
PUBLIC NOTICE

Notice is Hereby Given that the Tooele City Council & the Tooele City Redevelopment Agency of Tooele City will meet in a Work Session, on Wednesday, May 1, 2019 at the hour of 5:00 p.m. The Meeting will be Held at the Tooele City Hall Large Conference Room, located at 90 North Main Street, Tooele, Utah.

1. Open City Council Meeting

2. Roll Call

3. Discussion:

- **Tooele Small Business Development Center (SBDC) Update**
Presented by Jess Clifford
- **Resolution 2019-39** A Resolution of the Tooele City Council Adopting the Budget Officer's Tentative Budget for Tooele City Fiscal Year 2019-2020, and Establishing the Time and Place of a Public Hearing to Consider its Adoption
Presented by Mayor Debbie Winn
- **Public Works on MWPP** (Municipal Waste Water Planning Program)
Presented by Steve Evans
- **England Ridge Subdivision**
Presented by Steve Evans
- **Water Rate for Right Hand Fork**
Presented by Steve Evans
- **Accessory Dwelling Units**
Presented by Roger Baker & Andrew Aagard
- **Resolution 2019-37** A Resolution of the Tooele City Council Declaring Surplus Certain IT Equipment, and Authorizing its Disposal
Presented by Michelle Pitt
- **Resolution 2019-38** A Resolution of the Tooele City Council Amending Golf Cart Fees
Presented by Darwin Cook
- **Subdivision Preliminary Plan for the Lexington Greens** at Overlake Subdivision, Located at Approximately 600 West 1200 North in the R1-7 Residential Zoning District for the Purpose of Creating 192 Single-Family Residential Lots
Presented by Jim Bolser

- **Subdivision Final Plat for the Dow James Subdivision**, Located at 438 West 400 North in the OS Open Space Zoning District, for the Purpose of Consolidating 4 Existing Lots of Record into 2 Platted Subdivision Lots
Presented by Jim Bolser
- **Condominium Final Plat for Canyon Village – Rust Phase 1 Condominiums**, Located at 1770 North 350 East in the MR-16 Multi-Family Residential Zoning District, for the Purpose of Amending the Canyon Village – Rust Phase 1 Subdivision Plat and Creating Condominium Units and Associated Common Areas
Presented by Jim Bolser
- **Subdivision Final Plat for Sunset Estates Phase 8**, Located at Approximately 400 West 2300 North in the R1-10 Residential Zoning District, for the Purpose of Creating 24 Single-Family Residential Lots
Presented by Jim Bolser
- **Building Permit Fees**
Presented by Jim Bolser
- **Rezone/ Water Modeling**
Presented by Council Chair, Steve Pruden

4. Close Meeting

- Litigation and Property Acquisition

5. 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@tooelecitey.org, Prior to the Meeting.

TOOELE CITY CORPORATION

RESOLUTION 2019-39

A RESOLUTION OF THE TOOELE CITY COUNCIL ADOPTING THE BUDGET OFFICER'S TENTATIVE BUDGET FOR TOOELE CITY FISCAL YEAR 2019-2020, AND ESTABLISHING THE TIME AND PLACE OF A PUBLIC HEARING TO CONSIDER ITS ADOPTION.

WHEREAS, U.C.A. §10-6-111 requires that on or before the first regularly scheduled meeting of the governing body in May of each year, the budget officer shall prepare for the ensuing year, and file with the governing body, a tentative budget for each fund for which a budget is required; and,

WHEREAS, the tentative budget sets forth the actual revenues and expenditures in the last completed fiscal year, the estimated total revenues and expenditures for the current fiscal year, and the budget officer's estimates of revenues and expenditures for the budget year (upcoming fiscal year); and,

WHEREAS, Tooele City's governing body, the City Council, has received the tentative budget and desires to adopt the same and to establish a time and place of a public hearing to consider its final adoption:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the tentative budget for each fund for the ensuing fiscal year, 2019-2020, is hereby adopted.

IT IS FURTHER RESOLVED that a public hearing to consider the final adoption of the Tooele City budget for 2019-2020 shall be held on the 19th day of June, 2019, at 7:00 p.m., at Tooele City Council Chambers located at 90 North Main Street, Tooele, Utah. The City Recorder shall cause notice of a public hearing to consider its adoption to be published at least seven (7) days prior to the hearing 1) in at least one issue of the Tooele *Transcript-Bulletin*, a newspaper of general circulation published in Tooele City, 2) on the Utah Public Notice Website, and 3) and on the home page of the Tooele City website, as required by U.C.A. §10-6-113.

This Resolution shall be effective immediately 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 _____, 2019.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(For)

(Against)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

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

CHAPTER 14a. ACCESSORY DWELLING UNITS

7-14a-1. Definitions.

The terms "Accessory Dwelling Unit," "ADU," "Base Zoning District," and "Primary Dwelling" shall have the meanings given in Section 7-1-5.

7-14a-2. Purposes.

The purposes of this Chapter are as enumerated in Ordinance 2019-_____.

7-14a-3. Primary Dwelling Requirement.

No ADU in a single-family residential or mixed-use zoning district shall be permitted or constructed except as an accessory dwelling to a habitable primary dwelling.

7-14a-4. Owner occupancy requirement.

Either the primary dwelling or the ADU must be occupied by the primary dwelling owner.

7-14a-5. Permitted use.

(1) ADUs shall be a permitted use in all single-family residential zoning districts, namely, R1-7, R1-8, R1-10, R1-12, R1-14, R1-30, RR-1, RR-5, and RR-20.

(2) ADUs shall be permitted uses in the Mixed Use-Broadway (MU-B), Mixed Use-General (MU-G), and Neighborhood Commercial (NC) zoning districts.

(3) ADUs shall be prohibited in the multi-family (MR) zoning districts.

(4) Internal and attached ADUs shall be conditional uses in the General Commercial (GC) and Regional Commercial (RC) zoning districts. Detached ADUs shall be prohibited in those districts.

(5) An Accessory Dwelling Unit for Caretaker shall be a conditional use in all the mixed use, commercial, and industrial zoning districts.

(6) All ADUs shall be subject to the regulations of this Chapter and Title.

7-14a-6. Types of ADUs.

An ADU may be internal, attached, or detached. See Figure 1.

7-14a-7. Number of ADUs per Lot.

No residential lot shall have more than one ADU.

7-14a-8. Planned Unit Developments.

ADUs shall not be included in the density calculations for a planned unit development (PUD).

7-14a-9. Resident Limit.

ADU occupancy shall be limited to one family, as

defined in Section 7-1-5.

7-14-10. Minimum Lot Size.

Notwithstanding Section 5 herein, the minimum lot size required for ADUs is as follows:

- (1) 8,500 square feet for a detached ADU;
- (2) 8,500 square feet for an attached ADU;
- (3) 7,000 square feet for an internal ADU.

7-14a-11. Size.

(1) Internal ADUs shall be no smaller than 400 square-feet and no larger than the square footage of the foundation of the primary dwelling.

(2) Attached ADUs shall be no smaller than 400 square-feet, no larger than 800 square feet on one story, and no larger than 1,200 square feet.

(3) Detached ADUs shall be no smaller than 800 square-feet and no larger than 1,200 square feet.

(4) An ADU may have no more than two bedrooms.

7-14a-12. Height.

ADU height shall be limited by both the regulations of the base zoning district and by the height of the primary dwelling unit, and shall be the lesser height of the two.

7-14a-13. Setbacks.

Front, rear, and side setbacks for ADUs shall be as required by the regulations of the base zoning district.

7-14a-14. Separation.

A detached ADU shall be separated from the primary dwelling by a distance of at least ten feet.

7-14a-15. Lot coverage.

Lot coverage limitations applicable to ADUs shall be those established by the regulations of the base zoning district.

7-14a-16. Utilities - Water and Sewer Laterals.

(1) ADUs are required to connect to the City water and sewer main lines for culinary water and sanitary sewer service.

(2) ADUs are required to share utility meters, accounts, and water and sewer laterals with the primary dwelling.

7-14a-17. Addressing.

An ADU shall have the same street and mailing address as the primary dwelling, but shall add the letter "B" to the ADU address.

7-14a-18. Mailbox.

An ADU is allowed, but not required, to have a

separate mailbox from the primary dwelling.

7-14a-19. Subdivision.

(1) An ADU may not be sold or divided from the primary dwelling through deed, condominium, subdivision, plat, boundary line agreement, or otherwise.

(2) If a lot on which an ADU sits is subdivided, the ADU must remain on the lot containing the primary dwelling with which the ADU was associated upon its construction.

(3) An ADU shall not be considered or become the primary dwelling on any lot.

7-14a-20. Design.

An ADU shall have the same or substantially similar architectural features, materials, and colors as the primary dwelling.

7-14a-21. Site plan.

An ADU building permit application shall include a scaled site plan. The site plan must indicate the locations and dimensions of property lines and existing and proposed buildings, building entrances, building additions, setbacks, parking spaces, driveways, utility meters, and utility laterals and conduits. The site plan need not be engineered.

7-14a-22. Parking.

(1) An ADU shall provide one additional on-site parking stall per ADU bedroom.

(2) No ADU parking spaces may be located within the front or side yard setbacks adjacent to a street except for within an approved driveway. See Figure 1.

7-14a-23. Entrances.

Entrances to internal and attached ADUs shall be to the side or rear of the primary dwelling or ADU. See Figure 1.

7-14a-24. Site Location.

Detached ADUs shall be located to the rear of the primary dwelling, except that on a corner lot a detached ADU may be located to the side of the primary dwelling but flush with or set back from the primary dwelling side facade facing the street. See Figure 1.

7-14a-25. Impact Fee Reductions.

(1) Notwithstanding the provisions of Chapter 4-15, attached and detached ADUs shall pay the following impact fees:

(a) Culinary water: 50% of the single-family culinary water impact fee for interior water use only, and no impact fee for exterior water use.

(b) Sanitary sewer: 50% of the single-family

sanitary sewer impact fee.

(c) Public safety: 50% of the single-family public safety impact fee.

(d) Parks and recreation: 50% of the single-family parks and recreation impact fee.

(2) Notwithstanding the provisions of Chapter 4-15, internal ADUs shall not be required to pay impact fees.

7-14a-26. Water Rights.

Notwithstanding the provisions of Chapter 7-26, an ADU shall not be required to convey water rights to the City.

7-14a-27. Fee Exemptions.

An ADU shall not be required to pay the street light utility fee or the storm water utility fee.

7-14a-28. Building Permits - Building Codes - Foundations.

(1) The installation and/or construction of an ADU shall require the application for and issuance of a building permit. An ADU building permit shall clearly identify that it is for an ADU.

(2) Unless otherwise required by applicable building and fire codes, an internal ADU shall not be required to construct one-hour fire rated separations between the area of the primary dwelling used by the primary dwelling occupants and the ADU portion of the primary dwelling.

(3) ADUs must comply with all uniform building codes applicable to dwellings.

(4) ADUs shall be constructed on site-built permanent foundations, which may include slabs-on-grade.

(5) All running gear, tongues, axles, wheels, and similar or related appurtenances must be removed at the time of ADU installation.

7-14a-29. Variance.

An ADU located on a legal nonconforming lot may apply to the Zoning Administrator for a variance from the setbacks of the base zoning district to match the setbacks of the primary dwelling, but must comply with applicable building and fire code setback requirements.

7-14a-30. Conversion.

Non-dwelling accessory structures may be converted into detached ADUs upon compliance with this Chapter and with applicable building and fire codes.

7-14a-31. Business License.

The owner of an ADU shall not be required to obtain a city business license to own or rent the ADU.

7-14a-32. Home Occupation.

Subject to the primary dwelling owner's written consent, an ADU may contain a home occupation, which must be conducted entirely within the ADU.

7-14a-33. Registration.

No ADU registration shall be required in addition to the building permit.

7-14a-34. Violation - Notice - Civil Penalties.

(1) A violation of any provision of this Chapter shall be a civil offence.

(2) Notice of the violation and associated civil penalties shall be delivered by first-class regular U.S. mail to both:

(A) the address of record with the County Recorder's Office; and,

(B) to the street address.

(3) A violation of this Chapter shall be punishable by a civil penalty of \$100 per occurrence. Following a cure period of 30 days from the date of the notice of violation, every week the violation continues shall be considered an additional occurrence of the same violation and shall result in the imposition of an additional \$100 civil penalty per week of the continuing violation.

7-41a-35. Zoning Administrator - Appeals.

(1) Interpretations and decisions applying this Chapter shall be made by the Zoning Administrator.

(2) Administrative appeals of Zoning Administrator interpretations and decision, notices of violation, and the imposition of civil penalties shall be made pursuant to Chapters 1-27 and 1-28.

TOOELE CITY CORPORATION

RESOLUTION 2019-37

A RESOLUTION OF THE TOOELE CITY COUNCIL DECLARING SURPLUS CERTAIN IT EQUIPMENT, AND AUTHORIZING ITS DISPOSAL.

WHEREAS, the Administrative Departments in City Hall have identified a number of IT equipment items, to include computers, that are no longer capable of meeting Tooele City's technology needs (see list of equipment attached as Exhibit A); and,

WHEREAS, the City Administration implemented a written policy, effective August 6, 2013, for the disposal of surplus IT equipment (see policy attached as Exhibit B); and,

WHEREAS, it is in the City's interest to make full use of IT equipment and then to dispose of, pursuant to policy, whatever equipment no longer serves the public interest; and,

WHEREAS, wherever possible, the City disposes of IT equipment by recycling it with a reputable local recycling company to minimize waste and environmental contamination:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the equipment listed in Exhibit A is hereby declared surplus and authorized for disposal pursuant to the policy attached as Exhibit B.

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 _____, 2019.

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

List of Surplus Equipment

Device	Model	S/N (IMEI for cell phones)	Wiped?
Cell phone	Samsung Galaxy J3	354775080606816	Y
Cell phone	Samsung Galaxy S5	352132070475210	Y
Cell phone	Samsung Galaxy S5	35213207064798	Y
Cell phone	Samsung Galaxy S5	354691066666510	Y
Cell phone	Samsung Galaxy S5	3546910249504	Y
Cell phone	LG X Venture	354830081136303	Y
Cell phone	Kyocera	14641002435274	Y
Cell phone	Kyocera	146641002420805	Y
Tablet	Ipad	13094003287974	N
Tablet	Ipad	13099006347477	N
Tablet	Ipad	013101007071989	N
Tablet	Ipad	13099000027018	N
Tablet	Ipad	01300006946381	N
Hp Laptop	Hp Compaq 6510b	Cnu7492ds7	Y
Hp Laptop	Hp Compaq	3j05dnn4sht4	Y
Dell Laptop	Latitude e6510	N/A	Y
Panasonic Laptop	CF-51	T1078y	Y
Hp Laptop	Compaq nc6120	Cnu53312ky	Y
Hp Laptop	Compaq nc6320	Cnu7192gyn	Y
Hp Desktop	Compaq	Mxl8430xyq	Y
Hp Desktop	Compaq	Mxl8430xyr	Y
Hp Desktop	Compaq	Mxl8320ft6	Y
Hp Desktop	Compaq	Mxl7390d6z	Y
Hp Desktop	Compaq	Mxl7390d6x	Y
Hp Desktop	Compaq	Mxl8430xys	Y
Hp Desktop	Compaq	Mxl7390d70	Y
Hp Desktop	Compaq	Mxl8430xyx	Y
Hp Desktop	Compaq	Mxl8320ft7	Y
Hp Desktop	Compaq	Mxl9480wn4	Y
Dell	Optiplex	32y2dk1	Y
Hp Desktop	Compaq	Mxl8430xyw	Y
Hp Desktop	Compaq	Mxl95304vj	Y
Hp Desktop	Compaq	Mxl95304ss	Y
Hp Desktop	Compaq	Mxl83202f3	Y
Hp Desktop	Compaq	Mxl95304v0	Y
Hp Desktop	Compaq	Mxl95304td	Y
Hp Desktop	Compaq	Mxl0492v8b	Y
Thin Client	WYSE	683b38389463	N/A
Thin Client	Hp	Mxl4480tgt	N/A
Matrixx desktop	Matrixx	'3363	Y
Desktop	System solution	N/A	Y
Dell Desktop	Optiplex	2h6d7j1	Y
Hp Desktop	Compaq	Mxl4070y0h	Y
Hp Desktop	Compaq	Mxl23825p3	Y
Hp Desktop	Compaq	Mxl44015b1	Y
Hp Desktop	Compaq	Mxl32823jr	Y

Hp Desktop	Compaq	2ua347opqf	Y
Hp Desktop	Compaq	MXl3351ty6	Y
Hp Desktop	Compaq	Mxl3t823k2	Y
Hp Desktop	Compaq	Mxl3351vt1	Y
Hp Desktop	Compaq	Mxl2380qsh	Y
Hp Desktop	Compaq	Mxl73900ws	Y
Hp Desktop	Compaq	2ua1281zl4	Y
Hp Desktop	Compaq	Mxl4070y0g	Y
Hp Desktop	Compaq	Mxl32823kr	Y
Hp Desktop	Compaq	Mxl8320fsz	Y
Hp server	Xeon	Use2246pk7	Y
Hp server	Xeon	Use2246pk4	Y
Hp server	Xeon	Use108n819	Y
Hp server	Xeon	Usm71100jy	Y
Hp server	Xeon	Use52387hd	Y
Hp server	Xeon	Use122n56r	Y
Hp Printer	Laser jet pro MFP	Phb8j681n8	N/A
Hp printer	Laser jet 600 m601	Cndcg731yv	N/A
Canon printer	Image class	Mya89663	N/A
Hp printer	Office Jet pro	Cn0agak2c9	N/A
Old Hp Desktop	Desktop	N/A	Y
Old Hp Desktop	Desktop	N/A	Y
Hp Printer	Laser jet 400 color	Cnbf304502	N/A
Brother printer	MFC-J870dw	U63538j4f	N/A
Hp laptop	Compaq nc6120	Cnu604067b	Y
Hp Printer	Laser jet pro MFP	CNCKK59GTL	N/A
Unarmed server	N/A	N/A	N/A
Hp Printer	Laser jet 3600dn	Cnwch68990	N/A
Brother printer	MFC.9700	U60073e4j604990	N/A
Iprism Server	20H	'24391	Y
Brother printer	MFC8510Dn	U63087a5n975818	N/A
Hp Printer	Laserjet 2300dln	N/A	N/A
Hp thin client	Thin Client	MXL5121FFC	N/A
Optiquest Monitor	Q9B	PW3052701572	N/A
52 Phones	Telrad	N/A	N/A
Graphtec	IS200	60123444	N/A
Dell	Monitor	CNOX876H7287298D1Y5S	N/A
NEC	Monitor	44410550YA	N/A
NEC	Monitor	68102204NA	N/A
NEC	Monitor	63137952NA	N/A
NEC	Monitor	59F06882NA	N/A
NEC	Monitor	5XF08311NA	N/A
HP	Monitor	CNC742Q55B	N/A
N/A	DVR Monitor	N/A	N/A
Acer	Monitor	96	N/A
NEC	Monitor	5XF08291NA	N/A
NEC	Monitor	5Z108351NA	N/A

