



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: November 12, 2024
NAME OF PROJECT: Kastle Court
NAME OF APPLICANT: John Ace Money
OWNER OF RECORD: 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 item was continued from October 8, 2024, Planning Commission meeting. The main reason the item was continued was because of the proposed road location in relation to the driveway to the neighboring property to the north owned by Tom and Sarah Christensen. Since the Planning Commission meeting, the applicant, staff, and Tom have met and discussed the issue, and several potential solutions were considered. After considering the options, the applicant has decided to relocate the proposed subdivision road to the south by 40' to create the distance required by the code. The developer has

submitted updated plans to reflect this change. Also, the bulb of the proposed cul-de-sac has been adjusted so that lot 18 in the Swiss Farm subdivision is now not double fronted. Finally, the issue of the fill that has been deposited on site and determining natural grade has been addressed. The developer, monitored by Midway's engineering inspector, will dig several test pits on the three lots where the fill has been deposited to determine natural grade. The elevation of natural grade will be placed on the plat and future owners will submit elevation certificates for future building permits based on that information to comply with the maximum height limitation of 35' measured from natural grade.

The following is the original staff report (updated) from the October 8, 2024, Planning Commission meeting:

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, 8' 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 have 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 has addressed this issue by modifying the proposed plan so that lot 18 in Swiss Farms is now not double fronted.

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. The applicant has addressed this issue by moving the proposed subdivision road to the south by 40'.

WATER BOARD RECOMMENDATION:

The Water Board reviewed this item during their meeting on November 4, 2024, and recommend 13.22 acre feet is dedicated to the City based on the following formula:

- 4.65-acre parcel (202,554 sq. ft.)
- 3.55-acres within lots
 - Impervious area for dwellings, accessory structures, hard surfaces
 - 1.28 acres (56,000 sq. ft.)
 - Park Strip acreage
 - 0.27 acres (12,093 sq. ft.)
 - Irrigated acreage
 - 2.54 acres (110,642 sq. ft.) x 3 = 7.62 acre feet
- 7 culinary connections for dwellings
 - 5.6 acre feet
- Total = 7.62 + 5.6 = 13.22 acre feet

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. Natural grade must be established and placed on the plat to determine the maximum height of future structures.
2. The developer contributes \$6,825 to the trails fund that will help build the bike lanes along Pine Canyon Road at a future date.

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Orme • Jeffery Drury
J.C. Simonsen • Craig Simons
Kevin Payne



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Fax: 435-654-4120
midwaycityut.org

October 15, 2024

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

Subject: Kastle Court Development – Preliminary Review

Dear Michael:

The Midway Engineering department recently reviewed the above development plans for Preliminary Approval. The proposed development is located near 800 North Pine Canyon Road. The entire development is 4.62 acres and contains 7 lots. A geotechnical report should be submitted prior to Final approval. The following comments should be addressed with Final approval.

Water

- The proposed development will be served from the Gerber Mahogany Springs zone.

Irrigation

- Each lot will be served by pressurized irrigation.

Roads

- A cul-de-sac will be installed within the development with a connection to Pine Canyon Road.
- Curb-gutter and sidewalk will be installed within the proposed development.

Trails

- No trails will be installed within the development. However the developer will contribute \$6,825.00 to the trail fund. This trail fund may install bike lanes along Pine Canyon Road

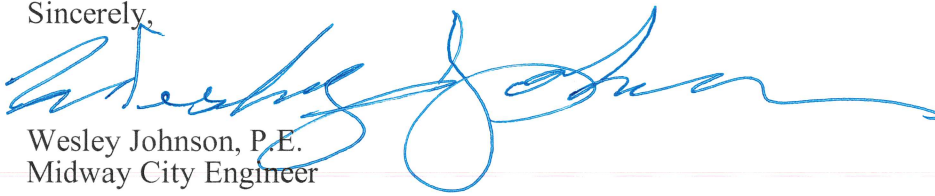
Storm Drain

- The storm drain system within this development will be public, with the details submitted and approved during the Final approval.

Sewer

- Preliminary & Final Approval must be received from Midway Sanitation District Board prior to installing sanitation infrastructure. The applicant should contact Becky Wood, with the Midway Sanitation District to apply for an application to be on the District's Board meeting agenda.

