

Midway City Council
19 July 2022
Regular Meeting

Ordinance 2022-22 /
General Plan Amendment



Midway

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: July 19, 2022
AGENDA ITEM: General Plan Amendment
DOCUMENT: Road System Master Plan
AUTHORIZED AGENT: Berg Engineering
APPLICANT PROPERTY OWNER: Rising Heights LLC
**OTHER DIRECTLY AFFECTED
PROPERTY OWNER:** Abraham Neerings Trust

ITEM: 11

Berg Engineering, agent for Rising Heights LLC, is proposing a General Plan Amendment to amend the Midway City’s Road System Master Plan. This proposal would remove a portion of the future planned road from 200 South between 740 East and Michie Lane through parcel 00-0006-6169 and parcel 00-0020-9351.

BACKGROUND:

Berg Engineering, agent for Rising Heights LLC, is proposing a General Plan Amendment which would amend the City’s Road System Master Plan and remove a portion of the future planned road from 200 South between 740 East and Michie Lane through parcel 00-0006-6169 (Rising Heights LLC) and parcel 00-0020-9351 (Abraham Neerings Trust). The planned road that is proposed for removal has been part of the City’s planned roads since the adoption of the 2011

Midway General Plan. The City must decide if the road necessary to meet the goals and the vision described in the General Plan.

The owner of the property is proposing the amendment so that if the property is developed then the road connection will not be required. The applicant would like to build a school on the property, which is a conditional use in the R-1-11 zone, though any type of development would be approved that is allowed in the R-1-11 zone unless the approval is subject to conditions. The applicant has included the following reasons why the road should not be required (see attached letter):

Advantages to removing 200 South between 740 East and Michie Lane

- *At 740 East there is approximately 1,700 feet between Main Street and Michie Lane. A local road at 200 South that connects neighborhoods makes sense for areas west of 740 East. However, at the east end of the Rising Heights School property there is only 260 feet between 200 South and Main Street. For this short distance a local road is not needed to provide connectivity.*
- *There is only about 140 feet of separation between the proposed 200 South and Zurich Lane. Removing 200 South will remove closely spaced intersections conflicts.*
- *Allows for more open space and play area on the school site.*
- *Reduces potential conflicts between car traffic and school children.*
- *A portion of 200 South goes through the Neerings property. The Neerings have raised concerns about 200 South running through their property during the public hearings for the nearby Edelweiss Meadows Subdivision.*
- *Removing the proposed section of 200 South would eliminate road intersection alignment issues in the Neerings property.*

Amending the General Plan is a legislative action. The City Council is under no obligation to approve an amendment. All issues should be considered in a legislative process which is unlike when the City Council acts administratively.

ANALYSIS:

Whenever there is a proposed amendment to the land use code or one of the adopted maps, the City should look to the General Plan for guidance. There should be support for any proposed amendments in the General Plan for an amendment to be successful.

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. The following are selections from the General Plan regarding future street planning and connectivity:

- *The transportation element is designed to provide for the safe and efficient movement of people and goods in the City. Its primary purpose is to balance current and future demands generated by projected future growth with roadway improvements. In essence, it is a long-range transportation plan which would efficiently support future land development and ultimately Midway's vision for the future.*
- *Additional east-west mobility will be central to mitigating these effects. As Midway continues to grow, building a complete system of roads and trails using multiple corridors and alternatives will become even more important.*
- *Neighborhood connectivity is important for local traffic and for emergency response and should be considered for all new development. Neighborhood connectivity will allow local traffic to use local streets and through traffic to use the collector roads which will allow traffic to be the safest and most efficient.*
- *Transportation Goals and Guidelines*
 - *Objective 2: Design an adequate transportation system for current and future residents and areas of development.*
 - *Guideline 3: Neighborhood connectivity is important for local traffic and for emergency response and should be preferred for all new development.*

One point emphasized in the General Plan is connectivity which is important for local traffic and emergency response. Local traffic is dispersed when there are more options. Also, emergency response is affected if there are limited options to arrive at the site of an emergency. Even road construction benefits if there are options for traffic detours. All these items make connectivity important to have a transportation that functions for a community.

As previously mentioned, the applicant would like to build a school on the property, which is a conditional use in the R-1-11 zone, though any type of development would be approved that is allowed in the R-1-11 zone unless the approval is subject to conditions. One issue to consider that is specific to the property is a through road may make better sense on the property if a residential subdivision were proposed but may not make as much sense if a school is built on the property. If approval is recommended, the Planning Commission may consider approving the amendment with the condition that only a school and its associated uses are built on the entire acreage of the property. If a residential development, or any other permitted or conditional use is proposed, then through road would be required.

2. Continuance. This action can be taken if the City Council finds that there are unresolved issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again

3. Denial. This action can be taken if the City Council finds there is not good cause to amend the General Plan.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED RECOMMENDED CONDITION:

The General Plan amendment is conditioned that the Road System Master plan is only amended for the construction of a school for the entire parcel (no dwellings are included on any of the 4.78 acre parcel).

