

Midway City Planning Commission Regular Meeting Minutes June 11, 2024

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 6:00 p.m., June 11, 2024, at the Midway City Community Center
160 West Main Street, Midway, Utah

Attendance

Jeff Nicholas – Chairman
Andy Garland – Vice Chair
Travis Nokes
Andrew Osborne
Laura Wardle
Gene Miles
Craig Knight (Alt)
Kim Facer (Alt)

Staff

Michael Henke – City Planner
Katie Villani – Planner
Wes Johnson – City Engineer
Melannie Egan – Planning Tech
Craig Simons – City Council

Excused

Kelly Lineback

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 Commissioner Nokes

Item 1:

Review and possibly approve the Planning Commission Meeting Minutes of May 14, 2024 with the corrections noted.

Motion: Commissioner Garland: I make a motion that we approve the Planning Commission Meeting Minutes of May 14, 2024.

Seconded: Commissioner Knight

Commissioner Nicholas: Any discussion on the motion?

Commissioner Nicholas: All in favor.

Ayes: Commissioners: Osborne, Wardle, Nokes, Miles, Garland and Knight

Motion: Passed

Item 2:

Chuck Heath, representative for Midway Mtn Spa LLC, has submitted a final application and is seeking approval for Phase 2 of Ameyalli Resort on 28.87-acres. The final 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).

Michael Henke gave a presentation.

Land Use Summary

- **Resort Zone (RZ)**
- **Phase 2 - 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, River Road to resort core, and crater loop trail. Trails will be 8' with a paved surface except for the hot pot trail that will be a 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.**

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 |

Table 2 - Required Parking Spaces for the Ameyalli Master Plan

Use	Quantity	Unit	Parking Standard		Parking Space Subtotal	Peak Day Factor	Peak Hour Factor	Factor for Hotel Parking	Required Spaces
			Quantity	Unit					
Hotel Units (1 bedroom)	80	unit	1	per unit	80	0.84	0.95	1.00	64
Cottage Units (2 bedrooms)	23	unit	1	per unit	23	0.84	0.95	1.00	18
Cottage Lock Out Units	23	unit	1	per unit	23	0.84	0.95	1.00	18
Presidential Units (3 bedrooms)	1	unit	2	per unit	2	0.84	0.95	1.00	2
Duplex units (6 - 7 bedrooms)	24	unit	2	per unit	48	0.84	0.95	1.00	38
Family Lodge (5 bedrooms)	2	unit	2	per unit	4	0.84	0.95	1.00	3
Yurt	4	unit	1	per unit	4	0.84	0.95	1.00	3
Restaurant	71	seats	1	per 2 people	36	1.00	1.00	0.40	14
Rooftop Bar	35	seats	1	per 2 people	18	1.00	1.00	0.40	7
Farm Kitchen	12	seats	1	per 2 people	6	1.00	1.00	0.40	2
Event Space / Conference Center	245	person	1	per 2 people	123	1.00	0.50	0.40	25
Swimming Pools	201	person	1	per 2 people	101	1.00	0.75	0.40	30
Spa - Main Full Service	102	person	1	per 2 people	51	1.00	0.75	0.40	15
Spa - Med Spa	73	person	1	per 2 people	37	1.00	0.75	0.40	11
Spa - Basement	51	person	1	per 2 people	26	1.00	0.75	0.40	8
Fitness Center	53	person	1	per 2 people	27	1.00	0.75	0.40	8
Hotel Staff and Employees	53	person	1	per employee	53	1.00	0.33	1.00	17
Kitchen Staff and Employees	18	person	1	per employee	18	1.00	1.00	1.00	18

Total Parking Space Subtotal 302
 Reduction in Spaces Needed per Resort Owned Shuttle Vans 15
Total Parking Spaces Required for the Resort 287

Total Parking Spaces in Master Plan (with 15 tandem valet spots and 1 per duplex driveway) 330
Total Parking Spaces in Master Plan (with 15 tandem valet spots) 307
Total Parking Spaces in Master Plan (without tandem valet or duplex driveways) 292

Notes:

- Section 16.13.39.A.10 of the Midway City Zoning Ordinance requires 1 parking space per 200 sq. feet for restaurants. This analysis uses seating capacity instead of square feet which is a more accurate method to estimate parking for restaurants.
- Assumed that only a third of the hotel staff and employees is working during the evening peak hour. Cleaning, laundry and other maintenance employees are gone during the peak hour.
- One 15 person resort owned passenger van is the equivalent of 5 cars or 5 parking spaces. Three (3) vans are proposed for the resort.

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.

Proposed Conditions

None

Comments

Michael Henke discussed the height of the buildings and showed that they are all under the 35' height requirement.

Michael Henke stated that there is very little irrigation on the property, so there will only about 3 acres will be irrigated, and most will be dripped and not sprinkled. It was noted that the water calc seemed very high, so Michael broke down the numbers, stating that the water for irrigation is actually only around 12 acre feet and the rest in indoor culinary water use.

There was a discussion regarding the tax benefit that it would bring to the City. Chuck Heath stated the benefit would be in the amount of around 100 million and Brad Wilson our financial Officer would be the one to reach out to regarding our tax benefits that the resorts bring to the city.

Motion: Commissioner Garland: I make a motion that we recommend approval for Phase 2 of Ameyalli Resort on 28.87-acres. The final 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). **Seconded:** Commissioner Nokes

Commissioner Nichols: Any discussion on the motion?

Commissioner Nicholas: All in favor.

