

Midway City Council
19 March 2019
Work Meeting

Appenzell PUD /
Master Plan Amendment

Memo



Date: March 19, 2019
To: Midway City Council
From: Michael Henke
Re: Appenzell Master Plan Amendment Concept Plan

Dade Rose, agent for Newport Reset LLC, is exploring the possibility of amending the Master Plan Agreement for Appenzell Planned Unit Development. They would like to receive guidance from the City Council regarding this potential master plan amendment and would like to present some concept ideas for the City Council's consideration. They would like to add two relatively small fourplexes to the existing property. The Appenzell Master Plan states, in part, the following regarding any amendments; "Unless otherwise stated in this Agreement, the Parties may amend this Agreement from time to time, in whole or in part, by mutual written consent".

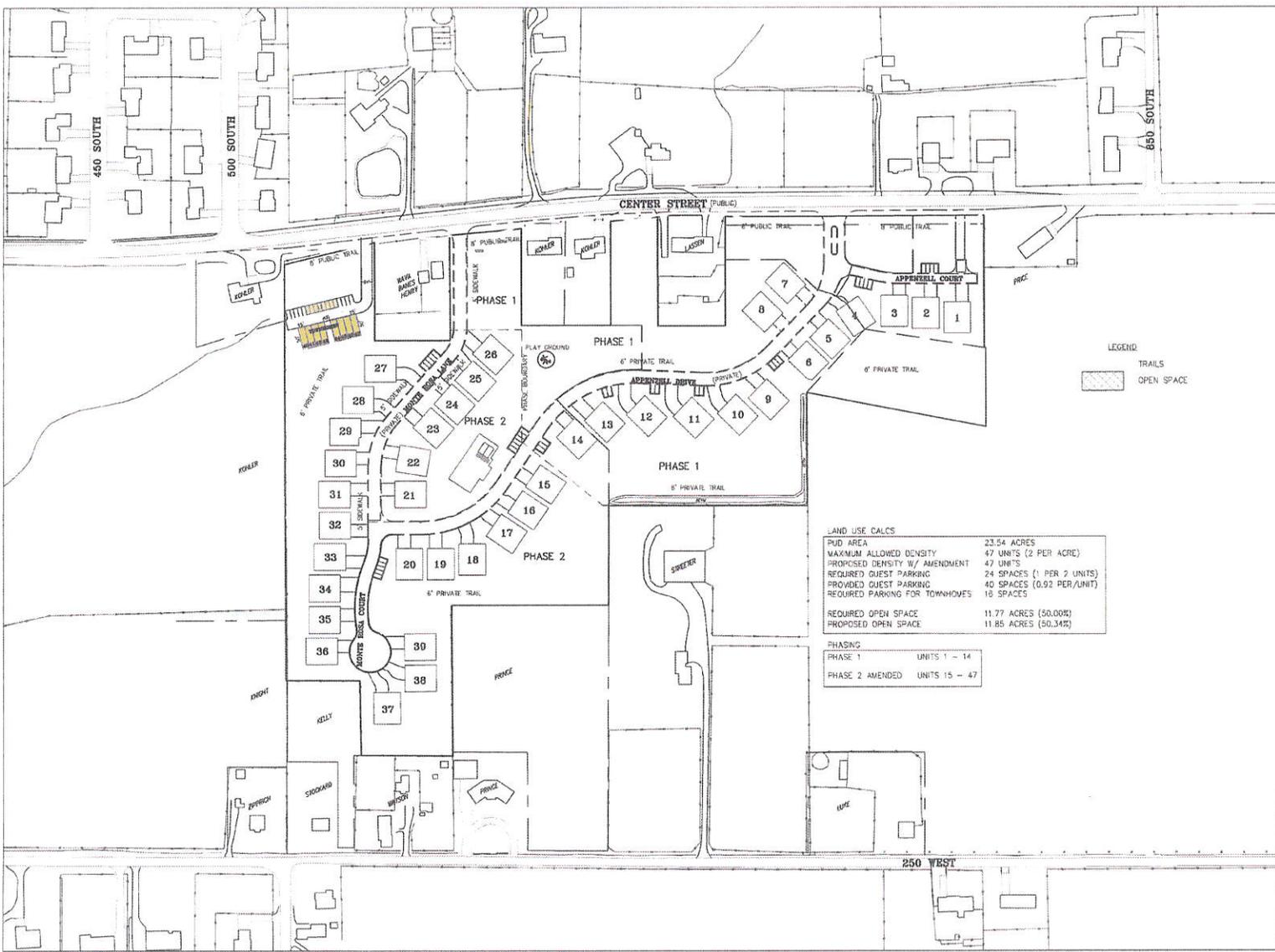
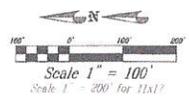
Some items the City might consider are:

- How does this proposal comply with the vision of the General Plan?
- Will the existing home owners in Appenzell all need to approve the proposal since the area proposed for the new units will be on what is currently common area owned by the homeowners?
- How will this impact those living in the PUD and those surrounding the PUD?
- Will open space and viewsheds be impacted?
- What will the increased traffic impact be?
- The intersection will not be new, but the proposed use will be more intense than what was approved.
- Will this proposal have a positive or negative impact on City revenue including the ability to meet State requirements for the Resort Tax?
- How will this impact the school district?

- The proposed units are smaller than the minimums allowed by the zone, though the City Council may still approve them.
- Will the proposed units be affordable housing?
- Is the developer offering anything to the community to help offset potential impacts?

Amending the existing Master Plan Agreement requires mutual consent. The City Council has every right to approve or not approve the proposal since amending the agreement is discretionary, even if the proposal complies with the City's land use regulations. It is up to the applicant to convince the City that the proposal will be a benefit to the City.

