

Midway City Planning Commission Regular Meeting Minutes December 11, 2018

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 7:00 p.m., December 11, 2018, at the Midway City Community Center
160 West Main Street, Midway, Utah

Attendance

Jim Kohler — Chairman
Kevin Payne— Vice Chairman
Jeff Nicholas
Nancy O'Toole
Natalie Streeter
Rob Bouwhuis

Staff

Michael Henke — City Planner
Melannie Egan — Admin. Assistant
Wes Johnson — City Engineer
Celeste Johnson - Mayor

Excused

Jason Jenkins
Bill Ream

7:00 P.M. Regular Meeting

Call to Order

- Welcome and Introductions; Opening Remarks or Invocation; Pledge of Allegiance
 - o Invocation was given by Chairman Nicholas
 - o Chairman Kohler led the Pledge of Allegiance

Item: 1

Review and possibly approve the Work Meeting and Planning Commission Meeting Minutes of November 13, 2018.

Motion: Commissioner Streeter: I move that we approve the Planning Commission meeting minutes on November 13, 2018 with the corrections given to Melannie.

Seconded: Commissioner O'Toole

Chairman Kohler: Any discussion the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners: Streeter, Bouwhuis, Payne, Nicholas and O'Toole

Nays: None

Motion: Passed

Item 2:

Steve Eddington, agent for Legacy Homestead LLC, is requesting Preliminary Approval for a large-scale 4-lot subdivision known as the Homestead Villas (Phase 1 of the Homestead Resort Master Plan) on 1.81 acres. Three lots are located at the intersection of Bayhill Drive and Fairway Drive and the final lot is located near the cul-de-sac on Mountain Springs Drive. The

property is in the R-1-15 zone.

Planner Henke gave a presentation

The original shows a driveway that connected all 4 lots and the new proposal does not show that driveway. However, they do have access.

Potential for damage to the home's lots 3 and 4 especially, we are recommending landscaping

Land use Summary

1.81 acres

4 lots

Plat A access through The Links **PUD**

Lot 1 — 14,572 sq. ft.

Lot 2— 13,947 sq. ft.

Lot 3 — 13,605 sq. ft.

Plat B — access through the Mountain Springs **PUD** and Swiss Creek PUD

Lot 4 — 26,968 sq. ft.

Water Recommendation:

Motion: Irrigation Member Steve Farrell made a motion to reaffirm the motion made October 6, 2008 that Homestead Villas is required to turn in 2.5 shares of water or 7.5-acre feet for four (4) single family homes. Council Member Dick Hines seconded the motion and it was carried unanimously.

Possible Findings

The Homestead Trail is required as part of Phase **1** of the Homestead master plan

The Homestead Trail will be public and is a key component of the City's Master Trail Plan

The proposal is part of the Homestead's entitled master plan

Recommended Conditions

Frontage trail will be built concurrently with the shared driveway in the Homestead Villa Phase 1 (plat one)

A note on the plat is included that gives notice of errant golf balls and the potential safety and damage that could occur because of this hazard. The note will also reflect that sturdy construction materials are recommended that will withstand errant golf balls.

Trees take a long time to grow and until the trees are large enough to help stop the golf balls and could they put up some netting in the meantime.

Water requirements could be less and the current recommendations.

What are the reasons for not finishing the road or the driveway?

Paul Berg stated that the reason is that lot 4 already has frontage with the existing cul-de-sac.

It was recommended that on the driveway because of erosion issues that they should put curb and gutter on both sides of the road.

Paul Berg stated that on behalf of the owners that the original master plan was approved in

2008, re applied 2013 and lapsed again just last week and now they are back to resubmit,

Paul Berg explained how the access of the roads came to be by giving the Links some land, so they could meet the open space requirements.

Wes Johnson stated that it is not the cities job to protect you from golf balls. Buyer beware. The owner could have an option to put a net up, but the city would not be responsible.

Motion: Commissioner Bouwhuis: I make a motion to approve the Homestead Villas, Phase 1 of the Homestead Resort Master Plan, for the preliminary approval of the large-scale, 4-lot subdivision known as the Homestead Villas as recommended by staff findings. With the following conditions, that the Homestead frontage trail will be built concurrently with the shared driveway in the Homestead Villa Phase 1 (plat one), and a note on the plat is included that gives notice of errant golf balls and the potential safety and damage that could occur because of this hazard. The note will also reflect that sturdy construction materials are recommended that will withstand errant golf balls.

