



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: April 2, 2024

NAME OF PROJECT: Ameyalli Resort Development

NAME OF APPLICANT: Midway Mountain Spa LLC

AUTHORIZED REPRESENTATIVE: Chuck Heath

CIVIL ENGINEER: Berg Engineering

AGENDA ITEM: Ameyalli Resort Phase 2 Preliminary

LOCATION OF ITEM: Approximately 800 North 200 East

ZONING DESIGNATION: Recreational and Resort Zone (RZ)

ITEM: 6

Chuck Heath, representative for Midway Mtn Spa LLC, has submitted a preliminary application for Phase 2 of the Ameyalli Resort on 28.87-acres. The preliminary plan includes 23 cottage units, 80 hotel units, and the Chopra House of Enlightenment, and the Well-Being Center which includes restaurants, spa, event center, etc. The property is located at approximately 800 North 200 East and is in the Resort Zone (RZ).

BACKGROUND:

Chuck Heath of Midway Mountain Spa LLC is requesting preliminary approval of Phase 2 of the Ameyalli Resort master plan (FKA Mt. Spa) which is on 11.44 acres. Ameyalli was originally approved as a four-phase development, but the City Council approved a master plan amendment March 19, 2023, and reduced the phases from four to two. The master plan includes a resort building, hotel rooms, cottage units, duplex units, family lodges, public and private trails, and other resort related amenities. Phase 2 specifically

includes the Well-Being Center which includes restaurants, spa, event center, etc. along with 23 cottage units, 80 hotel units, and the Chopra House of Enlightenment. As part of Phase 1, the applicant brought utilities into the property and nearly completed construction of a connector road from Burgi Lane to 600 North. The connector road will access all the uses in Phase 2.

The applicant has stated that the intent is that all units are rentable, including the hotel and cottage units in Phase 2. It is unknown at this stage if the proposed plat will show building pads and possibly condominium units or if all the hotel and cottage units will be in one ownership. A proposed plat is required for final approval. The applicant has stated that, through Ameyalli's Codes, Covenants, and Restrictions (CC&Rs), the units will not be lived in year-round but will be vacation properties that are put into a rental pool when not being used by the owner(s). Because hotel rooms and nightly rentals are a benefit to the community in various ways (resort tax, transient room tax, patrons for restaurants and commercial businesses), the resort zone limits residential units that allow stays of 30 days or longer to 10% of the gross master plan floor area. It is unlikely that anyone would live in any of the units in Phase 2 since there are no kitchen facilities in any of the units.

The Mountain Spa was established in the 1880s and operated as a resort focused on pools, using the geothermal water found on site, and as a gathering area for the community. The resort was active until the 1980s and then shut down. The site had gone into disrepair and the recreational facilities and buildings were dilapidated and have been removed from the site.

There has been interest in developing the property since that time. One of the most recent proposals that received approval from the City was in 2008 when a large resort was proposed on the property. The approved resort included hotels, promenade, bungalows, and the Old Mountain Spa Village. The approval also included a planned unit development (PUD) in the area zoned R-1-22 which was approved for 63 units. Since the approval, the entitlement for the resort has lapsed until in the past few years when a collaboration was formed between Chuck Heath, Summit Land Conservancy, Midway, and Wasatch County. The four entities all worked together and were able place conservation easements on roughly 46 acres (Lot 2 and Lot 4 of the Mountain Spa Rural Preservation Subdivision and an 8.81 parcel in the center of the resort core).

The Mountain Spa property itself is fascinating because of the natural environmental features found on the property. The property has geothermal springs and craters filled with warm water. There is a large area of pot rock around the springs and craters which are considered a major geologic feature area by Midway City and protected as part of the sensitive lands code. There are also wetland areas on the property along with agricultural area that includes about 15 acres of irrigated field and a large pasture located on the north end of the property (now preserved with a conservation easement). Because of these features and because of the Mountain Spa's prominent location on the north end of Midway, the City has planned for trails to cross the property in two locations. There is a large linear park trail that is planned to connect Burgi Hill Park in the north to Watts Remund Farms PUD in the south. This trail will connect the north end of the City down

to Main Street and will create a trail that will generally not parallel roads and will create a safe environment for pedestrians to travel from one area of Midway to another. The City has also planned a trail along River Road and has recently installed a temporary trail in the River Road right-of-way. It is anticipated that with this proposal a new trail will be constructed on the Mountain Spa property along the River Road right-of-way that will be farther from the road and will create a safer pedestrian experience for those using the trail. The City has also secured an easement and built a trail that connects the River Road trail with the planned linear park trail that runs east and west across the southern boundary of Lacy Lane Estates.

