
PUBLIC NOTICE

Notice is Hereby Given that the Tooele City Council will Meet in a Business Meeting on Wednesday, February 5, 2020, at the hour of 7:00 p.m. The Meeting will be Held at the Tooele City Hall Council Chambers, Located at 90 North Main Street, Tooele, Utah.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Swearing-In of Fire Department Officers**
Presented by Michelle Pitt
4. **Mayor's Youth Recognition Awards**
5. **Tooele Technical College Student of the Year for 2020:** Madison Thomas
Presented by President Paul Hacking
6. **Public Comment Period**
7. **Board Appointment**

Resolution 2020-04 A Resolution of the Tooele City Council Acknowledging the Mayor's Appointments of Nathan Thomas and David McCall to the Planning Commission
Presented by Mayor Debbie Winn

8. **Second Reading Items**

Minor Subdivision Request by Zenith Tooele LLC for Lexington Greens Consisting of 5 Lots Located at Approximately 400 West 1200 North in the MR-16 Multi-Family Residential Zoning District

Presented by Jim Bolser

9. **First Reading Items**

- a. **Subdivision Final Plat Request for the Golf Course View Subdivision** by Bryton Lawrence for Property Located at 1366 Smelter Road in the R1-7 Residential Zone for the Creation of 13 Single-Family Residential Lots
Presented by Jim Bolser
- b. **Subdivision Preliminary Plan for the Millennial Park Development**, requested by Mountain Partners Investments LLC for Property Located at 300 West 400 North in the MR-16 Multi-Family Residential Zone for the Creation of 17 Townhome Lots
Presented by Jim Bolser
- c. **Minor Subdivision Request for the Hunter Minor Subdivision** for Property Located at 240 West Utah Avenue on Property in the R1-7 Residential Zone for the Creation of 3 Single-Family Residential Lots
Presented by Jim Bolser
- d. **Subdivision Preliminary Plan Request for the Bevan Estates Subdivision** by JRS Development LLC for Property Located at Approximately 201 East 700 North for the Creation of 111 Single-Family Residential Lots in the R1-7 Residential Zone
Presented by Jim Bolser

- e. **Resolution 2020-02** A Resolution of the Tooele City Council Accepting for Further Consideration the Annexation Petition of Robert D. Smart, Trustee of the Jack Braton Tomlin Trust
Presented by Jim Bolser & Roger Baker
- f. **Resolution 2020-05** A Resolution of the Tooele City Council Accepting the Completed Off-Site Sewer Main Line Public Improvement Associated with the Lexington Greens Subdivision
Presented by Paul Hansen
- g. **Resolution 2020-11** A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Skyline Ridge Phase 1 Subdivision
Presented by Paul Hansen
- h. **Resolution 2020-12** A Resolution of the Tooele City Council Accepting the Completed Public Improvements Associated with the Overlake 1L Phase 2 Subdivision
Presented by Paul Hansen
- i. **Ordinance 2020-02 A Text Amendment** to the Tooele City Code Amending the Text of Section 7-4-8 Related to Driveway Locations and Making Related Technical Changes to Section 7-4-9, Section 7-4-10, and Section 7-4-11 of the Tooele City Code
Presented by Jim Bolser
- j. **Resolution 2020-09** A Resolution of the Tooele City Council Authorizing the Disposal of Lost or Mislaid Personal Property
Presented by Chief Ron Kirby
- k. **Ordinance 2019-35** An Ordinance of the Tooele City Council Amending the Tooele City Zoning Map for Property at Approximately 2100 North Main Street
Presented by Jim Bolser

10. **Minutes**

11. **Invoices**

12. **Adjourn**

Michelle Y. Pitt, Tooele City Recorder

Pursuant to the Americans with Disabilities Act, Individuals Needing Special Accommodations Should Notify Michelle Y. Pitt, Tooele City Recorder, at 435-843-2113 or michellep@tooelecity.org, Prior to the Meeting.

TOOELE CITY CORPORATION

RESOLUTION 2020-04

A RESOLUTION OF THE TOOELE CITY COUNCIL ACKNOWLEDGING THE MAYOR'S APPOINTMENTS OF NATHAN THOMAS AND DAVID MCCALL TO THE PLANNING COMMISSION.

WHEREAS, Tooele City Charter Section 5-01 and Tooele City Code §2-3-3 states that there shall be seven members of the Tooele City Planning Commission, three of whom shall be appointed by the City Council, and four of whom shall be appointed by the Mayor; and,

WHEREAS, pursuant to Tooele City Code §2-3-3, the City Council and Mayor may each appoint an alternate Planning Commission member, to act with full authority for an absent member; and,

WHEREAS, all appointments to the Planning Commission extend through December 31st of alternating odd-numbered years in order to preserve a balanced rotation of member terms (TCC §2-3-3); and,

WHEREAS, the Mayor has appointed Nathan Thomas to the Planning Commission, for a term of four years, beginning February 5, 2020, and ending December 31, 2023; and,

WHEREAS, the Mayor has appointed David McCall to the Planning Commission, as an alternate, for a term of four years, beginning February 5, 2020, and ending December 31, 2023; and,

WHEREAS, it is desirable for the City Council to acknowledge the Mayor's appointments to the Planning Commission by resolution so as to maintain an accurate record of all Planning Commission appointments; and,

WHEREAS, terms of the various members of the Planning Commission are shown on Exhibit A:

NOW, THEREFORE, BE IT ADKNOWLEDGED BY THE TOOELE CITY COUNCIL that the Mayor has appointed Nathan Thomas and David McCall (alternate) to the Planning Commission for four-year terms beginning February 5, 2020, and expiring December 31, 2023, as shown in Exhibit A.

This Resolution shall take effect immediately by authority of the Tooele City Charter, without further publication.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2020.

Exhibit A

Planning Commission Member	Term Begin Date	Term End Date	Date of First Appointment
Matt Robinson (Council)	01-01-2020	12-31-2023	05-19-2010 (alternate)
Melanie Hammer (Mayor)	01-01-2020	12-31-2023	01-01-2010 (alternate)
Shauna Bevan (Council)	01-03-2018	12-31-2021	03-20-2013 (alternate)
Tyson Hamilton (Mayor)	11-07-2018	12-31-2021	02-03-2018 (alternate)
Nathan Thomas (Mayor)	02-05-2020	12-31-2023	02-05-2020
Chris Sloan (Council)	01-03-2018	12-31-2021	02-16-2011 (alternate)
Ray Smart (Mayor)	01-01-2020	12-31-2023	01-01-2019 (alternate)
David McCall (Alternate) (Mayor)	02-05-2020	12-31-2023	02-05-2020 (alternate)
Bucky Whitehouse (Alternate) (Council)	01-17-2018	12-31-2021	01-17-2018 (alternate)

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(For)

(Against)

ATTEST:

Michelle Y. Pitt, City Recorder

SEAL

Approved as to form:



Roger Evans Baker, Tooele City Attorney

Nate Thomas
1342 North 590 East
Tooele, Utah 84074

January 9, 2020

Dear Mayor Winn:

Thank you for this opportunity to share my background and desire to serve as a member of the Tooele City Planning Commission. I was raised in a beautiful small Utah town with city blocks, straight streets, streams, city parks, trails, a mountain backdrop and friendly neighbors. I believe my childhood experiences growing up in a town that was easily walkable, maintained a small commercial area, provided opportunities for recreation, and extremely limited affordable housing, shaped my outlook on the importance of community and city planning.

At Utah State University (USU), my interest in studying human behavior and human interactions with the environment, resulted in a bachelors of science degree in Anthropology. I also took course work in natural resources, recreation, and archaeology. As I was graduating at USU in 2002, I was hired as a field archaeologist for the Bureau of Land Management (BLM) in Ely, Nevada. At the Ely BLM, I prepared and reviewed National Environmental Policy Act documents (e.g. Environmental Impact Statements and Environmental Assessments) and National Historic Preservation Act documents (e.g. cultural resource reports and site forms), for federal undertakings such as two-proposed coal-fired power plants, large transmission lines, large-scale mine expansions, gravel pit expansions, recreational trail developments and wildlife habitat improvement projects. In 2004, I completed a distance learning master's of arts degree in Archaeology and Ancient History from the University of Leicester. My master's thesis was focused on the history and impact of a late 19th century Nevada mining town to its surrounding environment.

In 2009 my wife, Melanie, and I moved our family to Cedar City to work as a field archaeologist for the Cedar City BLM. For four years at the Cedar City BLM, I reviewed and wrote similar environmental documents, including but not limited to solar generation stations, geothermal power plants, a controversial coal mine expansion, a transmission line project from Richfield to St. George and livestock grazing permits. At this time, I also served as the BLM's tribal consultation point of contact for that area.

In 2014 I was promoted to be the state archaeologist for BLM-Utah. This gave me the opportunity to provide program guidance to around 20 of BLM-Utah's archaeologist. Some of the recent projects that I have been working on are a State Protocol Agreement between BLM-Utah and the Utah State Historic Preservation Office, the Bears Ears and Grand Staircase Escalante Resource Management Plans, the Lake Powell Pipeline, Energy Gateway South Transmission Project, Transwest Express Transmission Project and various travel management plans throughout the state. I also have continued my tribal consultation responsibilities as the lead tribal consultation point of contact for BLM-Utah.

In an effort to improve my abilities to work through controversial projects, I recently completed the University of Utah's Environmental Dispute Resolution Short Course. This course provided me with additional skills for resolving conflicts, managing disputes and building collaborative efforts. All of which are still really hard to do and I am in no way an expert in these situations. A summary of my final project for this course is available at:

<https://law.utah.edu/teamwork-and-shared-interests-to-improve-tribal-relations-with-the-blm-in-utah/>

In showing my interest in this opportunity, I will need to make it clear that I do not have a background in city planning. However, I have an interest in well balanced community that is easily walkable, easily drivable, is aesthetically pleasing and is more easily maintained. I hope you will consider this request and if you have any questions for me, I can be reached at (385) 214-8953 or at melthomasfamily@gmail.com

Sincerely,

Nate Thomas

STAFF REPORT

December 6, 2019

To: Tooele City Planning Commission
Business Date: December 11, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Lexington Greens – Minor Subdivision Request

Application No.: P19-868
Applicant: Zenith Tooele LLC
Project Location: Approximately 400 West 1200 North
Zoning: MR-16 Multi-Family Residential Zone
Acreage: Approximately 32 Acres 1,405,093 ft²)
Request: Request for approval of a Minor Subdivision in the MR-16 Multi-Family Residential zone regarding the creation of 5 large pre-development lots.

BACKGROUND

This application is a request for approval of a Minor Subdivision for approximately 32 acres located at approximately 400 West 1200 North. The property is currently zoned MR-16 Multi-Family Residential. The applicant is requesting that a Minor Subdivision be approved to allow for the subdivision of the 32 acres into 5 large parcels for the purposes of establishing property lines for ownership. No development will occur on these parcels resulting from this subdivision. Each parcel will be required to undergo the entire subdivision or site plan process when each parcel develops.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Multi-Family Residential land use designation for the subject property. The property has been assigned the MR-16 Multi-Family Residential zoning classification, supporting approximately 16 dwelling units per acre. The purpose of the MR-16 zone is to “provide an environment and opportunities for high density residential uses, including single family detached and attached residential units, apartments, condominiums and townhouses.” The MR-16 Multi-Family Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Multi-Family Residential land use designation. Properties to the north, west and east are zoned R1-7 Residential. Properties to the south are zoned NC Neighborhood Commercial. All surrounding properties are currently vacant, undeveloped land. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. This is a minor subdivision that establishes property lines for the purposes of ownership. Lots range in size from 5.2 acres up to 7.5 acres. The applicant of this subdivision will not be developing each parcels, therefore, each parcel will be required to undergo all required subdivision approvals when each parcel develops. The developer of the parcels will therefore be required to provide all road dedications, water rights, utility improvements and all other improvements and dedications required with a standard subdivision or site plan development when each parcel develops. Development will not occur on these parcels until these have been completed.

Criteria For Approval. The procedure for approval or denial of a Minor Subdivision request follows the same approval process as a Final Plat Subdivision, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-10, 11 and 35 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request with the following proposed conditions:

1. This subdivision plat is solely for the purpose of establishing property lines for ownership. This plat does not entitle any development or construction. All entitlements and developability, including infrastructure, easements, and property dedications as needed, must be established through further land use applications and approvals according to the Tooele City Code.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Minor Subdivision submission and have issued a recommendation for approval for the request with the following proposed condition:

1. Prior to recordation of the Final 5 lot minor subdivision plat, the developer will provide all required out of plat public utility, drainage and ingress and egress easements, as shown on the plat.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Minor Subdivision by Zenith Tooele LLC, application number P19-868, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.
5. The developer of the parcel(s) will be required to provide all road dedications, water rights, utility improvements and all other improvements and dedications required with a standard subdivision or site plan development when each parcel develops.
6. Each parcel will be required to undergo all required subdivision approvals when each parcel develops.
7. This plat does not entitle any development or construction.
8. All entitlements and developability, including infrastructure, easements, and property dedications as needed, must be established through further land use applications and approvals according to the Tooele City Code.
9. Prior to recordation of the Final 5 lot minor subdivision plat, the developer will provide all required out of plat public utility, drainage and ingress and egress easements, as

shown on the plat.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Lexington Greens Minor Subdivision Request by Zenith Tooele LLC for the purpose of creating 5 lots, application number P19-868, based on the findings and subject to the conditions listed in the Staff Report dated December 6, 2019:”

1. List any additional findings and conditions...

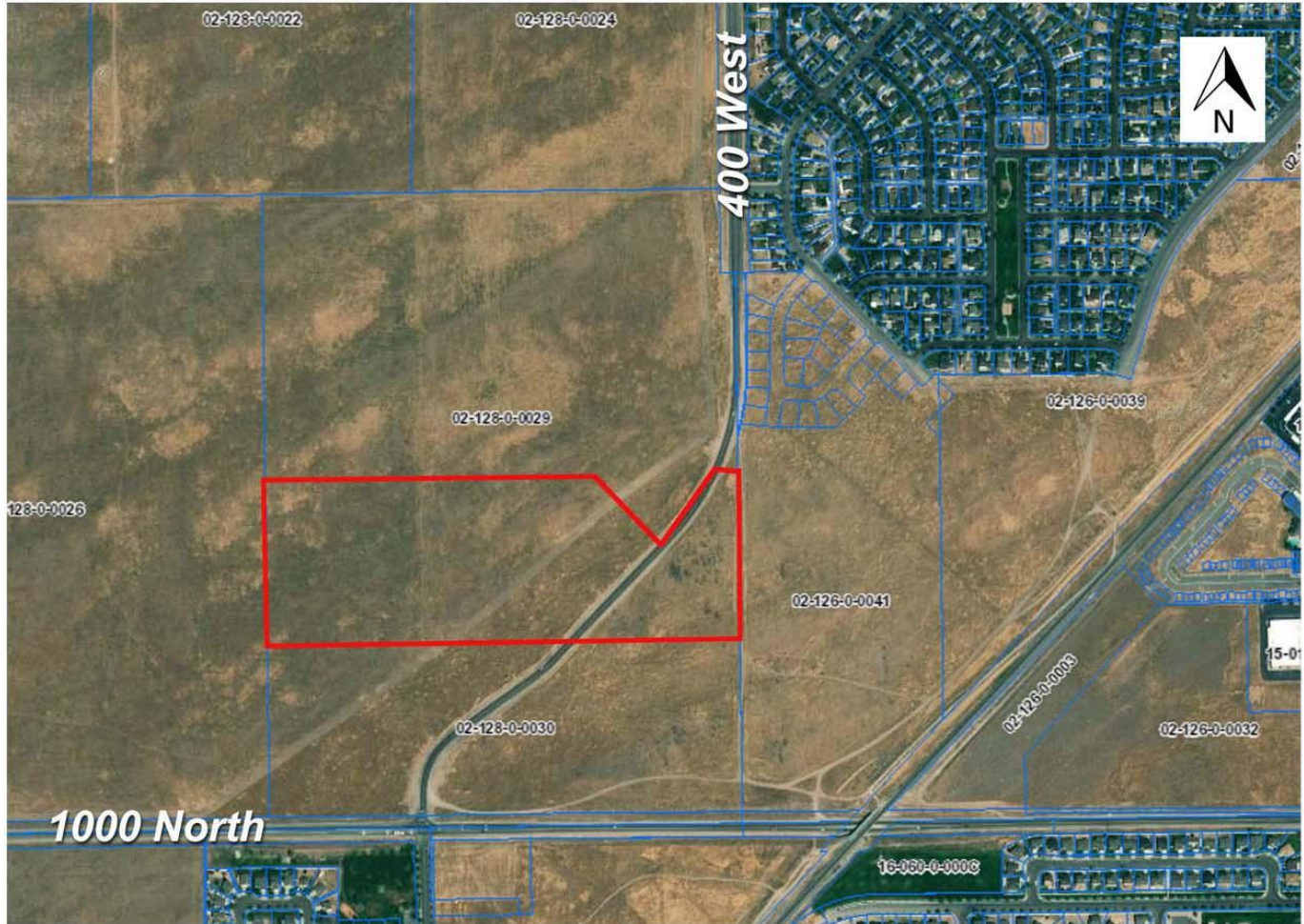
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Lexington Greens Minor Subdivision Request by Zenith Tooele LLC for the purpose of creating 5 lots, application number P19-868, based on the following findings:”

1. List findings...

EXHIBIT A

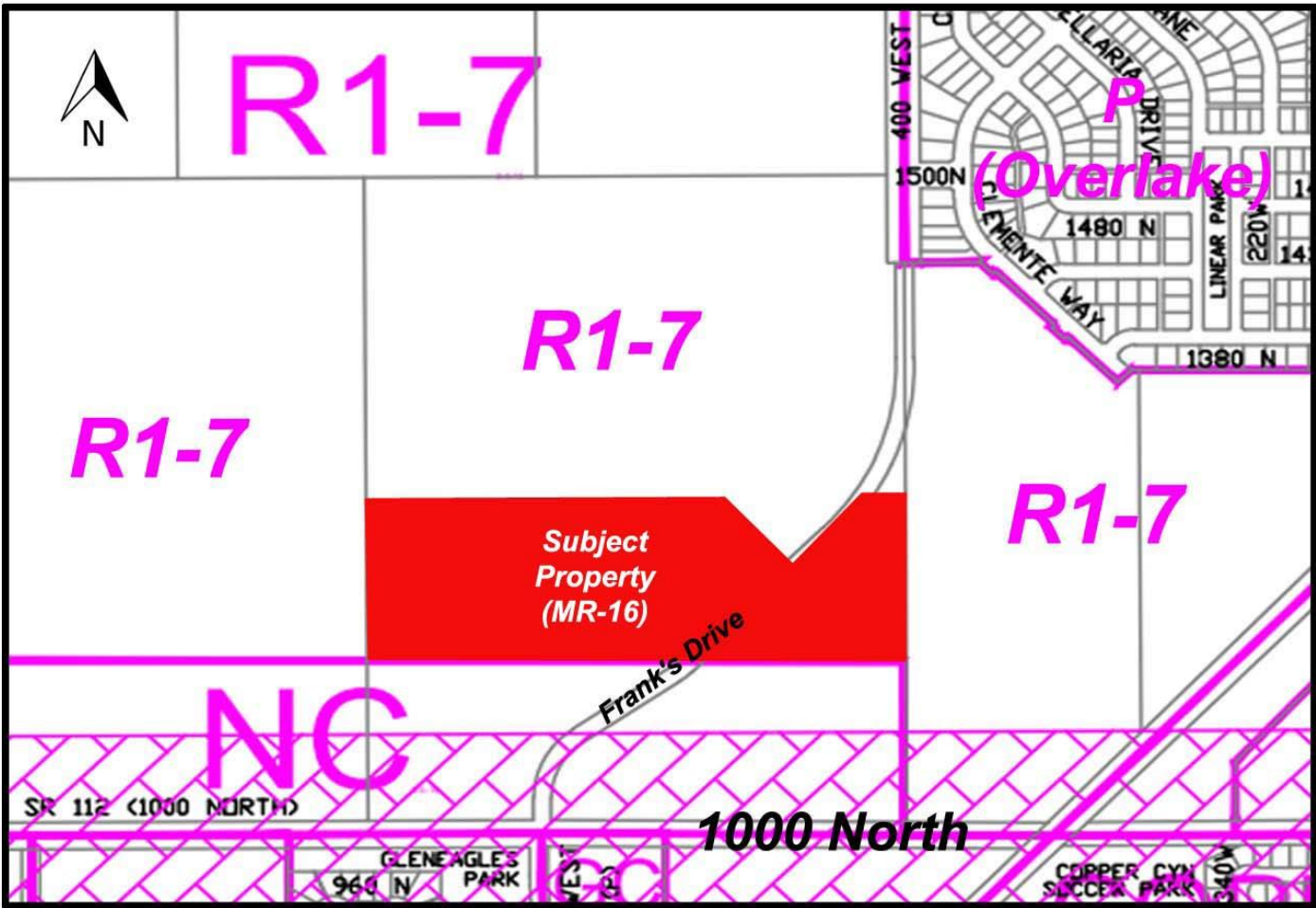
MAPPING PERTINENT TO THE LEXINGTON GREENS MINOR SUBDIVISION

Lexington Greens Minor Multi-Family Subdivision



Aerial View

Lexington Greens Minor Multi-Family Subdivision



Current Zoning

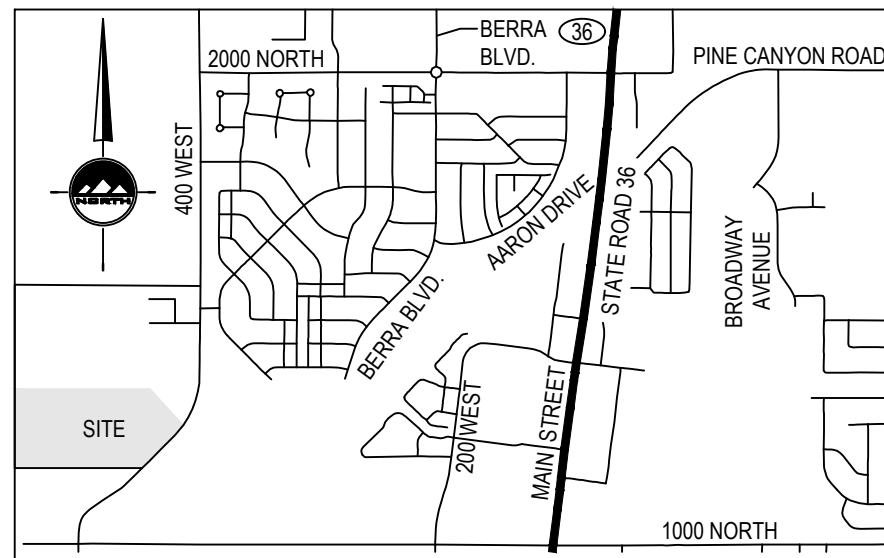
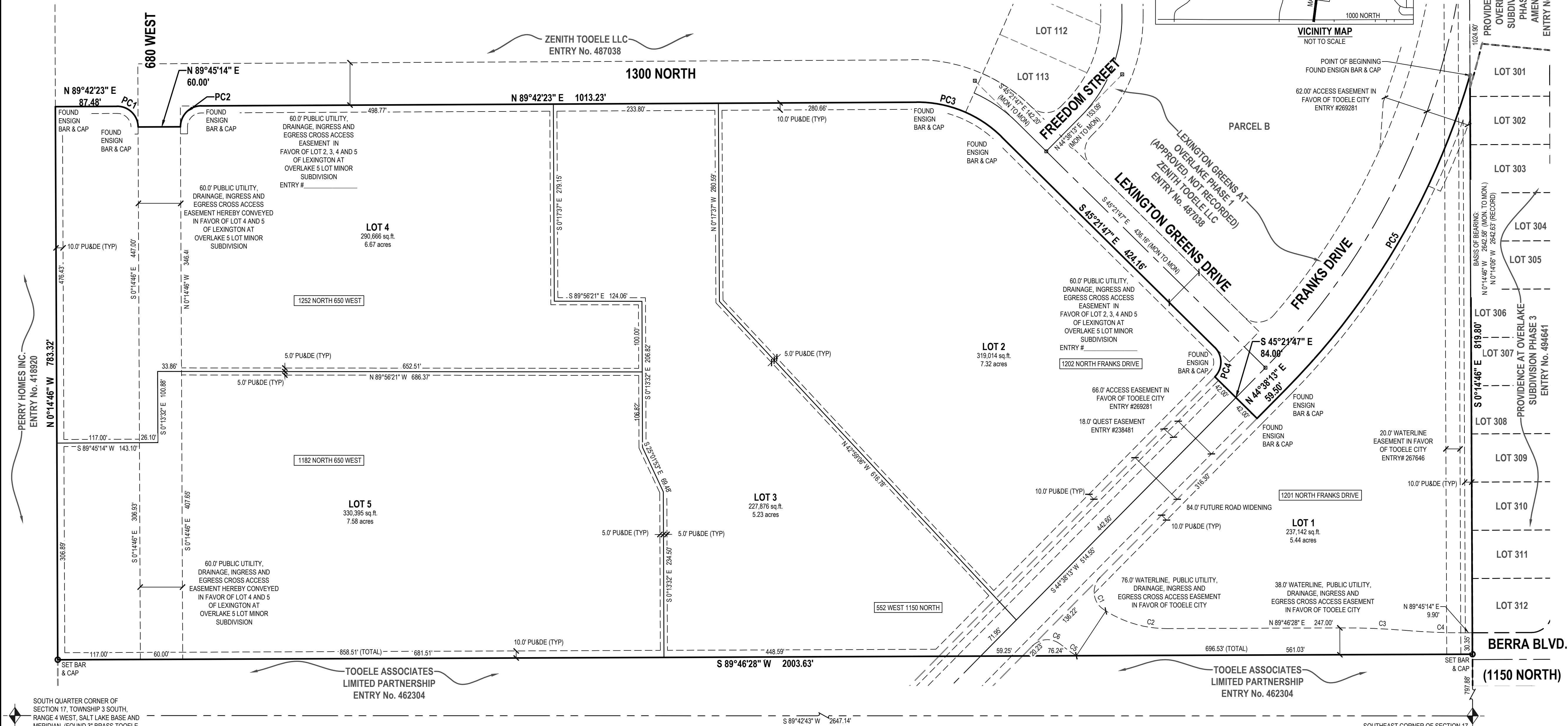
EXHIBIT B

PROPOSED DEVELOPMENT PLANS

LEXINGTON AT OVERLAKE 5 LOT MINOR SUBDIVISION

FINAL PLAT

LOCATED IN THE
SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 3 SOUTH,
RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH



NORTHEAST CORNER OF
SECTION 17, TOWNSHIP 3
SOUTH, RANGE 4 WEST, SALT
LAKE BASE AND MERIDIAN,
(FOUND 3" BRASS TOOELE
COUNTY SURVEYORS
MONUMENT WITH RING AND
LID, DATED 2000)

BOUNDARY DESCRIPTION

A parcel of land, situate in the Southeast Quarter of Section 17, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and in Tooele City, Tooele County, Utah, more particularly described as follows:

Beginning at a point on the West line of "Providence at Overlake Subdivision Phase 2 Amended" recorded in the Tooele County Recorder's Office as entry number 482225, book 20, page 56, also located on the Section line, which is located South 0°14'46" East 1024.50 feet along the Section line from the East Quarter Corner of Section 17, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence South 0°14'46" East 819.80 feet along the Westerly boundary of said Providence at Overlake Subdivision Phase 2 Amended, to and along "Providence at Overlake Subdivision Phase 3" recorded in the Tooele County Recorder's Office as entry number 494641, book 20, page 90, also along the Section line;

thence South 89°46'28" West 2003.63 feet;

thence North 0°14'46" West 783.32 feet;

thence North 89°42'23" East 87.48 feet;

thence Southwesterly 46.26 feet along the arc of a 29.50-foot radius tangent curve to the right (center bears South 0°17'37" West, and the long chord bears South 45°21'47" East 41.72 feet, through a central angle of 89°51'18");

thence North 89°45'14" East 60.00 feet;

thence Northwesterly 46.31 feet along the arc of a 29.50-foot radius non-tangent curve to the right (center bears North 89°45'14" East, and the long chord bears North 44°43'48" East 41.70 feet, through a central angle of 89°57'08");

thence North 89°42'23" East 1013.23 feet;

thence Southwesterly 133.31 feet along the arc of a 170.00-foot radius tangent curve to the right (center bears South 0°17'37" East, and the long chord bears South 67°49'42" East 129.92 feet, through a central angle of 44°55'51");

thence South 45°21'47" East 424.16 feet;

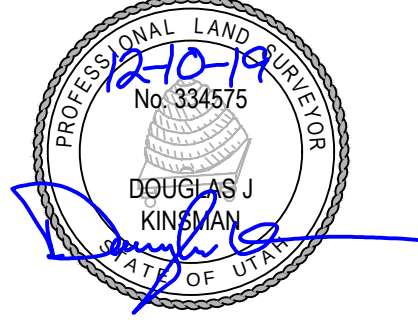
thence Southwesterly 46.34 feet along the arc of a 29.50-foot radius tangent curve to the right (center bears South 44°38'13" West, and the long chord bears South 45°21'47" East 41.72 feet, through a central angle of 90°00'00"); to the Northwesterly line of Franks Drive;

thence South 45°21'47" East 84.00 feet to the Southeast line of Franks Drive;

thence North 44°38'13" East 59.50 feet along said Southeast line;

thence Northwesterly 519.40 feet along the arc of a 1042.00-foot radius tangent curve to the left (center bears North 45°21'47" West, and the long chord bears North 30°21'25" East 514.04 feet, through a central angle of 28°33'36"); along the Easterly line of Franks Drive, to the Point of Beginning

Parcel contains: 1,405,093 square feet, or 32.24 acres.



Date
Douglas J. Kinsman
License no. 334575

OWNER'S DEDICATION AND CONSENT TO RECORD

Known all men by these present that the undersigned are the owner(s) of the herein described tract of land and hereby cause the same to be divided into lots, and streets together with easements as set forth hereafter to be known as:

LEXINGTON AT OVERLAKE 5 LOT MINOR SUBDIVISION

The undersigned owner(s) hereby dedicate to Tooele City all those parts or portions of said tract of land on said plat designated hereon as streets, the same to be used as public thoroughfares forever. The undersigned owner(s) also hereby convey to Tooele City and to any and all public utility companies providing service to the herein described tract a perpetual, non-exclusive easement over the streets and public utility and drainage easements shown on this plat, the same to be used for drainage and for the installation, maintenance and operation of public utility service lines and facilities. The undersigned owner(s) also hereby conveys any other easements as shown hereon to the parties indicated and for the purposes shown hereon.

In witness whereof I / we have hereunto set my / our hand this _____ day of _____, A.D., 20____.

By: Zenith Tooele LLC
Charles W. Akerlow (Managing Director)

By: _____

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH
County of Tooele

On the _____ day of _____, A.D., 20____,
personally appeared before me, the undersigned Notary Public, in and for said County of _____, in the State of Utah, who after being duly sworn, acknowledged to me that He/She is the _____ of _____, a Limited Liability Company and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Limited Liability Company for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

Notary's Full Name & Commission Number: _____

My Commission Expires _____ A Notary Public Commissioned in Utah

LEXINGTON AT OVERLAKE 5 LOT MINOR SUBDIVISION FINAL PLAT

LOCATED IN THE
SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3
SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH

TOOELE COUNTY RECORDER

RECORDED # _____

STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE REQUEST OF: _____

DATE: _____ TIME: _____

FEES _____

TOOELE COUNTY RECORDER

COUNTY SURVEY DEPARTMENT APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE TOOELE COUNTY SURVEY DEPARTMENT.
RECORD OF SURVEY FILE #2018-0074

TOOELE COUNTY SURVEY DIRECTOR

ROCKY MOUNTAIN POWER COMPANY

1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(C)(II) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:

(1) A RECORDED EASEMENT OR RIGHT-OF-WAY

(2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS

(3) TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR

(4) ANY OTHER PROVISION OF LAW.

APPROVED THIS _____ DAY OF _____, 20____

ROCKY MOUNTAIN POWER

BY: _____

TITLE: _____

DOMINION ENERGY

DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

APPROVED THIS _____ DAY OF _____, 20____

DOMINION ENERGY

BY: _____

TITLE: _____

LEGEND

EXISTING STREET MONUMENT

PROPOSED STREET MONUMENT TO BE SET

SECTION CORNER

5/8"x24" REBAR WITH YELLOW PLASTIC CAP, OR NAIL, STAMPED "ENSGN ENG. & LAND SURV."

PUEDE

PUBLIC UTILITY & DRAINAGE EASEMENT

BOUNDARY LINE

ADJACENT PROPERTY LINE

SECTION LINE

CENTER LINE

EASEMENT LINE

RIGHT OF WAY LINE

ADJACENT RIGHT OF WAY LINE

TANGENT LINE

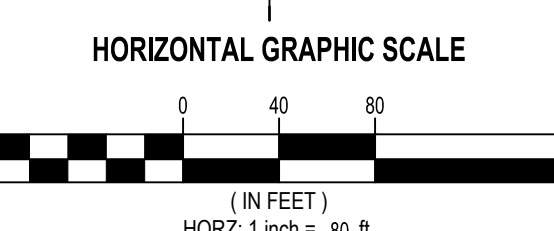
TOOELE CITY COUNCIL

APPROVED THIS _____ DAY OF _____, 20____, BY THE TOOELE CITY COUNCIL.

ATTEST: CITY RECORDER

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	29.50'	51.96'	100°55'04"	S5°49'19"E	45.50'
C2	162.00'	95.98'	33°56'41"	S73°15'12"E	94.58'
C3	1038.00'	90.85'	5°00'52"	S87°43'06"E	90.82'
C4	962.00'	84.54'	5°02'06"	S87°43'43"E	84.51'
C5	238.00'	27.64'	6°39'18"	S54°04'25"E	27.63'
C6	29.50'	43.57'	84°37'01"	N86°56'43"E	39.71'
PC1	29.50'	46.26'	89°51'18"	S45°21'58"E	41.67'
PC2	29.50'	46.31'	89°57'08"	N44°43'48"E	41.70'
PC3	170.00'	133.31'	44°55'51"	S67°49'42"E	129.92'
PC4	29.50'	46.34'	90°00'00"	S0°21'47"E	41.72'
PC5	1042.00'	519.40'	28°33'36"	N30°21'25"E	514.04'

SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, (FOUND 3" BRASS TOOELE COUNTY SURVEYORS MONUMENT WITH RING AND LID, DATED 2009)



COUNTY HEALTH DEPARTMENT APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE TOOELE COUNTY HEALTH DEPARTMENT

TOOELE COUNTY HEALTH DEPT.

DEVELOPER
ZENITH DEVELOPMENT LLC
2040 MURRAY HOLLADAY
ROAD, SUITE 204
SLC, UTAH 84117
801-428-3755

SHEET 1 OF 1

PROJECT NUMBER: 82608

MANAGER: D. KINSMAN

DRAWN BY: C. CHILD

CHECKED BY: D. KINSMAN

DATE: 12/9/2019

TOOELE
169 North Main Street Unit 1
Tooele, Utah 84074
Phone: 435.843.3590
Fax: 435.578.0108

SALT LAKE CITY
Phone: 801.587.1100

LAYTON
Phone: 801.587.1100

CEDAR CITY
Phone: 435.861.1453

RICHFIELD
Phone: 435.880.2823

ENSGN

WWW.ENSGNENG.COM

COUNTY TREASURER APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____,
BY THE TOOELE COUNTY TREASURER.

TOOELE COUNTY TREASURER

CITY ATTORNEY'S APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____,
BY THE CITY ATTORNEY

TOOELE CITY ATTORNEY

CITY ENGINEER'S APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____,
BY THE CITY ENGINEER

TOOELE CITY ENGINEER

COMMUNITY DEVELOPMENT APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE COMMUNITY DEVELOPMENT

TOOELE CITY COMMUNITY DEVELOPMENT

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE TOOELE CITY PLANNING COMMISSION.

