

**PUBLIC NOTICE**

Notice is Hereby Given that the Tooele City Council will meet in a Business Meeting on Wednesday, June 5, 2019 at the hour of 7:00 p.m. The meeting will be held at the Tooele City Hall Council Room, located at 90 North Main Street, Tooele, Utah.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Public Comment Period**
4. **Tooele County Health Department Annual Report**  
Presented by Jeff Coombs & Jamie Zwerin
5. **Ordinance 2019-16** An Ordinance of Tooele City Amending Tooele City Code Section 10-2-4 Regarding Funeral Processions  
Presented by Chief Ron Kirby
6. **Resolution 2019-43** A Resolution of the Tooele City Council Approving a Contract with \_\_\_\_\_ for the 2019 Culinary Water Improvement Project  
Presented by Paul Hansen
7. **Resolution 2019-44** A Resolution of the Tooele City Council Approving a Contract with \_\_\_\_\_ for the 2019 Roadway Improvement Project  
Presented by Paul Hansen
8. **Public Hearing and Decision** On Ordinance 2019-15 An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the MR-8 Multi-Family Residential Zoning District for 9.42 Acres of Property Located at 251 North First Street  
Presented by Jim Bolser
9. **Subdivision Preliminary Plan** for Copper Canyon Phases 7-14 by Bach Land & Development, Located at Approximately 350 West Tooele Boulevard in the R1-7 PUD Residential Zoning District for the Purpose of Creating 249 Single-Family Residential Lots  
Presented by Jim Bolser
10. **Minor Subdivision** for Strawberry Water Subdivision by Invictus Title, Located at 2371 North 400 East in the GC General Commercial Zoning District for the Purpose of Subdividing One Commercial Lot into Two Lots  
Presented by Jim Bolser
11. **Subdivision Preliminary Plan** for Buffalo Pass by Land Development LLC, Located at 150 West 600 North in the R1-7 Residential Zoning District for the Purpose of Creating 6 Single-Family Residential Lots  
Presented by Jim Bolser
12. **Subdivision Preliminary Plan** for Buffalo Ridge by Land Development LLC, Located at 204 West 600 North in the R1-7 Residential Zoning District for the Purpose of Creating 6 Single-Family Residential Lots  
Presented by Jim Bolser

**13. Minutes**

- a. May 15, 2019, Business Meeting
- b. May 15, 2019, Work Meeting
- c. May 29, 2019, Public Meeting

**14. Invoices**

**15. Adjourn**

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Michelle Y. Pitt  
Tooele City Recorder

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

**TOOELE CITY CORPORATION**

**ORDINANCE 2019-16**

**AN ORDINANCE OF TOOELE CITY AMENDING TOOELE CITY CODE SECTION 10-2-4 REGARDING FUNERAL PROCESSIONS.**

WHEREAS, funeral processions are regulated by Tooele City Code Section 10-2-4; and,

WHEREAS, Tooele City limits funeral processions that alter the normal flow of traffic, due to public safety concerns; and,

WHEREAS, the allowed purposes for such a funeral procession are enacted in such a way as to prevent the exercise of any flexibility or discretion; and,

WHEREAS, the Chief of Police recommends that Section 10-2-4 be amended to allow the Mayor, or the Mayor's designee, the exercise of discretion over the occasions on which a funeral procession is allowed to alter the normal flow of traffic (see Exhibit A); and,

WHEREAS, this ordinance is the best interest of the safety and morale of the City:

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that Tooele City Code Section 10-2-4 is hereby amended to read in its entirety as shown in Exhibit A.

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

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this \_\_\_\_ day of \_\_\_\_\_, 2019.

TOOELE CITY COUNCIL

(For)

(Against)

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ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

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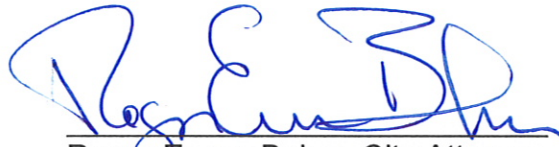
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ATTEST:

\_\_\_\_\_  
Michelle Y. Pitt, City Recorder

SEAL

Approved as to Form:



\_\_\_\_\_  
Roger Evans Baker, City Attorney

## Exhibit A

TCC Chapter 10-2  
Showing Revisions to  
Section 10-2-4

## CHAPTER 2. MISCELLANEOUS PROVISIONS

**10-2-1. Utah Code motor vehicle provisions adopted by reference.**

**10-2-2. Improper lookout.**

**10-2-3. Unlawful acceleration.**

**10-2-4. Funeral processions.**

**10-2-5. Ordinances enforceable at Tooele High School.**

**10-2-6. Violations.**

**10-2-7. Large vehicle and vehicles with dangerous load regulations - Truck routes.**

**10-2-1. Utah Code Annotated motor vehicle provisions adopted.**

The following sections of the Utah Code Annotated, 1953 as amended, are hereby adopted by reference in their entirety as if fully set forth in this city code: Sections 41-1a-101 et seq., 41-6-1 et seq., 41-8-1, 41-12a-101 et seq., 41-21-1 et seq., and 41-22-1 et seq., and 53-3-101 et seq., save and except sections 41-6-101, 41-6-102, 41-6-103, and 41-6-104, and such sections the violation of which constitutes class A misdemeanors other than 41-6-44(6), 41-6-44.6, 53-3-227, 41-6-43, 41-6-44.10, 76-5-207, or felonies. Subsequent amendments by the Utah State legislature to those sections adopted hereby are also hereby expressly adopted by this reference.

(Ord. 1994-48, 08-17-1994)

**10-2-2. Improper lookout.**

No person shall drive a vehicle on a roadway without keeping a reasonable and proper lookout for other traffic, pedestrians or impediments to safe travel.

(Ord. 1988-12, 03-16-1988)

**10-2-3. Unlawful acceleration.**

No person shall accelerate an automobile faster than is reasonable and prudent, or necessary under the circumstances then existing upon any highway.

(Ord. 1988-12, 03-16-1988)

**10-2-4. Funeral processions.**

(1) For purposes of this Section, "funeral procession" means an organized or formal group of two or more vehicles traveling in close formation to or from a mortuary, funeral home, or memorial service, accompanying the body or the cremated remains of a deceased person.

(2) It shall be unlawful for a funeral procession or any participant in a funeral procession to block vehicular traffic, to close or limit access to a public right-of-way, or to violate the traffic laws of the state of Utah.

(3) It shall be unlawful for any person to block vehicular traffic or to close or limit access to a public right-of-way for a funeral procession.

(4) Any violation of Subsections (2) or (3) of this Section shall be a class C misdemeanor.

(5) Notwithstanding the above, Tooele City, in its

sole discretion, may block vehicular traffic and may close or limit access to public rights-of-way, using Tooele City peace officers and other peace officers under Tooele City's control, for funeral processions involving the following:

(a) fallen police officers;

(b) fallen firefighters;

(c) fallen soldiers;

(d) elected or appointed officials who die in office; ~~and,~~

(e) individuals who have served Tooele City with distinction, such as, former elected officials; ~~and,~~

(f) other individuals in the discretion of the Mayor or the Mayor's designee.

(Ord. 2016-22, 12-07-2016) (Ord. 1988-12, 03-16-1988)

**10-2-5. Ordinances enforceable at Tooele High School.**

The Ordinances of Tooele City are declared to be enforceable upon the premises of Tooele High School. (Ord. 1988-12, 03-16-1988)

**10-2-6. Violations.**

Violations of this chapter are Class "B" misdemeanors unless specifically indicated otherwise. (Ord. 1988-12, 03-16-1988)

**10-2-7. Large vehicle and vehicles with dangerous load regulations - Truck routes.**

(1) It is hereby declared necessary in order to safely move traffic in, out and through the city, to regulate the movement and parking of large vehicles and vehicles with dangerous loads. The regulations in this Section apply to:

(a) all trucks licensed or actually used with a gross weight in excess of 19,000 pounds;

(b) trucks rated for one and one-half tons or larger under standard practices of the State of Utah; and,

(c) all explosive, corrosive and flammable liquid carriers capable of carrying in excess of 3,000 gallons or licensed for a gross weight in excess of 9,000 pounds.

(2) Any vehicle or truck as defined in this Section shall use only those routes specified in Subsection (3) or such additional temporary routes as shall be established by the chief of police, either by written permission upon application to deviate from the truck route or by the posting of temporary road signs during the period of temporary or alternate truck routing.

(3) The following are designated truck routes:

(a) State Road 36 (Main Street);

(b) State Road 112;

(c) Tooele Boulevard (1100 West Street);

(d) Droubay Road;

(e) Pine Canyon Road;

(f) other streets as designated by express written permission of the police chief, subject to such necessary regulations as are set forth in the written permission in order to accommodate necessary deviation of truck traffic from designated truck routes.

(4) The truck routes identified in Subsection (3) shall not apply to emergency vehicles, school busses, Utah Transit Authority busses, city, county and state service vehicles, utility service vehicles, trucks making neighborhood deliveries or pick-ups or traveling to a business located in the immediate neighborhood, or to construction trucks delivering to or returning from construction sites where it is not possible to use a designated truck route.

(5) The vehicles regulated by this Section and those excepted under Subsection (4) shall not be parked overnight on city streets other than designated truck routes.

(6) The driver or owner of any vehicle regulated by this Section that is driven or parked in violation of this Section shall be guilty of a class B misdemeanor.  
(Ord. 2014-11, 08-06-2014)(Ord. 1994-51, 10-25-1994)

**TOOELE CITY CORPORATION**

**RESOLUTION 2019-43**

**A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING A CONTRACT WITH \_\_\_\_\_ FOR THE 2019 CULINARY WATER IMPROVEMENT PROJECT.**

WHEREAS, in the course of the City's routine water system maintenance evaluation, it has been determined that certain existing water facilities within the City's water system have deteriorated to the point that it is prudent to replace and/or upgrade them in order to maintain system functionality and efficiency; and,

WHEREAS, these facilities consist primarily of main waterlines, culinary water service laterals, and related facilities; and,

WHEREAS, the City accepted public bids for construction of the Project in accordance with the procedures of §11-39-101 *et seq.*, Utah Code Annotated, as amended; and,

WHEREAS, \_\_\_\_\_ has submitted a cost proposal of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), which is the lowest responsible responsive bid. A copy of the Bid Tabulation is attached as Exhibit A.

WHEREAS, the City Administration requests an additional appropriation of 5% of the bid amount, approximately \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), as contingency for change orders for changed conditions that may arise during the Project, as reviewed and authorized by the Mayor; and,

WHEREAS, the Project is to be funded using Tooele City revenue sources that include water enterprise funds:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Mayor is hereby authorized to sign a contract attached hereto as Exhibit B with \_\_\_\_\_ for completion of the 2019 Culinary Water Improvement Project for a sum not to exceed \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), plus an additional \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) contingency (5%), which may be used as necessary for changed conditions at the discretion of the Mayor.

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)

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ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

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ATTEST:

\_\_\_\_\_  
Michelle Pitt, City Recorder

S E A L

Approved as to Form:

\_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney

# Exhibit A

## Bid Evaluation

Exhibit B

Agreement

**TOOELE CITY CORPORATION**

**RESOLUTION 2019-44**

**A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING A CONTRACT WITH \_\_\_\_\_ FOR THE 2019 ROADWAY IMPROVEMENT PROJECT.**

WHEREAS, Tooele City has more than 220 lane miles of public roadway located within the City limits for which it has responsibility; and,

WHEREAS, a significant number of those roadways require maintenance in varying levels of effort in order to maintain reasonably safe and convenient public access and to extend the life of those roadways; and,

WHEREAS, the City receives State roadway assistance (Road "C") funds, which funds are to be used by the City for public roadway maintenance and repair; and,

WHEREAS, the City solicited public bids for construction of the 2019 Roadway Improvements Project in accordance with the procedures of §11-39-101 *et seq.* and §72-6-108, Utah Code Annotated, as amended; and,

WHEREAS, \_\_\_\_\_ has submitted a cost proposal of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), which is the lowest responsible responsive bid. A copy of the Bid Tabulation is attached as Exhibit A; and,

WHEREAS, the City Administration requests an additional appropriation of 5% of the bid amount, approximately \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), as contingency for change orders for changed conditions that may arise during the Project, as reviewed and authorized by the Mayor; and,

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Mayor is hereby authorized to sign a contract attached hereto as Exhibit B with \_\_\_\_\_ for completion of the 2019 Roadway Improvement Project for a sum not to exceed \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), plus an additional \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) contingency (5%), which may be used as necessary for changed conditions at the discretion of the Mayor.

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)

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ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

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ATTEST:

\_\_\_\_\_  
Michelle Pitt, City Recorder

S E A L

Approved as to Form:

\_\_\_\_\_  
Roger Baker, Tooele City Attorney

EXHIBIT A

Bid Tabulation

EXHIBIT B

Agreement

**TOOELE CITY CORPORATION**

**ORDINANCE 2019-15**

**AN ORDINANCE OF THE TOOELE CITY COUNCIL REASSIGNING THE ZONING CLASSIFICATION TO THE MR-8 MULTI-FAMILY RESIDENTIAL ZONING DISTRICT FOR 9.42 ACRES OF PROPERTY LOCATED AT 251 NORTH FIRST STREET.**

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

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

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

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

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

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

**WHEREAS**, the R1-7 Residential zoning district is currently assigned to approximately 9.42 acres of land located at 251 North First Street (see map attached as **Exhibit A**); and,

**WHEREAS**, the 9.42 acres are currently owned by Tooele County Board of Education; and,



**WHEREAS**, by Rezone Petition received May 7, 2019, Sheila Urias has requested that the subject property be reassigned to the MR-8 Multi-Family Residential zoning district (see Rezone Petition attached as Exhibit B); and,

**WHEREAS**, the surrounding properties to the north, west, east and south are assigned the R1-7 Residential zoning districts; and,

**WHEREAS**, Utah Code §10-9a-501 and §10-9a-503 provide for the municipal legislature to consider Planning Commission recommendations for amendments to the land use ordinances and zoning map, and to approve, revise, or reject the recommended amendments; and,

**WHEREAS**, on May 22, 2019, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council; and,

**WHEREAS**, the City Council convened a duly-noticed public hearing on \_\_\_\_\_, 2019; and,

**WHEREAS**, the City Council finds that, subject to the reasonable and appropriate conditions outlined below, the requested Zoning Map amendment is not adverse to the best interest of the City; and,

**WHEREAS**, the City is under no obligation to approve a Zoning Map amendment, but may do so upon finding a rational basis:

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

**Section 1. Amendment.** The Tooele City Zoning Map is hereby amended to indicate that the zoning district assigned to the subject properties shall be reassigned to the MR-8 Multi-Family Residential zoning district; and,

**Section 2. Rational Basis.** The City Council hereby finds that the above-described expressed conditions to the approval of this Ordinance 2019-15 are reasonable and necessary to serve, protect, and preserve the health, safety, and welfare of Tooele City and its residents, including future residents of the subject property.

**Section 4. No Vesting.** Approval of this Ordinance 2019-15, together with its exhibits, shall not be construed to imply or constitute any vesting or entitlement as to intensity of use (i.e., density) or configuration (i.e., lots, units, roads).

**Section 5. Severability.** If any section, part or provision of this Ordinance 2019-15 is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

**Section 6. Effective Date.** This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective immediately upon

passage, without further publication, by authority of the Tooele City Charter.

**IN WITNESS WHEREOF**, this Ordinance is passed by the Tooele City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

TOOELE CITY COUNCIL

(For)

(Against)

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ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

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ATTEST:

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Michelle Y Pitt, City Recorder

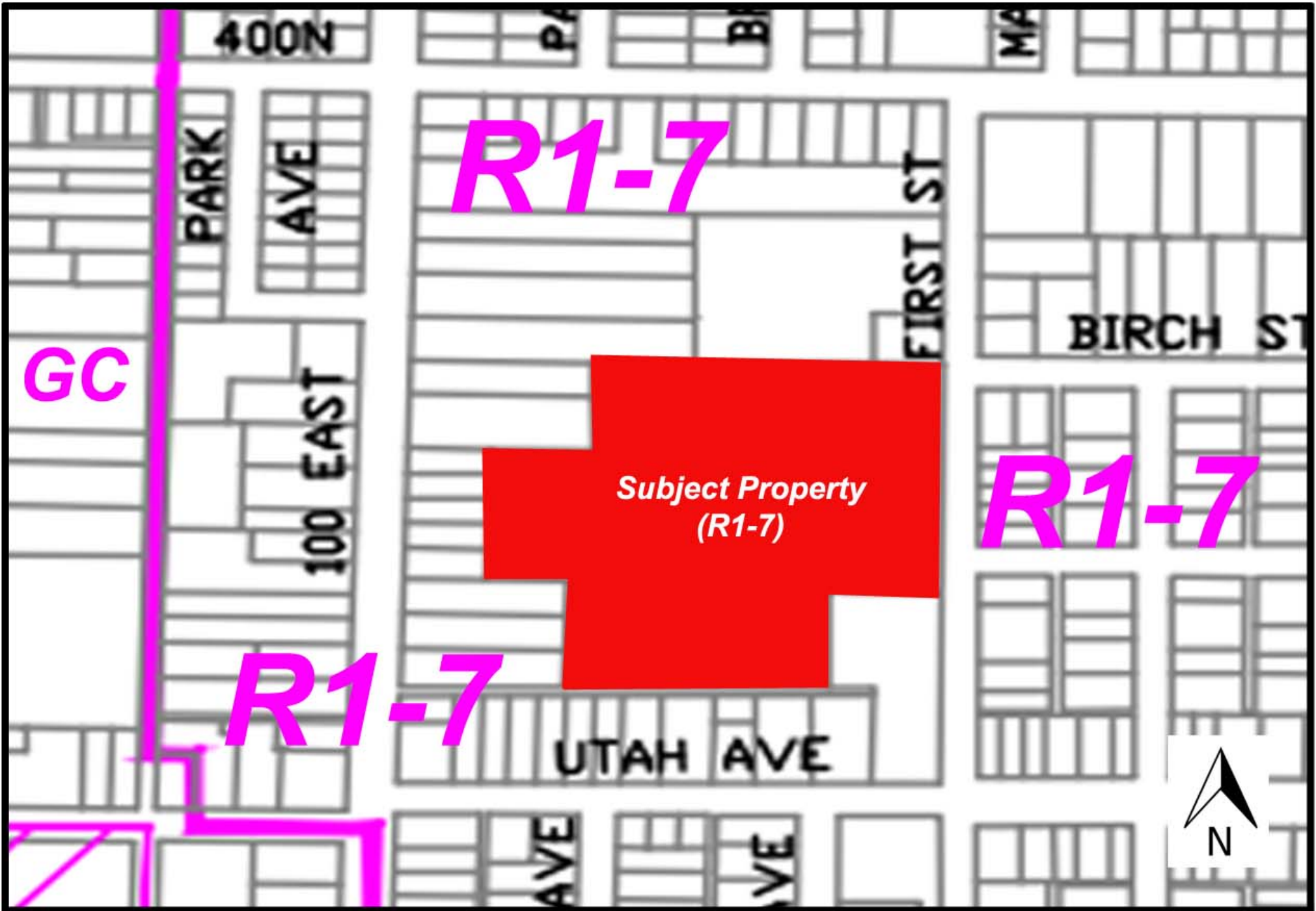
S E A L

Approved as to Form: \_\_\_\_\_  
Roger Baker, Tooele City Attorney

**EXHIBIT A**

**ZONING MAP**

**Skull Valley Health Care Zoning Map Amendment**



**Current Zoning**

**EXHIBIT B**

**REZONE PETITION**

# Zoning, General Plan, & Master Plan

## Map Amendment Application

Community Development Department  
90 North Main Street, Tooele, UT 84074  
(435) 843-2132 Fax (435) 843-2139  
[www.tooelecity.org](http://www.tooelecity.org)



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

P19-338

Project Information			
Date of Submission: 5-7-2019	Current Map Designation: R1-7	Proposed Map Designation: MR-8	Parcel #(s): 0204200039-0204200033
Project Name: Skull Valley Health CARE		Acres: 9.42	
Project Address: 251 North First Street, Tooele, Utah 84074			
Proposed for Amendment: <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> General Plan <input checked="" type="checkbox"/> Master Plan: <u>Zone change</u>			
Brief Project Summary: CHANGE ZONE FROM R1-7 TO MR-8.			
Tooele County Board of Education AKA			
Property Owner(s): Tooele County School District		Applicant(s): SHEILA URIAS	
Address: 92 South Lodestone Way		Address: 1929 AARON DRIVE STE 1	
City: Tooele	State: UT	City: Tooele	State: UT
Zip: 84074		Zip: 84074	
Phone: 435-833-1900		Phone: 775-778-1937	
Contact Person: Tyson Dixon		Address: 9160 South 300W Ste 13	
Phone: 801-860-0118		City: SANDY	State: UT
Cellular: 801-860-0118	Fax:	Zip: 84070	Email: TYSON@RENAISSANCEPARK.h.com

County Record Address - Tooele  
 66 W Vine St. 84074

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

### Note to Applicant:

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

# 00346585			
For Office Use Only			
Received By: CIA	Date Received: 5/7/19	Fees: 1,942 <sup>00</sup>	App. #: 2190333

**EXHIBIT C**

**PLANNING COMMISSION MINUTES**



**STAFF REPORT**

May 14, 2019

**To:** Tooele City Planning Commission  
Business Date: May 22, 2019

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re: Harris Elementary – Zoning Map Amendment Request**

Application No.: P19-338  
Applicant: The former Harris Elementary School  
Project Location: 251 North First Street  
Zoning: R1-7 Residential Zone  
Acreage: 9.42 Acres (Approximately 410,335 ft<sup>2</sup>)  
Request: Request for approval of a Zoning Map Amendment in the R1-7 Residential zone regarding reassignment of the subject properties to the MR-8 Multi-Family Residential zoning district.

