

## Midway City Planning Commission Regular Meeting October 19, 2016

Notice is hereby given that the Midway City Planning Commission will hold their regular meeting at 7:00 p.m., October 19, 2016, at the Midway City Community Center  
160 West Main Street, Midway, Utah

### Attendance:

Mickey Oksner – Chairman  
Steve Nichols – Co-Chairman  
Stu Waldrip  
Bill Ream  
Natalie Streeter  
Nancy O'Toole  
Jim Kohler  
Shauna Kohler  
Jeff Nicholas

### Staff:

Michael Henke – City Planner  
Lindy Rodabough – Amin Assistant  
Wes Johnson - City Engineer

### Excused

Natalie Streeter

### 6:50 P.M. Work/Briefing Meeting

- City Council Liaison Report, no action will be taken and the public is welcome to attend.

### 7:00 P.M. Regular Meeting

#### Call to Order

- Welcome and Introductions; Opening Remarks or Invocation; Pledge of Allegiance  
Opening Remarks or Invocation.
  - ❖ Invocation was given by Commissioner Nichols
  - ❖ Chairman Oksner led the Pledge of Allegiance.

#### Regular Business

##### **ITEM: 1**

Review and possibly approve the Planning Commission Minutes of September 21, 2016

**Motion:** Commissioner Nichols: With the corrections, I'll move to adopt the minutes.

**Seconded:** Commissioner Waldrip

**Ayes:** Commissioners J.Kohler, Ream, Nichols, Waldrip, S.Kohler and Nicholas

**Nays:** None

**Motion:** Passed

**ITEM: 2**

**Swearing in the newly appointed commission members.  
(Nancy O'Toole and Bill Ream)**

Brad Wilson Midway City Recorder swore in Nancy O'Toole and Bill Ream as full members of the Planning Commission

**ITEM: 3**

**Swearing in the newly appointed alternate commission members.  
(Jeff Nicholas and Shauna Kohler)**

Brad Wilson Midway City Recorder swore in Shauna Kohler and Jeff Nicholas as alternate members of the Planning Commission

**ITEM: 4**

**Ashton Robertson Enterprises is requesting an amendment to the zoning map. The proposed change would affect 1.36 acres of the 4.94-acre parcel. The current zoning classification is R-1-11 and the proposed zoning classification is R-1-9 allowing both sides of the planned street to be developed with the same type of housing units (single-family or duplex housing units.) The property is located at 250 East 200 South.**

**BACKGROUND & ANALYSIS:**

Ashton Robertson Enterprises LLC owns parcel OMI-0449-0-035-034 which is 4.94 acres in size and is located at about 250 East and 200 South. The parcel is dissected by two separate zones being the R-1-9 (3.58 acres) and R-1-11 (1.36 acres) zones. The applicant is asking that the City zone the entire parcel as R-1-9. If the entire parcel is zoned R-1-9 then the possible density will increase for the property in potentially two ways. First, the lots in the R-1-9 zone are smaller than the lots in the R-1-11 zone by 2000 square feet which, therefore, may allow more lots to be located on the property. Second, duplexes are allowed in the R-1-9 zone where they are not in the R-1-11 zone. Potentially the density on the property will increase by five units if the determination is made to zone the entire parcel R-1-9.

The density of a potential development on the property if half the lots are considered R-1-9 (duplex units) and the other half are R-1-11 (single-family units) is 15 units. The potential density if the entire parcel if it is entirely zoned R-1-9 (duplex units) is 20 units. If the City Council does allow the R-1-9 zone to be considered for the entire property, then the increased impact of more density should be considered. For example, the traffic count for the development will increase by approximately 50 trips per day for the increased density of the five units. Also the parcel's location should be considered. The parcel is located close to Main Street and where

many services are located. It is also close to the Midway Elementary School and an LDS chapel. If density is to be added to the City this would a better location than most for increased density. The General Plan describes through the Land Use map that higher density should located near Main Street and decreases the farther you are from the center of town. This location is near Main Street so staff feels that the General Plan of zoning will be maintained with the higher density. As for a more harmonious mixing of uses, generally the surrounding area is populated by single-family dwellings. Adding duplexes in the area will not be a harmonious mix with the existing single-family neighborhoods in the area. As for analyzing the proposal within the proposed development, is it more harmonious to have one side of the street with duplexes and one side with single-family dwellings or is it better that both sides of the street have duplexes?