Sincerely,



Wesley Johnson, P.E.
Midway City Engineer

cc: John Money Developer, johnacemoney@gmail.com (sent via email)

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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Kastle Court Subdivision Preliminary Approval

October 8, 2024

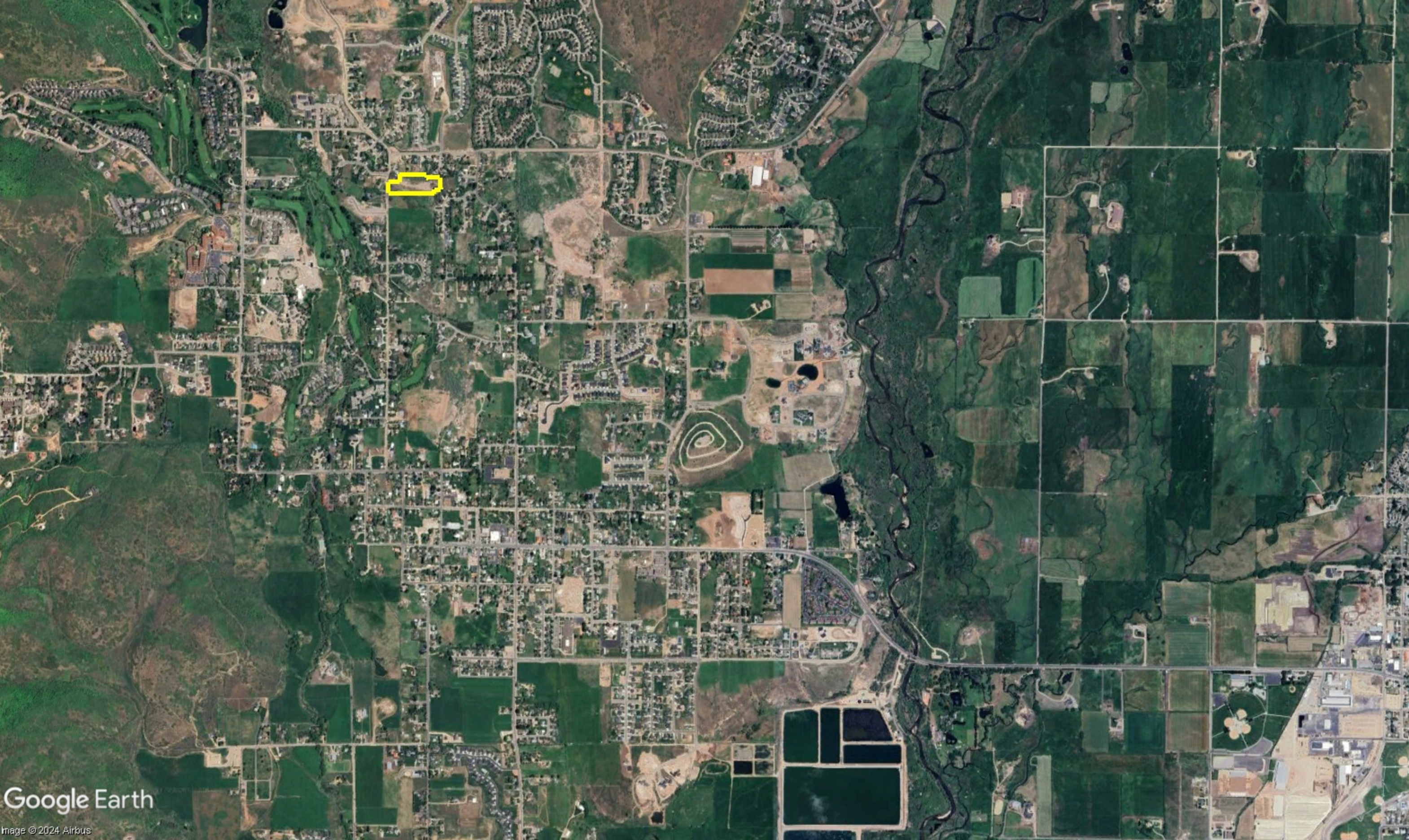
Michael Henke Midway City Planning Director,

