



\_Midvale City  
7505 South Holden Street  
Midvale, UT 84047  
801-567-7200  
[www.midvalecity.org](http://www.midvalecity.org)

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## MIDVALE CITY COUNCIL MEETING AGENDA November 10, 2015

**PUBLIC NOTICE IS HEREBY GIVEN** that the **Midvale City Council** will hold a regular meeting on the **10th Day of November, 2015** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

**6:30 PM**

**I. GENERAL BUSINESS**

- A. WELCOME AND PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. Employee Service Awards
- D. Emergency Operations Policy Group Training

**II. DEPARTMENT REPORTS**

**III. CITY MANAGER REPORT**

**IV. PUBLIC COMMENTS**

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

**V. COUNCIL REPORTS**

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

**VI. MAYOR REPORT**

- A. Mayor JoAnn B. Seghini

**VII. CONSENT AGENDA**

- A. Approve Minutes of October 20, 2015 [*Rori Andreason, H.R. Director/City Recorder*]
- B. Set date and time (November 17, 2015 at 7:00 p.m.) for a public hearing to consider a text amendment regarding the addition of Feather Flags as an allowed type of temporary signage [*Annaliese Eichelberger, Project Manager*]
- C. Set date and time (November 17, 2015 at 7:00 p.m.) for a public hearing to consider a Preliminary Subdivision Plat for Founders Point (formerly Kimpton Square), located at approximately 7612

South Holden Street [*Lesley Burns, City Planner*]

**VIII. ACTION ITEMS**

- A. Final Subdivision Plat Approval for the Station at Midvale Condominiums located at 7682-7696 South Center Square and 137 West Park Street [*Lesley Burns, City Planner*]

**IX. DISCUSSION ITEMS**

- A. Discuss Midvale City Mitigation Plan [*Jesse Valenzuela, Emergency Operations*]
- B. Discuss a proposed text amendment regarding the addition of Feather Flags as an allowed type of temporary signage [*Annaliese Eichelberger, Project Manager*]
- C. Discuss a Preliminary Subdivision Plat for Founders Point (formerly Kimpton Square), Subdivision located at approximately 7612 South Holden Street [*Lesley Burns, City Planner*]

**X. CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL**

**XI. ADJOURN**

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

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

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

**DATE POSTED: NOVEMBER 6, 2015**

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



**Midvale City**  
**CITY COUNCIL MEETING**  
*Minutes*

**Tuesday, October 20, 2015**  
**Council Chambers**  
**7505 South Holden Street**  
**Midvale, Utah 84047**

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**MAYOR:** Mayor JoAnn B. Seghini

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

**STAFF:** Kane Loader, City Manager; Laurie Harvey, Assistant City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Bob Davis, Public Works Director; Chad Woolley, City Attorney; Lt. Kim Burgon, UPD Midvale Precinct; Battalion Chief Brad Larson, UFA; Lesley Burns, City Planner; Christopher Butte, Economic Development Director; Matt Hilderman, Associate Planner; Danny Walz, RDA Director; and Matt Pierce, Systems Administrator.

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

**I. INFORMATIONAL ITEMS**

**A. DEPARTMENT REPORTS**

Lt. Kim Burgon reported that the police had talked with the owner of the trucks that were parking on Millennial Way who indicated he would no longer park there.

Chief Brad Larson said he had nothing to report.

Detective Paul reported on the Good Landlord Program. He reviewed the recent statistics within the City. Councilmember Glover said Park Station is not lit well and needs to be changed.

Laurie Harvey discussed the status of revenues and expenditures.

Phillip Hill updated the City projects including the Splash Pad, Christmas lighting for City Hall, State Street decorations, and the swimming pool. He said Salt Lake County said there is not enough property for a swimming pool at the park on 700 East.

Danny Walz discussed the scheduled public hearing on November 17<sup>th</sup> for the Main Street Community Development Project Area. All property owners received this notice and many are concerned with what will happen with their property. He said to direct questions to staff.

Bob Davis reported on the bulk waste program. He also reported on the benefit of having a part-time person updating the cemetery program. It's been very successful.

Rori Andreason informed the Council that the next meeting will be November 10, 2015.

Chad Woolley said the Bowery Agreement has been revised to include noise control and bowery users and allowing the police officers to enforce the noise ordinance. He also added no smoking or e-cigarettes.

## **II. CITY MANAGER'S REPORT**

Kane Loader discussed the Raccoon program, which will begin January 1, 2016. He also discussed the replacement of the railroad bridges on 7200 South, which will cost a considerable amount of funding. He will be working with Lobbyists to take this issue to the Legislature and also partner with stakeholders to offset costs to the City. He said this should take about five years to obtain the necessary funding.

Mayor Seghini called the meeting to order at 7:00 p.m.

## **III. GENERAL BUSINESS**

### **A. Welcome and Pledge of Allegiance**

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

**C. Proclamation Declaring November 16-20, 2015 as Utah College Application Week** – Councilmember Stephen Brown read the proclamation.

## **IV. PUBLIC COMMENTS**

Jarred Cameron said he lives on Lincoln Street. He said about 15 years ago when the SF2 code changed, he was the ginnie pig for splitting his lot. He has another home on Lincoln St. and is on a corner lot and it does not meet the code requirements to split the lot. He would like to split the lot so he can building on both lots. He distributed information to the Council. The Council said they will have staff look into this issue.

## **V. COUNCIL REPORTS**

**A. Councilmember Quinn Sperry** – mentioned code enforcement has been talking with residents who said they would like to strengthen the ordinances to deal with the enforcement issues.

Kane Loader said he could schedule a workshop with Code Enforcement Officers to discuss issues they are dealing with. The Council agreed.

**B. Councilmember Wayne Sharp** – the bushes have been trimmed at the performing arts center so now you can see the bell. He would like to see it moved so it won't get stolen. He reported on the mosquitoes. He also reported on the TransJordan Landfill and recycling. He expressed his appreciation for the excellent job Dwayne Woolley does for that agency.

**D. Councilmember Stephen Brown** – said the citizens' academy is still going well.

**E. Councilmember Paul Glover** – had nothing to report.

**F. Councilmember Paul Hunt** – had nothing to report.

**VI. MAYOR REPORT**

**Mayor JoAnn B. Seghini** – reported on the Veteran's Day Ceremony on November 11<sup>th</sup> at 11:00 a.m. Councilmember Sperry will be the MC for the ceremony. She is looking for a veteran or someone returning from the war recently that would be willing to speak. She asked the Council to let her know if they know of anyone. She also needs a vocalist to sing God Bless America.

**VII. CONSENT AGENDA**

**A. APPROVE MINUTES OF OCTOBER 6 AND OCTOBER 13, 2015**

**MOTION:** Councilmember Wayne Sharp **MOVED** to approve the consent agenda. The motion was **SECONDED** by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none she called for a roll call vote. The voting was as follows:

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

**The motion passed unanimously.**

**VIII. ACTION ITEM**

**A. APPROVE ORDINANCE NO. 2015-O-10 AMENDING THE MIDVALE MUNICIPAL CODE CHAPTER 5.02 BUSINESS LICENSES GENERALLY**

Chad Woolley stated this amendment of Midvale Municipal Code 5.02 Business Licenses Generally brings the ordinance up-to-date and solves two problems facing Community Development Department.

First, the current ordinance requires that all businesses, regardless of type, are required to renew their license on or before January 15 of each year. Due to the significant number of businesses in Midvale, this annual demand creates significant delays in processing each of the renewals. In order to alleviate this problem, this amendment distinguishes between rental and non-rental business licenses. Non-rental businesses will remain on the current January 15th renewal schedule. Rental businesses licenses (licenses for individuals or businesses renting residential

units) will be switched to a September 15th renewal schedule. By placing rental and non-rental business licenses on different renewal schedules, the Community Development Department will better be able to process business license renewals in a timely manner.

Second, after the adoption of the most recent fee schedule, the Community Development Department has not been able to recover the costs for incomplete, withdrawn, or denied business license applications. As a result, business license applications that have gone through the costly review or inspection processes are still able to recover 100% refund. This amendment helps the City recover some of the costs of its employees' valuable time. Business license applications that are withdrawn or denied before the inspection process are entitled to recover 75% of the business license application fees. If a business license application is withdrawn or denied after the inspection process, only 25% of the business license application fees may be refunded. These amounts are based on other local municipalities, including Sandy City.

**MOTION: Councilmember Quinn Sperry MOVED to approve Ordinance No. 2015-O-10 amending Midvale Municipal Code 5.02 Business Licenses Generally. The motion was SECONDED by Councilmember Paul Hunt. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:**

<b>Council member Stephen Brown</b>	<b>Aye</b>
<b>Council member Paul Glover</b>	<b>Aye</b>
<b>Council member Paul Hunt</b>	<b>Aye</b>
<b>Councilmember Wayne Sharp</b>	<b>Aye</b>
<b>Council member Quinn Sperry</b>	<b>Aye</b>

**The motion passed unanimously.**

**B. APPROVE ORDINANCE NO. 2015-O-11 AMENDING THE MIDVALE MUNICIPAL CODE CHAPTER 5.26 MASSAGE ESTABLISHMENTS**

Chad Woolley stated across Utah, numerous municipalities, including Midvale, are facing problems with their massage establishments. Individuals have found loopholes in local ordinances that allow them to run unsavory businesses while being shielded from the law.

Midvale's current ordinance allows an individual to apply for a massage establishment license by simply being 21 years old and passing a simple background checks. Under the current requirements, the City struggles to distinguish between unsavory "massage establishments" and reputable massage businesses.

The amended ordinance requires massage establishment license applicants to submit copies of and keep current with the City each of their therapists' current Utah massage licenses. In addition, the owner and each employee must complete and pass a background check. And lastly, each applicant must also meet with the Midvale Precinct Police Chief and review applicable laws and regulations.

With these new requirements, the City will better be able to distinguish between legitimate massage establishments and unsavory massage businesses, and take appropriate action.

**MOTION: Councilmember Paul Hunt MOVED to approve Ordinance No. 2015-O-11 amending Midvale Municipal Code 5.26 Massage Establishments. The motion was SECONDED by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:**

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

The motion passed unanimously.

**C. APPROVE RESOLUTION NO. 2015-R-52 APPOINTING DON SLICK TO SERVE ON THE PLANNING COMMISSION AS AN ALTERNATE MEMBER**

Lesley Burns stated the Midvale Planning Commission is comprised of five full time members and two alternate members. Currently, there are vacancies for the alternate positions. Don Slick has expressed an interest in serving on the Planning Commission in this capacity. Mr. Slick has lived in Midvale City for five years. He is currently a Building Inspector for Sandy City and would like to get involved in his community. It is the Mayor's desire to appoint Mr. Slick to the Planning Commission as an alternate member. The Mayor is requesting the Council's consent for this appointment, which would be for a four year term beginning immediately.

**MOTION: Councilmember Wayne Sharp MOVED to approve Resolution No. 2015-R-52, appointing Don Slick as an alternate member on the Planning Commission for a four year term. The motion was SECONDED by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:**

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

The motion passed unanimously.

**D. APPROVE ORDINANCE NO. 2015-O-12 AMENDING THE MIDVALE MUNICIPAL CODE CREATING A NEW DEFINITION AND DEVELOPMENT STANDARDS FOR ELECTRIFIED SECURITY FENCES FOR NON-RESIDENTIAL OUTDOOR STORAGE AREAS IN THE CLEAN INDUSTRIAL ZONE DISTRICTS**

Matt Hilderman stated The Electric Guard Dog Company, based out of Columbia, South Carolina, submitted a proposed text amendment that would allow the installation of electrified fencing for security purposes within nonresidential outdoor storage areas. This text amendment proposal is being requested for the purpose of a business located within Midvale City that has had several thefts from their outdoor storage area in the recent months. The property owner and applicant have determined additional security features should be installed to help deter further criminal activity.

The Planning Commission reviewed the text amendment request and conducted a public hearing on May 13, 2015 and June 10, 2015. The Planning Commission reviewed the submitted information and discussed the aesthetics of this use, the locations of where this use is proposed, and the surrounding neighborhoods and overall city character associated with this proposed use. It was the Planning Commission's decision to forward a positive recommendation to the City Council concerning this proposed use.

