

Midway City Planning Commission Regular Meeting Minutes August 12, 2025

The Midway City Planning Commission held their regularly scheduled meeting at 6:00 p.m., August 12, 2025, at the Midway City Community Center, 160 West Main Street, Midway, Utah

Attendance

Andy Garland – Chairman
Kelly Lineback- Vice Chair
Andrew Osborne
Travis Nokes
Genene Probst
Kim Facer (Alt)
Suellen Winegar (Alt)

Staff

Michael Henke – City Planner Director
Katie Villani – Senior Planner
Wes Johnson – City Engineer
Craig Simons- City Council

Excused

Laura Wardle
Craig Knight

Liaison Report

6:00 P.M. Regular Meeting

Call to Order

- Opening Remarks or Invocation; Pledge of Allegiance
 - Invocation given by Travis Nokes

Item 1:

Review and possibly approve the Planning Commission Meeting Minutes of June 10, 2025.

Motion: Commissioner Lineback to approve the Planning Commission Meeting Minutes from June 10, 2025.

Seconded: Commissioner Osborne

Chairman Garland: Any discussion on the motion?

Chairman Garland: All in favor.

Ayes: Commissioners: Lineback, Osborne, Nokes, Probst, Winegar, and Facer

Nays: None

Motion: Passed

Item 2:

Erik and Erika Lundquist and Marc Fletcher, representatives of Shearing Shed Hill, LLC, have submitted a plat amendment application for the Farm at Wilson Lane Lot 4. The proposal would adjust the location of the open space and the building envelope on Lot 4. The lot is in the RA-1-43 zone and is located at 38 West Wilson Court.

Land Use Summary:

- 8 lot Standard subdivision
- 10.28 acres
- RA-1-43 zoning
- Access to lots is from Wilson Court
- All required open space is contained within lot number 4
- There are no known sensitive lands on the property
- Midway Code Section 16.16.120 provides at Subsection C that: "Areas with a width less than 50 feet in any direction shall not be counted as open space".

Plat Amendment:

- Legislative item that remains at discretion of the City Council.
- State law requires consideration at a public meeting.
- Does proposal match vision set forth in General Plan and is it in the best interests of the community?
- When the subdivision was created, owners chose to incorporate the required 1.54 acres of open space for the entire subdivision into Lot 4 (allowed if lot size is a minimum of 2 acres).
- This is identified on the plat with a note stating the open space is unbuildable.

Current Application:

- Presumably the building pad on Lot 4 was located in the front corner of Lot 4 to keep the open space contiguous, maximize the view corridor and "openness" of the open space, and provide a buffer to the Valais development to the east.
- The proposed amended plat shows open space of 1.59 acres on Lot 4 (1.54 acres required), so 0.05 acre more than original plat, but reorients the building pad northward approximately 50 feet and eastward from the original location.
- According to the application, the applicants seek to move the building pad back from the street "to afford greater views of the mountains, specifically Mount Timpanogos, while maintaining privacy away from the street".
- Per the application, should the pad be moved, the applicants would agree to limit their building height to 30' rather than the 35' maximum allowed under the code.

Comments:

Marc Fletcher spoke on behalf of the applicants. Advised that applicants were mindful of trying not to affect viewsheds (e.g., lowering building height) and to buffer neighbors.

Erik Lundquist, applicant, said the house will face southeast.

Suellen Winegar asked if residents of Valais had been notified of the requested amendment. Letters will go out for the City Council meeting in September on this issue.

Travis Nokes said he has been on this lot and it works well for the requested changes, which should not impact the views above. There are no homes directly behind and reduced height should help lower homes.

Possible Findings (in favor)

1. The proposal complies with the requirements of the Midway City Code, including Section 16.16.120.
2. No public street, right-of-way, or easement will be vacated or altered.
3. The duration of a plat amendment approval shall be for one year from the date of approval of the amendment by the City Council. Should the amended plat not be recorded by the County Recorder within the one-year period of time, the plat amendment's approval shall be voided, and approval must be re-obtained unless, upon request by the applicant and on a showing of extenuating circumstances, the Item 2 Plat Amendment 4 City Council extends the time limit for recording, with or without conditions. Such conditions may include, but are not limited to, provisions requiring that: (a) each extension will be for a one-year period only, after which time an annual review must be requested by the applicant and presented before the City Council; and/or (b) no more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension. Parking spots in the City right-of-way traditionally have been meant for everybody on a first come first serve basis. Trying to reserve spots contradicts this principle. It also may result in inefficient use of parking and pose challenges regarding enforcement.

Proposed Conditions:

1. If the requested plat amendment is granted, the maximum height of any structure on Lot 4 which the Code limits to 35' from natural grade shall instead be limited to 30' from natural grade.