Please contact me if you have any questions about this item.
435-654-3223 ext. 105
mhenke@midwaycityut.org



LEGEND:
 TRAILS
 OPEN SPACE

LAND USE CALCS

PUD AREA	23.54 ACRES
MAXIMUM ALLOWED DENSITY	47 UNITS (2 PER ACRE)
PROPOSED DENSITY W/ AMENDMENT	47 UNITS
REQUIRED GUEST PARKING	24 SPACES (1 PER 2 UNITS)
PROVIDED GUEST PARKING	40 SPACES (0.92 PER UNIT)
REQUIRED PARKING FOR TOWNHOMES	19 SPACES
REQUIRED OPEN SPACE	11.77 ACRES (50.00%)
PROPOSED OPEN SPACE	11.85 ACRES (50.34%)

PHASING

PHASE 1	UNITS 1 - 14
PHASE 2 AMENDED	UNITS 15 - 47

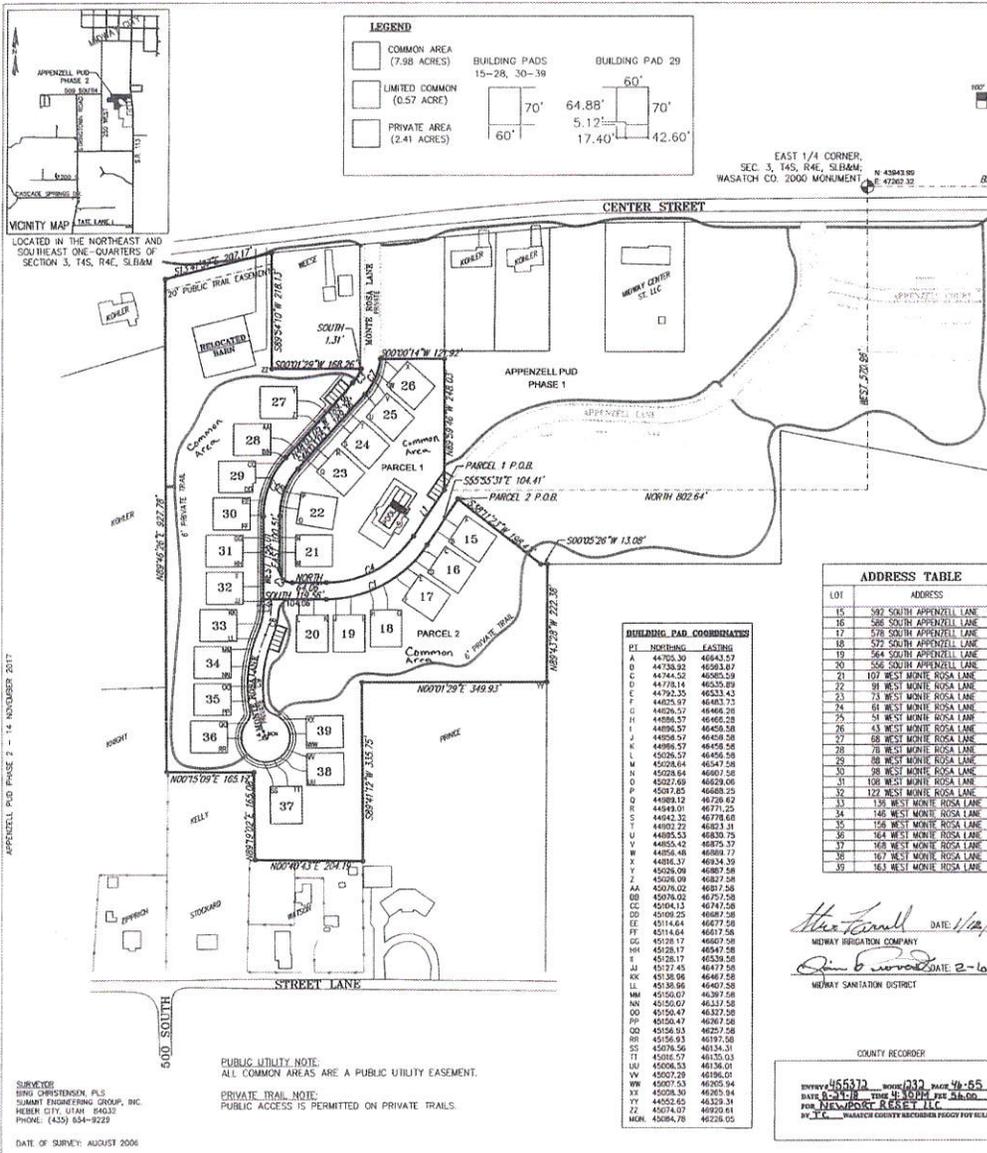
THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT AUTHORIZED FOR CONSTRUCTION UNLESS SHOWN AND SEALED.
 P.N.A. D. BERG, P.E.
 SERIAL NO. 293885
 DATE: 15 JANUARY 2019

REGAL HOMES
 APPENZELL P.U.D.

SITE PLAN

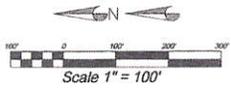
BERG ENGINEERING
 Resource Group P.C.
 180 E Main St, Suite 204,
 Midway, UT 84049
 ph: (435) 657-0747

DESIGN BY: PDR	DATE: 15 JAN 2019	SHEET
DRAWN BY: DBJ	REV:	



LEGEND

[Symbol]	COMMON AREA (7.98 ACRES)	[Symbol]	BUILDING PADS 15-28, 30-39	[Symbol]	BUILDING PAD 29
[Symbol]	LIMITED COMMON (0.57 ACRE)	[Symbol]	60' 70' 64.88' 5.12' 17.40'	[Symbol]	60' 70' 42.60'
[Symbol]	PRIVATE AREA (2.41 ACRES)				



EAST 1/4 CORNER, SEC. 3, T4S, R4E, S18&M, WASATCH CO. 2000 MONUMENT
 N 43843.00 E 47262.32
 SOUTH EAST CORNER SECTION 3, T4S, R4E, S18&M, WASATCH CO. 1996 MONUMENT
 N 41270.43 E 47268.02
 BASIS OF BEARINGS S 00°04'50" E 2664.56' BETWEEN MONUMENTS