Some concerns were raised by the City Attorney and City Building Official regarding this request. The Building Official has a concern that the Building Codes adopted by the State and the City does not address this type of electrical fencing, leaving the Building Department unable to regulate and inspect the electrical component of these fences. The City Attorney has liability concerns for the City if someone or something were to be caused harm or damage.

On July 14, 2015, the City Council discussed this item and requested some additional information as to whether or not the City can adopt Building Codes to address this specific type of use. In researching the legality of the City adopting building codes beyond those adopted by the State, the City Attorney's office has indicated that there is not a definitive answer. It could be argued either way, with a final decision resting with a judicial determination if the City were challenged.

On August 11, 2015, the City Council reviewed this item through the Public Hearing process and requested additional information as to any case law from other jurisdictions concerning the use of razor wire and also receiving final comments from the Unified Police Department and Unified Fire Authority. The City Attorney's office has stated there were no specific cases that addressed liability issues, for a City, to adopt security measures, such as the one proposed. Further discussion with Unified Police and Unified Fire determined they approve of the literature and concept of the proposed use.

Staff has prepared a revised ordinance from the June 10th Planning Commission meeting after receiving the requested information and further discussion. Staff determined the ordinance may have been viewed as being specific to the applicant's use and removed language to generalize the standards for other fence providers to utilize.

Councilmember Quinn Sperry commended Matt Hilderman for his dedication to getting the Council the information they needed on this issue.

**MOTION: Councilmember Wayne Sharp MOVED to approve Ordinance No. 2015-O-12, "In order to accommodate uses originally not contemplated and to further provide safety and security of individual properties and their uses, I move that we adopt Ordinance No. 2015-O-12 to add language in the Clean Industrial Zone District under the fencing provision to include electrified security fencing for an outdoor storage use, as specifically described in Attachment A." The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:**

**Council member Stephen Brown   Aye  
Council member Paul Glover       Aye**

**Council member Paul Hunt**      **Aye**  
**Councilmember Wayne Sharp**      **Aye**  
**Council member Quinn Sperry**      **Aye**

**The motion passed unanimously.**

**E. APPROVE RESOLUTION NO. 2015-R-53 AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT AND EASEMENT AGREEMENT FOR THE CHG OFFICE BUILDING AND CAMPUS LOCATED AT 7250 SOUTH BINGHAM JUNCTION BOULEVARD, WITHIN THE JUNCTION AT MIDVALE MASTER PLAN**

Matt Hilderman stated The Gardner Company has proposed a general office use development at the southeast corner of 7200 South and Bingham Junction Boulevard. This project, the CHG Office Building and Campus, is part of the Bingham Junction zone district and includes The Junction at Midvale Overlay. The total project area for CHG is approximately 12.97 acres in size. On June 24, 2015 the Planning Commission approved a Small Scale Master Plan for the office use and public open space parcels within the Large Scale Master Plan area with a number of conditions. The CHG Project includes two phases and together, these phases consist of approximately 339,000 square feet of building space comprised of office and ancillary, incidental and related use, within two buildings, surface and structured parking, landscaping, and improved public open spaces. The overall project includes perpetual open space public use easement areas which will be improved by the Developer with landscaping, irrigation, pedestrian pathways and pedestrian amenities. Phase I of the CHG Project consists of 277,000 square feet of intensive office space, certain interior landscaping and related irrigation equipment and installations, surface and structured parking. Phase II of the CHG Project is proposed to utilize a portion of the surface parking included in Phase I for additional office space and structured parking. The developer is currently working on a final site plan for the office development.

Sections 17-7-9.2 and 17-3-5 of the Zoning Ordinance requires a Development Agreement between Midvale City and the property owner/developer of this type of project. A condition of the CHG Large and Small Scale Master Plan approval required the property owner/developer to work with the City on a Development Agreement to be reviewed and approved by the City Council. The intent of the Development Agreement is to ensure compliance with the approved development plan, provide a timeline for completion of the public and private improvements, as well as layout expectations for both parties.

A development agreement has been written with the help of outside legal counsel for the City. This agreement has been through a number of iterations after review and comments by CHG, the Developer, Community Development Staff, and the Fire Marshal. The attached Development 2 Agreement has been agreed upon by all involved and is now before the City Council for its consideration. The agreement includes the following:

- Agreement to comply with the approved final site plan, which is included as Exhibit D.
- Expectations for project landscaping and long term maintenance.
- Expectations for perimeter open space improvements. This includes the public walkways along the project perimeter, and the timing for completion.
- Timing of completion of other site improvements.
- Agreement to comply with the Institutional Controls for the Bingham Junction area.

In addition to the Development Agreement, an Easement Agreement has also been drafted to ensure the long term maintenance of the perimeter perpetual public open space areas that are located within the CHG property. This agreement helps ensure these public areas, which were required as part of the overall open space for Bingham Junction, remain viable public use areas and are appropriately maintained by the property owner over the long term.

If the City Council is comfortable with these agreements, Staff has prepared a resolution that would authorize the Mayor to sign the Development Agreement and the Easement Agreement on behalf of the City.

**MOTION: Councilmember Paul Hunt MOVED to “I move that we adopt Resolution 2015-R-53, authorizing the Mayor to enter into the Development Agreement and Easement Agreement for the CHG Office Building and Campus Project, as presented.” The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the Mayor called for a roll call vote. The voting was as follows:**

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

**The motion passed unanimously.**

**IX. DISCUSSION ITEMS**

**A. HARVEST DAYS DEBRIEFING**

Kane Loader discussed Harvest Days. He said he would bring this item back when Tyler Sharp, Chair of Harvest Days, could be in attendance.

**X. ADJOURN**

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

The meeting adjourned at 8:40 pm.

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

Approved this 10th day of November, 2015.



## MIDVALE CITY COUNCIL SUMMARY REPORT

November 10, 2015

### **SUBJECT:**

Set Public Hearing for November 17, 2015 and Discussion on Zoning Ordinance Text Amendment to add category to Sign regulations that would allow Feather Flags as an allowed type of temporary signage in the RM-12, RM-25, 7200 S Overlay, SSC, RC, TOD, BJ, HC, CI and SSOZ zone districts.

### **SUBMITTED BY:**

Annaliese Eichelberger, Planner I

### **SUMMARY:**

Local business owners have asked that staff look into the possibility of adding Feather Flags as an allowable type of temporary sign requiring a temporary sign permit. Currently the city allows Banners, Mobile Changeable Copy signs, Balloon signs, and Pennants/ Streamers. This would apply to the RM-12, RM-25, 7200 S Overlay, SSC, RC, TOD, BJ, HC, CI, and SSOZ zone districts and could be used by apartment complexes and businesses. The Planning Commission reviewed the proposed amendment on September 23<sup>th</sup>, 2015. On October 14<sup>th</sup>, the Planning Commission conducted a public hearing and forwarded a recommendation to the City Council. The Planning Commission recommended approval of the text amendment with the specific recommended language as included Attachment A. To summarize, the Planning Commission's recommendation includes the following changes to the ordinance:

#### ***Proposed definition:***

Feather Flag" means a vertical portable temporary sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand and has a maximum height of 12 feet. (See Figure 2.)



**Figure 2**

*Proposed language:*

- RM-12, RM-25
  - a. One (1) feather flag per 50 feet of frontage or a maximum of five (5) are allowed for multifamily projects over thirty five (35) units. Feather flags may be displayed on private property for a period of fourteen consecutive days per calendar quarter up to four times per calendar year. A temporary sign permit shall be required for each display period.
  
- 7200 S Overlay, SSC, TOD, BJ, HC, RC, CI, SSOZ
  - a. A maximum of one (1) feather flag is allowed per business in a multi-tenant building. One (1) feather flag per 50 feet of frontage or a maximum of five (5) are allowed for stand-alone businesses. Feather flags may be displayed on private property for a period of fourteen consecutive days per calendar quarter up to four times per calendar year, with a maximum height of twelve (12) feet. A temporary sign permit shall be required for each display period.

**FISCAL IMPACT:**

N/A

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**STAFF RECOMMENDATION:**

Staff agrees with the Planning Commission’s recommendation, and recommends the proposed text amendment as included in Attachment A.

**RECOMMENDED MOTION:**

N/A

**Attachments:**

- Attachment A – Planning Commission’s recommended text amendment language

## ATTACHMENT A

RM-12, RM-25, 7200 S Overlay, SSC, RC, TOD, BJ, HC, CI, SSOZ Zone Districts – Feather Flags

Text Additions

~~Text Deletions~~

### 17-2 definitions.

“Fence” means a structure made of various materials that separates, encloses, screens or divides outdoor areas, including property perimeters. The term “fence” includes, but is not limited to, net screening for recreational activities, masonry walls, hedges, bollards with chains, posts with rails, and barriers.

“Feather Flag” means a vertical portable temporary sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand and has a maximum height of 12 feet. (See Figure 2.)

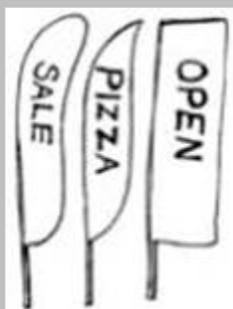


Figure 2

“Filtered light fixture” means any outdoor light fixture that has a refractive light source.

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“Temporary retail sales” is defined as the sale of new merchandise and/or services from a temporary location.

“Temporary sign” means any sign, banner, feather flag, pennant, valance or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed out-of-doors for a short period of time.

“Territorial enforcement” means physical design which allows users of property to develop a sense of ownership over it, developing space with an easily discernible purpose, using symbolic barriers such as low lying fences/walls, landscaping and signage, eliminating ambiguous spaces, encouraging easy maintenance, and discouraging crime.

**Revise Sign Tables RM-12 (17-7-3.12), RM-25 (17-7-4.12)**

**Signs**

<b>Sign Type</b>	<b>Allowed</b>	<b>Conditional</b>	<b>Max. Area</b>	<b>Max. Height</b>	<b>General Restrictions</b>
Construction	X		32 s.f.	12'	Removed after the first of 3 months from completion or upon C.O.
Feather Flags (Temporary)	X				See text.
Flat or Wall (Neighborhood Commercial only)		X	10% of facade facing street	n/a	Internally illuminated signs are prohibited. Signs are allowed on facades with street frontage.

**Add new sections and language as follows: RM-12 (17-7-3.12.G), RM-25 (17-7-4.12.G)**

- F. Flag Banners. Apartment or condominium complexes may utilize flag banners as follows:
1. Flag banner poles shall not exceed twelve feet in height;
  2. Flag banners shall only be permitted as part of an organized front entry feature that includes a project identification sign and landscaping;
  3. Flag banners must be located a minimum of three feet from a public sidewalk or a property line and must be located outside of the clear view triangle; and
  4. Flag banners shall contain no advertising copy. For the purposes of this subsection the project name is not considered to be advertising copy.

G. Feather Flags. One (1) feather flag per 50 feet of frontage or a maximum of five (5) are allowed for multifamily projects over thirty five (35) units. Feather flags may be displayed on private property for a period of fourteen consecutive days per calendar quarter up to four times per calendar year. A temporary sign permit shall be required for each display period.

**Add new sections and language as follows: 7200 S Overlay (17-7-6.8.I.4), SSC (17-7-7.10.K.7), TOD (17-7-8.10.J.3), BJ (17-7-9.4.D.11.f), HC (17-7-11.9.I.4), RC (17-7-12.10.K.7), CI (17-7-13.10.I.7), SSOZ (17-7-15.15.I.4)**

**Signs.**

Only two sign types are permitted per building unless specifically approved by the planning commission through the conditional use review process. In mixed-use developments, signage for each application must comply with an approved theme, which is uniform throughout the proposed development, and which complements the approved signage of near or adjacent pedestrian-oriented development. If a regulated sign type is not specifically designated, it is prohibited.

- K. Temporary Signs. The following provisions regulate the use of temporary signs. If a temporary sign type is not specifically designated, it is prohibited.

5. Grand Opening Events Signs. Promotional signage, such as pennants, streamers, banners, balloon signs, and inflated sign displays, may be used for grand opening events for new businesses. Such promotional signage must be initiated within the first three months of a new business receiving a certificate of occupancy, and may be used for a maximum of thirty consecutive days. Said signs shall be used in such a manner so as not to constitute a safety hazard. A temporary sign permit shall be required. Promotional signage shall not include illuminated signs or devices.