Motion: Commissioner Nokes: I make a motion that we recommend approval of the requested plat amendment for the Farm at Wilson Lane Lot 4, accepting the staff findings in favor of the application

as well as the proposed condition set forth in the staff report. The proposal would adjust the location of the open space and the building envelope on Lot 4 as shown on the Element survey (project no. 25-07-289) submitted. The lot is in the RA-1-43 zone and is located at 38 West Wilson Court.

Seconded: Commissioner Probst

Chairman Garland: Any discussion on the motion?

Chairman Garland: All in favor.

Ayes: Commissioners: Lineback, Osborne, Nokes, Probst, Winegar, and Facer

Nays: None

Motion: Passed

Items 3 & 4:

(3) Jeff Findarle, representative of Richard and Lori Julian, has submitted a plat amendment application for the small-scale, two-lot Julian Subdivision that would further subdivide the development and create a third lot by subdividing lot 1 into two lots. The acreage of the Julian Subdivision is 0.80 acres and is in the R-1-7 zone at 145 North Center. The same applicant concurrently applied for preliminary and final approval of a revised subdivision to be formed if the plat amendment is granted.

(4) Concurrently, Michael Johnston, representative of Richard and Lori Julian, has submitted a preliminary/final application for the two-lot Julian Subdivision that would further subdivide and create a third lot in the small-scale subdivision. The plan includes 3 lots (two existing) on 0.8 acres. The property is in the R-1-7 zone at 145 North Center Street.

Land Summary:

- 2 lot subdivision
- 0.80 acres
- R-1-7 zone
- 145 North Center Street
- Proposed amendment is to further subdivide the development and create a third lot by subdividing lot 1 into two lots. The existing lot 2 is unchanged.
- Minimum lot size 7000 sq. ft. in the R-1-7 zone.
- Minimum frontage 70 feet in the R-1-7 zone.
- Attached and detached two-family dwellings are allowed in the R-1-7 zone if meet code requirements.

Plat Amendment:

- Legislative item that remains at discretion of the City Council.
- State law requires consideration at a public meeting.
- Does proposal match vision set forth in General Plan and is it in the best interests of the community?

- No public street, right-of-way, or easement will be vacated or altered by the requested Plat Amendment.

Application:

- Subdivide the existing Lot 1 into two lots.
- The southern of the two new lots, which is improved by an existing house, would remain Lot 1. Per the application, the revised Lot 1 will be 14,375 square feet, 0.33 acre, with 108.72 feet of frontage on North Center Street, and retain the address of 145 North Center Street.
- The northern of the two new lots would become a new Lot 3. Per the application, Lot 3 will be 9,240 square feet, 0.212. acre, with 70 feet of frontage on Center Street, and will have an address of 151 North Center Street.
- The minimum lot size in the R-1-7 zone is 7000 square feet and the minimum frontage is 70 feet in this zone, therefore, both lots meet existing area and frontage requirements.
- The existing Lot 2 will remain unchanged.

Zoning:

- Objective of R-1-7 Zone: Section 16.07.010 lists the objectives and characteristics of the R-1-7 Zone as follows:

The objective in establishing the R-1-7 Residential Zone is to provide appropriate locations within the City for development with a higher amount of residential density. In general, this zone is located in the central part of the City, adjacent to commercial areas where the impact of vehicular travel and parking is consonant with adjacent use of land, and where multiple dwellings can best be supplied with necessary public facilities. This zone is characterized by more compact development and somewhat higher volumes of traffic than is characteristic of the R-1-11 and R-1-9 Zones. Representative of the uses within the R-1-7 Zone are one and two-family dwellings and related community facilities. However, commercial uses are prohibited in this zone.

Duplex Potential:

- Existing Lot 1 is 23,615 square feet. The minimum area requirements for attached two-family dwellings in this zone is 10,000 square feet and minimum lot size for detached two-family dwellings is 22,000.
- The minimum width and frontage of any building site in the R-1-7 zone is 70 feet. A minimum width and frontage of 100 feet is required for attached two-family dwellings.
- The existing Lot 1 could build an attached or detached duplex without subdividing if it meets code.
- If the plat amendment is granted and Lot 1 is subdivided into Lots 1 and 3, new Lot 1 might meet the size requirements for detached or attached if it meets code, and new Lot 3 might meet size requirements for attached if it meets code.

Comments:

Jeff Finderlay spoke on behalf of the applicants. He lives across the street from the property, which is within walking distance of downtown. The idea was to have a small lot that potentially a young family could afford to purchase and build a home. Does not think it will negatively impact the community. Duplexes have not been discussed by current owner.

Genene Probst appreciated the attempt to make something affordable in Midway.

Kelli Lineback noted that the Code language described this zone as an area for higher density such as that requested.