Midway City Corporation

Mayor: Celeste T. Johnson
City Council Members
Lisa Christen • Jeffery Drury
J.C. Simonsen • Steve Dougherty
Kevin Payne



75 North 100 West
P.O. Box 277
Midway, Utah 84049
Phone: 435-654-3223
Fax: 435-654-4120
midwaycityut.org

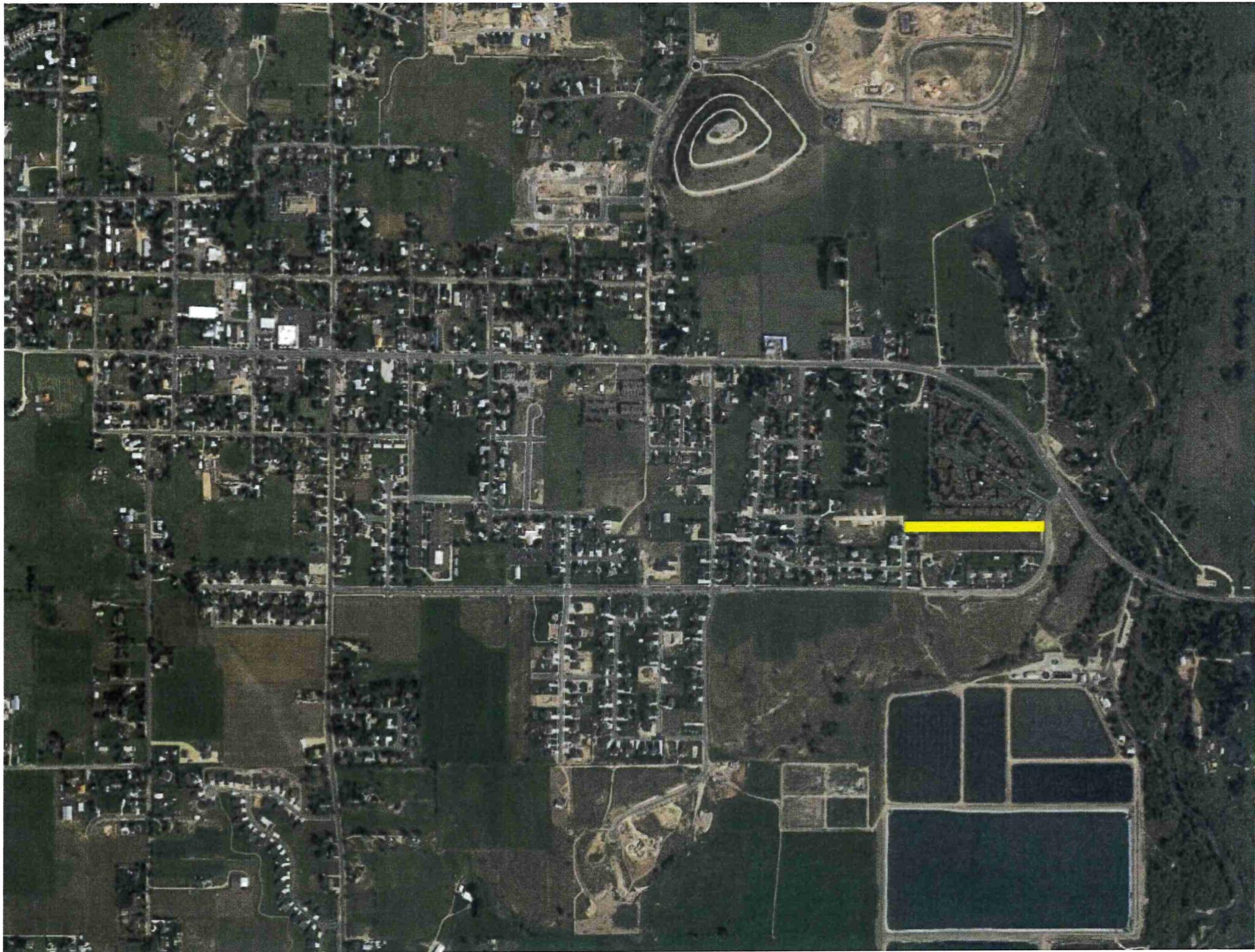
Rising Heights LLC General Plan Amendment

