



Midway

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: June 21, 2022
NAME OF PROJECT: The Village
NAME OF APPLICANT: Midway Heritage Development, LLC
AUTHORIZED REPRESENTATIVE: Daniel Luster
AGENDA ITEM: The Village Phases 1-2 Final Approval and Conditional Use Permit
LOCATION OF ITEM: 541 East Main Street
ZONING DESIGNATIONS: C-2

ITEM: 7

Dan Luster, agent for Midway Heritage Development LLC, is seeking Final Approval for Phases 1 and 2 of The Village. The Village is a mixed-use development that contains both commercial and residential uses. The proposed phases include 83,184 SF of commercial space in seven buildings, 45 residential dwellings, park area, private streets with a public access easement, and private trails with a public access easement. Phase one is 6.54 acres in size, and phase two is 5.7 acres. Both phases have a combined common acreage of 9.4 acres. The property located at 541 East Main is in the C-2 zone.

BACKGROUND:

This item was continued from the June 7, 2022, City Council meeting. The item was continued for three main purposes which include the following:

- Update the transient rental unit map that includes a list that specifically states which units are allowed for transient rental use if all requirements are met.

- Update the storm drain plan to redesign the detention pond so there is a more natural design incorporated into the plan.
 - Landscaping plans have been updated to reflect the redesign of the detention pond.
- Update the language in the Development Agreements for Phases 1 and 2

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Garland: I make a motion that we recommend approval of Phases 1 and 2 of The Village. The Village is a mixed-use development that contains both commercial and residential uses. The proposed phases include 83,184 SF of commercial space in seven buildings, 45 residential dwellings, park area, private streets with a public access easement, and private trails with a public access easement. Phase one is 6.54 acres in size, and phase two is 5.7 acres. Both phases have a combined common acreage of 9.4 acres. The property located at 541 East Main is in the C-2 zone. We accept the findings in the staff report. With the condition that the UDOT approval be finalized.

Seconded: Commissioner Simons

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

Ayes: Commissioners: Lineback, Cliften, Wardle, Garland, Simons, and Osbourne

Nays: None

Motion: Passed

VISUAL AND ARCHITECTURAL COMMITTEE RECOMMENDATION:

The Visual and Architectural Committee (VAC) has reviewed the conceptual architectural renderings for this project and has recommended general concept approval. All commercial and mixed-use residential buildings will be reviewed in detail by the VAC during the preliminary approval for each phase and before building permits are issued for any structures.

WATER BOARD RECOMMENDATION:

The Water Advisory Board as approved an estimated 181.42 acre-feet will need to be dedicated to the City when the project is complete (each phase will dedicate the required water before each plat is recorded). Staff has received updated irrigation plans and based on those plans, 177.55 acre feet will be the required total for all five phases. The representative of the applicant explained that the calculations have been modified based on the following explanation: “Please note that the total irrigated area in The Village has reduced from 11.09 acres at master plan to 9.80 acres. This is due to the additional

parking and the sidewalks to each unit being added to the plan.” The following are the water rights that will be required per phase:

- Phase 1 – 46.75
- Phase 2 – 37.85
- Phase 3 – 41.00
- Phase 4 – 35.12
- Phase 5 – 16.83

POSSIBLE FINDINGS:

- The proposal will benefit the City financially by creating a greater tax base.
- The proposal may help the City better comply with State requirements regarding the ability to collect resort tax depending on the number of units that are rented on a short-term basis.
- The developer appears to meet the commercial parking requirements but is 23 stalls short of meeting the residential stall requirements for phase 1-2.
- The proposal does appear to comply with the requirement of 20% commercial square feet required by the mixed-use code

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council finds the proposal complies with the requirements of the code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s) if needed

2. Continuance. This action can be taken if the City Council finds that there are unresolved issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again

3. Denial. This action can be taken if the City Council finds that the request does not comply with the requirements of the code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITIONS:

1. A wall should be planned next to the southwest parking lot north of the Wilde property to mitigate light trespass from vehicles.
2. The amount of water rights and parking for each commercial building must be submitted and included on the recorded plat.

