PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING:	February 15, 2017
NAME OF PROJECT:	Tourism Overlay Zone
NAME OF APPLICANT:	Midway City
AGENDA ITEM:	Zone Map Amendment
LOCATION OF ITEM:	Approximately 450-580 East Main Street about 600' north of Main Street
ZONING DESIGNATION:	R-1-11
PROPOSED ZONING:	C-2

ITEM: 9

Midway City is proposing to rezone three parcels from the R-1-11 zone to the C-2 zone and all three would be included in the proposed Tourism Overlay Zone. The parcels are located south of Memorial Hill from about 450 East to 580 East. The property proposed to be rezoned is approximately 6.7 acres in size.

BACKGROUND & ANALYSIS:

Midway City is proposing a zone map amendment of two parcels of about 6.7 acres in size that are currently zoned R-1-11 or partially zoned R-1-11. The City is proposing that all three parcels are rezoned to the C-2. This proposal is based on the newly revised Midway City General Plan. Through the General Plan review process and based on previous development proposals for the area, the City has arrived at the conclusion that the property in question is more valuable to the entire community zoned C-2 instead of R-1-11. The City is currently pursuing the adoption of a Tourism Overlay Zone (TOZ)

that would include the 6.7 acres proposed to be rezoned. The purpose and intent of the TOZ is the following:

> *The purpose of this district is to create a community gathering area that is focused on tourism and retail. This district will be walkable and is envisioned to have central plazas with surrounding commercial and arts related businesses and activities generally on the street level and residential on the upper floors and surrounding buildings. The TOZ provides for a mix of commercial, office, retail, arts related activities and multiple unit and attached residential uses of a higher density along Midway Main Street. Site and building design will be of a quality that enhances the character of Midway and offers a cultural and retail gathering area for the residents, visitors and tourists. A wide range of commercial and residential uses are allowed, including regional scale retail; provided, that it is compatible with the overall sustainable character of the area by fitting into an interconnected street network.*

Over the past year, the City has received several development proposals for the three properties. These include hundreds of storage units on two of the parcels and two residential developments on the other. None of the proposed developments were considered to be very beneficial for the entire community. Based only a tax perspective, the residential developments would have cost the City revenue and the storage units would have created a very minimal gain for the City based on the fact there is no sales tax charged for storage unit rentals. These proposals made many aware that the properties will develop but if the City would like them to develop into something beneficial for the entire community then a change in the zoning needed to take place. Rezoning these two parcels is an important step in creating the TOZ.

The two parcels are the following:

Property owner	Parcel Identification	Acreage
Horizon Provider LC	OMI-0535-2-035-034	2.5
Brent Gold and John Demkowicz	OMI-0534-0-035-034	3.7 of an 8.93-acre parcel
Karl Dodge	OMI-0535-1-035-034	0.5

The Horizon Provider LC parcel is completely zoned R-1-11. The Gold and Demkowitz parcel is currently divided into two zones. The majority of the parcel (about 5.23 acres) is already zoned C-2, leaving 3.7 acres in the R-1-11 zone. If the rezone is approved, then the entire 8.93 acres would be zoned C-2. The Karl Dodge property is a small sliver of R-1-11. Staff has always considered the entire parcel to be C-2 but the proposed rezone will clear up any questions regarding the zoning for the entire parcel. Staff has met with the owners of the properties and the owners have verbally given their support for the proposal.

Another reason for rezoning the property is to prepare the area for a performing arts center that is currently in the planning stage. A valley wide committee has been formed that is exploring how to fund the center and where is should be located. The site just north of the proposed rezone is the best location that has been identified. Between the overlay zone, with its restaurants and retail, and the potential resort area to the north there can be a good synergy of uses that will help build each other up. The performing arts center will be an anchor to create activity in the district. Because these two parcels fall in between where the arts center is planned and the commercial area to the south it is important to not dissect the district with a relatively low density residential development.

This is a legislative matter so unless the City feels this is truly beneficial for the entire community then the zone change should not happen. The newly revised General Plan does support this rezone especially in the Economic Development and Resorts chapter.

POSSIBLE FINDINGS:

- The proposal is legislative matter
- The proposal will help create the vision of Midway as described in the General Plan
- The proposed rezone will help secure the area for the performing arts center which will benefit members of the community and businesses in the area
- The proposal will help create a better economic base for the community
- Rezoning the property allow commercial/residential development in the parcels and not allow purely residential development on the property which would, most likely, have a negative financial impact on the City

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.

