



CITY COUNCIL MEETING

Minutes

Tuesday May, 20 2025

Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Dustin Gettel

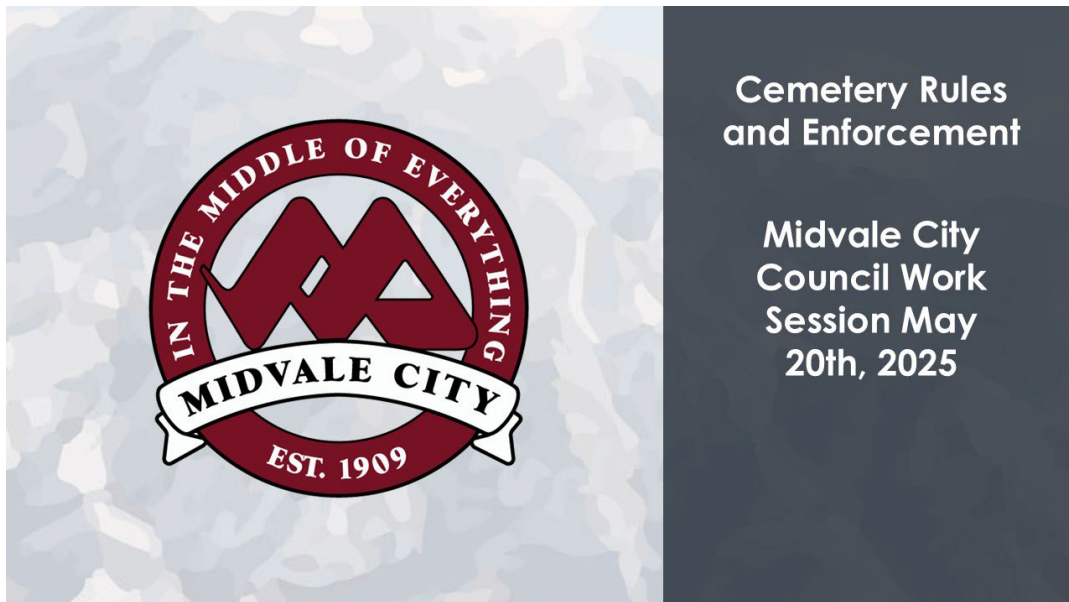
COUNCIL MEMBERS: Council Member Paul Glover
Council Member Bonnie Billings
Council Member Denece Mikolash
Council Member Bryant Brown
Council Member Heidi Robinson

STAFF: Matt Dahl, City Manager; Rori Andreason, HR Director/City Recorder; Garrett Wilcox, City Attorney; Jerimie Thorne, Deputy Public Works Director; Nate Rockwood, Assistant City Manager; Adam Olsen, Community Development Director; Wendelin Knobloch, Planning Director; Bryton Mecham, Title; Aubrey Ruiz, Community Development Executive Assistant; Chief April Morse, UPD; and Josh Short, Jr. Network Administrator.

6:00 p.m. – WORKSHOP

- Cemetery Discussion

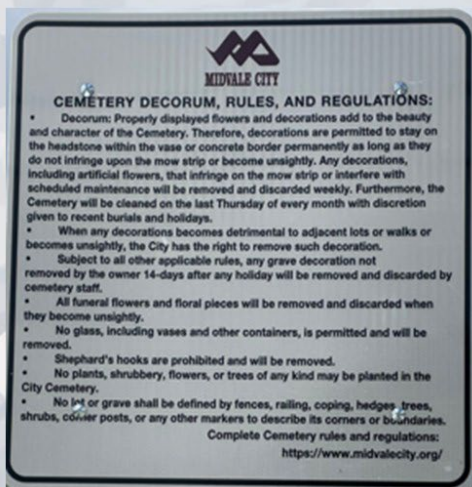
Jerimie Thorne reviewed the rules and regulations for the cemetery; he explained that the rules are enforced due to the maintenance issues.



Rules and Regulations Enforcement Update

- Key Updates (Rules Updates Adopted 8/23/2022):
 - Shepherd Hooks: Explicitly prohibited to prevent maintenance hazards and ensure uniformity.
 - Plantings: No individual planting of trees, shrubs, flowers, or vegetation; all landscaping managed by cemetery staff.
 - Decorations: Restricted to vases or concrete borders; no glass containers or items interfering with maintenance.
 - Upright Headstones: Installation requires a \$500 fee and prior approval via a Headstone Installation Request form.

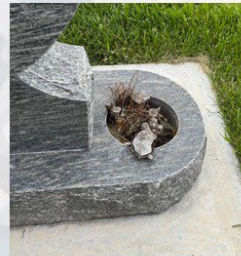
Signage-



Examples-



Examples-



Enforcement and Outcomes

- Enforcement Approach:
 - Post-September 2023, rules are consistently enforced with clear communication to patrons.
 - Headstone installations now require a formal application and approval.
 - For monthly cleanups (last Thursday of the month), remove non-compliant decorations upon discovery.
 - Holiday cleanups are posted with a date for cleanup.
- Outcomes:
 - Cemetery is cleaner, safer, and more inviting for all patrons.
 - Improved aesthetic uniformity and maintenance efficiency.
 - Some patrons challenge rules, but consistent enforcement maintains the standard.

Public and Private Industry Standard: No Plantings Allowed

- Regional Consensus:
 - Maintenance Efficiency: Plantings cause uneven growth, root damage, and mowing obstacles.
 - Aesthetic Uniformity: No plantings ensure a dignified, consistent appearance across the cemetery.
- Midvale's Alignment: Our policy mirrors best practices in Sandy, Murray, West Jordan, South Jordan, Cottonwood Heights, and Holladay.
- Private Cemetery policy mirrors that of Public Facilities: No plantings allowed.
 - Note: Some cemeteries' policies state that they allow plantings by approval only. However, these are for trees only in preplanned areas designed for trees.

Mayor Dustin Gettel introduced Mike Hall, who was upset about a rose bush being removed from his wife's gravesite.

Mike Hall said he would like to see small, well-maintained, plants that do not grow beyond the marker allowed. His wife passed away in 2003. At that time he inquired as to whether plants were allowed, and was told it was fine. He planted a miniature rose up until last summer when it was cut down. He was not notified and at that time he was

informed about the rule change. He would like to see the council revisit the rules and allow the small plants that are maintained and do not grow beyond the perimeter. He felt he should have been grandfathered in.

Mayor Dustin Gettel said he felt bad for Mr. Hall and feels the small rose bush should have been allowed to be planted. Mr. Hall's plant was there for 21 years and removed without his knowledge, Mayor Gettel felt regulations could be put in place for specific plantings.

Council Member Bryant Brown said in the beginning he felt the same as Mayor Gettel until he heard more of what is involved for funeral services and the movement of headstones to get equipment in there.

Council Member Heidi Robinson said Public Works will have to enforce all of the plantings, which will take a lot of time.

Council Member Bryant Brown, said he sympathizes with Mr. Hall, but others can take it too far.

Jerimie Thorne said if they don't get roots in the ground, the plants will be allowed. If it's unsightly it can be removed and it's then up to staff to make that judgement and take the complaints.

Mayor Dustin Gettel said this was allowed for 21 years and then one day not allowed. That's what concerns him. He felt Mr. Hall should have been grandfathered in since it was not a problem.

Council Member Heidi Robinson said grandfathering in makes even more issues with others seeing it being done. That then puts a burden on the Public Works employees.

Jerimie Thorne said there are others who are also upset about the removal of plantings.

Council Member Denece Mikolash asked if there was an area in the cemetery where a planter box could be located that would not cause maintenance issues?

Jerimie Thorne said they do have planter boxes, and it could be looked into.

Matt Dahl said the city wants everyone to be treated the same. Everyone is comparing to everyone else.

Council Member Bryant Brown said it would be only for those people grandfathered who had plantings for 20 years.

Council Member Paul Glover asked if Mr. Hall put the plant in a container within the space of the headstone, if it would be allowed?

Jerimie Thorne said yes.

6:30 p.m. – REGULAR MEETING

Mayor Dustin Gettel called the business meeting to order at 6:42 p.m.

I. GENERAL BUSINESS

A. Welcome and Pledge of Allegiance

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

C. Unified Police Department Report – [Chief April Morse]
Chief Morse began with the statistical report for April. The department responded to 2,381 calls resulting in 841 cases and an average of 85 calls per officer. There were 440 traffic citations.

The Chief reported that The Cops and Kids arts contest has concluded with two winners from Hillcrest High School. She also reported that there are two officers that will retire in June and July.

II. PUBLIC COMMENTS

There was no one who desired to speak.

III. COUNCIL REPORTS

A. Council Member Bonnie Billings – expressed her excitement for the opening of the food truck plaza and invited everyone to join in the fun each Tuesday.

B. Council Member Paul Glover – agreed with Council Member Billings on the excitement surrounding the food court opening.

C. Council Member Heidi Robinson – invited everyone to check out the food court and to stop in and say hello to the council members. She reminded everyone to plan on attending the Harvest Days Festival July 28 through August 2.

D. Council Member Bryant Brown – echoed the sentiments about the food truck plaza and urged residents to attend every Tuesday through the end of summer.

E. Council Member Denece Mikolash – excited about the food court and the convenience of it. She reminded everyone that the Community Council is meeting this week, and she has volunteered on the Harvest Days Committee.

IV. MAYOR REPORT

A. Mayor Dustin Gettel said on Saturday, he did a ribbon cutting at Daiso. He said he had never done a ribbon cutting at a business with so many people waiting in line to enter; he stopped counting at 250. Last Friday he was a judge at The Boys and

Girls Club Youth of the Year Contest. He said he felt a lot of pressure doing that but was honored to be there. He gave a shout out to Chief Morse for her work in keeping the UPD budget under control and within the comfort level of the Council. They were able to keep the budget increase around the 3.8% level. He is also excited about the food truck plaza. He related a story about a resident that had an expensive sewer line break that she couldn't afford on her fixed income. He is happy to report that the resident was approved for some assistance through the Neighborworks program; they were able to cover the entire repair. He is happy that the council put this program in place to help residents that find themselves in a hard position like this.

V. CITY MANAGER REPORT

A. Matt Dahl – turned the time over to Nate Rockwood.

Nate Rockwood discussed the mural festival coming up on June 7th from 4:00 to 9:00 p.m. This will be Midvale's 4th annual festival. There will be seven artists on the street creating murals. There should be some artists on the street this week getting started and then they will be back during the festival to interact and talk with the public. There will be food trucks, a beer garden, and the Arts Council will be doing some sidewalk chalk art with some artists. Main street will be closed for the event. We like to get the businesses involved in the festival and make people aware of what's going on. The Mayor will be doing an art walk, walking around to meet the artists and talk about the new murals and older murals on June 5th at 6:00-7:00 p.m. There will be ice cream after for those interested. We are getting close to our goal of 50 murals on Main Street. Craft Lake City will be doing a workshop the week before on how to create your own home murals. There will be extra parking at the Overstock building.

Matt Dahl said there are city facilities that are available to the public to rent. Every year the council approves the rental fees in the fee schedule. Typically, the fee is charged at the end of the application and reservation process. We are looking at changing the policy, requiring the fee up front during the review process. If something comes up during the review phase prohibiting the applicant from securing the facility the fee would be refunded minus the application portion of the fee. We will also set a cancellation period, if an applicant cancels after the date set for cancellation has passed there will not be a refund but they will be given a year to reschedule. The Council agreed.

VI. ACTION ITEM

A. CONSIDER RESOLUTION NO. 2025-R-30 AUTHORIZING THE MAYOR TO SIGN AN ACCESS AGREEMENT FOR THE USE OF CITY PROPERTY WITH 2 ROW BREWING, LLC

Aubrey Ruiz said Midvale Municipal Code Chapter 9.32.090 allows for consumption of alcoholic beverages within Midvale City limits with an approved site plan, proper licensing, and compliance with all state and local sales and distribution regulations. Midvale City updated section 9.32.090 (C) of the code in 2024:

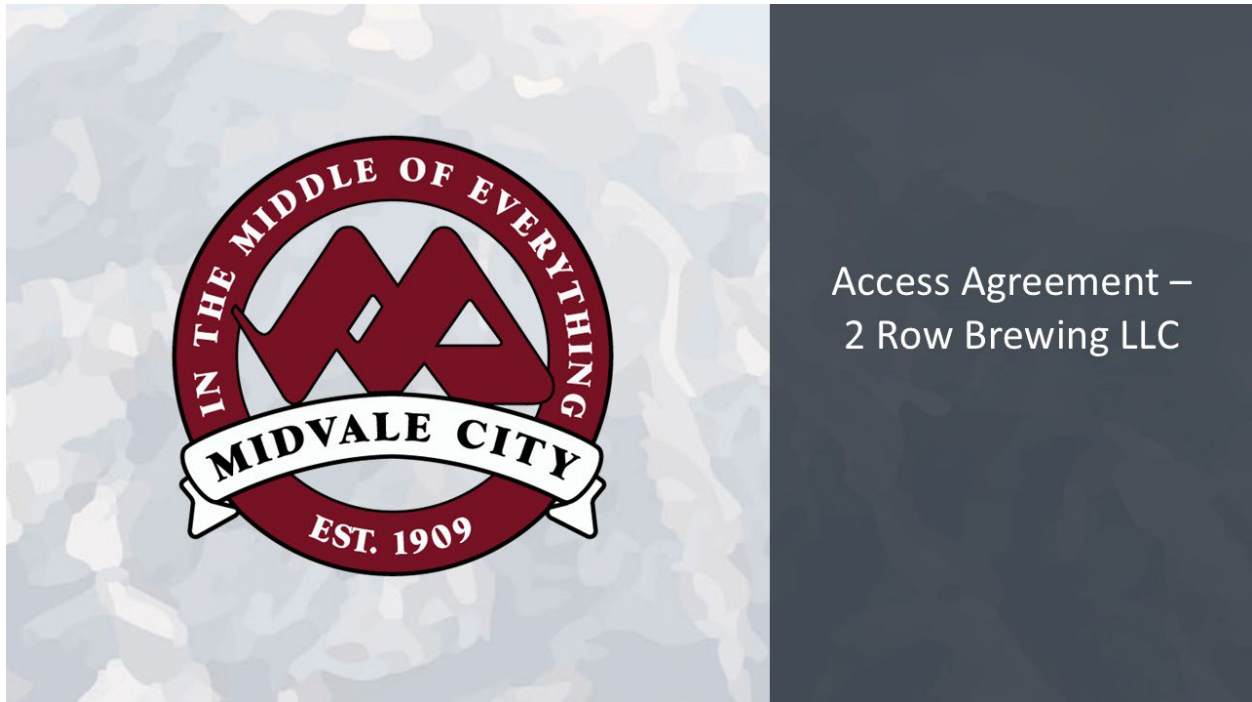
An individual may consume an alcoholic beverage or possess an alcoholic beverage in an unsealed container within a public place, public park, public building, stadium, street, alley, sidewalk, or roadway located within the corporate limits of the city if:

- 1) The location of the consumption or possession of the alcoholic beverage is found within an approved site plan filed with the city by a licensee in accordance with Section 5.10.040(B)(3); and
- 2) The licensee has complied with all state and local regulations governing the sale and distribution of alcoholic beverages.

City Code provides the opportunity for events to host beer gardens or other related activities in controlled environments for the consumption of alcohol when appropriate. This is pivotal in activating Midvale Main and other Midvale locations through events, by providing experiences that attract a broader group of participants. As part of the single event permitting process, the applicant is required to acquire all necessary licensing and approvals from the Department of Alcoholic Beverage Services (DABS) prior to providing services. It also requires compliance with the City's ordinances and further specifies a number of requirements including, but not limited to, adequate insurance coverage and responsible serving protocols.

2 Row Brewing, LLC, a local Midvale City brewery, has submitted complete applications for a single-event alcohol permit with both DABS and Midvale City. The application indicates that they wish to provide alcoholic beverages as part of the Los Muros on Main: 2025 Midvale City Mural Festival. The beer garden will be situated in the newly completed South City Hall Plaza.

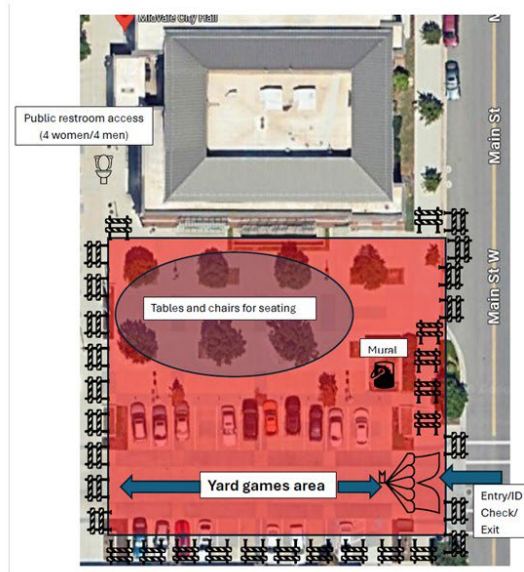
The proposed access agreement with 2 Row Brewing, LLC, would provide temporary approval for this event only. They operated the 2024 beer garden in collaboration with Bohemian Brewery and had great success helping to activate the street. 2 Row Brewing, LLC did not request any changes to the City's proposed access agreement language. RDA staff is requesting that Council suspend the rules and approve the execution of the access agreement, so the applicant is eligible to participate in the Los Muros on Main: 2025 Midvale City Mural Festival.



Background

- Permission to use City Hall Plaza (South) for beer garden at Los Muros on Main: 2025 Midvale City Mural Festival.
- Agreement required for use of City Property.
- Single-Event application has met all requirements listed in the Midvale Municipal Code and state regulations of DABS.

