



7505 S Holden Street
Midvale, UT 84047
801-567-7200
Midvale.Utah.gov

MIDVALE CITY COUNCIL REGULAR MEETING AGENDA SEPTEMBER 17, 2024

Public Notice Is Hereby Given that the **Midvale City Council** will hold a regular meeting on **September 17, 2024** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

Electronic & In-Person City Council Meeting

This meeting will be held electronically and in-person. **Public comments may be submitted electronically to the City Council at Midvale.Utah.gov/PublicComment by 5:00 p.m. on September 16, 2024.**

The meeting will be broadcast on **You Tube (Midvale.Utah.gov/YouTube)**

6:00 p.m. — WORKSHOP

- Staff Recognition

7:00 p.m. - REGULAR MEETING

I. GENERAL BUSINESS

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Unified Police Department Report [*Chief Randy Thomas*]

II. PUBLIC COMMENTS

Any person wishing to comment on any item not otherwise scheduled for a public hearing 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 issues not scheduled for public hearing. 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.

III. MAYOR REPORT

- A. Mayor Marcus Stevenson

IV. COUNCIL REPORTS

- A. Council Member Bonnie Billings
- B. Council Member Paul Glover
- C. Council Member Heidi Robinson

- D. Council Member Bryant Brown
- E. Council Member Dustin Gettel

V. CITY MANAGER REPORT

- A. Matt Dahl

VI. PUBLIC HEARINGS

- A. Consider a Rezone request to change the zoning from Single Family Residential-1 (SF-1) and State Street Commercial (SSC) to Multifamily Residential-Medium to High Density (RM-25) for lots located at 58 W 7500 S and 7444 S State St. Information regarding the proposed regulations, prohibitions, and permitted uses that the property will be subject to if the rezone is adopted can be found in Midvale City Code 17-7-4. — ***[Elizabeth Arnold, Senior Planner]***

ACTION: Consider Ordinance No. 2024-O-22 Authorizing a Zone Map Amendment for Approximately 1.66 Acres Located at 58 W 7500 S and 7444 S State St (Parcel Numbers: 22-30-301-012, 21-25-427-047, 21-25-427-009, 21-25-427-036) from Single Family Residential-1 and State Street Commercial to Multifamily Residential-Medium to High Density.

- B. Consider Amending Section 17-7-9.12.1 (Riverwalk Zone) of the Midvale Municipal Code which clarifies the relationship of the Riverwalk Zone to other applicable zones in the geographic area and deletes several uses from the list of authorized uses in the zone — ***[Wendelin Knobloch, Planning Director]***

ACTION: Consider Ordinance No. 2024-O-23 Amending Section 17-7-9.12.1 (Riverwalk Zone) of the Midvale Municipal Code which clarifies the relationship of the Riverwalk Zone to other applicable zones in the geographic area and deletes several uses from the list of authorized uses in the zone.

- C. Consider Rezoning Approximately 6.7 Acres of properties located at 7490 S Holden Street, 7505 S Holden St., 7576 S Holden St., 7594 S Holden St., 7608 S Holden St., 7620 S Holden St., 7652 S Holden St., 7660 S Holden St., and 7676 S Holden St from the Clean Industrial (CI) Zone to the Main Street Form Based Code (MS-FBC) Zone. Information regarding the proposed regulations, prohibitions, and permitted uses that the property will be subject to if the rezone is adopted can be found in Midvale City Code 17-7-11 — ***[Jonathan Anderson, Planner II]***

ACTION: Consider Ordinance No. 2024-O-24 Rezoning approximately 6.7 acres of properties located at 7490 S Holden St, 7505 S Holden St, 7576 S Holden St, 7594 S Holden St, 7608 S Holden St, 7620 S Holden St, 7652 S Holden St, 7660 S Holden St, 7676 S Holden St from Clean Industrial (CI) Zone to Main Street Form Based Code (MS-FBC) Zone.

- D. Consider a Midvale City initiated Text Amendment to amend Section 17-3-1 of the Administration and Enforcement chapter of the Midvale City Municipal Code. These

changes add a new criterion to the zone map amendment criteria and establish zoning code amendment criteria. — **[Elizabeth Arnold, Senior Planner]**

ACTION: Approve Ordinance No. 2024-O-25 Approving a Text Amendment to amend Section 17-3-1 of the Administrative and Enforcement chapter of the Midvale City Municipal Code. These changes add a new criterion to the zone map amendment criteria and establish zoning code amendment criteria.

VII. CONSENT

A. Consider Minutes of September 3, 2024 — **[Rori Andreason, H.R. Director/City Recorder]**

VIII. ACTION ITEMS

A. Consideration of **Resolution No. 2024-R-43** Ratifying the Selection of April Morse as the Unified Police Department's Midvale Precinct Chief — **[Matt Dahl, City Manager]**

IX. DISCUSSION ITEM

A. Jordan Bluffs Development Discussion — **[Adam Olsen, Community Development Director]**

X. POSSIBLE CLOSED SESSION

The City Council may, by motion, enter into a Closed Session for:

- A. Discussion of the Character, Professional Competence or Physical or Mental Health of an Individual;
- B. Strategy sessions to discuss pending or reasonably imminent litigation;
- C. Strategy sessions to discuss the purchase, exchange, or lease of real property;
- D. Discussion regarding deployment of security personnel, devices, or systems; and
- E. Investigative proceedings regarding allegations of criminal misconduct.

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

The agenda was posted in the City Hall Lobby, on the City's website at Midvale.Utah.gov and the State Public Notice Website at 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.

Date Posted: September 12, 2024

**Rori L. Andreason, MMC
H.R. Director/City Recorder**



7505 S Holden Street
Midvale, UT 84047
801-567-7200
www.MidvaleCity.org

MIDVALE CITY COUNCIL STAFF REPORT 8/14/2024

SUBJECT

Consider a Rezone request to change the zoning from Single Family Residential-1 (SF-1) and State Street Commercial (SSC) to Multifamily Residential-Medium to High Density (RM-25) for lots located at 58 W 7500 S and 7444 S State St. Information regarding the proposed regulations, prohibitions, and permitted uses that the property will be subject to if the rezone is adopted can be found in [Midvale City Code 17-7-4](#).

SUBMITTED BY

Elizabeth Arnold, Senior Planner

BACKGROUND AND ANALYSIS

The project proposal comprises 4 parcels totaling 1.66 acres. The applicant has outlined the reason for their proposal; this has been included in the attachments.

Midvale City Code 17-3-1(E.) outlines the criteria necessary for granting a rezone as follows:

17-3-1 Criteria/Required Findings. ...rezoning of land is to be discouraged and allowed only under the limited circumstances herein described. Therefore, the planning commission may recommend, and the city council may grant, a rezoning application only if it determines, in written findings, that the proposed rezoning is consistent with the policies and goals of the general plan and that the applicant has demonstrated that the:

- 1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan;*
- 2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or*
- 3. Land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.*

The proposed rezone request satisfies #1 and #3 listed above – it aligns with the general plan and encourages redevelopment of parcels that currently host a dilapidated massage parlor, overgrown weeds, a rundown home, and miscellaneous cars and trash.

The Midvale City General Plan identifies nine Opportunity Areas. Opportunity Areas are where changes in the types and/or intensities of current land uses are anticipated. In these areas, denser residential uses, mixed residential and commercial uses and larger, taller buildings are anticipated to take advantage of the transportation infrastructure and to generate more tax revenue for the City.

The 2016 Midvale City General Plan identifies the subject property as being in the Middle State Street Opportunity Area and lists eight goals for the area. The proposed rezone is consistent with Goal #1:

- 1. Support development of higher-value commercial and business uses through the development of mixed-use and higher density residential uses*

Public notice has been sent to property owners within 500 feet of the subject area. A petition against the rezone was submitted. Three written emailed objections were received for the Planning Commission meeting held on August 14, 2024. Additionally, a petition submitted at the meeting and an exhibit detailing an easement that exists on the west property line have been included in the attachments. Other members of the public attended this Planning Commission meeting to express their concerns. The video recording of this meeting can be found [here](#).

STAFF RECOMMENDATION

Staff recommends the City Council approve the Rezone with the following findings:

1. The request complies with the rezone procedure outlined in Midvale City Code 17-3-1(E).

Planning Commission Recommendation

Denial (4-1).

RECOMMENDED MOTION

“I move that we approve Ordinance No. 2024-O-22 authorizing the Rezone request for lots located at 58 W 7500 S and 7444 S State St from Single Family Residential-1 (SF-1) and State Street Commercial (SSC) to Multifamily Residential-Medium to High Density (RM-25) zone consistent with the findings included in the staff report.”

ATTACHMENTS

1. Draft Ordinance
2. Reason for Request
3. City Council Petition
4. Emailed Public Comment #1 – Ron & Lynzi Hansen
5. Emailed Public Comment #2 – Becky Larsen
6. Emailed Public Comments #3 – Kelsi Galley
7. Petition Submitted at Planning Commission on August 14, 2024
8. Easement Submitted by Dan Peters

ORDINANCE NO. 2024-O-22

AN ORDINANCE AUTHORIZING A ZONE MAP AMENDMENT FOR APPROXIMATELY 1.66 ACRES LOCATED AT 58 W 7500 S AND 7444 S STATE ST (PARCEL NUMBERS: 22-30-301-012, 21-25-427-047, 21-25-427-009, 21-25-427-036) FROM SINGLE FAMILY RESIDENTIAL-1 AND STATE STREET COMMERCIAL TO MULTIFAMILY RESIDENTIAL-MEDIUM TO HIGH DENSITY.

WHEREAS, pursuant to Utah Code Annotated Sections 10-9a-501 through 10-9a-503, Midvale City (“the City”) has authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land; and

WHEREAS, a request has been made for a change of zoning on the property described in Exhibit A; and

WHEREAS, the Planning Commission held a public hearing on August 14, 2024 to review the request for rezone and, after considering all of the information received, made a recommendation to deny the rezone request thereon to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on September 17, 2024 and approved the rezone request; and

WHEREAS, after taking into consideration citizen testimony, planning and demographic data, the desires of the owners of the property, and the Planning Commission’s recommendation as part of its deliberations, the City Council determined the following:

1. The project complies with the rezone procedure outlined in Midvale City Code 17-3-1(E).

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

Section 1. The zoning ordinance, which sets forth the zone districts within Midvale City which portion of the said zoning ordinance is established by a zoning map, is hereby amended as follows:

The properties described in Exhibit A attached hereto and by this reference made a part hereof, which properties are located at approximately 58 W 7500 S and 7444 S State St (Parcel Numbers: 22-30-301-012, 21-25-427-047, 21-25-427-009, 21-25-427-036), Midvale, Utah, and are currently zoned Single Family Residential-1 (SF-1) and State Street Commercial (SSC), shall be zoned Multifamily Residential-Medium to High Density (RM-25).

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

Single Family Residential-1 (SF-1) and State Street Commercial (SSC)

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

Multifamily Residential-Medium to High Density (RM-25).

Section 2. This ordinance shall take effect immediately.

PASSED AND APPROVED this ____ day of _____, 2024.

