

Midway City Council  
15 October 2019  
Regular Meeting

Midway Wrangler Subdivision /  
Preliminary Approval



## CITY COUNCIL MEETING STAFF REPORT

**DATE OF MEETING:** October 15, 2019

**NAME OF PROJECT:** Midway Wrangler Subdivision

**NAME OF APPLICANT:** Wasatch School District

**AGENDA ITEM:** Preliminary Approval

**LOCATION OF ITEM:** 180 East Michie Lane

**ZONING DESIGNATION:** R-1-15

### **ITEM: 8**

Wasatch School District is requesting preliminary approval of the Midway Wrangler Subdivision on property owned by Corporation of the Presiding Bishop. The proposal is to subdivide 20.29 acres into one lot and one agricultural parcel that may be developed in the future. The property is located at 180 East Michie Lane and is in the R-1-15 zone.

### **BACKGROUND:**

This request is for preliminary approval of a standard subdivision on 20.29 acres that will contain a lot for a future elementary school and a lot that will be an agricultural parcel that may be developed at a future date. The property is owned by the Corporation of the Presiding Bishop and, once approved, lot 2 will continue to be owned by that entity but lot 1 would be deeded to Wasatch County School District. As part of the proposal to create access for lot 1, 220 East will be constructed that will serve as frontage for this proposal and for a five-acre parcel owned by David Studdert. Wasatch County School District has proposed a school bond that, if approved by Wasatch County residents, will pay for the development of the new elementary school. The current property for Midway Elementary will be deeded to the Corporation of the Presiding Bishop which is adjacent to property already owned by that entity that is the site of a church.

As mentioned, the proposal will create two lots. Lot 1 will be 11.96 acres and will be the site for a future elementary school. Lot 2 will be 6.39 acres and will be an agricultural parcel but will be developed at a future date. There will be no building rights on the parcel until the property is approved for development through the land use approval process. A concept site plan for the property is attached to this report that shows the potential layout of the school, a church, and a five-lot subdivision. The concept plan has been included for informational purposes only. Approval of the school will be as a conditional use that will need to be submitted to the City in the future. The conditional use will review specifics to the plan such as layout and access. Lot 2 will also need to be reviewed through the land use process and may be the church and five lot subdivision as shown on the concept plan or any other use allowed in the R-1-15 zone.

#### **LAND USE SUMMARY:**

- 20.29-acre parcel
- R-1-15 zoning
- Proposal contains two lots
  - One lot for an elementary school
  - One lot with no building rights until approved at a future date
- Frontage along Michie Lane and 220 East (to be built by the developer)
- The lots will connect to the Midway Sanitation District sewer, Midway City's culinary water line, and Midway Irrigation Company's secondary water line

#### **ANALYSIS:**

*Access* – Access for both lots will be from 220 East that will be built by the developer. There is an agricultural access to the west side of the property to lot 2 that will remain until future development is sought on that parcel.

*Water Connection* – The lot will connect to the City's water line located under Michie Lane.

*Sewer Connection* – The lot will connect to Midway Sanitations District's line located in the southwest section of the property.

*Secondary Water Connection* – The lots will connect to Midway Irrigation Company's secondary which is already servicing the property.

*220 East* – The developer is proposing 70’ right-of-way, of which 59’ will be located on the Midway Wrangler plat. The other 11’ will be dedicated if the Studdert property is developed. The developer will build the full width road including curb and gutter on both sides but is only proposing to build the park strip and 8’ sidewalk on the west side of the street. A 5’ sidewalk and park strip will be built on the east side of the road once the Studdert property is developed.

With the proposal of an elementary school in this area, it is important that 220 East eventually connect to Hwy 113. The City’s Master Road Plan does show a connection from Michie Lane to Hwy 113 and with this proposal the best option for that connection is 220 East. If property owners to the south develop their property, then a connection to Hwy 113 will be possible.

*400 South* – The submitted plat does show a future public street for 400 South. This street would connect across the Studdert property to the Deer Creek subdivision and to the Fox Pointe subdivision. This road is not on the City’s master road plan but with the current proposal of an elementary school in this area, the connection of 400 South is now an important connection.