Site Map



MOTION: Council Member Heidi Robinson **MOVED** to Suspend the Rules and Approve Resolution No. 2025-R-30 Authorizing the Mayor to execute an access agreement for the use of city property with 2 Row Brewing, LLC. The motion was **SECONDED** by Council Member Bonnie Billings. Mayor Gettel 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 Denece Mikolash	Aye

The motion passed unanimously.

VII. PUBLIC HEARINGS – 7:00 P.M.

A. PUBLIC HEARING WITH RESPECT TO (A) THE ISSUANCE OF WATER, SEWER, AND STORM DRAIN REVENUE BONDS, SERIES 2025 AND (B) THE POTENTIAL ECONOMIC IMPACT THAT THE IMPROVEMENTS, FACILITY OR PROPERTY TO BE FINANCED WITH THE PROCEEDS OF THE SERIES 2025 BONDS WILL HAVE ON THE PRIVATE SECTOR.

Laura Lewis said Midvale City is anticipating issuing water, sewer, and storm water revenue bonds to finance a portion of the cost of building new public works facilities and will be holding a public hearing to hear public comment on the issuance of these bonds. The parameters below for these bonds were set by the council on April 15, 2025:

- The aggregate principal of the bond shall not exceed \$18,500,000

- Interest shall not exceed 7.00% per annum
- The length of the bond will be no more than 35 years
- The bonds cannot be sold at less than 96% of the total principal

After holding the public hearing, the next step in the bonding process is for the City Council to consider adopting a resolution authorizing the Preliminary Official Statement in its substantially correct draft form, and allow changes and updates as necessary by the Designated Officers and as recommended by bond counsel.

FISCAL IMPACT:

Water, sewer, and storm water bonds are budgeted in FY2025 to help fund the new public works facilities. We will work with our financial advisors and bond counsel to ensure the City meets appropriate debt service coverage and debt service reserves as we move forward with this process.

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

ACTION: Consider Resolution No. 2025-R-28 authorizing a preliminary official statement and an official statement required in connection with the issuance and sale of not more than \$18,500,000 aggregate principal amount of Water, Sewer and Storm Drain Revenue Bonds, Series 2025 and other documents required in connection therewith; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by the resolution; and related matters.

Council Member Paul Glover asked what revenue source will be used for the bonds and how long is the bonding for?

Laura Lewis said the only thing the bondholders have access to is the water revenue to pay for the bonds. A maximum of 35 years is allowed but the goal is to pay them off over a shorter period.

MOTION: Council Member Heidi Robinson MOVED to Adopt Resolution 2025-R-28 Authorizing a Preliminary Official Statement and an Official Statement Required in Connection with the Issuance and Sale of not more than \$18,500,000 Aggregate Principal amount of Water, Sewer and Storm Drain Revenue Bonds, Series 2025 and other Documents Required in Connection therewith; Authorizing the Taking of all other actions Necessary to the Consummation of the Transactions Contemplated by the Resolution; and Related Matters. The motion was **SECONDED** by Council Member Bonnie Billings. Mayor Gettel 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 Denece Mikolash	Aye

The motion passed unanimously.

B. CONSIDER A ZONE MAP AMENDMENT TO ADD THE REGIONAL COMMERCIAL RESIDENTIAL OVERLAY ZONE TO A PROPERTY LOCATED AT 7001 S 900 E. INFORMATION REGARDING THE PROPOSED REGULATIONS, PROHIBITIONS, AND PERMITTED USES THE PROPERTY WILL BE SUBJECT TO IF THE REZONE IS ADOPTED CAN BE FOUND IN MIDVALE CITY CODE 17-7-12.1.

Wendelin Knobloch said this application seeks to re-establish a productive use on a 2.37-acre parcel located at 7001 S 900 E by adding the Regional Commercial Residential Overlay Zone (RCRO). The parcel had been occupied by a medical office development until it burnt down on January 17, 2021.

The Planning Commission and City Council considered and denied a different application for this parcel in 2024.

The parcel fronts onto the eastern side of 900 E, one tenth of a mile north of the intersection with Fort Union Blvd. 900 E, also named SR 71, is a busy, high volume state highway, 22 miles in length, that traverses the Salt Lake Valley starting in downtown Salt Lake City until it connects to Bangerter Highway in Riverton.

A driveway that is located on this parcel buffers the financial office to the north from the main portion of the parcel. A fast-food restaurant that is part of a larger shopping center is located to the south. The Essex Court Condominium Community is located to the east of the project and accesses 900 E via the driveway on the subject parcel.

The application includes a concept plan that depicts a mixed-use development with retail on the first floor, podium parking, and a thoughtful design that breaks up the 900 E frontage while at the same time buffering the residential neighborhood on the east of the

project.

A sign was placed on the property, the hearing was advertised at City Hall, on the City Website, on the Utah Public Notice website, and was sent out to property owners within 500 feet of the subject property.

The Planning Commission, City Council, and Staff received extensive public comment which addressed, among others, the following topics: traffic, congestion, safety, density, the residential character of the area, parking, homelessness, and property values. The written comment was gathered and forwarded to the Planning Commission and City Council. Verbal comment made during the Planning Commission meeting can be accessed on Midvale's YouTube Channel.

Midvale Municipal Code (MMC) Section 17-3-1(E) and the RCRO Zone (MMC 17-7-12.1.1) outline the criteria and required findings necessary for granting a zone map amendment as shown below.

MMC Section 17-3-1(E): Amendments to the Zoning Code or Map

E. Zoning Map Amendment Criteria. The city's zoning is the result of a detailed and comprehensive appraisal of the city's present and future land use allocation needs. A zoning map 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. Proposed rezoning promotes objectives of the general plan;

Staff Response: This criterion has been fulfilled. The parcel is located in the immediate vicinity of the Fort Union Opportunity Area and the proposed zone map amendment satisfies the goal to "Support redevelopment of the area to include mixed office/residential and commercial uses by incorporating structured parking" of the general plan. The concept plan shows structured parking and a mix of commercial/office and residential uses as envisioned in 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;

Staff Response: This criterion has not been fulfilled. There is no evidence that the existing zoning was a result of a clerical error, a mistake of fact, or failed to account for constraints to development that are created by the natural characteristics of the land.

3. Land or its surrounding environs have changed or are 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

Staff Response: This criterion has been fulfilled. The parcel of land has changed due to the disastrous fire in 2021 and redevelopment is in the public interest.

4. Proposed rezoning promotes the purposes outlined in Utah Code Annotated 10-9a-102.

Staff Response: This criterion has been fulfilled. The proposed rezoning promotes the purposes outlined in Utah Code Annotated 10-9a-102, such as “provide for the health, safety, and welfare”, “promote the prosperity”, and “protect the tax base”.

MMC 17-7-12.1.1 Regional Commercial Residential Overlay

To utilize the regional commercial residential overlay, it must be demonstrated the proposed development fulfills the following goals:

A. Provides critical mass necessary to help facilitate the transition of regional commercial shopping centers into vibrant mixed-use developments;

Staff Response: This criterion has been fulfilled. The parcel sits at the outer edge of the shopping center and will contribute to the overall health of the area by providing additional commercial space and additional housing opportunities.

B. Creates a consistently high quality urban environment;

Staff Response: This criterion has been fulfilled. The attached concept plan considers the residential neighbors on the eastern side and shows a thoughtfully designed structure that breaks up the front façade, provides commercial space on the 900 E frontage, and adds visual interest by presenting two building components which wrap around each other. The shorter portion of the building (52' tall) borders a landscape buffer and existing residential development further east. The taller portion (64' tall) fronts 900 E/SR 71 which is a five-lane highway with a right-of-way width that exceeds 100'. Parking is internal to the structure with the exception of a few parking spaces placed close to the commercial use on the southern side of the building where it borders the parking lot of the fast-food restaurant to the south and does not impact the residential neighbors to the east. Guest parking is also provided in the existing parking lot at the northern end of the property.

C. Enhances the investment of those locating within the regional commercial zone;

Staff Response: This criterion has been fulfilled. The proposal enhances the investment of other property owners in the Regional Commercial zone due to the high quality of the concept and the transformation of a vacant site to productive use.

D. Promotes economic development by increasing the utilization of existing parcels within current developments;

Staff Response: This criterion has been fulfilled. The proposal increases the utilization

of the existing parcel because the previous development burnt down, and the parcel is currently vacant.

E. Eliminates large, underutilized surface parking areas by utilizing alternate parking methods, including but not limited to structured parking and shared parking;

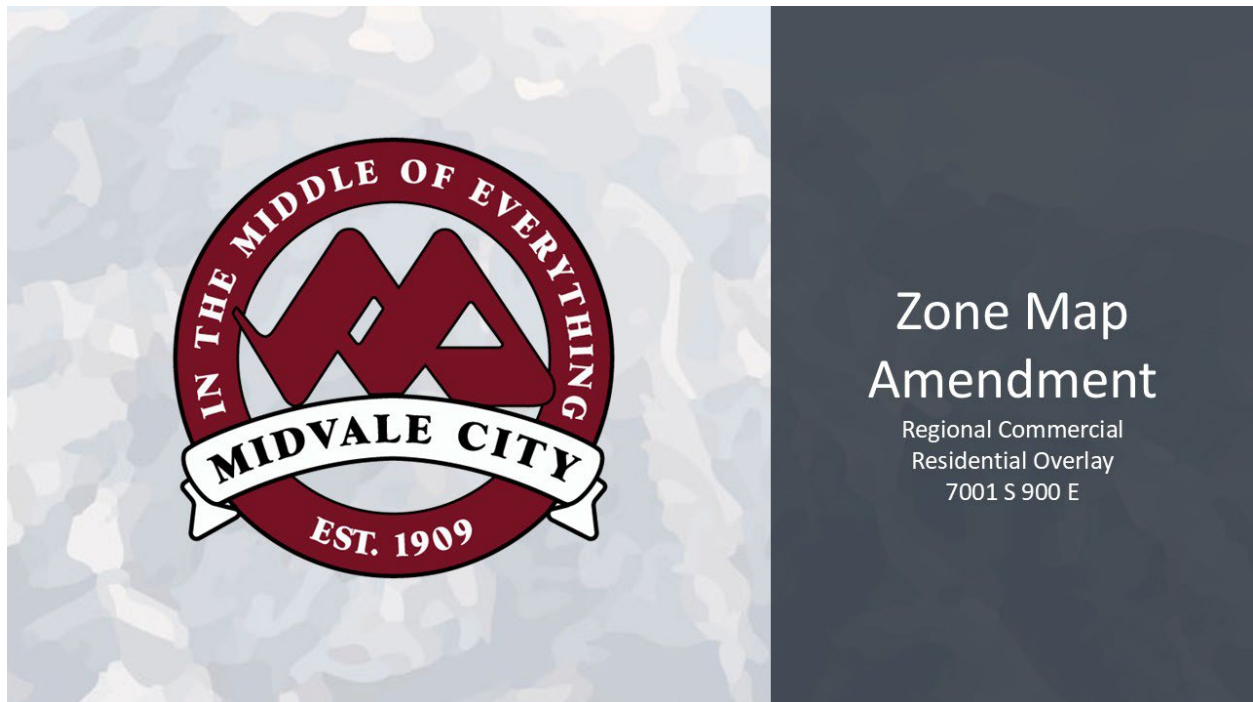
Staff Response: This criterion has been fulfilled. This proposal internalizes more than 80% of the parking into the podium of the structure. The concept plan shows 199 spaces within the parking structure, 15 guest parking spaces in the northern portion of the site, and 32 spaces on the southern side of the building serving the retail/commercial uses.

F. Provides compatibility between residential and commercial uses to create a comfortable environment for both shoppers and residents; and

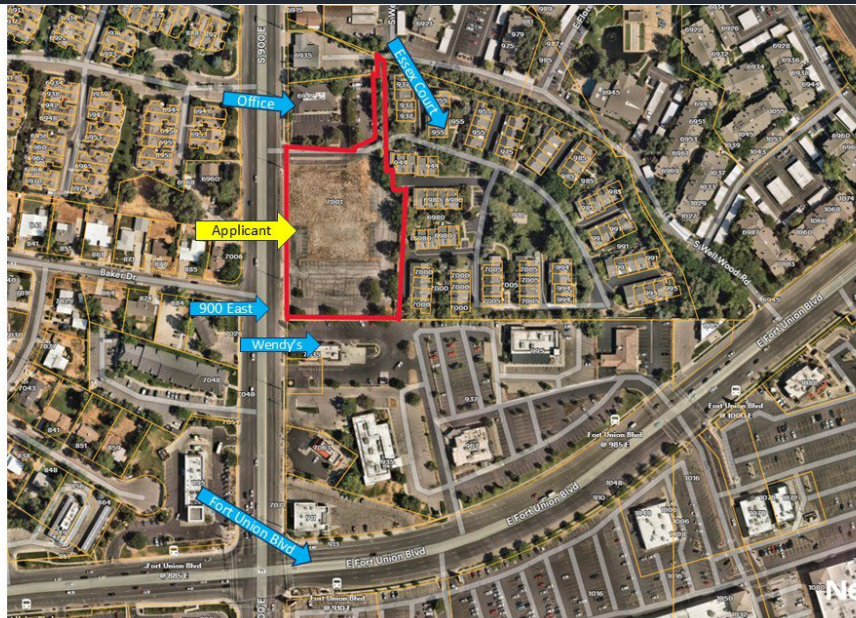
Staff Response: This criterion has been fulfilled. The design of this concept activates the 900 E frontage with retail uses and a design that engages passersby. It strikes a good balance between providing commercial and residential space while incorporating design elements to not overwhelm nearby residential uses.

G. Provides pedestrian connections within and among developments to support pedestrian activity in existing auto-oriented developments and encourages pedestrian movement. (Ord. 2016-07 § 1 (Att. A (part)))

Staff Response: This criterion has been fulfilled. The project encourages pedestrian movement and adds walkability to the area by minimizing surface parking, adding retail frontage onto 900 E, and introducing a true mixed-use building.



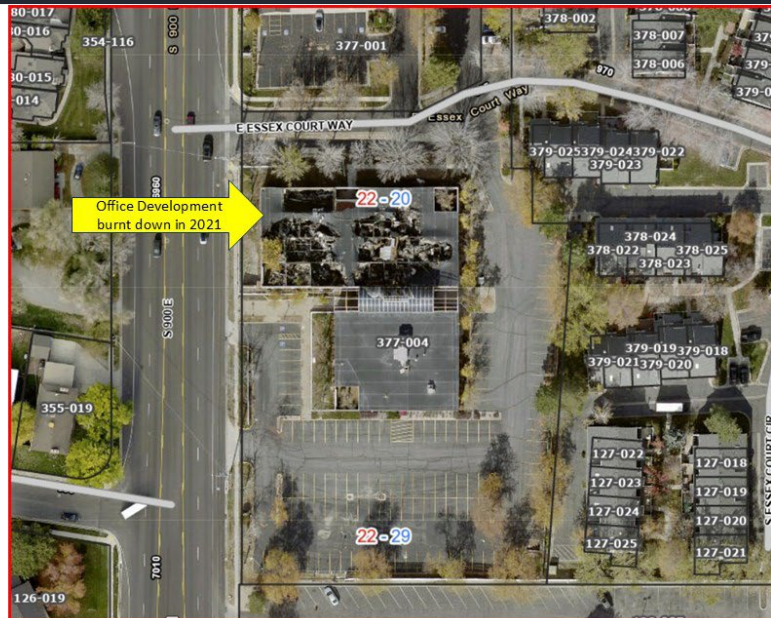
Context



Context



Context



General Plan

10-9a-405. Effect of general plan.

Except as provided in Section [10-9a-406](#), the general plan is an advisory guide for land use decisions, the impact of which shall be determined by ordinance.



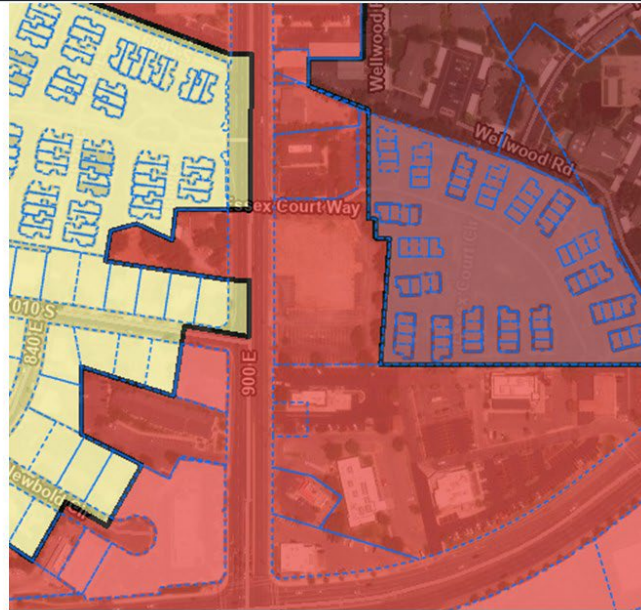
Context

Goals:

Future land use goals for the Fort Union Opportunity Area include:

- ➡ 1. Diversify and increase density of land use mix to develop a compact full-service pedestrian scale walkable shopping center
- ➡ 2. Provide and implement new bike routes to complete the transportation system
- ➡ 3. Support redevelopment of the area to include mixed office/residential and commercial uses by incorporating structured parking
- ➡ 4. Strengthen retail uses in the vicinity of the Shops at Fort Union to remain competitive
5. Enhance Fort Union Boulevard with urban design standards to create a distinct area character
6. Enhance public transit to the Fort Union area
7. Improve internal circulation in the Fort Union area
8. Attract visitors traveling on Fort Union Boulevard to the Cottonwood Canyons

Zoning



Proposed Amendment-Criteria MMC 17-3-1(E)

Demonstrate One or More of the Following:

- ✓ 1. Proposed rezoning promotes objectives 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;
- ✓ 3. Land or its surrounding environs have changed or are 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 Code Annotated 10-9a-102.

