



Midway City Planning Commission Regular Meeting Minutes April 14, 2026

The Midway City Planning Commission held its regularly scheduled meeting at 6:00 p.m. on April 14, 2026 at the Midway City Community Center, 160 West Main Street, Midway, Utah.

Attendance

Commissioners

Laura Wardle – Chair
Kelly Lineback – VC
Kim Facer
Suellen Winegar
Genene Probst
Craig Knight
Travis Nokes

Staff

Michael Henke – City Planning
Director
Craig Simons – Mayor
Andrew Osborne – City Council
Melissa Jones – Planning Asst.

Absent

Steve Farrell (Alternate)
Tim Dougherty (Alternate)

Liaison Report

Report given by staff.

6:00 P.M. Regular Meeting

Call to Order

- Invocation by Commissioner Lineback; Pledge of Allegiance

Item 1: Approve Meeting Minutes of March 10, 2026

The Commission reviewed and approved the March 10, 2026 meeting minutes.

Motion: Commissioner Knight: "I'll make a motion to approve the Planning Commission meeting minutes of March, 10, 2026."

Seconded: Commissioner Winegar

Ayes: Commissioners Facer, Knight, Winegar, Probst, Lineback, Nokes

Nays: None

Motion: Passed

Item 2: Preliminary Approval – Homestead Golf Cottages & Homes

Review and provide a recommendation to City Council regarding an application by Paul Berg, agent for The Homestead Group LLC, for preliminary approval of a resort development known as The Homestead Golf Cottages and Homes, as part of The Homestead Hotel Condominium Lot 2, Second Plat Amendment of The Homestead Master Plan. The property is located at 700 North Homestead Drive and is in the R-1-15 and Resort Zones.

Discussion:

- The proposal includes **five single-family dwellings** and **two eight-unit cottage buildings**. The single-family dwellings would be accessed from the south through the Links area, while the cottage units would be accessed through the Homestead resort area. Parking for the cottage units is located within the resort, rather than from the southern cul-de-sac.
- A prior master plan amendment required landscaping or buffering at the north end of the cul-de-sac to separate it from access to the cottage units. This requirement still needs to be reflected in the plans.
- Staff noted that the southern property line shown on the plan does not reflect a prior plat amendment to Swiss Creek and must be corrected before final approval.
- The approved master plan allows for additional keys and building footprint area; future applications may be submitted.
- The cottage buildings have been reviewed by the Visual and Architectural Committee, while the single-family homes will be subject to review prior to final approval.
- The applicant explained the cottage units will function as hotel-style accommodations without full kitchens and will be accessed via golf carts, with no direct vehicle access or parking at the units themselves.
- Questions were raised regarding transient rental use of the units. Staff explained that a prior restriction on four units was never recorded in a signed master plan agreement, so the original master plan governs and does not prohibit nightly rentals.

Analysis & Possible Findings

- The proposal is consistent with the approved Homestead Master Plan, subject to correction of the southern property line and incorporation of required landscaping/buffering near the cul-de-sac.
- The proposal complies with the newly adopted setback requirements for structures adjacent to dedicated golf course open space.
- The development may provide a financial benefit to the City through increased tax base and resort-related revenues.

- Required water rights must be dedicated before the plat is recorded.
- All lighting associated with the proposal must comply with current Midway dark-sky and light trespass requirements.
- All required parking for each building and use must be completed before a certificate of occupancy is issued.

Public Comment:

Although not scheduled for a public hearing, interested parties were allowed to comment.

- Lori Aro, representing the Links at Homestead HOA, stated that the HOA had only recently learned of the transient rental interpretation and is continuing discussions with the Homestead regarding unresolved concerns.

Motion by Commissioner Nokes: “I propose that we recommend the preliminary approval for the resort development to be known as The Homestead Golf Cottages and Homes, which is in The Homestead Hotel Condominium Lot 2, Second Plat Amendment of The Homestead Master Plan. The Homestead Golf Cottages are located at 700 North Homestead Drive and are in the R-1-15 and Resort zones, along with all of the conditions that were recommended tonight.”

Second: Commissioner Knight

Ayes: Commissioners: Nokes, Knight, Probst, Facer, Lineback, Winegar

Nays: None

Motion: Passed

Item 3: Conditional Use Permit Alcohol – Hidden Peaks Provisions

Review and provide a recommendation to City Council regarding an application by Thomas Thibodeau to expand a previously granted Conditional Use Permit and Local Consent for a beer-only dispensing establishment to also allow the sale of wine and hard cider. The restaurant is located at 93 West Main Street and is in the C-2 zone.

Discussion:

- The request requires additional approval from the State of Utah, which regulates alcohol licensing and service requirements.
- Under a state-issued restaurant alcohol license, alcohol sales are limited to 30% of total sales, and food must be purchased with any alcohol order.
- The applicant confirmed that wine would be served primarily by the glass, with no takeout permitted, and all alcoholic beverages must be opened and consumed on-site.
- The request does not include a beer garden or outdoor alcohol service, which would require a separate permit.

- Staff recommended that the existing condition prohibiting alcohol-related exterior signage remain in place and that any non-compliant signage be brought into compliance.

