



Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

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<https://msd.utah.gov/agendas/>

Magna Planning Commission

Public Meeting Agenda

Thursday, September 12, 2024 6:30 P.M.

Location

Magna Webster Center
8952 West Magna Main Street
Magna, Utah

UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and MSD staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

BUSINESS MEETING

- 1) Approval of the August 8, 2024 Planning Commission Meeting Minutes.
(Motion/Voting)
- 2) Other Business Items. (As Needed)

LAND USE APPLICATION(S)

PUD2024-001072 – Joe Colosimo is requesting preliminary plat approval for the 18-Lot Pendleton Fields Planned Unit Development (PUD) Subdivision and an exception to sidewalk standards.

Location: 8332 West 3100 South. **Zone:** R-2-6.5 (Medium-Density Residential) Zone. **Planner:** Jeff Miller (Motion/Voting)

PUBLIC HEARING(S)

REZ2024-001105 - Jeffrey Copeland is requesting a rezone from the A-1/zc to R-M/zc (Multi-Family Residential with a condition that the number of units not exceed 4) on behalf of Habitat for Humanity. **Location:** 7563 West 2820 South. **Acres:** 0.5. **Planner:** Brian Tucker (Motion/Voting)

OAM2024-001231 – Proposed amendments to the Magna Zoning Ordinance, Title 19 of the Magna Municipal Code, related to residential off street parking regulations. **Planner:** Brian Tucker, Planning Manager (Discussion/Motion)

OAM2024-001255 – Proposed amendments to the Magna Subdivision Ordinance, Title 18 of the Magna Municipal Code, to comply with 2024 Utah Legislative Mandates. **Presenter:** Jay Springer, Attorney; Brian Tucker, Planning Manager (Discussion/Motion)

ADJOURN

Rules of Conduct for Planning Commission Meetings

PROCEDURE FOR PUBLIC COMMENT

1. Any person or entity may appear in person or be represented by an authorized agent at any meeting of the Commission.
2. Unless altered by the Chair, the order of the procedure on an application shall be:
 - a. The supporting agency staff will introduce the application, including staff's recommendations and a summary of pertinent written comments and reports concerning the application
 - b. The applicant will be allowed up to 15 minutes to make their presentation.
 - c. The Community Council representative can present their comments as applicable.
 - d. Where applicable, persons in favor of, or not opposed to, the application will be invited to speak.
 - e. Where applicable, persons opposing the application, in whole or in part will be invited to speak.
 - f. Where applicable, the applicant will be allowed 5 minutes to provide concluding statements.
 - g. Surrebuttals may be allowed at the discretion of the Chair.

CONDUCT FOR APPLICANTS AND THE PUBLIC

1. Speakers will be called to the podium by the Chair.
2. Each speaker, before talking, shall give his or her name and address.
3. All comments should be directed to the Commissioners, not to the staff or to members of the audience.
4. For items where there are several people wishing to speak, the Chair may impose a time limit, usually 3 minutes per person, or 5 minutes for a group spokesperson. If a time limit is imposed on any member or spokesperson of the public, then the same time limit is imposed on other members or spokespersons of the public, respectively.
5. Unless otherwise allowed by the Chair, no questions shall be asked by the speaker or Commission Members.
6. Only one speaker is permitted before the Commission at a time.
7. The discussion must be confined to essential points stated in the application bearing on the desirability or undesirability of the application.
8. The Chair may cease any presentation or information that has already been presented and acknowledge that it has been noted in the public record.
9. No personal attacks shall be indulged in by either side, and such action shall be sufficient cause for stopping the speaker from proceeding.
10. No applause or public outbursts shall be permitted.
11. The Chair or supporting agency staff may request police support to remove offending individuals who refuse to abide by these rules.
12. After the public comment portion of a meeting or hearing has concluded, the discussion will be limited to the Planning Commission and Staff.