Proposed Amendment-Criteria MMC 17-7-12.1.1

1. Provides **critical mass** necessary to help facilitate the transition of regional commercial shopping centers into **vibrant mixed-use developments**;
2. Creates a consistently **high quality urban environment**;
3. **Enhances the investment** of those locating within the regional commercial zone;
4. Promotes **economic development** by increasing the **utilization of existing parcels** within current developments;
5. **Eliminates large, underutilized surface parking** areas by utilizing alternate parking methods, including but not limited to structured parking and shared parking;
6. Provides **compatibility between residential and commercial** uses to create a comfortable environment for both shoppers and residents; and
7. Provides **pedestrian connections** within and among developments to support pedestrian activity in existing auto-oriented developments and encourages pedestrian **movement**.

Massing-Concept Plan



MIDVALE FORT UNION APARTMENTS
MIDVALE, UT 84047
Contact: Design Review

MVE
ARCHITECTS

1000 S. FARMINGTON
1000 S. FARMINGTON, SUITE 600
PHOENIX, AZ 85024
PHONE: (602) 895-5555

A3-5
BUILDING MASSING
MARCH 18TH, 2025

Massing-Concept Plan



MIDVALE FORT UNION APARTMENTS
MIDVALE, UT 84047
Concept Design Review

MVE
PARTNERS
100 MAIN STREET, SUITE 800
PROVO, UT 84601
PHONE: 801.555.1338

A3-3
BUILDING MASSING
MARCH 18TH, 2025

Massing-Concept Plan

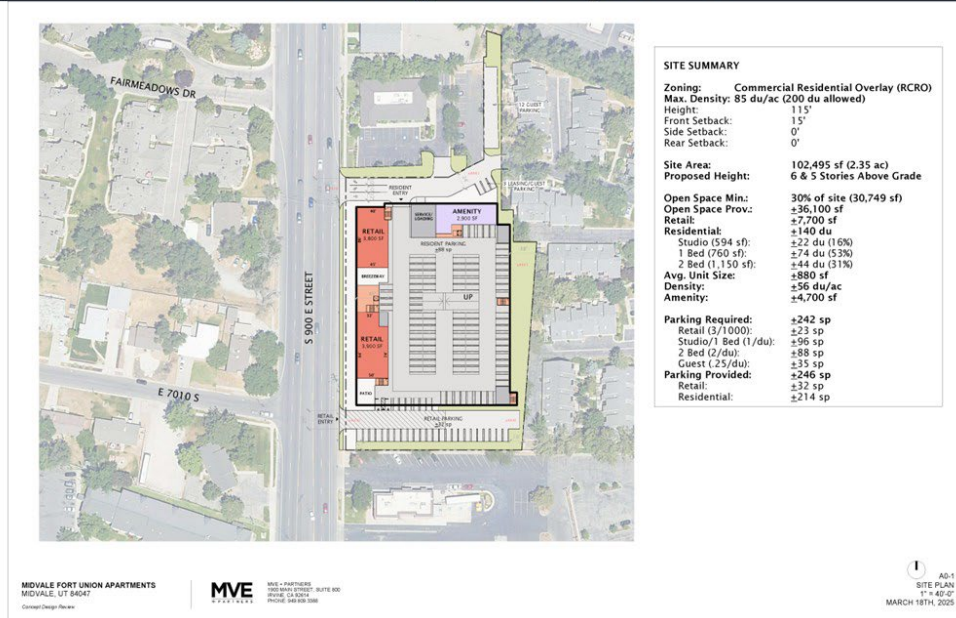


MIDVALE FORT UNION APARTMENTS
MIDVALE, UT 84047
Concept Design Review

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A3-4
BUILDING MASSING
MARCH 18TH, 2025

Massing-Concept Plan



Proposed Amendment-Findings

- 1.The application complies with the provisions of MMC 17-3-1(E)
- 2.The application complies with MMC 17-7-12.1.1.
- 3.The developer does not attempt to maximize the use of the property at the expense of surrounding development.

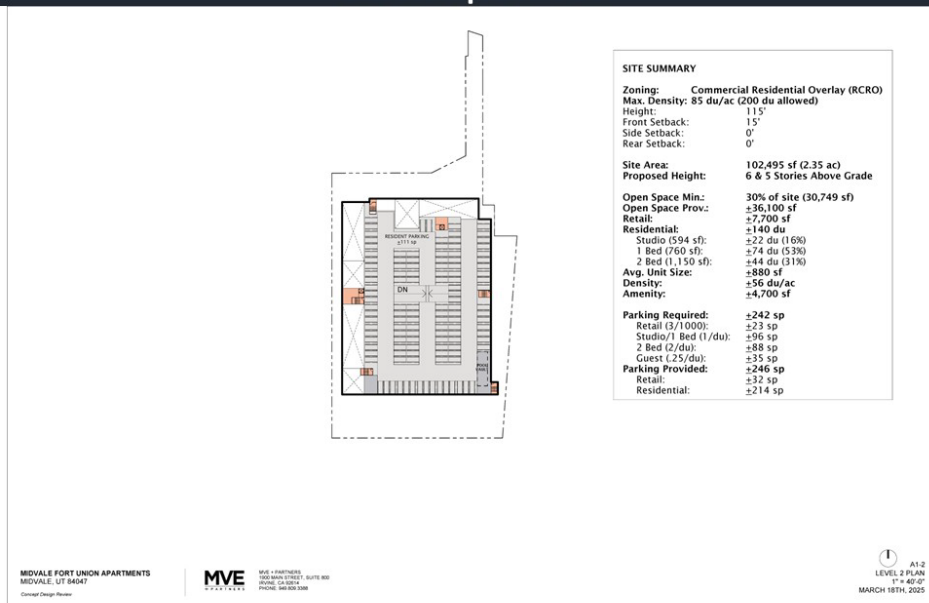
Recommended & Alternative Motion

I move that we *approve* Ord No. 2025-O-08 Authorizing a Zone Map Amendment to add the Regional Commercial Residential Overlay Zone to a property located at 7001 S 900 E with the findings noted in the staff report.

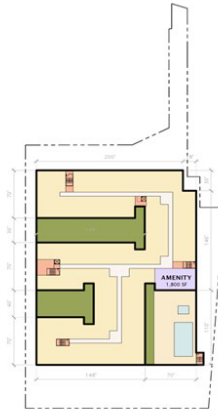
I move that we *deny* Ord No. 2025-O-08 Authorizing a Zone Map Amendment to add the Regional Commercial Residential Overlay Zone to a property located at 7001 S 900 E with the following findings:

- [Insert findings that express how (1) none of the four criteria in MMC 17-3-1(E) are fulfilled and (2) any of the criteria in MMC 17-7-12.1.1 are not fulfilled.]

Concept Plan



Concept Plan



SITE SUMMARY	
Zoning:	Commercial Residential Overlay (RCRO)
Max. Density:	85 du/ac (200 du allowed)
Height:	115'
Front Setback:	15'
Side Setback:	0'
Rear Setback:	0'
Site Area:	102,495 sf (2.35 ac)
Proposed Height:	6 & 5 Stories Above Grade
Open Space Min.:	30% of site (30,749 sf)
Open Space Prov.:	±36,100 sf
Retail:	±7,700 sf
Residential:	±140 du
Studio (594 sf):	±22 du (16%)
1 Bed (760 sf):	±74 du (53%)
2 Bed (1,150 sf):	±44 du (31%)
Avg. Unit Size:	±880 sf
Density:	±56 du/ac
Amenity:	±4,700 sf
Parking Required:	±242 sp
Retail (3/1000):	±23 sp
Studio/1 Bed (1/du):	±96 sp
2 Bed (2/du):	±88 sp
Guest (.25/du):	±35 sp
Parking Provided:	±246 sp
Retail:	±32 sp
Residential:	±214 sp

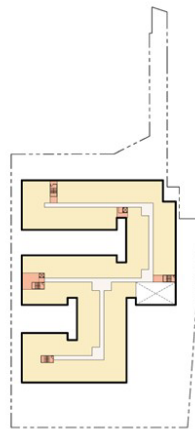
MIDVALE FORT UNION APARTMENTS
MIDVALE, UT 84047
Concept Design Review



MVE + PARTNERS
1000 MAIN STREET, SUITE 800
IRVINE, CA 92614
PHONE: 949.800.3388

A1-3
LEVEL 3 PLAN
1" = 40'-0"
MARCH 18TH, 2025

Concept Plan



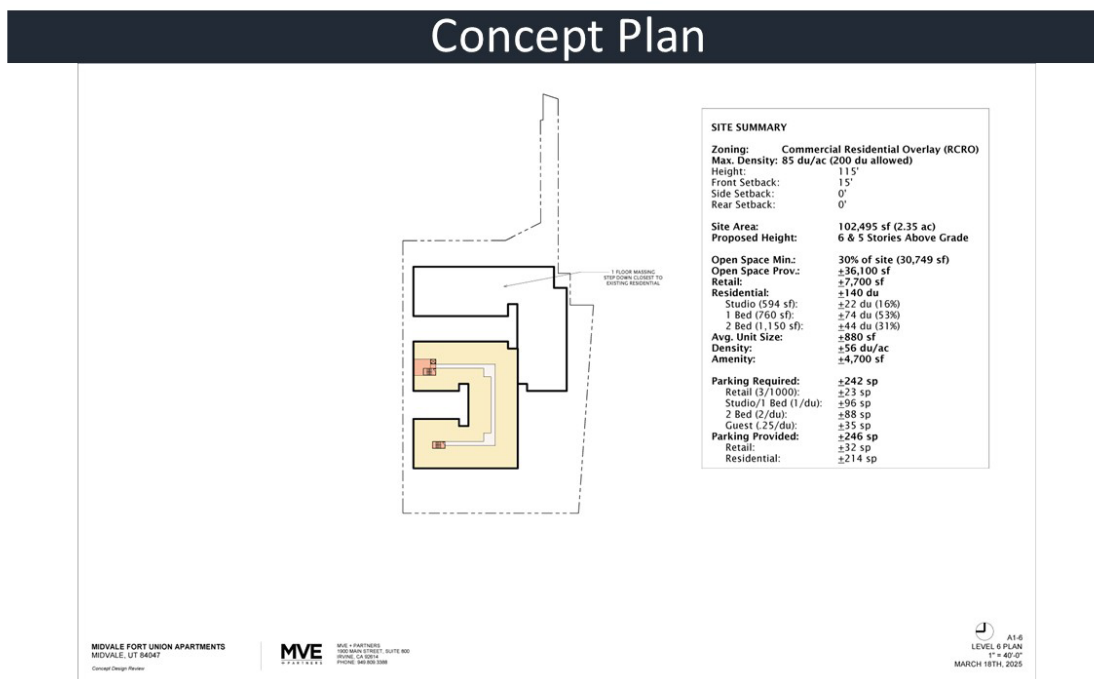
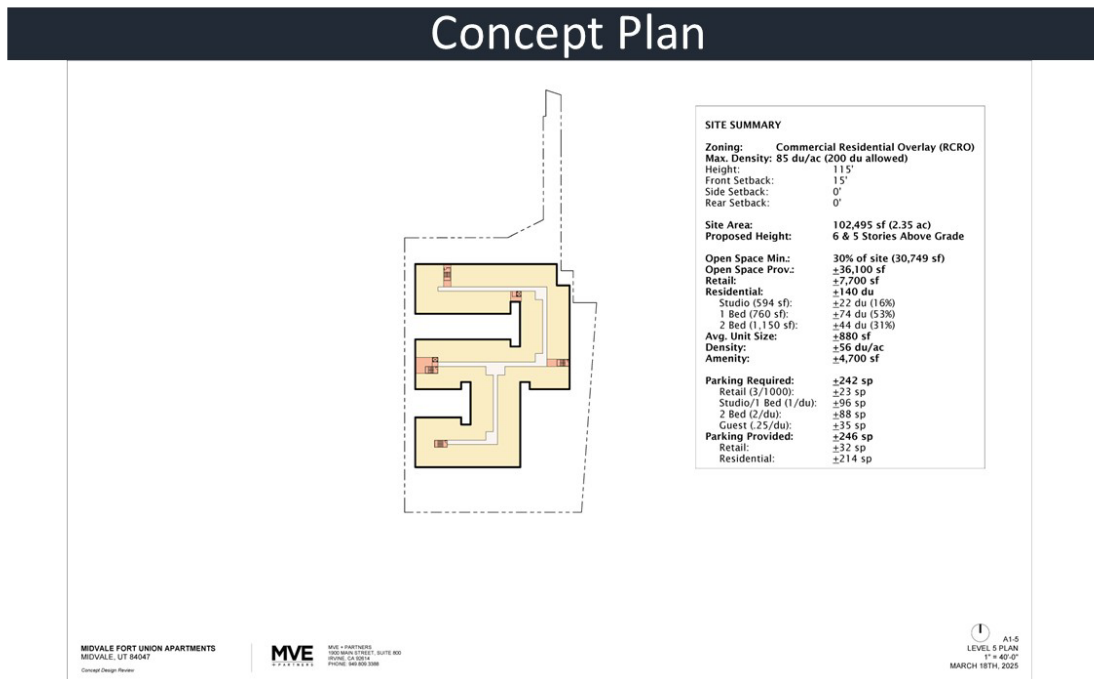
SITE SUMMARY	
Zoning:	Commercial Residential Overlay (RCRO)
Max. Density:	85 du/ac (200 du allowed)
Height:	115'
Front Setback:	15'
Side Setback:	0'
Rear Setback:	0'
Site Area:	102,495 sf (2.35 ac)
Proposed Height:	6 & 5 Stories Above Grade
Open Space Min.:	30% of site (30,749 sf)
Open Space Prov.:	±36,100 sf
Retail:	±7,700 sf
Residential:	±140 du
Studio (594 sf):	±22 du (16%)
1 Bed (760 sf):	±74 du (53%)
2 Bed (1,150 sf):	±44 du (31%)
Avg. Unit Size:	±880 sf
Density:	±56 du/ac
Amenity:	±4,700 sf
Parking Required:	±242 sp
Retail (3/1000):	±23 sp
Studio/1 Bed (1/du):	±96 sp
2 Bed (2/du):	±88 sp
Guest (.25/du):	±35 sp
Parking Provided:	±246 sp
Retail:	±32 sp
Residential:	±214 sp

MIDVALE FORT UNION APARTMENTS
MIDVALE, UT 84047
Concept Design Review



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IRVINE, CA 92614
PHONE: 949.800.3388

A1-4
LEVEL 4 PLAN
1" = 40'-0"
MARCH 18TH, 2025



Council Member Bonnie Billings asked how many units are planned.

Wendelin Knobloch said 140 – 200.

Council Member Paul Glover said if this is rezoned without a development agreement there is no guarantee that the city will get what is presented on paper and asked Wendelin to explain what a development agreement would do.

Wendelin Knobloch said yes, that is correct, without a development agreement anything could happen. If there is a development agreement in place everything in the agreement is legally binding, for example heights of buildings and the number of parking spaces. The development agreement remains with the property. If the property is sold to a new developer, the requirements in the agreement still apply.

Council Member Bonnie Billings asked if a development agreement could be amended.

Wendelin Knobloch said the Council can instruct the Planning Department to negotiate a development agreement with the applicant.

Council Member Bonnie Billings asked which would come first, the zone change or the development agreement.

Garrett Wilcox said in this case he would recommend tabling the zone change until the development agreement has been prepared. He went on to address what may happen in hypothetical situations.

Council Member Bryant Brown explained his thoughts on how the State Legislature gets involved in cities business when it comes to zoning. He prefers having a development agreement in place.

Adam Paul, the project developer, said it's been a challenge to come up with a good compromise for this development. However, he said he felt this proposed development is a good compromise. The average rental rate will be \$1100-1200 a month. These are not subsidized units, but they are below the monthly cost that would be seen on a home purchase. They will have a mix of studios, one bedroom, and two bedrooms. He said the rent will be market rate.

Council Member Heidi Robinson said this is not the affordable housing she is looking for.

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

Megan Theorine, respectfully urged the council to deny the rezone. This rezone will affect the safety and quality of life of the people that live and work in this area. She talked about the dangerous situations that the Hillcrest High students may encounter. She isn't against any development, just this type of development.

Cathy Tibble, Midvale resident, asked what research has been done on water needs for this development. Does the developer know about the egress issue in case of another earthquake?

Edward Kimball, Essex Court resident and homeowner, said he disagrees with staff on their analysis of code. They have seen three iterations of this project at this site, there is no commitment and anything can be built. He is concerned that the residents won't be able to be part of a development agreement. He would like the residents' comments to be read.

Sam Kingore, Essex Court resident, opposed the rezoning. Agree with previously determined decision by City Council and Planning Commission that the RCRO does not apply to this location. Traffic studies that were previously done and the zoning of the property didn't change; therefore, the traffic impact that was studied did not account for this project. The residential parking counts would be greater than commercial parking counts. He would like to see more long-term planning.

Mikel Hanni, Essex Court Resident and HOA Board member, said she agrees that the property needs to be developed but she is concerned about the safety of what has been proposed. There has been no traffic study, no pedestrian safety analysis, and no emergency vehicle plan. She wants development that will increase walkability, strengthen the community, and serve the people living nearby. She wants the guarantee of a development agreement.