Lots in the TRD Zone (Nightly Rentable)

- Unit 1
- Unit 2
- Unit 3
- Unit 4
- Unit 5
- Unit 6
- Unit 7
- Unit 8
- Unit 9
- Unit 10
- Unit 11
- Unit 15
- Unit 16
- Unit 17
- Unit 18
- Unit 19
- Unit 20
- Unit 21
- Unit 22
- Unit 23
- Unit 24
- Unit 25
- Unit 26
- Unit 27
- Unit 28
- Unit 29
- Unit 30
- Unit 31
- Unit 32
- Unit 33
- Unit 34
- Unit 35
- Unit 36
- Unit 37
- Unit 38
- Unit 39
- Unit 40
- Unit 41
- Unit 42
- Unit 43
- Unit 44
- Unit 45
- Unit 101
- Unit 130
- Unit 131
- Unit 132
- Unit 133
- Unit 134
- Unit 135
- Unit 136
- Unit 137
- Unit 138
- Unit 139
- Unit 140
- Unit 141
- Unit 142
- Unit 143

— TRD Line
 TRD Zone



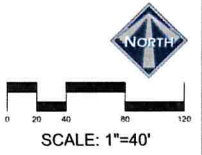


LANDSCAPE NOTES:
 THIS PLAN SHOWS A GENERAL LANDSCAPE CONCEPT FOR COMMON AREAS NOT AROUND ISSUES. SENSIBILITIES & GENERAL GUIDE FINAL LOCATION OF TREES, PLANTS AND GRASS MAY VARY.

PLANT SCHEDULE PHASE 2

TREES	QTY	COMMON / BOTANICAL NAME	CONT	CAL	5'
	4	Autum Blaze Maple / Acer freemanii 'Autum Blaze'	88B	2" Cal	
	24	Spring Snow Crab Apple / Malus x Spring Snow	88B	2" Cal	
	1	Eastern Cottonwood Sitka Spruce / Populus deltoides 'Sitka Spruce'	88B	2.5" Cal	
	19	Canada Red Chokecherry / Prunus virginiana 'Canada Red'	88B	2" Cal	
EVERGREEN TREES	QTY	COMMON / BOTANICAL NAME	CONT	CAL	5'
	3	Colorado Spruce / Picea pungens	88B	8"	
	6	Wests Blue Totem Columnar Spruce / Picea pungens glauca fastigata 'Wests Blue Totem'	B & B		5'
SHRUBS	QTY	COMMON / BOTANICAL NAME	CONT		
	75	Red Twig Dogwood / Cornus sericea 'Bailey's Redtwig'	5 gal		
	9	Compact Burning Bush / Euonymus alatus 'Compactus'	5 gal		
	3	Northern Gold Forsythia / Forsythia x 'Northern Gold'	5 gal		
	10	Magical Gold Forsythia / Forsythia x intermedia 'Kalgold'	5 gal		
	3	Incrediball White Hydrangea / Hydrangea arborescens 'Incrediball'	5 gal		
	9	Endless Summer / Hydrangea macrophylla 'Balsam TM'	5 gal		
	10	Purple Leaf Sand Cherry / Prunus cistena	5 gal		
	6	Tallhedge Buckthorn / Rhamnus frangula columnaris	5 gal		
	11	Black Lace Elderberry / Sambucus nigra 'Black Lace'	5 gal		
	25	Japanese Spirea / Spiraea japonica 'Anthony Waterer'	5 gal		
GRASSES	QTY	COMMON / BOTANICAL NAME	CONT		
	40	Feather Reed Grass / Calamagrostis x acutiflora 'Karl Foerster'	1 gal		
	35	Burgundy Switch Grass / Panicum virgatum 'Shenandoah'	1 gal		
EVERGREEN SHRUBS	QTY	COMMON / BOTANICAL NAME	CONT		
	54	Dwarf Globe Blue Spruce / Picea pungens 'Globea'	5 gal		
PERENNIALS	QTY	COMMON / BOTANICAL NAME	CONT		
	64	Russian Sage / Perovskia atriplicoides 'Filipen'	1 gal		
CIRCUING COVERS	QTY	COMMON / BOTANICAL NAME	CONT		
	51,035 sf	Kentucky Bluegrass / Poa pratensis	soil		
	3,145 sf	Wild Flower Mix/Native Grass Mix / Wild Flower Mix/native Grass Mix	Hydroseed		
MULCH	QTY	COMMON / BOTANICAL NAME	CONT		