**BACKGROUND**

Tooele County School District is selling Harris Elementary. This application is a request for approval of a Zoning Map Amendment for approximately 9.42 acres located at approximately 251 North First Street. The property is currently zoned R1-7 Residential. The applicant is requesting that a Zoning Map Amendment to MR-8 Multi-Family Residential be approved to permit development of the site and former Harris Elementary School with the uses permitted in the MR-8 zoning district.

It should be emphasized that the existing Harris Elementary School **WILL NOT BE TORN DOWN** but will remain and be utilized as a use other than a public school. The change in zoning is necessary to facilitate certain uses that will occur within the building.

**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 surrounding the Harris Elementary site are zoned R1-7 Residential and utilized as residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The purpose of the MR-8 Multi-Family Residential zoning district is to provide an environment and opportunities for high-density residential uses, including attached single-family residential units, apartments, condominiums and townhouses. This zoning district is intended to serve as a transitional district between principally single-family residential zoning districts and higher density multi-family zoning districts. The MR-8 Multi-Family Residential zone supports a maximum of 8 dwelling units per acre and permits two family, multi-family, condominium and town home development. Single-Family Residential uses are not permitted in the MR-8 zone.

Criteria For Approval. The criteria for review and potential approval of a Zoning Map Amendment request is found in Sections 7-11-6, 8 and 9 of the Tooele City Code. This section depicts the standard of review for such requests as:

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

## **REVIEWS**

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

1. Rezoning the property from R1-7 increases the density from 5 units per acre to 8. For example, in the R1-7 zone the property may yield 37 units. In the MR-8 zone development of the property could yield approximately 60 units (considering 20% of the property being used for roads, storm water basins, etc).
2. The MR-8 zone permits uses that are prohibited in the R1-7 zone.
3. The MR-8 zone prohibits uses that are permitted in the R1-7 zone.
4. Building setbacks and lot sizes are very similar in both zones with some minor differences.
5. The existing Harris Elementary School will remain and be utilized with uses permitted in the MR-8 Multi-Family Residential zone.

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

## **STAFF RECOMMENDATION**

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

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

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

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Skull Valley Health Care Zoning Map Amendment Request by Sheila Urias, representing Skull Valley Health Care to reassign the subject properties to the MR-8 Multi-Family Residential zoning district, application number P19-338, based on the findings listed in the Staff Report dated May 14, 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 Skull Valley Health Care Zoning Map Amendment Request by Sheila Urias, representing Skull Valley Health Care to reassign the subject properties to the MR-8 Multi-Family Residential zoning district, application number P19-338, based on the following findings:”

1. List any findings...

# EXHIBIT A

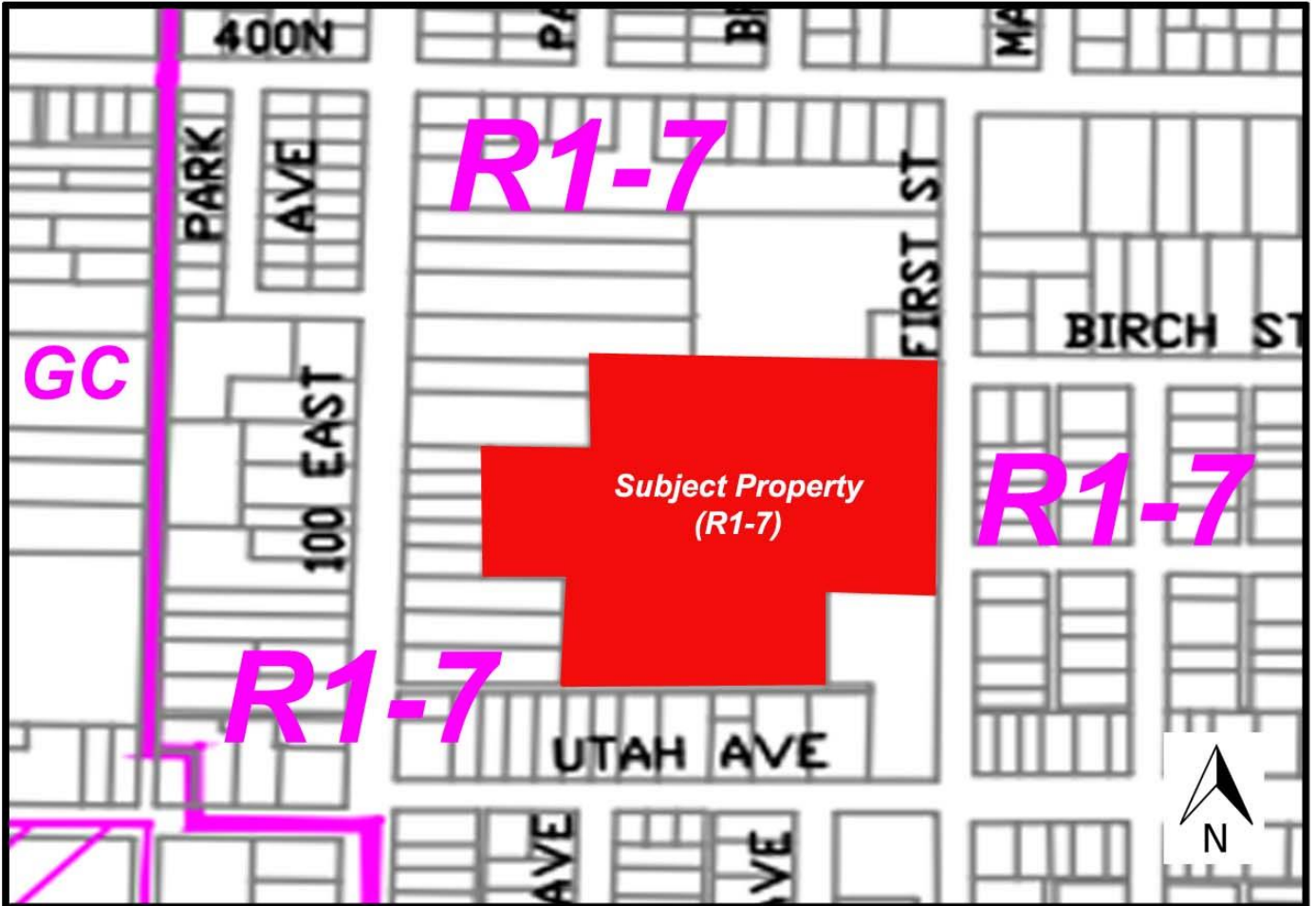
## MAPPING PERTINENT TO THE SKULL VALLEY HEALTH CARE ZONING MAP AMENDMENT

### Skull Valley Health Care Zoning Map Amendment



**Aerial View**

Skull Valley Health Care Zoning Map Amendment



Current Zoning

## STAFF REPORT

May 14, 2019

**To:** Tooele City Planning Commission  
Business Date: May 22, 2019

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re:** Copper Canyon Phases 7-14 – Preliminary Plan Request

Application No.: P18-426  
Applicant: Brian Carlisle, representing Bach Land & Development, LLC  
Project Location: Approximately 350 West Tooele Boulevard  
Zoning: R1-7 PUD Residential Zone  
Acreage: 60.26 Acres (Approximately 2,624,925 ft<sup>2</sup>)  
Request: Request for approval of a Preliminary Plan Subdivision in the Copper Canyon PUD Planned Unit Development regarding the creation of 249 single-family residential lots.

### BACKGROUND

This application is a request for approval of a Preliminary Plan for approximately 60.26 acres located at approximately 350 West Tooele Boulevard. The property is currently zoned R1-7 PUD Residential. The applicant is requesting that a Preliminary Plan be approved to allow for the development of the currently vacant site as 294 single-family residential lots 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 PUD 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 PUD Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Residential land use designation. North of the proposed phases on the adjacent side of the Union Pacific Railroad tracks property is zoned MR-16 Multi-Family Residential. To the south properties are zoned MR-8 Multi-Family Residential and R1-7 Residential. To the east properties are also zoned MR-8. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

*Subdivision Layout.* Phases 7-14 will complete the Copper Canyon PUD building south west from the existing development until phase 14 finishes out the development at the south west corner. Lots within the subdivision range in size from 6000 square feet up to 13,000 square feet and must meet the minimum criteria for lot width, frontage and size as required by the Copper Canyon PUD.

Each phase in the subdivision will connect to existing points of connection constructed with previous development and install the necessary improvements to which future phases may connect. Tooele Boulevard will be constructed with each phase as it will continue to the southwest.

There are significant double fronting lots within the subdivision and will be required to install landscaping and trees in the park strip along with a solid vinyl fence. Six foot precast concrete fencing will be installed along Tooele Boulevard adjacent to the Union Pacific Railroad right-of-way. Detailed landscape plans will be required during each phase's final plat subdivision review.

At the center of the development, extending from Phase 6 to Phase 14 is a 40 foot wide landscape strip that will include a trail system connecting the park at 200 West to the future park in Phase 14. Phase 14 will include a 2.54 acre park. These open spaces will be constructed and landscaped by the applicant and then dedicated to Tooele City for maintenance. Each phase will construct its share of the open space.

It should be noted that the lots in Phases 7 and 12, adjacent to Phase 1 of Copper Canyon, will require a 10 foot easement providing Tooele City with access to a sewer line extending the length of both phases. This easement will essentially be unuseable to the property owner but will still be considered part of the lot. Setbacks will be measured to property line, not to easement line. Staff has included language, written by the City Attorney explaining the nature of the easement.

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. Section 7-19-8 reads in part:

- (3) Planning Commission Review. Prior to Planning Commission review, the applicant shall deliver copies of the proposed preliminary plan to the Community Development Department that demonstrates a signed review by, and any comments from, the Tooele Post Office, Tooele County School District, County Surveyor, County Recorder, and Health Department.
  - (a) The Planning Commission shall approve, approve with conditions, or disapprove the proposed preliminary plan and submit its recommendation to the City Council.
  - (b) If the Planning Commission finds that changes, additions, or corrections are required on the preliminary plan, the Commission shall so advise the applicant on the record in a public meeting or in writing. The applicant may resubmit the preliminary plan to the Commission without paying an additional fee. The Commission shall approve, approve with conditions, or disapprove the revised preliminary plan and submit its recommendations in writing to the City Council.
- (4) City Council Review. The City Council shall accept, accept with conditions, or reject [the preliminary] plan within a reasonable time following the action of the Planning Commission.

## **REVIEWS**

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

1. A landscape, irrigation and fencing plan shall be provided for all double fronting lots and open spaces during each phase's final plat subdivision review and all landscaping shall be consistent with the terms of the development agreement.

2. A 10-foot sewer easement shall be provided on all lots in phases 7 and 12 where property lines are shared with lots in Copper Canyon Phase 1 amended subdivision.

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

### **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Preliminary Plan by Brian Carlisle, representing Bach Land & Development, LLC, application number P18-426, 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. A landscape, irrigation and fencing plan shall be provided for all double fronting lots and open spaces during each phase's final plat subdivision review and all landscaping shall be consistent with the terms of the development agreement.
6. A 10-foot sewer easement shall be provided on all lots in phases 7 and 12 where property lines are shared with lots in Copper Canyon Phase 1 amended subdivision.

This recommendation is based on the following findings:

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

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Copper Canyon Phases 7-14 Preliminary Plan Request by Brian Carlisle, representing Bach Land & Development, LLC for the purpose of creating 249 single family residential lots, application number P18-426, based on the findings and subject to the conditions listed in the Staff Report dated May 14, 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 Copper Canyon Phases 7-14 Preliminary Plan Request by Brian Carlisle, representing Bach Land & Development, LLC or the purpose of creating 249 single family residential lots, application number P18-426, based on the following findings:”