David McBride, owner of Sovereign Financial Group, said he is just north of the proposed development. He said he submitted a lengthy detailed letter from his counsel yesterday. He feels like this area is being spot zoned for this particular development. He wants the protection of a development agreement. He requests that the council read their letter.

Emy Cordano, Essex Court Homeowner, said she is concerned that this building will be a monstrosity since nowhere on Fort Union is there a building as large as this one. This building will destroy the neighborhood. She wants this item to be tabled until the HOA letter and David McBride's letter be read.

Joe Schentz, Fair Meadows resident, said traffic is already a problem, he would like to have a development agreement in place.

Ida Baghoomian, property owner of the property in question, said her family has owned the property for over 20 years. It has been her family's intent to find a solution that is considerate of the neighboring communities. It's not just about profitability, the goal is to abide by a development agreement.

Adam Paul, developer, said they are also concerned about safety, water, traffic, etc. same as the residents. Part of the building permit process is to review these concerns and make sure everything is safe.

Kevin Davis, Fair Meadows resident, said it's a gated community, he has a law enforcement background from Oxnard California. Most of the crime in Oxnard was in areas of low-income housing. Maybe they should make a park out of this area.

The following comments were submitted by email prior to the meeting:

 Outlook

FW: 7001 S 900 E

From Midvale Planning Mailbox <Planning@midvaleut.gov>

Date Mon 5/19/2025 12:36 PM

To Wendelin Knobloch <wknobloch@midvaleut.gov>

-----Original Message-----

From: Michelle Katsanevas [REDACTED]

Sent: Monday, May 19, 2025 12:20 PM

To: Midvale Planning Mailbox <Planning@midvaleut.gov>

Subject: 7001 S 900 E

Sent from my iPhone

I'm voting NO again on the address 7001 so 900 E. Not to be zoned residential

Thank you,

Michelle Katsanevas

My complex is right across the street and we already have too much traffic on 9th east it's not sustainable with the old RC Willeys units going up it's going to already be too much traffic.

Proceedings of City Council Meeting
May 20, 2025



Fw: Public Comment Submission for City Council

From Charlie Cressall <ccressall@midvaleut.gov>

Date Mon 5/19/2025 5:01 PM

To Adam S. Olsen <aolsen@midvaleut.gov>; Kate Andrus <kandrus@midvaleut.gov>; Wendelin Knobloch <wnobloch@midvaleut.gov>

We received this comment today.

From: noreply@revize.com <noreply@revize.com>

Sent: Monday, May 19, 2025 4:57 PM

To: Rori Andreason <randreason@midvaleut.gov>

Cc: Charlie Cressall <ccressall@midvaleut.gov>

Subject: Public Comment Submission for City Council

text-1728315720217 = Brittany

text-1728315733735 = Mullins

textarea-1728315764583 = [REDACTED]

[REDACTED]

text-1728315785401 = [REDACTED]

date-1728315809166 = 2025-05-20

select-1728315833162 = Redevelopment Agency

textarea-1728315924358 = Hello - I am opposed to the rezoning of the property at 7001 S 900 E for the construction of a Five Story, 140 unit apartment building. They want to use the same entrance that we use and it's our only way in and out (this is a fire hazard concern). Where would all the tenants park if they don't provide enough space. Traffic - 900 E between 6100 S and 7200 S is a nightmare between 4 - 6pm.

Client IP = 207.173.78.2



Fw: Public Comment Submission for City Council

From Charlie Cressall <ccressall@midvaleut.gov>

Date Mon 5/19/2025 2:18 PM

To Adam S. Olsen <aolsen@midvaleut.gov>; Kate Andrus <kandrus@midvaleut.gov>; Wendelin Knobloch <wnobloch@midvaleut.gov>

WE received this today.

From: noreply@revize.com <noreply@revize.com>

Sent: Monday, May 19, 2025 12:32 PM

To: Rori Andreason <randreason@midvaleut.gov>

Cc: Charlie Cressall <ccressall@midvaleut.gov>

Subject: Public Comment Submission for City Council

text-1728315720217 = Sam

text-1728315733735 = Kingore

textarea-1728315764583 = [REDACTED]

text-1728315785401 = [REDACTED]

date-1728315809166 = 2025-05-20

select-1728315833162 = Redevelopment Agency

textarea-1728315924358 = RE: Zone Map Amendment to RCRO at 7001 S 900 E. I apposed this proposed amendment. Previously rejected by Planning Commission and City Council last year. The 2024 workshop and traffic study for Midvale do not account for change in zone to this property. Impacts not mitigated with zoning change. It should be rezoned to MU - mixed used since this affords the City more control with a master planned development.

Client IP = 4.4.204.178

 Outlook

FW: 7001 S 900 E

From Midvale Planning Mailbox <Planning@midvaleut.gov>
Date Mon 5/19/2025 12:36 PM
To Wendelin Knobloch <wknobloch@midvaleut.gov>

-----Original Message-----

From: Michelle Katsanevas [REDACTED]
Sent: Monday, May 19, 2025 12:20 PM
To: Midvale Planning Mailbox <Planning@midvaleut.gov>
Subject: 7001 S 900 E

Sent from my iPhone

I'm voting NO again on the address 7001 so 900 E. Not to be zoned residential

Thank you,

Michelle Katsanevas

My complex is right across the street and we already have to much traffic on 9th east it's not sustainable with the old RC Willeys units going up it's going to already be to much traffic.



FW: zoning proposal

From Midvale Planning Mailbox <Planning@midvaleut.gov>
Date Mon 5/19/2025 10:01 AM
To Wendelin Knobloch <wknobloch@midvaleut.gov>

From: Allen Wallace [REDACTED]
Sent: Monday, May 19, 2025 9:59 AM
To: Midvale Planning Mailbox <Planning@midvaleut.gov>
Subject: zoning proposal

I would like to state my objection to the proposed rezoning on 700 E. and 900 E. The zoning change to high density housing would create a very difficult traffic situation for the surrounding communities and houses. The traffic and parking in the area is already challenging and a zoning change would compound the issue and possibly create dangerous situations for the residents. The change would also directly influence the dynamics of the neighborhood.

Again, I would like to state my objection to the proposed zoning changes.

Thank you
Allen Wallace
Owner occupant on 700 E.

Proceedings of City Council Meeting
May 20, 2025



Fw: Public Comment Submission for City Council

From Charlie Cressall <ccressall@midvaleut.gov>
Date Mon 5/19/2025 8:07 AM
To Kate Andrus <kandrus@midvaleut.gov>; Adam S. Olsen <aolsen@midvaleut.gov>; Wendelin Knobloch <wnobloch@midvaleut.gov>
Cc Rori Andreason <randreason@midvaleut.gov>

We received this message over the weekend.

Thanks,
Charlie

From: noreply@revize.com <noreply@revize.com>
Sent: Sunday, May 18, 2025 1:30 PM
To: Rori Andreason <randreason@midvaleut.gov>
Cc: Charlie Cressall <ccressall@midvaleut.gov>
Subject: Public Comment Submission for City Council

text-1728315720217 = Betty
text-1728315733735 = Stearns
textarea-1728315764583 = [REDACTED]
[REDACTED]
text-1728315785401 = [REDACTED]
date-1728315809166 = 2025-05-20
select-1728315833162 = Redevelopment Agency
textarea-1728315924358 = RE: Zone Map Amendment 7001 S 900 E-states project encourages pedestrian movement. How? I walk to Smiths all the time -more cars will not encourage me to walk.. Essex buildings are settled over 40 years. What if construction causes foundation cracks or other damage? Construction prices rise-what happens if developer runs out of money? Heavy Winter snow removal? Emergencies that block vehicles. Why does Midvale want more congestion in this area?
Client IP = 75.169.5.155

POOLE & ASSOCIATES, L.C.
ATTORNEYS AT LAW

DENNIS K. POOLE, P.C.

4543 SOUTH 700 EAST, SUITE 200
SALT LAKE CITY, UTAH 84107
TELEPHONE (801) 263-3344
TELECOPIER (801) 263-1010

May 19, 2025

VIA planningj@midvale.com

Midvale City Council
7505 S. Holden Street
Midvale, Utah 84047

Re: Adam Paul – Zoning Map Amendment
7001 S. 900 East, Midvale, Utah

Dear Council Members:

This firm represents KME, LLC, a Utah limited liability company (“KME”), managed by Mr. David McBride who is the owner and operator of Sovereign Financial Group (“Sovereign”), an insurance and investment firm with offices located at 6947 South 900 East, Midvale, Utah. On behalf of KME and Sovereign, we respectfully submit this letter in opposition to the Zoning Map Amendment request.

I. STATEMENT OF REQUEST

Mr. Paul has requested a Zone Map Amendment to add the Regional Commercial Residential Overlay Zone to a property located at 7001 South 900 East, Midvale (the “Paul Property”). The Paul Property is located on the east side of 900 East, one tenth of a mile north of the intersection with Fort Union Blvd. KME and Sovereign are located to the north of the Paul Property separated by a private easement which provides access to the KME Property to the north, and Essex Court Condominiums (consisting of 134 condominium units) to the east. A fast-food restaurant is located immediately to the south of the Paul Property. Further south and east of the fast-food restaurant are additional commercial use sites all of which are north of Fort Union Blvd. South of Fort Union Blvd is a major shopping center extending from 700 East to South Union Park Avenue.

The Paul Property is currently located within a Regional Commercial (RC) zone. Mr. Paul is requesting that a Regional Commercial Residential Overlay Zone (“RCRO”) be imposed upon the Paul Property.

KME and Sovereign oppose the request for the RCRO overlay zone asserting that Mr. Paul cannot satisfy the requirements for a zone amendment.

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II. Requirements for a Zone Amendment.

The Staff Report to the City Council quotes the Midvale Municipal Code (“MMC”). Sections 17-3-1 (E) and Section 17-7-12.1.1 (Regional Commercial Residential Overlay Zone, herein the “RCRO”) setting forth the criteria for a zone amendment and stating in substance that for a zone amendment to be made, there must be “findings” set forth on the record which justify the amendment. KME and Sovereign will set forth each of the requirements for a zone change and assert that Mr. Paul fails to establish sufficient criteria to support the requested amendment.

KME and Sovereign’s assertions are as follows:

A. Preliminarily, Section 17-3-1 (E) specifies as follows:

“E. *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. A zoning map 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:”

The planning staff has previously argued that 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 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,** demonstrated by the applicant.

Argument: The foregoing language states that a rezone is not favored and only allowed under limited circumstances. Based upon the foregoing language, first, there is a presumption against granting a rezone request, and second, the burden to demonstrate the right to a rezone is upon the applicant. KME and Sovereign argue that Mr. Paul fails to carry his burden. The criteria are listed in Section 17-3-1.

Requirement No. 1:

“1. Proposed rezoning promotes objectives of the general plan” [The general plan is defined as a document that a municipality adopts that sets forth general guidelines for proposed future development of the land within the municipality, as set forth in Title 10, Chapter 9a of the Utah Code Annotated. See MMM 17-2-7.]

Argument: a. Midvale City adopted a General Plan in 2016. See the General Plan. At page 46 of the General Plan, the report concluded at page 46, that “In Stability Areas the current overall land-use mix is desirable, and preservation of these area’s character and function is the

Midvale City Council

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desired future condition. These areas are nearly fully developed and have little foreseeable change in the types or intensity of land use in the future". See copy of page 46 attached. The report continued that "In Opportunity Areas, minor-to-major changes in current land uses are likely to occur due to market forces, increasing land values and opportunities to optimize land uses to take advantage of transit and other public investments." On that same page 46, the land use goals for Stability Areas include: "Buffer uses in Stability Areas from more intensive land uses nearby, including adjacent Opportunity Areas."

b. The Stability Areas specified in the General Plan included the area designated as the "North Union Area". See Neighborhood Area Map of General Plan attached, and Page A-37. The Paul Property is located in the North Union Area since this entire area of the North Union Area is bounded to the South by the Shops at Fort Union.

c. The General Plan also designated the commercial shopping center (the Shops at Fort Union) as the Fort Union Opportunity Area, bounded by commercial properties fronting on Fort Union Boulevard on the north, South Union Avenue and Hillcrest High School on the South and 700 East on the West and Union Park Avenue on the East.. Page 56 of the General Plan. One of the goals of the Fort Union Opportunity Area included "Support redevelopment of the area [meaning the Opportunity Area] to include mixed office/residential and commercial uses by incorporating structured parking." Page 56. See also page 63 of the General Plan which specified that individualized design studies should be prepared for each Opportunity Area. See Page 63.

d. The staff report (in the form provided to the Planning Commission and to the City Council) suggests that the proposed zone map amendment satisfies the goal to "support redevelopment of the area to include mixed office/residential and commercial uses by incorporating structure parking." However, the staff overlooks that the stated goal is a goal for the properties located within the boundaries of the defined Fort Union Opportunity Area, not its surrounding neighbors. What the staff report should have concluded is that the requested zone amendment is contrary to the objective for a Stability Area, which is to buffer these areas from the effects of Opportunity Areas, not to make them an Opportunity Area. In reality Mr. Paul is requesting the "creation" of a new designated overlay zone that is not identified on Midvale's General Plan, nor is it contiguous to an existing Opportunity Area.

e. In 2019, the City adopted Housing Goals which appears to be a more specific statement of the City's Housing Goals, although consistent with the General Plan. Those Housing Goals stated that with respect to higher density housing was as follows: "Encourage higher density residential in appropriate locations in opportunity areas to create the market needed for viable commercial development." See pages 25 and 34 of the Housing Goals. Those goals included promoting a density bonus program for affordable housing development in "identified opportunity areas of the 216 General Plan for Midvale." Pg 41

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f. Mr. Paul's request is not to extend the boundaries of an existing RCRO Zone, but to create a new RCRO zone consisting solely of the Paul Property. This is a classic example of "spot zoning". Spot zoning is not only discouraged but prohibited. That the request is spot zoning is further demonstrated by the requirements of Section MMC 17-7-12.1.1 which set forth the proposed goals of an "Opportunity Area." The goals are:

- "A. Provides critical mass necessary to help facilitate the transition of regional commercial shopping centers into vibrant mixed-use developments;
- B. Creates a consistently high quality urban environment;
- C. Enhances the investment of those locating within the regional commercial zone;
- D. Promotes economic development by increasing the utilization of existing parcels within current developments;
- E. Eliminates large, underutilized surface parking areas by utilizing alternate parking methods, including but not limited to structured parking and shared parking;
- F. Provides compatibility between residential and commercial uses to create a comfortable environment for both shoppers and residents; and
- G. Provides pedestrian connections within and among developments to support pedestrian activity in existing auto-oriented developments and encourages pedestrian movement."

(Additional argument in support of denial is made in Section B below with respect to some of the lettered paragraphs above.)

These goals establish that the RCRO is intended to be used as part of a larger area (a region), not a single project site. The Paul Property is not a regional shopping center. The use of words such as "help... regional commercial shopping centers into vibrant mixed-use developments", "utilization of existing parcels within current developments", "provides pedestrian connections within and among developments to support pedestrian activity", and others, suggests that the RCRO is intended to "enhancing existing commercial areas" (not just one) to provide standards, within the "regional commercial zone" (more than one site). The RCRO was not intended to be used for a single parcel and therefore Mr. Paul's request fails.

Finally, Utah Courts have held that zoning decisions made in conformity with a City's general plan, are not arbitrary or capricious. See *Tolman v. Logan City*, 2007 Ut Ap 2060, 167 P.3d 489. Conversely, not following the general plan would be arbitrary or capricious.

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Requirement No. 2:

2. Existing zoning was neither 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.

Argument: Prior staff reports acknowledge that “the existing zoning is well reasoned and does not represent a clerical error or mistake off fact.” As such, a map amendment as requested by Mr. Paul is not justified.

Requirement No. 3:

“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.

Argument. The staff report concludes that the Paul Property is the only land that has changed; however, that change was because of the fire which destroyed the existing building. The Owner has not demonstrated any change in surrounding properties. In fact, a three-story medical association office building was recently constructed to the north as was also a newly revised single-family home which abuts 900 East. Furthermore, KME’s building went through major rehabilitation when purchased in approximately 2012. There is no evidence of any other change to the neighborhood, other than the current Owner’s mishap and election not to build the same type of office structure that was constructed in the last couple of years (the medical association building). One property’s mishap, undoubtedly insured, is not a change to such a degree that it is in the interest of the public to change the zoning to the detriment of those surrounding the site.

Requirement No. 4: The Proposed rezoning promotes the purposes outlined in Utah Code Annotated 10-9a-102.

Argument. The staff report merely states a legal conclusion that the proposed rezoning promotes the purposes of the statute without citing any facts in support of that conclusion. The provisions of Section 10-91-102 is a general statement of land use authority which suggests that the entire act must be considered including the protection of “each municipality’s present inhabitants”. (See 10-9a-102.) An examination of the effects of a proposed zoning change actually suggests the contrary. (a) The proposed zone change will have a negative effect on the North Union Area and its current stability, which is primarily residential; (b) the change is contrary to the City’s General Plan which the Municipal Land Use, Development, and Management Act requires to be adopted and adhered to; (c) the creation of a new Opportunity Area is contrary to the General Plan and appears to be spot zoning; (d) the creation of a new Opportunity Area without a design study is contrary to the spirit of the General Plan; and (e) suggesting that this site will

Midvale City Council
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support the Shops at Fort Union. Although redevelopment is in the public interest, specific reasons must be set forth for a zone change, especially when it is inconsistent with the General Plan. This zone map change request seems to be motivated solely to assist this one parcel.