**WATER BOARD RECOMMENDATION:**

The Water Board has preliminarily reviewed the proposal, but no specific water calculations have been made. The applicant has indicated that they plan to be on the Water Board’s October agenda to receive a recommendation for the water requirement.

**POSSIBLE FINDINGS:**

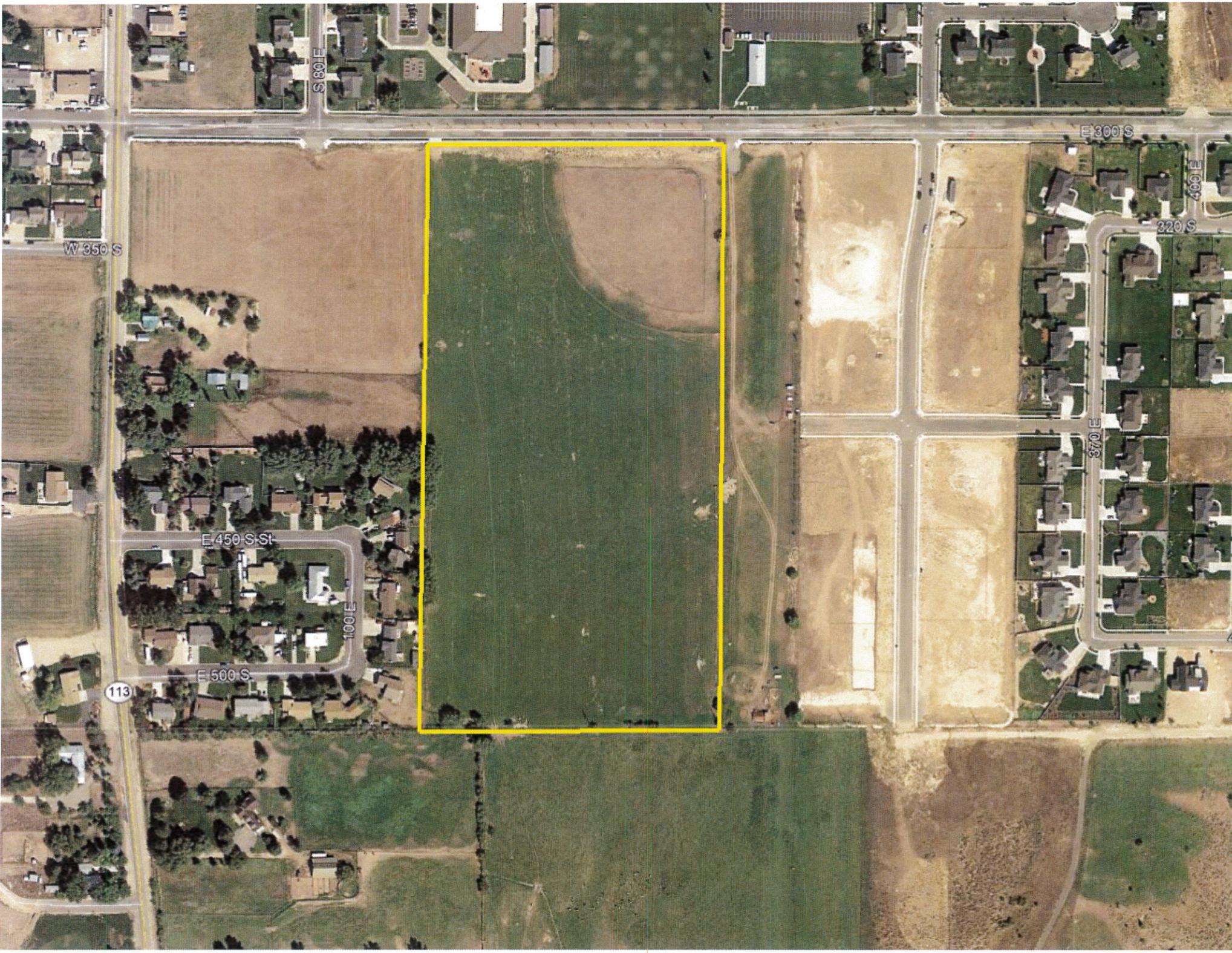
- The proposed lots meet the minimum requirements for the R-1-15 zoning district
- The proposal does meet the intent of the General Plan for the R-1-15 zoning district
- Lot 2 will not have any building rights until the property is approved for development

