

**MINUTES OF THE
MIDWAY CITY COUNCIL
(Work Meeting)**

**Tuesday, 20 April 2021, 4:00 p.m.
Midway Community Center, Council Chambers
160 West Main Street, Midway, Utah**

Note: Notices/agendas were posted at 7-Eleven, Ridley's Express, the United States Post Office, the Midway City Office Building, and the Midway Community Center. Notices/agendas were provided to the City Council, City Engineer, City Attorney, Planning Director, Public Works Assistant Crew Chief, and The Wasatch Wave. The public notice/agenda was published on the Utah State Public Notice Website and the City's website. A copy of the public notice/agenda is contained in the supplemental file.

1. Call to Order; Pledge of Allegiance; Prayer and/or Inspirational Message

Mayor Johnson called the meeting to order at 4:05 p.m.

Members Present:

Celeste Johnson, Mayor
Steve Dougherty, Council Member
Jeff Drury, Council Member
Lisa Orme, Council Member
Kevin Payne, Council Member
JC Simonsen, Council Member (Arrived at 5:05 p.m.)

Michael Henke, Planning Director
Wes Johnson, Engineer
Brad Wilson, Recorder/Financial Officer

Others Present:

Paul Berg, Berg Engineering / The Village Development
Dan Luster, The Village Development

Staff Present:

Corbin Gordon, Attorney

2. The Village Development / Discussion (Approximately 60 minutes) – Discuss The Village, a mixed-use and planned unit development, located at 541 East Main Street (Zoning is C-2, R-1-11, and R-1-22). Recommended by the Midway City Planning Commission.

Michael Henke gave a presentation regarding the proposed development and reviewed the following items:

- Land use summary
- Master plan requirements
- Location of the proposal
- Sensitive lands
- Layout
- Underground parking
- Commercial buildings

- PUD
- Setbacks
- Phasing plan

Mr. Henke also made the following comments:

- The proposal was for master plan approval.
- It covered three zones.
- It was recommended with conditions by the Planning Commission.
- The property had a high water table.
- The Planning Commission recommended piezometers on the property.
- A pool and racquetball club would replace some of the previously proposed residential units.
- The commercial uses were not indicated.
- The parking was based on an average.
- The club would not qualify as a commercial use if it would be for the exclusive use of the project's residents.
- A third access was needed because of the traffic study.
- Commercial space in Midway was filling up.
- Only a certain number of residential units should be built as a certain number of commercial units were built.
- Received a new plan for the project just before the meeting. It had similar numbers of units with the residential more spread out. All the commercial buildings were still in the commercial zone.
- The most recent plan did not comply with the Municipal Code. The property would at least need to be conditionally rezoned as C-2 to accommodate it. An overlay zone could be put on the property, but this would require writing a new code section. Preferred a rezone to C-2. Recommended that the applicant initiate any change.
- Specifics of the plan could be included in an agreement.
- The zoning and allowed density had been maintained with the Mountain Spa.
- A zone change could occur concurrently with consideration of the current application.
- Both the current application and the new proposal could be considered concurrently.

Note: A copy of Mr. Henke's presentation is contained in the supplemental file.

Wes Johnson made the following comments:

- The traffic study was based on no signal light at the intersection of River Road and Main Street. It indicated that a signal light was not needed.
- UDOT approved the two accesses onto Main Street which was a state highway.

Paul Berg, Berg Engineering Resource Group and representing the applicants, made the following comments:

- The proposal provided just before the meeting was not a formal application but an attempt to incorporate input received.
- A zone change or code amendment was required for the applicant to include open space in the commercial zone.

- The Municipal Code allowed for zone boundaries to be moved by the Council. This had happened for Aspen Hollow and Alder Meadows.

Dan Luster, applicant, made the following comments:

- The most recent plan eliminated Midway Automotive and moved the west Main Street access further to the west.
- The new plan was only economically viable if Midway Automotive was purchased and removed.
- Wanted to move more of the density further back on the property.
- A theater was not part of his proposals.
- The new proposal included open space that was approximately the width of a football field.
- Was not withdrawing the original plan but was trying to improve upon it.

The Council, staff and meeting attendees discussed the following items:

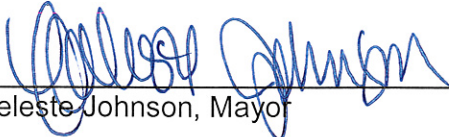
- It was difficult to turn left on to Main Street from 580 East because of the traffic.
- The Council needed to figure out how to make the proposal the best it could be.
- A third plan was shown to some of the council members. This plan was largely the same as the proposal submitted just before the meeting.
- There was a disagreement between the applicant and planning staff.
- Commercial buildings so close to Main Street blocked views. The Municipal Code required a ten-to-30-foot setback from Main Street. Anything different would require a code change. The building heights could be limited.
- The property was not zoned for a theater.
- The Municipal Code did not prohibit open space in commercial zones.
- A master plan did not alter zoning or create density. It did not allow density to be moved between zones.
- What did the Council want Main Street to look like? Setbacks, residential density in the commercial zones, and rural versus urban should be discussed. These items should be considered when updating the General Plan that year.
- The Municipal Code should not be too rigid.

Note: Council Member Simonsen arrived at 5:05 p.m.

- The Code should incentivize property owners to keep historic structures and maintain the rural and eclectic feel of Main Street.

3. Adjournment

Mayor Johnson adjourned the meeting at 5:07 p.m.


Celeste Johnson, Mayor


Brad Wilson, Recorder