LINE TABLE

LINE	LENGTH	BEARING
1	103.00	S55°53'11" W
2	8.96	WEST
3	13.98	SOUTH
4	12.37	S68°24'31" W

CURVE TABLE

CURVE	LENGTH	BEARINGS	DELTA	CHORD	BEARING
C1	124.84	S28°52'30" E	121.82	22.27	S22°27'02" E
C2	12.17	S63.52	4158.50	318.48	N69°58'00" E
C3	39.47	S134.52	21.98	38.22	S134.52
C4	184.12	S102.52	5000.31	383.08	S102.52
C5	26.48	S4.52	3070.00	24.65	S4.52
C6	39.47	S134.52	47.50	39.47	S134.52
C7	72.87	S115.52	2629.27	72.87	S115.52
C8	39.47	S102.52	121.82	39.47	S102.52
C9	186.31	S28.02	4241.00	38.92	S28.02

ADDRESS TABLE

LOT	ADDRESS
15	507 SOUTH APPENZELL LANE
16	508 SOUTH APPENZELL LANE
17	518 SOUTH APPENZELL LANE
18	522 SOUTH APPENZELL LANE
19	544 SOUTH APPENZELL LANE
20	506 SOUTH APPENZELL LANE
21	107 WEST MONTE ROSA LANE
22	91 WEST MONTE ROSA LANE
23	73 WEST MONTE ROSA LANE
24	61 WEST MONTE ROSA LANE
25	51 WEST MONTE ROSA LANE
26	43 WEST MONTE ROSA LANE
27	68 WEST MONTE ROSA LANE
28	79 WEST MONTE ROSA LANE
29	88 WEST MONTE ROSA LANE
30	98 WEST MONTE ROSA LANE
31	108 WEST MONTE ROSA LANE
32	122 WEST MONTE ROSA LANE
33	136 WEST MONTE ROSA LANE
34	146 WEST MONTE ROSA LANE
35	156 WEST MONTE ROSA LANE
36	164 WEST MONTE ROSA LANE
37	168 WEST MONTE ROSA LANE
38	167 WEST MONTE ROSA LANE
39	163 WEST MONTE ROSA LANE

BUILDING PAD COORDINATES

P.L.	NORTHING	EASTING
A	44785.30	46843.57
B	44738.32	46543.67
C	44744.52	46855.59
D	44778.14	46525.89
E	44792.25	46523.43
F	44825.97	46468.23
G	44826.57	46468.20
H	44858.57	46426.28
I	44858.57	46426.28
J	44858.57	46426.28
K	44858.57	46426.28
L	44858.57	46426.28
M	44858.57	46426.28
N	44858.57	46426.28
O	44858.57	46426.28
P	44858.57	46426.28
Q	44858.57	46426.28
R	44858.57	46426.28
S	44858.57	46426.28
T	44858.57	46426.28
U	44858.57	46426.28
V	44858.57	46426.28
W	44858.57	46426.28
X	44858.57	46426.28
Y	44858.57	46426.28
Z	44858.57	46426.28
AA	44858.57	46426.28
BB	44858.57	46426.28
CC	44858.57	46426.28
DD	44858.57	46426.28
EE	44858.57	46426.28
FF	44858.57	46426.28
GG	44858.57	46426.28
HH	44858.57	46426.28
II	44858.57	46426.28
JJ	44858.57	46426.28
KK	44858.57	46426.28
LL	44858.57	46426.28
MM	44858.57	46426.28
NN	44858.57	46426.28
OO	44858.57	46426.28
PP	44858.57	46426.28
QQ	44858.57	46426.28
RR	44858.57	46426.28
SS	44858.57	46426.28
TT	44858.57	46426.28
UU	44858.57	46426.28
VV	44858.57	46426.28
WW	44858.57	46426.28
XX	44858.57	46426.28
YY	44858.57	46426.28
ZZ	44858.57	46426.28
AAA	44858.57	46426.28
BBB	44858.57	46426.28
CCC	44858.57	46426.28
DDD	44858.57	46426.28
EEE	44858.57	46426.28
FFF	44858.57	46426.28
GGG	44858.57	46426.28
HHH	44858.57	46426.28
III	44858.57	46426.28
JJJ	44858.57	46426.28
KKK	44858.57	46426.28
LLL	44858.57	46426.28
MMM	44858.57	46426.28
NNN	44858.57	46426.28
OOO	44858.57	46426.28
PPP	44858.57	46426.28
QQQ	44858.57	46426.28
RRR	44858.57	46426.28
SSS	44858.57	46426.28
TTT	44858.57	46426.28
UUU	44858.57	46426.28
VVV	44858.57	46426.28
WWW	44858.57	46426.28
XXX	44858.57	46426.28
YYY	44858.57	46426.28
ZZZ	44858.57	46426.28

COUNTY SURVEYOR'S CERTIFICATE
 APPROVED AS TO FORM ON THIS 10th DAY OF Dec. 2017.
 ROSA 2886
 [Signature]
 COUNTY SURVEYOR

BASIS OF BEARINGS:
 THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS SOUTH 00°04'50" EAST BETWEEN THE 2000 WASATCH COUNTY SURVEY MONUMENT LOCATED AT THE EAST ONE-QUARTER CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND THE 1996 WASATCH COUNTY SURVEY MONUMENT LOCATED AT THE SOUTHEAST CORNER OF SAID SECTION 3, CONFORMANCE WITH THE BASIS OF BEARINGS OF THAT CERTAIN CONTROL NETWORK SURVEY PERFORMED BY ENGINEERING PLANNING GROUP, INC., FOR MIDWAY CITY IN 1998, WHICH WAS ESTABLISHED AT THAT TIME AS SOUTH 86°04'31" EAST BETWEEN THE FIRST-ORDER BRASS CAP CONTROL POINT LOCATED ON MEMORIAL HILL AND THE WASATCH COUNTY SURVEY MONUMENT LOCATED AT THE SOUTHEAST CORNER OF SECTION 38, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. TO OBTAIN UTM COORDINATE SYSTEM TRUE CENTRAL ZONE BEARINGS, ROTATE THE BEARINGS ON THIS MAP IN THE COUNTERCLOCKWISE DIRECTION 00°01'25".

