

**MIDWAY WATER ADVISORY BOARD
MONDAY November 29, 2021
MEETING MINUTES**

Minutes of the Midway Water Advisory Board meeting held November 29, 2021, at 6:00 p.m. in the Midway City Office Building, 75 North 100 West, Midway, UT.

Roll Call

Irrigation Members: President Steve Farrell, Grant Kohler, and Brent Kelly. Midway City: City Councilman Steve Dougherty, City Councilman Jeff Drury, Wes Johnson, City Engineer, Michael Henke, City Planner and Jennifer Sweat, Treasurer/Midway Water Advisory Board Secretary.

Mayor/Chair Celeste Johnson was excused for tonight's meeting and Midway Irrigation President/Co-Chair Steve Farrell will chair the meeting tonight. Also, to note City Councilman Steve Dougherty was attending the meeting via cell phone.

General Consent Calendar

Midway Irrigation President/Co-Chair Steve Farrell asked for approval of the General Consent Calendar which consisted of:

- a. Approval of the Agenda for November 29, 2021
- b. Approve Meeting Minutes November 1, 2021
- c. Approval of Meeting Dates for 2022
- d. Approval of Chair and Co-Chair for 2022

Motion: Midway Irrigation Member Grant Kohler made a motion to approve the General Consent Calendar, City Councilman Jeff Drury 2nd the motion.

Midway Irrigation President/Co-Chair Steve Farrell asked if there were further questions regarding this item? There was not.

Motion was carried unanimously.

The Village – Approx. 550 East Main – updated information for project

Michael Henke, City Planner reviewed the project with giving the land use summary that was before the board previously:

- 27.47 acres
- 8.68 acres of open space
- C-2 zone
- 44,128 square feet of commercial space
- 143 townhomes

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- Sensitive lands
 - Slopes 25% and greater

The board reviewed the plan via plat maps, architectural drawings, and google earth images.

The recommended water requirement given by this board at the last meeting was

- Occupancy for gym has been adjusted from 200 to 299
 - 9.91-acre feet to 14.82-acre feet
 - Gym square feet changed from 26,737 to 39,932
- Occupancy for restaurant has been adjusted from 185 to 371
 - 3.68-acre feet to 7.34-acre feet
 - Total recommended water requirement is 172-acre feet

Adjusted from 163.41-acre feet

Estimated Water Needs for The Village Project

	Commercial														Residential				Irrigation		Project			
	Total Building (sf)	Office 25% of sf (employees)	Water State Use per Code (gpd)	Midway Adjustment Factor	Required Water Rights for Office (acre-feet)	Retail 25% of sf (toilet room)	Water Use per State Code (gpd)	Midway Adjustment Factor	Water Rights Required for Retail (acre-feet)	Restaurant 50% of sf (seats)	Water Use per State Code (gpd)	Midway Adjustment Factor	Required Water Rights for Restaurant (acre-feet)	Spa Club Gym and Pool (person)	Water Use per State Code (gpd)	Midway Adjustment Factor	Required Water Rights for Spa Club Gym and Pool (acre-feet)	Residential Homes (home)	Water Rights for Inside Use (acre-feet)	Irrigated Area (acres)	Water Use (acre-feet)	Required Water Rights for Irrigation (acre-feet)	Total Required Water Rights (acre-feet)	
Non-Gym/Total Gym/Spa	22,266 39,932	56	15	1.77	1.66	6	500	1.77	5.95	371.1	10	1.77	7.36	300	25	1.77	14.87						14.96 14.87	
Residential Irrigation	314,600 403,801																	143	0.8	114.4	9.27	3	27.81	114.4 27.81
Project Total	22,266				1.66				5.95				7.36				14.87			114.4		27.81	172.04	

As discussed at the previous meeting there had been changes to the project which the board again reviewed.

