

Midway City Planning Commission Regular Meeting Minutes April 12, 2022

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 6:00 p.m., April 12, 2022, at the Midway City Community Center
160 West Main Street, Midway, Utah

Attendance

Jeff Nicholas- Chairman
Andy Garland
Laura Wardle
Bill Ream
Kelly Lineback
Rich Cliften

Staff

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

Excused

Rob Bouwhuis- Vice Chair
Craig Simons

6:00 P.M. Regular Meeting

Call to Order

- Welcome and Introductions: Opening Remarks or Invocation; Pledge of Allegiance
 - Invocation was given by Laura Wardle
 - Chairman Nicholas led the Pledge of Allegiance

Item 1:

Review and possibly approve the Planning Commission Meeting Minutes of March 8, 2022.

Motion: Commissioner Garland: I make a motion that we recommend approval of the minutes for March 8, 2022.

Seconded: Commissioner Wardle

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

Ayes: Commissioners: Ream, Cliften, Wardle, and Garland

Motion: Passed

Proposed Code Inclusion

"If the flood risk is mitigated by a 2' rise or barrier, dwellings can be built 5' from the 100 year floodplain boundary, but no closer than 50' from a creek, lake, or other waterway"

General Plan- Environment and Sensitive Land Element

Midway is characterized by valuable open space resources that contribute to the community's character and overall quality of life. Open spaces hold value for ecological, agricultural, cultural and recreational qualities, and these lands are worthy of careful planning and conservation.

GOAL 1: Environmental resources of the City should be protected including water quality, air quality, wildlife habitat, scenic quality, hillsides, ridge lines, prime agriculture land, open space, soils, vegetation, wetlands, riparian corridors and flood plains.

Objective 1: Protect all of the environmental and natural resources of the City by requiring development to occur in a manner and location which respects sensitive environmental lands: wetlands, flood plains and natural drainage patterns, steep slopes, productive agricultural lands, geologically unstable areas, critical wildlife areas, vegetation and important scenic features such as ridge lines hillsides and view corridors.

Guideline 3: Prohibit development or construction below any historic high-water line of all streams and rivers or whenever it will significantly alter the natural drainage patterns of the land. Development in a flood plain is strongly discouraged and if occurs shall specifically comply with all applicable Federal Emergency Management Agency regulations.

Objective 2: Protect water quality, including watershed areas, and ensure that there are adequate quantities of water for all residents of Midway.

Guideline 4: Adequate buffers from development should be provided along all water ways and wetlands in Midway.

Objective 5: Manage development, minimize damage and hazards, and protect life and property in areas subject to risk from natural hazards such as seismic activity, unstable soils, flooding conditions, and other geologic hazards.

Guideline 3: Promote open space and recreational uses in identified flood zones unless the hazard can be adequately mitigated.

Guideline 5: Midway should require the protection of all wetlands, streams and other waterways and other environmentally sensitive lands from construction impacts and runoff from parking lots, roads and other impervious surfaces

- *Effective planning through clustering, setbacks, Transfer Development Rights and animal/agriculture ordinances will help Midway to preserve its view corridors, maintain open spaces and reinforce a country/rural feeling.*

terrain.

- Identify and protect environmentally sensitive areas of the City.
- Protect these areas from flooding, erosion, storm water damage or fire hazard.
- Protect the public safety and public costs thereof.

Protect the scenic and natural character and views of these areas

Possible Findings

- Various sections of the general plan support measures that will increase open space and protect the natural features of the city, including stream corridors
- Reducing the setback requirement will impact various properties differently but would ultimately allow some property owners to build closer to a stream corridor than is currently allowed.

Commissioner Comments

It was clarified that the setbacks for the building can be included in the 50' floodplain setback.

There was clarification regarding the 18" additional height from the elevations. This was clarified that the state of Utah has a 12" additional height above the elevations, but Midway City goes 6" above that 12" for added protection from possible flooding.

There was a discussion regarding the right of way in the water. Michael clarified that Provo River can be accessed in the river itself per State code, however Michael stated that he did not know if Snake Creek would be in the same category of the Provo River.

Rich Clifton stated he didn't think this would work. It would allow for a lot of damage in the flood plain.

Public Hearing Open

Dan and Brenda Turner asked for clarification regarding any voting during this meeting. It was clarified that this meeting is a recommending body and will send the recommendation to the City Council for them to make any final decisions regarding any code change.

