



**MIDVALE CITY COUNCIL MEETING
AGENDA
May 05, 2015**

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a regular meeting on the **5th Day of May, 2015** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

6:30 PM

INFORMATIONAL ITEMS

I. DEPARTMENT REPORTS

II. CITY MANAGER BUSINESS

7:00 PM

REGULAR MEETING

III. GENERAL BUSINESS

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Proclamation Declaring May 16, 2015 as Kids to Parks Day

IV. PUBLIC COMMENTS

Any person wishing to comment on any item not otherwise on the Agenda may address the City Council at this point by stepping to the microphone and giving his or her name for the record. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Governing Body. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-hearing, non-Agenda items. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting.

V. COUNCIL REPORTS

- A. Councilmember Paul Glover
- B. Councilmember Paul Hunt
- C. Councilmember Quinn Sperry
- D. Councilmember Wayne Sharp
- E. Councilmember Stephen Brown

VI. MAYOR REPORT

- A. Mayor JoAnn B. Seghini

VII. PUBLIC HEARING(S) - 7:00 PM

- A. Consider the adoption of the Midvale City Tentative Budget for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016 [*Kane Loader, City Manager; Laurie Harvey, Asst. City Manager/Admin Services Director*]

ACTION: Approve Resolution No. 2015-R-22 A Resolution Adopting the Midvale City Tentative Budget for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016.

- B. Consider a Text Amendment to Add Minor Vehicle Sales Category to Vehicle Related Uses as an Administrative Conditional Use with Specific Standards; Clean Industrial, State Street Commercial And Regional Commercial Zone Districts [*Annaliese Eichelberger, Project Coordinator*]
ACTION: Approve Ordinance No. 2015-R-05 Approving a Text Amendment to Add Minor Vehicle Sales Category to Vehicle Related Uses as an Administrative Conditional Use with Specific Standards; Clean Industrial, State Street Commercial and Regional Commercial Zone Districts
- C. Consider a Subdivision Plat for the Rooftops at 78 Hundred Townhomes Phase 5 [*Lesley Burns, City Planner*]

VIII. CONSENT AGENDA

- A. Approve Minutes of April 14, 21, & 28, 2015 [*Rori Andreason, H.R. Director/City Recorder*]
- B. Set Date and Time (May 19, 2015 at 7:00 PM) for a public hearing to consider Text Amendments to increase the maximum residential density in the Silver Refinery Overlay and create new parking standard for affordable senior housing in zones allowing multi-family residential uses [*Lesley Burns, City Planner*]
- C. Set Date and Time (May 19, 2015 at 7:00 PM) for a public hearing to consider Kimpton Square Large Scale Master Plan 3-lot Subdivision; 7612 South Holden Street [*Lesley Burns, City Planner*]

IX. DISCUSSION ITEMS

- A. Discuss Updates and Plans for the Community Center [*Bess Thompson, Director of Copperview Recreation Center*]
- B. Discuss Text Amendments to increase the maximum residential density in the Silver Refinery Overlay and create new parking standard for affordable senior housing in zones allowing multi-family residential uses [*Lesley Burns, City Planner*]
- C. Discuss Kimpton Square Large Scale Master Plan 3-lot Subdivision; 7612 South Holden Street [*Lesley Burns, City Planner*]
- D. Discuss department level review of FY2016 tentative budget [*Kane Loader, City Manager*]

X. CLOSED SESSION

- A. Discuss the Purchase, Exchange or Sale of Real Property.

XI. ADJOURN

In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the City Recorder at 801-567-7207, providing at least three working days advance notice of the meeting. TTY 711

A copy of the foregoing agenda was provided to the news media by email and/or fax; the agenda was posted in the City Hall Lobby, the 2nd Floor City Hall Lobby, on the City's website at www.midvalecity.org and the State Public Notice Website at <http://pmn.utah.gov>. Council Members may participate in the meeting via electronic communications. Council Members' participation via electronic communication will be broadcast and amplified so other Council Members and all other persons present in the Council Chambers will be able to hear or see the communication.

PLEASE MAKE SURE ALL CELL PHONES ARE TURNED OFF DURING THE MEETING

DATE POSTED: APRIL 30, 2015

**RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER**



MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: May 5, 2015

SUBJECT: Action approving Resolution No. 2015-R-22, a resolution adopting the Fiscal Year 2016 Tentative Operating and Capital Budgets

**SUBMITTED BY: Kane Loader, City Manager
Laurie Harvey, Assist. City Manager/Admin. Services Dir.**

SUMMARY:

As we go through the process of adopting the FY 2016 budgets there are several procedural steps that you as the City Council are required to take in order to be compliant with state statute.

1. UCA 10-6-111(1) requires the Budget Officer to present a tentative budget for each fund within the city. The budgets must be submitted not later than the first regularly scheduled meeting in May. We will present budgets for the General Fund, Public Utility Fund, Sanitation Fund, Internal Service Funds, Capital Improvement Fund, Telecommunications Fund, Street Lighting Fund and Storm Water Utility Fund on Tuesday, May 5th. At that time we will brief you on the revised revenue estimates, provide a brief overview of the expenditures, and present budget highlights along with any proposed program changes.
2. UCA 10-6-111(3) further requires the City Council to adopt the tentative budget at this meeting. The Council will then review and amend, if necessary, the budgets prior to their final adoption. During the next several weeks we will begin discussing in detail with the Council each department budget. We will be following the schedule that has been outlined on the budget calendar.
3. As a reminder, the purpose of a tentative budget is to have a working tool from which we can start the formal adoption process. By adopting the tentative budgets and the revenue assumptions you are **not** agreeing to anything. The budget document can be changed, updated and amended any time prior to final adoption in June. At the time of final adoption, all of the City's budgets must be balanced, meaning that expenditures must be equal to revenues.

FISCAL IMPACT: The tentative budget provides a starting point for discussion of the budget for Fiscal Year 2016 prior to final approval.

RECOMMENDED MOTION:

I move that we adopt Resolution No. 2015-R-22, a resolution adopting the Midvale City Tentative Operating and Capital Budgets for Fiscal Year 2016.

ATTACHMENTS: Resolution No. 2015-R-22. The FY 2016 Tentative Budget will be presented at the meeting on May 5.

RESOLUTION NO. 2015-R-22

A RESOLUTION ADOPTING THE TENTATIVE OPERATING AND CAPITAL BUDGETS FOR MIDVALE CITY, STATE OF UTAH, FOR THE FISCAL YEAR 2016.

WHEREAS, State law requires the filing of a tentative budget for each municipality located within the State of Utah; and

WHEREAS, the tentative budget complies with the requirements set out in U.A.C. § 10-6-111; and

WHEREAS, the budget shall be reviewed, considered, and tentatively adopted by the governing body and may be amended or revised in such manner as is considered advisable prior to public hearings.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF MIDVALE CITY, STATE OF UTAH, as follows:

SECTION ONE: That Midvale City, a municipal corporation, hereby adopts the following tentative budgets for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

1. General Fund, Section 10-6-109, UCA
2. Capital Projects Fund, Section 10-6-109, UCA
3. Public Utilities Fund, Section 10-6-135, UCA
4. Storm Water Utility Fund, Section 10-6-135, UCA
5. Sanitation Fund, Section 10-6-135, UCA
6. Telecommunications Fund 10-6-135, UCA
7. Street Light Utility Fund 10-6-135, UCA
8. Fleet Management Fund, Section 10-6-135, UCA
9. Information Technology Fund, Section 10-6-135, UCA

SECTION TWO: That this Resolution shall become effective immediately upon the passage thereof.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF MIDVALE CITY,
STATE OF UTAH, this 5th day of May, 2015.**

JoAnn B. Seghini, Mayor

BUDGET OFFICER CERTIFICATION:

Kane Loader, Budget Officer

Voting by City Council:	“Aye”	“Nay”
Stephen Brown	_____	_____
Paul Glover	_____	_____
Quinn Sperry	_____	_____
Paul Hunt	_____	_____
Wayne Sharp	_____	_____

ATTEST:

Rori L. Andreason, MMC, Midvale City Recorder



MIDVALE
In the Middle of Everything

MIDVALE CITY COUNCIL SUMMARY REPORT

May 5, 2015

SUBJECT:

Public Hearing on Zoning Ordinance Text Amendment to add a Minor Vehicle Sales Category to Vehicle Related uses as an Administrative Conditional Use with specific standards in the Clean Industrial, State Street Commercial and Regional Commercial zone districts. (Proposed Ordinance No. 2015-O-05)

SUBMITTED BY:

Annaliese Eichelberger, Planner I

SUMMARY:

Currently, the City's Zoning ordinance has a single category for all Vehicle-Related uses. The Planning Commission asked that staff look into the possibility of adding a category to our Vehicle-Related uses that would allow vehicle sales uses with minimal inventory and outside display as an Administrative Conditional Use. Staff drafted a proposed amendment addressing this in the CI, SSC, and RC zone districts. These are the zone districts that currently allow a vehicle sales use. The Planning Commission reviewed the proposed amendment on February 25th, 2015. On March 25th, 2015 the Planning Commission conducted a public hearing and forwarded a recommendation to the City Council. The Planning Commission recommended approval of the text amendment with the specific recommended language as included in Attachment A. To summarize, the Planning Commission's recommendation includes the following changes to the ordinance:

Revising existing definition and adding new definition:

- **Vehicle Sales (minor):** A business engaged in only the sale of operable vehicles and that display no more than three vehicles outside and ten vehicles inside.
- **Vehicle Sales and service (major):** A business primarily engaged in the sale of operable vehicles with more than three vehicles displayed outside and ten vehicles inside. Vehicle parts and accessories may be sold, and minor repair and installation of parts and accessories may be performed onsite as part of this use.

Adding new parking requirement for Minor Vehicle Sales:

- Minor Vehicle Sales: 3 spaces, plus 1 per employee per shift and a minimum of 2 for customers.

Adding new required conditions for Minor Vehicle Sales:

- A maximum of three vehicles may be displayed outside. All vehicles must be parked within an improved parking area in designated parking stalls. Up to ten for sale vehicles may be stored indoors.
- Vehicles displayed outside shall be located in a manner as to not obstruct drive aisles, doors or pedestrian pathways.
- The business shall provide three spaces for displayed vehicles, plus a minimum of one parking space per employee per shift and two parking stalls for customers.

Depending on the business operation plan, additional spaces may be required for customers.

- With the exception of three displayed vehicles, no other outdoor storage shall be permitted on site.
- Any vehicle repair is prohibited onsite.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff agrees with the Planning Commission's recommendation, and recommends the adoption of Ordinance No. 2015-O-05, which includes Attachment A.

RECOMMENDED MOTION:

"I move that we adopt Ordinance No. 2015-O-05, modifying the review process and requirements for Vehicle-Related uses in the SSC, RC, and CI zone districts."

Attachments:

- Proposed Ordinance No. 2015-O-05

ORDINANCE NO. 2015-O-05

AN ORDINANCE MODIFYING THE REVIEW PROCESS AND REQUIREMENTS IN THE CLEAN INDUSTRIAL (CI), STATE STREET COMMERCIAL (SSC) AND REGIONAL COMMERCIAL (RC) ZONE DISTRICTS BY ADDING A MINOR VEHICLE SALES CATEGORY TO VEHICLE RELATED USES AS AN ADMINISTRATIVE CONDITIONAL USE WITH SPECIFIC STANDARDS; ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, pursuant to Sections 10-9a-501 through 10-9a-503 Utah State Code, the City has the authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, re-construction, alteration, and uses of buildings and structures and the uses of land to promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the municipality; and

WHEREAS, on January 2, 2002, the Midvale City Zoning Ordinance (Title 17 of the Midvale Municipal Code) became effective and may be subject to amendments from time to time; and

WHEREAS, since this effective date, Midvale City has found a number of areas that require amendments to the text of the ordinance in order to correct errors and omissions, clarify the intent of the language, and/or include new provisions to further the purpose and intent; and

WHEREAS, it has been determined that the current review process and requirements for minor vehicle sales uses with minimal inventory and outside display is burdensome for the Planning Commission, Staff and the applicant; and

WHEREAS, it has been determined that Minor Vehicle Sales uses would be better reviewed as an Administrative Conditional Use; and

WHEREAS, the Planning Commission held a public hearing on March 25, 2015 to review proposed text amendment language regarding this issue, with such meeting being preceded by notice through publication in the Salt Lake Tribune and Deseret News on March 11, 2015, and the Planning Commission forwarded a recommendation on such to the City Council on March 25, 2015; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on May 5, 2015, which meeting was preceded by notice through publication in the Salt Lake Tribune and Deseret News on April 21, 2015; and

WHEREAS, the City Council has taken into consideration citizen testimony, planning and building analysis, and the Planning Commission recommendations, and has determined that this text amendment is appropriate and within the best interests of the

City as a whole in protecting and promoting the health, safety, welfare and aesthetic quality of Midvale City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Midvale City, Utah as follows:

Section 1. The following chapters and sections of the Midvale Municipal Code are hereby amended as included in the attachment to this document.