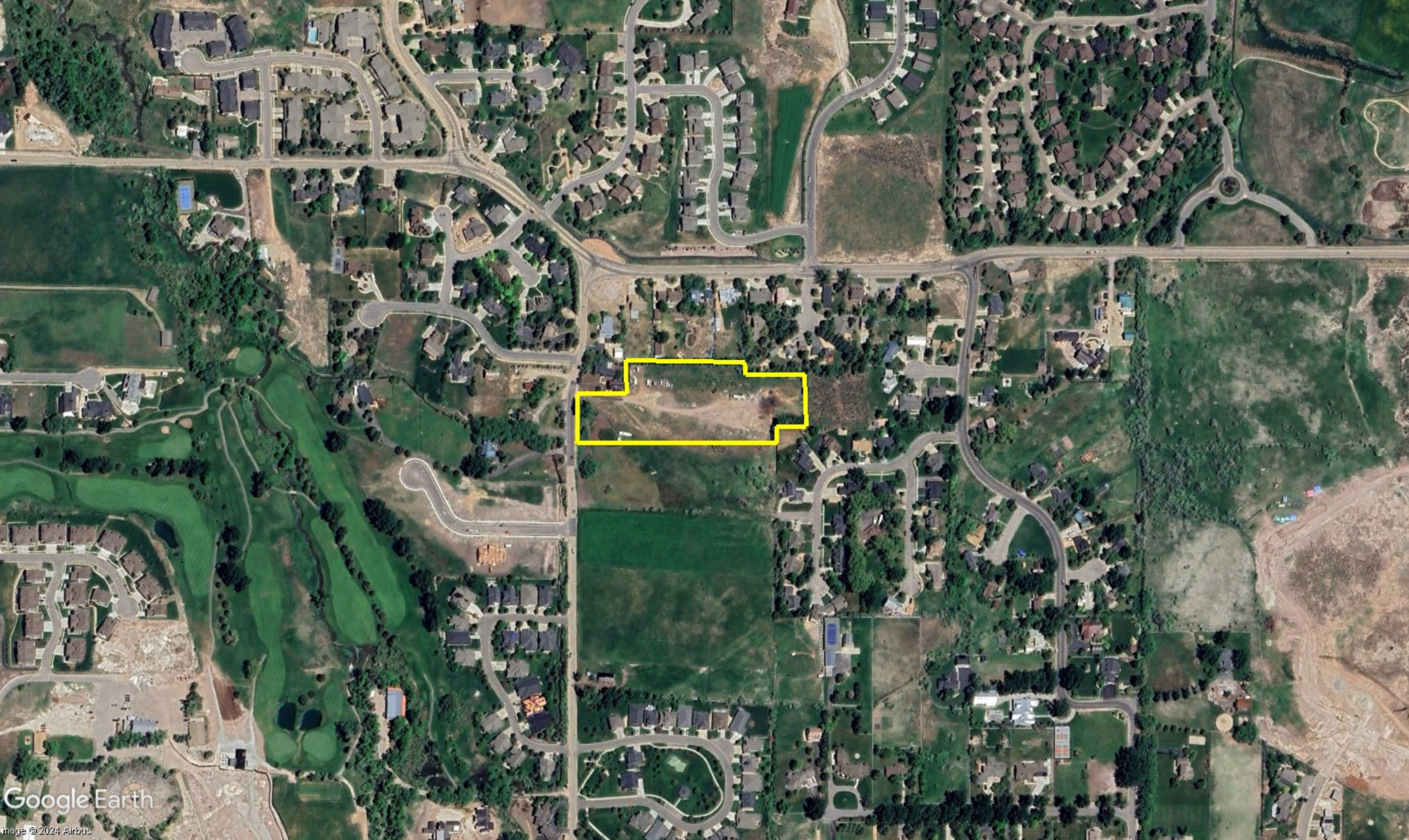
I have reviewed the plans for Kastle Court Subdivision for compliance with the 2021 International Fire Code (2021 IFC).