SURVEYOR'S CERTIFICATE
 IN ACCORDANCE WITH SECTION 10-90-603 OF THE UTAH CODE, I, ERIC CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 1451996 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-2-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.
 [Signature]
 DATE 12-07-17 SURVEYOR THE SURVEYOR

ACCEPTANCE BY MIDWAY CITY
 THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS PLANNED UNIT DEVELOPMENT AND ACCEPTS THE DEDICATION OF EASEMENTS AND PUBLIC RIGHTS-OF-WAY HERON SHOWN THIS 17th DAY OF December, AD 2017.
 APPROVED [Signature] ATTEST [Signature]
 MAYOR CITY CLERK-RECORDER
 APPROVED [Signature] ATTEST [Signature]
 CITY ATTORNEY CITY ENGINEER THE SURVEYOR

PLANNING COMMISSION APPROVAL
 APPROVED THIS 2nd DAY OF February, 2018 BY THE
 MIDWAY CITY PLANNING COMMISSION
 [Signature] CHAIRMAN, PLANNING COMMISSION
 [Signature] SECRETARY

BOUNDARY DESCRIPTION

PARCEL 1:
 BEGINNING AT A POINT THAT IS WEST 670.80 FEET AND NORTH 802.64 FEET FROM THE 2000 WASATCH COUNTY SURVEY MONUMENT FOR THE EAST ONE-QUARTER CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;
 THENCE NORTH 55°50'31" WEST 103.89 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 189.50 FEET;
 THENCE ALONG SAID CURVE 68.74 FEET THROUGH A CENTRAL ANGLE OF 65°52'31" CHORD BEARS NORTH 27°57'48" WEST 187.09 FEET;
 THENCE NORTH 84.06 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 24.90 FEET;
 THENCE ALONG SAID CURVE 36.46 FEET THROUGH A CENTRAL ANGLE OF 80°02'00" CHORD BEARS NORTH 45°00'00" EAST 34.55 FEET;
 THENCE EAST 100.51 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 134.50 FEET;
 THENCE ALONG SAID CURVE 47.71 FEET THROUGH A CENTRAL ANGLE OF 41°56'50" CHORD BEARS SOUTH 69°01'33" EAST 95.29 FEET;
 THENCE SOUTH 48°03'00" EAST 189.38 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 116.50 FEET;
 THENCE ALONG SAID CURVE 73.39 FEET THROUGH A CENTRAL ANGLE OF 30°24'27" CHORD BEARS SOUTH 68°15'10" EAST 72.10 FEET;
 THENCE SOUTH 69°09'14" WEST 121.82 FEET;
 THENCE NORTH 89°59'46" WEST 248.03 FEET TO THE POINT OF BEGINNING, CONTAINING 2.13 ACRES.

PARCEL 2:
 BEGINNING AT A POINT THAT IS WEST 670.80 FEET AND NORTH 802.64 FEET AND SOUTH 33°09'43" WEST 31.00 FEET FROM THE 2000 WASATCH COUNTY SURVEY MONUMENT FOR THE EAST ONE-QUARTER CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;
 THENCE SOUTH 33°12'23" WEST 168.47 FEET;
 THENCE SOUTH 00°09'02" WEST 13.08 FEET;
 THENCE NORTH 43°28'00" WEST 225.28 FEET;
 THENCE NORTH 48°03'00" WEST 189.38 FEET;
 THENCE NORTH 69°41'12" WEST 235.76 FEET;
 THENCE NORTH 60°46'42" EAST 204.18 FEET;
 THENCE NORTH 80°10'00" EAST 194.00 FEET;
 THENCE NORTH 00°00'00" EAST 161.17 FEET;
 THENCE NORTH 89°46'28" WEST 134.73 FEET;
 THENCE SOUTH 00°07'02" WEST 189.20 FEET;
 THENCE SOUTH 1.31 FEET;
 THENCE ALONG A 44.50 FOOT RADIUS CURVE TO THE RIGHT 31.16 FEET (CENTRAL ANGLE OF 21°06'58" AND A CHORD BEARING NORTH 82°04'30" WEST 31.01 FEET);
 THENCE NORTH 48°03'00" WEST 189.38 FEET;
 THENCE ALONG A 165.50 FOOT RADIUS CURVE TO THE LEFT 121.17 FEET (CENTRAL ANGLE OF 41°06'58" AND A CHORD BEARING NORTH 69°01'33" WEST 118.48 FEET);
 THENCE WEST 158.41 FEET;
 THENCE SOUTH 119.50 FEET;
 THENCE ALONG A 230.50 FOOT RADIUS CURVE TO THE LEFT 224.99 FEET (CENTRAL ANGLE OF 65°52'31" AND A CHORD BEARING SOUTH 27°57'48" EAST 216.18 FEET);
 THENCE SOUTH 55°50'31" EAST 104.41 FEET TO THE POINT OF BEGINNING, CONTAINING 8.83 ACRES.

PARCELS 1 & 2 CONTAINING 10.96 TOTAL ACRES.

RESERVATION OF COMMON AREA
 THE OWNER HAS DESIGNATED HEREIN CERTAIN COMMON AREAS INTENDED FOR USE BY THE OWNERS, THEIR GUESTS, AND INVITEES. SAID AREAS ARE HEREBY RESERVED FOR THEIR COMMON USE AND ENJOYMENT AS PROVIDED IN THE DECLARATION OF COVENANTS AND RESTRICTIONS OF APPENZELL P.U.D. RECORDED June 12, 2016, AS ENTRY NO. 4282935 IN BOOK 1162, BEGINNING AT PAGE 912 (THE DECLARATION).

OWNER'S DEDICATION AND CONSENT TO RECORD
 I, THE UNDERSIGNED, KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED OWNER OF THE PROPERTY DESCRIBED HEREON, HAS CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PRIVATE STREETS, PUBLIC TRAILS, EASEMENTS, LIMITED COMMON, AND COMMON AREAS, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PRIVATE STREETS, PUBLIC TRAILS, EASEMENTS, LIMITED COMMON, AND COMMON AREAS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.
 DATED THIS 20th DAY OF July, AD 2018
 [Signature]
 BY [Signature]
 [Signature]
 [Signature]

ACKNOWLEDGMENT
 STATE OF UTAH)
 COUNTY OF WASATCH)
 ON THE 20th DAY OF July, AD 2018, PERSONALLY APPEARED BEFORE ME, ROYAL A. COOK, JUDICIAL CLERK, WHO DID EXECUTE THE SAME IN THE CAPACITY INDICATED.
 MY COMMISSION EXPIRES 12/31/18
 [Signature]
 NOTARY PUBLIC