1. List any findings...

**EXHIBIT A**

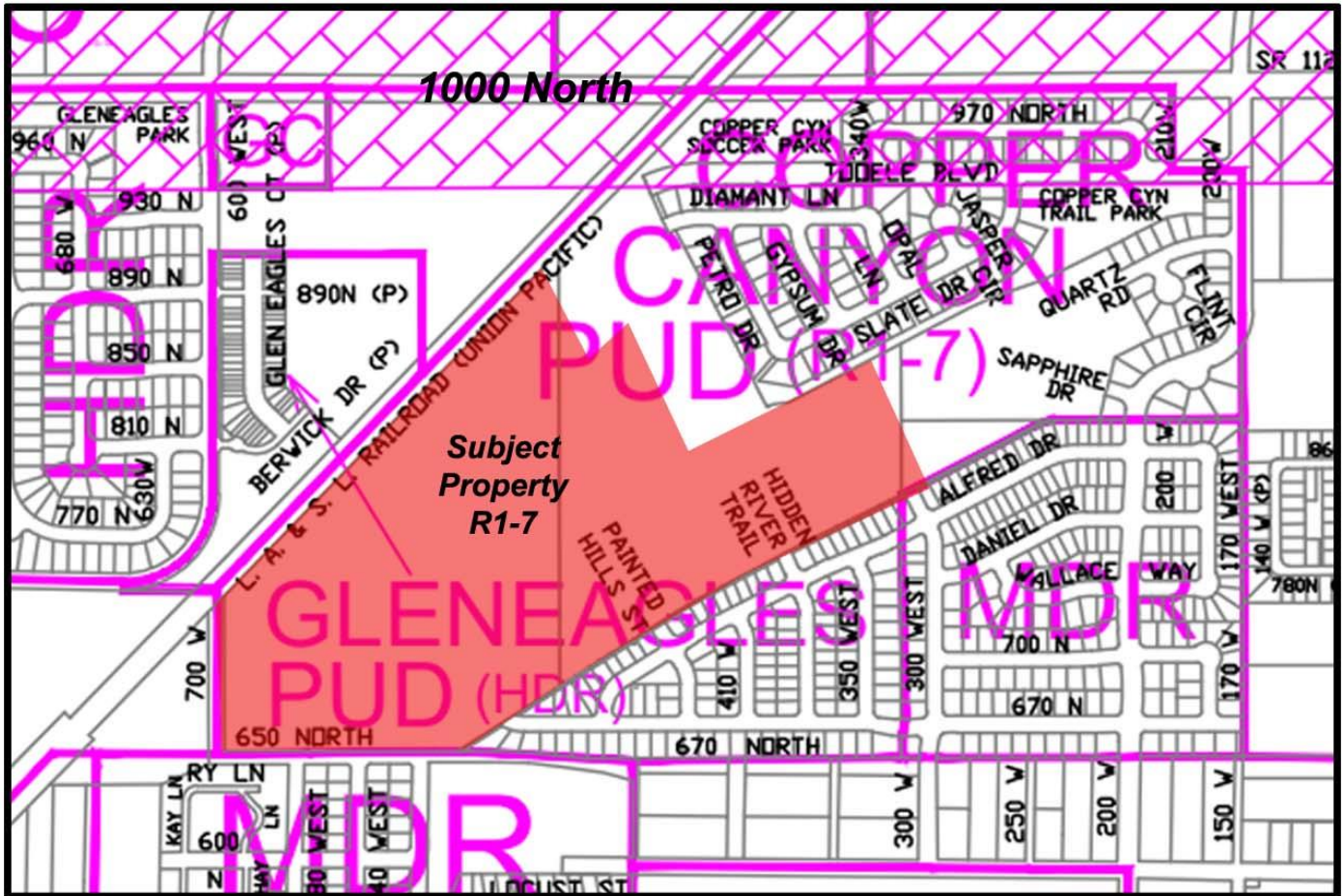
**MAPPING PERTINENT TO THE COPPER CANYON PHASES 7-14 PRELIMINARY PLAN**

**Copper Canyon Phases 7-14 Preliminary Plan**



**Aerial View**

Copper Canyon Phases 7-14 Preliminary Plan



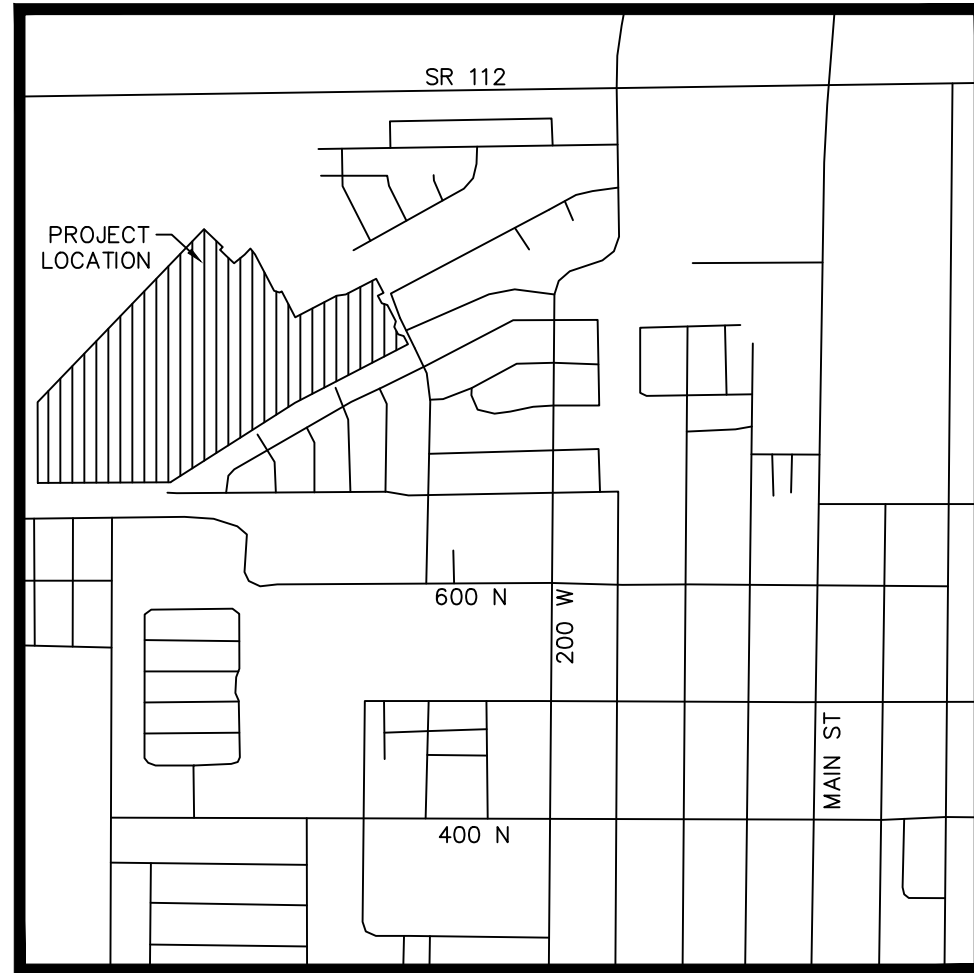
Current Zoning

**EXHIBIT B**

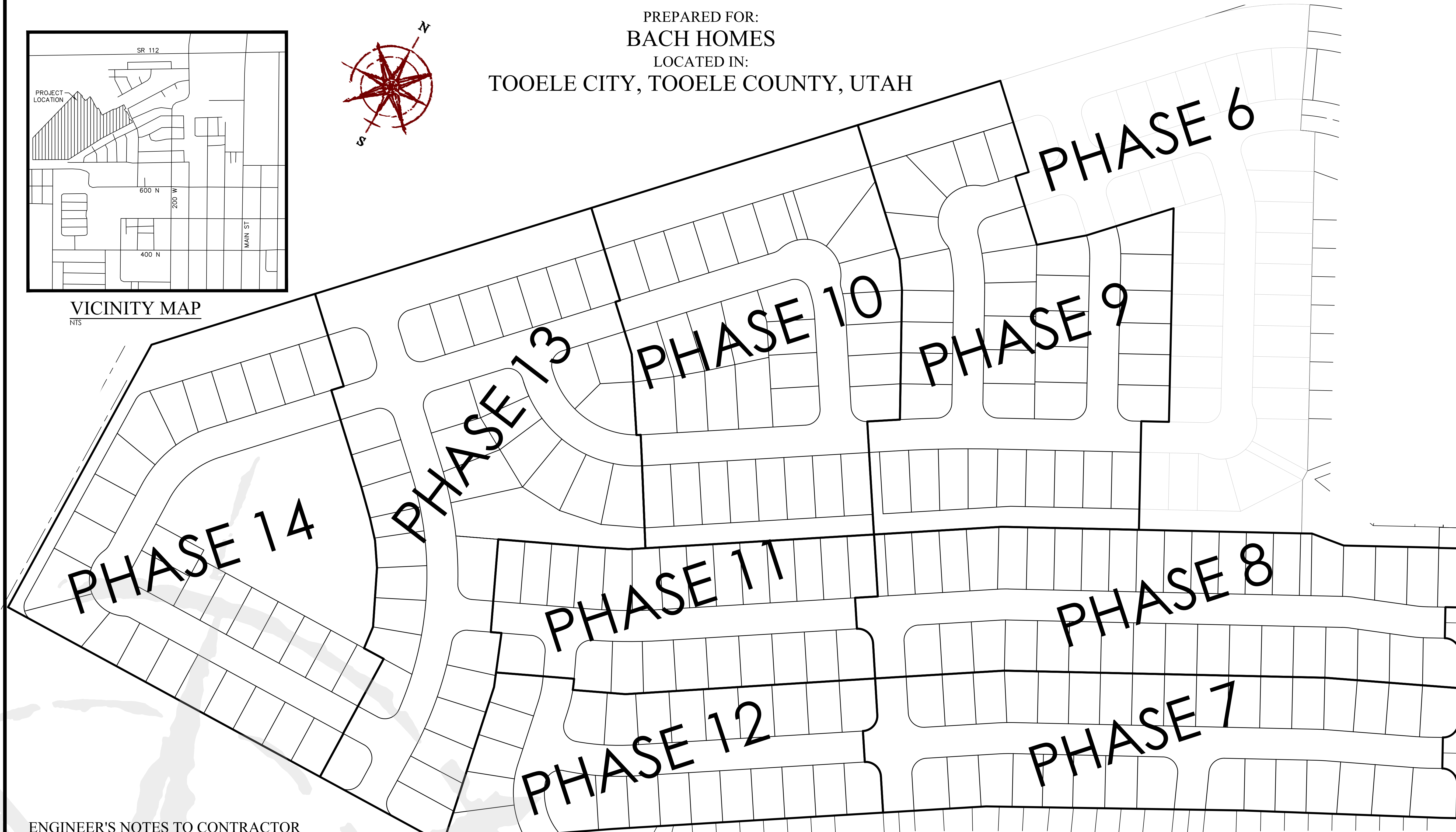
**PROPOSED DEVELOPMENT PLANS**

# COPPER CANYON PHASES 7-14 PRELIMINARY

PREPARED FOR:  
**BACH HOMES**  
 LOCATED IN:  
**TOOELE CITY, TOOELE COUNTY, UTAH**



VICINITY MAP  
 NTS



SITE MAP

## ENGINEER'S NOTES TO CONTRACTOR

- THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS, TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS. IF UTILITY LINES ARE ENCOUNTERED DURING CONSTRUCTION THAT ARE NOT IDENTIFIED BY THESE PLANS, CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.
- CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE CITY, THE OWNER, AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.
- UNAUTHORIZED CHANGES & USES: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.
- ALL CONTOUR LINES SHOWN ON THE PLANS ARE AN INTERPRETATION BY CAD SOFTWARE OF FIELD SURVEY WORK PERFORMED BY A LICENSED SURVEYOR. DUE TO THE POTENTIAL DIFFERENCES IN INTERPRETATION OF CONTOURS BY VARIOUS TYPES OF GRADING SOFTWARE BY OTHER ENGINEERS OR CONTRACTORS, FOCUS DOES NOT GUARANTEE OR WARRANTY THE ACCURACY OF SUCH LINENWORK. FOR THIS REASON, FOCUS WILL NOT PROVIDE ANY GRADING CONTOURS IN CAD FOR ANY TYPE OF USE BY THE CONTRACTOR. SPOT ELEVATIONS AND PROFILE ELEVATIONS SHOWN IN THE DESIGN DRAWINGS GOVERN ALL DESIGN INFORMATION ILLUSTRATED ON THE APPROVED CONSTRUCTION SET. CONSTRUCTION EXPERTISE AND JUDGMENT BY THE CONTRACTOR IS ANTICIPATED BY THE ENGINEER TO COMPLETE BUILD-OUT OF THE INTENDED IMPROVEMENTS.

## GENERAL NOTES

- CONTRACTOR TO FIELD VERIFY HORIZONTAL AND VERTICAL LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
- ANY AND ALL DISCREPANCIES IN THESE PLANS ARE TO BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- ALL CONSTRUCTION SHALL ADHERE TO TOOELE CITY STANDARD PLANS AND SPECIFICATIONS. (SEE TOOELE CITY WEB PAGE)
- ALL UTILITIES AND ROAD IMPROVEMENTS SHOWN ON THE PLANS HEREIN SHALL BE CONSTRUCTED USING REFERENCE TO SURVEY CONSTRUCTION STAKES PLACED UNDER THE SUPERVISION OF A PROFESSIONAL LICENSED SURVEYOR WITH A CURRENT LICENSE ISSUED BY THE STATE OF UTAH. ANY IMPROVEMENTS INSTALLED BY ANY OTHER VERTICAL OR HORIZONTAL REFERENCE WILL NOT BE ACCEPTED OR CERTIFIED BY THE ENGINEER OF RECORD.
- THIS DRAWING SET IS SCALED TO BE PRINTED ON A 24" X 36" SIZE OF PAPER (ARCH D). IF PRINTED ON A SMALLER PAPER SIZE, THE DRAWING WILL NOT BE TO SCALE AND SHOULD NOT BE USED TO SCALE MEASUREMENTS FROM THE PAPER DRAWING. ALSO USE CAUTION, AS THERE MAY BE TEXT OR DETAIL THAT MAY BE OVERLOOKED DUE TO THE SMALL SIZE OF THE DRAWING.

## NOTICE

BEFORE PROCEEDING WITH THIS WORK, THE CONTRACTOR SHALL CAREFULLY CHECK AND VERIFY ALL CONDITIONS, QUANTITIES, DIMENSIONS, AND GRADE ELEVATIONS, AND SHALL REPORT ALL DISCREPANCIES TO THE ENGINEER.

## CONTACTS

**ENGINEER & SURVEYOR**  
 FOCUS ENGINEERING & SURVEYING, LLC  
 32 WEST CENTER STREET  
 MIDVALE, UTAH 84047  
 (801) 352-0075  
 PROJECT MANAGER: MATHEW WANGSGAARD, EIT  
 SURVEY MANAGER: SPENCER LLEWELYN, PLS

**OWNER/DEVELOPER**  
 BACH HOMES  
 11650 SOUTH STATE STREET, SUITE 300  
 DRAPER, UTAH 84020  
 (801) 540-4808  
 CONTACT: BRIAN CARLISLE

**CITY ENGINEER**  
 TOOELE CITY OFFICES  
 90 NORTH MAIN STREET  
 TOOELE, UTAH 84074  
 (435) 843-2132  
 CONTACT: PAUL HANSEN

**PLANNING DIVISION**  
 TOOELE CITY OFFICES  
 90 NORTH MAIN STREET  
 TOOELE, UTAH 84074  
 (435) 843-2132  
 CONTACT: JIM BOLSER

Sheet List Table	
Sheet Number	Sheet Title
C1	COVER SHEET
C2.0	OVERALL PRELIMINARY PLAT
C2.01	OVERALL PRELIMINARY PLAT
C2.1	OVERALL PRELIMINARY PLAT
C2.2	OVERALL PRELIMINARY PLAT
C2.3	OVERALL PRELIMINARY PLAT
C2.4	OVERALL PRELIMINARY PLAT
C3.0	OVERALL PRELIMINARY SITE PLAN
C3.1	OVERALL PRELIMINARY SITE PLAN
C3.2	OVERALL PRELIMINARY SITE PLAN
C3.3	OVERALL PRELIMINARY SITE PLAN
C3.4	OVERALL PRELIMINARY SITE PLAN
C3.5	OVERALL PRELIMINARY SITE PLAN
C4.0	OVERALL PRELIMINARY GRADING PLAN
C4.1	OVERALL PRELIMINARY GRADING PLAN
C4.2	OVERALL PRELIMINARY GRADING PLAN
C4.3	OVERALL PRELIMINARY GRADING PLAN
C4.4	OVERALL PRELIMINARY GRADING PLAN
C4.5	OVERALL PRELIMINARY GRADING PLAN
C5.0	OVERALL PRELIMINARY DRAINAGE PLAN
C5.1	OVERALL PRELIMINARY DRAINAGE PLAN
C5.2	OVERALL PRELIMINARY DRAINAGE PLAN
C5.3	OVERALL PRELIMINARY DRAINAGE PLAN
C5.4	OVERALL PRELIMINARY DRAINAGE PLAN
C5.5	OVERALL PRELIMINARY DRAINAGE PLAN
C5.6	OVERALL PRELIMINARY DRAINAGE PLAN
C5.7	OVERALL PRELIMINARY DRAINAGE PLAN
C5.8	OVERALL PRELIMINARY DRAINAGE CALCULATIONS
C6.0	OVERALL PRELIMINARY SEWER AND WATER PLAN
C6.1	OVERALL PRELIMINARY SEWER AND WATER PLAN
C6.2	OVERALL PRELIMINARY SEWER AND WATER PLAN
C6.3	OVERALL PRELIMINARY SEWER AND WATER PLAN
C6.4	OVERALL PRELIMINARY SEWER AND WATER PLAN
C6.5	OVERALL PRELIMINARY SEWER AND WATER PLAN
PP01	PLAN AND PROFILE KEY MAP
PP02	TOOELE BOULEVARD
PP03	TOOELE BOULEVARD
PP04	TOOELE BOULEVARD
PP05	TOOELE BOULEVARD
PP06	COLEMAN STREET
PP07	COLEMAN STREET
PP08	COLEMAN STREET
PP09	ZINC ROAD
PP10	ZINC ROAD
PP11	ZINC ROAD
PP12	ZINC ROAD
PP13	DOLOMITE ROAD
PP14	DOLOMITE ROAD
PP15	DOLOMITE ROAD
PP16	700 WEST
PP17	SILICA DRIVE
PP18	LIMESTONE LANE
PP19	DIAMANT LANE
PP20	MARBLE ROAD
PP21	GALENA DRIVE
PP22	GALENA DRIVE
PP23	QUARTZ ROAD
PP24	QUARTZ ROAD
PP25	QUARTZ ROAD
PP26	QUARTZ ROAD
PP27	FELDSPAR DRIVE
PP28	PAINTED HILLS STREET
PP29	SAPPHIRE ROAD
PP30	SAPPHIRE ROAD
PP31	SAPPHIRE ROAD
PP32	SAPPHIRE ROAD
PP33	HIDDEN RIVER TRAIL
PP34	650 NORTH
PP35	650 NORTH
D01	DETAILS



**COPPER CANYON PHASES 7-14 PRELIMINARY**  
 TOOELE CITY, TOOELE COUNTY, UTAH  
**COVER SHEET**

REVISION BLOCK	
#	DATE
1	
2	
3	
4	
5	
6	

**COVER SHEET**

Scale: 1"=100' Drawn: MHW  
 Date: 05/06/19 Job #: 18-083  
 Sheet: **C1**

**BENCHMARK**  
 BENCHMARK TC-30 AS PUBLISHED BY THE TOOELE COUNTY SURVEYOR  
 FOOT EQUIVALENT ELEV: 4830.00  
 DATUM: NAVD88  
 LOCATED ON A BRASS DISK IN A PVC SLEEVE AT THE INTERSECTION OF 700 WEST AND ROGERS STREET

**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. LLEWELLYN  
PROFESSIONAL LAND SURVEYOR  
CERTIFICATE NO. 10516507

DATE

**BOUNDARY DESCRIPTION**

A portion of the NW1/4 of Section 21 and the NE1/4 of Section 20, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the Northernly Right-of-Way of that Real Property described in Deed Book 950 Page 380 of the Official Records of Tooele County, said point is also on the Southernly Right-of-Way of the Los Angeles and Salt Lake Railroad, located 500'09"13"E along the Section line 769.71 feet and West 126.77 feet from the Northwest Corner of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian (Basis of Bearing: S89°42'47"W along the Section line between the North 1/4 Corner and Northwest Corner of said Section 21); thence S46°05'25"E 183.97 feet; thence S43°54'35"W 27.00 feet; thence S46°10'51"E 138.85 feet; thence N50°28'01"E 97.92 feet; thence N43°54'35"E 176.42 feet; thence S27°33'11"E 413.09 feet; thence S62°26'49"W 53.47 feet; thence S27°33'11"E 210.00 feet; thence N62°26'49"E 314.81 feet to the Southwesterly corner of COPPER CANYON P.U.D. PHASE 3, according to the Official Plat recorded February 18, 2015 as Entry No. 409156 in the Office of the Tooele County Recorder; thence along said plat the following 3 (three) courses and distances: N62°05'22"E 20.00 feet; thence N81°51'01"E 65.64 feet; thence N62°26'49"E 183.92 feet to a point on the Westerly line of COPPER CANYON P.U.D. PHASE 2B as constructed and monumented, according to the Official Plat thereof recorded October 5, 2007 as Entry No. 294722 in the Office of the Tooele County Recorder; thence along said plat the following 2 (two) courses and distances: S27°33'11"E 0.59 feet; thence N62°26'23"E 61.27 feet to the Northwesterly corner of Lot 501, COPPER CANYON P.U.D. PHASE 5, according to the Official Plat recorded October 26, 2017 as Entry No. 457181 in the Office of the Tooele County Recorder; thence along said plat and along the Westerly line of COPPER CANYON P.U.D. PHASE 4, according to the Official Plat thereof recorded in the Office of the Tooele County Recorder the following 9 (nine) courses and distances: S27°42'21"E 114.06 feet; thence S62°17'39"W 46.18 feet; thence S27°42'21"E 60.00 feet; thence Easterly along the arc of a non-tangent curve to the right having a radius of 29.50 feet (radius bears: S27°42'21"E) a distance of 46.34 feet through a central angle of 90°00'00" Chord: S72°42'21"E 41.72 feet; thence S27°42'21"E 133.00 feet; thence along the arc of a curve to the right with a radius of 29.50 feet a distance of 46.42 feet through a central angle of 90°09'10" Chord: S17°22'14"W 41.77 feet; thence S27°51'22"E 60.00 feet; thence Easterly along the arc of a non-tangent curve to the right having a radius of 29.50 feet (radius bears: S27°33'11"E) a distance of 46.26 feet through a central angle of 89°59'50" Chord: S72°37'46"E 41.66 feet; thence S27°42'22"E 65.98 feet to the Northeastly corner of Lot 139 COPPER CANYON PHASE 1 AMENDED PLAT, recorded October 15, 1998 as Entry No. 119822 in the Office of the Tooele County Recorder; thence along said plat the following 8 (eight) courses and distances: S62°17'39"W 29.62 feet; thence S63°18'51"W 382.01 feet; thence S62°05'46"W 95.75 feet; thence S62°05'22"W 403.05 feet; thence S57°43'23"W 139.50 feet; thence S57°43'59"W 60.00 feet; thence S57°43'24"W 522.41 feet; thence S56°48'14"W 335.93 feet to the Northernly line of 650 North Street; thence S89°41'54"W along said street 951.62 feet to the Easterly line of 700 West Street; thence N00°08'31"W 577.12 feet to the Southernly Right-of-Way of the Los Angeles and Salt Lake Railroad; thence N43°54'35"E along said Right-of-Way 1,720.25 feet to the point of beginning.

