



7505 S Holden Street  
Midvale, UT 84047  
801-567-7200 ext. 1022  
Midvale.Utah.gov

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**Midvale Planning Commission Meeting  
Notice and Agenda  
June 24, 2026  
6:00 p.m.**

Public notice is hereby given that the Midvale City Planning Commission will consider the items listed below during their regularly scheduled meeting on Wednesday, June 24, 2026, at 6:00 p.m. This meeting will be held in person at Midvale City Hall, 7505 S Holden Street, Midvale, Utah or electronically with an anchor location at Midvale City Hall, 7505 S Holden Street, Midvale, Utah. The meeting will be broadcast at the following link:  
[Midvale.Utah.gov/YouTube](https://Midvale.Utah.gov/YouTube).

Midvale City Staff publishes a packet of information containing item specific details by 6:00 p.m. the Thursday prior to the meeting date on the [Planning Commission Agendas & Minutes](#) page. The QR code included on the right will also take you to this webpage.



Public comments for Public Hearing items may be done in person on the scheduled meeting date, submitted electronically on the Agendas & Minutes webpage, or by emailing [planning@midvaleut.gov](mailto:planning@midvaleut.gov) by 5:00 p.m. on June 23, 2026 to be included in the record.

**I. Pledge of Allegiance**

**II. Roll Call**

**III. Minutes**

- a. Review and Approval of Minutes from the June 10, 2026 Meeting.

**IV. Public Hearing**

*If items marked with \*\* are forwarded, the City Council will hear them on or after July 7, 2026 after 6 p.m.*

- a. \*\*Gardner Group requests amendments to Chapter 17-7-10.12 of the Midvale Municipal Code to (1) eliminate rights-of-way adjacent to POD I, (2) modify road standards to eliminate the sidewalk on one side, and (3) to decrease building separation requirements for four-story buildings to 10 feet. *[Wendelin Knobloch, Planning Director]*

**V. Staff Update/Other Business**

- a. Planning Commission Training
- b. Planning Department Report.

## **VI. Adjourn**

All meetings are open to the public; however, there is no public participation except during public hearings. Members of the public will be given an opportunity to address the Commission during each public hearing item. The Commission reserves the right to amend the order of the agenda if deemed appropriate. No item will be heard after 9:30 p.m. without unanimous consent of the Commission. Items not heard will be scheduled on the next agenda.

A copy of the foregoing agenda was posted in the City Hall Lobby, the 2<sup>nd</sup> Floor City Hall Lobby, on the City's website at [Midvale.Utah.gov](http://Midvale.Utah.gov) and the State Public Notice website at <http://pmn.utah.gov>. Commission Members may participate in the meeting via electronic communication. Commission Members' participation via electronic communication will be broadcast and amplified so all Commission Members and persons present in the Council Chambers will be able to hear or see the communication.

In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the Community Development Executive Assistant at (801) 567-7211, providing at least three working days' notice of the meeting.



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**Midvale City  
PLANNING AND ZONING COMMISSION**

***Minutes***

**10<sup>th</sup> Day of June 2026  
Council Chambers  
7505 South Holden Street  
Midvale, Utah 84047**

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***COMMISSION CHAIR:*** Michael Edwards

***COMMISSION VICE CHAIR:*** Shane Liedtke

***COMMISSION MEMBERS:*** Candice Erickson

***STAFF:*** Adam Olsen, Community Development Director  
Katie Thorne, Community Development Exec. Assistant  
Daniel Van Beuge, Deputy City Attorney  
Wendelin Knobloch, Planning Director  
Elizabeth Arnold, Senior Planner  
Jonathan Anderson, Planner II  
Matthew Pierce, IT Director

**REGULAR MEETING**

Chair Edwards called the Planning & Zoning Commission meeting to order at 6:00 p.m. He explained how the meeting would proceed. First, the Planning Department would brief the Commission; then the applicant would speak to the Commission; the item will be opened to the public for their comments on public hearing agenda items; the Midvale Deputy City Attorney will then brief the Commission on their role on the given item; and then the Commission would deliberate and decide.