CHAIRMAN TOOELE CITY PLANNING COMMISSION

STAFF REPORT

January 2, 2020

To: Tooele City Planning Commission
Business Date: January 8, 2020

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Golf Course View Subdivision – Final Plat Request

Application No.: P19-772
Applicant: Bryton Lawrence
Project Location: 1366 Smelter Road
Zoning: R1-7 Residential Zone
Acreage: 6.28 Acres (Approximately 273,556 ft²)
Request: Request for approval of a Final Plat in the R1-7 Residential zone regarding the creation of 13 single-family residential lots.

BACKGROUND

This application is a request for approval of a Final Plat for approximately 6.28 acres located at approximately 1366 Smelter Road. The property is currently zoned R 1-7 Residential. The applicant is requesting that a Preliminary Plan be approved to allow for subdivision of the 6.28 acre parcel into 13 single-family residential lots.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R 1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R 1-7 zone is to “provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings and multi-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.” The R 1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the subject property. Properties to the south and west are zoned R1-7 Residential. Properties to the east and north are located in unincorporated Tooele County. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The subdivision plat proposes to subdivide an existing 5.8 acre parcel into 13 lots ranging in size from 10,300 square feet up to 23,000 square feet. All lots within this subdivision meet or exceed requirements for lot width, lot frontages and lot sizes as required by the R1-7 Residential zoning ordinance.

The lots will be accessed by a public street terminating in a cul-de-sac turn around extending south from Smelter Road. The cul-de-sac length exceeds standard cul-de-sac length, however, the ordinance does provide the City Public Works Director authority to grant variances to the length if it can be demonstrated the variance request meets certain criteria. Steve Evans, Public Works Director, has authorized the cul-de-sac to be longer than the standard 250 feet.

Lot 7 has a 15 foot wide sewer easement in favor of Tooele City for golf course purposes. Lot has a 15 foot water line easement in favor of Tooele City for the purposes of providing a looped water line that will benefit the development but also Tooele City.

The existing home on lot 1 will remain. The property owners of lot 1 will be required to maintain the new frontage along 1360 East and have submitted a letter to the City stating that they are aware of this and will maintain the park strip frontage.

Lot 13 is proposed to be an irregularly shaped lot. Instead of being a rectangle the lot is more of a wedge shape with a flag pole extending north to Smelter Road. Being 12,000 square feet and 130 feet deep at its deepest point staff is confident a home of sufficient size to comply with City ordinance will fit on the parcel. The reason for this irregular lot shape is because of Parcel A, a proposed storm water detention basin, being located to the west. This basin is located here as this is the lowest location within the subdivision. It is proposed that the basin will be dedicated to Tooele City for ownership and maintenance and an access easement across lot 13 will provide access to the pond from 1360 East for City maintenance vehicles, storm water overflow, etc. A landscape plan has been provided by the applicant. The detention basin will be landscaped with turf grass and an irrigation system similar to that of the golf course landscaping.

Fencing. There are not any ordinance requirements for fencing in conjunction with this subdivision.

Previous Conditions of Approval. During the Preliminary Plan review stage for this request, the Planning Commission placed conditions on that approval of the request. Those conditions were as follows:

1. A complete landscape and irrigation plan shall be provided during the final subdivision approval process for Parcel A, storm water detention basin.

Criteria For Approval. The procedure for approval or denial of a Subdivision Preliminary Plat request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-10 and 11 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Golf Course View Subdivision Final Plat submission and has issued a recommendation for approval for the request.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Golf Course View Subdivision Final Plat submission and have issued a recommendation for approval for the request.

Noticing. Subdivisions do not require a public hearing and therefore do not require public noticing.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Golf Course View Subdivision Final Plat by Bryton Lawrence, application number P19-772, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Golf Course View Subdivision Final Plat Request by Bryton Lawrence, for the purpose of creating 13 single-family residential lots, application number P19-772, based on the findings and subject to the conditions listed in the Staff Report dated January 2, 2020:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Golf Course View Subdivision Final Plat Request by Bryton Lawrence, for the purpose of creating 13 single-family residential lots, application number P19-772, based on the following findings:”

1. List findings...

EXHIBIT A

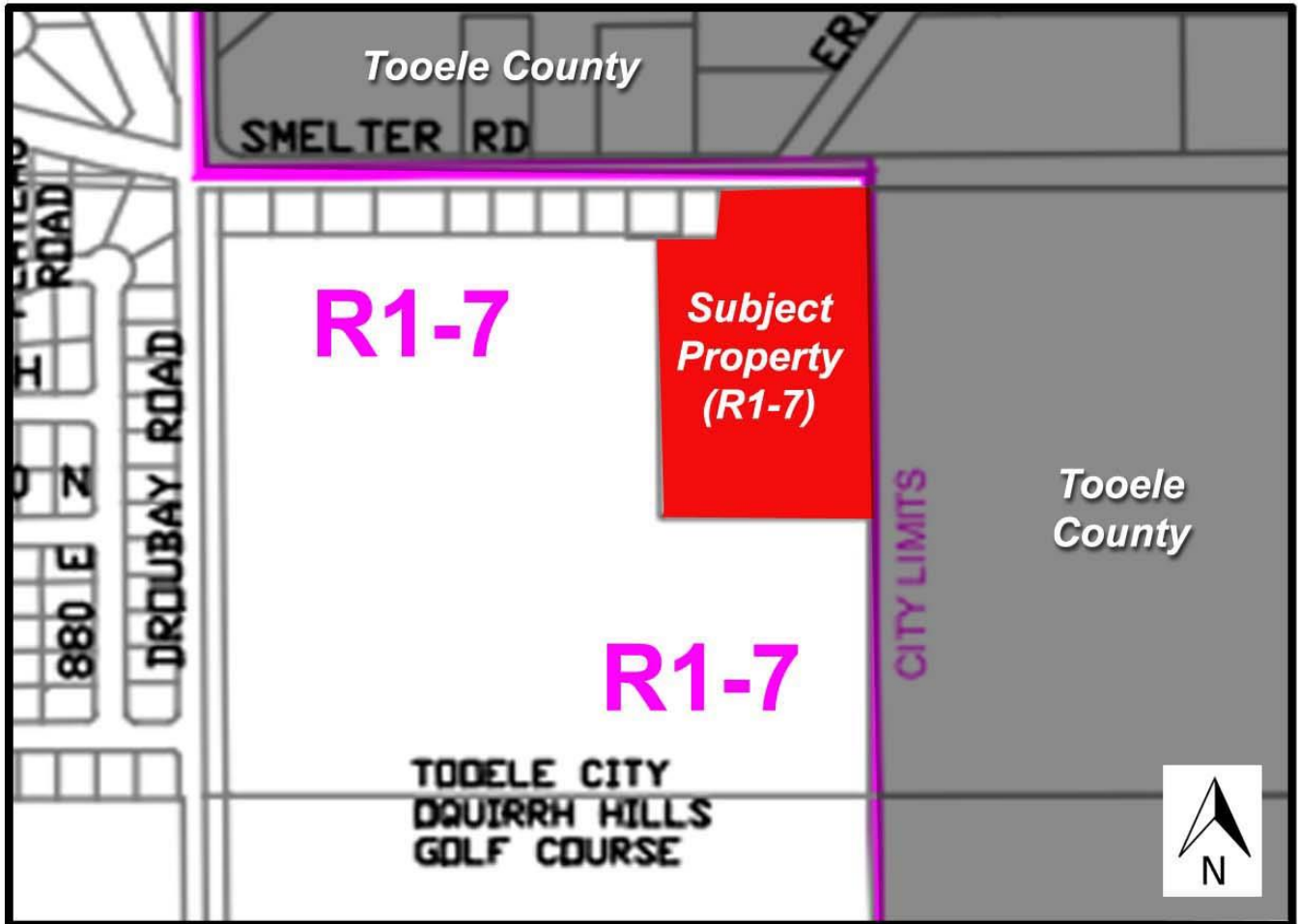
MAPPING PERTINENT TO THE GOLF COURSE VIEW SUBDIVISION FINAL PLAT

Golf Course View Subdivision Final Plat



Aerial View

Golf Course View Subdivision Final Plat



Current Zoning

EXHIBIT B

PROPOSED DEVELOPMENT PLANS

STAFF REPORT

December 30, 2019

To: Tooele City Planning Commission
Business Date: January 8, 2020

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Millennial Park – Preliminary Plan Subdivision Request

Application No.: P19-80
Applicant: Jared Payne, representing Mountain Partners Investments, LLC
Project Location: Approximately 300 West 400 North
Zoning: MR-16 Mult-Family Residential Zone
Acreage: 3.05 Acres (Approximately 132,858 ft²)
Request: Request for approval of a Preliminary Plan Subdivision in the MR-16 Mult-Family Residential zone regarding the creation of 17 town house style lots.

BACKGROUND

This application is a request for approval of a Preliminary Plan Subdivision for approximately 3.05 acres located at 300 West 400 North. The property is currently zoned MR-16 Mult-Family Residential. The applicant is requesting that a Preliminary Plan Subdivision be approved to allow the creation of 17 lots that will eventually be developed as town houses.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the MR-16 Multi-Family Residential zoning classification, supporting approximately sixteen dwelling units per acre. The purpose of the MR-16 zone is to “provide an environment and opportunities for high density residential uses, including single family detached and attached residential units, apartments, condominiums and townhouses.” The MR-16 Multi-Family Residential zoning designation is identified by the General Plan as a preferred zoning classification for the subject property. Properties to the north, south and east are all zoned MR-16. Properties to the west are zoned OS Open Space. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The subdivision proposes to split a three acre parcel into 17 town house style lots, an open space parcel and a private street. The lots within the proposed subdivision range in size from 1,400 square feet at the smallest up to 3,600 square feet at the largest. The narrowest of the lots are 20.5 feet wide and the widest are near 43 feet wide. The lots are the width of a town house that are proposed to be constructed thereon. Larger lots will be corner lots. Each lot is large enough to house the footprint of the town house along with some private yard space in front of and behind the town house. Corner lots have additional private space at the side of the future town house.

The MR-16 zone has no minimum lot size requirement for a multi-family dwelling in order to accommodate small lot town house style multi-family developments. Therefore, the lots as configured do meet the minimum requirements for lot size and lot width as there aren’t any minimum requirements.

Parcel “A” is a storm-water detention basin / open space parcel of approximately .3 acres.

The proposed subdivision does include a privately owned and maintained street providing connection from 400 North and Benchmark Drive to the west. Benchmark Drive to the west of the subdivision is a public street and the applicant will be required to improve the road to current Tooele City standards for roads.

This application is a subdivision preliminary plan only and is not a site plan design review application. The purpose of this application is to begin the process to create individual lots for ownership delineation purposes and future development of the property as town houses. Many of the site plan elements such as visitor parking have been addressed during this preliminary plan application to aid in the layout of the lots only and will be reviewed in greater detail when the site plan design review application is submitted along with the landscape plan, fencing, building architecture and so forth. The proposed development will also be required to submit a final subdivision plat application as well.

Criteria For Approval. The procedure for approval or denial of a Subdivision Preliminary Plat request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-8 and 9 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Preliminary Plan Subdivision submission and has issued a recommendation for approval for the request with the following comments:

1. This application is for preliminary plan subdivision only for the purposes of creating individual lots and common areas for ownership purposes.
2. This is a multi-family residential development and therefore must undergo a site plan design review application whereby landscaping, parking areas, building architecture and other site related details are reviewed.
3. The application will still need submit a final subdivision plat application.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Preliminary Plan Subdivision submission and have issued a recommendation for approval for the request with the following condition:

1. Provide legal description and accompanying exhibit for dedication by Tooele City of 370 West as public right-of-way, if not presently dedicated.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Preliminary Plan Subdivision submission and has issued a recommendation for approval for the request.

Noticing. Preliminary plan subdivisions do not require noticing.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Preliminary Plan Subdivision by Jared Payne, representing Mountain Partners Investments, LLC, application number P19-80, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall

- be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
 3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
 4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Millennial Park Preliminary Plan Subdivision Request by Jared Payne, representing Mountain Partners Investments, LLC for the purpose of creating 17 town house style residential lots, application number P19-80, based on the findings and subject to the conditions listed in the Staff Report dated December 30, 2019:”

1. List findings...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Millennial Park Preliminary Plan Subdivision Request by Jared Payne, representing Mountain Partners Investments, LLC for the purpose of creating 17 town house style residential lots, application number P19-80, based on the following findings:”

1. List any additional findings...

EXHIBIT A

**MAPPING PERTINENT TO THE MILLENNIAL PARK PRELIMINARY PLAN
SUBDIVISION**

Millennial Park Preliminary Plan Subdivision



Aerial View

The map displays a residential neighborhood with the following features:

- Streets:** Jason Ave, Alley 370 W, 300 West, 250 W, 400 North, and 500 North.
- Parks:** Dow James Park and Skate Board Park.
- Property Types:** R1-7 (Residential Single-Family), MR-16 (Medium Density Residential), and OS (Office Service).
- Subject Property:** A red box highlights the 'Subject Property (MR-16)' located at the intersection of Jason Ave and 300 West.
- Other Labels:** 'JOSHUA', 'TACOMA', 'HILLENWOOD', 'DR', 'ON', 'HOE', 'NDMARK', 'DR', '4-17-2019', and 'R-16' (pink stamp).

Current Zoning

EXHIBIT B

PROPOSED DEVELOPMENT PLANS



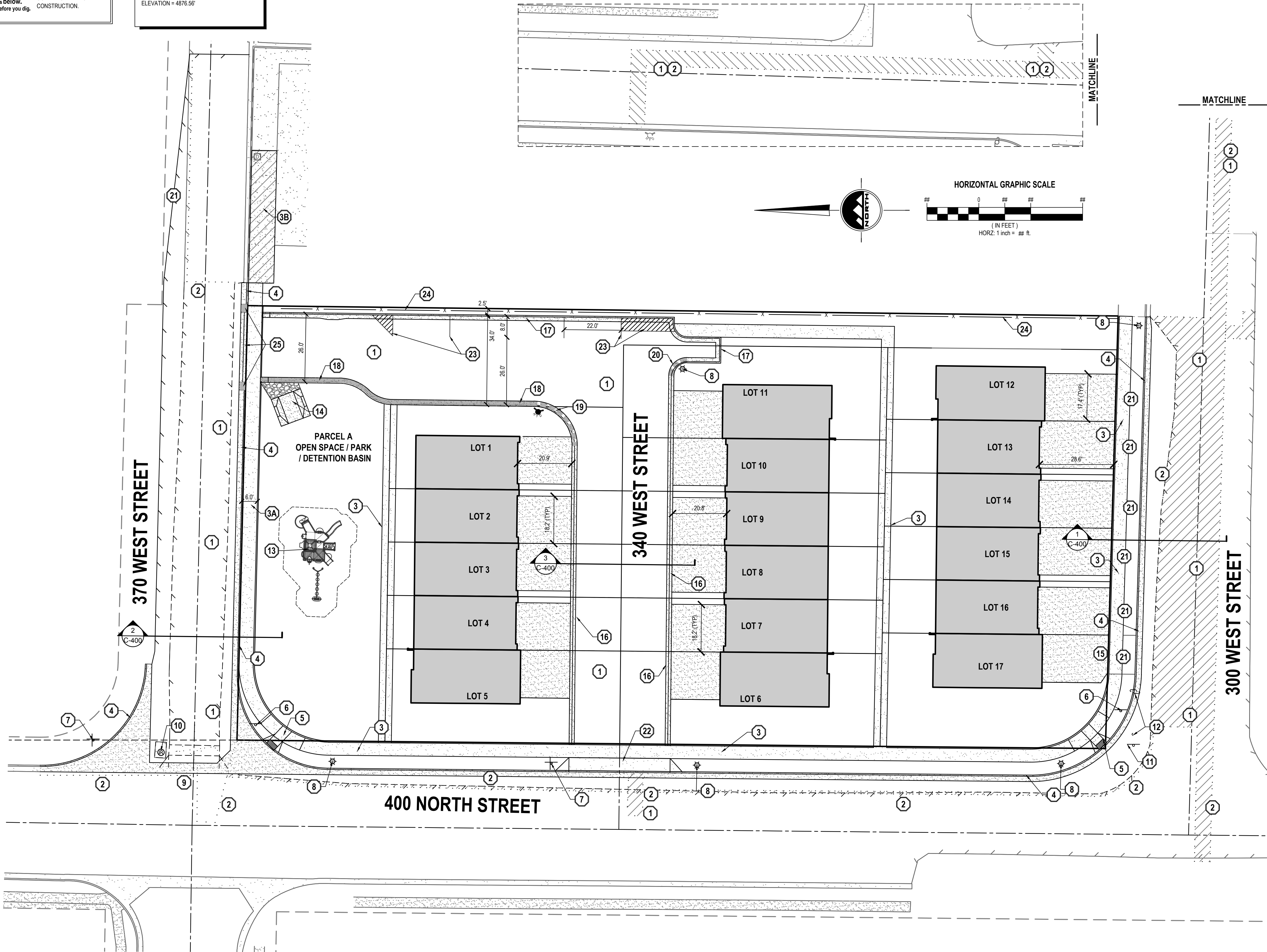
Know what's below.
Call before you dig.

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK

WEST QUARTER CORNER OF
SECTION 21, T3S, R4W,
SLB&M

ELEVATION = 4876.56'



- GENERAL NOTES
1.

ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2.

ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3.

SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
4.

ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
5.

ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
6.

NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
7.

THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

- SCOPE OF WORK:
- PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS.
- 1

ASPHALT PAVEMENT: 3" THICK ASPHALTIC CONCRETE WITH 8" UNTREATED BASE COURSE.
- 2

SAWCUT EXISTING ASPHALT PAVEMENT TO PROVIDE A CLEAN EDGE FOR THE TRANSITION BETWEEN EXISTING AND PROPOSED ASPHALT PAVEMENT.
- 3

6" THICK 5' WIDE CONCRETE SIDEWALK PER TOOELE CITY STANDARD PLAN NO. 231 R AND SPECIFICATIONS.
- 3A

6" THICK 5.5' WIDE CONCRETE SIDEWALK PER TOOELE CITY STANDARD PLAN NO. 231 R AND SPECIFICATIONS.
- 3B

SAWCUT EXISTING CONCRETE PAVEMENT REMOVE AND REPLACE. SEE DRAINAGE PLAN, C-200.
- 4

30" TYPE "A" CURB AND GUTTER PER TOOELE CITY STANDARD PLAN NO. 205 R AND SPECIFICATIONS.
- 5

HANDICAP ACCESS RAMP PER APWA STANDARD PLAN NO. 235 WITH DETECTABLE WARNING SURFACE PER APWA STANDARD PLAN NO. 238 R AND SPECIFICATIONS.
- 6

"STOP" SIGN PER M.U.T.C.D. STANDARD PLANS.
- 7

INSTALL STREET SIGNS PER TOOELE CITY STANDARDS AND SPECIFICATIONS PLAN NO. 292 R.
- 8

INSTALL STREET LIGHTS PER TOOELE CITY STANDARDS AND SPECIFICATIONS PLAN NO. 743 R.
- 9

4" WATERWAY PER APWA STANDARD PLAN NO. 211 AND SPECIFICATIONS.
- 10

RECONSTRUCT VAULT TO BE FLUSH WITH PROPOSED ASPHALT. COORDINATE WITH TOOELE CITY.
- 11

RELOCATE SIGN PER TOOELE CITY STANDARDS AND SPECIFICATIONS PLAN NO. 292R.
- 12

RELOCATE OVERHEAD UTILITIES UNDERGROUND, WORK WITH ROCKY MOUNTAIN POWER.
- 13

INSTALL A PLAYGROUND PER TOOELE CITY STANDARDS.
- 14

INSTALL CONCRETE SPILLWAY W/ RIPRAP, SEE DETAIL 6/C-500.
- 15

MODIFIED DRIVEWAY, 14.5' WIDE AT THE STREET
- 16

24" TYPE "H" CURB AND GUTTER PER TOOELE CITY STANDARD PLAN NO. 205 R AND SPECIFICATIONS.
- 17

24" TYPE "E" CURB AND GUTTER PER TOOELE CITY STANDARD PLAN NO. 205 R AND SPECIFICATIONS.
- 18

24" TYPE "E" REVERSE PAN CURB AND GUTTER PER DETAIL 12/C-500.
- 19

24" TRANSITION BETWEEN TYPE "H" COLLECTION CURB AND GUTTER AND TYPE "E" REVERSE PAN CURB AND GUTTER.
- 20

24" TRANSITION BETWEEN "E" AND "H" CURB AND GUTTER PER TOOELE CITY STANDARD PLAN NO. 205 R AND SPECIFICATIONS.
- 21

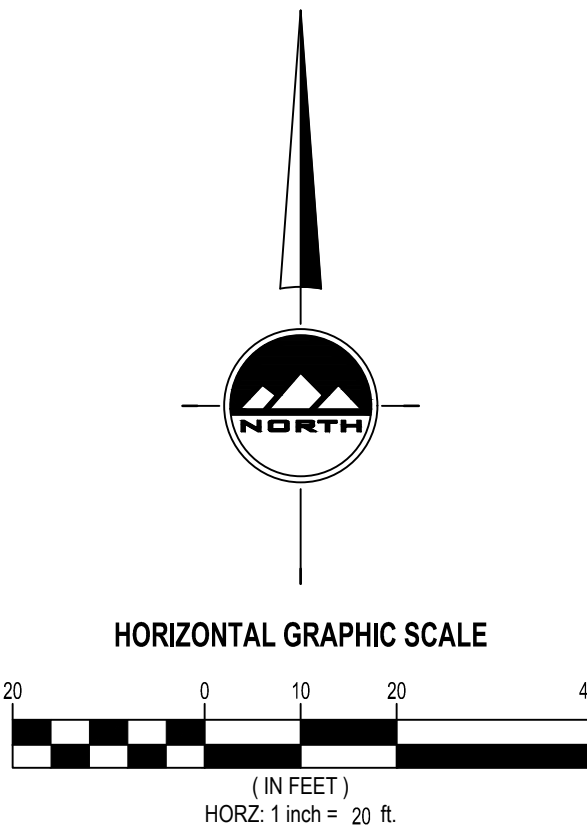
TAPER ASPHALT 15:1 INTO EXISTING ASPHALT.
- 22

FLARED DRIVEWAY APPROACH PER APWA STANDARD PLAN NO. 221.2 AND SPECIFICATIONS.
- 23

4" WIDE SOLID WHITE PAVEMENT MARKING PER M.U.T.C.D. STANDARD PLANS.
- 24

12" WIDE CONCRETE MOW STRIP WITH FENCE PER TOOELE CITY STANDARDS AND SPECIFICATIONS.
- 25

MOUNTABLE CURB DRIVEWAY APPROACH PER APWA STANDARD PLAN NO. 216.
- NOTE: MAY CONTAIN KEYNOTES THAT ARE NOT USED ON THIS SHEET.





THE STANDARD IN ENGINEERING

TOOELE

169 N. Main Street, Unit 1
Tooele, UT. 84074
Phone: 435.843.3590

SALT LAKE CITY

Phone: 801.255.0529

LAYTON

Phone: 801.547.1100

CEDAR CITY

Phone: 435.865.1453

RICHFIELD

Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
MOUNTAIN PARTNERS INVESTMENTS, LLC
2455 EAST PARLEYS WAY #240
SALT LAKE CITY, UT 84109

CONTACT:
JARED PAYNE
PHONE: 801-860-0747

MILLENNIAL PARK SUBDIVISION

PRELIMINARY PHASE 1

300 WEST STREE 400 NORTH STREET

TOOELE, UTAH

For Review

11/15/2019 09:06:32 AM

SITE PLAN

PROJECT NUMBER
8276

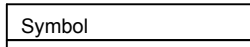
PRINT DATE
11/15/19

DRAWN BY
C. CARPENTER

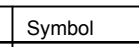
CHECKED BY
C. CHILD

PROJECT MANAGER
D. KINSMAN

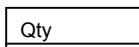
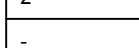
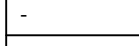
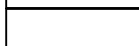
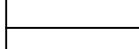
C-100

Symbol	Common Name
	Buffalo Grass

Shrubs Under 4 Feet

Qty	Symbol	Common Name	Plant Size
11		Cinquefoil	6 Gallon
16		Currant, Alpine	1 Gallon
30		Blue Oat Grass	1 Gallon
Total: 57			

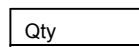
Irrigation

Qty	Symbol	Description
2		See Backflow Preventer Detail 1/L-200
-		Rain Bird XC2-100 COM
-		Irritrol Total Control R Series
		Pipe Sleeve 2x Diameter
		Mainline: 1 1/4" Schedule 40 PVC

**** NOTES ****
THIS IRRIGATION SYSTEM WAS DESIGNED AT AND 60 (WORKING) PSI AT THE POINT OF CONNECTION. IF THESE MINIMUM REQUIREMENTS CAN NOT BE MET, PLEASE CONTACT THE DESIGNER. **THIS PLAN WAS DRAWN FOR GRAPHIC CLARITY ONLY.** PLEASE PLACE ALL MAINLINE AND LATERAL LINES IN ADJACENT LANDSCAPE AREAS. SOME FIELD MODIFICATIONS MAY BE NEEDED TO AVOID ON SITE OBSTRUCTIONS.

Landscape

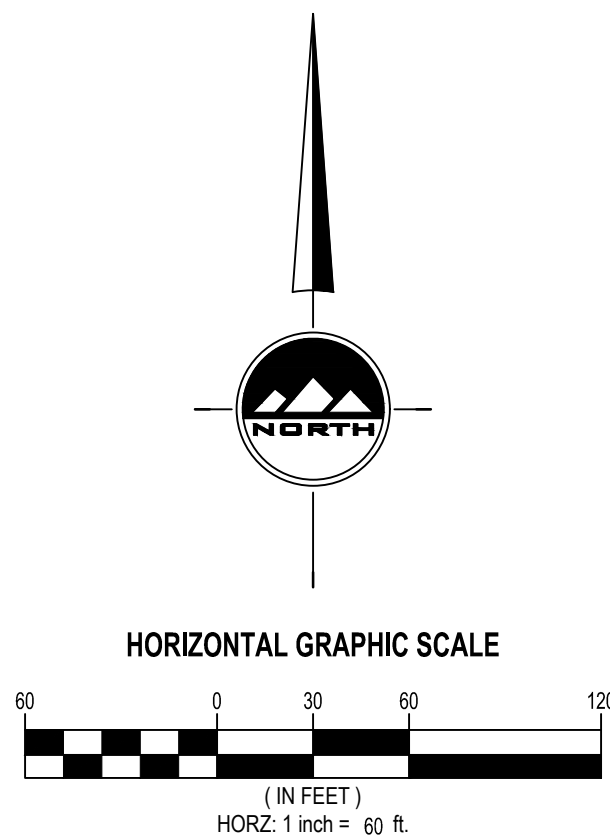
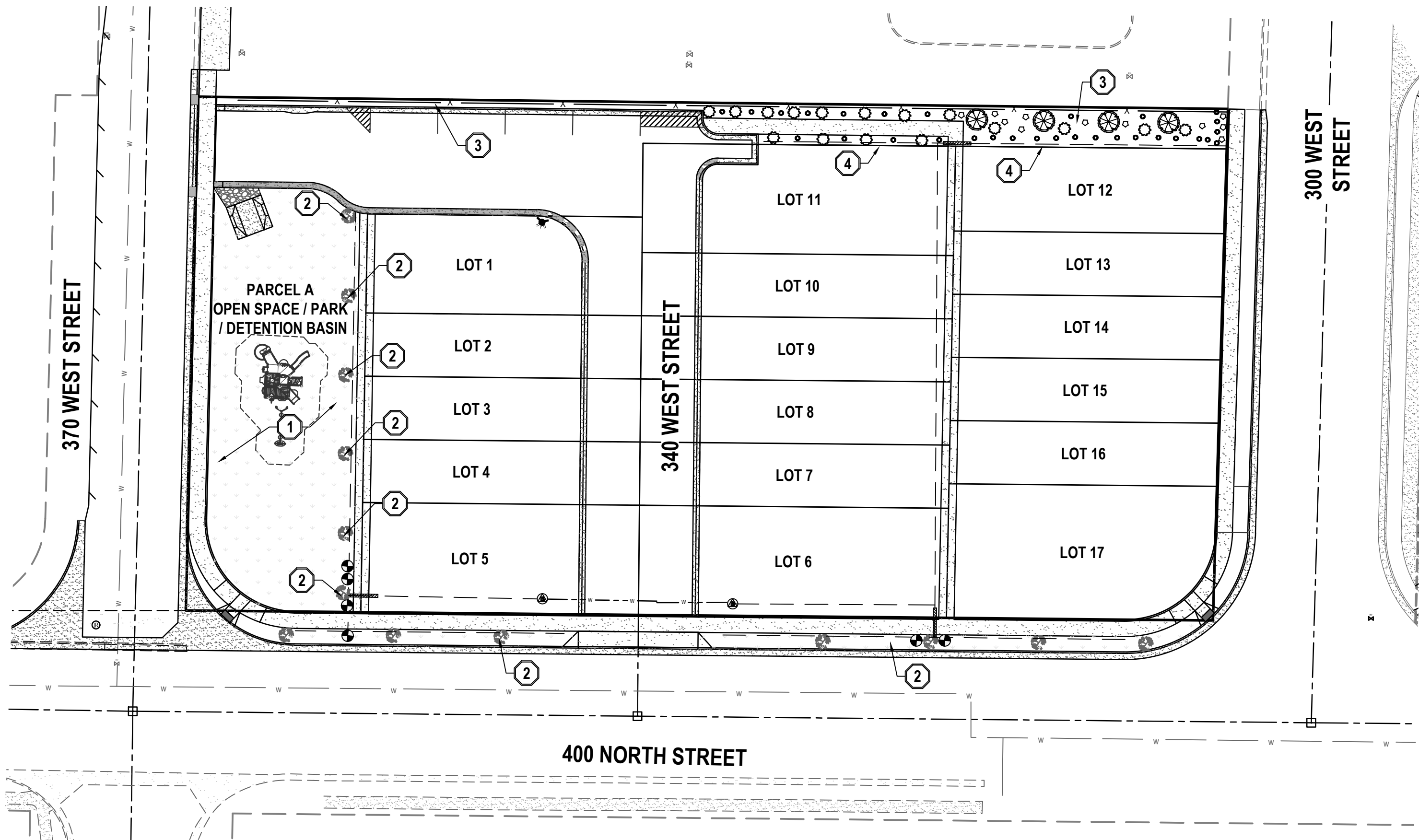
Trees

Qty	Symbol	Common Name	Plant Size
4		Existing Tree	2" Cal.
13		PURPLE BLOW MAPLE	2" Cal.
Total: 18			

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

- 1 SOD AREA W/ RAINBIRD SPRAYED HEADS & MAXIS. SEE LANDSCAPING DETAIL SHEET L-200.
- 2 INSTALL PURPLE BLOW MAPLE TREE W/ ROOT WATERING SYSTEM
- 3 INSTALL 4" DEEP 2'-3" DIA. NEPHI ROCK AND GRAVEL COLOR 'SOUTHTOWN' OR EQUIV. DECORATIVE ROCK OVER WEED BARRIER, TYP.
- 4 INSTALL METAL EDGING





TOOELE
169 N. Main Street, Unit 1
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FOR:
MOUNTAIN PARTNERS INVESTMENTS, LLC
2455 EAST PARLEYS WAY #240
SALT LAKE CITY, UT 84109

CONTACT:
JARED PAYNE
PHONE: 801-860-0747

**MILLENNIAL PARK SUBDIVISION
PRELIMINARY PHASE 1
300 WEST STREE 400 NORTH STREET
TOOELE, UTAH**

LANDSCAPING AND IRRIGATION PLAN

PROJECT NUMBER: 8276
DRAWN BY: C. CARPENTER
PROJECT MANAGER: D. KINSMAN

PRINT DATE: 11/15/19
CHECKED BY: C. CHILD

L-100

For Review
11/15/2019 09:06:33 AM

STAFF REPORT

December 30, 2019

To: Tooele City Planning Commission
Business Date: January 8, 2020

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Hunter Minor Subdivision – Minor Subdivision Request

Application No.: P19-405
Applicant: Kathryn Hunter
Project Location: 240 West Utah Avenue
Zoning: R1-7 Residential Zone
Acreage: .82 Acres (Approximately 35,879 ft²)
Request: Request for approval of a Minor Subdivision in the R1-7 Residential zone regarding the creation of three single-family residential lots.

BACKGROUND

This application is a request for approval of a Minor Subdivision for approximately .82 acres located at 240 West Utah Avenue. The property is currently zoned R1-7 Residential. The applicant is requesting that a Minor Subdivision be approved to allow the existing parcel to be split into three single-family residential lots.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R1-7 zone is to “provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings and multi-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.” The R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the subject property. All surrounding properties are currently zoned R1-7 Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The minor subdivision proposes to split an existing .82 acre single-family residential lot into three single-family residential lots. The existing lot has two frontages the southern frontage being along Utah Avenue and the northern frontage being along 230 North Street. There is an existing home and existing accessory buildings and sheds located on the property. An existing home will remain on lot 3 of the proposed subdivision and will continue to access Utah Avenue. Lots 1 and 2 will access 230 North Street. All existing accessory buildings on lots 1 and 2 will be removed in favor of the new subdivision.

Each lot exceeds the minimum requirements for lot size and lot width as required by the R1-7 zoning ordinance and all public right-of-way improvements are existing and in place. New property lines are in place such that no new non-conformities are created with the existing home and accessory structures that exist on lot 3.

Criteria For Approval. The criteria for review and potential approval of a Minor Subdivision request is found in Sections 7-19-35 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Minor Subdivision submission and have issued a recommendation for approval for the request.

