

Midway City Planning Commission Regular Meeting Minutes February 11, 2020

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 6:00 p.m., February 11, 2020, at the Midway City Community Center
160 West Main Street, Midway, Utah

Attendance

Jim Kohler
Bill Ream
Natalie Streeter
Jeff Nicholas
Jon McKeon
Michelle Crawford
Craig Simons
Rob Bouwhuis

Staff

Michael Henke – City Planner
Melannie Egan – Admin. Assistant
Wes Johnson – City Engineer
Brad Wilson – City Recorder

Excused

Heather Whitney

6:00 P.M. Regular Meeting

Call to Order

- Welcome and Introductions; Opening Remarks or Invocation; Pledge of Allegiance
 - Invocation was given by Commissioner Nicholas
 - Chairman Kohler led the Pledge of Allegiance
 - Swearing in of new Planning Commissioners

Item 1:

Review and possibly approve the Planning Commission Meeting Minutes of January 14, 2020

Motion: Commissioner Ream: I make a motion to approve the regular planning commission minutes of January 14, 2020.

Seconded: Commissioner Streeter

Chairman Kohler: Any discussion the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners: Streeter, Ream, Nicholas, McKeon, Bouwhuis

Nays: None

Motion: Passed

Item 2:

The State of Utah is petitioning for annexation of 349.7 acres that is part of the Wasatch Mountain State Park. The property is located along Warm Springs Road and Pine Canyon Road and includes the Wasatch Mountain State Park Visitor's Center, campground, and part of the golf course. The proposed zoning for the property is P-160 (Preservation 160 acres).

Planner Henke gave a presentation

Land Use Summary

- 349.7 acres
- County zoning: P-160
- Proposed Midway zoning: P-160
- Includes campground, visitors center, and part of golf course
- Includes Warm Springs Road and some of Pine Canyon Road
 - City will be responsible for maintenance of both roads

Midway Growth Boundary

- Reason for the proposal

Continue to charge the resort tax

Tax can be levied if a communities' "transient room capacity" is greater than 66% of its census population

In fiscal year 2019, this tax provided almost \$685,877 or 15% of the City's general fund revenue

Since 2006 the City has received almost \$6.13 million in revenue from the tax

This tax allows the City to keep other taxes lower for the residents of Midway

Proposed Findings

- Annexing the campground into the City limits will help the City to continue to collect the resort tax which is beneficial to all residents of Midway.
- The State is agreeable to the proposal and has worked with the City so that annexation can occur.
- Wasatch County Council has agreed to the annexation.
- The proposal is a legislative action.

Comments and Questions

There was a short discussion regarding the amount of campground units. Michael Henke didn't have the exact number on hand, but explained it was a lot and would help Midway very much. Rob Bouwhuis stated that more people go to a campground over renting a hotel room.

Motion: Commissioner Ream: I make a motion to recommend approval of annexation of 349.7 acres that is part of the Wasatch Mountain State Park. The property is located along Warm Springs Road and Pine Canyon Road and includes the Wasatch Mountain State Park Visitor's Center, campground, and part of the golf course. The proposed zoning for the property is P-160 (Preservation 160 acres). And that we approve the staff report and staff findings

Seconded: Commissioner Streeter

Chairman Kohler: Any discussion the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners: Streeter, Ream, Nicholas, McKeon, Bouwhuis

Nays: None

Motion: Passed

Item 3:

Matthew and Chelsea Jory are requesting a Conditional Use Permit for a mixed-use development that will include a business and a residence. The property is located at 17 South and 580 East and is in the C-2 zone.

Planner Henke gave a presentation

Land Use Summary

- 0.32 acres
- C-2
- Mixed-use allowed as a conditional use
- Proven Moto
- Repair shops (other than auto) (no outside storage)
- Located in lot 1 of the Midway Lane subdivision

Mixed Use Requirements

- Door facing Main Street
- Mixed-use projects require that 20% of the gross floor area of all structures is deed restricted as commercial.
 - Dwelling sq. ft. is 3,598
 - Proposed commercial structure will be 1,200 sq. ft.
 - Combine equals 4,798 sq. ft.
 - Required area that must be deed restricted is 960 sq. ft.
- Parking must be located to the rear or side of the main structure. The applicant has proposed parking to the side of the proposed commercial structure. Staff has worked with the applicant to try to remove as much hard surface as possible from the parking area that will allow more landscaping and improve the view of the property from Main Street.