**ROLL CALL**

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PLANNING AND ZONING COMMISSION JUNE 10, 2026.

|                       |         |
|-----------------------|---------|
| Chair Edwards         | Present |
| Vice Chair Liedtke    | Present |
| Commissioner Tippetts | Excused |
| Commissioner Anderson | Excused |
| Commissioner Erickson | Present |
| Commissioner Snow     | Excused |
| Commissioner Brauchie | Excused |

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## **MINUTES**

### **1. REVIEW AND APPROVE MINUTES OF MAY 13, 2026.**

**MOTION:** Vice Chair Liedtke MOVED to approve the minutes of May 13, 2026. SECONDED by Commissioner Erickson. Chair Edwards called for a voice vote.

The motion passed unanimously with all voting in favor.

\*\*\*

## **PUBLIC HEARINGS**

### **1. Jeanette Thomas requests Preliminary Subdivision approval for a 2-Lot Subdivision located at 6751 S 900 E in the Regional Commercial zone.**

This application has been reviewed by all members of the Development Review Committee (Planning, Engineering, Public Works, Legal, Unified Fire Authority, and the Building Official) for compliance with the respective guidelines, policies, standards, and codes.

The proposed subdivision plat is dividing the property at 6751 S 900 E into 2 lots, to separate ownership of different parts of the building based on recent additions to the structure.

Staff finds the proposal complies with the preliminary subdivision requirements in MMC 16.02, and the lot size requirements of the Regional Commercial zone in MMC 17-712.3(A).

Public notice has been sent to property owners within 500 feet of the subject parcel; additionally, a sign was placed on the property and will remain until the Planning Commission hearing of the Preliminary Subdivision. No written public comments have been received as of the writing of this report. Any public comments received will be forwarded to the Planning Commission members for consideration and included in the public meeting record.

\*\*\*

### **STAFF RECOMMENDATION:**

Staff recommends the Planning Commission approve the preliminary subdivision application with the following findings:

Findings:

1. The project complies with the preliminary subdivision procedure outlined in Midvale Municipal Code 16.02, and the lot size requirement of 17-7-12.3(A).

\*\*\*

### **APPLICANT:**

No Comment.

\*\*\*

### **PUBLIC HEARING:**

No Comment.

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**MOTION:** Commissioner Erickson **MOVED** to close the public hearing. The motion was **SECONDED** by Vice Chair Liedtke. Chair Edwards called for a voice vote. The motion passed unanimously with all voting in favor.

\*\*\*

### **DISCUSSION:**

Vice Chair Liedtke requested and received clarification regarding the purpose of the proposed rezone.

Daniel Van Buege, Deputy City Attorney, informed the Commissioners that this is an administrative decision that the Planning Commission is to make if they do meet all the code requirements as they're outlaid in the city. If the proposed project does meet all code requirements, the Planning Commission is required to approve the proposed project plans. The only grounds for denial of this project would be if the code requirements are not met.

\*\*\*

**MOTION: Vice Chair Liedtke MOVED that we approve the Preliminary Subdivision for the 2-lot subdivision located at 6751 S 900 E with the findings noted in the staff report. The motion was SECONDED by Commissioner Erickson. Chair Edwards called for a roll call vote. The vote was as follows:**

|                       |     |
|-----------------------|-----|
| Chair Edwards         | Yes |
| Vice Chair Liedtke    | Yes |
| Commissioner Erickson | Yes |

**The motion passes unanimously.**

\*\*\*

## **PUBLIC HEARINGS**

- 2. Brent Vincent, representing Vincent Design Group, requests Rezone approval for a parcel located at 7036 S High Tech Drive from Regional Commercial zone to Clean Industrial zone. Information regarding the proposed regulations, prohibitions, and permitted uses that the property will be subject to if the rezone is adopted can be found in Midvale Municipal Code 17-7-13.**

The project proposal involves a rezone of one parcel totaling approximately 7.30 acres. The applicant's justification for the request and supporting documents are included in the attachments.