Noticing. Minor Subdivisions do not require public noticing.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Minor Subdivision by Kathryn Hunter, application number P19-405, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Hunter Minor Subdivision Minor Subdivision Request by Kathryn Hunter, for the purpose of creating three single-family residential lots, application number P19-405, based on the findings and subject to the conditions listed in the Staff Report dated December 30, 2019:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Hunter Minor Subdivision Minor Subdivision Request by Kathryn Hunter, for the purpose of creating three single-family residential lots, application number P19-405, based on the following findings:”

1. List findings...

EXHIBIT A

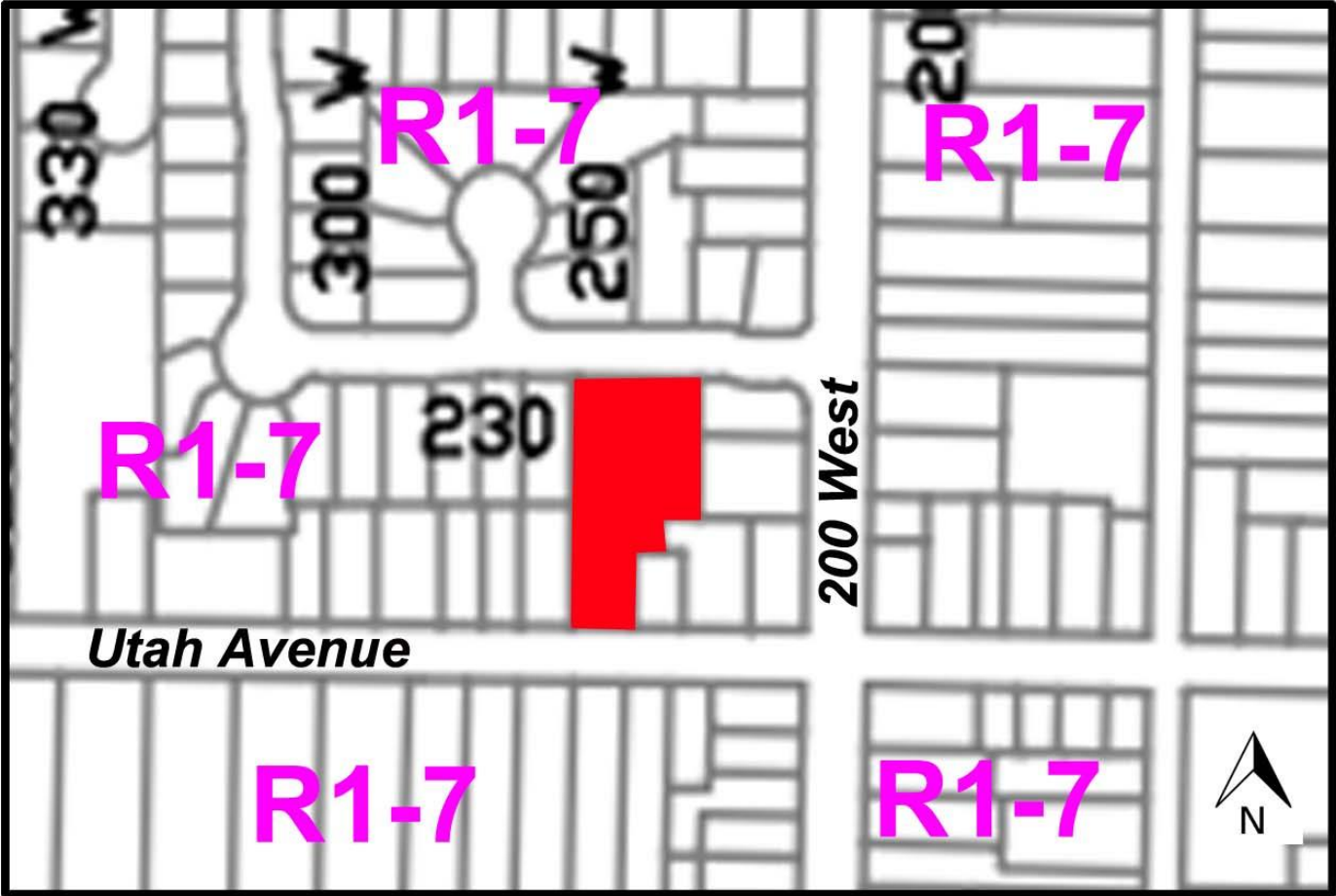
**MAPPING PERTINENT TO THE HUNTER MINOR SUBDIVISION MINOR
SUBDIVISION**

Hunter Minor Subdivision



Aerial View

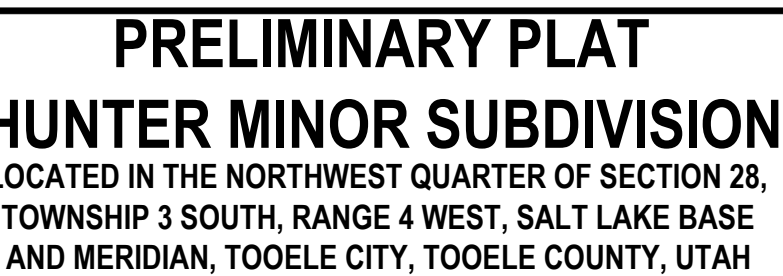
Hunter Minor Subdivision



Current Zoning

EXHIBIT B

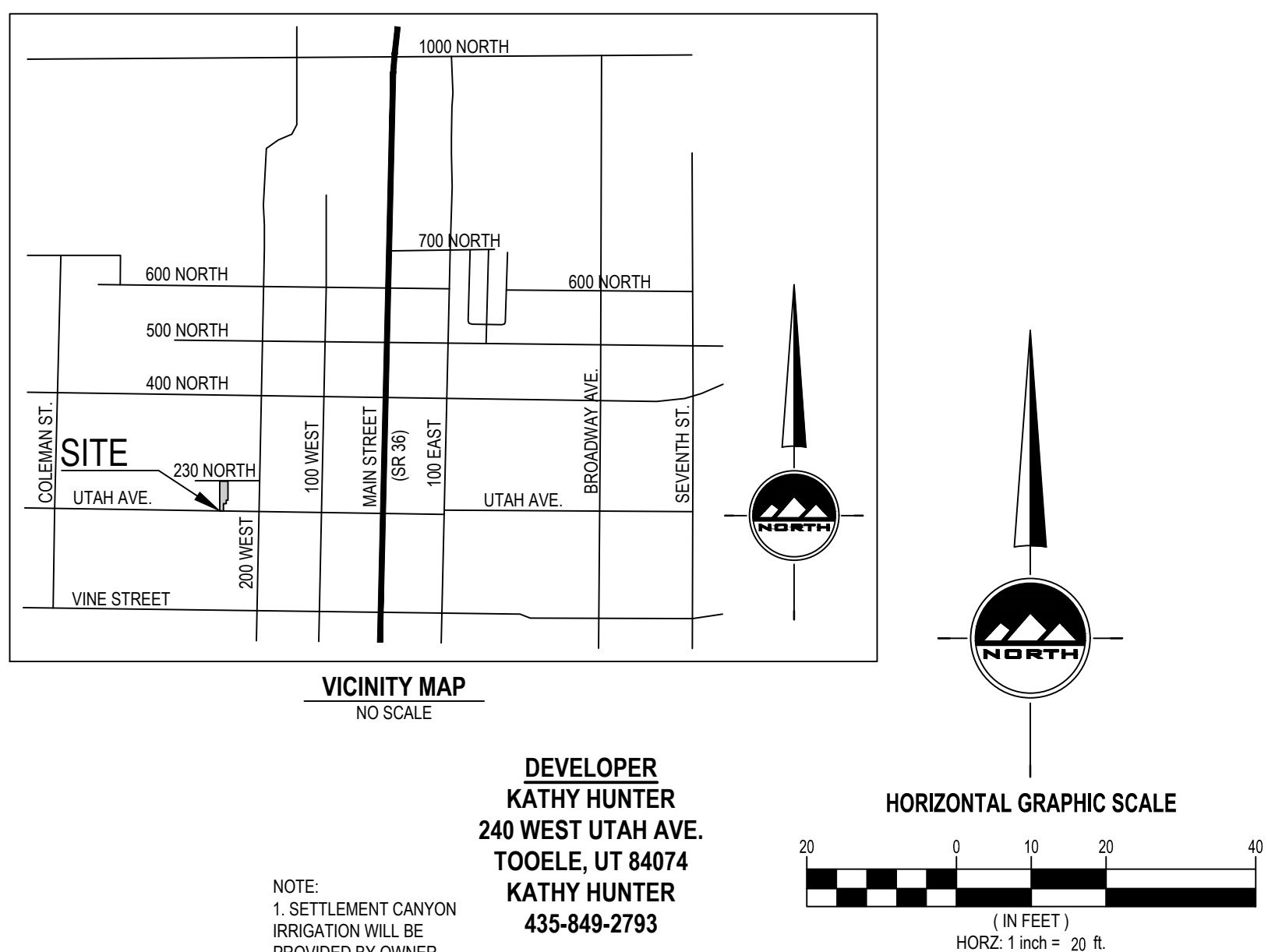
PROPOSED DEVELOPMENT PLANS



The image shows a black and white advertisement for 811. On the left is a large, stylized number '811' inside a shield-like shape. To the right of the logo, the text reads: 'CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.' Below this, in a smaller font, is the slogan 'Know what's below. Call before you dig.'

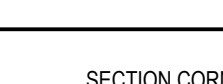
PLANNING COMMISSION
APPROVED THIS _____ DAY OF _____, 20_____ BY THE TOOELE CITY PLANNING COMMISSION.
_____ CHAIRMAN TOOELE CITY PLANNING COMMISSION
CHIEF OF POLICE
APPROVED THIS _____ DAY OF _____, 20_____ BY THE TOOELE CITY CHIEF OF POLICE.
_____ TOOELE CITY CHIEF OF POLICE
PARKS DEPARTMENT
APPROVED THIS _____ DAY OF _____, 20_____ BY THE TOOELE CITY PARKS DEPARTMENT.
_____ TOOELE CITY PARKS DEPARTMENT
COUNTY HEALTH DEPARTMENT
APPROVED THIS _____ DAY OF _____, 20_____ BY THE TOOELE COUNTY HEALTH DEPARTMENT.
_____ TOOELE COUNTY HEALTH DEPARTMENT
FIRE CHIEF
APPROVED THIS _____ DAY OF _____, 20_____ BY THE TOOELE CITY FIRE DEPARTMENT.
_____ TOOELE CITY FIRE CHIEF
CENTURY LINK
APPROVED THIS _____ DAY OF _____, 20_____ BY THE CENTURY LINK.
_____ CENTURY LINK
COUNTY RECORDER
REVIEWED THIS _____ DAY OF _____, 20_____ BY THE TOOELE COUNTY RECORDER AS TO DESCRIPTION OF RECORD.
_____ TOOELE COUNTY RECORDER
COMCAST
APPROVED THIS _____ DAY OF _____, 20_____ BY THE COMCAST CABLE
_____ COMCAST
POST MASTER
APPROVED THIS _____ DAY OF _____, 20_____ BY THE POST MASTER
_____ POST MASTER
CITY ATTORNEY
APPROVED AS TO FORM THIS _____ DAY OF _____, 20_____ TO
_____ TOOELE CITY ATTORNEY
SCHOOL DISTRICT
APPROVED THIS _____ DAY OF _____, 20_____ BY THE TOOELE COUNTY SCHOOL DISTRICT
_____ TOOELE COUNTY SCHOOL DISTRICT

<u>SURVEYOR'S CERTIFICATE</u>	
Douglas J. Kinman 334575	do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No. _____ as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as _____
<u>HUNTER MINOR SUBDIVISION</u>	
and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area re-quirements of the applicable zoning ordinances.	
<u>BOUNDARY DESCRIPTION</u>	
A parcel of land, situate in the Northwest Quarter of Section 28, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows: Beginning at the Northeast corner of Lot 17 of the "Willow Terrace Estates Subdivision", as recorded August 25, 2005, under Entry No. 245770, in the Tooele County Recorder's office, which is located South 88°57'38" West 833.59 feet along the Section line, and South 459.23 feet along the North Quarter Corner of Section 28, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running: thence South 89°56'09" East 149.50 feet along the South line of lot 230 North Street; thence South 89°33'39" East 162.42 feet along an existing, long-standing fence line; thence North 88°04'48" West 33.67 feet along an existing, long-standing fence line; thence South 0°44'58" West 40.15 feet along an existing, long-standing fence line; thence North 89°50'05" West 39.52 feet along an existing, long-standing fence line; thence South 1°06'04" East 95.17 feet along an existing, long-standing fence line, and the extension thereof, to the North line of Utah Avenue; thence North 89°48'00" West 77.52 feet, along said North line; thence North 0°34'17" East 147.22 feet, along an existing, long-standing fence line, to the Southeast corner of said Lot 17; thence North 0°03'51" East 149.50 feet along the East line of said Lot 17, to the Point of Beginning. Parcel contains: 35,879 square feet, or 0.82 acres.	



DEVELOPER
KATHY HUNTER
240 WEST UTAH AVE.
TOOELE, UT 84074
KATHY HUNTER
435-849-2793

NOTE:
1. SETTLEMENT CANYON
IRRIGATION WILL BE
PROVIDED BY OWNER
2. $\frac{5}{8}$ " X 24" REBAR AND CA
TO BE SET AT ALL LOT
CORNERS.

LEGEND  SECTION CORNER EXISTING STREET MONUMENT PROPOSED STREET MONUMENT SET 5/8" X 24" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSGN ENG. & LAND SURV." PUE PUE & = PUBLIC UTILITY EASEMENT BOUNDARY LINE ----- CENTER LINE ----- EASEMENTS	COMMUNITY DEVELOPMENT APPROVED AS TO FORM ON THIS _____ DAY OF _____, A.D. 20____. _____ TOOELE CITY COMMUNITY DEVELOPMENT CITY ENGINEER APPROVED AS TO FORM THIS _____ DAY OF _____, 20____. _____ TOOELE CITY ENGINEER
---	--

CITY COUNCIL APPROVED THIS _____ DAY OF _____, 20____, BY THE TOOELE CITY COUNCIL. _____ _____ _____ _____	ROCKY MOUNTAIN POWER APPROVED THIS _____ DAY OF _____, 20____. BY - _____ TITLE - _____
---	--

ATTEST: CITY RECORDER

MOUNTAIN POWER COMPANY CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A RIGHTS AND DUTIES DERIVING THEREIN. B) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED OR THE PURPOSE OF ENSURING THAT THE PLAT CONTAINS PUBLIC UTILITY FACILITIES, BUT DOES NOT WARRANT THEIR PRECISE LOCATION OR OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS ROCKY MOUNTAIN POWER HAS UNDER: S UND UTILITY FACILITIES OR _____, 20____	HUNTER MINOR SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH  SALT LAKE CITY Phone: 801.255.0201 LAYTON Phone: 801.247.1101 CEDAR CITY Phone: 435.865.1453 RICHFIELD Phone: 435.890.2863 WWW.ENSIGNENG.COM	SHEET 1 OF 1 PROJECT NUMBER: T1504A MANAGER : D. KINSMAN DRAWN BY : C. CARPENTER CHECKED BY : D. KINSMAN DATE : 2019-08-01
DOMINION ENERGY DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT CUSTOMER SERVICE DEPARTMENT AT 1-800-366-8532. APPROVED THIS _____ DAY OF _____, 20____ BY _____ DOMINION ENERGY TITLE _____		

811

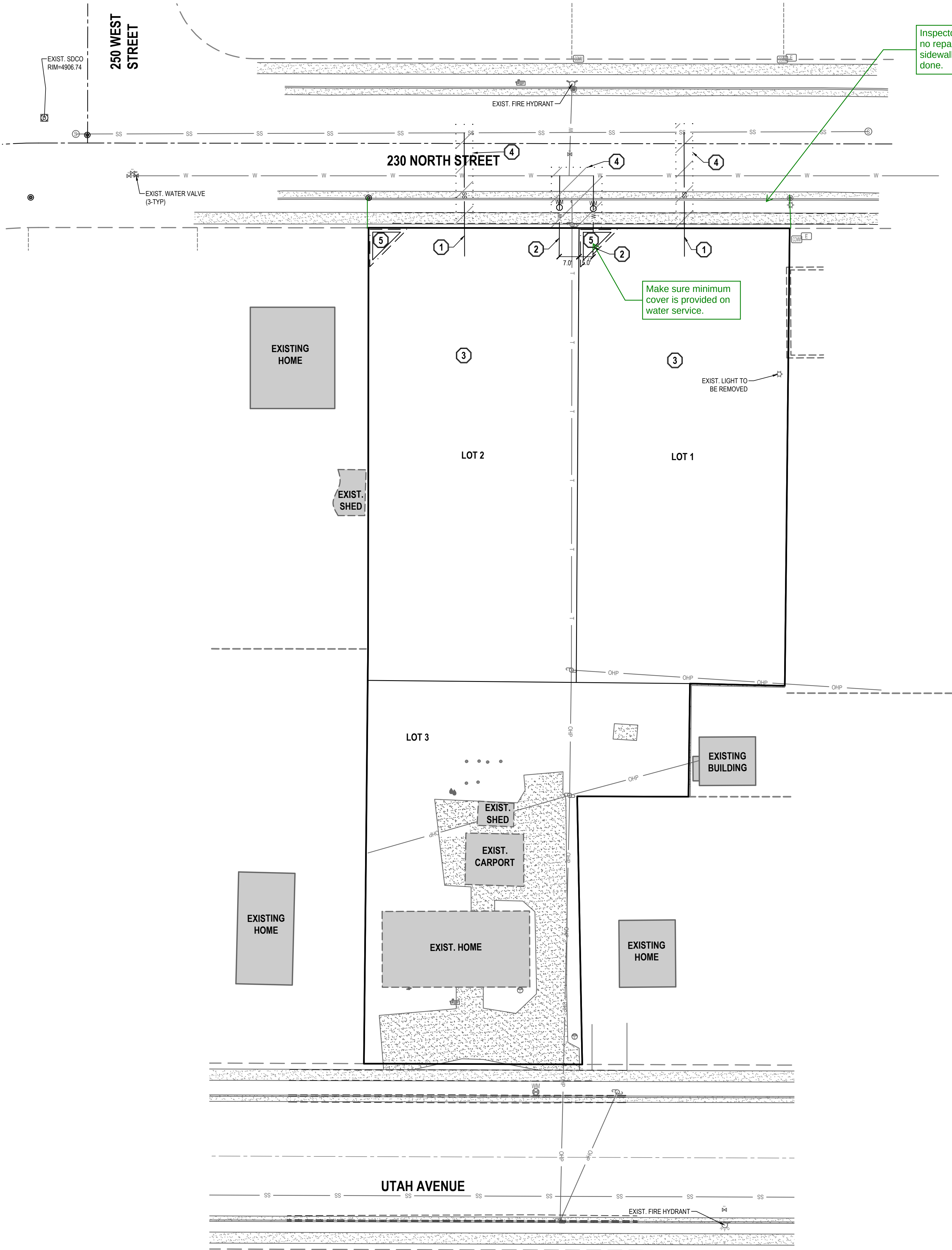
Know what's below.
Call before you dig.

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK

NORTHWEST QUARTER OF SECTION 28,
TOWNSHIP 3 SOUTH, RANGE 4 WEST, SLB&M,
TOOELE CITY, TOOELE COUNTY, UTAH.

ELEV = 4812.13'



- GENERAL NOTES
1.

ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2.

EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
3.

ALL SANITARY SEWER INFRASTRUCTURE TO BE INSTALLED PER TOOELE CITY STANDARD PLANS AND SPECIFICATIONS.
4.

ALL WATER INFRASTRUCTURE TO BE INSTALLED PER TOOELE CITY OR APWA STANDARD PLANS AND SPECIFICATIONS.
5.

NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING UTILITY STRUCTURES OR PIPES.
6.

DEFLECT OR LOOP ALL WATERLINES TO AVOID CONFLICTS WITH OTHER UTILITIES PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
7.

PROJECT SHALL COMPLY WITH ALL UTAH DIVISION OF DRINKING WATER RULES AND REGULATIONS INCLUDING, BUT NOT LIMITED TO, THOSE PERTAINING TO BACKFLOW PROTECTION AND CROSS CONNECTION PREVENTION.
8.

THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
9.

THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

- SCOPE OF WORK:
- PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS.
- 1

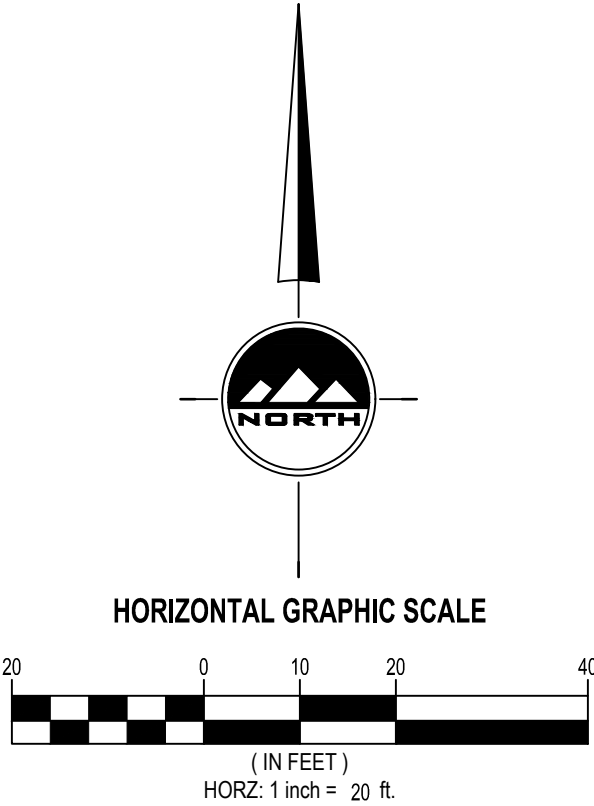
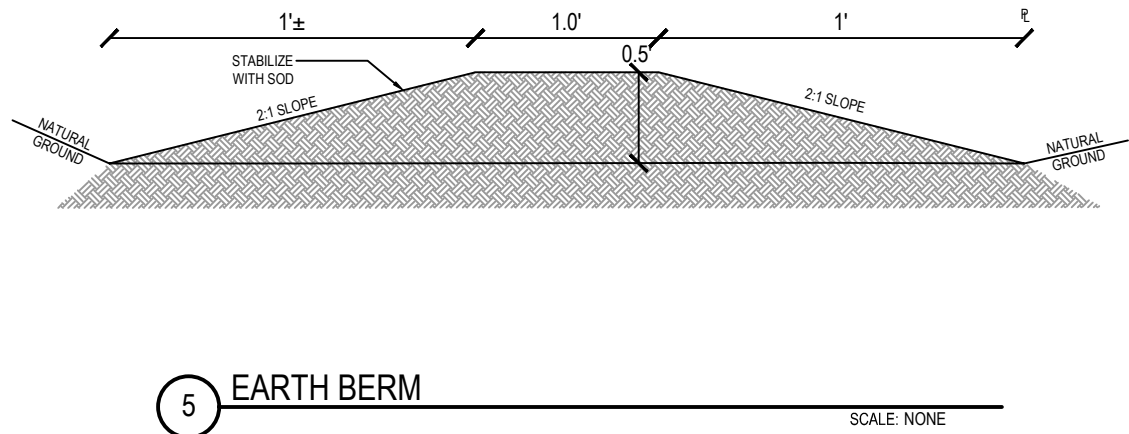
INSTALL 4" SANITARY SEWER SERVICE LATERAL @ 2.0% MINIMUM SLOPE PER APWA PLAN NO. 431, TYPICAL.
- 2

INSTALL 1" CULINARY WATER SERVICE AND METER TO TOOELE CITY STANDARDS, TYPICAL. SEE SHEET C-200
- 3

STORM DRAIN RUN OFF TO BE CONTAINED ON INDIVIDUAL LOTS THROUGH GRADING.
- 4

SAW CUT, REMOVE AND PROPERLY DISPOSE OF EXISTING ASPHALT PAVEMENT, CONCRETE CURB AND GUTTER, AND CONCRETE SIDEWALK.
- 5

INSTALL RETENTION BERM SEE DETAIL ON THIS SHEET.



EN SIGN

THE STANDARD IN ENGINEERING

TOOELE

169 N. Main Street, Unit 1
Tooele, UT. 84074
Phone: 435.843.3590

SALT LAKE CITY

Phone: 801.255.0529

LAYTON

Phone: 801.547.1100

CEDAR CITY

Phone: 435.866.1453

RICHFIELD

Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:

KATHY HUNTER
240 WEST UTAH AVE
TOOELE, UT

CONTACT:

KATHY HUNTER
PHONE: 435-849-2793

HUNTER MINOR SUBDIVISION

FINAL DESIGN

240 WEST UTAH AVENUE

TOOELE, UTAH 84074

For Review

08/01/2019 10:57:36 AM

SITE PLAN /
UTILITY PLAN

PROJECT NUMBER
T1504A

PRINT DATE
8/1/19

DRAWN BY
C. CARPENTER

CHECKED BY
C. CHILD

PROJECT MANAGER
D. KINSMAN

C-100

STAFF REPORT

January 2, 2020

To: Tooele City Planning Commission
Business Date: January 8, 2020

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Bevan Estates – Preliminary Plan Subdivision Request

Application No.: P19-802
Applicant: Ryan Sorensen, representing JRS Development, LLC
Project Location: Approximately 201 East 700 North
Zoning: R1-7 Residential Zone
Acreage: 27.93 Acres (Approximately 2,216,674 ft²)
Request: Request for approval of a Preliminary Plan Subdivision in the R1-7 Residential zone regarding the creation of 109 single-family residential lots.

BACKGROUND

This application is a request for approval of a Preliminary Plan Subdivision for approximately 27.93 acres at approximately 201 East 700 North. The property is currently zoned R1-7 Residential. The applicant is requesting that a Preliminary Plan Subdivision be approved to allow for the development of the currently vacant as a 109 lot single-family residential subdivision.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The purpose of the R1-7 zone is to “provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live. These districts are intended for well-designed residential areas free from any activity that may weaken the residential strength and integrity of these areas. Typical uses include single family dwellings, two-family dwellings and multi-family dwellings in appropriate locations within the City. Also allowed are parks, open space areas, pedestrian pathways, trails and walkways, utility facilities and public service uses required to meet the needs of the citizens of the City.” The R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the subject property. Property to the north is zoned MR-8 PUD Multi-Family Residential and is in the process of developing as a senior living community. Properties to the east are zoned R1-7 Residential as are properties to the south. To the west property is zoned MR-16 and MR-25 Multi-Family Residential. One property to the west is zoned GC General Commercial but is currently occupied by a non-conforming multi-family residential use. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The proposed subdivision will consist of 109 single-family residential lots ranging in size from 7,000 square feet, minimum lot size permitted in the R1-7 zone, up to 11,350 square feet. All of the lots within the preliminary plan meet or exceed minimum requirements of the R1-7 zoning district

for lot size, lot width and lot frontages.

The proposed subdivision will have multiple connections from existing stub streets in existing subdivisions. The subdivision will gain access at 700 North and Brook Avenue at the south west corner. There will also be a connection to Eastcrest Avenue at the south and 670 North at the south east corner of the proposed development. A connection will also be provided at the north west corner which will ultimately provide residents with access directly to 1000 North as well as 100 East. That road has not been constructed at this point but will be constructed by Country View Villas, the senior living community proposed on the adjacent parcel to the north. All roads within this subdivision development will be public streets, dedicated to and maintained by Tooele City after construction by the developer.

It is proposed that the subdivision will be developed in four phases. Phase 1 will be the western most portion of the development and will construct 200 east from southern boundary to northern boundary. Phase 1 will also include the storm water detention basin, a .79 acre parcel located at the north western corner of the development at the lowest elevation. It is the intention of the applicant to construct and landscape the parcel and then dedicate to Tooele City.

The proposed subdivision does create some unique situations that will need to be resolved before final subdivision plat approval. At the south west corner where the subdivision connects to Brook Avenue and 700 North Street there are existing homes where, over time, property lines do not match property utilization and adjacent property owners have encroached upon and utilized property that does not belong to them. Parcel B reflects this and there is also a situation at the south west corner of Brook Avenue and 700 North behind the proposed sidewalk. The development engineer has acknowledged this issue and has stated that they are working with the adjacent property owners to dedicate these parcels to them for their use and ownership. This will eliminate these small, un-useable parcels from the subdivision plat. Staff has added a condition that requires these issues be addressed prior to final plat subdivision approval.

Lot 101 is a lot that will retain an existing home. The existing home as proposed meets all of the required setbacks for homes and detached accessory structures. The driveway of the home will be slightly re-aligned to ensure proper visibility and safety at the intersection. The site plan included in your packet demonstrates how this will be accomplished. New property lines will be located so that no new non-conformities are created with the existing home.

Fencing. There are no fencing requirements in conjunction with this subdivision.

Criteria For Approval. The procedure for approval or denial of a Subdivision Preliminary Plat request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-8 and 9 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Preliminary Plan Subdivision submission and has issued a recommendation for approval for the request with the following proposed conditions:

1. Disposition of Parcel B as well as the strip of land between the inside edge of sidewalk and the property line on the south side of 700 North Street shall be completed prior to Final Plat Subdivision approval.

Engineering Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Preliminary Plan Subdivision submission and have issued a recommendation for approval

for the request.

Noticing. Subdivisions do not require a public hearing and therefore do not require noticing.

STAFF RECOMMENDATION

Staff recommends approval denial of the request for a Preliminary Plan Subdivision by Ryan Sorensen, representing JRS Development, LLC, application number P19-802, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.
5. Disposition of Parcel B as well as the strip of land between the inside edge of sidewalk and the property line on the south side of 700 North Street shall be completed prior to Final Plat Subdivision approval.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Bevan Estates Preliminary Plan Subdivision Request by Ryan Sorensen, representing JRS Development, LLC for the purpose of creating 109 single-family residential lots, application number P19-802, based on the findings and subject to the conditions listed in the Staff Report dated January 2, 2020:”

1. List any additional findings and conditions...

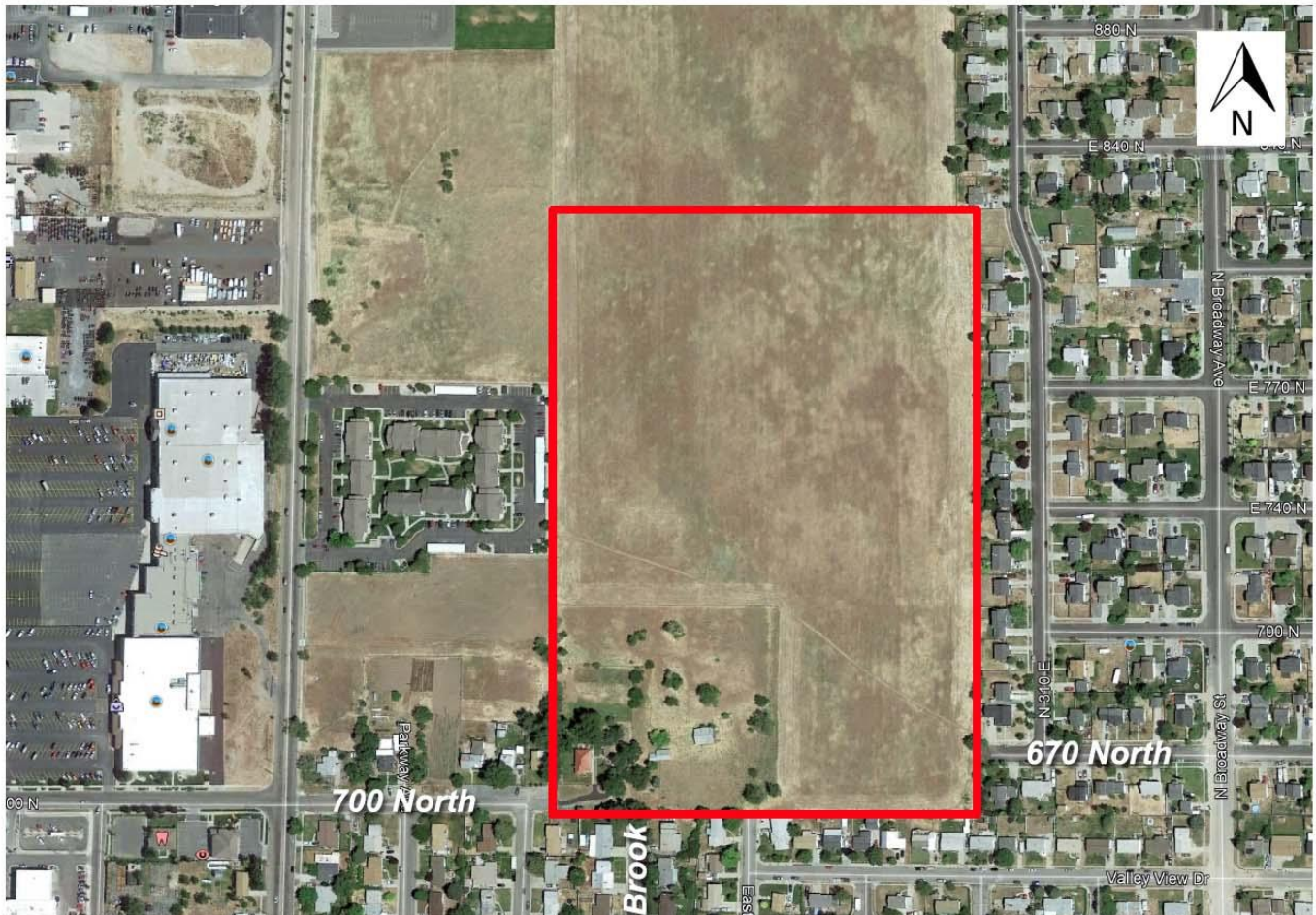
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Bevan Estates Preliminary Plan Subdivision Request by Ryan Sorensen, representing JRS Development, LLC for the purpose of creating 109 single-family residential lots, application number P19-802, based on the following findings:”

1. List findings...

EXHIBIT A

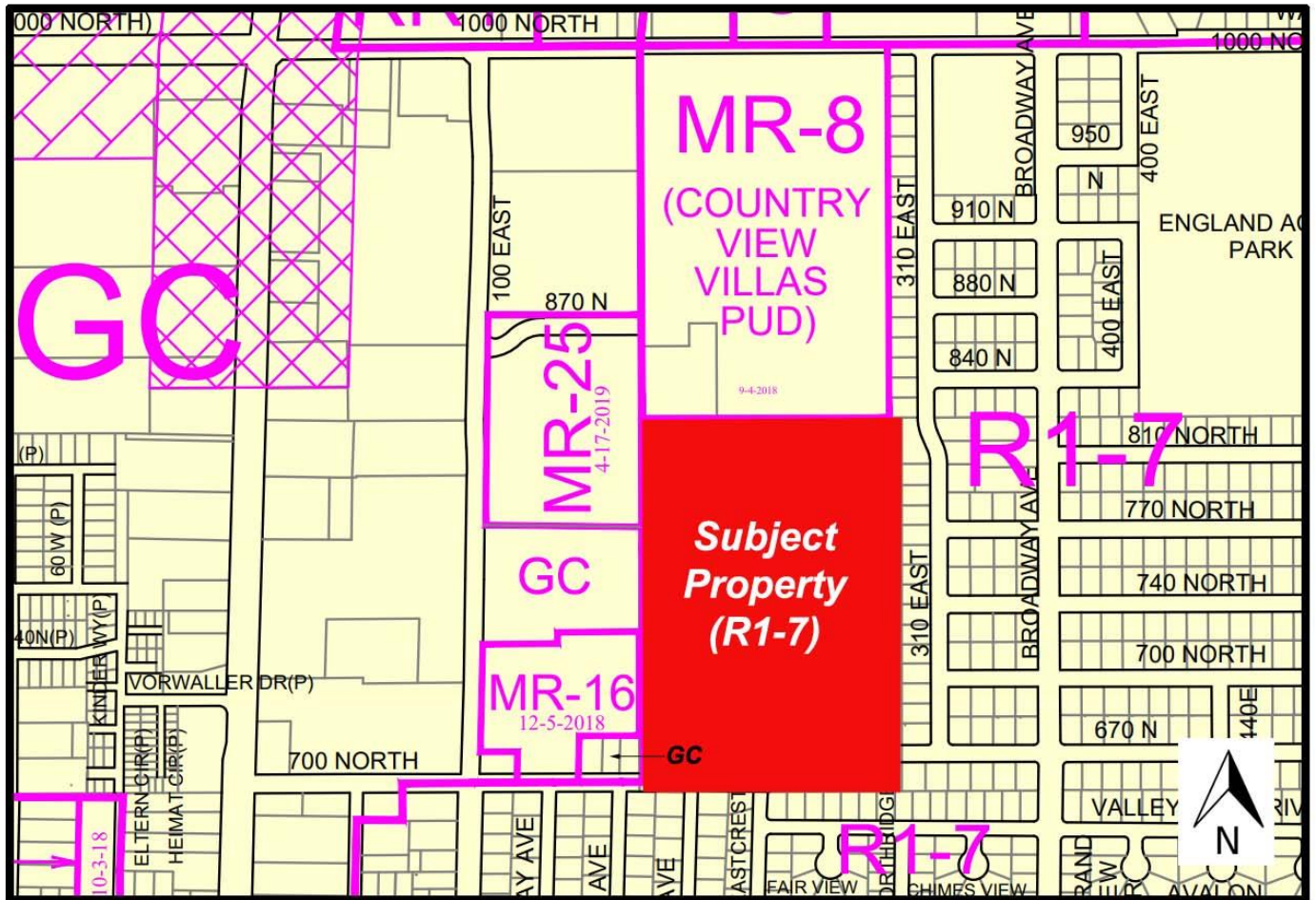
**MAPPING PERTINENT TO THE BEVAN ESTATES PRELIMINARY PLAN
SUBDIVISION**

Bevan Estates Preliminary Plan Subdivision



Aerial View

Bevan Estates Preliminary Plan Subdivision



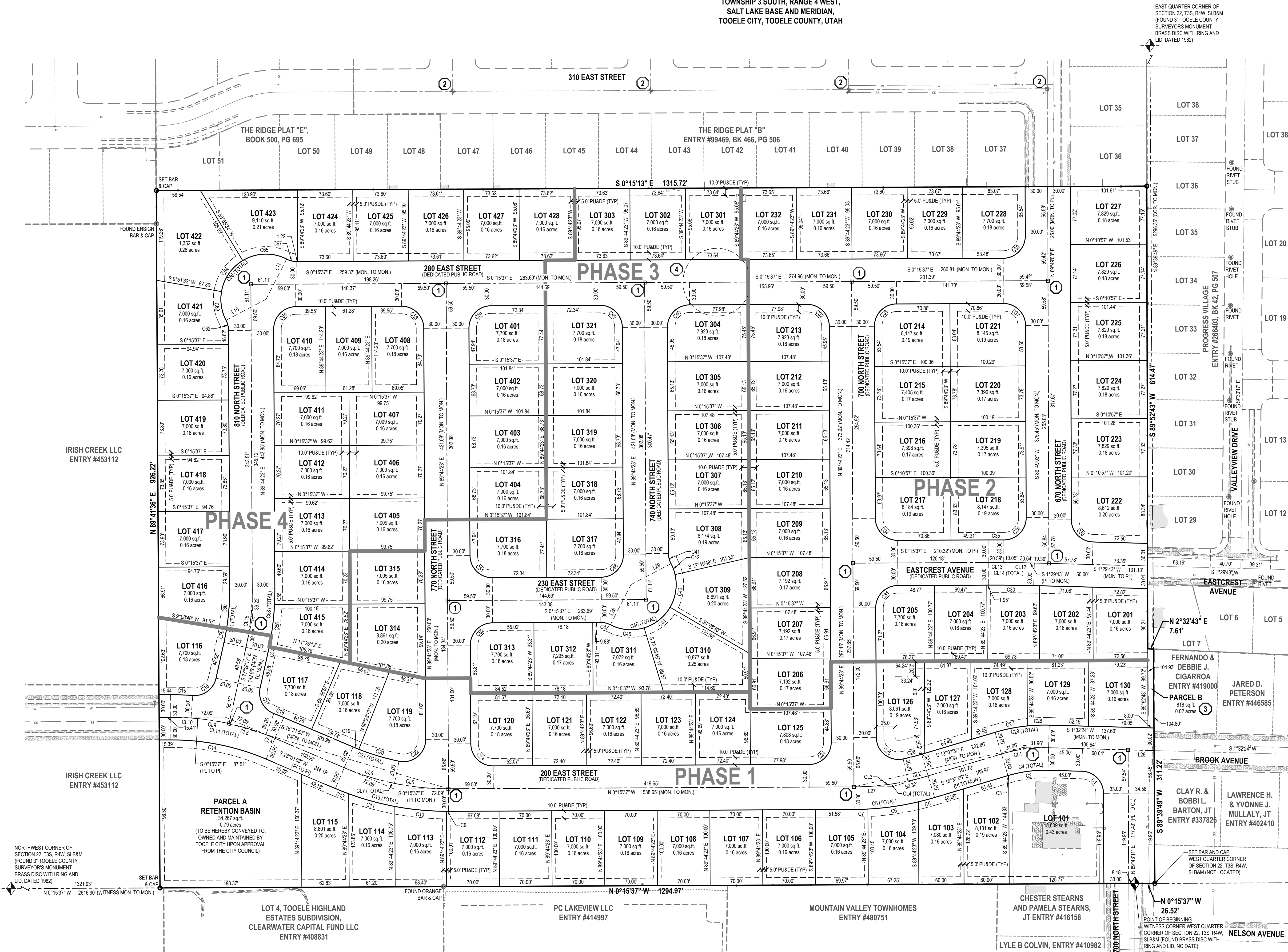
Current Zoning

EXHIBIT B

PROPOSED DEVELOPMENT PLANS

PRELIMINARY PLAT
BEVAN ESTATES SUBDIVISION

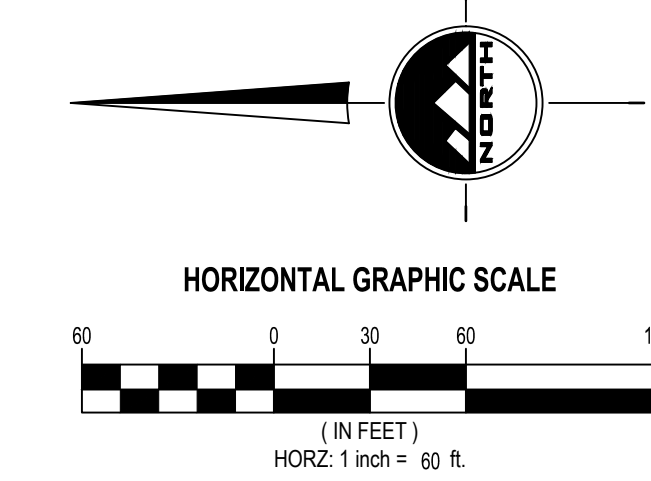
LOCATED IN THE NORTHWEST QUARTER OF SECTION 22,
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH



- LEGEND**
- SECTION CORNER
 - FOUND MONUMENT
 - STREET MONUMENT TO BE SET
 - FOUND REBAR AND CAP
 - SET ENSIGN REBAR AND CAP
 - EXISTING WATER METER
 - EXISTING WATER VALVE
 - EXISTING FIRE HYDRANT
 - EXISTING SANITARY SEWER MANHOLE
 - EXISTING UTILITY POLE
 - EXISTING GAS METER
 - MINOR CONTOURS 1' INCREMENT
 - MAJOR CONTOURS 5' INCREMENT
 - EXISTING BUILDING
 - EXISTING CONCRETE
 - EXISTING FENCE
 - EXISTING EDGE OF ASPHALT
 - EXISTING SANITARY SEWER
 - EXISTING WATER LINE

- KEY NOTES**
- SET STREET MONUMENT PER TOOELE CITY STANDARDS AND SPECIFICATIONS.
 - EXISTING STREET MONUMENT.
 - PARCEL B TO BE DEEDED TO THE ADJACENT LANDOWNER TO THE SOUTH BY SEPARATE DOCUMENT PRIOR TO RECORDING OF THE FINAL PLAT. SAID ACTION TO BE COORDINATED WITH SAID LANDOWNER.
 - 45' TEMPORARY ACCESS EASEMENT IN FAVOR OF TOOELE CITY AS PART OF PHASE 2.

