



7505 South Holden Street
Midvale, UT 84047
Phone (801) 567-7200
www.midvalecity.org

MIDVALE PLANNING AND ZONING COMMISSION MEETING AGENDA FEBRUARY 24, 2016

WORKSHOP MEETING
ALEXANDER DAHL CONFERENCE ROOM
6:30 PM

- STAFF BRIEFING OF AGENDA ITEMS AND UPDATES

GENERAL SESSION
COUNCIL CHAMBERS
7:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC HEARING(S)

1. REZ-22-31-176-021; HAMLET REZONE; 8111 SOUTH 100 EAST; REZONE FROM SF-1 WITH AGRICULTURAL OVERLAY TO SF-1 WITH DUPLEX OVERLAY ON APPROX. 0.26 ACRES; MICHAEL BRODSKY/HAMLET DEVELOPMENT CORPORATION (APPLICANT)

DISCUSSION

2. BUILDING HEIGHTS IN TOD, SSC, RM-12 AND RM-25 ZONES

MINUTES

3. REVIEW AND APPROVE MINUTES OF JANUARY 13, 2016 AND FEBRUARY 10, 2016

ADJOURN

The workshop meeting is open to the public; however, there is no public participation. This meeting includes City Staff briefing Commission Members on the technical aspects of the agenda items. Members of the public will be given an opportunity to address the Commission during public hearing items in the general session. The Commission reserves the right to amend the order of the agenda if deemed appropriate. No item will be heard after 10:30pm without unanimous consent of the Commission. Items not heard will be scheduled on the next agenda. In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the CED Administrative Assistant at (801) 567-7211, providing at least three working days advance notice of the meeting.

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 2nd Floor City Hall Lobby, on the City's website at www.midvalecity.org and the State Public Notice website at <http://pnn.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.

Lesley Burns, City Planner

Dated this 18th Day of February, 2016

Midvale City
Department of Community Development
Planning and Zoning

Planning and Zoning Commission Staff Report

APPLICATION: 8111 SOUTH 100 EAST PROPERTY REZONE
LOCATION: 8111 South 100 East
APPLICANT: Hamlet Development Corporation
C/o: Michael M. Brodsky, President
FILE #: REZ-22-31-176-021
REQUEST: Rezone from Single-Family Residential w/ an
Agricultural Overlay **TO** Single-Family Residential w/ a
Duplex Overlay (SF1/AO – SF1/DO)
MEETING DATE: Wednesday, February 24, 2016
ZONING DESIGNATION: Single-Family Residential-Agricultural Overlay (SF1-AO)
AUTHOR: Matt Hilderman, Associate Planner
APPLICABLE ORDINANCE (S): MMC Chapter 17-3-1 Amendments to the zoning code or map
AGENDA #: 1

SUMMARY:

The applicant and representative for the property owner, Michael Brodsky, is requesting that the property located at 8111 South 100 East be rezoned from a Single-Family Residential Zone with an Agricultural Overlay to a Single-Family Residential Zone with a Duplex Overlay. The proposal includes one parcel totaling an overall acreage of 0.28 acres. The applicant is proposing this amendment change for the purpose of constructing a two-unit residential structure (duplex). The applicant has provided a conceptual plan illustrating the anticipated use of the property and a proposed front, exterior elevation however, the Planning Commission will not be reviewing the specific site plan and details at this time. The General Plan Proposed Land Use Map designates this property as Medium Density Residential.

The current condition of the property is a vacant, undeveloped parcel and research conducted by Staff determined this parcel of property has been vacant for several decades. The rezone proposal is surrounded by existing single-family residences to the North, East, and South and has frontage along 100 East. The proposed two-unit residential structure will have direct access onto 100 East.

In order for this development to proceed as proposed, the following approvals shall be required from the City:

1. A rezone of the entire property from SF1-AO to SF1-DO;
2. Conditional Use Permit for the two-unit structure (duplex);
3. Site Plan; and
4. Subdivision Plat, if applicable.