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G R E A T E R S A L T L A K E

**Municipal Services
District**

Greater Salt Lake Municipal Services District - Planning & Development Services
2001 S. State Street #N3-600 • Salt Lake City, UT 84190 • (385) 468-6700

File # PUD2024-001072

PENDLETON FIELDS SUBDIVISION PLANNED UNIT DEVELOPMENT SUMMARY AND RECOMMENDATION

Public Body: Magna City Planning Commission

Meeting Date: September 12, 2024

Parcel IDs: 14-29-252-083-0000, 14-29-252-084-0000, & 14-29-252-082-0000

Acreage: 2.84 Acres

Current Zone: R-2-6.5 (Medium Density Residential)

Property Address: 8332 West 3100 South

Request: Preliminary Plat Approval & Exception Request for the Pendleton Fields Subdivision PUD

Planner: Jeff Miller

Applicant Name: Joe Colosimo

PROJECT DESCRIPTION

Joe Colosimo is requesting preliminary plat approval for the 18-Lot Pendleton Fields Subdivision. Additionally, the applicant is requesting an exception to roadway standards, to not require sidewalk on the south side of the road in the development **(*See attached recommendation letter from Engineering)**. The sidewalk will still be installed on the north side of the street.

The proposed subdivision is an Infill Planned Unit Development. Previously, the subject property was rezoned to the R-2-6.5 zone, in anticipation of the proposed PUD (with a zoning condition limiting the proposed PUD to 18 single-family lots, as proposed).

SITE & VICINITY DESCRIPTION (see attached map)

The subject property is located immediately south of Jayne Crest Circle, and north of 3100 South, and is zoned R-2-6.5. The property is surrounded by a large area of parcels zoned R-1-6. There are parcels within the R-2-6.5 Zone to the north of the subject property, as well as to the west across 8400 West. The R-2-6.5 area to the west extends north towards Magna Main Street. Along Magna Main Street, there is a significant number of parcels currently zoned R-2-6.5.

Request: Preliminary Plat Approval for the Pendleton Fields Subdivision PUD.

GENERAL PLAN CONSIDERATIONS

The Magna General Plan was adopted in 2021. According to the current general plan, approximately 7% of the residential acres within Magna are currently zoned R-2-6.5.

One of the initiatives and opportunities that have been identified in the general plan is the, "addition of diverse housing to Magna to create mixed density neighborhoods and increase new investment in the community."

The general plan also identifies that "responsible growth can occur through additional opportunities for home ownership", which the anticipated PUD could help to provide with smaller lot sizes that are typically allowed in standard R-1 (Single-family Residential) zones.

ISSUES OF CONCERN/PROPOSED MITIGATION

Planning Staff has not identified any issues of concern with the proposed rezone request.

STAFF ANALYSIS

According to section 19.18.020 (B), the proposed PUD is classified as an *"Infill Development PUD"*, which is a PUD Development between *"one-half (1/2) acre and...three (3) acres"*.

Per 19.18.030, the proposed development is, *"less than three (3) acres in size (and would typically) be subject to the permitted use review process outlined in Section 19.16.030"*, which would be a staff level review and approval process.

However, the applicant has requested that the PUD is taken before the Magna City Planning Commission for preliminary plat approval, in order to show that the zoning condition (limiting the PUD to 18 Single-Family Homes built with traditional construction methods) as mandated by the Magna City Council has been followed for the proposed PUD development.

Per 19.18.030 (C) (1), "Infill (PUD) development(s) shall include forty percent (40%) open space but is not required to include common open space.

The proposed PUD includes 40% of private open space, as required per 19.18.030 (C) (1).

Per 19.18.030 (2) (a), "For any PUD located in and adjacent to an R-1, R-2, A-1 or A-2 zone ("residential zone"), the maximum height for structures on the perimeter of the PUD adjoining said zones shall be twenty-eight feet (28'). The maximum height of all other structures in such a PUD shall be thirty-five (35').

(i). The height of buildings along the perimeter of a planned unit development adjoining a residential zone may be increased to the maximum height allowed in the underlying zone by one-foot increments, with each additional one-foot height increment requiring an additional one foot (1') in setback from the perimeter (setback of 15 feet)."

The proposed PUD will comply with the specified height limits during the building permit review and approval process.

Request: Preliminary Plat Approval for the Pendleton Fields Subdivision PUD.