Marcus Stevenson, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Voting by City Council	“Aye”	“Nay”
Bonnie Billings	_____	_____
Paul Glover	_____	_____
Heidi Robinson	_____	_____
Bryant Brown	_____	_____
Dustin Gettel	_____	_____

Date of first publication: _____

Exhibit A:

Rezone Narrative | SIGNATURE HOMES

Project Objective:

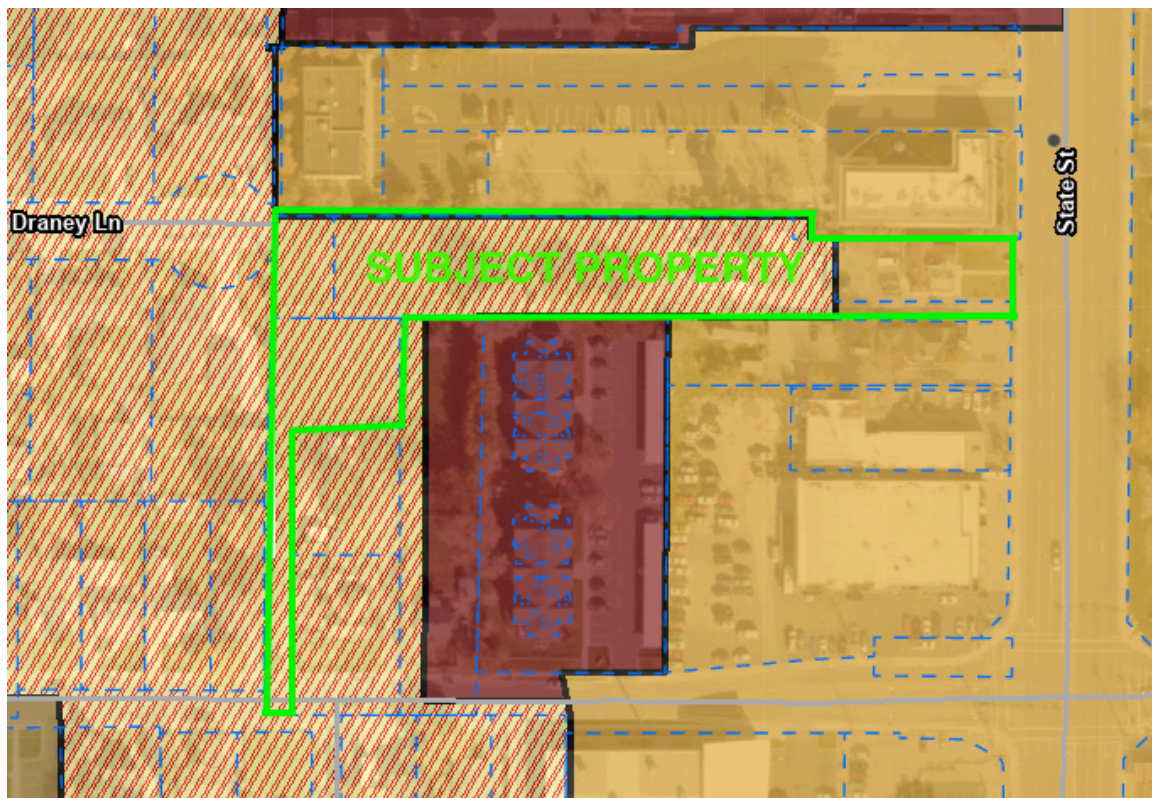
Rezone: SF-1 and SSC to RM-25

Parcel for Zone Map Amendment:

(22-30-301-012), (21-25-427-047), (21-25-427-009), (21-25-427-036)

Project Description:

Signature Homes aims to bring a medium density, multi family development to Midvale City. The underutilized property is made up of 4 parcels totaling 1.66 acres. The smallest and highest exposure of the 4 is a 0.20 acre that sits on State Street, making up only 12% of the total project's 1.66 acres. This 0.20 acre parcel is currently zoned SSC and hosts an unattractive and dilapidated massage parlor built in 1938. The remaining 1.46 acres is zoned SF-1 and hosts a collection of overgrown weeds, a run down home, misc cars and trash. The majority of the proposed site sits in between RM-25 and SSC. With SF-1 being a single family zone that limits lot sizes to a minimum of 7,000 SQFT, the property's current zoning directly contradicts the majority of surrounding properties and the medium - high density housing types found along State Street. With the proposed rezone Signature Homes would aim to bring 30 townhomes to the market intended to sell to individual homeowners. Signature homes views townhomes as an ideal product type to smoothly transition a higher activity corridor such as State Street with a single family zone.



- State Street Commercial Zone (SSC)
- Single Family Residential - Duplex Overlay Zone (SF1-DO)
- Multifamily Residential - Medium to High Density Zone (RM-25)

Rezone Narrative | SIGNATURE HOMES

Midvale Municipal Code section 17-3-1(E) states that in order for a project to qualify for a rezone, the applicant must demonstrate that the rezone is necessary for at least one of three reasons. The content of this narrative details reasons for a rezoning under reason one: *“Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide for a community need that was not anticipated at the time of adoption of the general plan;”* This project falls within the *“Mid State Street”* opportunity area identified on page 45 of the general plan. On page 46 the plan states that *“Projects in Opportunity Areas are anticipated to be at higher levels of density than current land uses and should be carefully planned and designated to integrate into the fabric of the area and minimize impacts on adjacent and nearby existing land uses.”* In addition to the land being located in an area intended to be redeveloped, the Midvale General Plan expresses concern with an over allocation of retail space along state street in turn diluting the value of existing retail spaces. The approval of this rezone request would eliminate some of the less desirable retail space while providing high quality, more affordable housing. Finally, the Housing Master Plan released in 2019 states that too many low income households *“live in homes that are too small, in poor condition, or have rental rates that leave tenants cost burdened.”* As a for sale product, this project would promote home ownership and a positive population trajectory.

Midvale City:

The Midvale City Housing Plan, created in 2019, provides extensive background on the state of areas within the city, which like Salt Lake and other surrounding areas, has seen dramatic growth over the last 30 years. Overall, the city has grown 295% between 1990 and 2024, from 11,900 to 35,200. As of late, Midvale has seen a slight decline in population at a steady rate of approximately 1% annually.

There is a need for Quality affordable housing in Midvale. Much of the available housing stock are homes that have deferred maintenance and many are at a point where rehabilitation would not be financially viable. This seems to be a larger contributing factor to the recent years population decline. According to Midvale Housing initiatives, *“Midvale seeks to improve the appeal of housing in Midvale City by strengthening existing neighborhoods, providing opportunities for new development, promoting a broad range of housing choices for all income levels, and addressing housing market imbalances through comprehensive policies and programs.”*

Midvale City's Housing Master Plan is a strategic framework designed to address the housing needs of the community, ensuring a diverse and affordable housing supply that supports a vibrant and sustainable city. The plan focuses on several key areas.

- Increase the availability of affordable housing options for low- and moderate-income households.
- Utilize incentives and partnerships with developers to encourage the development of affordable housing units.
- Promote a mix of housing types, including single-family homes, townhouses, apartments, and accessory dwelling units.
- Ensure housing options are available for different demographics, including families, seniors, and young professionals.
- Enhance the quality and safety of existing housing through renovation programs and code enforcement.
- Invest in the revitalization of older neighborhoods to improve living conditions and attract new residents.
- Promote mixed-use development to create vibrant, walkable communities.

The vision of Midvale City's Housing Master Plan is to create an inclusive, livable community where everyone has access to safe, affordable, and quality housing. The primary goals include:

- Expanding the supply of affordable and diverse housing options.
- Enhancing the quality and safety of the housing stock.
- Revitalizing neighborhoods to create vibrant, mixed-use communities.
- Addressing homelessness and housing needs for vulnerable populations.

By focusing on these areas, Midvale City aims to ensure that all residents have access to housing that meets their needs, supports economic stability, and contributes to the overall quality of life in the community.

Aligning the Product

Midvale is a City where 94.6% of single-family homes are valued between \$100,000 and \$300,000. While this price range offers affordability, there is a growing need for higher-end single-family homes that remain affordable.

Townhomes emerge as the ideal solution to this need. They offer quality interior and exterior finishes, neighborhood amenities, and a sense of community that often surpasses what is available in traditional single-family detached homes. Additionally, townhomes are available at more competitive prices, making them an attractive option for those seeking a balance between quality and affordability.

In summary, townhome ownership in Midvale presents a promising opportunity for residents to enjoy high-quality living spaces and community features without the higher price tag typically associated with single-family detached homes.

Fulfilling the Purpose of the Zoning Ordinance:

The zoning ordinance serves to guide development in accordance with the city's vision and goals. The proposed map amendment to RM-25 for project 7444 S State aligns with the purpose statements of the zoning ordinance by Encouraging innovation in residential development and redevelopment that meets the growing demand for housing. By replacing a massage parlor and a single-family home with a townhome subdivision, the proposed development optimizes land use efficiency, and addresses the need for high-quality low income housing, and housing diversity in Midvale. The amendment ensures compatibility with surrounding land uses while promoting density and enhancing neighborhood vibrancy.

Transportation and Mobility Initiatives:

Midvale is connected to the rest of the city and surrounding areas through a variety of reliable transportation options that offer residents different ways of getting around. These include bus routes, TRAX, Front Runner, and the S-Line. Midvale City's transportation and mobility map shows a comprehensive approach to creating a more accessible, sustainable, and interconnected community.

Sites in close proximity to project site include:

Rezone Narrative | SIGNATURE HOMES

- Midvale Fort Union Station - 0.9 mi
- Murray Central Front Runner Station - 3.7 mi
- Bus Stops - All along State Street

Surrounding Zoning:

RM-12 (Multifamily Residential - Medium Density Zone), RM-25 (Multifamily Residential - Medium to High Density Zone), TOD (Transit-Oriented Development Zone), SF1-DO (Single Family Residential - Duplex Overlay Zone), SF-1-DO (Single Family Residential Zone, Duplex Overlay), SF-2 (Single Family Residential Zone), and SSC (State Street Commercial Zone)

RM-25, SF-1- DO, and SSC all border the project site property lines. A rezone to RM-25 will keep continuity and bring this property into compliance with the General Plan.

Closing Remarks:

Though Midvale is seeing recent population decline, Signature Homes sees opportunity to support the continual and successful efforts of the city in revitalizing housing. When residents reach a state in their lives of higher economic standing, they commonly move out of Midvale and the lack of quality, more affordable housing seems to be the driving factor. Signature Homes would be grateful to be granted the rezone request and intends to bring high quality, modern designed townhome units to Midvale with the aim to promote home affordability and create a sense of belonging in a community that is clearly on the rise.

Works Cited:

https://www.midvale.utah.gov/government/departments/community_development/planning_and_zoning/housing_plan_2019.php

<https://cms1files.revize.com/midvale/Document%20Center/Government/Departments/Community%20Development/Planning%20&%20Zoning/Housing%20Plan%202019/Midvale%20Housing%20Plan%20Adopt.pdf>

<https://cms1files.revize.com/midvale/Document%20Center/Government/Departments/Community%20Development/Planning%20&%20Zoning/2016%20Midvale%20General%20Plan%20.pdf>

<https://midvale.municipal.codes/Code/17-1-1>

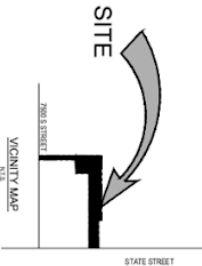
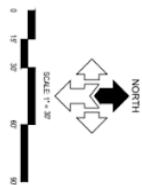
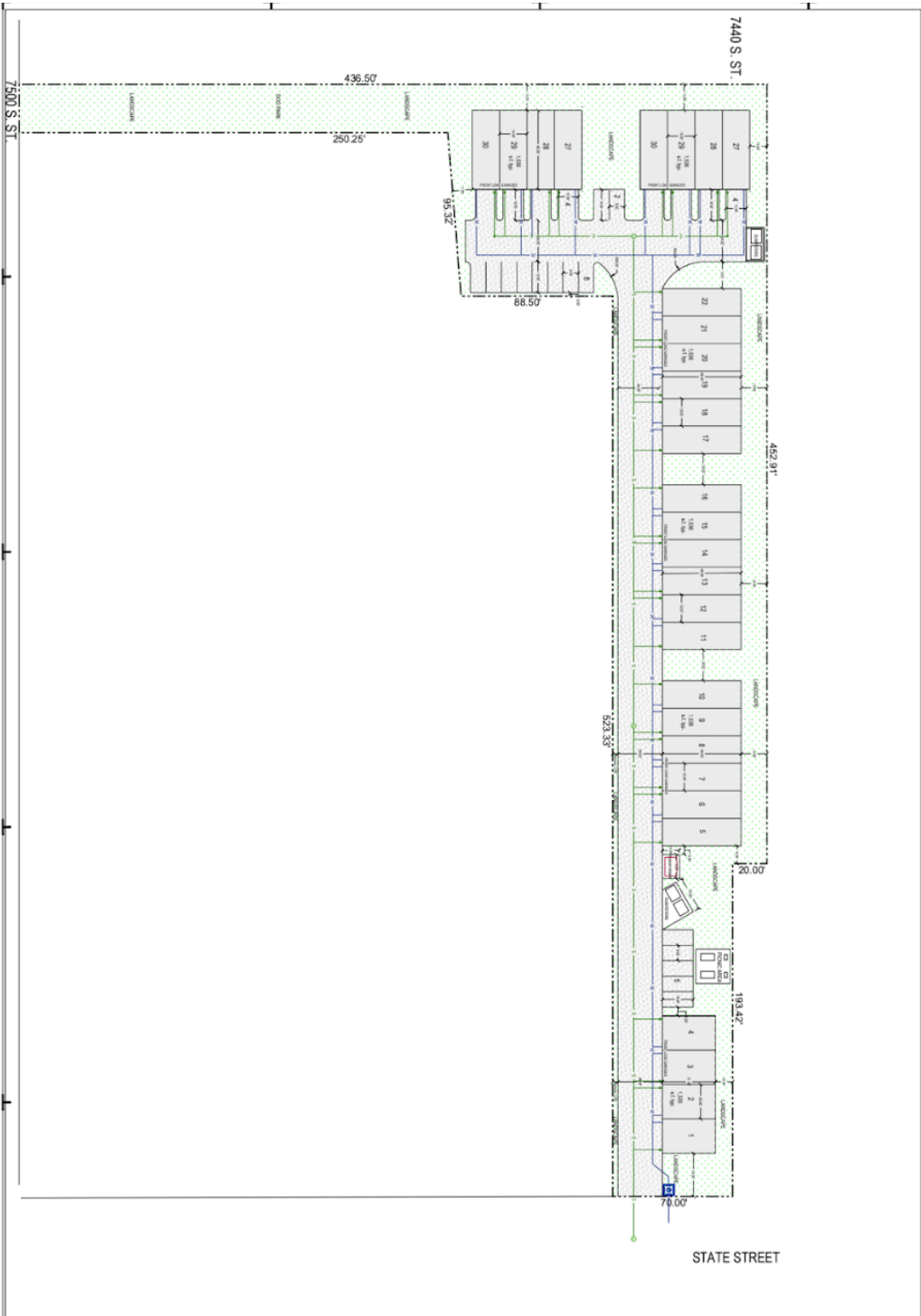
<https://worldpopulationreview.com/us-cities/midvale-ut-population>