Since this is a legislative matter, the City should ask what it is receiving for allowing higher density on the property. General public sentiment that has been received through public hearings and comments gathered through the General Plan review process indicate that the public would rather have more open space and less density. It appears this application creates the opposite of that sentiment. Is there a community benefit that should be considered? Can the developer contribute in some manner to help promote other goals in the General Plan such as creating open space in another area of the City? Or does the City feel that creating more affordable housing in the community is a benefit in itself?

#### **POSSIBLE FINDINGS:**

- The potential density and coinciding required services and traffic of that density of the parcel will increase if the entire property is zoned R-1-9
- The property is located near Main Street and many services that are located on Main Street which would allow this to be a walkable development
- Approving the zone change would allow more affordable housing in the community.

#### **ALTERNATIVE ACTIONS:**

1. Recommendation of approval. This action can be taken if the Planning Commission feels proposal is acceptable and in the community's best interest.
  - a. Accept staff report
  - b. List accepted findings
  - c. Place condition(s)
2. Continuance. This action can be taken if the Planning Commission feels that there are unresolved issues.

- a. Accept staff report
  - b. List accepted findings
  - c. Reasons for continuance
    - i. Unresolved issues that must be addressed
  - d. Date when the item will be heard again
3. Recommendation for denial. This action can be taken if the Planning Commission feels that the request is not acceptable and not in the best interest of the community.
- a. Accept staff report
  - b. List accepted findings
  - c. Reasons for denial

**Chairman Oksner opened the meeting to public comment**

Jim Ashton; applicant: I am one of the two partners that want to develop this property. We have two options and they are to build and maintain the duplexes on the west side and sell the other lots on the east side as single family lots; or if the zoning changes build and maintain duplexes on both the east and west side of this property. I think it would make it more desirable to have the zoning changes so it can all be duplex lots instead of a mix of residential lots and duplex lots. The duplexes are all three (3) bedrooms with two (2) car garages. We have two different styles, one has the garages in the middle with the entries on the outer side and the other one is just opposite with the entries in the middle with the garages on the outer side. This will create a more desirable look along with different color combinations that coordinate and so that they wouldn't all end up looking the same, we've also picked a style that will fit very well here in Midway. With the back yards, there'll be a patio or a deck with a barbeque area and a storage unit. We will not be putting in any fences, we will do landscaping with and grass and trees. We want it to remain open for easier maintenance. These are a long-term investment for my partner and I and these plans will go to VAC. I bought my first duplex in 1989, I still own it and maintain it. There is a demand for rental units in Midway. This will create value for the neighborhood, because they will be very nice units. Not sure of the square footage but they will probably be around 1,500-2,000 square feet. We do not allow pets, storage for boats, RV's or broken down cars and we require a one (1) year lease agreement. I'm open to the City looking at our rental agreement to see if they would like something specific to be in there. I'd like to be a part of the community.

**Commissioners**

- Who is your target market?

Applicant: Young families willing to commit to an annual lease.

**Commissioners**

- If the property wasn't rezoned and you had to do single-family homes, what would be the plans for those?

Applicant: I am not a builder and I do not rent single-family homes. I would develop the lots and sell them as single-family lots.

## Commissioners

- Planner Henke. Is there a need for duplex rental housing in Midway?