- NOTES**
- 5/8" X 24" REBAR AND CAP TO BE SET AT ALL LOT CORNERS UNLESS OTHERWISE INDICATED.
 - UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY AND DRAINAGE EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES, AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.D.E. AT THE OWNERS EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNERS EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.D.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.D.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.D.E.



PRELIMINARY PLAT
BEVAN ESTATES SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 22,
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH

TOOELE
159 North Main Street Unit 1
Tooele, Utah 84074
Phone: 435.843.3590
Fax: 435.578.0108

SALT LAKE CITY
Phone: 801.255.0529

LAYTON
Phone: 801.951.1100

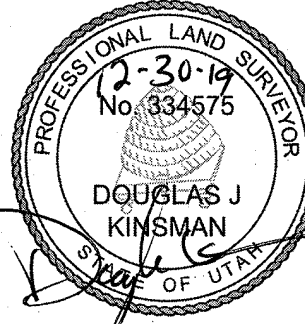
CEGAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.886.2883

ENSIGN
www.ensigneng.com

SHEET 2 of 2

PROJECT NUMBER: 8954
MANAGER: J. CLEGG
DRAWN BY: R. RISH
CHECKED BY: D. KNSMAN
DATE: 12/27/2019



DEVELOPER
JRS DEVELOPMENT
4647 NORTH AUTUMN COVE
ERDA, UT 84074
RYAN SORESENSEN
801-717-6271

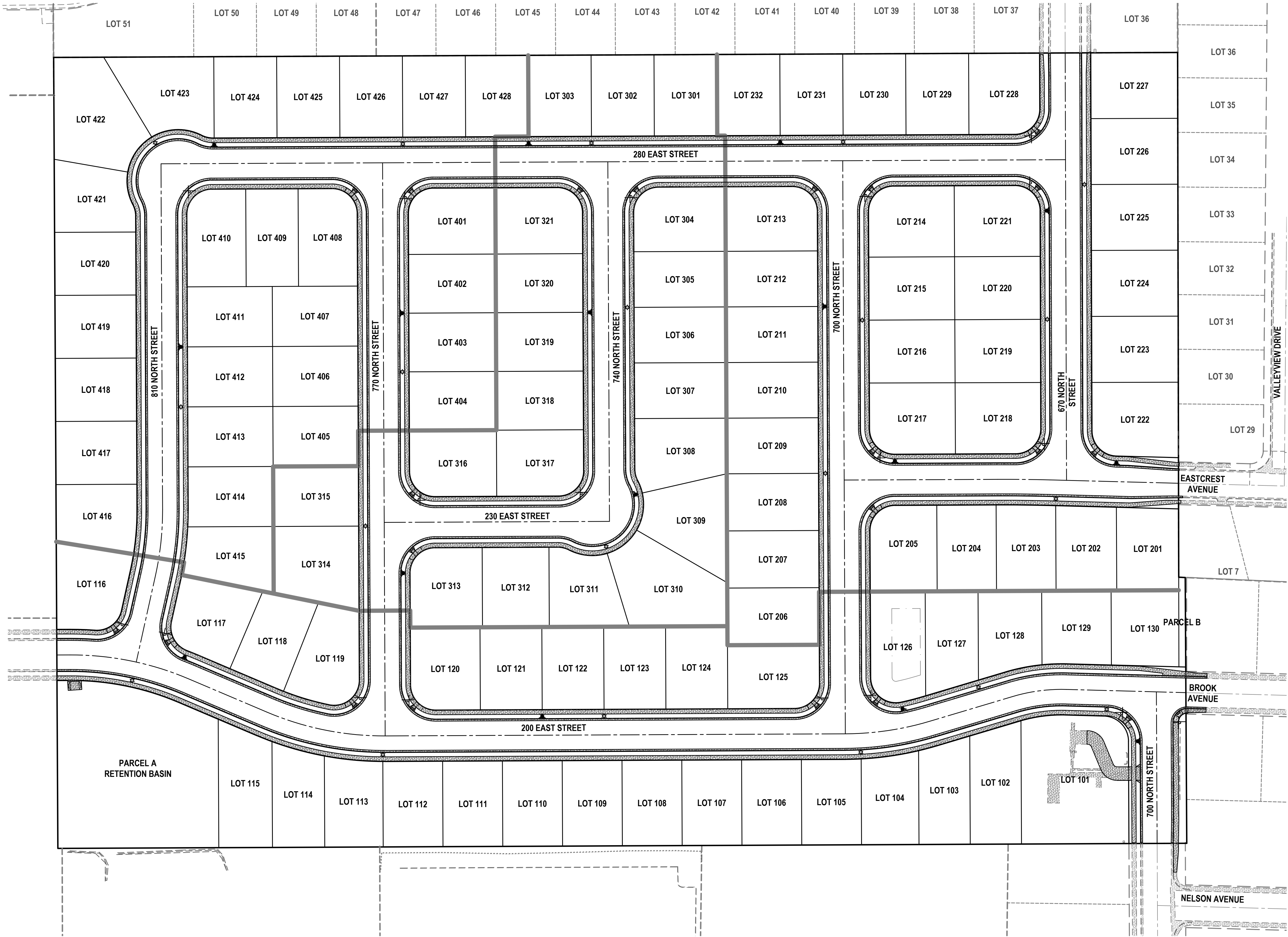
811

Know what's below.
Call before you dig.

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK

WITNESS TO THE WEST QUARTER CORNER OF
SECTION 22, TOWNSHIP 3 SOUTH, RANGE 4
WEST SALT LAKE BASE AND MERIDIAN
ELEV = 4937.15'



- GENERAL NOTES**
1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
 2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
 3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
 4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
 5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
 6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
 7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

EN SIGN

THE STANDARD IN ENGINEERING

TOOELE

169 N. Main Street, Unit 1
Tooele, UT. 84074
Phone: 435.843.3590

SALT LAKE CITY

Phone: 801.255.0529

LAYTON

Phone: 801.547.1100

CEDAR CITY

Phone: 435.866.1453

RICHFIELD

Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
JRS DEVELOPMENT
4267 NORTH AUTUMN COVE
ERDA, UT 84074

CONTACT:
RYAN SORENSEN
PHONE: 801-717-6271

**BEVAN ESTATES SUBDIVISION
PRELIMINARY DESIGN
201 EAST 700 NORTH
TOOELE, UT 84074**

For Review
12/27/2019 09:50:52 AM

OVERALL SITE PLAN

PROJECT NUMBER
8954A

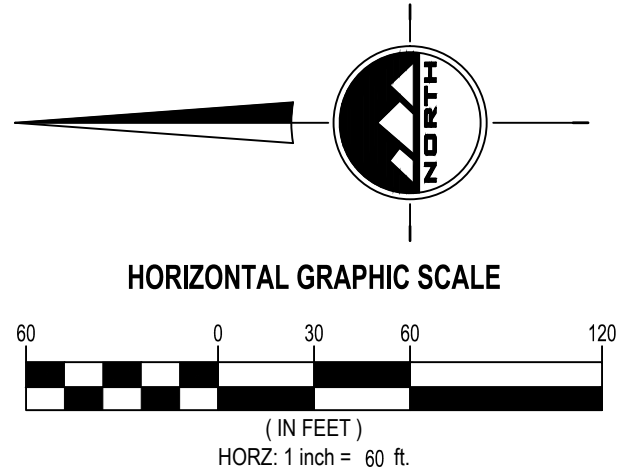
PRINT DATE
12/27/19

DRAWN BY
R. FISH

CHECKED BY
J. CLEGG

PROJECT MANAGER
J. CLEGG

C-200



TOOELE CITY CORPORATION

RESOLUTION 2020-02

A RESOLUTION OF THE TOOELE CITY COUNCIL ACCEPTING FOR FURTHER CONSIDERATION THE ANNEXATION PETITION OF ROBERT D. SMART, TRUSTEE OF THE JACK BRATON TOMLIN TRUST.

WHEREAS, the annexation of additional land into Tooele City is governed by Utah Code Chapter 10-2 Part 4 (§10-2-401 *et seq.*), Tooele City Code Chapter 7-24, and Tooele City's Annexation Policy Plan (2010); and,

WHEREAS, by application dated December 9, 2019, Robert D. Smart, Trustee of the Jack Braton Tomlin Trust (the "Petitioner"), filed with Tooele City an Annexation Application for the annexation of 4.96 acres of land (the "Property") into Tooele City (see the Application and map, collectively the "Petition", attached as Exhibit A); and,

WHEREAS, the proposed annexation would unify a single parcel currently split by the Tooele City corporate boundary (see Exhibit A map); and,

WHEREAS, the City Council preliminarily discussed the possibility of the annexation proposed in the Petition during the City Council's September 4, 2019, public work meeting (see the work meeting minutes attached as Exhibit B); and,

WHEREAS, by Ordinance 2010-15, the City Council adopted an updated Annexation Policy Plan, a document required by U.C.A. §10-2-401.5 (see Ordinance 2010-15, without exhibits, attached as Exhibit C, and Tooele City's Annexation Study Expansion Area map, part of the larger Tooele City Annexation Policy Plan, attached as Exhibit D); and,

WHEREAS, the Petition appears to meet the qualifications of U.C.A. §10-2-402 in that the Property is a contiguous area, the Property is contiguous to Tooele City, the annexation would not create an unincorporated island or unincorporated peninsula, the Property is located within Tooele City's expansion area, shown as part of Annexation Option E on Exhibit D, and Petitioner owns 100% the Property; and,

WHEREAS, U.C.A. §10-2-405(1) provides that the City Council may deny the Petition or accept the Petition for further consideration, and in the September 4, 2019, City Council work meeting, the Council indicated its desire to accept the Petition for further consideration by way of the present Resolution (see Exhibit B); and,

WHEREAS, there are no affected entities, as defined by U.C.A. §10-2-401(1)(a), associated with the Petition; and,

WHEREAS, the City Recorder and City Attorney have determined that the Petition appears to comply with the requirements of U.C.A. §10-2-403 and -405; and,

WHEREAS, annexation of the Property is not anticipated to have any impacts on City utility and infrastructure systems, and is therefore not required to complete capacity studies normally required by the City of annexation petitioners, including culinary water, sanitary sewer, storm water, parks and recreation, police services, and fire services; and,

WHEREAS, the City Council finds it to be in the best interest of Tooele City to consider further the Petition for purposes of protecting the health, safety, welfare, and economic interests of Tooele City and its residents and businesses:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOEELE CITY COUNCIL that the Petition is hereby accepted for further consideration, subject to the following:

1. Plat. Within 30 days of the date of this Resolution, the Petitioner shall provide an accurate and recordable map, prepared by a licensed surveyor, of the area proposed for annexation, as required by U.C.A. §10-2-405(2)(a), U.C.A. §10-2-403(3)(d)(i), and T.C.C. 7-24-1(b);
2. Petition Certification. Within 30 days of the date of this Resolution, the City Recorder shall certify the Petition and shall mail or deliver written notification of the certification to the Petitioner and to the Tooele County Commission, as required by §10-2-405(2)(c)(i);
3. Annexation Notice. After the certification of the Petition, the City Recorder shall publish a notice at least once a week for three successive weeks, beginning no later than 10 days after certification of the Petition, in the Tooele *Transcript-Bulletin*, a newspaper of general circulation, as required by U.C.A. §10-2-406(1)(a)(i), with the content of the notice being in compliance with U.C.A. §10-2-406(2);
4. Zoning Recommendation. Prior to any approval of the Petition, the City Administration shall make a written recommendation to the City Council as to the Property's appropriate initial zoning designation in the event the Petition is approved and the Property is annexed;
5. Planning Commission. The City Administration shall present the Petition, this Resolution, and all pertinent additional information to the Tooele City Planning Commission for a recommendatory vote as soon as practical following the approval of this Resolution;
6. Annexation Agreement. Following the Planning Commission public meeting, and upon instruction from the City Council, the City Administration shall prepare a draft Annexation Agreement, together with an implementing resolution, for consideration by the City Council, as required by TCC §7-24-3;
7. Resolution, Ordinance. Following the Public Meeting and upon instruction from the City Council, the City Administration shall prepare an annexation ordinance and an annexation agreement and implementing resolution for consideration by the City Council; and,

8. Additional Items. The City Council may require additional information, impose additional conditions, and schedule additional public meetings as it deems in the interest of the public health, safety, and welfare.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this _____ day of _____, 2020.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, City Attorney

Exhibit A

Petition with Map

Annexation Application

Community Development Department 90
North Main Street, Tooele, UT 84074 (435)
843-2132 Fax (435) 843-2139
www.tooelecitey.org



Notice: The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Annexation applications shall be reviewed in accordance with all applicable City ordinances and requirements, are subject to compliance reviews by various City departments, and may be returned to the applicant for revision if the plans are found to be inadequate or inconsistent with the requirements of the City Code. Application submission in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is strongly advised that all checklist items be submitted well in advance of any anticipated deadlines.

P19-924

Annexation Information		
Date of Submission: 12/12/2019	Total Acres: 4.96	Expansion Option Area:
Project Name Jack Tornlin Parcel Addition to Tooele City:		
General Address: Emerald Road Parcels		
Current Use of Property: Surplus Yard		
Sponsor: Robert D Smart	Addr: PO Box 778	
Phone: (801) 232-2322	City: Tooele	Utah Zip: 84074
Primary Phone Number:	Cell Number: (801) 232-2322	Email: bobsmart@comcast.net
Signature of Sponsor: 		Date: 12/9/19

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann. § 63-2-302.5*, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

** By submitting this application form to the City, the applicant acknowledges that the above list is not exclusive and under no circumstances waives any responsibility or obligation of the Applicant and or his Agents from full compliance with City Master Plans, Code, Rules and or Regulations.

NOTE: According to Utah State Code Section I 0-2-403, the sponsor of a petition to annex property into a municipality is required to deliver a complete copy of the same petition to annex property to the County Clerk on the same day the petition is filed with the municipality.

For Office Use Only

Fee:

Received By: (213)

Date Received:

Receipt#:

AFFIDAVIT

PROPERTY

OWNER STATE OF

}

}s

UTAH COUNTY OF DAVIES

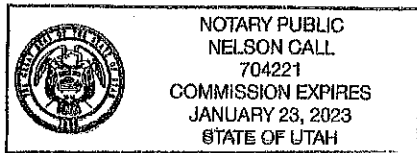
s }

I/we Robert D Smart Trustee, being duly sworn, depose and say that I/we am/are the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my/our knowledge. I/we also acknowledge that I/we have received written instructions regarding the application for which I/we am/are applying and the Tooele City Community Development Department staff have indicated they are available to assist me in making this application.

(Property Owner)

Subscribed and sworn to me this 9 day of December, 2017

(Property Owner)



[Signature]
(Notary)
Residing in DAVIES County, Utah
My commission expires: JANUARY 23, 2023

AGENT AUTHORIZATION

I/we, _____, the owner(s) of the real property described in the attached application, do authorize as my/our agent(s), _____, to represent me/us regarding the attached application and to appear on my/our behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

Dated this ___ day of _____, 20___, personally appeared before me _____
the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

(Property Owner)

(Notary)
Residing in _____ County, Utah
My commission expires: _____

Record of Petitioned Properties for Annexation

Record of Petitioned Properties Must Include All Properties to be Included in the Proposed Annexation With All Listed Information for Each Property and the Signature of All Property Owners Consenting to the Annexation*

Parcel Number

Owner's Address

Acreage

Owner's Signature

03-036-0-0026

22 CARRINGTON LN

CENTERVILLE UT
84014

4.96

Robert D. Hunt
Trustee

03-036-0-0033

*Required Information for each property must be listed as shown on the most current official property records from the Tooele County Recorder's Office

Exhibit B

City Council Work Meeting Minutes September 4, 2019

**Tooele City Council and the
Redevelopment Agency of Tooele City
Work Session Meeting Minutes**

Date: Wednesday, September 4, 2019
Time: 5:00 p.m.
Place: Tooele City Hall, Large Conference Room
90 North Main St., Tooele, Utah

City Council Members Present:

Steve Pruden
Scott Wardle
Dave McCall
Brad Pratt
Melodi Gochis

City Employees Present:

Mayor Debbie Winn
Roger Baker, City Attorney
Glenn Caldwell, Finance Director
Michelle Pitt, Recorder
Jim Bolser, Community Development Director
Steve Evans, Public Works Director
Paul Hansen, City Engineer
Darwin Cook, Parks and Recreation Director
Ron Kirby, Police Chief
Kami Perkin, Human Resource Director

Minutes prepared by Michelle Pitt

1. Open Meeting

Chairman Pruden called the meeting to order at 5:00 p.m.

2. Roll Call

Steve Pruden, Present
Scott Wardle, Present
Brad Pratt, Present
Dave McCall, Present
Melodi Gochis, Present

3. Discussion:

Kami Perkins joined the meeting at 5:30 p.m.

Mr. Bolser went on to say that some people have property lines on the other side of the Porter Place property line, connecting with the Hunters Meadow property. They have made sure that the developer has an agreement with the Hunters Meadow property owners.

- Ordinance 2019-20 An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the RR-1 Residential Zoning District for 3 Acres of Property Located at 705 North 100 West
Presented by Jim Bolser

Mr. Bolser stated that the Council discussed this item at their last meeting. He asked the Council if they had any questions; the Council had none.

- Potential Annexation Request
Presented by Jim Bolser

Mr. Bolser stated that he met with a property owner's representative for the Jack Tomlin's Trust. The trust owns property that is primarily in the City limits, but there is a portion of property that is not in the City's limits. There are some potential purchasers for this property and they would like to sell the entire piece of property. Mr. Bolser asked the Council if they would entertain the annexation of this small portion of property since about 2/3 of the property is already in the City. The City is already obligated to provide water and sewer to this property so it wouldn't cause an additional impact. Mr. Bolser explained that the reason this property is in the City, is that the City worked out arrangements with the Army to take over the Depot area. In order to do that, the area had to be annexed in to the City. There were some property owners that were not interested in being annexed which left a little peninsula that was not annexed at the time.

Mr. Baker asked if this area is already in the City's annexation plan. Mr. Bolser answered that it is, so the City won't have to amend the annexation plan.

The Council indicated they would like to annex this portion of property.

- Resolution 2019-65 A Resolution of the Tooele City Council Approving a Settlement Agreement and General Release with Charles and Crystal Lawrence
Presented by Roger Baker

Mr. Baker said that this agreement will allow a new subdivision to have a looped waterline. The waterline will cut across the north end of the golf course. The City would participate in the cost of that waterline at a cost of \$40,000.00. The City would receive a waterline easement at the completion of development.

Exhibit C

Ordinance 2010-15
(without exhibits)

TOOELE CITY CORPORATION

ORDINANCE 2010-15

AN ORDINANCE OF TOOELE CITY ADOPTING AN UPDATED ANNEXATION POLICY PLAN.

WHEREAS, Utah Code §10-2-401.5 (the "statute") requires that Utah municipalities adopt an Annexation Policy Plan ("Plan") as a prerequisite to annexing any unincorporated areas; and,

WHEREAS, Tooele City most recently adopted a Plan in 2004 (reference Ordinance 2004-05, approved on March 17, 2004); and,

WHEREAS, Tooele City retained the firm of Lewis Young Robertson & Burningham to prepare an updated Plan in accordance with statutory requirements (reference Resolution 2009-36, approved on July 1, 2009); and,

WHEREAS, on September 22, 2010, the Tooele City Planning Commission convened the duly-noticed public meeting and public hearing required by statute, and accepted public comment (see draft Minutes attached as Exhibit A); and,

WHEREAS, the City has accepted all written comments received prior to the City Council public hearing on this Ordinance, including a letter from Grantsville Mayor Brent Marshall (see letter attached as Exhibit B); and,

WHEREAS, on October 6, 2010, the City Council convened a duly noticed public hearing and accepted public comment; and,

WHEREAS, the 2010 Annexation Policy Plan (attached as Exhibit C) addresses the elements that the statute requires be addressed (see copy of the statute attached as Exhibit D):

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that the Annexation Policy Plan attached as Exhibit C is hereby approved and adopted. Further, the City Administration is directed to submit a copy of the Annexation Policy Plan to Tooele County.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this 10 day of October, 2010.

TOOELE CITY COUNCIL

(For)

(Against)

<u>Scott Wall</u>	_____
<u>Michael R. [Signature]</u>	_____
<u>K. McCall</u>	_____
<u>[Signature]</u>	_____
<u>[Signature]</u>	_____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

<u>Pete H. [Signature]</u>	_____
----------------------------	-------

ATTEST:

Sharon Dawson
Sharon Dawson, City Recorder

SEAL



Approved as to Form:

[Signature]
Roger Baker, Tooele City Attorney

Exhibit D

Tooele City Annexation Study Expansion Area Map
(from Annexation Policy Plan)

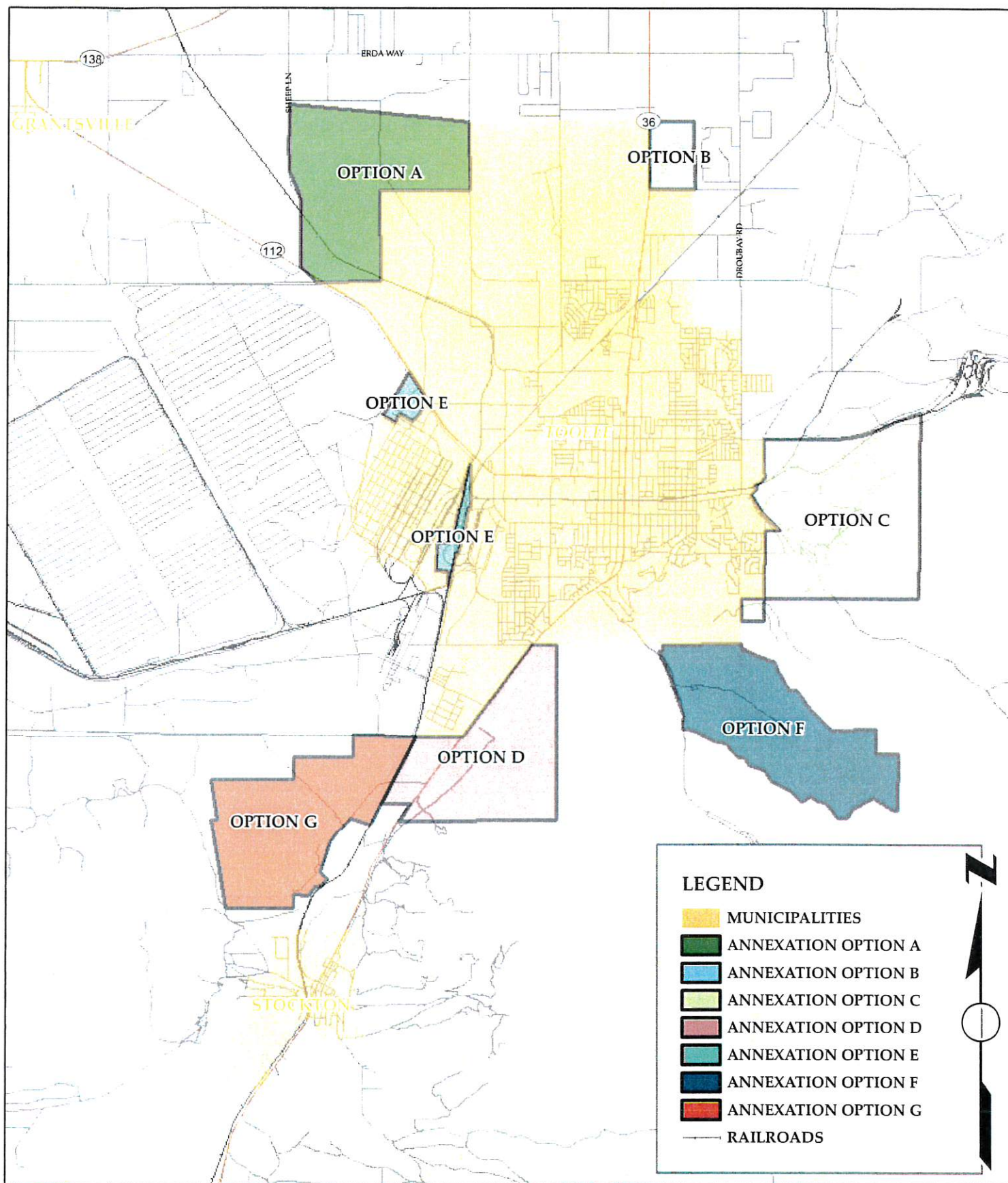


FIGURE 1:
TOOELE CITY ANNEXATION STUDY
EXPANSION AREA

Annexation Procedural Outline (2020)

	Procedural Step	Procedural Step Detail	Responsibility	Statutory References
1.	Annexation Policy Plan	Prepare and approve an Annexation Policy Plan after public hearing.	City Council	UCA 10-2-401.5
2.	Petition	Prepare a written Petition (application) signed by property owners of 50%+ of property owners AND owners of 33%+ of property value with legal description.	Petitioner/ Applicant	TCC 7-24-1(a) UCA 10-2-403(1)
3.	Copy of Petition	Deliver copy of filed Petition to County Clerk on same day as filing with City	Petitioner/ Applicant	UCA 10-2-403(7)
4.	Plat	Prepare accurate, recordable Plat with legal description, with engineer/surveyor seal and signature blocks.	Petitioner/ Applicant	TCC 7-24-1(b)
5.	Staff Review	Verify conformity of Petition & Plat	City Planner	UCA 10-2-402
6.	City Attorney Review	City Attorney to review as to form	City Attorney	TCC 7-24-1(c)
7.	Resolution 1	Prepare Resolution on whether to accept Petition for further consideration.	City Attorney	
8.	Vote on Petition	City Council votes on Resolution whether to accept Petition for further consideration.	City Council	UCA 10-2-405 (1)
9.	Verify Petition	The City is to verify that the Petition complies and contains the information required by Utah Code.	City Recorder City Attorney	UCA 10-2-405(2)
10.	Certify Petition	If the Petition is verified, a certification must be delivered to the City Council, County Commission, and Petitioner.	City Recorder	UCA 10-2-405(2)
11.	Planning Commission	Planning Commission votes on the Petition, then signs the plat.	Planning Commission	TCC 7-24-1(d), (e)
12.	Notice re Protest Period	Advertise notice of the Petition 1x/week for 3 weeks in newspaper, public notice website, City website.	City Recorder	UCA 10-2-406(1)
13.	Notice re Public Hearing	Advertise notice of the Public Hearing at least 7 days prior in newspaper, public notice website, City website.	City Recorder	UCA 10-2-407(7)
14.	Public Hearing	Public Hearing before City Council.	City Council	UCA 10-2-407(7)

15.	Annexation Agreement	Prepare an Annexation Agreement.	City Attorney	TCC 7-24-3
16.	Resolution 2	Prepare Resolution for City Council to approve Annexation Agreement	City Attorney	
17.	Annexation Agreement	Execute Annexation Agreement.	Petitioner	TCC 7-24-3
18.	Ordinance	Prepare Ordinance for City Council to approve Petition.	City Attorney	TCC 7-24-1(f)
19.	Ordinance	City Council votes on the petition. Must be a 2/3 vote to pass. Signs plat.	City Recorder City Council	TCC 7-24-1(e), (f)
20.	Zoning	Designate in the Ordinance the zoning of the annexed property.	City Council	TCC 7-24-2
21.	Lieutenant Governor	File required documents with Lt. Governor's Office: notice of impending boundary action; final local entity plat	City Recorder	UCA 10-2-425
22.	Annexation Agreement	Record Annexation Agreement with County Recorder.	City Recorder	TCC 7-24-3(b)
23.	Certificate, Ordinance	Record Lt. Governor Certificate, Notice, Ordinance, and Plat with County Recorder.	City Recorder	TCC 7-24-1(g)

TOOELE CITY CORPORATION

RESOLUTION 2020-05

A RESOLUTION OF THE TOOELE CITY COUNCIL ACCEPTING THE COMPLETED OFF-SITE SEWER MAIN LINE PUBLIC IMPROVEMENT ASSOCIATED WITH THE LEXINGTON GREENS SUBDIVISIONS.

WHEREAS, Tooele City previously approved the Lexington Greens phase 1 final subdivision plat, as well as a larger Lexington Greens preliminary plan, which both require the construction of an off-site sewer main line public improvement ("Sewer Line"); and,

WHEREAS, Tooele City Code §7-19-35 requires that public improvements constructed in connection with an approved subdivision be accepted by Resolution of the City Council following verification by the City Engineer or the Director of Public Works and Community Development that all the public improvements have been satisfactorily completed in accordance with the approved engineering plans and specifications and City standards; and,

WHEREAS, the required verification associated with the Sewer Line has been provided by way of the Certificate of Completion of Public Works attached as Exhibit A; and,

WHEREAS, Zenith Tooele LLC did not provide a bond agreement for the Sewer Line, but lawfully constructed the Sewer Line pursuant to the improvement completion assurance provisions of UCA Section 10-9a-604.5 and the public improvement bond provisions of TCC Section 7-19-12; and,

WHEREAS, Zenith Tooele LLC has provided a proper warranty bond agreement with Tooele City to cover the one-year warranty period for the Sewer Line, with a warranty amount of \$39,529.56:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the completed Sewer Line associated with the Lexington Greens subdivisions is hereby accepted, and that the one-year warranty period shall begin as of the effective date of this Resolution.

This Resolution shall become effective immediately on the date of passage, without further publication, by authority of the Tooele City Charter.

Approved this ____ day of _____, 2020.

TOOELE CITY COUNCIL

(For)

(Against)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

ABSTAINING: _____

MAYOR OF TOOELE CITY

(For)

(Against)

_____	_____
-------	-------

ATTEST:

Michelle Y. Pitt
Tooele City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, Tooele City Attorney

Exhibit A

Certificate of Completion of Public Works: Sewer Line

TOOELE CITY CORPORATION
90 NORTH MAIN
TOOELE, UTAH 84074
(435) 843-2130



Certificate of Completion of Public Works

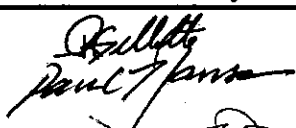
(Start of One-Year Warranty)

Date: 01/13/2020

Permit No: P19-702	Public Work Elements	Completed	Not Required
Project Name: Lexington Green	Culinary Water	☐	☐
Address: 600 West 1800 North	Secondary Water	☐	☐
Tooele, Utah 84074	Sewer offsite	☒	☐
	Storm Drain / Pond	☐	☐
	Roads	☐	☐
Owner/Developer: Zenith Properties	Curb & Gutter	☐	☐
2040 Murray Halladay Rd ui	Sidewalk	☐	☐
Salt Lake City, Utah 84117	Street Lights	☐	☐
	Landscaping	☐	☐
	Other:		

* Note: The above Public Work Elements are general in nature. See Public Works for detailed descriptions and comments:

Based upon review of documentation provided by the Developer/Owner, inspection records on file with the Community Development Department and upon site review, all public improvements for the above referenced project have been satisfactorily completed in accordance with the approved construction plans and specifications and Tooele City Standards. It is hereby recommended that the one year warranty period commence for this project. Responsibility for maintenance and protection of all public work items remains with the Developer/Owner during the warranty period.