The property fronts two of the busiest roads in Midway which includes River Road and Burgi Lane. These two roads act as the entry into Midway and by preserving the properties as open space, Midway has ensured a beautiful and natural entry corridor to the City that benefits residents and tourists alike.

The Mountain Spa resort is an important heritage landmark in Midway. The Mountain Spa can be an important economic driver in Midway for economic activity which has a residual impact on other businesses but also an important tax revenue source for the City which, in turn, helps keep property taxes low which is a benefit to all residents of Midway.

Sensitive land area located on the property will be left undisturbed as required by the land use ordinance. These sensitive lands include 25% and greater slopes, hot pots, and pot rock outcroppings.

LAND USE SUMMARY:

- Resort Zone (RZ)
- Phase 2 approximately 11.44 acres (28.87 acres total in the master plan)
- 4.08 acres of open space (15.95 acres of open space in the master plan)
- Well-Being Center which includes restaurants, spa, event center, etc.
- 23 cottage units, 80 hotel units, and the Chopra House of Enlightenment
- Public trails from 600 North to Burgi Lane (8' wide paved trail), River Road to resort core (6-8' wide soft surface trail), and crater loop trail (approximately 4' wide soft surface trail)
- Private roads and storm drain system will be maintained by the property owner
- New improvements will connect to the Midway Sanitation District sewer and to the City's culinary water line

- Sensitive lands on the property include hot pots, rock outcroppings and 25% and greater slopes

ANALYSIS:

Open Space – The code requires 55% open space which is being met with 16.06 acres of which 4.08 acres are in Phase 2. Only areas that are a minimum of 100’ in width qualify as open space, these areas shall not be developed except for uses specifically permitted in the code. The open space areas, that will be noted on the plat, will include the 100’ setback area along the adjoining property boundaries.

Density – The proposed development includes the following types and quantities of density (Items in **bold** are in Phase 2):

• 80 Hotel Rooms –	42,020 SF
• 23 Cottages –	37,444 SF
• Chopra House of Enlightenment -	3,210 SF
• Resort Building/Spa -	44,697 SF
• 24 Duplex Units -	66,393 SF
• Two Family Lodges -	10,542 SF
• Med Spa -	5,500 SF
• Farm Kitchen -	1,300 SF
 Total:	 213,030 SF
Total Bedrooms:	237 EA

Building Area –The proposed plan includes a gross building floor area of 213,030 square feet (250,000 square feet is the maximum allowed by the Memorandum of Understanding). The resort zone requires 20% of the gross floor area to be designated as commercial (42,489 square feet). Of that 20%, 25% must be uses such as retail, restaurants, clubs/taverns, or art galleries/showrooms (10,652 square feet).

Access – The development has two access points, both of which are built to City standards, one from Burgi Lane, one from 600 North via 200 East. The roads will be private except the existing public road of 200 East which extends about 650’ north of 600 North.

Public Participation Meeting – The developers held a public participation meeting on May 4, 2022, as required by the ordinance for master plan applications. This requirement is to give the developers an opportunity to present the resort to the surrounding residents of the proposed development.

Sensitive Lands – The property does contain some sloped areas and geologic sensitive lands that cannot be disturbed through the development process. The craters are defined as a “major geologic feature” in the sensitive lands ordinance and cannot be developed or disturbed, although the Crater has been developed in several ways over the past century. The developer is limited in use of the area which basically means that the pot rock cannot be modified in any way. There is also an area of the property that contains “minor geologic features” which is an area that is developable except for pot rock outcroppings over three feet in height. A few trails are planned in the craters area which must be constructed within the guidelines of the sensitive land ordinance.