Section 2. If any part of this ordinance or the applications thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. This ordinance shall be effective upon publication of a summary thereof.

PASSED AND APPROVED this ____ day of _____, 2015.

JoAnn B. Seghini, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Date of first publication: _____

Voting by City Council	“Nay”	“Aye”
Stephen Brown	_____	_____
Paul Glover	_____	_____
Paul Hunt	_____	_____
Wayne Sharp	_____	_____
Quinn Sperry	_____	_____

Ordinance No. 2015-O-05

ATTACHMENT A
CI, SSC, RC Zone Districts – Minor Vehicle Sales

Text Additions

~~Text Deletions~~

17-2-22 “V” definitions.

“Vehicle repair” means a business engaged in the servicing of passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. “Vehicle repair” includes businesses where minor auto repair services performed may include lubrication and service of vehicles, tune ups, transmission or muffler repair, alignment services, auto upholstery shops, auto detailing, tire sales, repair and/or mounting, and other similar repairs. “Vehicle repair” also includes major auto repair such as the removal of engines, rebuilding of engines, repair of the internal components, repair or removal of differentials or axles, and body work. “Vehicle repair” may also include uses that are often accessory to businesses engaged in the repair of vehicles such as offices, part sales, storage of merchandise, and vehicle storage when such vehicle storage is fully and adequately screened. “Vehicle repair” does not include repair and service of industrial vehicles and equipment or other heavy vehicles in excess of 12,000 GVW, “vehicle assembly,” “manufacturing use,” auto dismantling or wrecking, salvage, “junkyards,” or similar uses. For the purposes of each zoning district, any other uses specifically listed within the particular zoning district shall not be construed as falling within this generic definition.

“Vehicle Sales (minor)” means a business engaged in only the sale of operable vehicles and that display no more than three vehicles outside and ten vehicles inside.

“Vehicle Sales and Service (major)” means a business primarily engaged in the sale of operable vehicles ~~and vehicle parts and accessories with minor repair and installation of parts and accessories.~~ with more than three vehicles displayed outside and more than ten vehicles inside. Vehicle parts and accessories may be sold, and minor repair and installation of parts and accessories may be performed onsite as part of this use.

“Vehicle sign” means a sign or advertising device attached to or located on a vehicle or trailer parked on a public right-of-way, public property or parking area with access by the general public so as to be visible from a public right-of-way for the basic purpose of directing people to a business or activity.

Revise Use Tables CI (17-7-13.2), SSC (17-7-7.2), RC (17-7-12.2)

Type	Uses			
	Allowed	Administrative	Conditional	Business License
Vehicle-Related Use				
Rental			X	X
Sales (Minor)		X		X
Sales and Service (Major)			X	X
Filling Station			X	X
Repair			X	X

Revise Parking Requirements Tables CI (17-7-13.7C), SSC (17-7-7.8), RC (17-7-12.7C)

C. Parking Ratio Requirements for Specific Land Use Categories. All new development shall provide parking according to the following standards. If a project incorporates two uses, the use requiring higher number of parking spaces shall govern. Whenever the calculation results in a fractional number, the number of spaces required must be rounded up to the next whole number.

Revise Table 17-7- [13.7C and 7.8 and 12.7C]

Nonresidential Parking Ratio Requirements

Uses	Parking Ratio Requirement (Number of Spaces)
Auto Repair	1 per employee per shift plus 4 per service bay
Vehicle Sales (Minor)	3 spaces, plus 1 per employee per shift and a minimum of 2 for customers.
Automobile Vehicle Sales/Rental (Major)	1 per vehicle for sale or rent plus one space per 400 square feet of net leasable floor area
Child Care Facility/ Center	1 per on-duty staff per shift and 1 per 6 children

Add new sections and language as follows: CI (17-7-13.9.B.2.f), SSC (17-7-7.13.B.2.d), RC (17-7-12.9.B.2.e)

B. Specific Review Criteria for Certain Conditional Uses. In addition to the foregoing, the community and economic development department and planning commission must review each of the following criteria when considering approving or denying an application for each of the following conditional uses:

2. Administrative Conditional Use.

Vehicle Sales (Minor). Each application considered as a minor vehicle sales shall comply with the following:

- i. A maximum of three vehicles may be displayed outside. All vehicles must be parked within an improved parking area in designated parking stalls. Up to ten additional for sale vehicles may be stored indoors.
- ii. Vehicles displayed outside shall be located in a manner as to not obstruct drive aisles, doors or pedestrian pathways.
- iii. The business shall provide three spaces for displayed vehicles, plus a minimum of one parking space per employee per shift and a minimum of 2 for customers. Depending on the business operation plan, additional spaces may be required for customers.
- iv. With the exception of three displayed vehicles, no other outdoor storage shall be permitted on site.
- v. Any vehicle repair is prohibited onsite.



MIDVALE CITY COUNCIL SUMMARY REPORT

May 5, 2015

SUBJECT:

Public Hearing on a Subdivision Plat for the Rooftops at 78 Hundred Townhomes Phase 5

SUBMITTED BY: Lesley Burns, City Planner

SUMMARY:

The Rooftops Project includes 131 townhouse units on approximately 6.4 acres located at the northwest corner of 7800 South and Euro Drive. This project has received Small Scale Master Plan approval from the Planning Commission and Final Site Plan approvals for all five phases of the project. These five phases include 16 buildings. Subdivision plats have also been approved for the first four phases, which include 97 units. The four buildings in Phase 5, which include the remaining 34 units in the project, have not been officially subdivided into individual townhouse units. The applicant and developer, Solstice Homes, is requesting subdivision approval to create the 34 individual townhouse units in Phase 5, so these units can be sold.

The proposed subdivision plat is attached. This plat reflects and is consistent with the Phase 5 area that has received Final Site Plan approval. The proposed plat provides for the individual ownership of each of the townhouse units in the approved Phase 5 Final Site Plan, common area for the landscaped areas, and the private roads providing access to the individual units. These common areas will be owned and maintained by the Homeowners Association. The declaration of covenants, conditions and restrictions document (CC&R's) was completed and recorded with the Phase 1 subdivision plat. The area covered by the CC&R's has been expanded to include Phases 2, 3 and 4, and will be further expanded to include the units of the Phase 5 area.

All subdivisions require a review and recommendation from the Planning Commission and approval from the City Council. Public hearings are required to be held by each body. The Planning Commission conducted a public hearing on this application on April 8, 2015 and forwarded a positive recommendation to the City Council to approve the preliminary subdivision plat with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshal, City Planner and City Council.
2. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and CenturyLink regarding the utility easements on the subdivision plat prior to the subdivision plat being recorded.
3. The applicant shall expand the area covered by the existing declaration of covenants, conditions and restrictions (CC&R's) for Rooftops at 78 Hundred Townhomes, to

include the townhouse units in the Phase 5 area. This amendment to the document shall be recorded concurrently with the subdivision plat.

Since the Planning Commission decision, the applicant has had a final subdivision plat prepared. This final subdivision plat has been reviewed and approved by the City Engineer and Fire Marshal. All utility companies have been notified. A water and sewer letter has been provided by Midvale City. The applicant is working on the document to expand the area covered by the existing declaration of covenants, conditions and restrictions (CC&R's) for Rooftops at 78 Hundred Townhomes, to include the Phase 5 area.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of the preliminary and final subdivision plat for the Rooftops at 78 Hundred Townhomes Phase 5 Subdivision with the following conditions:

1. The applicant shall obtain all required signatures on the subdivision plat Mylar.
2. The applicant shall expand the area covered by the existing declaration of covenants, conditions and restrictions (CC&R's) for Rooftops at 78 Hundred Townhomes, to include the Phase 5 area. This amendment to the document shall be recorded concurrently with the subdivision plat.

RECOMMENDED MOTION:

“Based on compliance with the City’s subdivision requirements and consistency with the approved Final Site Plan for the Rooftops Phase 5 development, as well as the Planning Commission’s recommendation, I move that we approve the Preliminary and Final Subdivision Plat for Rooftops at 78 Hundred Townhomes Phase 5 with the following conditions:

- 1. The applicant shall obtain all required signatures on the subdivision plat Mylar.*
- 2. The applicant shall expand the area covered by the existing declaration of covenants, conditions and restrictions (CC&R's) for Rooftops at 78 Hundred Townhomes, to include the Phase 5 area. This amendment to the document shall be recorded concurrently with the subdivision plat.”*

Attachments:

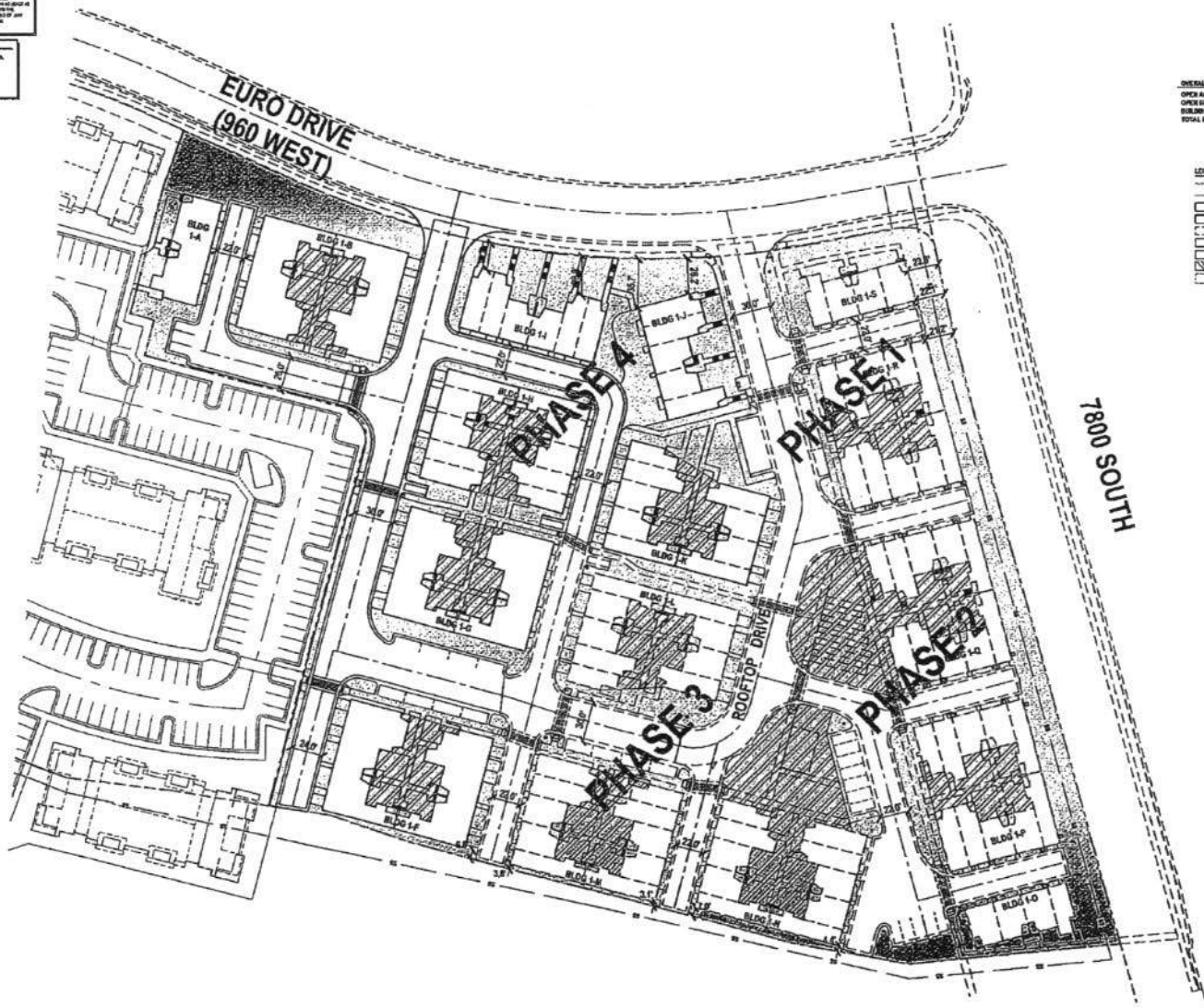
- Vicinity Map
- Approved Small Scale Master Plan
- Proposed Final Subdivision Plat



**ROOFTOPS PHASE 5
SUBDIVISION PLAT**


 NO PARKING
 IN THIS SPACE
 UNLESS SPECIFICALLY
 INDICATED BY AN
 OFFICIAL

ENCLOSURE
 THE DEVELOPER'S SUBMITTALS
 TO THE CITY OF CHICAGO
 ARE NOT TO BE
 REPRODUCED

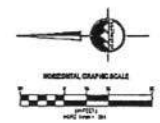



OVERALL SITE DATA

OPEN ACTIVE SPACE	0.86 ACRES	0.2%
OPEN SPACE AREA	0.23 ACRES	0.1%
BUILDING FOOTPRINT	0.29 ACRES	0.1%
TOTAL SITE AREA	4.40 ACRES	100%

LEGEND

	IMPROVED USE
	IMPROVED OPEN SPACE
	IMPROVED DRIVE
	IMPROVED SIDEWALK
	IMPROVED BIKEWAY
	IMPROVED PLANTING
	IMPROVED LIGHTING




jsa architects
 architects
 interior designers
 601 S. LEXINGTON
 SUITE 201
 CHICAGO, IL 60605
 TEL: 312.526.1000
 FAX: 312.526.1001
 WWW.JSA-ARCH.COM

project:
 ROOFTOP
 IN MIDVALE
 PHASE 4
 7800 S. 1800 W.
 MIDVALE, ILLINOIS

date: 03.22.2011
revisions:

data:
 project no: 409
 prepared by: R. KOSCIUSKO
 checked by: J. S. S.