<https://www.rideuta.com/-/media/Files/Rider-Tools/System-Maps/SLCountySystemMapJune2024.pdf>

https://slco.org/assessor/new/javaapi2/parcelviewext.cfm?parcel_ID=&query=Y

<https://midvale.municipal.codes/Code/17-3-1>

SIGNATURE TOWNHOMES-MIDVALE
CONCEPT PLAN
7444 S STATE



DATA TABLE

DESCRIPTION	AREA	%
LANDSCAPE	21,301.00 SF	30%
LANDSCAPE	2,217.00 SF	4%
LANDSCAPE	2,217.00 SF	3%
TOTAL	25,735.00 SF	37%

ITEM	QUANTITY
TOTAL UNITS	30
TOTAL PARKING	175
TOTAL STALLS	175

MCNEIL ENGINEERING

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 303.733.1111
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DEVELOPER & OWNER
 SIGNATURE HOMES
 811.455.4114
 info@signaturehomes.com

Civil Engineering - Consulting & Landscape Architecture
Structural Engineering - Land Surveying & GIS

Parcel: (22-30-301-012)

BEG S 316 FT & E 135.1 FT M OR L & S 89;59'26" W 3.59 FT FR E 1/4 COR SEC 25, T2S, R1W, SLM; N 00;50'34" E 56.08 FT; W 158.43 FT M OR L; S 56 FT; E 158.41 FT M OR L TO BEG. 0.20 AC M OR L.
5535-2528 7805-0638 9322-2465 9422-7202 9425-44939533-1864 9533-1866 09869-8833

Parcel: (21-25-427-047)

BEG S 316 FT & E 135.1 FT M OR L & S 89;59'26" W 3.59 FT FR E 1/4 COR SEC 25, T2S, R1W, SLM; N 00;50'34" E 56.08 FT; W 158.43 FT M OR L; S 56 FT; E 158.41 FT M OR L TO BEG. 0.20 AC M OR L.
5535-2528 7805-0638 9322-2465 9422-7202 9425-44939533-1864 9533-1866 09869-8833

Parcel: (21-25-427-009)

COM 240 FT S & 29 RDS W FR E 1/4 COR SEC 25 T 2S R 1W SL MERS 90 FT W 42.9 FT M OR L N 90 FT E 42.9 FT M OR L TO BEG 0.09 AC 9395-912 09395-0914

Parcel: (21-25-427-036)

BEG N 1996.5 FT & W 504.95 FT FR SE COR SEC 25, T 2S, R 1W, S L M; W 28 FT; N 346.5 FT; E 123 FT; S 88.51 FT; S 85^21' 58" W 95.31 FT; S 250.29 FT TO BEG. 0.42 AC M OR L 8134-24988337-2951 8404-8243 8493-2494,2496 08989-5140

Parcel: (21-25-427-047)

BEG S 316 FT & E 135.1 FT M OR L & S 89;59'26" W 3.59 FT FR E 1/4 COR SEC 25, T2S, R1W, SLM; N 00;50'34" E 56.08 FT; W 158.43 FT M OR L; S 56 FT; E 158.41 FT M OR L TO BEG. 0.20 AC M OR L.
5535-2528 7805-0638 9322-2465 9422-7202 9425-44939533-1864 9533-1866 09869-8833

From: [Midvale Planning Mailbox](#)
To: [Elizabeth Arnold](#)
Subject: FW: Voicing my opinion on the new development
Date: Monday, August 12, 2024 10:16:01 AM

From: Lynzi H <lhansen82@gmail.com>
Sent: Monday, August 12, 2024 10:11 AM
To: Midvale Planning Mailbox <Planning@midvale.com>
Subject: Voicing my opinion on the new development

To whom it may concern,

I am a home owner at 7468 South Maple Street. My husband and I are writing this email to voice our disapproval for the rezoning and big development being considered just east of us.

We strongly disagree with the building of these units. Their height will be an eyesore as many similar units have been, and will obstruct the beautiful Utah mountain views. The area is already over populated and adding more units to the area will have a negative impact.

As a citizen and homeowner in Midvale we are a little frustrated because we have showed up and spoken out on similar developments in Midvale only to feel like the wishes of homeowners and citizens get pushed aside for corporate developers. It is disheartening, and makes me wish the decision makers (city council and planners) of these projects would remember who they are actually supposed to be serving and representing.

Thank you for your consideration,
Ron and Lynzi Hansen

From: [Midvale Planning Mailbox](#)
To: [Elizabeth Arnold](#)
Subject: FW: Rezone
Date: Tuesday, August 13, 2024 12:29:52 PM

From: BECKY LARSEN <ldy56brnis@gmail.com>
Sent: Tuesday, August 13, 2024 12:15 PM
To: Midvale Planning Mailbox <Planning@midvale.com>
Subject: Rezone

To whom it may concern,

I am voicing my opposition to the rezone at 7444 and 58 w 7500 south. I am tired of developers coming in and taking all the single family homes and putting up apartment, condos, or commercial buildings. Leave things the way they are.

Sincerely,
Becky Larsen

From: [Midvale Planning Mailbox](#)
To: [Elizabeth Arnold](#)
Subject: FW: Opposed to rezone
Date: Tuesday, August 13, 2024 4:42:17 PM

From: Kelsi Goodwin <kelsigoodwin1983@gmail.com>
Sent: Tuesday, August 13, 2024 4:40 PM
To: Midvale Planning Mailbox <Planning@midvale.com>
Subject: Opposed to rezone

I oppose the rezone on property at 7444 so st.and 58 w 7500 so. Behind the massage parlor(prostitution/trafficking center) on state A sweet family has rented there forever and would hate to see them displaced. Also, the area is known for prostitution and the most recent murder of a sex worker. I don't believe adding high density housing would help this situation anyway. I am a renter in the neighborhood. A lot of us are being forced from homes to make room for apartments. It would ruin the neighborhood with extra traffic and possible undesirables.

Kelsi Galley
3857221222

Petition

Against the Proposed Changes to be made to Midvale City Zoning

John Semnani requests Rezone approval for lots located at 58 West 7500 South and 7444 South State Street from Single Family Residential-1 (SF01) and State Street Commercial (SSC) to Multifamily Residential-Medium to High Density (RM-25) Zone.

Name	Address	Phone	Signature
Merridy Bagley	150 W 7500 S #33	801-631-8009	Merridy Bagley
Marlene Drake	150 W 7500 S #32	801-568-2479	Marlene Drake
Gail Snow	150 W 7500 S #54	801-949-5937	Gail Snow
Robert Snow	150 W 7500 S #54	801-949-5937	Robert W. Snow
Frida Siller	150 W 7500 S #34	801-919-4386	Frida E. Siller
Faye Gilbert	150 W 7500 S #31	801-573-4566	Faye Gilbert
Ken Gilbert	150 W 7500 S #31	801-833-3733	Ken Gilbert
Carla Dorton	150 W 7500 S #35	801-865-4863	Carla Dorton
Kevin Lowry	150 W 7500 S #3	801-618-9201	Kevin Lowry
William Lowry	150 W 7500 S #3	801-618-9202	William Lowry
Nancy Hutton	150 W 7500 S #36	801-205-6488	Nancy Hutton
Joan F. Eweg	150 W 7500 S #5	918-759-1135	Joan F. Eweg
Karen Caron	150 W 7500 S #53	801-910-9260	Karen Caron
David Caron	150 W 7500 S #53	801-465-9426	David Caron
SHIRLENE STOVEN	150 W 7500 S #30	801-566-5785	Shirlene Stoven
Joyce Morgan	150 W 7500 S	801-505-3025	Joyce Morgan
David Morgan	150 W 7500 S #3	801-505-3027	David Morgan
Sarah Lewis	150 W 7500 S #10	801-635-6253	Sarah Lewis
Sally Smith	150 W 7500 S #10	501-483-0002	Sally Smith
WONNIE CHERPESKI	150 W 7500 S #51		Wonnie Cherpeski
James Cherpeski	150 W 7500 S #51		James Cherpeski

Information regarding the proposed regulations, prohibitions, and permitted uses that the property will be subject to if the rezone is adopted can be found in Midvale City Code 17-7-4. Contact Elizabeth Arnold, Senior Planner for Midvale City, for further information.

Any owners of real property affected by the proposed map amendment may file a written objection to the inclusion of the owner's property in the proposed map amendment with the Community Development Department no later than 10 days after the day of the public hearing. Each written objection filed will be provided to the City Council.

Petition

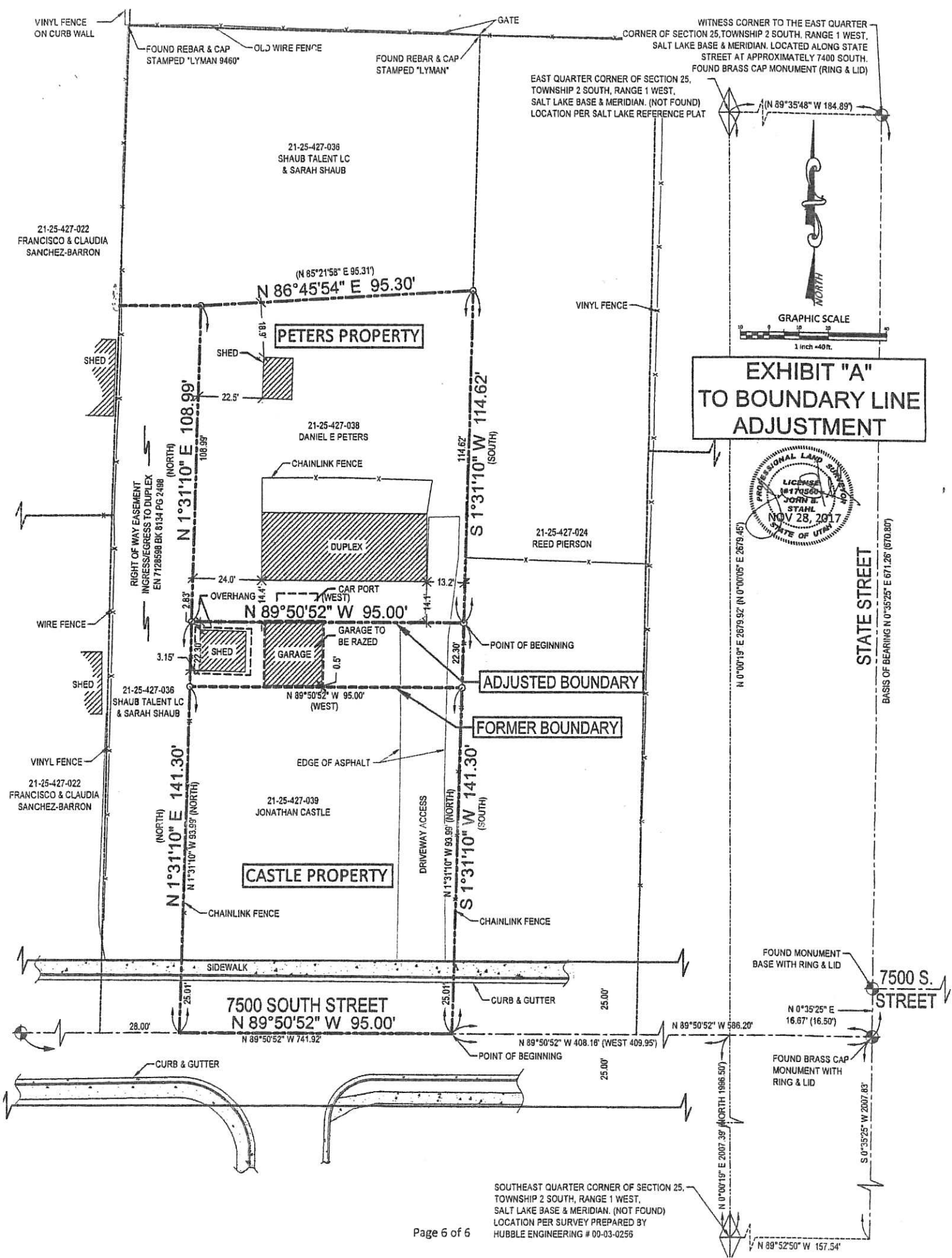
Against the Proposed Changes to be made to Midvale City Zoning

John Semnani requests Rezone approval for lots located at 58 West 7500 South and 7444 South State Street from Single Family Residential-1 (SF01) and State Street Commercial (SSC) to Multifamily Residential-Medium to High Density (RM-25) Zone.