- LEGEND:
- NON-BUILDABLE AREA (25%+ SLOPES)
 - COMMERCIAL BUILDINGS
 - RESIDENTIAL UNIT
 - RESIDENTIAL GARAGES
 - LANDSCAPE AREA - GRASS
 - LANDSCAPE AREA - NATIVE GRASS
 - LANDSCAPE AREA - WOOD MULCH
 - LANDSCAPE DECORATIVE RAISED PLANTER



CLUSTER
 THE VILLAGE
 LANDSCAPE PLAN
 PHASE 2

380 E Main St, Suite 204
 Midway, UT 84049 ph: (801) 223-2000





















DESIGN BY: CNB DATE: 25 MAY 2022 SHEET
 DRAWN BY: CNB REV: 13 JUN 2022 13

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 CARL N. BEIG, L.A.
 SERIAL NO. 2162795
 DATE: 13 JUN 2022



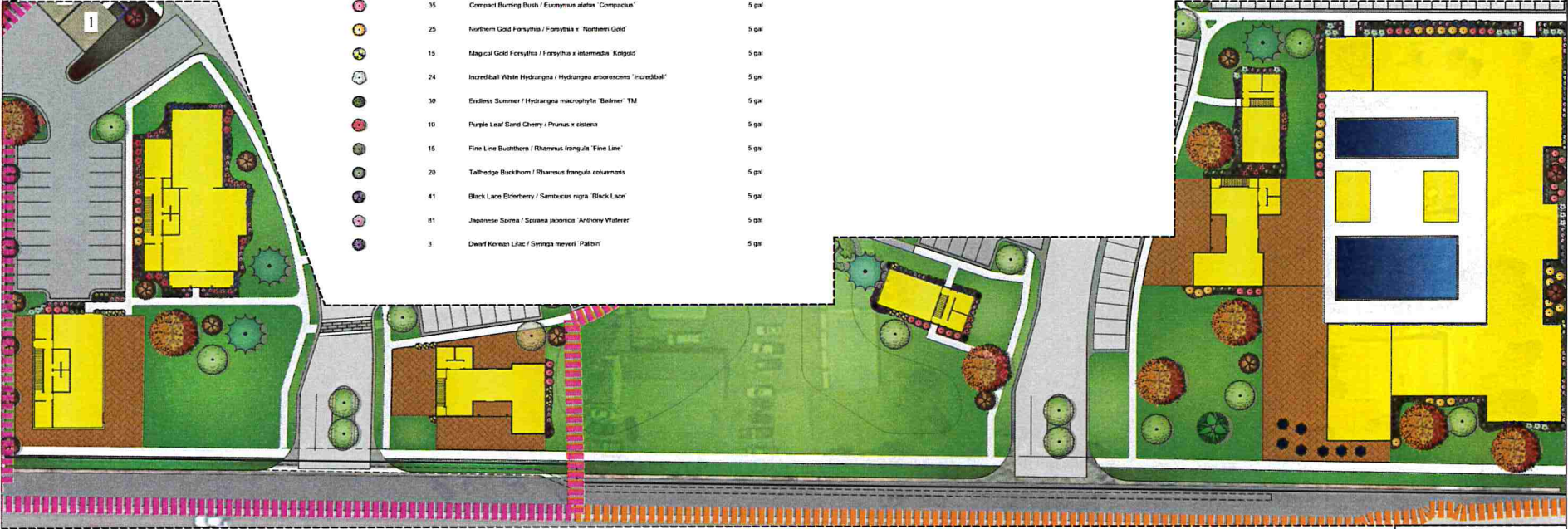
- LEGEND**
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PLANT SCHEDULE MAIN STREET FRONTAGE