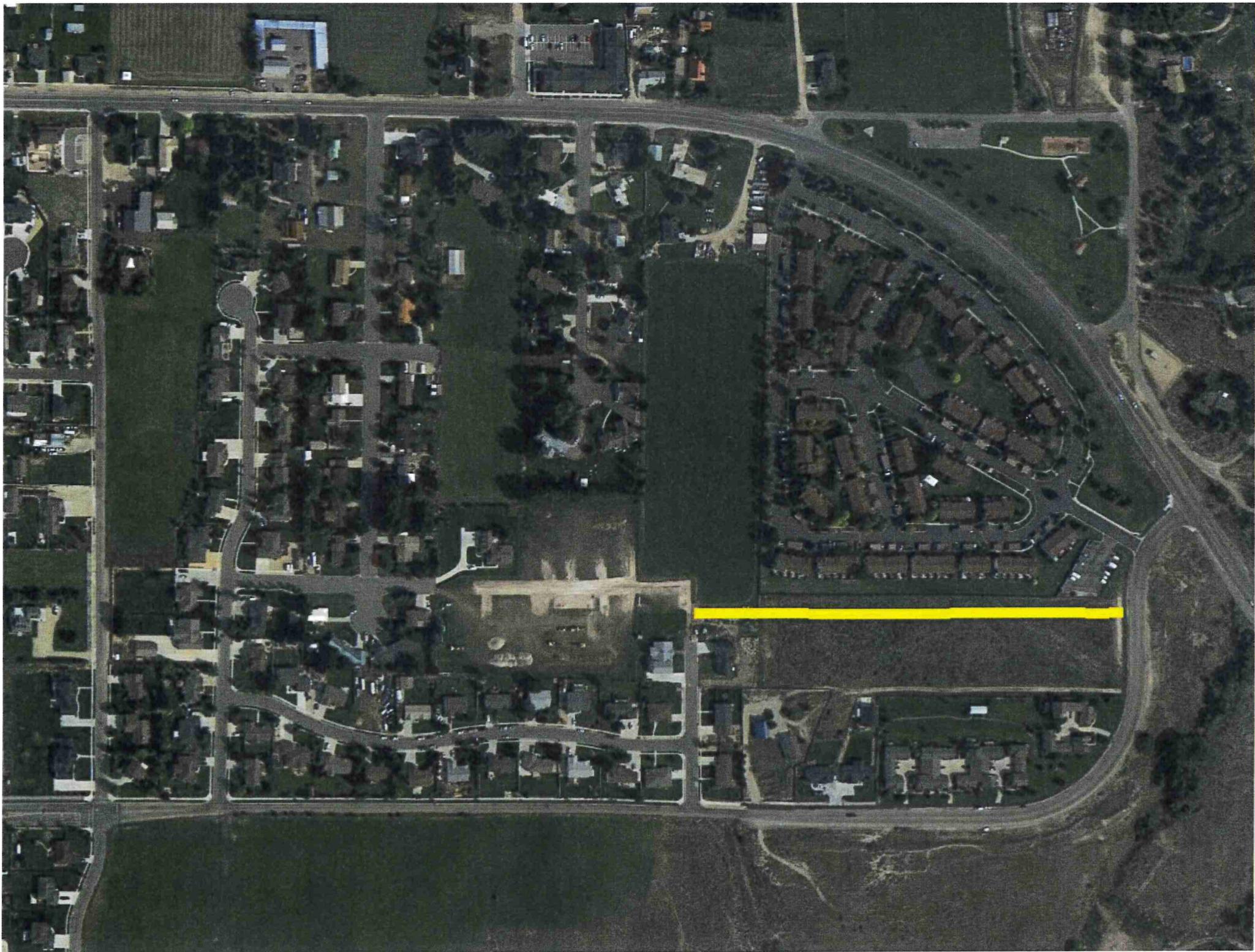
July 6, 2022

Michael Henke Midway City Planning Director,

I have reviewed the Rising Height LLC General Plan Amendment for compliance with the 2018 International Fire Code (2018 IFC). I have no fire code concerns currently. Once more detailed plans are available, I will review this development for 2018 IFC code compliance verify proper hydrant location & distances from structures, road widths, etc.

Tex R. Couch CBO/MCP
Midway City Building Official/Fire Marshal
75 West 100 North
Midway, Utah 84049
tcouch@midwaycityut.org
(435)654-3223 Ext. 107