6. Feather Flags. A maximum of one (1) feather flag is allowed per business in a multi-tenant building. One (1) feather flag per 50 feet of frontage or a maximum of five (5) are allowed for stand-alone businesses. Feather flags may be displayed on private property for a period of fourteen consecutive days per calendar quarter up to four times per calendar year, with a maximum height of twelve (12) feet. A temporary sign permit shall be required for each display period.



## MIDVALE CITY COUNCIL SUMMARY REPORT

November 10, 2015

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### **SUBJECT:**

Set Public Hearing for November 17, 2015 and Discussion on Founders Point (formerly Kimpton Square) Subdivision located at approximately 7612 South Holden Street

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### **SUBMITTED BY:**

Lesley Burns, City Planner

### **SUMMARY:**

On April 22, 2015, the Planning Commission approved an amended Large Scale Master Plan (LSMP) for the Silver Refinery Overlay area located at the northwest corner of 7800 South and Holden Street. This LSMP includes a 2.21 acre multi-family residential area, a 6.31 acre medium density single family detached residential area, and a 0.84 acre public open space area. In conjunction with the LSMP, the Kimpton Square Subdivision was approved and recorded dividing these three areas into individual lots. On June 24, 2015, the Planning Commission approved a Small Scale Master Plan for the single family detached and public open space areas (Lots 2 and 3 of the Kimpton Square Subdivision). The single family detached project includes 67 detached residential units with four housing model types, a private road system with five-foot sidewalks and guest off-street parking, and open space/landscape area with recreation amenities. The City Council approved a Development Agreement for the overall project on August 18, 2015. This Development Agreement lays out the expectations and timing of improvements for the overall project. The Developer of the multi-family residential area has received final approvals and has begun construction on the corner multi-family area. The Developer of the single family and public open space has more recently submitted a final site plan for the single family and public open space areas. These plans are currently being reviewed by Staff.

It has always been the intent of the Developer of the single-family area to create a “for sale” housing product. In order to do that, a subdivision plat, designating the individual residential units, is required. The applicant has started the subdivision review process, and is requesting approval from the City Council on a preliminary subdivision plat that will further divide Lot 2 into the 67 individual residential units and common area. The common area, a combination of common and limited common designations, includes the private roads, and landscape and recreation amenity areas. The intent of the plat is to allow each unit to be owned by an individual and all other areas to be owned by a home owners association (HOA). The limited common areas around each unit, although owned by the HOA, would be primarily used and maintained by the adjacent unit owner; the common areas, i.e. private roads and larger landscape/recreation amenities, would be maintained by the HOA through a contracted property management company. This relationship and associated responsibilities will need to be articulated in a

required declaration of covenants, conditions and restrictions document (CC&R's) that is recorded along with the subdivision plat.

The proposed preliminary subdivision plat for the Founders Point Subdivision is attached. This plat reflects and is consistent with the approved Small Scale Master Plan for this development area, including the public easement for access to the public open space and shared guest parking between developments. The Development Agreement requires notes be included on the subdivision plat to ensure specific conditions of the site plan are addressed when Building Permits are reviewed for the individual units and to notify prospective buyers of certain requirements and expectations. These notes include designating units requiring sprinkler systems, vapor mitigation, side by side two car garages; units being entirely constructed within designated building footprints; maintaining 10 foot separation. There are some modifications and additions to the notes on the proposed preliminary plat that will need to be included on the final subdivision plat. In addition, the final subdivision plat will not be able to be approved until the final site plan for the project is approved.

On October 28, 2015, the Planning Commission forwarded a recommendation to the City Council to approve the proposed Founders Point preliminary subdivision plat. The Planning Commission's recommendation included the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshal, City Planner and City Council.
2. The final subdivision plat shall include the notes required by the Development Agreement, i.e. designating units requiring sprinkler systems, vapor mitigation, side by side two car garages; units being entirely constructed within designated building footprints; maintaining 10 foot separation.
3. The final subdivision plat shall note the book and page of the recorded access and parking easement as part of the legend.
4. Prior to the final subdivision plat approval, the applicant shall obtain final site plan approval for the development.
5. The applicant shall prepare a declaration of covenants, conditions and restrictions, including the creation of a homeowners association, for the development. This document shall include, among others, the items required by the Planning Commission in its Small Scale Master Plan approval. This document shall be recorded concurrently with the subdivision plat.

The applicant is working on completing these items, including obtaining approval of the final site plan for the project.

**FISCAL IMPACT:**

N/A

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**STAFF RECOMMENDATION:**

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

**RECOMMENDED MOTION:**

N/A

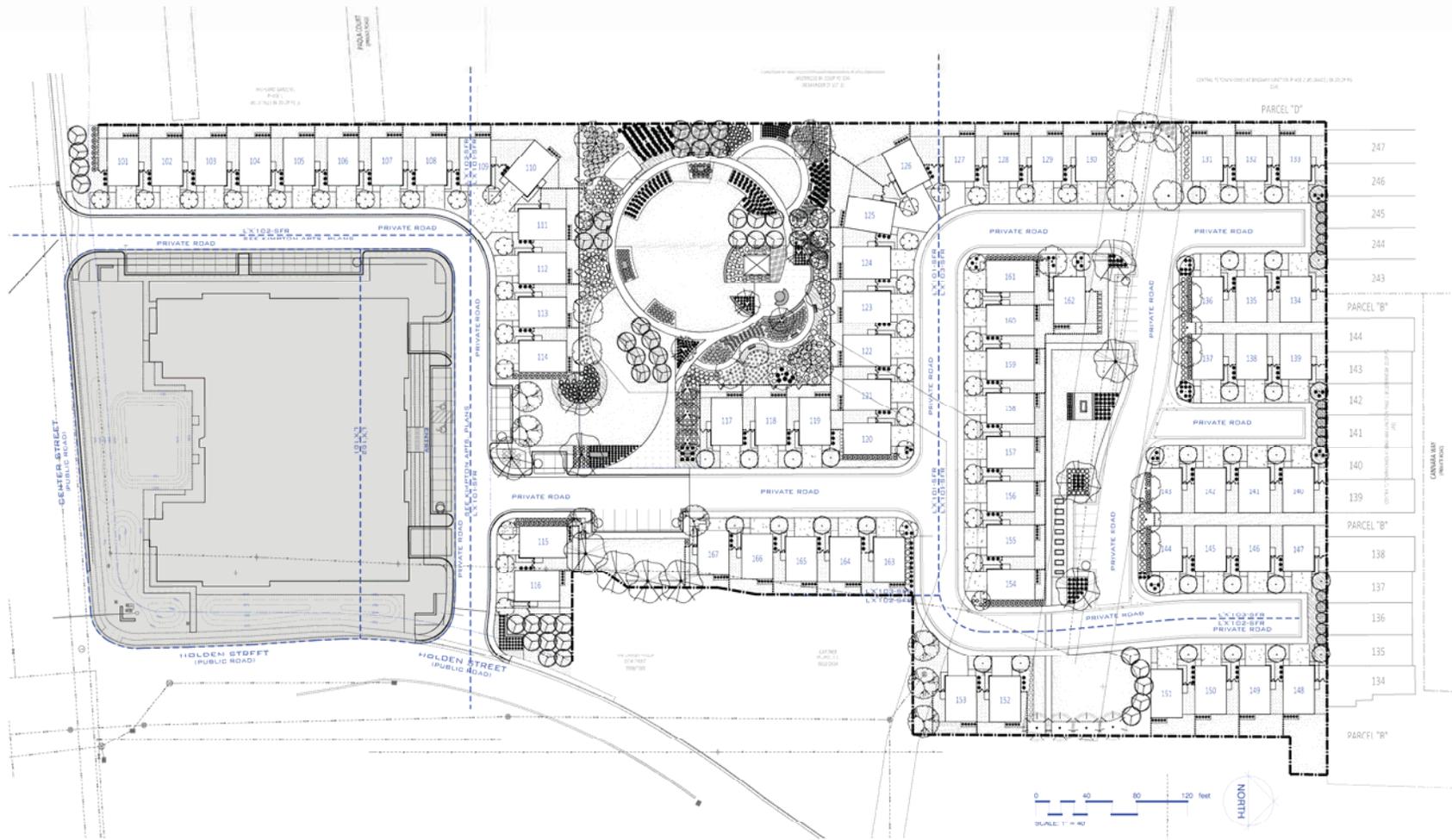
**Attachments:**

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



**Kimpton Square Single Family & Public Open Space  
7612 S. Holden Street**





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These drawings are available for limited review and evaluation by clients, consultants, contractors, government agencies, vendors, and other personnel only, in accordance with this notice.



**KIMPTON SINGLE  
 FAMILY RESIDENTIAL**  
 CENTER ST., N. HOLDEN ST.  
 MIDVALE, UT

DATA:  
 DATE: 06.15.13  
 PROJECT NO: 1518  
 DRAWN BY: HJG  
 CHECKED BY: BAR

REVISIONS:

TITLE  
**OVERALL  
 LANDSCAPE  
 PLAN**

SHEET

**LP100**





## MIDVALE CITY COUNCIL SUMMARY REPORT

November 10, 2015

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### **SUBJECT:**

Final Subdivision Plat Approval for The Station at Midvale Condominiums located at 7682-7696 South Center Square and 137 West Park Street

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### **SUBMITTED BY:**

Lesley Burns, City Planner

### **SUMMARY:**

The Station at Midvale project is the 186 unit multi-family development located at 7682-7696 South Center Square and 137 West Park Street. The Conditional Use Permit and Preliminary Site Plan for the project were approved by the Planning Commission on June 24, 2015. The Final Site Plan for the project was recently approved by Staff. This development proposal also included the review of a subdivision plat that would create a condominium project, allowing each residential unit to be individually owned and create a homeowners association to own and maintain all of the common areas inside the buildings as well as the property outside the buildings. The Planning Commission forwarded a recommendation to the City Council to approve this subdivision plat, and on September 1, 2015, the City Council approved the plat with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer and City Council.
2. Prior to the final subdivision plat approval, the applicant shall obtain final site plan approval for the project.
3. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link regarding the utility easements on the subdivision plat prior to final approval.
4. The applicant shall prepare a declaration of covenants, conditions and restrictions, including the creation of a homeowners association, for the development. This document shall be recorded concurrently with the subdivision plat.

The applicant has submitted a final subdivision plat, as well as the required declaration. He has also contacted all of the utility companies. The condominium plat and declaration have been reviewed by Staff and found to be consistent with the preliminary subdivision and final site plan approvals.

**FISCAL IMPACT:**

N/A

---

**STAFF RECOMMENDATION:**

Staff recommends approval of the Final Subdivision Plat for The Station at Midvale Condominiums located at 7682-7696 South Center Square and 137 West Park Street with the following conditions:

1. The applicant shall obtain all required signatures on the condominium plat Mylar.
2. The Declaration of Condominiums for the project shall be recorded concurrently with the plat.