B. MMC Section 17-7-12.1.1. specifies as follows:

Section 17-7-12.1.1 sets for the proposed goals of an “Opportunity Area.” KME and Sovereigns restates the Section goals and why the intended project does not meet those goals.

“A. Provides critical mass necessary to help facilitate the transition of regional commercial shopping centers into vibrant mixed-use developments;”

Argument: The Paul Property sets outside of the boundaries of a regional commercial shopping center and therefore this stated goal has no application to the Paul Property.

“B. Creates a consistently high quality urban environment;”

Argument: The statement demonstrates that the RCRO is intended for “regional” application, and one parcel alone cannot create a “consistently high-quality urban environment”. Furthermore, the proposed five-story building is not consistent with the existing urban environment which contains residential housing not exceeding two-stories in height.

C. Enhances the investment of those locating within the regional commercial zone;

Argument: This goal again emphasizes that the RCRO zone is to be regional, intending to enhance the investment of many, not solely that of a single owner. As noted by staff in a former report, the adoption of this zone map change could result in negative consequences to existing adjacent owners. See 2024 Staff report.

“D. Promotes economic development by increasing the utilization of existing parcels within current developments;”

Argument: This goal again emphasizes that the RCRO zone is regional for the benefit of many developments. The goal is not intended to be reviewed solely for the benefit of a single parcel.

“E. Eliminates large underutilized surface parking areas by utilizing alternate parking methods, including but not limited to structured parking and shared parking;”

Argument: This goal again emphasizes that the RCRO zone is regional for the benefit of many developments utilizing shared parking, not just one site.

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“F. Provides compatibility between residential and commercial uses to create a comfortable environment for both shoppers and residents; and”

Argument: As the staff report initially stated when speaking to a 7-story proposed structure, the “monolithic nature of the structure ... does not acknowledge the residential environment to the east”. Nor does the size of the proposed structure provide compatibility in mass, height and density with any of the surrounding uses north, east, south or west. It merely is intended to be monolith on an island by itself.

“G. Provides pedestrian connections within and among developments to support pedestrian activity in existing auto-oriented developments and encourages pedestrian movement.”

Argument: The 2024 staff report does not directly address any use of pedestrian connections because the requirement is intended for “regional” developments, not a single development. The staff does suggest some compliance with commercial uses; however, close examination of the intended “commercial” use is merely a rental office and facilities for the primary intended use of the facility. This limited commercial use does not encourage use among adjacent sites.

C. Summary. The application for a RCRO overlay zone is seemingly a request intended to allow for greater height of a building and residential density not permitted in the current zone (RC). Those purposes alone are not legitimate reasons that satisfies any of the requirements for a zone map amendment for a RCRO, as requested by Mr. Paul. Having failed to establish any basis for an amendment that could support findings consistent with the criteria set forth above, the City Council must deny the request. In the absence of evidence satisfying the criteria, any recommendation would fail any subsequent challenge.

KMI and Sovereign reserve the right to make specific objections to the proposed project should an application for condition use be sought at a later date.

Very truly yours,

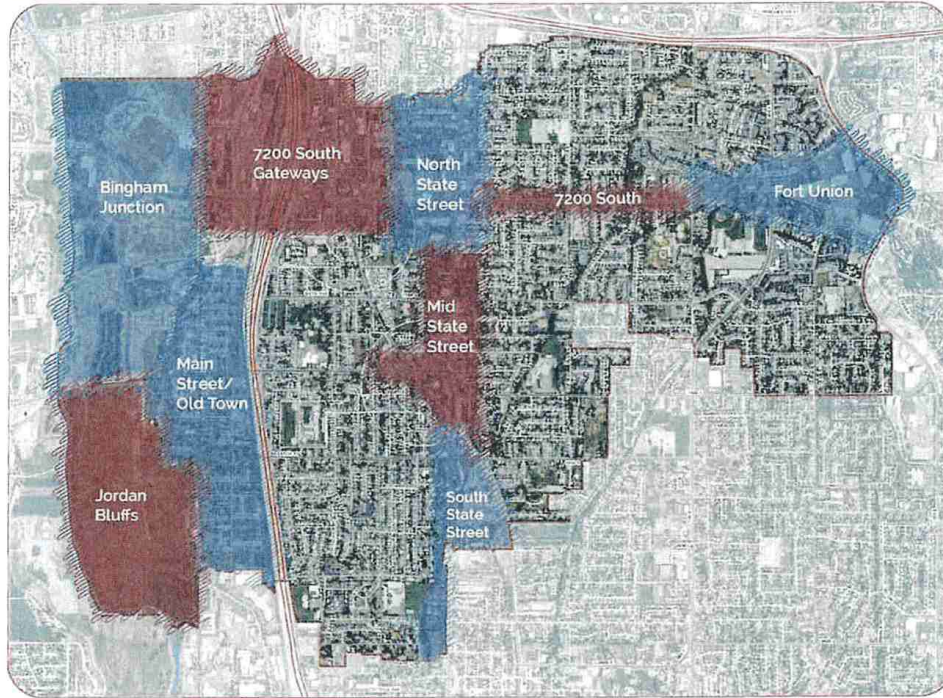
POOLE & ASSOCIATES, L.C.



Dennis K. Poole

Cc: KME and Sovereign

Map 8: Opportunity Areas



Early in the planning process, the planning team identified fifteen distinct Midvale neighborhoods to acknowledge the City's variety and diversity. The identification of distinct neighborhoods also facilitated conversations about present Midvale and the City's future at a scale that was meaningful to City residents and stakeholders. Maps were prepared for each neighborhood showing current land uses, public facilities, transportation systems and other features that establish the character of each neighborhood. The maps also showed areas in each neighborhood where little change is anticipated in the foreseeable future, and areas where market forces, increased land values and opportunities for redevelopment of under-utilized land are likely to bring about changes in land uses. For the purposes of this Land Use Element, areas of little anticipated change in the City have been characterized as Stability Areas. Areas where changes in land uses are anticipated in the foreseeable future are characterized as Opportunity Areas. Map 8 shows Stability Areas in base colors and nine Opportunity Areas with plum and blue shading¹.

The planning team sought suggestions and ideas from neighborhood residents and business owners about attributes of the neighborhoods they would like to preserve and enhance, and the kinds of changes they would like to see in under-utilized areas. That input was used to develop descriptions of desired future conditions and land uses in each neighborhood.

Within several of the shaded Opportunity Areas there are relatively stable residential neighborhoods where little change internal to the neighborhood itself is expected. However, new development along major streets and in areas of underutilized properties is expected in the future. In these areas, measures to protect and enhance the livability of stable residential neighborhoods should accompany the anticipated change.

¹ The plum and blue colors are for illustrative purposes only.

Future Land Use

For most of the areas of Midvale, the current land uses, current zoning and future land uses are substantially similar. In Stability Areas the current overall land-use mix is desirable, and preservation of these areas' character and function is the desired future condition. These areas are nearly fully developed and have little foreseeable change in the types or intensity of land uses in the future. In Opportunity Areas, minor-to-major changes in current land uses are likely to occur due to market forces, increasing land values and opportunities to optimize land uses to take advantage of transit and other public investments. Projects in Opportunity Areas are anticipated to be at higher levels of density than current land uses and should be carefully planned and designed to integrate into the fabric of the area and minimize impacts on adjacent and nearby existing land uses. Future proposed uses in the Opportunity Areas may or may not be consistent with current zoning, and the desirability of the proposed use and the need for re-zoning should be evaluated on a case by case basis.

STABILITY AREAS

Most of the land in Midvale is in areas of relative stability where little significant change in either the types or intensities of land uses is anticipated in the foreseeable future. Stability Areas are characterized primarily by residential neighborhoods with schools, parks, churches and other public facilities. Many Stability Areas abut existing commercial areas and Opportunity Areas, and some are within the exterior boundaries of Opportunity Areas as shown in Map 8.

Goals:

The land use goals for Stability Areas include:

1. Support property maintenance and neighborhood stability
2. Buffer uses in Stability Areas from more intensive land uses nearby, including adjacent Opportunity Areas
3. Provide for better pedestrian/bicycle connections through and between neighborhoods
4. Provide for access to parks, trails and recreation facilities
5. Provide for appropriate transit opportunities
6. Provide mechanisms for appropriate home remodeling to occur to accommodate today's lifestyles and needs

Fort Union

The Fort Union Opportunity Area is bounded by commercial properties fronting on Fort Union Boulevard on the north, South Union Avenue and Hillcrest High School on the south, 700 East on the west and Union Park Avenue on the east. The area is strategically located with transit stops and near connections to I-215 and I-15. The Fort Union area is a regional commercial center characterized by large retailers and chain restaurants with commercial office space, banks and some public facilities, with the Shops at Fort Union shopping area being a focal point. Most parking in the area is surface, which consumes a large proportion of the space available.

Goals:

Future land use goals for the Fort Union Opportunity Area include:

1. Diversify and increase density of land use mix to develop a compact full-service pedestrian scale walkable shopping center
2. Provide and implement new bike routes to complete the transportation system
3. Support redevelopment of the area to include mixed office/residential and commercial uses by incorporating structured parking
4. Strengthen retail uses in the vicinity of the Shops at Fort Union to remain competitive
5. Enhance Fort Union Boulevard with urban design standards to create a distinct area character
6. Enhance public transit to the Fort Union area
7. Improve internal circulation in the Fort Union area
8. Attract visitors traveling on Fort Union Boulevard to the Cottonwood Canyons

Best Practice

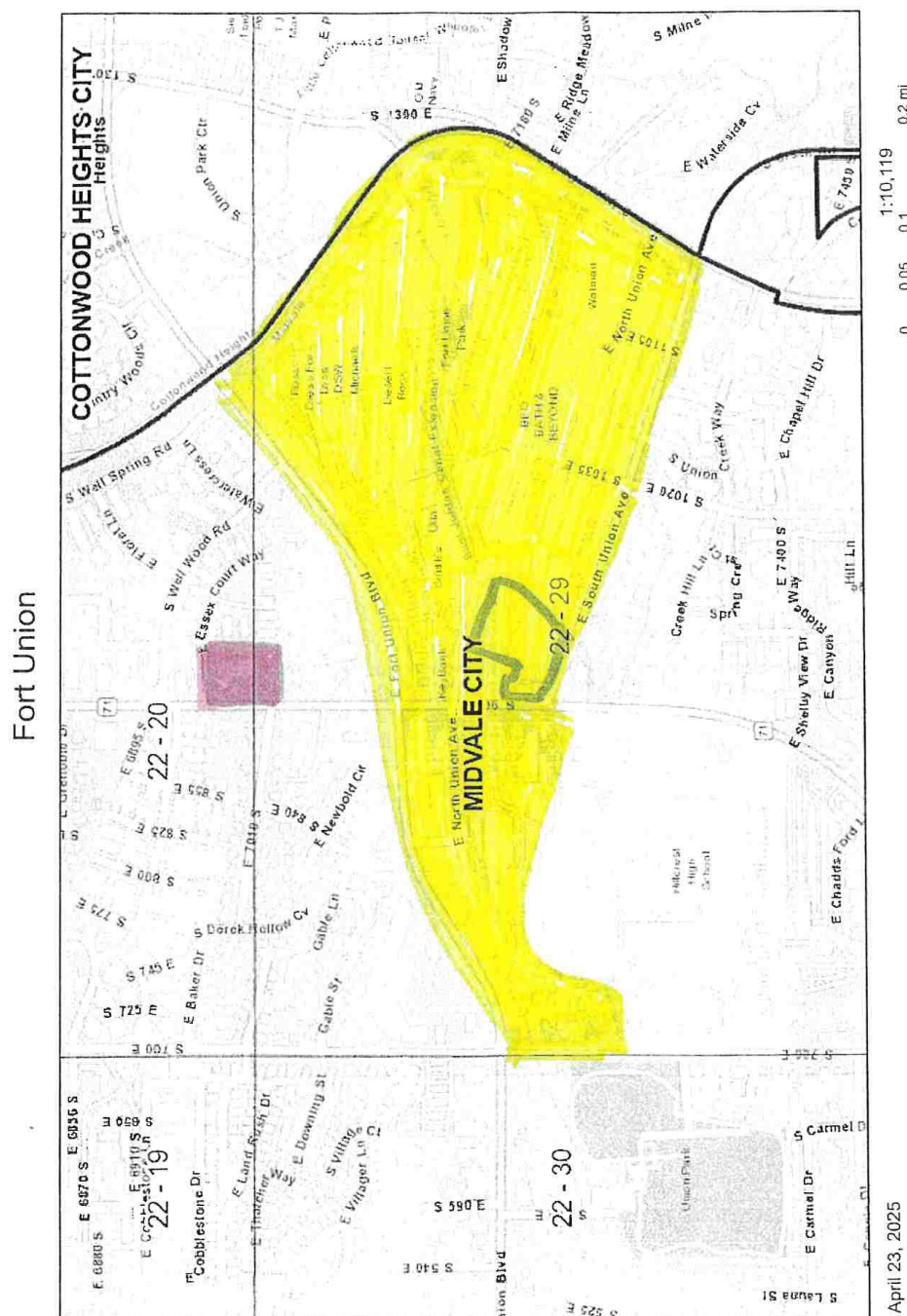
Mixed Use: Develop efficient and diverse land patterns that generate community walkability. Studies¹ show that per-acre tax revenues substantially higher in mixed-use walkable places than in drivable suburbs.

¹ U.S. EPA Smart Growth (<https://www.epa.gov/smartgrowth>), Smart Growth for Conservatives (Bacon's Rebellion: 2012)



Best Practice

Gateway art aims to aid road journey navigation and make a positive and lasting impression for visitors.



Initiative 1: Conduct Development Design Studies for Opportunity Areas

Each of the identified Opportunity Areas has a unique set of circumstances and objectives for future development. However, the goals for each Opportunity Area identify objectives related to commercial and residential uses; connectivity and walkability; transit; site design; and buffering from adjacent uses. In order to acknowledge the similarities and differences between the Opportunity Areas, and evaluate the opportunities and challenges for future development, individualized design studies should be prepared for each Opportunity Area. The design studies would develop a range of development and redevelopment design scenarios for each Opportunity Areas to explore alternative future development densities and patterns. The design studies would include an evaluation of economic sustainability of the alternative development scenarios to address costs of service, and property and sales tax revenues. The design studies would also develop buffering strategies to protect uses in Stability Areas from adverse effects of more intensive land uses in adjacent Opportunity Areas.

Initiative 2: Develop small area plans around transit centers

One of Midvale's great strengths is its connectivity to other areas of the Wasatch Front and beyond. The presence of TRAX and other transit stations and centers in Midvale also offers opportunities for compact land uses that optimize connectivity within and outside Midvale; place residential uses within walking/ biking distance of commercial areas, recreation facilities and other destinations; and create opportunities for diverse, vibrant retail and entertainment centers. Small area plans in the vicinity of the Center Street and 7200 South TRAX stations in Midvale would develop standards for mixed-use and transit oriented developments that take advantage of the proximity of transit while protecting the character of adjacent residential neighborhoods. A mix of residential and commercial uses would take advantage of the reduced need for automobile travel and would expand the City's retail sales tax base. The small area plans would also enhance east-west vehicle connectivity and area pedestrian connectivity to TRAX stations. Part of the planning could include an evaluation of the feasibility of routing the proposed 7200 South Bus Rapid Transit route to cross under I-15 on Center Street. While no specific plans exist yet, Midvale should also monitor planning for the transit hub in consideration for the vicinity of the Midvale Family Center/Union Park area in Cottonwood Heights in terms of its feasibility and potential effects to adjacent land uses within Midvale. The City should also explore opportunities for large Travel Demand Management (TDM) strategies that take advantage of existing transit opportunities in Midvale.

Initiative 3: Update Trails Plan and Develop Bicycle/Pedestrian Mobility Implementation Plan

The City's 2004 Trails Master Plan identifies the routes of existing and future active (non-motorized) transportation and recreational trails. The Trails Plan doesn't, however, describe implementation steps or initiatives. Midvale would develop a Bicycle/Pedestrian Mobility Implementation Plan, using the Trails Master Plan as the basis, to identify specific implementing projects and other initiatives. The Implementation Plan would include the following:

1. Pursue opportunities to overcome physical barriers and barriers due to access to bicycling in Midvale by focusing on the street corridors that cross freeways without interchanges; by considering strategic property easements or acquisitions, and by considering strategic pedestrian/bicycle tunnels and bridges in order to extend bikeable corridors throughout the City.
2. Take action on bicycle lane striping projects on key streets before future traffic capacity issues rule them out as possibilities. Support improvement of Center Street as a corridor for pedestrians and bicycles, which has regional support by being on the UCATS plan.
3. Explore the potential for additional trails along the mainline and branch TRAX corridors and the Jordan and Salt Lake City Canal.
4. Enhance pedestrian accessibility to Midvale's TRAX stations by establishing through connections on

NEIGHBORHOOD AREAS



Influencing Trends:

- Established residential areas are stable.
- Redevelopment potential near State Street and west of the TRAX line.
- Access to UTA buses along 7800 South.
- Although the area includes Midvalley School with significant green space, very little of the area is accessible to a park by walking, specifically the southeast portion is underserved.

Opportunity Areas:

- Potential for additional higher density housing options by TRAX line.
- Desire to see larger-scale commercial/retail development by TRAX line.
- Potential for a trail or walking path along the canal.
- Desire for bike lanes.
- Desire for pocket parks to serve neighborhood.

North Union

Area Description:

- Located in the far north east corner of Midvale.
- A mix of condominiums, apartments, and single family residential.
- Regional commercial center; the Shops at Fort Union are located just south of neighborhood.
- Although no parks are directly inside the neighborhood, all but those in the very northeast corner are within a 0.50 mile walking distance to a park.