Exhibit B

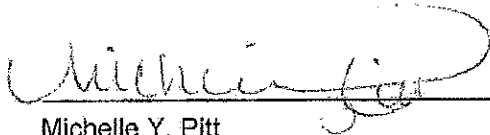
Disposal Policy

Disposal of Technology-Related Equipment Procedure

1. As employees get new technology-related equipment/items or no longer need certain equipment/items, they will give the old or unwanted equipment/items to the Information Systems (I.S.) Department;
2. The I.S. Department will keep the equipment/items intact for minimum of 3 months in case employees need to retrieve files or other information from it;
3. After the appropriate time has passed, the I.S. Department will determine if there are parts that can be salvaged from the equipment/items;
4. If parts can be salvaged from the equipment/items, the I.S. Department will tear down the equipment/items, take and store the parts;
5. The I.S. Department will make a list of the equipment/items to be disposed (after parts have been salvaged), by description, model, make, part number, or any other identifying names and/or numbers;
6. The list will be taken to the City Council by Resolution to be declared surplus, along with a recommendation of the desired method of disposal;
7. Equipment/items do not need to be presented to City Council individually, rather a listing of multiple equipment/items and types may be taken at the same time to the City Council to be declared surplus through a single Resolution;
8. The equipment/items will be disposed of, sold, donated, or recycled according to the method declared in the Resolution;
9. Any proceeds from the sale of, or recycling of, equipment/items will be returned to the Tooele City Finance Department;
10. After the equipment/items have been declared surplus, the I.S. Department will erase all data contained in the equipment/item(s) so that information cannot be retrieved from the equipment/item(s), and following procedure will be followed:
 - a. If equipment/items are deemed completely unusable, or the worth is determined to be under \$100, they may be disposed of.
 - b. If equipment/items are to be sold:
 - i. The sale of surplus equipment/items will be properly noticed;
 - ii. Sealed bids will be received;
 - iii. Equipment/item will be sold as is to the highest bidder;
 - iv. The highest bidder must make payment in cash within 24 hours to the Finance Department prior to receiving any equipment/items. Otherwise the next-high bid will be accepted.
 - c. If the equipment/items are to be donated:
 - i. The donation of surplus equipment/items will be properly noticed;
 - ii. Equipment/items will be donated as is to another state agency or non-profit agency with a written agreement between the two entities.
 - iii. If equipment/items are to be recycled, the equipment/items will be recycled through a local recycling center or a center near and economically feasible to the city.

11. After equipment/items have been disposed of, through one of the means described above, the I.S. Department will retain records of said disposal for 3 years.
12. At no time will any equipment/item(s) be given to an employee, unless an employee is the highest bidder in the sale process listed in Item #10(b) above. Notwithstanding the previous statement, at no time may a member of the IS Department, or any other employee involved in the decision making process that declared the property as surplus, bid for or purchase equipment that was declared surplus by the Department.

Dated this 6th day of August, 2013,



Michelle Y. Pitt
Tooele City Recorder

TOOELE CITY CORPORATION

RESOLUTION 2019-38

A RESOLUTION OF THE TOOELE CITY COUNCIL AMENDING GOLF CART FEES.

WHEREAS, Tooele City Code §1-26-1 authorizes the City Council to establish City fees by resolution for activities regulated by the City and services provided by the City; and,

WHEREAS, Utah Code §10-3-718 authorizes the City Council to exercise administrative powers, such as establishing city fees and regulating the use of city property, by resolution; and,

WHEREAS, under the Council-Mayor form of municipal government, established and governed by the Tooele City Charter (2006) and Utah Code §10-3b-201 et seq., the Mayor exercises all executive and administrative powers; however, it has been the practice of Tooele City for all fees proposed by the Mayor and City Administration to be approved by the City Council; and,

WHEREAS, by Resolution 2019-24, approved on March 20, 2019, the City Council approved the acquisition of 80 new golf carts, with the lease rate to be paid from golf cart revenues; and,

WHEREAS, Tooele City has not increased golf cart fees in five years, and the current fees are below the standard fees in the industry; and,

WHEREAS, in order to pay for the new golf carts under the terms of the lease-purchase agreement, the Director of Parks and Recreation recommends and requests that the City Council increase golf cart fees, as follows:

- 9 hole proposed fee: \$8.00 per person (current fee: \$6.00 per person)
- 18 hole proposed fee: \$16.00 per person (current fee: \$12.00 per person)

and,

WHEREAS, the fees charged to golf course patrons bear a reasonable relationship to the City's costs to provide the golf course services:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the golf cart fee increases shown above and proposed by the City Administration are hereby approved and shall be incorporated into the Tooele City Fee Schedule.

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 _____, 2019.

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

STAFF REPORT

April 17, 2019

To: Tooele City Planning Commission
Business Date: April 24, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Lexington Greens At Overlake – Preliminary Plan Subdivision Request

Application No.: P19-37
Applicant: Charles Akerlow, representing Zenith Tooele LLC
Project Location: Approximately 600 West 1200 North
Zoning: R1-7 Residential Zone
Acreage: 86.3 Acres (Approximately 3,759,228 ft²)
Request: Request for approval of a Preliminary Plan Subdivision in the R1-7 Residential zone regarding the creation of 192 single-family residential lots.

BACKGROUND

This application is a request for approval of a Preliminary Plan Subdivision for approximately 86.3 acres located at approximately 600 West 1200 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 site as 192 single-family residential homes and all of the necessary public infrastructure.

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 Residential land use designation. All properties to the north, west and south are zoned R1-7 Residential. Property to the east is zoned R1-7 Residential and P Overlake. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The proposed subdivision will be entirely constructed west of 400 West street and Frank’s Drive. There will be two accesses to 400 West with stub streets for future connections located at the north, west and south subdivision boundaries. All lots within the subdivision meet or exceed all minimum lot standards as required by the R1-7 zone regarding lot width, lot frontage and lot size.

The applicant is proposing Parcels A, B, C, D and E to be open spaced owned and maintained by the

Lexington Greens Home Owners Association. Parcel E is a storm water detention basin totaling .77 acres. Parcels C and D are internal “pocket” park spaces. Parcel A is frontage landscaping along 400 West. Parcel B is frontage landscaping along 400 West and Franks Drive and includes a proposed 3 acre private park. Private Parks are permitted in the R1-7 zone but are permitted with a Conditional Use permit. The applicant shall be required to obtain that Conditional Use Permit before final plat subdivision approval.

Landscaping. Parcels A, B, C, D and E are open space parcels that will require landscaping and future maintenance. The developer has indicated that a homeowner’s association will maintain these open space areas. Dominant landscaping in these areas will be grass, trees, shrubs and some trails. The applicant is proposing to use Legacy Buffalo Sod, a more hardy and drought tolerant variety of sod than Kentucky Bluegrass. An in ground irrigation system will also be installed.

Fencing. There are no areas where fencing is required by Tooele City Code.

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. If Parcel B is to remain a private park, a Conditional Use Permit shall be obtained prior to final subdivision plat 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 with the following proposed conditions:

1. Shall conform to all recommendations and requirements of the final water model report.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Preliminary Plan Subdivision by Charles Akerlow, representing Zenith Tooele LLC, application number P19-37, 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. If Parcel B is to remain a private park, a Conditional Use Permit shall be obtained prior to final subdivision plat approval.

6. Shall conform to all recommendations and requirements of the final water model report.

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.
6. That the subdivision and all lots within the subdivision meet or exceed minimum development standards as required by Tooele City's development codes.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Lexington Greens At Overlake Preliminary Plan Subdivision Request by Charles Akerlow, representing Zenith Tooele LLC for the purpose of creating 192 single-family residential lots, application number P19-37, based on the findings and subject to the conditions listed in the Staff Report dated April 17, 2019:”

1. List any additional findings and conditions...

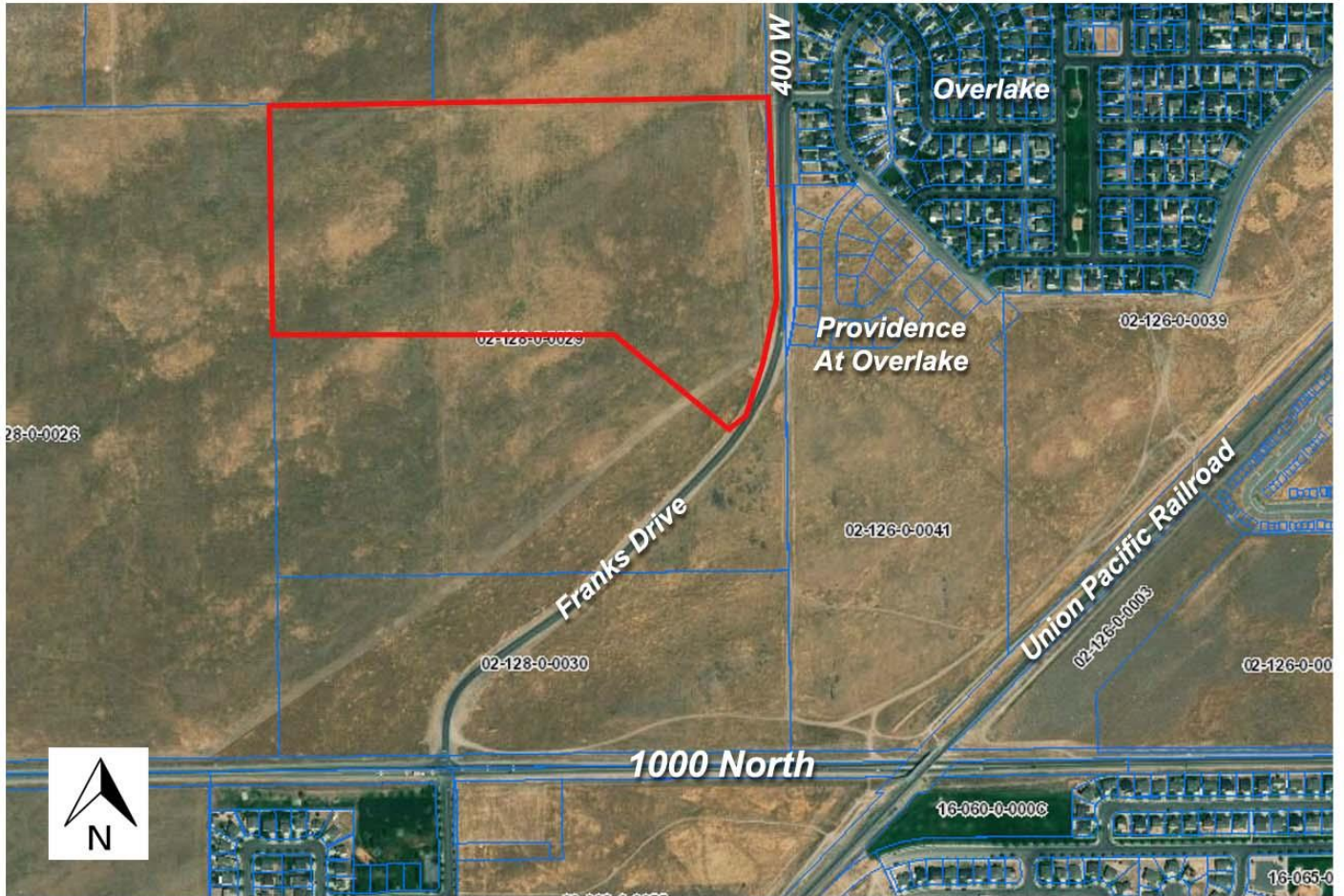
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Lexington Greens At Overlake Preliminary Plan Subdivision Request by Charles Akerlow, representing Zenith Tooele LLC for the purpose of creating 192 single-family residential lots, application number P19-37, based on the following findings:”

1. List any findings...

EXHIBIT A

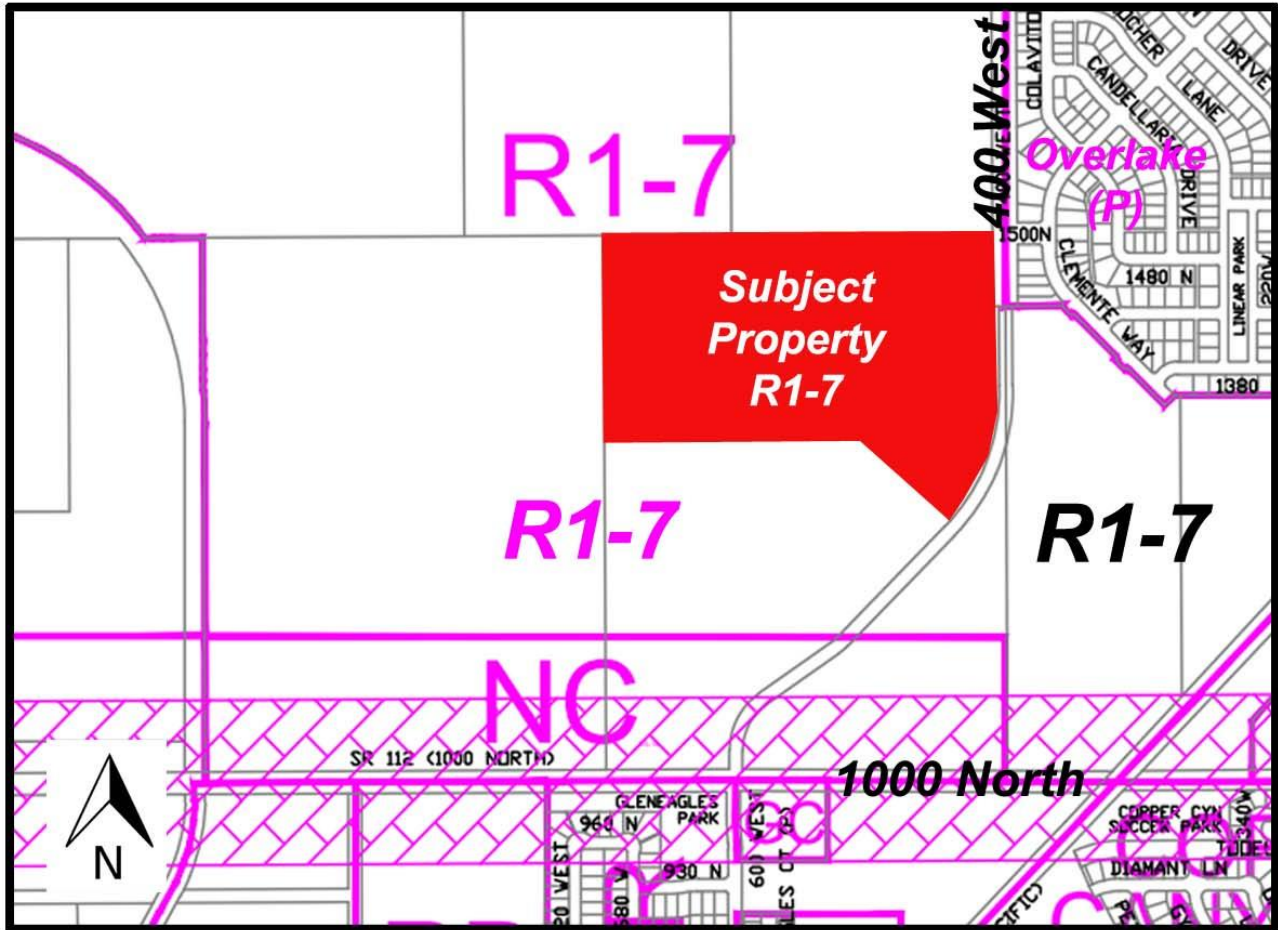
**MAPPING PERTINENT TO THE LEXINGTON GREENS AT OVERLAKE
PRELIMINARY PLAN SUBDIVISION**