OPEN SPACE EXHIBIT
 sheet
 C10

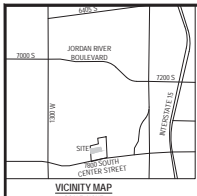
FINAL SITE PLAN SUBMITTAL

ROOFTOPS SSMP - AMENDED

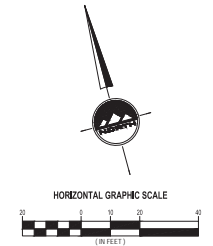
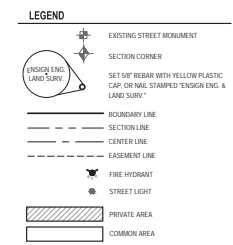
ROOFTOPS AT 78 HUNDRED TOWNHOMES PHASE 5

AMENDING LOT 1M, 1N, 1P AND 1Q OF ROOFTOPS AT 78 HUNDRED TOWNHOMES PHASE 4

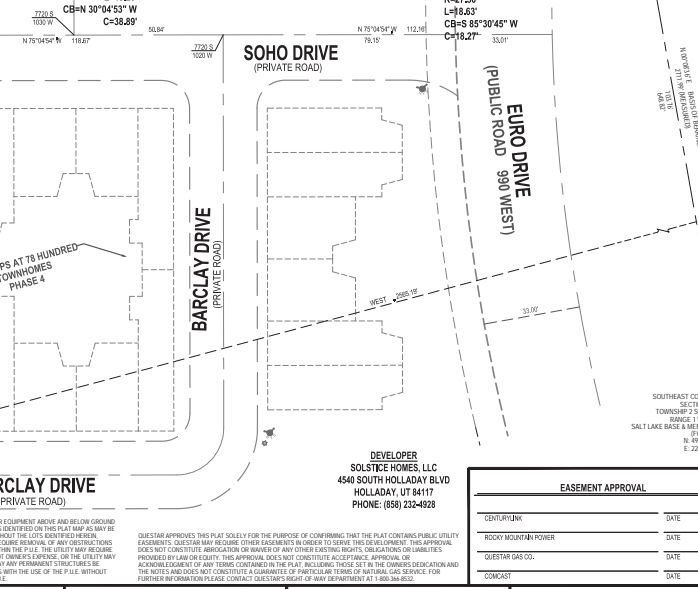
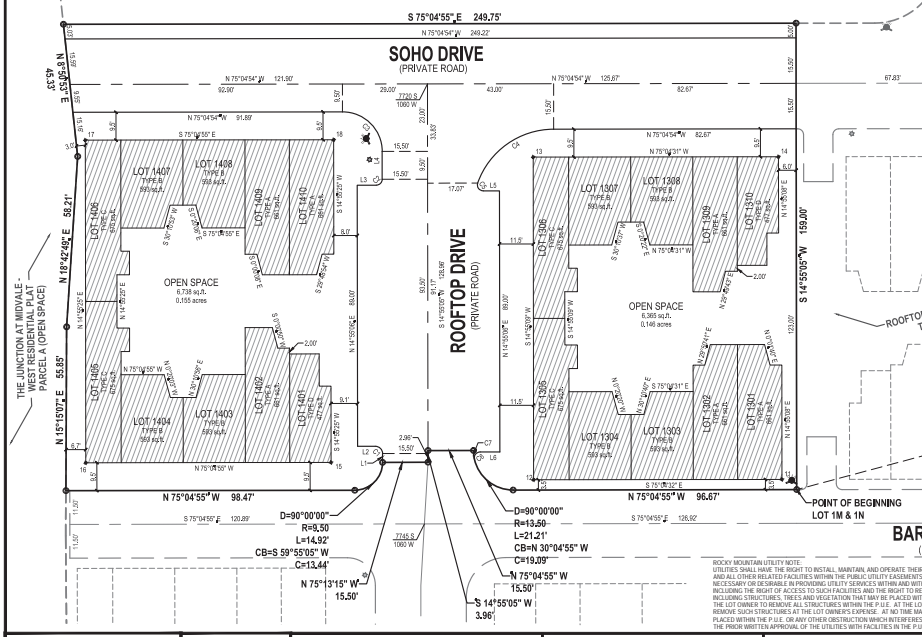
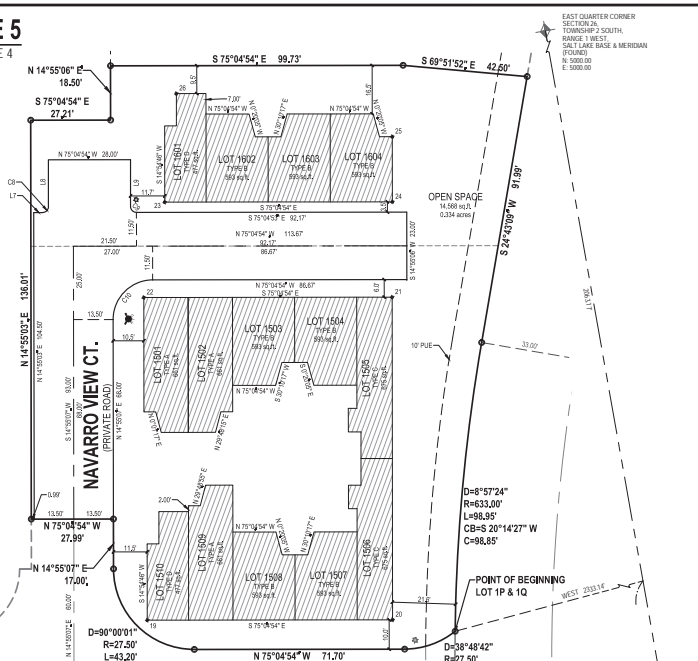
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26
TOWNSHIP 2 SOUTH, RANGE 1 WEST
SALT LAKE BASE AND MERIDIAN
MIDVALE CITY, SALT LAKE COUNTY, UTAH



- NOTES:
1. THE LOTS AND COMMON AREAS ARE SUBJECT TO MAINTENANCE AND USE COVENANTS, RESTRICTIONS, AND EASEMENTS APPLICABLE TO MANY STRUCTURES AND UTILITIES THEREAS, AS DESCRIBED IN THE DECLARATION FOR ROOFTOPS AT 78 HUNDRED RECORDED ON OR ABOUT THE SAME DATE THIS PLAN IS RECORDED.
 2. THE IDENTIFICATION OF COMMON AREA AND PRIVATE AREA ON THIS PLAN IS AT GROUND LEVEL. THE STRUCTURES IN THE PROJECT INCLUDE PRIVATE AREA STRUCTURES THAT EXTEND BEYOND AND INTO THE VERTICAL PLANE OF THE COMMON AREA. IN ADDITION, ALTHOUGH IDENTIFIED AS COMMON AREA ON THE PLAN, THE PORCH/ENTRANCE TO EACH UNIT IS FOR THE EXCLUSIVE USE OF THE OWNER OF THE APARTMENT UNIT. THE BOUNDING TERMS COMMON AREA AND PRIVATE AREA AS PROVIDED ON THIS PLAN ARE FOR THE GENERAL IDENTIFICATION OF PROPERTY OWNERSHIP AND ARE NOT TO BE INTERPRETED TO IMPLY OR ESTABLISH MAINTENANCE OR USE RESTRICTIONS OR RIGHTS. ALL OF WHICH ARE PROVIDED FOR IN THE DECLARATION IDENTIFIED IN NOTE 1.
 3. THE LOTS AND COMMON AREAS ARE SUBJECT TO MIDVALE CITY INSTITUTIONAL CONTROLS OR OTHER ENVIRONMENTAL REGULATIONS IN AREAS WHERE SUCH CONTROLS OR REGULATIONS ARE IN EFFECT.



THE JUNCTION AT MIDVALE - WEST
RESIDENTIAL PLAT LOT 1A AMENDED
ROOFTOP VIEW CT.
(PRIVATE ROAD)



SURVEYOR'S CERTIFICATE

I, PATRICIA M. HARRE, do hereby certify that I am a Licensed Land Surveyor, and that I hold Certificate No. 38888 in the State of Utah. I have personally supervised the survey of the above described tract of land in and to which I have made a survey of the facts of this plan and the description thereon, and have subdivided said tract of land into lots and blocks, according to the bearing and distance of the **ROOFTOPS AT 78 HUNDRED TOWNHOMES PHASE 5**, and that the same has been correctly surveyed and based on the ground as shown on this plan. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinance.

BOUNDARY DESCRIPTION

All of Lots 1M, 1N, 1P and 1Q of Rooftops at 78 Hundred Townhomes Phase 4 that recorded as Entry No. 11907147, in Book 20147, at Page 230 in the Office of the Salt Lake County Recorder, being more particularly described as follows:

Beginning at the Northwest Corner of the Right of Way of SoHo Drive, said point being North 00° 00' 00" W, East 545.06 feet along the Section Line and West 2.565, 19 feet from the Southeast Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running:

thence North 75° 04' 54" West 96.47 feet;
thence Northeastly 21.21 feet along the arc of a 13.50 foot radius curve to the right (center bears North 00° 00' 00" W);
thence North 18° 42' 49" East 58.21 feet;
thence North 75° 04' 54" West 15.50 feet;
thence South 14° 55' 05" West 13.50 feet;
thence Northeastly 14.92 feet along the arc of a 9.50 foot radius curve to the right (center bears North 75° 04' 54" West and the chord bears South 09° 50' 05" West 13.4 feet with a central angle of 90° 00' 00");
thence North 75° 04' 54" West 96.47 feet;
thence North 15° 55' 01" East 95.50 feet;
thence North 18° 42' 49" East 58.21 feet;
thence North 75° 04' 54" West 15.50 feet;
thence South 14° 55' 05" East 249.75 feet;
thence South 14° 55' 05" West 150.00 feet to the point of beginning.

Contains 38,978 Square Feet or 0.895 Acres and 20 Townhomes.

And all of Lots 1P & 1Q of said Rooftops at 78 Hundred Townhomes Phase 4 that, being more particularly described as follows:

Beginning at the Northwest Corner of the Right of Way of SoHo Drive, said point being North 00° 00' 00" W, East 448.82 feet along the Section Line and West 2.325, 14 feet from the Southeast Corner of Section 26, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running:

thence Northeastly 18.62 feet along the arc of a 23.50 foot radius curve to the right (center bears North 23° 52' 36" West and the chord bears South 09° 30' 05" West 18.23 feet with a central angle of 38° 48' 27");
thence North 75° 04' 54" West 17.50 feet;
thence Northeastly 43.20 feet along the arc of a 27.50 foot radius curve to the right (center bears North 14° 55' 05" East and the chord bears North 20° 54' 01" West 38.00 feet with a central angle of 90° 00' 00");
thence North 14° 55' 05" East 17.50 feet;
thence North 20° 54' 01" East 17.50 feet;
thence North 14° 55' 05" East 134.01 feet;
thence South 75° 04' 54" West 22.73 feet;
thence North 14° 55' 05" East 18.50 feet;
thence South 75° 04' 54" West 7.75 feet;
thence South 09° 31' 52" East 42.50 feet;
thence South 24° 23' 29" East 10.00 feet;
thence Southeastly 69.8 feet along the arc of a 63.03 foot radius curve to the left (center bears South 65° 14' 51" East and the chord bears South 20° 14' 27" West 68.65 feet with a central angle of 08° 57' 24" to the point of beginning).

Contains 28,676 Square Feet or 0.658 Acres and 14 Townhomes.

Contains 67,654 Square Feet or 0.895 Acres and 34 Townhomes.

DATE PATRICIA M. HARRE
P.L.S. 20882

OWNER'S DEDICATION

I, the undersigned owner(s) of the above described tract of land, having caused same to be subdivided into lots, hereby dedicates to the public all of the above described tract of land, having caused same to be subdivided into lots, hereby dedicates to the public all of the above described tract of land, for the purpose of providing access for utility installation, maintenance, use and eventual replacement, and to provide emergency services, with respect to the subdivision.