Recommended By	Title	Date
	Civil Inspector	01/13/2020
	City Engineer	1-16-2020
	Community Development / Public Works	1/16/2020

Acknowledged and Accepted _____

City Council, Chair

Date _____

Scheduled Date for End of Warranty Final inspection:

TOOELE CITY CORPORATION
90 NORTH MAIN
TOOELE, UTAH 84074
(435) 843-2130



Certificate of Completion of Public Works
(Start of One-Year Warranty)

Permit No: P19-702
Page 2 of 2

See attached inspection report for details.

Tooele, UT

90 N Main St
Tooele, UT 84074
<http://tooelecily.org/>

P Case #: P19-702

Date of Inspection: 11/20/2019

Inspected By: Clegg, Seth

Lexington Greens Off-site Sewer

Address of Inspection: 600 W 1800 N, Tooele, UT 84074

Owner / Property Manager: _____

Occupant / Tenant: _____

Building Inspection**Clearances****Status****Notes**

Sewer Lateral

Water Lateral

Meter Vault

Electricity

Other: _____

Building: Subrough**Status****Notes**

Excavation

Footings

Foundation

Electrical

Mechanical

Plumbing

SE Conduit

Other: _____

Building: Rough**Status****Notes**

Building

Electrical

Power to Panel

Mechanical

Plumbing

Gas Line

Bond Beam

Weather Resistive Barrier

Insulation

Drywall

Other: _____

Building: Final**Status****Notes**

Building

Electrical

Mechanical

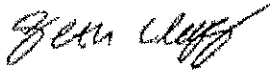
Grading / Excavation

Other:

Status: Pass

Comments:

The initial video camera footage showed multiple issues. Some of the majors were crushed pipes and Fernco fittings used for correcting the noted issues. After several attempts they corrected all noted issues. The pressure test passed. The mandrill test passed. The entire line has now been flushed and is free of debris. All noted issues have been corrected. Steve Evans told me verbally that he feels it is compliant. Okay to award bond release for the off-site sewer.



Signature: _____

Date: 11/20/2019

TOOELE CITY CORPORATION

RESOLUTION 2020-11

A RESOLUTION OF THE TOOELE CITY COUNCIL ACCEPTING THE COMPLETED PUBLIC IMPROVEMENTS ASSOCIATED WITH THE SKYLINE RIDGE PHASE 1 SUBDIVISION.

WHEREAS, Tooele City previously approved a subdivision final plat for the Skyline Ridge phase 1 subdivision (the "Subdivision"); and,

WHEREAS, Tooele City Code §7-19-35 requires that public improvements constructed in connection with an approved subdivision be accepted by Resolution of the City Council following verification by the City Engineer or the Director of Public Works that all the public improvements have been satisfactorily completed in accordance with the approved engineering plans and specifications and City standards; and,

WHEREAS, Wise Management LLC has provided a proper bond agreement and letter of credit with Tooele City for the Subdivision's public improvements, dated September 6, 2019, in the amount of \$446,157.30; and,

WHEREAS, the above-referenced bond agreement contains the following language:

under the Tooele City Code, the Improvements must be completed, inspected, and accepted prior to the issuance of a building permit for the land use approval or prior to the recordation of a subdivision final plat, as the case may be, except that a subdivision final plat may be recorded prior to the completion, inspection, and acceptance of the Improvements where the Applicant has completed an approved bond agreement and provided an associated bond;

and,

WHEREAS, the required verification that all of the Subdivision's public improvements have been completed has been provided by way of the Certificate of Completion of Public Works attached as Exhibit A:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL as follows:

1. the completed public improvements associated with the Skyline Ridge phase 1 subdivision are hereby accepted, those improvements being reflected in the Bond Agreement dated September 6, 2019, and the Certificate of Completion of Public Works, attached hereto as Exhibit A; and,
2. the one-year warranty period on all public improvements accepted by this Resolution shall begin on the date of its approval, February 5, 2020.

This Resolution shall become effective immediately on the date of passage, without further publication, by authority of the Tooele City Charter.

Approved this ____ day of _____, 2020.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING:

MAYOR OF TOOELE CITY

(For)

(Against)

ATTEST:

Michelle Y. Pitt

Tooele City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, Tooele City Attorney

Exhibit A

Certificate of Completion of Public Works

TOOELE CITY CORPORATION
90 NORTH MAIN
TOOELE, UTAH 84074
(435) 843-2130



Certificate of Completion of Public Works

(Start of One-Year Warranty)

Date: 01/22/2020

Permit No: P19-372	Public Work Elements	Completed	Not Required
Project Name: Skyline Ridge Phase 1	Culinary Water	☒	☐
Address: 1430 East Skyline Drive	Water Services <i>Initial</i>	☒	☐
Tooele, Utah 84074	Secondary Water Sewer	☐	☒
	Storm Drain / Pond	☒	☐
	Roads	☒	☐
Owner/Developer: Todd Castagno	Curb & Gutter	☒	☐
P.O. Box 266	Sidewalk	☒	☐
Grantsville, Utah 84029	Street Lights	☒	☐
	Landscaping	☒	☐
	Other:	☒	☐

Landscaping - Approved By Bonc

* Note: The above Public Work Elements are general in nature. See Public Works for detailed descriptions and comments:

Based upon review of documentation provided by the Developer/Owner, inspection records on file with the Community Development Department and upon site review, the above referenced public improvements for this project have been satisfactorily completed in accordance with the approved construction plans and specifications and Tooele City Standards.

Recommended By	Title	Date
	Civil Inspector	1/22/2020
	Water Services	1/22/20
	City Engineer	1-23-2020
	Public Works	01/27/2020
	Community Development	1/27/2020

Acknowledged and Accepted

City Council, Chair

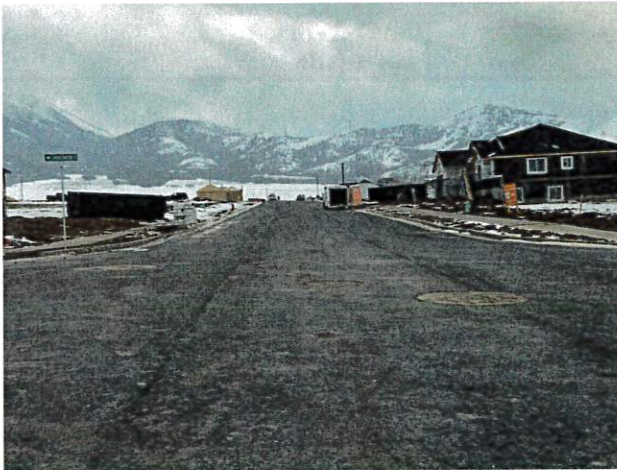
Date

TOOELE CITY CORPORATION
90 NORTH MAIN
TOOELE, UTAH 84074
(435) 843-2130



Certificate of Completion of Public Works
(Start of One-Year Warranty)

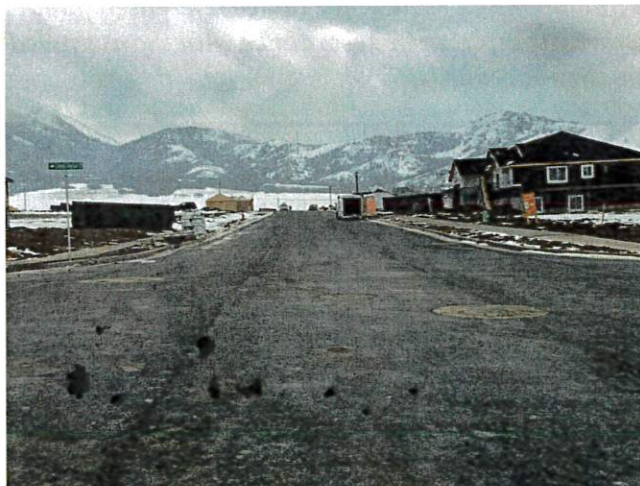
Permit No: P19-372
Page 2 of 2



1430 East At Skyline Drive



Corner View Drive At 1430 East



1430 East At 270 South

Tooele, UT

90 N Main St
Tooele, UT 84074
<http://tooelectricity.org/>

P Case #: P19-372

Date of Inspection: 01/22/2020

Inspected By: Alder, Brad

Address of Inspection: 1430 E Skyline Dr, Tooele, UT 84074

Owner / Property Manager: _____

Occupant / Tenant: _____

Building Inspection**Clearances****Status****Notes**

Sewer Lateral

Water Lateral

Meter Vault

Electricity

Other:

Building: Subrough**Status****Notes**

Excavation

Footings

Foundation

Electrical

Mechanical

Plumbing

SE Conduit

Other:

Building: Rough**Status****Notes**

Building

Electrical

Power to Panel

Mechanical

Plumbing

Gas Line

Bond Beam

Weather Resistive Barrier

Insulation

Drywall

Other:

Building: Final**Status****Notes**

Building

Electrical

Mechanical

Plumbing

Water Meter Box

Grading / Excavation

Other:

Approved

Subdivision Refinal 3

Status: Pass

Comments:

Subdivision refinal 3. Faults noted at inspections dated 11/22/2019, 12/27/2019, and 01/15/2020, Have been corrected. Landscaping bond will be placed for required retention pond landscaping.



Signature: _____

Date: 01/22/2020

TOOELE CITY CORPORATION

RESOLUTION 2020-12

A RESOLUTION OF THE TOOELE CITY COUNCIL ACCEPTING THE COMPLETED PUBLIC IMPROVEMENTS ASSOCIATED WITH THE OVERLAKE 1L PHASE 2 SUBDIVISION.

WHEREAS, Tooele City previously approved a subdivision final plat for the Overlake 1L phase 2 subdivision (the "Subdivision"); and,

WHEREAS, Tooele City Code §7-19-35 requires that public improvements constructed in connection with an approved subdivision be accepted by Resolution of the City Council following verification by the City Engineer or the Director of Public Works that all the public improvements have been satisfactorily completed in accordance with the approved engineering plans and specifications and City standards; and,

WHEREAS, Perry Associates, Inc., has provided a proper bond agreement and guaranteed escrow account with Tooele City for the Subdivision's public improvements, dated July 12, 2019, in the amount of \$1,386,916.18; and,

WHEREAS, the above-referenced bond agreement contains the following language:

under the Tooele City Code, the Improvements must be completed, inspected, and accepted prior to the issuance of a building permit for the land use approval or prior to the recordation of a subdivision final plat, as the case may be, except that a subdivision final plat may be recorded prior to the completion, inspection, and acceptance of the Improvements where the Applicant has completed an approved bond agreement and provided an associated bond;

and,

WHEREAS, the required verification that all of the Subdivision's public improvements have been completed has been provided by way of the Certificate of Completion of Public Works attached as Exhibit A:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL as follows:

1. the completed public improvements associated with the Overlake 1L phase 2 subdivision are hereby accepted, those improvements being reflected in the Bond Agreement dated July 12, 2019, and the Certificate of Completion of Public Works, attached hereto as Exhibit A; and,
2. the one-year warranty period on all public improvements accepted by this Resolution shall begin on the date of its approval, February 5, 2020.

This Resolution shall become effective immediately on the date of passage, without further publication, by authority of the Tooele City Charter.

Approved this ____ day of _____, 2020.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING:

MAYOR OF TOOELE CITY

(For)

(Against)

ATTEST:

Michelle Y. Pitt

Tooele City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, Tooele City Attorney

Exhibit A

Certificate of Completion of Public Works

TOOELE CITY CORPORATION
90 NORTH MAIN
TOOELE, UTAH 84074
(435) 843-2130



Certificate of Completion of Public Works

(Start of One-Year Warranty)

Date: 01/17/2020

Permit No: P19-97	Public Work Elements	Completed	Not Required
Project Name: Overlake 1L Phase 2	Culinary Water	☒	☐
Address: 620 West 2000 North	Water Services <i>JM</i> initial	☒	☐
Tooele, UT 84074	Secondary Water Sewer	☐	☒
	Storm Drain / Pond	☒	☐
	Roads	☒	☐
Owner/Developer: Perry Homes	Curb & Gutter	☒	☐
	Sidewalk	☒	☐
	Street Lights	☒	☐
	Landscaping	☒	☐
	Other:	☐	☐

* Note: The above Public Work Elements are general in nature. See Public Works for detailed descriptions and comments:

Based upon review of documentation provided by the Developer/Owner, inspection records on file with the Community Development Department and upon site review, the above referenced public improvements for this project have been satisfactorily completed in accordance with the approved construction plans and specifications and Tooele City Standards.

Recommended By	Title	Date
<i>[Signature]</i>	Civil Inspector	01/17/2020
<i>[Signature]</i>	Water Services	1/27/20
<i>[Signature]</i>	City Engineer	1/27/2020
<i>[Signature]</i>	Public Works	01/27/2020
<i>[Signature]</i>	Community Development	1/27/2020

Acknowledged and Accepted

City Council, Chair

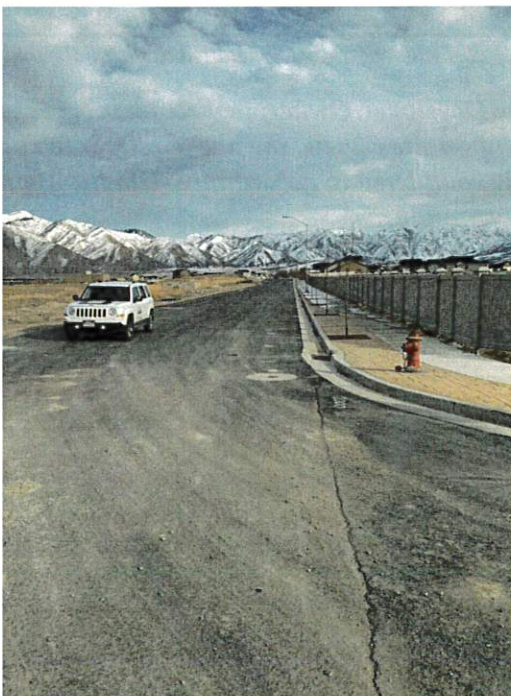
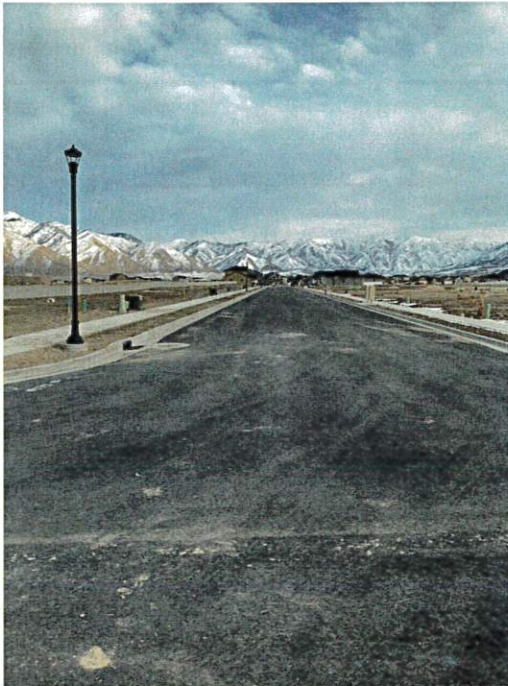
Date

TOOELE CITY CORPORATION
90 NORTH MAIN
TOOELE, UTAH 84074
(435) 843-2130



Certificate of Completion of Public Works
(Start of One-Year Warranty)

Permit No: P19-97
Page 2 of 2



Tooele, UT

90 N Main St
Tooele, UT 84074
<http://tooelecity.org/>

P Case #: P19-97

Date of Inspection: 01/17/2020

Inspected By: Clegg, Seth

Address of Inspection: 620 W 2000 N, Tooele, UT 84074

Owner / Property Manager: _____

Occupant / Tenant: _____

Building Inspection**Clearances****Status****Notes**

Sewer Lateral

Water Lateral

Meter Vault

Electricity

Other:

Building: Subrough**Status****Notes**

Excavation

Footings

Foundation

Electrical

Mechanical

Plumbing

SE Conduit

Other:

Building: Rough**Status****Notes**

Building

Electrical

Power to Panel

Mechanical

Plumbing

Gas Line

Bond Beam

Weather Resistive Barrier

Insulation

Drywall

Other:

Building: Final**Status****Notes**

Building

Electrical

Mechanical

Plumbing

Water Meter Box

Grading / Excavation

Other:

Status: Pass

Comments:

All previous infractions have been corrected. Curb and gutter are installed as required per Tooele City Standards. ADA ramps and sidewalk are completed as required per APWA standards. Streetlights installed as required per Tooele City standards. All water valves have been opened and hydrants have demonstrated sufficient fire flow. Fence installed on 2000 north with anti-graffiti coating as required. Street signs installed. Survey monuments installed. Engineer certificate for extension of retention basin received. No faults noted.

Gene Clapp

Signature: _____

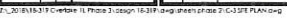
Date: 01/17/2020

Inspection Attachments:

Title: D36627F9-6A81-4DF5-894E-829C68EF04B2.jpeg



Title: 1311B18C-1896-4FFA-B659-FEAF9E4935D3.jpeg



TOOELE CITY CORPORATION

ORDINANCE 2020-02

AN ORDINANCE OF TOOELE CITY AMENDING TOOELE CITY CODE SECTION 7-4-8, SECTION 7-4-9, SECTION 7-4-10, AND SECTION 7-4-11 REGARDING DRIVEWAY LOCATIONS.

WHEREAS, Utah Code §10-8-84 and §10-9a-102 authorize cities to enact ordinances, resolutions, and rules and to enter other forms of land use controls they consider necessary or appropriate for the use and development of land within the municipality to provide for the health, safety, welfare, prosperity, peace, good order, comfort, convenience, and aesthetics of the municipality; and,

WHEREAS, Tooele City Code Chapter 7-4 contains provisions addressing the parking standards and design aspects of parking facilities for all uses of land; and,

WHEREAS, the provisions and standards of Chapter 7-4 include regulations addressing access to and from properties along street rights-of-way; and,

WHEREAS, Section 7-4-9, Section 7-4-10, and Section 7-4-11 of Title 7 of the Tooele City Code contain provisions that reference figures within those same sections that necessitate technical changes to renumber those figures and maintain those references; and,

WHEREAS, the provisions of the City Code applicable to parking were first established by Ordinance 1983-05 on April 20, 1983; and,

WHEREAS, the provisions of the City Code applicable to parking were later amended by Ordinance 2019-12 on May 15, 2019; and,

WHEREAS, it is proper and appropriate to routinely review the ordinances and provisions of the Tooele City Code for clarity, predictability, relevance, applicability, and appropriateness; and,

WHEREAS, it is proper and appropriate to revise provisions of the City Code found to be antiquated, to have diminished in applicability and appropriateness, to be unclear or to have diminished relevance, or to lead to difficulties in the predictability of the land use application approval process, and to modernize provisions to adapt to changing conditions and federal and state laws; and,

WHEREAS, the purposes of the proposed amendments attached as Exhibits A – D include maintaining safety for the general public travelling the roadways of Tooele City and provide clarity to the designers and home owners regarding the proper location of driveway accesses to and from properties adjacent to rights-of-way; and,

WHEREAS, on January 8, 2020, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as Exhibit E); and,

WHEREAS, on February 19, 2020, the City Council convened a duly-advertised public hearing:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF TOOELE CITY that Tooele City Code Section 7-4-8 is hereby amended as shown in Exhibit A, Section 7-4-9 is hereby amended as shown in Exhibit B, Section 7-4-10 is hereby amended as shown in Exhibit C, and Section 7-4-11 is hereby amended as shown

in Exhibit D.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, and welfare of Tooele City and its residents and businesses and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this _____ day of _____, 2020.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, City Attorney

EXHIBIT A

PROPOSED REVISIONS TO TOOELE CITY CODE SECTION 7-4-8

7-4-8. Access Requirements.

For purposes of this Chapter, a drive approach shall be that portion of the ingress and egress to and from a driveway from the front of the curb to the property line. Adequate ingress and egress to and from all uses shall be provided as follows:

- (1) One- and Two-Family Residential Lots. Access to one- and two-family residential lots shall be provided in compliance with the following requirements:
 - (a) Not more than two drive approaches shall be allowed for any residential lot.
 - (b) The width of a drive approach shall not be greater than 30 feet or more than one-third of the lot frontage in which the drive approach is constructed, whichever is less. A drive approach from a cul-de-sac or curved lot with a frontage of less than 50 feet at the property line may exceed one-third of that frontage, but shall not be more than 50% of the frontage at the property line.
 - (c) A lot may have a singular 30-foot drive approach or two drive approaches that total 30 feet wide. A drive approach shall have a minimum width of ten feet. Two drive approaches on the same lot must have a minimum of 12 feet between them.
 - (d) A drive approach shall be measured from the bottom of the flares, at its widest point. The flare shall not be greater than three feet long.
- (2) Other Residential Uses. Access to residential lots other than one- and two-family residential lots shall be provided in compliance with the following requirements:
 - (a) Access to each parking space shall be from a private driveway and not from a public street.
 - (b) Not more than one drive approach shall be used for each 100 feet or fraction thereof of frontage on any street.
 - (c) No two of said drive approaches shall be closer to each other than 50 feet, and no drive approach shall be closer to a side property line than ten feet.
 - (d) No drive approaches shall be located within 50 feet of an intersection of two streets, measured from the existing or planned terminus of the curve return.
- (3) Non-Residential Uses. Access to non-residential uses shall be provided in compliance with the following requirements:
 - (a) Each drive approach shall not be more than 40 feet wide, measured at right angles to the centerline of the drive approach, measured curb-face to curb-face, exclusive of tapered areas. Upon the recommendation of the City Engineer, the Planning Commission may extend a commercial drive approach to 50 feet wide.
 - (b) Divided or one-way access and egress driveways shall maintain a minimum of a 12-foot wide travel lane, per lane, measured curb-face to curb-face, exclusive of tapered areas.
 - (c) Driveways for two-way access and egress shall maintain a minimum of a 24-foot width measured curb-face to curb-face, exclusive of tapered areas.
 - (d) Not more than one drive approach shall be used for each 100 feet or fraction thereof of frontage on any street except that a use on its own property with less than 100 feet of frontage or which cannot meet the spacing between existing drive approaches on adjacent properties may be approved by the Planning Commission for one drive access of not more than 30 feet in width according to Chapter 11 of this Title.
 - (e) No two of said drive approaches shall be closer to each other than 50 feet, and no drive approach shall be closer to a side property line than ten feet.
 - ~~(f) No drive approaches shall be located within 50 feet of an intersection of two streets, measured from the existing or planned terminus of the curve return.~~
- (4) General Standards for All Uses. All access to properties shall be provided to meet the following general requirements:
 - (a) Where practical, adjacent properties are to share accesses. Unless a driveway access is shared by two or more properties, no drive approach shall be closer than ten feet to the point of intersection of two property lines at any corner as measured along the property line, and no driveway shall extend across such extended property line.
 - (b) Driveways or drive approaches shall not be located where sharp curves, steep grades, restricted sight distances or any other feature or characteristics of the road or driveway or drive approach by itself or in combination impairs safe traffic operation. The relocation of highway signs, signals, lighting or other traffic control devices necessitated by a drive approach shall be relocated by Tooele City or its agent at the permittee's expense.

- (c) Driveways or drive approaches which provide access and egress to and from a street controlled by the Utah Department of Transportation (UDOT) must be reviewed and approved by UDOT and shall be sized according to applicable UDOT standards.
- (d) Spacing and location of drive approaches for residential uses in relation to an intersection of two streets shall be as follows:
- (i) a driveway serving an individual dwelling unit, regardless of unit type or configuration, shall be located at least 30 feet from the intersecting streets, measured from the existing or planned end point of the intersection curve along the back of the sidewalk to the closest point of the driveway. Figure 7-4-1 demonstrates typical applications of this provision.
 - (ii) a driveway providing access to a collective parking area serving multiple dwelling units, regardless of unit type or configuration, shall be located at least 50 feet from the intersecting streets, measured from the existing or planned end point of the intersection curve along the back of the sidewalk to the closest point of the driveway. Figure 7-4-1 demonstrates typical applications of this provision.

Figure 7-4-1 – Drive Approach Locations.

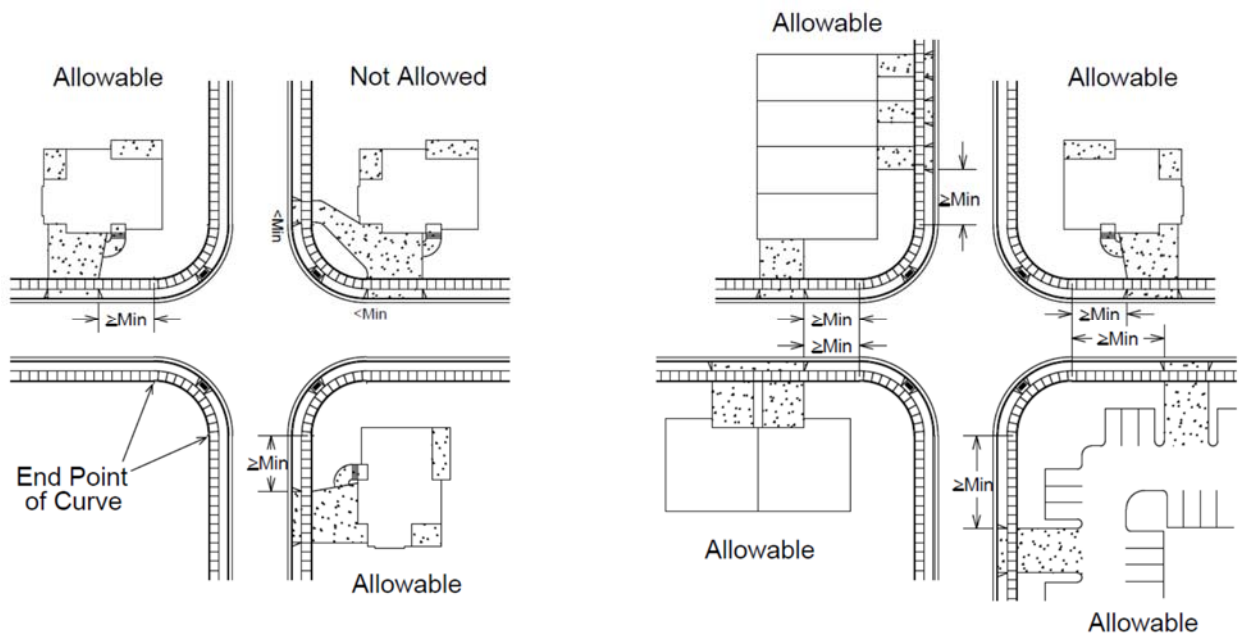


EXHIBIT B

PROPOSED REVISIONS TO TOOELE CITY CODE SECTION 7-4-9

7-4-9. Parking Lots.

- (3) Landscaping.
 - (d) For the purpose of identifying areas in and around a parking lot that are eligible for consideration, Figure 7-4-~~12~~ identifies areas anticipated for consideration.
- (5) Alignment. Parking lots which include multiple drive aisles that access parking spaces, or adjacent parking lots that connect, function, or have the ability to function as a single parking lot shall be designed such that drive aisles align across connecting drive aisles. Drive aisles which intersect on an angle to the connecting drive aisle shall connect only as a three leg intersection which does not interfere with traffic movements of nearby drive aisle intersections at the discretion of the City Engineer. Accesses to a parking lot from an adjacent right-of-way shall align with parking lot drive aisles or end at the first intersecting drive aisle in a perpendicular intersection. Alignment requirements of this Subsection are generally displayed in Figure 7-4-~~12~~.

Figure 7-4-~~12~~ – Parking Area Landscaping.

EXHIBIT C

PROPOSED REVISIONS TO TOOELE CITY CODE SECTION 7-4-10

7-4-10. Parking Dimensions.

- (8) Angled parking spaces shall be sized based on the angle of parking spaces shown in this Section, Table 7-4-2 and Figure 7-4-~~2~~3. Parking spaces positioned nose-to-nose shall be at least 20 feet deep each.

Figure 7-4-~~2~~3 – Angled Parking Layout.

EXHIBIT D

PROPOSED REVISIONS TO TOOELE CITY CODE SECTION 7-4-11

7-4-11. Public Safety Aisles.

Every lot or parcel that includes a parking area with internal vehicular aisles for access to parking spaces shall provide public safety access and facilitation aisles. Those public safety aisles shall be a minimum of 30 feet in width, measured from curb-face to curb-face and as shown in Table 7-4-2, regardless of whether the aisle accommodates one- or two-way traffic. Public safety aisles, as represented and depicted in the Figure 7-4-~~34~~, shall consist of all aisles that:

Figure 7-4-~~34~~ – Public Safety Aisles.

EXHIBIT E

PLANNING COMMISSION MINUTES OF JANUARY 8, 2020

TOOELE CITY PLANNING COMMISSION MINUTES

Date: Wednesday, January 8, 2020

Place: Tooele City Hall Council Chambers
90 North Main Street, Tooele Utah

Commission Members Present:

Shauna Bevan
Melanie Hammer
Tyson Hamilton
Bucky Whitehouse
Ray Smart
Matt Robinson
Chris Sloan

Commission Members Excused:

Phil Montano

City Employees Present:

Andrew Aagard, City Planner
Jim Bolser, Community Development Director
Roger Baker, City Attorney
Steve Evans, Public Works Director

Council Members Present:

Council Member Hansen
Council Member Brady
Council Member Gochis attended as a member of the public

Minutes prepared by Kelly Odermott

Chairman Hamilton called the meeting to order at 7:00 pm.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Robinson.

2. Roll Call

Matt Robinson, Present
Melanie Hammer, Present
Shauna Bevan, Present
Tyson Hamilton, Present
Bucky Whitehouse, Present
Ray Smart, Present
Chris Sloan, Present

3. **Recommendation on Millennial Park, a Preliminary Plan Subdivision request by Mountain Partners Investments LLC for property located at 300 West 400 North in the MR-16 Multi-Family Residential zone for the creation of 17 town house lots.**

Presented by Andrew Aagard

Mr. Aagard stated this is a preliminary plan that proposes a three acre parcel to be split into 17 town home lots. The property is currently vacant and sits north of 300 North and west of 300 West. The Dow James Park is located to the west of the property and the skate park is located to the north. The property is currently zoned MR-16 Multi-Family Residential, as are all of the surrounding properties excluding the Open Space zone to the west for the park. The preliminary plan proposes the creation of a residential town house development and the purpose of the preliminary plan is to create the individual lots for ownership purposes. The MR-16 Multi-Family Residential zone has no restrictions on minimum lot sizes for multi-family units. This is designed to permit a residential development for townhouses and the owner of the townhouse to own a small lot. In this case the lots are larger than the footprint of the proposed buildings and will allow for some yard space in front of and behind the townhomes. The end units will also have limited yard space to the side. Parcel A is a storm water detention basin and will also be utilized as an open space parcel. This will be maintained by the development homeowner's association. The one street located within the development is a private road and will be maintained by the development HOA. Benchmark Drive at 270 West is a public street and the development will be improving this road in accordance with Tooele City standards for rights of way. This is the preliminary plan and some site design such as visitor parking and building setbacks have been addressed, the focus is on the subdivision and the individual lots. The development will still need to undergo a final plat and final site plan design review application. Staff has reviewed the application extensively and is confident that it satisfies the mandates of the Tooele City development code, particularly the requirements of the MR-16 Residential zone and the City is recommending approval of the application with the conditions listed in the Staff Report.

Chairman Hamilton asked if there were any additional comments from the Commission.

Commissioner Bevan motioned to forward a positive recommendation to the City Council for the Millennial Park Preliminary Plan Subdivision Request by Jared Payne, representing Mountain partners Investments, LLC for the purpose of creating 17 town house style residential lots, application number P19-80, based on the findings and subject to the conditions listed in the Staff Report dated December 30, 2019. Commissioner Whitehouse seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Smart, "Aye," Commissioner Whitehouse, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Chairman Hamilton, "Aye." The motion passes.

4. **Recommendation on a Minor Subdivision request for Hunter Minor Subdivision by Kathryn Hunter for property located at 240 West Utah Avenue on property zoned R1-7 Residential zone for the creation of 3 single-family residential lots.**

Presented by Andrew Aagard

Mr. Aagard stated the application proposes to subdivide an existing double fronting lot between Utah Avenue and 230 North. There is an existing home on the property that accesses Utah Avenue, as well as some existing buildings and corrals. The property is currently zoned R1-7 Residential, as are all of the surrounding properties. The application proposes to subdivide the existing .82 parcel into three single family lots larger than 11,000 square feet. The existing home and some existing structures will remain on lot three and the lot will continue to access Utah Avenue. Lots one and two will access 230 North Street and all existing accessory structures on lots one and two will be removed for development. New lot lines are configured so that all lots meet ordinance requirements for setbacks and no new nonconformities are proposed with the new lot lines. Staff has reviewed the application and is confident that the subdivision proposed meets or exceeds all requirements for residential development as required by the R1-7 Residential requirements. Staff is recommending approval with the basic conditions listed in the Staff Report.

Chairman Hamilton asked if there were any further comments or questions, there were none.

Commissioner Robinson motioned to forward a positive recommendation to the City Council for the Hunter Minor Subdivision Request by Kathryn Hunter, for the purpose of creating three single-family residential lots, application number P19-405, based on the findings and subject to the conditions listed in the Staff report dated December 30, 2019. Commissioner Smart seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner, "Sloan," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Smart, "Aye," Commissioner Whitehouse, "Aye," Chairman Hamilton, "Aye." The motion passes.

5. Recommendation on a Final Plat request for Golf Course View Subdivision by Bryton Lawrence for property located at 1366 Smelter Road in the R1-7 Residential zone for the creation of 13 single-family residential lots.

Presented by Andrew Aagard

Mr. Aagard stated this is a final plat application that proposes to subdivide property located just north and east of the City's golf course. The property is largely vacant except for one existing home located just south of Smelter Road. The property is zoned R1-7 Residential, as are all the properties to the west and south. Property to the north and east are located in the unincorporated part of Tooele County, outside of the City limits. The subdivision proposes to divide a 6-acre parcel into 13 single-family lots ranging in size from 10,300 square feet up to 23,000 square feet. All lots meet or exceed minimum requirements for lot width, lot frontages, and lot size. Lots in the subdivision will be accessed by a public street terminating in a cul-de-sac turn. The existing home on lot one will remain and new lot lines will not create nonconformities. Lot 13 will be next to a storm water detention basin and the basin will be landscaped by the development and turned over to the City for maintenance. The pond will be landscaped in a similar manner to golf course landscaping. Golf course personnel have been involved in the landscaping design of the basin and have recommended approval. Staff has extensively reviewed this application and is confident that the subdivision as proposed meets or exceeds requirements for residential development and recommending approval with conditions listed in the Staff Report.

Chairman Hamilton asked if there were any questions or comments from the Commission.

Commissioner Sloan asked about the detention pond and the involvement with Tooele City and golf course, will fencing be required? Mr. Aagard stated that the plan is to leave it as is and there will be some berming on the north end to prevent spillage of water into residential. It will be incorporated into the golf course and maintained as it is part of the golf course.

Commissioner Bevan disclosed that the applicant is her nephew and the property owner is her brother.

Commissioner Whitehouse motioned to forward a positive recommendation to the City Council for the Golf Course View Subdivision Final Plat request by Bryton Lawrence, for the purpose of creating 13 single-family lots, application number P19-772, based on the findings and subject to the conditions listed in the Staff Report dated January 2, 2020. Commissioner Bevan seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner, "Sloan," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Smart, "Aye," Commissioner Whitehouse, "Aye," Chairman Hamilton, "Aye." The motion passes.

6. Recommendation on a Preliminary Plan request for Bevan Estates Subdivision by JRS Development LLC for property located at approximately 201 East 700 North for the creation of 109 single family residential lots in the R1-7 Residential zone.