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

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

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 promotes the purposes outlined in Utah Code Annotated 10-9a-102 and demonstrates 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, floodplain, unstable soils, and inadequate drainage; or
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.

Staff has reviewed the proposal against the criteria listed above and finds that the rezone request satisfies the first criteria. The property in the application is underutilized with a large, mostly vacant commercial building (approximately 114,000 sq ft) with a massive parking lot.

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

The 2016 Midvale City General Plan identifies the subject property as being in the 7200 S East Gateway Opportunity Area and lists seven goals for the area:

East Gateway Goals:

Future land use goals for the East Gateway Opportunity Area include:

1. Provide for higher density housing options and taller buildings in the area around the TRAX station
2. Develop a small area plan for the development near the TRAX station
3. Strengthen the retail areas by diversifying the mix of retail and adding more destination and experience shops
4. Enhance 7200 South with urban design standards and safer pedestrian crossings
5. Provide and implement new bike routes to complete transportation connections to other areas in the City
6. Support redevelopment of underutilized properties to provide attractive commercial/light industrial flex spaces.
7. Work with UDOT to provide enhanced pedestrian access and improvements along 7200 South near the I-15 interchange.

The proposed rezone is consistent with goals for the 7200 S East Gateway Opportunity Area because it would facilitate the redevelopment of an underutilized property to create attractive commercial/light industrial flex spaces (Goal 6). It also promotes the objectives of Utah State Code 10-20-101 (renumbered from 10-9a-102 by “promoting prosperity” and “protecting the tax base” by allowing commercial uses to exist in a variety of attractive forms by redeveloping underutilized properties.

Public notice has been sent to property owners within 500 feet of the subject area, posted on the City Website, the Utah Public Notice website, advertised at City Hall, and a notice was placed on the property. No written public comments have been received as of the writing of this report.

\*\*\*

**STAFF RECOMMENDATION:**

Staff advises the Planning Commission recommend approval of the Rezone request to the City Council with the following findings:

**Findings:**

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

\*\*\*

**APPLICANT:**

Brent Vincent, representing Vincent Design Group, stated that the proposed rezone would provide greater flexibility and additional opportunities for future development of the property.

\*\*\*

**PUBLIC HEARING:**

No comment.

\*\*\*

**MOTION:** Commissioner Erickson **MOVED** to close the public hearing. The motion was **SECONDED** by Vice Chair Liedtke. Chair Edwards called for a voice vote. The motion passed unanimously with all voting in favor.

**DISCUSSION:**

Vice Chair Liedtke requested clarification regarding the differences between the Regional Commercial and Clean Industrial Zones.

Jonathan Anderson, Planner II, explained that the Regional Commercial Zone is primarily intended for retail and service-oriented uses, such as restaurants and other retail business types. In contrast, the Clean Industrial Zone permits a broader range of industrial uses, including outdoor storage, storage yards, manufacturing, and warehouse operations.

Daniel Van Buege informed the commissioners that this is a legislative decision and that the Planning Commission will provide a recommendation to City Council for final approval and/or denial.