In witness whereof I have hereunto set my hand (s) this _____ day of _____ A.D. 20____.

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH _____
County of _____

On the _____ day of _____ A.D. 20____, _____, personal representative of me, the undersigned Notary Public, in and for said County of _____ in the State of _____, who after being duly sworn, acknowledged to me that he/she is the Limited Liability Company and that he/she signed the Owner's Dedication freely and voluntarily for and in behalf of said Limited Liability Company for the purposes herein mentioned and acknowledged to me that said Limited Liability Company executed the same.

MY COMMISSION EXPIRES: _____ RESIDING IN _____ COUNTY.

NOTARY PUBLIC _____ RESIDING IN _____ COUNTY.

LENDER'S CONSENT

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned lender on the above described tract of land hereby acknowledges that said land is to be subdivided into lots and blocks to be hereinafter known as **ROOFTOPS AT 78 HUNDRED TOWNHOMES PHASE 5**, as set forth on this plan and that the undersigned lender does hereby consent to said subdivision as set forth on this plan, for the purposes and uses herein stated. Dated this _____ day of _____ A.D. 20____.

By: _____
Name: _____
Title: _____

LENDER'S ACKNOWLEDGMENT

STATE OF UTAH _____
County of _____

On the _____ day of _____ A.D. 20____, _____, personal representative of me, the undersigned Notary Public, in and for said County of _____ in the State of _____, who after being duly sworn, acknowledged to me that he/she is the _____ and that he/she signed the Owner's Dedication freely and voluntarily for and in behalf of said Corporation by authority of a resolution of the Board of Directors for the purposes herein mentioned and acknowledged to me that said Corporation executed the same.

MY COMMISSION EXPIRES: _____ RESIDING IN _____ COUNTY.

NOTARY PUBLIC _____ RESIDING IN _____ COUNTY.

ROOFTOPS AT 78 HUNDRED TOWNHOMES PHASE 5

AMENDING LOT 1M, 1N, 1P AND 1Q OF ROOFTOPS AT 78 HUNDRED TOWNHOMES PHASE 4

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26
TOWNSHIP 2 SOUTH, RANGE 1 WEST
SALT LAKE BASE AND MERIDIAN
MIDVALE CITY, SALT LAKE COUNTY, UTAH

DEVELOPER
SOHO DRIVE HOMES, LLC
4540 SOUTH HOLLADAY BLVD
HOLLADAY, UT 84117
PHONE: (888) 232-4928

EASEMENT APPROVAL

CENTURYLINK	DATE
ROCK MOUNTAIN POWER	DATE
QUESTAR GAS CO.	DATE
COAKCAST	DATE

APPROVAL AS TO FORM

APPROVED THIS _____ DAY OF _____ 20____ BY THE BOARD OF HEALTH _____

APPROVED THIS _____ DAY OF _____ 20____ BY THE BOARD OF HEALTH _____

APPROVED THIS _____ DAY OF _____ 20____ BY THE BOARD OF HEALTH _____

APPROVED THIS _____ DAY OF _____ 20____ BY THE BOARD OF HEALTH _____

CITY COUNCIL APPROVAL

PRESENTED TO THE MIDVALE CITY COUNCIL THIS _____ DAY OF _____ 20____ AT WHICH TIME THE SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTEST: MIDVALE CITY RECORDER: _____ MAYOR

SURVEY RECORDING DATA		SHEET 1 OF 2		CITY ENGINEERING DEPARTMENT		MIDVALE CITY PLANNING		BOARD OF HEALTH APPROVAL		APPROVAL AS TO FORM		CITY COUNCIL APPROVAL		RECORDED		
DATE: _____	PROJECT NUMBER: 469	MANAGER: ROE	SALETS LAKE CITY	APPROVED THIS _____ DAY OF _____ 20____ BY THE _____ CITY ENGINEER.	APPROVED THIS _____ DAY OF _____ 20____ BY THE _____ CITY PLANNING.	APPROVED THIS _____ DAY OF _____ 20____ BY THE _____ BOARD OF HEALTH.	APPROVED THIS _____ DAY OF _____ 20____ BY THE _____ CITY ATTORNEY.	PRESENTED TO THE MIDVALE CITY COUNCIL THIS _____ DAY OF _____ 20____ AT WHICH TIME THE SUBDIVISION WAS APPROVED AND ACCEPTED.	DATE: _____	THIS: _____	BOOK: _____	PAGE: _____	DATE: _____	THIS: _____	BOOK: _____	PAGE: _____
DRAWING NO: 409	ISSUED BY: ROE	CHECKED BY: PAH	DATE: 4/1/25	MIDVALE CITY ENGINEER	CHAIR, PLANNING COMMISSION	SALT LAKE COUNTY HEALTH DEPT.	MIDVALE CITY ATTORNEY	ATTEST: MIDVALE CITY RECORDER: _____ MAYOR	DATE: _____	THIS: _____	BOOK: _____	PAGE: _____	DATE: _____	THIS: _____	BOOK: _____	PAGE: _____



SALT LAKE CITY
45 W. 1000 S. SUITE 200
SANDY, UT 84070
PHONE: (801) 262-2229
FAX: (801) 265-4489
WWW.ENSIGNING.COM

LAYTON, UTAH 84040
FOKLE, UTAH 84039
CELANO CITY, UTAH 84001
PINK HILLS, UTAH 84303
RICHLANDS, UTAH 84701
COURT WASHINGTON SPRINGS, UTAH 84703

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	2.50	3.59	90°00'00"	N30°04'54"W	3.54
C2	2.00	3.14	90°00'00"	N59°55'00"E	2.83
C3	13.50	21.21	90°00'00"	N30°04'54"W	19.29
C4	27.50	33.85	70°31'49"	S69°30'14"W	31.25
C5	2.00	3.62	109°28'19"	S20°20'48"E	3.27
C6	2.00	3.59	102°30'20"	S53°38'29"W	3.12
C7	13.50	23.98	12°33'10"	S8°38'22"W	2.99
C8	2.00	3.14	90°00'00"	N59°55'00"E	2.83
C9	2.00	3.14	89°59'57"	S30°04'50"E	2.83
C10	13.50	21.21	89°59'59"	S59°55'07"W	19.29

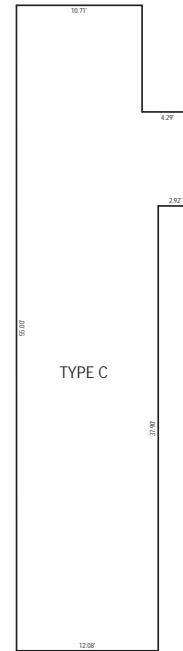
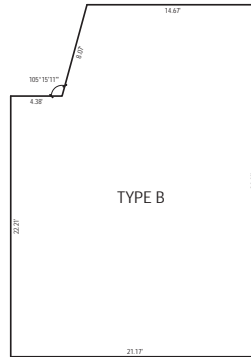
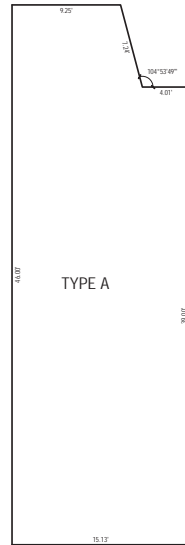
LINE TABLE		
LINE	BEARING	LENGTH
L1	S41°50'00"W	3.00
L2	S73°54'45"E	6.00
L3	S73°54'45"E	6.00
L4	S14°50'00"W	6.00
L5	N92°54'54"W	5.54
L6	N92°54'54"W	4.72
L7	S73°54'45"E	3.00
L8	N41°50'03"E	16.00
L9	N41°50'03"E	16.00

ROOFTOPS AT 78 HUNDRED TOWNHOMES PHASE 5

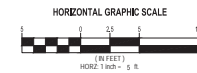
AMENDING LOT 1M, 1N, 1P AND 1Q OF ROOFTOPS AT 78 HUNDRED TOWNHOMES PHASE 4

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26
TOWNSHIP 2 SOUTH, RANGE 1 WEST
SALT LAKE BASE AND MERIDIAN
MIDVALE CITY, SALT LAKE COUNTY, UTAH

LOT ADDRESS	
LOT NO.	ADDRESS
1301	1033 W. SCHO DRIVE
1302	1035 W. SCHO DRIVE
1303	1037 W. SCHO DRIVE
1304	1039 W. SCHO DRIVE
1305	1041 W. SCHO DRIVE
1306	1043 W. SCHO DRIVE
1307	1045 W. SCHO DRIVE
1308	1047 W. SCHO DRIVE
1309	1049 W. SCHO DRIVE
1310	1051 W. SCHO DRIVE
1401	7742 S. ROOFTOP DRIVE
1402	7744 S. ROOFTOP DRIVE
1403	7746 S. ROOFTOP DRIVE
1404	7748 S. ROOFTOP DRIVE
1405	7750 S. ROOFTOP DRIVE
1406	7752 S. ROOFTOP DRIVE
1407	7754 S. ROOFTOP DRIVE
1408	7756 S. ROOFTOP DRIVE
1409	7758 S. ROOFTOP DRIVE
1410	7760 S. ROOFTOP DRIVE
1501	7762 S. NAVARRO VIEW COURT
1502	7764 S. NAVARRO VIEW COURT
1503	7766 S. NAVARRO VIEW COURT
1504	7768 S. NAVARRO VIEW COURT
1505	7770 S. NAVARRO VIEW COURT
1506	7772 S. NAVARRO VIEW COURT
1507	7774 S. NAVARRO VIEW COURT
1508	7776 S. NAVARRO VIEW COURT
1509	7778 S. NAVARRO VIEW COURT
1510	7780 S. NAVARRO VIEW COURT
1601	7782 S. NAVARRO VIEW COURT
1602	7784 S. NAVARRO VIEW COURT
1603	7786 S. NAVARRO VIEW COURT
1604	7788 S. NAVARRO VIEW COURT



POINT TABLE			
POINT	NORTHING	EASTING	DESCRIPTION
11	2837.74	2426.45	BLDG COR
12	2839.24	2343.64	BLDG COR
13	2863.83	2371.06	BLDG COR
14	2944.20	2452.77	BLDG COR
15	2883.32	2278.46	BLDG COR
16	2894.84	2197.85	BLDG COR
17	3010.93	2228.88	BLDG COR
18	2869.14	2307.79	BLDG COR
19	2967.85	2561.31	BLDG COR
20	2946.32	2642.32	BLDG COR
21	3032.41	2670.44	BLDG COR
22	3074.21	2688.62	BLDG COR
23	3103.76	2603.95	BLDG COR
24	3083.79	2676.94	BLDG COR
25	3168.25	2684.85	BLDG COR
26	3138.89	2617.34	BLDG COR



DEVELOPER
SOLSTICE HOMES, LLC
4540 SOUTH HOLLADAY BLVD
HOLLADAY, UT 84117
PHONE: (855) 232-4928

SHEET 2 OF 2
PROJECT NUMBER: 488
MANAGER: RSE
DRAWN BY: NFW
CHECKED BY: PMH
DATE: 4/16/15



SALT LAKE CITY
45 W. 1000 S., Suite 500
SANDY, UT 84070
Phone: 801.255.0529
Fax: 801.255.4495
WWW.ENSIGN.COM

LAYTON
PHOENIX 201.718
TUCULC
PHOENIX 480.434
DENVER 303.754
PHOENIX 480.465
RICHFIELD
PHOENIX 480.360
COLUMBIA SPRINGS
PHOENIX 704.618

ROOFTOPS AT 78 HUNDRED TOWNHOMES PHASE 5

AMENDING LOT 1M, 1N, 1P AND 1Q OF ROOFTOPS AT 78 HUNDRED TOWNHOMES PHASE 4

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26
TOWNSHIP 2 SOUTH, RANGE 1 WEST
SALT LAKE BASE AND MERIDIAN
MIDVALE CITY, SALT LAKE COUNTY, UTAH

RECORDED #

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE

REQUEST OF

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____ SALT LAKE COUNTY RECORDER



Midvale City
CITY COUNCIL MEETING
Minutes

Tuesday, April 14, 2015
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: JoAnn Seghini

COUNCIL MEMBERS: Council Member Stephen Brown
Council Member Paul Glover
Council Member Paul Hunt
Council Member Quinn Sperry
Council Member Wayne Sharp

STAFF: Kane Loader, City Manager; Phillip Hill, Assistant City Manager/Community Development Director; Laurie Harvey, Assistant City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Bob Davis, Public Works Director; Chad Woolley, City Attorney; Chief Tony Mason, UPD Midvale Precinct; Chief Stephen Higgs, UFA; Danny Walz, RDA Director; Lesley Burns, City Planner; Annaliese Eichelberger, RDA Coordinator; Michelle Henderson, Court Administrator; and Jarin Blackham, IT Manager.