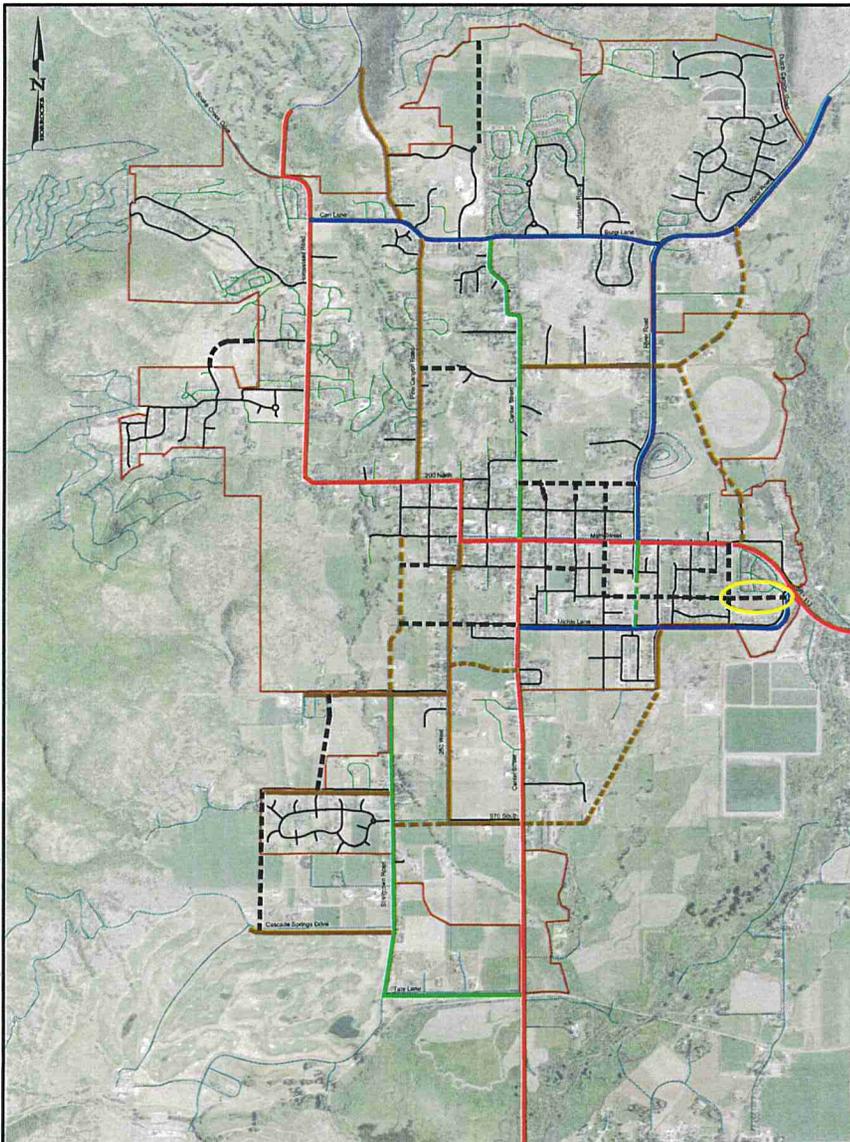




An aerial photograph of a residential neighborhood. A large, irregularly shaped area in the center is outlined in blue and contains the text 'Neerings'. Below this area, a horizontal yellow line is drawn across the image. Below the yellow line, another rectangular area is outlined in blue and contains the text 'Rising Heights'. The surrounding area shows various houses, streets, and green spaces.

Neerings

Rising Heights



H:\Midway_City\Midway Master Plan\Road System Master Plan 2018.dwg - Model - 10/11/2018 03:17pm, ntabler

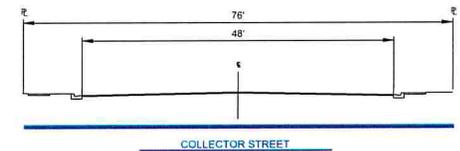
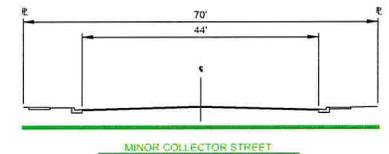
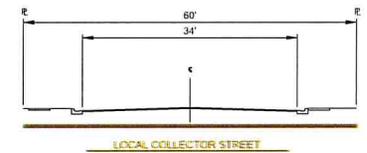
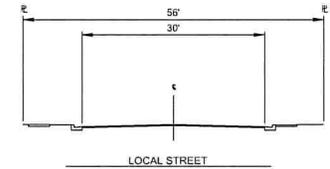
ROAD SYSTEM MASTER PLAN

LEGEND

- EXISTING LOCAL COLLECTOR
- EXISTING MINOR COLLECTOR
- EXISTING COLLECTOR
- EXISTING MINOR ARTERIAL (UDOT)
- - - NEW OR UPGRADED LOCAL
- - - NEW OR UPGRADED LOCAL COLLECTOR
- - - NEW OR UPGRADED MINOR COLLECTOR
- - - NEW OR UPGRADED COLLECTOR

