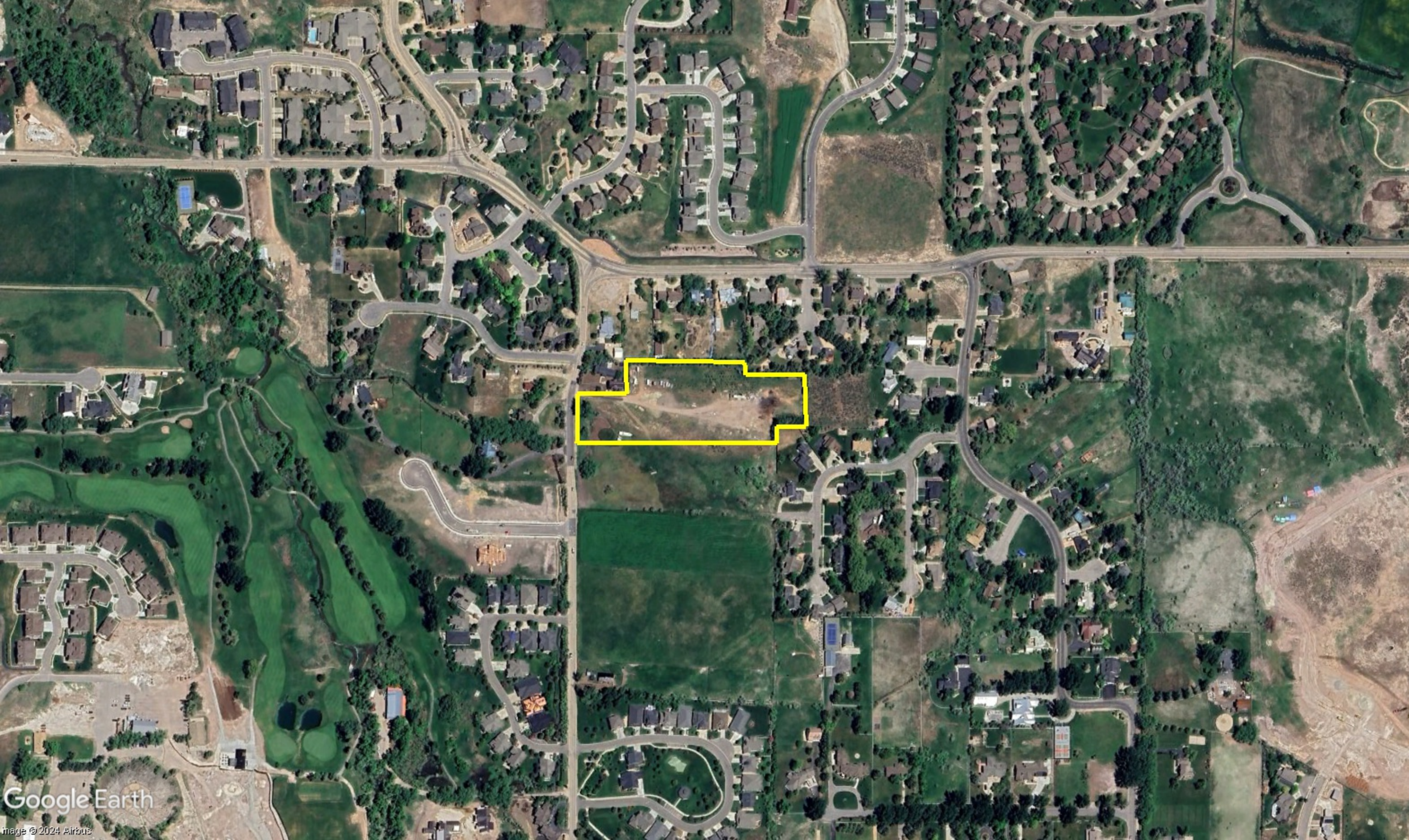
## **ALTERNATIVE ACTIONS:**

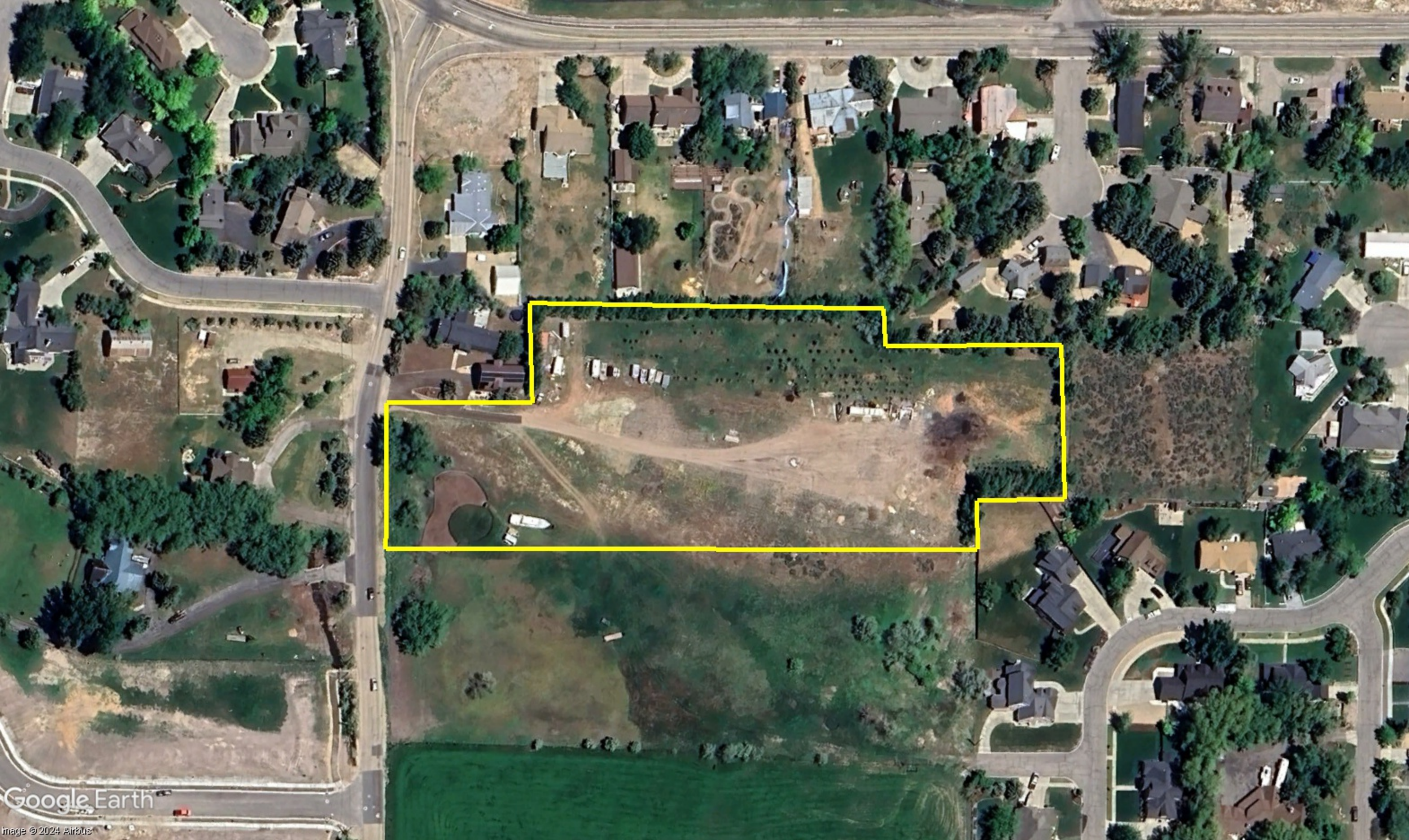
1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission finds the application complies with the land use ordinance and if any conditions placed on the approval can resolve any outstanding issues.
  - a. Accept staff report
  - b. List accepted findings
  - c. Place condition(s)
  
2. Continuance. This action can be taken if the Planning Commission 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 Planning Commission finds that the request does not comply with the ordinance.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for denial

## **PROPOSED CONDITIONS:**

1. A geotechnical report must be submitted to the City before an application for final approval is submitted.
2. Natural grade must be established and placed on the plat to determine the maximum height of future structures.
3. The developer contributes \$6,825 to the trails fund that will help build the bike lanes along Pine Canyon Road at a future date.









# PINE CANYON DEVELOPMENT

## A RESIDENTIAL SUBDIVISION

### MIDWAY, UTAH

### PRELIMINARY PLAN SET

### SEPTEMBER 2024

### -SHEET INDEX-

SHEET	SHEET NAME
1	COVER
2	OVERALL BOUNDARY
3	OVERALL SITE PLAN
4	EXISTING TOPOGRAPHY
5	DRAINAGE PLAN

**DATA TABLE**

TOTAL ACREAGE=4.65  
 ACERAGE OF LOTS =3.53  
 ACERAGE OF ROW =1.12  
 TOTAL # OF LOTS =7  
 ZONING=R-1-15 & R-1-22

**GENERAL NOTES:**

- CONTRACTOR TO FIELD VERIFY HORIZONTAL AND VERTICAL LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