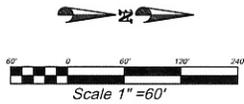
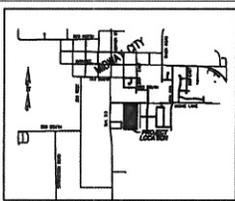
**ALTERNATIVE ACTIONS:**

1. Approval (conditional). This action can be taken if the City Council feels that conditions placed on the approval can resolve any outstanding issues.
  - a. Accept staff report
  - b. List accepted findings
  - c. Place condition(s)
  
2. Continuance. This action can be taken if the City Council feels that there are unresolved issues.  
Accept staff report
  - a. List accepted findings
  - b. Reasons for continuance
    - i. Unresolved issues that must be addressed
  - c. Date when the item will be heard again
  
3. Denial. This action can be taken if the City Council finds that the request does not meet the intent of the ordinance.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for denial

**POSSIBLE CONDITIONS:**

- Either the school bus turnaround is constructed on the south end of 220 East or a temporary turnaround is constructed with accompanying easement, so the road is not constructed without a turnaround.





# MIDWAY WRANGLER SUBDIVISION

## BASIS OF BEARING

BASIS OF BEARING IS NORTH 89°54'31" EAST BETWEEN THE FOUND WASATCH COUNTY BRASS CAP MARKING THE NORTH QUARTER CORNER AND THE FOUND WASATCH COUNTY BRASS CAP MARKING THE NORTHEAST CORNER OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN IN CONFERENCE WITH THE UTAH COORDINATE SYSTEM 1983 CENTRAL ZONE BEARINGS WITH A MEASURED DISTANCE OF 2,658.21 FEET.

## SURVEYOR'S CERTIFICATE

I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6854112 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAN AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREET RIGHT-OF-WAYS AND EASEMENTS.

## ADDRESS TABLE

LOT	ADDRESS
1	XXX SOUTH 220 EAST
2	XXX EAST MICHE LANE

## BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS SOUTH 89°54'29" WEST 1422.95 FEET AND SOUTH 46.90 FEET FROM THE NORTH QUARTER CORNER OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;  
 THENCE NORTH 89°59'41" EAST 657.99 FEET;  
 THENCE SOUTH 00°46'48" WEST 1338.40 FEET;  
 THENCE NORTH 89°33'43" EAST 664.53 FEET;  
 THENCE NORTH 00°29'35" EAST 1288.30 FEET TO THE POINT OF BEGINNING.  
 CONTAINING: 19.59 ACRES

## OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, AND EASEMENTS, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_  
 BY: \_\_\_\_\_  
 CORPORATION OF THE PRESIDING BISHOPRIC OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

## ACKNOWLEDGMENT

STATE OF UTAH }  
 COUNTY OF WASATCH } S.S.  
 ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME \_\_\_\_\_ WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.  
 MY COMMISSION EXPIRES: \_\_\_\_\_  
 NOTARY PUBLIC

## ACCEPTANCE BY MIDWAY CITY

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_  
 APPROVED \_\_\_\_\_ ATTEST \_\_\_\_\_  
 MAYOR CLERK-RECORDER  
 APPROVED \_\_\_\_\_ APPROVED \_\_\_\_\_  
 CITY ENGINEER CITY ATTORNEY  
 (SEE SEAL BELOW)