ROAD LEGEND

- MIDWAY CITY ROADS
- MIDWAY CITY GRAVEL ROADS
- COUNTY ROADS
- PRIVATE ROADS
- CITY BOUNDARY
- UDOT ROADS



SCALE	WARNING IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE
HORIZONTAL	
VERTICAL	
NONE	

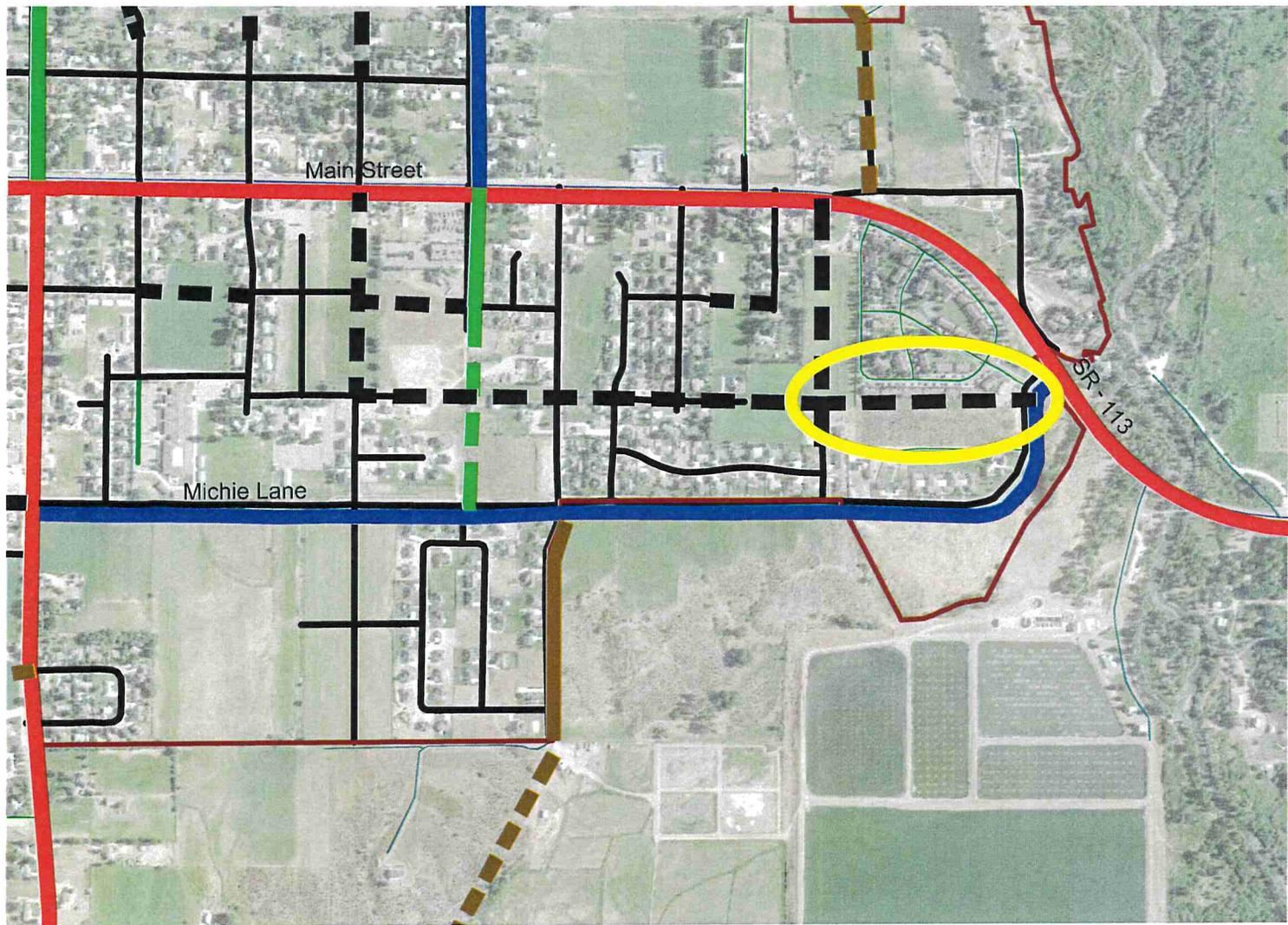
HORROCKS

ENGINEERS

2162 West Grove Parkway
 Suite 400
 Pleasant Grove, UT 84062
 (801) 753-5100

MIDWAY CITY
 ROAD SYSTEM MASTER PLAN

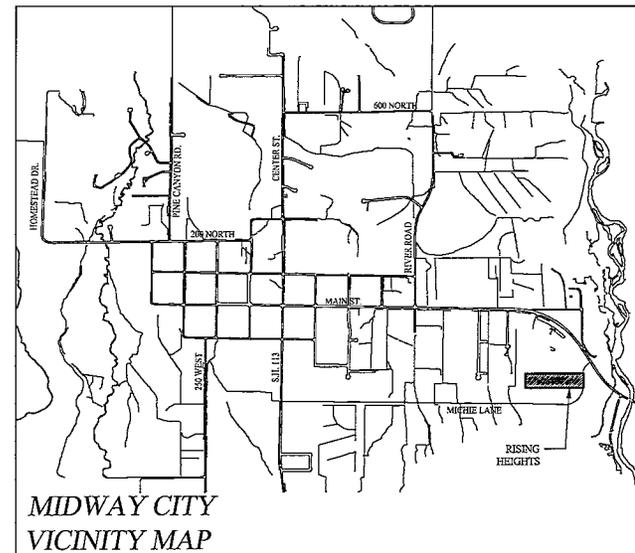
DESIGNED	DATE	PROJECT NO.
NR	9/2016	-
CHECKED	DATE	SHEET NO.
WSJ	9/2016	1 OF 1
		DRAWING NO.
		P-1



RISING HEIGHTS SCHOOL ROAD MASTER PLAN AMENDMENT

SHEET INDEX

1. MIDWAY ROAD SYSTEM MASTER PLAN
2. PROPOSED AMENDMENT TO ROAD SYSTEM MASTER PLAN
3. COUNTY PARCEL MAP
4. SLOPE MAP
5. ENVIRONMENTAL CONSTRAINTS



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PASL D. BERG P.E.
SERIAL NO. 295585
DATE: 11 MAY 2022