Contains: 60.23 acres +/-

# PRELIMINARY PLAT

## NOT TO BE RECORDED

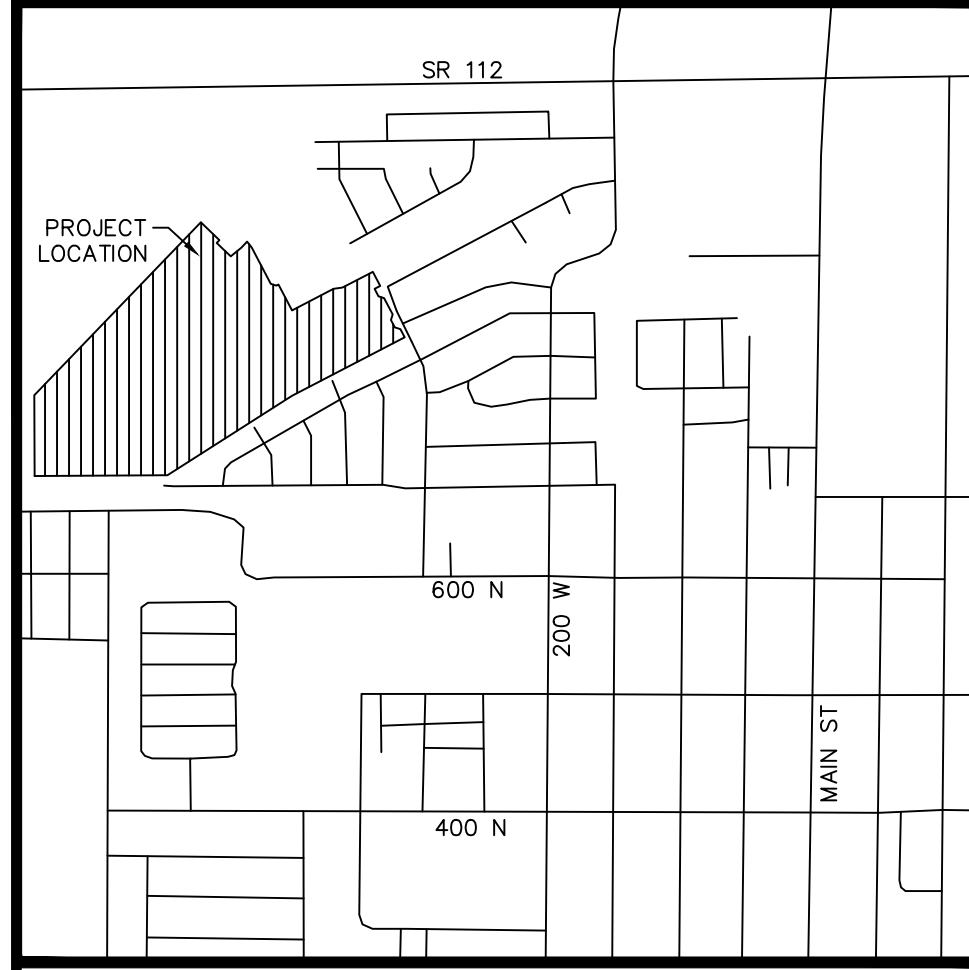
### COPPER CANYON P.U.D. - PHASE 7 - 14

LOCATED IN THE NW1/4 OF SECTION 21 & NE1/4 OF SECTION 20, T3S, R4W, SLB&M TOOELE CITY, UTAH



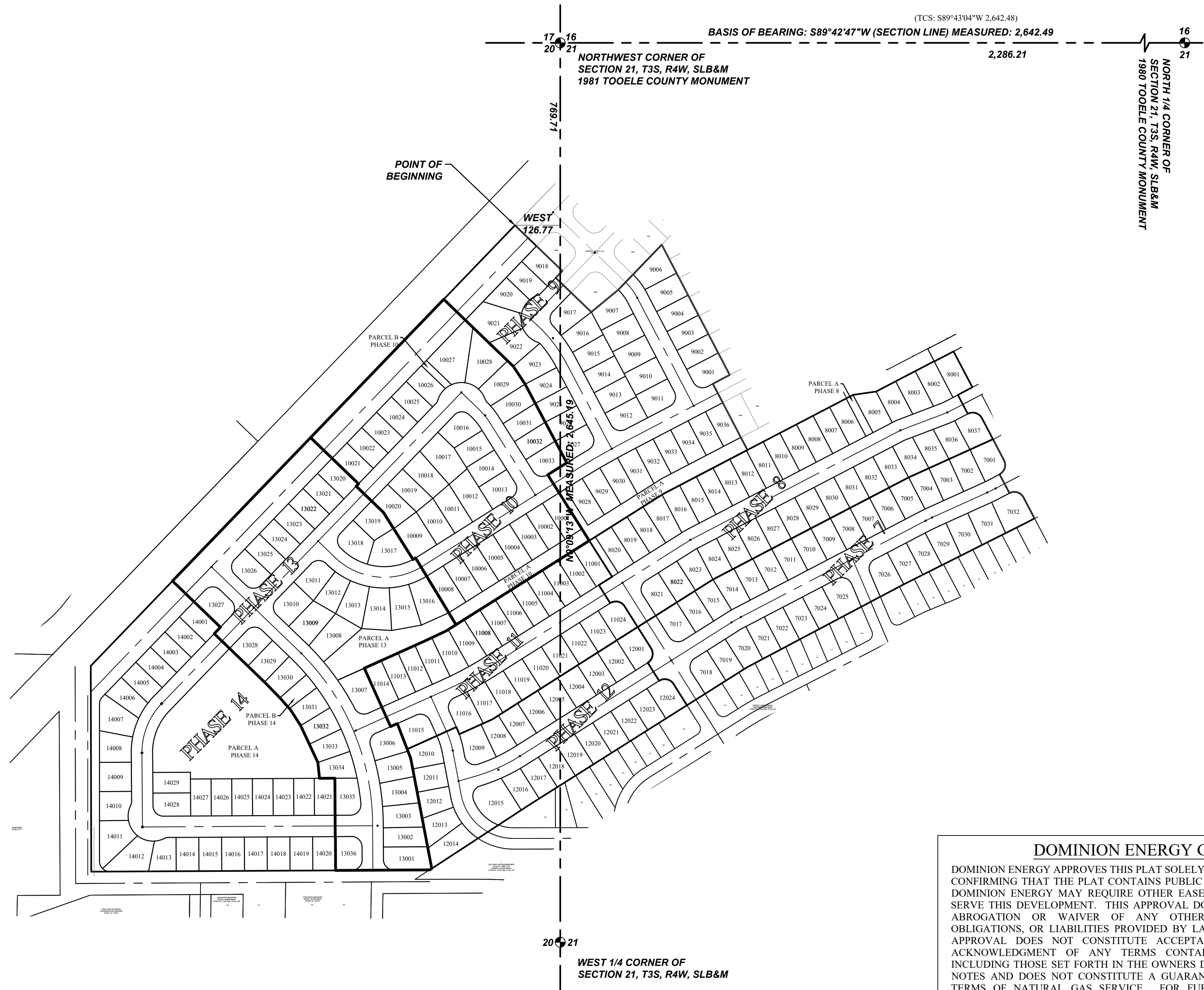
- NOTES:**
- #5 X 24" REBAR & CAP (FOCUS ENG) TO BE SET AT ALL REAR LOT CORNERS. NAILS OR PLUGS TO BE SET IN TOP BACK OF CURB AT EXTENSION OF SIDE LOT LINES.
  - P.U. & D.E.—PUBLIC UTILITY AND DRAINAGE EASEMENT.
  - PARCELS "A" AND "B" ARE HEREBY DEDICATED TO TOOELE CITY AS OPEN SPACE ACCESS AND P.U.&D.E.
  - ... STREET MONUMENT (FOUND)
  - ⊕ ... STREET MONUMENT (TO BE SET)

- LEGEND**
- P.U.&D.E. (SEE SETBACK DETAIL)
  - ⊕ SECTION MONUMENT (FOUND)
  - ⊕ STREET MONUMENT (TO BE SET)
  - EXISTING STREET MONUMENT
  - M-M MONUMENT TO MONUMENT
  - M-B MONUMENT TO BOUNDARY
  - #5 REBAR AND CAP (FOCUS ENG.) TO SET



**VICINITY MAP**  
N.T.S.

**SEWER EASEMENT NOTE:**  
THE GENERAL PURPOSE OF THE SEWER TRUNK LINE EASEMENT ("EASEMENT") SHOWN ON THIS PRELIMINARY PLAN IS TO PROVIDE PROTECTION TO THE TOOELE CITY CORPORATION SEWER TRUNK LINE ("LINE") LOCATED WITHIN OR ADJACENT TO THE EASEMENT AND TO PROVIDE ACCESS TO TOOELE CITY CORPORATION TO MAINTAIN, REPAIR, AND REPLACE THE LINE AND TO MAINTAIN THE EASEMENT AREA, INCLUDING WITH AN ALL-WEATHER OR HARD SURFACE. OWNERS OF THE UNDERLYING FEE ARE PROHIBITED FROM BUILDING, PLACING, OR PLANTING ANY BUILDING, PLAY EQUIPMENT, SHED, LANDSCAPING, TREE, IRRIGATION LINE, FENCE, OR OTHER STRUCTURE OR ITEM WITHIN OR UPON THE EASEMENT AREA, AND FROM PLACING, PARKING, OR STORING ANY VEHICLE, TRAILER, OR OTHER ITEM WITHIN OR UPON THE EASEMENT AREA. STRUCTURES, LANDSCAPING, AND OTHER ITEMS MAY BE PLACED ON SUBDIVIDED LOTS UP TO BUT NOT ACROSS THE EASEMENT LINE. BOTH TOOELE CITY AND LOT OWNERS HAVE THE RIGHT TO FENCE ALONG THE EASEMENT LINE. ANY FENCING SHALL BE INSIDE OF THE COMMON EASEMENT LINE OF THE PARTY INSTALLING THE FENCING. THE REAL PROPERTY CONTAINED WITHIN THE EASEMENT AREA IS PART OF THE FEE OWNERSHIP OF EACH LOT AND SHALL BE INCLUDED IN THE LOT AREA FOR PURPOSES OF CONFORMING TO TOOELE CITY CODE REQUIREMENTS, SUCH AS, REAR YARD SETBACKS AND LOT COVERAGE LIMITATIONS. THE EASEMENT AND THIS NOTE SHALL BE SHOWN ON ALL FINAL PLATS COMPRISING PORTIONS OF THIS PRELIMINARY PLAN BUT SHALL NOT APPLY OR BE A PRECEDENT FOR REAL PROPERTY LOCATED OUTSIDE THIS PRELIMINARY PLAN.



**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: \_\_\_\_\_

**DOMINION ENERGY GAS**

DOMINION ENERGY GAS APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET 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 RIGHT-OF-WAY DEPARTMENT AT 1-800-336-8532.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

DOMINION ENERGY GAS COMPANY

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

<b>HEALTH DEPARTMENT</b> APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY HEALTH DEPARTMENT.	<b>SCHOOL DISTRICT</b> APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY SCHOOL DISTRICT.
TOOELE COUNTY HEALTH DEPARTMENT	TOOELE COUNTY SCHOOL DISTRICT
<b>POST MASTER</b> APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE POST MASTER.	<b>COMCAST</b> APPROVED THIS _____ DAY OF _____ A.D. 20__ BY COMCAST CABLE.
POST MASTER	COMCAST

<b>TOOELE COUNTY SURVEY DEPARTMENT</b> APPROVED THIS _____ DAY OF _____ A.D. 20__ ROS MAP # _____ TOOELE COUNTY SURVEY DEPARTMENT	<b>CENTURY LINK</b> APPROVED THIS _____ DAY OF _____ A.D. 20__ BY CENTURY LINK. CENTURY LINK	<b>CHIEF OF POLICE</b> APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY CHIEF OF POLICE. TOOELE CITY CHIEF OF POLICE	<b>FIRE CHIEF</b> APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY FIRE DEPARTMENT. TOOELE CITY FIRE CHIEF	<b>PARKS DEPARTMENT</b> APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY PARKS DEPARTMENT. TOOELE CITY PARKS DEPARTMENT
<b>CITY ATTORNEY</b> APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__ TOOELE CITY ATTORNEY	<b>CITY ENGINEER</b> APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__ TOOELE CITY ENGINEER	<b>COMMUNITY DEVELOPMENT</b> APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__ TOOELE CITY COMMUNITY DEVELOPMENT	<b>COUNTY RECORDER</b> REVIEWED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY RECORDER AS TO DESCRIPTION OF RECORD. TOOELE COUNTY RECORDER	<b>CITY COUNCIL</b> APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY COUNCIL. CHAIRMAN TOOELE CITY COUNCIL

PREPARED FOR  
**BACH HOMES**  
11650 SOUTH STATE STREET SUITE 300  
DRAPER, UTAH 84020  
PH: 801-727-9500

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

Scale: 1"=200  
Date: 05/06/19

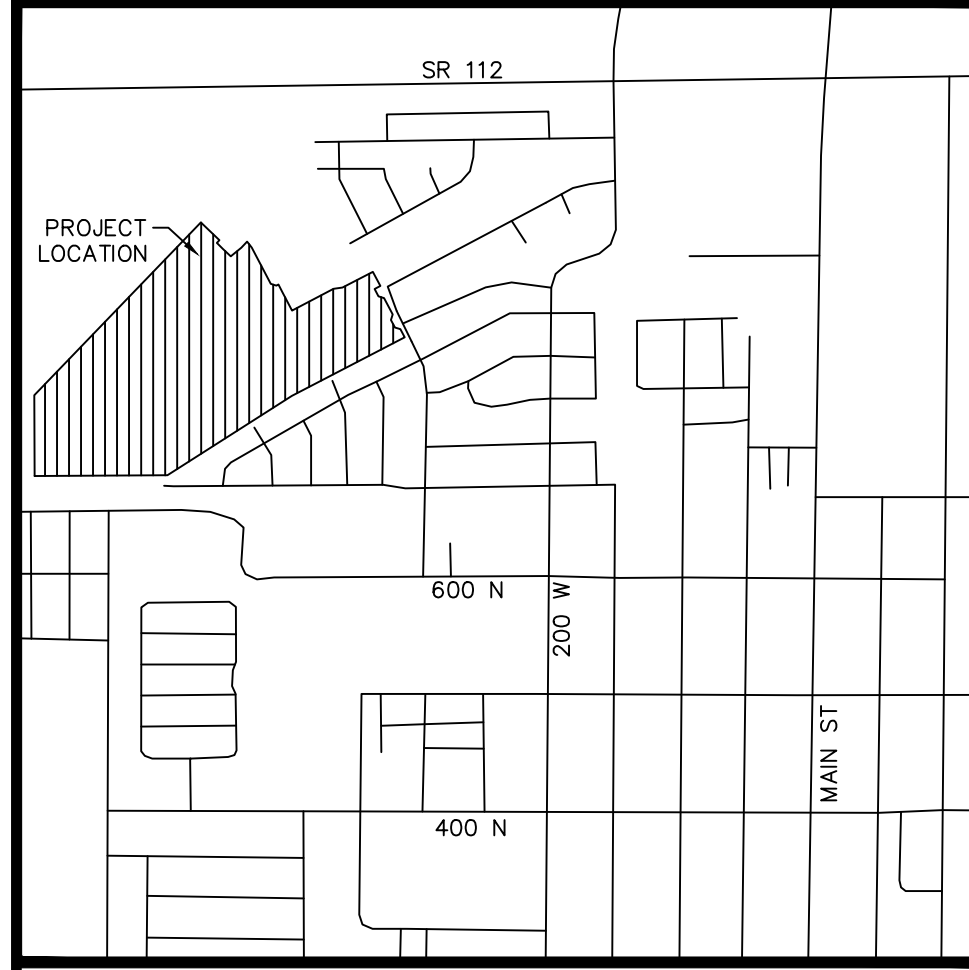
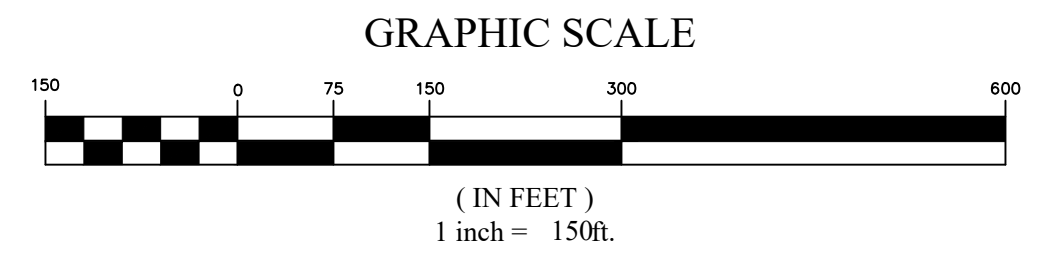
Drawn: MM  
Job #: 18-083

1 OF 6

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# PRELIMINARY PLAT

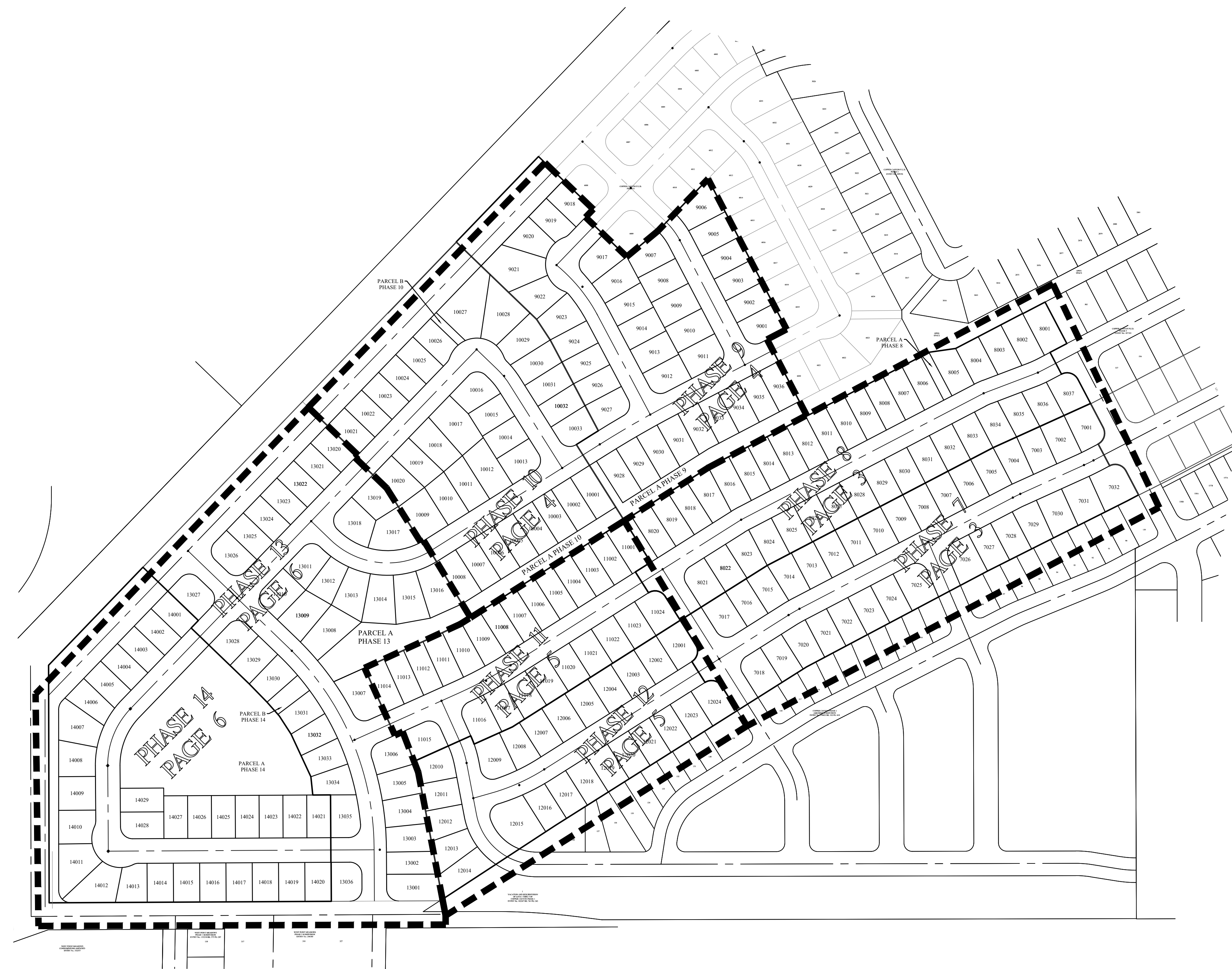
NOT TO BE RECORDED  
 COPPER CANYON P.U.D. - PHASE 7 -14  
 LOCATED IN THE NW1/4 OF SECTION 21 &  
 NE1/4 OF SECTION 20, T3S, R4W, SLB&M  
 TOOELE CITY, UTAH



VICINITY MAP  
N.T.S

**SEWER EASEMENT NOTE:**

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- LEGEND**
- P.U.D.E. (SEE SETBACK DETAIL)
  - ⊕ SECTION MONUMENT (FOUND)
  - ⊕ STREET MONUMENT (TO BE SET)
  - ⊙ EXISTING STREET MONUMENT
  - M-M MONUMENT TO MONUMENT
  - M-B MONUMENT TO BOUNDARY
  - #5 REBAR AND CAP (FOCUS ENG.) TO SET

PREPARED BY  
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 22 WEST CENTER STREET  
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PREPARED FOR  
**BACH HOMES**  
 11650 SOUTH STATE STREET SUITE 300  
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 PH: 801-727-9500

Scale: 1"=200'	Drawn: MM
Date: 05/06/19	Job #: 18-083

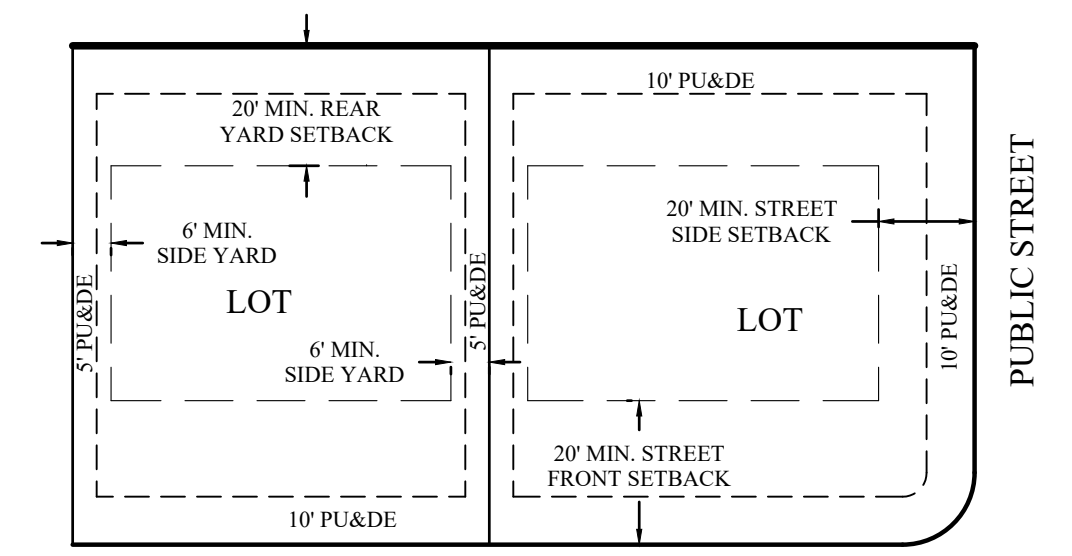
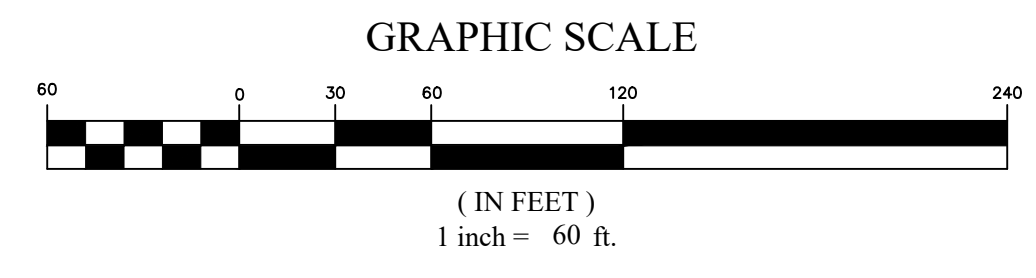
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# PRELIMINARY PLAT