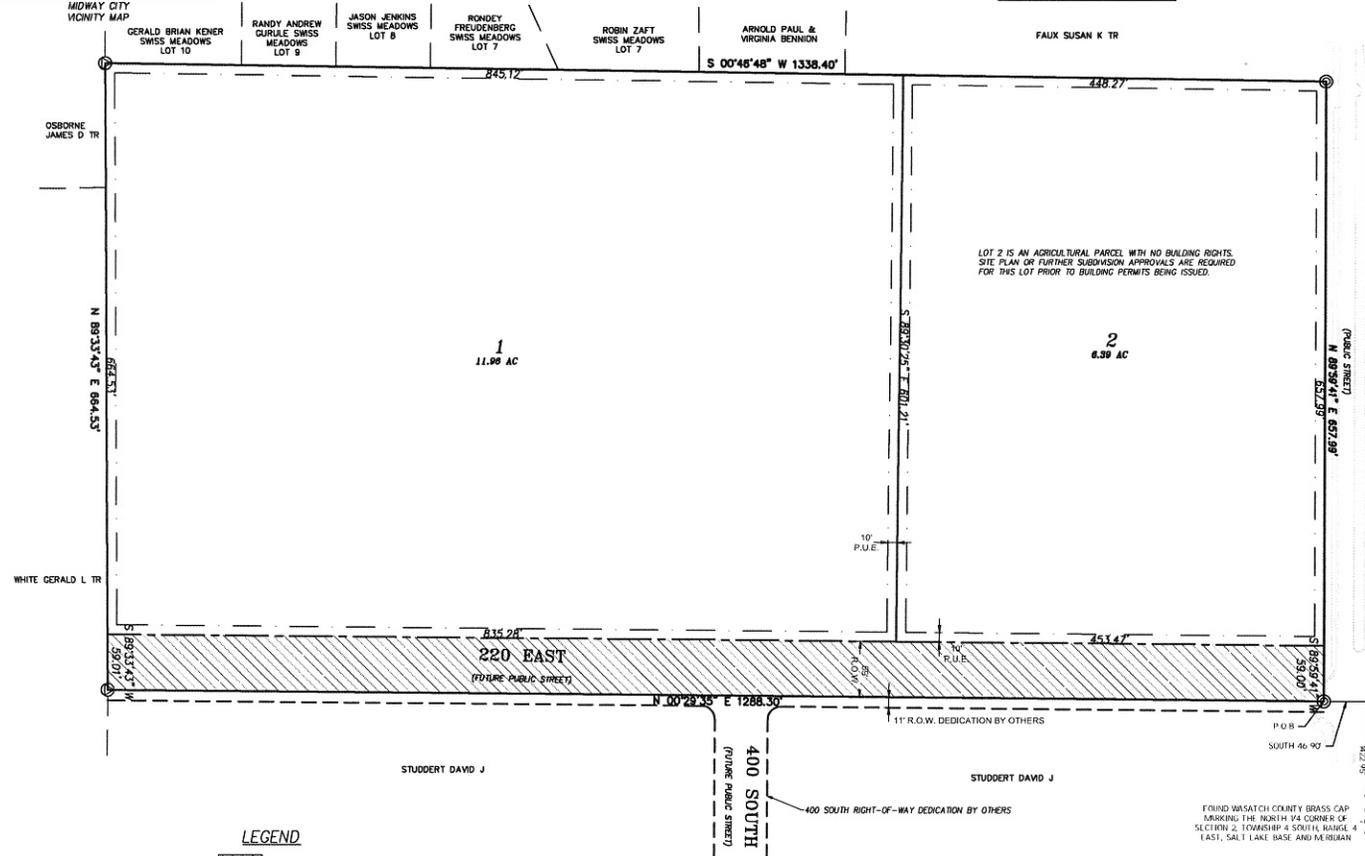
## PLANNING COMMISSION APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, BY THE  
 \_\_\_\_\_ MIDWAY CITY PLANNING COMMISSION  
 PLANNING DIRECTOR CHAIRMAN, PLANNING COMMISSION

## MIDWAY WRANGLER SUBDIVISION

MIDWAY CITY, WASATCH COUNTY, STATE OF UTAH  
 SCALE: 1" = 60 FEET

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY ENGINEER SEAL CLERK-RECORDER SEAL



LOT 2 IS AN AGRICULTURAL PARCEL WITH NO BUILDING RIGHTS. SITE PLAN OR FURTHER SUBDIVISION APPROVALS ARE REQUIRED FOR THIS LOT PRIOR TO BUILDING PERMITS BEING ISSUED.