Public Trails – There is an 8’ paved public trail that is planned to connect Burgi Hill Park in the north to the Watts Remund Farms PUD in the south. This trail will connect the north end of the City down to Main Street and will create a trail that will generally not parallel roads and will create a pleasant environment for pedestrians to travel from one area of Midway to another. The City has also planned an 8’ paved public trail along River Road and has recently installed a temporary trail in the River Road right-of-way. It is anticipated that in the future, the City will rebuild the River Road trail in the public trail easement that has been dedicated to the City as part of the Mountain Spa Rural Preservation Subdivision with the funds the developer has already given to the City. The future River Road trail will be constructed in the trail easement along the River Road right-of-way that will be farther from the road and will create a safer pedestrian experience. The City has also secured a public trail easement and built the soft-surface trail from the River Road Trail with the area of the planned linear park trail with funds that were paid by the developer of Ameyalli. A log fence has also been built along the north side of the trail by funds paid to the City by the developer. There is also a soft-surface public trail that will connect from the linear park trail that will circle the hot pot area in the conservation easement that will be built by the developer.

Private Trails – There are many 6’ private trails in the development. These trails will be used by the guests to travel from lodging areas to amenity areas. The plan specifies that the trails will either be concrete or asphalt which will work better than soft-surface trails which would not be as feasible in the varied climate of Midway.

Architecture Theme – Typically, the architectural theming for new structures in the Resort Zone must comply with the Swiss-European guidelines outlined in Section 16.13.37 of the land use code. In Chapter 16.15 (Resort Zone), the building design guideline section (16.15.4 (G) (3)) states that the building design shall reflect “The community’s architectural character choices emphasizing Swiss/European Alpine themes (or other themes as approved by the City Council after a recommendation from the Visual Architectural Committee (VAC) and Planning Commission).” The applicant proposed a theme that some may interpret as a departure from the typical Swiss/European Alpine themes. With the approval of the master plan, the developer’s proposed theming was approved for the resort. Individual buildings will be presented to the VAC for their review before building permits are submitted.

Setbacks – The proposed development is designed with the setbacks from the Resort Zone code. The code requires 100’ setbacks from all boundary lines surrounding the original Mountain Spa property. This includes the areas along the southern boundary, Sunflower Farms, property to the west that fronts Center Street, and along the boundary with Lacy Lane Estates. The four Mountain Spa Rural Preservation lots that were developed by the applicant and were part of the original Mountain Spa Resort property, all have minimal setbacks because those properties are part of the master proposal and are considered part of the resort property as approved in the previous plan (2008 master plan approval). Internal road setbacks are as approved by the City Council.

Height of structures – Structures cannot exceed 35’ in height measured from natural grade as described in the Ameyalli Master Plan Agreement.

Building Area Dimensional Limitations – The code requires that building coverage not exceed 12,000 square feet per acre or greater than 27.5% of an acre. The applicant has submitted a plan that states that the average building coverage 213,030 square feet (4.89 acres) per acre which is about 17% per acre.

Memorandum of Understanding requirements – Summit Land Conservancy and Chuck Heath entered into a Memorandum of Understanding (MOU) regarding development of the Mountain Spa Property. The MOU dictates previously mentioned items such as building footprint area and height. It also requires the following:

- Restore and maintain the historic “Mountain Spa” pole sign.
- Construct the previously mentioned trails.
- Restore natural hot spring water to at least one of the craters in the protected pot rock area.
- Demolish and clean up the old buildings and derelict swimming pools in and around the protected pot rock area, leaving the two-story historic stone building intact.
- Provide for the preservation of wildlife habitat, particularly the wetland areas on the northwest of the property.

Parking – The City Council has approved a parking plan that reduced parking from 680 stalls down to 302 stalls. This was based on resort industry standards that reduce parking stalls because guests of the resort visit the other amenities and businesses in the resort. This allows for a reduction of parking stalls because a guest that is staying in the hotel will park in the hotel stall but will not need a stall at the restaurant or spa when they visit those facilities. The developer has provided a plan that includes 306 stalls which exceeds the 302 required stalls.

Water Rights – Master plans require that water rights be held in escrow with the City before a master plan agreement can be recorded. The required water rights per phase are then dedicated to the City before the recording of each plat. The Water Advisory Board reviewed the project on May 2, 2022, to preliminarily determine the water

required for the proposal. In that meeting, the Water Board recommended that 119.62 acre feet (106.72 culinary and 12.97 outside irrigation) will be required for the entire project which includes culinary connections and outside irrigation. Since that meeting, plans have been revised and updated so that recommendation was no longer accurate. On October 3, 2022, the Water Board reviewed and made a recommendation that 124.85 acre feet (92.23 culinary and 25.62 outside irrigation) must be held in escrow for the entire master plan. The developer was required to dedicate 36.5 acre feet for Phase 1, this leaves the remainder of the required water rights to be dedicated for Phase 2 which is 88.35 acre feet.