- Increase office requirement from 1.66 to 2.26
- Decrease retail requirement from 5.95 to 1.98
 - Toilets reduced from 6 to 2
- Decrease restaurant requirement from 7.36 to 3.43
 - Attendees reduced from 300 to 173
- Decrease spa and pool requirement from 14.87 to 5.7
- Total requirement reduction from 172.04 to 155.58

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PROPOSED WATER REQUIREMENT

Requirements

	Commercial											
	Total Buildings (sf)	Office (employees)	Water Use per State Code (gpd)	Midway Adjustment Factor	Required Water Rights for Office (acre-feet)	Retail (toilet room)	Water Use per State Code (gpd)	Midway Adjustment Factor	Water Rights Required for Retail (acre-feet)	Restaurants (seats)	Water Use per State Code (gpd)	Midway Adjustment Factor
Restaurant	11,605									173		1.77
Office	7,586	76	15	1.77	2.26							
Retail	5,300					2	500	1.77	1.98			
Gym/Spa	19,288											
Residential	286,000											
Irrigation	403,801											
Project Total					2.26				1.98			

Gym/Spa Rational

	Square Feet	% of PC sf	Gallons per Year (ratio sf to PC)	Gallons using chart above (state formula)	w/ Midway Multiple
Gym/Spa	19,288	28%	1,047,063	1,857,394	1,853,301
PC Swim/Raquet 2019	70,000	100%	3,800,000		

Restaurant Comparables

Examples	Floorspace (sf)	Chairs	Chairs/sf
OG	3150	50	0.016
Lolas	1417	19	0.013
Lolas w/porch	2128	35	0.016
Kitchen 88	4000	92	0.023

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PROPOSED WATER REQUIREMENT

After the last meeting the board asked the developer to calculate the water useage based on fire code occupancy for these buildings and to make a possible calculations based on ERU and to bring those numbers back to the board.

The following information was received from the developer, Dan Luster and his enginer, Paul Berg:

Enclosed are revised water right calculations for The Village. The revised calculations are based on the revised master plan, the new project phasing plan and comments received at the Midway Water Board meeting held on November 1, 2021. Water Board comments have been addressed as follows:

- The number of toilets in the retail area has been increased from 2 to 4 to address comments from the City Engineer. Please note that the architect's building code analysis determined that only 2 toilets are needed.
- The pool and gym capacity has increased from 176 to 196 people based on the latest plans from the architect. Both the pool and gym are at maximum capacity per the architect's capacity analysis.
- The enclosed calculations show three methods to calculate the restaurant capacity. The original 173 seat capacity is shown per the developers proposed level of service for each restaurant. A 299 seat restaurant capacity is also provided based on the maximum occupancy analysis completed by West Coast Code Consultants, Inc. (WC3). A 243 seat restaurant capacity is also shown per the architectural analysis for the restaurants. It should be noted that the difference between the 173 seat option and the 299 seat option is only 2.50 acre-feet.

The Village

Water Right Estimate for the Revised Master Plan

Table 1 - Water Rights Available for the Development

Type	# of Shares	Available Water-Rights (acre-feet)
Midway Irrigation	32	96.00
Provo River - Holmes		32.07
Provo River - Wilson		33.00
Ballsteadt Home	0.5	1.50
Tire Shop	0.5	1.50
Total		164.07

There was discussion on the water rights that were available for this project, and there was a question regarding the water turned in for the Tire Shop. Jennifer Sweat, Secretary went and checked the records, and it was discovered that the tire shop was built in 1992, which was prior to the Water Advisory Board which was created in 1995. They would receive the credit as .5 shares of Midway Irrigation Water as listed on the above chart.

The board reviewed the new calculations for water useage as requested.