Influencing Trends:

- Strategic location – next to regional commercial center.
- Stable and established residential area.
- Access to I-215 increases mobility.

Opportunity Areas:

- Provide and implement new bike routes to complete the transportation system.
- Support access to educational programs including cultural events.
- Support the presence of library facilities and civic amenities.
- Support for some form of transit along 7200 South.

Ft. Union

Area Description:

- East Midvale between North and South Union.
- A key regional commercial center.
- Includes Walmart, In-N-Out, Babies "R" Us, Michaels, and other regional commercial.
- Very little housing in neighborhood, other than the area south of North Union Avenue and East of 900 East.

Influencing Trends:

- Strategic location – transit stops and next to east-west/north-south freeway connections.
- Recent economic focus on The Shops at Fort Union. Drawing in more visitors.
- Fort Union Boulevard is frequently traveled by visitors of the Cottonwood Canyons.

Opportunity Areas:

- Diversify land use mix to develop a compact full-service pedestrian scale walkable shopping center to include high density residential.

- Provide and implement new bike routes to complete the transportation system.
- Support for some form of transit along 7200 South.

South Union

- **Area Description:**
- Extends from 7800 South to just north of South Union Avenue and from Union Park Avenue to 900 East.
- Characterized by residential development, primarily single family homes.
- Includes Hillcrest High School, Jordan Valley School, and two churches.
- Limited retail on 900 East.
- Strong desire to maintain existing character.
- Moderately-priced housing stock.

Influencing Trends:

- Mostly older, but stable housing stock.
- Access to UTA buses on 900 East and 1000 East.

Opportunity Areas:

As large lots are sold, they can be converted to single-family developments.
Bike trails on 7800 South and along the canal around Hillcrest High.

State Street

Area Description:

- Regional corridor running north to south through Midvale.
- Characterized by small scale retail development, such as repair shops and fast food. No single family residences directly on State Street, but there are some apartment buildings.
- Most retail buildings along State Street are older/aging.

Influencing Trends:

- Strong desire to redevelop State Street to contain higher and better uses, such as mixed-use retail developments.
- Commercial exceeds demand which lends to redevelopment as higher density residential (townhomes, etc.) supporting remaining commercial.

Opportunity Areas:

- All of State Street is categorized as redevelopable, but two neighboring areas following the TRAX line neighboring State Street have high desire for redevelopment.
- Potential for unifying urban-design elements and beautification.

NEIGHBORHOOD AREAS



HOUSING GOALS

The 2016 Midvale City General Plan establishes a vision for the future of Midvale and serves as a policy document for decision-making for the development of the city for the next 8-10 years. The housing goals of the 2016 General Plan have been identified as the guiding principles, or foundation, upon which the Housing Plan is to be built.

The 2016 Midvale General Plan's housing vision is for Midvale to provide a diverse, high quality housing stock that incorporates a range of housing forms and densities that appeal to new and existing residents at different income levels and life stages while retaining the character and form of established neighborhoods. The ability for Midvale to maintain a diversified housing stock is integral to its sustainability, and to its success as the epicenter of life in the Salt Lake Valley.

- 1** Maintain and strengthen stable neighborhoods. This goal includes preserving the quality and character of existing neighborhoods; providing neighborhoods with better connectivity and access to recreational amenities; and ensuring that infill and adjacent development is compatible with the existing neighborhood.
- 2** Maintain and improve the quality of existing housing stock in Midvale and revitalize the physical and social fabric of neighborhoods that are in decline.
- 3** Expand the variety of housing opportunities to allow for more choices in types and locations of residences. This includes providing for a mixture of housing sizes, densities, types and affordability in each area of the City.
- 4** Support the development of more affordable housing in appropriate locations, i.e. near transit, retail, commercial, schools and recreational amenities.
- 5** Encourage higher density residential in appropriate locations in opportunity areas to create the market needed for viable commercial development.
- 6** Continue to encourage a variety of housing types, sizes, and pricing with new developments.



An example of a cottage cluster. A cottage cluster includes smaller homes with a shared open space. Cottage clusters offer reduced landscape maintenance responsibility and efficient parking designs. Cottage clusters provide an opportunity for growth of single-family homes in Midvale.



Excessive parking adds significant cost to the development of new housing units. The cost of building a new stall can range from \$5,000 for surface parking to \$50,000 for underground structured parking. These costs are passed on to the homeowner or renter, adding to the affordability issues experienced in Midvale.

lot size is 7,000 sq. ft. This level of density allows 5 units per acre. The minimum requirement will be reduced to 5,000 sq. ft. This change would allow for 8 units per acre. This change will provide an opportunity for the growth of single-family homes in Midvale, as well as provide additional housing options to address Midvale's projected growth. Similar modest changes in density will over time allow for the development of new units throughout the city without introducing significant change in the city's established neighborhoods.

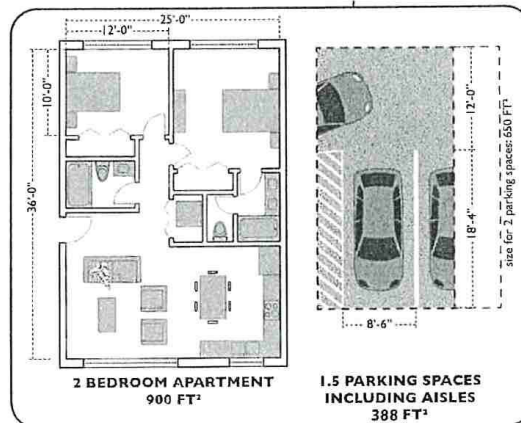
G02 Strategically Encourage Density in Neighborhoods of Opportunity

The City shall allow moderate-to high-density development in neighborhoods that have access to jobs, open space, fresh food, public transportation, quality education, and neighborhood services. By increasing density in these neighborhoods of opportunity, the City will increase the overall number of households that would benefit from living in stable and desirable areas of the city, as well as mitigate some of the challenges that are associated with increased density when it is forced into areas without infrastructure and services to allow fewer vehicle trips. By allowing for greater density, the City is not requiring any specific housing type, rather the policy would support a greater choice in the housing that can be built.

G03 Modernize Parking Regulations to Support Residential Development

Midvale's goal in determining new parking requirements should be to minimize the amount of unused or excess parking included in each development. Excess parking creates significant burdens within the community. First, excess parking

Living Space vs. Parking Space



Minimum parking requirements focus more funding and resources towards storing cars than to housing. (Image source: Sightline Institute).

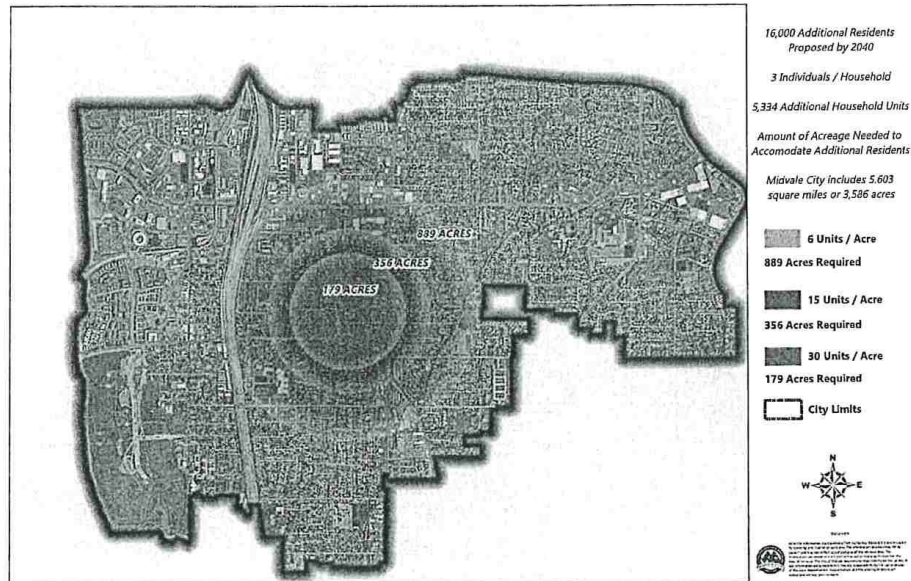


Figure 3. Required acreage for future growth by density level.

residents will require changes to the City's current land use policies, as well as a diversity of housing options to meet the needs of all future residents.

RELATED GENERAL PLAN GOALS

Continue to encourage a variety of housing types, sizes, and pricing with new developments.

Expand the variety of housing opportunities to allow for more choices in types and locations of residences. This includes providing for a mixture of housing sizes, densities, types and affordability in each area of the City.

Encourage higher density residential in appropriate locations in opportunity areas to create the market needed for viable commercial development.

POLICIES

G01 Reduce Lot Size Requirements in Residential Zones

The City shall reduce the minimum lot size requirements in residential zones. Strategic changes to the minimum lots sizes in the City will result in the development of new units throughout the city. If done strategically, these changes could support future growth without negatively impacting traditional neighborhood characteristics. For example, the Single-Family Residential Zone (SF-1) is the largest land-use zone in Midvale. In the SF-1 zone, the minimum



Encouraging a variety of housing types, like this eight-plex, allows more choices for the residents of Midvale.



By increasing density of mixed-income developments in strategic areas, social mobility will be promoted for moderate- and low-income households.

COST BURDENED RENTERS

■ burdened (46%) ■ not burdened (54%)



46 percent of Midvale's households are cost-burdened.

Encourage higher-density residential in opportunity areas to create the market needed for viable commercial development.

POLICIES

HA01 Encourage Mixed-Income Multi-Unit Developments in Strategic Locations

The City shall encourage and incentivize mixed-income development in strategic locations with public transportation options, open space, and neighborhood services. Mixed-income development promotes upward social mobility for moderate- and low-income households and prevents issues that arise from concentrated poverty. The City shall encourage mixed-income projects by providing density bonuses or financial incentives, as well as removing roadblocks to development and inefficient land use requirements by providing more administrative decision-making powers to staff.

HA02 Focus Programs on Households Making 80% AMI or Less

The City shall focus incentive programs on households making 80% or less of AMI (\$64,000 for a family of 4). The Median Household Annual Income in Midvale is \$54,400 (2017), meaning that a significant portion of the city's households would qualify for income targeted programs. These households are the most likely to be housing cost burdened, and often lack the ability to find the housing that meets their needs. Supporting household stability through affordability can contribute to greater social mobility and improved quality of life for the affected residents, as well as making them more financially resilient when faced with short-term financial issues, such as the loss of a job.

HA03 Include Density Bonuses for Affordable Housing Developments in Strategic Locations

The City will promote the development of affordable housing through the implementation of density bonuses or incentive zoning for developments located in the identified opportunity areas of the 2016 General Plan. Incentive zoning or density bonuses offer rights to a developer in exchange for public benefits to the community. For example, the maximum height for a development may be increased if 20% of the developments housing units are income restricted. This would support mixed-income development, reduce the concentration of low-income housing, and ensure that the greatest density is in neighborhoods with the services to support the population.

HA04 Establish Framework for a Community Land Trust

The City shall seek to increase the number of affordable single-family homes in Midvale through the utilization of a Community Land Trust (CLT), or a similar model. A CLT is used to acquire and develop land for affordable housing. Through a CLT, the City retains ownership of the land that is acquired for affordable housing development and sells the home that is built to income-

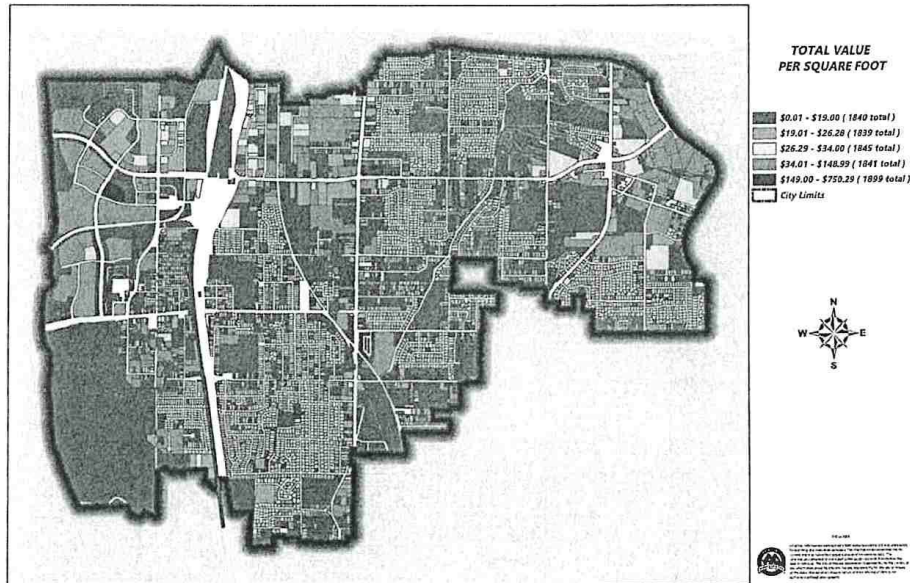
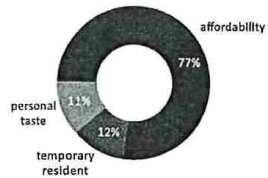


Figure 6. Total Value per square foot of Midvale properties.

WHY DO YOU RENT?



Midvale's home ownership rate is 24 percent less than Salt Lake County. The main reason renters remain renting is because of affordability.

HOME OWNERSHIP

Rental units are the dominant component of Midvale's housing market, with 58% of Midvale's homes being rented. Midvale's home ownership rate is 24% below that of Salt Lake County. Additionally, 52% of Midvale residents spend less than 5 years in their home, highlighting that for many of Midvale's residents, Midvale is just a stop on their housing journey. Supporting homeownership is important for the community because it provides opportunities for wealth generation for residents and greater neighborhood stability. The City should encourage or incentivize the development of new ownership opportunities in multiple housing types, including single-family homes, townhouses, row houses, and condominiums. Additionally, focus should be given to helping households making 60-80% of AMI find opportunities for homeownership.

RELATED GENERAL PLAN GOALS

Expand the variety of housing opportunities to allow for more choices in types and locations of residences. This includes providing for a mixture of housing sizes, densities, types and affordability in each area of the City.

Encourage higher density residential in appropriate locations in opportunity areas to create the market needed for viable commercial development.

POLICY	POLICY DETAILS	IMPLEMENTATION SCHEDULE	REQUIRED ACTION
Adopt By-Right Development in Strategic Locations (Especially around TOD)	<i>By right development refers to projects that are permitted under their current zoning and do not require any legislative action by the Board of Supervisors or the Board of Zoning Appeals. They are approved administratively and do not require public hearings.</i>	Year 2	Policy
Include Density Bonuses for Affordable Housing in Strategic Locations	<i>The City will promote a density bonus program for affordable housing developments in the City, located in the identified opportunity areas of the 2016 General Plan for Midvale.</i>	Year 2	Policy
Simplification of Subdivision Process	<i>Overhaul the subdivision approval process through the approval of minor sub-division (i.e. for 3 or less lots) applications by administrative functions, general subdivision applications of 4-9 lots through Planning Commission functions following the guidelines outlined in 16.04.050 of the City's Code. In the case of subdivisions of 10 or more lots, the process should follow that outlined in 16.04.040 of the City's Code. The reason for this is to provide a more streamlined approach to minor and general subdivisions, but to still allow for Planning Commission and City Council approval for those instances where a proposed subdivision may have a significant impact on a neighborhood.</i>	Year 2	Policy
Consider Use of Community Land Trust	<i>The acquisition of land is a focus of some of Midvale's housing programs. To ensure on-going affordability, the City will adopt where necessary a Community Land Trust model where the City will maintain ownership of the land and will provide a for sale product on the land, which can be purchased by any qualifying applicant. The affordability component is ensured through the purchase of the improvement on the land, with the homeowner leasing the land at a low cost but owning the improvement on the land.</i>	Year 2	Program Development
Provide Home Acquisition an Ownership Classes with Housing Industry Partners	<i>Feedback from the community and service providers highlighted a lack of educational support to assist with accessing currently available supports and resources from housing industry partners. The City aims to create an educational resource in the form of classes to inform and assist in members of the community accessing the resources available to them.</i>	Year 2	Program Development
Provide a Financial Incentive to Repair Homes	<i>The home repair incentive program would provide low interest loans for Midvale residents and landlords to repair and renovate their homes.</i>	Year 2	Program Development

MOTION: Council Member Paul Glover MOVED to close the public comment section of the hearing. The motion was SECONDED by Council

Member Heidi Robinson. Mayor Gettel called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously

ACTION: Consider Ordinance No. 2025-O-08 Authorizing a Zone Map Amendment to add the Regional Commercial Residential Overlay Zone to a property located at 7001 S 900 E.

Council Member Bonnie Billings said she has visited the property and spoken with the residents that live there. She is concerned about a single access for 200 units and the added traffic to the already busy road. The Federal Highway Administration provides a best practices guide suggesting multiple access points for a development this large. She wants to make sure this is considered, she wants added development to enhance the area, not overwhelm it. She would also like to see a comprehensive traffic study. She would also like to see a development agreement. She said the current commercial zoning makes more sense for this area.

Council Member Heidi Robinson agreed with Council Member Billings. She also wants to see a better thought-out development agreement.

Council Member Bryant Brown said he would like to see a development agreement in place. He is against a rezone but also isn't a fan of the current zoning's impact on the area. He said he would like a mixed-use component.

Mayor Dustin Gettel asked why this specific project was presented without a development agreement. He doesn't think this rezone would be approved without a development agreement and that is ultimately wasting time and money.

