

## Midway City Planning Commission Regular Meeting Minutes September 10, 2019

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 6:00 p.m., September 10, 2019, at the Midway City Community Center 160 West Main Street, Midway, Utah

### Attendance

Jim Kohler – Chairman  
Bill Ream  
Rob Bouwhuis  
Natalie Streeter  
Heather Whitney

### Staff

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

### Excused

Jon McKeon  
Jeff Nicholas  
Kevin Payne- Vice Chairman

### 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

#### Item 1:

Review and possibly approve the Planning Commission Meeting Minutes of August 13, 2019.

**Motion:** Commissioner Bouwhuis: I make a motion to approve the regular planning commission minutes of August 13, 2019 with the minor corrections.

**Seconded:** Commissioner Streeter

**Chairman Kohler:** Any discussion the motion?

**There was none**

**Chairman Kohler:** All in favor.

**Ayes:** Commissioners: Ream, Bouwhuis, Streeter, Whitney

**Nays:** None

**Motion: Passed**

#### Item 2:

Mike Johnston of Summit Engineering Group, agent for Tom and Lynn Walker, is requesting preliminary/final approval of Walker Farm, a rural preservation subdivision. The proposal is for a

1-lot subdivision on 7.89 acres. The property is located at about 500 West Main Street and is in the RA-1-43 zone.

## **Planner Henke gave a presentation**

### **Land Use Summary**

- RA-1-43 zoning- one acre minimum size lot
- 7.89-acre parcel
- Proposal contains one lot
- Access from Main Street
- The lot will have a septic tank, connect to Midway City's culinary water line, and Midway Irrigation Company's secondary water line

### **Points of Discussion**

- FEMA Floodplain
- Water connection and service
- Trails
- Deed restriction

### **Possible Recommendation**

- 7.89-acre parcel
  - Area of parcel
    - 343,688 sq. ft.
  - Impervious area for parcel
    - 8,000 sq. ft.
  - Irrigated lot area
    - 7.7 acres (343,688 – 8,000)
  - Historic Irrigated lot area (5 acres)
    - 4.82 acres (217,800 – 8,000)
  - Total irrigated acreage
    - $7.7 \times 3 = 23.1$ -acre feet
  - Total historic irrigated acreage
    - $4.82 \times 3 = 14.5$ -acre feet

1 culinary connection

- 0.8-acre feet
- 23.9-acre feet requirement

### **Proposed Findings**

- The proposal does meet the intent of the General Plan for the RA-1-43 zone
- The proposal does comply with the land use requirements of the RA-1-43 zone
- The proposal does comply with the requirements for the Rural Preservation Subdivision code

## Proposed Conditions

- Access is finalized before plat is recorded
- Details to the public trail and easement with pedestrian bridge are finalized before the plat is recorded
- Percolation test is approved by the County Health Department before the plat is recorded

## Comments and Questions

Commissioner Ream asked about the trail and if it would be built, Michael explained that they do have the money from the Ray Farm and is anticipating that the trail could be built now and not just have the funds for later. And this trail would be very desirable for the community.

Michael Henke explained where the trail corridor would go and across the river so the trail would be both on both the west and east side of the river.

Commissioner Streeter stated that she was concerned about the road being a driveway and Michael explained. Wes Johnson also stated that it would be possible to limit access for parking on the driveway/driveway in the subdivision and provide parking on the main part of Main Street.

There was a discussion regarding paving and graveling this trail system and perhaps the possibility to stretch the funds and that because this is a rural preservation subdivision, it seems that a gravel trail would be more appropriate for this type of trail use instead of a paved asphalt trail.

Michael Henke talked about the water, water tables and how it is calculated. Wes Johnson explained about what is needed and then it is up to the landowner to provide.

Commissioner Bouwhuis asked if the owner would be willing to provide a few parking stalls available at the end of the drive instead of 4<sup>th</sup> west and main street. Commissioner Ream stated that he had walked the trail and it was too narrow to park and it is not the intent of the trail to provide public parking access.