RISING HEIGHTS SCHOOL
ROAD MASTER PLAN AMENDMENT

COVER SHEET



DESIGN BY: FDB	DATE: 11 MAY 2022	SHEET
DRAWN BY: DEB	REV:	0

ROAD MASTER PLAN AMENDMENT - 11 MAY 2022

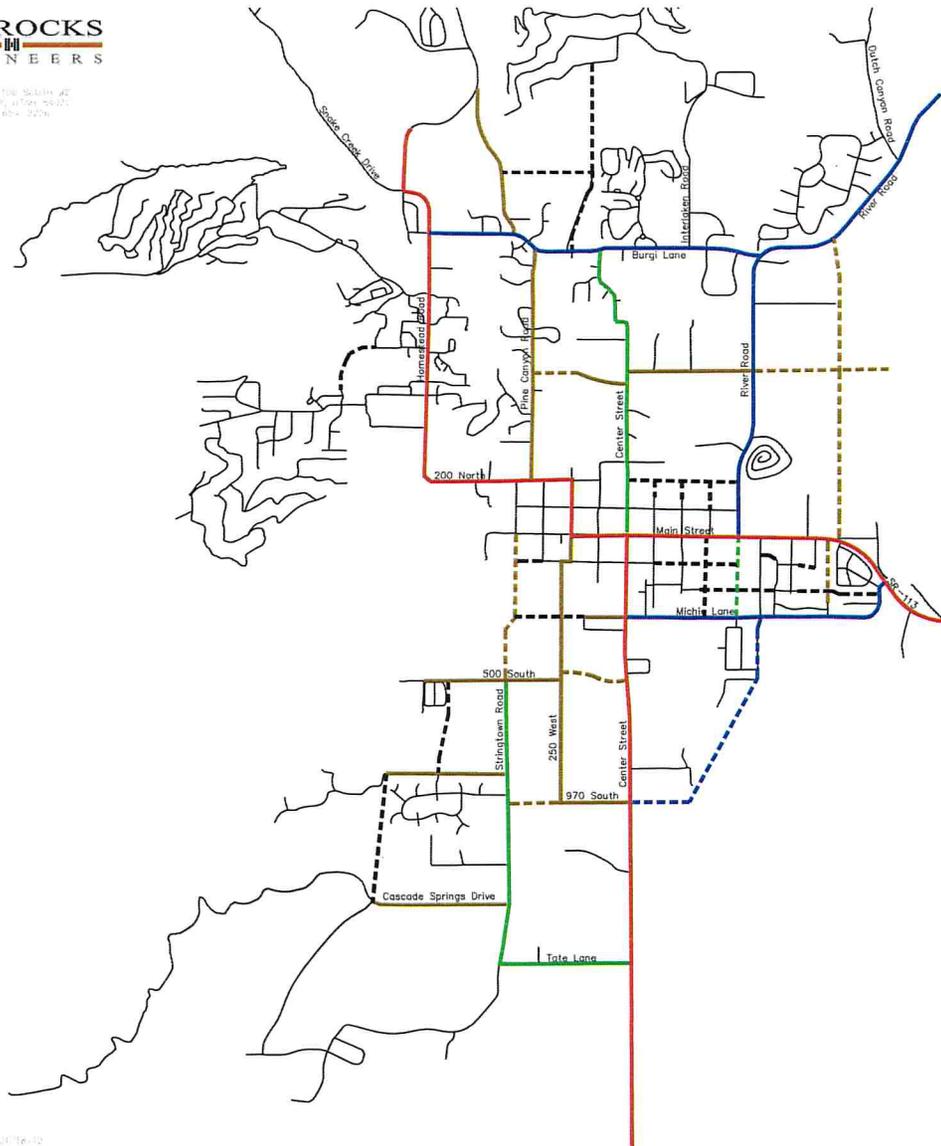
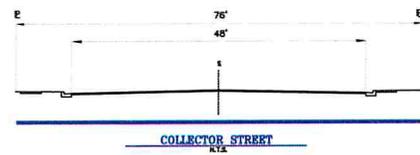
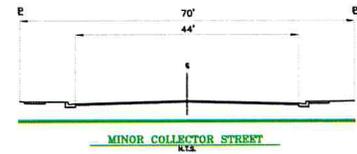
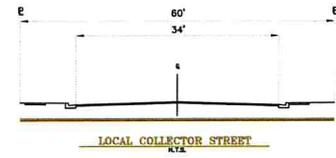
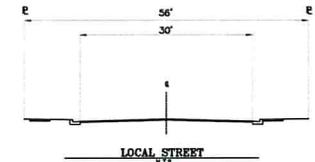