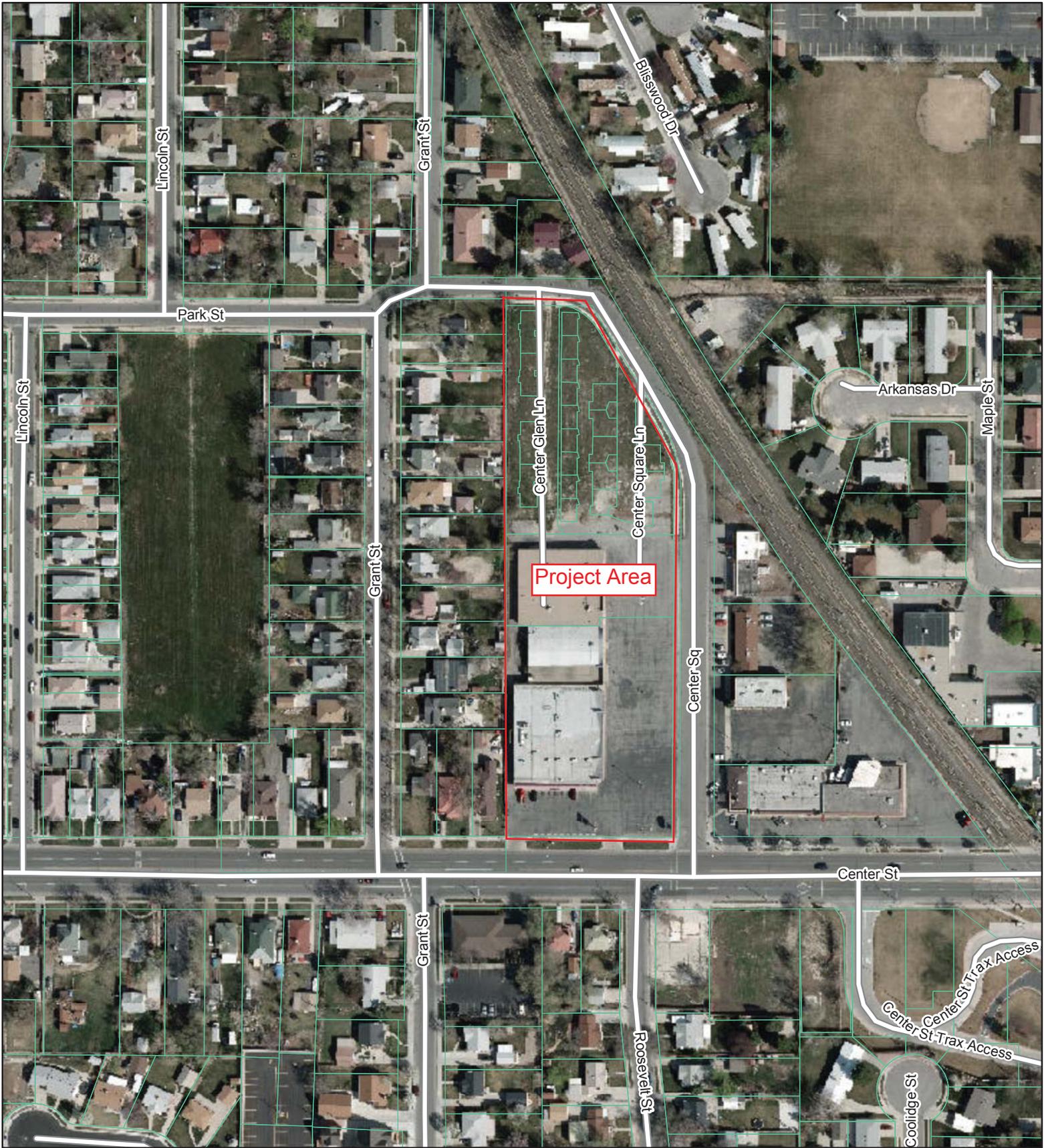
**RECOMMENDED MOTION:**

*“I move that we approve the Final Subdivision Plat for the Station at Midvale Condominiums located at 7682-7696 South Center Square and 137 West Park Street with the following conditions:*

- 1. The applicant shall obtain all required signatures on the condominium plat Mylar.*
- 2. The Declaration of Condominiums for the project shall be recorded concurrently with the plat.”*

**Attachments:**

- Vicinity Map
- Final Subdivision Plat



**Station at Midvale  
7682-7696 S. Center Square/137 W. Park St.**

# THE STATION AT MIDVALE CONDOMINIUMS

PART OF THE SOUTHEAST QUARTER OF SECTION 25,  
TOWNSHIP 2 SOUTH, RANGE 1 WEST,  
SALT LAKE BASELINE AND MERIDIAN  
MIDVALE, UTAH  
(CONTAINING WITHDRAWABLE LAND)

- NOTES**
- Units: Building A: 102  
Building B: 84  
Total Units: 186
  - See Sheets 2 & 3 for unit layouts, dimensions.
  - See Sheet 3 for building cross section.
  - See Sheet 4 for building elevations.

**SURVEYOR'S CERTIFICATE**

I, Brian G. Lyon, a Registered Land Surveyor, hold Certificate No. 275617, as prescribed by the laws of the State of Utah, and do hereby certify that by authority of the owners, I have made a survey of the tract of land shown on this plat, which is accurately described therein, and have subdivided said tract of land into units and streets to be hereafter known as The Station at Midvale Condominiums and that the same has been surveyed and staked on the ground as shown on this plat. I further certify that this map was prepared in accordance with Utah Law 57-18-15(1) and represents a true and accurate map of the land and buildings thereon to the best of my knowledge and belief.



**BOUNDARY DESCRIPTION**

Beginning at a point N 00°00'05" E 502.37 feet and S 89°52'55" W 1159.39 feet (Record 1159.34 feet) and N 00°07'05" W 49.07 feet and S 89°52'55" W 10.99 feet from the Southeast Corner of Section 25, Township 2 South, Range 1 West, Salt Lake Base and Meridian; said POINT OF BEGINNING lies on the northerly right of way line of Center Street and running

thence S 89°52'55" W 231.49 feet along said northerly right of way line to the eastern boundary line of Malmstrom Subdivision amended recorded as Entry No. 261419 in Book H Page 129 in the Official Salt Lake County Records;

thence N 00°07'05" W 741.11 feet along said eastern boundary line of Malmstrom Subdivision to the Southern right of way line of Park Street; thence along the Southwesterly Park Street right of way the next four courses:

- 1) thence N 89°52'55" E 82.32 feet;
- 2) thence 61.24 feet along a curve to the right with a radius of 75.00 feet (center bears S12°52'33"W), a central angle of 48°46'54" and a chord that bears S53°44'00"E 59.55 feet;
- 3) thence S 30°20'35" E 152.07 feet;
- 4) thence 71.61 feet along a curve to the right with a radius of 225.00 feet, a central angle of 18°14'09" and a chord that bears S21°13'25"E 71.31 feet;

thence S 00°00'14" E 507.86 feet along the west right of way line of Center Square Drive to the point of beginning, containing 3.64 acres

**NOTES/NARRATIVE**

1. The purpose of this survey was to create a condominium plat for the subject property. The survey was requested by MVM Properties, LLC.
2. The basis of bearing is S89°52'55"W between the street monument at the intersection of Center and State Street and the intersection of Center Street and Jefferson Street.
3. The plat and survey control for Center Square P.U.O. No. 1 was used to re-establish the boundary.
4. All common and limited common areas are considered to be an easement for all utility, irrigation and drainage purposes. This includes the ingress/egress area.
5. All patios, decks and balconies on each unit contained within the project are considered limited common areas. They are set aside and reserved for the use of the respective unit to which they are attached and/or appurtenant.
6. All areas contained within the project, but not shown with diagonal stripes or shading or public streets are considered common area, including parking, private streets, storm water detention and drainage easement area.

**OWNERS DEDICATION**

Know all by these presents that the undersigned: The Station at Midvale, LLC, a Utah Limited Liability Company, owner of the above-described tract of land, have caused the same to be surveyed and a condominium plat to be prepared and do hereby consent to the recording of this plat in accordance with the Utah Condominium Ownership Act.

In witness whereof, we have hereto set our hands this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Manager  
ATTEST:

**ACKNOWLEDGEMENT**

STATE OF UTAH  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, personally appeared before me \_\_\_\_\_, Manager of the Station at Midvale, LLC, who, being by me duly sworn, did say for himself that he is the Manager of the Station at Midvale, LLC, a Utah limited liability company, and that the within and foregoing instrument was signed on behalf of said LLC by authority of its Articles of Organization and he duly acknowledged to me that said Limited Liability Company executed the same.

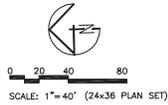
MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC  
RECORDING AT \_\_\_\_\_

**THE STATION AT MIDVALE  
CONDOMINIUMS**

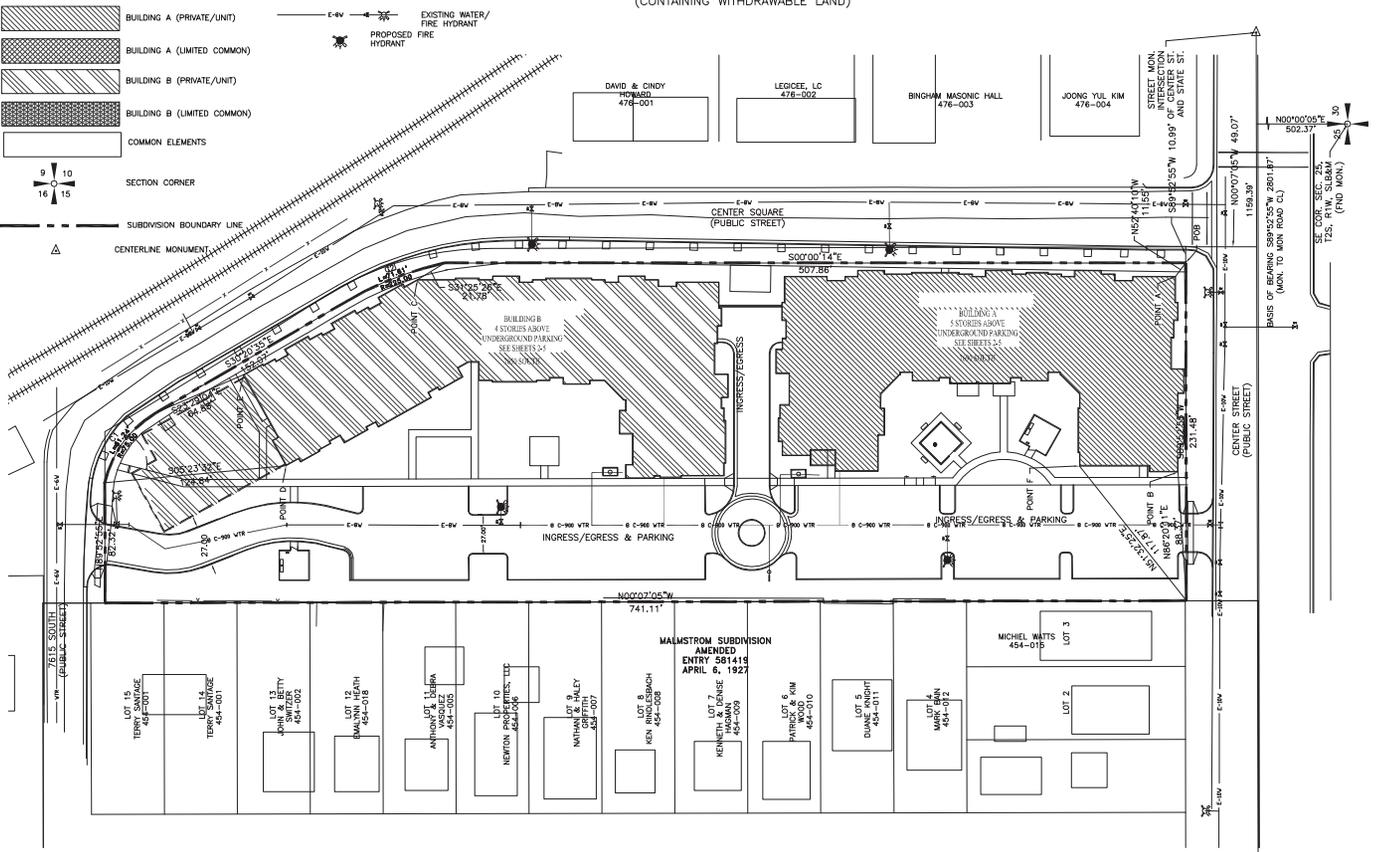
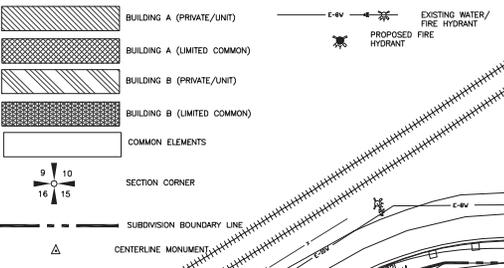
PART OF THE SOUTHEAST QUARTER OF SECTION 25,  
TOWNSHIP 2 SOUTH, RANGE 1 WEST,  
SALT LAKE BASELINE AND MERIDIAN  
MIDVALE, UTAH  
(CONTAINING WITHDRAWABLE LAND)

**SALT LAKE COUNTY RECORDER**

ENTRY NO. \_\_\_\_\_ FILED NO. \_\_\_\_\_  
RECORD AND RECORDED \_\_\_\_\_ AT \_\_\_\_\_ IN BOOK \_\_\_\_\_  
OF OFFICIAL RECORDS, PAGE \_\_\_\_\_  
RECORDED FOR \_\_\_\_\_  
BY \_\_\_\_\_  
SALT LAKE COUNTY RECORDER  
DEPUTY



**LEGEND**



**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	61.24	75.00	48°46'54"	N53°44'00"W	59.55
C2	71.61	225.00	18°14'09"	N21°13'25"W	71.31

OWNER/APPLICANT:  
STATION AT MIDVALE, LLC  
1466 NORTH HWY 89, STE 220  
FARMINGTON, UTAH 84025

**ALLIANCE CONSULTING ENGINEERS**  
150 EAST 200 NORTH SUITE P  
LOGAN, UTAH 84321  
(435)755-5121  
allianceclogan@yahoo.com

**BOARD OF HEALTH**  
APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

DIRECTOR, SALT LAKE VALLEY HEALTH DEPARTMENT

**CITY PLANNING COMMISSION**  
APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
BY THE MIDVALE CITY PLANNING COMMISSION.