Mayor Seghini called the meeting to order at 6:30 p.m.

I. INFORMATIONAL ITEMS
A. DEPARTMENT REPORTS

Chief Mason discussed a joint operation conducted on crosswalks on State Street and Center Street. The results of the operation yielded several noteworthy issues:

- 1) A total of 27 citations were issued in a time span of 4 hours. A large portion of the enforcement was directed towards community/driver education as released to crosswalk issues.
- 2) The crosswalk approximately 6900 South State Street was identified as having several issues. There is a very high amount of vehicle and foot traffic in this area. The signage and crosswalks is illuminated using yellow lighting. Based on observation of Motor Officers and communication with stopped drivers, this caused confusion. Drivers only associated the yellow lights to use caution and not stop for pedestrians. There are several other areas in the valley with crosswalks using red lights for these types of crosswalks. Participating Motor Officers suggested red lights may decrease the confusion and increase safety of pedestrian in this specific area.
- 3) Several citizens observing the operation stopped and thanked officers for their efforts. Targeted areas were confirmed to be problem locations for residents.

Chief Mason said he met with Councilmember Sharp regarding his campaign to "Stop, look up and look out". He is working with him on this campaign with Cumulous and schools. He is also working on a you tube video for this campaign as well. He thinks this may help save some lives.

Phillip Hill reminded the Council of the EPA event next week at the FLSmidth site removing this site from their list.

Danny Walz said the RDA started meeting with legislative representatives regarding the RDA law to see if any amendments need to be made.

Bob Davis reported that the roof of the new public works building blew off. We are in the second week of the 4 week cleanup.

Rori Andreason informed the Council that she will be on vacation next week and Shelly Reed will be at Council meeting. She also notified the Council about the open enrollment meeting as well as the HSA meeting in May.

II. CITY MANAGERS REPORT

Kane Loader reported on the ULCT conference in St. George. He previewed the transportation video created by the ULCT. He said the City needs to notify Salt Lake County that we want the transportation tax on the ballot this year. He distributed the leading economic indicators created by the League of Cities and Towns.

Mayor JoAnn B. Seghini opened the regular meeting at 7:00 p.m.

III. GENERAL BUSINESS

A. Welcome and Pledge of Allegiance

B. Roll Call – Council Members Stephen Brown, Paul Hunt, Paul Glover, Wayne Sharp, and Quinn Sperry were present at roll call.

IV. PUBLIC COMMENTS

There was no one who wished to comment.

V. COUNCIL REPORTS

A. Councilmember Wayne Sharp – said the S L County health department has a program for recycling. You can call for hazardous waste drop off. He reported on the costs for recycling with the County.

B. Councilmember Stephen Brown - said he attended the ULCT Conference. He said West Valley City did a session on their website. He suggested when we are looking into redoing our website, we should look at theirs.

C. Councilmember Paul Hunt – said the ULCT Conference was great.

D. Councilmember Quinn Sperry – said one of the breakout sessions he attended was on cyber security. He was pleased to talk with a presenter who recommended a good vendor who was at the conference. He found out the city is already working with them and was very complimentary of Jarin.

- E. Councilmember Paul Glover** – said he called 911 today and was put on hold for about a minute and a half. He called and he was asked what city he was with. He said it was probably 2 minutes that maybe could have saved a man in his parking lot today.

Kane said an RFP is out for the CAD system with VECC. If the call goes to Salt Lake and they are very busy, it takes a while for the call to get answered. He said everyone in Salt Lake County has to come to an agreement to use one CAD system. We are hoping this RFP will solve that.

VI. MAYOR REPORT

Mayor JoAnn B. Seghini – said her report follows up with Kane's report. She was happy to see so many council members in attendance.

VII. ACTION ITEMS

A. APPROVE RESOLUTION NO. 2015-R-16 APPROVING THE DEVELOPMENT AGREEMENT WITH RIVERWALK INVESTMENTS II, LLC FOR THE TOPGOLF PROJECT

Lesley Burns said the Planning Commission approved the Small Scale Master Plan and Conditional Use Permit for the Topgolf Project in December 2014. This project, located on 12.75 acres in the Riverwalk area of Bingham Junction, is a golf entertainment center which includes a 65,000 square foot three story building with 102 climate-controlled hitting bays, a full-service restaurant, a bar, lounges, corporate event meeting space, a family entertainment area, an open air rooftop terrace with tables, couches, fire pits and a stage for live entertainment. The associated outfield is approximately 4.7 acres and 240 yards long with a perimeter steel mesh net fence that ranges from 90 feet to 170 feet in height. The outfield is illuminated by six 1,000 watt metal halide lights mounted on the roof above the hitting bays. Since this approval, the applicant has submitted a final site plan for the project. This final site plan has been approved by Staff (planning, fire, engineering), subject to a development agreement being executed.

Sections 17-7-9.2 and 17-3-5 of the Zoning Ordinance require a Development Agreement between Midvale City and the property owner/developer of this type of project. A condition of the Small Scale Master Plan approval required the property owner/developer work with the City on a Development Agreement to be reviewed and approved by the City Council. In this case, the property owner (Riverwalk Investments II, LLC) has a long-term ground lease with Topgolf. Topgolf will be constructing and operating the facility. Because of this lease, Topgolf is also consenting to the Development Agreement. The intent of the Development Agreement is to ensure compliance with the approved development plan, as well as the conditions of the Conditional Use Permit for the facility operations.

A development agreement has been written with the help of outside legal counsel for the City. This agreement has been through a number of iterations after review and comments by the property owner, Topgolf (lessee), the City Attorney, Community Development Staff, and the Fire Marshal. The Development Agreement has been agreed upon by all involved and is now before the City Council for its consideration. The agreement includes the following:

- Agreement to comply with the approved final site plan, which is included as Exhibit D.
- Parameters for emergency access into the project.
- Agreement to allow access and circulation through the parking field for adjacent developments within the Riverwalk West Retail Master Plan.

- Agreement to comply with the Institutional Controls for the Bingham Junction area.
- Agreement to continually work with the City in addressing any noise and lighting impacts on the surrounding area.
- Agreement to remove fencing and rooftop lights if Topgolf ceases its operation on the property and a tenant needing these improvements is not operating within 2 ½ years.

She recommended approval of the agreement if the Council deems it appropriate.

MOTION: Councilmember Quinn Sperry MOVED that we adopt Resolution No. 2015-R-16 authorizing the Mayor to enter into the Development Agreement for the Topgolf Project as presented. The motion was SECONDED by Councilmember Paul Hunt. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:

Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye
Council member Stephen Brown	Aye

The motion passed unanimously.

VIII. DISCUSSION ITEMS

A. LEGISLATIVE UPDATE

Representative Bruce Cutler discussed the legislative session and the bills that were passed including the transportation bill, anti-discrimination/fair housing act, religious liberty bill, removal of statute of limitations on child abuse, and education equalization.

Mayor Seghini asked about the appetite for Medicare expansion.

Representative Cutler said the house held firm on healthy Utah and didn't get anywhere on that one.

B. DISCUSS LEGAL CLINIC

Michelle Henderson reported on the legal clinic and the success she has experienced. They have been able to assist the public and feel it has been a success. She reviewed the operations of the Court and what they have been able to accomplish over the past year. She said she sends the legal clinic notice out through the newsletter, churches, and Midvale Facebook page. Since no one comes in after 7:00 pm the clinic will only be open until 7:30 pm. She felt the City needs to continue with the clinic.

The Council said it would be helpful for them to have some fliers.

C. DISCUSS INTERLOCAL AGREEMENT WITH SALT LAKE COUNTY FOR THE MIDVALE SENIOR CENTER

Chad Woolley discussed the Interlocal Agreement with Salt Lake County for the Midvale Senior Center. He said the agreement is ready for approval and will be scheduled for April 21st. He will provide the agreement at that time.

D. DISCUSS AMENDING THE RETIREMENT HEALTH SAVINGS (RHS) PLAN REGARDING THE DEFENSE OF MARRIAGE ACT (DOMA)

Rori Andreason discussed the proposed amendment to the City's VantageCare Retirement Health Savings Account regarding changes to the definition of a spouse according to the Defense of Marriage Act ("DOMA"). RHS plans must recognize same-sex marriages and provide the same benefits to all married participants, including with respect to the following:

- Eligible Expenses – Participants may use RHS plan assets for tax-free reimbursement of qualifying medical expense attributable to their spouses.
- Survivor Benefits – In the event of a participant’s death, his or her spouse is entitled to use any remaining funds in the RHS plan account for qualifying medical expenses.

The Council instructed staff to place this item on the consent agenda for the next meeting for approval.

MOTION: Councilmember Wayne Sharp **MOVED** to adjourn the open council meeting and move into the Redevelopment Agency Meeting, then return to the council agenda to the Closed Session. Councilmember Stephen Brown **SECONDED** the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.

The Council recessed at 8:30 p.m. and reconvened at 9:03 p.m.

X. CLOSED SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION

MAYOR: JoAnn Seghini

COUNCIL MEMBERS: Council Member Stephen Brown
Council Member Paul Glover
Council Member Paul Hunt
Council Member Quinn Sperry
Council Member Wayne Sharp

STAFF: Kane Loader, City Manager; Phillip Hill, Assistant City Manager/Community Development Director; Laurie Harvey, Assistant City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Bob Davis, Public Works Director; Chad Woolley, City Attorney; Danny Walz, RDA Director; Lesley Burns, City Planner; and Jarin Blackham, IT Manager.

MOTION: Councilmember Quinn Sperry **MOVED** to go into closed session to discuss pending or reasonably imminent litigation. The motion was **SECONDED** by Councilmember Paul Hunt. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:

Council member Paul Glover Aye
Council member Paul Hunt Aye
Councilmember Wayne Sharp Aye
Council member Quinn Sperry Aye
Council member Stephen Brown Aye

The motion passed unanimously.

The Council went into closed session at 9:07 p.m.

MOTION: Councilmember Stephen Brown **MOVED** to reconvene into open session. The motion was **SECONDED** by Councilmember Wayne Sharp. Mayor Seghini called

for discussion on the motion. There being none the Mayor called for a vote. The motion passed unanimously.

The Council reconvened at 9:34 p.m.

XI. AJOURN

MOTION: Councilmember Wayne Sharp MOVED to adjourn. Councilmember Stephen Brown SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.

The meeting adjourned at 9:34 p.m.

**Rori L. Andreason, MMC
CITY RECORDER**

Approved this 5th day of May, 2015.



Midvale City
CITY COUNCIL MEETING
Minutes

Tuesday, April 21, 2015
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: JoAnn Seghini

COUNCIL MEMBERS: Council Member Stephen Brown
Council Member Paul Glover - Excused
Council Member Paul Hunt
Council Member Quinn Sperry
Council Member Wayne Sharp

STAFF: Kane Loader, City Manager; Phillip Hill, Assistant City Manager/Community and Economic Development Director; Laurie Harvey, Assistant City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Bob Davis, Public Works Director; Chad Woolley, City Attorney; Chief Tony Mason, UPD Midvale Precinct; Jay Ziolkowski, UFA; Danny Walz, RDA Director; and Mike Welling, IT Technician.

Mayor Seghini called the meeting to order at 6:35 p.m.

I. INFORMATIONAL ITEMS

A. DEPARTMENT REPORTS

Chief Mason reported that he followed up on utilizing our volunteer advocates that Councilmember Sharp inquired about. He said that the volunteer's management had been turned over to the Kearns Magna area and he feels that they aren't utilizing the volunteers like we used to. He is going to put in a proposal to Chief Winder to request local management for the volunteer program at the Midvale Precinct. He said they utilize the volunteer advocates for the call outs.

Kane Loader said the Court feels that if they had more support from the crime victim advocates, they would be more successful in prosecuting.

Jay Ziolkowski, Unified Fire Authority, reported that on May 15th the UFA union is sponsoring Fire School 101, and he invited the Council to attend.

Phillip Hill reported on the ceremony deleting Bingham Junction site from the EPA national priorities list, which had a great turnout. A meeting was held with UDOT where they discussed the pedestrian crossings problem on State Street. UDOT will conduct a study on this issue. Holden Street contractors received their notice to start today and will have a pre-con meeting next week. Construction on 7200 South should be ready to go in about a month.

.

II. CITY MANAGER'S REPORT

Kane Loader reported on VECC (Valley Emergency Communications Center) and the selection of a CAD system. They have reviewed the proposals and will make a decision by the end of May. They will start using the new program by the end of June. He said he has discussed the Midvale raccoon problem with Salt Lake County. The County has a trapper program, which he felt would be beneficial for all cities to participate in. He is hoping to get the program into place and keep the Council updated.

Mayor JoAnn B. Seghini opened the regular meeting at 7:00 p.m.

III. GENERAL BUSINESS

A. Welcome and Pledge of Allegiance

B. Roll Call – Council Members Stephen Brown, Paul Hunt and Wayne Sharp, Quinn Sperry, and Paul Glover were present at roll call.