Per 19.18.030 (3), "Perimeter Setbacks (for all PUD types)...shall have at least a fifteen-foot (15') setback from the perimeter lot line, and shall have a setback from a right-of-way as prescribed by the underlying zone. Otherwise, no specific yard, setback, or lot size requirement is imposed by this chapter. However, the purpose and design objectives of this chapter shall be complied with in the final development plan, and the Planning Commission may require specific setbacks within all or a portion of the development to maintain harmony with the existing character of the neighborhood.

The proposed PUD will comply with the specified perimeter setback during the building permit review and approval process.

During the final plat review process, the applicant intends to have the final plat reviewed and approved in a few phases, prior to plat recordation.

NEIGHBORHOOD RESPONSE

Planning Staff has not received any comments from the surrounding neighbors or the general public as of the completion of this staff report. Any comments that are received will be forwarded to the Magna City Planning Commission for review and will be summarized on August 12, 2024.

CONCLUSION AND RECOMMENDATION

Planning Staff recommends that the Magna City Planning Commission grants approval to the preliminary plat for the proposed 18-Lot Pendleton Fields (Infill) PUD Subdivision, as well as approval to the requested sidewalk exception for the proposed development.

- The proposed Infill PUD is limited to 18 Single Family Homes (with traditional construction methods, not modular homes) for the subject property.

EXHIBITS

- A. Aerial Map.
- B. Preliminary Plat
- C. Exception Request Recommendation Letter from Engineering.

Parcels: 8332 West 3100 South (14-29-252-083-0000, 14-29-252-0000, & 14-29-252-082-0000.





May 1, 2024

Jenny Wilson
Mayor

Catherine Kanter
Deputy Mayor of Regional
Operations

Scott R. Baird, P.E.
Director, Public Works
and Municipal Services

Kade D. Moncur, P.E., CFM
Director, Public Works
Engineering Division

**PUBLIC WORKS
ENGINEERING DIVISION**

Government Center
2001 South State Street
Suite N3-120
Salt Lake City, Utah 84190

T 385-468-6600
F 385-468-6603

To Whom It May Concern,

This recommendation letter is in consideration of the following proposed development:

Application: 001072 – 20-Lot Pendleton_Fields_Colosimo
Location: 3045 South 8400 West, Magna, Utah 84044

Given that the property is adjacent to a stub street and sidewalk will be installed on the North part of the PUD, is not adjacent to any known safe routes to school under the Utah Safe Routes to School Program, and currently appears to meet all other applicable roadway standards, it is the recommendation of Salt Lake County Public Works Engineering that an exception be granted for the installation of sidewalk along the South side of this property.

Regards,

Ahmed Dahir
Salt Lake County
Public Works Engineering

Meeting Body: Magna Planning Commission

Meeting Date: September 12, 2024

Planner: Brian Tucker, Planning Manager

Project Name and File Number:
REZ2024-001105 – Habitat for Humanity Rezone Request

Current Zone: A-1/zc

Requested Zone: RM/zc

Project Address: 7563 West 2820 South

Parcel ID: 14-28-209-013-0000

Applicant(s):

Jeffrey Copeland

Key Findings:

- The proposed rezone is compatible with the Adopted General Plan.
- The proposed rezone has no discernable negative impact on the public health, safety and welfare.
- The proposed rezone represents a continuation of a development pattern in this area that includes a mix of densities and dwelling types.

Attachments:

1. Location Map
2. Conceptual Site Plan and elevations (for illustration purposes only).



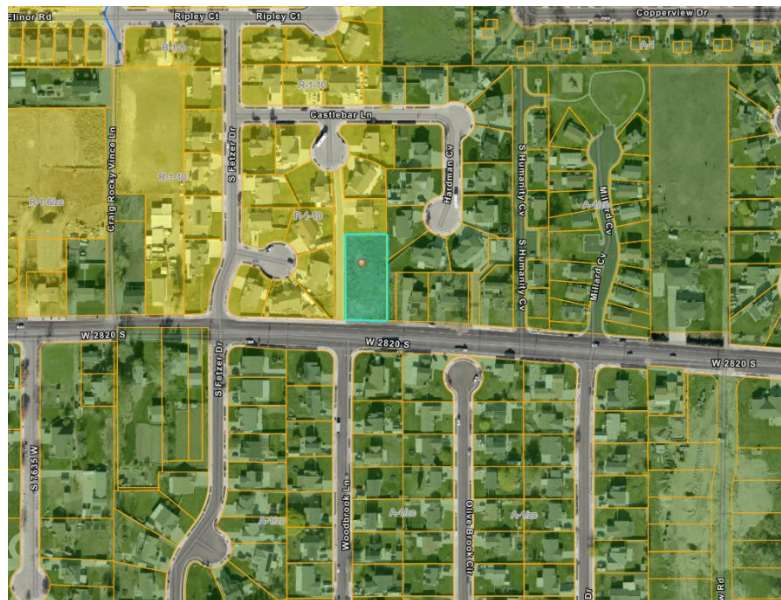
REQUEST

Jeffery Copeland is making a rezone request on behalf of Habitat for Humanity. Habitat for Humanity is requesting that the property be rezoned to accommodate 4 dwelling units on the ½ acre subject parcel.

LOCATION

The property is located along 2820 S and is surrounded by residential land uses. The areas to the north and west are zoned R-1-10 and the areas to the east and south are zoned A-1/zc. The residences within the immediate vicinity of the subject parcel are all detached single-family residences, situated primarily on 10,000 square foot lots. The area within ¼ mile includes a mix of densities and unit types.

Figure 1 - Location Map



the applicant and a number of neighboring property owners and other members of the public, the Planning Commission recommended that the Council deny this rezone. The feedback from the public about the number of units and the height of the proposed structures prompted the applicant to have conversations with some of the neighbors about development options. The applicant tabled their rezone request in order to explore their options.

In August 2024, the applicant came back to the Planning Commission with a 4 unit proposal in the form of 2 single story twin home structures. The applicant was now requesting the R-1-5 zone that they had been led to believe would allow them to build the 4 unit project that they were requesting. The Planning Commission again held a public hearing and again the feedback from the neighbors and the public was not supportive. Additionally, a Planning Commission member noted that the maximum density allowed in the R-1-5 zone is 7 units per acre, meaning that the maximum density on ½ acre would be 3½ units rather than the 4 units the applicant desires. The Planning Commission moved to approve the proposed rezone, but the vote, 2 ayes and 2 nays, did not result in a recommendation for either approval or denial. The application was forwarded to the Council, who then remanded the case back to the Planning Commission in order to obtain a clear recommendation.

Staff have advised the applicant that the R-1-5 zone will not provide the needed density. In the R-1-5 a standard subdivision would allow 8 units per acre / 4 units per half acre (21,780 sf / 5000 = 4.36 du/acre). However, in the R-1-5 zone, PUD density is capped at 7 units per acre (Table 19.28.030). Staff had mistakenly advised the applicant that an R-1-5 rezone would suffice.

The applicant is seeking a rezone to build 4 units on ½ acre. In order to accomplish this, the applicant needs a rezone to R-1-4 (9.0 units per acre maximum density), R-2-6.5 (12 units per acre), or the Multi-Family Residential Zone (RM). The Multi-Family Residential Zone allows 25 units per acre unless a zoning condition is placed on the rezone limiting density to a lower number of units. Staff have recommended that the applicant seek a rezone to Multi-Family Residential Zone (RM) with a zoning condition limiting the development to 4 total units on the ½ acre subject parcel. The applicant is now requesting the RM/zc Zone with a condition limiting development to 4 units.

STAFF ANALYSIS

Moderate Income Housing Plan:

In response to the lack of affordable housing in the State of Utah, municipalities are required to select and adopt strategies from a list of options to bring in more housing for moderate income households. Magna City selected five of the criteria to adopt into Magna's Moderate Income Housing Plan. This proposed rezone fulfills one of the criteria that Magna has adopted. Criteria F which is to zone or rezone for higher density or moderate income residential development near

major transit investment corridors, commercial centers, or employment centers. 7563 W 2820 S is located close to employment centers that are located near SR-201.