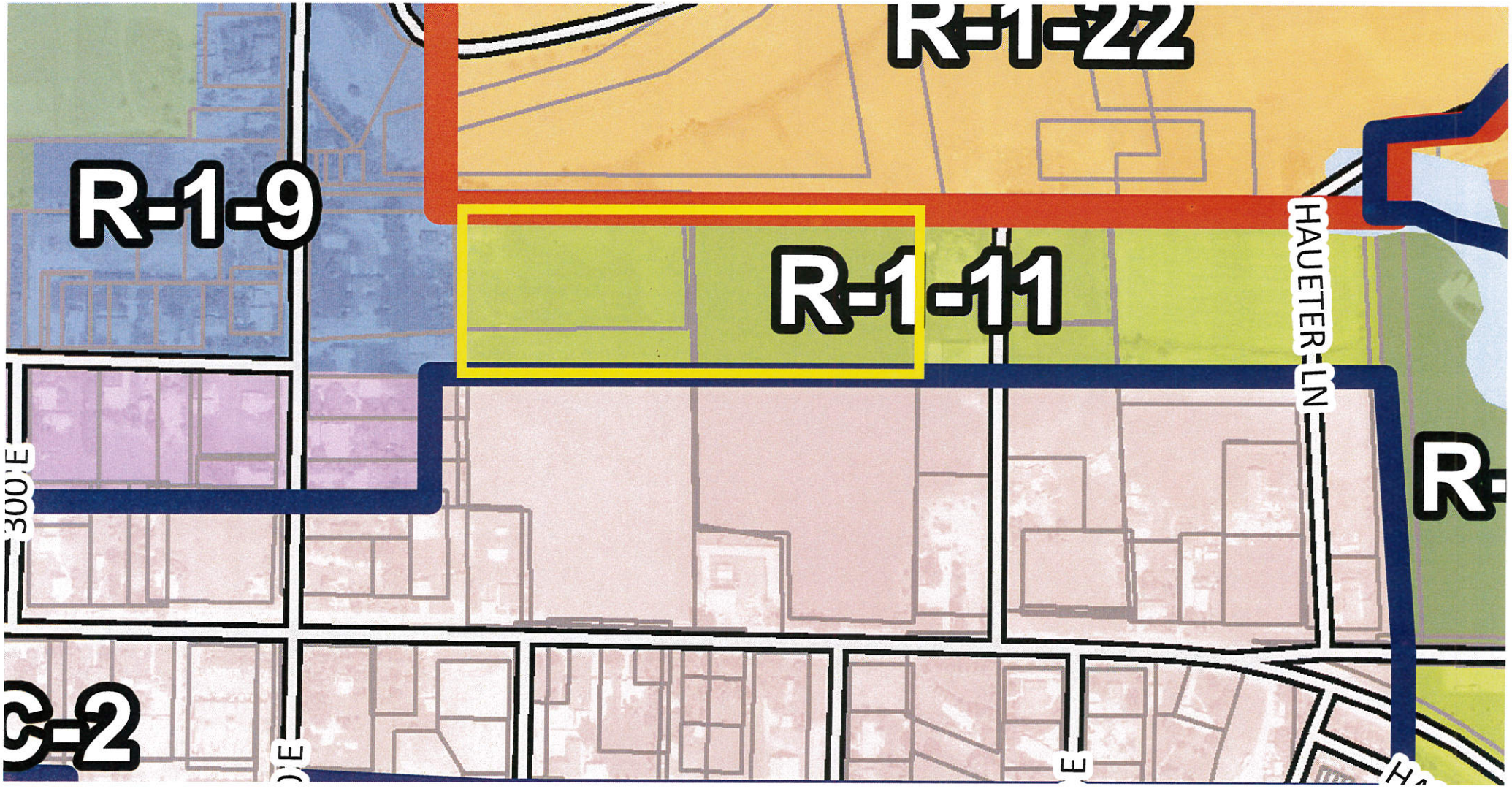
    a. Accept staff report
    b. List accepted findings
    c. Place condition(s)

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


R-1-22
R-1-9
R-1-11
HAUETER LN
R-
C-2

© 2016 Google
Imagery Date: 7/8/2016 40°30'50.54" N 111°27'38.34" W