Table 2 - The Village Water Rights Estimate for the Revised Master Plan -Original Restaurant Capacity Presented to the Water Board (173 seats)

Phase										
Phase	Total Buildings (sf)	Office (employees)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Office (acre-feet)	Retail (toilet room)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Retail (acre-feet)	Pc (gpd)
1	25,045	76	15	1.77	2.26					
2	11,285					4	500	1.77	3.97	
3	-									
4	-									
5	-									
	36,330				2.26				3.97	

Table 3 - The Village Water Rights Estimate for the Revised Master Plan -WC3 Dining Occupancy Analysis (299 seats)

Phase										
Phase	Total Buildings (sf)	Office (employees)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Office (acre-feet)	Retail (toilet room)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Retail (acre-feet)	Pc (gpd)
1	25,045	76	15	1.77	2.26					
2	11,285					4	500	1.77	3.97	
3	-									
4	-									
5	-									
	36,330				2.26				3.97	

Table 4 - The Village Water Rights Estimate for the Revised Master Plan -Architects Revised Design and Occupancy Analysis (243 seats)

Phase										
Phase	Total Buildings (sf)	Office (employees)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Office (acre-feet)	Retail (toilet room)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Retail (acre-feet)	Pc (gpd)
1	25,045	76	15	1.77	2.26					
2	11,285					4	500	1.77	3.97	
3	-									
4	-									
5	-									
	36,330				2.26				3.97	

Commercial										
Pool (guests)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Gym, Pool (acre-feet)	Gym (guests)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Gym, Pool (acre-feet)	Restaurants (seats)	Water Use per State Code (gpd)	Midway Return Flow Factor
99	10	1.77	1.96	97	25	1.77	4.81	173	10	1.77
1.96				4.81						

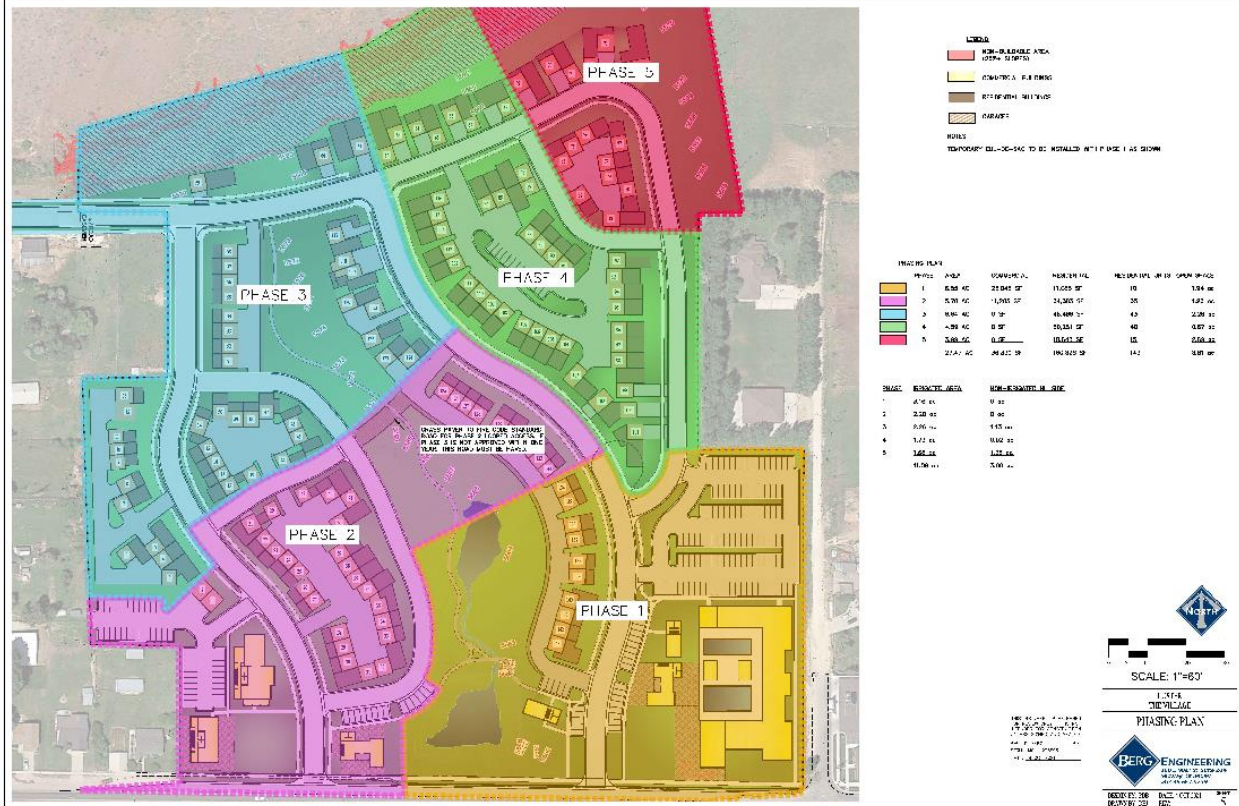
Commercial										
Pool (guests)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Gym, Pool (acre-feet)	Gym (guests)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Gym, Pool (acre-feet)	Restaurants (seats)	Water Use per State Code (gpd)	Midway Return Flow Factor
99	10	1.77	1.96	97	25	1.77	4.81	299	10	1.77
1.96				4.81						