TREES	QTY	COMMON / BOTANICAL NAME	CONT	CAL	SIZE
	8	Autumn Blaze Maple / Acer freemanii / Autumn Blaze	B&B	2"	2" Cal
	12	Spring Snow Crab Apple / Malus x 'Spring Snow'	B&B	2"	2" Cal
	1	Eastern Cottonwood Sycamore / Populus deltoides 'Sycamore'	B&B	2.5"	2.5" Cal
	13	Canada Red Chokecherry / Prunus virginiana 'Canada Red'	B&B	2"	2" Cal
	1	Weeping Willow / Salix babingtonia	B&B	2"	2" Cal
	4	Weeping Norway Spruce / Picea abies 'Fishberg'	B&B		5-7'
	4	Colorado Spruce / Picea pungens	B&B		8-10'
		Wells Blue Totem Columnar Spruce / Picea pungens glauca fastigiata 'Wells Blue Totem'	B & B		5-7'
EVERGREEN TREES	QTY	COMMON / BOTANICAL NAME	CONT	CAL	SIZE
	23	Red Twig Dogwood / Cornus sericea 'Bailey x Redwig'	5 gal		
	35	Compact Burning Bush / Euonymus alatus 'Compactus'	5 gal		
	25	Northern Gold Forsythia / Forsythia x 'Northern Gold'	5 gal		
	15	Magical Gold Forsythia / Forsythia x intermedia 'Kolgard'	5 gal		
	24	Incrediball White Hydrangea / Hydrangea arborescens 'Incrediball'	5 gal		
	30	Endless Summer / Hydrangea macrophylla 'Balmer'™	5 gal		
	10	Purple Leaf Sand Cherry / Prunus x cisteca	5 gal		
	15	Fine Line Buckthorn / Rhamnus frangula 'Fine Line'	5 gal		
	20	Tallhedge Buckthorn / Rhamnus frangula columnaris	5 gal		
	41	Black Lace Elderberry / Sambucus nigra 'Black Lace'	5 gal		
	61	Japanese Spirea / Spiraea japonica 'Anthony Waterer'	5 gal		
	3	Dwarf Korean Lilac / Syringa meyeri 'Palmer'	5 gal		

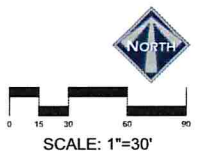


VICINITY MAP



GRASSES	QTY	COMMON / BOTANICAL NAME	CONT
	43	Feather Reed Grass / Calamagrostis x acutiflora 'Karl Foerster'	1 gal
	17	Burgundy Switch Grass / Panicum virgatum 'Shenandoah'	1 gal
EVERGREEN SHRUBS	QTY	COMMON / BOTANICAL NAME	CONT
	22	Dwarf Globe Blue Spruce / Picea pungens 'Globea'	5 gal
PERENNIALS	QTY	COMMON / BOTANICAL NAME	CONT
	14	Russian Sage / Perovskia atriplicifolia 'Flgryn'	1 gal

GROUND COVERS	QTY	COMMON / BOTANICAL NAME	CONT
	56,757 sf	Kentucky Bluegrass / Poa pratensis	soil
MULCH	QTY	COMMON / BOTANICAL NAME	CONT
	8,009 sf	4" Wood Mulch / 4" Wood Mulch	Mulch