Ayes: Commissioners: Osborne, Wardle, Nokes, Miles, Garland and Knight

Nays: None

Motion: Passed

Item 3:

Midway City is proposing an amendment to the City's Land Use map. The proposal is to extend the Midway Growth Boundary which would allow potential annexation of the area into Midway. The expansion area would generally follow the east bank of the Provo River into the North Fields from State Route 113 to the River Meadows Ranch area. The proposed extension boundary may also include areas south of State Route 113 along the east side of the Provo River south to the Casperville Road area.

Michael Henke gave a presentation.

General Plan

Land Area and Annexation

- Midway is bounded on the north and west by mountains, on the east by the Provo River and on the south by Deer Creek Reservoir. Much of the land within that area is already part of the City. **Midway should consider increasing its growth boundary, including areas adjacent to the North Fields and the area along River Road to the Hwy 40 intersection.** Key to annexation decisions is the impacts on existing land uses, particularly water resources. For more information, please see the Midway City Annexation Policy Plan.

Growth Boundary Expansion

- The current open space bond can only be considered in areas that are located within Midway's growth boundary area. By including more land in the growth boundary, Midway can consider contributing funding to those areas which support goals in the General Plan such as securing more open areas between Midway and surrounding communities. Including these areas in the growth boundary could help Midway reach this goal. Midway has considered a second open space bond, and if the language for that bond is the same as for the first bond, extending the growth boundary would make it possible for the City Council to consider more property for preservation than is currently possible.
- The growth boundary helps create a buffer from surrounding communities. State Code does not prohibit, but it does discourage the overlapping of growth boundaries of different cities. If Midway's boundary is expanded, it's less likely that surrounding communities will include those areas in their growth boundaries.
- Midway gains control over the land use laws in the areas that are annexed into the City. Currently lands in the North Fields are in Wasatch County jurisdiction and the county's land use laws govern the area. If those properties are annexed into Midway, Midway determines the land use laws that will control land use and those laws will support the vision and goals in the Midway General Plan.

Items to Consider

- New zones should be adopted in land use code
 - County zones
 - Public Facilities (PF)
 - Agriculture 20 acres (A-20)
 - Residential Agriculture 5 acres (RA-5)
 - How far should the boundary be extended in the North Fields?
- Should the boundary extend into the South Fields?

Possible Findings

- Midway's General Plan encourages expanding the City's growth boundary to the east side of the Provo River.
- If the growth boundary is expanded, Midway may consider using open space bond funds in the expanded area.
- An expanded growth boundary will help Midway match the vision described in the General Plan of preserving open space and preserving open areas between Midway and surrounding communities.
- The City Council is under no obligation to approve the proposal but may do so if they find it will benefit the community.

Comments

Michael explained

Tracy Taylor from Heber City stated that Heber City pulled back their annexation delineation is because the residents were unhappy that it was added to the Heber area as the residents were adamant that they did not want development in the North Fields and they wanted preservation. Therefore, the General Plan was changed and they took it out.

Tracy Taylor also explained what the agriculture protection Act. Listen to the tape. It makes it more difficult to develop these areas.

We need to write code for the zones, we would adopt the APA and use the existing county codes.

Genevieve Miles asked if this area county is doing a good job of protection, why would Midway need to change this. The county cannot stop city growth, other cities can take over. With Midway delineates, it add extra protection. And the code can be written to promote preservation and low density.

Michael showed several options of the boundary map and he stated that would take a very long time to annexation east boundary.

Andrew Osborn, stated liked the idea to be on an offence of protection.

Public Comment Open

Mark Wilson from Wasatch three issues, He is not for the growth boundary. Please go back and the requirements of it, is noticing, he didn't get noticed the last time and wants to make sure that if we do it, that he is is noticed of taken out of the annexation boundary area. Michael responded and asked Katie Vallani to explain the definition of an affected entity. He also touched on water rights. Mark Wilson explained about the creation of paper water.

Don Burkinson 819 Double Egal Drive in Midway. Asked the question of what is the goal. Michael stated that preservation is the main goal and to add a layer of protected.

General plan language could help with the direction.

Mark Austin, asked what the county thinks about our plans and what does Heber think? Do a proactive citizen stand. Surveys and public participation. Michael has had conversations with County people and this process will take a lot of time.

Gwen Wetsal from Wasatch County wants here property to be taken out of the growth bountry

Tracy Taylor stated that the city needs to be ahead of the game with laws and the zones will show the intent. Towns and counties are loosing control of what can be done.

Public Comment Closed

Travis Nokes, Let's explore and look at what we propose. It does allow us to get into the conversation of something.

Kim, Get a summary of the law. And why have we never crossed the river.

Andrew Osborne, We don't know how the bypass will look like. Having a say as to the development of that area is what is on his mind. He would like to explore. Option 3 is his preference.

Craig would like to be more aggressive. With the right narrative to place a hedge. Option 2 or 3 is his choice.

Motion: Commissioner Garland: I make a motion that we recommend continuing this item for at least 60 Days with a possibility of a October meeting to extend the Midway Growth Boundary which would allow potential annexation of the area into Midway. The expansion area would generally follow the east bank of the Provo River into the North Fields from State Route 113 to the River Meadows Ranch area. The proposed extension boundary may also include areas south of State Route 113 along the east side of the Provo River south to the Casperville Road area.

Seconded: Commissioner Osborn

Commissioner Nicholas: Any discussion on the motion?

Commissioner Nicholas: All in favor.

Ayes: Commissioners: Osborne, Wardle, Nokes, Miles, Garland and Knight

Nays: None

Motion: Passed

Adjournment

Motion: Commissioner Garland

Second: Commissioner Wardle

8:00 PM

Commissioner – Jeff Nicholas

Planning Tech – Melannie Egan