Commercial										
Pool (guests)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Gym, Pool (acre-feet)	Gym (guests)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Gym, Pool (acre-feet)	Restaurants (seats)	Water Use per State Code (gpd)	Midway Return Flow Factor
99	10	1.77	1.96	97	25	1.77	4.81	243	10	1.77
1.96				4.81						

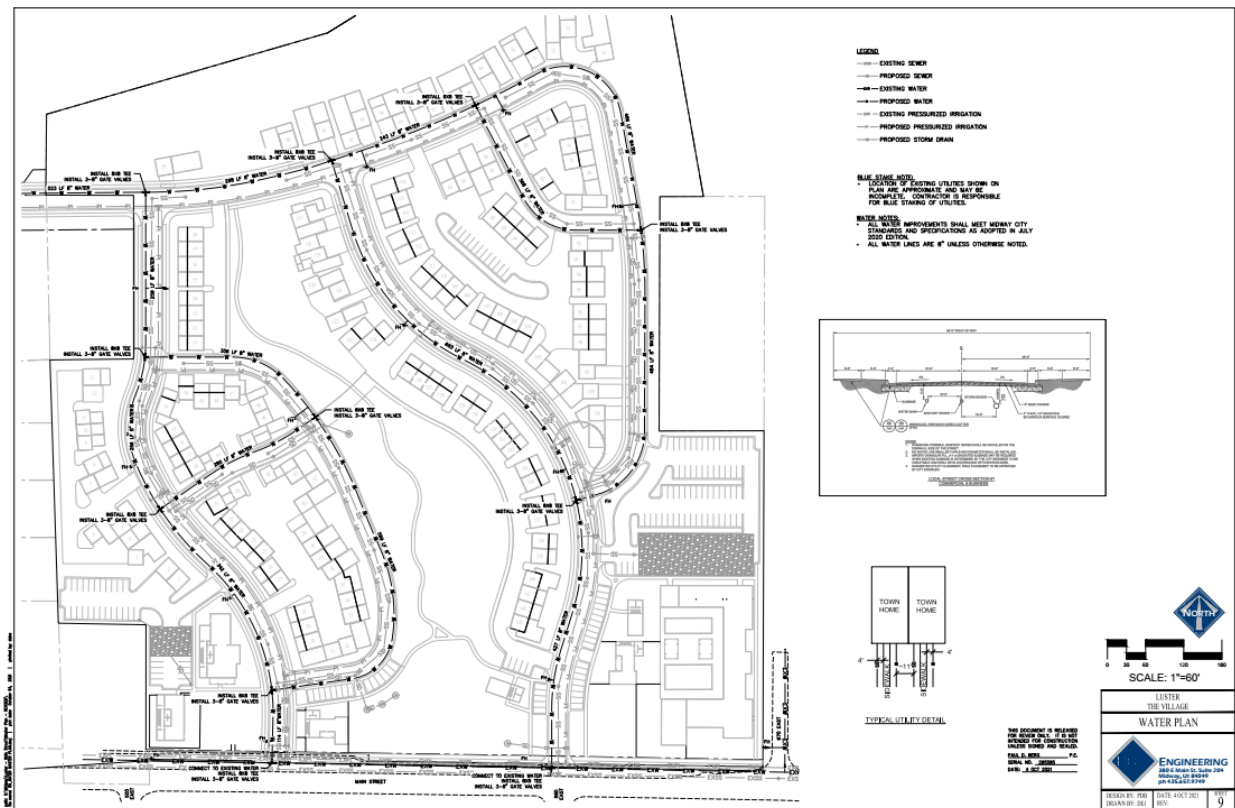
Required Water Rights for Irrigation, Pool and Other Use (acre-feet)	Restaurants (seats)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Restaurants (acre-feet)	Residential Use			Irrigation			Project
					Residential Homes (home)	Water Use (acre-feet)	Required Water Rights for Inside Use (acre-feet)	Irrigated Area (acres)	Water Use (acre-feet)	Required Water Rights for Irrigation (acre-feet)	Total Required Water Rights (acre-feet)
4.81	173	10	1.77	3.43	10	0.80	8.00	3.16	3.00	9.48	29.94
					35	0.80	28.00	2.2	3.00	6.6	38.57
					43	0.80	34.40	2.26	3.00	6.78	41.18
					40	0.80	32.00	1.79	3.00	5.37	37.37
					15	0.80	12.00	1.68	3.00	5.04	17.04
4.81				3.43	143		114.40	11.09		33.27	164.10