Review Criteria:

There are eight guidelines to consider when considering a zoning map amendment (Magna Code, Table 19.18.080). These factors are not binding approval criteria but are merely a guide as to issues that may be considered in forming a recommendation.

Criteria 1. The proposed (zoning) amendment is compatible with the Adopted General Plan.

Magna's General Plan calls out this part of Magna as a residential mixed density area. The general plan defines the residential mixed density area as having densities ranging from R-1-8 (4.5 units per acre) to R-2-6.5 (up to 12 units per acre) with a mix of single family homes and duplexes. The requested 8 units per acre (4 units per ½ acre) density falls within this suggested density range.

Criteria 2. The proposed (zoning) amendment promotes the public health, safety and welfare.

There have not been any comments from reviewing agencies that are opposed to the rezone on public health, safety, statutory, or technical grounds. The proposed (zoning) amendment has no discernable or quantifiable negative impact on the public health, safety and welfare.

Criteria 3. The proposed (zoning) amendment is a more suitable zoning classification for the property than the current classification.

Suitability is a subjective measure, not a quantifiable one. Viewed through the lens of Magna's General Plan, the proposed (zoning) amendment is a more suitable zoning classification for the property than the current classification when the proposed zoning condition is applied.

When viewed through the lens of the adjacent property owners and that adjacent pattern of development, it represents an unsuitable doubling of the allowed dwelling units per acre, even though the project area is very small.

This portion of the city, bounded by the Riter Canal to the north, 2820 South Street to the south, 8000 West to the west and 7200 West to the east, is home to 4 major Planned Unit Developments. These developments contain at least as many townhomes, twin homes and other units on lots 6,000 square feet or smaller or at densities exceeding 8 units per acre as those on lots with 8,000 square feet or more. When viewed through that lens the proposed rezone is a continuation of a mix of densities that has been perpetuated since the early 1980's.

Criteria 4. The proposed (zoning) amendment is compatible with the intent and general purposes of the ordinance.

The proposed zone change is not at odds with the purposes of the ordinance. The applicant has followed the correct procedures and is going through the process that Magna has created

to allow for a rezone. According to the Magna General Plan, the future use envisioned for this area is in-line with what zone that the applicant has proposed.

Criteria 5. The proposed (zoning) amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.

This criterion is not applicable to this rezone as it is not intended to be a correction.

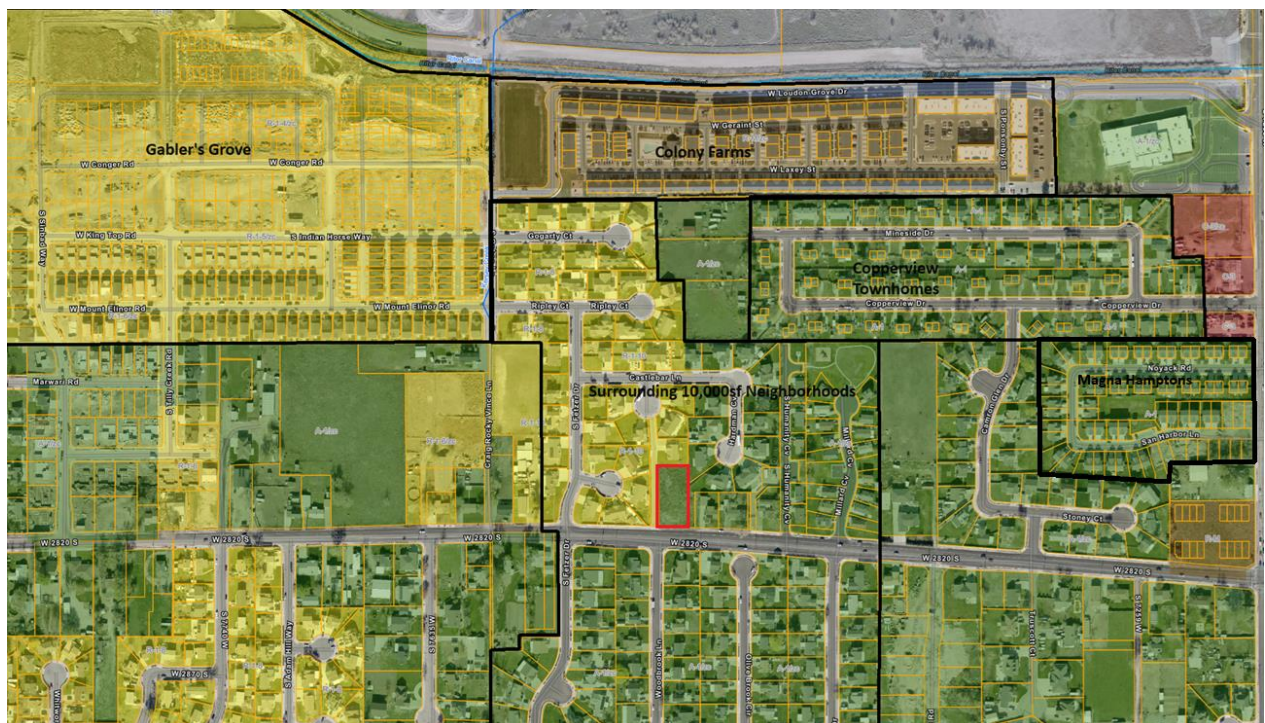
Criteria 6. The proposed (zoning) amendment benefits the citizen of the municipality as a whole.