CHAIRMAN, MIDVALE CITY PLANNING COMMISSION

**CITY COUNCIL APPROVAL AND ACCEPTANCE**  
Presented to the Midvale City Council this \_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_, at which time this subdivision was approved and accepted.

Mayor \_\_\_\_\_ Date \_\_\_\_\_

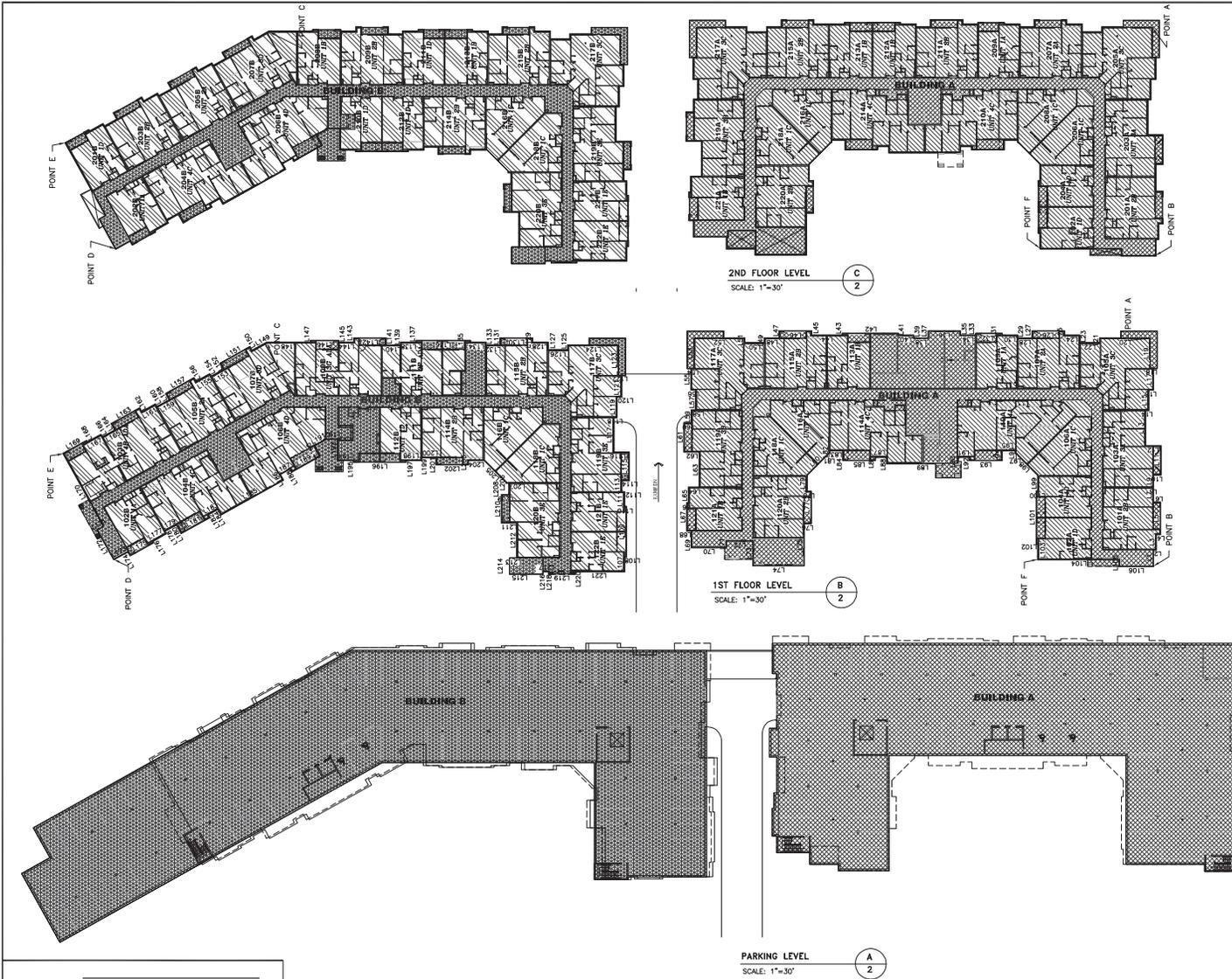
**CITY ENGINEER APPROVAL**  
APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY \_\_\_\_\_  
MIDVALE CITY ENGINEER

**APPROVAL AS TO FORM**  
Approved as to form this \_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

City Attorney \_\_\_\_\_

**SHEET 1**  
OF 5

Date: NOV 3, 2015



LINE TABLE					
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	9.71	S00°00'00"E	L81	0.46	S00°00'00"E
L2	1.87	S00°00'00"E	L82	1.66	N00°00'00"E
L3	9.17	N00°00'00"E	L83	8.08	S00°00'00"E
L4	2.50	S00°00'00"E	L84	18.79	N00°00'00"E
L5	18.79	N00°00'00"E	L85	4.18	S00°00'00"E
L6	4.18	N00°00'00"E	L86	2.50	N00°00'00"E
L7	8.75	N00°00'00"E	L87	4.18	S00°00'00"E
L8	0.01	S00°00'00"E	L88	3.79	N00°00'00"E
L9	7.50	N00°00'00"E	L89	4.18	S00°00'00"E
L10	4.34	N00°00'00"E	L90	3.79	S00°00'00"E
L11	16.92	N00°00'00"E	L91	6.85	S00°00'00"E
L12	9.01	N00°00'00"E	L92	4.00	N00°00'00"E
L13	21.08	N00°00'00"E	L93	18.79	S00°00'00"E
L14	1.83	S00°00'00"E	L94	4.82	N00°00'00"E
L15	11.96	N00°00'00"E	L95	8.08	S00°00'00"E
L16	2.83	S00°00'00"E	L96	1.85	N00°00'00"E
L17	12.58	N00°00'00"E	L97	0.46	S00°00'00"E
L18	1.83	N00°00'00"E	L98	18.22	S42°00'00"E
L19	17.77	N00°00'00"E	L99	8.71	S89°15'10"E
L20	29.50	N00°00'00"E	L100	1.00	N00°00'00"E
L21	2.82	N00°00'00"E	L101	30.87	N00°00'00"E
L22	11.96	N00°00'00"E	L102	1.00	S00°00'00"E
L23	4.50	N00°00'00"E	L103	9.12	N00°00'00"E
L24	9.17	N00°00'00"E	L104	47.86	S00°00'00"E
L25	2.50	N00°00'00"E	L105	4.11	N00°00'00"E
L26	18.87	N00°00'00"E	L106	18.79	S00°00'00"E
L27	4.18	N00°00'00"E	L107	8.54	N00°00'00"E
L28	8.75	N00°00'00"E	L108	1.00	S00°00'00"E
L29	1.88	N00°00'00"E	L109	29.50	N00°00'00"E
L30	9.12	N00°00'00"E	L110	1.00	N00°00'00"E
L31	1.00	N00°00'00"E	L111	8.71	N00°00'00"E
L32	15.39	N00°00'00"E	L112	1.87	N00°00'00"E
L33	1.00	N00°00'00"E	L113	6.83	N00°00'00"E
L34	9.25	N00°00'00"E	L114	4.34	S00°00'00"E
L35	2.50	N00°00'00"E	L115	16.29	N00°00'00"E
L36	18.87	N00°00'00"E	L116	8.01	N00°00'00"E
L37	4.18	N00°00'00"E	L117	20.75	N00°00'00"E
L38	8.75	N00°00'00"E	L118	18.83	S00°00'00"E
L39	1.88	N00°00'00"E	L119	11.96	N00°00'00"E
L40	9.12	N00°00'00"E	L120	2.83	S00°00'00"E
L41	1.00	N00°00'00"E	L121	12.58	N00°00'00"E
L42	32.87	N00°00'00"E	L122	1.83	N00°00'00"E
L43	1.00	N00°00'00"E	L123	17.77	N00°00'00"E
L44	18.37	N00°00'00"E	L124	29.50	N00°00'00"E
L45	2.50	N00°00'00"E	L125	2.82	N00°00'00"E
L46	18.87	S00°00'00"E	L126	1.98	N00°00'00"E
L47	4.18	N00°00'00"E	L127	4.50	N00°00'00"E
L48	8.87	N00°00'00"E	L128	9.17	N00°00'00"E
L49	2.82	N00°00'00"E	L129	2.50	N00°00'00"E
L50	11.96	N00°00'00"E	L130	16.87	N00°00'00"E
L51	2.82	N00°00'00"E	L131	4.18	N00°00'00"E
L52	29.50	N00°00'00"E	L132	8.75	N00°00'00"E
L53	12.77	N00°00'00"E	L133	1.68	N00°00'00"E
L54	1.83	N00°00'00"E	L134	9.12	N00°00'00"E
L55	12.58	N00°00'00"E	L135	1.00	N00°00'00"E
L56	2.83	S00°00'00"E	L136	31.67	N00°00'00"E
L57	12.04	N00°00'00"E	L137	1.00	N00°00'00"E
L58	2.50	N00°00'00"E	L138	9.17	N00°00'00"E
L59	7.50	N00°00'00"E	L139	1.88	N00°00'00"E
L60	4.34	N00°00'00"E	L140	8.71	N00°00'00"E
L61	16.92	N00°00'00"E	L141	4.18	N00°00'00"E
L62	9.01	S00°00'00"E	L142	18.87	N00°00'00"E
L63	21.08	N00°00'00"E	L143	2.82	N00°00'00"E
L64	6.33	N00°00'00"E	L144	4.17	N00°00'00"E
L65	9.12	S00°00'00"E	L145	1.00	N00°00'00"E
L66	1.00	N00°00'00"E	L146	16.38	N00°00'00"E
L67	16.39	N00°00'00"E	L147	1.00	N00°00'00"E
L68	2.88	N00°00'00"E	L148	25.77	N00°00'00"E
L69	9.71	N00°00'00"E	L149	10.17	N00°00'00"E
L70	20.25	S00°00'00"E	L150	2.50	N00°00'00"E
L71	3.79	S82°00'00"E	L151	19.87	N00°00'00"E
L72	15.80	S00°00'00"E	L152	4.17	S82°04'10"E
L73	14.44	N00°00'00"E	L153	8.75	N00°00'00"E
L74	29.82	S00°00'00"E	L154	1.87	N00°04'10"E
L75	24.75	N00°00'00"E	L155	9.17	N00°00'00"E
L76	4.18	S00°00'00"E	L156	2.50	N00°04'10"E
L77	18.87	N00°00'00"E	L157	18.87	N00°00'00"E
L78	2.50	N00°00'00"E	L158	4.18	S82°04'10"E
L79	9.71	S89°15'10"E	L159	8.71	N00°00'00"E
L80	16.22	S45°00'00"E	L160	1.68	N00°08'13"E

- LEGEND**
- BUILDING A (PRIVATE/UNIT)
  - BUILDING A (LIMITED COMMON)
  - BUILDING B (PRIVATE/UNIT)
  - BUILDING B (LIMITED COMMON)
  - COMMON ELEMENTS

**THE STATION AT MIDVALE CONDOMINIUMS**  
 PART OF THE SOUTHEAST QUARTER OF SECTION 25,  
 TOWNSHIP 2 SOUTH, RANGE 1 WEST,  
 SALT LAKE BASELINE AND MERIDIAN  
 MIDVALE, UTAH