Required Water Rights for Irrigation, Pool and Other Use (acre-feet)	Restaurants (seats)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Restaurants (acre-feet)	Residential Use			Irrigation			Project
					Residential Homes (home)	Water Use (acre-feet)	Required Water Rights for Inside Use (acre-feet)	Irrigated Area (acres)	Water Use (acre-feet)	Required Water Rights for Irrigation (acre-feet)	Total Required Water Rights (acre-feet)
4.81	299	10	1.77	5.93	10	0.80	8.00	3.16	3.00	9.48	32.44
					35	0.80	28.00	2.2	3.00	6.6	38.57
					43	0.80	34.40	2.26	3.00	6.78	41.18
					40	0.80	32.00	1.79	3.00	5.37	37.37
					15	0.80	12.00	1.68	3.00	5.04	17.04
4.81				5.93	143		114.40	11.09		33.27	166.60

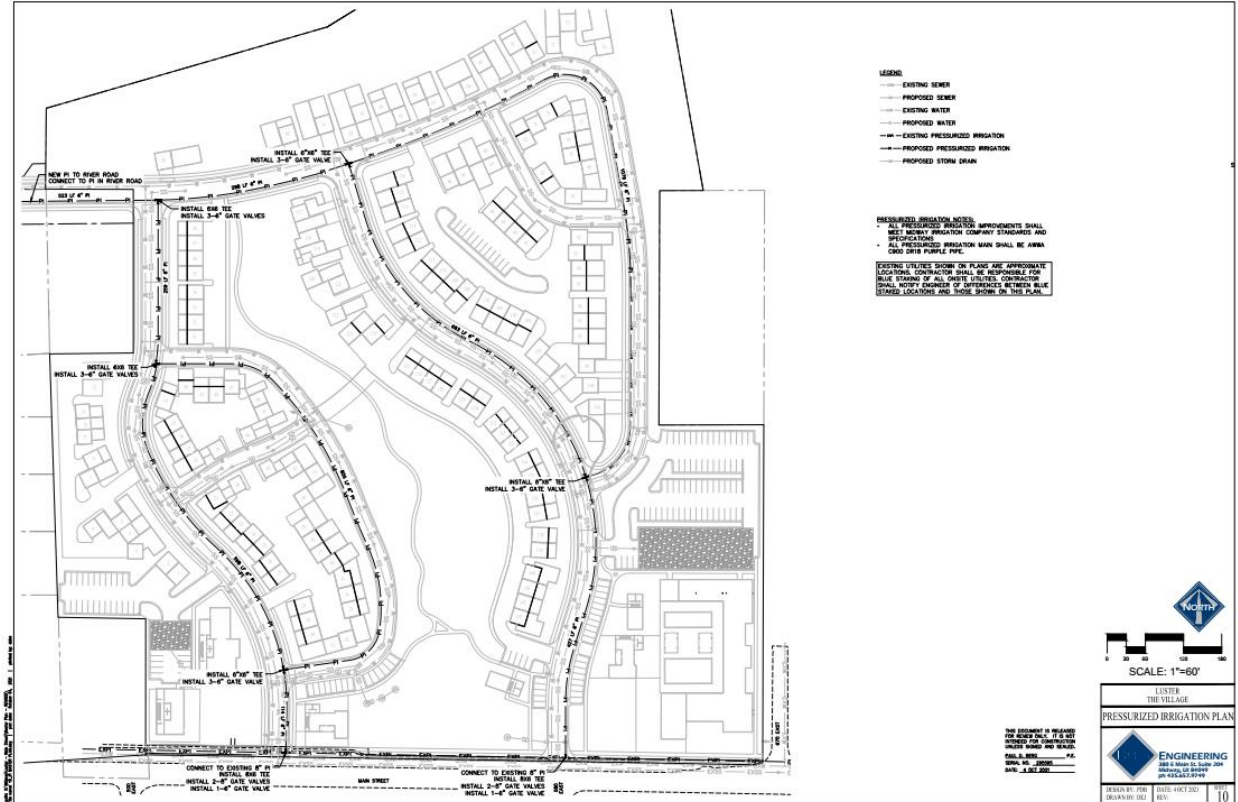
Required Water Rights for Irrigation, Pool and Other Use (acre-feet)	Restaurants (seats)	Water Use per State Code (gpd)	Midway Return Flow Factor	Required Water Rights for Restaurants (acre-feet)	Residential Use			Irrigation			Project
					Residential Homes (home)	Water Use (acre-feet)	Required Water Rights for Inside Use (acre-feet)	Irrigated Area (acres)	Water Use (acre-feet)	Required Water Rights for Irrigation (acre-feet)	Total Required Water Rights (acre-feet)
4.81	243	10	1.77	4.82	10	0.80	8.00	3.16	3.00	9.48	31.33
					35	0.80	28.00	2.2	3.00	6.6	38.57
					43	0.80	34.40	2.26	3.00	6.78	41.18
					40	0.80	32.00	1.79	3.00	5.37	37.37
					15	0.80	12.00	1.68	3.00	5.04	17.04
4.81				4.82	143		114.40	11.09		33.27	165.49