\*\*\*

**MOTION: Commissioner Erickson MOVED that we recommend approval of the rezone request for a parcel located at 7036 S High Tech Drive from Regional Commercial Zone to Clean Industrial Zone, consistent with the findings included in the staff report. The motion was SECONDED by Vice Chair Liedtke. Chair Edwards called for a roll call vote. The vote was as follows:**

|                       |     |
|-----------------------|-----|
| Chair Edwards         | Yes |
| Vice Chair Liedtke    | Yes |
| Commissioner Erickson | Yes |

**The motion passes unanimously.**

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### **PUBLIC HEARINGS**

3. **Midvale City initiated Rezone for the Midvale City Public Works Complex located in the vicinity of 8196 S Main Street between Ivy Dr and the southern terminus of the Midvale City Public Works Complex to be uniformly zoned Clean Industrial and Public Facilities Overlay; this action includes removal of the Jordan Bluff 1-3 zone and the Clean Industrial Jordan Bluffs Overlay zone. Information regarding the proposed regulations, prohibitions, and permitted uses that the property will be subject to if the rezone is adopted can be found in Midvale Municipal Code 17-7-16 and 17-7-13.**

This rezone is unique because the Public Facilities Overlay Zone (PFO) not only changes the zoning designation but also requires a site plan approval.

The request is driven by the need to expand and reconfigure the Midvale City Public Works Complex to be able to provide ongoing and expanding services to the community.

The first phase of the Public Works Complex Expansion Project will add an employee parking lot to the newly acquired expansion area.

The site plan proposal is as follows:

- A. The site will be redeveloped with an employee parking lot which constitutes Phase 1 of the Public Works Expansion.



The zoning changes are as follows:

- A. Remove Clean Industrial Jordan Bluffs Overlay (CIJBO) from current Public Works Complex:
  - a. The existing Public Works Complex is zoned PFO, CIJBO, and Clean Industrial (CI)
  - b. The PFO and CI zones will remain while the CIJBO zone will be removed. The Public Works Complex predates the CIJBO zone and has operated as a nonconforming use within the zoning designation. Carrying on under the requirements of the CIJBO zone is not possible with a redesigned and expanded Public Works Complex because uses that are integral to Public Works operations such as vehicle repair and materials storage are not allowed by the zone.
- B. Remove CIJBO and Jordan Bluffs Zone Subarea 1-3 (JB 1-3) from new Public Works Complex Expansion Area and add PFO and CI
  - a. The Public Works Complex Expansion Area was recently purchased from two adjacent property owners, and this rezone unifies its zoning provisions with the remainder of the Public Works Complex.

### **Review Criteria**

#### **1. Public Facilities Zone, Criteria—Required findings, MMC 17-7-16.4**

The planning commission may recommend, and the city council may grant approval of a public facilities overlay zoning designation only if it determines, in written findings, the application has demonstrated the following:

- A. There is a demonstrated need for the public facility within the community at large and it is not contrary to the public interest.**

Staff Response: The parking lot is an integral part of the Public Works Complex Expansion Plan and is necessary to free up space in the current public works yard. Midvale City has grown and the Public Works Complex needs to grow as well so that existing service levels can be maintained and expanded where necessary.

- B. The public facility is consistent with the goals and policies of the general plan, and applicable ordinances of the city where feasible.**

Staff Response: The expansion of the Public Works Complex with a parking lot is consistent with the goals and policies of the general plan, it is located in the Jordan Bluffs Opportunity Area, which means change is anticipated, and the facility itself is a large part of the system that implements the General Plan.

**C. The public facility is located, planned and developed in such a manner that it is not inconsistent with the health, safety or general welfare of persons residing or working in the city. This includes, but is not limited to, the following:**

**1. The generation of noise, noxious or offensive emissions, or other nuisances which may be injurious or detrimental to the surrounding area.**

Staff Response: The use as an employee parking lot does not generate noise, noxious and offensive emissions, or other nuisances. Its characteristics are similar to other large parking lots in the immediate vicinity. Landscaping and fencing effectively buffer the parking lot from the view of surrounding properties.

**2. The availability of public services to support the public facility, including utilities; vehicular, pedestrian and public transit systems; police; fire; education; and social and health services.**

Staff Response: All public services needed to support the employee parking lot are available.