At this time, the applicant is only requesting a rezone and further submissions of a detailed development plan and subdivision plat may proceed in the forthcoming.

General Plan Amendment and Rezone

The Midvale City General Plan Proposed Land Use Map identifies this property as Medium Density Residential. This property is adjacent to existing single-family residential zones (SF1-AO) districts to the North, West, and South and an existing Clean Industrial zone district to the West. The General Plan

Proposed Land Use Map identifies the North, South, and East areas as a proposed Medium-Density Residential use and the West area identified as a proposed High-Density Residential use. This proposed parcel of property along with the surrounding properties has the potential to be a Transit-Oriented Development. The proposed rezone from SF1-AO to SF1-DO will allow this property to continue correlating with the surrounding zone districts but provide an additional use for the property to assist in the initial beginning of development.

Under Section 17-3-1 of the Zoning Ordinance, the Planning Commission may recommend, and the City Council may grant, a rezoning application if it determines the rezoning is consistent with the goals and policies of the Midvale City General Plan, and the following:

1. The proposed rezoning is necessary either to comply with the Midvale City General Plan Proposed Land Use Map, or to provide land for a community need that was not anticipated at the time of the adoption of the Midvale City 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 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 has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.

Staff believes the proposed rezone will provide additional residential uses in this area but not to the level of intensity for residential development that is identified in the General Plan. Staff also believes the following General Plan statements further correlate with the applicant's proposal:

"If the threatened neighborhood is to transition into other uses, it should be allowed to do so gracefully and with as much protection as possible, for as long as possible,"
(Urban Design Element 2-10);

"A much larger site between State Street and the LRT track at approximately 8000 South will not be a TRAX station initially; however, it is owned by UTA and straddles the border between Midvale City and Sandy City. The site is recognized by both municipalities as a TOD opportunity in partnership with UTA. A station is not currently proposed on this site; however, an integrated TRAX station and mixed-use TOD development is envisioned on the site. Approaching redevelopment on these sites with an orientation toward TOD development is an opportunity...and to support ridership by increasing density at the station locations either through housing or employment."
(Land Use Element 4-13, 4-14)

"The remaining undeveloped land in Midvale City is primarily small parcels and lots located within existing developed areas. These in-fill development opportunities must be compatible with adjacent land uses, i.e. new residential in-fill in residential areas,"
(Land Use Element 4-15);

"In older residential areas where large lots were the norm because people often kept animals and cultivated large gardens, there is interest in opportunities to subdivide and develop additional residential dwellings on the property. Of critical importance is compatibility with the surrounding residential, and adequate and safe access to neighborhood streets via dedicated streets," (Land Use Element 4-15); and

"Wherever possible, property should be zoned to accommodate affordable housing and...affordable rental units are critical in providing housing opportunities for moderate and low-income families. The City should maintain a reasonable stock of rental housing and work to assist in the maintenance of existing, affordable housing units," (Housing Element 6-34);

In reviewing this application and the above criteria, the Planning Commission shall consider the appropriateness of the rezone request and forward a recommendation to the City Council for its consideration. The City Council will determine a final decision on this legislative change request. This proposal will create a zone boundary that continues to join existing single-family neighborhoods; however this zone district will provide an additional residential use than the surrounding single-family residential zones.

STAFF RECOMMENDATION:

Based on a community need in the area and to comply with the Midvale City General Plan Proposed Land Use Map, Staff recommends the Planning Commission forward a recommendation for approval to the City Council to rezone the property located at 8111 South 100 East from Single-Family Residential with an Agricultural Overlay (SF1-AO) to Single-Family Residential with a Duplex Overlay (SF1-DO).

RECOMMENDED MOTION:

Recommendation 1 – Rezone

Option 1:

“Based on a community need in the area and to comply with the Midvale City General Plan Proposed Land Use Map, I move that we forward a positive recommendation to the City Council to rezone 0.28 acres of property located at 8111 South 100 East from Single-Family Residential with an Agricultural Overlay (SF1-AO) to Single-Family Residential with a Duplex Overlay (SF1-DO).”