Landscaping Plan – A detailed landscaping plan has been submitted which shows irrigated areas, ground covers, and types and quantities of trees. The code requires 15 trees per acre for non-hard-surface common areas. Based on the plan, 326 trees are required. Phase 2 includes 69 of the required 326 trees. All trees in Phase 2 comply with requirements that evergreens are at least 6’ tall and deciduous trees have a caliper of at least 2”. One area of attention is in the north end of the resort where the private road makes a 90 degree turn next to Lacy Lane Estates. This area is of concern because of the potential light nuisance that is created by vehicles leaving the resort and heading to Burgi Lane. The lights from the vehicle will shine directly into the back of a couple of Lacy Lane homes and will affect several others unless the nuisance is mitigated. The developer, staff, Lacy Lane Estates HOA, and residents of Lacy Lane have held several meetings to work on a landscape plan and stone wall plan that will help mitigate light from trespassing on to neighboring properties.

Off-Site Storm Drain Basin – Part of creating a landscaping plan that helps shield residents of Lacy Lane Estates from light and noise nuisances created by Ameyalli, and part of creating the space necessary for the landscaping required rerouting of the proposed public trail. To create the spacing for both, a solution developed that placed Ameyalli’s storm water basin in the common area of Lacy Lane Estates. This plan has been approved by the HOA and an easement has been deeded from the Lacy Lane Estates HOA to Ameyalli for access and maintenance purposes.

Geotechnical Report – The City has received a geotechnical report for the property that was prepared by Earthtec which has been reviewed by the City’s engineer. The City has also received a report on ground penetrating radar of the site.

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Wardle: I make a motion that we recommend approval of the preliminary application for Phases 2, 3, and 4 of Ameyalli Resort on 28.87-acres. The preliminary plan includes 23 cottage units, 80 hotel units, a presidential suite (Chopra House of Enlightenment), and the Well-Being Center which includes restaurants, spa, event center, etc. The property is located at approximately 800 North 200 East and is in the Resort Zone (RZ). We approve the findings in the staff report.

Seconded: Commissioner Lineback

Commissioner Ream: Any discussion on the motion?

Commissioner Ream: All in favor.

Ayes: Commissioners: Wardle, Lineback, Nokes, Osborne, Miles

Nays: None

Motion: Passed

WATER BOARD RECOMMENDATION:

The Water Advisory Board reviewed the project on October 3, 2022, to determine the water required for the proposal. They recommended that 124.85 acre feet (99.23 culinary and 25.62 outside irrigation) will be required for the entire project which includes culinary connections and outside irrigation. The developer was required to dedicate 36.5 acre feet for Phase 1, this leaves the remainder of the required water rights to be dedicated for Phase 2 which is 88.35 acre feet.

POSSIBLE FINDINGS:

- The proposal will benefit the City financially by creating a greater tax base.
- The proposal will help the City better comply with State requirements regarding the ability to collect resort tax.
- The public trail system in the development will benefit the entire community by creating public trails across the property that will connect to Midway's existing trail network.
- Amenities will be created that will be accessible year-round which will invite more tourists to visit the resort in all seasons.

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council finds the proposal complies with code and master plan requirements.
 - 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 code and master plan requirements.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Orme • Jeffery Drury
J.C. Simonsen • Steve Dougherty
Kevin Payne



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midwaycityut.org

March 12, 2024

Michael Henke
Midway City Planner
75 North 100 West
Midway, Utah 84049
(Sent by Email)

Subject: Ameyalli – Phase 2 Preliminary Review

Dear Michael:

We recently reviewed Phase 2 of the Ameyalli Resort for Preliminary approval. The proposed resort is located within the recently plated Mountain Spa Rural Preservation development and is located at within the old Mountain Spa. The following issues should be addressed with Preliminary approval.

General Comments

- The majority of the Phase 2 improvements were installed with Phase 1.

Water

- Phase 2 will be served from the Gerber / Mahogany pressure zone.
- Each of the water lines within Phase 2 will connect to the 8" Phase 1 water line.
- The proposed 8" water lines within the development will provide fire flows of approximately 2,000 gpm.

