

Midway City Planning Commission Regular Meeting Minutes October 11, 2022

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 6:00 p.m., October 11, 2022, at the Midway City Community Center
160 West Main Street, Midway, Utah

Attendance

Craig Simons (Vice Chair)
Andrew Osborne (Alt)
Andy Garland
Laura Wardle
Kelly Lineback (Alt)

Staff

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

Excused

Rob Bouwhuis
Rich Cliften
Bill Ream
Jeff Nicholas- Chairman

Liaison Report

6:00 P.M. Regular Meeting

Call to Order

- Welcome and Introductions; Opening Remarks or Invocation; Pledge of Allegiance
 - Invocation was given by Andrew Osborne
 - Vice- Chairman Simons led the Pledge of Allegiance

Item 1:

Review and possibly approve the Planning Commission Meeting Minutes of September 13, 2022

Motion: Commissioner Garland: I make a motion that we recommend approval of the Planning Commission Meeting Minutes of September 13, 2022, as printed.

Seconded: Commissioner Osborn

Vice Chairman Simons: Any discussion on the motion?

Vice Chairman Simons: All in favor.

Ayes: Commissioners: Osborn, Wardle, Lineback, Garland

Nays:

Recused:

Motion: Passed

Item 2:

Stuart Waldrip, representative for the Midway Arts Center Foundation, is proposing an amendment to the Land Use Map. The proposal is to add an overlay zone with a single conditional use, Indoor Performing Arts Center. This overlay zone will also limit the footprint and the amount of seating, among other items, for Indoor performing Arts Centers. Language regulating the zone will be included in City's Municipal Code. The overlay zone is proposed in the C-2 zone from 200 East to 400 East and from Main Street to the south 300'.

This item was removed from the agenda by applicant

Item 3:

Peter and Emily Malinka are proposing a General Plan Amendment to amend the Midway City's Road System Master Plan. This proposal would remove a portion of 200 North and reroute the road from 180 North (Indian Summer subdivision) to 250 North.

Michael Henke gave a presentation

Road System Master Plan

- Proposal to remove a section of 200 North and reroute the road from 180 North (Indian Summer subdivision) to 250 North.
- Directly impacts 7 property owners
- This section of road has been on the City's street plan since 1977
- Applicant would like to build a density reduction subdivision on some of the property where the road is planned

General Plan

The General Plan focuses on transportation and the needed connectivity that allows a community to function. The City has adopted the Road System Master Plan to assure roads are built in areas where they have been identified that they are needed. The following are selections from the General Plan regarding future street planning and connectivity:

- The transportation element is designed to provide for the safe and efficient movement of people and goods in the City. Its primary purpose is to balance current and future demands generated by projected future growth with roadway improvements. In essence, it is a long-range transportation plan which would efficiently support future land development and ultimately Midway's vision for the future.
- Additional east-west mobility will be central to mitigating these effects. As Midway continues to grow, building a complete system of roads and trails using multiple corridors and alternatives will become even more important.
- Neighborhood connectivity is important for local traffic and for emergency response and should be considered for all new development. Neighborhood connectivity will allow local traffic to use local streets and through traffic to use the collector roads which will allow traffic to be the safest and most efficient.
- Transportation Goals and Guidelines

- Objective 2: Design an adequate transportation system for current and future residents and areas of development.
- Guideline 3: Neighborhood connectivity is important for local traffic and for emergency response and should be preferred for all new development.

Items of Consideration

- How important is 200 North?
- How is local traffic, emergency services, and future road construction detours impacted if the road is removed? How does this impact the community for the short-term and at full build-out when Midway's population and traffic counts could be double or more?
- Open space and a rural atmosphere are important but are they important enough to remove 200 North from the Road System Master Plan?
- Eliminating the road could possibly reduce potential density from 13 lots to five lots on the Malinka property. It will also make access less likely for surrounding properties making it more difficult to develop those properties which will leave the area with more openness. Does this make the proposal more acceptable?