**3. The adequacy of landscaping, screening and buffering, building setbacks, parking, open space, or other development characteristics necessary to mitigate the impact of the public facility on neighboring properties.**

Staff Response: Landscaping, screening, and buffering of the parking lot comply with the provisions of the underlying CI zone and add extra buffering by incorporating a sight obscuring fence

**4. Proposed public facilities which exceed the bulk, height, density, or other use standards in the underlying zone must demonstrate such variances are essential to the function or operation of such facility. The development standards of the underlying zone and adjacent development shall be utilized where feasible.**

Staff Response: The parking lot complies with the bulk, height, density, and development standards of the underlying zone.

**D. The public facility complies with the specific review criteria for the use contained herein. (Ord. 2012-18 § 1 (Att. A))**

Staff Response: There are no specific review criteria in the PFO zone that apply to parking lots.

## **2. Zoning Map Amendment Criteria, MMC 17-3-1(E)**

- 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 expansion of the Public Works Complex with a parking lot promotes the objectives of the general plan, it is in the Jordan Bluffs Opportunity Area, which means change is expected, and the facility itself is an integral part 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;**

Staff Response: This criterion has been fulfilled. The past application of the CIJBO zone to the Public Works Complex may have occurred due to a misconception regarding the necessary operations that occur at a public works facility.

### **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 may be in play indirectly because the need to expand the Public Works Facility is driven by changes in Midvale at large.

### **4. Proposed rezoning promotes the purposes outlined in Utah Code Annotated 10-20-101.**

Staff Response: This criterion has been fulfilled. The proposed rezoning clearly promotes the purposes outlined in Utah Code Annotated 10-20-101, e.g. "provide for the health, safety, and welfare".

\*\*\*

## **STAFF RECOMMENDATION:**

Staff advises the Planning Commission recommend approval of the Midvale City initiated Rezone for the Midvale City Public Works Complex with the following findings:

Findings:

1. The Rezone complies with required findings according to MMC 17-7-16.4. and 17-3-1(E)

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**APPLICANT:**

No Comment.

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**PUBLIC HEARING:**

No Comment.

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**MOTION:** Vice Chair Liedtke **MOVED** to close the public hearing. The motion was **SECONDED** by Commissioner Erickson. Chair Edwards called for a voice vote. The motion passed unanimously with all voting in favor.

**DISCUSSION:**

Vice Chair Liedtke requested and received clarification regarding the location of the proposed future fence surrounding the property.

Chair Edwards requested clarification regarding whether a future site plan application would be required.

Wendelin Knobloch, Planning Director, stated that any future site plan application would be subject to the City's review process and that the process would be repeated for future development proposals. He further explained that any future site plan submittals would be required to comply with the existing Public Facilities Overlay regulations applicable to the property.

Daniel Van Buege informed the commissioners that this is a legislative decision and that the Planning Commission will provide a recommendation to City Council for final approval and/or denial.

\*\*\*

**MOTION:** Vice Chair Liedtke **MOVED** that we recommend approval of the Midvale City initiated Rezone for the Midvale City Public Works Complex located in the vicinity of 8196 S Main Street between Ivy Dr and the southern terminus of the Midvale City Public Works Complex to be uniformly zoned Clean Industrial

**and Public Facilities Overlay with the finding noted in the staff report. The motion was SECONDED by Commissioner Erickson. Chair Edwards called for a roll call vote. The vote was as follows:**

|                       |     |
|-----------------------|-----|
| Chair Edwards         | Yes |
| Vice Chair Liedtke    | Yes |
| Commissioner Erickson | Yes |

**The motion passes unanimously.**

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## **PUBLIC HEARINGS**

### **4. Preliminary Plat for Midvale City Public Works located in the vicinity of 8196 S Main Street between Ivy Dr and the southern terminus of the Midvale City Public Works Complex.**

This Plat consolidates all parcels that comprise the Midvale City Public Works Complex into one lot so that the Public Works Expansion Project with its associated approvals can proceed.