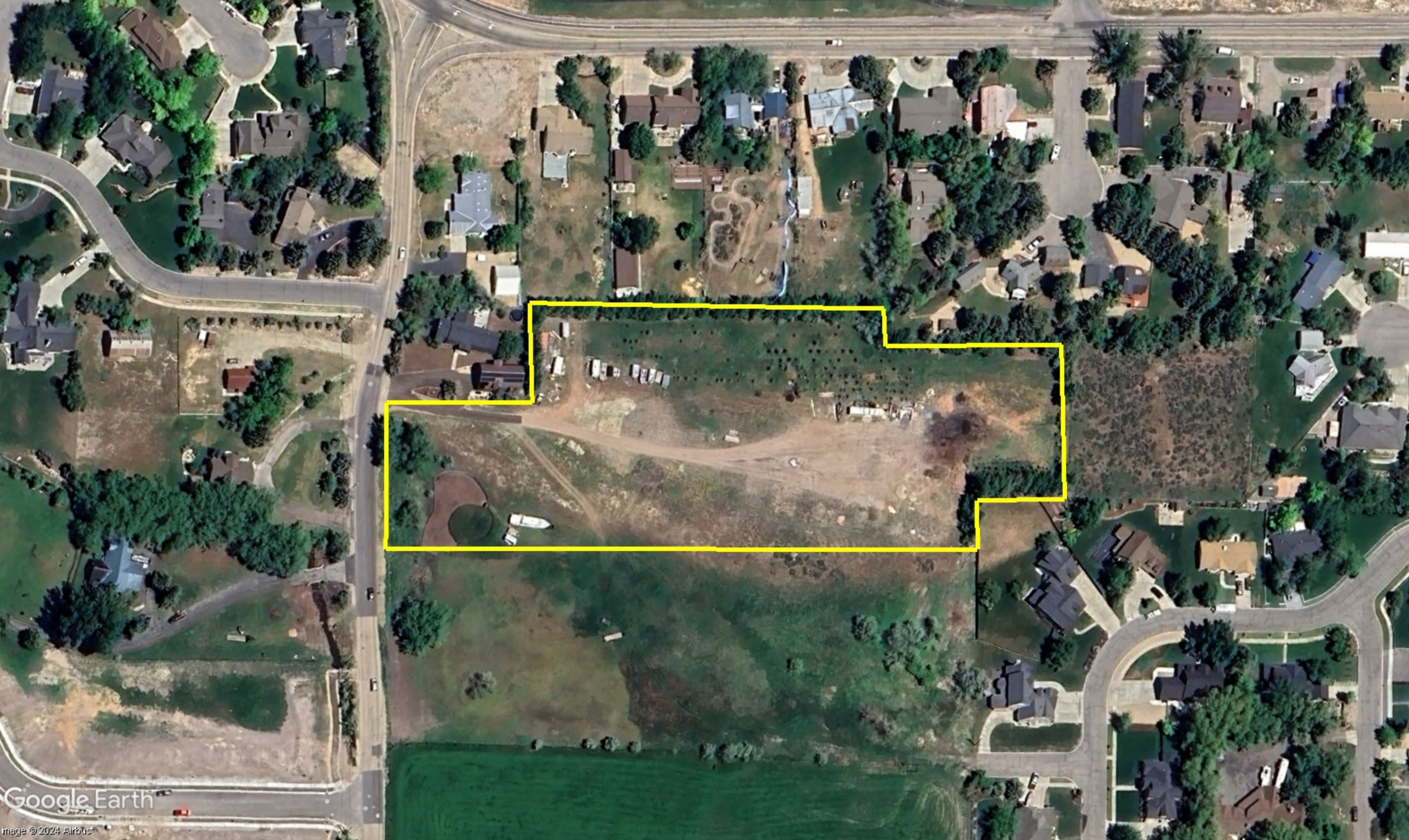
I will perform a final approval fire review of the Kastle Court Subdivision plans and provide another letter recommending final approval, prior to final approval.