APPENZELL PUD PHASE 2

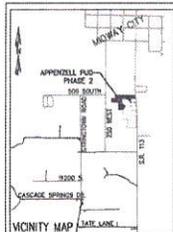
A PLANNED UNIT DEVELOPMENT IN MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH LOCATED IN THE NORTHEAST AND SOUTHEAST ONE-QUARTERS OF SECTION 3, T4S, R4E, S18&M SCALE: 1" = 100 FEET

DATE OF SURVEY: AUGUST 2006

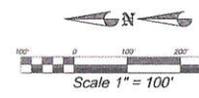
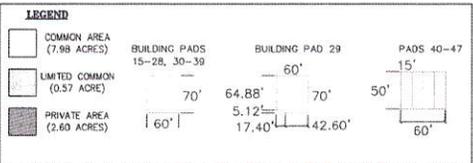
PUBLIC UTILITY NOTE:
 ALL COMMON AREAS ARE A PUBLIC UTILITY EASEMENT.

PRIVATE TRAIL NOTE:
 PUBLIC ACCESS IS PERMITTED ON PRIVATE TRAILS.

SURVEYOR:
 ERIC CHRISTENSEN, PLS
 SUMMIT ENGINEERING GROUP, INC.
 HEBER CITY, UTAH 84032
 PHONE: (435) 834-9222

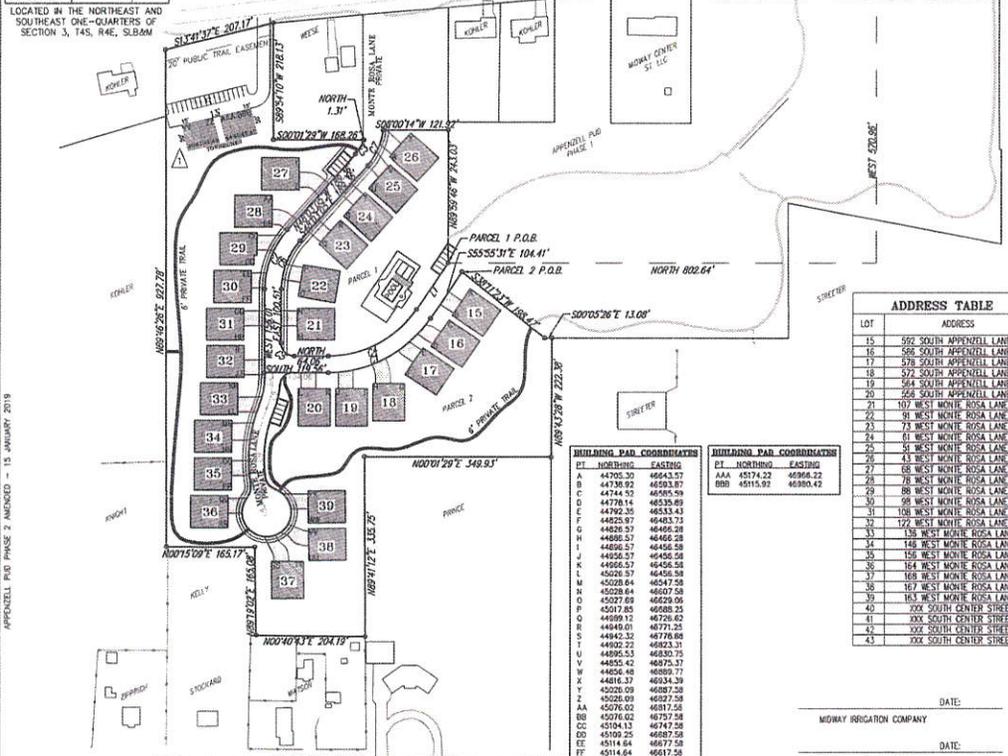


LOCATED IN THE NORTHEAST AND SOUTHEAST ONE-QUARTERS OF SECTION 3, T4S, R4E, S1B&M



EAST 1/4 CORNER, SEC. 3, T4S, R4E, S1B&M; WASATCH CO. 2000 MONUMENT

SOUTHEAST CORNER SECTION 3, T4S, R4E, S1B&M; WASATCH CO. 1996 MONUMENT



BASE OF BEARINGS: S 00°04'50" E 2684.56' BETWEEN MONUMENTS

REVISION NOTES
UNITS 40-47 ADDED TO PLAT

LINE	LENGTH	BEARING
1	10.84	N 89°02'30" W
2	1.3	WEST
3	18.50	SOUTH
4	1.3	S 13°17' 00" W

CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	124.90	238.96	92°02'31"	184.91	S 27°24'46" W
C2	174.77	165.56	41°38'20"	114.69	N 82°55'31" W
C3	18.16	8.50	27°06'57"	9.07	S 67°54'41" W
C4	184.37	189.93	52°36'31"	189.02	S 27°24'46" W
C5	26.48	14.60	100°00'00"	26.48	S 89°02'30" W
C6	18.50	115.90	11°30'00"	18.50	S 89°02'30" W
C7	73.30	115.90	36°24'27"	72.46	S 89°02'30" W
C8	18.50	115.90	22°27'27"	18.46	S 89°02'30" W
C9	108.34	250.00	52°41'00"	102.87	N 89°02'30" W

LOT	ADDRESS
15	502 SOUTH APPENZELL LANE
16	506 SOUTH APPENZELL LANE
17	576 SOUTH APPENZELL LANE
18	572 SOUTH APPENZELL LANE
19	584 SOUTH APPENZELL LANE
20	508 SOUTH APPENZELL LANE
21	107 WEST MONTE ROSA LANE
22	91 WEST MONTE ROSA LANE
23	73 WEST MONTE ROSA LANE
24	61 WEST MONTE ROSA LANE
25	43 WEST MONTE ROSA LANE
26	27 WEST MONTE ROSA LANE
27	68 WEST MONTE ROSA LANE
28	78 WEST MONTE ROSA LANE
29	88 WEST MONTE ROSA LANE
30	98 WEST MONTE ROSA LANE
31	108 WEST MONTE ROSA LANE
32	172 WEST MONTE ROSA LANE
33	135 WEST MONTE ROSA LANE
34	145 WEST MONTE ROSA LANE
35	155 WEST MONTE ROSA LANE
36	164 WEST MONTE ROSA LANE
37	189 WEST MONTE ROSA LANE
38	167 WEST MONTE ROSA LANE
39	163 WEST MONTE ROSA LANE
40	XXX SOUTH CENTER STREET
41	XXX SOUTH CENTER STREET
42	XXX SOUTH CENTER STREET
43	XXX SOUTH CENTER STREET