Name	Address	Phone	Signature
Lisa Reiman	12 W 7500 S	801 455 0331	Lisa Reiman
Gary Reimann	"	801 566 4997	Gary Reimann
Byrd Ennis	67 W 7500 S	801 261 9110	Byrd Ennis
Ashley Castle	52 W 7500 S	801 688-1546	Ashley Castle
Jon Castle	52 W 7500 S	401 574-1109	Jon Castle
Sarah Castle	52 W 7500 S	801 604-7305	Sarah Castle
Natasha Castle	52 W 7500 S	385-695-6949	Natasha Castle
Iris Tan Glavy	47 W 7500 S	801-709-5967	Iris Tan Glavy
Jess Bissell	47 W 7500 S	586-8919	Jess Bissell
Josh Lawrence	7522 S Birch St	951-741-0723	Josh Lawrence
Zach Meisenbacher	7526 S Birch St	385-444872	Zach Meisenbacher
Berkley Meisenbacher	7526 S Birch St	801-889-5506	Berkley Meisenbacher
Nancy Barron	64 W 7500 S	(801) 574-6987	Nancy Barron
Francisco Barron	64 W 7500 S	801 574-4273	Francisco Barron
Claudia Barron	64 W 7500 S	801 680-0143	Claudia Barron
Marian Brodsky	7560 S. Grant	801 938-3162	Marian Brodsky
CRAIG BROOKSBY	7560 S. Grant	801-938-3162	Craig Brodsky
Danae Morris	7674 S. Grant St.	801-815-9668	Danae E. Morris
Yvonne Jensen Butler	70 W 7500 S	801 561 0567	Yvonne Jensen Butler
Douglas Grayson Butler	70 W 7500 S	801 561 0567	Douglas Grayson Butler
Bree Dickmann	7641 S maple st	435-710-3713	Bree Dickmann
Denek Dickmann	7641 S. maple st	801-810-4424	Denek Dickmann
Connie Steele	7657 Birch St.	801-255-0596	Connie Steele
RICHARD STEELE	7657 S. Birch St	801-255-0596	Richard Steele
Sarah Barfuss	7546 S. Parkway Dr	801-579-7041	Sarah Barfuss
Daniel Peters	52 W. 7500 S. #2E3	801 654-8318	Daniel Peters

Information regarding the proposed regulations, prohibitions, and permitted uses that the property will be subject to if the rezone is adopted can be found in Midvale City Code 17-7-4. Contact Elizabeth Arnold, Senior Planner for Midvale City, for further information.

Any owners of real property affected by the proposed map amendment may file a written objection to the inclusion of the owner's property in the proposed map amendment with the Community Development Department no later than 10 days after the day of the public hearing. Each written objection filed will be provided to the City Council.





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801-567-7200
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MIDVALE CITY COUNCIL STAFF REPORT 09/17/2024

SUBJECT

Consider Ordinance No. 2024-O-23 approving a text amendment for Section 17-7-9.12.1 (Riverwalk Zone) of the Midvale Municipal Code which clarifies the relationship of the Riverwalk Zone to other applicable zones in the geographic area and deletes several uses from the list of authorized uses in the zone.

SUBMITTED BY

Wendelin Knobloch, Planning Director

BACKGROUND AND ANALYSIS

This code text amendment was initiated by feedback from neighbors in the Bingham Junction area who are concerned about potential negative impacts of commercial areas on their residential environment. Geographically, the neighbors are especially concerned about the Riverwalk Zone, which is circumscribed by the Jordan River to the west, 7200 South to the south, 700 West to the west, and the Murray City boundary/6500 South to the north.

The code text amendment clarifies that the Riverwalk Zone controls in the event of a conflict between the Riverwalk Zone and the Bingham Junction Zone; it also deletes the following uses: Public Utilities: Major; Fireworks Stands; Outdoor Storage; Automobile Filling Station, Car Wash, and/or Repair; and Warehouse/Distribution.

Public notice has been sent to affected entities as required in 17-3-9.B of the Municipal Code. No public comments were made in writing, verbally, or during the public hearing before the Planning Commission.

-AMENDMENTS TO THE ZONING CODE OR MAP-

Midvale City Code 17-3-1 outlines the criteria necessary for amendments to the zoning code or map (Staff responses in **bold**):

17-3-1.E Amendments to the Zoning Code or Map.

1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan;

Response: The request is not for a rezone; rather, an amendment to the zoning code that satisfies community needs.

2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or,

Response: This criterion is not applicable.

3. Land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area;

Response: This criterion is not applicable.

STAFF RECOMMENDATION

Staff recommends the City Council approve the text amendment with the following findings:

1. The amendment complies with Midvale City Code 17-3-1(E)(1).
2. Elimination of the listed uses and clarifying the governing zone protects the residential environment within the Riverwalk Zone from undue impacts to health, safety, and general welfare.

Planning Commission Recommendation

The Planning Commission unanimously recommended approval.

RECOMMENDED MOTION

I move that we approve Ordinance No. 2024-O-23 to amend Section 17-7-9.12.1 (Riverwalk Zone) of the Midvale Municipal Code which clarifies the relationship of the Riverwalk Zone to other applicable zones in the geographic area and deletes several uses from the list of authorized uses in the zone., with the findings noted in the staff report.

ATTACHMENTS

1. Ordinance

ORDINANCE NO. 2024-O-23

AN ORDINANCE AMENDING SECTION 17-7-9.12.1 (RIVERWALK ZONE) OF THE MIDVALE CITY MUNICIPAL CODE WHICH CLARIFIES THE RELATIONSHIP OF THE RIVERWALK ZONE TO OTHER APPLICABLE ZONES IN THE GEOGRAPHIC AREA AND DELETES SEVERAL USES FROM THE LIST OF AUTHORIZED USES IN THE ZONE.

WHEREAS, pursuant to Utah Code Annotated Sections 10-8-84 and 10-9a-501 through 10-9a-503, Midvale City (“the City”) has authority to make and amend any regulation of or within zoning districts or any other provision of the land use ordinance 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 City Municipal Code (the “Code”), became effective and is subject to amendments from time to time pursuant to Section 17-3-1 of the Code; and

WHEREAS, pursuant to Section 16-04-010 of the Code, the City desires to promote the protection of public health, life and safety; protect the character and social and economic stability of all parts of the city; protect and preserve the value of land throughout the municipality; guide public and private policy and action; establish responsible standards; prevent pollution and degradation of air, streams, and ponds; preserve the natural beauty and topography; and provide for open spaces through the most effective design and layout of the land;

WHEREAS, pursuant to Section 17-1-1 of the Code, the City desires to promote coordinated development, redevelopment, effective use of land, and site planning; protect and promote public safety, health, and general welfare by providing adequate light and air, water and sewage control, police, fire and wetlands protection; and secure economy in governmental expenditures; and

WHEREAS, the City desires to amend Section 17-7-9.12.1 (Riverwalk Zone) of the Midvale City Municipal Code which clarifies the relationship of the Riverwalk Zone to other applicable zones in the geographic area and deletes several uses from the list of authorized uses in the zone; and

WHEREAS, the Planning Commission held a public hearing on August 28, 2024, to review the request for amendments and, after considering all the information received, made a recommendation to approve the amendment request to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on September 17, 2024, and

WHEREAS, after taking into consideration citizen testimony, planning analysis, and the Planning Commission’s recommendation as part of its deliberations, the City Council finds it is appropriate and within the best interest of the City to make changes to the Code.

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

Section 1. The following sections of the Midvale City Municipal Code are hereby amended as included in the following attachments to this document:

- Attachment A: Amendment to Section 17-7-9.12.1 (Riverwalk Zone); and

Section 2. This ordinance shall take effect upon the date of first publication.

PASSED AND APPROVED this 17th day of September, 2024.

Marcus Stevenson, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Voting by City Council	“Aye”	“Nay”
Bonnie Billings	_____	_____
Paul Glover	_____	_____
Heidi Robinson	_____	_____
Bryant Brown	_____	_____
Dustin Gettel	_____	_____

Date of first publication: _____

Attachment A:

17-7-9.12.1.3 Use.

Uses are categorized by subarea and land use designation as defined in the large scale master plan for Bingham Junction. If a use is not specifically designated, it is prohibited. Uses designated with an asterisk (*) have additional use-specific standards included in subsection (A) of this section.

Subarea 1—Residential				
Use Type	Allowed	Administrative	Conditional	Business License
Accessory Structure—unoccupied	•			
Assisted Living:				
≤ 1/2 acre		•		•
> 1/2 acre			•	•
Child Care:				
Center: ≤ 6 children		•		•
Facility: 7 to 12 children			•	•
Disabled Care Facility			•	•
Dwellings:				
Single Family, Detached	•			
Single Family, Attached	•			
Multifamily 1/2—1 ac.		•		
Multifamily > 1 ac.			•	
External Accessory Dwelling Unit*	•			

Subarea 1—Residential				
Use Type	Allowed	Administrative	Conditional	Business License
Fences, 7' or less	•			
Home Occupation	•			
Internal Accessory Dwelling Unit*	•			
Master Planned Development			•	
Municipal Facilities:				
Parks	•			
Public Safety Facility			•	
Library			•	
Postal Facility			•	
Public Utilities:				
Major			•	
Minor	•			
Recreation Facilities	•			
Trails	•			
Quasi-Public Facility			•	•
Recreation Facility:				
Private	•			
Religious/Educational Institution:				
Permanent	•			
Temporary		•		

Subarea 1—Residential				
Use Type	Allowed	Administrative	Conditional	Business License
Telecommunications Facility < 35' in height		•		

Subarea 1—Retail/Office/Flex				
Use Type	Allowed	Administrative	Conditional	Business License
Alcoholic Beverage:				
Package Agency			•	•
Private Club/ Tavern	•			•
Restaurant, Beer Retailer, etc.	•			•
State Liquor Store	•			•
Athletic, Tennis, Health Club	•			•
Animal Hospital			•	•
Assembly:				
Electronic Instruments		•		
Computer		•		
Assisted Living:				
≤ 1/2 acre		•		•
> 1/2 acre			•	•
Bed and Breakfast			•	•
Cafe, Deli	•			•

Subarea 1—Retail/Office/Flex				
Use Type	Allowed	Administrative	Conditional	Business License
Carwash, Tunnel			•	•
Child Care:				
Center: ≤ 6 children	•			•
Facility: ≥ 7 children		•		•
Disabled Care Facility			•	•
Entertainment Center			•	
Fences:				
7' or less	•			
7' or more		•		
Financial Institution:				
W/o drive-up window	•			•
W/drive-up window		•		•
Itinerant Merchant:				
Seasonal Food Stands	•			•
Christmas Tree Sales	•			•
Fireworks Stands	•			•

Subarea 1—Retail/Office/Flex				
Use Type	Allowed	Administrative	Conditional	Business License
Seasonal Produce Stands	•			•
Seasonal Flower Stands	•			•
Manufacturing			•	•
Medical Cannabis Pharmacy*	•			•
Mixed-Use—horizontal, vertical	•			•
Mortuary/Funeral Home	•			•
Municipal Facilities:				
Parks	•			
Public Safety Facility		•		
Library	•			
Postal Facility			•	
Public Utilities				
Major			•	
Minor	•			
Recreation Facilities	•			
Trails	•			

Subarea 1—Retail/Office/Flex				
Use Type	Allowed	Administrative	Conditional	Business License
Nursery, Commercial	•			•
Office:				
General	•			•
Intensive			•	•
Outdoor Dining		•		
Outdoor Storage		•		
Parking Lot:				
Commercial			•	•
Private	•			
Quasi-Public Facility			•	•
Recreation Facility:				
Commercial			•	•
Private	•			
Religious/ Educational Institution:				
Permanent	•			
Temporary			•	
Restaurant:				
W/o drive-up window	•			•
W/drive-up window		•		•

Subarea 1—Retail/Office/Flex				
Use Type	Allowed	Administrative	Conditional	Business License
Retail and Service Commercial:				
W/drive-up window		•		•
W/o drive-up window	•			•
24-hour use	•			•
Shopping Center			•	•
Telecommunications Facility		•		
Warehouse/ Distribution			•	•

Subarea 2—Retail/Office/Flex				
Use Type	Allowed	Administrative	Conditional	Business License
Alcoholic Beverage:				
Package Agency			•	•
Private Club/ Tavern	•			•
Restaurant, Beer Retailer, etc.	•			•
State Liquor Store	•			•
Athletic, Tennis, Health Club	•			•
Animal Hospital	•			•

Subarea 2—Retail/Office/Flex				
Use Type	Allowed	Administrative	Conditional	Business License
Assembly:				
Electronic Instruments		•		•
Computer		•		•
Assisted Living:				
≤ 1/2 acre		•		•
> 1/2 acre			•	•
Automobile Filling Station, Car Wash, and/or Repair		•		•
Cafe, Deli	•			•
Child Care:				
Center: ≤ 6 children	•			•
Facility: ≥ 7 children		•		•
Disabled Care Facility			•	•
Entertainment Center			•	•
Fences:				
7' or less	•			
7' or more		•		
Financial Institution:				