## NOT TO BE RECORDED

### COPPER CANYON P.U.D. - PHASE 7-14

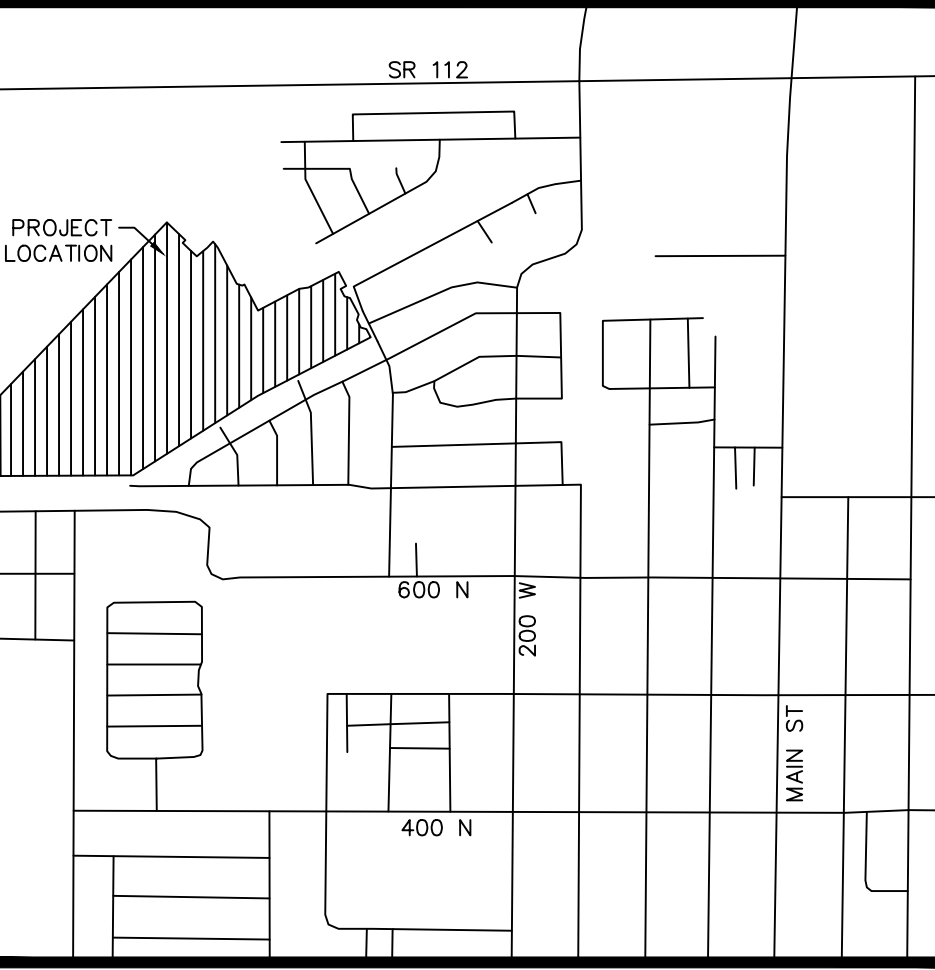
LOCATED IN THE NW1/4 OF SECTION 21 &  
NE1/4 OF SECTION 20, T3S, R4W, SLB&M  
TOOELE CITY, UTAH



PUBLIC STREET  
TYPICAL BUILDING SETBACKS  
N.T.S.

- NOTES:**
- #5 X 24" REBAR & CAP (FOCUS ENG) TO BE SET AT ALL REAR LOT CORNERS. NAILS OR PLUGS TO BE SET IN TOP BACK OF CURB AT EXTENSION OF SIDE LOT LINES.
  - P.U. & D.E.—PUBLIC UTILITY AND DRAINAGE EASEMENT.
  - PARCELS "8A" AND "8B" ARE HEREBY DEDICATED TO TOOELE CITY AS OPEN SPACE ACCESS AND P.U.&D.E.
  - ... STREET MONUMENT (FOUND)
  - ... STREET MONUMENT (TO BE SET)
  - A LANDSCAPE AND IRRIGATION PLAN WILL BE REQUIRED FOR OPEN SPACE PARCELS FOR REVIEW WITH EACH PHASE'S FINAL PLAT APPLICATION.

- LEGEND**
- P.U.&D.E. (SEE SETBACK DETAIL)
  - ⊙ SECTION MONUMENT (FOUND)
  - ⊕ STREET MONUMENT (TO BE SET)
  - ⊙ EXISTING STREET MONUMENT
  - M-M MONUMENT TO MONUMENT
  - M-B MONUMENT TO BOUNDARY
  - #5 REBAR AND CAP (FOCUS ENG.) TO SET



**VICINITY MAP**  
N.T.S.

**Phase 8 Curve Table**

CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	29.50	89°55'21"	46.30	S12°45'43"W	41.69
C2	200.00	3°23'58"	11.87	S59°25'23"W	11.86
C3	200.00	4°43'25"	16.49	N60°05'06"E	16.48
C4	200.00	1°19'27"	4.62	S61°47'05"W	4.62
C5	140.00	6°44'03"	16.45	S65°48'50"W	16.45
C6	260.00	5°26'19"	24.68	S66°27'42"W	24.67
C7	260.00	6°53'13"	31.25	S65°44'15"W	31.23
C8	260.00	1°26'54"	6.57	S63°01'06"W	6.57
C9	200.00	6°53'13"	24.04	N65°44'15"E	24.03
C10	200.00	6°44'03"	23.51	N65°48'50"E	23.49
C11	260.00	4°43'25"	21.44	N60°05'06"E	21.43
C12	230.00	4°43'25"	18.96	S60°05'06"W	18.96
C13	170.00	6°44'03"	19.98	S65°48'50"W	19.97
C14	230.00	6°53'13"	27.65	N65°44'15"E	27.63

**Phase 8 Line Table**

LINE	DIRECTION	LENGTH
L1	N62°17'39"E	35.13
L2	N62°17'39"E	48.97
L3	S62°17'39"W	35.13



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**Phase 7 Curve Table**

CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	400.00	2°23'32"	16.70	N63°20'24"E	16.70
C2	400.00	3°27'57"	24.20	N63°52'37"E	24.19
C3	400.00	1°04'25"	7.49	N65°04'23"E	7.49
C4	400.00	1°11'07"	8.27	N65°01'02"E	8.27
C5	400.00	3°09'46"	22.08	S64°01'42"W	22.08
C6	400.00	1°58'40"	13.81	N63°26'09"E	13.81
C7	400.00	1°58'17"	13.76	N61°27'40"E	13.76
C8	400.00	4°44'02"	33.05	S60°04'48"W	33.04
C9	400.00	2°45'45"	19.29	N59°05'39"E	19.28
C10	29.50	90°05'16"	46.38	S77°14'35"E	41.75
C11	29.50	89°54'44"	46.29	S12°45'25"W	41.69
C12	340.00	4°44'02"	28.09	S60°04'48"W	28.08
C13	29.50	94°25'17"	48.61	N70°20'33"W	43.30
C14	29.50	85°34'43"	44.06	S19°39'27"W	40.08
C15	340.00	3°09'46"	18.77	S64°01'42"W	18.77
C16	460.00	3°27'54"	27.82	S63°52'38"W	27.81
C17	430.00	3°27'57"	26.01	N63°52'37"E	26.01
C18	370.00	3°09'46"	20.42	S64°01'42"W	20.42
C19	370.00	4°44'02"	30.57	S60°04'48"W	30.56

**Phase 7 Line Table**

LINE	DIRECTION	LENGTH
L1	S62°08'38"W	28.44
L2	N62°08'38"E	28.44
L3	S62°08'44"W	28.45

PREPARED FOR  
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www.focusutah.com

Scale: 1"=60  
Date: 05/06/19

Drawn: MM  
Job #: 18-083

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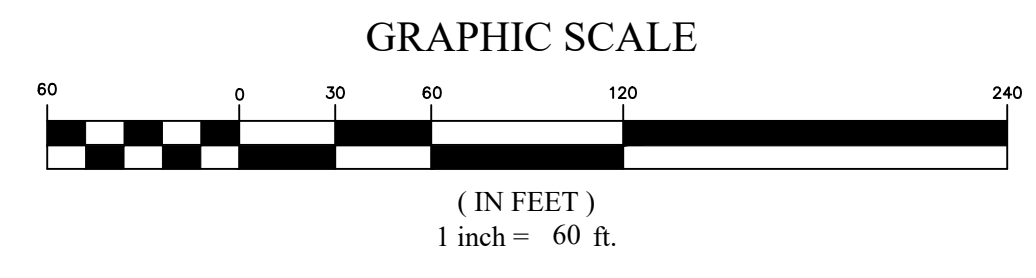


# PRELIMINARY PLAT

## NOT TO BE RECORDED

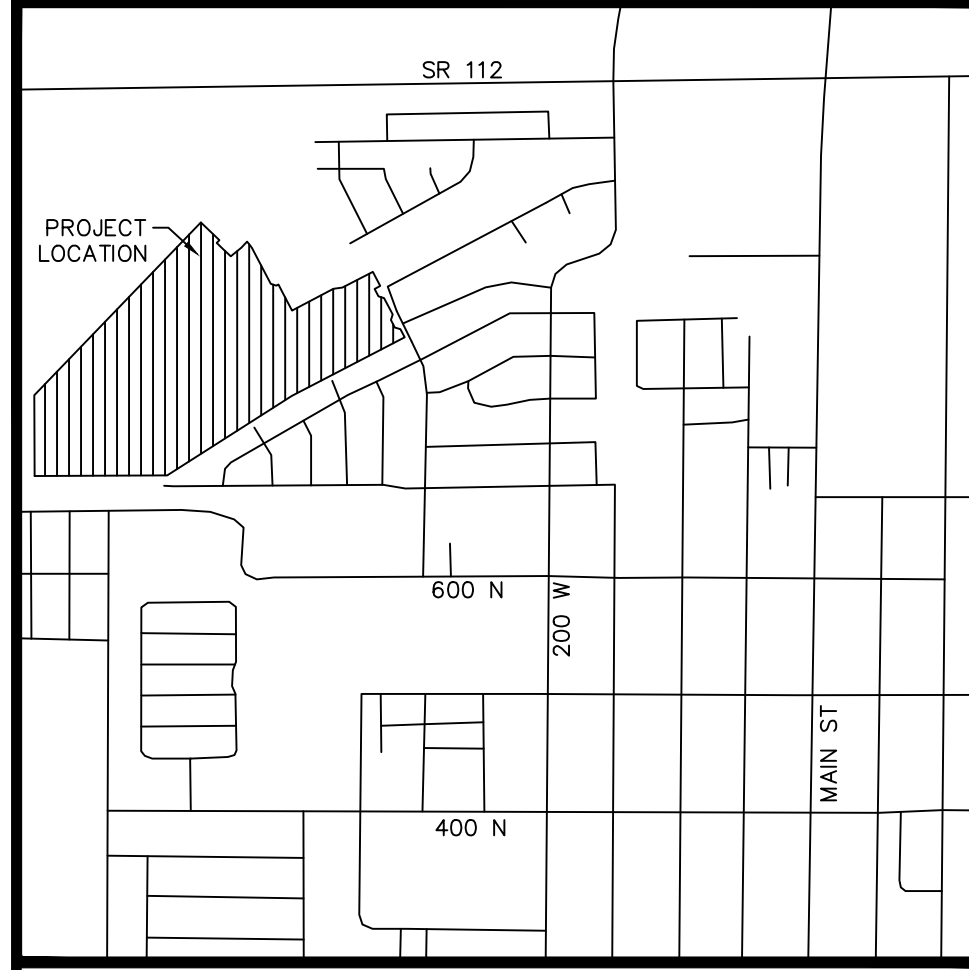
### COPPER CANYON P.U.D. - PHASE 7 -14

LOCATED IN THE NW1/4 OF SECTION 21 &  
NE1/4 OF SECTION 20, T3S, R4W, SLB&M  
TOOELE CITY, UTAH



- NOTES:**
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  - P.U. & D.E.—PUBLIC UTILITY AND DRAINAGE EASEMENT.
  - PARCELS "9A", "10A" AND "10B" ARE HEREBY DEDICATED TO TOOELE CITY AS OPEN SPACE ACCESS AND P.U.&D.E.
  - ... STREET MONUMENT (FOUND)
  - ... STREET MONUMENT (TO BE SET)
  - A LANDSCAPE AND IRRIGATION PLAN WILL BE REQUIRED FOR OPEN SPACE PARCELS FOR REVIEW WITH EACH PHASE'S FINAL PLAT APPLICATION.

- LEGEND**
- P.U.&D.E. (SEE SETBACK DETAIL)
  - ⊕ SECTION MONUMENT (FOUND)
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  - ⊙ EXISTING STREET MONUMENT
  - M-M MONUMENT TO MONUMENT
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**VICINITY MAP**  
N.T.S.

**Phase 10 Curve Table**

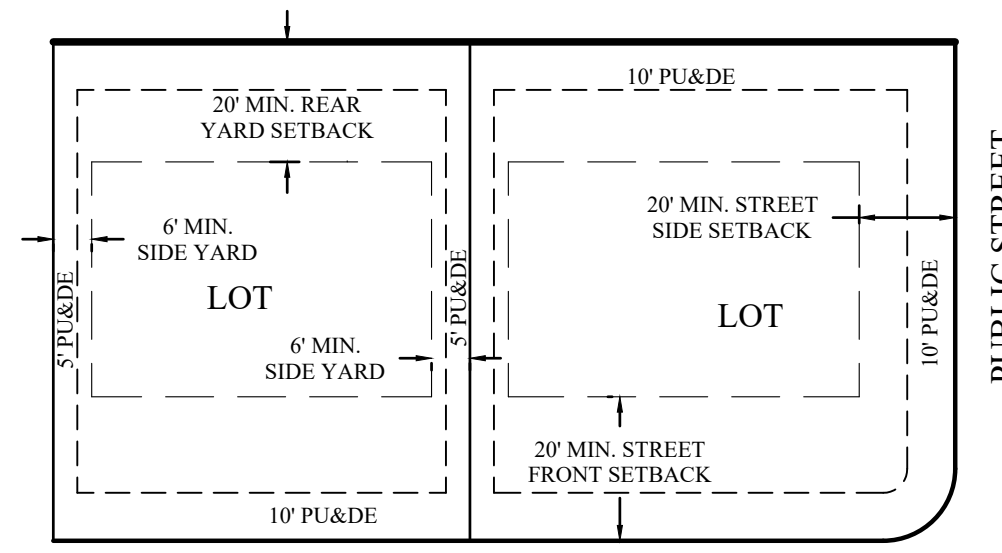
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C5	29.50	25°54'28"	13.34	S30°58'05"W	13.23
C6	70.00	31°11'57"	38.12	S33°36'50"W	37.65
C7	70.00	16°54'55"	20.67	N57°40'16"E	20.59
C8	70.00	31°13'25"	38.15	S81°44'26"W	37.68
C9	70.00	141°52'10"	173.33	S88°56'56"W	132.32
C10	70.00	34°35'30"	42.26	N65°21'07"W	41.62
C11	70.00	27°56'23"	34.13	N34°05'11"W	33.80
C12	29.50	24°56'33"	12.84	N32°35'16"W	12.74
C13	227.50	3°06'22"	12.33	N43°30'21"W	12.33
C14	227.50	12°51'37"	51.06	N38°37'43"W	50.96
C15	227.50	9°45'15"	38.73	N37°04'32"W	38.68
C16	29.50	90°17'41"	46.49	N77°20'45"W	41.83
C17	29.50	89°58'52"	46.33	S12°48'54"W	41.71
C18	167.50	13°52'46"	40.58	S39°08'18"E	40.48
C19	29.50	90°00'00"	46.34	N88°55'20"E	41.72
C26	197.50	13°52'46"	47.84	N39°08'18"W	47.73

**Phase 10 Line Table**

LINE	DIRECTION	LENGTH
L5	N71°59'09"W	70.00
L6	S01°04'40"E	42.43
L7	S46°04'40"E	93.03
L8	S69°53'01"W	70.00
L9	S46°04'40"E	9.49
L11	S32°11'55"E	135.07
L12	S32°11'55"E	62.71



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**PUBLIC STREET  
TYPICAL BUILDING SETBACKS**  
N.T.S.

**Phase 9 Line Table**

LINE	DIRECTION	LENGTH
L1	N62°26'49"E	17.03
L2	S43°54'35"W	58.32
L3	N57°48'20"E	48.48
L4	S62°26'49"W	76.53
L5	N50°10'20"W	82.31
L6	S20°47'53"W	70.00
L7	N87°42'48"E	43.34
L8	S20°10'57"E	70.00
L9	N28°00'59"W	71.53
L10	N28°00'59"W	67.36
L11	N28°00'59"W	65.29
L12	N28°00'59"W	65.21
L13	N28°00'59"W	67.29

**Phase 9 Curve Table**

CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	29.50	90°00'00"	46.34	S72°33'11"E	41.72
C2	200.00	3°00'41"	10.51	N29°03'32"W	10.51
C3	200.00	15°31'33"	54.20	N38°19'39"W	54.03
C4	200.00	18°32'14"	64.71	N36°49'18"W	64.43
C5	140.00	18°32'14"	45.29	N36°49'18"W	45.10
C6	29.50	90°00'00"	46.34	N17°26'49"E	41.72
C7	29.50	89°38'33"	46.15	S72°43'55"E	41.59
C8	430.00	2°19'10"	17.41	S29°04'13"E	17.41
C9	430.00	7°40'56"	57.65	N34°04'16"W	57.61
C10	430.00	14°45'08"	110.72	N35°17'12"W	110.41
C11	430.00	4°45'02"	35.65	N40°17'15"W	35.64
C12	29.50	86°34'21"	44.57	S00°37'24"W	40.45
C13	29.50	25°54'28"	13.34	S56°51'49"W	13.23
C14	70.00	20°37'59"	25.21	S59°30'04"W	25.07
C15	70.00	37°04'24"	45.29	S30°38'52"W	44.51
C16	70.00	139°01'10"	169.84	S00°18'28"W	131.14
C17	70.00	34°17'37"	41.90	S05°02'08"E	41.28
C18	70.00	47°01'10"	57.44	S45°41'32"E	55.85
C19	29.50	16°05'03"	8.28	S61°09'35"E	8.25
C20	29.50	29°21'16"	15.11	N54°31'29"W	14.95
C21	29.50	13°16'13"	6.83	S46°28'57"E	6.82
C22	370.00	11°56'13"	77.09	N33°52'45"W	76.95
C23	370.00	11°46'55"	76.08	S33°57'24"E	75.95
C24	370.00	0°09'18"	1.00	S27°59'17"E	1.00
C25	29.50	87°40'22"	45.14	N15°55'33"E	40.86
C26	2530.00	1°37'34"	71.81	S58°56'57"W	71.81
C27	2530.00	1°57'39"	86.58	S58°46'55"W	86.58
C28	2470.00	0°38'49"	27.89	N58°07'30"E	27.89
C29	2470.00	1°20'10"	57.60	N59°06'59"E	57.59
C30	2470.00	4°38'44"	202.27	S60°07'27"W	202.21
C31	2470.00	1°20'10"	57.60	N60°27'09"E	57.59
C32	2470.00	1°20'08"	57.58	N61°47'18"E	57.58
C33	1700.00	18°32'14"	55.00	N36°49'18"W	54.76
C34	2500.00	1°22'33"	60.04	S61°43'32"W	60.03
C35	2500.00	1°21'16"	59.10	S61°44'53"W	59.10
C36	2500.00	1°18'32"	57.11	S60°25'00"W	57.11
C37	2500.00	4°38'44"	202.20	S60°07'27"W	202.64
C38	400.00	22°46'21"	138.98	N39°17'49"W	137.94
C39	2500.00	1°57'39"	85.55	N58°46'55"E	85.55