- ANY AND ALL DISCREPANCIES IN THESE PLANS ARE TO BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- BEFORE PROCEEDING WITH THIS WORK, THE CONTRACTOR SHALL CAREFULLY CHECK AND VERIFY ALL CONDITIONS, QUANTITIES, DIMENSIONS, AND GRADE ELEVATIONS, AND SHALL REPORT ALL DISCREPANCIES TO THE ENGINEER.
- ALL CONSTRUCTION WILL CONFORM TO MIDWAY CITY CONSTRUCTION STANDARDS.
- ALL RECOMMENDATIONS MADE IN GEOTECHNICAL INVESTIGATION FOR PINE CANYON DEVELOPMENT DATED SEPTEMBER 3, 2024 PERFORMED BY EARTHTEC ENGINEERING, PROJECT NO. 240629G, TO BE FOLLOWED EXPLICITLY DURING CONSTRUCTION BUILDINGS AND SITE IMPROVEMENTS.

**CONTRACTOR NOTE:**

THE SIZE, ELEVATION, & LOCATIONS OF EXISTING IMPROVEMENTS AND UTILITIES SHOWN HEREON ARE ASSUMED AND APPROXIMATELY SHOWN BASED UPON THE FIELD DATA FROM THE SURVEY. ALL SIZES, LOCATIONS & ELEVATIONS ARE TO BE VERIFIED. IF THERE ARE DIFFERENCES OR DISCREPANCIES, ATLAS ENGINEERING, LLC NEEDS TO BE NOTIFIED BEFORE CONSTRUCTION. ATLAS ENGINEERING, LLC WILL NOT BE LIABLE OR RESPONSIBLE FOR REMOVAL, CONSTRUCTION, OR INSTALLATION OF IMPROVEMENTS THAT ARE NOT IN ACCORDANCE WITH THESE PLANS. ANY AND ALL CHANGES OR VARIATIONS IN THE REMOVAL, CONSTRUCTION OR INSTALLATION OF THE IMPROVEMENTS MADE WITHOUT THE APPROVAL OF THE DESIGNER WILL RESULT IN SOLE LIABILITY TO THE CONTRACTOR. IN ADDITION, ATLAS ENGINEERING, LLC ASSUMES NO RESPONSIBILITY FOR ANY AND ALL EXISTING UTILITIES NOT SHOWN ON THIS PLAN AND ASSUMES NO LIABILITY FOR FAILURE TO EXACTLY LOCATE ALL EXISTING UTILITIES, SHOULD THERE BE INCIDENT.