The Plat has been distributed to all members of the Development Review Committee (Planning, Engineering, Public Works, Legal, Unified Fire Authority, and the Building Official) to evaluate compliance with applicable federal, state, and local codes. Staff finds the proposal complies with preliminary subdivision plat requirements including Midvale Municipal Code Chapter 16.02.

Public notice was mailed to property owners within 500 feet of the subject parcels. A notice sign was also posted on the property and will remain in place until the Planning Commission acts on the preliminary subdivision. To date, no public comments have been received.

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### **APPLICANT:**

No comment.

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### **PUBLIC HEARING:**

No Comment.

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**MOTION:** Commissioner Erickson MOVED to close the public hearing. The motion was SECONDED by Vice Chair Liedtke. Chair Edwards called for a voice vote. The motion passed unanimously with all voting in favor.

## **DISCUSSION:**

Daniel Van Buege, Deputy City Attorney, informed the Commissioners that this is an administrative decision that the Planning Commission is to make if they do meet all the code requirements as they're outlaid in the city. If the proposed project does meet all code requirements, the Planning Commission is required to approve the proposed project plans. The only grounds for denial of this project would be if the code requirements are not met.

\*\*\*

**MOTION:** Commissioner Erickson MOVED that we approve the Preliminary Plat for Midvale City Public Works located in the vicinity of 8196 S Main Street between Ivy Dr and the southern terminus of the Midvale City Public Works Complex with the finding identified in the staff report. The motion was SECONDED by Vice Chair Liedtke. Chair Edwards called for a roll call vote. The vote was as follows:

|                       |     |
|-----------------------|-----|
| Chair Edwards         | Yes |
| Vice Chair Liedtke    | Yes |
| Commissioner Erickson | Yes |

**The motion passes unanimously.**

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## **STAFF UPDATE/OTHER BUSINESS**

1. Planning Department Report.
  - a. 2026 Los Muros On Main: Midvale City Mural Festival on June 13, 2026.

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## **ADJOURN**

Commissioner Erickson made the motion to adjourn 6:24 p.m. No one opposed. The meeting adjourned at 6:24 p.m.

\_\_\_\_\_  
Katie Thorne, CD Executive Assistant

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2026.

**ATTACHMENT A: Received Written Public Comments**

**From:** [Jonathan Anderson](#)  
**To:** ["Lorene Butler"](#)  
**Subject:** RE: High tech drive project  
**Date:** Wednesday, June 10, 2026 12:20:00 PM  
**Attachments:** [image001.png](#)

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Hi Lorene,

Yes, it is the old Costco building property. The proposed concept is to build new structures and/or reuse portions of the existing structure for commercial buildings. Residential is not proposed as part of the rezone.

Thanks,



**Jonathan Anderson**

*Planner II*

Midvale City  
7505 S Holden Street  
Midvale, UT 84047  
[janderson@midvaleut.gov](mailto:janderson@midvaleut.gov)  
Hours: M-Th, 8am to 6pm

801-567-7238

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**From:** Lorene Butler <49grams@gmail.com>  
**Sent:** Wednesday, June 10, 2026 10:34 AM  
**To:** Jonathan Anderson <janderson@midvaleut.gov>  
**Subject:** High tech drive project

Mr Anderson,

Does this project target just the east side of the freeway? Is it the old Costco building that he is asking for a rezone for?

Mr. Vincent only wants to build clean industrial buildings, not apartments. Is that correct?

Thank you for your time,

Lorene Butler  
801 561 0567



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## **MIDVALE CITY PLANNING COMMISSION STAFF REPORT 06/24/2026**

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### **SUBJECT**

Gardner Group requests amendments to Chapter 17-7-10.12 of the Midvale Municipal Code to (1) eliminate rights-of-way adjacent to POD I, (2) modify road standards to eliminate the sidewalk on one side, and (3) to decrease building separation requirements for four-story buildings to 10 feet.