C. Proclamation – Honoring the Unified Police Dispatchers

Mayor Seghini read the proclamation and honored the Unified Fire Authority and Valley Emergency Communications Center dispatchers.

IV. PUBLIC COMMENTS

Richard Homer, 438 East 6865 South, asked about the proposed changes to the bee keeping ordinance. Mayor Seghini informed Mr. Homer that this issue will be addressed during the public hearing and he will be given the opportunity to speak to the issue at that time.

V. COUNCIL REPORTS

A. Councilmember Stephen Brown – expressed appreciation for the great job the dispatchers do for the City. He said he had an explosion at work and had to talk to a dispatcher and was very impressed with them.

B. Councilmember Paul Glover – said he attended the Dare Graduation and enjoyed the program.

C. Councilmember Paul Hunt – had nothing to report.

D. Councilmember Quinn Sperry – had nothing to report.

E. Councilmember Wayne Sharp – reported on the issue of waiting during a 911 call. He talked about the 911 phones being very busy during an emergency and would like to prepare and educate people about 911 calls during a disaster.

VI. MAYOR REPORT

Mayor JoAnn B. Seghini – expressed her appreciation to the elected officials. It took 26 years instead of 81 years to get Bingham Junction off the national priorities list. She said the site is clean and safe. She thanked everyone for all their efforts.

MOTION: Councilmember Wayne Sharp moved to open public comment. The motion was seconded by Councilmember Paul Hunt. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a vote. The motion passed unanimously.

VII. PUBLIC HEARING(S) – 7:00 PM

A. CONSIDER A TEXT AMENDMENT TO CHANGE THE REVIEW PROCESS AND REQUIREMENTS FOR APIARIES IN THE SINGLE FAMILY RESIDENTIAL ZONES (SF-1 AND SF-2)

Phillip Hill said after receiving some comments from the public, the City Council requested that Staff prepare some possible modifications to the City's apiary (beekeeping) regulations in the single family residential zones (SF-1 and SF-2). Currently, apiaries are allowed as conditional uses (approved by the Planning Commission) in the SF-1 and SF-2 zones with some specific standards. The Council heard that the City's current ordinance discourages people from keeping bees in Midvale because the minimum lot size requirement is too large, and the time and cost to obtain a permit is too long and too much. Based on these concerns, Staff researched other jurisdictions' requirements and prepared a proposed text amendment that would make the following changes to the current provision:

- Change the review process from a conditional use to an administrative conditional use.
- Allow apiaries on all single family residential properties in the SF-1 and SF-2 zones regardless of size, provided the other standards are satisfied. Currently, apiaries are only allowed on properties that are at least 1/3 acre in size in these zones.
- Increase the number of colonies allowed on a property. The current ordinance allows one colony on properties between 1/3 acre to 1/2 acre and two colonies on properties more than 1/2 acre. The proposed amendment would allow two colonies on properties less than or equal to 1/2 acre and five colonies on properties greater than 1/2 acre.

Planning Commission Recommendation

The Planning Commission reviewed this proposed text amendment and held a public hearing on February 11, 2015. The Planning Commission tabled taking action at that time because the Legislature was considering a proposed bill that would prohibit a political subdivision (the City) from enforcing regulations regarding raising or managing bees. By the close of the 2015 Legislative Session, the proposed bill (HB0224) did not make it out of committee, leaving beekeeping regulations at a local level. On March 25, 2015, the Planning Commission forwarded a positive recommendation to the City Council to amend the language for apiary uses in the SF-1 and SF-2 zone districts as included in the proposed Option A ordinance. This recommendation essentially includes what was originally proposed by Staff, but adds a requirement for applicants to complete a beekeeping class before keeping bees on their property (subsection "iv" in ordinance attachment includes the specific language added for this requirement).

Based on the City Council discussion on April 7, 2015 regarding concerns with the recommended requirement for applicants to complete a beekeeping class, Staff has prepared an alternative ordinance, Option B. The Option B ordinance eliminates the beekeeping class requirement. If the City Council decides to adopt Ordinance 2015-O-04, it will need to decide whether to adopt Option A or Option B. All other language in the two options is the same.

- Option A, including beekeeping class requirement

- Option B, eliminating beekeeping class requirement

Councilmember Glover asked what the fee is.

Phillip said it will be a \$75.00 fee.

Richard Homer resident said he attended the Planning Commission Meeting on bee keeping. He feels that individuals should attend the class so they will be more responsible for keeping bees. He said he did not agree with a fee being charged by the City.

Mayor Seghini asked Mr. Homer if he is a bee keeper. Mr. Homer said he was. Mayor Seghini asked if the class is helpful. Mr. Homer said it was and he feels if individuals are new bee keepers, they should take a class.

Councilmember Paul Hunt said it is hard to put a class requirement into an ordinance.

Councilmember Stephen Brown said that there are no other cities that require taking a class.

Richard Homer said there are no other cities that charge fees for bee keeping.

Councilmember Paul Glover said the Council has to think of the neighbors that don't have bees.

MOTION: Councilmember Wayne Sharp moved to close the public hearing. The motion was seconded by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a vote. The motion passed unanimously.

ACTION: APPROVE ORDINANCE NO. 2015-O-4 TEXT AMENDMENT TO CHANGE THE REVIEW PROCESS AND REQUIREMENTS FOR APIARIES IN SINGLE FAMILY RESIDENTIAL ZONES

MOTION: Councilmember Stephen Brown moved to adopt Option B of Ordinance No. 2015-O-04, modifying the review process and requirements for Apiaries in the SF-1 and SF-2 zone districts. The motion was seconded by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:

Council member Stephen Brown	Aye
Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye

The motion passed unanimously.

VIII. CONSENT AGENDA

A. APPROVE MINUTES OF APRIL 7, 2015

- B. SET DATE AND TIME (MAY 05, 2015 AT 7:00 PM) FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE MIDVALE CITY TENTATIVE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016**
- C. SET DATE AND TIME (MAY 5, 2015 AT 7:00 PM) FOR A PUBLIC HEARING TO CONSIDER A TEXT AMENDMENT TO ADD MINOR VEHICLE SALES CATEGORY TO VEHICLE RELATED USES AS AN ADMINISTRATIVE CONDITIONAL USE WITH SPECIFIC STANDARDS; CLEAN INDUSTRIAL, STATE STREET COMMERCIAL AND REGIONAL COMMERCIAL ZONE DISTRICTS**
- D. SET A PUBLIC HEARING (MAY 5, 2015 7:00 PM) FOR ROOFTOPS AT 7800 HUNDRED TOWNHOMES PHASE 5 PRELIMINARY SUBDIVISION PLAT LOCATED AT APPROXIMATELY 7700 S EURO DRIVE**
- E. APPROVE RESOLUTION NO. 2015-R-17 DECLARING SURPLUS PROPERTY**
- F. APPROVE RESOLUTION NO. 2015-R-20 AMENDING THE RETIREMENT HEALTH SAVINGS (RHS) PLAN REGARDING THE DEFENSE OF MARRIAGE ACT (DOMA)**

MOTION: Councilmember Wayne Sharp moved to approve the consent agenda. The motion was seconded by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:

Council member Stephen Brown	Aye
Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye

The motion passed unanimously.

IX. ACTION ITEMS

- A. APPROVE RESOLUTION NO. 2015-R-19 APPOINTING MAYOR JOANN B. SEGhini TO SERVE ON THE UNIFIED FIRE SERVICE AREA AND UNIFIED FIRE AUTHORITY BOARD FOR A 4 YEAR TERM COMMENCING ON JANUARY 1, 2015 THROUGH JANUARY 1, 2019.**

Kane Loader said when the City became a member of the Salt Lake Valley Fire Service Area and entered into a fire service contract with the Unified Fire Authority in July 2011, Mayor JoAnn B. Seghini was appointed to serve on those Boards as the City's Representative. As that term has ended, she now needs to be reappointed and have an alternate appointed to serve in her absence or disability and to have voting privileges. The Council has assigned Councilmember Paul Glover to serve as the alternate representative on these Boards. The term commenced on January 1, 2015 and ending January 1, 2019. A resolution has been prepared for the Council's consideration in approval of these appointments.

MOTION: Councilmember Quinn Sperry **MOVED** that we approve Resolution No. 2015-R-19 appointing Mayor JoAnn B. Seghini to serve on the Unified Fire Service Area and Unified Fire Authority Board for a 4 year term commencing on January 1, 2015 through January 1, 2019 with Councilmember Paul Glover serving as the alternate

representative. The motion was **SECONDED** by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:

Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye
Council member Stephen Brown	Aye

The motion passed unanimously.

B. APPROVE RESOLUTION NO. 2015-R-21 APPOINTING CANDACE TIPPETTS TO SERVE AS CHAIR ON THE YOUTH AMBASSADOR PROGRAM

Kane Loader said the Youth Ambassador Program has been managed by Candace Tippetts for several years and she has done an excellent job. She has expressed the desire to continue working with the Youth Ambassadors outside of the Community Council. As Candace has been the foundation of this program, it would serve the community and youth well to appoint her as the Chair of the Youth Ambassador Program. Candace will appoint a committee to assist her with the continuous development of this program. A resolution has been prepared for the Council's consideration in approval of this appointment.

MOTION: Councilmember Stephen Brown **MOVED** that we approve Candace Tippetts to serve as chair on the Youth Ambassador Program. The motion was **SECONDED** by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:

Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye
Council member Stephen Brown	Aye

The motion passed unanimously.

X. DISCUSSION ITEMS

A. DISCUSS A TEXT AMENDMENT TO ADD MINOR VEHICLE SALES CATEGORY TO VEHICLE RELATED USES AS AN ADMINISTRATIVE CONDITIONAL USE WITH SPECIFIC STANDARDS; CLEAN INDUSTRIAL, STATE STREET COMMERCIAL AND REGIONAL COMMERCIAL ZONE DISTRICTS

Annaliese Eichelberger said currently, the City's Zoning ordinance has a single category for all Vehicle-Related uses. The Planning Commission asked that staff look into the possibility of adding a category to our Vehicle-Related uses that would allow vehicle sales uses with minimal inventory and outside display as an Administrative CUP. Staff drafted a proposed amendment addressing these items in the CI, SSC, and RC zone districts. These are the zone districts that currently allow a vehicle sales use. The Planning Commission reviewed the proposed amendment on February 25th, 2015. On March 25th, 2015 the Planning Commission conducted a public hearing and forwarded a recommendation to the City Council. The Planning Commission recommended approval of the text amendment with specific recommended language. To summarize, the Planning Commission's recommendation includes the following changes to the ordinance:

Revising existing definition and adding new definition:

- **Vehicle Sales (minor):** A business engaged in only the sale of operable vehicles and that display no more than three vehicles outside and ten vehicles inside.
- **Vehicle Sales and service (major):** A business primarily engaged in the sale of operable vehicles with more than three vehicles displayed outside and ten vehicles inside. Vehicle parts and accessories may be sold, and minor repair and installation of parts and accessories may be performed onsite as part of this use.

Adding new parking requirement for Minor Vehicle Sales:

- **Minor Vehicle Sales:** 3 spaces, plus 1 per employee per shift and a minimum of 2 for customers.

Adding new required conditions for Minor Vehicle Sales:

- A maximum of three vehicles may be displayed outside. All vehicles must be parked within an improved parking area in designated parking stalls. Additional for sale vehicles may be stored indoors.
- Vehicles displayed outside shall be located in a manner as to not obstruct drive aisles, doors or pedestrian pathways.
- The business shall provide three spaces for displayed vehicles, plus a minimum of one parking space per employee per shift and one parking stall for customers. Depending on the business operation plan, additional spaces may be required for customers.
- With the exception of three displayed vehicles, no other outdoor storage shall be permitted on site.
- Any vehicle repair is prohibited onsite.

Councilmember Paul Glover asked why the Council is being asked to amend this ordinance.

Ms. Eichelberger said this amendment would streamline the process.

B. DISCUSS ROOFTOPS AT 7800 HUNDRED TOWNHOMES PHASE 5 PRELIMINARY SUBDIVISION PLAT LOCATED AT APPROXIMATELY 7700 S EURO DRIVE

Lesley Burns said the Rooftops Project includes 131 townhouse units on approximately 6.4 acres located at the northwest corner of 7800 South and Euro Drive. This project has received Small Scale Master Plan approval from the Planning Commission and Final Site Plan approvals for all five phases of the project. These five phases include 16 buildings. Subdivision Plats have also been approved for the first four phases, which include 97 units. The four buildings in Phase 5, which include the remaining 34 units in the project, have not been officially subdivided into individual townhouse units. The applicant and developer, Solstice Homes, is requesting subdivision approval to create the 34 individual townhouse units in Phase 5, so these units can be sold.