Commissioner Whitney stated that she was worried about not having a stop sign. Wes Johnson explained that there was a stop sign there at one time and there were so many complaints that the city relocated it. But it could be something that the traffic committee could investigate.

Matt Johnston talked about the trail and the existing timber bridge and the desire to use it strictly as a pedestrian trail bridge. He stated that he liked the idea of taking the money and building the trail all at once instead of piece it together.

There was a discussion regarding nailing down the access. Matt Johnston agreed and is willing to do that before City Council.

**Motion:** Commissioner Ream: I make a motion to recommend approval to City Council preliminary/final approval of Walker Farm, a rural preservation subdivision. The proposal is for a 1-lot subdivision on 7.89 acres. The property is located at about 500 West Main Street and is in the RA-1-43 zone. Incorporate the finding of staff and that we accept the conditions listed in the staff report that access is finalized before plat is recorded, details to the public trail and

easement with pedestrian bridge are finalized before the plat is recorded, Percolation test is approved by the County Health Department before the plat is recorded and that road base be used instead of asphalt for this trail. Also, that the waterboard requirement will be met before the plat will be required.

**Seconded:** Commissioner Streeter

**Kohler:** Any discussion the motion?

**There was none**

**Chairman Kohler:** All in favor.

**Ayes:** Commissioners: Streeter, Ream, Bouwhuis, Whitney

**Nays:** None

**Motion: Passed**

### **Item 3:**

Russ Watts is proposing a plat amendment of Watts Remund Farms Planned Unit Development Phase 1. The amendment is to relocate unit 22 to the east by 28'. The property is located at 552 North Granary Lane and is in the R-1-15 zone.

### **Planner Henke gave a presentation**

#### **Land Use Summary**

- 15.96 acres
- 11.69 acres of open space
- R-1-15 zoning
- Proposal contains 38 pads (PUD)
- Proposal contains 1 lot
- 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

#### **Proposed Findings**

- The proposal complies with PUD requirements
- No public street, right-of-way, or easement will be vacated or altered

#### **Comments and Questions**

Commissioner Streeter asked about the setback and would that cause any issues? It was explained that it was a plat boundary and does not impede on any setbacks.

**Motion:** Commissioner Streeter: I make a motion that we approve the proposed plat amendment of Watts Remund Farms Planned Unit Development Phase 1. The amendment is to relocate unit 22 to the east by 28'. The property is located at 552 North Granary Lane and is in the R-1-15 zone. To accept the staff findings in the staff report with no other conditions.

**Seconded:** Commissioner Whitney

**Chairman Kohler:** Any discussion the motion?

**There was none**

**Chairman Kohler:** All in favor.

**Ayes:** Commissioners: Streeter, Ream, Bouwhuis, Whitney

**Nays:** None

**Motion: Passed**

#### **Item 4:**

Midway Wrangler Subdivision

#### **Planner Henke gave a presentation**

#### **Land Use Summary**

Wasatch School District is requesting preliminary approval of the Midway Wrangler Subdivision on property owned by Corporation of the Presiding Bishop. The proposal is to subdivide 20.29 acres into one lot and one agricultural parcel that may be developed in the future. The property is located at 180 East Michie Lane and is in the R-1-15 zone.

#### **Discussion Items**

There was a discussion regarding a future road that could eventually connect to Hwy 113. It was stated that it may or may not happen and that it would depend on many factors including future annexations and developments.

Commissioner Ream asked about safety for the future school. Michael Henke stated that the safety issues would be addressed with the CUP for the school at a later date.