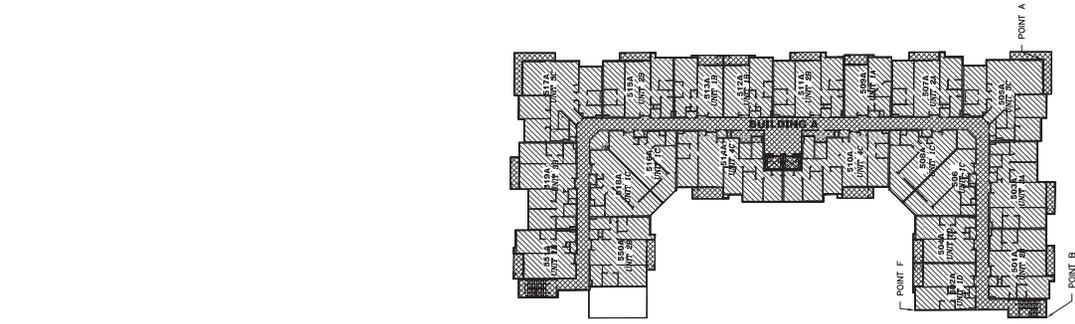
**SALT LAKE COUNTY RECORDER**  
 ENTRY NO. \_\_\_\_\_ FEE PND \_\_\_\_\_ FILED FOR  
 RECORD AND RECORDED \_\_\_\_\_ AT \_\_\_\_\_ IN BOOK  
 \_\_\_\_\_ OF OFFICIAL RECORDS, PAGE \_\_\_\_\_  
 RECORDED FOR \_\_\_\_\_  
 SALT LAKE COUNTY RECORDER  
 BY \_\_\_\_\_ DEPUTY

**ACE ALLIANCE CONSULTING ENGINEERS**  
 150 EAST 200 NORTH SUITE P  
 LOGAN, UTAH 84321  
 (435)755-5121  
 all@alliancece.com

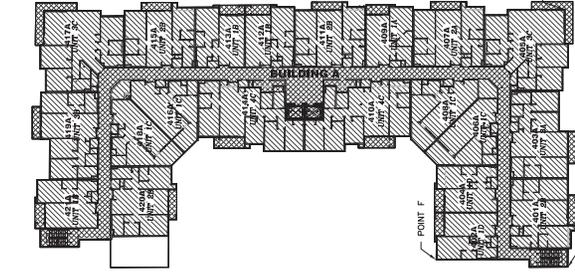
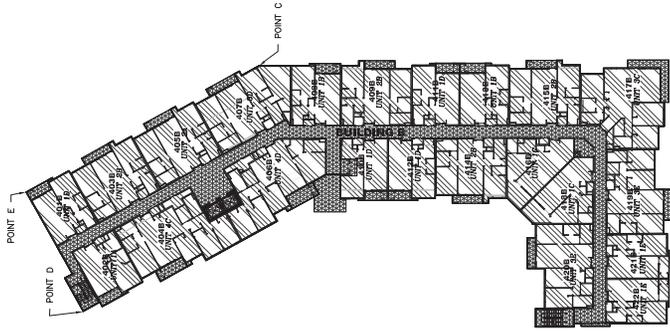
NOTE: SEE SHEET 5 FOR UNIT DIMENSIONS

**SHEET 2**  
OF 5

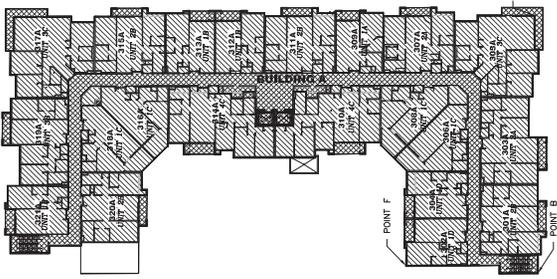
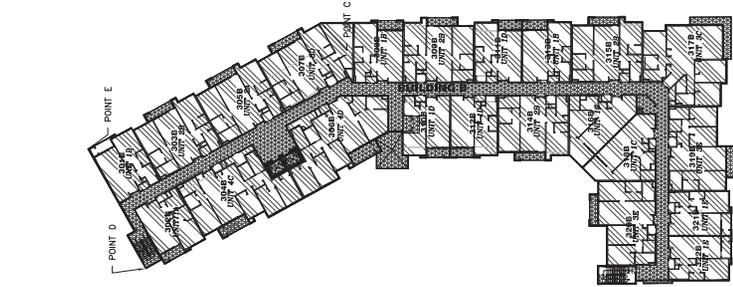
Date: Oct. 28, 2015



5TH FLOOR LEVEL  
SCALE: 1"=30'

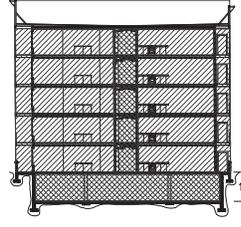


4TH FLOOR LEVEL  
SCALE: 1"=30'



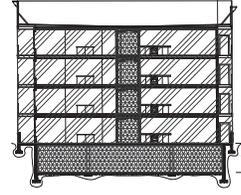
3RD FLOOR LEVEL  
SCALE: 1"=30'

NOTE: SEE SHEET 5 FOR UNIT DIMENSIONS



CROSS SECTION BLDG A  
SCALE: 1"=20'

- ◆ PARAPET - 157'4"±
- ◆ 5TH FLOOR CEILING - (BUILDING A ONLY)
- ◆ 5TH FLOOR - 148' (BUILDING A ONLY)
- ◆ 4TH FLOOR - 130'
- ◆ 3RD FLOOR - 120'
- ◆ 2ST FLOOR - 110'
- ◆ 1ST FLOOR - 100' 4390.5'
- ◆ PARKING GARAGE



CROSS SECTION BLDG B  
SCALE: 1"=20'

- ◆ PARAPET - 146'4"±
- ◆ 4TH FLOOR CEILING - 139'
- ◆ 4TH FLOOR - 130'
- ◆ 3RD FLOOR - 120'
- ◆ 2ST FLOOR - 110'
- ◆ 1ST FLOOR - 100' 4389.0'
- ◆ PARKING GARAGE

LEGEND

- BUILDING A (PRIVATE/UNIT)
- BUILDING A (LIMITED COMMON)
- BUILDING B (PRIVATE/UNIT)
- BUILDING B (LIMITED COMMON)
- COMMON ELEMENTS

**THE STATION AT MIDVALE CONDOMINIUMS**

PART OF THE SOUTHEAST QUARTER OF SECTION 25,  
TOWNSHIP 2 SOUTH, RANGE 1 WEST,  
SALT LAKE BASELINE AND MERIDIAN  
MIDVALE, UTAH

SALT LAKE COUNTY RECORDER

ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_ FILED FOR  
RECORD AND RECORDED \_\_\_\_\_ AT \_\_\_\_\_ IN BOOK  
\_\_\_\_\_ OF OFFICIAL RECORDS, PAGE \_\_\_\_\_  
RECORDED FOR \_\_\_\_\_

SALT LAKE COUNTY RECORDER  
BY: \_\_\_\_\_ DEPUTY

**SHEET 3**  
OF 5

Date: Oct. 8, 2015

**ACE** ALLIANCE CONSULTING ENGINEERS  
150 EAST 200 NORTH SUITE P  
LOGAN, UTAH 84321  
(435)755-5121  
alliancelogan@yahoo.com



BUILDING A ELEVATION  
SCALE: 1"=20'



BUILDING B ELEVATION  
SCALE: 1"=20'

**THE STATION AT MIDVALE  
CONDOMINIUMS**

PART OF THE SOUTHEAST QUARTER OF SECTION 25,  
TOWNSHIP 2 SOUTH, RANGE 1 WEST,  
SALT LAKE BASELINE AND MERIDIAN  
MIDVALE, UTAH

SALT LAKE COUNTY RECORDER

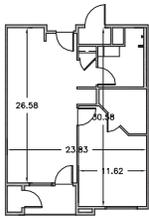
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\_\_\_\_\_ OF OFFICIAL RECORDS, PAGE \_\_\_\_\_  
RECORDED FOR \_\_\_\_\_

SALT LAKE COUNTY RECORDER  
BY: \_\_\_\_\_ DEPUTY

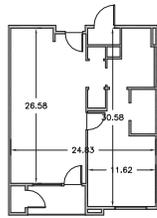
**SHEET 4**  
OF 5

Date: Oct. 8, 2015

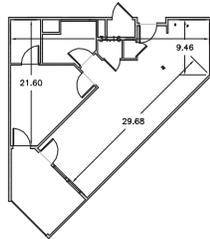
**ACE** ALLIANCE CONSULTING  
ENGINEERS  
150 EAST 200 NORTH SUITE P  
LOGAN, UTAH 84321  
(435)755-5121  
alliance@logan@yahoo.com



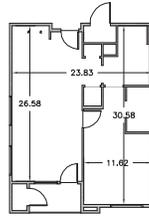
UNIT 1A  
647 NET  
716 GROSS



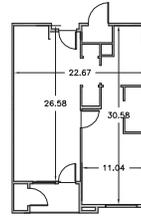
UNIT 1B  
673 NET  
743 GROSS



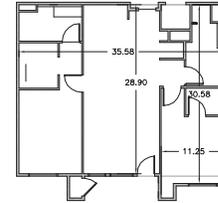
UNIT 1C  
705 NET  
781 GROSS



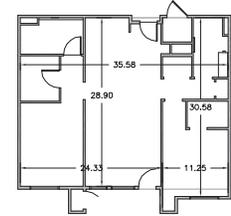
UNIT 1D  
647 NET  
716 GROSS



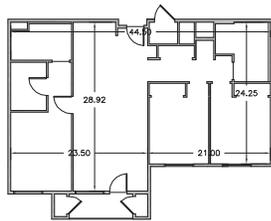
UNIT 1E  
616 NET  
682 GROSS



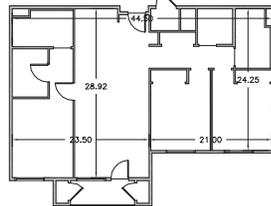
UNIT 2A  
1002 NET  
1112 GROSS



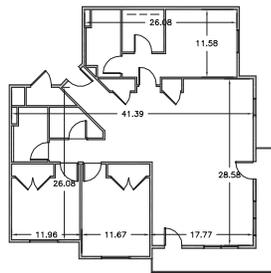
UNIT 2B  
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1112 GROSS



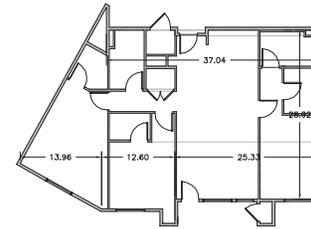
UNIT 3A  
1142 NET  
1326 GROSS



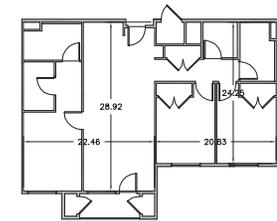
UNIT 3B  
1142 NET  
1326 GROSS



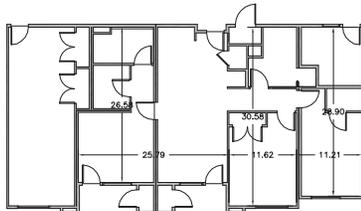
UNIT 3C  
1450 NET  
1588 GROSS



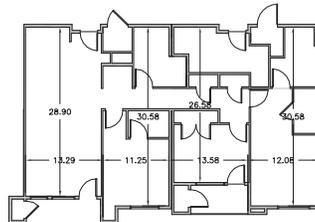
UNIT 3D  
1293 NET  
1407 GROSS



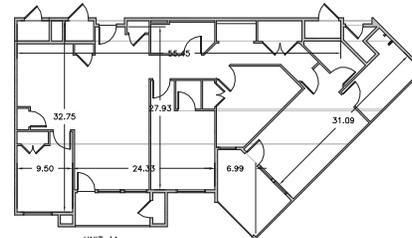
UNIT 3E  
1107 NET  
1221 GROSS



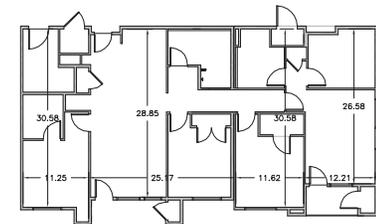
UNIT 3F ADA  
1188 NET  
1287 GROSS



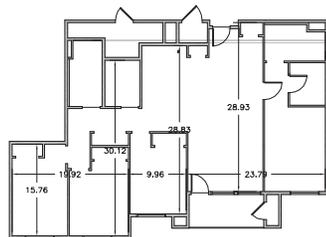
UNIT 3G- ADA  
1268 NET  
1380 GROSS



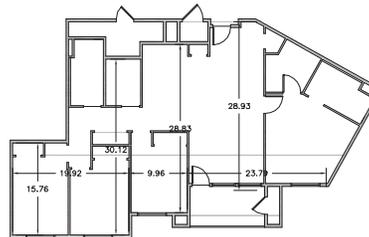
UNIT 4A  
1612 NET  
1946 GROSS



UNIT 4B - ADA  
1605 NET  
1732 GROSS



UNIT 4C  
1425 NET  
1549 GROSS



UNIT 4D  
1450 NET  
1576 GROSS

NOTE:  
NET AREA: USABLE FLOOR  
SPACE  
GROSS AREA: OUT OF  
WALL & INCLUDING  
BALCONY

AREA SUMMARY:  
BUILDING A  
NET AREA: 96,891  
GROSS AREA: 106,357  
BUILDING B  
NET AREA: 86,911  
GROSS AREA: 79,110

**THE STATION AT MIDVALE  
CONDOMINIUMS**

PART OF THE SOUTHEAST QUARTER OF SECTION 25,  
TOWNSHIP 2 SOUTH, RANGE 1 WEST,  
SALT LAKE BASILINE AND MERIDIAN  
MIDVALE, UTAH