**Planner Henke:** Two years ago, we did a study to look at the affordable housing in Midway. We looked at the assessed values based off of the County Assessors' values that they have for all of the properties we looked at the assessed values and the median income for the area and according to guidelines you look and the 80% of the median income for the community and then we went through and analyzed how much affordable housing we had based off of the guidelines of what somebody could afford based off of that 80% of median income and what we found is that we roughly had 20% affordable housing. Since then prices have gone up, I don't think that any of the units in the Hamlets would qualify any longer. In other words, we have a lot less affordable housing now than we had two years ago. From that prospective we probably need more affordable housing. I'm not sure that these would qualify, it would depend on what the rent is. The thing I wonder is there some a benefit for the community besides affordable housing, and that could be a clear benefit for us by having more affordable units in town that is close to our services. We talk about it being walkable, it would be nice to be able to walk from this community up to Main Street on a sidewalk.

**Applicant:** I don't have the deep pockets to do sidewalks. I'll have to look in to it to see how expensive it would be to do sidewalks.

**City Engineer, Wes Johnson:** Understanding the costs, it wouldn't be a big cost to bring the sidewalk from Main Street down to your development. What I would also propose is since you will be putting sidewalks in within your development extending your sidewalk from your development to the elementary school.

**Commissioner Nichols:** I think that there is an issue that we are overlooking here, I think that we are getting a little bit ahead of ourselves. I'm sympathetic to the fact that this property is bisected and falls into two different zones. I do not know how you would draw a zoning plan with straight lines and not have that happen in some situations. I don't know that our zoning plan should be as flexible as we are thinking that it is right now. I think anytime that you make a change to the zoning plan it makes it that much harder to say no to the next zoning plan. I think that a zoning plan should be concrete, and should only change if there is a compelling reason that benefits the entire City, and I don't know that I see that here. This property is still developable, there is a plan for it with the zoning as it is.

**Motion:** Commissioner Waldrip: I move that we recommend approval of the zone map amendment to convert the designation of the R-1-11 zoning on the east side of the parcel located approximately 250 W and 200 S so that the entire parcel would be zoned R-1-9. We accept the findings and the report that the staff, and find that the potential density considering the required services and traffic of that density of the parcel will increase, but are within the acceptable parameters of the City. Access to the Main Street facilities is a plus and would be good for the people that would likely be in this development and would allow more housing in the City on the more affordable side and rental units that can be utilized by families that could use that kind of housing in our community and cannot currently find it now. The only condition that I would suggest for this approval is that the developer agree to install a sidewalk from the south westerly corner of his property, where he will already have a sidewalk as a part of his development, westerly to match up with the sidewalk coming easterly from the elementary school.

**Chairman Oksner asked if there were any further discussion**

Commission Waldrip: The overwhelming thing that drives my motion is the ability to make more affordable housing available in a form for a city that would be apparently really attractive and suitable for the community as opposed to a normal R-3 development that we see that is not very attractive. I think that the concept plan, if it's going to be carried out by the developer, provides us with a really nice neighborhood of uniform housing. We wouldn't have two economic groups of residences across the street from each other that have significantly differing economic circumstances. We would have a neighborhood that would be somewhat uniform and cohesive. It is close to the grammar school and would be great for young families who are starting out and need that kind of affordable housing. I think it just makes sense to put this parcel into a single zone rather than having it split between two zones.

**Seconded:** Commissioner J. Kohler

Commissioner Jim Kohler: I support Commissioner Waldrip

Commissioner Ream: My only concern is will these be truly affordable? Aye

Commissioner Nichols: Nay

Commissioner S Kohler: Aye

Commissioner Nicholas: Aye

**Ayes:** Commissioners J. Kohler, Ream, Waldrip, S.Kohler and Nicholas

**Nays:** Commissioner Nichols

**Motion:** Passed

**Planning Commission Training**

Planner Henke gave a presentation

**ITEM: 5**

**Adjournment**

**Motion:** Commissioner Nichols: Move to adjourn

**Meeting end time:** 8:30pm

  
Chairman – Mickey Oksner

  
Admin. Assistant – Lindy Rodabough