**ENGINEER/SURVEYOR CONTACT INFO:**

ATLAS ENGINEERING LLC  
 (801) 655-0566  
 946 E. 800 N. SUITE A  
 SPANISH FORK, UT 84660

**OWNER/DEVELOPER**

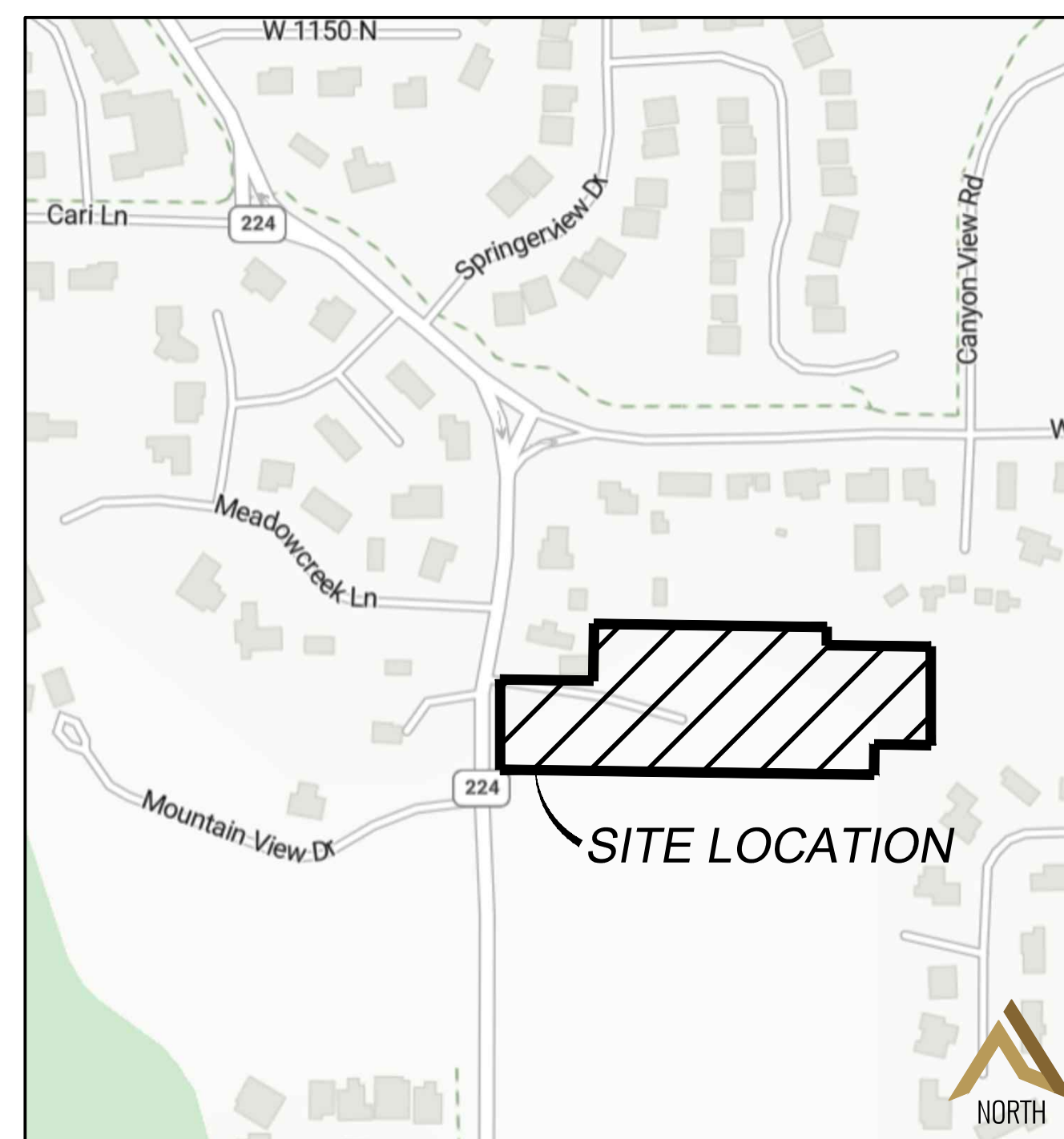
JOHN MONEY — ACE EVERLASTING CONSTRUCTION  
 6454 WEST PIN OAK DRIVE  
 WEST JORDAN, UTAH 84081  
 801-471-3322  
 johnacemoney@gmail.com



**LEGEND**

(APPLIES TO ALL SHEETS)