Lexington Greens At Overlake Preliminary Plan



Aerial View

Lexington Greens Preliminary Plan Subdivision



Current Zoning

EXHIBIT B

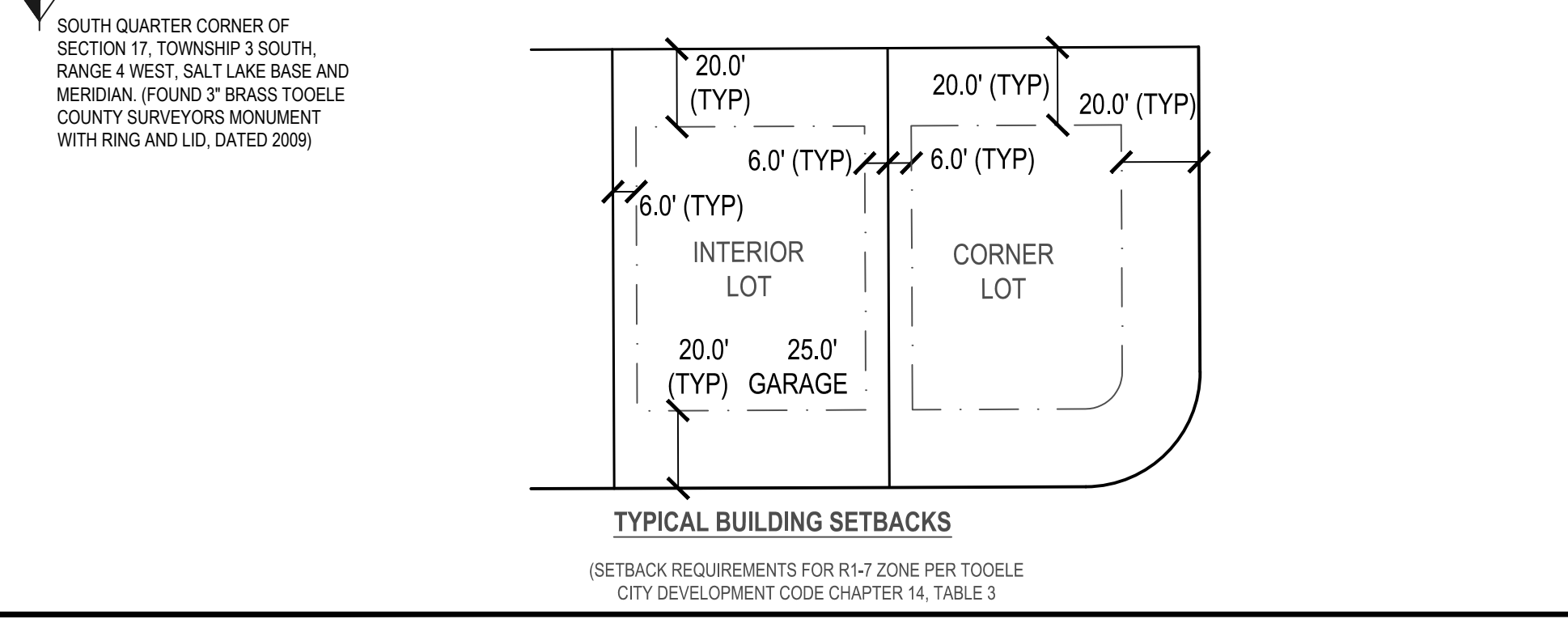
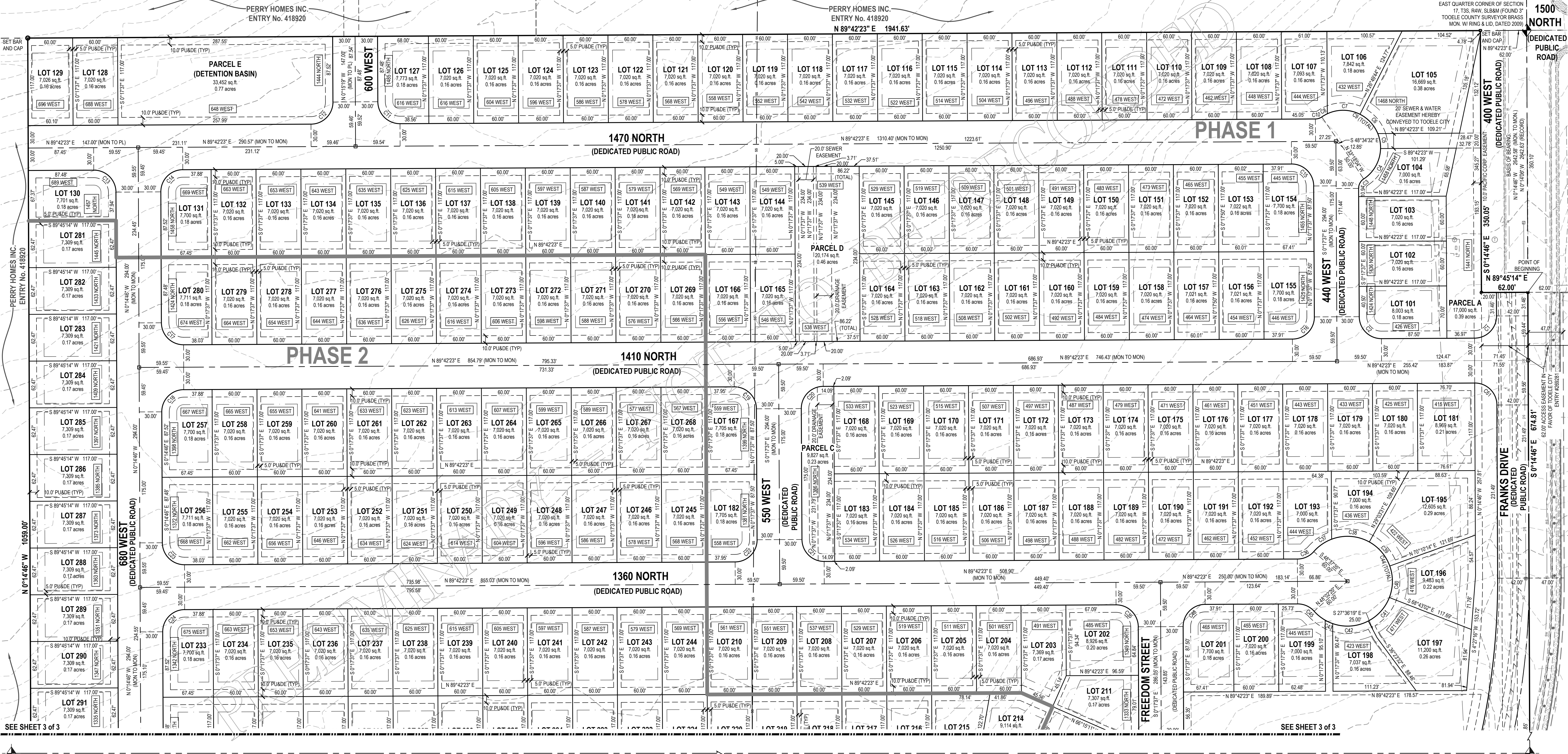
PROPOSED DEVELOPMENT PLANS

LEXINGTON GREENS AT OVERLAKE PHASE 1 & 2

PRELIMINARY 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 2009)

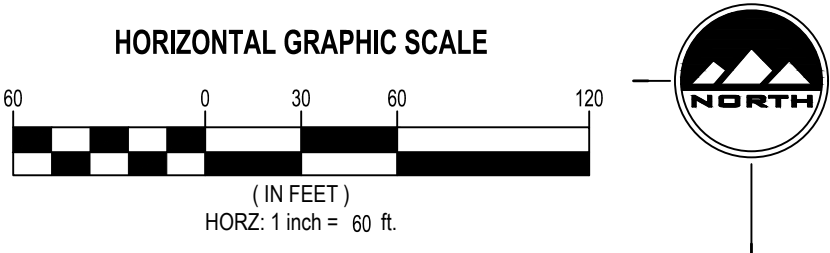


NOTE:
1. PARCEL "A", "B", "C", "D", & "E" TO BE OPEN SPACE AND TO BE OWNED AND MAINTAINED BY LEXINGTON GREENS HOME OWNERS ASSOCIATION, INC.
2. ZONING IS R-1.7.

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

LEGEND

	SECTION CORNER
	EXISTING STREET MONUMENT
	PROPOSED STREET MONUMENT
	SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSGN ENGS. & LAND SURV."
	PUADE = PUBLIC UTILITY & DRAINAGE EASEMENT
	BOUNDARY LINE
	CENTER LINE
	EASEMENTS



LEXINGTON GREENS AT OVERLAKE PHASE 1 & 2

PRELIMINARY 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

ENSGN
PROFESSIONAL LAND SURVEYORS
STATE OF UTAH

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

SALT LAKE CITY
Phone: 801.251.0009

LAYTON
Phone: 801.541.1100

CEDAR CITY
Phone: 435.865.1433

RICHFIELD
Phone: 435.866.9983

WWW.ENSGN.COM

SHEET 2 of 3

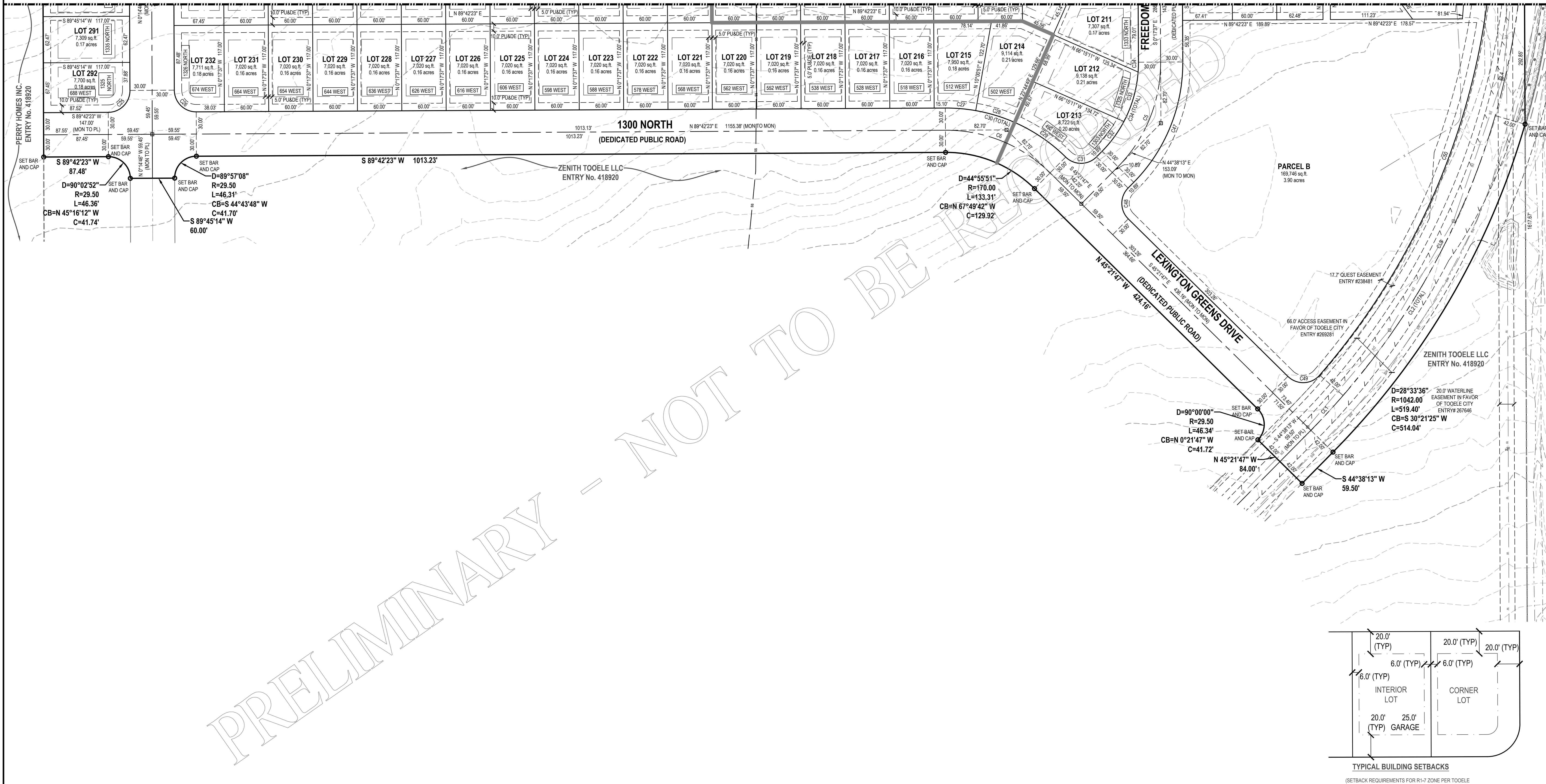
PROJECT NUMBER: 8200A
MANAGER: D. KINSMAN
DRAWN BY: C. CHILD
CHECKED BY: D. KINSMAN
DATE: 4/3/19

LEXINGTON GREENS AT OVERLAKE PHASE 1 & 2 PRELIMINARY PLAT

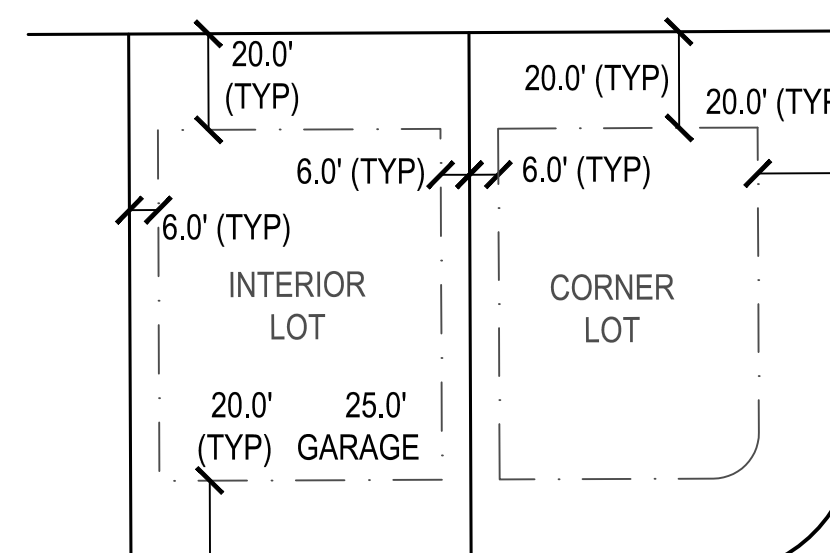
LOCATED IN THE
SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH

SEE SHEET 2 of 3

SEE SHEET 2 of 3



PRELIMINARY - NOT TO BE RELIED UPON

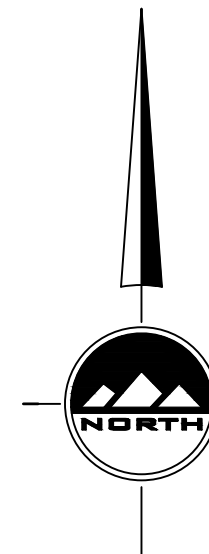
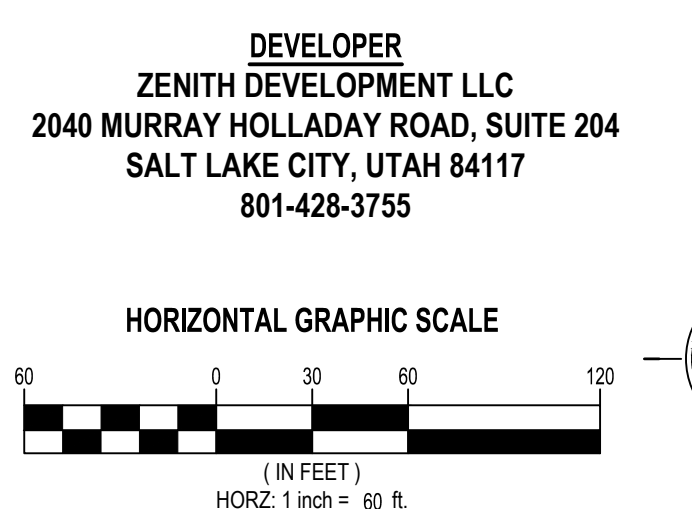


TYPICAL BUILDING SETBACKS

(SETBACK REQUIREMENTS FOR R1-7 ZONE PER TOOELE CITY DEVELOPMENT CODE CHAPTER 14, TABLE 3)

- NOTE:**
- PARCEL "A", "B", "C", "D", & "E" TO BE OPEN SPACE AND TO BE OWNED AND MAINTAINED BY LEXINGTON GREENS HOME OWNERS ASSOCIATION, INC.
 - ZONING IS R1-7.

LEGEND	
	SECTION CORNER
	EXISTING STREET MONUMENT
	PROPOSED STREET MONUMENT
	SET 8\"/>
	PU&DE = PUBLIC UTILITY & DRAINAGE EASEMENT
	BOUNDARY LINE
	CENTER LINE
	EASEMENTS



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

LEXINGTON GREENS AT OVERLAKE PHASE 1 & 2 PRELIMINARY 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

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

SALT LAKE CITY
Phone: 801.251.0208

LAYTON
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.866.2983

WWW.ENSIGNENG.COM

SHEET 3 of 3

PROJECT NUMBER: 8260A
MANAGER: D. KNSMAN
DRAWN BY: C. CHILD
CHECKED BY: D. KNSMAN
DATE: 4/3/19

STAFF REPORT

April 17, 2019

To: Tooele City Planning Commission
Business Date: April 24, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Dow James Subdivision – Final Plat Request

Application No.: P19-271
Applicant: Tooele City
Project Location: Approximately 438 West 400 North
Zoning: OS Open Space Zone
Acreage: 14.88 Acres (Approximately 648,231 ft²)
Request: Request for approval of a Final Plat Subdivision in the OS Open Space zone regarding the creation of two lots at the Dow James Park.

BACKGROUND

This application is a request for approval of a Final Plat for approximately 14.88 acres located at approximately 438 West 400 North. The property is currently zoned OS Open Space. The applicant is requesting that a Final Plat be approved to allow the creation of a subdivision plat that will consolidate 4 existing lots of record into 2 platted open space lots.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Open Space land use designation for the subject property. The property has been assigned the OS Open Space zoning classification. The purpose of the Open Space Zone (OS) zoning district is to establish areas in the City where only open and generally undeveloped lands are to be permitted. Development of a comprehensive network of permanent, multi-functional, and publicly and privately owned open spaces are encouraged. Restrictions in this zone are designed to prevent the encroachment of permanent or long-term residential, commercial, and industrial uses into these open space areas which would be contrary to the purpose and characteristics of this zone. The OS Open Space zoning designation is identified by the General Plan as a preferred zoning classification for the Open Space land use designation. Properties to the north and south of the subject property are zoned R1-7 Residential. To the east properties are zoned HDR High Density Residential and R1-7. To the west property is zoned MDR Medium Density Residential (MR-8). Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. Currently, the Dow James Park exists on four separate lots of record. This proposed subdivision plat will create a new subdivision and consolidate those four lots, totaling 14.88 acres into 2 subdivision lots. Lot 1 is the baseball field and will be 4.53 acres. Lot 2 will be 10.35 acres and will encompass the remainder of the Dow James Park. There will be no changes in land use resulting from this subdivision. All this subdivision plat does is split the lot for ownership purposes.

The subdivision plat does create an access easement from 400 North to lot 1 in favor of lot 1. The easement remains in place regardless of who owns lot 1. A public utility and drainage easement is also created in favor of Tooele City.