Subarea 2—Retail/Office/Flex				
Use Type	Allowed	Administrative	Conditional	Business License
W/o drive-up window	•			•
W/drive-up window		•		•
Hotel/Motel			•	•
Hospital, Medical Center			•	•
Itinerant Merchant:				
Seasonal Food Stands	•			•
Christmas Tree Sales	•			•
Fireworks Stands	•			•
Seasonal Produce Stands	•			•
Seasonal Flower Stands	•			•
Medical Cannabis Pharmacy*	•			•
Mixed-Use—horizontal, vertical	•			•
Mortuary/Funeral Home	•			•
Municipal Facilities:				
Parks	•			

Subarea 2—Retail/Office/Flex				
Use Type	Allowed	Administrative	Conditional	Business License
Public Safety Facility		•		
Library	•			
Postal Facility			•	
Public Utilities				
Major			•	
Minor	•			
Recreation Facilities	•			
Trails	•			
Office:				
General	•			•
Intensive			•	•
Outdoor Dining		•		
Outdoor Storage		•		
Parking Lot:				
Commercial			•	•
Private	•			
Quasi-Public Facility			•	•
Recreation Facility:				
Commercial			•	•
Private	•			

Subarea 2—Retail/Office/Flex				
Use Type	Allowed	Administrative	Conditional	Business License
Religious/ Educational Institution:				
Permanent	•			
Temporary			•	
Restaurant:				
W/o drive-up window	•			•
W/drive-up window		•		•
Retail and Service Commercial: Large*				
W/drive-up window		•		•
W/o drive-up window	•			•
24-hour use	•			•
Retail and Service Commercial: Medium**				
W/drive-up window		•		•
W/o drive-up window	•			•
24-hour use	•			•

Subarea 2—Retail/Office/Flex				
Use Type	Allowed	Administrative	Conditional	Business License
Retail and Service Commercial: Small***				
W/drive-up window	•	•		•
W/o drive-up window	•			•
24-hour use				•
Shopping Center			•	•
Telecommunications Facility		•		
Warehouse/ Distribution			•	•

Subarea 2—Mixed-Use				
Use Type	Allowed	Administrative	Conditional	Business License
Accessory Structure—unoccupied	•			
Alcoholic Beverage:				
Package Agency			•	•
Private Club/Tavern	•			•
Restaurant, Beer Retailer, etc.	•			•
State Liquor Store	•			•
Animal Hospital	•			•

Subarea 2—Mixed-Use				
Use Type	Allowed	Administrative	Conditional	Business License
Assembly:				
Electronic Instruments		•		•
Computer		•		•
Assisted Living:				
≤ 1/2 acre		•		•
> 1/2 acre			•	•
Athletic, Tennis, Health Club	•			•
Automobile Filling Station, Car Wash, and/or Repair		•		•
Cafe, Deli	•			•
Child Care:				
Center: ≤ 6 children	•			•
Facility: ≥ 7 children		•		•
Disabled Care Facility			•	•
Dwellings:				
Single Family Detached	•			
Single Family Attached	•			
Multifamily 1/2—1 ac.		•		

Subarea 2—Mixed-Use				
Use Type	Allowed	Administrative	Conditional	Business License
Multifamily > 1 ac.			•	
Entertainment Center			•	•
External Accessory Dwelling Unit*	•			
Fences:				
7' or less	•			
7' or more		•		
Financial Institution:				
W/o drive-up window	•			•
W/drive-up window		•		•
Home Occupation	•			•
Hospital, Medical Center			•	•
Hotel/Motel			•	•
Internal Accessory Dwelling Unit*	•			
Master Planned Development			•	
Medical Cannabis Pharmacy*	•			•
Mixed-Use—horizontal, vertical	•			•

Subarea 2—Mixed-Use				
Use Type	Allowed	Administrative	Conditional	Business License
Mortuary/Funeral Home	•			•
Municipal Facilities:				
Parks	•			
Public Safety Facility		•		
Library	•			
Postal Facility			•	
Public Utilities				
Major			•	
Minor	•			
Recreation Facilities	•			
Trails	•			
Office:				
General	•			•
Intensive			•	•
Outdoor Dining		•		
Outdoor Storage		•		
Parking Lot:				
Commercial			•	•
Private	•			
Quasi-Public Facility			•	•
Recreation Facility:				

Subarea 2—Mixed-Use				
Use Type	Allowed	Administrative	Conditional	Business License
Commercial			•	•
Private	•			
Religious/Educational Institution:				
Permanent	•			
Temporary			•	
Restaurant:				
W/o drive-up window	•			•
W/drive-up window		•		•
Retail and Service Commercial: Large*				
W/drive-up window		•		•
W/o drive-up window	•			•
24-hour use		•		•
Retail and Service Commercial: Medium**				
W/drive-up window		•		•
W/o drive-up window	•			•
24-hour use	•	•		•

Subarea 2—Mixed-Use				
Use Type	Allowed	Administrative	Conditional	Business License
Retail and Service Commercial: Small***				
W/drive-up window		•		•
W/o drive-up window	•			•
24-hour use	•	•		•
Shopping Center			•	•
Telecommunications Facility		•		
Warehouse/ Distribution			•	•

Subarea 5—Retail/Office/Flex				
Use Type	Allowed	Administrative	Conditional	Business License
Alcoholic Beverage:				
Package Agency			•	•
Private Club/ Tavern	•			•
Restaurant, Beer Retailer, etc.	•			•
State Liquor Store	•			•
Athletic, Tennis, Health Club	•			•
Animal Hospital	•			•



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MIDVALE CITY COUNCIL STAFF REPORT 9/17/2024

SUBJECT

Consider Rezoning Approximately 6.7 Acres of properties located at 7490 S Holden Street, 7505 S Holden St., 7576 S Holden St., 7594 S Holden St., 7608 S Holden St., 7620 S Holden St., 7652 S Holden St., 7660 S Holden St., and 7676 S Holden St from the Clean Industrial (CI) Zone to the Main Street Form Based Code (MS-FBC) Zone. Information regarding the proposed regulations, prohibitions, and permitted uses that the property will be subject to if the rezone is adopted can be found in [Midvale City Code 17-7-11](#).

SUBMITTED BY

Jonathan Anderson, Planner II

BACKGROUND AND ANALYSIS

As Midvale Main Street has developed, staff feels that it would be appropriate to continue the MS-FBC zoning to the west across Holden St to further the goals of the 2018 Midvale Main Street Small Area Plan. This zoning map amendment falls in line with the proposed 5+ years implementation strategies identified in the study for potential infill development along Holden St.

Midvale City Code 17-3-1(E.) outlines the criteria necessary for granting a rezone as follows:

17-3-1 Criteria/Required Findings. ...rezoning of land is to be discouraged and allowed only under the limited circumstances herein described. Therefore, the planning commission may recommend, and the city council may grant, a rezoning application only if it determines, in written findings, that the proposed rezoning is consistent with the policies and goals of the general plan and that the applicant has demonstrated that the:

- 1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan;*
- 2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or*

- 3. Land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.*

The proposed rezone request satisfies #3 listed above – it recognizes the change in character of the area and will continue the MS-FBC west across Holden St. Public notice has been sent to property owners within 500 feet of the subject area. No written objections have been received as of the writing of this report, aside from the public comments received prior to the public hearing at the Planning Commission Meeting of August 14, 2024 (see attachment 2).

STAFF RECOMMENDATION

Staff recommends the City Council approve the rezone request with the following findings:

1. The request complies with the rezone procedure outlined in Midvale City Code 17-3-1(E).

PLANNING COMMISSION RECOMMENDATION

The Planning Commission unanimously recommended denial of the rezone in their August 14, 2024 Regular Meeting after discussion about the potential effect the rezone could have on current business owners in the area looking to potentially expand their business operations.

RECOMMENDED MOTION

“I move that we approve Ordinance 2024-O-24 rezoning the following parcels from the Clean Industrial (CI) Zone to the Main Street Form Based Code (MS-FBC) Zone: 7490 S Holden St, 7505 S Holden St, 7576 S Holden St, 7594 S Holden St, 7608 S Holden St, 7620 S Holden St, 7652 S Holden St, 7660 S Holden St, and 7676 S Holden St, with the finding noted in the staff report.

ATTACHMENTS

1. Ordinance 2024-O-24
2. Public Comments for August 14, 2024 Planning Commission Meeting

ORDINANCE NO. 2024-O-24

AN ORDINANCE REZONING APPROXIMATELY 6.7 ACRES OF PROPERTIES LOCATED AT 7490 S HOLDEN ST, 7505 S HOLDEN ST, 7576 S HOLDEN ST, 7594 S HOLDEN ST, 7608 S HOLDEN ST, 7620 S HOLDEN ST, 7652 S HOLDEN ST, 7660 S HOLDEN ST, AND 7676 S HOLDEN ST FROM THE CLEAN INDUSTRIAL (CI) ZONE TO THE MAIN STREET FORM BASED CODE (MS-FBC) ZONE.

WHEREAS, pursuant to Utah Code Annotated Sections 10-9a-501 through 10-9a-503, Midvale City (“the City”) has authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land; and

WHEREAS, a request has been made for a change of zoning on the property described in Exhibit A; and

WHEREAS, the Planning Commission held a public hearing on August 14, 2024 to review the request for rezone, and made a recommendation to deny the rezone request thereon to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on September 17, 2024 to review the request for rezone, and after considering all the information received; and

WHEREAS, after taking into consideration citizen testimony, planning and demographic data, the desires of the owners of the property, and the Planning Commission’s recommendation as part of its deliberations, the City Council determined the following:

1. The project complies with the rezone procedure outlined in Midvale City Code 17-3-1(E).

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

Section 1. The zoning ordinance, which sets forth the zone districts within Midvale City which portion of the said zoning ordinance is established by a zoning map, is hereby amended as follows:

The properties described in Exhibit A attached hereto and by this reference made a part hereof, which properties are located at approximately 7490 S Holden St, 7505 S Holden St, 7576 S Holden St, 7594 S Holden St, 7608 S Holden St, 7620 S Holden St, 7652 S Holden St, 7660 S Holden St, and 7676 S Holden St, Midvale, Utah, and are currently zoned Clean Industrial (CI), shall be zoned Main Street Form Based Code (MS-FBC).

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

Clean Industrial (CI)

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

Main Street Form Based Code (MS-FBC)

Section 2. This ordinance shall take effect immediately.

PASSED AND APPROVED this 17th day of September, 2024.

Marcus Stevenson, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Voting by City Council
Bonnie Billings
Paul Glover
Heidi Robinson
Bryant Brown
Dustin Gettel

“Aye”

“Nay”

Date of first publication: _____

Exhibit A:

Proposed Rezone
Area



From: noreply@revize.com
To: [Midvale Planning Mailbox](#)
Subject: Public Comment Submission for Planning/Zoning Com
Date: Thursday, August 8, 2024 8:59:13 AM

First-Name = Justin

Last-Name = Blackmore

Address = 7608 S Holden St Midvale, UT 84047

Email = justin@brickdesign.co

Meeting-Date = 2024-08-14

Agenda-Item = IV-d

Comments = Public notice was *not* serviced within 500 feet of the subject properties, as notice was placed at 7490 S Holden which is more than 600 feet from 7608 S Holden and south. Notice was not legible as it was damaged and QR code was unscannable. Signage faced the road so no reasonable person could see it on their commute. It is farcical to move proposed CI to (MS-FBC) as Holden is 1) not main street 2) is half zoned as TCC. I object to the rezoning.

Client IP = 97.75.174.58

From: noreply@revize.com
To: [Midvale Planning Mailbox](#)
Subject: Public Comment Submission for Planning/Zoning Com
Date: Thursday, August 8, 2024 10:59:25 AM

First-Name = Justin

Last-Name = Blackmore

Address = 7608 South Holden Street

Email = justin@brickdesign.co

Meeting-Date = 2024-08-14

Agenda-Item = IV-d

Comments = This rezoning is contrary to a stated goal of municipal code 17-7-11.1 "to support local businesses". This is a direct attack on multiple business that have existed here longer than the mayor has been alive. Many businesses in Midvale and throughout the state rely on the rail spur and businesses located here to be able to continue building Midvale and Utah into our collective vision for it. This rezoning will disrupt that and cause unneeded harm.

Client IP = 97.75.174.58

From: noreply@revize.com
To: [Midvale Planning Mailbox](#)
Subject: Public Comment Submission for Planning/Zoning Com
Date: Thursday, August 8, 2024 11:17:14 AM

First-Name = Robert

Last-Name = Blackmore

Address = 7608 Holden Street

Email = brickyarddog@aol.com

Meeting-Date = 2024-08-14

Agenda-Item = IV D 8

Comments = I am writing to oppose the rezoning efforts you want to take on Holden St. No notice was received by us or by others that use the rail dock. I would hope you also notified the railroad. Rezoning would be counterproductive to the businesses involved. I would like a letter stating that we will be allowed to continue doing business, or an offer to relocate us locally with a rail service and yard, or make an offer to buy our company.