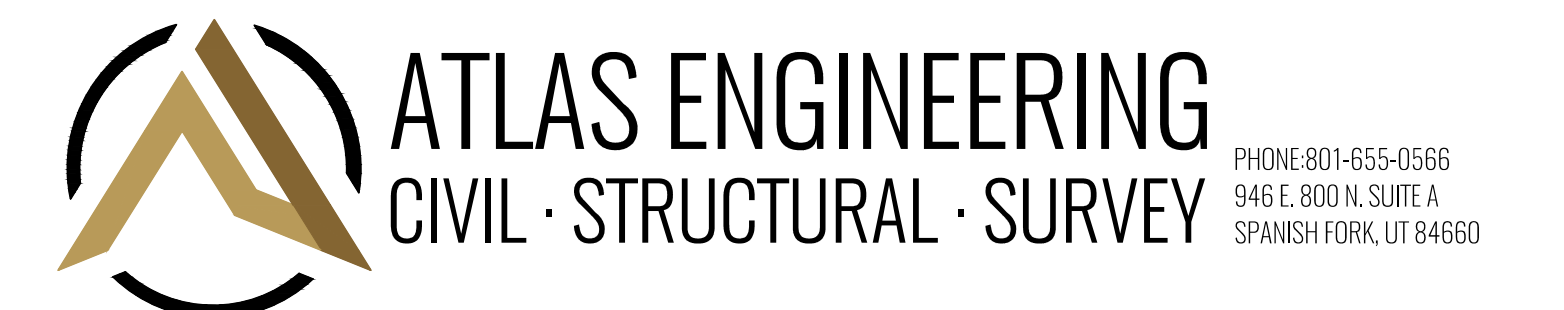
	EXISTING POWER POLE
	PROPOSED STREET LIGHT
	EXISTING FIRE HYDRANT
	EXISTING WATER VALVE
	EXISTING STREET LIGHT
	EXISTING SIGN
	PROPOSED FIRE HYDRANT
	PROPOSED WATER VALVE
	PROPERTY BOUNDARY
	CENTERLINE
	RIGHT-OF-WAY LINE
	LOT LINE
	SECTION LINE
	EASEMENT
	EXISTING DEED LINE
	EDGE OF PAVEMENT
	EXISTING OVER HEAD POWER
	EXISTING FENCE LINE
	EXISTING SANITARY SEWER W/MANHOLE
	EXISTING STORM DRAIN W/MH
	EXISTING WATER
	EXISTING PRESSURIZED IRRIGATION
	PROPOSED SEWER
	PROPOSED STORM DRAIN
	PROPOSED CULINARY WATER
	PROPOSED PRESSURIZED IRRIGATION (PURPLE PVC)
	PROPOSED ASPHALT
	PROPOSED CONCRETE/CURB & GUTTER
	REVERSE LIP CURB