This plat reflects and is consistent with the Phase 5 area that has received Final Site Plan approval. The proposed plat provides for the individual ownership of each of the townhouse units in the approved Phase 5 Final Site Plan, common area for the landscaped areas, and the private roads providing access to the individual units. These common areas will be owned and maintained by the Homeowners Association. The declaration of covenants, conditions and restrictions document (CC&R's) was completed and recorded with the Phase 1 subdivision plat. The area covered by the CC&R's has been expanded to include Phases 2, 3 and 4, and will need to be further expanded to include the units of the Phase 5 area.

The proposed Preliminary Subdivision Plat has been reviewed by the City Engineer. There are some technical corrections that will need to be made on the final subdivision plat, but nothing significant. All utility companies will need to be notified regarding utility easements and notes on the subdivision plat. A water and sewer letter has been provided by Midvale City. For a preliminary approval, this request

complies with the City's subdivision requirements. Final subdivision approval will require compliance with the conditions recommended below.

All subdivisions require a review and recommendation from the Planning Commission and approval from the City Council. Public hearings are required to be held by each body.

The Planning Commission conducted a public hearing on this application on April 8, 2015 and forwarded a positive recommendation to the City Council to approve the preliminary subdivision plat with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshal, City Planner and City Council.
2. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and CenturyLink regarding the utility easements on the subdivision plat prior to the subdivision plat being recorded.
3. The applicant shall expand the area covered by the existing declaration of covenants, conditions and restrictions (CC&R's) for Rooftops at 78 Hundred Townhomes, to include the townhouse units in the Phase 5 area. This amendment to the document shall be recorded concurrently with the subdivision plat. The applicant is working on completing these items.

The applicant is working on completing these items.

XI. AJOURN

MOTION: Councilmember Paul Hunt MOVED to adjourn the meeting. Councilmember Stephen Brown SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.

The meeting adjourned at 7:50 p.m.

**Rori L. Andreason, MMC
CITY RECORDER**

Approved this 5th day of May, 2015.



**MIDVALE CITY
CITY COUNCIL WORKSHOP MEETING
Minutes**

**Tuesday, April 28, 2015
Council Chambers
7505 S. Holden Street
Midvale, Utah 84047**

MAYOR: JoAnn Seghini

COUNCIL MEMBERS: Council Member Wayne Sharp
Council Member Stephen Brown
Council Member Paul Glover
Council Member Paul Hunt
Council Member Quinn Sperry

STAFF: Kane Loader, City Manager; Phillip Hill, Asst. City Manager/CD Director; Laurie Harvey, Asst. City Manager/Admin. Services Director; Chad Woolley, City Attorney; Shelly Reed, Deputy Recorder; Bob Davis Public Works Director; Danny Walz, Redevelopment Agency Director; and Jarin Blackham, IT Technician.

Mayor Seghini called the meeting to order at 6:30 p.m.

I. DISCUSSION ITEMS

A. DISCUSS UTOPIA UPDATE

Kane Loader introduced Kurt Jones and Gary Jones from Utopia.

Kurt Jones, Utopia, discussed in detail their five year financial plan and updated the Council on the operations of Utopia.

Gary Jones, Utopia, gave a presentation on the marketing focus. He updated the Council on the operations of Utopia and their goals and objectives. He passed out a flyer to the Council for their review explaining what UTOPIA is.

B. DISCUSS CITY MANAGEMENT'S BUDGET RECOMMENDATIONS FOR FY2016

Laurie Harvey gave a presentation and discussed the City Management's budget recommendations for FY2016.

II. ADJOURN

Mayor Seghini adjourned the meeting at approximately 9:26 p.m.

**Rori L. Andreason, MMC
CITY RECORDER**

Approved this 5th day of May, 2015.



MIDVALE CITY COUNCIL SUMMARY REPORT

May 5, 2015

SUBJECT:

Set Public Hearing for May 19, 2015 and Discussion on Zoning Ordinance Text Amendments to increase the maximum residential density in the Silver Refinery Overlay and create a new parking standard for affordable senior housing in zones allowing multi-family residential uses

SUBMITTED BY:

Lesley Burns, City Planner

SUMMARY:

The Wasatch Group is proposing two text amendments for the City's consideration in order to develop a senior affordable housing development within the Silver Refinery Overlay and the Kimpton Square Master Planned Development. These text amendments include the following:

- Increase the overall maximum residential density allowed in the Silver Refinery Overlay from 16 units per acre to 19.3 units per acre.
- Create a parking standard for senior affordable housing developments.

Density

Currently, the maximum residential density allowed in the Silver Refinery Overlay is 16 units per acre. The request is to change this to 19.3 units per acre across the overlay area. Assuming all other development standards are satisfied when specific development plans are submitted, i.e. open space, parking, setbacks, etc., the overall maximum number of units on the Silver Refinery Overlay property would change from 136 units (16 u/a) to 164 units (19.3 u/a). Staff prepared some proposed language to address this request. This language amends Subsection 17-7-9.12.3.3 (C) which includes the maximum residential density for residential areas within the master planned area from 16 units per acre to 19.3 units per acre across all residential areas. See Attachment A for the specific amendment.

Parking

Currently, the zoning ordinance has one parking standard for multi-family developments. The parking requirement is based on the number of bedrooms in each unit and reflects a typical family or roommate situation with multiple cars, plus guest parking. It has been the experience of managers of senior affordable housing communities that many of the residents do not drive or have cars, and if they have cars, it is typically only one. This is a

result of the combination of age and limited income of the residents in this type of community. With this in mind, the current multi-family parking standard results in unused parking spaces when applied to this type of use. Based on parking counts that have been taken at similar communities, the applicant is proposing a new parking standard be created for “senior affordable housing” developments. The proposed standard includes a minimum of one space per unit plus a minimum of 0.3 spaces per unit for guest parking. This proposed guest parking number is higher than the typical 0.25 space per unit required in other multi-family projects. Because this type of project could occur in any zone that allows a multi-family use, Staff recommended that this standard be available in all zones allowing multi-family uses. These zones include RM-12, RM-25, Mixed Use, State Street Commercial, Transit Oriented Development, Bingham Junction, Silver Refinery Overlay and the State Street Overlay. Staff prepared some proposed language to address this request. This language includes the following:

- Adds a definition for “senior affordable housing” to Section 17-2-19.
- Adds a “senior affordable housing” use and associated parking requirement to the parking tables and sections in the RM-12, RM-25, MU, SSC, TOD, BJ, Silver Refinery Overlay, and SSO.

See Attachment B for the specific amendment.

Planning Commission Recommendation

The Planning Commission reviewed these proposed text amendments and held a public hearing on April 22, 2015. Following the public hearing, the Planning Commission made the following motions:

Density

“I move that we forward a positive recommendation to the City Council to increase the residential density in the Silver Refinery Overlay as included in Attachment A.”

Parking

“Recognizing the community need for senior affordable housing and the distinctive characteristics of this type of multi-family housing, I move that we forward a positive recommendation to the City Council to add language to the ordinance creating a definition for “senior affordable housing” and create a specific parking standard for this use in all zones that allow multi-family uses as included in Attachment B.”

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff agrees with the Planning Commission's recommendations.

RECOMMENDED MOTION:

N/A

Attachments:

- Attachment A – recommended text amendment language to increase density in SRO
- Attachment B – recommended text amendment language to create a new parking standard for affordable senior housing

ATTACHMENT A

SILVER REFINERY OVERLAY DENSITY

Text Additions
Text Deletions

17-7-9.12.3.3 Large scale master plan requirement.

The property is required to be master planned as a whole under the large scale master plan provision prior to any specific development applications, i.e., small scale master plans, subdivision plats, conditional use permits, site plans, being accepted by the city for review and approval. Each development application must be consistent with the large scale master plan. The large scale master plan must include the following elements:

- A. At a minimum, the plan shall show the general layout of future development including general uses, public open space, roads, circulation, and main vehicular and pedestrian accesses.
- B. A dedication of at least nine percent of the real property to be improved, at no cost to the city, as accessible and useable public open space. It is expected that the historical cemetery be made a part of this public open space area. The dedication is based on the clustering and increased densities allowed within the overlay.
- C. The maximum residential density within a designated residential use parcel shall be ~~sixteen~~ 19.3 units per acre for all residential areas combined.
- D. Vehicular accesses shall comply with the city's typical access management standards.
- E. For vertical mixed-use development, the maximum FAR is 3.0.
- F. In conjunction with the large scale master plan, a development agreement, in a form satisfactory to the city attorney and city council, shall be recorded with the property wherein the property owner, and its successors and assigns, agree to comply with the provisions of the conditional use permit for the master planned development. This agreement shall also provide security, to the satisfaction of the city attorney and city council, for all on- and off-site public improvements associated with the development.
- G. The large scale master plan, and all subsequent development applications, will demonstrate that it is in conformance with applicable institutional controls.
- H. Subdivisions, small scale master plans, site and project plans, conditional use permits and building permits within the silver refinery overlay shall be in accordance with the current building code, this chapter, and Section [17-7-3](#) and Title [16](#) of the Midvale City Code.

**ATTACHMENT B
SENIOR AFFORDABLE HOUSING**

Text Additions
~~Text Deletions~~

17-2-19 “S” definitions.

“Senior Affordable Housing” means a residential development/use restricted to persons 55 and older, where a minimum of 80% of the units are affordable to a household making 50% of the area median income (AMI) or less. Project must be guaranteed to remain affordable, as defined above, for a minimum of 50 years. With the exception of the parking space requirement that is called out separately, all senior affordable housing developments shall be considered under the applicable multi-family residential or medium and high density residential development standards.

Create a parking requirement for “senior affordable housing” in the RM-12, RM-25, Mixed Use, State Street Commercial, Transit Oriented Development, Bingham Junction, Silver Refinery Overlay, and State Street Overlay zone districts by adding the language below to the following tables and sections:

***Tables 17-7-3.7, 17-7-4.7, 17-7-5.7, 17-7-7.8, 17-7-8.8, 17-7-15.8**

***Sections 17-7-9.6 (A)(2), 17-7-9.12.3.13 (D)(3)**

**Table/Section *
Parking**

Uses	Parking Requirement
Senior Affordable Housing	Not less than 1 space per dwelling unit; plus not less than 0.3 spaces per dwelling unit for guest parking



MIDVALE CITY COUNCIL SUMMARY REPORT

May 5, 2015

SUBJECT:

Set Public Hearing for May 19, 2015 and Discussion on the Kimpton Square Large Scale Master Plan 3-Lot Subdivision located at the northwest corner of Holden Street and 7800 South

SUBMITTED BY:

Lesley Burns, City Planner

SUMMARY:

On April 22, 2015, the Planning Commission approved an amended Large Scale Master Plan (LSMP) for the Kimpton Square development. This project is located on the 9.36 acre property at the northwest corner of Holden Street and 7800 South. The amended LSMP includes a 2.21 acre multi-family residential area (intended for a senior affordable housing community), a 6.31 acre medium density single-family detached area (intended for 67 single-family homes), and a 0.84 acre public open space parcel (includes pioneer cemetery). A copy of this amended LSMP is attached.

Also on April 22, 2015, the Planning Commission recommended approval of a preliminary subdivision plat that would create a lot for each of the uses within the amended LSMP. This subdivision plat would help facilitate the future Small Scale Master Plans for each of these areas, and is consistent with the areas depicted on the amended LSMP, as well as what is anticipated with the future development for each of these areas. The Planning Commission's recommendation included the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshal and City Council.
2. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and CenturyLink regarding the utility easements on the subdivision plat prior to the subdivision plat being recorded.

The applicant is working on completing these items.

During the public hearing, concerns were raised from some of the descendants of those who may be buried in the pioneer cemetery regarding the boundary of the cemetery. As part of its motion, the Planning Commission wanted these concerns noted for the City Council, and recommended that the City Council "takes appropriate steps to ensure, in so far as possible, that the cemetery boundary is defined."

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION:

Staff agrees with the Planning Commission's recommendation to approve the subdivision plat.