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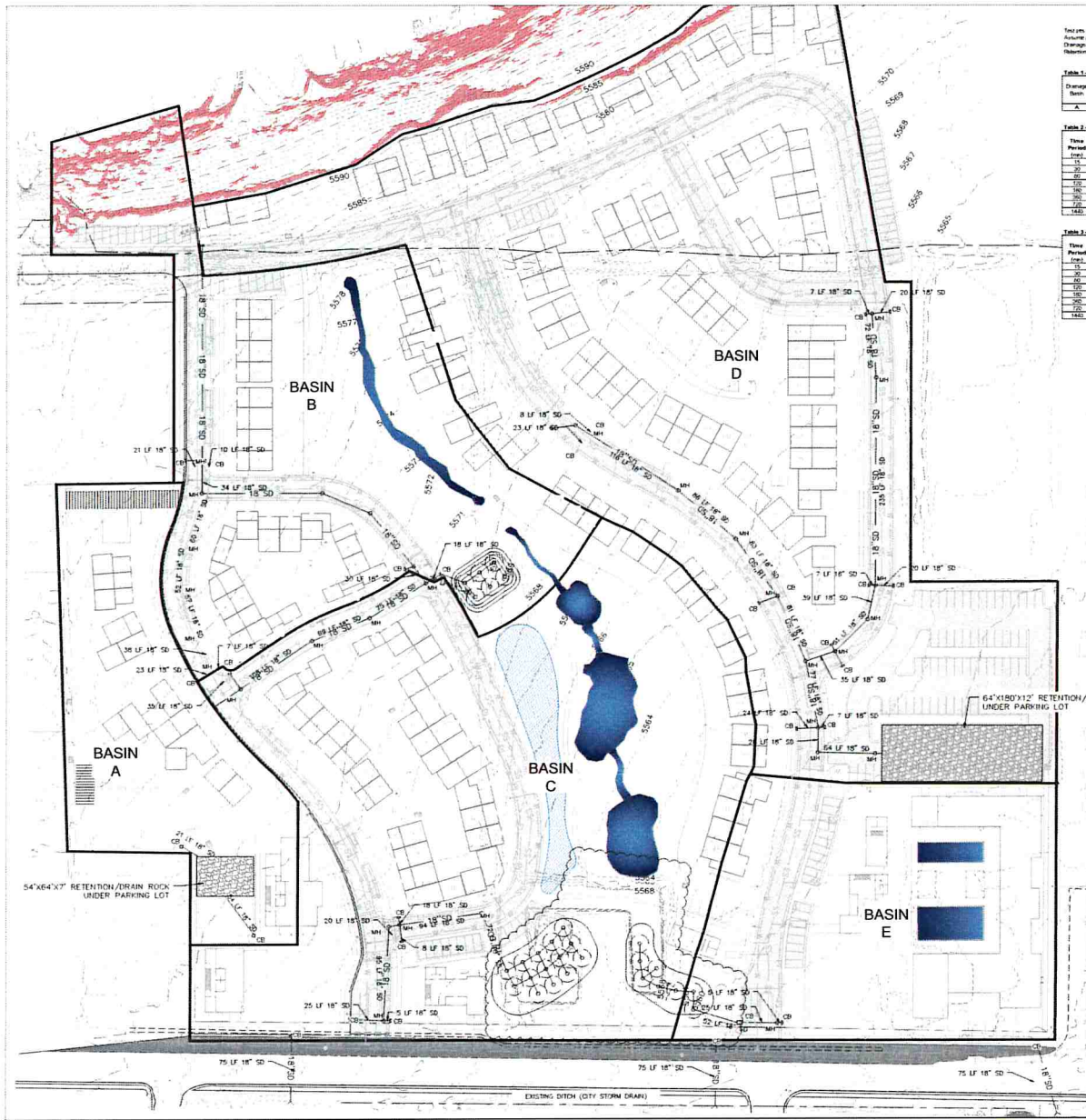
CARL N. BERG, L.A.
 SERIAL NO. 2362759
 DATE: 13 JUN 2022

LUSTER
 THE VILLAGE
 LANDSCAPE PLAN
 MAIN STREET FRONTAGE



380 E Main St, Suite 204
 Midway, OH 44042 ph. (800) 223-2000

DRAWN BY: CNB DATE: 23 MAY 2022 Q811
 DRAWN BY: CNB REV: 13 JUN 2022 16



Test pits in the gutter report generally show gutters under 1" of deposit
Assume penetration of 2.5 inches per hour for gutters
Drainage area to the retention pond is 1.50 acres
Retention area under the parking lot is 0.41 acres