Roads

- Each of the roads within the proposed Phase 2 will connect to roads that were installed with Phase 1. The proposed cross-section is 22' of asphalt with two 2' concrete ribbon curbs, for a total width of 26'.
- The roads within the resort will be private roads with a public easement.
- A traffic study has been submitted, reviewed, and accepted.

Pressure Irrigation

- The resort will be serviced by Midway Irrigation. To date a design for the booster pump has not been provided to the developer.
- Prior to Phase 1 receiving Final approval the design for the irrigation pumping system should be submitted to and accepted by the Developer.

Trails

- An 8' paved public trail running north to south from Burgi Lane through the development and connecting to 600 North was installed as part of Phase 1. This trail will provide connectivity from the existing trails on 600 North to Burgi Lane, then Valais Park. The trail will be a valuable link to the Midway City trails system. The trail will be completed as part of Phase 1.

Our vision for the City of Midway is to be a place where citizens, businesses and civic leaders are partners in building a city that is family-oriented, aesthetically pleasing, safe, walkable and visitor friendly. A community that proudly enhances its small-town Swiss character and natural environment, as well as remaining fiscally responsible.

Storm Drain

- The storm drain system within the resort will be a private. The system will collect and retain all onsite storm water through catch basins and retention basins.

Sewer

- All units within this development will be serviced by Midway Sanitary District.

Please feel free to call our office with any questions.

Sincerely,



Wesley Johnson, P.E.
Midway City Engineer

cc: Berg Engineering (Sent by Email)

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Christen • Jeffery Drury
J.C. Simonsen • Steve Dougherty
Kevin Payne



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Ameyalli Phase II Preliminary Approval