Applicants Reasons to Remove the Road

Advantages to Removing 100 East and 200 North on the Malinka Property

- 250 North is an existing street just north of the Malinka Property. This street can be extended to the east through a vacant property to create a connection between Center Street and River Road.
- Extending 250 North to the east to the Indian Summer Subdivision is a shorter route to complete the Center Street to River Road connection than developing 200 North. The 250 North route also reduces the number of affected property owners compared to the 200 North route.
- The 200 North alignment as shown on the Midway City Road System Master Plan will require purchase or condemnation of property to connect to Center Street. The extension of 250 North to the existing stub road in the Indian Summer Subdivision can occur when Parcel 06-4852 develops.
- Moving the master planned road to 250 North allows use of an existing four way intersection and 250 North and Center Street. A new intersection at 200 North would reduce intersection spacing and possibly create spacing conflicts with the parking lot access for the church at 165 North Center Street.
- The connection of 100 East to 250 North is blocked by existing homes. 100 East should be allowed to dead end with a cul-de-sac. 200 East can connect to 250 North through a vacant parcel. 200 East should be required to connect to 250 North to promote street connectivity.

Possible Findings

- Findings supporting the amendment:

- Potential density could be reduced if the road is removed.
- Goals in the General Plan promote open space and a rural atmosphere.
- The General Plan promotes reducing density whenever appropriate.
- Findings opposing the amendment:
 - The road has been planned since 1977.
 - There are limited options for connecting Center Street and River Road.
 - With less connecting roads, more traffic is forced on to the existing roads which compounds as Midway grows.
 - Goals in the General Plan promote connectivity for local traffic circulation and emergency response.
 - More connectivity allows for options for detours when roads are under construction.

Proposed Conditions

- The General Plan amendment is conditioned that the Road System Master Plan is only amended for the construction of a density reduction subdivision limited to five lots on the Malinka property. Once the density reduction subdivision plat is recorded, the amendment will officially be adopted by the City and the Road System Master Plan will be amended in the General Plan.

Applicant and Commissioner Comments

Paul Berg via Zoom stated that they had no notice that the General Plan Committees were proposing the option of removing 200 North and just stub 200 E and 180 North into the Indian Summer Subdivision. The applicant and Paul Berg support the General Plan Committees proposal.

Public Hearing Open

Doug Anker 140 E 250 North- Absolutely oppose the recommendation of connecting the road to 250 N which would run straight through their land and is appalled that this proposal was presented without even a conversation with us who would be most impacted.

Public Hearing Closed

Motion: Commissioner Garland: I make a motion that we recommend approving the General Plan Committees recommendation and amend the Midway City's Road System Master Plan. This proposal would remove a portion of 200 North and reroute the road from 185 North (Indian Summer subdivision) to 200 East. We also accept the one condition in the staff report.

Seconded: Commissioner Wardle

Vice Chairman Simons: Any discussion on the motion?

Vice Chairman Simons: All in favor.

Ayes: Commissioners: Osborn, Wardle, Lineback, Garland

Nays:

Recused:

Motion: Passed

Item 4:

Colton Chronister of C.W. Urban, agent for Johnsons Landing LLC, is requesting final approval of a standard subdivision to be known as Bonner Meadows subdivision which will contain 18 lots. The property is 5.99 acres and is located at 100 South and 100 East and is in the R-1-11 zone.

Michael Henke gave a presentation

Land Use Summary

- 5.98 acres
- Zoned R-1-9
- 18 Single Family Lots
- Proposed Public Roads
- 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

- Safety plan
- Single-family dwellings
 - Lots do not comply with requirements for duplexes
 - Water rights have been calculated for single-family dwellings and not for duplexes
- 185 South
 - City and School District agreement for 185 South
- Stormwater

Access to detention basin from 200 East

Water Board Recommendation

This item was reviewed by the Water Board on February 6, 2017 (Lucerne Estates – 14 lots – 17.6 acre feet) and on August 5, 2019 (Bonner landing – 4 lots – 5.39 acre feet). The current proposal combines Lucerne Estates and Bonner Landing into what is presented in this staff report. The number of lots, lot areas, and park strip areas have not changed from the original submittals. The combined Water Board recommendations is that **22.99-acre feet** of water are tendered to the City before the Bonner Landing plat is recorded. This calculation is based on single-family dwellings constructed on each lot.

Possible Findings

- The proposal does meet the intent of the General Plan for the R-1-9 zoning district
- The proposal does comply with the land use requirements of the R-1-9 zoning district
- The sidewalks crossing the property and connecting to neighboring roads and existing sidewalks will benefit the community by allowing safe pedestrian access.
- Any failure to submit a proposed final plan and final approval submittal package within one year of the approval of the Preliminary Plan by the City Council shall terminate all proceedings

and render the Preliminary Plan null and void.

Recommended Conditions

1. Construction times on 100 East and 185 South are limited to the specific times listed in this report.
2. Construction times on for areas not on 100 East and 185 South are limited to Midway standards.
3. Constructions access is limited to the specific locations identified in this report.