VAC Motion

Member Elizabeth Crittenden: I move that we recommend approval of the proposal for Proven Moto located at 17 S 580 E in the C2 zone due to the following:

- The business is of a small size and was reduced to 1,200 square feet.
- The business is adjacent to the home and appears more like an accessory building.
- The business is visually consistent with the existing single-family dwelling architecture and design.
- The home has a metal roof and having the metal roof on the business is consistent.
- We acknowledge that a change in the roof would also be a hardship for the applicants

due to the builders do not have a different roof alternative and doing so would require the applicants to sub out a roof separate from the one included in the cost of their building.

Possible Findings

- The proposed use is a conditional use in the C-2 zone.
- The proposal is consistent with the vision of the General Plan for Main Street.

Comments and Questions

There was a discussion regarding a use change to the business. Michael explained that if it changed to an ice cream shop, the new use or owners would not need to come back to the commission. However, if the use changed to a bar with liquor, then that would have to come back to the commission and re-submit for a new conditional use permit.

Chelsea Jory gave a presentation about her business and explained about the possibility of noise. She stated that they have never had a complaint about noise, and they have been in their business in Charleston for seven years, where they share walls with accountants and engineers. She also stated that they will be adding noise barriers to help mitigate any noise potential.

There was a question regarding about client's test driving down the street or if they ride their motorcycle to the shop and drive it out. Chelsea stated that most bikes are trailered in and not driven as they are not street legal. She stated that none of her customers do that now as they specialize in off road dirt bikes.

There was a discussion about backing a trailer into the parking lot and Wes Johnson stated that it would have to be done from the street and the road is one of the wider streets and is wide enough for it to be done. He anticipated no problems with that maneuver.

There was a discussion regarding the metal roof and the code and why the VAC approved the metal roof. Michael Henke stated that the code states that it is a guideline and not a "shall" not have a metal roof. He also stated that the business roof matches the home located on the property.

Motion: Commissioner Streeter: I make a motion that we approve a Conditional Use Permit for a mixed-use development that will include a business and a residence. The property is located at 17 South and 580 East and is in the C-2 zone. That we include the VAC recommendation and staff report and findings with no other conditions.

Seconded: Commissioner Nicholas

Chairman Kohler: Any discussion the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners: Streeter, Ream, Nicholas, McKeon, Bouwhuis

Nays: None

Motion: Passed

Item 4:

Berg Engineering, agent for Watts Enterprises, is requesting Final Approval for phases 2 and 3 of Watts Remund Farms Planned Unit Development. The proposal is for 41 single-family dwelling units located on 21.58 acres. The proposal is located at 200 East 600 North and is in the R-1-15 zone.

Land Use Summary

- R-1-15 zoning
- 21.49 acres
- 15.71 acres of open space
- Planned Unit Development
- Proposal contains 58 building pads

Phase 2 – 17.96 acres – Units 40-52, 59-60, 69-76, 84-87

Phase 3 – 3.53 acre – Units 53-58, 61-68

- Private roads will be maintained by the HOA
- The lots will connect to the Midway Sanitation District sewer and to the City's water line.
- 6' paved public trail is planned to run north and south through the length of the property, another privately maintained trail with public access will run along the southern and eastern boundaries. Other trails in the phases will be private with no public easement.
- Sensitive lands of the property include wetlands, and stream corridors

Site Studies

- Phase 1 Environmental Study
- Surface Water Sampling Results
- Hydrology Study
 - to be completed over the coming years
- Wetlands Study
- Traffic Analysis
- Geotechnical Study

Waterboard Recommendation

- The Water Board recommended the following water is required per phase:

Phase 2: 45.38-acre feet

Inside 22.40 (includes clubhouse connection)

Outside 22.98

Phase 3: 16.45-acre feet

Inside 11.2

Outside 5.25

Possible Findings

- The proposed plan does meet the requirements of the code for PUDs.
- The public trail system in the development will benefit the entire community by creating a trail away from collector roads.

- The proposal does comply with the approved master plan.

Comments and Questions

There was a question regarding runoff. Wes Johnson clarified that at the bottom of phase 4 there is a ditch and a basin and is not concerned about runoff, especially when the infrastructure is in place with sidewalks and gutters the water will be very controlled.