PREPARED FOR  
**BACH HOMES**

11650 SOUTH STATE STREET SUITE 300  
DRAPER, UTAH 84020  
PH: 801-727-9500

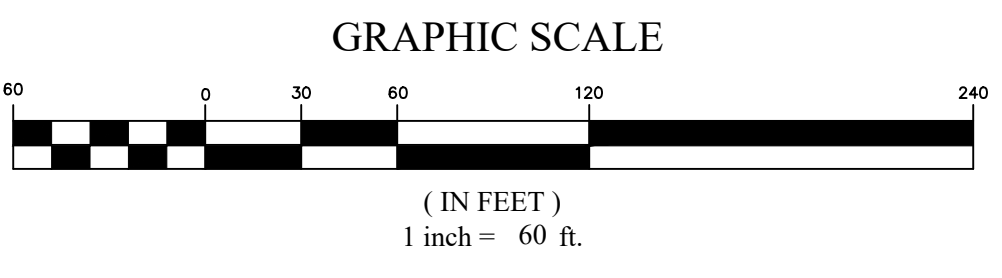
PREPARED BY  
**FOCUS**  
ENGINEERING AND SURVEYING, LLC  
12 WEST CENTER STREET  
MIDVALE, UTAH 84047 P.E. (801) 332-0075  
www.focusutah.com

Scale: 1"=60'    Drawn: MM  
Date: 05/06/19    Job #: 18-083

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# PRELIMINARY PLAT

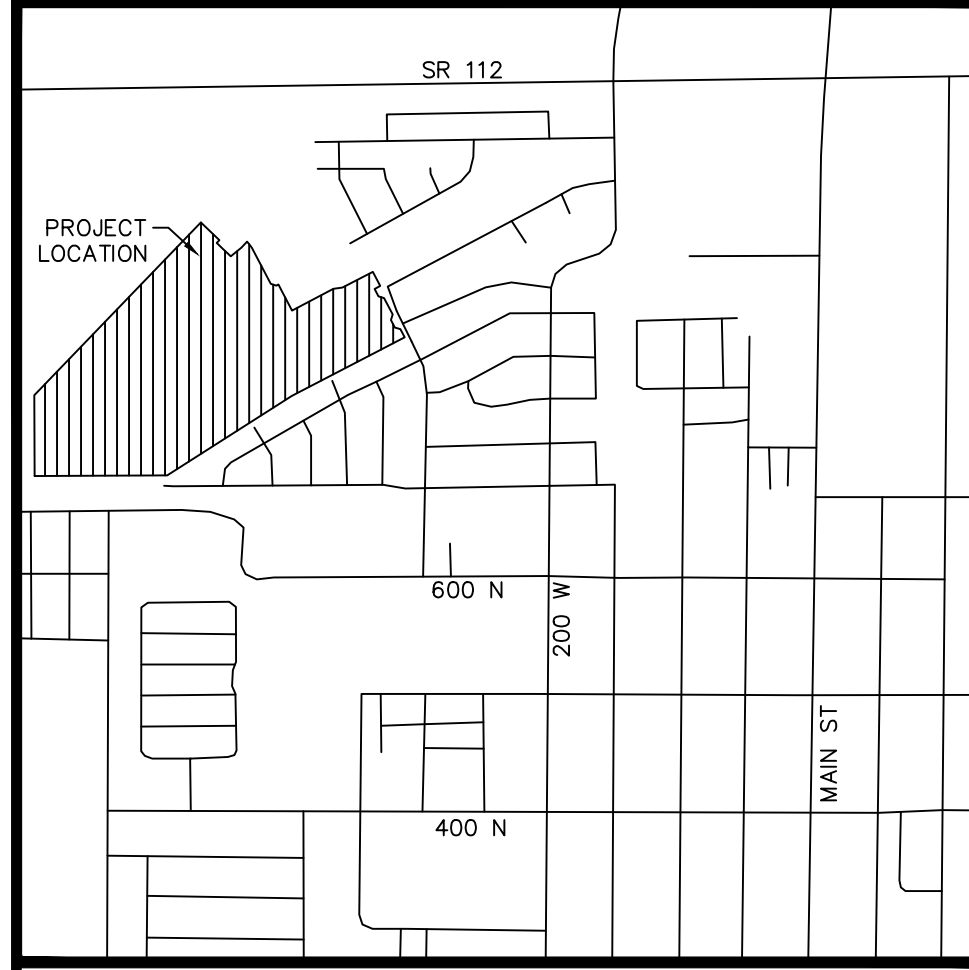
NOT TO BE RECORDED  
 COPPER CANYON P.U.D. - PHASE 7-14  
 LOCATED IN THE NW1/4 OF SECTION 21 &  
 NE1/4 OF SECTION 20, T3S, R4W, SLB&M  
 TOOELE CITY, UTAH



- NOTES:**
- #5 X 24" REBAR & CAP (FOCUS ENG) TO BE SET AT ALL REAR LOT CORNERS. NAILS OR PLUGS TO BE SET IN TOP BACK OF CURB AT EXTENSION OF SIDE LOT LINES.
  - P.U. & D.E.—PUBLIC UTILITY AND DRAINAGE EASEMENT.
  - PARCELS "A" AND "B" ARE HEREBY DEDICATED TO TOOELE CITY AS OPEN SPACE ACCESS AND P.U.&D.E.
  - ... STREET MONUMENT (FOUND)
  - ✦ ... STREET MONUMENT (TO BE SET)

- LEGEND**
- P.U.&D.E. (SEE SETBACK DETAILS)
  - ⊙ SECTION MONUMENT (FOUND)
  - ✦ STREET MONUMENT (TO BE SET)
  - ⊙ EXISTING STREET MONUMENT
  - M-M MONUMENT TO MONUMENT
  - M-B MONUMENT TO BOUNDARY
  - #5 REBAR AND CAP (FOCUS ENG.) TO SET

**SEWER EASEMENT NOTE:**  
 THE GENERAL PURPOSE OF THE SEWER TRUNK LINE EASEMENT ("EASEMENT") SHOWN ON THIS PRELIMINARY PLAN IS TO PROVIDE PROTECTION TO THE TOOELE CITY CORPORATION SEWER TRUNK LINE ("LINE") LOCATED WITHIN OR ADJACENT TO THE EASEMENT AND TO PROVIDE ACCESS TO TOOELE CITY CORPORATION TO MAINTAIN, REPAIR, AND REPLACE THE LINE AND TO MAINTAIN THE EASEMENT AREA, INCLUDING WITH AN ALL-WEATHER OR HARD SURFACE. OWNERS OF THE UNDERLYING FEE ARE PROHIBITED FROM BUILDING, PLACING, OR PLANTING ANY BUILDING, PLAY EQUIPMENT, SHED, LANDSCAPING, TREE, IRRIGATION LINE, FENCE, OR OTHER STRUCTURE OR ITEM WITHIN OR UPON THE EASEMENT AREA, AND FROM PLACING, PARKING, OR STORING ANY VEHICLE, TRAILER, OR OTHER ITEM WITHIN OR UPON THE EASEMENT AREA. STRUCTURES, LANDSCAPING, AND OTHER ITEMS MAY BE PLACED ON SUBDIVIDED LOTS UP TO BUT NOT ACROSS THE EASEMENT LINE. BOTH TOOELE CITY AND LOT OWNERS HAVE THE RIGHT TO FENCE ALONG THE EASEMENT LINE. ANY FENCING SHALL BE INSIDE OF THE COMMON EASEMENT LINE OF THE PARTY INSTALLING THE FENCING. THE REAL PROPERTY CONTAINED WITHIN THE EASEMENT AREA IS PART OF THE FEE OWNERSHIP OF EACH LOT AND SHALL BE INCLUDED IN THE LOT AREA FOR PURPOSES OF CONFORMING TO TOOELE CITY CODE REQUIREMENTS, SUCH AS REAR YARD SETBACKS AND LOT COVERAGE LIMITATIONS. THE EASEMENT AND THIS NOTE SHALL BE SHOWN ON ALL FINAL PLATS COMPRISING PORTIONS OF THIS PRELIMINARY PLAN BUT SHALL NOT APPLY OR BE A PRECEDENT FOR REAL PROPERTY LOCATED OUTSIDE THIS PRELIMINARY PLAN.



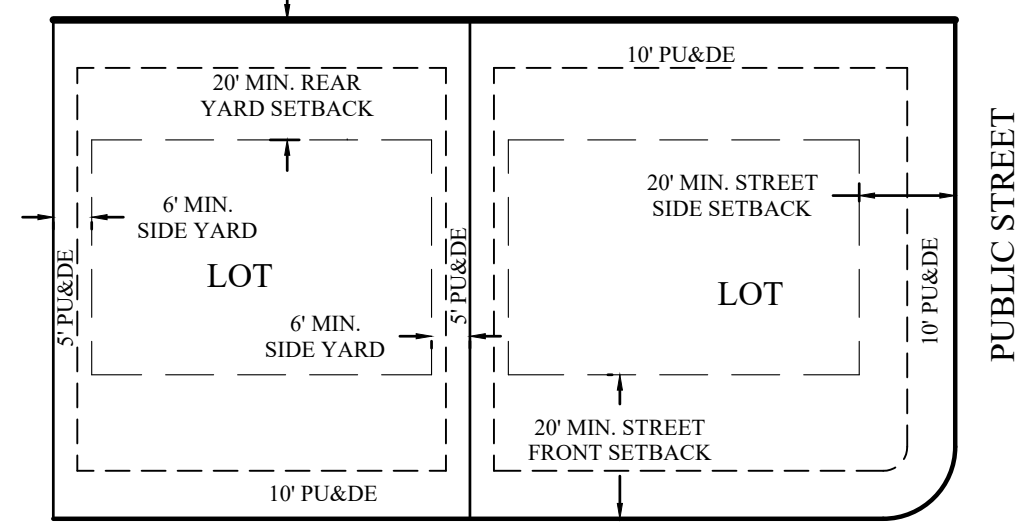
**VICINITY MAP**  
 N.T.S.

**Phase 11 Curve Table**

CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	970.00	3°08'54"	53.30	S59°17'51"W	53.29
C2	970.00	3°29'35"	59.14	S62°37'05"W	59.13
C3	970.00	8°03'11"	136.34	N61°44'59"E	136.22
C4	970.00	1°24'42"	23.90	S65°04'14"W	23.90
C5	29.50	90°00'00"	46.34	S69°13'25"E	41.72
C6	260.00	4°11'13"	19.00	N22°07'49"W	19.00
C7	29.50	89°24'49"	46.04	N20°28'59"E	41.51
C8	1030.00	2°10'55"	39.23	N64°05'56"E	39.22
C9	1030.00	7°28'00"	134.23	N61°27'24"E	134.13
C10	1030.00	3°11'40"	57.43	N61°24'39"E	57.42
C11	1030.00	2°05'25"	37.57	N58°46'06"E	37.57
C12	1000.00	8°03'11"	140.55	N61°44'59"E	140.44

**Phase 11 Line Table**

LINE	DIRECTION	LENGTH
L1	N24°13'25"W	47.59



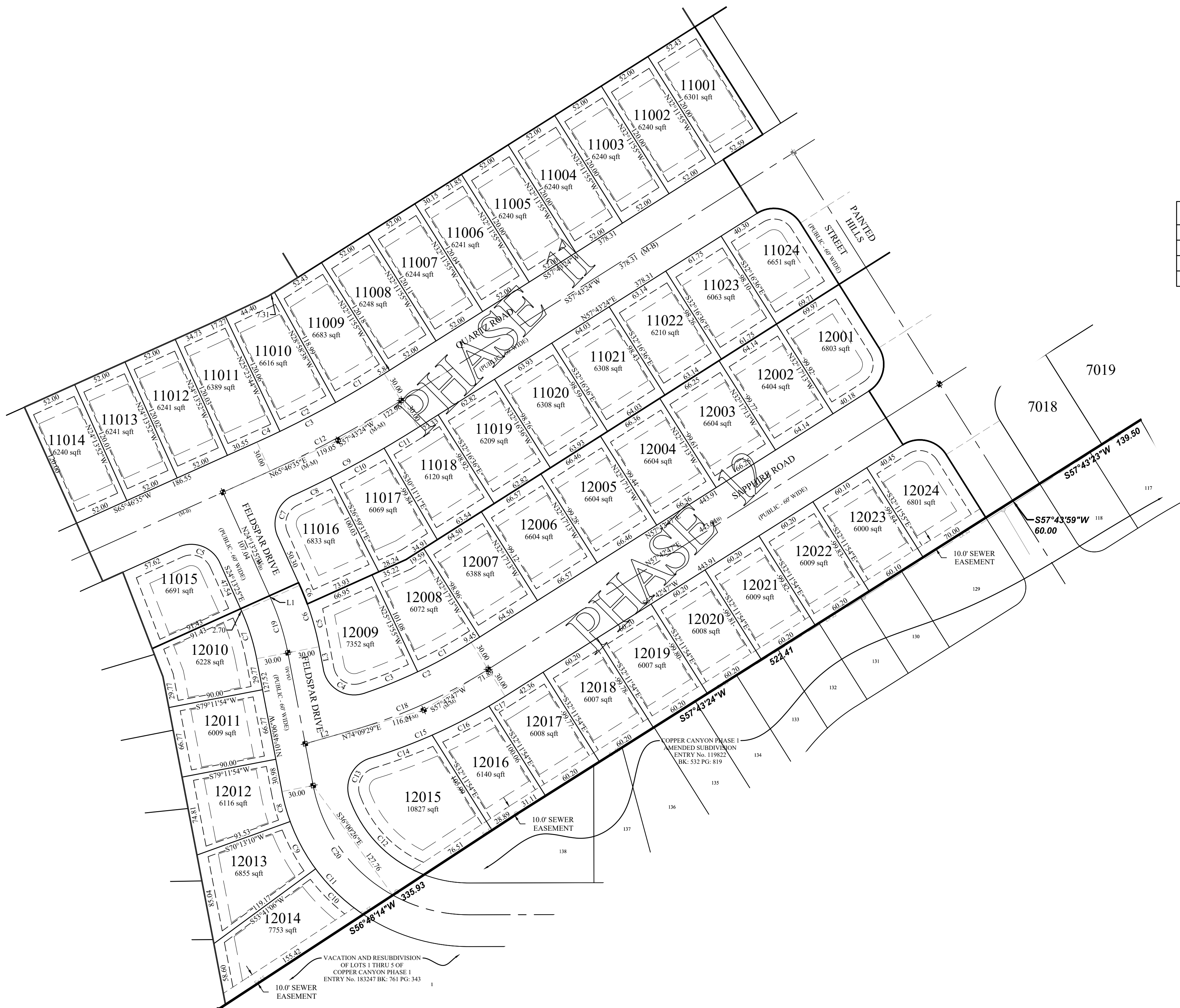
**TYPICAL BUILDING SETBACKS**  
 N.T.S.

**Phase 12 Line Table**

LINE	DIRECTION	LENGTH
L1	N24°13'25"W	2.70
L2	S74°09'29"W	44.32
L3	N10°48'06"W	21.86

**Phase 12 Curve Table**

CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	467.50	7°03'18"	57.56	S61°14'26"W	57.53
C2	467.50	13°44'07"	112.07	N64°34'51"E	111.80
C3	467.50	6°40'49"	54.51	S68°06'30"W	54.48
C4	29.50	97°45'00"	50.33	N59°40'36"W	44.44
C5	260.00	9°14'06"	41.91	N15°25'09"W	41.86
C6	260.00	13°25'19"	60.91	N17°30'46"W	60.77
C7	200.00	13°25'19"	46.85	S17°30'46"E	46.74
C8	180.00	9°20'40"	29.36	S15°28'26"E	29.32
C9	180.00	16°10'08"	50.80	S28°13'50"E	50.63
C10	180.00	19°55'31"	62.60	S46°16'39"E	62.28
C11	180.00	45°26'19"	142.75	S33°31'15"E	139.04
C12	120.00	49°23'54"	103.46	S44°27'09"E	100.29
C13	29.50	92°45'02"	47.75	S26°37'19"W	42.71
C14	527.50	6°47'59"	62.60	S69°35'50"W	62.57
C15	527.50	15°17'03"	140.72	N65°21'19"E	140.30
C16	527.50	6°32'48"	60.27	S62°55'27"W	60.24
C17	527.50	1°56'16"	17.84	N58°40'55"E	17.84
C18	497.50	16°26'42"	142.79	N65°56'08"E	142.30
C19	230.00	13°25'19"	53.88	N17°30'46"W	53.76
C20	150.00	50°24'40"	131.98	S36°00'26"E	127.76



PREPARED FOR  
**BACH HOMES**  
 11650 SOUTH STATE STREET SUITE 300  
 DRAPER, UTAH 84020  
 PH: 801-727-9500

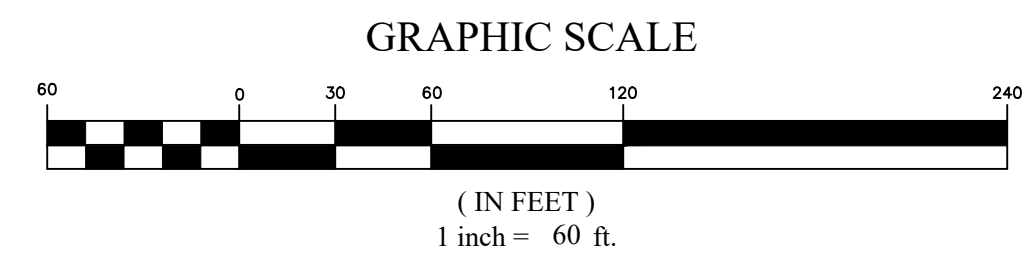
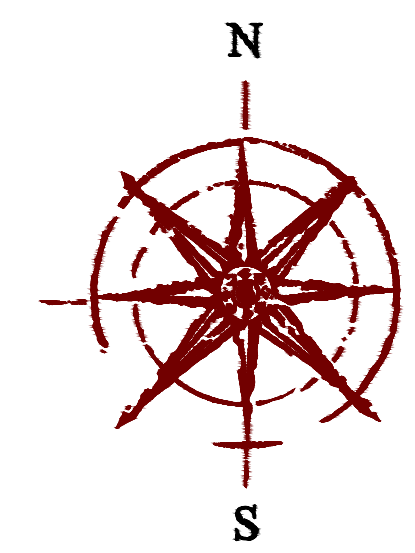
PREPARED BY  
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Scale: 1"=60'      Drawn: MM  
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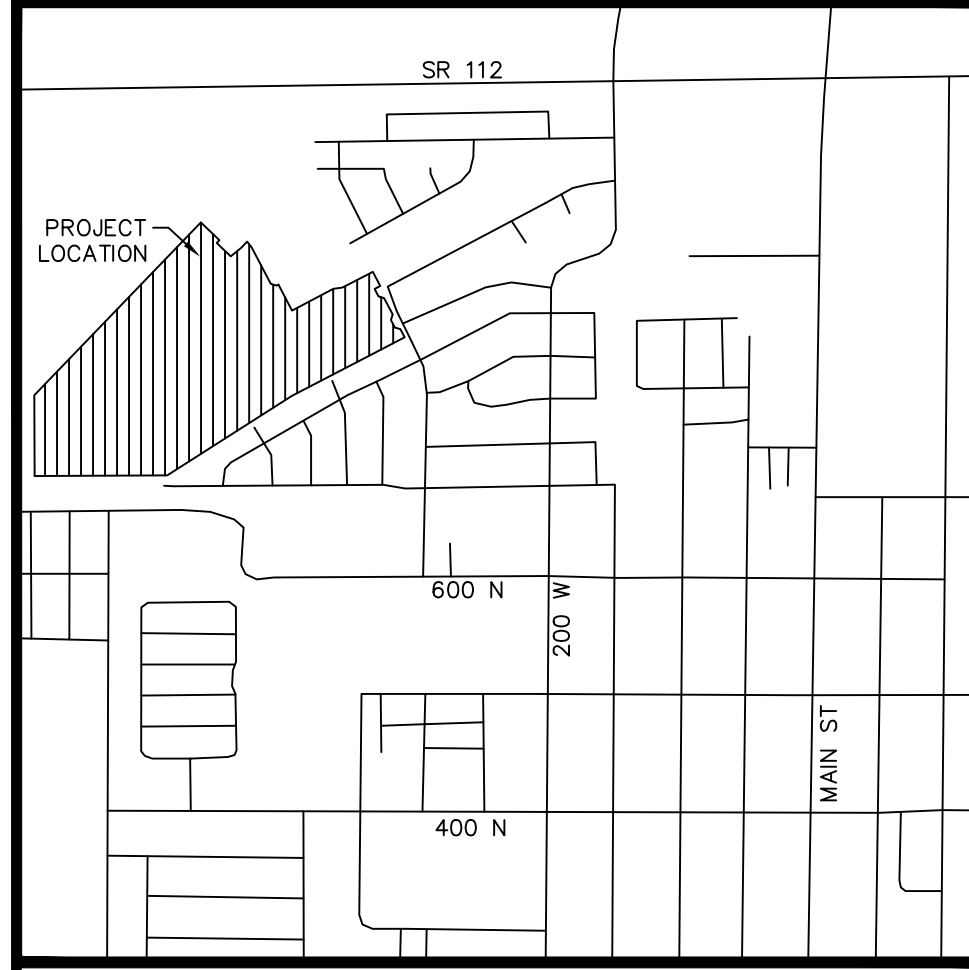
# PRELIMINARY PLAT

NOT TO BE RECORDED  
 COPPER CANYON P.U.D. - PHASE 7 -14  
 LOCATED IN THE NW1/4 OF SECTION 21 &  
 NE1/4 OF SECTION 20, T3S, R4W, SLB&M  
 TOOELE CITY, UTAH



- NOTES:**
- #5 X 24" REBAR & CAP (FOCUS ENG) TO BE SET AT ALL REAR LOT CORNERS. NAILS OR PLUGS TO BE SET IN TOP BACK OF CURB AT EXTENSION OF SIDE LOT LINES.
  - P.U. & D.E.—PUBLIC UTILITY AND DRAINAGE EASEMENT.
  - PARCELS "13A", "14A" AND "13B" ARE HEREBY DEDICATED TO TOOELE CITY AS OPEN SPACE ACCESS AND P.U.&D.E.
  - ... STREET MONUMENT (FOUND)
  - ... STREET MONUMENT (TO BE SET)
  - A LANDSCAPE AND IRRIGATION PLAN WILL BE REQUIRED FOR OPEN SPACE PARCELS FOR REVIEW WITH EACH PHASE'S FINAL PLAT APPLICATION.