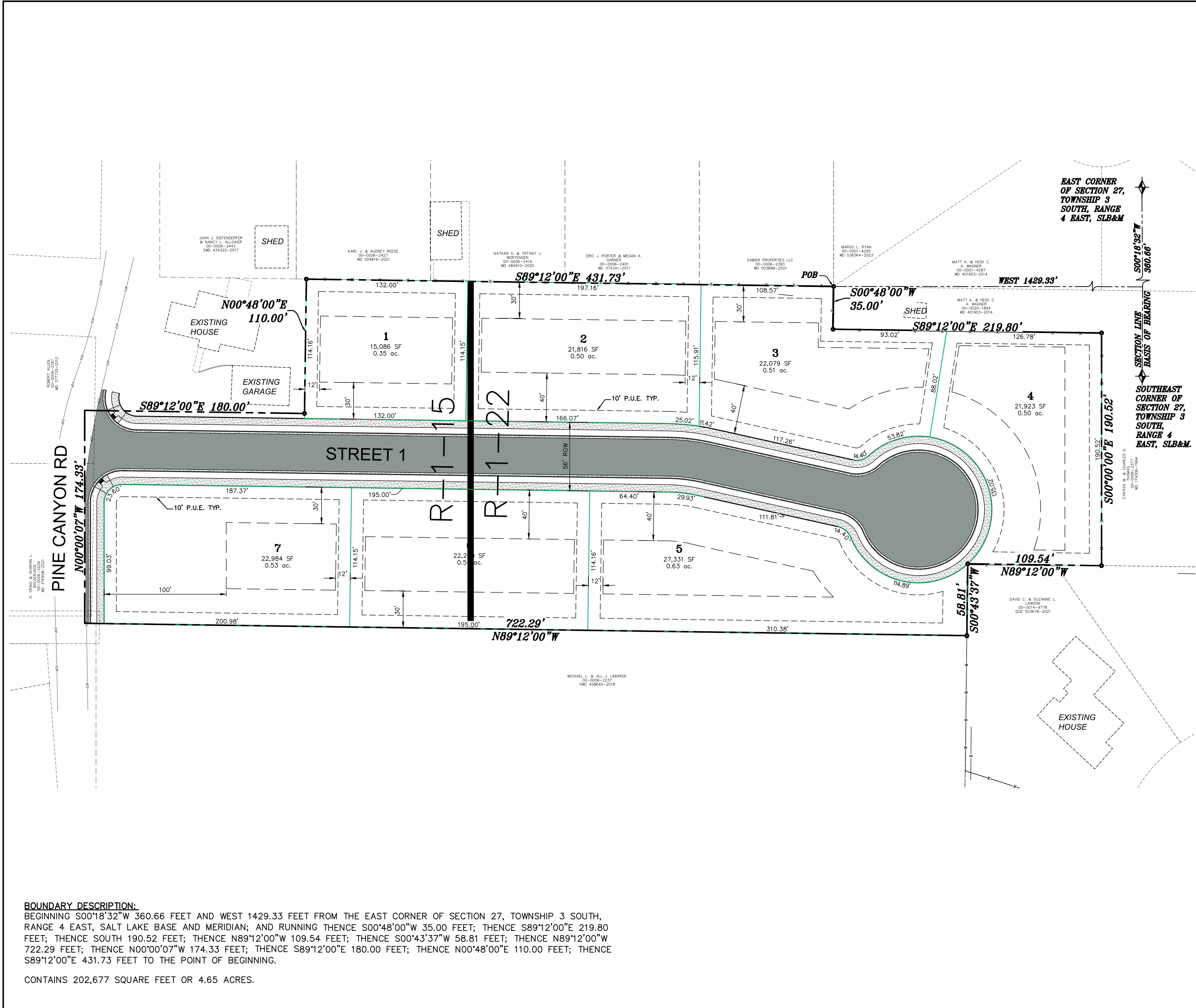


**VICINITY MAP**

-NTS-

## PINE CANYON DEVELOPMENT





VICINITY MAP  
-NTS-

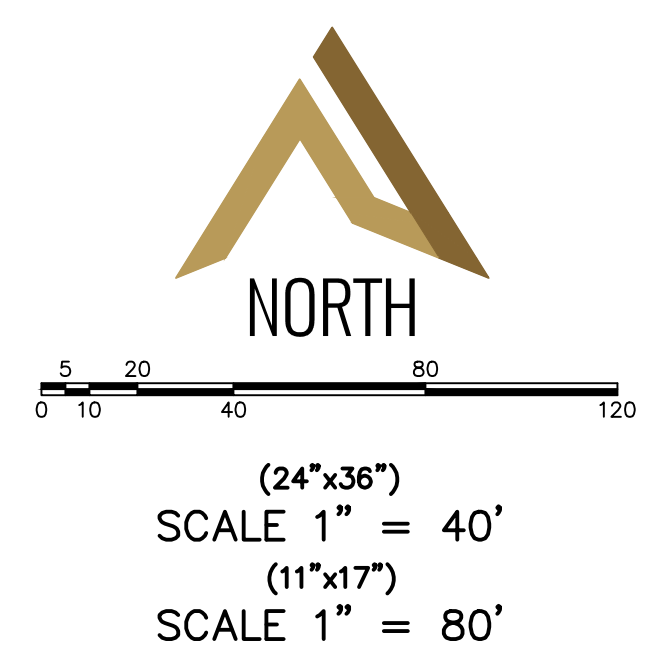
**LEGEND**

	FOUND SECTION CORNER
	SET CURB PIN
	SET 5/8" IRON PIN
	CALCULATED POINT, NOT SET
	PROPERTY BOUNDARY
	SECTION LINE
	EXISTING DEED LINE
	EDGE OF PAVEMENT
	EXISTING FENCE LINE
	MEASURED DISTANCE (RECORD DISTANCE)
	RIGHT-OF-WAY LINE

**DATA TABLE**

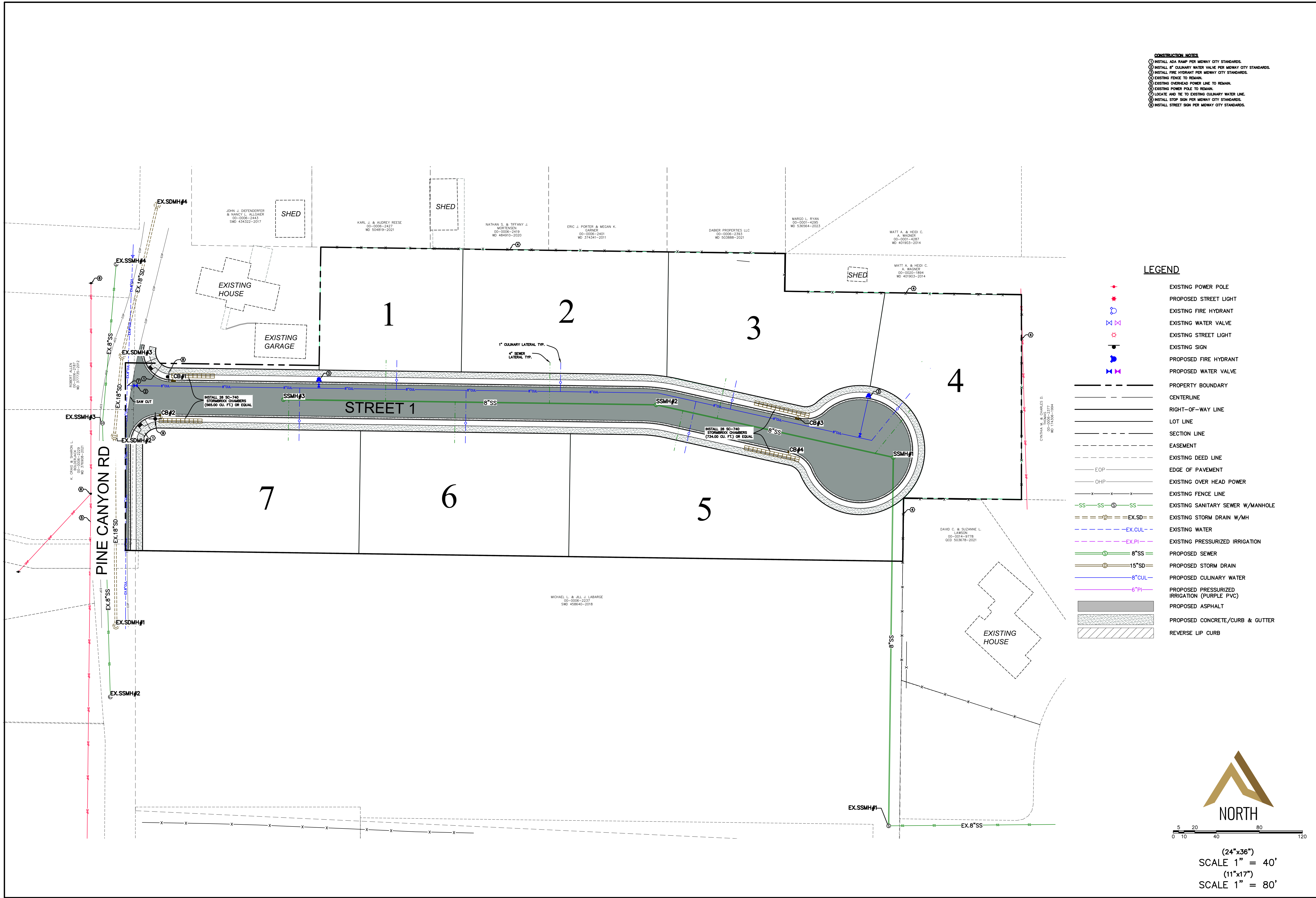
TOTAL ACREAGE	= 4.65
ACERAGE OF LOTS	= 3.53
ACERAGE OF ROW	= 1.12
TOTAL # OF LOTS	= 7
ZONING	= R-1-15 & R-1-22