There was a conversation regarding the trails and the types of surface. Some of the trails will be slag and some will be hard surface.

Motion: Commissioner Nicholas : I make a motion that we recommend approval of Final Approval for phases 2 and 3 of Watts Remund Farms Planned Unit Development. The proposal is for 41 single-family dwelling units located on 21.58 acres. The proposal is located at 200 East 600 North and is in the R-1-15 zone. We also accept the staff report and the staff findings.

Seconded: Commissioner Ream

Chairman Kohler: Any discussion the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners: Streeter, Ream, Nicholas, McKeon, Bouwhuis

Nays: None

Motion: Passed

Item 5:

Berg Engineering, agent for Probst Higley Developers LLC, is requesting a Master Plan amendment of Scotch Fields Planned Unit Development which includes four phases. The proposal is to create two phases out of phase 4 which, would bring the overall number of phases in Scotch Fields to five. The number of units, location of units, location of open space and roads do not change with this amendment. The property is located at 1300 North Canyon View Drive and is in the RA-1-43 zone.

Land Use Summary

- RA-1-43 zoning
- 50.01 acres

Current phase 4 – 16.55 acres

Proposed phase 4 – 13.69 acres

Proposed phase 5 – 2.86 acres

Planned Unit Development

- Development contains 89 building pads (PUD)
- Public roads maintained by the City include Canyon View Road and Canyon View Lane
- Private roads maintained by the HOA include Jerry Gertsch Lane and West Canyon View Lane
- The lots will connect to the Midway Sanitation District sewer and to the City's water line.
- Sensitive lands on the property include wetlands, sloped areas greater than 25%, stream corridor and wildlife habitat
- Four phases

Phase I – 17 units
Phase II – 24 units
Phase III – 11 units
Phase IV – 37 units

- Proposed phasing

Phase I – 17 units
Phase II – 24 units
Phase III – 11 units
Phase IV – 29 units
Phase V – 8 units

Water Recommendation

- Phase 3

11 Units ($11 \times 0.8 = 8.8$ -acre feet)
2.7 irrigated acres ($2.7 \times 3 = 8.1$ -acre feet)
Phase 3 total: **16.9-acre feet**

- Phase 4

29 Units ($29 \times 0.8 = 23.2$ -acre feet)
7.5 irrigated acres ($7.5 \times 3 = 22.5$ -acre feet)
Phase 4 total: **45.7-acre feet**

- Phase 5

8 Units ($8 \times 0.8 = 6.4$ -acre feet)
7.5 irrigated acres ($1.18 \times 3 = 3.54$ -acre feet)
Phase 5 total: **9.94-acre feet**

Possible Findings

- The proposed master plan appears to meet the requirements of the code
- The number of phases will increase from four to five
- The proposed amendment does comply with current code requirements for phasing
- Amending the master plan is discretionary and the City is under no obligation to approve the proposal even if it complies with the land use code

Comments and Questions

There was a question asked about motivation regarding the fifth phase. Michael Henke did state that the motivation is taxes. Paul Berg clarified that the fifth phase is mostly due to business partnership needs.

There was a discussion regarding staff work and Michael stated that the fees would be determined through City Council.

There was a discussion about traffic and Interlaken.

Motion: Commissioner Streeter: I make a motion that we recommend approval the Development Agreement amendment of Scotch Fields Planned Unit Development which includes four phases. The proposal is to create two phases out of phase 4 which, would bring the overall number of phases in Scotch Fields to five. The number of units, location of units,

location of open space and roads do not change with this amendment. The property is located at 1300 North Canyon View Drive and is in the RA-1-43 zone. We also accept staff report and findings and add no conditions.

Seconded: Commissioner Ream

Chairman Kohler: Any discussion the motion?

Commissioner Bouwhuis stated that he did not like that having the one single island lot that is in the proposal

Chairman Kohler: All in favor.

Ayes: Commissioners: Streeter, Ream, Nicholas, McKeon

Nays: Bouwhuis

Motion: Passed

Adjournment:

Motion: Commissioner Nicholas: I motion to adjourn

Second: Commissioner McKeon

7:50 pm

Chairman – Jim Kohler

Admin. Assistant – Melannie Egan