COUNTY SURVEYOR'S CERTIFICATE
APPROVED AS TO FORM ON THIS _____ DAY OF _____, 20____
ROS# _____
COUNTY SURVEYOR _____

BASE OF BEARINGS:
THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS SOUTH 00°04'50" EAST BETWEEN THE 2000 WASATCH COUNTY SURVEY MONUMENT LOCATED AT THE EAST ONE-QUARTER CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND THE 1996 WASATCH COUNTY SURVEY MONUMENT LOCATED AT THE SOUTHEAST CORNER OF SAID SECTION 3, IN CONFORMANCE WITH THE BASIS OF BEARINGS OF THAT CERTAIN CONTROL NETWORK SURVEY PERFORMED BY ENGINEERING PLANNING GROUP, INC., FOR MIDWAY CITY IN 1994, WHICH WAS ESTABLISHED AT THAT TIME AS SOUTH 66°34'31" EAST BETWEEN THE FIRST-ORDER BRASS CAP CONTROL POINT LOCATED ON MEMORIAL HILL AND THE WASATCH COUNTY SURVEY MONUMENT LOCATED AT THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, TO OBTAIN UTM COORDINATE SYSTEM 1983 CENTRAL ZONE BEARINGS, ROTATE THE BEARINGS ON THIS MAP IN THE COUNTERCLOCKWISE DIRECTION 00°04'50".

SURVEYOR'S CERTIFICATE
IN ACCORDANCE WITH SECTION 10-89-603 OF THE UTAH CODE, I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 145796 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED IN THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

DATE _____ SURVEYOR _____ (SEE SEAL)
ACCEPTANCE BY MIDWAY CITY
THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS PLANNED UNIT DEVELOPMENT AND ACCEPTS THE DEDICATION OF EASEMENTS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.
THIS _____ DAY OF _____, A.D. 20____
APPROVED _____ MAYOR ATTEST _____ CLERK-RECORDER (SEE SEAL)
APPROVED _____ CITY ATTORNEY ATTEST _____ CITY ENGINEER (SEE SEAL)
PLANNING COMMISSION APPROVAL
APPROVED THIS _____ DAY OF _____, A.D. 20____, BY THE _____ MIDWAY CITY PLANNING COMMISSION
DIRECTOR - SECRETARY _____ CHAIRMAN, PLANNING COMMISSION _____

BOUNDARY DESCRIPTION

PARCEL 1:
BEGINNING AT A POINT THAT IS NORTH 802.64 FEET AND WEST 570.86 FEET FROM THE 2000 WASATCH COUNTY SURVEY MONUMENT FOR THE EAST ONE-QUARTER CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN.
THENCE NORTH 85°55'31" WEST 103.89 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 190.50 FEET, THENCE ALONG SAID CURVE 194.73 FEET THROUGH A CENTRAL ANGLE OF 55°55'31" (CHORD BEARS NORTH 27°57'46" WEST); THENCE NORTH 64.08 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 24.50 FEET; THENCE ALONG SAID CURVE 38.48 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" (CHORD BEARS NORTH 45°00'00" EAST 34.65 FEET); THENCE EAST 100.81 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 134.50 FEET; THENCE ALONG SAID CURVE 98.47 FEET THROUGH A CENTRAL ANGLE OF 41°56'55" (CHORD BEARS SOUTH 89°01'37" EAST 162.19 FEET); THENCE SOUTH 48°03'05" EAST 189.36 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 115.50 FEET; THENCE ALONG SAID CURVE 73.30 FEET THROUGH A CENTRAL ANGLE OF 30°54'27" (CHORD BEARS SOUTH 64°57'00" EAST 72.16 FEET); THENCE SOUTH 00°00'14" WEST 121.92 FEET; THENCE NORTH CONTAINING .213 ACRES

PARCEL 2:
BEGINNING AT A POINT THAT IS NORTH 802.64 FEET AND WEST 570.86 FEET FROM THE 2000 WASATCH COUNTY SURVEY MONUMENT FOR THE EAST ONE-QUARTER CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN.
THENCE SOUTH 33°06'43" WEST 31.00 FEET TO THE TRUE POINT OF BEGINNING FOR PARCEL 2.
THENCE SOUTH 39°11'23" WEST 198.47 FEET, THENCE SOUTH 00°00'28" EAST 13.08 FEET; THENCE NORTH 89°43'28" WEST 222.38 FEET; THENCE NORTH 00°01'29" EAST 349.93 FEET; THENCE NORTH 89°41'12" EAST 335.75 FEET; THENCE NORTH 00°40'43" EAST 204.19 FEET; THENCE NORTH 89°19'02" EAST 163.09 FEET; THENCE NORTH 00°00'00" EAST 165.17 FEET; THENCE NORTH 89°46'26" EAST 927.78 FEET, THENCE SOUTH 13°41'37" EAST 207.17 FEET; THENCE SOUTH 89°54'10" WEST 218.15 FEET; THENCE SOUTH 00°01'29" WEST 162.28 FEET; THENCE NORTH 13°31 FEET; THENCE ALONG A 64.50 FOOT RADIUS CURVE TO THE RIGHT 31.19 FEET (CENTRAL ANGLE OF 21°08'58" AND A CHORD BEARING NORTH 88°57'54" WEST 31.01 FEET); THENCE NORTH 49°02'05" WEST 189.36 FEET; THENCE ALONG A 165.50 FOOT RADIUS CURVE TO THE LEFT 121.17 FEET (CENTRAL ANGLE OF 41°56'55" AND A CHORD BEARING NORTH 89°01'37" WEST 114.48 FEET); THENCE WEST 154.01 FEET; THENCE SOUTH 119.56 FEET; THENCE ALONG A 230.50 FOOT RADIUS CURVE TO THE LEFT 224.99 FEET (CENTRAL ANGLE OF 50°55'31" AND A CHORD BEARING SOUTH 27°57'46" EAST 216.16 FEET); THENCE SOUTH 50°55'31" EAST 104.41 FEET TO THE POINT OF BEGINNING.
CONTAINING .853 ACRES