- NOTES:**
1. ZONE R-1-15 & R-1-22
  2. VERTICAL DATA BASED ON NAVD 29.
  3. COORDINATE SYSTEM = NAD83.



**BOUNDARY DESCRIPTION:**  
 BEGINNING S00°18'32"W 360.66 FEET AND WEST 1429.33 FEET FROM THE EAST CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE S00°48'00"W 35.00 FEET; THENCE S89°12'00"E 219.80 FEET; THENCE SOUTH 190.52 FEET; THENCE N89°12'00"W 109.54 FEET; THENCE S00°43'37"W 58.81 FEET; THENCE N89°12'00"W 722.29 FEET; THENCE N00°00'07"W 174.33 FEET; THENCE S89°12'00"E 180.00 FEET; THENCE N00°48'00"E 110.00 FEET; THENCE S89°12'00"E 431.73 FEET TO THE POINT OF BEGINNING.  
 CONTAINS 202,677 SQUARE FEET OR 4.65 ACRES.

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OVERALL BOUNDARY		MIDWAY, UTAH			
PINE CANYON DEVELOPMENT		ATLAS ENGINEERING CIVIL · STRUCTURAL · SURVEY PHONE: 801-555-0566 946 E. 800 N. SUITE A SPANISH FORK, UT 84660			
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- CONSTRUCTION NOTES**
- 1. INSTALL ADA RAMP PER MIDWAY CITY STANDARDS.
  - 2. INSTALL 8" CULINARY WATER VALVE PER MIDWAY CITY STANDARDS.
  - 3. INSTALL FIRE HYDRANT PER MIDWAY CITY STANDARDS.
  - 4. EXISTING FENCE TO REMAIN.
  - 5. EXISTING OVERHEAD POWER LINE TO REMAIN.
  - 6. EXISTING POWER POLE TO REMAIN.
  - 7. LOCATE AND TIE TO EXISTING CULINARY WATER LINE.
  - 8. INSTALL STOP SIGN PER MIDWAY CITY STANDARDS.
  - 9. INSTALL STREET SIGN PER MIDWAY CITY STANDARDS.

- LEGEND**
- EXISTING POWER POLE
  - PROPOSED STREET LIGHT
  - EXISTING FIRE HYDRANT
  - EXISTING WATER VALVE
  - EXISTING STREET LIGHT
  - EXISTING SIGN
  - PROPOSED FIRE HYDRANT
  - PROPOSED WATER VALVE
  - PROPERTY BOUNDARY
  - CENTERLINE
  - RIGHT-OF-WAY LINE
  - LOT LINE
  - SECTION LINE
  - EASEMENT
  - EXISTING DEED LINE
  - EOP
  - OHP
  - EXISTING OVER HEAD POWER
  - EXISTING FENCE LINE
  - EXISTING SANITARY SEWER W/MANHOLE
  - EXISTING STORM DRAIN W/MH
  - EX.CUL
  - EX.PI
  - 8"SS
  - 15"SD
  - 8"CUL
  - 6"PI
  - PROPOSED SEWER
  - PROPOSED STORM DRAIN
  - PROPOSED CULINARY WATER
  - PROPOSED PRESSURIZED IRRIGATION (PURPLE PVC)
  - PROPOSED ASPHALT
  - PROPOSED CONCRETE/CURB & GUTTER
  - REVERSE LIP CURB