Possible Findings (in favor)

1. The proposed subdivision and plat amendment will result in lots (amended Lot 1, new Lot 3, and unchanged Lot 2), which meet the minimum requirements for the R-1-7 zone, and the dimensions of which shall be in accordance with the proposed amended plat by Atwell, 2025, Project Number 25005941.
2. While there is an existing subdivision and plat for this property, the proposed subdivision meets the requirements of the Midway City Code for the R-1-7 zone, and this zone is characterized by higher density, including allowing attached and detached two-family dwellings.
3. All lots will continue to comply with the requirements of the R-1-7 zone.
4. No public street, right-of-way, or easement will be vacated or altered.
5. The duration of a plat amendment approval shall be for one year from the date of approval of the amendment by the City Council. Should the amended plat not be recorded by the County Recorder within the one-year period of time, the plat amendment's approval shall be voided, and approval must be re-obtained unless, upon request by the applicant and on a showing of extenuating circumstances, the City Council extends the time limit for recording, with or without conditions. Such conditions may include, but are not limited to, provisions requiring that: (a) each extension will be for a one-year period only, after which time an annual review must be requested by the applicant and presented before the City Council; and/or (b) no more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension.

Proposed Conditions:

1. Any amended plat will retain the name of the subdivision as the "Julian Subdivision". If Lot 1 is divided into two lots, the northern lot shall be denoted Lot 3 and the southern remain Lot 1.
2. Lot 1 shall continue to be restricted to one driveway access with a turnaround. A similar note shall be placed on the plat for the newly created Lot 3, restricting to one driveway with turnaround to avoid backing into Center Street.
3. Public utility easements of 10 feet will run along each side of the property line between Lots 1 and 3.
4. Water shares sufficient for the new Lot 3 will have to be dedicated prior to recording any amended plat.

Item (3) Motion by Commissioner Lineback: I make a motion that we recommend approval of the plat amendment application for the small-scale, two-lot Julian Subdivision that would further subdivide the development and create a third lot by subdividing lot 1 into two lots. The acreage of the Julian Subdivision is 0.80 acres and is in the R-1-7 zone at 145 North Center. We accept the Staff findings (1 through 5) in favor of the application and the Proposed Conditions set forth in the Staff report.

Seconded: Commissioner Facer

Chairman Garland: Any discussion on the motion?

Chairman Garland: All in favor.

Ayes: Commissioners: Lineback, Osborne, Nokes, Probst, Winegar, and Facer

Nays: None

Motion: Passed

Item 4 Motion by Commissioner Facer: I make a motion to recommend approval of the preliminary/final application for the two-lot Julian Subdivision that would further subdivide and create a third lot in the small-scale subdivision. The plan includes 3 lots (two existing) on 0.8 acres. The property is in the R-1-7 zone at 145 North Center Street. We accept the findings (numbers 1 through 4) and proposed conditions (numbers 1 through 4) set forth in the Staff Report.

Seconded: Commissioner Probst

Chairman Garland: Any discussion on the motion?

Chairman Garland: All in favor.

Ayes: Commissioners: Lineback, Osborne, Nokes, Probst, Winegar, and Facer

Nays: None

Motion: Passed

Item 5:

Michelle MacDonnell, agent for the Church of Jesus Christ of Latter-Day Saints, is requesting a General Plan Amendment. The proposed amendment would amend both the Master Street Plan and the Master Trail Plan by removing future planned streets and trails from the General Plan. Future streets that would be removed include 200 East, 400 South, and 550 South. The proposed trail amendment would remove future planned trails along 200 East, 400 South, and 550 South and would add a future trail along portions of the south and east boundaries of the Gerald and Kathleen White property.

Background:

The planned roads and trails proposed for removal cross four parcels, two in Midway City limits (applicant's property consisting of 18.61 acres and the Studdert property consisting of 5.06 acres) and two in unincorporated Wasatch County (Gerald and Cathleen White property consisting of 39.56 acres and Scheibe property consisting of 8.66 acres).

Currently the Whites, AKA Pear Tree Llama, have applied for, and the City Council will consider next

week, an application to use \$750,000 in Midway Open Space Bond funds toward placing a conservation easement on their approximately 40 acres north of 850 South. If conserved, the roads in the master plan crossing the Whites' property (550 S) may not be needed.

The applicant seeks to build an LDS church on the northern 6 acres of applicant's property along Michie Lane and sell the southern 12 acres, possibly to the School District or other buyer(s). The applicant's request concerns 200 E and 400 S. Whether these roads remain in the general plan may be a determining factor for the layouts of future site plans.