Presented by Andrew Aagard

Mr. Aagard stated the preliminary plan begins the subdivision process for a large vacant property located east of 100 East and north of 700 North. There is an existing home located on the southwest corner of the property. The streets 700 North, Brooke Avenue, East Crescent Avenue and 670 North are existing streets that terminate at the property boundaries. The property is currently zoned R1-7 Residential, as are the properties to the east and south. Properties to the north and west are a General Commercial, MR-16 Multi-Family Residential and MR-8 Multi-Family Residential and are all utilized as multi-family residential. The preliminary plan proposes to divide the existing 28 acre parcel into 109 single family ranging in size from 7,000 square up to 11,300 square feet. All lots within the proposed preliminary plan do meet or exceed minimum requirements of the R1-7 Residential for lot size, lot width, and lot frontages. The proposed subdivision will have connections at existing stubs. There will be a future connection at the northwest corner that is pending construction of the Country View Villas that will provide access to 1000 North. The subdivision is proposed to be developed in multiple phases and the plan is four phases. Lot 101 will retain an existing home and the existing home meets all zoning requirements for setbacks. The driveway will be realigned slightly. Staff is recommending approval of the proposed preliminary plan with the conditions listed in the Staff Report with an additional condition for Parcel B and a piece of property where existing owners have encroached over time into land they do not own. The developers are working with property owners to address the issues and should be resolved as part of final plat. Mr. Sorenson, the applicant stated that the development is actually 111 lots and that had changed from the original application, but was correct on the plat map shown to the Planning Commission.

Chairman Hamilton asked the Commission if there were any comments or questions.

Commissioner Sloan motioned to forward a positive recommendation to the City Council for the Bevan Estates Preliminary Plan Subdivision Request by Ryan Sorenson, representing JRS Development, LLC for the purpose of creating 111 single-family residential lots, application number P19-802, based on the findings and subject to the conditions listed in the Staff Report dated January 2, 2020. Commissioner Robison seconded the motion. The vote as follows: Commissioner Hammer, “Aye,” Commissioner Sloan, “Aye,” Commissioner Bevan, “Aye,” Commissioner Robinson, “Aye,” Commissioner Smart, “Aye,” Commissioner Whitehouse, “Aye,” Chairman Graf, “Aye.” The motion passes.

7. Public Hearing and Recommendation on a Text Amendment to the Tooele City Code requested by Tooele City mending the text of Section 7-4-8 related to driveway locations and making related technical changes to 7-4-9, Section 7-4-10, and Section 7-4-11 of the Tooele City Code.

Presented by Jim Bolser

Mr. Bolser stated that this is a text amendment that affects one part of the City Code, Section 7-4-8, and renumbers figures in Sections 7-4-9, 7-4-10, and 7-4-11. In Section 7-4-8 there is a new diagram that made the need for renumbering of diagrams in the following sections. Staff has noticed that with permits that have been coming through for homes located on corner lots, there is a desire to put the driveway on the intersection side of the home. This is a concern because it not only places the driveway on the intersection side, but also presents a safety hazard and presents conflict with other City ordinances and state law. If the driveway is on the intersection of the home a car parked in the driveway will be in conflict of the clear view provisions for intersections from the City Code. State Law Section 41-6a-1401, Standing and Parking Vehicles, and Exceptions, states that a stopping of the traffic cannot occur within 30 feet of the intersection control device such as a stop sign, beyond stopping for the intersection.

Mr. Bolser showed the Commissioners a graphic on the screen, illustrating the new provisions and the conflicts with the provisions. The proposal suggests that there be a safety zone behind the point of intersection. The safety zone for a safe intersection prevents a driveway from being within a standard distance of the intersection. The provision is for single-family residential units, two-family homes, and townhome units as well as all other residential units which have individual driveways. By implementing the provision, the City will be in compliance with clear view provisions and State mandates. The amendment will include the graphic into the City Code. It will force applicants to mirror image their homes if the driveway comes into conflict with the intersection. There is also a provision for residential housing types that use collective parking lots rather than individual driveways.

Chairman Hamilton asked if the Commission had any questions or comments.

Commissioner Bevan stated that she thinks this great and it is a wonderful idea. Commissioner Sloan stated that he thinks it is a great idea, but has a question. Is there wiggle room for staff to

make an exception based on elevation changes on the lot? He stated that his home would have been affected by this because his driveway is on an intersection. Changing the design of the home would have increased build costs and made it difficult to build due to elevation change and slope. Mr. Bolser stated that directly there is not something in the proposal to address that concern. If the City were to do so, there is an opportunity to establish that as the minimum thereby undermining the ordinance. If there is a range in the ordinance then the minimum will be the enforceable standard.

Mr. Bolser stated that this will be an tool that can be used during subdivision review to discuss with the developer to address the design of corner lots to prevent any problems that might surface.

Commissioner Smart asked if there might be a problem with apartment complexes putting fencing on the corner around the intersections because the parking lot does not exit on the intersection? Mr. Bolser stated that fencing is not allowed by code.

Commissioner Hammer asked in a preliminary plat how could a developer turn the home to make it work and have the driveway off the intersection? Mr. Bolser stated that there are three ways to deal with the problem. Make the lot larger so it has more room to accommodate the home, change the orientation of the home, or leave it as is and address it as a plat note. Having tools like this to work with developers, helps the City and the developers work together.

Chairman Hamilton opened the public hearing, there were no comments. Chairman Hamilton closed the public hearing.

Commissioner Bevan moved to forward a positive recommendation to the City Council for the for the Driveway Locations text Amendment Request by Tooele City, application number P19-925, based on the Text Amendment having a positive effect on the following findings,

- 1. The effect the text amendment may have on the potential applications regarding the character of the surrounding areas.**
- 2. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of any applicable master plan.**
- 3. The degree to which the proposed text amendment may effect the positional application's consistency with the intent, goals, and objectives of the Tooele city General plan.**
- 4. The degree to which the proposed text amendment is consistent with the requirements and provisions of the Tooele City ode.**
- 5. The degree to which the proposed text amendment may effect an applications; impact on the health, safety and general welfare of the general public or the residents of adjacent properties.**
- 6. The degree to which the proposed text amendment may effect an application's impact on the general aesthetic and physical development of the area.**
- 7. The degree to which the proposed text amendment may effect the uses or potential uses for adjoining and nearby properties.**

8. The overall community benefit of the proposed amendment.

Commissioner Hammer seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Smart, "Aye," Commissioner Whitehouse, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Chairman Hamilton, "Aye." The motion passes.

8. Review and Approval of Planning Commission minutes for meeting held December 11, 2019.

Chairman Hamilton asked the Commission if there were any comments or questions.

Commissioner Hammer moved to approve minutes from the meeting held on December 11, 2019. Commissioner Sloan seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Smart, "Aye," Commissioner Whitehouse, "Aye," Chairman Hamilton, "Aye." The motion passes.

9. Adjourn

Commissioner Hammer moved to adjourn. Chairman Hamilton declared the meeting adjourned at 7:39p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this 12nd day of February, 2020

Tyson Hamilton, Chairman, Tooele City Planning Commission

STAFF REPORT

December 30, 2019

To: Tooele City Planning Commission
Business Date: January 8, 2020

From: Planning Division
Community Development Department

Prepared By: Jim Bolser, Director

Re: Driveway Locations – Text Amendment Request

Application No.: P19-925

Applicant: Tooele City

Request: Request for approval of a City Code Text Amendment regarding provisions governing the location of driveways.

BACKGROUND

This application is a request for approval of a Text Amendment to the City Code. With the City Council's adoption of Ordinance 2019-12 on May 15, 2019, certain provisions of were adopted that regulated the location where driveway accesses could be located on lots relative to the intersection of streets and other driveways. These regulations were not established, however, for single-family residential properties which include two-family residences such as twin homes and duplexes. Over the past couple of years the City has experienced a steady influx of new residential building permits. As a result, there has also been an increase in the number of permits that want to locate the driveway very close to the intersection of streets on a corner lot.

ANALYSIS

Text Amendment. There are two standards that were examined in determining a distance to propose for this text amendment. First we examined the applicable traffic laws. Section 41-6a-1401(1)(b)(iv) of the Utah State Code specifies that there is to be no parking of a vehicle "within 30 feet [of] any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway." Although placement of stop signs and traffic control devices at intersection is not exact, it is fairly consistent. The second is the terms of the City Code dealing with required clear view triangle applicable at all intersections. Section 7-2-11 of the Tooele City Code defines the clear view area as two points measured 40 feet back from the point where the back of curb lines for the two intersecting streets would meet at their extension and then connected across the private property with a diagonal line between those points. Where this dimension is larger than that of the reviewed state code provision, it would also be measured from a point further into the intersection that the location of the traffic control device. In addition it would reach a point further back from the intersection due to be measured along the curb line versus the property line.

With these considered, establishing a standard 30 setback from the end point of the intersection curve would create a clear standard that would mimic the traffic code requirement and the City's clear view triangle requirements all in the interest in safety and visibility at street intersections. This provision, as proposed, would apply equally to both the entering and exiting side of the intersection. Although these two reviewed standards and the proposed driveway location standards may not be directly related, all three would serve the

same safety purpose. The proposed text amendment, including an explanatory diagram that would be codified with these provisions, can be found in Exhibit A to this report. Correlating technical changes necessary relative to the numbering of other figures in Chapter 7-4 can also be found in Exhibit B to this report. One potential result from this revision to the City Code would be a necessity on the part of applicants building a new home to flip their home plans so that the driveway and/or garage is constructed on the side of the home away from the intersection. It also would necessitate consideration on the part of developers to pay mind to this provision when designing and laying out new developments to ensure corner lots are appropriately sized.

Criteria For Approval. The criteria for review and potential approval of a Text Amendment request is found in Section 7-1A-7 of the Tooele City Code. This section depicts the standard of review for such requests as:

- (1) No amendment to the Zoning Ordinance or Zoning Districts Map may be recommended by the Planning Commission or approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Zoning Ordinance or Zoning Districts Map amendment, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
 - (a) The effect of the proposed amendment on the character of the surrounding area.
 - (b) Consistency with the goals and policies of the General Plan and the General Plan Land Use Map.
 - (c) Consistency and compatibility with the General Plan Land Use Map for adjoining and nearby properties.
 - (d) The suitability of the properties for the uses proposed viz. a. viz. the suitability of the properties for the uses identified by the General Plan.
 - (e) Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
 - (f) The overall community benefit of the proposed amendment.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Text Amendment request and has issued the following comments:

1. The proposed text amendment serves the purpose of promoting and maintaining safety at the intersection of streets.
2. The proposed text amendment serves the purpose of promoting and maintaining visibility at the intersection of streets.
3. The proposed text amendment serves the purpose of promoting and maintaining the already established clear view provisions of the City Code.
4. The proposed text amendment serves the purpose of promoting and maintaining the already established intersection setback provisions of the Utah State Code.

Engineering Review. The Tooele City Engineering Division has completed their review of the Text Amendment request and has issued the following comments:

1. The proposed text amendment serves the purpose of promoting and maintaining safety at the intersection of streets.
2. The proposed text amendment serves the purpose of promoting and maintaining visibility at the intersection of streets.

Noticing. The City has expressed their desire to amend the terms of the City Code and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a Text Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

Potential topics for findings that the Commission should consider in rendering a decision:

1. The effect the text amendment may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed text amendment is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the proposed text amendment on properties which may utilize its provisions for potential development applications.
6. The degree to which the proposed text amendment may effect an application's impact on the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed text amendment may effect an application's impact on the general aesthetic and physical development of the area.
8. The degree to which the proposed text amendment may effect the uses or potential uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the Driveway Locations Text Amendment Request by Tooele City, application number P19-925, based on the following findings:"

1. List findings ...

Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation to the City Council for the Driveway Locations Text Amendment Request by Tooele City, application number P19-925, based on the following findings:"

1. List findings ...

EXHIBIT A

**TOOELE CITY CODE PROPOSED REVISIONS
SECTION 7-4-8**

7-4-8. Access Requirements.

For purposes of this Chapter, a drive approach shall be that portion of the ingress and egress to and from a driveway from the front of the curb to the property line. Adequate ingress and egress to and from all uses shall be provided as follows:

- (1) One- and Two-Family Residential Lots. Access to one- and two-family residential lots shall be provided in compliance with the following requirements:
 - (a) Not more than two drive approaches shall be allowed for any residential lot.
 - (b) The width of a drive approach shall not be greater than 30 feet or more than one-third of the lot frontage in which the drive approach is constructed, whichever is less. A drive approach from a cul-de-sac or curved lot with a frontage of less than 50 feet at the property line may exceed one-third of that frontage, but shall not be more than 50% of the frontage at the property line.
 - (c) A lot may have a singular 30-foot drive approach or two drive approaches that total 30 feet wide. A drive approach shall have a minimum width of ten feet. Two drive approaches on the same lot must have a minimum of 12 feet between them.
 - (d) A drive approach shall be measured from the bottom of the flares, at its widest point. The flare shall not be greater than three feet long.
- (2) Other Residential Uses. Access to residential lots other than one- and two-family residential lots shall be provided in compliance with the following requirements:
 - (a) Access to each parking space shall be from a private driveway and not from a public street.
 - (b) Not more than one drive approach shall be used for each 100 feet or fraction thereof of frontage on any street.
 - (c) No two of said drive approaches shall be closer to each other than 50 feet, and no drive approach shall be closer to a side property line than ten feet.
 - (d) No drive approaches shall be located within 50 feet of an intersection of two streets, measured from the existing or planned terminus of the curve return.
- (3) Non-Residential Uses. Access to non-residential uses shall be provided in compliance with the following requirements:
 - (a) Each drive approach shall not be more than 40 feet wide, measured at right angles to the centerline of the drive approach, measured curb-face to curb-face, exclusive of tapered areas. Upon the recommendation of the City Engineer, the Planning Commission may extend a commercial drive approach to 50 feet wide.
 - (b) Divided or one-way access and egress driveways shall maintain a minimum of a 12-foot wide travel lane, per lane, measured curb-face to curb-face, exclusive of tapered areas.
 - (c) Driveways for two-way access and egress shall maintain a minimum of a 24-foot width measured curb-face to curb-face, exclusive of tapered areas.
 - (d) Not more than one drive approach shall be used for each 100 feet or fraction thereof of frontage on any street except that a use on its own property with less than 100 feet of frontage or which cannot meet the spacing between existing drive approaches on adjacent properties may be approved by the Planning Commission for one drive access of not more than 30 feet in width according to Chapter 11 of this Title.
 - (e) No two of said drive approaches shall be closer to each other than 50 feet, and no drive approach shall be closer to a side property line than ten feet.
 - ~~(f) No drive approaches shall be located within 50 feet of an intersection of two streets, measured from the existing or planned terminus of the curve return.~~
- (4) General Standards for All Uses. All access to properties shall be provided to meet the following general requirements:
 - (a) Where practical, adjacent properties are to share accesses. Unless a driveway access is shared by two or more properties, no drive approach shall be closer than ten feet to the point of intersection of two property lines at any corner as measured along the property line, and no driveway shall extend across such extended property line.
 - (b) Driveways or drive approaches shall not be located where sharp curves, steep grades, restricted sight distances or any other feature or characteristics of the road or driveway or drive approach by itself or in combination impairs safe traffic operation. The relocation of highway signs, signals, lighting or other traffic control devices necessitated by a drive approach shall be relocated by Tooele City or its agent at the permittee's expense.

- (c) Driveways or drive approaches which provide access and egress to and from a street controlled by the Utah Department of Transportation (UDOT) must be reviewed and approved by UDOT and shall be sized according to applicable UDOT standards.
- (d) Spacing and location of drive approaches for residential uses in relation to an intersection of two streets shall be as follows:
- (i) a driveway serving an individual dwelling unit, regardless of unit type or configuration, shall be located at least 30 feet from the intersecting streets, measured from the existing or planned end point of the intersection curve along the back of the sidewalk to the closest point of the driveway. Figure 7-4-1 demonstrates typical applications of this provision.
 - (ii) a driveway providing access to a collective parking area serving multiple dwelling units, regardless of unit type or configuration, shall be located at least 50 feet from the intersecting streets, measured from the existing or planned end point of the intersection curve along the back of the sidewalk to the closest point of the driveway. Figure 7-4-1 demonstrates typical applications of this provision.

Figure 7-4-1 – Drive Approach Locations.

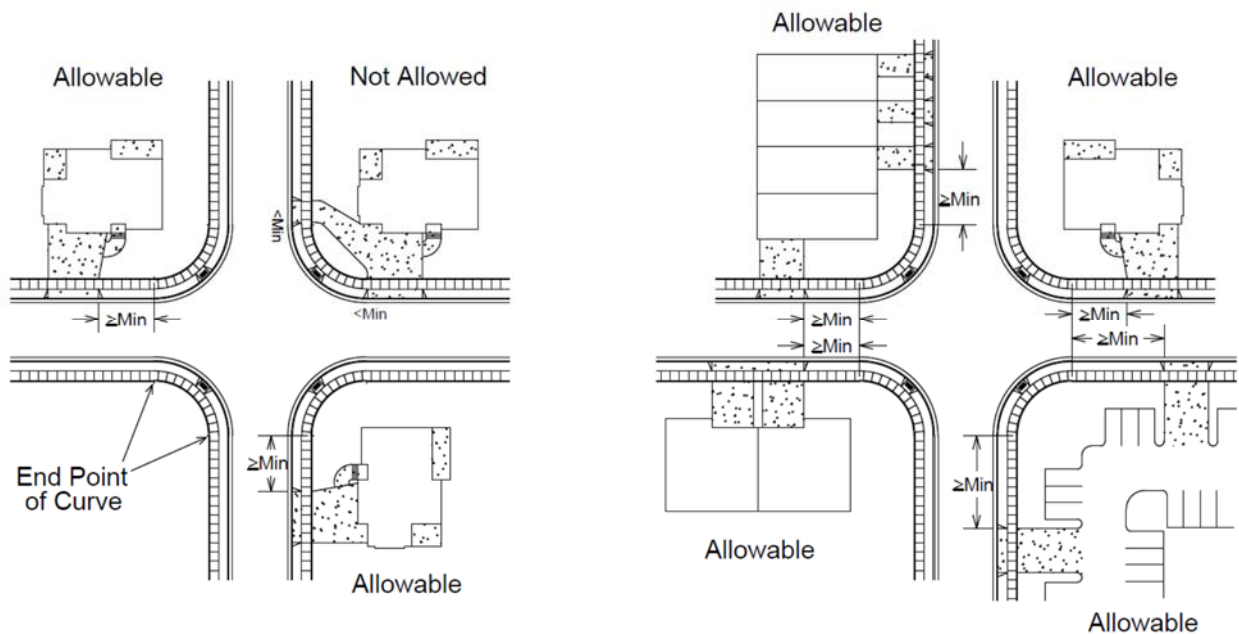


EXHIBIT B

TOOELE CITY CODE PROPOSED REVISIONS

SECTION 7-4-9

SECTION 7-4-10

SECTION 7-4-11

7-4-9. Parking Lots.

- (3) Landscaping.
- (d) For the purpose of identifying areas in and around a parking lot that are eligible for consideration, Figure 7-4-~~12~~ identifies areas anticipated for consideration.
- (5) Alignment. Parking lots which include multiple drive aisles that access parking spaces, or adjacent parking lots that connect, function, or have the ability to function as a single parking lot shall be designed such that drive aisles align across connecting drive aisles. Drive aisles which intersect on an angle to the connecting drive aisle shall connect only as a three leg intersection which does not interfere with traffic movements of nearby drive aisle intersections at the discretion of the City Engineer. Accesses to a parking lot from an adjacent right-of-way shall align with parking lot drive aisles or end at the first intersecting drive aisle in a perpendicular intersection. Alignment requirements of this Subsection are generally displayed in Figure 7-4-~~12~~.

Figure 7-4-~~12~~ – Parking Area Landscaping.

7-4-10. Parking Dimensions.

- (8) Angled parking spaces shall be sized based on the angle of parking spaces shown in this Section, Table 7-4-2 and Figure 7-4-~~23~~. Parking spaces positioned nose-to-nose shall be at least 20 feet deep each.

Figure 7-4-~~23~~ – Angled Parking Layout.

7-4-11. Public Safety Aisles.

Every lot or parcel that includes a parking area with internal vehicular aisles for access to parking spaces shall provide public safety access and facilitation aisles. Those public safety aisles shall be a minimum of 30 feet in width, measured from curb-face to curb-face and as shown in Table 7-4-2, regardless of whether the aisle accommodates one- or two-way traffic. Public safety aisles, as represented and depicted in the Figure 7-4-~~34~~, shall consist of all aisles that:

Figure 7-4-~~34~~ – Public Safety Aisles.

TOOELE CITY CORPORATION

RESOLUTION 2020-09

A RESOLUTION OF THE TOOELE CITY COUNCIL AUTHORIZING THE DISPOSAL OF LOST OR MISLAID PERSONAL PROPERTY.

WHEREAS, in the regular course of business, the Tooele City Police Department comes into possession of substantial quantities of lost, misplaced, and unclaimed personal property; and,

WHEREAS, Utah Code Chapter 77-24a governs the disposal of such unclaimed personal property, which property may be sold, destroyed, or applied to a public interest use (i.e., used by the police department as authorized by the City Council, or donated to a registered Utah nonprofit charity); and,

WHEREAS, prior to disposing of unclaimed personal property, the police department must comply with the notice procedures described in U.C.A. §§77-24a-4 and -5; and,

WHEREAS, attached to this Resolution as Exhibit A is a detailed list of unclaimed personal property which the police department seeks City Council authorization to apply to a public interest use:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the unclaimed personal property shown in the attached Exhibit A is hereby authorized for one of the following dispositions:

- (a) sale at public auction with the sales proceeds applied to a public interest use; or,
- (b) application to a public interest use; or,
- (c) destruction, if the item is unfit for sale or a public interest use, in the discretion of the Chief of Police.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter, except that the unclaimed personal property listed in Exhibit A may not be sold or otherwise disposed of until nine days after the date of publication and posting referred to above and required by U.C.A. §77-24a-5(1).

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this ____ day of _____, 2020.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

Roger Evans Baker, City Attorney

City Council Approval for Unclaimed Property Disposal as Public Interest Use 2020 -Tooele City Police Department

The following is a list of unclaimed property being held in the evidence room at the police department. The bikes will be donated to the West Valley Fire Dept. to be repaired and sold with the proceeds being donated to the University of Utah Burn Unit. The remainder of the property listed will be converted to public interest use. Property not used by the city will be donated to the Deseret Industries.

Case Number	Model	Serial Number
18-T01302	Razor Hovertrax	none
18-T00668	Razor	100720-20-0710055953
17-T14337	PPP scootermfg	065EV
17-T12514	Shamano/ spray painted	51288
18-T06638	Next Mako	LWHC061729
19-T09106	Schwinn Taff	SNXDS18120001
19-T03511	D8/Neco	M87057342
19-T06740	Honda Trail pilot	MCSD71883
19-T05478	Road Master Fury	S1LO134958
19-T03361	Kent Flexor	G1711112684
19-T00937	Laredo Motiv	05059
18-T06205	Road Master Fury	F021105968
18-T05895	Malibu Hopper	GA1840301
18-T02908	Kulana Rivera	SNFSD08F95161
18-T05103	Schwinn Sidewinder	CSC2E09908
18-T02434	Schwinn Sidewinder	SNXDS17A14465
18-T01242	Mongoose Estes	SNFSD05GG2014
14-T005804	Glove Carmel	W6D80340350D
18-T01276	Spray painted	none
18-T02908	Kent Abyss	G1212055795
18-T14296	Mongoose Mode	SNFSD126B6019
19-T00774	Genesis 2100	GS1D4015666
19-T00416	Genesis 2100	GS101117304
18-T08646	Neco	DM14L0014600
18-T08397	Next Chaos	GS060539694
18-T08976	Next PX6.0	LWLF012548
18-T08462	Huffy Trail Runner	AB14H05598
18-T09725	Next Chaos	L051053634
18-T09701	Chaos FS20	G1109058867
18-T06119	Motor bike	DM070516336

**City Council Approval for Unclaimed Property Disposal as Public Interest Use
2020 -Tooele City Police Department**

The following is a list of unclaimed property being held in the evidence room at the police department. The bikes will be donated to the West Valley Fire Dept. to be repaired and sold with the proceeds being donated to the University of Utah Burn Unit. The remainder of the property listed will be converted to public interest use. Property not used by the city will be donated to the Deseret Industries.

17-T08410	Schwinn Sidewinder	SNMNG09E24162
17-T03082	Haro/ spray painted	none
18-T050299	FS20	HS161002119
18-T05919	Mongoose XR15	SNALLOC0444
18-T05945	Road Master Granite Peak	1SNFSD17R
17-T00137	Diamond Back	KW0J02448
17-T14239	Huffy Havoc	56445-93135112677
18-T01999	Mongoose Ledge	SNFSD15EE5333
18-T03903	Road Master Granite Peak	SNFSD17HN0368
19-T02720	Broken frame	none
18-T10480	FS20/Spray painted	none
18-T06931	Next Power Climber	78477304
18-T07312	Road Master Granite Peak	SNFSD16AB1105
18-T12213	Wellgo/ Spray painted	none
18-T11401	Huffy Nel Lusso	SNH1C15G521
18-T10280	Genesis GX7	GS13103541
17-T12977	Scooter	none
19-T10417	7 Speed	G1417110639
19-T11860	Mongoose	SNFSD18JG639
19-T11085	Impulse Hard	R90321052
19-T10068	Ambush	SH180610693
19-T11085	Mountain Bike	TZ18630012
17-T12297	Next Surge	Z5E20090625
17-T13745	Next Wipeout	DWHA014715
18-T00085	Hyper	F12F0178302
19-T08453	Mongoose	FSD04W09589
17-T14206	Next	44609839
17-T14206	Next Summer party	77801650
18-T06790	Mongoose Mode180	NFSD134S0522

**City Council Approval for Unclaimed Property Disposal as Public Interest Use
2020 -Tooele City Police Department**

The following is a list of unclaimed property being held in the evidence room at the police department. The bikes will be donated to the West Valley Fire Dept. to be repaired and sold with the proceeds being donated to the University of Utah Burn Unit. The remainder of the property listed will be converted to public interest use. Property not used by the city will be donated to the Deseret Industries. All serial numbers have been checked NCIC with no results

19-T09093	Mongoose Maneuver	P6GX16859
18-T14044	Mongoose Influx	CA30109947
18-T14044	Mongoose XR75	SNFSD11JG4255
18-T144044	Huffy Rocket	SNHEC08C08849
18-T12858	Diamond Back M3030	EF150501860
19-T05576	Mongoose DXRAL	F0407018203
19-T06316	Hyper Havoc	DMG12B01765
19-T02123	Kent Peace	HS12117163
18-T01482	Gray Winchester Gun Safe	WIN-17-031667

TOOELE CITY CORPORATION

ORDINANCE 2019-35

AN ORDINANCE OF THE TOOELE CITY COUNCIL AMENDING THE TOOELE CITY ZONING MAP FOR PROPERTY AT APPROXIMATELY 2100 NORTH MAIN STREET.

WHEREAS, Utah Code §10-9a-401, *et seq.*, requires and provides for the adoption of a “comprehensive, long-range plan” (hereinafter the “General Plan”) by each Utah city and town, which General Plan contemplates and provides direction for (a) “present and future needs of the community” and (b) “growth and development of all or any part of the land within the municipality”; and,

WHEREAS, the Tooele City General Plan includes various elements, including water, sewer, transportation, and land use. The Tooele City Council adopted the Land Use Element of the Tooele City General Plan, after duly-noticed public hearings, by Ordinance 1998-39, on December 16, 1998, by a vote of 5-0; and,

WHEREAS, the Land Use Element (hereinafter the “Land Use Plan”) of the General Plan establishes Tooele City’s general land use policies, which have been adopted by Ordinance 1998-39 as a Tooele City ordinance, and which set forth appropriate Use Designations for land in Tooele City (e.g., residential, commercial, industrial, open space); and,

WHEREAS, the Land Use Plan reflects the findings of Tooele City’s elected officials regarding the appropriate range, placement, and configuration of land uses within the City, which findings are based in part upon the recommendations of land use and planning professionals, Planning Commission recommendations, public comment, and other relevant considerations; and,

WHEREAS, Utah Code §10-9a-501, *et seq.*, provides for the enactment of “land use [i.e., zoning] ordinances and a zoning map” that constitute a portion of the City’s regulations (hereinafter “Zoning”) for land use and development, establishing order and standards under which land may be developed in Tooele City; and,

WHEREAS, a fundamental purpose of the Land Use Plan is to guide and inform the recommendations of the Planning Commission and the decisions of the City Council about the Zoning designations assigned to land within the City (e.g., R1-10 residential, neighborhood commercial (NC), light industrial (LI)); and,

WHEREAS, the City has received an application for Zoning amendments for properties located near 2100 North Main Street, as shown in the attached **Exhibit A**; and,

WHEREAS, the GC General Commercial zoning district is currently assigned to approximately 5.5 acres of land located at 2100 North Main Street (see map attached at **Exhibit A**); and,

WHEREAS, by Rezone Petition received on November 4, 2019, KMD LLC has requested the subject property be reassigned to the LI Light Industrial zoning district (see Rezone Petition attached as **Exhibit A**); and,

WHEREAS, on December 11, 2019, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as **Exhibit B**); and,

WHEREAS, on _____, the City Council convened a duly-advertised public hearing:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that:

1. this Ordinance and the zoning amendments proposed therein are in the best interest of the City in that they will further economic development and are consistent with the desires of the affected property owners and are consistent with the General Plan and Land Use Plan; and,
2. the Zoning Map is hereby amended for the property located near 2100 North main Street as illustrated in **Exhibit A**, attached.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this ____ day of _____, 20__.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Pitt, City Recorder

S E A L

Approved as to Form:

Roger Baker, Tooele City Attorney

Exhibit A

Application for Zoning Amendment

Zoning, General Plan, & Master Plan Map Amendment Application

Community Development Department
90 North Main Street, Tooele, UT 84074
(435) 843-2132 Fax (435) 843-2139
www.tooelecivty.org



Notice: The applicant must submit copies of the map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

P19-821

Project Information					
Date of Submission: 11/4/19		Current Map Designation: Split zone, LI/GC		Proposed Map Designation: Light Industrial	
Project Name: Fortress Self-Storage Development - SR36				Parcel #(s): 02-143-0.-0096	
Project Address: 2100 North & SR36				Acres: 5+ 5.53	
Proposed for Amendment: ☒ Ordinance ☐ General Plan ☐ Master Plan: _____					
Brief Project Summary: The present zoning of the property is split. The west side of the property is General Commercial (GC) and the East side is Light Industrial (LI). The split is approximately 50/50 in proportion between GC and LI. We are seeking to remove the split zoning designation and have the proposed 5+ acre parcel entirely zoned as Light Industrial.					
Property Owner(s): WINTERGREEN GROUP LLC BRYTEN "BRYTEN" JOHNSON, MEMBER			Applicant(s): KMD LLC		
Address: 5939 FM 52			Address: 121 W Misty Brook Ln		
City: PERLIN	State: TX.	Zip: 76486	City: Stansbury Park	State: UT	Zip: 84074
Phone: 801-558-8888			Phone: 435-224-4420		
Contact Person: Arno Kruisman			Address: 121 W Misty Brook Ln		
Phone:			City: Stansbury Park	State: UT	Zip: 84074
Cellular: 435-224-4420	Fax:		Email: arno@blacksaltint.com		

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

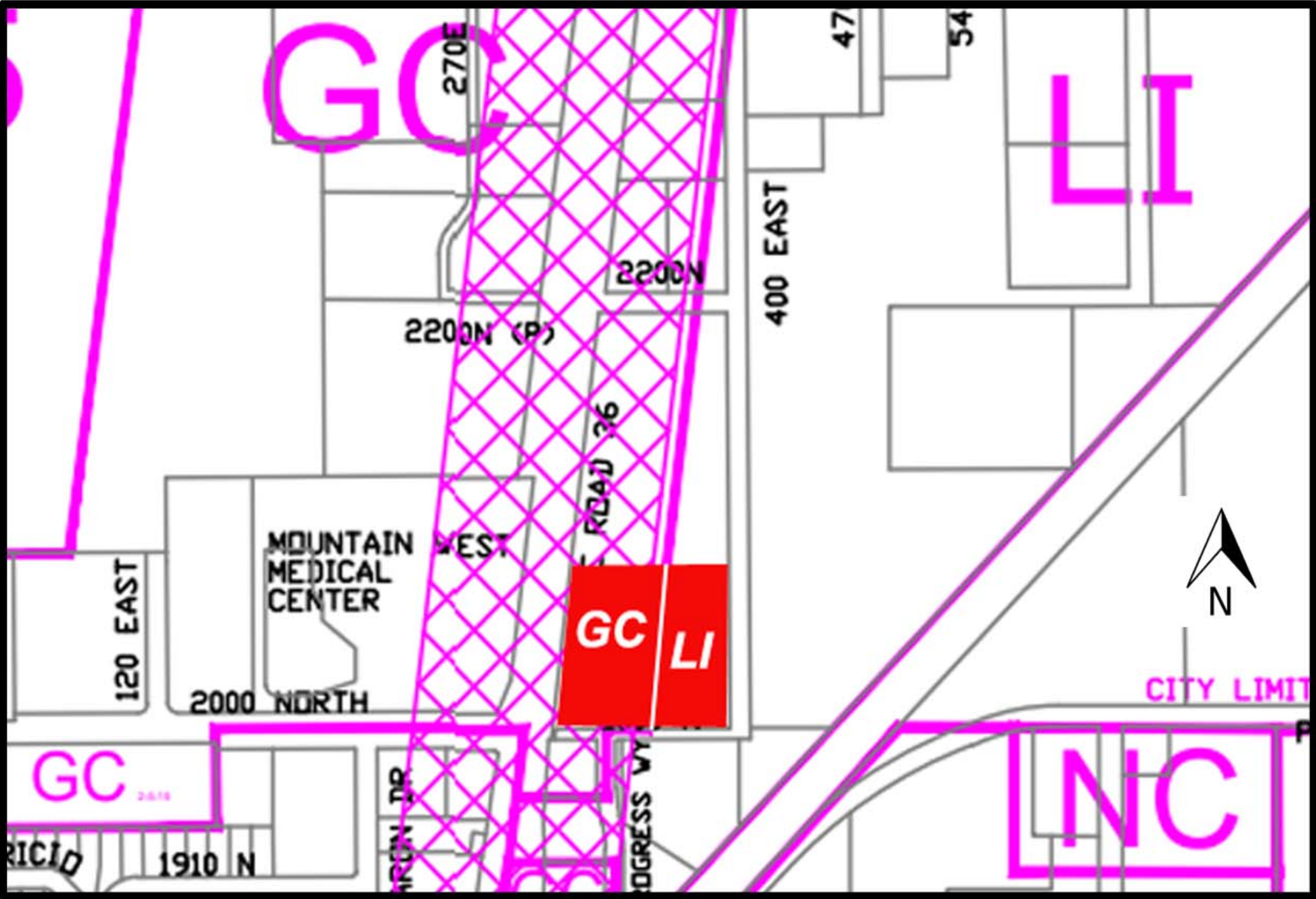
Note to Applicant:

Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

2190809

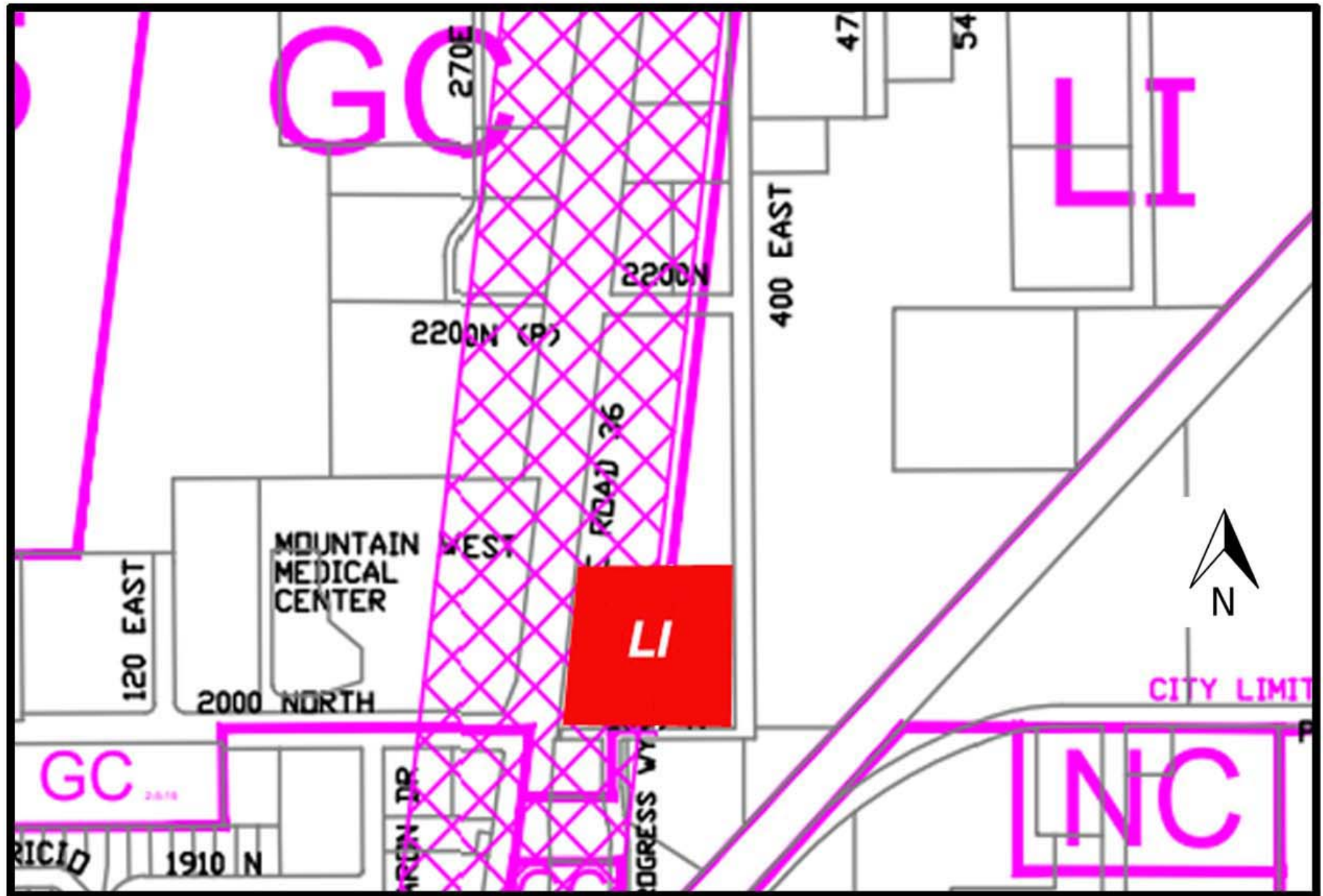
For Office Use Only			
Received By: NO	Date Received: 11/4/19	Fees: 1553.00	App. #: 003640841

Fortress Self Storage Zoning Map Amendment



Current Zoning

Fortress Self Storage Zoning Map Amendment



Proposed Zoning

Exhibit B

Planning Commission Minutes

TOOELE CITY PLANNING COMMISSION MINUTES

Date: Wednesday, December 11, 2019

Place: Tooele City Hall Council Chambers
90 North Main Street, Tooele Utah

Commission Members Present:

Shauna Bevan
Melanie Hammer
Tyson Hamilton
Tony Graf
Bucky Whitehouse
Ray Smart
Matt Robinson

Commission Members Excused:

Phil Montano
Chris Sloan

City Employees Present:

Andrew Aagard, City Planner
Jim Bolser, Community Development Director
Paul Hansen, City Engineer

City Employees Excused:

Roger Baker, City Attorney

Council Members Present:

Council Member Gochis
Council Member McCall

Minutes prepared by Kelly Odermott

Chairman Graf called the meeting to order at 7:00 pm.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Hamilton.