SALT LAKE COUNTY RECORDER

ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_ FILED FOR  
RECORD AND RECORDED \_\_\_\_\_ AT \_\_\_\_\_ IN BOOK  
\_\_\_\_\_ OF OFFICIAL RECORDS, PAGE \_\_\_\_\_  
RECORDED FOR \_\_\_\_\_

SALT LAKE COUNTY RECORDER  
BY: \_\_\_\_\_  
DEPUTY

**ACE** ALLIANCE CONSULTING  
ENGINEERS  
150 EAST 200 NORTH SUITE P  
LOGAN, UTAH 84321  
(435)755-5121  
alliancecegon@yahoo.com

**SHEET 5**  
OF 5

Date: Oct. 8, 2015



---

## MIDVALE CITY COUNCIL SUMMARY REPORT

November 10, 2015

---

### **SUBJECT:**

Set Public Hearing for November 17, 2015 and Discussion on Zoning Ordinance Text Amendment to add category to Sign regulations that would allow Feather Flags as an allowed type of temporary signage in the RM-12, RM-25, 7200 S Overlay, SSC, RC, TOD, BJ, HC, CI and SSOZ zone districts.

---

### **SUBMITTED BY:**

Annaliese Eichelberger, Planner I

### **SUMMARY:**

Local business owners have asked that staff look into the possibility of adding Feather Flags as an allowable type of temporary sign requiring a temporary sign permit. Currently the city allows Banners, Mobile Changeable Copy signs, Balloon signs, and Pennants/ Streamers. This would apply to the RM-12, RM-25, 7200 S Overlay, SSC, RC, TOD, BJ, HC, CI, and SSOZ zone districts and could be used by apartment complexes and businesses. The Planning Commission reviewed the proposed amendment on September 23<sup>th</sup>, 2015. On October 14<sup>th</sup>, the Planning Commission conducted a public hearing and forwarded a recommendation to the City Council. The Planning Commission recommended approval of the text amendment with the specific recommended language as included Attachment A. To summarize, the Planning Commission's recommendation includes the following changes to the ordinance:

#### ***Proposed definition:***

Feather Flag" means a vertical portable temporary sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand and has a maximum height of 12 feet. (See Figure 2.)



**Figure 2**

*Proposed language:*

- RM-12, RM-25
  - a. One (1) feather flag per 50 feet of frontage or a maximum of five (5) are allowed for multifamily projects over thirty five (35) units. Feather flags may be displayed on private property for a period of fourteen consecutive days per calendar quarter up to four times per calendar year. A temporary sign permit shall be required for each display period.
  
- 7200 S Overlay, SSC, TOD, BJ, HC, RC, CI, SSOZ
  - a. A maximum of one (1) feather flag is allowed per business in a multi-tenant building. One (1) feather flag per 50 feet of frontage or a maximum of five (5) are allowed for stand-alone businesses. Feather flags may be displayed on private property for a period of fourteen consecutive days per calendar quarter up to four times per calendar year, with a maximum height of twelve (12) feet. A temporary sign permit shall be required for each display period.

**FISCAL IMPACT:**

N/A

---

**STAFF RECOMMENDATION:**

Staff agrees with the Planning Commission’s recommendation, and recommends the proposed text amendment as included in Attachment A.

**RECOMMENDED MOTION:**

N/A

**Attachments:**

- Attachment A – Planning Commission’s recommended text amendment language

## ATTACHMENT A

RM-12, RM-25, 7200 S Overlay, SSC, RC, TOD, BJ, HC, CI, SSOZ Zone Districts – Feather Flags

Text Additions

~~Text Deletions~~

### 17-2 definitions.

“Fence” means a structure made of various materials that separates, encloses, screens or divides outdoor areas, including property perimeters. The term “fence” includes, but is not limited to, net screening for recreational activities, masonry walls, hedges, bollards with chains, posts with rails, and barriers.

“Feather Flag” means a vertical portable temporary sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand and has a maximum height of 12 feet. (See Figure 2.)

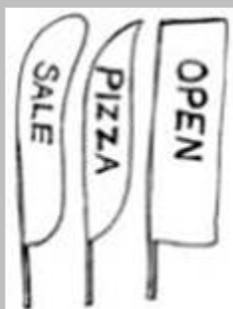


Figure 2

“Filtered light fixture” means any outdoor light fixture that has a refractive light source.

\*\*\*\*\*

“Temporary retail sales” is defined as the sale of new merchandise and/or services from a temporary location.

“Temporary sign” means any sign, banner, feather flag, pennant, valance or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed out-of-doors for a short period of time.

“Territorial enforcement” means physical design which allows users of property to develop a sense of ownership over it, developing space with an easily discernible purpose, using symbolic barriers such as low lying fences/walls, landscaping and signage, eliminating ambiguous spaces, encouraging easy maintenance, and discouraging crime.

**Revise Sign Tables RM-12 (17-7-3.12), RM-25 (17-7-4.12)**

**Signs**

<b>Sign Type</b>	<b>Allowed</b>	<b>Conditional</b>	<b>Max. Area</b>	<b>Max. Height</b>	<b>General Restrictions</b>
Construction	X		32 s.f.	12'	Removed after the first of 3 months from completion or upon C.O.
Feather Flags (Temporary)	X				See text.
Flat or Wall (Neighborhood Commercial only)		X	10% of facade facing street	n/a	Internally illuminated signs are prohibited. Signs are allowed on facades with street frontage.

**Add new sections and language as follows: RM-12 (17-7-3.12.G), RM-25 (17-7-4.12.G)**

- F. Flag Banners. Apartment or condominium complexes may utilize flag banners as follows:
1. Flag banner poles shall not exceed twelve feet in height;
  2. Flag banners shall only be permitted as part of an organized front entry feature that includes a project identification sign and landscaping;
  3. Flag banners must be located a minimum of three feet from a public sidewalk or a property line and must be located outside of the clear view triangle; and
  4. Flag banners shall contain no advertising copy. For the purposes of this subsection the project name is not considered to be advertising copy.

G. Feather Flags. One (1) feather flag per 50 feet of frontage or a maximum of five (5) are allowed for multifamily projects over thirty five (35) units. Feather flags may be displayed on private property for a period of fourteen consecutive days per calendar quarter up to four times per calendar year. A temporary sign permit shall be required for each display period.

**Add new sections and language as follows: 7200 S Overlay (17-7-6.8.I.4), SSC (17-7-7.10.K.7), TOD (17-7-8.10.J.3), BJ (17-7-9.4.D.11.f), HC (17-7-11.9.I.4), RC (17-7-12.10.K.7), CI (17-7-13.10.I.7), SSOZ (17-7-15.15.I.4)**

**Signs.**

Only two sign types are permitted per building unless specifically approved by the planning commission through the conditional use review process. In mixed-use developments, signage for each application must comply with an approved theme, which is uniform throughout the proposed development, and which complements the approved signage of near or adjacent pedestrian-oriented development. If a regulated sign type is not specifically designated, it is prohibited.

- K. Temporary Signs. The following provisions regulate the use of temporary signs. If a temporary sign type is not specifically designated, it is prohibited.
5. Grand Opening Events Signs. Promotional signage, such as pennants, streamers, banners, balloon signs, and inflated sign displays, may be used for grand opening events for new businesses. Such promotional signage must be initiated within the first three months of a new business receiving a certificate of occupancy, and may be used for a maximum of thirty consecutive days. Said signs shall be used in such a manner so as not to constitute a safety hazard. A temporary sign permit shall be required. Promotional signage shall not include illuminated signs or devices.

6. Feather Flags. A maximum of one (1) feather flag is allowed per business in a multi-tenant building. One (1) feather flag per 50 feet of frontage or a maximum of five (5) are allowed for stand-alone businesses. Feather flags may be displayed on private property for a period of fourteen consecutive days per calendar quarter up to four times per calendar year, with a maximum height of twelve (12) feet. A temporary sign permit shall be required for each display period.



## MIDVALE CITY COUNCIL SUMMARY REPORT

November 10, 2015

---

### **SUBJECT:**

Set Public Hearing for November 17, 2015 and Discussion on Founders Point (formerly Kimpton Square) Subdivision located at approximately 7612 South Holden Street

---

### **SUBMITTED BY:**

Lesley Burns, City Planner

### **SUMMARY:**

On April 22, 2015, the Planning Commission approved an amended Large Scale Master Plan (LSMP) for the Silver Refinery Overlay area located at the northwest corner of 7800 South and Holden Street. This LSMP includes a 2.21 acre multi-family residential area, a 6.31 acre medium density single family detached residential area, and a 0.84 acre public open space area. In conjunction with the LSMP, the Kimpton Square Subdivision was approved and recorded dividing these three areas into individual lots. On June 24, 2015, the Planning Commission approved a Small Scale Master Plan for the single family detached and public open space areas (Lots 2 and 3 of the Kimpton Square Subdivision). The single family detached project includes 67 detached residential units with four housing model types, a private road system with five-foot sidewalks and guest off-street parking, and open space/landscape area with recreation amenities. The City Council approved a Development Agreement for the overall project on August 18, 2015. This Development Agreement lays out the expectations and timing of improvements for the overall project. The Developer of the multi-family residential area has received final approvals and has begun construction on the corner multi-family area. The Developer of the single family and public open space has more recently submitted a final site plan for the single family and public open space areas. These plans are currently being reviewed by Staff.

It has always been the intent of the Developer of the single-family area to create a “for sale” housing product. In order to do that, a subdivision plat, designating the individual residential units, is required. The applicant has started the subdivision review process, and is requesting approval from the City Council on a preliminary subdivision plat that will further divide Lot 2 into the 67 individual residential units and common area. The common area, a combination of common and limited common designations, includes the private roads, and landscape and recreation amenity areas. The intent of the plat is to allow each unit to be owned by an individual and all other areas to be owned by a home owners association (HOA). The limited common areas around each unit, although owned by the HOA, would be primarily used and maintained by the adjacent unit owner; the common areas, i.e. private roads and larger landscape/recreation amenities, would be maintained by the HOA through a contracted property management company. This relationship and associated responsibilities will need to be articulated in a

required declaration of covenants, conditions and restrictions document (CC&R's) that is recorded along with the subdivision plat.