Client IP = 97.75.174.58



7505 S Holden Street
Midvale, UT 84047
801-567-7200
Midvale.Utah.gov

MIDVALE CITY COUNCIL STAFF REPORT 9/17/2024

SUBJECT

Consider a Midvale City initiated Text Amendment to amend Section 17-3-1 of the Administration and Enforcement chapter of the Midvale City Municipal Code. These changes add a new criterion to the zone map amendment criteria and establish zoning code amendment criteria.

SUBMITTED BY

Elizabeth Arnold, Senior Planner

BACKGROUND AND ANALYSIS

Midvale City requests an amendment to the above-listed chapter of the Midvale City Municipal Code. The proposed amendment makes the zoning map amendment criteria clearer and establishes zoning code amendment criteria.

Public notice has been sent to affected entities as required in 17-3-9.B of the Municipal Code. No comments have been received as of the writing of this report.

-AMENDMENTS TO THE ZONING CODE OR MAP-

Midvale City Code 17-3-1 outlines the criteria necessary for amendments to the zoning code or map (Staff responses in **bold**):

17-3-1.E Amendments to the Zoning Code or Map.

1. Proposed rezoning is necessary either to comply with the general plan proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan;

Response: The request is not for a rezone; rather, an amendment that makes zoning map amendment criteria clearer and establishes zoning code amendment criteria.

2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage; or,

Response: This criterion is not applicable.

3. Land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area;

Response: This criterion is not applicable.

STAFF RECOMMENDATION

Staff recommends the City Council approve the text amendment with the following finding:

1. The amendment complies with Midvale City Code 17-3-1(E)(1).

Planning Commission Recommendation

Approve.

RECOMMENDED MOTION

“I move that we approve Ordinance 2024-O-25 approving of the text amendment to Section 17-3-1 of the Administration and Enforcement chapter of the Midvale City Municipal Code as provided in the attachments, with the finding noted in the staff report.”

ATTACHMENTS

1. Draft Ordinance
2. Utah State Code 10-9a-102

ORDINANCE NO. 2024-O-25

AN ORDINANCE AMENDING SECTION 17-3-1 OF THE ADMINISTRATION AND ENFORCEMENT CHAPTER OF THE MIDVALE CITY MUNICIPAL CODE RELATING TO ZONE MAP AMENDMENT CRITERIA AND ESTABLISHING ZONING CODE AMENDMENT CRITERIA.

WHEREAS, pursuant to Utah Code Annotated Sections 10-8-84 and 10-9a-501 through 10-9a-503, Midvale City (“the City”) has authority to make and amend any regulation of or within zoning districts or any other provision of the land use ordinance 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 City Municipal Code (the “Code”), became effective and is subject to amendments from time to time pursuant to Section 17-3-1 the Code; and

WHEREAS, pursuant to Section 16-04-010 of the Code, the City desires to promote the protection of public health, life and safety; protect the character and social and economic stability of all parts of the city; protect and preserve the value of land throughout the municipality; guide public and private policy and action; establish responsible standards; prevent pollution and degradation of air, streams, and ponds; preserve the natural beauty and topography; and provide for open spaces through the most effect design and layout of the land;

WHEREAS, pursuant to Section 17-1-1 of the Code, the City desires to promote coordinated development, redevelopment, effective use of land, and site planning; protect and promote public safety, health, and general welfare by providing adequate light and air, water and sewage control, police, fire and wetlands protection; and secure economy in governmental expenditures; and

WHEREAS, the City desires to amend Section 17-3-1 relating to zone map amendment criteria and establishing zoning code amendment criteria; and

WHEREAS, the Planning Commission held a public hearing on August 28, 2024, to review the request for amendments and, after considering all the information received, made a recommendation to approve the amendment request to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on September 17, 2024 and

WHEREAS, after taking into consideration citizen testimony, planning analysis, and the Planning Commission’s recommendation as part of its deliberations, the City Council finds it is appropriate and within the best interest of the City to make changes to the Code.

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

Section 1. The following sections of the Midvale City Municipal Code are hereby amended as included in the following attachments to this document:

- Attachment A: Amending Section 17-3-1 relating to zone map amendment criteria and establishing zoning code amendment criteria.

Section 2. This ordinance shall take effect upon the date of first publication.

PASSED AND APPROVED this ____ day of _____, 2024.

Marcus Stevenson, Mayor

ATTEST:

Rori Andreason, MMC
City Recorder

Voting by City Council	“Aye”	“Nay”
Bonnie Billings	_____	_____
Paul Glover	_____	_____
Heidi Robinson	_____	_____
Bryant Brown	_____	_____
Dustin Gettel	_____	_____

Date of first publication: _____

Attachment A:

17-3-1 Amendments to the zoning ~~map~~code or ~~code~~map.

E. ~~Zoning Map Amendment Criteria/Required Findings.~~ The city's zoning is the result of a detailed and comprehensive appraisal of the city's present and future land use allocation needs. ~~In order to establish and maintain sound, stable, and desirable development within the city, rezoning of land is to be discouraged and allowed only under the limited circumstances herein described. Therefore, the planning commission may recommend, and the city council may grant, a rezoning~~A zoning map amendment application may only be approved if the reviewing body~~it~~ determines, in written findings, that the proposed ~~amendment~~rezoning demonstrates one or more of the following:~~is consistent with the policies and goals of the general plan and that the applicant has demonstrated that the:~~

1. Proposed rezoning ~~promotes objectives of~~is necessary either to comply with the ~~genthe~~ general plan;~~or proposed land use map or to provide land for a community need that was not anticipated at the time of adoption of the general plan;~~
2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, flood plain, unstable soils, and inadequate drainage;~~or~~
3. Land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area;~~or~~
4. Proposed rezoning promotes the purposes outlined in Utah State Code 10-9a-102.

~~FE. Zoning Code Amendment Criteria/Required Findings.~~ To establish and maintain a sound, stable, and desirable city, a zoning code amendment application may only be approved if the reviewing body determines, in written findings, that the proposed amendment demonstrates one or more of the following:

1. The proposed amendment promotes the objectives of the general plan and purposes of this title;
2. The proposed amendment promotes the purposes outlined in Utah State Code 10-9a-102;

[3. The proposed amendment more clearly explains the intent of the original language or has been amended to make interpretation more straightforward; or](#)

[4. Existing zoning code was the result of a clerical error or a mistake of fact.](#)

GF. *Temporary or Emergency Zoning.* The city council may enact an ordinance, without a public hearing or planning commission recommendation, which establishes temporary zoning regulations for any part or all of the area within the municipality if the:

1. City council makes a written finding of compelling, countervailing public interest; or
2. The area is not zoned.

Temporary zoning regulations may prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval. The city council shall establish a period of limited effect for the ordinance, which period may not exceed six months. (Ord. 12-11-2001C § 2 (part))

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Effective 5/14/2019

10-9a-102 Purposes -- General land use authority.

- (1) The purposes of this chapter are to:
 - (a) provide for the health, safety, and welfare;
 - (b) promote the prosperity;
 - (c) improve the morals, peace, good order, comfort, convenience, and aesthetics of each municipality and each municipality's present and future inhabitants and businesses;
 - (d) protect the tax base;
 - (e) secure economy in governmental expenditures;
 - (f) foster the state's agricultural and other industries;
 - (g) protect both urban and nonurban development;
 - (h) protect and ensure access to sunlight for solar energy devices;
 - (i) provide fundamental fairness in land use regulation;
 - (j) facilitate orderly growth and allow growth in a variety of housing types; and
 - (k) protect property values.
- (2) To accomplish the purposes of this chapter, a municipality may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that the municipality considers necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing:
 - (a) uses;
 - (b) density;
 - (c) open spaces;
 - (d) structures;
 - (e) buildings;
 - (f) energy efficiency;
 - (g) light and air;
 - (h) air quality;
 - (i) transportation and public or alternative transportation;
 - (j) infrastructure;
 - (k) street and building orientation;
 - (l) width requirements;
 - (m) public facilities;
 - (n) fundamental fairness in land use regulation; and
 - (o) considerations of surrounding land uses to balance the foregoing purposes with a landowner's private property interests and associated statutory and constitutional protections.
- (3)
 - (a) Any ordinance, resolution, or rule enacted by a municipality pursuant to its authority under this chapter shall comply with the state's exclusive jurisdiction to regulate oil and gas activity, as described in Section 40-6-2.5.
 - (b) A municipality may enact an ordinance, resolution, or rule that regulates surface activity incident to an oil and gas activity if the municipality demonstrates that the regulation:
 - (i) is necessary for the purposes of this chapter;
 - (ii) does not effectively or unduly limit, ban, or prohibit an oil and gas activity; and
 - (iii) does not interfere with the state's exclusive jurisdiction to regulate oil and gas activity, as described in Section 40-6-2.5.

Amended by Chapter 384, 2019 General Session



CITY COUNCIL MEETING
Minutes
Tuesday September 3, 2024

Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Marcus Stevenson

COUNCIL MEMBERS: Council Member Paul Glover
Council Member Bonnie Billings
Council Member Dustin Gettel
Council Member Bryant Brown
Council Member Heidi Robinson

STAFF: Matt Dahl, City Manager; Rori Andreason, HR Director/City Recorder; Garrett Wilcox, City Attorney; Glen Kennedy, Public Works Director; Nate Rockwood, Assistant City Manager; Mariah Hill, Administrative Services Director; Adam Olsen, Community Development Director; Laura Magness, Communications Director; Wendelin Knobloch, Planning Director; Cody Hill, Economic Development Manager; Erinn Summers, Project & Policy Manager; Elizabeth Arnold, Senior Planner; Chief Randy Thomas, UPD; Chief Brad Larson, UFA; and Juan Rosario, Systems Administrator.

Mayor Marcus Stevenson opened the meeting to order at 6:01 p.m.

6:00 p.m. – CLOSED SESSION TO DISCUSS DEPLOYMENT OF SECURITY PERSONNEL, DEVICES, OR SYSTEMS.

MAYOR: Mayor Marcus Stevenson

COUNCIL MEMBERS: Council Member Paul Glover
Council Member Bonnie Billings
Council Member Dustin Gettel
Council Member Bryant Brown
Council Member Heidi Robinson

STAFF: Matt Dahl, City Manager; Rori Andreason, HR Director/City Recorder; Garrett Wilcox, City Attorney; Glen Kennedy, Public Works Director; Nate Rockwood, Assistant City Manager; Mariah Hill, Administrative Services Director; Adam Olsen, Community Development Director; Laura Magness, Communications Director; Wendelin Knobloch, Planning Director; Chief Randy Thomas, UPD; Chief Brad Larson, UFA; and Juan Rosario, Systems Administrator.

MOTION: Council Member Dustin Gettel **MOVED** to go into closed session to discuss the Deployment of Security Personnel, Devices, or Systems. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

The Council went into closed session at 6:02 p.m.

MOTION: Council Member Dustin Gettel **MOVED** to exit closed session. The motion was **SECONDED** by Council Member Paul Glover. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The Council exited closed session at 6:24 p.m.

6:30 p.m. – REGULAR MEETING

Mayor Marcus Stevenson called the business meeting to order at 6:34 p.m.

I. GENERAL BUSINESS

A. Welcome and Pledge of Allegiance

B. Roll Call - Council Members Heidi Robinson, Dustin Gettel, Bryant Brown, Bonnie Billings, and Paul Glover were present at roll call.

C. Recognition of Harvest Days Committee and Hoopes Event Planning

Mayor Marcus Stevenson expressed his appreciation for all the work done for Harvest Days. It is an incredible amount of volunteer time to our community.

Matt Dahl presented the committee members with certificates of appreciation and a small golf cart toy with wings representing the golf cart that was stolen from the city during the Harvest Days festival.

Matt Dahl thanked the committee for everything they have done over the past several years. He told a story about the Sumo Wrestlers, one of the wrestlers arrived without the shorts the City requires them to wear under the uniform, leaving the volunteers scrambling for a solution to the problem.

D. Unified Fire Authority Report – [Chief Brad Larson]

Chief Brad Larson began by reporting on recruitment efforts and other incidents since it

is early for the quarterly report. The department invited 181 of the top testing recruitment candidates to go through the firefighter physical agility test and 154 were chosen for interviews. The department will now start making job offer decisions on the final 36 candidates. Training camp will start the first week of February; 6-12 of the top candidates have already been offered a position at the fall training camp beginning in October.

The Chief reported that the Wildland Division has been assigned to incidents in Utah, Wyoming, Idaho, and California assisting with suppression efforts. August 7th there was an EMAC (Emergency Management Assistance Compact) deployment which is similar to a local mutual assistance effort, but on a national level with wildland efforts. The unit was assigned to the park fire in California.

Chief Larson shared the August safety message stating that nearly 300 children die each year from burn related injuries and another 100 thousand are admitted to a hospital for treatment of burn related injuries. The Chief is reminding adults to keep children away from fire and fire sources that could ignite clothing and teach children to Stop, Drop, and Roll if their clothing catches fire. For more Fire Safety information and tips visit the City website and City social media channels.