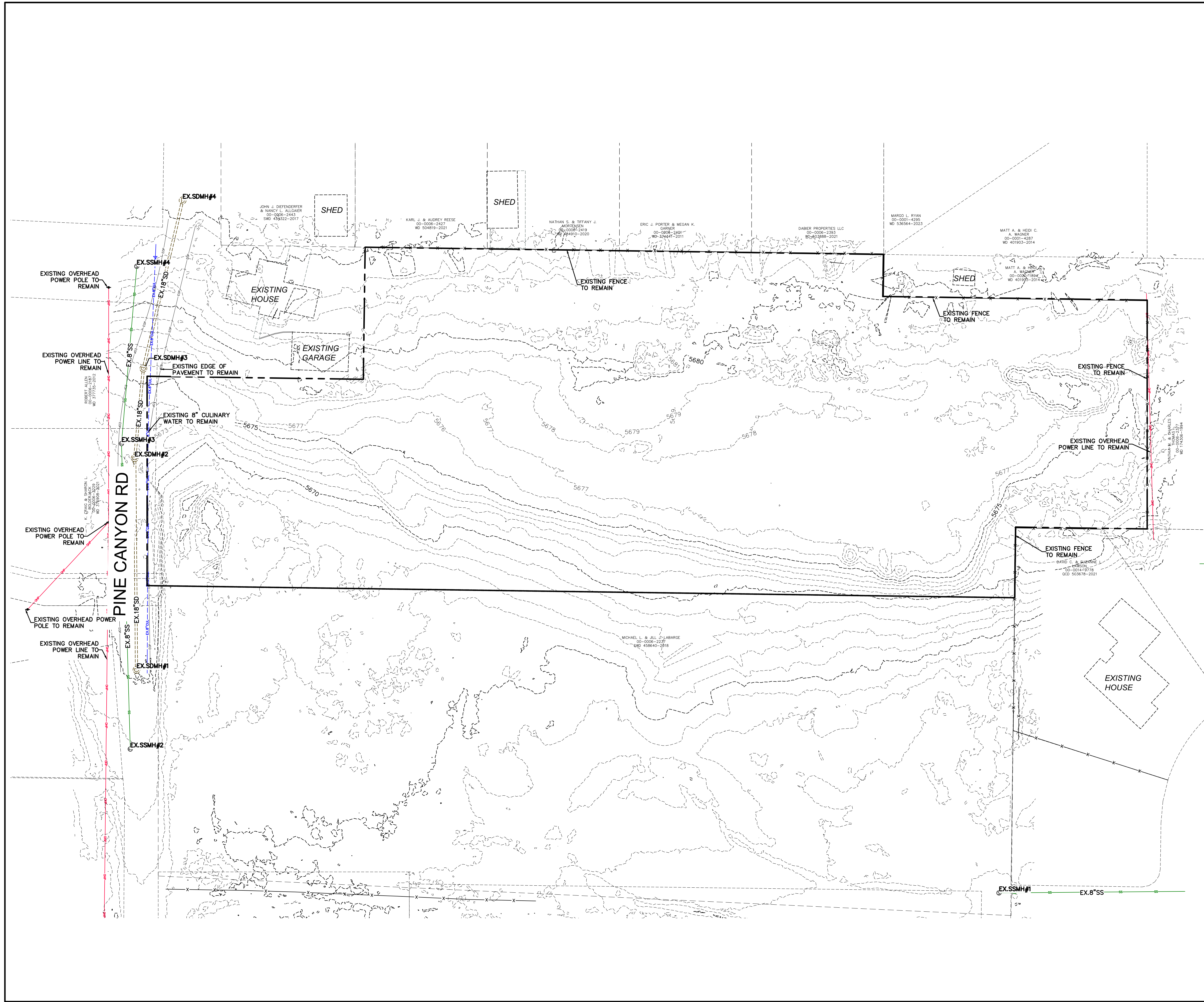


Tex R. Couch CBO/MCP
Midway City Building Official/Fire Marshal
75 West 100 North
Midway, Utah 84049
tcouch@midwaycityut.org
(435)654-3223 Ext. 107