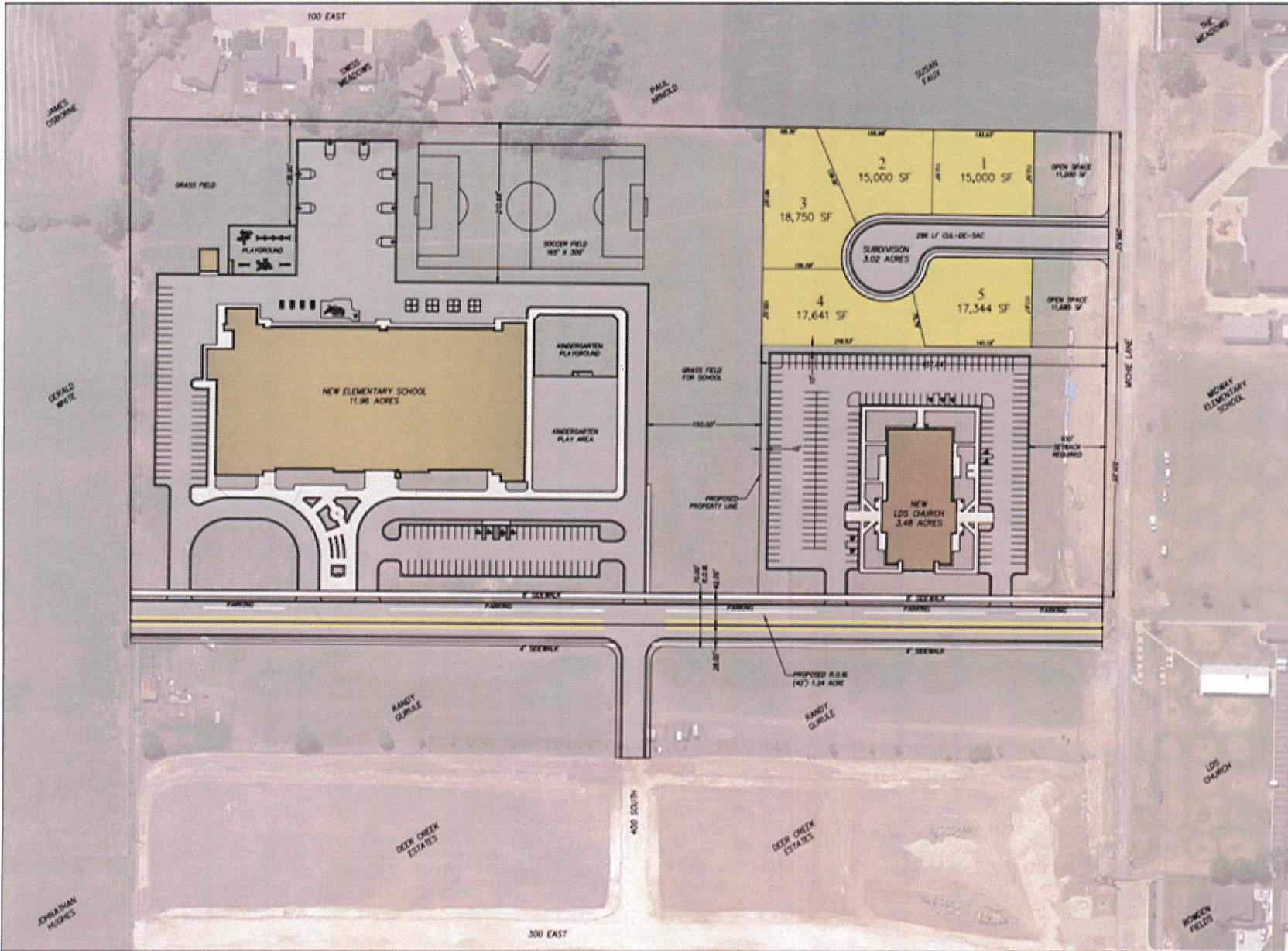
**LEGEND**  
 59' RIGHT-OF-WAY DEDICATION 1.75 AC  
 PUBLIC UTILITY EASEMENT (P.U.E.)