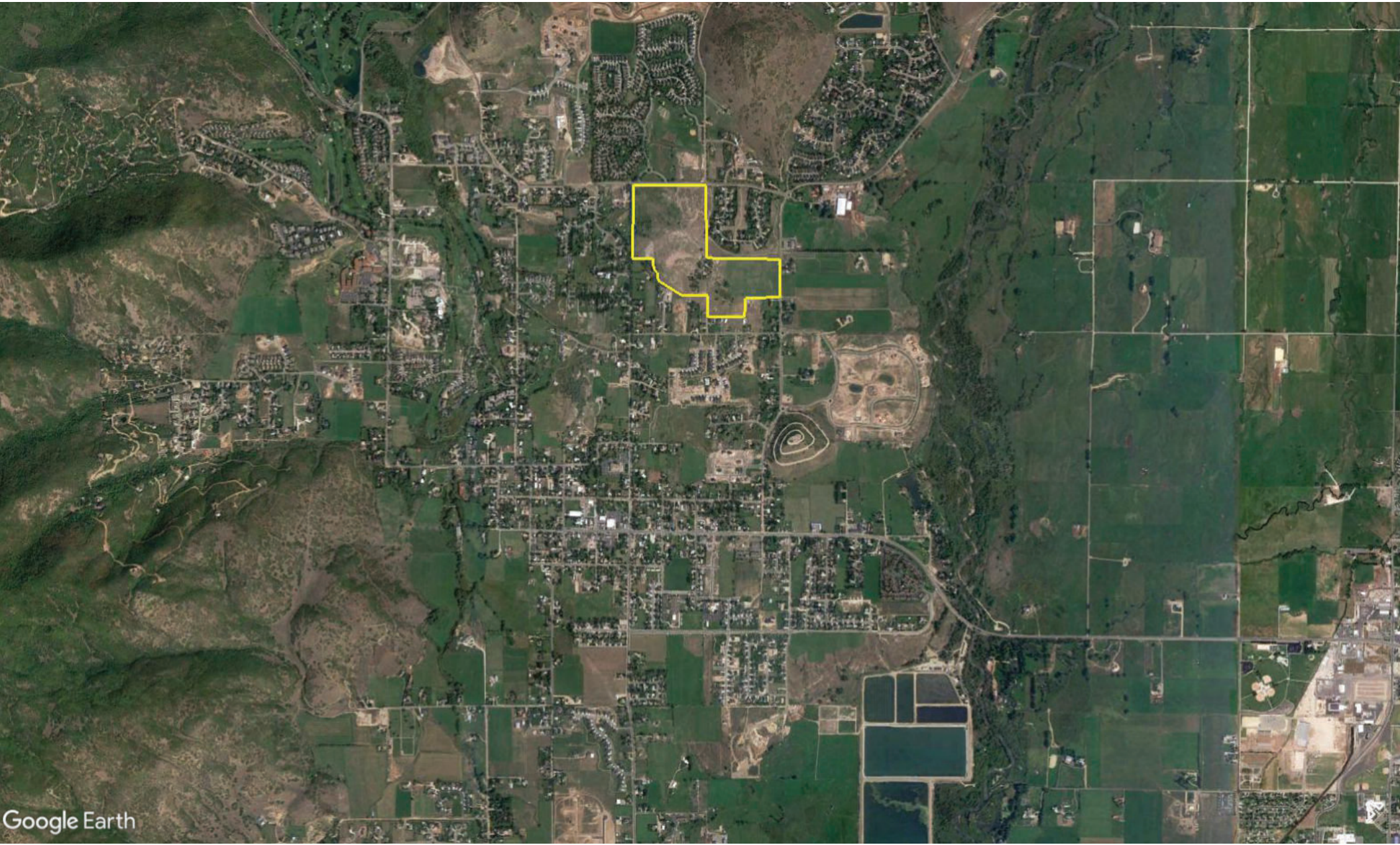
February 4, 2024

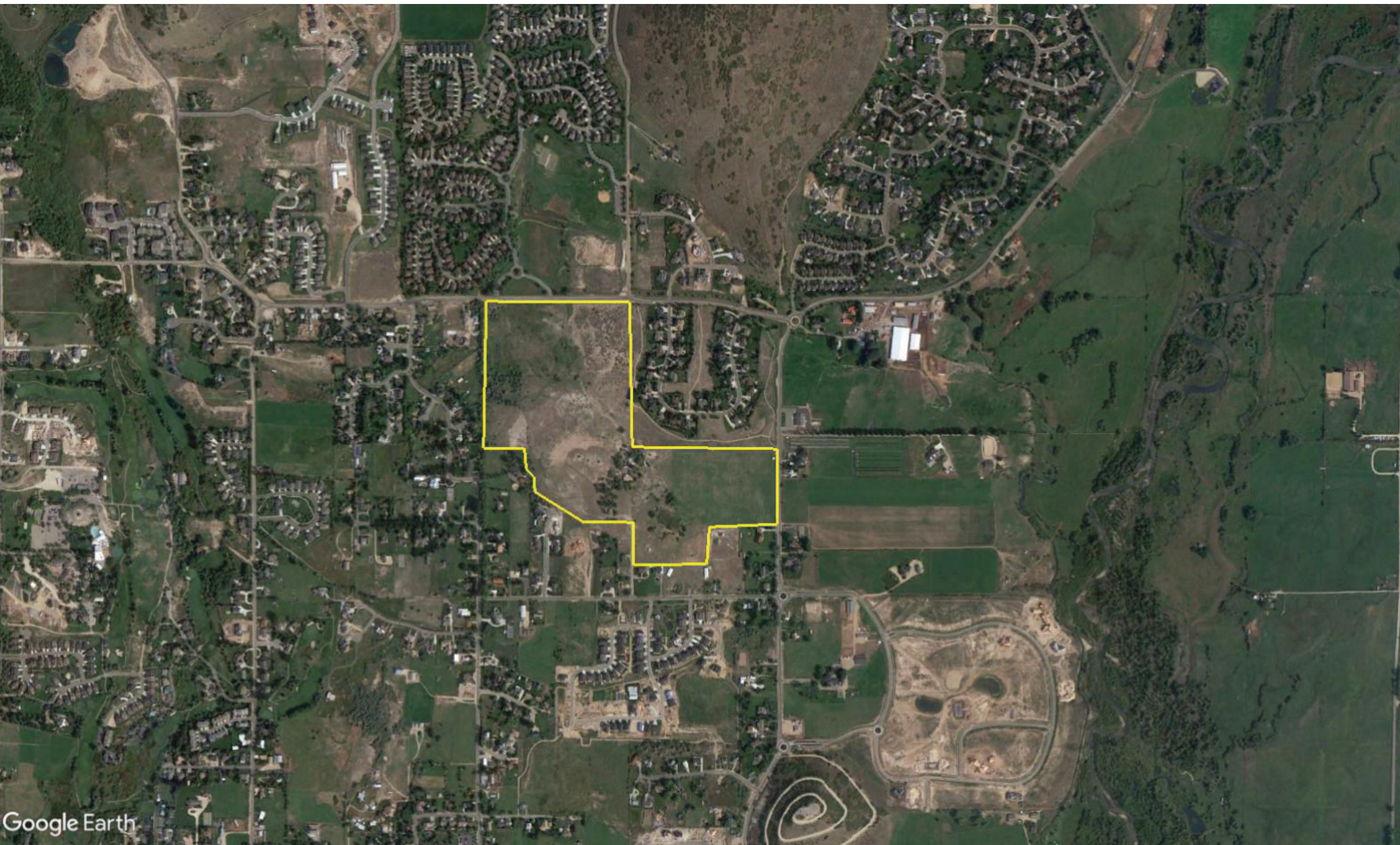
Michael Henke Midway City Planning Director,