SHEET NO. 3

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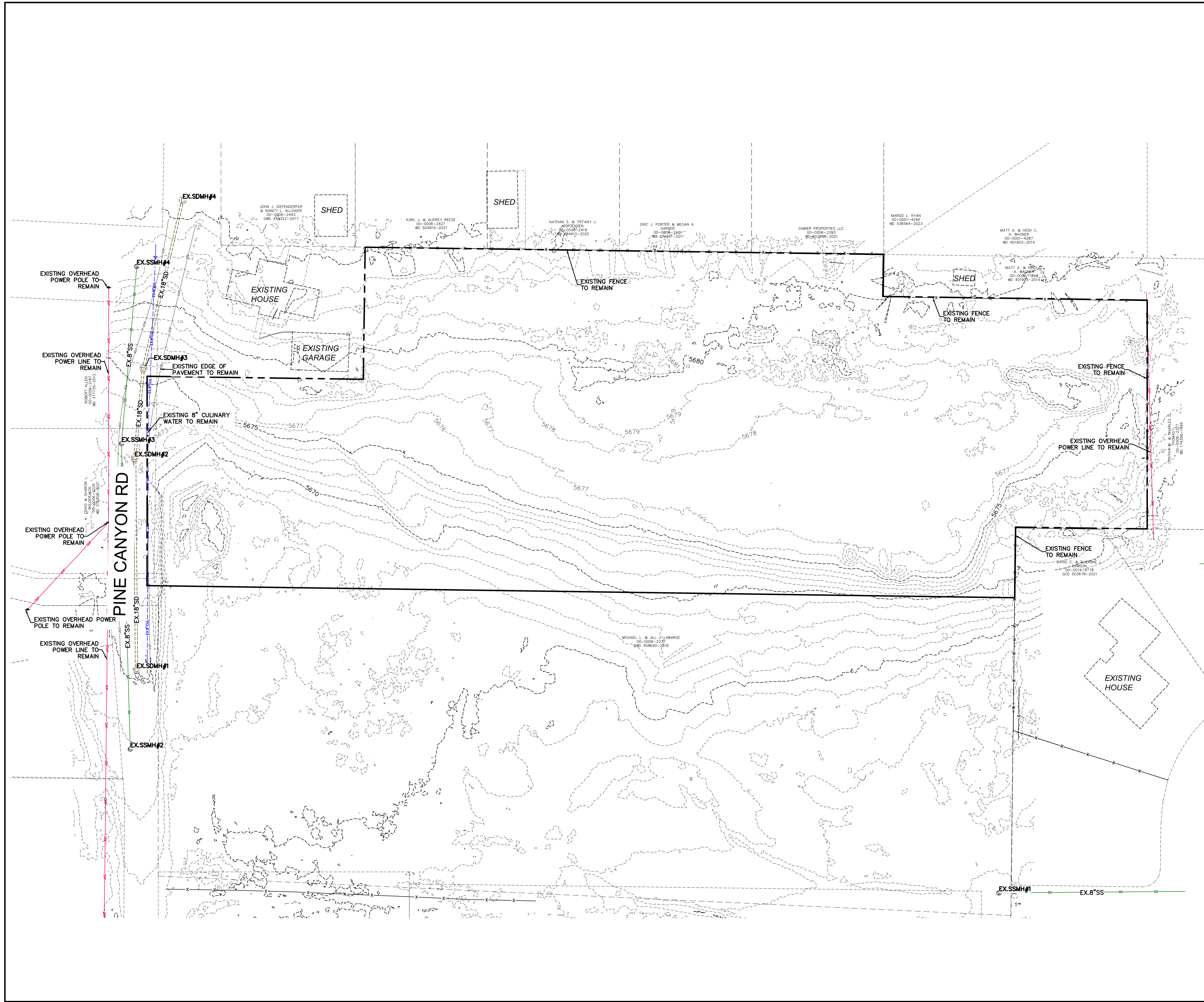
OVERALL SITE PLAN  
MIDWAY, UTAH

**PINE CANYON DEVELOPMENT**

**ATLAS ENGINEERING**  
CIVIL · STRUCTURAL · SURVEY

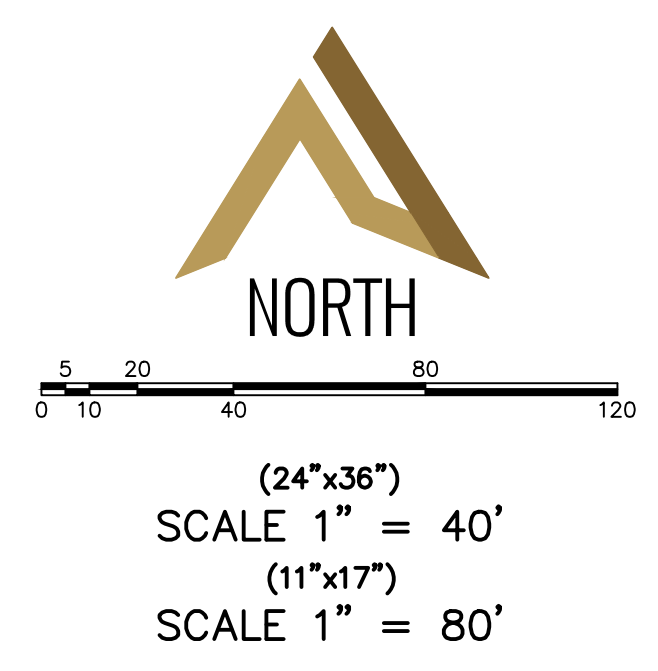
PHONE: 801-555-6565  
945 E. BOON, SUITE A  
SPANISH FORK, UT 84601