Option 2:

“For the following reasons, I move that we forward a negative recommendation to the City Council denying the request to rezone the property identified at 8111 South 100 East:

1. ...
2. ...
3. ...”

ADJACENT LAND USES:

North: Single-family residential home	SF1-AO
South: Single-family residential home	SF1-AO
East: Single-family residential home	SF1-AO
West: Industrial businesses/TRAX line (Warren Center)	CI

ATTACHMENTS:

- Vicinity Map
- Zoning Map
- Proposed Conceptual Plan
- Applicant Submittal

PUBLIC NOTICE: No Yes

8111 SOUTH 100 EAST REZONE

-  Proposed Rezone
-  Midvale-Sandy City Limits



Station St

Station Landing Way

Tapp Ln

100 E



8135 S

Eaglebrook Dr

150 E

230 E

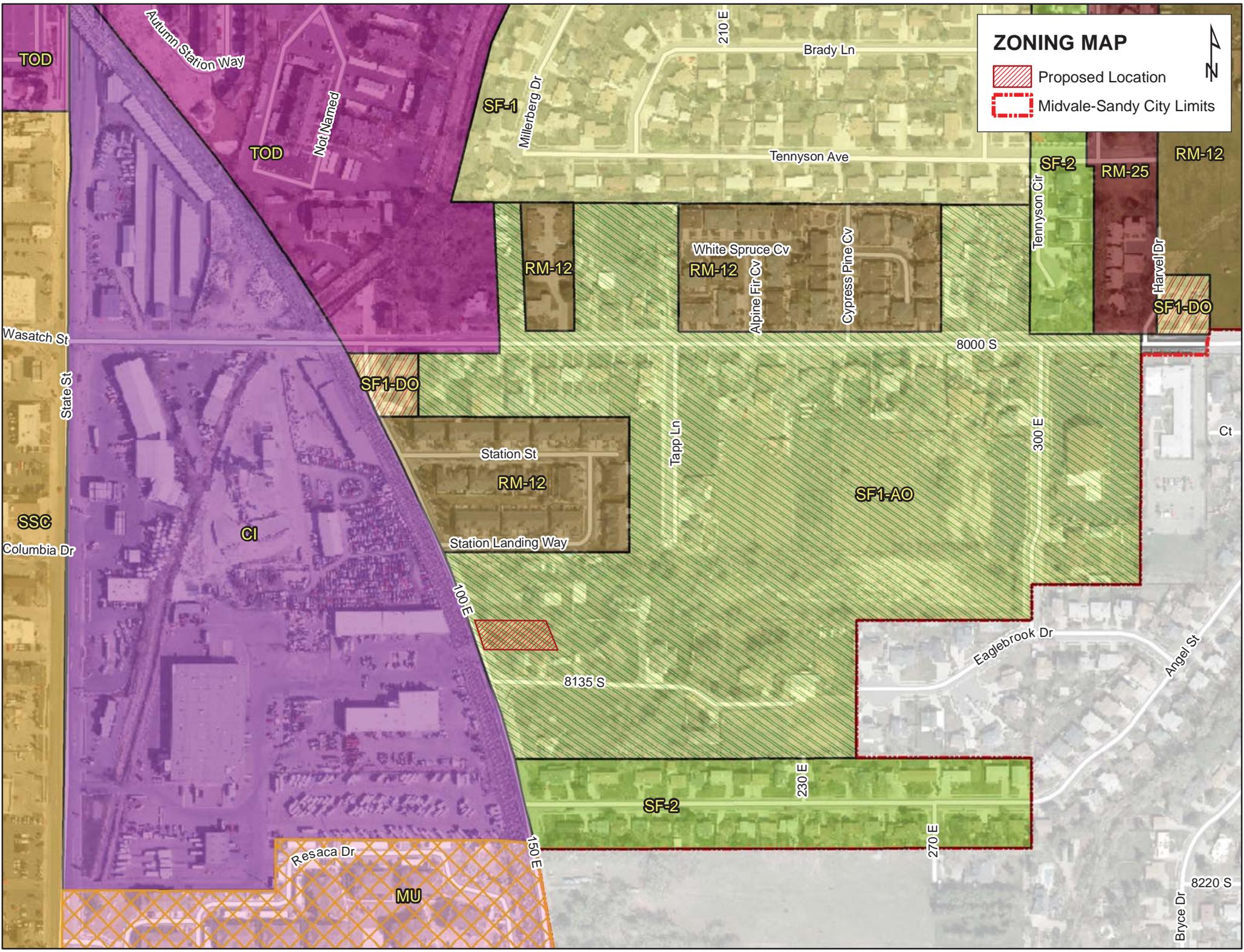
Angel St

Resaca Dr

270 E

ZONING MAP

-  Proposed Location
-  Midvale-Sandy City Limits



MIDVALE CITY GENERAL PLAN PROPOSED LAND USE MAP

LEGEND

-  RESIDENTIAL (LOW)
-  RESIDENTIAL (MEDIUM)
-  RESIDENTIAL (HIGH)
-  RESIDENTIAL (MOBILE HOME PARK)
-  OFFICE
-  MIXED USE
-  COMMERCIAL
-  GOVERNMENT AND PUBLIC AGENCIES
-  HEALTH FACILITIES
-  SCHOOLS
-  CHURCHES
-  PARKS AND OPEN SPACE
-  INDUSTRIAL
-  UTILITY
-  SEE ALTERNATIVES FOR PROPOSED LAND USE
-  APPROXIMATE POSSIBLE REDEVELOPMENT AREAS
-  CIVIC CENTER/TOWN CENTER

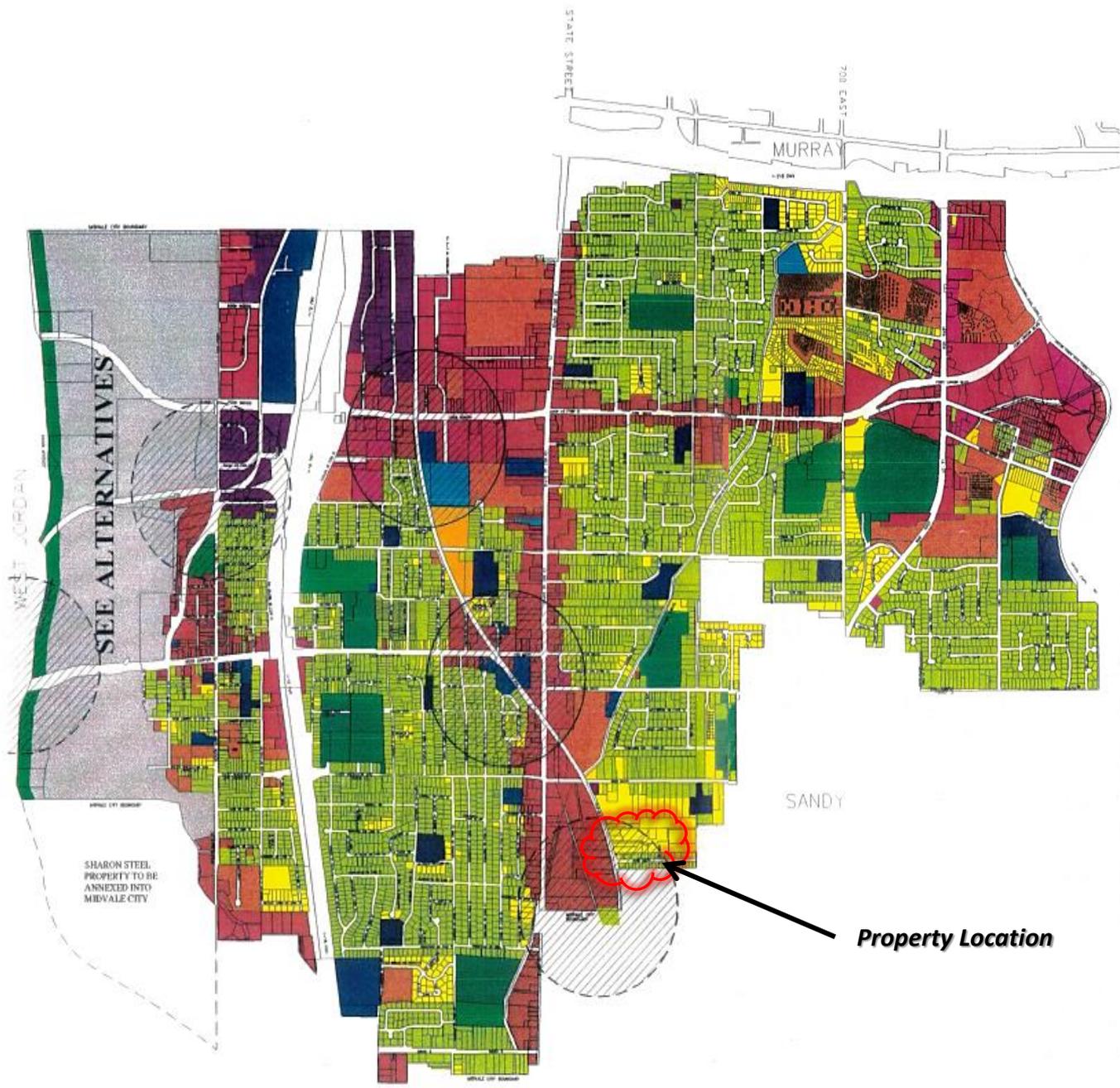
-  EXISTING TRAX STATION
-  PROPOSED TRAX STATION AND 1/4 MILE TRANSIT ORIENTED DEVELOPMENT POTENTIAL