FIGURE 2-1
MIDWAY CITY
ROAD SYSTEM
MASTER PLAN

LEGEND

- EXISTING LOCAL COLLECTOR
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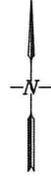
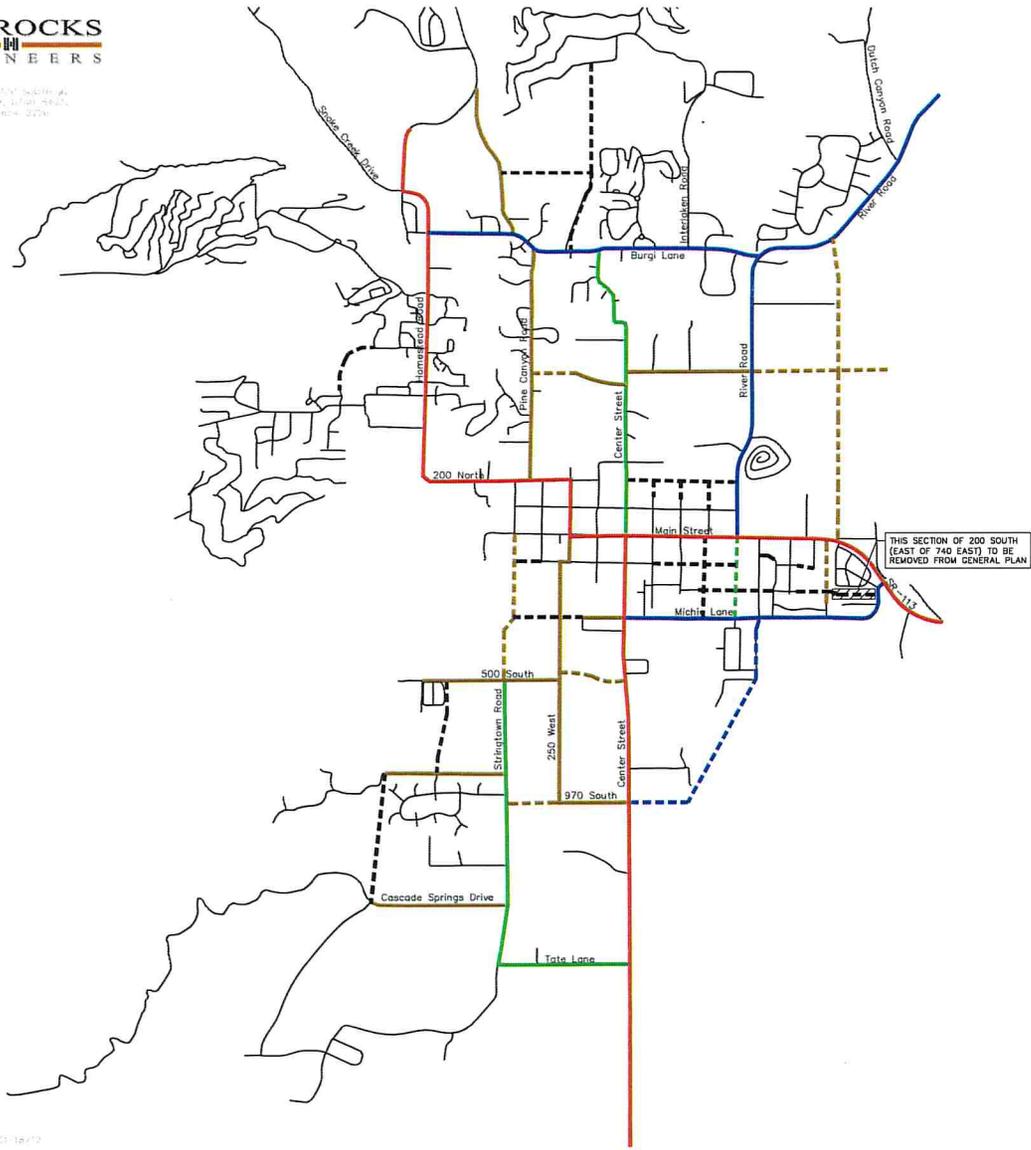
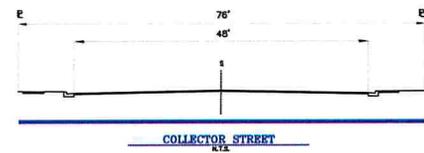
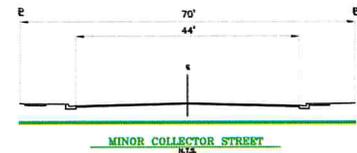
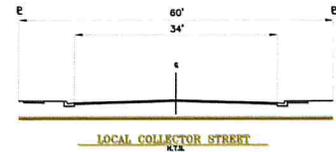
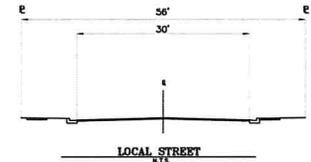
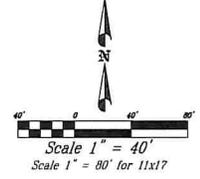


FIGURE 2-1
MIDWAY CITY
ROAD SYSTEM
MASTER PLAN

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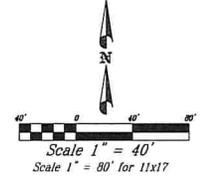




SLOPE LEGEND
 0 - 10% SLOPES
 10 - 20% SLOPES
 20 - 25% SLOPES
 25% + SLOPES

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 PANK D. BERG P.E.
 SERIAL NO. 202202
 DATE: 11 MAY 2022

RISING HEIGHTS SCHOOL	
SLOPE MAP	
 BERG ENGINEERING 200 E. Main St. Suite 204 Midway, UT 84049 ph 435.657.9749	
DESIGN BY: PDB	DATE: 11 MAY 2022
DRAWN BY: DEJ	REV: 4



SENSITIVE LANDS NOTE:
 PROPERTY DOES CONTAIN SLOPES GREATER THAN 25%.
 PROPERTY DOES NOT CONTAIN FEMA FLOODPLANS, HOT
 POTS, TREES OR WETLANDS.

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PAUL D. BERG P.E.
 SERIAL NO. 292282
 DATE 11 MAY 2022

RISING HEIGHTS SCHOOL	
ENVIRONMENTAL CONSTRAINTS PLAN	
	
DESIGN BY: PDB	DATE: 11 MAY 2022
DRAWN BY: DEJ	REV: 5



ENGINEERING

civil engineering • land planning

380 E. Main, Suite 204
Midway 84049 UT
435.657.9749

May 10, 2022

Michael Henke
Midway City Planner
75 North 100 West
Midway, Utah 84049

Re: Rising Heights School
Request to Amend Master Street Plan

Dear Michael:

The proposed Rising Heights School requests to amend the Midway City Master Street Plan to remove a section of 200 South between 740 East and Michie Lane. This letter provides a response to questions listed on the General Plan Amendment Application for this request.