II. PUBLIC COMMENTS

McKenzie, Board member of East Riverwalk HOA, explained that there is a lot of crime and vandalism occurring in the East Riverwalk common areas, being committed by youth living in the Canyon Crossing Apartments that are adjacent to the East Riverwalk Community. The police are called regularly regarding the crime, but the HOA and residents say nothing is being done. McKenzie is asking the City to help find a solution.

Council Member Dustin Gettel asked if there are specific times of the day that most of these crimes are being committed.

McKenzie said that during the summer months it occurs all the time. A large, organized fight at Bingham Junction occurred after 10 p.m. Now that school is in session the activities have tapered off a little.

Matt Dahl said he would talk with McKenzie further in the foyer.

III. MAYOR REPORT

Mayor Marcus Stevenson said the Utah League of Cities and Towns conference is being held over the next two days which he will be attending. Mayor Stevenson said he applied to be on the Utah League of Cities and Towns Board of Directors; he will find out soon if he has been selected. He the community that the E-waste and shredding event is taking place this Saturday.

IV. COUNCIL REPORTS

A. Council Member Bonnie Billings – had nothing to report.

B. Council Member Paul Glover – said there has been a case of West Nile Virus in a human reported in Utah County. He reminded everyone to take precautions.

C. Council Member Heidi Robinson - had nothing to report.

D. Council Member Bryant Brown – expressed a big thanks to the Harvest Days Committee; they did an excellent job. Residents commented on the improved timing of the parade; a thank you to Glen Kennedy for assisting with that. He asked everyone to vote no on the constitutional amendments on the ballot this November.

E. Council Member Dustin Gettel – mentioned the tragedy at the Road Home. The Keet family, who was affected by the horrible assault on their infant are in our thoughts. There are a lot of questions about the perpetrator’s relationship to the family and why the individual was allowed to go to the roof top to vape, which brings up safety questions. He expressed appreciation to the first responders for their excellent work.

V. CITY MANAGER REPORT

Matt Dahl, City Manager – had nothing to report.

VI. PUBLIC HEARING

A. CONSIDER A LARGE-SCALE MASTER PLAN REQUEST FOR JORDAN BLUFFS PHASE 3 LOCATED AT 8090 S SEGHINI DRIVE IN THE JORDAN BLUFFS-4 (JB-4) ZONE.

Elizabeth Arnold said the Jordan Bluffs area has a long history and has several different development agreements that have been executed and amended over the years. Below is a brief history of the development agreements in place for this project as well as significant approvals:

- Master Development Agreement For The Jordan Bluffs Project (“Original MDA”) – entered December 1, 2004.
- Amended Master Development Agreement for the Jordan Bluffs Project (“Amended MDA”) – entered September 5, 2017.
- On February 15, 2018, Midvale City Council approved the Jordan Bluffs Subdivision 1st Amendment which divided the Subarea 4 Property into three lots to facilitate future development proposals.
- On April 11, 2018, Midvale City Planning Commission approved a Large-Scale Master Plan (LSMP) for the Subarea 4 Property.
- Development Agreement For Subarea 4 Of The Jordan Bluffs Project (“Subarea 4 DA”) – entered June 12, 2018.

At the time, the Subarea 4 DA was entered, Phase 3 was only conceptual and was required to return for its own LSMP approval. No changes to the Subarea 4 DA are being requested as part of this application.

A LSMP was approved by the City Council on February 15, 2022. However, substantial changes have been made and therefore a new application has been submitted.

Public notice has been sent to property owners within 500 feet of the subject parcel. No written objections have been received as of the writing of this report.

This proposal has been reviewed by Planning Staff, the City Engineer, the Unified Fire Authority, and Public Works for compliance with the respective guidelines, policies, standards, and codes. Staff finds the proposed LSMP complies with requirements outlined in Midvale City Code.


STAFF RECOMMENDATION

Staff recommended the City Council approve the Large-Scale Master Plan with the following findings:

1. The application is for a large-scale master plan for Jordan Bluffs Phase 3 located at 8090 S Seghini Drive.
2. A large-scale master planned development application is required for Jordan Bluffs Subarea 4 as a whole prior to any specific development applications.
3. The project complies with the development review process outlines in Midvale City Code 17-7-7.10.11.3.
4. The project is consistent with the previously recorded development agreement and does not propose any changes.

Planning Commission Recommendation

The Planning Commission unanimously recommended approval of the Large Scale Master Plan.



Large Scale Master
Plan

Jordan Bluffs Phase 3
8090 S Seghini Drive

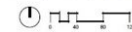
Building Elevation



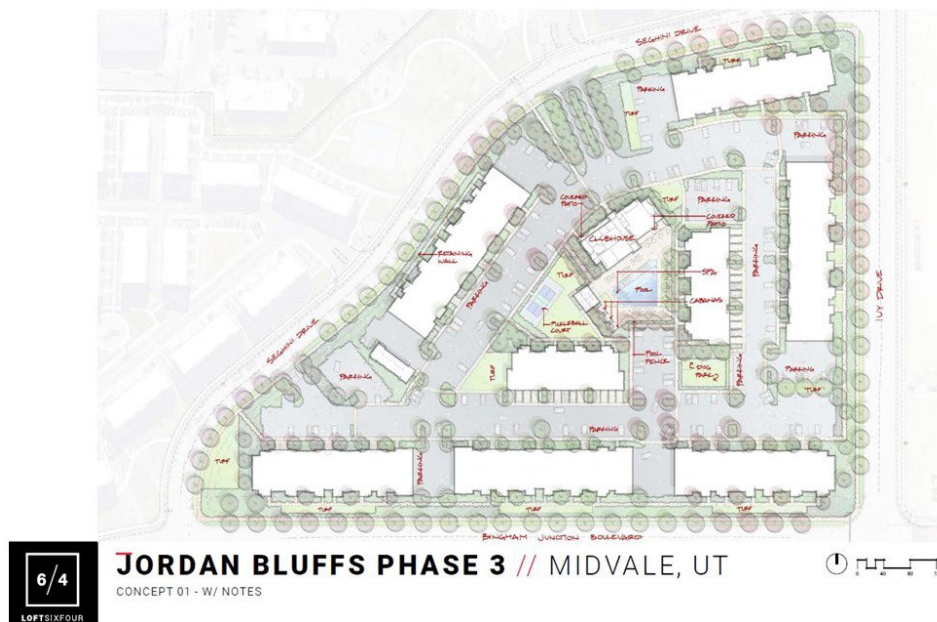
Landscape Plan



JORDAN BLUFFS PHASE 3 // MIDVALE, UT
CONCEPT 01 - COLOR CONCEPT



Amenity Plan



Council Member Bryant Brown said he hopes that with this new project the area will be cleaned up and maintained. He bikes through there often and there is a lot of trash.

Council Member Dustin Gettel discussed the use of the bike lanes in this community and the enforcement of improper use of the bike lane. He said currently cars park in the bike lane making it unsafe for bicyclists.

Council Member Bryant Brown asked what the timeline was for construction, in regard to the dust.

Adam Lankford, Wasatch Residential Group, discussed the changes made to the project. This is the last phase of the project, there is more open space than required and a good amenity package; they are hoping to start construction this year. He said if there is ever a problem with dust, just let them know and they will send more water trucks. If trash is a problem, they will take care of it, just let them know. He agreed that there seems to be a lot of big delivery trucks on Seghini Drive creating odd and unsafe parking scenarios. He said they expect it will take a full two years to complete the project.

Council Member Dustin Gettel asked about the dog park and if it would be available to the public.

Adam Lankford said the dog park was only for the tenants, as are all the amenities.

Council Member Dustin Gettel asked Mr. Lankford to look at other options besides gravel for the ground cover for the dog park, grass would be best for the dogs.

Council Member Paul Glover asked if any of these units were low income?

Adam Lankford said no, they are all market priced and a more high-end community. He said there is also no parking reduction.

MOTION: Council Member Paul Glover **MOVED** to open the public comment portion of the public hearing. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

There were no public comments.

MOTION: Council Member Dustin Gettel **MOVED** to close the public hearing. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

ACTION: Consider Approving the Large-Scale Master Plan for Jordan Bluffs Phase 3 located at 8090 S. Seghini Drive in the Jordan Bluffs-4 (JB-4) Zone.

Council Member Bryant Brown asked how many units this project adds to the area?

Adam Lankford said 216 units on 10 acres. They have not met the overall density allowed because they opted to keep more open space.

Council Member Dustin Gettel asked if they have given any thought to approving an amenity that is not another pickleball court?

Adam Lankford said they would investigate offering something else.

MOTION: Council Member Dustin Gettel **MOVED** to Approve the Large-Scale Master Plan for Jordan Bluffs Phase 3 located at 8090 S. Seghini Drive in the Jordan Bluffs-4 (JB-4) zone. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

VII. CONSENT AGENDA

A. Consider Minutes of August 20, 2024

MOTION: Council Member Paul Glover **MOVED** to Approve the Consent Agenda. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

VIII. ACTION ITEM

A. CONSIDER RESOLUTION NO. 2024-R-42 AUTHORIZING THE MAYOR TO EXECUTE THE ART HOUSE EXTERIOR IMPROVEMENT CONSTRUCTION ACCESS AND TRANSFER AGREEMENT WITH THE REDEVELOPMENT AGENCY OF MIDVALE CITY

Cody Hill said this spring, the City entered into an interlocal agreement with Salt Lake County to receive a grant of \$40,800.00 from the Tourism, Recreation, Cultural, Convention, and Airport Facilities Tax Act. These funds will be used to renovate and improve the rear exterior of the Midvale Main Art House, creating a usable outdoor space for the creation of art.

To facilitate these improvements, Agency staff are requesting City Council's approval to enter into a construction access and transfer agreement with the Agency. This agreement will grant the City access to the Agency's property for the purpose of making improvements.

In exchange for these improvements, the Agency will provide the City with the required grant funding match of \$6,500.00. Additionally, the agreement outlines that ownership and maintenance responsibility for the improvements will transfer back to the Agency upon completion of construction and the warranty period.

FISCAL IMPACT:

Upon execution of this Agreement, the Agency agrees to pay to the City \$6,500.00, which is to be used by the City as the matching grant funds required by the Interlocal Agreement with Salt Lake County to construct the improvements.



Midvale City Council Meeting

Art House Exterior
Improvement
Construction Access &
Transfer Agreement

Agreement Terms

Funding:

- From SLCO: The maximum reimbursable award amount is \$40,800
- From Midvale RDA to Midvale City: \$6,500

Deadline:

- Project needs to be completed by 3/31/2025
- Request for reimbursement to SLCo by 6/30/2025

Access & Conveyance:

- City may access RDA Property to facilitate installation of improvements and will convey the improvements to the RDA after a warranty period

Scope of Work

- A. Replace 325 Square Feet concrete pad with new 40'x40' concrete pad
- B. Install shade structure roughly 20'x12'
- C. Install decorative fencing around perimeter of patio

Council Member Dustin Gettel asked when the changes would be made if approved.

Cody Hill said they would like to start as soon as possible; they already have the quotes and are waiting for the Interlocal Agreement approval then they will select who they want to use.

Garrett Wilcox pointed out that the Council was not approving the Interlocal Agreement that evening. The County will do that and then assign the funds.

MOTION: Council Member Heidi Robinson **MOVED** to suspend the rules Approve Resolution No. 2024-R-42. Authorizing the Mayor to Execute the Art House Exterior Improvement Construction Access and Transfer Agreement with The Redevelopment Agency of Midvale City. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Bonnie Billings	Aye
Council Member Paul Glover	Aye
Council Member Heidi Robinson	Aye
Council Member Bryant Brown	Aye
Council Member Dustin Gettel	Aye

The motion passed unanimously.

X. **ADJOURN**

MOTION: Council Member Paul Glover **MOVED** to adjourn the meeting. The motion was **SECONDED** by Council Member Dustin Gettel. Mayor Stevenson called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The meeting adjourned at 7:21 p.m.

Rori L. Andreason, MMC
H.R. DIRECTOR/CITY RECORDER

Approved this September 17, 2024

PENDING



**MIDVALE CITY COUNCIL
SUMMARY REPORT**

September 17, 2024

SUBJECT:

Consideration of Resolution 2024-R-43 Ratifying the Selection of April Morse as the Unified Police Department's Midvale Precinct Chief

SUBMITTED BY:

Matt Dahl, City Manager

SUMMARY:

A selection committee, consisting of representatives from Midvale City, White City, and the Unified Police Department (UPD), has chosen April Morse for the position of Chief of the Midvale Precinct. To formalize this decision, it must be ratified by the governing bodies of Midvale City, White City, and the UPD Board of Directors. The Midvale City Council is being asked to adopt a resolution to ratify the selection of April Morse.