Matt Dahl said they used workshops to determine if the Council wanted a development agreement to be working on in advance of the City Councils consideration of a zoning request. That process was determined to be confusing to the public. The council believed that working on a development agreement in advance of a rezone gave the impression that a decision had already been made. At that point the decision was made to present a rezone request before the development agreement. Tonight, the choice is to deny or approve without a development agreement or table the rezone and provide information to staff about the direction you would like to move in, and staff will attempt to negotiate with the developer.

Council Member Paul Glover said he was involved with the development on State Street, and it took 7-8 months of him going back and forth between the residents and the developers. This is the way to proceed, in his opinion. The development agreement protects the neighborhood.

Mayor Gettel asked Adam Paul if they would be willing to do a traffic study prior to a decision.

Adam Paul said they would be willing to do a traffic study first. He also pointed out that there are two ways in and out of the property. There is a second egress/ingress on the south side of the property for the commercial parking. It's not all connected to Essex Court, but it could be.

Matt Dahl said it's important to make sure that the council is open to a change before we ask for something like a traffic study.

Council Member Paul Glover said they need to be able to give the developer a clear idea of what is expected so the developer can decide whether to move forward or not.

Council Member Bryant Brown said he would like this item to be tabled and brought back in a workshop that doesn't include the developer.

MOTION: Council Member Paul Glover **MOVED** to table this item until we've had the opportunity to work on a development agreement possibility. The motion was **SECONDED** by Council Member Bryant Brown. Mayor Gettel 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	No
Council Member Bryant Brown	Aye
Council Member Denece Mikolash	Aye

The motion passed 4-1 in favor. Council Member Heidi Robinson cast the negative vote.

C. CONSIDER A ZONE MAP AMENDMENT FROM THE SINGLE FAMILY RESIDENTIAL DUPLEX OVERLAY (SF- 1 DO) ZONE TO THE MULTIFAMILY RESIDENTIAL-MEDIUM TO HIGH DENSITY (RM-25) ZONE FOR TWO PROPERTIES LOCATED AT 6854 S 700 E AND 6852 S 700 E. INFORMATION REGARDING THE PROPOSED REGULATIONS, PROHIBITIONS, AND PERMITTED USES THE PROPERTY WILL BE SUBJECT TO IF THE REZONE IS ADOPTED CAN BE FOUND IN MIDVALE CITY CODE 17-7-4.

Wendelin Knobloch said Russel Opatz, Director of Housing for Valley Behavioral Health, submitted a zone map amendment from the Single-Family Residential Duplex Overlay (SF-1 DO) Zone to the Multifamily Residential-Medium to High Density (RM-25) Zone for two properties located at 6854 S 700 E (main parcel, 3.38 acres) and 6852 S 700 E (driveway, 0.34 acres). The attached letter and concept plan describe the addition of an "approximately 48-unit building for families" to the campus which currently consists of three buildings with a combined floor area of 13,695 square feet.

The parcel is located within a large quadrant of Midvale City south of I-215 and west of 700 E that is zoned SF-1 DO. The observed uses surrounding the property are as follows:

- Western, northern, and eastern abutting properties: single-family
- Southern abutting properties: condominiums (non-conforming use)

The General Plan shows the property in a Stability Area.

A sign was placed on the property, the hearing was advertised at City Hall, on the City Website, on the Utah Public Notice website, and was sent out to property owners within 500 feet of the subject property. The Planning Commission, City Council, and Staff received written comment that was mostly negative and was addressed towards this application and the zone map amendment at 7001 S 900 E. These comments predominantly cited concerns about high density housing in general and crime. During the public meeting, however, many attendees did not make any comment and those who did were not as negatively disposed. The written comment was gathered and forwarded to the Planning Commission and City Council. Verbal comment made during the Planning Commission meeting can be accessed on Midvale's YouTube Channel.

Midvale Municipal Code (MMC) Section 17-3-1(E) outlines the criteria and required findings necessary for granting a zone map amendment as shown below.

MMC Section 17-3-1(E): Amendments to the Zoning Code or Map

E. Zoning Map Amendment Criteria. The city's zoning is the result of a detailed and comprehensive appraisal of the city's present and future land use allocation needs. A zoning map 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. Proposed rezoning promotes objectives of the general plan;

Staff Response: This criterion has not been fulfilled. The subject parcels are located in the middle of a Stability Area. The general plan divides the city into Stability Areas and Opportunity Areas. Stability Areas are described as featuring a desirable overall land use mix that should be preserved.

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;

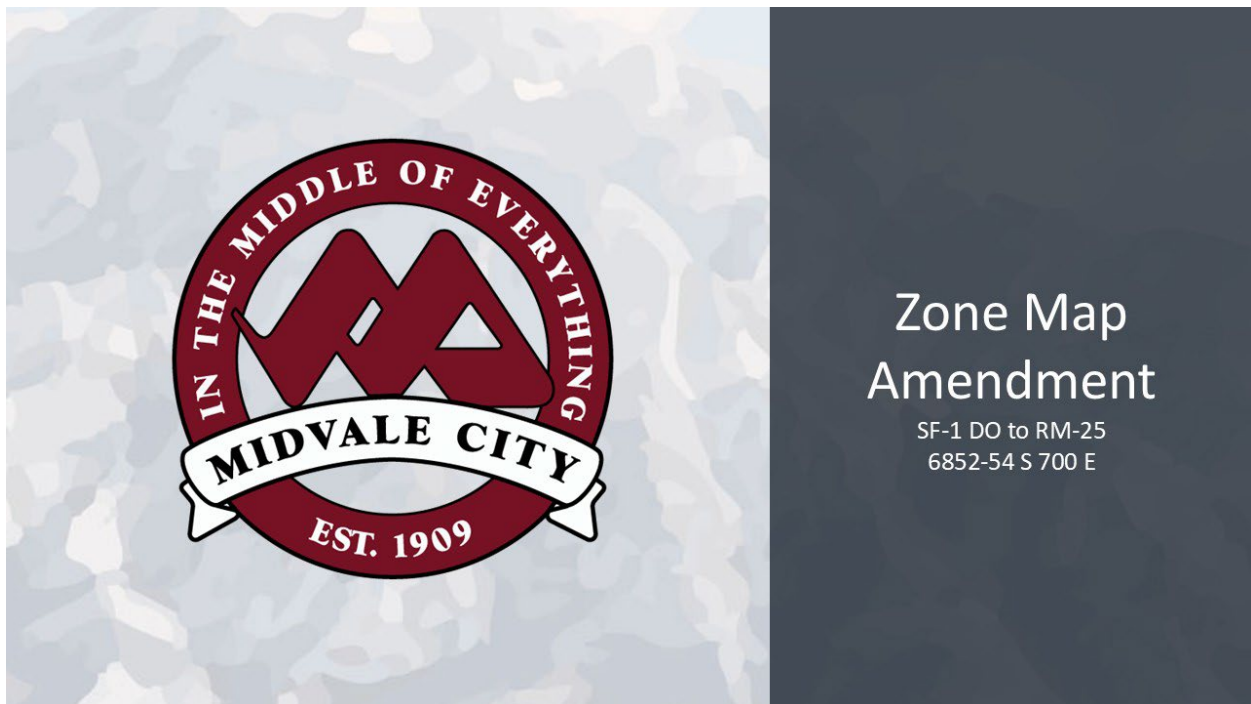
Staff Response: This criterion has not been fulfilled. There is no evidence that the existing zoning was a result of a clerical error, a mistake of fact, or failed to account for constraints to development that are created by the natural characteristics of the land.

3. Land or its surrounding environs have changed or are 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

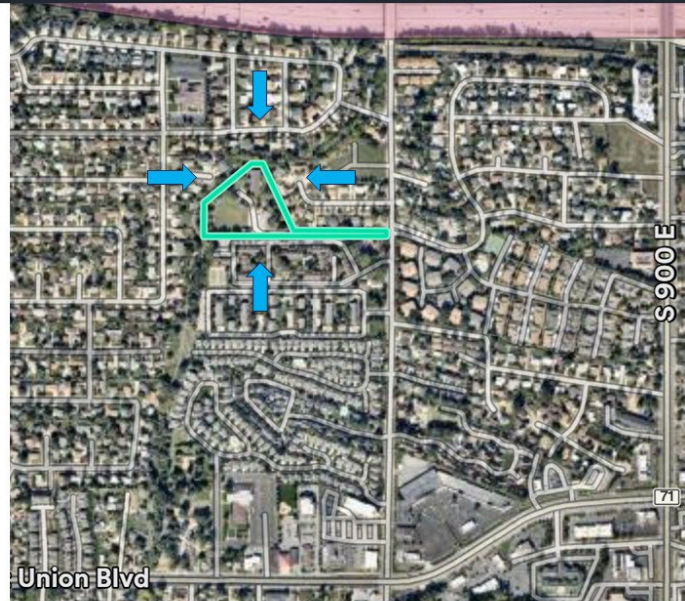
Staff Response: This criterion has not been fulfilled. The subject parcels or their surroundings have not changed in a way to justify redevelopment.

4. Proposed rezoning promotes the purposes outlined in Utah Code Annotated 10-9a-102.

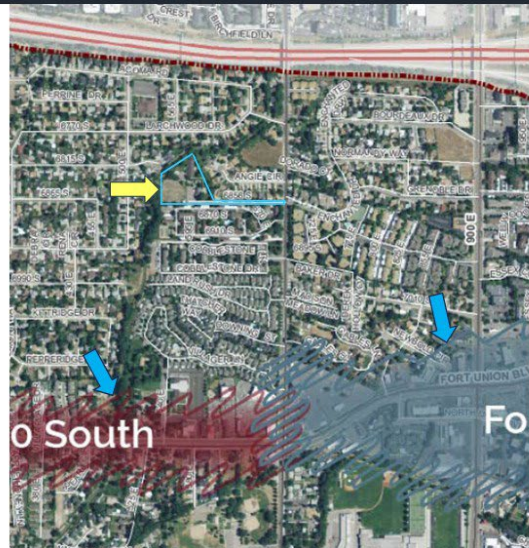
Staff Response: This criterion has not been fulfilled. The proposed rezoning may promote some of the purposes outlined in Utah Code Annotated 10-9a-102 if analyzed individually, however, a high intensity use may negatively impact surrounding low intensity uses which is why the General Plan directs intensification of uses into Opportunity Areas.



Context



General Plan



General Plan

Goals:

Midvale has a number of stable residential areas and attractive new residential developments. The General Plan goals focus on building on that foundation and encouraging excellence in design and diversity of housing types for new residential development. Residential Development and Housing goals include:

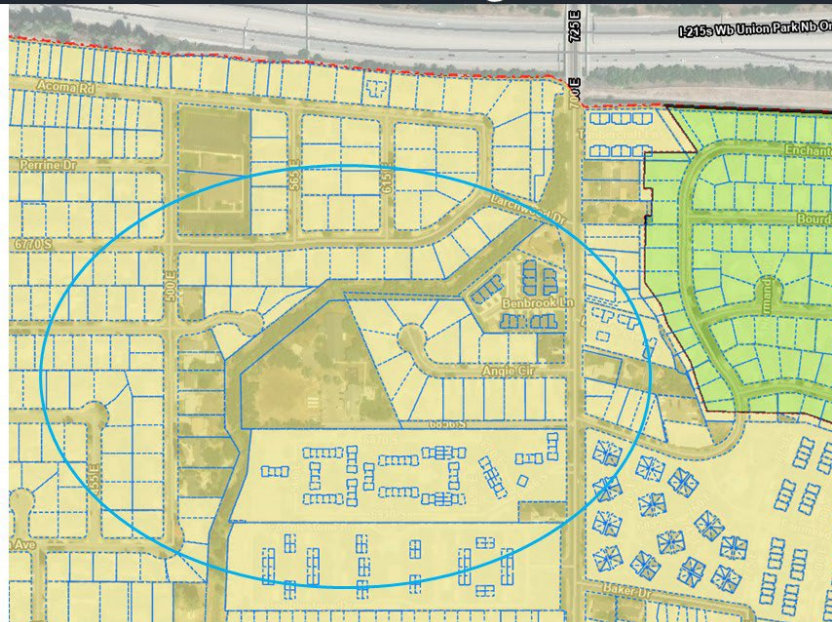
1. **Maintain and strengthen stable neighborhoods.** This goal includes preserving the quality and character of existing neighborhoods; providing neighborhoods with better connectivity and access to recreational amenities; and ensuring that infill and adjacent development is compatible with the existing neighborhoods.
2. Maintain and improve the **quality of the existing housing stock** in Midvale, and revitalize the physical and social fabric of neighborhoods that are in decline.
3. **Expand the variety of housing opportunities** to allow for more choices in types and locations of residences. This includes providing for a mixture of housing sizes, densities, types and affordability in each area of the City.
4. **Support the development of more affordable housing** in appropriate locations, i.e., near transit, retail commercial, schools and recreational amenities.
5. **Encourage higher density residential in appropriate locations in Opportunity Areas** to create the market needed for viable commercial development.
6. Continue to encourage a variety of housing types, sizes and pricing with new developments.

Best Practice

Scale and Density Transitions: Transitions in scale and density within residential areas should be gradual. Sharp distinctions in scale and density on different sides of a street typically should be avoided. Identifiable edges should be defined by natural features, transitions in development density, and/or changes in building style, scale, buffering, or massing. (Salt Lake County Township General Plan: 109)

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Zoning



Massing-Concept



Massing-Concept



Massing-Concept







Massing-Concept



Proposed Amendment-Criteria MMC 17-3-1(E)

Demonstrate One or More of the Following:

-  1. Proposed rezoning promotes ***objectives 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;
-  3. ***Land or its surrounding environs have changed or are 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 Code Annotated 10-9a-102***.

Proposed Amendment-Criteria MMC 17-3-1(E)

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

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, allow growth in a variety of housing types, and contribute toward housing affordability; and
- (k) protect property values.

Proposed Amendment-Findings

1. Criteria required by MMC 17-3-1(E) are not fulfilled.
2. The subject parcels are located in an Area of Stability.
3. The subject parcels are surrounded by parcels that are zoned SF-1 DO

Council Member Bryant Brown asked how this is not spot zoning?

Wendelin Knobloch said it is a spot zone on the surface.

Russell Opatz, Valley Behavioral Health, explained what Valley Behavioral Health does in the community and their expansion proposal.



Valley Behavioral Health 6854 S 700 E Site



Affordable Housing Expertise

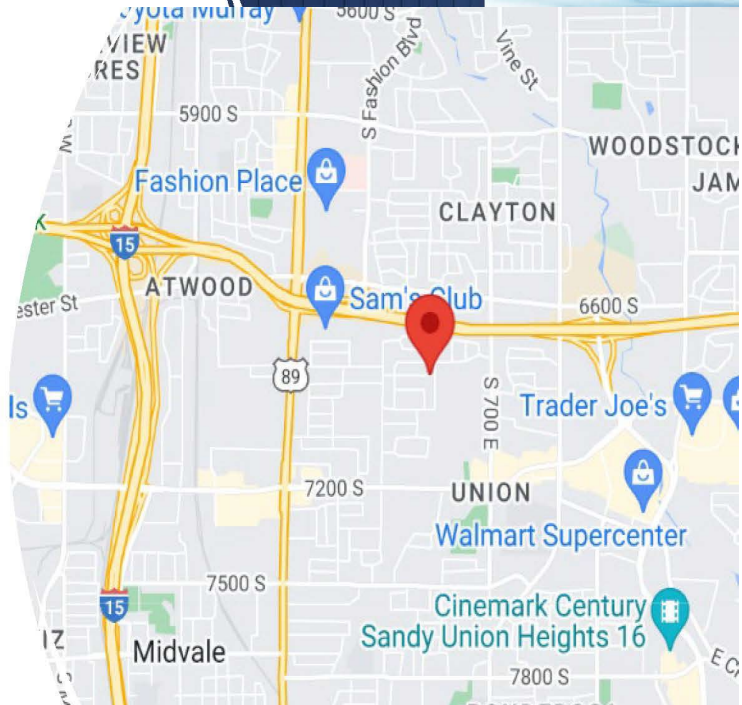
- ☐ Experienced **Developer, Owner & Service Provider**
- ☐ 40+ years developing & managing supportive low-income housing
- ☐ 15 rental properties with close to **500 units of affordable homes throughout Salt Lake and Summit County.**



Site Location

Conveniently located near:

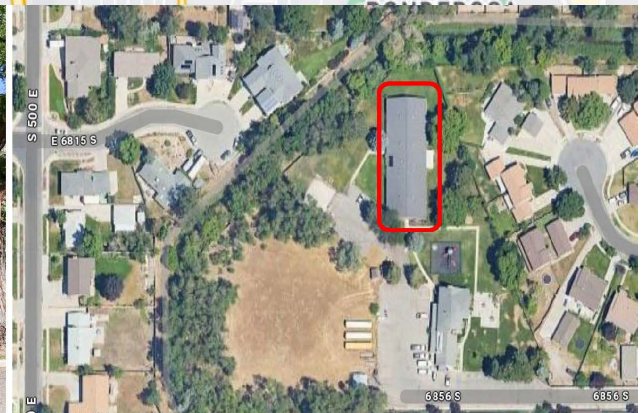
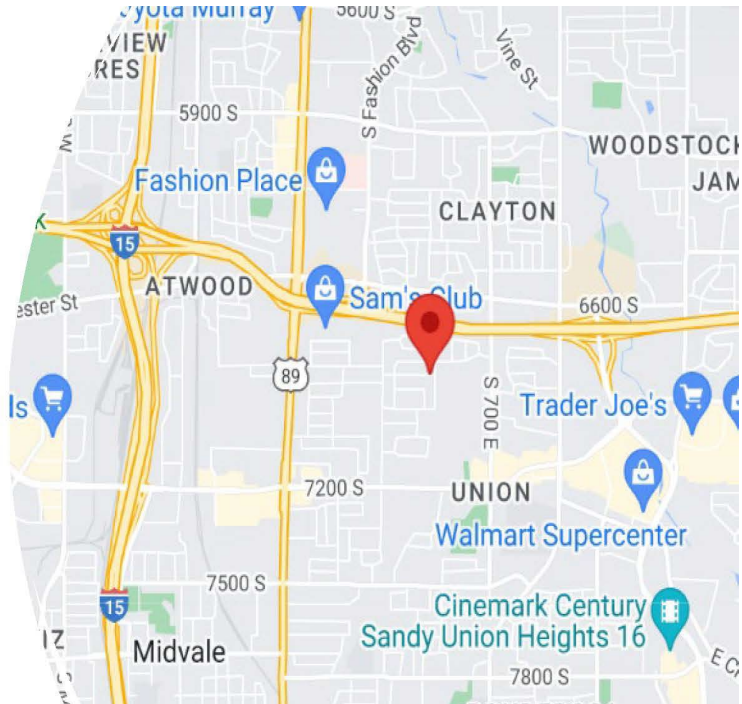
- ☐ **Transit**
- ☐ **Employment Opportunities**
- ☐ **Public School**
- ☐ **Shopping**
- ☐ **Recreation**



Site Location

Conveniently located near:

- ☐ Transit
- ☐ Employment Opportunities
- ☐ Public School
- ☐ Shopping
- ☐ Recreation



Current Site: Oquirrh Ridge East Apartments

12 units of HUD funded deeply affordable housing for individuals with behavioral health needs. In operation since 1988.