Advantages to Removing 200 South between 740 East and Michie Lane

- At 740 East there is approximately 1,700 feet between Main Street and Michie Lane. A local road at 200 South that connects neighborhoods makes sense for areas west of 740 East. However, at the east end of the Rising Heights School property there is only 260 feet between 200 South and Main Street. For this short of a distance a local road is not needed to provide connectivity.
- There is only about 140 feet of separation between the proposed 200 South and Zurich Lane. Removing 200 South will remove closely spaced intersection conflicts.
- Allows for more open space and play area on the school site.
- Reduces potential conflicts between car traffic and school children.
- A portion of 200 South goes through the Neerings property. The Neerings have raised concerns about 200 South running through their property during the public hearings for the nearby Edelweiss Meadows Subdivision.
- Removing the proposed section of 200 South would eliminate road intersection alignment issues in the Neerings property.

Negative Affects to Removing 200 South between 740 East and Michie Lane

- Less connectivity in the area.
- Removes a second route in and out of the school.

Health, Safety, Transportation, Aesthetics, Recreational, Educational and Cultural Opportunities

- The proposed school will provide new educational opportunities for Midway. Amending the master road plan will allow the school to have additional room for play and recreation areas.
- The safety and transportation advantages of amending the master road plan are listed above.

Reduction of Waste of Physical, Financial or Human Resources

Removing the section of 200 South between 740 East and Michie Lane will eliminate the waste and cost of building a unneeded road. Removing this section of road will allow for more play area and open space on the proposed school site.

Efficient and Economical Use, Conservation and Production of Food, Water and Facilities

The property is not being farmed. No food production will be removed with the development of the property. No new utilities mains or other facilities are needed to serve the proposed school.

Energy Conservation

The proposed general plan amendment to remove a section of 200 South has little to no affect on energy consumption or conservation. However, the proposed school should consider green building techniques and other energy conservation practices.

Protection of Urban Development

Removing 200 South from the Master Street Plan reduces the amount of road in the area and allows for the school to have more open space and play area. Removing a through road from the school property also reduces potential conflicts between cars and children.

Protection or Promotion of Moderate Income Housing

The proposed school does not create a greater demand for moderate income housing in the city nor does it provide housing.

Protection and Promotion of Air Quality

The proposed school will add vehicle trips to the area which will have an impact on air quality. However, due to the small size of the school, it should have less impact than if the property was developed into town homes similar to the properties to the north and south.

Historic Preservation

There no buildings or other historical structures on the property.

Future Land Uses That Require an Expansion of Services

The proposed school will require service connections to the existing water, pressure irrigation and sewer systems. No expansion of the water, pressurized irrigation or sewer mains is anticipated. Existing water and pressurized irrigation mains in Michie Lane can provide service to the property. An existing sewer line near the west property line can provide sewer service.

Please let me know if you have any comments or questions regarding this request to amend the master road plan.

Respectfully,

Paul Berg

Paul Berg, P.E.



Midway

ORDINANCE

2022-____

AN ORDINANCE TO REMOVE A PORTION OF THE FUTURE PLANNED ROAD FROM 200 SOUTH BETWEEN 740 EAST AND MICHIE LANE THROUGH PARCELS 00-0006-6169 AND 00-0020-9351.

WHEREAS, Midway City has adopted a Road System Master Plan that governs all roads that have been or are planned to be constructed within the City; and

WHEREAS, the current Road System Master Plan contains a plan for a road from 200 South between 740 East and Michie Lane through Parcels 00-0006-6169 (Rising Heights LLC) and 00-0020-9351 (Abraham Neerings Trust); and

WHEREAS, Rising Heights LLC desires to amend the Road System Master Plan to remove a portion of the planned road; and

WHEREAS, Rising Heights LLC desires to build a school on its property, which is a conditional use in the R-1-11 zone, and believes that removing a portion of the planned road will allow for more open space and play area on the school site, as well as reduce potential conflicts between vehicle traffic and school children; and

WHEREAS, the Neerings have also raised concerns about 200 South running through their property and removing the planned portion of 200 South would eliminate road intersection alignment issues in the Neerings property; and

NOW THEREFORE, be it ordained by the City Council of Midway City, Utah, as follows:

The following planned road shall be removed from the Midway City Road System Master Plan:

The planned road connection of 200 South between 740 East and Michie Lane through Parcels 00-0006-6169 and 00-0020-9351.

This ordinance shall take effect upon publication as required by law.

PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah
this ____ day of July, 2022.

	AYE	NAY
Council Member Steve Dougherty	_____	_____
Council Member Jeff Drury	_____	_____
Council Member Lisa Orme	_____	_____
Council Member Kevin Payne	_____	_____
Council Member JC Simonsen	_____	_____

APPROVED:

Celeste Johnson, Mayor

ATTEST:

Brad Wilson, City Recorder

APPROVED AS TO FORM:

Corbin Gordon, City Attorney

(SEAL)