Table 1 - Runoff Coefficient for Basin A (Pond Parking Lot)

Change Basin	Total Area (acres)	Runoff Coefficient	Runoff Volume (cu ft)
A	0.41	0.60	27,000

Table 2 - Runoff Coefficient for Drainage Basin B

Change Basin	Total Area (acres)	Runoff Coefficient	Runoff Volume (cu ft)
B	1.50	0.60	67,500

Table 3 - Runoff Coefficient for Drainage Basin C

Change Basin	Total Area (acres)	Runoff Coefficient	Runoff Volume (cu ft)
C	1.50	0.60	67,500

Table 4 - 100 Year Storm Peak Runoff and Volume from Basin A

Time Period	Runoff Intensity (in/hr)	Area (ac)	Runoff Coefficient	Peak Runoff Rate (cfs)	Peak Runoff Volume (cu ft)
15	4.13	0.41	0.60	1,050	15,750

Table 5 - 100 Year Storm Peak Runoff and Volume from Basin B

Time Period	Runoff Intensity (in/hr)	Area (ac)	Runoff Coefficient	Peak Runoff Rate (cfs)	Peak Runoff Volume (cu ft)
15	4.13	1.50	0.60	3,938	59,070

Table 6 - 100 Year Storm Peak Runoff and Volume from Basin C

Time Period	Runoff Intensity (in/hr)	Area (ac)	Runoff Coefficient	Peak Runoff Rate (cfs)	Peak Runoff Volume (cu ft)
15	4.13	1.50	0.60	3,938	59,070

Table 7 - Retention Under Site Parking Lot for Basin A

Time Period	Total Runoff Volume (cu ft)	Retention Storage (cu ft)	Runoff to Pond (cu ft)
15	27,000	27,000	0

Table 8 - Retention Pond in Park for Basin B

Time Period	Total Runoff Volume (cu ft)	Retention Storage (cu ft)	Runoff to Pond (cu ft)
15	67,500	67,500	0

Table 9 - Retention Pond in Park for Basin C

Time Period	Total Runoff Volume (cu ft)	Retention Storage (cu ft)	Runoff to Pond (cu ft)
15	67,500	67,500	0

Table 10 - Basin B Retention Pond Volume

Retention Depth (ft)	Retention Volume (cu ft)
0.5	33,750
1.0	67,500
1.5	101,250
2.0	135,000
2.5	168,750
3.0	202,500
3.5	236,250
4.0	270,000
4.5	303,750
5.0	337,500
5.5	371,250
6.0	405,000
6.5	438,750
7.0	472,500
7.5	506,250
8.0	540,000
8.5	573,750
9.0	607,500
9.5	641,250
10.0	675,000

Table 11 - Park Retention Pond Volume

Retention Depth (ft)	Retention Volume (cu ft)
0.5	13,500
1.0	27,000
1.5	40,500
2.0	54,000
2.5	67,500
3.0	81,000
3.5	94,500
4.0	108,000
4.5	121,500
5.0	135,000
5.5	148,500
6.0	162,000
6.5	175,500
7.0	189,000
7.5	202,500
8.0	216,000
8.5	229,500
9.0	243,000
9.5	256,500
10.0	270,000

Test pits in the gutter report generally show gutters under 1" of deposit
Assume penetration of 2.5 inches per hour for gutters
Drainage area to the retention pond is 0.50 acres
Retention area under the parking lot is 0.41 acres

Test pits in the gutter report generally show gutters under 1" of deposit
Assume penetration of 2.5 inches per hour for gutters
Drainage area to the retention pond is 2.51 acres

Test pits in the gutter report generally show gutters under 1" of deposit
Assume penetration of 2.5 inches per hour for gutters
Drainage area to the retention pond is 2.51 acres

Table 12 - Runoff Coefficient for Basin B (Pond Parking Lot)

Change Basin	Total Area (acres)	Runoff Coefficient	Runoff Volume (cu ft)
B	0.91	0.60	40,500