Applicant and Commissioner Comments

There was a discussion regarding the culvert and the water issues of the past. Wes Johnson stated that with the improvements to the road and maintenance that issue should correct itself. Staff will make sure that happens.

There was a discussion regarding duplexes and IADU's and the water requirements. State code states that there cannot add any extra water dedication or impact fees. With an IADU it must be owner occupied and with a duplex you can rent both sides.

Colton Cro 1222 Legacy Parkway. Introduced himself and thanked the staff and Wes Johnson.

Paul Berg stated that most of the issues are with the school. Paul has met with the principal and have worked together the make sure the safety issues for the children and the school area. The plan will keep children safe.

Motion: Commissioner Garland: I make a motion that we recommend approval for the final approval of a standard subdivision to be known as Bonner Meadows subdivision which will contain 18 lots. The property is 5.99 acres and is located at 100 South and 100 East and is in the R-1-9 zone. We accept the staff findings and the conditions listed in the staff report.

Seconded: Commissioner Wardle

Vice Chairman Simons: Any discussion on the motion?

Vice Chairman Simons: All in favor.

Ayes: Commissioners: Osborn, Wardle, Lineback, Garland

Nays: None

Motion: Passed

Item 5:

Berg Engineering, agent for Kenneth Van Wagoner, is requesting preliminary/final approval of a one-lot subdivision to be known as Van Wagoner subdivision. The one lot totals 0.63 acres and is located at 160 North 200 East and is in partially the R-1-9 and R-1-15 zones.

Michael Henke gave a presentation

Land Use Summary

- 0.63-acre parcel
- R-1-9 and R-1-15 zoning
 - Approximately 0.33 acres R-1-9
 - Approximately 0.3 acres R-1-15
- Proposal contains one lot
- Site of a future dwelling
- Frontage on 200 East
- Nonconforming commercial use
- Nonconforming buildings
- The lot will connect to the Midway Sanitation District's sewer line, Midway City's culinary water line, and Midway Irrigation Company's secondary water line

Water Board Recommendation

The Water Board recommended approval during their 10-3-2022 meeting with the following water dedication requirement:

- 0.63-acre parcel (27,442.8 sq. ft.)
 - Impervious area for dwelling, accessory structures, hard surfaces
 - 0.18 acres (8,000 sq. ft.)
 - Irrigated acreage
 - 0.45 acres x 3 = 1.35 acre feet
- 1 Existing culinary connection for the meat shop
- 1 New culinary connection for new dwelling
 - 0.8 acre feet
- 2.15 acre feet requirement

Possible Findings

- The proposed lot does meet the minimum requirements for the R-1-9/R-1-15 zoning districts
- The proposal does meet the intent of the General Plan for the R-1-11/R-1-15 zoning districts
- The applicant will be required to install or bond for all unfinished improvements previous to the plat being recorded
- The duration of Preliminary/Final Approval shall be for one year from the date of approval of the development by the City Council. If the Final Plat is not recorded with the County Recorder within the one-year period of time, the development's approval shall be voided, and both Preliminary and Final Approvals must be re-obtained to reinstate the project, unless, upon request by the applicant and on a showing of extenuating circumstances, the City Council extends the time limit for plat recording, with or without conditions. No more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension.

Proposed Conditions

None

Applicant and Commissioner Comments

Kenny Van Wagoner stated that the meat shop has been in that spot since the 1930's. They would like to keep the barn as well, as it is a historical barn. They would like to restore it.

Paul Berg stated that they are preparing to update the turnaround area.

Andrew Osborne stated that he was very pleased with these types of application, keeping density low, and preserving the history of old structures.

Motion: Commissioner Wardle: I make a motion that we recommend approve the preliminary/final application of a one-lot subdivision to be known as Van Wagoner subdivision. The one lot totals 0.63 acres and is located at 160 North 200 East and is in partially the R-1-9 and R-1-15 zones. And we include all the staff findings.

Seconded: Commissioner Garland

Vice Chairman Simons: Any discussion on the motion?

Vice Chairman Simons: All in favor.

Ayes: Commissioners: Osborn, Wardle, Lineback, Garland and Simons

Nays: None

Motion: Passed

Adjournment

Motion: Commissioner Garland

Second: Commissioner Wardle

7:35 pm

Vice-Chairman – Craig Simons

Admin. Assistant – Melannie Egan