This rezone would allow for a mix of densities development than what is currently allowed while both maintaining a similar feel to the surrounding community and allowing for the creation of affordable housing. The land is owned by Habitat for Humanity, a non-governmental organization, that seeks to provide affordable housing to those who come from low-income or disadvantaged backgrounds.

Criteria 7. The proposed (zoning) amendment does not create a significant number of nonconformities.

The subject parcel is currently vacant and undeveloped No nonconformity would be created by this zone change.

Figure 2 – Development Trends Map



Criteria 8. The proposed (zoning) amendment is compatible with the trend of development in the general area of the property.

One of the first developments in this area was the Copperview Village, a townhome project within 1/8 mile of the subject parcel, where construction began in the early 1980's. Most of the existing development in this portion of the city is from the 2000s and later. Some of the developments in the area have densities around a 3-5 units per acre, while other developments include duplexes or townhomes that have similar or even higher densities to what is being proposed. The proposed zoning amendment would allow for "attached" single-family homes, also known as "twin homes." The trend of development in this area is a mix of densities and dwelling types, with neighborhoods of exclusively larger lots bordering on or located near twin home and town home neighborhoods. The proposed rezone represents a continuation of that trend. (See Figure 2)

Issues of Concern/Proposed Mitigation:

The Development Review Committee (DRC) and associated reviewing agencies have reviewed the application and have not identified any issues with the rezone. Because this review is for a rezone, only conceptual layouts and elevations have been submitted. The applicant will need to apply for either a PUD in accordance with Chapter 19.18 or a Subdivision in accordance with Title 18 to develop the property. The DRC will conduct technical reviews of those future applications.

STAFF RECOMMENDATION

Staff finds that:

1. The proposed (zoning) amendment is compatible with the Adopted General Plan.
2. The proposed (zoning) amendment has no discernable negative impact on the public health, safety and welfare.
3. The proposed (zoning) amendment does not create any nonconformities.
4. The proposed rezone represents a continuation of a development pattern in this area that includes a mix of densities and dwelling types, with neighborhoods of exclusively larger lots bordering on or located near twin home and town home neighborhoods.

Given the above findings, staff recommends the following action:

The MSD Planning Staff recommend that the Magna Planning Commission recommend that the Council approve the rezone of the subject parcel to Multi-Family Residential Zone (RM) with the following zoning condition (zc):

1. The allowed density shall not exceed 4 units on the subject 1/2 acre parcel.

Attachment 1 - Location Map



**Attachment 2 - Conceptual Site Plan and Elevations
(for illustration purposes only).**

Illustrated Site Plan



Elevations



Project Perspective 1



Project Perspective 2



Project in Neighborhood Context 1



Project in Neighborhood Context 2