PARCELS 1 & 2 CONTAINING 10.86 TOTAL ACRES
RESERVATION OF COMMON AREA
THE OWNER, HAS DESIGNATED HEREIN CERTAIN COMMON AREAS INTENDED FOR THE USE BY THE OWNERS, THEIR GUESTS, AND INVITEES, AND AREA HEREBY RESERVED FOR THEIR COMMON USE AND ENJOYMENT AS PROVIDED IN THE DECLARATION OF COVENANTS AND RESTRICTIONS OF APPENZELL P.U.D. RECORDED _____, AS ENTRY NO. _____ IN BOOK _____ BEGINNING AT PAGE _____ (THE DECLARATION).

OWNER'S DEDICATION
KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAID TO BE SUBDIVIDED INTO LOTS, PRIVATE STREETS, PUBLIC TRAILS, EASEMENTS, LIMITED COMMON, AND COMMON AREA AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PRIVATE STREETS, PUBLIC TRAILS, EASEMENTS, LIMITED COMMON, AND COMMON AREA, FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.
DATED THIS _____ DAY OF _____, A.D. 20____
BY: _____
RICHARD A. COOK - NEWPORT RESET LLC

ACKNOWLEDGMENT
STATE OF UTAH)
COUNTY OF WASATCH) S.S.
ON THE _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME, RICHARD A. COOK, WHO DULY ACKNOWLEDGED TO ME THAT HE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.
MY COMMISSION EXPIRES _____
NOTARY PUBLIC _____

APPENZELL PUD
PHASE 2 - AMENDMENT
PLANNED UNIT DEVELOPMENT, MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH
LOCATED IN THE NORTHEAST AND SOUTHEAST ONE-QUARTERS OF SECTION 3, T4S, R4E, S1B&M
SCALE: 1" = 100' FEET
SURVEYOR'S SEAL _____ NOTARY PUBLIC SEAL _____ CLERK-RECORDER SEAL _____

APPENZELL PUD PHASE 2 AMENDMENT - 13 JANUARY 2019

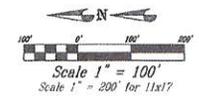
SUBVENOR
BING CHRISTENSEN, PLS
SUMMIT ENGINEERING GROUP, INC.
HEBER CITY, UTAH 84032
PHONE: (435) 854-9229

DATE OF SURVEY: AUGUST 10 2006

PUBLIC UTILITY NOTE:
ALL COMMON AREAS ARE A PUBLIC UTILITY EASEMENT.

PRIVATE TRAIL NOTE:
PUBLIC ACCESS IS PERMITTED ON PRIVATE TRAILS.

PT	NORTHING	EASTING	PT	NORTHING	EASTING
A	44765.30	46643.57	AAA	45774.22	46966.22
B	44736.92	46593.87	BBB	45115.92	46380.42
C	44744.50	46585.59			
D	44728.14	46535.89			
E	44792.20	46533.43			
F	44825.87	46483.71			
G	44826.57	46486.29			
H	44826.57	46466.28			
I	44826.57	46466.58			
J	44826.57	46466.58			
K	44826.57	46466.58			
L	44826.57	46466.58			
M	45029.64	46547.58			
N	45029.64	46607.58			
O	45027.69	46629.06			
P	45047.85	46688.25			
Q	44889.12	46730.62			
R	44849.01	46771.25			
S	44842.33	46778.88			
T	44822.22	46823.31			
U	44826.57	46820.75			
V	44855.42	46875.37			
W	44826.48	46869.71			
X	44816.37	46914.29			
Y	45026.09	46887.58			
Z	45026.09	46887.58			
AA	45076.02	46817.58			
BB	45076.02	46757.58			
CC	45104.13	46747.58			
DD	45109.22	46697.58			
EE	45114.64	46617.58			
FF	45114.64	46617.58			
GG	45126.17	46620.58			
HH	45126.17	46547.58			
II	45126.17	46529.58			
JJ	45127.45	46477.58			
KK	45136.86	46427.58			
LL	45136.86	46407.58			
MM	45150.07	46397.58			
NN	45150.07	46317.58			
OO	45150.47	46327.58			
PP	45156.93	46257.58			
QQ	45156.93	46257.58			
RR	45156.93	46134.31			
SS	45076.50	46135.03			
TT	45076.50	46135.03			
UU	45077.29	46196.01			
VV	45077.29	46196.01			
XX	45098.30	46265.91			
YY	45242.16	46265.91			
ZZ	45186.87	46448.51			



- PLANT SCHEDULE**
-  **STREET TREES** 38
 - Fraxinus americana Autumn Purple / Autumn Purple Ash
 - Fraxinus pennsylvanica / Green Ash
 - Gleditsia inaequalis 'Maya' / Shiloh Honeylocust
 - Pinus caryana 'Chanticleer' / Chanticleer Pine
 - Tilia cordata / Littleleaf Linden
 -  **ACCENT TREES** 13
 - Malus x 'Radiant' / Radiant Crab Apple
 - Populus deltoides 'Stouffer' / Stouffer Cottonwood Brookland
 - Populus tremuloides / Quaking Aspen
 - Pinus virginiana 'Canada Red' / Canada Red Chokecherry
 - Quercus macrocarpa / Burr Oak
 - Sorbus aucuparia 'Micheif' TM / Cardinal Royal Mountain Ash
 -  **EVERGREEN TREES** 5
 - Picea pungens glauca 'Bailey' / Blue Spruce
 - Picea pungens glauca 'Hoopsii' / Hoopsii Blue Spruce
 - Pseudotsuga mitchellii 'Blue Bird' / Blue Bird Douglas Fir

PLANT SCHEDULE

GROUND COVER	QTY	COMMON NAME / BOTANICAL NAME	CORT
	195,009 sf	Kentucky Bluegrass / Poa pratensis	cod
	123,822 sf	Wild Flower Mix / Wild Flower Mix	Hydroseed

