

## Midway City Planning Commission Regular Meeting Minutes December 8, 2020

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 6:00 p.m., December 8, 2020, at the Midway City Community Center  
160 West Main Street, Midway, Utah

### Attendance

Jeff Nicholas- Chairman  
Andy Garland  
Heather Whitney  
Craig Simons  
Bill Ream  
Rob Bouwhuis- Vice Chair

### Staff

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

### Excused

Michelle Crawford  
Rich Clifton  
Jon McKeon

### 6:00 P.M. Regular Meeting

#### Call to Order

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

#### Item 1:

Review and possibly approve the Planning Commission Meeting Minutes of October 13, 2020 and November 10, 2020.

**Motion:** Commissioner Garland: I make a motion that we recommend approval of the minutes for October 13, 2020 and November 10, 2020 with the changes that were given to Melannie Egan

**Seconded:** Commissioner Ream

**Chairman Nicholas:** Any discussion on the motion?

There were some clarifications added to the motion

**Chairman Nicholas:** All in favor.

**Ayes:** Commissioners: Bouwhuis, Ream, Garland, Simons and Whitney

**Nays:**

**Motion:** Passed

**Item 2:**

Hilltop Homes LLC is requesting a Plat Amendment of the Kim Bezzant Subdivision. The proposal would vacate "Remaining Parcel B" of the Kim Bezzant Subdivision, and it would dedicate the right-of-way for 200 South to the City. The proposed amendments are in preparation for the Edelweiss Meadows Subdivision which has received preliminary approval and is located on "Remaining Parcel B". The property is 7.99 acres and is located at 640 East and 200 South and is in the R-1-11 zone.

**Planner Henke gave a presentation**

**Land Use Summary**

- 7.99-acres
- R-1-11 zoning
- Proposal will vacate "Remaining Parcel B" (3.84 acres)
- Area for 200 South will be dedicated to Midway (0.23 of an acre)

**Proposed Amendment**

- Vacate Remaining Parcel "B"
- Dedicate 200 South

**Discussion Items**

- Resolution 2009-2
- Plat amendment/partial vacation of the Kim Bezzant Subdivision
- Kim Bezzant concerns
  - Plat amendment signature block
  - Access during construction
  - Any damage to property (yard, fence, irrigation system, etc.) must be restored

**Possible Findings**

- The proposal does meet the intent of the General Plan for the R-1-11 zone
- The proposal does comply with the land use requirements of the R-1-11 zone
- 200 South is required as part of the City's General Plan

**Commissioners and Staff Comment**

Wes Johnson stated that the city will ensure that access will be maintained on the Bezzant property.

- **Motion:** Commissioner Simons: I make a motion that we recommend final approval Plat Amendment of the Kim Bezzant Subdivision. The proposal would vacate "Remaining Parcel B" of the Kim Bezzant Subdivision, and it would dedicate the right-of-way for 200 South to the City. The proposed amendments are in preparation for the Edelweiss Meadows Subdivision which has received preliminary approval and is located on "Remaining Parcel B". The property is 7.99 acres and is located at 640 East and 200 South and is in the R-1-11 zone. We accept staff findings with no conditions.

**Seconded:** Commissioner Garland

**Chairman Nicholas:** Any discussion on the motion?

**Chairman Nicholas:** All in favor.

**Ayes:** Commissioners: Bouwhuis, Ream, Garland, Simons and Whitney

**Nays:** None

**Motion:** Passed

### **Item 3:**

Hilltop Homes LLC is requesting Final approval for Edelweiss Meadows Subdivision which will develop "Remaining Parcel B" of the Kim Bezzant Subdivision. The proposal is to subdivide "Remaining Parcel B" in to six lots which, per City code, is a large-scale subdivision. The property is 3.84 acres and is located at 640 East and 200 South and is in the R-1-11 zone.

### **Planner Henke gave a presentation**

### **Land Use Summary**

- Parcel B
- 3.84 acres
- R-1-11 zone
  - 6 lots
  - Public road and sidewalks
  - Temporary cul-de-sac on 200 South
  - 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**

- Density
  - 200 South
- Street Master Plan
- Resolution 2009-2
  - Plat amendment/partial vacation of the Kim Bezzant Subdivision
  - Kim Bezzant concerns
- Plat amendment signature block

Access during construction

Any damage to property (yard, fence, irrigation system, etc.) must be restored

### **Waterboard Recommendation**

- 3.84-acre parcel

Area of parcel

167,270 sq. ft.

Irrigated area

Lots – 149,846.4 sq. ft. (3.44 acres)

Park strip – 3,920 sq. ft. (0.09 acres)

Impervious area for lots

48,000 sq. ft. (6 x 8,000) (1.1 acres)

Total irrigated acreage

2.43 x 3 = 7.29-acre feet

- 6 culinary connections

4.8-acre feet (6 x .8)

- 12.09-acre feet requirement

### **Possible Findings**

- The proposal does meet the intent of the General Plan for the R-1-11 zone
- The proposal does comply with the land use requirements of the R-1-11 zone
- 200 South is required as part of the City's General Plan

### **Proposed Conditions**

- A note must be included on the plat informing the future owner of lot 3 that the pond may not be modified in any way that reduces capacity or functionality of the stormwater runoff pond. The owner has agreed with the easement.

### **Commissioners and Staff Comment**

There was a conversation regarding the sewer easement through Fox Den and it was stated that the easement will have to be completed before the subdivision can be recorded.