Criteria For Approval. The procedure for approval or denial of a Subdivision Final 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 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 Final Plat submission and have issued a recommendation for approval for the request.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Final Plat by Tooele City, application number P19-271, 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.
6. The subdivision as proposed meets all of the lot development standards as found in the OS Open Space Ordinance of the Tooele City Code.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Dow James Subdivision Final Plat Request by Tooele City, for the purpose of creating two platted open space lots, application number P19-271, based on the findings and subject to the conditions listed in the Staff Report dated April 17, 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 Dow James Subdivision Final Plat Request by Tooele City, for the purpose of creating two platted open space lots, application number P19-271, based on the following findings:”

1. List any findings...

EXHIBIT A

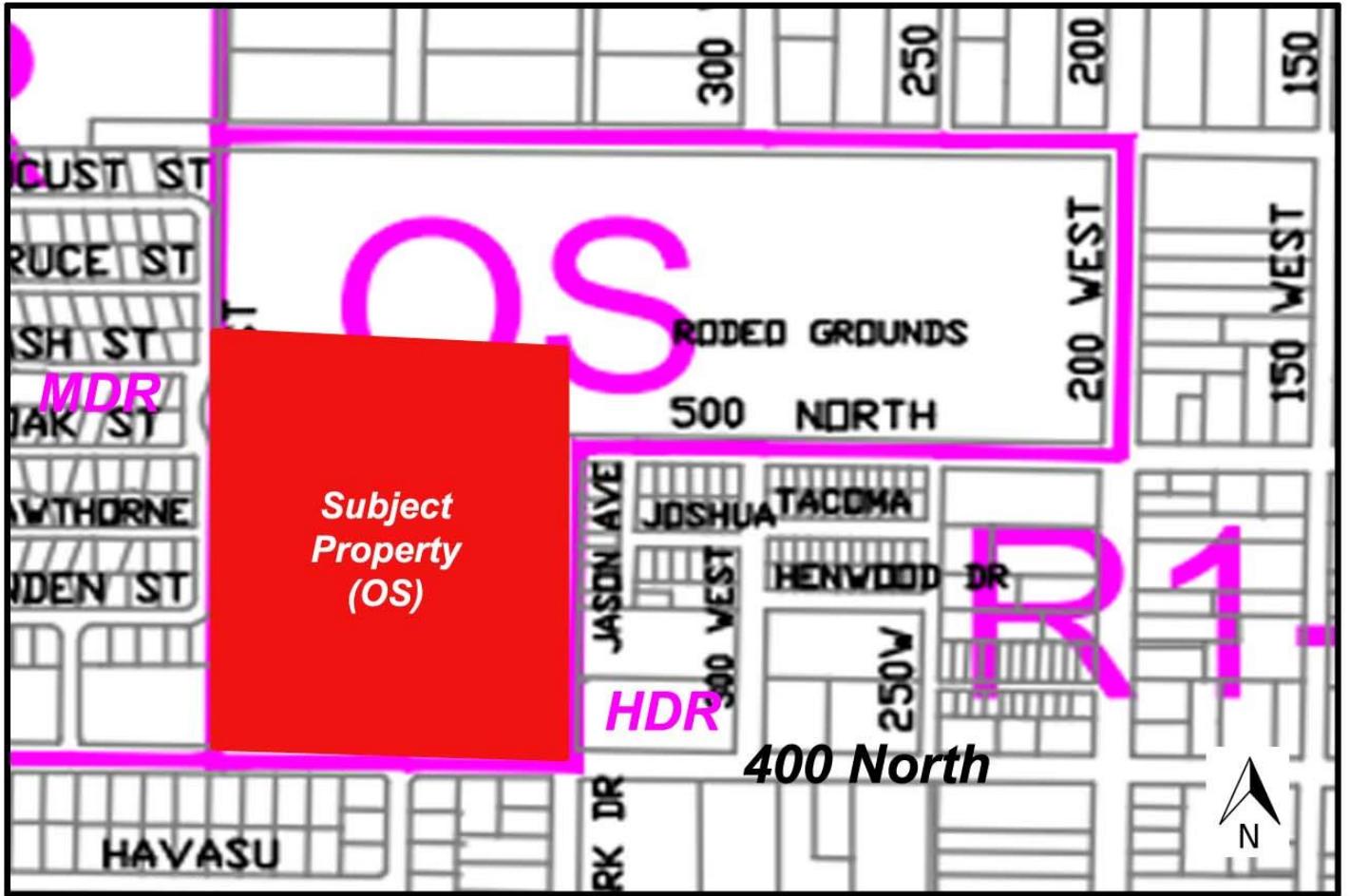
MAPPING PERTINENT TO THE DOW JAMES SUBDIVISION FINAL PLAT

Dow James Subdivision Final Plat



Aerial View

Dow James Subdivision Final Plat



Current Zoning

EXHIBIT B

PROPOSED DEVELOPMENT PLANS

811
CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.
Know what's below.
Call before you dig.

**FINAL PLAT
DOW JAMES SUBDIVISION**
LOCATED IN THE SOUTHWEST QUARTER OF
SECTION 21 TOWNSHIP 3 SOUTH, RANGE 4
WEST, SALT LAKE BASE AND MERIDIAN,
TOOELE CITY, TOOELE COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, Douglas J. Kinman do hereby certify that I am a Licensed Land Surveyor, and that I hold Certificate No. 334575 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 **DOW JAMES SUBDIVISION**, 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 requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

The basis of bearing for this survey is the measured line between the four monuments at the Southwest Corner and the West Quarter Corner of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian, which bears North 0°08'31" West 2645.21 feet.

A parcel of land, situate in the Southwest Quarter of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the west line of the record position of historic 450 West Street, which is accepted as following an existing, long-standing chainlink fence line, said Point of Beginning is located North 0°08'31" West 1245.83 feet along the measured Section line, and East 285.57 feet from the Southwest Corner of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence North 0°15'04" East 452.17 feet along the west line of said historic 450 West Street, following said existing chainlink fence line;

thence South 89°32'55" East 748.89 feet, to the record alignment of the west line of 350 West Street;

thence South 1°23'16" West 878.91 feet along said east line, to the north line of 400 North Street;

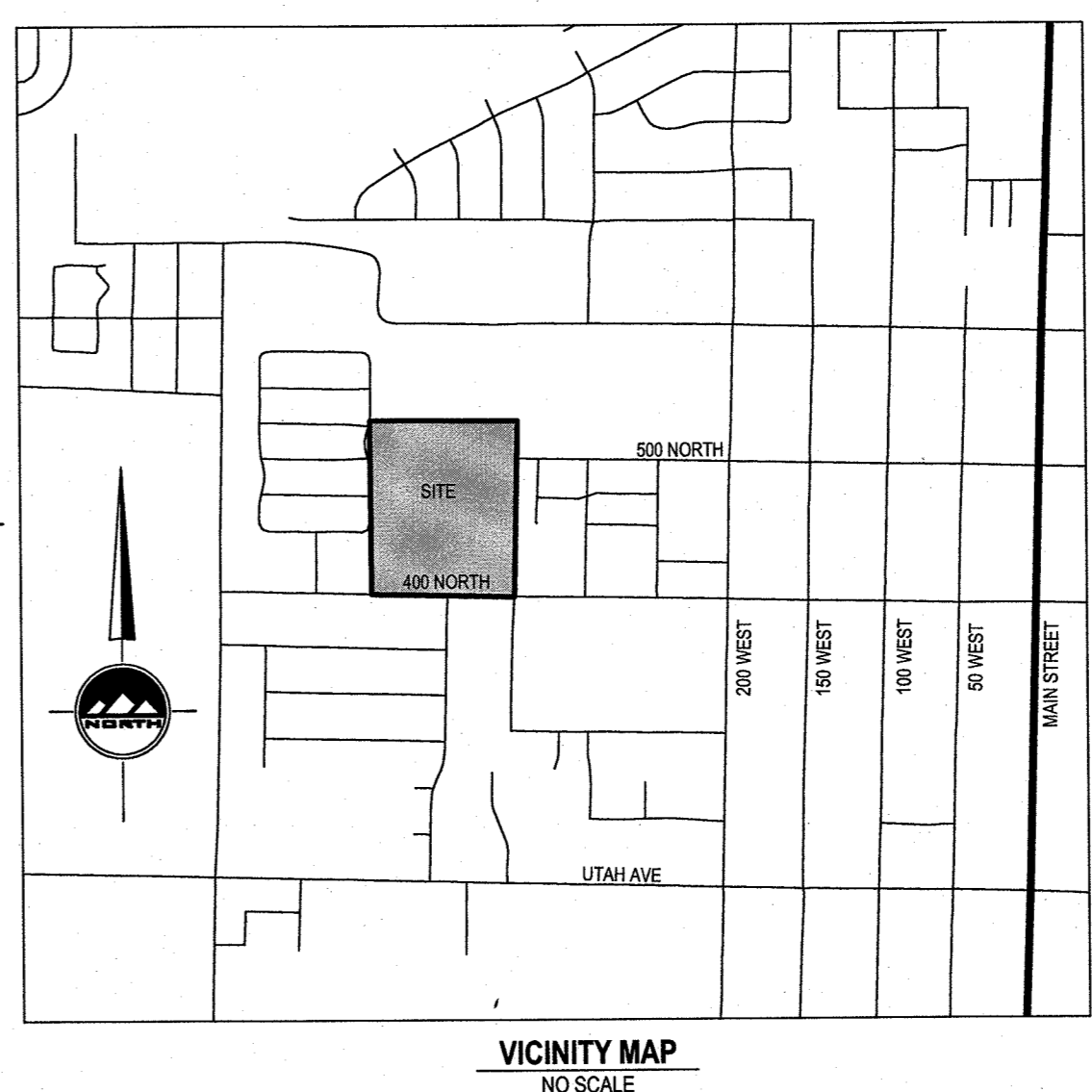
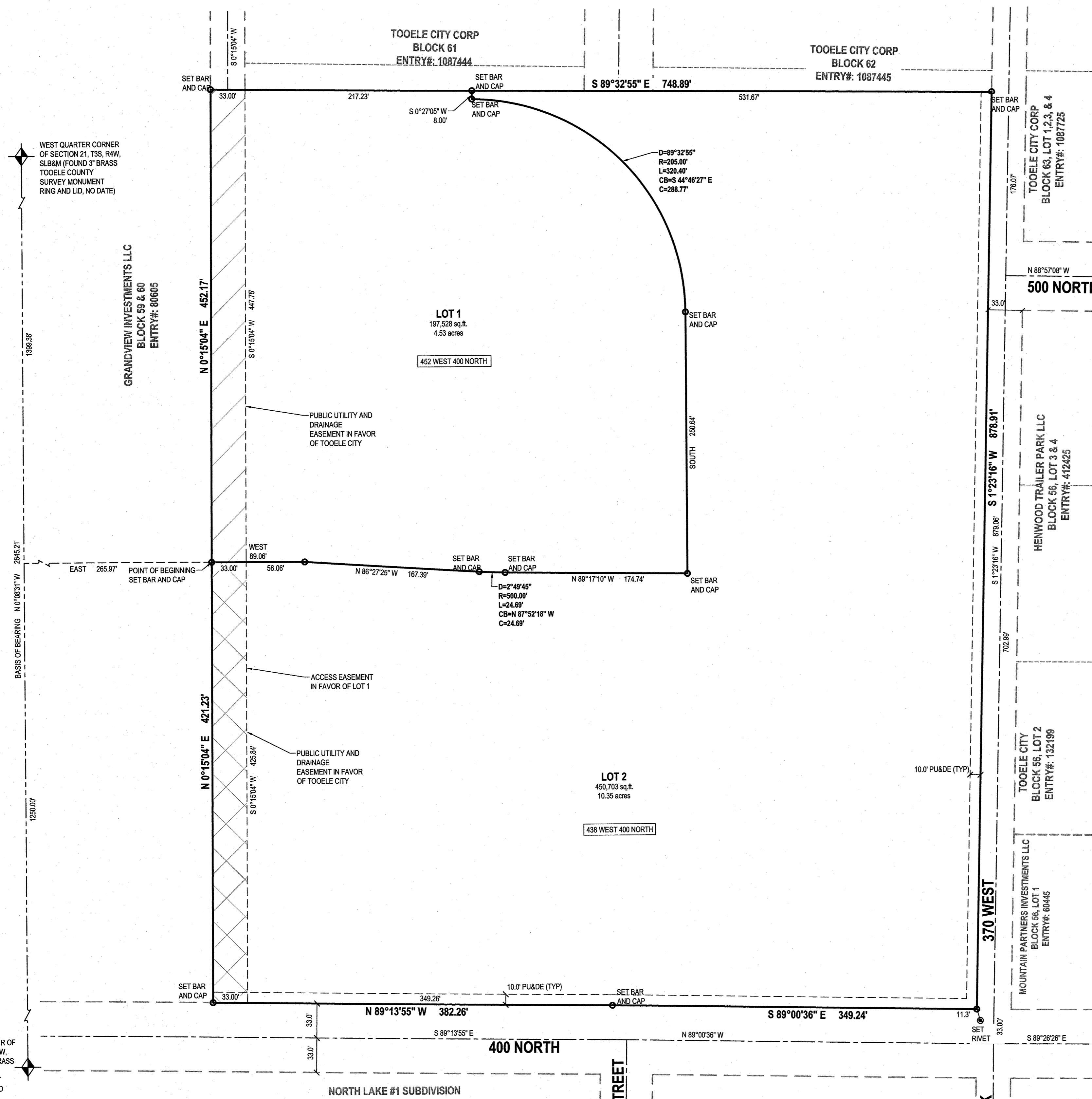
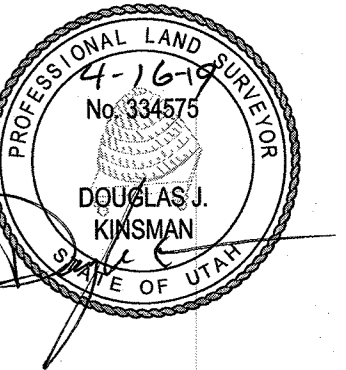
thence North 89°00'36" West 349.24 feet along the north line of said 400 North Street, to the centerline of 400 West Street;

thence North 89°13'55" West 382.26 feet along said north line, to the west line of said historic 450 West Street;

thence North 0°15'04" East 421.23 feet along said west line, and said existing chainlink fence line, to the Point of Beginning.

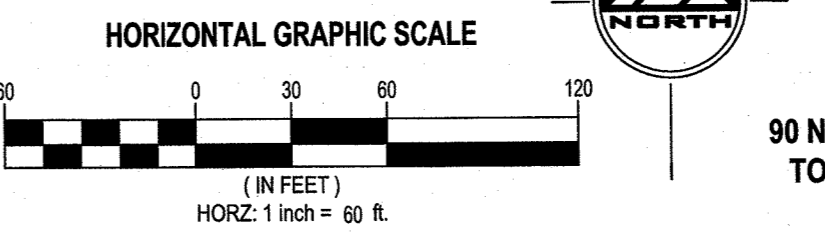
Parcel contains: 648,231 square feet, or 14.88 acres.

APRIL 16, 2019
Date
Douglas J. Kinman
License no. 334575



LEGEND

- SECTION CORNER
- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED 'ENSIGN ENG. & LAND SURV.'
- PUBDE
- PUBDE= PUBLIC UTILITY & DRAINAGE EASEMENT
- EASEMENTS
- PUBDE IN FAVOR OF TOOELE CITY
- ACCESS EASEMENT IN FAVOR OF LOT 1



DEVELOPER
TOOELE CITY
90 NORTH MAIN STREET
TOOELE, UTAH, 84074
435-843-2100

SHEET 1 OF 1

PROJECT NUMBER : 8800
MANAGER : D. KINSMAN
DRAWN BY : C. CARPENTER
CHECKED BY : D. KINSMAN
DATE : 4/16/19

ENSIGN
SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT, 84070
Phone: 801.255.9220
Fax: 801.255.4449
WWW.ENSIGNENG.COM

LAYTON
Phone: 801.947.1100
TOOELE
Phone: 435.843.3300
CEDAR CITY
Phone: 435.846.1463
RICHFIELD
Phone: 435.380.0747
COLORADO SPRINGS
Phone: 719.478.0119

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

CHAIRMAN TOOELE CITY COUNCIL _____ ATTEST _____

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-6(3)(4)(C)(III) 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____.

BY _____ TITLE _____

DOMINION ENERGY

DOMINION ENERGY APPROVED 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 FORTH 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

APPROVED THIS _____ DAY OF _____, 20____, BY THE DOMINION ENERGY

SIGNATURE _____ TITLE _____

PLANNING COMMISSION APPROVAL
APPROVED AS TO FORM THIS _____ DAY OF _____, 20____.

CHAIRMAN TOOELE CITY PLANNING COMMISSION _____

COMMUNITY DEVELOPMENT APPROVAL
APPROVED AS TO FORM THIS _____ DAY OF _____, 20____.

TOOELE CITY COMMUNITY DEVELOPMENT _____

COUNTY HEALTH DEPARTMENT APPROVAL
APPROVED AS TO FORM THIS _____ DAY OF _____, 20____.

TOOELE COUNTY HEALTH DEPT. _____

COUNTY SURVEYOR APPROVAL
APPROVED AS TO FORM THIS _____ DAY OF _____, 20____.

RECORD OF SURVEY FILE # XXXXXXXXX

TOOELE COUNTY SURVEYOR _____

CITY ENGINEER'S APPROVAL
APPROVED AS TO FORM THIS _____ DAY OF _____, 20____.

TOOELE CITY ENGINEER _____

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

TOOELE COUNTY TREASURER _____

CITY ATTORNEY'S APPROVAL
APPROVED AS TO FORM THIS _____ DAY OF _____, 20____.

TOOELE CITY ATTORNEY _____

TOOELE COUNTY RECORDER

RECORDED # _____
STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEES _____ TOOELE COUNTY RECORDER _____

**FINAL PLAT
DOW JAMES SUBDIVISION**
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21 TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH _____ J.S.S.
County of Tooele _____

On the _____ day of _____, A.D. 20____, in the State of Utah, who after being duly sworn, acknowledged to me that He/She is the _____ of _____ and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Corporation by authority of a resolution of its Board of Directors for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

MY COMMISSION EXPIRES: _____ RESIDING IN _____ COUNTY.