RECOMMENDED MOTION:

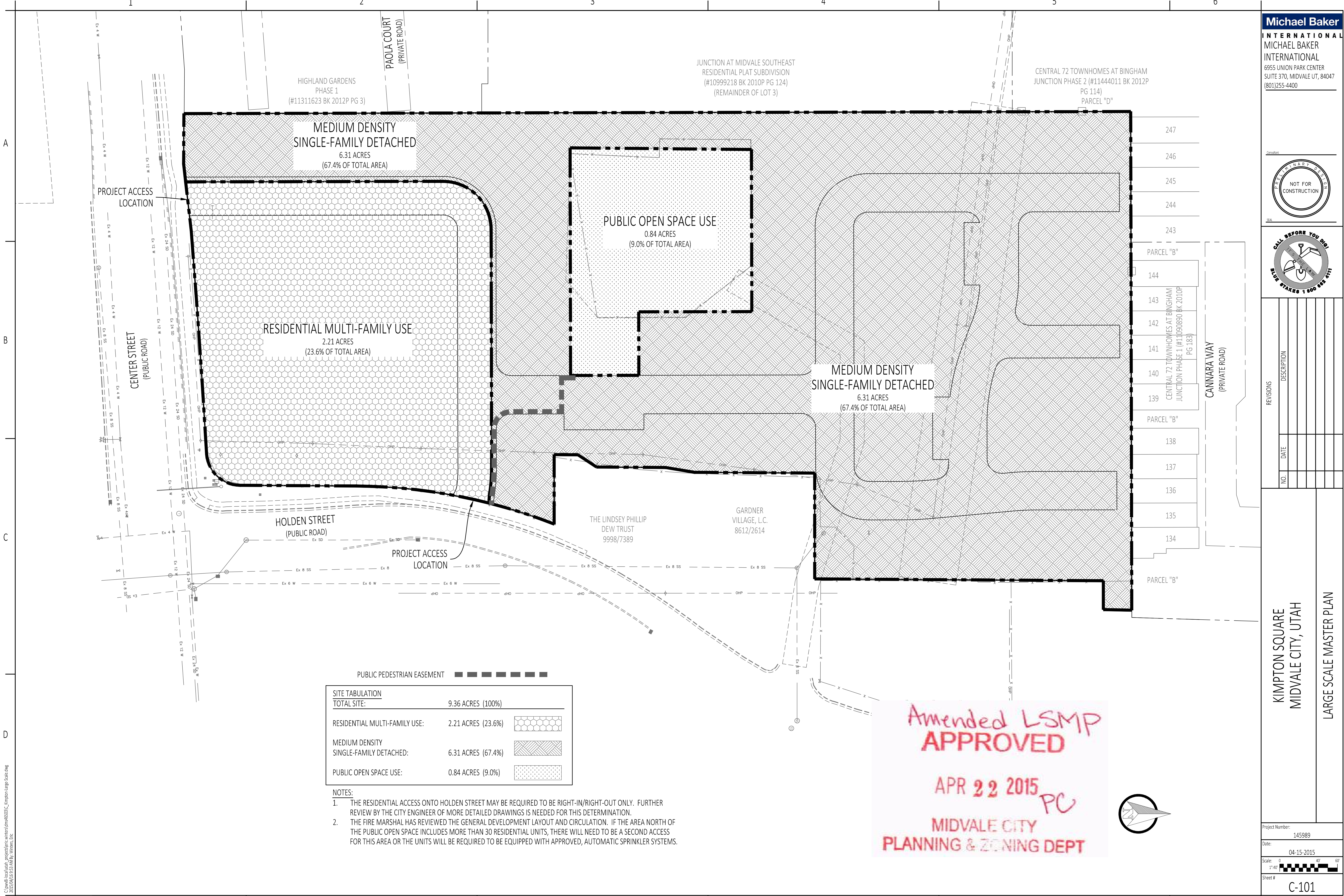
N/A

Attachments:

- Vicinity Map
- Approved Amended Large Scale Master Plan
- Proposed Preliminary Subdivision Plat



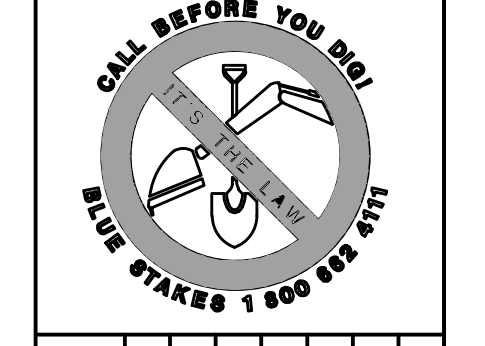
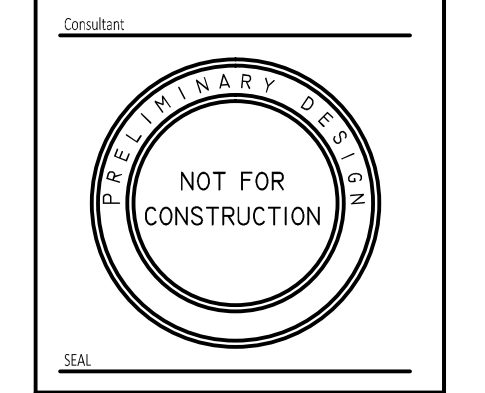
NEW OVERLAY AREA



SITE TABULATION		
TOTAL SITE:	9.36 ACRES (100%)	
RESIDENTIAL MULTI-FAMILY USE:	2.21 ACRES (23.6%)	
MEDIUM DENSITY SINGLE-FAMILY DETACHED:	6.31 ACRES (67.4%)	
PUBLIC OPEN SPACE USE:	0.84 ACRES (9.0%)	

- NOTES:
1. THE RESIDENTIAL ACCESS ONTO HOLDEN STREET MAY BE REQUIRED TO BE RIGHT-IN/RIGHT-OUT ONLY. FURTHER REVIEW BY THE CITY ENGINEER OF MORE DETAILED DRAWINGS IS NEEDED FOR THIS DETERMINATION.
 2. THE FIRE MARSHAL HAS REVIEWED THE GENERAL DEVELOPMENT LAYOUT AND CIRCULATION. IF THE AREA NORTH OF THE PUBLIC OPEN SPACE INCLUDES MORE THAN 30 RESIDENTIAL UNITS, THERE WILL NEED TO BE A SECOND ACCESS FOR THIS AREA OR THE UNITS WILL BE REQUIRED TO BE EQUIPPED WITH APPROVED, AUTOMATIC SPRINKLER SYSTEMS.

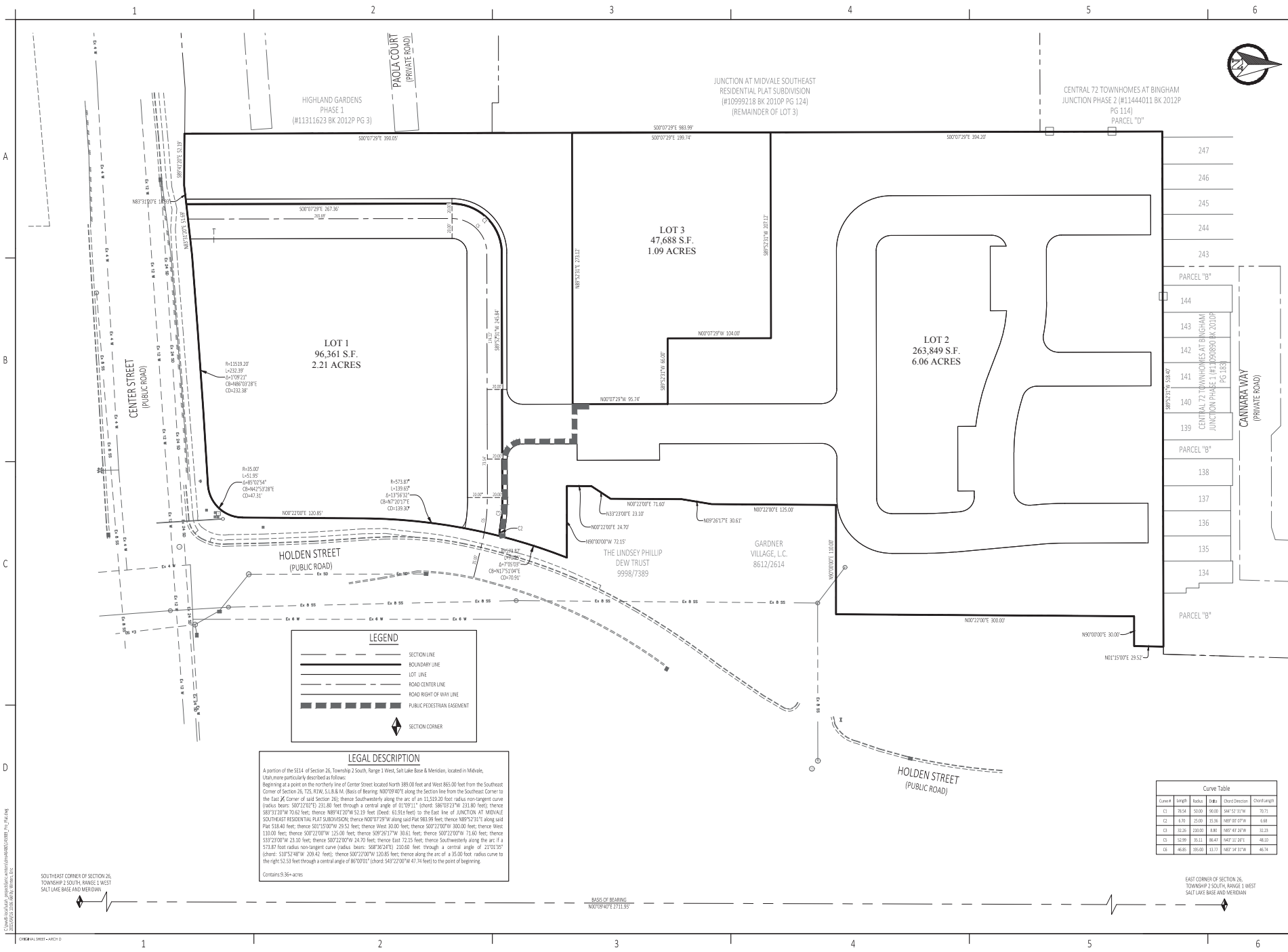
Michael Baker International
MICHAEL BAKER INTERNATIONAL
6955 UNION PARK CENTER
SUITE 370, MIDVALE UT, 84047
(801)255-4400



NO.	DATE	DESCRIPTION

**KIMPTON SQUARE
MIDVALE CITY, UTAH
LARGE SCALE MASTER PLAN**

Project Number: 145989
Date: 04-15-2015
Scale: 1"=40'
Sheet #: C-101



LEGEND

	SECTION LINE
	BOUNDARY LINE
	LOT LINE
	ROAD CENTER LINE
	ROAD RIGHT-OF-WAY LINE
	PUBLIC PEDESTRIAN EASEMENT
	SECTION CORNER

LEGAL DESCRIPTION

A portion of the S114 of Section 36, Township 2 South, Range 1 West, Salt Lake Base & Meridian, located in Midvale, Utah and as particularly described as follows:

Beginning at a point on the northerly line of Center Street located North 388.00 feet and West 855.00 feet from the Southeast Corner of Section 26, T2S, R1W, S14E, 8M. (Base of Bearing: N00°07'29"E) along the Section line from the Southeast Corner to the East 1/4 Corner of said Section 36; thence Southwesterly along the arc of an 11,519.20 foot radius non-tangent curve (radius bears: S07°22'07"W) 231.80 feet through a central angle of 0°10'11" (chord: S8°03'22"W) 231.80 feet; thence S8°13'20"W 70.62 feet; thence N8°41'30"W 52.29 feet (chord: 62.24 feet) to the East line of JUNCTION AT MIDVALE SOUTHEAST RESIDENTIAL PLAT SUBDIVISION; thence N00°07'29"W along said PLAT 983.59 feet; thence N8°29'23"E along said Plat 518.40 feet; thence S01°55'00"W 29.52 feet; thence West 30.00 feet; thence S07°22'07"W 100.00 feet; thence West 120.00 feet; thence S07°22'07"W 55.00 feet; thence S09°28'37"W 30.61 feet; thence S07°22'07"W 71.60 feet; thence S33°23'00"W 23.30 feet; thence S07°22'07"W 24.70 feet; thence East 72.15 feet; thence Southwesterly along the arc of a 573.87 foot radius non-tangent curve (radius bears: S08°30'24"E) 210.00 feet through a central angle of 21°03'35" (chord: S18°52'48"W) 208.42 feet; thence S07°22'07"W 130.65 feet; thence along the arc of a 35.00 foot radius curve to the right 53.53 feet through a central angle of 80°00'01" (chord: S43°22'00"W) 47.74 feet to the point of beginning.

Contains 9.36+ acres

Curve Table

Curve	Bearing	Radius	Chord	Chord Distance	Chord Length
C1	70.64	50.00	90.00	54°52' 12"W	70.71
C2	4.70	25.00	35.00	N8°20' 07"W	6.84
C3	32.28	120.00	180	N8°47' 20"W	32.23
C4	52.09	35.11	58.41	N44° 02' 20"E	48.03
C5	46.85	35.00	51.73	N8°14' 37"W	46.74

Michael Baker INTERNATIONAL
 MICHAEL BAKER INTERNATIONAL
 6955 UNION PARK CENTER
 SUITE 370, MIDVALE UT, 84047
 (801)255-4400

NOT FOR CONSTRUCTION

DO NOT SCALE THIS PLAT

NO.	DATE	REVISIONS	DESCRIPTION

Project Number: 145889
 Date: 04-15-2015
 Scale: 1"=40'
 Sheet # C-104

© Baker 2015

Proposed Preliminary Plat