There was a conversation about the temporary cul-de-sac and future buyers will know that the road will go through eventually. Michael stated that they may put a sign at the temporary cul-de-sac, and it could be recommended by City Council. There is no requirement currently.

**Motion:** Commissioner Ream: I make a motion that we recommend approval for Edelweiss Meadows Subdivision which will develop "Remaining Parcel B" of the Kim Bezzant Subdivision. The proposal is to subdivide "Remaining Parcel B" in to six lots which, per City code, is a large-scale subdivision. The property is 3.84 acres and is located at 640 East and 200 South and is in the R-1-11 zone. We accept staff findings with the condition that a note must be included on the plat informing the future owner of lot 3 that the pond may not be modified in any way that reduces capacity or functionality of the stormwater runoff pond.

**Seconded:** Commissioner Garland

**Chairman Nicholas:** Any discussion on the motion?

Heather Whitney stated that she wanted to add the second condition requiring a sign at the end of the temporary cul-de-sac.

**Chairman Nicholas:** All in favor.

**Ayes:** Commissioners:

**Nays:**

**Motion:** Rescinded

**Motion:** Commissioner Ream: I make a motion that we recommend approval for Edelweiss Meadows Subdivision which will develop "Remaining Parcel B" of the Kim Bezzant Subdivision. The proposal is to subdivide "Remaining Parcel B" in to six lots which, per City code, is a large-scale subdivision. The property is 3.84 acres and is located at 640 East and 200 South and is in the R-1-11 zone. We accept staff findings with the condition that a note must be included on the plat informing the future owner of lot three (3) that the pond may not be modified in any way that reduces capacity or functionality of the stormwater runoff pond. And a condition that a document is associated with lots that would notify buyers that the temporary road will be a through street at some point in the future.

**Seconded:** Commissioner Garland

**Chairman Nicholas:** Any discussion on the motion?

**Chairman Nicholas:** All in favor.

**Ayes:** Commissioners: Bouwhuis, Ream, Garland, Simons, and Whitney

**Nays:**

**Motion:** Passed

#### **Item 4:**

Berg Engineering, agent for Brandon Firth, is requesting a Plat Amendment of Lot 4 of Lime Canyon Meadows. The proposal would reconfigure the private irrigation line easement on the property. Lot 4 is 0.5 of an acre and is located at 971 West Lime Canyon Road and is in the R-1-22 zone.

**Planner Henke gave a presentation**

#### **Land Use Summary**

- Lime Canyon Meadows is 7.99-acres and contains four lots
- Lot 4 is 0.5 of an acre
- R-1-22 zoning
- Proposal will vacate and reduce the width and area of a private irrigation easement

#### **Proposed Amendment**

- Reconfigure the private irrigation easement along the west boundary of Lot 4  
Reduce the 15' wide private easement to 5'
- Easement is owned by The Homestead Group LLC and is used to route water from their spring in Lime Canyon to The Homestead Resort property
- Letter of consent from The Homestead Group LLC

## **Homestead Group LLC Consent Letter**

The Homestead gives its consent, with the conditions listed below, to amend the plat for Lime Canyon Meadows Lot 4. The proposed amendment will reduce the width of the easement for the private irrigation line owned by The Homestead.

- 1. The Homestead will be allowed to use the ten foot (10') public utility easement that is adjacent to the irrigation easement for access. The public utility easement will remain free of structures, trees and landscaping that would prevent access.
- 2. The existing irrigation line must be within the proposed irrigation easement. If the existing irrigation line is not within the easement, a new line will be installed within the amended easement.
- 3. The Homestead has the right to inspect, maintain, repair and replace the irrigation line at any time. The Homestead is responsible to repair or replace property disturbed during maintenance, repair or while replacing the irrigation line.

## **Discussion Items**

- Homestead's private irrigation easement
- Lot 4 is 0.50 of an acre. The buildable area of lot 4 will increase because of the reduction of the width and area of the easement.
- The 10' public utility easement that runs parallel the private easement will remain unchanged with this proposal.

## **Possible Findings**

- The proposal does meet the intent of the General Plan for the R-1-11 zone
- The proposal does comply with the land use requirements of the R-1-11 zone
- The proposed amendment will only impact The Homestead's private irrigation easement
- A letter of consent from Scott Jones of The Homestead Group LLC has been received
- The public utility easement will remain unchanged

## **Commissioners and Staff Comment**

It was stated that the request was for the homeowners so they could build a rambler style home and gives them a little more flexibility. With Homestead Group not having an issue with it and it has been agreed by them. Paul Burg stated that the water line is all being verified before they go to City Council.

**Motion:** Commissioner Bouwhuis: I make a motion that we recommend approval of a Plat Amendment of Lot 4 of Lime Canyon Meadows. The proposal would reconfigure the private

irrigation line easement on the property. Lot 4 is 0.5 of an acre and is located at 971 West Lime Canyon Road and is in the R-1-22 zone. We accept staff findings and the condition that the item 2 in the letter from The Homestead LLC has been met.

**Seconded:** Commissioner Ream

**Chairman Nicholas:** Any discussion on the motion?

**Chairman Nicholas:** All in favor.

**Ayes:** Commissioners Bouwhuis, Ream, Garland, Simons and Whitney

**Nays:**

**Motion:** Passed

Adjournment

**Motion:** Commission Simons

**Second:** Commissioner Ream

7:15 pm

  
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Chairman – Jeff Nicholas

  
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Admin. Assistant – Melannie Egan