### **SUBMITTED BY**

Wendelin Knobloch, Planning Director

### **BACKGROUND AND ANALYSIS**

The Gardner Group submitted a trifold request for code text amendments to the Jordan Bluffs Subareas 1-3 Zone (MMC 17-7-10.12):

1. *“Eliminate on Figure 1 & Figure 2 the road between Pods I & J. This should help with any future traffic congestion at the intersection just north on Ivy & Bingham Jct Blvd.”*

The current ordinance shows a road dividing Pods I from J at a distance from the public park that leaves Pod I slightly smaller than Pod J. This road breaks up the block in a way that creates a smaller and more walkable design unit and connectivity to Bingham Junction Blvd. Additionally, it shows a narrower right-of-way, possibly a trail on the southern side of the park. Eliminating these features likely results in a less pedestrian oriented design.

The application states that “This should help traffic congestion at the intersection just north on Ivy & Bingham Jct Blvd”. Eliminating the road between Pods I and J, however, may increase congestion because there are fewer connections to Bingham Junction Blvd.

2. *“Proposed change 17-7-10-12.5.E to a five foot wide sidewalk on no less than one side of the roadway in lieu of both sides of the roadway.”*

This proposal eliminates the sidewalk on one side of private roads that service the interior of a potential project in this zone. The City Council reviewed sidewalks in the context of a code amendment for Title 16 Subdivisions in March of this year and eliminated the option of having one sidewalk, therefore, it would

be unlikely that the City would change its approach. Additionally, changing the sidewalk provision in MMC 17-7-10-12.5.E would contradict the provisions in Title 16.

As a matter of policy, staff recommends sidewalks on both sides of any street or road to ensure safe travel for pedestrians and for people who rely on mobility devices.

3. *“Proposed change 17-7-10.12.10.D.3 to include three and four story structures to have 10 feet between structures in lieu of twenty feet.”*

This proposal reduces building separation for four story structures from 20 feet to 10 feet as shown in the table below:

| Structure Height | Current Code (Feet) | Proposal |
|------------------|---------------------|----------|
| 1 story          | 10 feet             | 10 feet  |
| 2 stories        | 10 feet             | 10 feet  |
| 3 stories        | 10 feet             | 10 feet  |
| 4 stories        | 20 feet             | 10 feet  |
| 5 + stories      | 20 feet             | 20 feet  |

A decrease in building separation by 50% (decrease from 20 feet to 10 feet) for four story structures has potential quality of life impacts on future residents the Planning Commission may not feel comfortable with.

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

### **Zoning Code Text Amendment Criteria**

To establish and maintain a sound, stable, and desirable city, a zoning code amendment application may only be approved if the reviewing body determines, in written findings, that the proposed amendment demonstrates one or more of the following:

1. The proposed amendment promotes the objectives of the general plan and purposes of this title;

Staff Response: An amendment that proposes a reduction in building separation by 50%, fewer sidewalks, and less connectivity does not advance the objectives of the general plan to provide for high-quality mixed-use office/commercial and residential development.

2. The proposed amendment promotes the purposes outlined in Utah Code Annotated 10-9a-102 [Renumbered 10-20-101];

Staff Response: The proposed amendment is neutral in some aspects of UCA 10-9a-102 and negative in others.

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

Staff Response: The amendment proposes changes but does not explain the original intent or simplify interpretation.

4. Existing zoning code was the result of a clerical error or a mistake of fact.

Staff Response: The existing code does not have clerical or factual errors.

Staff finds that this proposal does not meet the threshold the ordinance sets for zoning code text amendments to receive a positive recommendation.

## **STAFF RECOMMENDATION**

Staff advises the Planning Commission recommend (1) tabling the project to give the applicant an opportunity to provide additional facts and respond to instruction from the Planning Commission or (2) denial. The finding for both courses of action is:

- The amendment does not comply with Midvale City Code 17-3-1(F).