THIS DOCUMENT IS RELEASED FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION UNLESS SIGNED AND SEALED.
 C.A.B. No. 2018-001
 DATE: 15 JAN 2018

REGAL HOMES
 APPENZELL P.U.D.
 PHASE 2
 LANDSCAPE PLAN



800 N. Main St. Suite 200
 Midway, UT 84049 Ph: (801) 722-2000

DESIGN BY: CMB	DATE: 15 JAN 2018	SHEET
DRAWN BY: CMB	REV:	6

Michael Henke

From: Carla Gehring <tevisone@yahoo.com>
Sent: Saturday, February 16, 2019 12:30 PM
To: Celeste Johnson; Michael Henke
Cc: foot2sole@yahoo.com; 'Susan Steffen Sindel'; 'Larry Halper'; 'Larry & Care Halper'; 'William Payne'; Marcela Payne; 'tom streit'; Rona Kipper; 'Linda Maurer'; 'Carla Gehring'; 'skeetergehring'; 'Karl & Bev Snow'; 'Beverly Snow'; 'Annie Wolfe'; lorilie3@aol.com; 'Chris & Lori Sheehan'; 'York Fitzgerald'
Subject: Newport LLC Townhome proposal at Appenzell PUD
Attachments: 3 - Midway City Council - 2019-02-19 - Work Meeting - Appenzell PUD - In....pdf

Dear Mayor Johnson,

We have been informed that the city council working meeting will include a proposal to build 8 tiny townhomes within the Appenzell PUD HOA. We have read the proposal and as members have the following thoughts:

All real property listed as Appenzell PUD "subject land", has been legally recorded into the Appenzell development CCR's; the area of Dade Rose's proposed "Townhomes" request falls under the Common Area of the CCR's and is part of the common land owned by all 39 Appenzell HOA dues paying members.

There would need to be a defined boundary and legal documents separating this parcel of land from the Appenzell PUD. The proposal by Dade Rose does not define the scope of the land to be separate from Appenzell PUD HOA. At least we could not find that subject clearly stated.

If there is no defined parcel of land deeded to "TOWNHOMES", that will create ambiguity concerning the maintenance responsibilities of each HOA. Once Regal is no longer part of the PUD that will become a problem for the Appenzell PUD HOA.

We disagree with the proposal to only amend the Appenzell HOA CCR's. There would need to be a new PUD and new HOA for the "Townhomes", giving the "Townhomes" owners control of the area they are responsible for, with voting rights to control their own destiny after Regal leaves. In addition, the Appenzell PUD and HOA CCR's should be amended to remove that parcel of land from our responsibility.

We do not want a group in our PUD HOA that does not have voting rights. In the current proposal, Appenzell PUD HOA would still have legal responsibility for the land around the proposed "Townhomes". If the land were not legally separated from the Appenzell PUD HOA, when legal issues arise, it becomes Appenzell's problem. If the "Townhomes" development goes bankrupt, then it involves us and we do not want to deal with that. Appenzell would be the only name on record and therefore be the recipient of all city ordinance violations if the project is abandoned. We would have to keep the maintenance up on the area of the "Townhomes" such as thistle control and all other city ordinances. The likelihood of bankruptcy and abandonment leaving the area overgrown and an eyesore, is high. Just drive around the Heber valley and you can easily find a proposed development in that condition.

It is unrealistic to think that with the Appenzell walking trail system only 20 feet to the west of the "Townhomes" units, that "Townhomes" residents would not use the Appenzell PUD land amenities.

The following statement in the proposal is a clear mischaracterization of the "Warehouse" situation, and is an attempt by Dade Rose to creatively lie to the council.

"The Development Agreement approved the installation of a large warehouse off of Center Street that would be used for storage and/or rental of boats, snowmobiles and other recreational equipment (the "Warehouse"). It also approved construction of 39-dwelling units. There has been little expressed interest in the Warehouse. The Developer believes that a better, more attractive use of the property previously designated for the Warehouse would be to place eight "Townhomes" within the 10,000 s.f footprint of the Warehouse (the "Townhomes")."

The original city approved documents show the big metal barn that was located roughly in the area of Appenzell units 28, 29 and 30, to be relocated to the area that is now being proposed as the "Townhomes". Dade's proposal changes the name from "relocated barn" to "Warehouse". The words relocated barn and warehouse do not appear in the Appenzell PUD HOA CCR's, nor in any documents provided to Appenzell PUD HOA members.

The statement that there has been little interest in the "Warehouse" is misleading, and that is because we did not know we had an option to be interested!! Regal contracted a trucking company to remove the Barn in the summer of 2018. They disassembled the structure and relocated it to their trucking company main facility. Appenzell unit members were never told that there **was an option** for RV, boat or snowmobile storage. To say there has been little interest is a gross mischaracterization, attempting to give the impression that the unit owners were somehow involved in the process and we were just not interested in it.

Regal has made all decisions concerning the barn in private, with no unit member ever consulted, as suggested by the proposal. We were not asked if we would want to make use of a facility such as a "Warehouse". It would have been great to store HOA facility equipment such as a snow blower to maintain the trail system once the system is built, and still be able to house unit owners' RV's, boats, etc. under controlled guidelines. The Appenzell PUD HOA currently does not have a storage facility that could be used for common area maintenance equipment or a place to keep common parts to maintain the common facilities. All HOA's have a need for such a storage area and if this proposal goes through, that storage area will have to be built at Appenzell unit owners' expense.

If Regal wants to build another single family home in the proposed "Townhomes" area, with voting rights and active membership in our community, increasing our population to 40, we would not oppose that. We would, as a community locate an area for a small storage unit for HOA common equipment and items, should HOA members determine the need, and everyone would be fully informed with no hidden agendas.

The proposal drawings indicate that the "Townhomes" would be 15 feet wide outside dimensions. With construction materials, it would reduce the living space to less than 15 feet wide inside dimensions, approximately 14 feet 2 inches on the 4 end units and 14 feet 5 inches on the center units. These are extremely tiny for long term residences and would more likely become short term rentals. The idea floated in the proposal that the "Townhomes" would be long term affordable housing options, does not seem logical.

Thank you,

Skeeter & Carla Gehring
650 S. Appenzell Lane
Midway, UT 84049