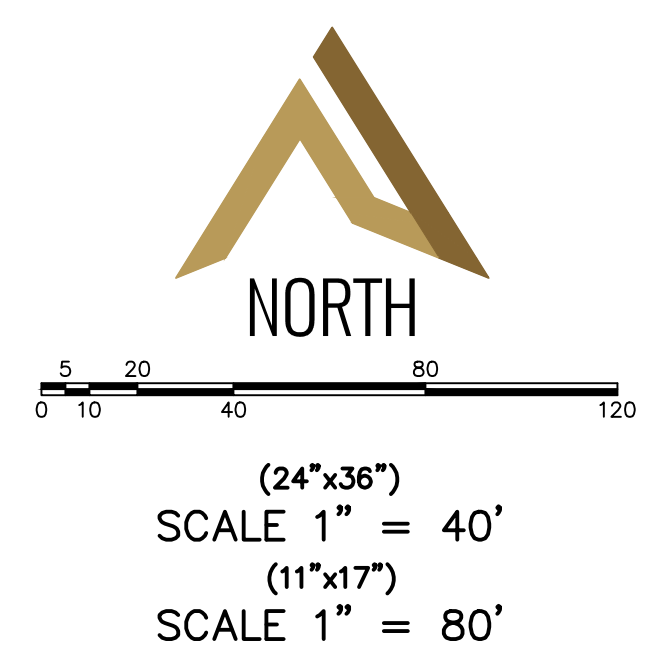








- LEGEND**
- EXISTING POWER POLE
 - PROPOSED STREET LIGHT
 - EXISTING FIRE HYDRANT
 - EXISTING WATER VALVE
 - EXISTING STREET LIGHT
 - EXISTING SIGN
 - PROPOSED FIRE HYDRANT
 - PROPOSED WATER VALVE
 - PROPERTY BOUNDARY
 - CENTERLINE
 - RIGHT-OF-WAY LINE
 - LOT LINE
 - SECTION LINE
 - EASEMENT
 - EXISTING DEED LINE
 - 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



PINE CANYON DEVELOPMENT

EXISTING TOPOGRAPHY

MIDWAY, UTAH

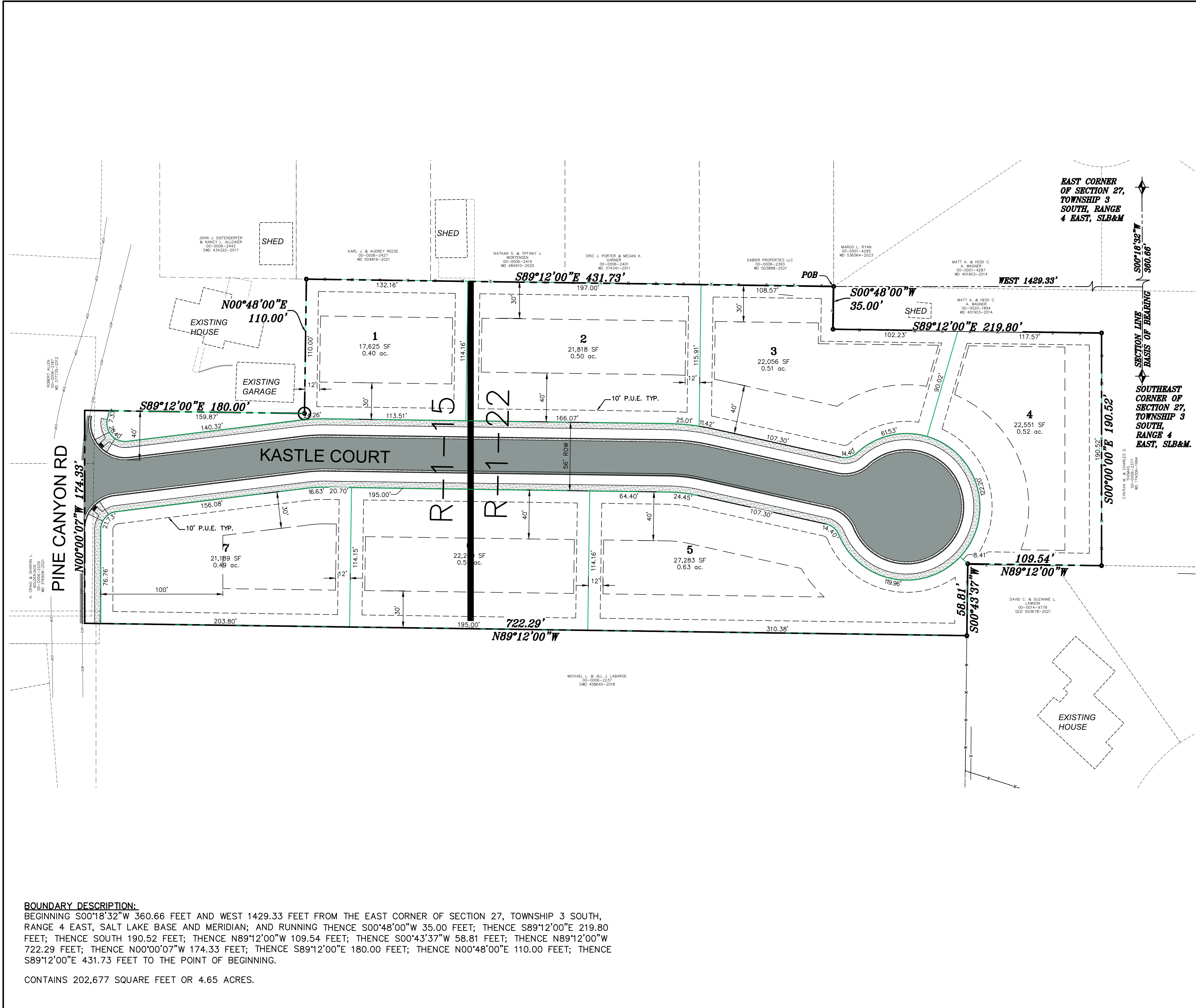
ATLAS ENGINEERING
 CIVIL · STRUCTURAL · SURVEY