I have reviewed the Ameyalli Phase II Preliminary plans for Ameyalli for compliance with the 2021 International Fire Code (2021 IFC). I have no fire code concerns currently. Once more detailed plans are available, I will review this development for 2021 IFC code compliance verify proper hydrant location & distances from structures, road widths, etc.

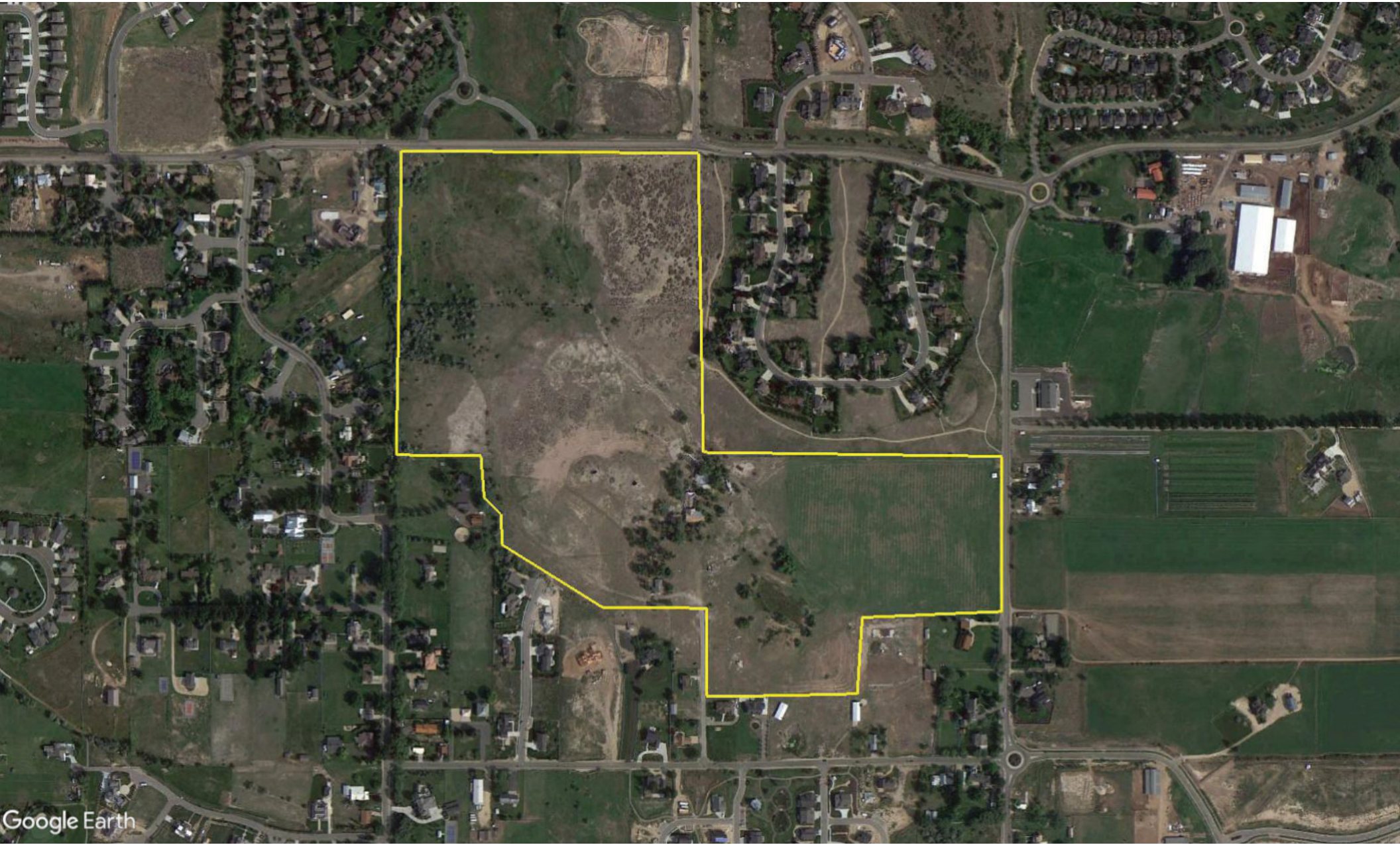


Tex R. Couch CBO/MCP
Midway City Building Official/Fire Marshal
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Google Earth