Table 13 - Runoff Coefficient for Drainage Basin D

Change Basin	Total Area (acres)	Runoff Coefficient	Runoff Volume (cu ft)
D	1.59	0.60	72,900

Table 14 - Runoff Coefficient for Drainage Basin E

Change Basin	Total Area (acres)	Runoff Coefficient	Runoff Volume (cu ft)
E	1.59	0.60	72,900

Table 15 - 100 Year Storm Peak Runoff and Volume from Basin B

Time Period	Runoff Intensity (in/hr)	Area (ac)	Runoff Coefficient	Peak Runoff Rate (cfs)	Peak Runoff Volume (cu ft)
15	4.13	0.91	0.60	2,450	36,750

Table 16 - 100 Year Storm Peak Runoff and Volume from Basin D

Time Period	Runoff Intensity (in/hr)	Area (ac)	Runoff Coefficient	Peak Runoff Rate (cfs)	Peak Runoff Volume (cu ft)
15	4.13	1.59	0.60	4,050	60,750

Table 17 - 100 Year Storm Peak Runoff and Volume from Basin E

Time Period	Runoff Intensity (in/hr)	Area (ac)	Runoff Coefficient	Peak Runoff Rate (cfs)	Peak Runoff Volume (cu ft)
15	4.13	1.59	0.60	4,050	60,750

Table 18 - Retention Under Site Parking Lot for Basin B

Time Period	Total Runoff Volume (cu ft)	Retention Storage (cu ft)	Runoff to Pond (cu ft)
15	40,500	40,500	0

Table 19 - Retention Pond in Park for Basin D

Time Period	Total Runoff Volume (cu ft)	Retention Storage (cu ft)	Runoff to Pond (cu ft)
15	72,900	72,900	0

Table 20 - Retention Pond in Park for Basin E

Time Period	Total Runoff Volume (cu ft)	Retention Storage (cu ft)	Runoff to Pond (cu ft)
15	72,900	72,900	0

Table 21 - Park Retention Pond Volume

Retention Depth (ft)	Retention Volume (cu ft)
0.5	13,500
1.0	27,000
1.5	40,500
2.0	54,000
2.5	67,500
3.0	81,000
3.5	94,500
4.0	108,000
4.5	121,500
5.0	135,000
5.5	148,500
6.0	162,000
6.5	175,500
7.0	189,000
7.5	202,500
8.0	216,000
8.5	229,500
9.0	243,000
9.5	256,500
10.0	270,000

BLUE STAKE NOTE:
• LOCATION OF EXISTING UTILITIES SHOWN ON PLAN ARE APPROXIMATE AND MAY BE INCOMPLETE. CONTRACTOR IS RESPONSIBLE FOR BLUE STAKING OF UTILITIES.

STORM DRAIN NOTES:
• ALL STORM DRAIN CONSTRUCTION TO MEET MIDWAY CITY STANDARDS

PLAN REVISION 13 FEB 2022:
PLAN REVISED TO CHANGE STORM POND NEAR MAIN STREET AS REQUESTED BY CITY COUNCIL

SUMPS ADDED TO RETAIN ALL 100 YEAR STORM WATER UNDERGROUND ONLY A SMALL 1 FOOT GRADUAL DEPRESSION FOR A STORM WATER BASIN IN CASE OF A STORM GREATER THAN 100 YEARS.

- LEGEND:**
- EXISTING SEWER
 - PROPOSED SEWER
 - EXISTING WATER
 - PROPOSED WATER
 - EXISTING PRESSURIZED IRRIGATION
 - PROPOSED PRESSURIZED IRRIGATION
 - PROPOSED STORM DRAIN

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PAUL D. BERG, P.E.
SERIAL NO. 220295
DATE: 13 JAN 2022

LUSTER THE VILLAGE

OVERALL STORM DRAIN PLAN

BERG ENGINEERING
380 E Main St. Suite 204
Midway, UT 84049
ph 435.657.9749

DESIGN BY: PDB DATE: 25 MAY 2021
DRAWN BY: DEJ REV: 13 FEB 2022

SHEET 38