COUNTY RECORDER

DATE: \_\_\_\_\_  
 WASATCH COUNTY SURVEYOR  
 DATE: \_\_\_\_\_  
 MIDWAY IRRIGATION COMPANY  
 DATE: \_\_\_\_\_  
 MIDWAY SANITATION DISTRICT

MIDWAY WRANGLER SUBDIVISION PLAN - 12 AUGUST 2019

SURVEYOR  
 TROY L. TAYLOR, PLS  
 ELEMENT LAND SURVEYING  
 2286 SOUTH 270 EAST  
 HEBER CITY UT  
 PHONE (801) 657-8748  
 DATE OF SURVEY: JULY 2016



Scale 1" = 80'  
 Double 1" = 120' for 11x17

LAND USE CALC  
 TOTAL PROPERTY 18.70 ACRES  
 ZONE R-1-15  
 IRRIGATED AREA 5.77 ACRES  
 (SCHOOL ONLY)

WASATCH COUNTY SCHOOL DISTRICT  
 NEW MIDWAY ELEMENTARY  
 CONCEPT PLAN #3

**ENGINEERING**  
 200 E Main St, Suite 200  
 Midway, UT 84049  
 PH: 435.833.5749

DESIGN BY: PJB	DATE: 1 MAY 2010	SHEET: 3
DRAWN BY: CNB	REV:	

## Michael Henke

---

**From:** Rod Freudenberg <rodfreudenberg@hotmail.com>  
**Sent:** Thursday, September 26, 2019 7:17 PM  
**To:** Michael Henke  
**Subject:** Proposed Midway Wrangler Subdivision

**To:** Mayor Johnson and Council Members Christen, Drury, Probst, Simonsen, and Van Wagoner  
**From:** Rod Freudenberg, 463 S. 100 E. Midway  
**Regarding:** **Proposed Midway Wrangler Subdivision**

My name is Rod Freudenberg and I live with my wife, Mary, at 463 South 100 East. Our log home is at the end 450 South off Center Street. Our home is adjacent to the proposed Wrangler Subdivision on property owned by the Corporation of the Presiding Bishop of the Church of Latter Day Saints. I have been following the proposed land swap of this pastureland for the existing Midway Elementary School in order to develop a much larger elementary school in its place. I have two concerns to share with you which I hope you will consider in your deliberations.

My first concern is that the school district appears to be solving a student over-crowding problem by eliminating a perfectly good existing elementary school and replacing it with a mega-elementary school just on the other side of the street (Michie Lane). I have worked in the field of public education, and I believe that there is ample research supporting the greater value of smaller, neighborhood-based elementary schools over larger, centralized ones. In fact, the school district is justifying the building of a second high school for this very reason. Why not have a second elementary school on the north side (or some other area based on demographic patterns) to enable more kids to walk or ride their bikes to school rather than be bused or driven to school by parents (or in my case, grandparents)? Neighborhood schools build stronger communities, kids connect more personally with the school, families show higher levels of support to the school functions, faculty and staffs, and watch out for the neighborhoods' kids. For these ends to be optimized, school size and location matter completely. Once Midway goes the path of one big elementary school for all, there may be no going back. This issue has been raised with the School Board without sufficient evaluation in my opinion. The land swap simply appears to be an expedient solution to the over-crowding crisis which serves the mutual interests of the Board of Education and the Church, but not necessarily what is best for Midway families and their neighborhoods.

My second concern is that when you likely approve the Wrangler Subdivision, another large parcel of agricultural green space will be lost to the town. While growth is inevitable as evidenced by the volume of homes developed in the last few years around Michie Lane, this one remaining field preserves the rural character of the town for those of us who live on the south-east side. The irrigation ditch that waters the Kohler's cows also waters several large willow trees on its banks. When the ditch goes, so will the trees. When lighted parking lots replace the dark quiet alfalfa, when the generated and reflected heat of a mega-structure raises the temperature, and increased traffic buzzes the morning and afternoons and further taints the air, we have permanently lost something for future generations. If we collectively care about environmental quality and the rural character of the town, we should pause for a moment to take these impacts into account and consider alternatives or at least mitigation measures.

I am aware that if this pastureland is not developed for a school, it would likely be developed with more Ivory Homes or something less appealing. Therefore, would it be possible for you to consider: (1) using bond funds to acquire development rights to this land in order to preserve its agricultural nature; or (2) similar to other conditions place on other developers, make re-zoning contingent upon building layout, land use that preserves as much green space as possible and perimeter landscaping that favors native plants, trees, trails, and berms over pavement, water-hungry flat lawns, and wire fencing. Any mitigation of the negative impacts on our natural environment by the district not only

sustains the quality of life and natural beauty of Midway, but may also illustrate an important conservation and sustainability lesson for the kids.

Thank you for the opportunity to share these thoughts with you. Please contact me if I can be of any assistance.