Seconded: Commissioner O'Toole

Chairman Kohler: Any discussion on the motion?

Chairman Kohler: All in favor.

Ayes: Commissioners: Streeter, Bouwhuis, Payne, Nicholas and O'Toole

Nays: None

Motion: Passed

Item 3:

Midway City is proposing a Code Text Amendment of Midway City's Land Use Code of Title 16.13.10 regarding restrictions for transmission lines. The City would like to adopt restrictions that would govern the height and other items for transmission lines build in the city.

Planner Henke gave a presentation

Code Proposal

Adopt a code for transmission power lines

Concerns must be addressed

- Need for the new lines

- Redundancy

- Amount of power needed for Heber Valley

Resident Concerns

- Aesthetics

- Health

- Property values

- Potential other options (lack of)

New code will only govern new replacement transmission lines

- Lines will only be allowed where they have historically been located

Transmission Lines in Midway

Michael Henke showed slides of where the transmission lines are existing and stated that the existing poles are 65 feet. The Highway 113 poles are 60 feet, 500 South are 65 feet high. He also stated that the poles in Midway are all wooden and that the distance between poles makes a difference in how high the poles are and also the number of poles make a difference in how high the poles are, and more poles mean shorter poles.

Midway General Plan
General Plan considerations
View Corridors 0

Proposed Code

Requires studies
 Environmental impact statement
 Cost of different options
 Visual and aesthetic impacts
 City's discretion of requiring third party review
Public hearings
Option to require lines to be buried
 Cost of different options will be considered
Restrictions of any above ground high voltage transmission power lines
 Restricted to corridors where existing
 Height and span restrictions:

Aesthetic restrictions: Brown or rust colored- no galvanized or other reflective materials shall be used.

Other restrictions as reasonably imposed by the city.

Commissioner Comments:

We should think about bury some of the power lines as it was proven that 10 of the fires in California were started by power lines and because of that we should seriously consider this.

New developments all distribution and communication lines must be buried, and Michael Henke stated that yes that was a fact.

Distribution is in our code.

Public Utilities have certain rights. Transmission line, there is also a safety component

A discussion ensued regarding the accuracy of third-party studies.

Michael Henke stated that the state has the power to override our ordinance.

Chairman Kohler opened the meeting to public comment

Earl Noriss- Lives in the Cascades: Stated that he and others don't want regional transmission lines, that brings power from Wyoming through Heber Valley to Utah County.

Don Muster in the Cascades: Works for an energy company. He stated that they had to use third party studies. Any project should be required to do a third party and then take those studies and have them reviewed. Also, he stated that we should require all lines to be buried, it is costly but is not as costly as sometimes projected.

BJ Johnson-Stringtown Road- Examine the purpose of the line and analyze what the long-term goal of the third party is and does it align with this community. The lines are on 970 S and we let our control to third parties that have

Chairman Kohler closed the meeting to public comment

Proper noticing could be an issue. Add proper noticing to all affected within 600 feet of the actual line.

To state in the code that all new lines be buried, we would be obligated to pay the difference of the cost. If the city is requiring bury the line, then the city would be required to pay the difference.

Require the distribution and communication lines to be buried and could just added with another paragraph in the code.

Motion: Commissioner Streeter: I move that we recommend to the City Council, the approval of code text amendment Midway City's Land Use Code of Title 16.13.10 regarding restrictions for transmission lines. With the following changes, under the heading A that it would state that third party, paid for by the applicant and independent studies. In B- noticing requirement of 600 foot on either side of proposed transmission lines. And then on B-2 city require distribution and communication lines to be buried, maintain the option for transmission lines subject to City Attorney review and Sub 3 remove the brown or rust color options.

Seconded: Commissioner O'Toole

Chairman Kohler: Any discussion on the motion?

Chairman Kohler: All in favor.

Ayes: Commissioners: Streeter, Bouwhuis, Payne, Nicholas and O'Toole

Nays: None

Motion: Passed

Item 5:

Adjournment: Commissioner Nicholas

Second: Commissioner O'Toole

Motion: Streeter, Bouwhuis, Payne, Nicholas and O'Toole

9:00 pm