BACKGROUND AND OVERVIEW:

Midvale is a member community of UPD, which provides law enforcement services to its members. UPD has two main components: shared services and local precincts. Shared services include administrative functions and specialized units like SWAT, forensics, K-9, and community relations, supporting all member communities as needed. Local precincts function as the police departments for each community, housing patrol officers, detectives, civilian staff, and volunteers. Each precinct is led by a Precinct Chief, who oversees local operations such as community policing, traffic enforcement, property crime investigations, school resource officers, patrol, and crossing guards. The Precinct Chief, though an employee of UPD, works closely with the staff of the community they serve.

According to the Interlocal Agreement that established UPD, the appointment, transfer, and removal of Precinct and Division Chiefs are governed by policies set by the UPD Board of Directors. The Precinct Chief reports directly to the UPD Chief of Police, and current UPD policy allows each member community to lead the selection process for their Precinct Chief.

The current Midvale Precinct Chief, Randy Thomas, is retiring in October. To fill this role, a selection process was initiated. Since the Midvale Precinct Chief also oversees policing in White City, a nearby township, the selection committee included three representatives from Midvale, two from White City, and one from UPD. The committee interviewed three highly qualified candidates and ultimately selected Lieutenant April Morse for the position.

Lt. Morse has 27 years of law enforcement experience with UPD and the Salt Lake Sheriff's Office, including roles in corrections, patrol, investigations, and administration. She has 14 years of supervisory experience and has served as Executive Officer or Deputy Chief for UPD's Investigation, Special Operations, and Professional Standards divisions. She is currently UPD's Executive Officer for Professional Standards. Lt. Morse has a Masters of Social Work from Boston University and is a Graduate of the FBI National Academy. The selection committee believes Lt. Morse's experience and vision for law enforcement in Midvale make her an excellent choice for Precinct Chief.

The Midvale City Council is now being asked to consider a resolution ratifying Lt. Morse's selection. Given that this will be the first time the City Council will hear discussion on the selection of Lt. Morse, the City Council will need to suspend the rules to take action on the ratification. If ratified by the City Council, additional approvals will be needed from White City and the UPD Board of Directors before Lt. Morse can officially assume the role of Midvale Precinct Chief. Lt. Morse will attend the council meeting to answer any questions.

RECOMMENDED MOTION:

I move to that we suspend the rules and approve Resolution 2024-R-43 ratifying the selection of April Morse as the Midvale Precinct Chief.

**MIDVALE CITY CORPORATION
RESOLUTION 2024-R-43**

**A RESOLUTION RATIFYING THE SELECTION OF
LIEUTENANT APRIL MORSE AS THE UNIFIED POLICE
DEPARTMENT'S MIDVALE PRECINCT CHIEF**

WHEREAS, the Unified Police Department (UPD) is a political subdivision and body politic and corporate of the State of Utah, established pursuant to the Revised and Restated Interlocal Cooperation Agreement Between Public Entities Governing the Unified Police (Interlocal Agreement), effective as of July 1, 2024; and

WHEREAS, Midvale City became a member of the Unified Police Department of Greater Salt Lake UPD on July 1, 2011; and

WHEREAS, UPD has established local precincts through which sworn officers, civilian staff, and volunteers provide community-focused law enforcement services; and

WHEREAS, local precincts are managed by a Precinct Chief; and

WHEREAS, the appointment of Precinct Chiefs is governed by policies established by the UPD Board of Directors; and

WHEREAS, UPD policy requires that Precinct Chiefs be approved by both the UPD Board of Directors and the communities they serve; and

WHEREAS, there is a need to appoint a new Chief for the Midvale and White City Precincts; and

WHEREAS, the position for Midvale Precinct Chief was opened for applicants in August 2024; and

WHEREAS, a selection committee, composed of representatives from Midvale, White City, and UPD (the Selection Committee), interviewed three candidates for the Midvale Precinct Chief position on September 10, 2024; and

WHEREAS, the Selection Committee unanimously selected Lieutenant April Morse for the position of Midvale Precinct Chief; and

WHEREAS, the Selection Committee determined that Lieutenant Morse has exemplary credentials, extensive law enforcement experience, and a clear vision for leading the Midvale Precinct; and

WHEREAS, the Midvale City Council has determined that Lieutenant Morse will continue the tradition of high-quality law enforcement and community leadership that has been a hallmark of Midvale Precinct Chiefs;

NOW, THEREFORE, BE IT RESOLVED BY THE MIDVALE CITY COUNCIL:

1. The City Council hereby ratifies the Selection Committee’s choice of Lieutenant April Morse for the position of Midvale Precinct Chief.
2. The Mayor is directed to inform the Unified Police Chief and UPD Board of Directors of the ratification of Lieutenant Morse's selection.
3. This resolution shall take effect immediately upon its passage.

APPROVED AND ADOPTED this 17th day of September 2024.

Marcus Stevenson
Mayor

ATTEST:

Rori L. Andreason
City Recorder

Voting by the City Council	“Aye”	“Nay”
Bonnie Billings	_____	_____
Paul Glover	_____	_____
Heidi Robinson	_____	_____
Bryant Brown	_____	_____
Dustin Gettel	_____	_____



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Midvale, UT 84047
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MIDVALE CITY COUNCIL STAFF REPORT 09/17/2024

SUBJECT

Jordan Bluffs Development Discussion

SUBMITTED BY

Adam Olsen, Community Development Director

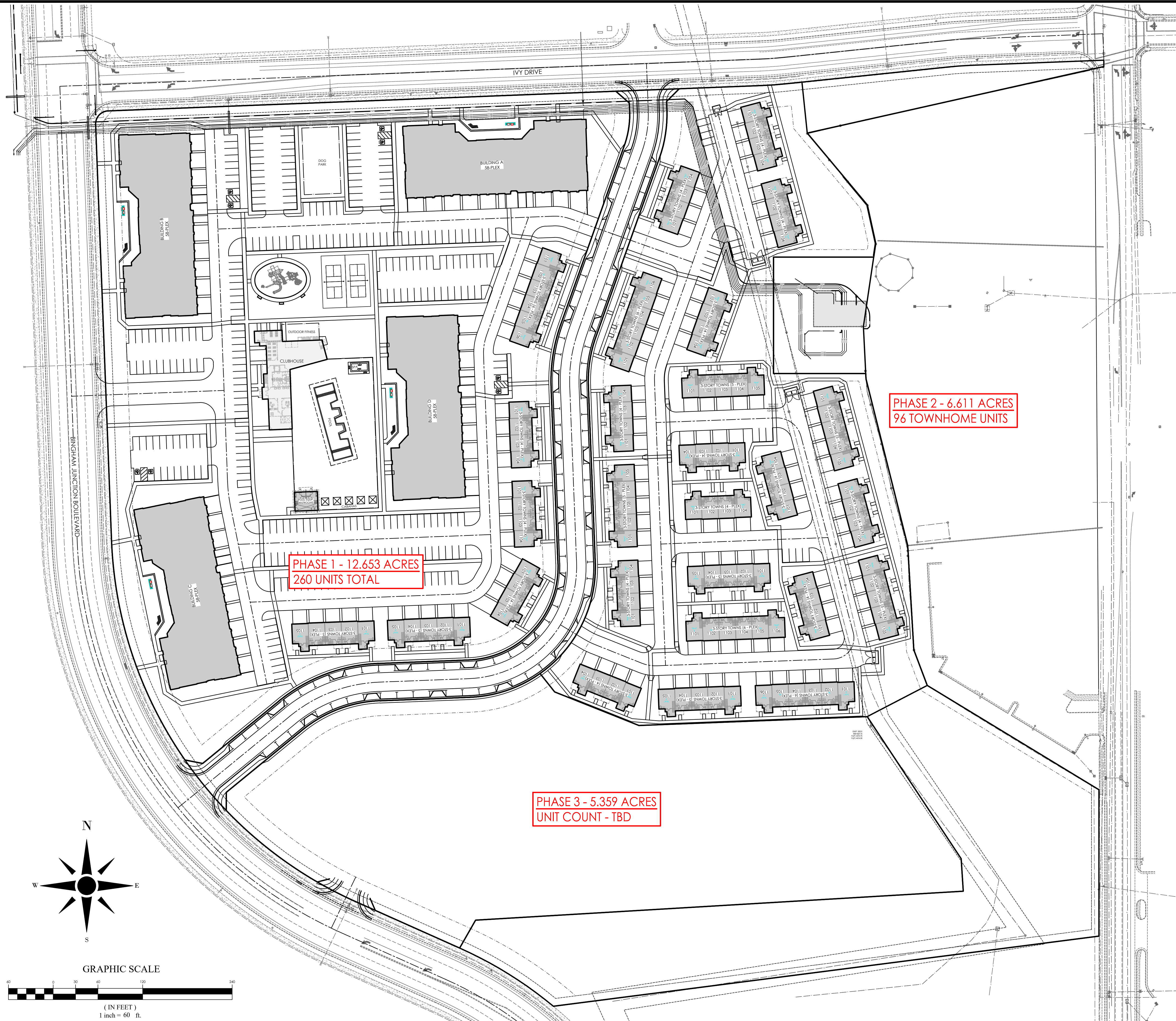
BACKGROUND AND OVERVIEW

Gardner will present to Council their latest concept for the Jordan Bluffs View 78 area, Pods A & B, located south of Ivy Drive and east of Bingham Junction Blvd. Gardner and Wasatch Residential are working together on a concept consisting of higher density residential and townhome development. While the initial number of units is within the density allowance of the zone, staff does have concern with the placement of townhomes directly adjacent to the Public Works yard.

Gardner will lead the discussion and is interested in Council feedback.

ATTACHMENT

Concept Plan, View 78, Pods A & B



PHASE 1 - SITE TABULATION (58 Plex & Townhome Buildings)

58 Plex Buildings	No. of Units per Bldg	No. of Bldgs	Total Units based on Bldg Type
Building A	58	1	58
Building B	58	1	58
Building C	58	1	58
Building D	58	1	58
Total Number of Units (A, B, C, & D):			232

STK Townhomes	No. of Units per Bldg	No. of Bldgs	Total Units based on Bldg Type
4 - Unit Bldg	4	3	12
5 - Unit Bldg	5	2	10
6 - Unit Bldg	6	1	6
Total Number of Townhome Units:			28
Total Number of Units - Phase 1:			260

Phase 1 - 58 Plex Buildings - Parking Required

Parking Stalls Required per Number of Bedrooms	Number of Bedrooms	Total Stalls
1 Bedroom	1.5	27
2 Bedroom	1.75	28
3 Bedroom	2	3
Guest Parking per Unit	0.25	58
Total Parking Required per 58 Plex Building:		110
Phase 1 - 58-Plex Building Parking Required:		440
Avg. Stalls per Unit:		1.90

Phase 1 - Townhome Buildings - Parking Required

Parking Stalls Required per Number of Bedrooms	Number of Bedrooms	Total Stalls
2 Bedroom	1.75	16
3 Bedroom	2	12
Guest Parking per Unit	0.25	28
Phase 1 - Townhome Parking Required:		59
Avg. Stalls per Unit:		2.11

Phase 1 - 58-Plex Building Parking Provided

Category	Stalls
Garage Parking (18 per 58 Plex Building):	72
Driveway Parking (18 per 58 Plex Building):	72
Covered Parking (40 per 58 Plex Building):	160
Surface Parking:	146
Phase 1 - Total Parking Provided:	450
Avg. Stalls per Unit:	1.94

Phase 1 - Townhome Building Parking Provided

Category	Stalls
Garage Parking (2 per Unit):	56
Driveway Parking:	44
Surface Parking:	8
Phase 1 - Total Parking Provided:	108
Avg. Stalls per Unit:	3.86

Phase 1 Property Area in Square Feet:	499,997
Phase 1 Property Area in Acres:	11.48
Units per Acre:	20.2

VIEW 78 APARTMENTS PHASE 2 - SITE TABULATION (STK 3-Story Townhome Buildings)

STK Townhomes	No. of Units per Bldg	No. of Bldgs	Total Units based on Bldg Type
4 - Unit Bldg	4	12	48
5 - Unit Bldg	5	6	30
6 - Unit Bldg	6	3	18
Phase 2 - Total Number of Townhome Units:			96

Parking Stalls Required per Number of Bedrooms	Number of Bedrooms	Total Stalls
1 Bedroom	1.5	0
2 Bedroom	1.75	54
3 Bedroom	2	42
Guest Parking per Unit	0.25	96
Phase 2 - Total Parking Required:		203
Avg. Stalls per Unit:		2.11

Townhome Building Parking Provided


Category	Stalls
Garage Parking (2 per Unit):	192
Driveway Parking:	192
Surface Parking:	20
Phase 2 - Total Parking Provided:	404
Avg. Stalls per Unit:	4.21

Phase 2 Property Area in Square Feet:	287,994
Phase 2 Property Area in Acres:	6.61
Units per Acre:	14.5

REVISIONS	DESCRIPTION
NO.	DATE

Preliminary Design Not For Construction

SEAL



VIEW 78 APARTMENTS

SITE CONCEPT PLAN

MIDVALE CITY, UTAH

Date: **2024-08-08**

Sheet # **01**

SHEET: **01** OF **01**