

Midway City Planning Commission Regular Meeting June 20, 2018

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 7:00 p.m., June 20, 2018, at the Midway City Community Center
160 West Main Street, Midway, Utah

Attendance

Jim Kohler – Chairman
Stu Waldrip – Vice Chairman
Jeff Nicholas
Kevin Payne
Natalie Streeter

Staff

Michael Henke – City Planner
Lindy Rodabough – Admin. Assistant
Wes Johnson – City Engineer

Excused

Rob Bouwhuis
Bill Ream
Jason Jenkins
Nancy O'Toole

6:45 P.M. Work/Briefing Meeting

- City Council Liaison Report, no action will be taken and the public is welcome to attend.

7:00 P.M. Regular Meeting

Call to Order

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

Item: 1

Review and possibly approve the Planning Commission Meeting Minutes of May 16, 2018.

Chairman Kohler: Corrections have been given to Lindy

Motion: Commissioner Streeter: I move that we approve the Planning Commission meeting minutes of May 16, 2018, with the corrections given to Lindy.

Seconded: Commissioner Waldrip

Chairman Kohler: Any discussion on the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners Streeter, Waldrip, Payne and Nicholas

Nays: None

Motion: Passed

Item 2:

Epic Engineering, agent for Michael LaBarge, is requesting approval of a large-scale subdivision. The proposal is for a three-lot subdivision that is 4.2 acres in size. The property is located at 922 North Pine Canyon Road and is partially in the R-1-15 zone and partially in the R-1-22 zone.

Planner Henke gave a presentation

- **Land Use Summary**
- **Sensitive Lands**
- **Points of Interest**
- **Possible Recommendation**
- **Possible Findings**
- **Recommended Conditions**

Commissioners and Staff discussion

- Maximized density for this property would be approximately six or seven homes
- This design has a small impact on this area
- Don't want to move forward until the property line issues have been addressed between the two property owners
- Lack of definition of the cul-de-sac

Chairman Kohler opened the meeting for public comment

Larry Brown

- Survey lines need to be worked out, the fence line has been there at least 100 years
- The weeds that are on the property north of my property have been nothing but a problem

Chairman Kohler closed the meeting for public comment

Motion: Commissioner Waldrip: I move that we continue the matter indefinitely and leave to the applicant the next scheduling of the hearing when some of these issues are more clarified. I'm troubled by the lack of definition of what the Cul-de-sac is going to look like and what its alignment is going to be. I think before we can move forward with

a recommendation to the City Council, part of our job is to sort of get things teed up for the City Council and I don't think that this is ready to go to them yet.

Seconded: Commissioner Streeter

Chairman Kohler: Any discussion on the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners Streeter, Waldrip, Payne and Nicholas

Nays: None

Motion: Continued

Item 3:

Berg Engineering, agent for Clint Kelson, is requesting a Plat Amendment. The proposal is to change the common area on the recorded plat to open space as recommended by the County Assessor's Office. Split Lot 1 into Lots 1A and 1B to allow the barn and corrals to be separated from the home and be on its own agricultural parcel that does not have any residential building rights. The proposal is located at 943 West Alpine Road and is in the R-1-22 zone.

Planner Henke gave a presentation

- **Land Use Summary**
- **Proposed Amendment**
- **Discussion Points**
- **Possible Findings**
- **Proposed Conditions**

Commissioners and Staff Comments

- Two lots have been sold and those two lots would have ownership in the common area, so they would need to sign the plat amendment, because they would be relinquishing that ownership
- Further subdividing doesn't mean creating additional building sites, it creates another entity that could possibly be sold
- I don't think anybody ever intended for this provision to prohibit doing something like what has been proposed here, but we do have an issue. Maybe the thing to do is to look at further amending that provision to make it more clear of what the intent is, so we have flexibility to accommodate things like this as long as density doesn't increase on the overall subdivision that was originally proposed.
- The language in the code doesn't presently allow us to subdivide any lots
- We can allow the common area name to be changed to open space
- If we amended the code to read as follows. Lots cannot be further subdivided in a manner that will increase the density of the original subdivision and then continue and must be deed restricted and so forth. Then that would allow an adjustment like this to take place that still meets the original intent.

- We could limit it to one nonresidential lot split per rural preservation or whatever number we decide
- This proposal requires a code text amendment

Representative; Paul Berg

- Common area is not taxed, gives the home a higher value
- Roll back taxes for common area, yet if it is open space then the owner of the open space will continue to pay taxes on it as long as they own the property
- It makes more sense to change it from common area to open space and pay taxes on that basis which is year to year on going than it is to pay a large amount now with the roll back tax
- Lot 1B, which would be the Kelson agriculture parcel, would own the open space
- The owners that have purchased the two lots are willing to sign the plat amendment
- There will be no further subdivision that allows for more density and we'll deed restrict the agricultural lot so that it does not allow for any residential building
- This Plat amendment needs to be done before November before taxes are sent out from the assessor's office

Chairman Kohler opened the meeting to public comment

There was none

Chairman Kohler closed the meeting to public comment

Motion: Commissioner Waldrip: I move that we continue this matter until the July Planning Commission meeting with the intent that we have proposed language for some changes to the Rural Preservation Subdivision ordinance and that we stage it so that the recommendation for the changes in the code would come first and the action with respect to the application on these matters would come second.

Seconded: Commissioner Nicholas

Chairman Kohler: Any discussion on the motion?

There was none

Chairman Kohler: All in favor.

Ayes: Commissioners Streeter, Waldrip, Payne and Nicholas

Nays: None

Motion: Continued

Item 4:

Concept Plan for Saddle Creek PUD

Planner Henke gave a limited presentation

- Land Use Summary

Commissioners and Staff Comments

- Like the PUD better than the standard subdivision
- Would not like home owners to be able to build site obscuring fences if it is a standard subdivision
- PUD lends itself to more character
- They'll either need to vacate the plat to do something different or amend the plat which could be vacating a portion of the plat

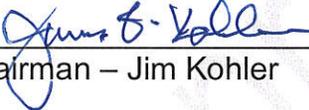
Applicant; Matt Watkins

- We've talked to some neighbors and they like the idea of lower density
- Bought the property with a recorded plat on the property
- Some of these properties would have a trail behind their home and homeowners like to have a solid fence for privacy
- Would potentially like to phase this project

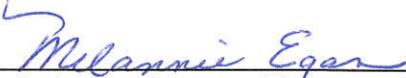
Item: 6

Adjournment

Motion: Commissioner Waldrip: I move that we adjourn
9:22pm



Chairman – Jim Kohler



Admin. Assistant – Melannie Egan