APRIL 2000



LANDMARK
DESIGN
LANDMARK ARCHITECTURE
AND LAND PLANNING
1850 WINDLAD DRIVE
SALT LAKE CITY
UTAH 84119
PHONE (801) 474-3300
FAX (801) 474-3307



Property Location

SHARON STEEL
PROPERTY TO BE
ANNEXED INTO
MIDVALE CITY



February 2, 2016

Midvale City
Department of Community Development
7505 South Holden Street
Midvale City, Utah 84047
Ph: (801) 567-7231

RE: Request for Rezone 8111 South 150 East

To whom it may concern,

Please accept this letter as Hamlet Development's formal request for rezoning the property located at 8111 South 150 East. Specifically, the request is to include this parcel in the duplex overlay as allowed in the SF-1 zone. Section 17-3-1, Paragraph E of the Midvale City Code identifies criteria or findings that may justify a request for rezone. These are the criteria's to be considered when contemplating zoning map amendment.

First, the Land Use Element of the General Plan identifies this parcel as Medium Density Residential. This requested rezone to duplex overlay is consistent with that land use. This request will bring the zoning map and Land Use Element of the General Plan into alignment.

Second, rezoning this property to duplex overlay will be consistent with existing neighboring uses. To the north is a townhome community in an RM-12 zone, to the south are twin homes in a SF-2 zone, and the industrial property to the west is zoned clean Industrial.