Discussion:

- Amending the General Plan is a legislative action left to discretion of City Council.
- The General Plan focuses on transportation and the needed connectivity that allows a community to function. The City has adopted the Road System Master Plan to assure roads are built in areas where they have been identified that they are needed.
- Local traffic is dispersed when there are more options.
- Emergency responses are affected if there are limited options to arrive at the site of an emergency.
- Road construction benefits if there are options for traffic detours.
- The General Plan also emphasizes the preservation of open space.
- If a conservation easement is placed on the 40-acre Pear Tree Llama property owned by the Whites, it may negate the need for a road (550 S) across this property.
- Removing future planned roads from the map would reduce access possibilities for a future school and any other development on the property

Commissioner Garland noted that no one could compel the Whites to build a road across their property.

Commissioner Lineback asked whether one access was enough to the church property. Michael Henke advised that there had been discussion about a possible second route through the church property for any proposed school which might have an emergency gate. Lack of a second access would affect what development could occur. For example, current code limits development to a maximum of 11 units on a single point of access.

Commissioner Nokes asked whether any of these areas were under accessible right now? Mr. Henke said that all current developments in the area have two points of access except Midway Crest, which is under the limit available on a single access.

Public Hearing: Commissioner Garland opened the scheduled public hearing at 7:23 P.M.

Angie Richardson, 710 Sunflower Lane, said she had no issues with removing roads and preserving open space, but would like to see trails providing a connection to bikers and hikers maintained in this area and have these trails paved or otherwise usable to multiple forms of transportation.

David Studdert, 284 S 300 E, abuts the church property and one of the roads on the City master street plan (400 S) would bisect his property. He has never heard from the school district regarding their possible intent to bisect his land for road access. He favors removal, is trying to acquire the property behind the church, and would not want to see the City use eminent domain to force a road across his property.

Douglas Jones, 508 S 300 E, abuts the Whites' property and favors preserving open space. From his past involvement with the school district, does not believe the school is at capacity and that expanding in the present location should be a possibility.

Paul Berg, 380 E Main Street, Suite 204, appearing on behalf of the School District, said that the school district has been working with the church regarding possible development of a new elementary school on the church property since 2018 and was counting on the access that the roads shown on the master plan, including 220 E and 400 S, could provide. Removing the roads may change the viability of this location for the school.

Michelle McDonnell, Uncommon Architects, 684 W. Center Street, Midvale, is the architect for the church. They are planning an entrance on the west side of the church and therefore applied to remove 220 E.

Alicia Taylor, 386 S 300 E, said she was worried about increased traffic with a new school which might put neighborhood children at greater risk.

Steve Curtis, 468 S 300 E, said the location behind the church was just a bad place for a school.

Gwynn Watkins, 93 E 450 S favors open space in the area and is not happy about a church either given that it would likely be build in her view lanes.

Riley Tucker, 486 S 300 E inquired about the zoning in the area of the proposed church. Michael Henke advised it is zoned R-1-15, or 1/3 acre lots, which would be the highest density use under current code. Schools are conditional uses in all zones, as are churches, which basically means they are permitted uses with conditions.

Commissioner Garland closed the public hearing at 8:00 P.M.

Possible Findings (in favor of amendment):

- Pear Tree Llama may become permanent open space which may reduce or eliminate the need for connectivity.
- Goals in the General Plan promote preservation of open space which may reduce the need for connecting and redundant roads.
- A planned future trail will be realigned that may connect 850 South to a public trail in Midway Crest in the future.
- The road and trails maps were adopted in the General Plan in 2023

The Planning Commission also discussed possible findings against amendment, including

- Goals in the General Plan promote connectivity for local traffic circulation and emergency response.

- With less connecting roads, more traffic is forced on to the existing roads which compound as Midway grows.
- More connectivity allows for options for detours when roads are under construction.
- Removing future planned trails from the map will reduce trail options for future residents.
- The road and trails maps were adopted in the General Plan in 2023.

Motion by Commissioner Osborne: I make a motion to recommend that City Council approve the proposed General Plan Amendment that would amend both the Master Street Plan and the Master Trail Plan by removing future planned streets and trails from the General Plan. Future streets that would be removed include 200 East, 400 South, and 550 South. The proposed trail amendment would remove future planned trails along 200 East, 400 South, and 550 South and would add a future trail along portions of the south and east boundaries of the Gerald and Kathleen White property. We include and agree with the proposed findings, including the four listed, and conditions set forth in the staff report and any other notes from the staff report that may be relevant.

Second: Commissioner Lineback

Chairman Garland: Any discussion on the motion?

Chairman Garland: All in favor.

Ayes: Commissioners: Lineback, Osborne, Nokes, Probst, and Winegar

Nays: Facer

Motion: Passed

Motion by Commissioner Osborne to adjourn the meeting at 8:10 P.M.

Seconded by Commissioner Nokes

Unanimously approved

Meeting adjourned at 8:10 PM

Chairman – Andy Garland

Planner – Katie Villani