#### **Land Use Summary**

- 20.29-acre parcel
- R-1-15 zoning
- Proposal contains two lots
  - One lot for an elementary school
  - One lot with no building rights until approved at a future date
- Frontage along Michie Lane and 220 East (to be built by the developer)
- The lots will connect to the Midway Sanitation District sewer, Midway City's culinary water line, and Midway Irrigation Company's secondary water line

#### **Discussion Items**

- 220 East
  - 70' right-of-way
    - 59' from developer
      - Fill width road and curb with 8' sidewalk & 5' park strip on west side of road
    - 11' from neighboring property

- 5' park strip and 5' sidewalk on east side (1' behind sidewalk)
- 400 South connection
- Future 220 East connection to Hwy 113

### **Possible Findings**

- The proposed lots meet the minimum requirements for the R-1-15 zoning district
- The proposal does meet the intent of the General Plan for the R-1-15 zoning district
- Lot 2 will not have any building rights until the property is approved for development

### **Water Board Recommendation**

- Scheduled for the October 7<sup>th</sup> water Board meeting

### **Proposed Conditions**

- Either the school bus turnaround is constructed on the south end of 220 East or a temporary turnaround is constructed with accompanying easement, so the road is not constructed without a turnaround.

### **Comments and Questions**

Paul Berg explained 900 student school. Midway city school now was originally build for 300 students and now can accommodate 600 students.

Paul Berg stated that the developer is fully prepared to build and fund the road.

The only portion of the road that is being negotiated is the little piece that will connect with 400 So. And that will come later.

**Motion:** Commissioner Streeter: I make a motion of recommendation preliminary approval of preliminary/final approval of Midway Wrangler Subdivision. That we accept findings of staff, water board recommendation to be in place, and the condition proposed by staff that either the school bus turnaround is constructed on the south end of 220 East or a temporary turnaround is constructed with accompanying easement, so the road is not constructed without a turnaround.

**Seconded:** Commissioner Bouwhuis

**Chairman Kohler:** Any discussion the motion?

**There was none**

**Chairman Kohler:** All in favor.

**Ayes:** Commissioners: Streeter, Ream, Bouwhuis, Whitney

**Nays:** None

**Motion: Passed**

### **Item 3:**

Midway City is proposing a code text amendment of Section 16.13.39 (A) (11): Off-Street Parking and Loading. The proposed code will possibly require parking for outside dining at cafes

and restaurants.

## **Outside Dining Parking**

- City Council wants to review and possibly adopt parking requirements for outside dining
- Outside dining has never required parking stalls
- Inside dining
  - Previous code – 1 stall per 250 sq. ft. of dining area
  - PC recommendation – 1 stall per 200 sq. ft. of dining area
  - Current code - 1 stall per 150 sq. ft. of dining area
    - 66% increase
- General Plan promotes a vibrant commercial district which outside dining creates
- Planning Commission discussed that increasing the inside dining requirement would help cover the outside dining parking needs
- Outside dining is seasonal
- Requiring outside dining parking would make it more expensive for a business to locate in Midway
- Cities deal with outside dining parking in 4 ways
  - Outside dining parking is not required
  - Outside dining parking is not required until a threshold is met such as the area is larger than a specified number or the seating is greater than a specified number
  - Outside dining parking is calculated at the same rate as inside dining
  - Outside dining parking is determined as part of a CUP
- Westminster, WA Municipal Code
  - No additional parking is required for outdoor dining area (open-air dining) no greater than 25% of the gross floor area of the enclosed restaurant or 1,000 square feet, whichever is smaller. In cases where the outdoor seating area is more than 25% of the gross floor (or 1,000 square feet, whichever is smaller) area of the enclosed restaurant area, the portion of outdoor seating area exceeding 25% (or 1,000 square feet, whichever is smaller) of the gross floor area of the enclosed restaurant shall be calculated at one parking space per 100 square feet of the gross outdoor dining floor area. The allowance for outdoor dining shall not be applicable to any establishment offering a total of 12 or fewer seats, inclusive of all seating located indoors and within an outdoor dining/seating area
- San Diego, CA Municipal Code
  - Eating and Drinking Establishments. The minimum parking ratios apply to eating and drinking establishments that do not have a common parking area with any other uses. There is no minimum parking requirement or maximum permitted parking for outdoor dining. Within the Coastal Overlay Zone, outdoor dining areas such as decks, patios, terraces, etc., are considered part of the eating and drinking establishment's gross floor area and are included in calculating parking requirements.
  - Coastal Overlay Zone parking requirement ranged from 2.1-5 stalls per 1,000 sq. ft. gross floor area
- San Jose, CA Municipal Code
  - For outdoor dining areas incidental to a public eating establishment, the city requires that business owners provide one space per 2.5 dining seats if the outdoor area has more than 25 seats. If the outdoor dining area has less than 25