PHONE: 801-555-6565
 946 E. BOON SUITE A
 SPANISH FORK, UT 84660

C:\USERS\A.BELPIVO\ONEDRIVE - ATLAS ENGINEERING\1.0 OPERATIONS\1.1 - CIVIL\2024\24-040 PINE CANYON DEVELOPMENT\MIDWAY\CADD\PRELIMINARY\04-EXISTING TOPOGRAPHY.DWG

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SHEET NO. **4**



VICINITY MAP
-NTS-

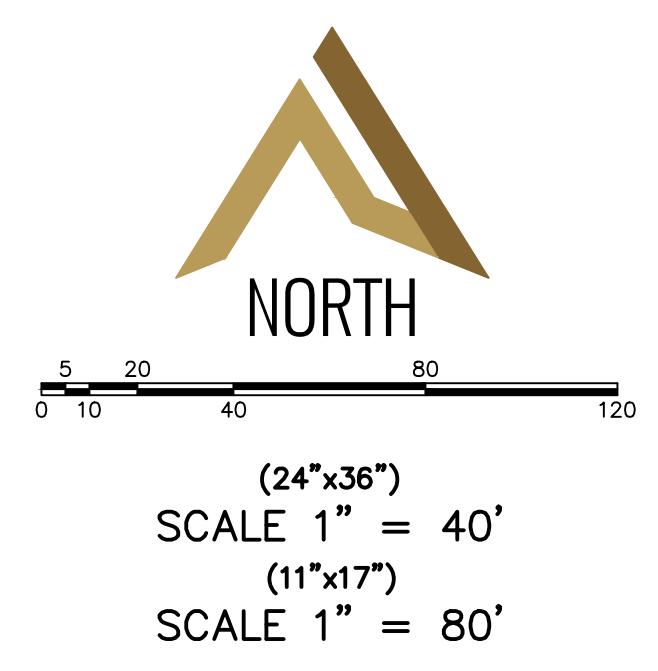
LEGEND

- FOUND SECTION CORNER
- 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 =3.55
 ACERAGE OF ROW =1.10
 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.

SHEET NO.
1

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12			
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CONCEPT SITE LAYOUT
MIDWAY, UTAH

KASTLE COURT
ATLAS ENGINEERING
 CIVIL · STRUCTURAL · SURVEY

PHONE: 801-555-4555
 946 E. BOON SUITE A
 SPANISH FORK, UT 84603

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