NOTARY PUBLIC _____

STAFF REPORT

April 17, 2019

To: Tooele City Planning Commission
Business Date: April 24, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Canyon Village Rust Condominiums – Condominium Plat Request

Application No.: P19-14
Applicant: Monte Kingtson, representing Mountain Vista Development, Inc.
Project Location: 1770 N 350 E
Zoning: HDR High Density Residential Zone
Acreage: 2.07 Acres (Approximately 90,000 ft²)
Request: Request for approval of a Condominium Plat in the HDR High Density Residential zone amending and vacating lots 122-127 of the Canyon Village Rust Phase 1 Subdivision and the creation of condominium units, common areas and limited common areas.

BACKGROUND

This application is a request for approval of a Condominium Plat for approximately 2.07 acres located at approximately 1770 N 350 E. The property is currently zoned HDR High Density Residential. The applicant is requesting that a Condominium Plat be approved to allow amendments to the Canyon Village Rust Phase 1 Subdivision plat and authorizing the creation of condominium units, surrounding common areas and limited common areas.

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 HDR High Density Residential zoning classification, supporting approximately sixteen dwelling units per acre. The purpose of the HDR (**HDR**) 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 HDR High Density Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. All properties surrounding the subject properties are zoned HDR High Density Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The purpose of this condominium plat is to amend the Canyon Village Rust Phase 1 subdivision plat, vacating lots 122 through 127 and amending those lots into two parcels with condominium units. The current subdivision plat has lots 122 through 127 for duplex style units. Instead of constructing duplexes the applicant wishes to construct townhouse style units in which the interior space of the units is privately owned.

The condominium plat creates Parcel A and Parcel B which is described as common area owned and maintained by the Home Owners Association. The plat also creates 24 condominium units where the

owner is responsible for the space inside of the walls of the building but the HOA owns the actual walls, foundation and ground upon which the unit rests. Unit driveways and private patio spaces are not privately owned but are defined as limited common areas defined as specific to each individual unit.

At 2 acres the density permitted in this development with an HDR (High Density Residential) zoning district (now changed to MR-16) the maximum number of units permitted is 32. At 24 units the proposed project is well within the density requirements of the code.

Landscaping. As a multi-family residential development this development will be required to submit a multi-family site plan design review application to confirm compliance with Chapter 7-11a, Design Review of the Tooele City Code.

Parking. Tooele city code 7-11a requires two parking stalls per unit and ¼ guest parking stalls per unit. Parking issues will be reviewed during site plan design review.

Criteria For Approval. The criteria for review and potential approval of a Condominium Final Plat request is found in Section 7-20-11 of the Tooele City Code.

REVIEWS

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

STAFF RECOMMENDATION

Staff recommends approval of the request for a Condominium Plat by Monte Kington, representing Mountain Vista Development, Inc., application number P19-14, 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.
6. The proposed condominium plat meets or exceeds all standards for condominium development as required by Tooele City Code.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Canyon Village Rust Condominiums Condominium Plat Request by Monte Kingtson, representing Mountain Vista Development, Inc. for the purpose of creating 24 condominium units, application number P19-14, based on the findings and subject to the conditions listed in the Staff Report dated April 17, 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 Canyon Village Rust Condominiums Condominium Plat Request by Monte Kingtson, representing Mountain Vista Development, Inc. for the purpose of creating 24 condominium units, application number P19-14, based on the following findings:”

1. List any additional findings...

EXHIBIT A

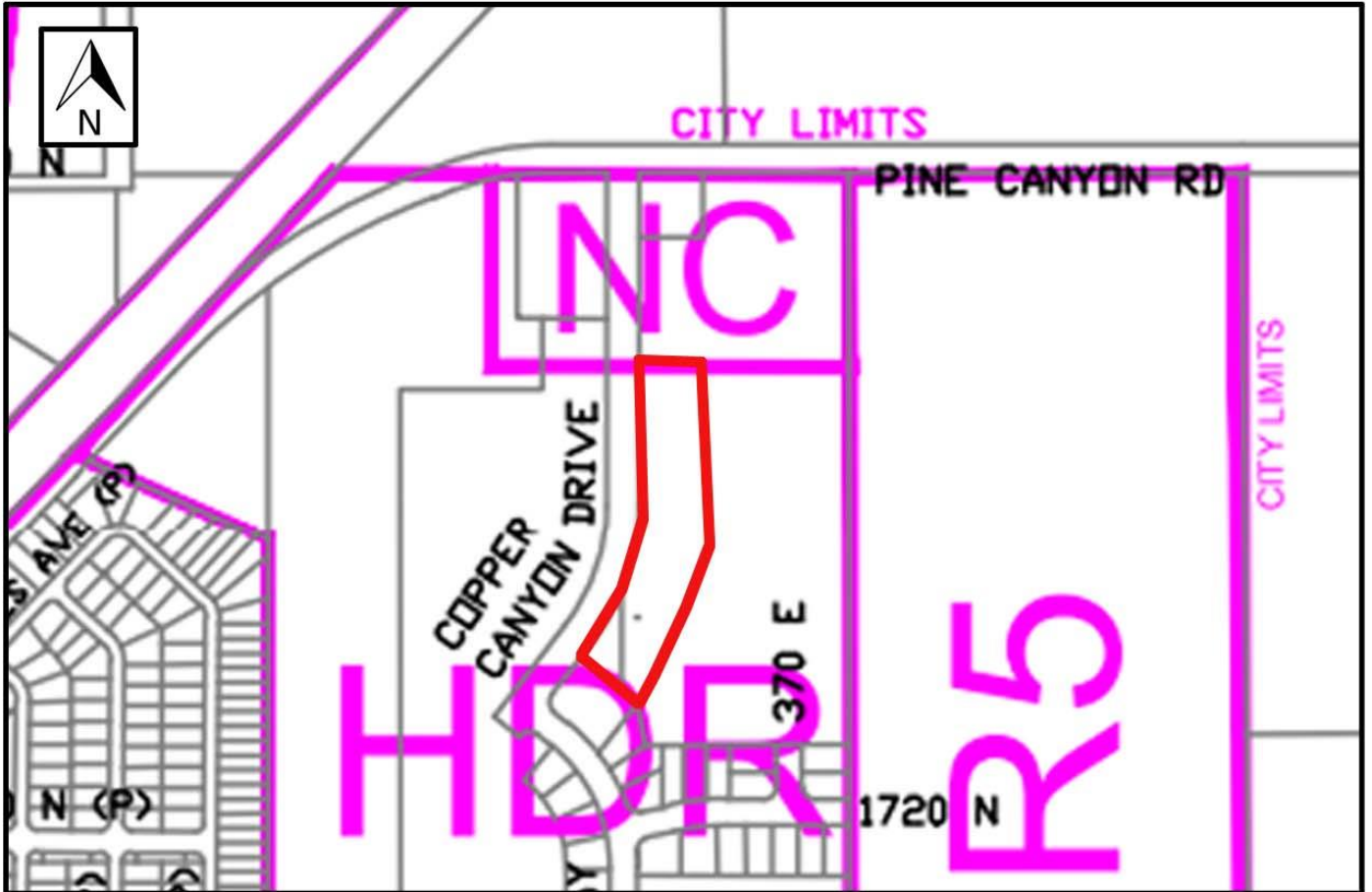
**MAPPING PERTINENT TO THE CANYON VILLAGE RUST CONDOMINIUMS
CONDOMINIUM PLAT**

Canyon Village Rust Condominium Plat



Aerial View

Canyon Village Rust Condominium Plat



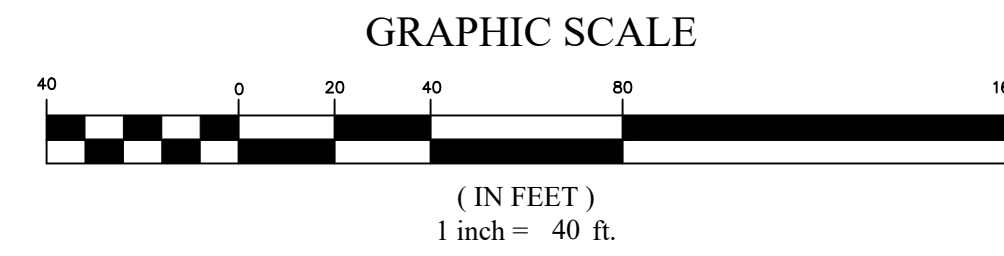
Current Zoning

EXHIBIT B

PROPOSED DEVELOPMENT PLANS

CANYON VILLAGE - RUST PHASE 1 CONDOMINIUMS

AMENDING & VACATING LOTS 122-127 OF
CANYON VILLAGE RUST PHASE 1 SUBDIVISION
LOCATED IN THE NW1/4 OF SECTION 15, T3S, R4W, SLB&M
TOOELE CITY, TOOELE COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, SPENCER W. LLEWELYN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 10516507, AS PRESCRIBED BY THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT AND THE FOLLOWING DESCRIPTION CORRECTLY DESCRIBES THE LAND SURFACE UPON WHICH HAS OR WILL BE CONSTRUCTED.

CANYON VILLAGE - RUST PHASE 1 CONDOMINIUMS
A UTAH CONDOMINIUM PROJECT. IN ACCORDANCE WITH THE UTAH CONDOMINIUM OWNERSHIP ACT, I FURTHER CERTIFY THAT THE CONDOMINIUM PLAT FOR SAID PROJECT IS ACCURATE AND COMPLIES WITH THE PROVISIONS OF SECTION 57-8-13(4) OF THE UTAH CONDOMINIUM OWNERSHIP ACT. REFERENCE MARKERS AS SHOWN ON THIS PLAT ARE LOCATED AS SHOWN AND ARE SUFFICIENT TO READILY RETRACE OR RE-ESTABLISH THIS SURVEY.

SPENCER W. LLEWELYN
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 10516507

4/5/19

DATE

BOUNDARY DESCRIPTION

NORTH PARCEL
A portion of the NW1/4 of Section 15, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:
Beginning on the northerly right of way line of 1770 North Street, located N89°53'05" E along the 1/4 Section line 1,262.97 feet and North 1,555.27 feet from the West 1/4 Corner of Section 15, T3S, R4W, SLB&M; thence N52°00'26" W along said right of way line 93.17 feet; thence along the arc of a curve to the right with a radius of 29.50 feet a distance of 38.66 feet through a central angle of 75°05'01" Chord: N14°27'56" W 35.95 feet to the easterly right of way line of Copper Canyon Drive and to a point of reverse curvature; thence along said right of way line the following two (2) courses: 1) along the arc of a curve to the left having a radius of 538.00 feet a distance of 216.68 feet through a central angle of 23°04'35" Chord: N11°32'17" E 215.22 feet; thence (2) thence North 310.82 feet; thence along the arc of a curve to the right with a radius of 29.50 feet a distance of 46.34 feet through a central angle of 90°00'00" Chord: N45°00'00" E 41.72 feet to the southerly right of way line of 1920 North Street; thence East along said right of way line 28.02 feet; thence along the arc of a curve to the right with a radius of 29.50 feet a distance of 46.34 feet through a central angle of 90°00'00" Chord: S45°00'00" E 41.72 feet to the westerly line of 350 East Street; thence South along said right of way line 590.62 feet; thence along the arc of a curve to the right with a radius of 29.50 feet a distance of 65.90 feet through a central angle of 127°59'34" Chord: S63°59'47" W 53.03 feet to the point of beginning.
Contains: 60,001 square feet or 1.38 acres +/-

SOUTH PARCEL
A portion of the NW1/4 of Section 15, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:
Beginning on the easterly line of Lot 1, CANYON VILLAGE PHASE 2 Subdivision, according to the Official Plat thereof on file in the Office of the Tooele County Recorder, located N89°53'05" E along the 1/4 Section line 1,237.53 feet and North 1,295.19 feet from the West 1/4 Corner of Section 15, T3S, R4W, SLB&M; thence along said plat the following two (two) courses: 1) N89°05'20" W 96.43 feet; thence (2) N52°00'26" W 173.00 feet to the easterly right of way line of Copper Canyon Drive; thence along said right of way line the following two (two) courses: 1) N37°59'34" E 38.42 feet; thence (2) along the arc of a curve to the left with a radius of 538.00 feet a distance of 25.68 feet through a central angle of 02°44'06" Chord: N36°37'31" E 25.68 feet to the southerly right of way line of 1770 North Street and to a point of reverse curvature; thence along said right of way line the following three (three) courses: 1) along the arc of a curve to the right having a radius of 29.50 feet a distance of 47.75 feet through a central angle of 92°44'06" Chord: N81°37'31" E 42.70 feet; thence (2) S52°00'26" E 221.37 feet; thence (3) along the arc of a curve to the left with a radius of 130.00 feet a distance of 16.49 feet through a central angle of 07°16'06" Chord: S55°38'29" E 16.48 feet to the northwest corner of Lot 121, CANYON VILLAGE - RUST PHASE 1 Subdivision, according to the Official Plat thereof on file in the Office of the Tooele County Recorder; thence S30°43'28" W along said lot 131.74 feet to the north line of said CANYON VILLAGE PHASE 2 Subdivision; thence West along said plat 50.40 feet to the point of beginning.
Contains: 30,005 square feet or 0.69 acres +/-

OWNER'S DEDICATION & CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, DO HEREBY:

- CERTIFY (A) THAT WE ARE THE SOLE OWNERS OF FEE SIMPLE TITLE TO THE LAND SHOWN ON THIS RECORD OF SURVEY MAP, (B) THAT WE HAVE CAUSED A SURVEY OF THIS LAND DESCRIBED HEREON TO BE MADE AND THIS RECORD OF SURVEY MAP, TO BE PREPARED;
- CONSENT TO THE RECORDATION HEREOF WITH THE INTENTION THAT UPON SUCH RECORDATION, AND THE CONCURRENT RECORDATION OF THAT CERTAIN CONDOMINIUM DECLARATION FOR

CANYON VILLAGE - RUST PHASE 1 CONDOMINIUMS
THE PROVISIONS OF THE UTAH CONDOMINIUM OWNERSHIP ACT SHALL APPLY TO THE PROPERTY DESCRIBED HEREON;

- CONVEY UNTO THE RESPECTIVE PRIVATE UTILITY COMPANIES AND PUBLIC UTILITY AGENCIES PROVIDING THE UTILITY SERVICES IN QUESTION, THEIR SUCCESSORS AND ASSIGNS A PERPETUAL NON-EXCLUSIVE EASEMENT IN, THROUGH, ALONG AND UNDER ALL COMMON AREAS SHOWN HEREON WHICH ARE NOT COVERED BY BUILDINGS, FOR THE CONSTRUCTION AND MAINTENANCE OF SUBTERRANEAN ELECTRICAL, TELEPHONE, NATURAL GAS, CABLE TELEVISION, SEWER AND WATER LINES AND APPURTENANCES THERETO SERVING THE PROJECT, TOGETHER WITH THE RIGHT TO ACCESS THERETO ALL IN ACCORDANCE WITH, AND AS MORE SPECIFICALLY SET FORTH IN THE DECLARATION OF CONDOMINIUM.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS ___ DAY OF _____ A.D. 20__.

ERIC BALAZS
MOUNTAIN VISTA DEVELOPMENT INC.

STATE OF UTAH
S.S.
COUNTY OF _____

ON THE ___ DAY OF _____ A.D. 20__ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF _____ IN SAID STATE OF UTAH, _____ WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE _____ OF _____ A UTAH INC. AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____ A NOTARY PUBLIC COMMISSIONED IN UTAH RESIDING IN _____ COUNTY

MY COMMISSION No. _____ PRINTED FULL NAME OF NOTARY

CANYON VILLAGE - RUST PHASE 1 CONDOMINIUMS

AMENDING & VACATING LOTS 122-127 OF
CANYON VILLAGE RUST PHASE 1 SUBDIVISION
LOCATED IN THE NW1/4 OF SECTION 15, T3S, R4W, SLB&M
TOOELE CITY, TOOELE COUNTY, UTAH