2. Roll Call

Matt Robinson, Present
Melanie Hammer, Present
Shauna Bevan, Present
Tyson Hamilton, Present
Tony Graf, Present

Bucky Whitehouse, Present
Ray Smart, Present

3. Public Hearing and Decision on a Conditional Use Permit to allow the uses of “Automobile Sales and rental” and “Automobile Service and Repair” for Trucks, Cars, and Credit at 57 South 100 West in the GC General Commercial zoning district on approximately 1.86 acres.

Presented by Andrew Aagard

Mr. Aagard stated that the Conditional Use Permit is east of 100 West and south of the Kirk Hotel building. There is an existing retail building that has seen various commercial uses over the years and an existing accessory out building closer to 100 West. The applicant wishes to use the large accessory building to repair and service automobiles, prior to selling them at other commercial locations in the city. The property is currently zoned GC General Commercial as are all of the surrounding properties. Properties to the west on the adjacent side of 100 West are zoned R1-7 Residential. The property surrounding the subject property bare a GC General Commercial zoning; there are many nonconforming residential uses. Most if not all of the properties fronting on 100 West are used as nonconforming residential. The applicant has indicated on the application that the property will be used as vehicle service and repair as well as vehicle service and rental. Both uses are permitted in the zone with a Conditional Use Permit. All vehicle repair shops require some storage of vehicles that are waiting service or awaiting transport. Vehicle storage is inevitable with a vehicle repair service. The site has plenty of area and space for vehicle parking. Staff’s main concern is a proper screen around the vehicles away from the residences in the area. Staff recommends the Conditional Use Permit be approved with an additional condition that all vehicle storage areas be screened with a solid fence. Mr. Aagard stated that the applicant is aware of this. This item is a public hearing and residences in the area received notification of the hearing, no comments or concerns were registered with staff.

Chairman Graf asked if there were any comments or questions from the Commission. There were none.

Chairman Graf opened the public hearing.

Mr. Tim Booth stated that he lives at 50 South 100 West. He has a view of the property. Mr. Booth gave a brief history of the accessory building. His concerns are the use of the building due to its prior uses and building modifications. He stated that the roadway out to 100 West should be a public roadway because it has been used that way for years. He stated that he is concerned about the man living in the camper outside the building, who has been seen relieving himself outside the building. He doesn’t believe there is a bathroom inside the building. Another issue pointed out by Mr. Booth is the agreement with UTA for the parking in the parking lot. Mr. Booth stated that there is a lot of vehicle traffic and criminal activity in the lot.

Ms. Michelle Polland stated that she grew up in the area of the building and watched the building change ownership. She stated that the only uses of the building have been a furniture store and a grocery store. She stated that there needs to be a mitigation of property. She

stated that putting this business will have a determinantal impact on the historical neighborhood. The home that is adjacent to the parking has a garage that has access to the lot and there needs to be easements for the usage of the garage. She stated that her husband is an auto mechanic and buys cars at auction, repairs them, and sells them. This business will bring in 40 and 50 cars at a time. These cars have leaking oils. All of the fluid for the leaking will be going in the ground. Will the applicant put in a system to mitigate the fuel? The water is not retained on the property or runs out in the drainage. She asked the Planning Commission to not approve the Conditional Use Permit.

Mr. Fiore Belmonte stated that he apologized for his security guard using the lot as a bathroom. There is no intention of the neighbor's garage being blocked, the fences will go up to the garage. The parking for UTA is not on his property usage. Mr. Belmonte stated that he will be stopping the traffic that goes through there. The fence will have a barrier to stop people from looking through the fence.

Commissioner Bevan asked about the concerns that were made about the leaking fluids from the cars, how will that be mitigated. Mr. Belmonte stated that anything that is mechanical can break. Any car can leak. The goal is to get cars fixed as quickly as they can. Nothing that doesn't happen on every street in every city. The business will get cars in and out very quickly. It won't be any different than any other repair shop.

Commissioner Smart asked if the cars will be brought in to be parted out? The applicant stated that is not the intent and a car that is there, will be behind the fence.

Commissioner Hammer asked the applicant to state where fencing is currently and what the plan is for the fencing. The applicant stated that there is no existing fencing. The fencing at the Kirk Hotel is not being utilized by the business. The applicant pointed out the east end and west end of the building on the map and the fencing will go directly north from the end of the building.

Chairman Graf closed the public hearing.

Chairman Graf asked if there were any additional comments from the Commission.

Commissioner Bevan asked Mr. Aagard if there is bathroom facilities in the building. Mr. Aagard stated that he was not aware of one, but building code would require there to be one as part of the conditions of the Conditional Use Permit. Mr. Aagard stated that auto wrecking as asked by Commissioner Smart is not allowed in the zone and would be a violation. Mr. Bolser stated that a Conditional Use Permit is the regulation of the use of the property, any occupation of the site has to comply with all applicable codes including building, fire, and EPA codes. Most of the concerns that were brought up are supplemental to the use of the property.

Commissioner Hamilton motioned to approve the Conditional Use Permit Request by Fiore Belmonte, representing Trucks, Cars, and Credit to authorize "Automobile Sales and Rental" and Automobile Service and Repair" on the property located at 57 South 100 West, application number P19-841, based on the findings and subject to the conditions listed in the

Staff Report dated December 2, 2019, emphasis added for the fencing on the property.

Commissioner Whitehouse seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner Smart, "Aye," Commissioner Whitehouse, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Chairman Graf, "Aye." The motion passes.

4. Public Hearing and Decision on a Conditional Use permit to allow the use of "Recycling Processing Center" for Green Box Recycling located at 150 South Feldspar Road in the I Industrial zoning district on 1.95 acres.

Presented by Andrew Aagard

Mr. Aagard stated that this is an application for a Conditional Use Permit on a property located in the industrial depot. The property is located just west of Feldspar Road and north of Atlas Road. The property has already been utilized as a vehicle impound yard, equipment storage and other industrial activities. The property is zone I Industrial as are all the surrounding properties. All properties in the area are vacant or utilized as industrial properties. The applicant wishes to use the property as a recycling processing center, which requires some outside storage in addition to the recycling activity. Staff does not anticipate any detrimental effect to the area due to the industrial activities already occurring in the area. Staff is confident that the use is appropriate for the area. This item is a public hearing and staff sent out notices to property owners within 200 feet of the property. No comments or concerns have been registered with the City. Staff is recommending approval with the basic housekeeping conditions.

Chairman Graf asked if there were any further comments or questions, there were none.

Chairman Graf opened the public hearing, there were no comments. Chairman Graf closed the public hearing.

Commissioner Robinson motioned to approve the Conditional Use Permit Request by Dane Applegate, to permit the use of "Recycling Processing Center" at 150 Feldspar Street, application number P19-878, based on the findings and subject to the conditions listed in the Staff Report dated December 2, 2019. Commissioner Hammer seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Smart, "Aye," Commissioner Whitehouse, "Aye," Chairman Graf, "Aye." The motion passes.

5. Public Hearing and Decision on a Conditional Use Permit to allow the use of "Private Club/Bar" for The Venus Club located at 105 North Broadway in the MU—8 Mixed Use Broadway zoning district.

Presented by Andrew Aagard

Mr. Aagard stated that the application for a Conditional Use Permit is located in the New Town area on the corner of Broadway and Elm Street. It was proposed for an existing building. The property is zoned MU-8 Mixed Use Broadway as are the properties to the north, east, and south. Properties to the west are zoned R1-7 Residential. The property has previously had a private

club and bar operating under a previous Conditional Use Permit but that permit has expired after no use longer than a year. The applicant wishes to reestablish the same business and needs a new Conditional Use Permit to do so. There is an existing parking area with access to Elm Street. The area has room for eight or nine vehicles. The parking ordinance requires one parking stall for every three seats or one parking stall for every 100 square feet, excluding kitchen, office, and storage. Staff has reached out for the square footage of the interior or number of seats, but there was no response. With nine parking spots there could be potential 27 seats. Mr. Aagard stated that a building of this size, there would probably not be space for that many seats, therefore staff does not anticipate an issue with parking. There are other similar establishments in close proximity to the building and the use is not out of character for the area. The agenda item is a public hearing and notices were sent to property owners within 200 feet, no concerns or comments have been registered with the City.

Chairman Graf asked if there were any questions or comments from the Commission, there were not comments.

Chairman Graf opened the public hearing, there were no comments. Chairman Graf closed the public hearing.

Commissioner Hammer motioned to approve the Conditional Use Permit Request by Terry Crossley, to permit the use of Private Club/Bar” at 105 North Broadway, application number P19-882, based on the findings and subject to the conditions listed in the Staff Report dated December 2, 2019. Commissioner Hamilton seconded the motion. The vote as follows: Commissioner Hammer, “Aye,” Commissioner, “Hamilton,” Commissioner Bevan, “Aye,” Commissioner Robinson, “Aye,” Commissioner Smart, “Aye,” Commissioner Whitehouse, “Aye,” Chairman Graf, “Aye.” The motion passes.

6. Public Hearing and recommendation on a Zoning Map Amendment request from the GC General Commercial Zoning District to the LI Light Industrial Zoning District by KMD LLC, for approximately 5.53 acres located at approximately 2100 North and SR36.

Presented by Andrew Aagard

Mr. Aagard stated that the application is a 5-acre parcel that is located east of SR-36 or Main Street and north of 2000 North. The property currently bares two zoning designations. The eastern half of the property is LI Light Industrial and western half is GC General Commercial. The applicant wishes to amend the Zoning Map so that all the property is assigned to LI Light Industrial zoning district. The property is located within the North Gateway Overlay. This overlay places greater requirements regarding landscaping building architecture, parking location, and so forth. Those will be reviewed during the site plan review. Rezoning the property to LI Light Industrial district will not have any impact on the overlay and all uses in the overlay must meet the requirements of the overlay. The main difference between the two zones is the intensity of the commercial uses. The GC General Commercial zone has a wide range of commercial uses and limits manufacturing and heavier commercial uses. The LI Light Industrial is more intense and allows many of the same uses but allows research, manufacturing and storage units. Storage units are not allowed in the General Commercial zone, but are allowed in the LI Light Industrial. Storage units are the intent of the property. Access to the

property is limited from 2200 North and a viaduct located at 2000 North. Access to 2000 North is not likely. All the surrounding uses are commercial or light industrial. The applicant is requesting the zoning for the construction of the storage units, the Planning Commission should consider that if the LI Light industrial is approved all uses for LI Light industrial can occur on the property. This item is a public hearing and notices were mailed to all property owners within 200 feet of the subject property. No comments or concerns have been registered.

Chairman Graf asked the Commission if there were any comments or questions.

Commissioner Robinson asked Mr. Aagard for clarification that if the property is rezoned, the applicant can change their mind and do something other than a storage unit. Mr. Aagard confirmed that could happen.

Chairman Graf opened the public hearing.

Mr. Randy Hunt stated that directly east of the property is 50 acres that is already zoned light industrial and he doesn't believe it is in the best interest of the City to rezone it to LI Light Industrial when there is land available in the area.

Mr. Steve Griffith, stated that he is a real estate broker and has a vested interest in industrial and commercial in the City. He stated that not too long ago there was a study of storage units in the County and there were 2000 acres of land that would accommodate this type of facility. He stated that General Commercial is hard to find. He stated that he would hate to see General Commercial changed to Light Industrial.

Mr. Arno Kruisman, the applicant stated that he and his business partner have done over 110 self-storage units. They are serious self-storage investors. He stated that he lives locally as well. They have investigated the location. The location used to be LI Light Industrial. The location of the site although General Commercial, there is no access to it. He stated they think this is a great location for their product. The self-storage will have a fortress style and will have landscaping. They look nice and is a great concern. The partners have worked well with the City staff and have tried to implement as many of the recommendations. During the research of the facility, the partners found that Tooele is 95% self-storage full. They believe this will be a great fit and location. He stated that they want visibility from the road and the growth in Tooele will help make this a successful.

Chairman Graf closed the public hearing.

Chairman Graf asked the Commission if they had any additional comments or questions, there were none.

Commissioner Hamilton motioned to forward a positive recommendation to the City Council for the Fortress Self Storage Zoning Map Amendment Request by Arno Kruisman, representing KMD LLC to reassign the subject property to the LI Light Industrial zoning district application Number P19-821, based on the findings listed in the Staff Report dated December 2, 2019. Commissioner Bevan seconded the motion. The vote as follows: Commissioner Hammer, "Nay,"

Commissioner Hamilton, “Aye,” Commissioner Bevan, “Aye,” Commissioner Robinson, “Nay,” Commissioner Smart, “Aye,” Commissioner Whitehouse, “Aye,” Chairman Graf, “Aye.” The motion passes.

Chairman Graf voted aye and stated that the map is split in half between the zones and because it would be appropriate based on the report.

Mr. Bolser stated that this item will still need to be reviewed by the City Council. There will be a public hearing before the City Council but it will not be advertised in the same matter as this one. There will not be property owner notifications mailed to neighboring property owners as they were for this hearing. Anyone interested will need to keep a close eye on City Council agendas that are posted to the website or sign up to receive automatic emails of any agendas that come out.

Chairman Graf seconded Mr. Bolser’s comments and echoed that anyone concerned with the property should attend the City Council meeting to voice comments

7. Recommendation on a Preliminary Plan Subdivision request by Perry Development, LLC for Overlake 2A consisting of 90 lots located at approximately 2000 North 400 West in the R1-7 Residential zoning district.

Presented by Andrew Aagard

Mr. Aagard stated that the original submittal of the preliminary plan was for 90 lots. Since the submittal, the lot count has decreased to 80 lots. The preliminary plan proposes to subdivide 30 acres of land north of 2000 North and 400 West. It is immediately west of the Clark Johnson Junior High. The property is currently zoned R1-7 Residential as are properties to the north and south. Properties to the east are R1-8 Residential. Other than the school, all properties in the area are utilized as residential. The subdivision proposes single family lots ranging in size from 8,000 square feet to 14,000 square feet. The proposed lots in the preliminary plan exceed lot size, lot width, and lot frontages of the R1-7 Residential zone. There are some double fronting lots along 400 West. Park strip and land will be landscaped and maintained by the property HOA. A six-foot solid masonry fence wall is required on the rear frontages. All streets in the development will be public roads and dedicated to Tooele City for maintenance. Stub streets will be put in place for the property to the west for future development. All storm water basins are managed offsite on private land owned by the developer. The preliminary plan will be phased into 3 phases consisting of 20 to 30 lots. Each phase will require final plat submittal and a final plat Planning Commission and City Council approvals. The preliminary plan proposed meets or exceeds the requirements are proposed by City codes. Staff recommends approval with the conditions listed in the Staff Report.

Chairman Graf asked if the Commission had any questions or comments.

Commissioner Hammer stated that property that is adjacent to or near the North Tooele City Service District was to be offered or invited to join the service district. There is a space on the plat for the service district to sign off on, but has the service district had the opportunity to invite Perry homes to the service district. Mr. Aagard stated that contacting the service district

is left up to the applicant. If the applicant doesn't wish to be annexed into the service district, that is not required up front. Commissioner Hammer asked if the service district knows that they could contact the developer. Mr. Aagard stated that curtesy notices are sent to utility providers and the service district would be one of those providers.

Chairman Graf asked if there are any lights along 400 West. Mr. Aagard stated he would need to look at the plans. Mr. Hansen stated that there will be lights on the Perry side. Chairman Graf asked if there is any mechanism to deal with the continuity of the street lights. Mr. Bolser stated that with the settlement agreement from the Overlake litigation, the district's boundaries were limited at that time for what was platted at that time. South of 2000 North included the entire right of way of 400 West was included in the plats that had been recorded. Mr. Bolser stated that he was not sure if it included the entire right of way of 400 West in the area north of 2000 North. If it did then the improvements would have to comply with the North Tooele City Special Service District standards. If there is right of way outside of the service district than it would become a negotiating point between the City and the applicant.

Commissioner Hammer asked for clarification on the double frontage homes on 400 West. Those homes would join an existing HOA or are they creating an HOA. The other homes along 400 West to the south are part of the service district, but do not pay fees. Mr. Bolser stated that home directly south of this plat on the west side of the 400 West are not part of the district. The right-of-way is part of the district. There is a Homeowners Association in that neighborhood set up by the developer which is separate from the North Tooele City Special Service District. The HOA set up will come with final plat. Mr. Bolser stated that his understanding is that Perry homes will be extending the existing HOA to incorporate this development but they would have the option to set up another HOA for this development. Mr. Bolser stated that if the right-of-way was part of the original agreement than it will be part of the service district, if it was not part of the original agreement, it will not be part of the district or subject to those standards.

Commissioner Robinson asked if that was done in final plat approval. Mr. Bolser responded yes and stated that it should be pretty seamless since this developer has done one before in the vicinity and is looking to just extend the HOA to this development.

Commissioner Hammer stated that she lives in Overlake Estate 2a and she was curious how this name will be recorded. Mr. Bolser stated that he did not believe there was a prior phase 2A but regardless, plat names cannot be duplicated. That will be reviewed by the County during plat review. The county will review the names and surveying. A change in that regard will not affect any approvals.

Commissioner Robinson moved to forward a positive recommendation to the City Council for the Overlake Estates 2A Preliminary Plan Subdivision Request by Dan Reeves, representing Perry Development, LLC, application number P19-98, based on the findings and subject to the conditions listed in the Staff Report dated December 4, 2019. Commissioner Hammer seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner Smart, "Aye," Commissioner Whitehouse, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Chairman Graf, "Aye." The motion passes.

8. Recommendation on a Minor Subdivision request by Kevin Boyle for Desert Cove Subdivision consisting of 5 lots located at 242 East 400 North in the R1-7 Residential zoning District.

Presented by Andrew Aagard

Mr. Aagard stated this minor subdivision is south of 400 North and east of First Street. There is an existing home on the property that will remain. The property is currently zoned R1-7 Residential as are all of the surrounding properties. The dominant land use in the area is single family residences. The applicant proposes to subdivide the property into five single family lots ranging in size from 7,000 up to 12,800 square feet. The largest lot being a flag lot. All lots within the subdivision meet or exceed standards for lot development as required by zoning district and subdivision ordinance. Staff has ensured that the subdivision does not create any nonconformities with the existing home which will remain. All setbacks from the home and accessory structures to the new property lines due comply with ordinance requirements. Lots three and four will utilize the 30 foot wide staff portion of the flag lot for access and utility connection. An easement is included on the plat guaranteeing access to lot four and utility access to lot four and five. Staff portion of the flag lot is required to be improved with either concrete or asphalt. Staff is recommending approval with the basic housekeeping items.

Chairman Graf asked the Commission if there were any questions or comments, there were none.

Commissioner Bevan motioned to forward a positive recommendation to the City Council for the Desert Cove Minor Subdivision request by Kevin Boyle, representing the The Great Stock Company of Vast International Import for the purpose of creating 5 single-family residential lots, application number P19-639, based on the findings and subject to the conditions listed in the Staff report dated December 3, 2019. Commissioner Whitehouse seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner, Smart, "Aye," Commissioner Whitehouse, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Chairman Graf, "Aye." The motion passes.

9. Recommendation on a Final Plat Subdivision request by Bach Homes for Copper Canyon Phase 9 consisting of 36 lot located at approximately 600 West Tooele Boulevard in the R1-7 PUD Residential zoning district.

Presented by Andrew Aagard

Mr. Aagard stated the property is zoned R1-7 PUD as are all of the surrounding properties. There are some properties zoned MR-16 Multi-Family Residential on the adjacent side of the railroad tracks. The final plat application proposes the creation of 36 single-family residential lots ranging in size of 6,000 square feet to 11,200 square feet. Each lot in the proposed subdivision meets or exceeds minimum lot size and width requirements required by the PUD requirements of the subdivision and the R1-7 Residential zone. Parcel 9a of the plat will be landscaped as part of the overall PUD open space plan, connecting an existing park to the west side of Copper Canyon. Parcel 9 landscaping will be maintained by Tooele City. The landscaping plans were reviewed by Tooele City Parks and Recreation Department. There will also be some improvements to Tooele Boulevard with double fronting lots that will receive the same

landscaping. There will be a six-foot solid masonry fence between Tooele Boulevard and the railroad. Staff is recommending approval with the conditions listed in the Staff Report.

Chairman Graf asked the Commission if there were any questions or comments, there were none.

Commissioner Robinson motioned to forward a positive recommendation to the City Council for the Copper Canyon Phase 9 Final Plat Subdivision Request by Brain Carlisle, representing Bach Homes for the purpose of creating 36 single-family residential lots, application number P19-507, based on the findings and subject to the conditions listed in the Staff Report dated December 3, 2019. Commissioner Bevan seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner, Smart, "Aye," Commissioner Whitehouse, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Chairman Graf, "Aye." The motion passes.

10. Recommendation on a Minor Subdivision request by Zenith Tooele LLC for Lexington Greens consisting of 5 lots located at approximately 400 West 1200 North in the MR-16 Multi-Family Residential zoning district.

Presented by Andrew Aagard

Mr. Aagard stated the property was recently rezoned to MR-16 Multi-Family Residential. It encompasses Franks Drive. The subdivision is for the purpose of establishing property lines. The proposed lots range in size from 5.2 acres to 7.5 acres. There is no development proposed in conjunction of this subdivision. The developer of each parcel will be required to dedicate roadways, water rights, and so forth. Also, undergo any site application approvals. The development will not occur on the parcels until these items have been completed. Staff has added nine conditions to the Staff Report. Conditions one through four are the basic housekeeping conditions required by every approval. Conditions five through nine ensure that the subdivision is for property delineation and ownership only and requires each parcel to undergo all necessary approval applications, make all dedications necessary for development, and install all necessary infrastructure and so forth when each parcel develops. Staff is recommending approval on the minor subdivision plat with the nine conditions.

Chairman Graf asked the Commission if there were any questions or comments, there were none.

Commissioner Hammer motioned to forward a positive recommendation to the City Council for the Lexington Greens Minor Subdivision Request by Zenith Tooele LLC for the purpose of creating 5 lots, application number P19-868, based on the findings and subject to the conditions listed in the Staff Report dated December 6, 2019. Commissioner Bevan seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner, Smart, "Aye," Commissioner Whitehouse, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Chairman Graf, "Aye." The motion passes.

11. Setting Dates, Time and Place for regular Plannig Commisison meetigs for the 2020 Calendar year.

Presented by Jim Bolser

Mr. Bolser stated that tonight's meeting is the conclusion of the schedule for 2019. Mr. Bolser thanked Council Member McCall's service to the community and nation. There is a yearly obligation to set dates and times for yearly meetings. A memo of dates was provided to the Commissioners with a schedule that follows the Planning Commission bylaws with the meetings on the second and fourth Wednesday of each month at the hour of 7:00pm in the Council Chambers at City Hall. The proposed schedule follows the pattern, but there needs to be an adjustment to the month of November. The first regular date would be Veterans Day, which City Hall is not opened for the observed holiday. The second regular date would be the day before Thanksgiving, which is the day before a recognized holiday. The bylaws and City Charter there must be a scheduled meeting once a month. Mr. Bolser stated that one of the key dates for the revision of the General Plan is during November. Mr. Bolser asked the Commission when they would like to meet with the recommendation of Thursday November 12.

Chairman Graf asked if the motion needs to be done with a formal vote? Mr. Bolser stated traditionally yes. The Commission concurred that the meeting should be on Thursday November 12.

Commissioner Hamilton motioned to accept the schedule as written with the exception of adding the Planning Commission meeting date of November 12, 2020. Commissioner Bevan seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner Smart, "Aye," Commissioner Whitehouse, "Aye," Commissioner Bevan, "Aye," Commissioner Robison, "Aye," Chairman Graf, "Aye." The motion passes.

Mr. Bolser gave the Commission some numbers on the number of residential units approved, zoning requests approved, Conditional Use Permits, text amendments and mapping amendments.

12. Nomination and election of Planning Commission Chair and Vice-Chair for the 2020 Calendar year.

Mr. Bolser stated the options for the Commission Chair are open for all Commission members, even those not present, excluding Chairman Graf whom is moving to City Council and Commissioner Whitehouse whom is an alternate. The Commission has the option to do voting by paper ballot or open vote. Mr. Bolser entertained nominations for Chairman. Commissioner Whitehouse asked if previous Chairs could be reelected for Chair. Mr. Bolser stated that the only limitation is that any individual cannot serve more than two consecutive years, but once a year has been taken away from the Chair position that Commission Member is eligible again.

Commissioner Smart nominated Chris Sloan for Chair. Chairman Graf nominated Commissioner Hamilton for Chair. The Commission elected for open voting.

There was one vote for Commissioner Sloan. There were six votes for Commissioner Hamilton.

Mr. Bolser stated there is no limitation on consecutive years as vice chair. Commissioner Hamilton nominated Commissioner Sloan for Vice Chair. There were seven votes for Commissioner Sloan for Vice Chairman.

Chairman Graf thanked the Commission for their work while he was on the Commission and Council Member McCall for his friendliness. He thanked all the Commissioners individually. He thanked staff for their service.

13. Review and Approval of Planning Commission minutes for meeting held November 13, 2019.

Chairman Graf asked the Commission if there were any comments or questions.

Commissioner Hammer moved to approve minutes from the meeting held on November 13, 2019. Commissioner Hamilton seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Smart, "Aye," Commissioner Whitehouse, Aye," Chairman Graf, "Aye." The motion passes.

14. Adjourn

Commissioner Bevan moved to adjourn. Chairman Graf declared the meeting adjourned at 8:18p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this 15th day of January, 2020

Tyson Hamilton, Chairman, Tooele City Planning Commission

STAFF REPORT

December 2, 2019

To: Tooele City Planning Commission
Business Date: December 11, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Fortress Self Storage – Zoning Map Amendment Request

Application No.: P19-821
Applicant: Arno Kruisman, representing KMD LLC
Project Location: Approximately 2100 North Main Street
Zoning: GC General Commercial Zone
Acreage: 5.53 Acres (Approximately 240,886 ft²)
Request: Request for approval of a Zoning Map Amendment in the GC General Commercial zone regarding reassignment of a portion of the subject property to the LI Light Industrial zoning district.

BACKGROUND

This application is a request for approval of a Zoning Map Amendment for approximately 5.53 acres located at approximately 2100 North Main Street. The western half and majority of the property is currently zoned GC General Commercial while a smaller portion on the eastern side of the property is currently zoned LI Light Industrial. The applicant is requesting that a Zoning Map Amendment be approved to allow for the development of the currently vacant site as self storage unit buildings.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Commercial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification. The purpose of the GC zone is to encourage the establishment of a wide variety of retail commercial uses, service commercial activities, entertainment and other services and activities meeting the needs of the residents of the City. The General Commercial District (GC) allows and encourages that retail and service businesses and related uses be grouped together into commercial centers. The uses and activities allowed in this District should enhance employment opportunities, provide for commercial activities and services required by residents of the city and surrounding areas, encourage the efficient use of land, enhance property values and add to the overall strength of the city's tax base. The GC General Commercial zoning designation is identified by the General Plan as a preferred zoning classification for the Commercial land use designation.

The property is essentially divided between to zones. The western half is zoned GC General Commercial where the eastern half is zoned LI Light Industrial. Properties to the south are zoned GC General Commercial and LI Light Industrial. Properties to the west are located in the P Overlake zoning district. To the north properties are again zoned GC General Commercial and Light Industrial and properties to the east are all zoned Light Industrial. Mapping pertinent to the subject request can be found in Exhibit "A" to this report.

The purpose of the Light Industrial (LI) District is to provide locations for light industrial assembly and manufacturing uses that produce no appreciable negative impact to adjacent properties. This District encourages clean, light industrial and manufacturing uses which provide employment opportunities for city residents, strengthen the city's tax base and diversify the local economy.

Both the GC and LI zoning districts are fairly intensive commercial zones with the Light Industrial zoning district permitting the wider range of commercial uses and activities. The Light Industrial zone permits more unsightly and possibly more intrusive commercial activities that the General Commercial zone would not permit, such as a contractor staging yard, food and beverage processing, heavy equipment sales and rental, a kennel and storage units. Much of the property in this area is already zoned LI Light Industrial and is developing as such. The medical office buildings to the north are zoned LI Light Industrial.

Much of the property is located in the North Gateway Overlay District. This overlay district will remain unchanged with this zoning map amendment application. This overlay district pertains primarily to aesthetics as viewed from the main highway and requires some additional requirements for landscaping, building appearance, parking locations and so forth. This overlay district does not impact the underlying zoning or uses that can occur in the zoning district.

Criteria For Approval. The criteria for review and potential approval of a Zoning Map Amendment request is found in Section 7-1A-7 of the Tooele City Code. This section depicts the standard of review for such requests as:

- (1) No amendment to the Zoning Ordinance or Zoning Districts Map may be recommended by the Planning Commission or approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Zoning Ordinance or Zoning Districts Map amendment, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
 - (a) The effect of the proposed amendment on the character of the surrounding area.
 - (b) Consistency with the goals and policies of the General Plan and the General Plan Land Use Map.
 - (c) Consistency and compatibility with the General Plan Land Use Map for adjoining and nearby properties.
 - (d) The suitability of the properties for the uses proposed viz. a. viz. the suitability of the properties for the uses identified by the General Plan.
 - (e) Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
 - (f) The overall community benefit of the proposed amendment.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Zoning Map Amendment submission and has issued the following comments:

1. The Planning Commission should consider the potential of having industrial uses adjacent to a major transportation corridor. Although Fortress Storage submitted this application and intends to construct storage units on the property, all uses, permitted and conditional in the LI zone should be considered for this property.