- LEGEND**
- P.U.&D.E. (SEE SETBACK DETAIL)
  - SECTION MONUMENT (FOUND)
  - STREET MONUMENT (TO BE SET)
  - EXISTING STREET MONUMENT
  - M-M MONUMENT TO MONUMENT
  - M-B MONUMENT TO BOUNDARY
  - 5 REBAR AND CAP (FOCUS ENG.) TO BE SET



**VICINITY MAP**  
N.T.S.

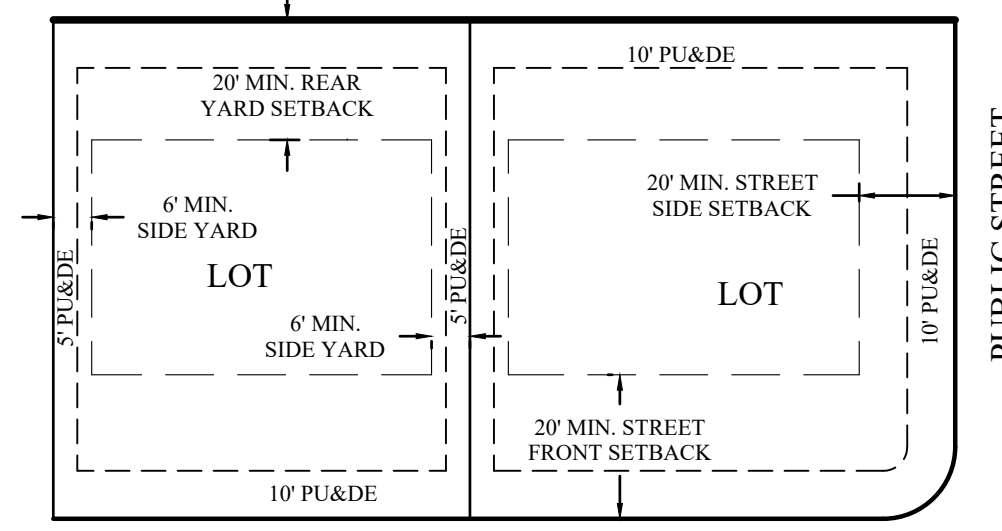
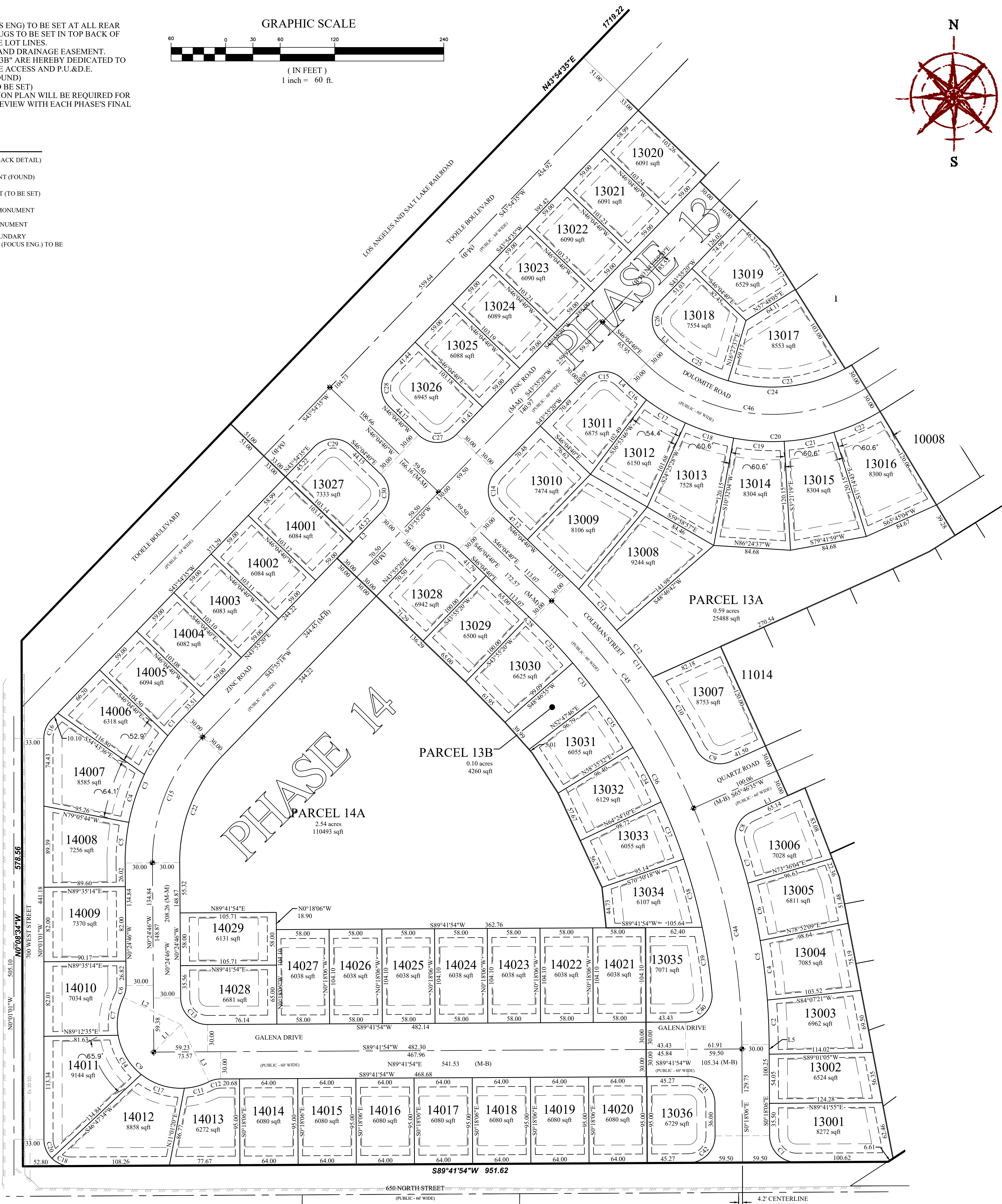
**Phase 14 Curve Table**

CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	227.50	6°26'02"	25.55	N40°42'19"E	25.53
C2	227.50	12°34'54"	49.96	N31°11'51"E	49.86
C3	227.50	44°20'05"	176.04	S21°45'17"W	171.68
C4	227.50	13°59'49"	55.58	S17°54'29"W	55.44
C5	227.50	11°19'21"	44.96	N05°14'55"E	44.88
C6	29.50	25°54'28"	13.34	N12°32'29"E	13.23
C7	70.00	35°05'40"	42.88	N07°56'53"E	42.21
C9	70.00	141°42'17"	173.13	S45°21'26"E	132.25
C11	70.00	23°01'28"	28.13	S75°18'10"W	27.94
C12	29.50	25°54'28"	13.34	S76°44'40"W	13.23
C13	29.50	89°53'20"	46.28	N45°21'26"W	41.68
C14	70.00	41°50'30"	51.12	S30°31'13"E	49.99
C15	197.50	44°20'05"	152.82	S21°45'17"W	149.04
C16	29.50	43°55'36"	22.62	N21°56'47"E	22.07
C17	70.00	41°44'39"	51.00	N72°18'47"W	49.88
C18	29.50	45°08'33"	23.24	S67°43'50"E	22.65
C20	29.50	45°08'33"	23.24	N22°35'17"W	22.65
C22	167.50	44°20'05"	129.61	S21°45'17"W	126.40

**Phase 14 Line Table**

LINE	DIRECTION	LENGTH
L1	N44°38'34"E	42.39
L2	N64°39'17"W	70.00
L3	N26°12'34"W	70.00

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**TYPICAL BUILDING SETBACKS**  
N.T.S.

**Phase 13 Line Table**

LINE	DIRECTION	LENGTH
L1	S65°46'35"W	44.38
L2	S43°55'20"W	70.50
L3	N46°04'40"W	6.45
L4	S46°04'40"E	6.45
L5	S00°18'06"E	10.70

**Phase 13 Curve Table**

CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	29.50	89°59'57"	46.34	S45°18'04"E	41.72
C2	713.00	3°56'07"	48.97	S02°16'10"E	48.96
C4	713.00	5°17'49"	65.92	N06°53'08"W	65.89
C5	713.00	17°56'47"	223.33	N09°16'29"W	222.42
C6	713.00	5°11'49"	64.67	N12°07'57"W	64.65
C7	713.00	3°31'01"	43.77	N16°29'22"W	43.76
C8	29.50	84°01'27"	43.26	N23°45'51"E	39.49
C9	29.50	86°46'50"	44.68	N70°50'00"W	40.53
C10	713.00	7°27'55"	92.90	N31°10'33"W	92.83
C11	713.00	18°38'05"	231.89	N36°45'38"W	230.87
C12	713.00	5°12'29"	64.81	S37°30'45"E	64.79
C13	713.00	4°57'06"	61.62	N42°35'32"W	61.60
C14	29.50	90°00'00"	46.34	N01°04'40"E	41.72
C15	29.50	90°00'00"	46.34	N88°55'20"E	41.72
C16	230.00	7°01'34"	28.20	S49°35'27"E	28.19
C17	230.00	12°28'18"	50.06	S59°20'23"E	49.97
C18	230.00	13°53'24"	55.76	S72°31'14"E	55.62
C19	230.00	13°53'24"	55.76	S86°24'37"E	55.62
C20	230.00	75°03'26"	301.30	S83°36'23"E	280.21
C21	230.00	13°53'24"	55.76	N79°41'59"E	55.62
C22	230.00	13°53'24"	55.76	N65°48'36"E	55.62
C23	170.00	44°44'54"	132.77	S84°05'10"W	129.42
C24	170.00	74°58'03"	222.43	S83°33'42"E	206.90
C25	170.00	27°27'43"	81.48	N59°48'32"W	80.70
C26	29.50	90°00'00"	46.34	N01°04'40"W	41.72
C27	29.50	90°00'00"	46.34	S88°55'20"W	41.72
C28	29.50	89°59'15"	46.33	N01°05'03"W	41.71
C29	29.50	90°00'45"	46.34	N88°54'57"E	41.72
C30	29.50	90°00'00"	46.34	S01°04'40"E	41.72
C31	29.50	90°00'00"	46.34	N88°55'20"E	41.72
C32	653.00	5°37'41"	64.14	S43°15'50"E	64.12
C33	653.00	4°06'32"	46.83	N38°23'43"W	46.82
C34	653.00	5°55'18"	67.49	N27°27'32"E	67.46
C35	653.00	5°55'16"	67.48	N33°22'49"W	67.45
C36	653.00	40°44'21"	464.30	N25°42'30"W	454.58
C37	653.00	5°56'06"	67.64	S21°31'50"E	67.61
C38	653.00	6°50'12"	77.92	S15°08'42"E	77.87
C39	653.00	6°23'16"	72.80	S08°31'57"E	72.76
C40	29.50	95°02'14"	48.93	S42°10'47"W	43.51
C41	29.50	90°00'00"	46.34	S45°18'06"E	41.72
C42	29.50	90°00'00"	46.34	S44°41'54"W	41.72
C44	683.00	22°25'43"	267.36	S11°30'58"E	265.66
C45	683.00	23°29'51"	278.32	S34°24'15"E	276.40
C46	200.00	75°03'26"	262.00	S83°36'23"E	243.66

PREPARED BY  
**FOCUS**  
 ENGINEERING AND SURVEYING, LLC  
 11650 SOUTH STATE STREET SUITE 300  
 DRAPER, UTAH 84020  
 PH: 801-727-9500

Scale: 1"=60' Drawn: MM  
 Date: 05/06/19 Job #: 18-083

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**STAFF REPORT**

May 13, 2019

**To:** Tooele City Planning Commission  
Business Date: May 22, 2019

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re: Strawberry Water – Minor Subdivision Request**

Application No.: P18-869  
Applicant: Brian Bird, representing Invictus Title  
Project Location: 2371 North 400 East  
Zoning: GC General Commercial Zone  
Acreage: 1.56 Acres (Approximately 67,950 ft<sup>2</sup>)  
Request: Request for approval of a Minor Subdivision in the GC General Commercial zone regarding splitting one commercial parcel into two lots.

**BACKGROUND**

This application is a request for approval of a Minor Subdivision for approximately 1.56 acres located at approximately 2371 North 400 East. The property is currently zoned GC General Commercial. The applicant is requesting that a Minor Subdivision be approved to allow the subdivision of the parcel, currently occupied by Popeyes Chicken, into two lots.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the Commercial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification.. The purpose of the GC General Commercial zone is intended and provided to encourage the establishment of a wide variety of retail commercial uses, service commercial activities, entertainment and other services and activities meeting the needs of the residents of the City. The General Commercial District (GC) allows and encourages that retail and service businesses and related uses be grouped together into commercial centers. The uses and activities allowed in this District should enhance employment opportunities, provide for commercial activities and services required by residents of the city and surrounding areas, encourage the efficient use of land, enhance property values and add to the overall strength of the city's tax base. The GC General Commercial zoning designation is identified by the General Plan as a preferred zoning classification for the Commercial land use designation. Properties to the north, south and west are zoned GC General Commercial. Properties to the east are zoned LI Light Industrial. Predominant uses in the area are commercial and medical office. Mapping pertinent to the subject request can be found in Exhibit "A" to this report.

*Subdivision Layout.* The subdivision proposed to divide an existing 1.56 acre parcel currently occupied by Popeye's Chicken into two lots. Popeye's will occupy Lot 1A and will maintain .849 acres. Lot 1B will be .714 acres. The new lot will remain vacant for future development. The GC General Commercial zone does not require a lot size minimum for existing GC zoning districts. There is a requirement for a minimum lot width of 80 feet and each lot does comply with this minimum width requirement.

There will a 26 foot ingress and egress easement in favor of lot 1A to guarantee future access along with

public utility and drainage easements along the perimeter of the subdivision. .

*Criteria For Approval.* The procedure for approval or denial of a Minor Subdivision 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 Minor Subdivision submission and has issued a recommendation for approval with the following comments:

1. The subdivision as proposed meets all requirements for lot size and lot width as required by the GC General Commercial zoning district.

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

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Minor Subdivision by Brian Bird, representing Invictus Title, application number P18-869, 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 requirements for lot size and lot width as required by the GC General Commercial zoning district.

## **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the

City Council for the Strawberry Water Minor Subdivision Request by Brian Bird, representing Invictus Title for the purpose of creating two lots at 2371 N 400 E, application number P18-869, based on the findings and subject to the conditions listed in the Staff Report dated May 13, 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 Strawberry Water Minor Subdivision Request by Brian Bird, representing Invictus Title for the purpose of creating two lots at 2371 N 400 E, application number P18-869, based on the following findings:”