The proposed preliminary subdivision plat for the Founders Point Subdivision is attached. This plat reflects and is consistent with the approved Small Scale Master Plan for this development area, including the public easement for access to the public open space and shared guest parking between developments. The Development Agreement requires notes be included on the subdivision plat to ensure specific conditions of the site plan are addressed when Building Permits are reviewed for the individual units and to notify prospective buyers of certain requirements and expectations. These notes include designating units requiring sprinkler systems, vapor mitigation, side by side two car garages; units being entirely constructed within designated building footprints; maintaining 10 foot separation. There are some modifications and additions to the notes on the proposed preliminary plat that will need to be included on the final subdivision plat. In addition, the final subdivision plat will not be able to be approved until the final site plan for the project is approved.

On October 28, 2015, the Planning Commission forwarded a recommendation to the City Council to approve the proposed Founders Point preliminary subdivision plat. The Planning Commission's recommendation included the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshal, City Planner and City Council.
2. The final subdivision plat shall include the notes required by the Development Agreement, i.e. designating units requiring sprinkler systems, vapor mitigation, side by side two car garages; units being entirely constructed within designated building footprints; maintaining 10 foot separation.
3. The final subdivision plat shall note the book and page of the recorded access and parking easement as part of the legend.
4. Prior to the final subdivision plat approval, the applicant shall obtain final site plan approval for the development.
5. The applicant shall prepare a declaration of covenants, conditions and restrictions, including the creation of a homeowners association, for the development. This document shall include, among others, the items required by the Planning Commission in its Small Scale Master Plan approval. This document shall be recorded concurrently with the subdivision plat.

The applicant is working on completing these items, including obtaining approval of the final site plan for the project.

**FISCAL IMPACT:**

N/A

---

**STAFF RECOMMENDATION:**

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

**RECOMMENDED MOTION:**

N/A

**Attachments:**

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



**Kimpton Square Single Family & Public Open Space  
7612 S. Holden Street**

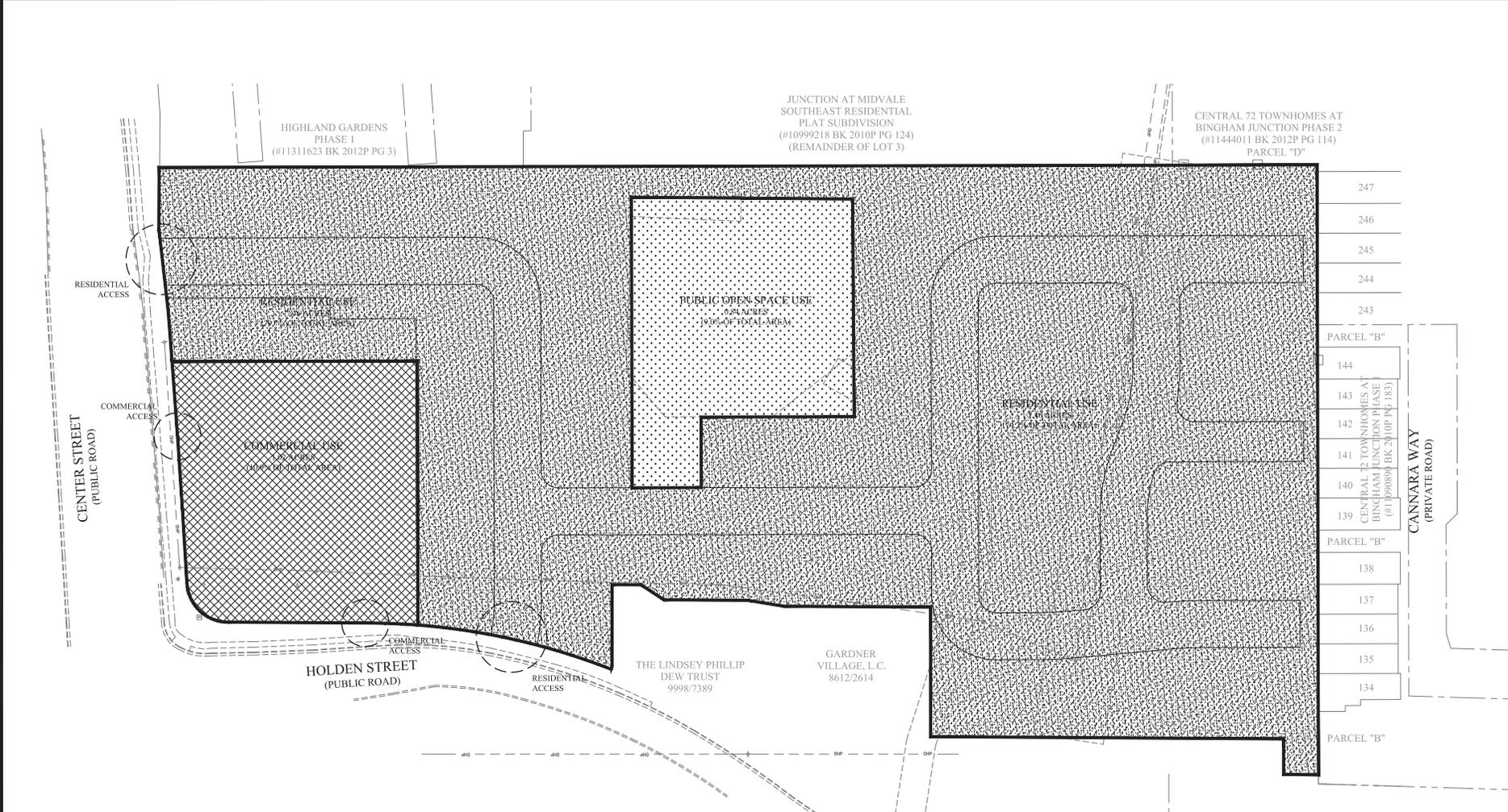
**Kimpton Square**  
 Midvale City  
 Large Scale Master Plan

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

**LARGE SCALE MASTER PLAN**

Scale: 1"=40' Drawn: TMR  
 Date: 11/21/2013 Sub #: 12-143  
 Sheet: **C1**

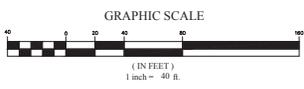
© 2013 HOCUS ENGINEERING AND SURVEYING, LLC. All Rights Reserved. HOCUS ENGINEERING AND SURVEYING, LLC. 12-143 (Large Area Plan) C1 Large Area Plan

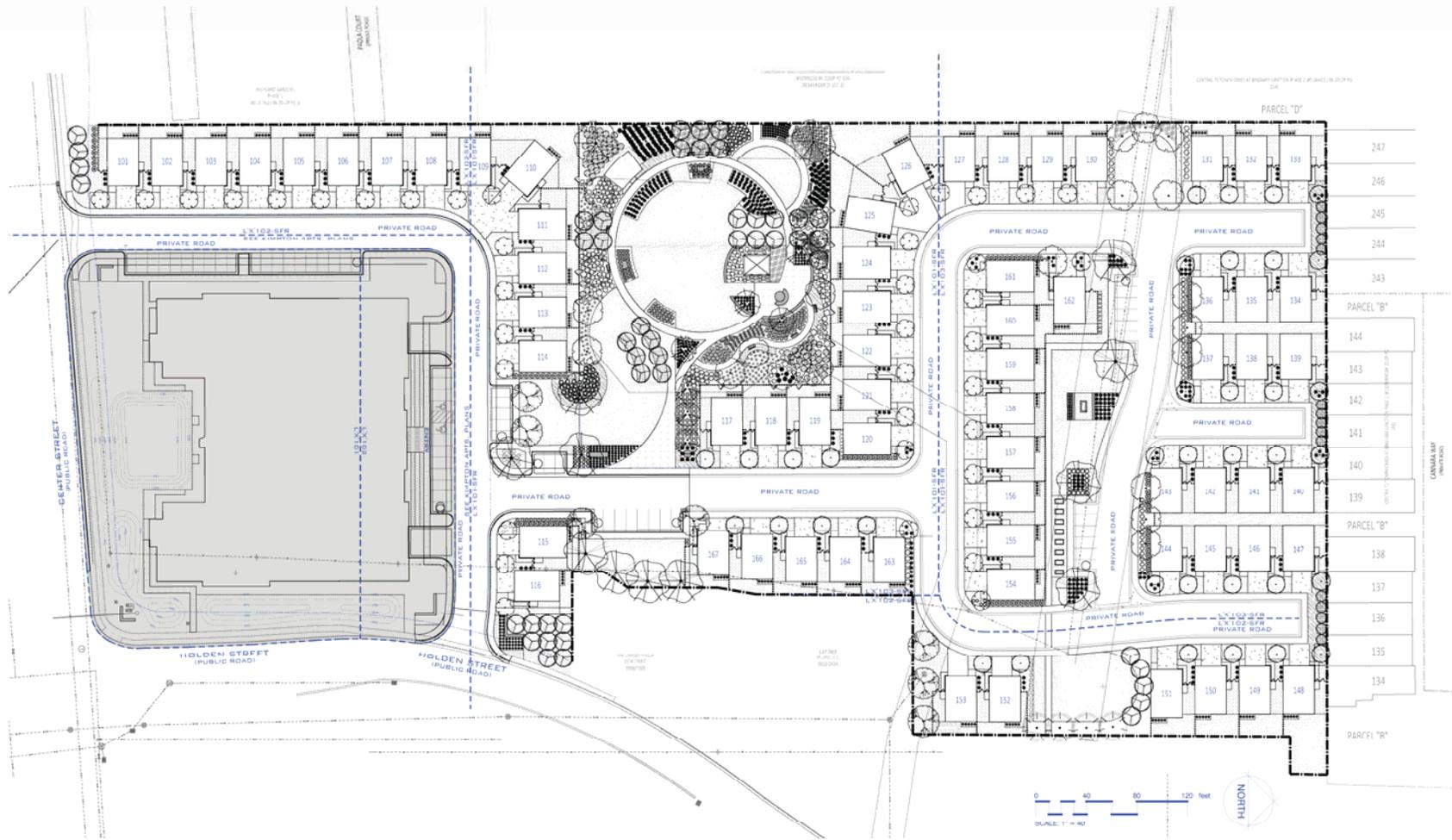


**TABLATIONS**

TOTAL SITE:	9.36 acres	
COMMERCIAL USE:	1.02 acres (10.9%)	
RESIDENTIAL USE:	7.46 acres (79.7%)	
PUBLIC OPEN SPACE USE:	0.88 acres (9.4%)	

- NOTES:**
- THE PUBLIC OPEN SPACE SHALL BE LANDSCAPED WITH SOD AND TREES.
  - THE PUBLIC OPEN SPACE SHALL INCLUDE A 4' MEANDERING SIDEWALK AROUND THE PERIMETER, BENCHES AND TRELLIS W/ A SITTING AREA. (SEE SHEET C2)
  - THE CITY ENGINEER HAS REVIEWED AND APPROVED THE PROPOSED ACCESS POINTS FOR THE COMMERCIAL AND RESIDENTIAL PARCELS WITH THE FOLLOWING STIPULATIONS:
    - BOTH ACCESSES INTO THE COMMERCIAL CORNER SHALL BE RIGHT-IN/RIGHT-OUT ONLY.
    - THE RESIDENTIAL ACCESS ONTO HOLDEN STREET MAY BE REQUIRED TO BE RIGHT-IN/RIGHT-OUT ONLY. FURTHER REVIEW OF MORE DETAILED DRAWINGS IS NEEDED FOR THIS DETERMINATION.
  - THE FIRE MARSHAL HAS REVIEWED THE GENERAL DEVELOPMENT LAYOUT AND CIRCULATION. IF THE AREA NORTH OF THE PUBLIC OPEN SPACE INCLUDES MORE THAN 30 RESIDENTIAL UNITS, THERE WILL NEED TO BE A SECOND ACCESS FOR THIS AREA OR THE UNITS WILL BE REQUIRED TO BE EQUIPPED WITH APPROVED, AUTOMATIC SPRINKLER SYSTEMS. BOTH THE CITY ENGINEER AND FIRE MARSHAL'S COMMENTS SHOULD BE INCLUDED ON THE LSMP.





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**KIMPTON SINGLE  
 FAMILY RESIDENTIAL**  
 CENTER ST., N. HOLDEN ST.  
 MIDVALE, UT

DATA:  
 DATE: 06.15.13  
 PROJECT NO: 1518  
 DRAWN BY: HJG  
 CHECKED BY: BAR

REVISIONS:

TITLE  
**OVERALL  
 LANDSCAPE  
 PLAN**

SHEET  
**LP100**