Noticing. The applicant has expressed their desire to rezone the subject property and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends the Planning Commission carefully weigh this request for a Zoning Map Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

Potential topics for findings that the Commission should consider in rendering a decision:

1. The effect of the proposed application on the character of the surrounding area.
2. The degree to which the proposed application is consistent with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed application is consistent with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed application is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the properties for the uses proposed.
6. The degree to which the proposed application will or will not be deleterious to the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed application conforms to the general aesthetic and physical development of the area.
8. Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Whether or not public services in the area are adequate to support the subject development.
11. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Fortress Self Storage Zoning Map Amendment Request by Arno Kruisman, representing KMD LLC to reassign the subject property to the LI Light Industrial zoning district, application number P19-821, based on the findings listed in the Staff Report dated December 2, 2019:”

1. List any additional findings and conditions...

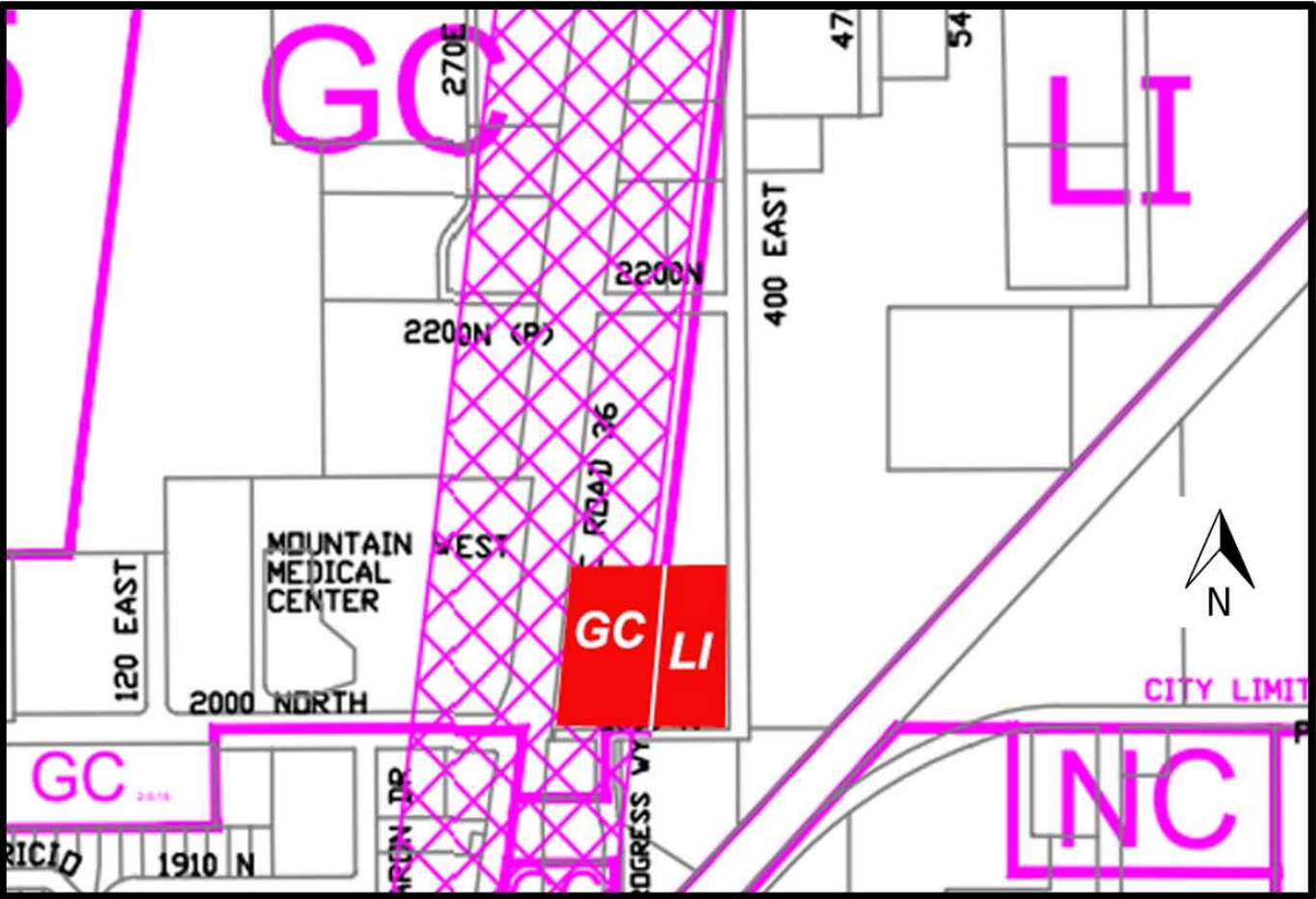
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Fortress Self Storage Zoning Map Amendment Request by Arno Kruisman, representing KMD LLC to reassign the subject property to the LI Light Industrial zoning district, application number P19-821, based on the following findings:”

1. List findings...

MAPPING PERTINENT TO THE FORTRESS SELF STORAGE ZONING MAP AMENDMENT

Aerial View

Fortress Self Storage Zoning Map Amendment



Current Zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Zoning, General Plan, & Master Plan Map Amendment Application

Community Development Department
90 North Main Street, Tooele, UT 84074
(435) 843-2132 Fax (435) 843-2139
www.tooelecivty.org



Notice: The applicant must submit copies of the map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

P19-821

Project Information					
Date of Submission: 11/4/19		Current Map Designation: Split zone, LI/GC		Proposed Map Designation: Light Industrial	
Project Name: Fortress Self-Storage Development - SR36				Parcel #(s): 02-143-0.-0096	
Project Address: 2100 North & SR36				Acres: 5+ 5.53	
Proposed for Amendment: ☒ Ordinance ☐ General Plan ☐ Master Plan: _____					
Brief Project Summary: The present zoning of the property is split. The west side of the property is General Commercial (GC) and the East side is Light Industrial (LI). The split is approximately 50/50 in proportion between GC and LI. We are seeking to remove the split zoning designation and have the proposed 5+ acre parcel entirely zoned as Light Industrial.					
Property Owner(s): WINTERGREEN GROUP LLC BRYTEN "BRYTEN" JOHNSON, MEMBER			Applicant(s): KMD LLC		
Address: 5939 FM 52			Address: 121 W Misty Brook Ln		
City: PERLIN	State: TX.	Zip: 76486	City: Stansbury Park	State: UT	Zip: 84074
Phone: 801-558-8888			Phone: 435-224-4420		
Contact Person: Arno Kruisman			Address: 121 W Misty Brook Ln		
Phone:			City: Stansbury Park	State: UT	Zip: 84074
Cellular: 435-224-4420	Fax:		Email: arno@blacksaltint.com		

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

Note to Applicant:

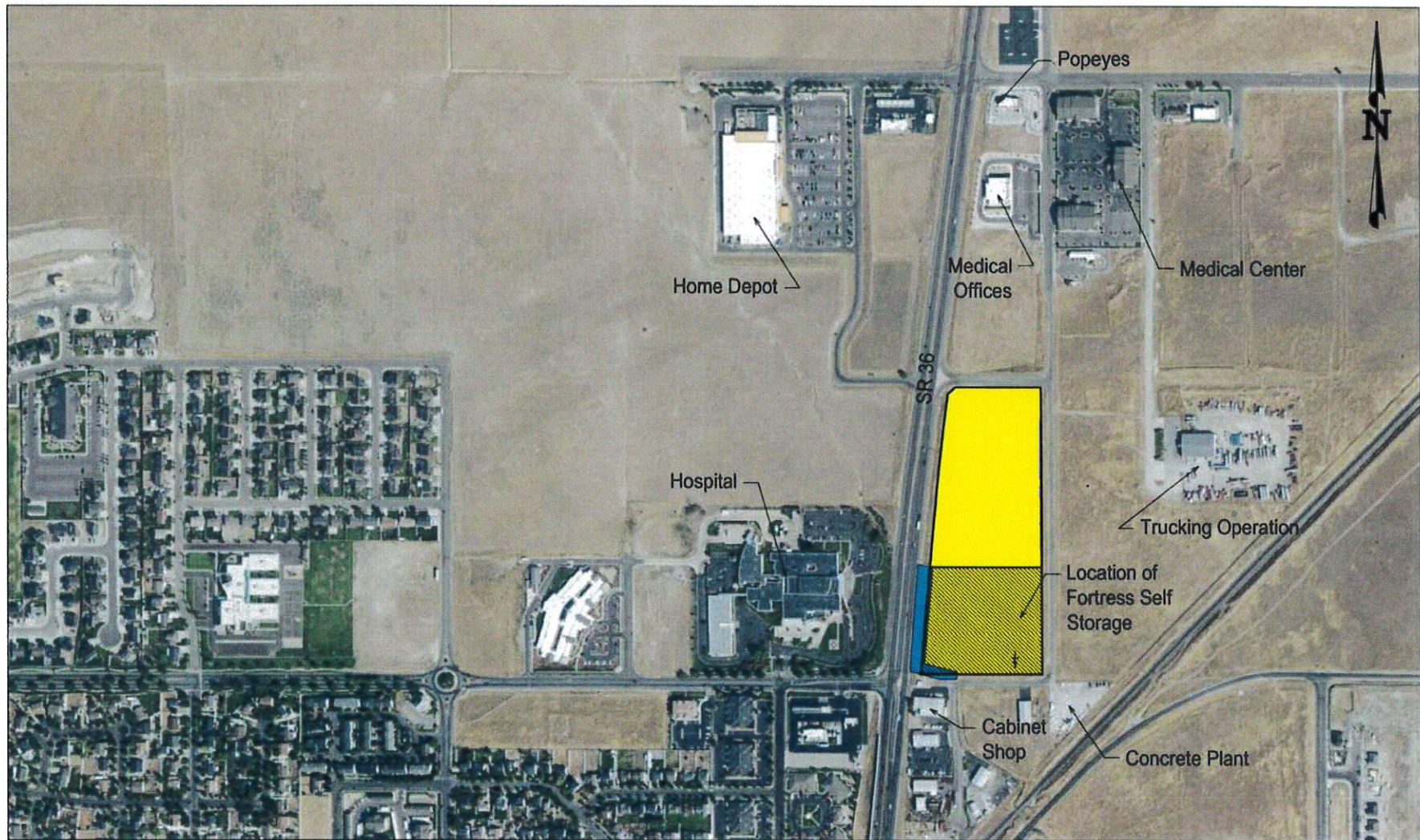
Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

2190809

For Office Use Only			
Received By: (NO)	Date Received: 11/4/19	Fees: 1553.00	App. #: 003640841

Location Overview

SR 36, Corner of 2000 North and 400 East, Tooele, UT



Zoning Map Questions

1. What is the present zoning of the property?

The present zoning of the property is split. The West side of the property is General Commercial (GC) and the East side is Light Industrial (LI). The split is approximately 50/50 in proportion between GC and LI.

2. Explain how the proposed zoning is consistent with the current land use designation.

We are seeking to remove the split zoning designation and have the proposed 5+ acre parcel entirely zoned as Light Industrial. The adjacent properties on the South and East are also Light Industrial (LI). The property to the North is also split between GC and LI and the adjacent land on the East is State Route 36.

Zoning Map Questions

3. Explain how the proposed zoning is similar or compatible to the current zoning in the surrounding area.

The proposed property is surrounded to the South by Light Industrial, East by Light Industrial and half of the property already has the zoning designation of Light Industrial.

4. Explain how the proposed zoning is suitable for the existing uses of the subject property(s).

We propose to construct a fortress style self-storage facility, which is an allowable usage within the Light Industrial zoning, but not under General Commercial. The facility will be surrounded by an aesthetically pleasing wall, comprised of stone/brick columns of varying widths every 50 feet. Also including will be trees and drought tolerant landscaping.

Security for the site will not involve fencing. The walls/sides of the facility will function as a security barrier in lieu of a fence. The back of each unit in all perimeter buildings will act as the security wall.

Zoning Map Questions

5. Explain how the proposed zoning promotes the goals and objectives of Tooele City.

The adjacent business on the South and south-east corner have a clear industrial appearance, including a small concrete plant and a cabinet manufacturer. The businesses further north are general commercial, including medical buildings and a fast food restaurant.

We propose to construct a fortress style self-storage facility on the property. Traffic from SR 36 will not see exposed rollup doors and not be able to tell that the property is a self-storage facility, other than through signage.

The facility is able to serve as a great transition between the Light Industrial on the South end and the General Commercial on the North, all the while giving a great aesthetic appearance from SR 36.

**Tooele City Council
Business Meeting Minutes**

Date: Tuesday, January 7, 2020

Time: 7:00 p.m.

Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

City Council Members Present:

Scott Wardle
Melodi Gochis
Ed Hansen
Tony Graf
Justin Brady

City Employees Present:

Mayor Debbie Winn
Jim Bolser, Community Development Director
Captain Day, Police Department
Roger Baker, City Attorney
Steve Evans, Public Works Director
Darwin Cook, Parks Department Director
Glenn Caldwell, Finance Director
Paul Hansen, City Engineer
Michelle Pitt, City Recorder
Cylee Pressley, Deputy Recorder

Minutes prepared by Kelly Odermott

Council Member Wardle called the meeting to order at 7:00 p.m.

1. **Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member Tony Graf.

2. **Roll Call**

Scott Wardle, Present
Melodi Gochis, Present
Ed Hansen, Present
Tony Graf, Present
Justin Brady, Present

3. **Selection of City Council/Redevelopment Agency Chair and Vice Chair Positions.**

Council Member Wardle opened the nominations for City Council Chairman and City Council Vice Chairman.

Council Member Gochis nominated Council Member Wardle as Council Chairman.

Council Member Hansen seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

Council Member Hansen nominated Council Member Graf as the Vice Chairman of the Council. Council Member Brady seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

Chairman Wardle opened the nominations for the Chairman and Vice Chairman of the Redevelopment Agency.

Council Member Graf nominated Council Member Gochis for Chairwoman of the Redevelopment Agency. Council Member Brady seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

Chairman Wardle turned the time over to RDA Chairwoman Gochis for the nomination of Vice Chairman of the Redevelopment Agency.

Chairwoman Gochis opened the nominations for the Vice Chairman of the Redevelopment Agency.

Board Member Brady nominated Council Member Hansen for the Vice Chairman of the Redevelopment Agency. Board Member Graf seconded the motion. The vote was as follows: Board Member Wardle, "Aye," Board Member Hansen, "Aye," Board Member Brady, "Aye," Board Member Graf, "Aye," Chairwoman Gochis, "Aye." The motion passed.

4. **Mayor's Youth Recognition Awards.**

Presented by Mayor Winn, Stacy Smart, Communities that Care Coordinator, and Captain Day.

Mayor Winn welcomed visitors for the Mayor's Youth Awards and introduced Tooele City Captain Day and thanked him for his collaboration. Ms. Smart highlighted Communities That Care Programs including Second Step, QPR, and Guiding Good Choices.

Ms. Smart, Captain Day, and the Mayor then presented the Mayor's Youth Recognition Awards to the following students:

- George Makris
- Belle Millett
- Madeline Snarr
- Rachel Thomas

5. **Public Comment Period.**

Chairman Wardle opened the public comment period.

Mr. Nate Thomas stated that he wanted to encouraged the Council to look at the long lasting effects they have on the City when approving development in the City. He stated that decisions that are made need to be made with the best interest of the City in mind. He asked the Council to consider ingress and egress of streets and how streets line up for emergency services, snow removal, and water lines.

Chairman Wardle closed the public comment period.

6. **Resolution 2020-01 A Resolution of the Tooele City Council Reappointing Michelle Y. Pitt as City Recorder of Tooele City for a Term of Two Years.**

Presented by Council Member Scott Wardle

Chairman Wardle stated that the City Charter states that this reappointment must be done every two years. It is an appointment of the City Council and Ms. Pitt has been wonderful serving as the City Recorder. The City is very lucky to have her.

Chairman Wardle asked if there were any Council comments or questions, there were none.

Council Member Gochis motioned to approve Resolution 2020-01. Council Member Hansen seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

Ms. Cylee Presley, Deputy Recorder did the swearing in, of Ms. Pitt as the City Recorder.

Mayor Winn stated that the appointment is made by the City Council at the advice of the Mayor. She stated that she advised the City Council to reappoint Ms. Pitt to her position. She is a professional in every form to that word. She takes her job seriously in keeping all the records of the City. She is also the City purchasing agent and makes sure that the rules are followed, so that when purchases are made, they are done legally and correctly. Mayor Winn stated that she appreciates Ms. Pitts' service to the city.

7. **Ordinance 2020-01 An Ordinance of the Tooele City Council Establishing the Dates, Time, and Place of its Public Meetings in 2020.**

Presented by Michelle Pitt

Ms. Pitt stated that by City Charter and City Code the Council must set the dates, times, and place of City Council meetings. This ordinance will set the date and place of the meetings. The work meetings will be at 6pm and business meetings at 7pm at 90 North Main Street, Tooele. There needs to be one public meeting each month, unless noticed otherwise. The dates in the ordinance are as follows; January 7th, February 5th & 19th, March 4th and 18th, April 1st and 15th, May 6th and 20th, June 3rd and 17th, July 1st and 15th, August 5th and 19th, September 2nd and 16th, October 7th and 21st, November 4th and 18th, December 2nd and 16th.

The City Council can make changes as they see necessary with proper notice.

Chairman Wardle asked if there were any questions or comments from the Council, there were none.

Council Member Hansen motioned to approve Ordinance 2020-01. Council Member Brady seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

8. **Resolution 2019-86 A Resolution of the Tooele City Council Amending the Tooele City Fee Schedule for Water and Sewer Modeling Fees Associated with New Developments.**

Presented by Steve Evans

Mr. Evans stated that rule 309511 Hydraulic modeling Requirements of the Utah Rules of Administration, authorized by UCA 19-4-104 requires municipalities to conduct water modeling for new development that impact a municipalities' water system. The resolution approves the passing on to new developments the costs that incurred by the City to conduct the required water and sewer modeling for those developments. The proposed water and sewer modeling fees are

based on a third party actual time and cost and estimates the actual time and cost for the modeling within Tooele City. The proposed fees are as follows;

\$1000 for a lot split on a new water main line

\$2000 for lots more than three and less than 10

\$2500 for 11 to 50 lots

\$3000 for 51 to 100 lots

\$3000 plus \$10 dollars a lot for any developments over 101.

Council Member Hansen inquired as to what a lot split is? Mr. Bolser stated that a lot split is splitting a lot and with the split a new water main line has to be put in.

Council Member Brady asked if the City is currently paying the difference? Mr. Evans stated the City is.

Chairman Wardle asked if there were any other comments or questions from Council Members, there were none.

Council Member Brady motioned to approve Resolution 2019-86. Council Member Gochis seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

9. Subdivision Preliminary Plan Request by Perry Homes, LLC for Overlake 2A Consisting of 90 Lots Located at Approximately 2000 North 400 West in the R1-7 Residential Zoning District.

Presented by Jim Bolser

Mr. Bolser stated this is a request for the ongoing development of the remaining Overlake development owned by Perry Homes. The property is north of 2000 North and West of 400 West. The property is zoned R1-7 Residential. Directly south of the property are lots that are part of the 1L phase of the development and is the prior phase of the development by the developer. The intent of the phasing of the project is to develop the properties in a three phase plan. The Planning Commission has reviewed this project and forwarded a unanimous positive recommendation.

Council Member Brady stated this property is in the vicinity of the North Tooele Special Service District and asked how a project becomes part of the Service District. Mr. Bolser stated that it is in the area of the Service District, but this is not an area that is inside the boundaries currently. It is standard practice and policy by City staff, that any development that is in the area of the Service District-is discussed with the applicant regarding inclusion in the Service District. It is ultimately up to the applicant to join the district and there is an annexation process that is done if they chose to be included. Chairman Wardle asked if the party has already agreed to not join the service district due to the settlement agreement? Mr. Bolser stated that Perry homes has been

offered to be included with the Service District, as have all other developers in the area and they have decided to not be included with the Service District.

Council Member Graf asked that since the development is not going to be part of the service district, how is the continuity of the development fixtures addressed? Mr. Bolser stated that by not being in the North Tooele City Special Service District the developer has to comply with the standards that are established for the rest of the City. If the development chooses to be part of the Service District there are other standards that the applicant has to follow. It is a slightly different design standard.

Chairman Wardle asked if the changes in design standards that were approved in previous years for the City were closer to the design standards initially used in the Service District. Mr. Bolser stated that there has been a lot of discussion in his eight years with the City over the standards by the Service District and the City. Revisions have had to be made because the product that was previously placed in the Overlake area was no longer available for more recent installations and repairs. The City has worked with the Service District Board to come up with standards that are more long lasting and can be applied inside and outside the district.

Council Member Brady asked if the funds from the Service District are used to maintain the public areas that are not part of the District? Mr. Bolser stated the money that is allotted to the Service District is only used by the District in the District's area.

Chairman Wardle asked Mr. Bolser to explain the zoning in the Overlake area to the public. Mr. Bolser stated that prior to 2015, the Overlake Development was originally planned as the Overlake Master Development. There was an assigned P zone that is the zoning for the Overlake project. It was developed under a development agreement that designed the parameters that assigned the standards of the development. Following the conclusion of the litigation, part of the settlement agreement stated that any area that was not already platted under the Overlake Development agreement would be removed from that P zone and assigned the R1-7 Residential zone. The properties can then request to be included in a different zone through a rezone request which are approved by the City Council.

Council Member Gochis stated that she really liked the masonry wall and it is a nice compliment and keep the general aesthetic similar and well groomed. Council Member Brady asked if the development can ever be annexed into the Service District? Mr. Bolser stated that they can be annexed at any time. Council Member Brady asked what requirements are needed to annex a development? Mr. Baker stated that if the property owner desires to be annexed into the District they could, but there would be no advantage because the standards for public improvements have already been set and built. In addition, as more properties are sold and developed it becomes more complicated due to the number of people involved in the annexation. Chairman Wardle asked about the language in the settlement agreement. Mr. Baker stated that the settlement

agreement did require the City to remove the areas in question from the Service District. Now that has been done, the developer could ask to be part of the Service District but its unlikely.

Council Member Gochis asked if the Perry development has a separate HOA? Mr. Bolser stated that Perry Homes has an established HOA from the 1L development that was required for the double frontage features of the development that staff understands will be extended throughout their developments.

Chairman Wardle wanted to comment that Perry Homes has been excellent to work with. The quality of their homes and design aesthetic has partnered well with the City.

Chairman Wardle asked the Council if there were any questions or comments.

Council Member Gochis motioned to approve Subdivision Preliminary Plan Request for Perry Development, LLC for Overlake 2A. Council Member Hansen seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

10. Minor Subdivision request by Kevin Boyle for Desert Cove Subdivision Consisting of 5 lots Located at 242 East 400 north in the R1-7 Residential Zoning District.

Presented by Jim Bolser

Mr. Bolser stated this is a redevelopment project, rather than a new development. It is directly to the northeast of the former Harris Elementary School site at 400 North and First Street. There are five lots involved. Two lots will have frontage onto First Street. The existing home on the corner will remain. It has been set up in the design of the property lines, the creation of new properties will not create any violations of setback ordinances for existing structures. There are three lots that run down the east side of the project. The front lot will have frontage on to 400 North. The two lots in the back of the development will be flag lots and lot three will be property owner of the flag and access. There will be a granted easement for access to both lots using the one flag staff. This is a minor subdivision with no anticipated public improvement upgrades. The Planning Commission has reviewed this and forwarded a unanimous positive recommendation.

Council Member Hansen asked if the access road to the back lots will be privately maintained? Mr. Bolser stated yes, that is correct.

Council Member Graf motioned to approve minor subdivision request by Kevin Boyle for Desert Cove Subdivision. Council Member brady seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

11. Subdivision Final Plat Request by Bach Homes for Copper Canyon Phase 9 Consisting of 36 Lots Located at Approximately 600 West Tooele Boulevard in the R1-7 PUD Residential Zoning District.

Presented by Jim Bolser

Mr. Bolser stated that this is the next step in the Copper Canyon development project. This is just south of 1000 North and west of 200 West. The railroad runs to the north and west of the property. Copper Canyon does not follow the phasing plan numerically, but more geographically, the next phase to be built is phase nine. There is an extension of Tooele Boulevard. There is fencing requirements on the residential side and railroad side where it abuts the railroad. There is an extension of the walking trail through the heart of the development and the Parks Department has reviewed that for compliance with development agreements. The Planning Commission has reviewed this item and forwarded a unanimous positive recommendation.

Chairman Wardle asked if the Council had any comments or questions.

Council Member Gochis stated that she is pleased with the walking trail and cement wall against the railroad tracks.

Chairman Wardle stated that again this has been a great development to watch through the development. This has been a quality project.

Council Member Graf motioned to approve Subdivision Final Plat request by Bach Homes. Council Member brady seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

12. Public Hearing and Motion on Ordinance 2019-35 An Ordinance of the Tooele City Council Amending Tooele City Zoning Map for Property at Approximately 2100 North Main Street.

Presented by Jim Bolser

Mr. Bolser stated that this is a Zoning Map Amendment. It is immediately on the east side of the SR-36 right-of-way. It sits immediately north of 2000 north and directly across from Mountain West Medical Center. The property has a split zone, on the western side if the property it is within the GC General Commercial zoning and the eastern side of the property is within the LI Light Industrial zone. The applicant is seeking to bring this property into a single classification of the LI Light Industrial zone. The Planning Commission has reviewed this with a public hearing and received several negative comments as well as comments from the applicant. Following the public hearing by the Planning Commission the vote was five in favor and two

opposed to the motion for a positive recommendation. The Council has directly received public comments that will be part of the public record as attachments.

Chairman Wardle opened the public hearing and there were no comments. Chairman Wardle closed the public hearing.

Chairman Wardle invited the applicant to speak to the Council. This item became an open discussion between the Council and applicant about the use of the property, visibility, construction, security, landscaping, and appearance. The main concern by the Council was the appearance of the buildings and how that would look on SR-36 and the gateway to the City.

The applicant Kelly Gallagher gave the following introduction and responses to the numerous inquiries about the appearance, use, security, design, landscaping and other inquiries by the Council Members during the discussion.

Mr. Gallagher stated that he has been building storage facilities for over 30 years. He has been on multiple boards in regards to storage facility standards. His company makes an attempt to make the storage units attractive. The facility is a fortress style facility, so that the outside wall is the back wall of the units. No roll up doors can be viewed from the outside of the facility excluding the front entrance gates. All lights in the facility point down and away from the streets outside the facility. The applicant is in contract to purchase a small piece of property between SR-36 and the building, excluding the Middle Canyon drainage ditch, that will be used for landscaping. The facility is shut down between 10:00pm and 6:00am and no one will be able to enter. The applicant is trying to accommodate the City for appearance and design. Mr. Gallagher provided the Council with a design picture of what facility will look like and a map of the structures on the property. These two items are included with the minutes as attachments.

Chairman Wardle asked if there was any way to condition a rezone so that what was represented by the applicant is what would be constructed. Mr. Baker responded that if the Council were included to approve this rezone petition, he would advise the Council to include in the vote as conditions of approval all of Mr. Gallagher's representations.

The conclusion of the discussion resulted in the City Council requesting from the applicant, more design renderings of what the storage units will look like on the SR-36 side, the north side, the south side coming over the viaduct, from the 2000 North intersection, and at night. The Council asked the applicant to have design plans for the landscaping.

The item will be brought back in the February 5th meeting for a first reading and February 19th for a second reading.

Chairman Wardle mentioned that the split zoning needs to be addressed in this area by the Council. Mr. Bolser stated that will be reviewed during the General Plan revisions.

Council Member Graf motioned to table the decision on Ordinance 2019-35. Council Member Hansen seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

13. Minutes

Chairman Wardle asked if the Council if there were any comments or questions, there were none.

Council Member Gochis motioned to approve minutes. Council Member Brady seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

14. Approval of Invoices

Presented by Michelle Pitt

An invoice in the amount of \$27,033, Ken Garff West Valley Ford, for a Ford Escape for Code Enforcement.

An invoice in the amount of \$30,308.40, Delle DMC, for 36 new Delle Laptop Computers.

Ms. Pitt added that the computers will be for the new building. 29 of those computers are replacements and seven computers are for positions that do not have computers. 14 computers are being taken from the old building to new building. The computers will be put on a replacement program for the future.

Council Member Graf asked about the company and if it is Dell Computers. Ms. Pitt stated that it is. Mr. Hansen stated that this is one of many invoices that the Council will be seeing in regards to the new police department. This is part of the budget.

Council Member Brady asked about the bond paying for the furnishing? Mr. Hansen stated that it is primarily from the bond, but the impact fees can be applied to the fixed in furnishings. Council Member Hansen asked about the transfer from the solid waste transfer. Mayor Winn stated that there is money from the transfer but that has not been used yet.

Council Member Hansen motioned to approve invoices. Council Member Gochis seconded the motion. The vote was as follows: Council Member Gochis, "Aye," Council Member Hansen, "Aye," Council Member Brady, "Aye," Council Member Graf, "Aye," Chairman Wardle, "Aye." The motion passed.

15. Adjourn

Chairman Wardle adjourned the meeting.

The meeting adjourned at 8:45 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this 5th day of February, 2020

Scott Wardle, Tooele City Council Chair

DRAFT

**Tooele City Mayor and Tooele City Council/
Redevelopment Agency of Tooele City
Retreat Minutes**

Date: Saturday, January 25, 2020
Time: 8:00 a.m.
Place: Tooele City Hall, Large Conference Room
90 North Main St., Tooele, Utah

City Council Members Present:

Chairman Scott Wardle
Melodi Gochis
Justin Brady
Tony Graf
Ed Hansen

City Employees Present:

Mayor Debbie Winn
Glenn Caldwell, Finance Director
Shannon Wimmer, Assistant Finance Director

Minutes prepared by Michelle Pitt

1. Open Meeting

Chairman Wardle called the meeting to order at 8:00 a.m.

2. Roll Call

Scott Wardle, Present
Melodi Gochis, Present
Justin Brady, Present
Tony Graf, Present
Ed Hansen, Present

3. Discussion:

- Calendar Items

The Mayor discussed calendar items and dates for budget discussions.

- Budget Training

Mr. Caldwell and Ms. Wimmer presented budget training for the Council.

- Review FY 2019, F&2020 Financial Status and FY 2021 Discussions

Mr. Caldwell and Ms. Wimmer discussed bonds, general fund statutory reserves and the City's financial status and projections.

- Contracts

The Mayor discussed expiring contracts, contracts that were escalating, and contracts that needed to be negotiated or renewed.

- Review FY 2019 Projects

The Mayor updated the Council on the 2019 projects, such as the new police station, PAR tax projects, and other department projects.

- Review FY2019 Equipment and Vehicle Purchases, and FY 2020 Equipment and Vehicle Purchases

The Mayor discussed with the Council vehicles which were purchased this fiscal year, and requests for purchases for the 2020 fiscal year.

- Establish Priorities/Goals for FY 2021 Budget

The Mayor and Council discussed plans for purchasing vehicles and equipment, projects they would like completed, and other budgeting planning items.

- Council Legislative Priorities

The Council discussed ideas for ordinance and/or zoning changes and other goals and priorities.

- RDA

RDA Executive Director Winn distributed a list of goals for the year. The Executive Committee will make plans and bring those back to the Board for review.

4. Adjourn

The meeting adjourned at approximately 2:00 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief outline of what occurred at the meeting.

Approved this 5th day of February, 2020

Scott Wardle, Tooele City Council Chair

Melodi Gochis, RDA Chair

Tooele City Council Work Session Meeting Minutes

Date: Tuesday, January 7, 2020
Time: 6:00 p.m.
Place: Tooele City Hall, Council Chambers
90 North Main St., Tooele, Utah

City Council Members Present:

Scott Wardle, Chair
Melodi Gochis
Tony Graf
Ed Hansen
Justin Brady

City Employees Present:

Mayor Debbie Winn
Glenn Caldwell, Finance Director
Michelle Pitt, Recorder
Roger Baker, City Attorney
Jim Bolser, Community Development Director
Steve Evans, Public Works Director
Paul Hansen, City Engineer
Darwin Cook, Parks and Recreation Director
Adrian Day, Police Captain
Cylee Pressley, Deputy Recorder

Minutes prepared by Michelle Pitt

1. Open Meeting

Chairman Wardle called the meeting to order at 6:00 p.m.

2. Roll Call

Scott Wardle, Present
Melodi Gochis, Present
Tony Graf, Present
Ed Hansen, Present
Justin Brady, Present

3. Mayor's Report

The Mayor stated updated the Council on these items:

- A. The three test well drills have been completed. Water samples have been taken from each well and are being tested. When the results come back, an update will be presented to the Council on which wells will be drilled.
- B. Council Member Gochis applied for a grant for the census, but did not receive funding. The library also applied for a grant for the census and received it. There will be a presentation about the census at the Chamber luncheon on January 15th. The City is sponsoring that luncheon. Those that want to attend need to RSVP with the Chamber. Jami Carter, Librarian, has some events planned to get to individuals that might be uncomfortable in responding to the census.
- C. Mr. Hansen has saved the City thousands of dollars and making sure the City stays within budget on the new police station. The Mayor reported that they are on schedule to have the building completed by March 4th. This means that the City will be given occupancy and can move in furniture. It will take about two weeks to move everything, and then about 10 days to move the evidence. There will be a ribbon cutting, open house with a ceremony, and the building will be open to the public to tour. The police department won't be operating in that building until after the open house. The open house is tentatively planned for the first week of April. The Tooele High School band has been contacted to play at the opening.
- D. Phone systems have been scheduled to be placed at the golf course and pool in January and February. The IT department is very conscious about cyber attacks and the costs some cities are experiencing. All employees are required to do online training. KnowB4 has sent you an email saying that you have been enrolled for this training.

4. City Council Members' Reports

Council Member Gochis stated that she hasn't had a committee meeting. She added that she volunteered to be a representative for the 2020 census. Residents will be able to enter their information online in April of 2020. The library will provide assistance to those who don't have access to computers. She indicated she has already had training on how to reach those residents that may be harder to reach.

Chairman Wardle stated that the sign ordinance, conditional use fees, business license ordinance, and the overnight parking ordinance are things that need to be followed-up on. Council Member Graf indicated he would like to be involved in the sign ordinance amendments. Council Member Brady said he will help with overnight parking. Council Member Gochis will help with business licensing, and Council Member Hansen will help with the conditional use fees. These amendments may take multiple meetings.

5. Discussion:

- Pool Fees
Presented by Darwin Cook

Mr. Cook stated that the fee schedule currently specifies prices for specific promotional nights and events. Two of them, Friday Night Date Night and Dollar Night, are not being used anymore. Mr. Cook said that Dollar Night corresponds to the days when kids get out of school early. Mr. Cook asked that the parks department be allowed to plan events, determine what the cost would be, and then decide on an appropriate fee.

Mr. Cook reported that the Elf Dive was a huge success with over 100 people attending. He said that this specific event wasn't listed on the fee schedule. They don't want to feel that they are operating outside of the fee schedule and asked if it could be more general. Mr. Baker said that these events won't have a standardized cost and shouldn't have a standardized fee in the fee schedule. He added that the events should be based on recouping costs. He said that this seemed like an administrative duty.

Chairman Wardle said that the fee schedule is set by the City Council. He expressed concern about a non-department head having the ability to set fees. He felt that the fees set by the Council were set for a reason. The pool does not operate at a profit. If fees are lowered, it is with the understanding that the City will have to subsidize it. Chairman Wardle stated that he understood that sometimes subsidizing needs to happen, however, fee breaks are not allowed in other areas. Mr. Baker said that the fee schedule allows the golf pro to set a special rate for golf tournaments. Council Member Graf asked how anyone could determine a fee if they didn't know how many were going to attend.

Council Member Brady asked how many events would happen per year. Mr. Cook said there would be four. Council Member Brady suggested that Mr. Cook as the department head help set the fee. Mr. Cook said that he and the Mayor could decide the fee, because it is an administrative role. Chairman Wardle said he didn't feel like it was an administrative role. He suggested that the department head, with the Mayor, come to the Council before the planning and advertising started. Mr. Cook said that with new software, the parks department can now tell where the participants are coming from, and whether they are residents or non-residents. The Council discussed charging a fee for residents and a different fee for non-residents. Chairman Wardle asked that the parks department come up with a different policy for events.

Mayor Winn suggested having a base fee such as \$3 per event, then add an estimated cost for expenses per person. The authority should be given to the department head to work with the pool supervisor for these fees. The fees and events could then be brought to the Mayor. Chairman Wardle felt that the City shouldn't subsidize events.

Council Member Brady asked if it was possible to have a line item that was budgeted for the four anticipated events, and then staff could use those funds at their discretion. The answer was that there is not a line item for events. Council Member Gochis asked if extra employees are scheduled for the events. Mr. Cook answered that it depended on the event. Council Member Gochis said she would like the fee to cover the employee cost. Council Member Gochis asked if the dollar night was one of the special events. Mr. Cook said it was not, and that it was every Friday, from 1:00 p.m. to closing. Chairman Wardle asked if the pool saw higher usage during the dollar night. Mr. Cook said they did when it was on Wednesday, which is early out day.

Mr. Cook said that Josh DeCola is looking at suggesting a different fee for residents vs. non-residents, but for open swim it's hard to determine who is resident and who is a non-resident. Chairman Wardle said it would be wise for the City to collect data, to know who is entering the pool. Membership cards might be needed so that this data can be collected.

- City Council/Mayoral Retreat
Presented by Council Member Scott Wardle

The Council agreed on January 25th for the Council/Mayoral retreat from 8:00 a.m. to noon. Glenn Caldwell and Shannon Wimmer from Finance are the only staff that need to attend. Items to be discussed are budget, RDA, and priorities for the year. If there are other items for the agenda, they are to be emailed to Chairman Wardle or Mayor Winn by next Monday.

Mr. Bolser stated that the General Plan will be coming to the Council later in the year, so this item could be added to the retreat agenda.

- City Council Agenda Planning Discussion
Presented by Council Member Scott Wardle

Chairman Wardle indicated he would like to plan about three meetings out. The Council will be looking at the February meetings, and the first meeting in March. The Council would like a different format for Council meetings, and agendas are going to start looking different. There was a draft of what a future meeting would look like.

- Lexington Greens Historical Easements
Presented by Jim Bolser

Mr. Bolser stated that on the west side of 400 West in the Overlake area there are several projects. On the very south end there is a project called Lexington Greens. There are 190 lots that have been approved and are under construction. The second phase is on south end. It was rezoned by the Council to RM-16, which is multi-family. This development came to the Council for a minor subdivision to divide it in to five parcels for ownership purposes. The plat would not grant any vesting or approval for development or construction, just divide the property for ownership. A standard part of the review process is for the County Surveyor to review the plat. In that process, and after the Planning Commission's review of the plat, the surveyor identified a long and narrow parcel that in 1912 was transferred in fee ownership to the County. The County owns it. From the shape of it, it looks like it could have been for a road. The parcel runs through both phases of the Lexington Greens project. This presented a difficulty for Lexington Greens because this matter needs to be cleared up. Mr. Bolser indicated he has talked to the County Recorder about how to proceed. The County suggested that when the City annexed the property, the City took on responsibility for the parcel at that time.

The owner of the Lexington Greens project is Chuck Akerlow. Mr. Baker reviewed the issues at hand, including Mr. Bolser's conversations with the County Recorder, and sent an email to the County outlining why this is a County matter to resolve. At the Council's last meeting in December this issue was first discussed and the Council decided to have this application put on

hold until the property issue is resolved. In the time since, Mr. Baker sent his email but the City has heard nothing in response from the County.

It was recommended that this be put on the agenda a month from now as a tickler. Mr. Bolser said that if he receives anything from the County, he would let the Council know.

6. Adjourn

Chairman Wardle adjourned the meeting at 6:45 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this _____ day of January, 2020

Scott Wardle, Tooele City Council Chair