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The board discussed the project, and the different water calculations that were presented tonight. They reviewed all the charts, and new maps that were presented. There were three different water calculations, the original restaurant capacity presented to the Water Board with 173 seats, WC3 dining occupancy analysis with 299 seats, and the Architects revised design and occupancy analysis with 243 seats.

The board discussed the project, and the different calculations for water. They discussed that the unknown water was in Phase 1 and 2 and the rest of the phases are known. The board discussed having the project come before the board for each phase, and then when a permit was applied for that staff could update the board.

The board reviewed the three different proposals for water calculations and felt they would recommend the calculations from WC3 to the City Council.

Motion: Midway Irrigation Member Grant Kohler made the motion that The Village Master Plan be recommended for approval to the City Council on the condition that they turn in 166.60 acre feet of water for the Master Plan, which will be held in escrow and that with each phase for the project they come before the Water Advisory Board for a calculation by phase, and the water will be turned in by phase, and placed from the developers name into the City's name. Midway Irrigation Member Brent Kelly 2nd the motion.

Midway Irrigation President/Co-Chair Steve Farrell asked if there were further questions regarding this item? There was not.

Motion was carried unanimously.

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New Old/Business

There was not any new or old business to discuss

Midway Irrigation Member Grant Kohler moved for adjournment of the meeting and City Councilman Jeff Drury 2nd the motion.

Motion was carried unanimously. Meeting was adjourned at 6:30 p.m.

Approved