Very truly yours,

HAMLET DEVELOPMENT CORPORATION

Michael M. Brodsky
President

MMB/er

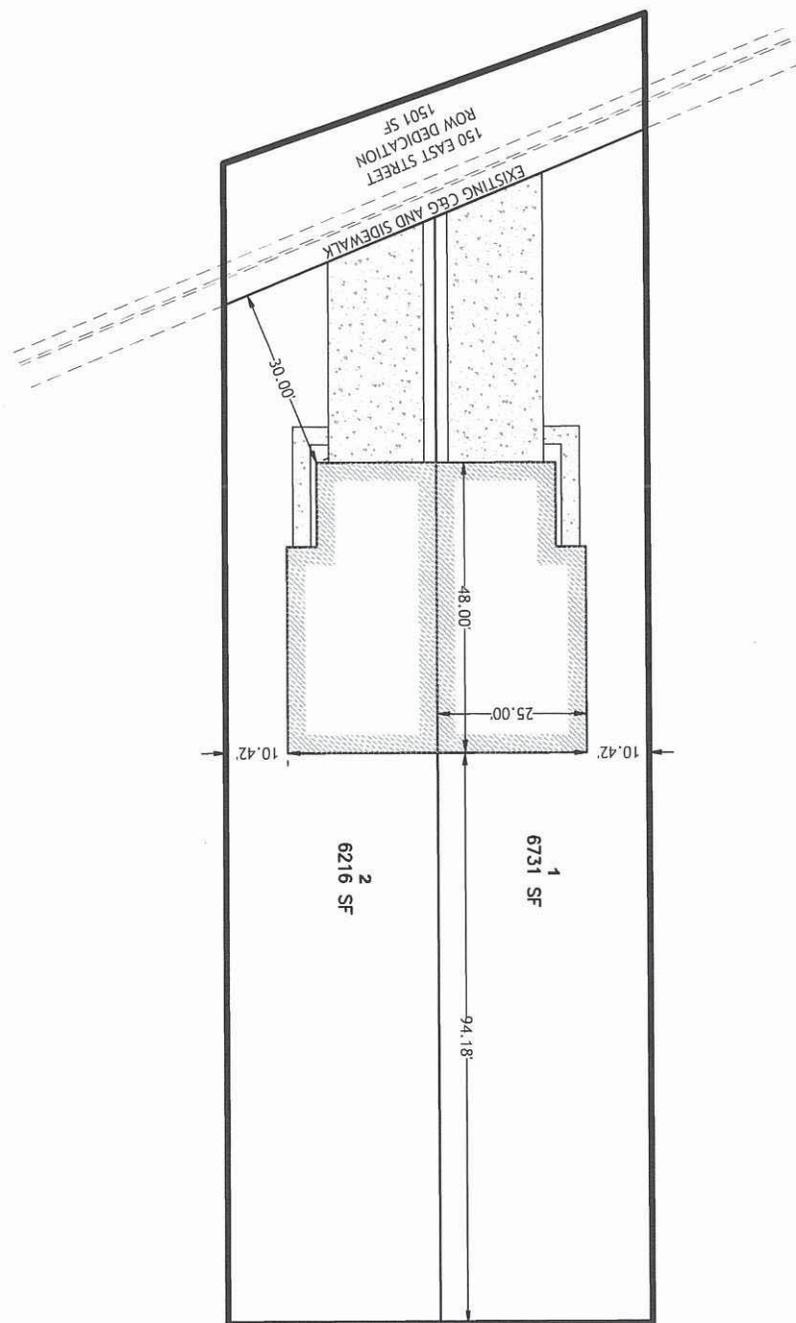
Enclosures

EXHIBIT "A"

Beginning at a point which is North $89^{\circ}57'28''$ West along the East/West Center Section line 1261.01 feet and North 546.15 feet from the Center of Section 31, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence West 188.41 feet to a point on a 4330.25 foot radius curve to the right on the Easterly Line of the Oregon Short Line Railroad Right of Way, the center of said curve bears South $70^{\circ}26'29''$ West from said point; thence Southeasterly along the arc of said curve and Easterly line through a central angle of $0^{\circ}58'48''$ a distance of 74.07 feet; thence East 164.21 feet; thence North 70.00 feet to the point of beginning.

Situated in SALT LAKE County

Parcel Identification Number: 22-31-176-021-0000



HAMLET HOMES - Concept Plan





4454

4450