Public Hearing Closed

Motion: Commissioner Ream: I make a motion that we recommend denial for an amendment to Chapter 16.14.8: Streams, Waterways, and Ditches. The proposed amendment would impact how close a proposed building envelope could be built to a designated flood zone. We approve the staff findings.

Seconded: Commissioner Garland

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

Ayes: Commissioners: Ream, Clifton, Wardle, and Garland

Nays: None

Motion: Passed

Scott Brubaker- Dutch Drive Circle- He believes that stopping all drive thru all together is detrimental to the community. Banks and Pharmacies may be impacted by not having drive-thru windows.

Motion: Commissioner Garland: I make a motion that we recommend approval for an amendment to Chapter 16.13.39: Off-Street Parking and Loading. The proposed amendment would prohibit the creation of new drive-through windows in Midway. We accept the findings in the staff report.

Seconded: Commissioner Wardle

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

Ayes: Commissioners: Ream, Cliften, Wardle and Garland

Nays: Ream

Motion: Passed

Item 4:

Watts Enterprises, agent for Midway Springs LLC Series II, is proposing preliminary approval of phase 4 of Remund Farms PUD. The proposal contains 7 lots on 4.14 acres. The property is located at 280 East Rockwell Circle and is in the R-1-15 zone.

Luke Robinson gave a presentation

Proposed Background

- R-1-15 zone
- Seven lots in a PUD subdivision
- 4.14 acres
- 1.24 acres of open space
- Private road
- Sensitive lands include wetlands
- The lots will connect to the Midway Sanitation District sewer, Midway City's culinary water line, and Midway Irrigation Company's secondary water line

Water Board Recommendation

Phase 4 Water Rights per the 1/6/2020 Water Board Meeting:

Inside: 5.60/ac-ft

Irrigation: 7.68 ac-ft

Total Required: 13.28 ac-ft

Possible Findings

There was a lengthy discussion regarding this trail and ideas on how to mitigate.

Motion: Commissioner Ream: I make a motion that we recommend approval of the preliminary application of phase 4 of Remund Farms PUD. The proposal contains 7 lots on 4.14 acres. The property is located at 280 East Rockwell Circle and is in the R-1-15 zone. We accept all of staff findings and conditions 2, 3, and 4 that are in the staff report. Condition 1 is replaced by an 8-foot paved surface trail, and to be on the west side of the easement and the city will work with Watts and the landowner. That the trail be congruent with the landscaping and the topography of the home and to not be a detriment to the home.

Seconded: Commissioner Garland

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

Ayes: Commissioners: Ream, Cliften, Wardle and Garland

Nays: None

Motion: Passed

Item 5:

Colton Chronister, agent for Johnsons Landing LLC, is requesting preliminary approval of Bonner Meadows. The proposal is for an 18-lot subdivision on 5.99 acres in the R-1-9 zone. The property is located at approximately 100 East 100 South.

Luke Robinson 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

Water Board Recommendation

This item was reviewed by the Water Board on February 6, 2017. The board recommended that 17.6-acre feet of water are tendered to the city before the 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.
- The proposal will need to comply with all requirements resulting from the three pending ordinances for the following sections: section 16.16 (PUDS and Standard

**REPORT OF ACTION
of the
Midway City Planning Commission**

April 12, 2022

Midway City is proposing an amendment to Chapter 16.13.39: Off-Street Parking and Loading. The proposed amendment would prohibit the creation of new drive-through windows in Midway.

The following action was taken by the Midway City Planning Commission on the above-described item at their regular meeting of April 12, 2022.

CONCEPT _____ APPROVED X DENIED _____ CONTINUED _____

Motion: Commissioner Garland: I make a motion that we recommend approval for an amendment to Chapter 16.13.39: Off-Street Parking and Loading. The proposed amendment would prohibit the creation of new drive-through windows in Midway. We accept the findings in the staff report.

Seconded: Commissioner Wardle

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

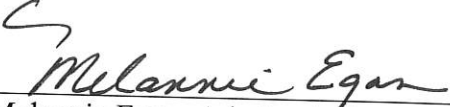
Ayes: Commissioners: Ream, Cliften, Wardle and Garland

Nays: Ream

Motion: Passed



Jeff Nicholas, Chairman



Melannie Egan, Admin. Assistant