AMEYALLI WELLBEING RESORT

800 N 200 E MIDWAY, UTAH 84049



PHASE 2 PLANNING COMMISSION PRELIMINARY APPROVAL PACKAGE | FEBRUARY 2024

OVERLAND



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MASTER SITE PLAN

OVERALL RESORT



PROGRAM | LEGEND

- 1 MAIN ENTRANCE
- 2 AGRICULTURAL PRESERVATION AREA
SEE RECORDED RURAL PRESERVATION SUBDIVISION PLAT.
- 3 WELL-BEING CENTER
- 4 HOTEL GUESTROOMS
- 5 COTTAGES
- 6 RESIDENCES
- 7 FAMILY LODGE + FAMILY POOL AREA
- 8 RECREATION ZONE
- 9 FARM KITCHEN
- 10 MED SPA
- 11 RESTORED EXISTING POT ROCK STRUCTURE
- 12 HOT POTS
- 13 POTENTIAL EMERGENCY ACCESS PATH
- 14 RECREATION COURTS
- 15 RESTORED EXISTING HISTORIC BUILDING

MASTER SITE PLAN

SITE METRICS



PROGRAM | GROSS SF

80 Guestrooms:	42,020
23 Cottages:	37,444
Chopra House of Enlightenment:	3,210
Well-Being Center:	44,697
24 Residences:	66,393
2 Family Lodges:	10,542

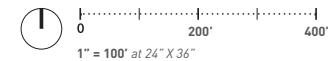
Existing House (Restored): **1,924**

Med Spa: **5,500**

Farm Kitchen: **1,300**

TOTAL: 213,030

TOTAL # of Bedrooms: 237



MASTER SITE PLAN

PHASE METRICS



PROGRAM | GROSS SF

PHASE 1: PREVIOUSLY APPROVED

24 Residences:	66,393
2 Family Lodges:	10,542
	76,935
	108 Bedrooms

PHASE 2:

Well-Being Center:	44,697
Med Spa	5,500
Farm Kitchen:	1,300
	51,497

PHASE 2:

80 Guestrooms:	42,020
	42,020
	80 Bedrooms

PHASE 2:

23 Cottages:	37,444
Chopra House of Enlightenment:	3,210
	40,654
	49 Bedrooms

PHASE 2:

Existing House (Restored)	1,924
	1,924

TOTAL: 213,030

TOTAL # of Bedrooms: 237



MASTER SITE PLAN

OPEN SPACE PLAN



TOTAL AREA OF RESORT | AC

Building Footprint:	4.89	16.9%
Roads, Parking & Driveways:	4.03	14.0%
Green Space:	19.95	69.1%
Landscaped Areas:	4.03	14.0%
Open Areas:	15.92	55.1%

TOTAL Project Area: **28.87**

OPEN SPACE | AC

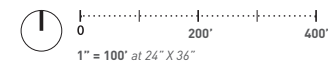
Proposed Open Space: **15.92** 55.1%

PHASE 1:

Built Area:	1.77
Open Space:	11.87
% of Phases:	75.9%
% of Project:	40.9%

PHASE 1+2:

Built Area:	4.89
Open Space:	15.92
% for Phase:	55.1%
% for Project:	55.1%



MASTER SITE PLAN

LIGHT MITIGATION STRATEGIES



ENTRY WALLS AND LANDSCAPING WILL SCREEN NEIGHBORS FROM VEHICLES ENTERING THE PROPERTY



EXTERIOR LIGHTING WILL BE SELECTED TO REDUCE LIGHT POLLUTION AND GLARE

ALL FUTURE SITE LIGHTING WILL COMPLY WITH MIDWAY MUNICIPAL CODE 5.02.080 OUTDOOR LIGHTING AND GLARE