Analysis & Possible Findings

- The use remains compliant with zoning requirements for the C-2 Zone and does not alter the overall character of the business or surrounding area.
- Alcohol service will continue to be regulated by the Utah Department of Alcoholic Beverage Services, including applicable sales limits and service requirements.
- The proposed amendment does not introduce additional impacts related to noise, traffic, or public safety.
- Signage restrictions support consistency with prior approvals and Midway City standards.

Public Comment:

No public comments were received, either in-person or online.

Motion by Commissioner Lineback: “I’ll make a motion that we amend the current conditional use permit for Hidden Peak Provisions that will expand its approved sale of beer to also include wine and hard cider. Restaurant is located at 93 West Main Street and is in the C2 zone, and we accept the conditions and findings.”

Second: Commissioner Probst

Ayes: Commissioners: Probst, Facer, Lineback, Winegar, Knight, Nokes

Nays: None

Motion: Passed

Item 4: Conditional Use Permit – Adult Daycare

Review and provide a recommendation to City Council regarding an application submitted by Jonathan Burton, agent for Innovative Harbor, for a Conditional Use Permit for an adult daycare. The property is located at 15 South and 700 East and is in the C-2 zone.

Discussion:

- The application is for an adult daycare serving individuals with disabilities, rather than a traditional childcare facility.
- The property includes an existing single-family dwelling and a detached structure with prior mixed-use approval. The home is approved for up to eight residents under federal law, while the detached structure would be used for the daycare.
- The proposed daycare would provide daytime services, including life skills education and activities, for both on-site residents and additional participants, who would be transported to

the site by staff.

- Questions were raised regarding hours of operation; staff indicated the use would be limited to daytime hours.
- Questions were raised about potential drop-off and pick-up by family members; this was not part of the proposal but could be addressed as a condition of approval.
- The residential and daycare uses must be considered separately, with the home subject to federal protections under the Fair Housing Act.
- The state will regulate and inspect the facility, including determination of maximum number of participants.
- Parking was discussed; although the code requires more stalls for a typical daycare, a parking accommodation may be considered due to the transportation-based model.

Analysis & Possible Findings

- The proposed use is a conditional use within the C-2 Zone and is generally permitted subject to reasonable conditions.
- The property has an existing approved mixed-use designation, and the proposal represents a continuation of compatible mixed-use activity.
- The proposed use is expected to have minimal traffic and parking impacts due to the transportation model.
- The State of Utah will regulate the facility, including participant capacity and operational requirements.
- The residential component is subject to the Federal Fair Housing Act, limiting the City's ability to impose additional restrictions.
- The proposed use may warrant consideration of a parking accommodation based on its transportation model.

Public Comment:

No public comments were received, either in-person or online.

Motion by Commissioner Probst: "I'll make a motion that we approve the conditional use permit for a daycare property located at 15 South 700 East and is in the C-2 zone and also accept the possible findings."

Comment by Commissioner Nokes: "I don't know if I can piggyback something on this or not, but I would think that we should ask them to, when they do propose this to city council, they also have daytime hours, at least in hours of 'we plan on being open from

blank to blank,' so that City Council can take that into consideration.”

Amended Motion: Motion to approve the Conditional Use Permit for adult daycare located at 15 South 700 East in the C-2 zone, based on the findings in the staff report, with the recommendation that the applicant provide proposed daytime hours of operation for City Council’s consideration.

Second: Commissioner Lineback

Ayes: Commissioners: Probst, Lineback, Facer, Winegar, Knight, Nokes

Nays: None

Motion: Passed

Item 5: Code Text Amendment – Cottage Industry

Review and provide a recommendation to City Council regarding a proposed code text amendment to multiple sections of Midway City Code to clarify that cottage industries are a permitted use in applicable zones.

Discussion:

- The amendment is a cleanup item intended to align the zoning code with previously adopted cottage industry regulations and correct inconsistencies where the use was not explicitly listed in each zone.
- The cottage industries code was recently revised to allow limited, low-impact home-based businesses (such as piano teachers, art instructors, and similar uses) within residential neighborhoods.
- The proposed amendment adds cottage industries as a permitted use in all residential zones, as originally intended, and extends that allowance to the C-2 and C-3 zones, where residential and mixed-use development exists.

Analysis & Possible Findings

- The proposed amendment aligns the zoning code with previously adopted cottage industry regulations and improves clarity and consistency.
- The amendment supports low-impact, home-based businesses while maintaining neighborhood character through existing limitations in the cottage industries code.
- The amendment does not introduce new impacts, as it reflects existing policy intent rather than a substantive change in allowed uses.

Public Hearing:

No public comments were received, either in-person or online. The public hearing was closed.

Motion by Commissioner Facer: “I’ll make a motion that we accept the conditions proposed by staff,

where we change code text amendment of sections listed by staff. And the proposed code will allow cottage industries as a permitted use in each of the zones, again listed by staff.”

Second: Commissioner Knight

Ayes: Commissioners: Probst, Facer, Lineback, Winegar, Knight, Nokes

Nays: None

Motion: Passed

Motion to adjourn: Commissioner Lineback

Adjournment at 7:03 PM

Laura Wardle – Chair

Melissa Jones – Planning Asst.

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