TOOELE COUNTY RECORDER

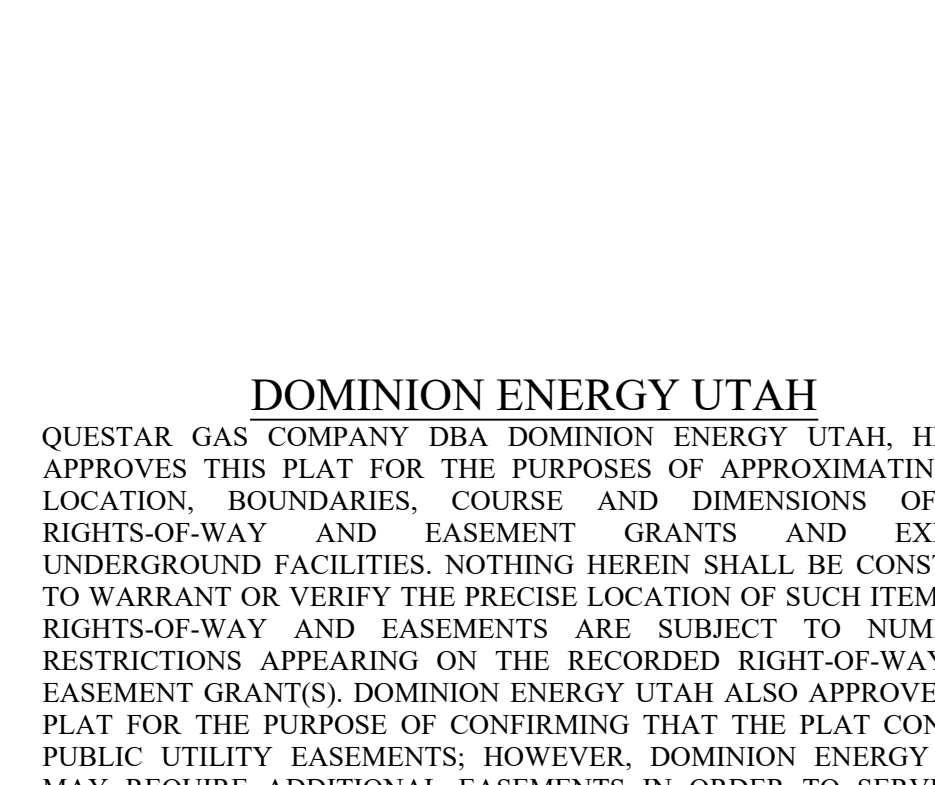
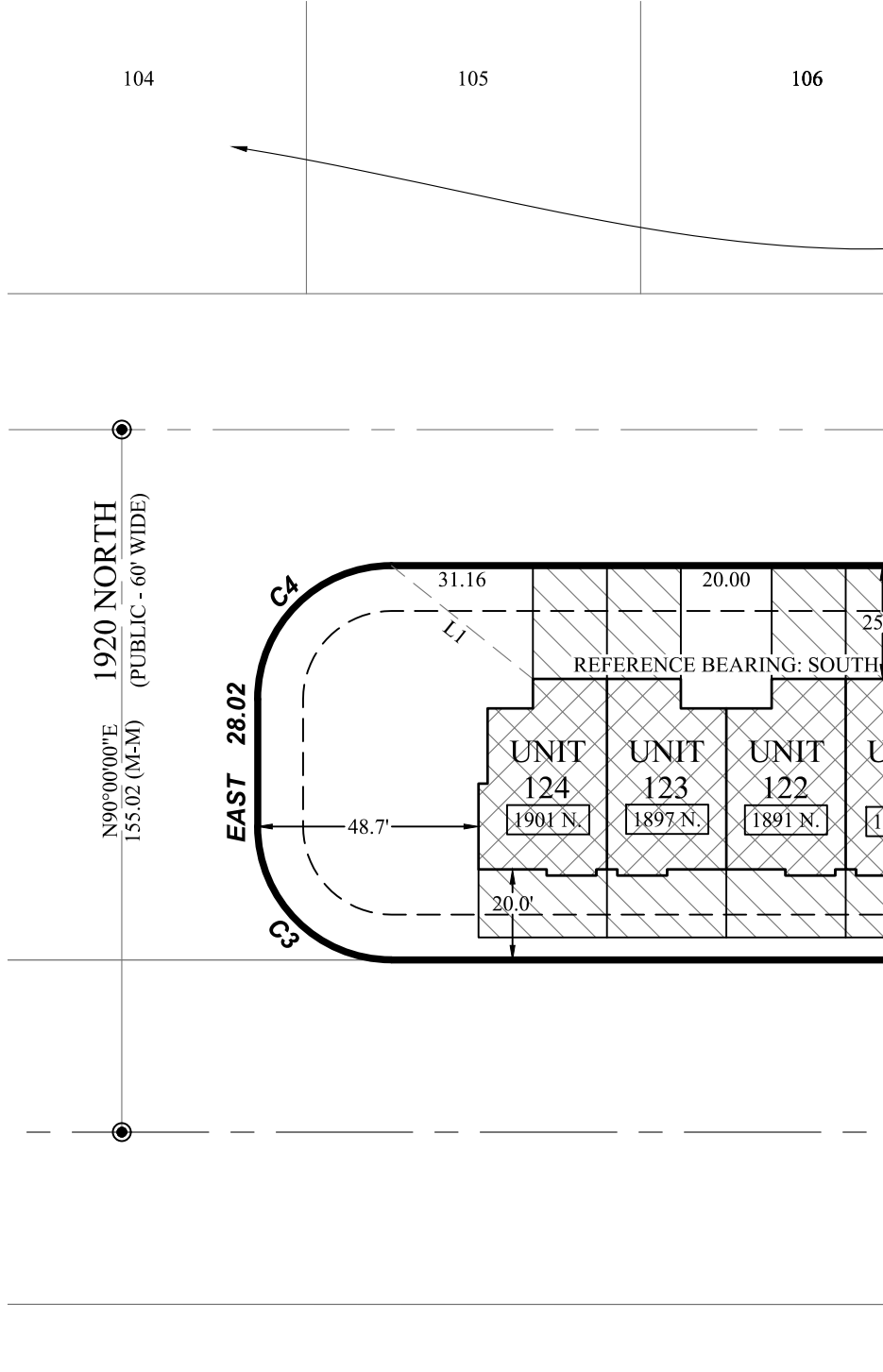
ENTRY NO. _____
STATE OF UTAH, COUNTY OF TOOELE, RECORDED & FILED AT THE REQUEST OF

DATE _____ TIME _____

FEE \$ _____ TOOELE COUNTY RECORDER

VICINITY MAP

N.T.S.



DOMINION ENERGY UTAH
QUESTAR GAS COMPANY DBA DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT FOR THE PURPOSES OF APPROXIMATING THE LOCATION, BOUNDARIES, COURSE AND DIMENSIONS OF THE RIGHTS-OF-WAY AND EASEMENT GRANTS AND EXISTING UNDERGROUND FACILITIES. NOTHING HEREIN SHALL BE CONSTRUED TO WARRANT OR VERIFY THE PRECISE LOCATION OF SUCH ITEMS, THE RIGHTS-OF-WAY AND EASEMENTS ARE SUBJECT TO NUMEROUS RESTRICTIONS APPEARING ON THE RECORDED RIGHT-OF-WAY AND EASEMENT GRANT(S). DOMINION ENERGY UTAH ALSO APPROVES THIS PLAT FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS; HOWEVER, DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THE APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER 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 FORTH IN THE OWNERS DEDICATION OR THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 801-366-8532.

QUESTAR GAS COMPANY
DBA DOMINION ENERGY UTAH

APPROVED THIS ___ DAY OF _____ A.D. 20__

BY: _____

TITLE: _____

Curve Table					
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	29.50	75°05'01"	38.66	N14°27'56" W	35.95
C2	538.00	23°04'35"	216.68	N11°32'17" E	215.22
C3	29.50	90°00'00"	46.34	N45°00'00" E	41.72
C4	29.50	90°00'00"	46.34	S45°00'00" E	41.72
C5	29.50	127°59'34"	65.90	S63°59'47" W	53.03
C6	538.00	2°44'06"	25.68	N36°37'31" E	25.68
C7	29.50	92°44'06"	47.75	N81°37'31" E	42.70
C8	130.00	7°16'06"	16.49	S55°38'29" E	16.48

ROCKY MOUNTAIN POWER
ROCKY MOUNTAIN POWER, A DIVISION OF PACIFICORP APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. ROCKY MOUNTAIN POWER 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 FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF ELECTRICAL UTILITIES SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT ROCKY MOUNTAIN POWER AT 1-800-469-3981.

APPROVED THIS ___ DAY OF _____ A.D. 20__

ROCKY MOUNTAIN POWER

BY: _____

TITLE: _____

- NOTES**
- 5/8"x24" REBAR & CAP SET AT ALL REAR LOT CORNERS. NAIL SET IN CURB AT THE EXTENSIONS OF SIDE LOT LINES.
 - ALL BUILDING WALLS ARE PARALLEL WITH OR PERPENDICULAR TO REFERENCE BEARING SHOWN ON BUILDING.
 - ALL PRIVATE AND LIMITED COMMON AREAS ARE TYPICAL EXCEPT WERE OTHERWISE SPECIFICALLY DESIGNATED.
 - ALL AREAS ARE COMMON AREAS EXCEPT WERE OTHERWISE SPECIFICALLY DESIGNATED.
 - ALL COMMON AREAS TO SERVE AS PUBLIC UTILITY EASEMENTS.

LEGEND

	PRIVATE OWNERSHIP
	LIMITED COMMON AREA
	EXISTING STREET MONUMENT (FOUND)

Line Table

LINE	DIRECTION	LENGTH
L1	S38°44'24" W	39.95
L2	S38°44'24" E	39.95
L3	S70°42'47" W	33.03
L4	S18°28'06" W	66.23

PREPARED FOR
MOUNTAIN VISTA HOMES

668 EAST 12225 SOUTH, SUITE 201
DRAPER, UT 84020
801-523-0400

PREPARED BY
FOCUS
ENGINEERING AND SURVEYING, LLC

2 WEST CENTER STREET
MIDVALE, UTAH 84047 P.E. (801) 552-0075
www.focusnh.com

Scale: 1"=40'
Date: 2/22/19

Drawn: MPM/BCD
Job #: 16-163

PLANNING COMMISSION

APPROVED THIS ___ DAY OF _____ A.D. 20__ BY THE TOOELE CITY PLANNING COMMISSION.

CHAIR, TOOELE CITY PLANNING COMMISSION

CITY ATTORNEY

APPROVED AS TO FORM THIS ___ DAY OF _____ A.D. 20__

TOOELE CITY ATTORNEY

CITY ENGINEER

APPROVED AS TO FORM THIS ___ DAY OF _____ A.D. 20__

TOOELE CITY ENGINEER

COMMUNITY DEVELOPMENT

APPROVED AS TO FORM THIS ___ DAY OF _____ A.D. 20__

TOOELE CITY COMMUNITY DEVELOPMENT

TOOELE COUNTY SURVEY DEPARTMENT

APPROVED THIS ___ DAY OF _____ A.D. 20__
ROS MAP #2016-0046

TOOELE COUNTY SURVEY DEPARTMENT

COUNTY TREASURER

APPROVED THIS ___ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY TREASURER. PROPERTY TAXES DUE AND OWING HAVE BEEN PAID IN FULL.

TOOELE COUNTY TREASURER

COUNTY HEALTH DEPARTMENT

APPROVED THIS ___ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY HEALTH DEPARTMENT.

TOOELE COUNTY HEALTH DEPARTMENT

CITY COUNCIL

APPROVED THIS ___ DAY OF _____ A.D. 20__ BY THE TOOELE CITY COUNCIL.

TOOELE CITY COUNCIL MEMBER

TOOELE CITY COUNCIL MEMBER

TOOELE CITY COUNCIL MEMBER

TOOELE CITY COUNCIL MEMBER

TOOELE CITY COUNCIL MEMBER

TOOELE CITY COUNCIL MEMBER

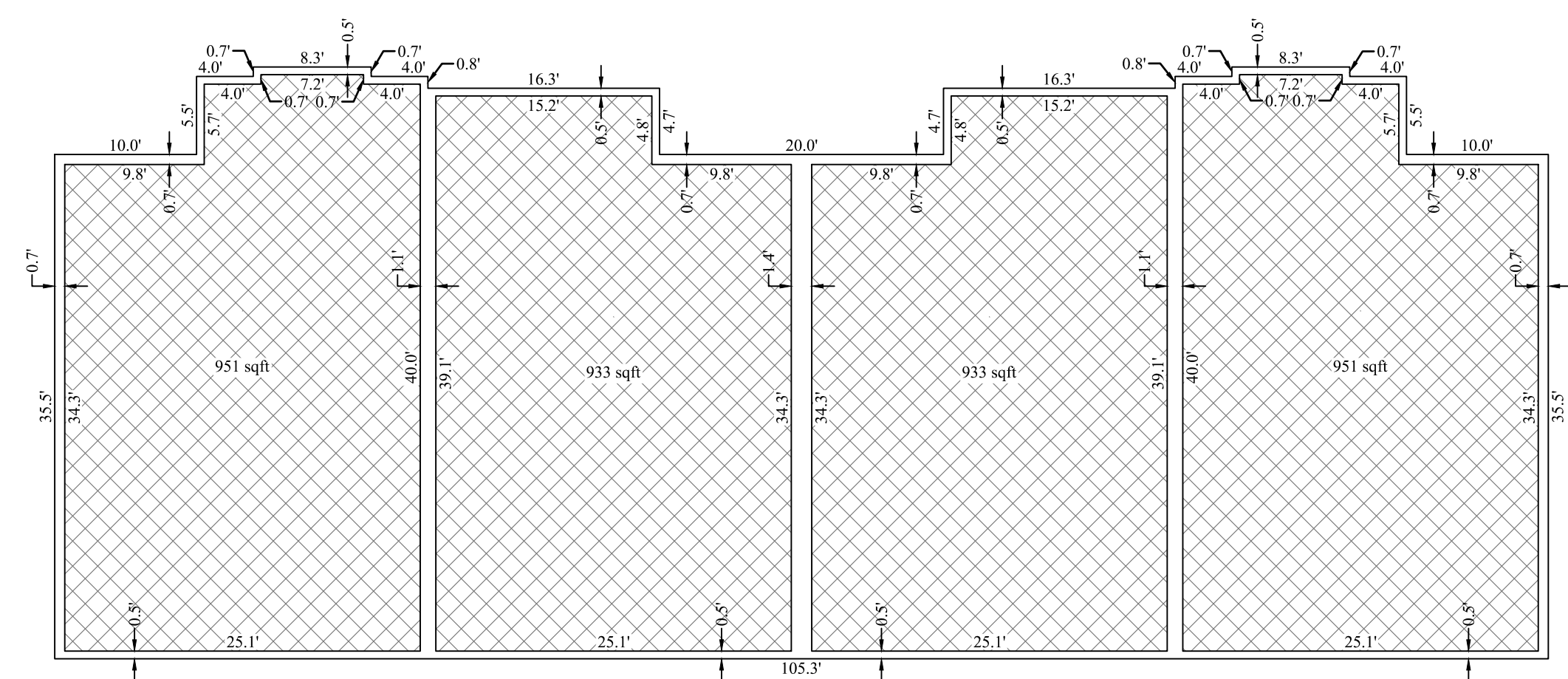
TOOELE CITY COUNCIL MEMBER

TOOELE CITY COUNCIL MEMBER

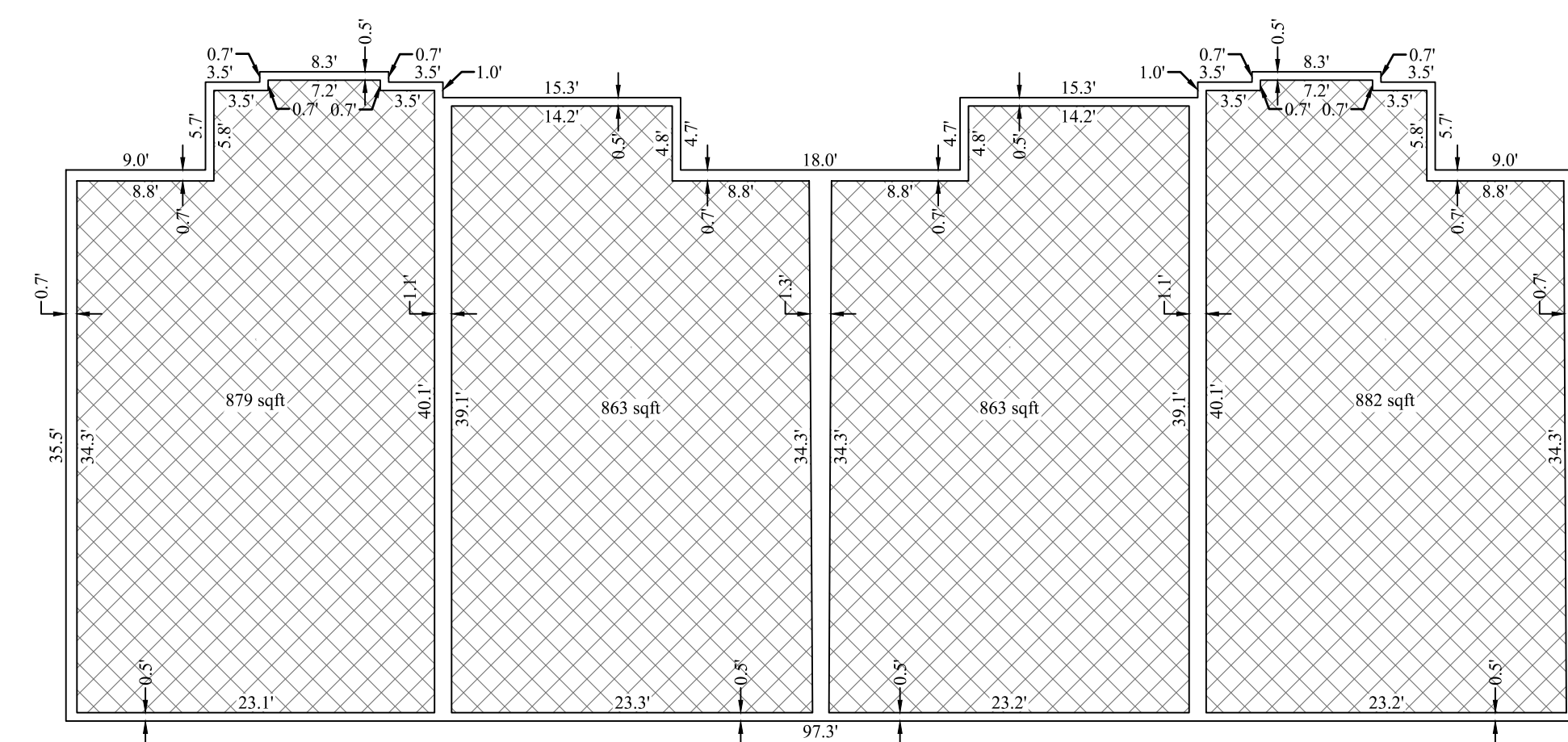
ATTEST: CITY RECORDER

SHEET 1 OF 2

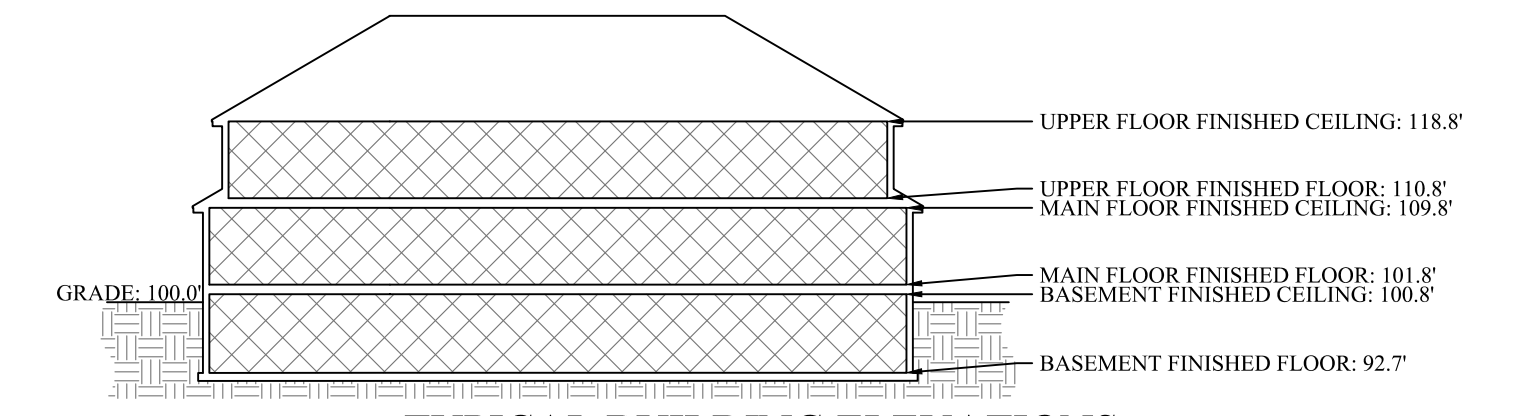
Z:\2016\16-163\Canyon Village Tooele Design\16-163\dwg\Sheets\FINAL\Phase 1 Amended\C2 - Final Plat.dwg