## **RECOMMENDED MOTION**

I move that we recommend [tabling or denial of] the amendments to Chapter 17-7-10.12 of the Midvale Municipal Code as provided in the attachment, with the finding noted in the staff report.

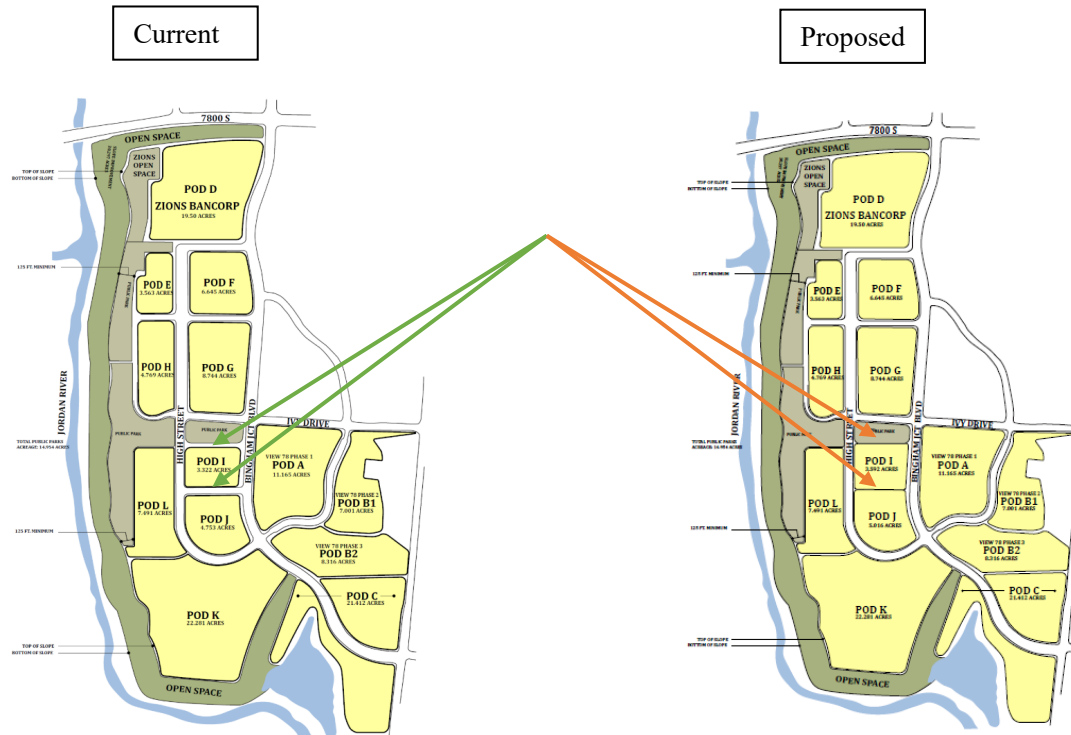
[If the Planning Commission chooses to table the application, please provide specific reasons for doing so and a timeframe for the application to be placed back on the agenda if desired.]

## **ATTACHMENTS**

1. Zoning Code Text Changes

# Proposed Zoning Code Text Changes

## 1. Figure Change Regarding Rights-Of-Way



## 2. MMC 17-7-10.12.5.E Change Regarding Sidewalk

E. *Private Road Improvements*. Projects may have interior private roads. The minimum right-of-way width must accommodate the pavement width required by the fire code and curb, gutter and five-foot-wide sidewalks ~~on both sides~~ **on no less than one side of the roadway**. Additional right-of-way width is required for on-street parking or bike lanes.

## 3. MMC 17-7-10.12.10.D.3 Change Regarding Building Separation

3. Proximity. Minimum separation between all habitable structures shall be as follows provided all building code requirements are met: ten feet between one-, two-, and three-story structures, **and four-story structures**; and twenty feet between ~~four~~ **five**-story structures and above. The building separation between structures of different heights shall be the distance required by the higher structure.