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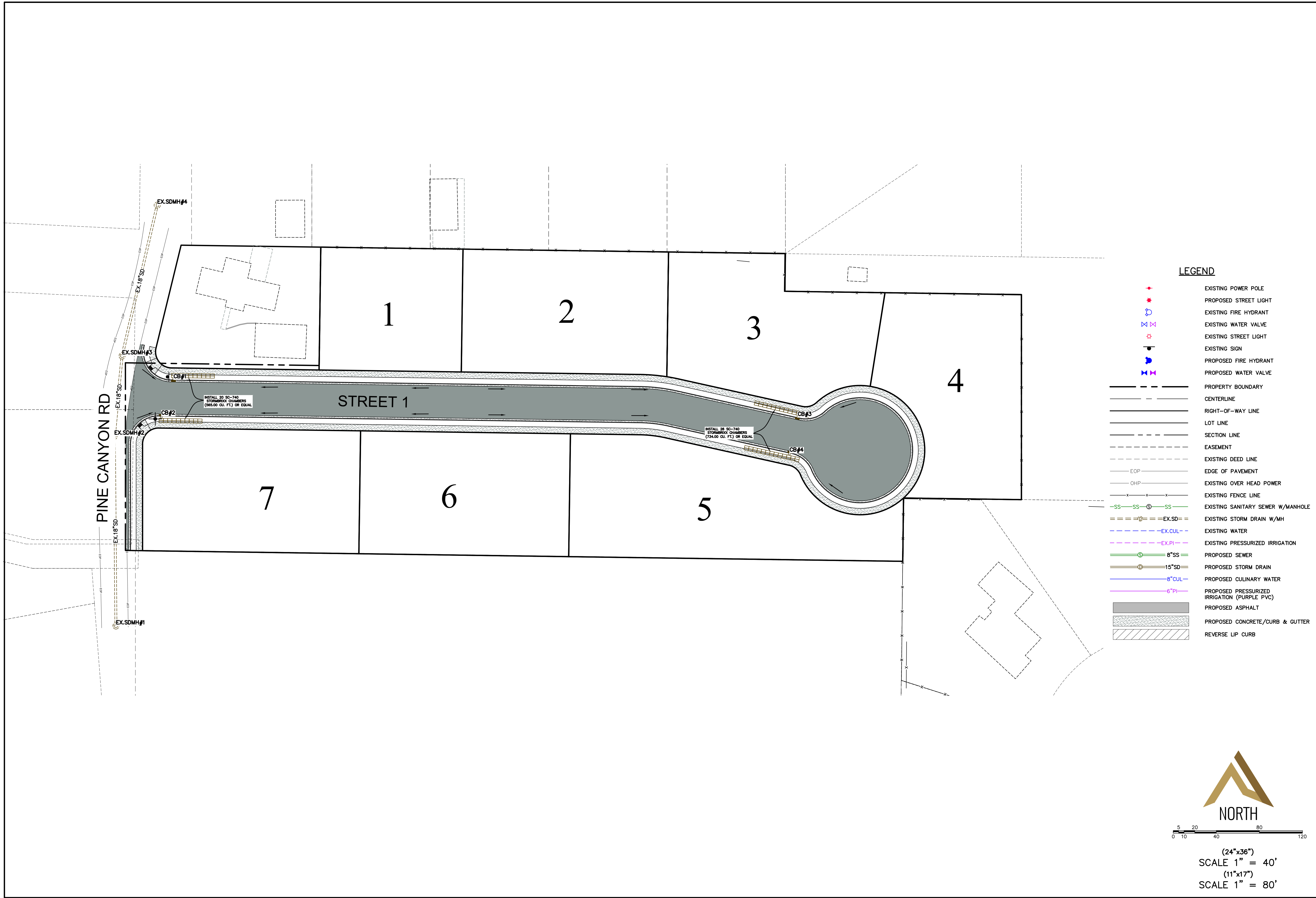


**LEGEND**

	EXISTING POWER POLE
	PROPOSED STREET LIGHT
	EXISTING FIRE HYDRANT
	EXISTING WATER VALVE
	EXISTING STREET LIGHT
	EXISTING SIGN
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	PROPOSED PRESSURIZED IRRIGATION (PURPLE PVC)
	PROPOSED ASPHALT
	PROPOSED CONCRETE/CURB & GUTTER
	REVERSE LIP CURB



<b>PINE CANYON DEVELOPMENT</b>		<b>EXISTING TOPOGRAPHY</b>	<b>MIDWAY, UTAH</b>	SHEET NO. <b>4</b>																																																				
<b>ATLAS ENGINEERING</b> CIVIL · STRUCTURAL · SURVEY		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>REVISIONS</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td>12</td><td></td><td></td><td></td></tr> <tr><td>11</td><td></td><td></td><td></td></tr> <tr><td>10</td><td></td><td></td><td></td></tr> <tr><td>9</td><td></td><td></td><td></td></tr> <tr><td>8</td><td></td><td></td><td></td></tr> <tr><td>7</td><td></td><td></td><td></td></tr> <tr><td>6</td><td></td><td></td><td></td></tr> <tr><td>5</td><td></td><td></td><td></td></tr> <tr><td>4</td><td></td><td></td><td></td></tr> <tr><td>3</td><td></td><td></td><td></td></tr> <tr><td>2</td><td></td><td></td><td></td></tr> <tr><td>1</td><td></td><td></td><td></td></tr> </tbody> </table>			NO.	REVISIONS	BY	DATE	12				11				10				9				8				7				6				5				4				3				2				1			
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**LEGEND**

- EXISTING POWER POLE
- PROPOSED STREET LIGHT
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING STREET LIGHT
- EXISTING SIGN
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- EXISTING STORM DRAIN W/MH
- EX.CUL
- EX.PI
- EXISTING PRESSURIZED IRRIGATION
- PROPOSED SEWER
- PROPOSED STORM DRAIN
- PROPOSED CULINARY WATER
- PROPOSED PRESSURIZED IRRIGATION (PURPLE PVC)
- PROPOSED ASPHALT
- PROPOSED CONCRETE/CURB & GUTTER
- REVERSE LIP CURB



0 20 40 80 120

(24"x36")  
SCALE 1" = 40'

(11"x17")  
SCALE 1" = 80'

SHEET NO.  
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**DRAINAGE PLAN**

**MIDWAY, UTAH**

**PINE CANYON DEVELOPMENT**

**ATLAS ENGINEERING**  
CIVIL · STRUCTURAL · SURVEY

PHONE: 801-555-0555  
945 E. BOON, SUITE A  
SPANISH FORK, UT 84601

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