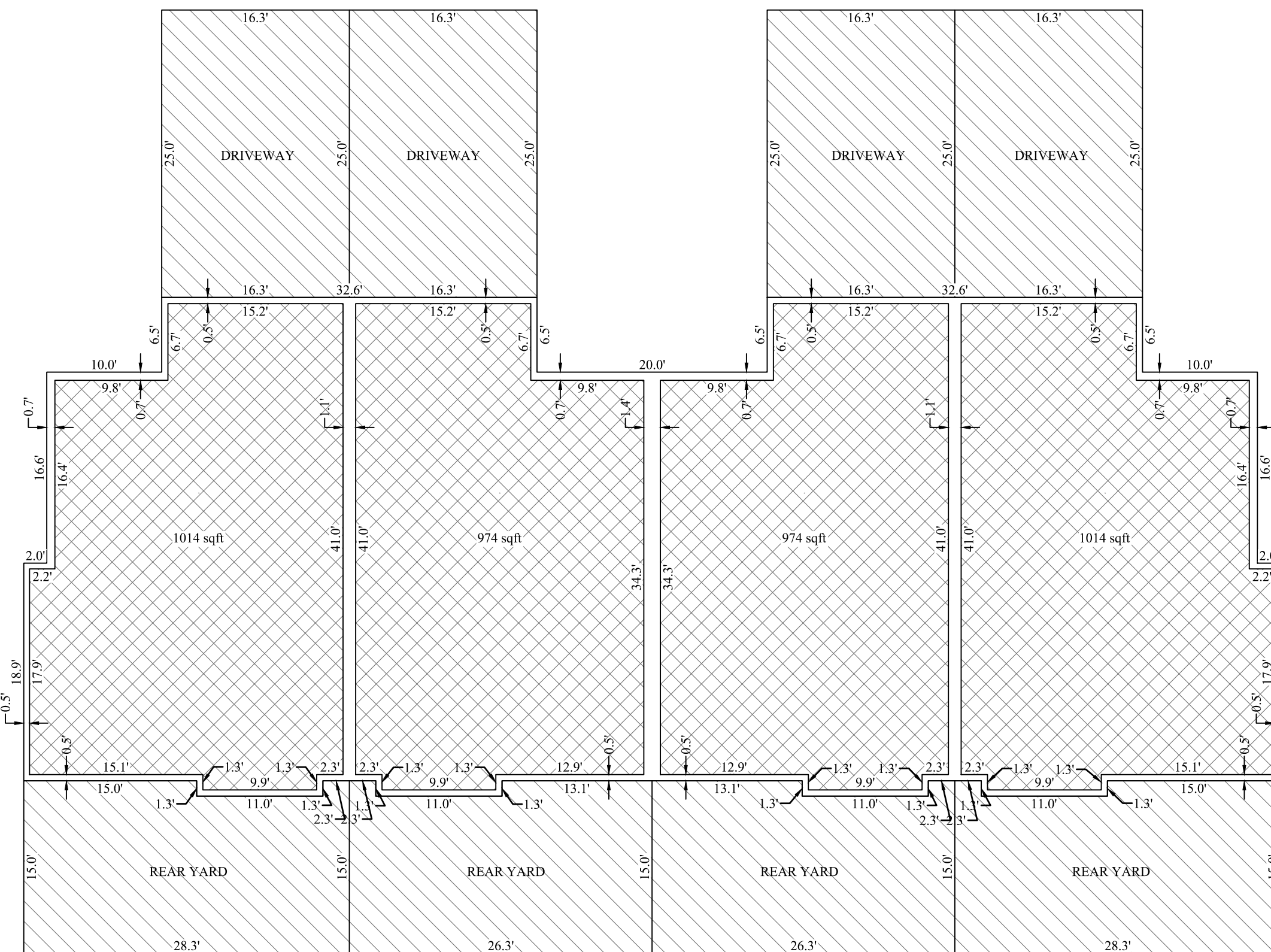
UNITS 109-124
TYPICAL UPPER FLOOR DETAIL
N.T.S.



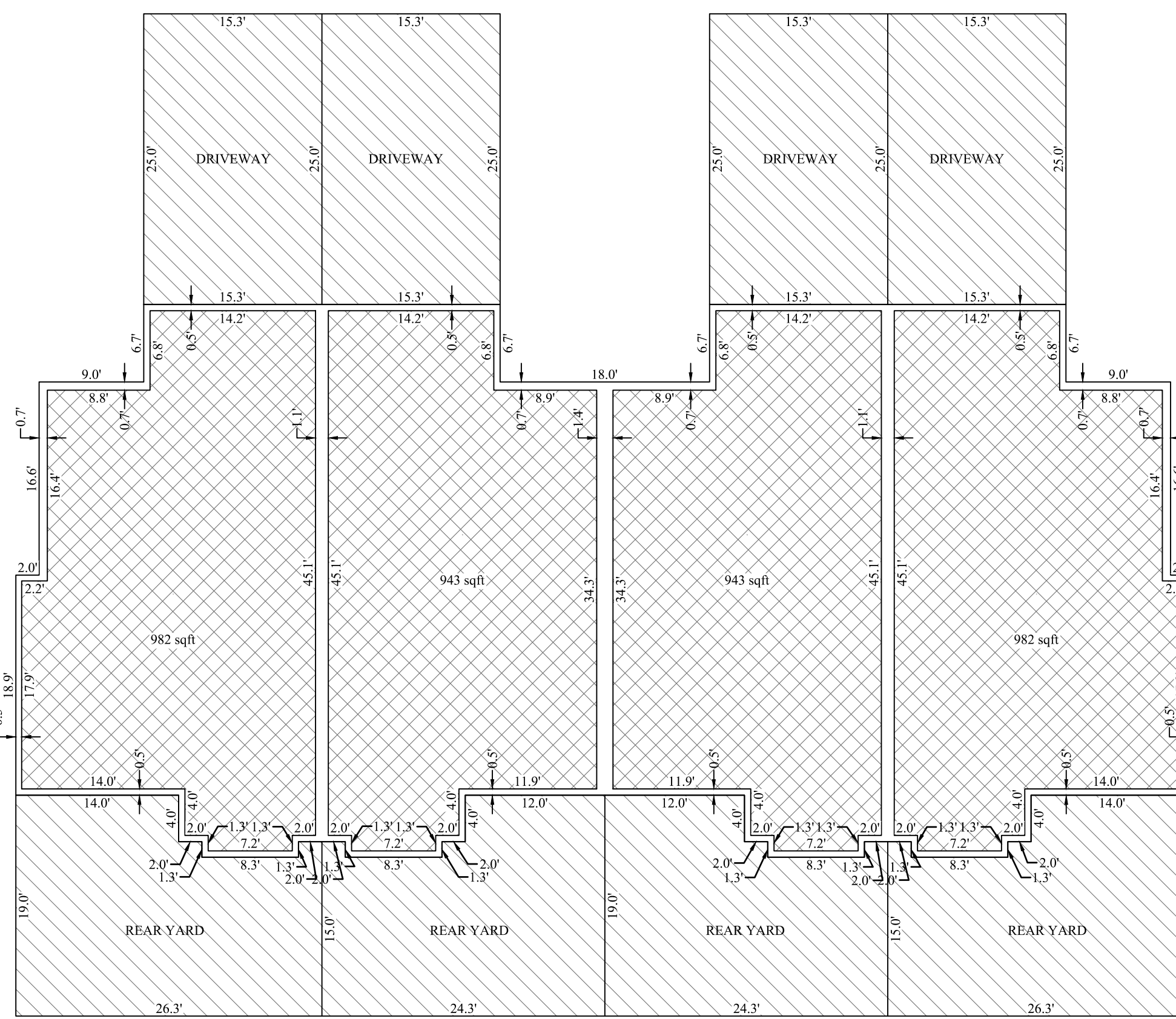
UNITS 101-108
TYPICAL UPPER FLOOR DETAIL
N.T.S.



TYPICAL BUILDING ELEVATIONS
N.T.S.



UNITS 109-124
TYPICAL MAIN FLOOR DETAIL
N.T.S.

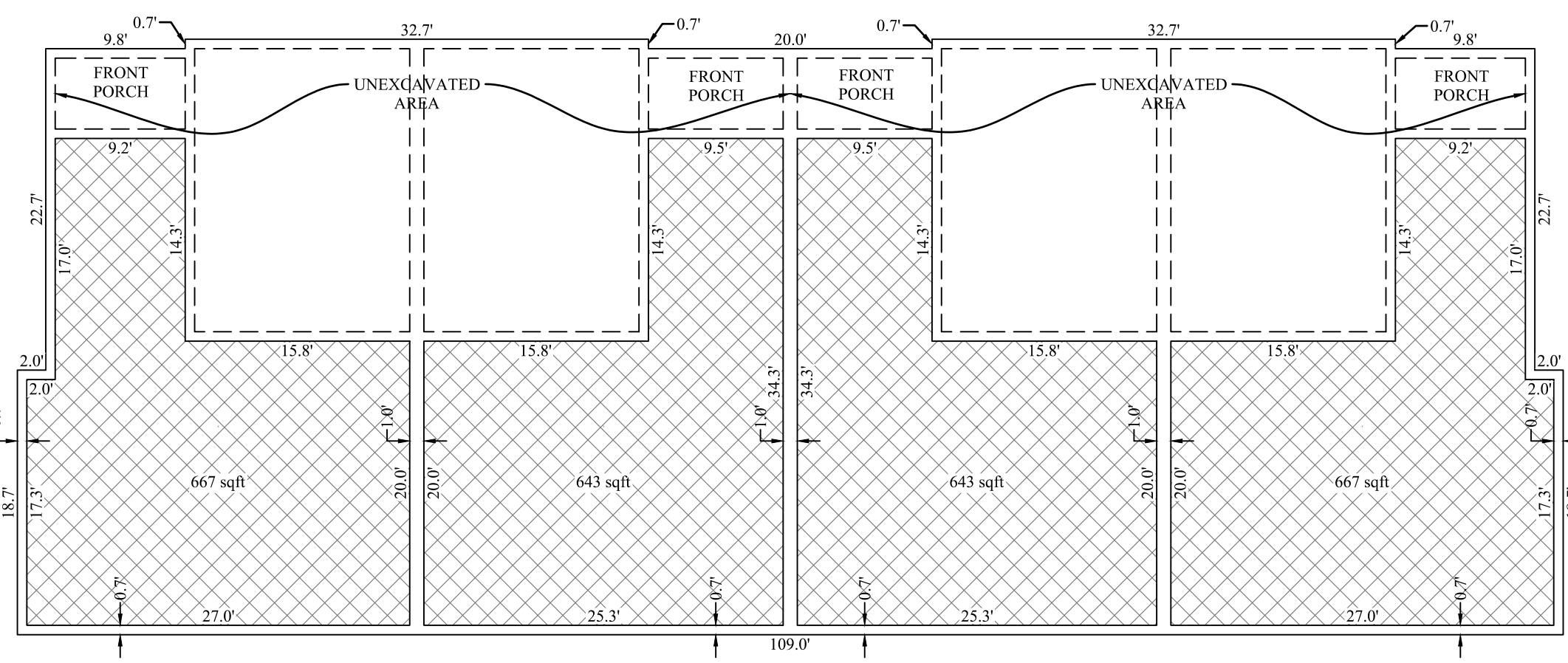


UNITS 101-108
TYPICAL MAIN FLOOR DETAIL
N.T.S.

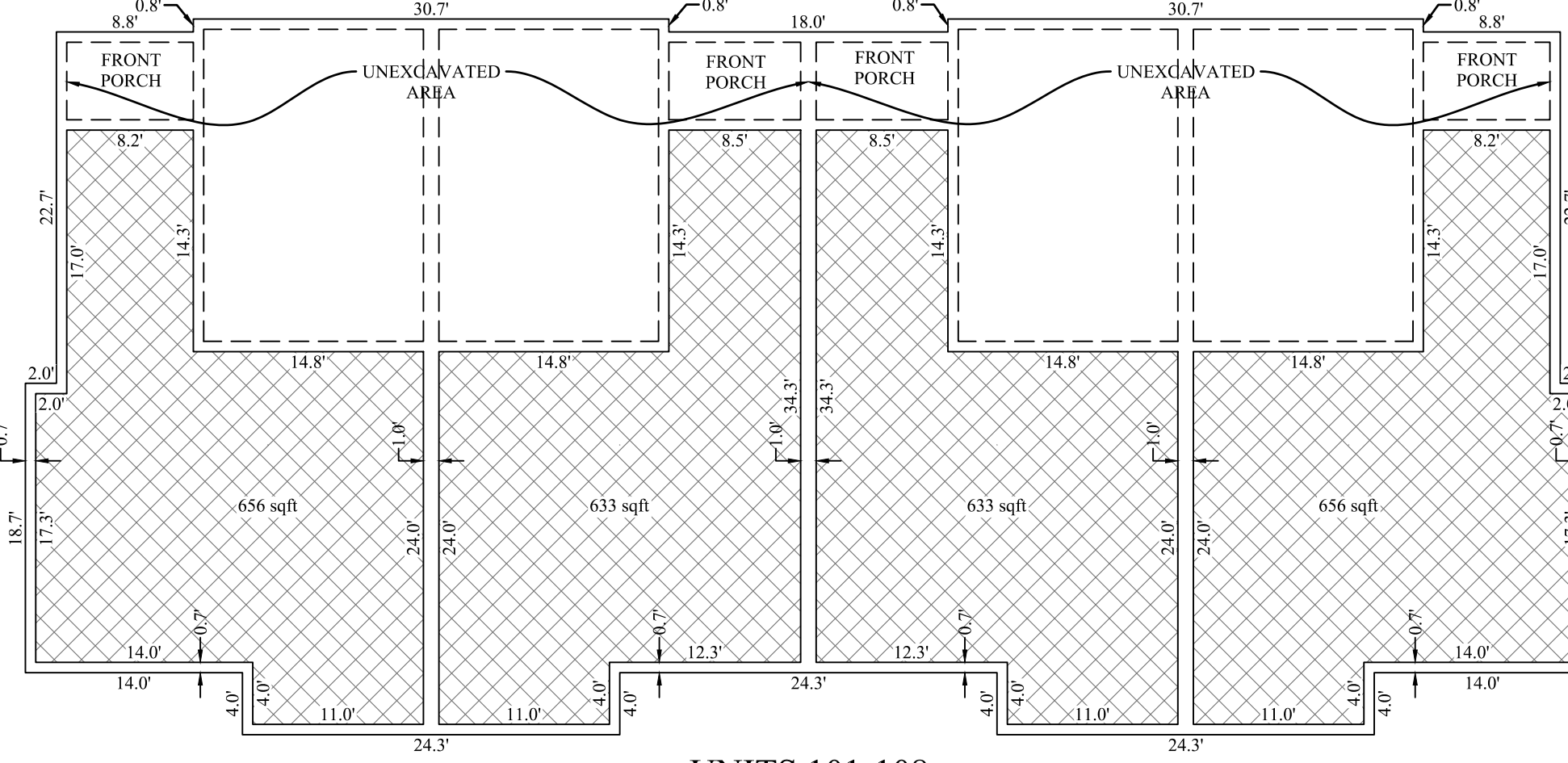
- NOTES**
1. ALL BUILDING WALLS ARE PARALLEL WITH OR PERPENDICULAR TO REFERENCE BEARING SHOWN ON BUILDING.
 2. ALL PRIVATE AND LIMITED COMMON AREAS ARE TYPICAL EXCEPT WERE OTHERWISE SPECIFICALLY DESIGNATED.

LEGEND

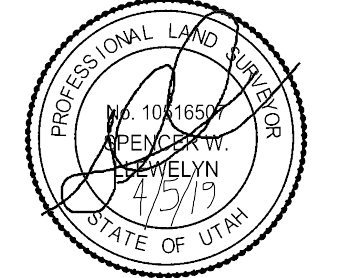
	PRIVATE OWNERSHIP
	LIMITED COMMON AREA



UNITS 109-124
TYPICAL BASEMENT DETAIL
N.T.S.



UNITS 101-108
TYPICAL BASEMENT DETAIL
N.T.S.



SHEET 2 OF 2

CANYON VILLAGE - RUST PHASE 1 CONDOMINIUMS

AMENDING & VACATING LOTS 122-127 OF
CANYON VILLAGE RUST PHASE 1 SUBDIVISION
LOCATED IN THE NW1/4 OF SECTION 15, T3S, R4W, SLB&M
TOOELE CITY, TOOELE COUNTY, UTAH

TOOELE COUNTY RECORDER

ENTRY NO. _____
STATE OF UTAH, COUNTY OF TOOELE, RECORDED & FILED AT THE REQUEST OF _____

DATE _____ TIME _____

FEE \$ _____ TOOELE COUNTY RECORDER

STAFF REPORT

April 18, 2019

To: Tooele City Planning Commission
Business Date: April 24, 2019

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Sunset Estates Phase 8 – Final Plat Subdivision Request

Application No.: P19-67
Applicant: Russ Tolbert, representing Hallmark Homes
Project Location: Approximately 400 West 2300 North
Zoning: R 1-10 Residential Zone
Acreage: 10.9 Acres (Approximately 474,804 ft²)
Request: Request for approval of a Final Plat Subdivision in the R 1-10 Residential zone regarding the creation of 24 single-family residential lots.