**Current Site:
Valley Phoenix**

Residential Treatment for up to 16 adult women and their children. In operation since 2015.



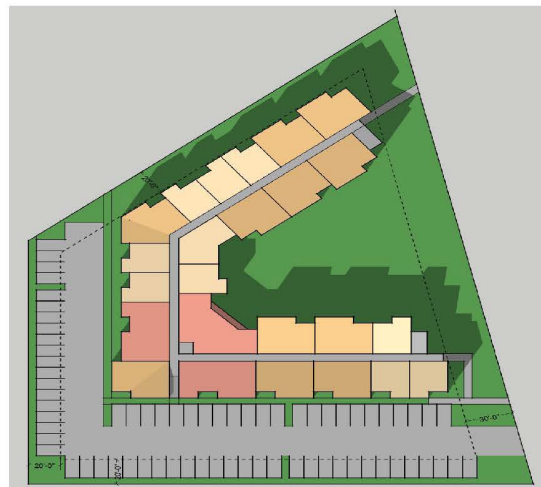
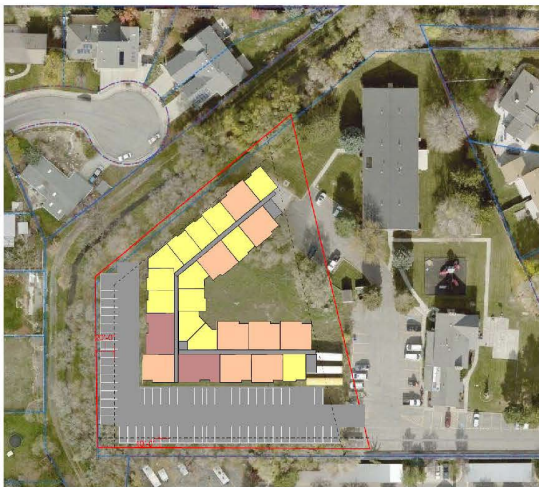
**Current Site:
Vacant Land**

1.75 acres of undeveloped land in a secluded location, this site presents an incredible opportunity to expand affordable housing opportunities in Midvale.

Opportunity

- ☐ We are requesting a zone change from SF1-DO to RM-25 to best develop the vacant portion of the site to provide more housing while maintaining significant open space.
- ☐ The undeveloped portion of the site presents an opportunity to expand affordable housing opportunities as part of an integrated, well-designed campus.
- ☐ The property's shape, scale and access create buffers from neighbors.
- ☐ Our proposed two-story design is compatible with its surroundings and could provide approximately 48 new homes, with up to three bedroom units.
- ☐ The site would be excellent for families with significant space for amenities and its proximity to services and transportation.
- ☐ Significant need for more housing (East 72 Apartments has 5,000 on its waitlist).

Design Concept



Design Concept



Next Steps

Milestone	Timing
Zoning Approval	Spring 2025
Design and Community Engagement	Summer/Fall 2025
Financing Applications	Mid 2026
Project Closing	Late 2026/Early 2027
Construction Completion	Mid-Late 2028



Council Member Bryant Brown asked why they aren't building the maximum amount of housing now. And how can they relay the message to people looking for affordable housing that this type of housing is different from what most residents are looking for.

Russell Opatz said the capital funding for deeply affordable housing is not available. With the scarcity of property in this area building 48 units is less profitable than building 14

single family units. Valley Behavioral Health is aware of the dire need in Salt Lake County and is able to use tools they possess to build the proposed units.

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

Sue Armitage, resident in condo complex to the south of this area, said currently the condo residents experience the noise and commotion from the visits from fire and ambulance to the existing housing about twice a week. Residents at the treatment center come into her condo complex and loiter around the fountain. They also hide their cigarettes in the bushes in and around her condo complex. She understands the need for treatment centers and affordable housing, but she feels like the new proposal is radically dense for the area. She is concerned that a project this size would require cutting down trees along the canal.

Joe Fiala, resident of Countryside, immediately south of the property, he is a civil engineer. He is opposed to the rezone. The rezone was previously reviewed and denied by the Planning Commission. A project this large in a single-family community sets a troubling precedent. The developer knew the zoning when he bought the property and is attempting to change the rules after the fact. The proposed zoning change will diminish neighborhood character, increase traffic, and erode resident trust in city government.

Zach Tretter, resident of Countryside, opposes the rezone. This density is unprecedented in this area. The proposed project will make the Midvale facility the largest Valley Behavioral Health facility in the valley.

Kiley Jillings, Countryside resident, said she understands the need of this type of facility but, there are already problems with noise and residents and adding more units will increase the issues. There is no public transportation or services that those residents need nearby. She opposed the rezone.

Former State Senator Wayne Neiderhauser, thanked Midvale City for what they have done with the homeless shelter and homeless issues in general. He said this project is deeply needed in the state. He stated that for every 100 households in need of affordable housing there are 3 units available. Utah is now the 9th most expensive place to live in the country.

Richard Shelley, lives near Enchanted Drive and 700 East, said traffic incidents are increasing near the facility. This is a health facility, a business that doesn't fit into the neighborhood. He always understood that a trail would be going in behind that property. He asked the council to deny the project.

Heather Malovich, Countryside resident, agreed with her neighbors that previously spoke. No one is opposed to affordable housing they are opposed to overbuilding on a flag lot. The area has yet to feel the full impact of the project built on the old RC Willey lot. Traffic is already difficult.

The following email was received prior to the public hearing:

 Outlook

FW: May 20-Russell Opatz zoning request-Public Hearing

From Midvale Planning Mailbox <Planning@midvaleut.gov>
Date Mon 5/19/2025 9:02 AM
To Wendelin Knobloch <wknobloch@midvaleut.gov>

From: V Hansen [REDACTED]
Sent: Monday, May 19, 2025 8:56 AM
To: Midvale Planning Mailbox <Planning@midvaleut.gov>
Subject: May 20-Russell Opatz zoning request-Public Hearing

Dear Members of the Midvale City Council,

I am a property owner within 500 feet of Russell Opatz's request to amend the zoning map. I OPPOSE his proposal to change the zoning to Multifamily Residential-Medium to High Density (RM-25). This is in regards to the Public Hearing to be held during your council meeting, Tuesday, May 20, 2025. Thank you for your consideration.

Kindest regards,
VHansen
Owner of [REDACTED]

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

ACTION: Consider Ordinance No. 2025-O-09 Authorizing a Zone Map Amendment from the Single-Family Residential Duplex Overlay (SF-1 DO) Zone to the Multifamily Residential-Medium to High Density (RM-25) Zone for two properties located at 6854 S 700 E and 6852 S 700 E.

Council Member Bryant Brown said he appreciates people focusing on zoning and not on personal property values.

MOTION: Council Member Bryant Brown MOVED to Deny Ordinance No. 2025-O-09 Authorizing a Zone Map Amendment from the Single-Family Residential Duplex Overlay (SF-1 DO) Zone to the Multifamily Residential-Medium to High Density (RM-25) Zone for two properties located at 6854 S 700 E and 6852 S 700 E with the findings noted in the staff report. The motion was **SECONDED** by Council Member Heidi Robinson. Mayor Gettel 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 Denece Mikolash	Aye

The motion passed unanimously.

VII. CONSENT AGENDA

A. CONSIDER MINUTES OF MAY 6, 2025

MOTION: Council Member Paul Glover MOVED to Approve the Consent Agenda. The motion was **SECONDED** by Council Member Bryant Brown. Mayor Gettel 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 Denece Mikolash	Aye

The motion passed unanimously.

VIII. DISCUSSION ITEM

A. DISCUSSION ON ADOPTING A DROUGHT CONTINGENCY PLAN.

Bryton Mecham said Midvale City, as a wholesale customer and member agency of the Jordan Valley Water Conservancy District (JVWCD), is required to adopt a Drought Response Plan that aligns with JVWCD's regional efforts. This structured, multi-level plan (Levels 0–4) outlines the City's response to varying drought conditions, with each level specifying targeted water saving actions based on supply, demand, and JVWCD guidance. The goal is to reduce water use during times of drought while minimizing the impact on residents, businesses, and services.

Midvale City Drought Response Action Plan



Purpose of the Drought Response Plan

Drought Level	Advisory Code	Water Shortage Description	Impacts to Contract Amounts
Level 0	Blue	Normal	adequate supplies to satisfy all retail customer needs and all wholesale minimum contract amounts
Level 1	Yellow	Moderate	5% reduction in typical use for wholesale member agencies and JVWCD retail customers, but in any event, JVWCD will not supply more than 120% of wholesale contract amounts
Level 2	Orange	Severe	10% reduction in typical use for wholesale member agencies and JVWCD retail customers, but in any event, JVWCD will not supply more than 110% of wholesale contract amounts.
Level 3	Dark Orange	Extreme	20% reduction in typical use for wholesale member agencies and JVWCD retail customers, but in any event, JVWCD will not supply more than wholesale contract amounts.
Level 4	Red	Critical/Exceptional	30% reduction in typical use for wholesale member agencies and JVWCD retail customers. JVWCD will determine the water supply availability as a ratio to wholesale contract amounts (i.e. 50%, 60%, 80%, etc.) at the time that this level of drought is established.

Midvale City, as a wholesale customer of the Jordan Valley Water Conservancy District (Jordan Valley), is required to adopt a Drought Response Plan that aligns with Jordan Valley's regional efforts. This structured, multi-level plan (Levels 0–4) outlines the City's response to varying drought conditions, with each level specifying targeted water saving actions based on supply, demand, and guidance from Jordan Valley. The goal is to reduce water use while minimizing the impact on residents, businesses, and services.

Midvale City Drought Action Planning Tool

Midvale City Drought Response Actions Planning Tool																			
Drought Level	Advisory Code	Water Shortage Description	Impacts to Contract Amounts	Midvale City Drought Response Actions Planning Tool															
				Drought Response Actions	Additional Information on Actions (optional)	How is this going to reduce the shortage (give a rough estimate of % reduction)?	How is this going to reduce the shortage (give a rough estimate of % reduction)?	How is this going to reduce the shortage (give a rough estimate of % reduction)?	How is this going to reduce the shortage (give a rough estimate of % reduction)?	How is this going to reduce the shortage (give a rough estimate of % reduction)?	How is this going to reduce the shortage (give a rough estimate of % reduction)?	How is this going to reduce the shortage (give a rough estimate of % reduction)?	How is this going to reduce the shortage (give a rough estimate of % reduction)?	How is this going to reduce the shortage (give a rough estimate of % reduction)?	How is this going to reduce the shortage (give a rough estimate of % reduction)?	How is this going to reduce the shortage (give a rough estimate of % reduction)?	How is this going to reduce the shortage (give a rough estimate of % reduction)?	How is this going to reduce the shortage (give a rough estimate of % reduction)?	How is this going to reduce the shortage (give a rough estimate of % reduction)?
Level 0	Blue	Normal	adequate supplies to satisfy all retail customer needs and all wholesale minimum contract amounts	1. Provide water to all customers, including those with long-term contracts.		100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Level 1	Yellow	Moderate	5% reduction in typical use for wholesale member agencies and JVWCD retail customers, but in any event, JVWCD will not supply more than 120% of wholesale contract amounts	2. Implement water conservation programs for all customers.		95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
Level 2	Orange	Severe	10% reduction in typical use for wholesale member agencies and JVWCD retail customers, but in any event, JVWCD will not supply more than 110% of wholesale contract amounts.	3. Implement water conservation programs for all customers.		90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%	90%
Level 3	Dark Orange	Extreme	20% reduction in typical use for wholesale member agencies and JVWCD retail customers, but in any event, JVWCD will not supply more than wholesale contract amounts.	4. Implement water conservation programs for all customers.		80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%
Level 4	Red	Critical/Exceptional	30% reduction in typical use for wholesale member agencies and JVWCD retail customers. JVWCD will determine the water supply availability as a ratio to wholesale contract amounts (i.e. 50%, 60%, 80%, etc.) at the time that this level of drought is established.	5. Implement water conservation programs for all customers.		70%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%	70%

Level 0- Normal Conditions

- Level 0 reflects normal water conditions, but Midvale City takes proactive steps to conserve water and prepare for future droughts. Key actions include using smart meters to detect customer leaks and providing year-round conservation tips through the City's drought dashboard.

0	Provide conservation tips and public education through drought level dashboard
0	Customer leak detection using AMI and billing software

Level 1 – Mild Drought Conditions

- Level 1 begins with early signs of drought. While essential needs are still met, Midvale City encourages voluntary conservation and raises public awareness through media campaigns, promotion of water efficiency standards, and requests to limit non-essential uses like car washing.

1	Enforcement of Water Efficiency Standards
1	Media campaigns. Notify public of diminished water supply and request voluntary rationing of water
1	Reduce washing of vehicles

Level 2 – Moderate Drought Conditions

- Level 2 is triggered when worsening drought conditions begin to affect Midvale City's ability to meet normal demand. The City increases education, coordination, and light enforcement efforts, including water patrols, conservation workshops hosted by Jordan Valley, regular drought committee meetings, and limiting vehicle washing to certified car washes.

2	Hold regular drought committee meetings during drought to coordinate efforts
2	Implement water patrols
2	Vehicle washing prohibited unless at a certified carwash
2	Water Wise Workshops (Jordan Valley)

Level 3 – Severe Drought Conditions

- Level 3 is enacted during severe drought conditions that significantly reduce Midvale City's water supply. Mandatory measures include stricter lawn watering schedules, customized reduction agreements for large water users, and a potential rate increase subject to City Council approval. The drought committee will actively monitor conditions and adjusts strategies as needed.

3	Commercial and residential lawn watering rotations: Watering on even/odd days, or number of days of the week watering can take place
3	Increase water rates for certain existing water rate tiers. Rates increase as drought level increases. The council will adopt and approve this measure if or when a Level 3 drought response is necessary.
3	Establish individual service agreements for large water users (e.g. golf courses, car washes, data centers, schools, parks, etc.) that require reductions tied to each drought level.

Level 4 – Critical Drought Conditions

- Level 4 is triggered during critical drought conditions when the City's water supply is severely limited. Strict conservation measures prioritize essential uses and the survival of key vegetation. Residential and public lawns including parks, schools, and athletic fields will be allowed to go dormant with minimal watering. A temporary rate increase or drought surcharge, approved by the City Council, may be implemented to further reduce usage.

4	Global temporary rate increase/drought surcharges to reduce use. The council will adopt and approve this measure if or when a Level 4 drought response is necessary.
4	Allow residential lawns to go dormant (reduce watering to minimum amount needed to keep grass, trees and gardens alive)
4	Allow lawns at parks, athletic fields, and schools to go dormant (reduce watering to minimum amount need to keep grass, trees and gardens alive).

Closing Statement

- Midvale City's Drought Response Plan is designed to protect our water resources and ensure a sustainable supply for the future. By outlining clear actions for each level of drought, we aim to minimize the impact on residents, businesses, and essential services while promoting water conservation. Collaboration with the Jordan Valley Water Conservancy District and other partners is essential to managing drought conditions effectively.

Council Member Bryant Brown said Commercial properties should be the first in line to conserve water. He would like to always keep the city park green, even if cutbacks need to be made in other areas.

Bryton Mecham said if people see water being wasted, they can call the city and Public Works will investigate, especially when it is a commercial property.

Matt Dahl talked about the Water Efficiency Standards that the city adopted several months ago. He said the Council could consider looking at policies that go beyond these minimum standards.

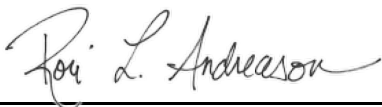
Council Member Denece Mikolash said she would like to have a contingency plan for the HOA's in Midvale. She would like to see more messaging about water conservation.

The Council approved this item being placed on the Consent agenda at the June 3rd meeting.

X. ADJOURN

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

The meeting adjourned at 9:42 p.m.



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



Approved this June 3, 2025