dining seats, no additional parking spaces are required beyond those required by the number of seats or square footage of the indoor dining area.

- Newport Beach, CA Municipal Code
  - Food Service - 1 per 175 sq. ft. of gross area, including outdoor dining areas, but excluding the first 25% or 1,000 sq. ft of outdoor dining area, whichever is less.
  - Fast Food Service - 1 per 50 sq. ft., and 1 per 100 sq. ft. for outdoor dining areas
- Park City, UT Municipal Code
  - Restaurant, Outdoor Dining - Based on Site specific review at the time of CUP
- Santa Monica, CA Municipal Code
  - Outdoor dining areas of less than 200 sq. ft. may be approved administratively and shall not require additional parking. Outdoor dining areas that exceed 200 sq. ft. shall comply with parking requirements established by Santa Monica Municipal Code Section 9.04.10.08.040.
  - 1 space per 300 sq. ft. of support area, 1 space per 75 sq. ft. of service and seating area open to customers, and 1 space per 50 sq. ft. of separate bar area.

**Parking Analysis**

	Corner	Mercantile	Galleria
# of Stalls	14	11	5
Indoor Dining Square feet	2,636	2,031	1,332
Previous Code	11	9	5
Current Code	18	14	8

**Possible Finding**

- Increasing parking for outside dining at restaurants and cafes may help alleviate potential parking problems for future restaurants
- Increasing parking for outside dining at restaurants and cafes will make it more expensive for eating establishments to locate in Midway
- Increased parking requirements will require more area in the commercial zones to be paved which may distract from the vision of Main Street as described in the General Plan
- The General Plan promotes a pedestrian experience along Main Street and increased parking requirements might detract from that experience

Commissioner Streeter stated that she did not believe that those parking spaces for part of the year were needed. She stated that we could create seasonal parking and to still be green. With that the city could still meet the need for extra seasonal parking. Would like the city to look at green space parking, which would keep the asphalt and cement low. By keeping the space green means we don't need to plow which is an expense to the city.

Michael Henke explained about the offsite parking. It is a work in progress and the city council is talking about it. The city is looking at potential lots already.

Commissioner Ream asked if would it be possible to put this off for the next meeting?

Commissioner Bouwhuis suggested that we measure the actual outdoor space so it can be looked at further.

Commissioner Whitney stated that she would like Lola's to be included. Michael explained that Lola's was an outlier situation because it is a grandfathered use and no parking will ever be required as long as the use remains the same.

**Motion:** Commissioner Ream: I make a motion that we continue this agenda item to next month's meeting, to give staff time to analyze the existing outdoor dining space of the three existing restaurants and look at seasonal parking.

**Seconded:** Commissioner Streeter

**Chairman Kohler:** Any discussion the motion?

**There was none**

**Chairman Kohler:** All in favor.

**Ayes:** Commissioners: Streeter, Ream, Bouwhuis, Whitney

**Nays:** None

**Motion: Passed**

**Adjournment:**

**Motion:** Commissioner Streeter: I motion to adjourn

**Second:** Commissioner Ream

10:00 pm

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Chairman – Jim Kohler

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Admin. Assistant – Melannie Egan