BACKGROUND

This application is a request for approval of a Final Plat Subdivision for approximately 10.9 acres located at approximately 400 West 2300 North. The property is currently zoned R 1-10 Residential. The applicant is requesting that a Final Plat Subdivision be approved to allow for the subdivision of the existing 10.9 acre parcel into 24 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 1-10 Residential zoning classification, supporting approximately four dwelling units per acre. The purpose of the R 1-10 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 1-10 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. Properties to the west are zoned R1-7 Residential. Properties to the north, south and east are all zoned R1-10 Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The proposed Sunset Estates Phase 8 final plat subdivision is proposed to consist of 24 single-family lots ranging in size from 10,000 square feet up to 14,000 square feet. The subdivision will have access to 400 West, a public right-of-way, through the existing Sunset Estates Phase 7 subdivision. Roads within the subdivision will be public rights-of-way and will stub at the eastern edge anticipating future connections.

There are double fronting lots against 400 West and 2400 North that will be required to install park strip

landscaping, trees and appropriate double fronting lot fencing. City ordinance requires solid masonry fencing for double fronting lots.

There is a 1.12 acre storm water detention basin located at the north west corner and will be dedicated to Tooele City. When storm water basins like this are dedicated to Tooele City it is a requirement of the applicant to landscape the basin according to city standards prior to the City taking over ownership and maintenance of the basin. A landscape plan has been submitted for review and has been included with this report for the Commission's reference.

Fencing. The double fronting lots will have 6 foot solid vinyl fencing instead of the ordinance mandated 6 foot concrete fencing. The vinyl fencing has been permitted as it is consistent with the standards of the North Tooele City Special Service District and previous phases.

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.

Previous Conditions. The Planning Commission recommended approval of the Preliminary Plan on January 9, 2019 with six conditions. The first four conditions are the basic cover-all conditions typically attached to all approvals. The fifth and sixth conditions read as follows:

1. The applicant shall submit a landscape and irrigation plan for the storm water detention basin as part of the Sunset Estates Phase 8 Final Plat Subdivision application. *The applicant has submitted a landscape and irrigation plan for the storm water detention basin. The plan has been reviewed and approved by staff.*
2. The applicant shall submit a landscape, irrigation and fencing plan for the double fronting lot park strips along 400 West and 2400 North as part of the Sunset Estates Phase 8 Final Plat Subdivision application. *The applicant has submitted a landscape, irrigation and fencing plan for the double fronting lots. The fencing and park strip treatments do conform to other double fronting lots in the area and are consistent.*

REVIEWS

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

1. The final plat subdivision as proposed meets or exceeds all standards for lots and public improvements as required by Tooele City's development codes.
2. Detention pond landscaping and double fronting lots do meet or exceed minimum landscaping and fencing standards as required by Tooele City's Subdivision ordinance and match previously installed double fronting lot improvements in the area.

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

STAFF RECOMMENDATION

Staff recommends approval of the request for a Final Plat Subdivision by Russ Tolbert, representing Hallmark Homes, application number P19-67, subject to the following conditions:

3. 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.
4. 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.
5. 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.
6. 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.
6. The final plat subdivision as proposed meets or exceeds all standards for lots and public improvements as required by Tooele City's development codes.
7. Detention pond landscaping and double fronting lots do meet or exceed minimum landscaping and fencing standards as required by Tooele City's Subdivision ordinance and match previously installed double fronting lot improvements in the area.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Sunset Estates Phase 8 Final Plat Subdivision Request by Russ Tolbert, representing Hallmark Homes for the purpose of creating 24 single-family lots, application number P19-67, based on the findings and subject to the conditions listed in the Staff Report dated April 18, 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 Sunset Estates Phase 8 Final Plat Subdivision Request by Russ Tolbert, representing Hallmark Homes for the purpose of creating 24 single-family lots, application number P19-67, based on the following findings:”

1. List any findings...

EXHIBIT A

**MAPPING PERTINENT TO THE SUNSET ESTATES PHASE 8 FINAL PLAT
SUBDIVISION**

Sunset Estates Phase 8 Final Plat



Aerial View

EXHIBIT B

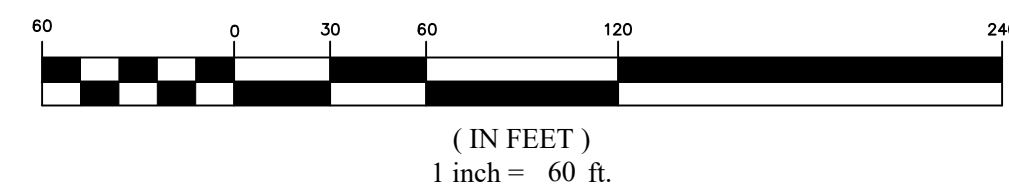
PROPOSED DEVELOPMENT PLANS

SUNSET ESTATES SUBDIVISION

PHASE 8
FINAL PLAT
LOCATED IN THE SW1/4 OF SECTION 9, T3S, R4W,
SALT LAKE BASE & MERIDIAN
TOOELE CITY, TOOELE COUNTY, UTAH



GRAPHIC SCALE



ROCKY MOUNTAIN POWER

ROCKY MOUNTAIN POWER, A DIVISION OF PACIFICORP APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABRIGATION 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 FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF ELECTRICAL UTILITIES SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT ROCKY MOUNTAIN POWER AT 1-800-469-3981.

APPROVED THIS _____ DAY OF _____ A.D. 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 ABRIGATION 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 FORTH 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 1-800-336-8532.

APPROVED THIS _____ DAY OF _____ A.D. 20__

DOMINION ENERGY COMPANY

BY: _____
TITLE: _____

CITY COUNCIL

APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY COUNCIL.

LINE	LENGTH	DIRECTION
L1	20.00	S89°41'21"W
L2	105.00	N00°28'57"W
L3	105.00	S00°28'57"E
L4	20.00	S89°41'22"W
L5	31.23	S00°18'38"E
L6	17.39	S17°36'04"E
L7	17.39	N17°36'04"W
L8	78.57	N17°27'50"W
L9	17.39	N17°36'04"W
L10	33.60	N89°37'09"E
L11	24.81	N75°02'02"E
L12	24.81	N75°02'02"E
L13	24.81	S75°02'02"W

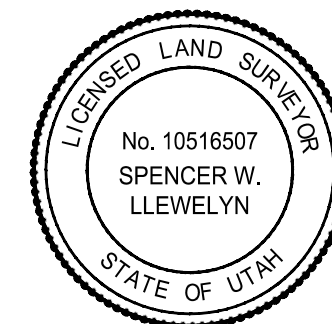
NORTH TOOELE CITY SPECIAL SERVICE DISTRICT

APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE NORTH TOOELE CITY SPECIAL SERVICE DISTRICT.

NORTH TOOELE CITY SPECIAL SERVICE DISTRICT

SURVEYOR'S CERTIFICATE

I, Spencer W. Llewellyn, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 10516507 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owner(s) that I have completed a Survey of the property described on this Plat in accordance with Section 17-23-17 of said Code, and have subdivided said tract of land into lots, parcels, streets, and easements, and the same has, or will be correctly surveyed, staked and monumented on the ground as shown on this Plat, and that this Plat is true and correct.



SPENCER W. LLEWELYN
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 10516507

DATE

BOUNDARY DESCRIPTION

A portion of the SW1/4 of Section 9, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at the West 1/4 Corner of Section 9, T3S, R4W, SLB&M; thence N89°41'22"E along the 1/4 Section line 614.33 feet; thence S00°18'38"E 42.00 feet; thence S00°22'44"E 165.00 feet; thence S89°41'22"W 31.85 feet; thence S00°22'51"E 417.01 feet; thence N89°41'22"E 2.00 feet; thence S00°22'51"E 143.32 feet; thence N75°02'02"E 12.07 feet; thence S14°57'58"E 165.00 feet to the Northerly line of SUNSET ESTATES PHASE 7, according to the Official Plat thereof on file in the Office of the Tooele County Recorder; thence along said plat the following 10 (ten) courses and distances: S75°02'02"W 21.27 feet; thence S77°00'42"W 40.78 feet; thence S84°07'54"W 41.96 feet; thence S89°37'09"W 200.51 feet; thence N00°22'51"W 103.00 feet; thence N00°06'16"E 60.00 feet; thence N00°22'44"W 106.58 feet; thence S89°41'34"W 160.00 feet; thence S00°22'46"E 18.79 feet; thence S89°37'09"W 176.08 feet to the Section line; thence N00°20'00"W along the Section line 691.95 feet to the point of beginning.

Contains: 10.90 acres +/-
1 OPEN SPACE PARCEL
21 LOTS

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNER OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PARCEL AND STREETS TOGETHER WITH EASEMENTS TO BE HEREAFTER KNOWN AS

SUNSET ESTATES SUBDIVISION PHASE 8

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL STREETS AND OTHER PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO TOOELE CITY AND TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY AND DRAINAGE EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR DRAINAGE AND FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNER ALSO HEREBY CONVEYS ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

IN WITNESS WHEREOF WE HAVE HERUNTO SET OUR HAND THIS _____ DAY OF _____ A.D. 20__

RUSTIN J. TOLBERT
PRESIDENT, HALLMARK HOMES & DEVELOPMENT, INC.

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
S.S.
COUNTY OF _____

ON THE _____ DAY OF _____ A.D. 20__ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF _____, IN SAID STATE OF UTAH, _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE _____ OF _____ A UTAH INC. AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____ A NOTARY PUBLIC COMMISSIONED IN UTAH RESIDING IN _____ COUNTY

MY COMMISSION No. _____ PRINTED FULL NAME OF NOTARY _____

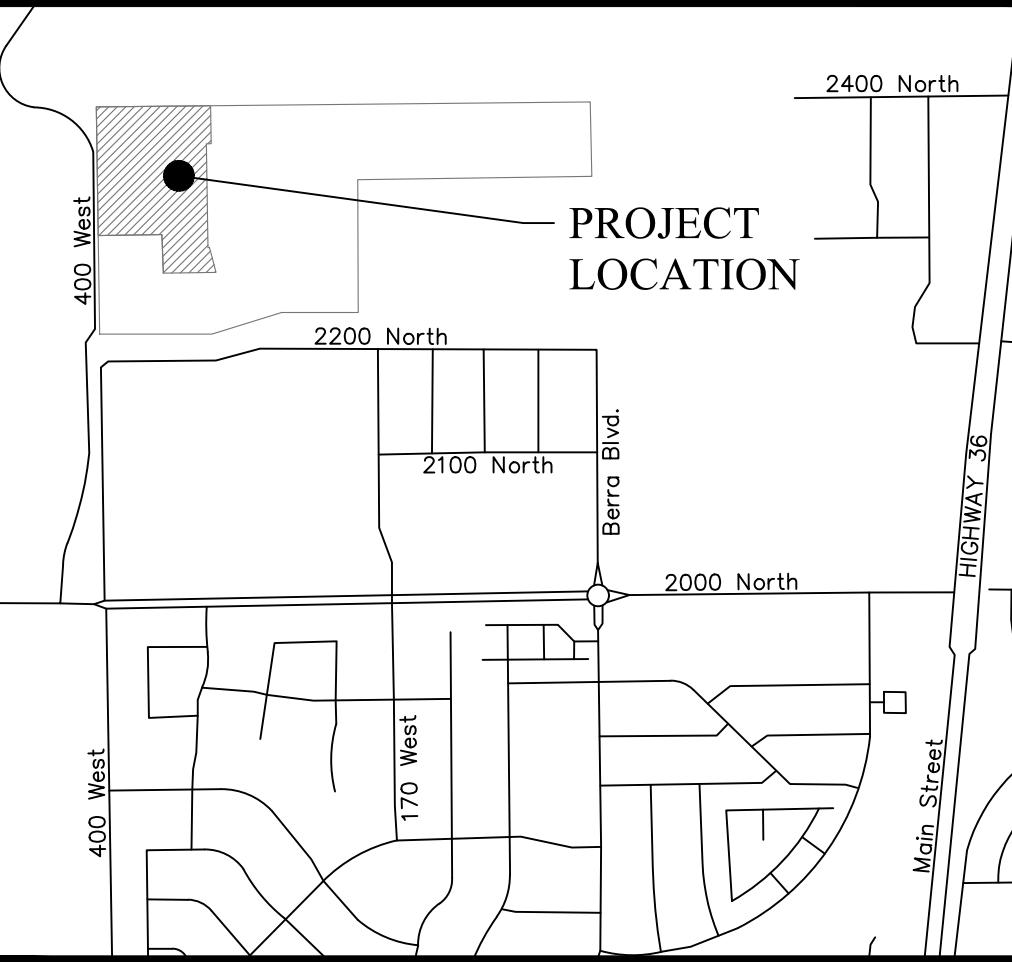
SUNSET ESTATES SUBDIVISION PHASE 8

LOCATED IN THE SW1/4 OF SECTION 9, T3S, R4W,
SALT LAKE BASE & MERIDIAN
TOOELE CITY, TOOELE COUNTY, UTAH

ENTRY NO. _____
STATE OF UTAH, COUNTY OF TOOELE, RECORDED & FILED AT THE REQUEST OF _____

DATE _____ TIME _____

FEE \$ _____ TOOELE COUNTY RECORDER



VICINITY MAP N.T.S.

LEGEND:

- #5x24" REBAR & CAP (FOCUS ENG.) TO BE SET AT ALL REAR LOT CORNERS. PIN TO BE SET AT CURB AT THE EXTENSION OF THE SIDE LOT LINES.
- STREET MONUMENTS TO BE SET PER TOOELE COUNTY SURVEYOR'S SPECIFICATIONS.
- PUBLIC UTILITY AND DRAINAGE EASEMENT (PU&DE)
- PARCEL A (OPEN SPACE) IS HEREBY DEDICATED TO TOOELE CITY.

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD DIRECTION	CHORD LENGTH
C1	61.61'	132.00'	26°44'29"	31.38'	S13°40'40"E	61.05'
C2	61.43'	132.00'	26°39'50"	31.28'	S13°42'46"E	60.88'
C3	75.39'	162.00'	26°39'50"	38.39'	S13°42'46"E	74.71'
C4	47.47'	102.00'	26°39'50"	24.17'	S13°42'46"E	47.04'
C5	93.54'	59.50'	90°04'13"	59.57'	S44°39'15"W	84.20'
C6	140.70'	89.50'	90°04'13"	89.61'	S44°39'15"W	126.65'
C7	60.11'	200.00'	17°13'13"	30.28'	N08°59'27"W	59.88'
C8	69.13'	230.00'	17°13'13"	34.83'	N08°59'27"W	68.87'
C9	51.09'	170.00'	17°13'13"	25.74'	N08°59'27"W	50.90'
C10	60.12'	200.00'	17°13'19"	30.29'	N08°59'24"W	59.89'
C11	76.37'	300.00'	14°35'07"	38.39'	N82°19'36"E	76.16'
C12	84.00'	330.00'	14°35'07"	42.23'	N82°19'36"E	83.78'
C13	48.63'	162.00'	17°11'52"	24.50'	N08°58'47"W	48.44'
C14	26.76'	162.00'	9°27'58"	13.41'	N22°18'42"W	26.73'
C15	47.61'	102.00'	26°44'36"	24.25'	N13°40'52"W	47.18'
C16	75.61'	162.00'	26°44'24"	38.50'	S13°40'40"E	74.92'
C17	38.65'	102.00'	21°42'33"	19.56'	S16°11'24"E	38.42'
C18	8.82'	102.00'	4°57'17"	4.41'	S02°51'29"E	8.82'
C19	46.37'	29.50'	90°04'13"	29.54'	N44°39'15"E	41.74'
C20	46.30'	29.50'	89°55'47"	29.46'	N45°20'45"W	41.69'
C21	67.13'	230.00'	16°43'24"	33.81'	N08°44'33"W	66.89'
C22	1.99'	230.00'	0°29'49"	1.00'	S17°21'10"E	1.99'
C23	51.10'	170.00'	17°13'19"	25.74'	S08°59'24"E	50.91'
C24	46.34'	29.50'	89°59'53"	29.50'	S44°37'12"W	41.72'
C25	24.27'	327.30'	4°14'58"	12.14'	S87°30'43"W	24.27'
C26	59.73'	331.11'	10°20'09"	29.95'	S80°13'09"W	59.65'
C27	39.59'	270.00'	8°24'05"	19.83'	S79°14'05"W	39.56'
C28	49.52'	29.50'	96°11'08"	32.87'	N48°28'19"W	43.91'
C29	69.13'	230.00'	17°13'19"	34.83'	N08°59'24"W	68.87'
C30	33.66'	170.00'	11°20'36"	16.88'	S11°55'46"E	33.60'
C31	17.44'	170.00'	5°52'37"	8.73'	N03°19'09"W	17.43'
C32	46.37'	29.50'	90°03'13"	29.53'	S44°38'46"W	41.74'
C33	46.35'	29.50'	90°01'22"	29.51'	S44°40'41"W	41.73'

LEGEND

- BOUNDARY
- SECTION LINE
- PUBLIC UTILITY AND DRAINAGE EASEMENT
- RIGHT-OF-WAY LINE
- EXISTING PROPERTY LINE
- SECTION MONUMENT (FOUND)
- STREET MONUMENT (TO BE SET)
- MONUMENT TO MONUMENT
- MONUMENT TO BOUNDARY
- STREET MONUMENT (EXISTING)

PREPARED BY
FOCUS
ENGINEERING AND SURVEYING, LLC
10 WEST CENTER STREET
MIDVALE, UTAH 84047 PH: (801) 332-0075
www.focusatm.com

COUNTY HEALTH DEPARTMENT

APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY HEALTH DEPARTMENT.

TOOELE COUNTY HEALTH DEPARTMENT

PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY PLANNING COMMISSION.

CHAIR, TOOELE CITY PLANNING COMMISSION

CITY ATTORNEY

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__

TOOELE CITY ATTORNEY

CITY ENGINEER

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__

TOOELE CITY ENGINEER

COMMUNITY DEVELOPMENT

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__

TOOELE CITY COMMUNITY DEVELOPMENT

TOOELE COUNTY SURVEY DEPARTMENT

APPROVED THIS _____ DAY OF _____ A.D. 20__
ROS MAP # 2017-0008

TOOELE COUNTY SURVEY DEPARTMENT

COUNTY TREASURER

APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY TREASURER. PROPERTY TAXES DUE AND OWING HAVE BEEN PAID IN FULL.

TOOELE COUNTY TREASURER

TOOELE COUNTY RECORDER

ENTRY NO. _____

TOOELE COUNTY RECORDER