1. List any findings...

**EXHIBIT A**

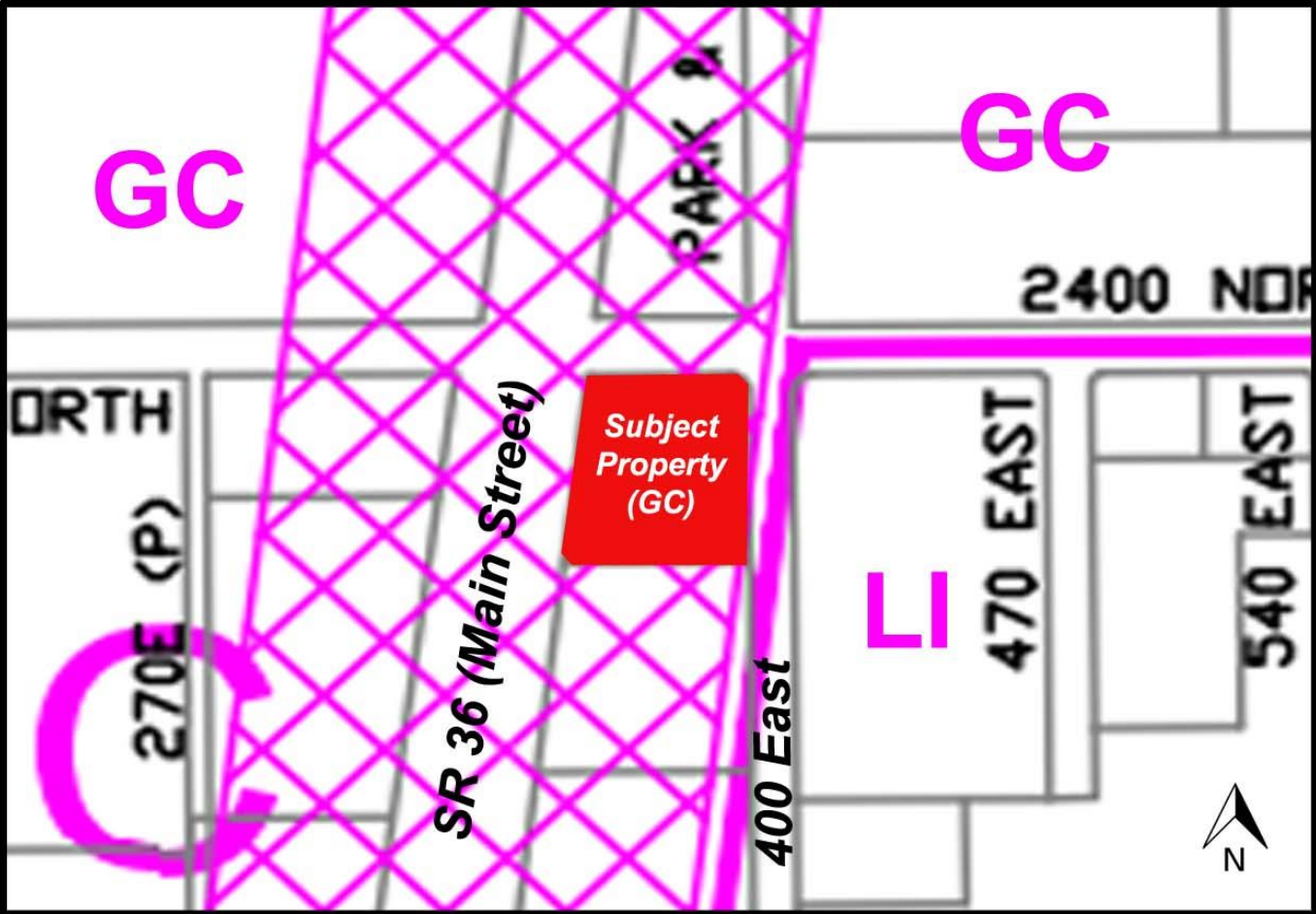
**MAPPING PERTINENT TO THE STRAWBERRY WATER MINOR SUBDIVISION**

***Strawberry Water Minor Subdivision***



***Aerial View***

Strawberry Water Minor Subdivision



Current Zoning

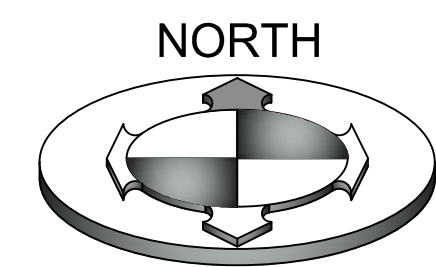


**EXHIBIT B**

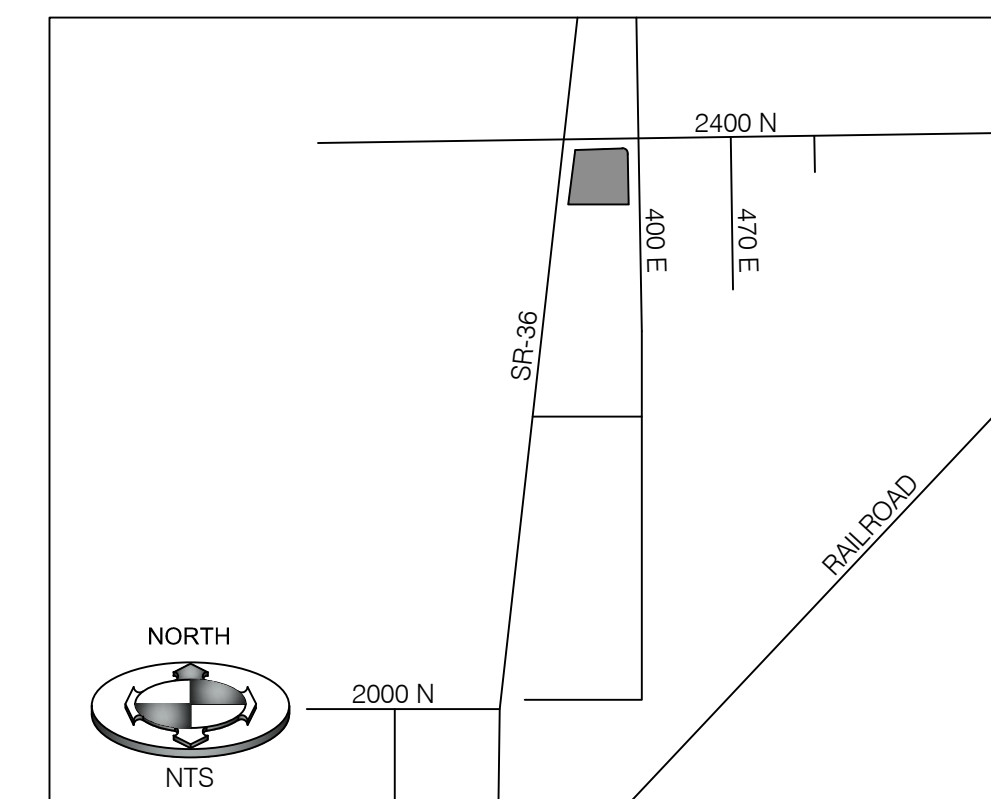
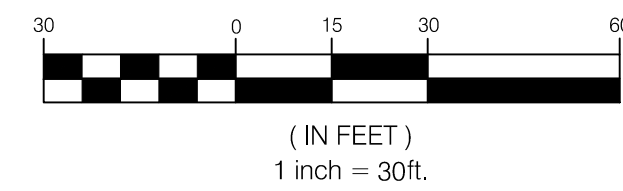
**PROPOSED DEVELOPMENT PLANS**

# STRAWBERRY WATER MINOR SUBDIVISION #1 AMENDED

AMENDING LOT 1, STAWBERRY WATER MINOR SUBDIVISION #1  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 9,  
TOWNSHIP 3 SOUTH, RANGE 4 WEST,  
SALT LAKE BASE AND MERIDIAN  
TOOELE CITY, TOOELE COUNTY, UTAH



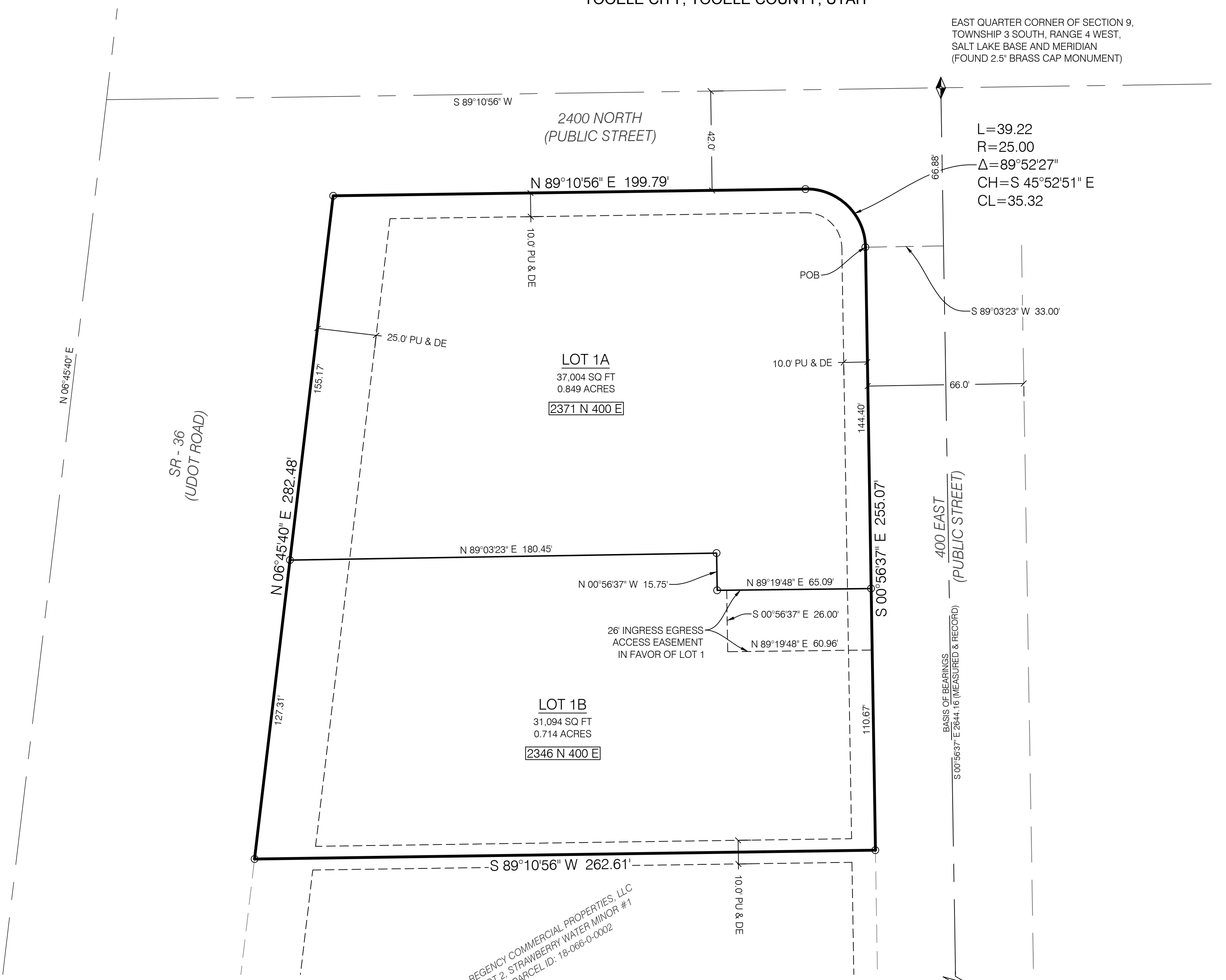
GRAPHIC SCALE



VICINITY MAP

### LEGEND

- SECTION CORNER (BRASS CAP MONUMENT)
  - BOUNDARY CORNER (SET 3/8 REBAR AND CAP OR AS NOTED ON PLAT) 'STAMPED BENCHMARK ENG.'
  - BOUNDARY LINE
  - ADJACENT PROPERTY
  - STREET MONUMENT LINE EXISTING
  - EASEMENT PU & DE
  - LOT LINE
  - SECTION LINE
- PU & DE = PUBLIC UTILITY & DRAINAGE EASEMENT



**SURVEYOR'S CERTIFICATE**  
I, BRIAN A. LINAM DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 7240531 AS PRESCRIBED UNDER THE 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:

## STRAWBERRY WATER MINOR SUBDIVISION #1 AMENDED AMENDING LOT 1, STRAWBERRY WATER MINOR SUBDIVISION #1

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

### BOUNDARY DESCRIPTION

LOT 1, STRAWBERRY WATER MINOR SUBDIVISION #1, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF TOOELE COUNTY, STATE OF UTAH.

CONTAINS 68,100 SQ FT OR 1.563 ACRES, MORE OR LESS  
2 LOTS



### OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNER(S) OF THE ABOVE TRACT OF LAND ABOVE HAVING CAUSED SAME TO BE DIVIDED INTO LOTS TO BE HEREAFTER KNOWN AS:

## STRAWBERRY WATER MINOR SUBDIVISION #1 AMENDED AMENDING LOT 1, STRAWBERRY WATER MINOR SUBDIVISION #1

THERE ARE NO STREETS, EASEMENTS OR OTHER PROPERTY REFLECTED ON THIS PLAT TO BE DEDICATED TO THE PUBLIC.

IN WITNESS WHEREOF, I/WE, HAVE HEREUNTO SET MY/OUR HAND(S) THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

### ACKNOWLEDGMENT

STATE OF UTAH }  
County of \_\_\_\_\_ } s.s.  
ON THIS \_\_\_ DAY OF \_\_\_\_\_, IN THE YEAR 2019, BEFORE ME \_\_\_\_\_, A NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_ THE \_\_\_\_\_ OF NUJAC UT, LLC, A UTAH LIMITED LIABILITY COMPANY, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO IN THE FOREGOING OWNERS DEDICATION AND CONSENT REGARDING STRAWBERRY WATER MINOR SUBDIVISION #1 AMENDED AND WAS SIGNED BY HIM/HER ON BEHALF OF SAID NUJAC UT, LLC AND ACKNOWLEDGED THAT HE/SHE/THEY EXECUTED THE SAME.

MY COMMISSION EXPIRES: \_\_\_\_\_ (DATE) COMMISSION NUMBER: \_\_\_\_\_

PRINT NAME \_\_\_\_\_ (SIGNED) A NOTARY PUBLIC COMMISSIONED IN UTAH

### ROCKY MOUNTAIN POWER COMPANY

UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH STRUCTURES, TREES, AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNER'S EXPENSE OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURE BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE.

APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

### DOMINION ENERGY COMPANY

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 1-800-366-8532

APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

### GENERAL NOTES FROM ORIGINAL PLAT:

EACH LOT SHALL BE RESPONSIBLE TO PROVIDE ON-SITE DETENTION IN ACCORDANCE WITH TOOELE CITY CODE AND POLICY AT THE TIME DEVELOPMENT OCCURS.

ALL ACCESS SHALL BE FROM 400 EAST, NO ACCESS FROM 2400 NORTH OR SR-36.

## STRAWBERRY WATER MINOR SUBDIVISION #1 AMENDED AMENDING LOT 1, STRAWBERRY WATER MINOR SUBDIVISION #1

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 9,  
TOWNSHIP 3 SOUTH, RANGE 4 WEST,  
SALT LAKE BASE AND MERIDIAN  
TOOELE CITY, TOOELE COUNTY, UTAH

SHEET 1 OF 1

<p><b>BENCHMARK ENGINEERING &amp; LAND SURVEYING</b> 9138 SOUTH STATE STREET SUITE # 100 SANDY, UTAH 84070 (801) 542-7192 www.benchmarkcivil.com</p>	<p>COUNTY HEALTH DEPARTMENT</p> <p>APPROVED THIS ___ DAY OF _____ A.D., 20__ BY THE TOOELE HEALTH DEPARTMENT.</p> <p>TOOELE COUNTY HEALTH DEPARTMENT</p>	<p>COUNTY TREASURER</p> <p>APPROVED AS TO FORM THIS ___ DAY OF _____, A.D., 20__ BY THE TOOELE COUNTY TREASURER.</p> <p>TOOELE COUNTY TREASURER</p>	<p>CITY ATTORNEY</p> <p>APPROVED AS TO FORM THIS ___ DAY OF _____, A.D., 20__</p> <p>TOOELE CITY ATTORNEY</p>	<p>CITY ENGINEER</p> <p>APPROVED AS TO FORM THIS ___ DAY OF _____, A.D., 20__</p> <p>CITY ENGINEER</p>	<p>COMMUNITY DEVELOPMENT</p> <p>APPROVED AS TO FORM THIS ___ DAY OF _____, A.D., 20__</p> <p>TOOELE CITY COMMUNITY DEVELOPMENT</p>	<p>PLANNING COMMISSION</p> <p>APPROVED THIS ___ DAY OF _____ A.D., 20__, BY THE TOOELE CITY PLANNING COMMISSION.</p> <p>CITY PLANNING COMMISSION.</p> <p>CHAIRMAN TOOELE CITY PLANNING COMM.</p>	<p>CITY COUNCIL</p> <p>APPROVED THIS ___ DAY OF _____ A.D., 20__, BY THE TOOELE CITY COUNCIL.</p> <p>ATTEST: CITY RECORDER</p>	<p>TOOELE COUNTY RECORDER</p> <p>RECORDED # _____</p> <p>STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE REQUEST OF _____</p> <p>DATE _____ TIME _____ BOOK _____ PAGE _____</p> <p>SEE \$ _____</p> <p>TOOELE COUNTY RECORDER</p>
	<p>1810216SP.DWG</p>							

**STAFF REPORT**

May 15, 2019

**To:** Tooele City Planning Commission  
Business Date: May 22, 2019

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re: Buffalo Pass – Preliminary Plan Request**

Application No.: P18-672  
Applicant: Adam Nash, representing Land Development, LLC  
Project Location: 150 West 600 North  
Zoning: R1-7 Residential Zone  
Acreage: Approximately 1 Acre (Approximately 43,560 ft<sup>2</sup>)  
Request: Request for approval of a Preliminary Plan in the R1-7 Residential zone regarding the creation of a 6-lot single-family residential subdivision.

**BACKGROUND**

This application is a request for approval of a Preliminary Plan for approximately 1 acres located at 150 West 600 North. The property is currently zoned R1-7 Residential. The applicant is requesting that a Preliminary Plan be approved to permit the subdivision of an existing 1 acre parcel into 6 single-family residential lots.

**ANALYSIS**

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

*Subdivision Layout.* This is a straight forward subdivision of an existing 1 acre parcel into 6 single-family residential lots ranging in size from 7600 square feet up to 8600 square feet. Each lot within the subdivision meets or exceeds all ordinance requirements regarding minimum lot size, lot width and lot frontages as required by the R1-7 Residential zoning code.

The applicant will be required to install the necessary road improvements to 150 West. Currently 150

West is a unpaved dirt road and terminates into 670 North. The applicant will be installing sidewalk, park strip, curb, gutter and 30 feet of asphalt thus completing the majority of the 60 foot right of way. The eastern remnant of the road will be completed when that property develops. The applicant will also be installing approximately 25 feet of asphalt where the new road will connect with 670 North east of the existing Johnson parcel.

Each lot will contain a 7 foot sump drainage system that will be protected in an easement in hopes to prevent property owners from altering the drainage system.

Fencing. There are not any ordinance requirements for fencing with this development.

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 submission and has issued a recommendation for approval for the request with the following proposed comments:

1. All lots within the proposed subdivision meet or exceed minimum lot standards regarding lot size, lot width and lot frontages and conforms to all other applicable codes and development standards as required by Tooele City codes.

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

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Preliminary Plan by Adam Nash, representing Land Development, LLC, application number P18-672, subject to the following conditions:

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

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.

3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Buffalo Pass Preliminary Plan Request by Adam Nash, representing Land Development, LLC for the purpose of creating 6 new single-family residential lots, application number P18-672, based on the findings and subject to the conditions listed in the Staff Report dated May 15, 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 Buffalo Pass Preliminary Plan Request by Adam Nash, representing Land Development, LLC for the purpose of creating 6 new single-family residential lots, application number P18-672, based on the following findings:”

1. List any findings...

**EXHIBIT A**

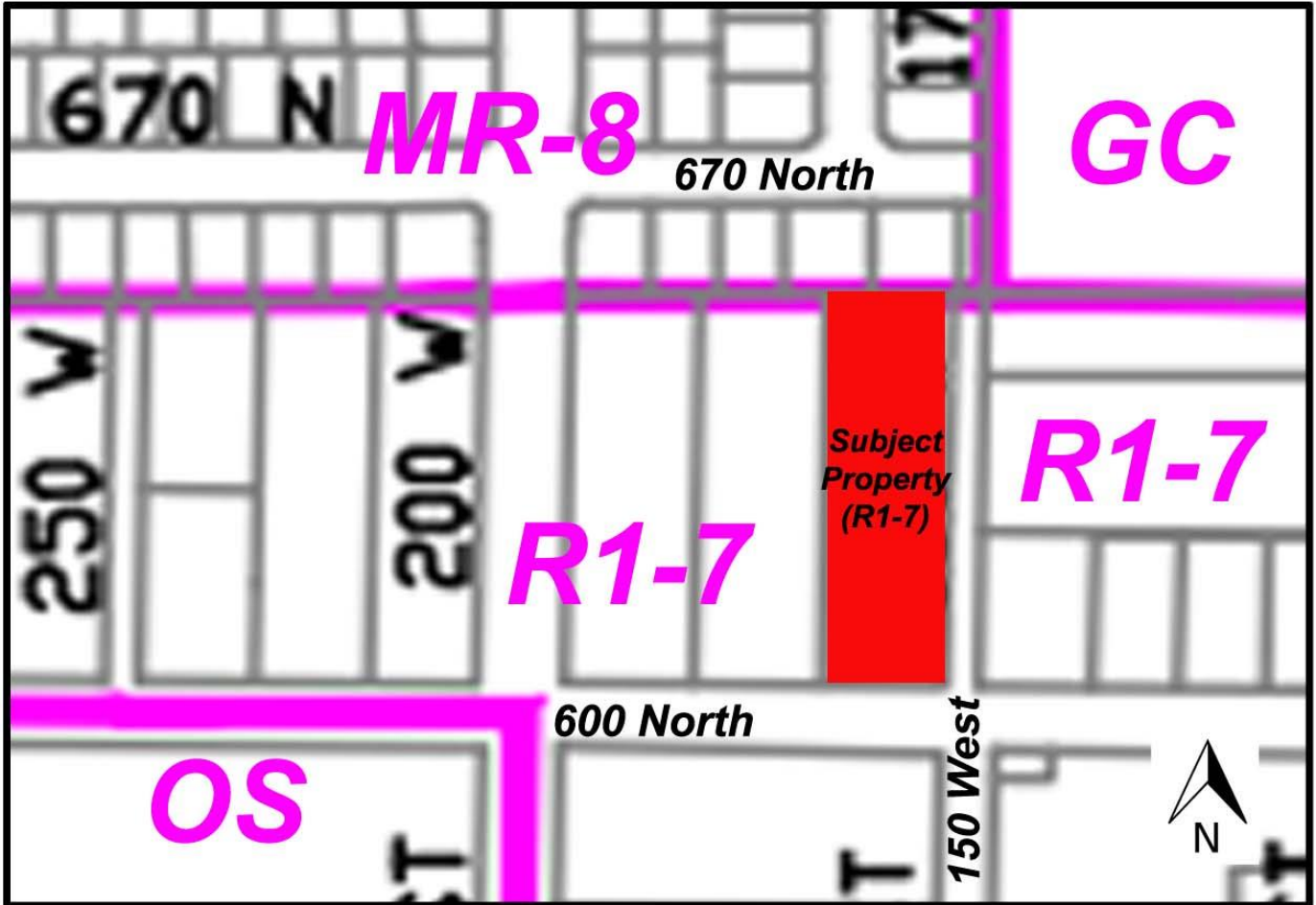
**MAPPING PERTINENT TO THE BUFFALO PASS PRELIMINARY PLAN**

***Buffalo Pass Preliminary Plan Subdivision***



***Aerial View***

**Buffalo Pass Preliminary Plan Subdivision**



**Current Zoning**

**EXHIBIT B**  
**PROPOSED DEVELOPMENT PLANS**

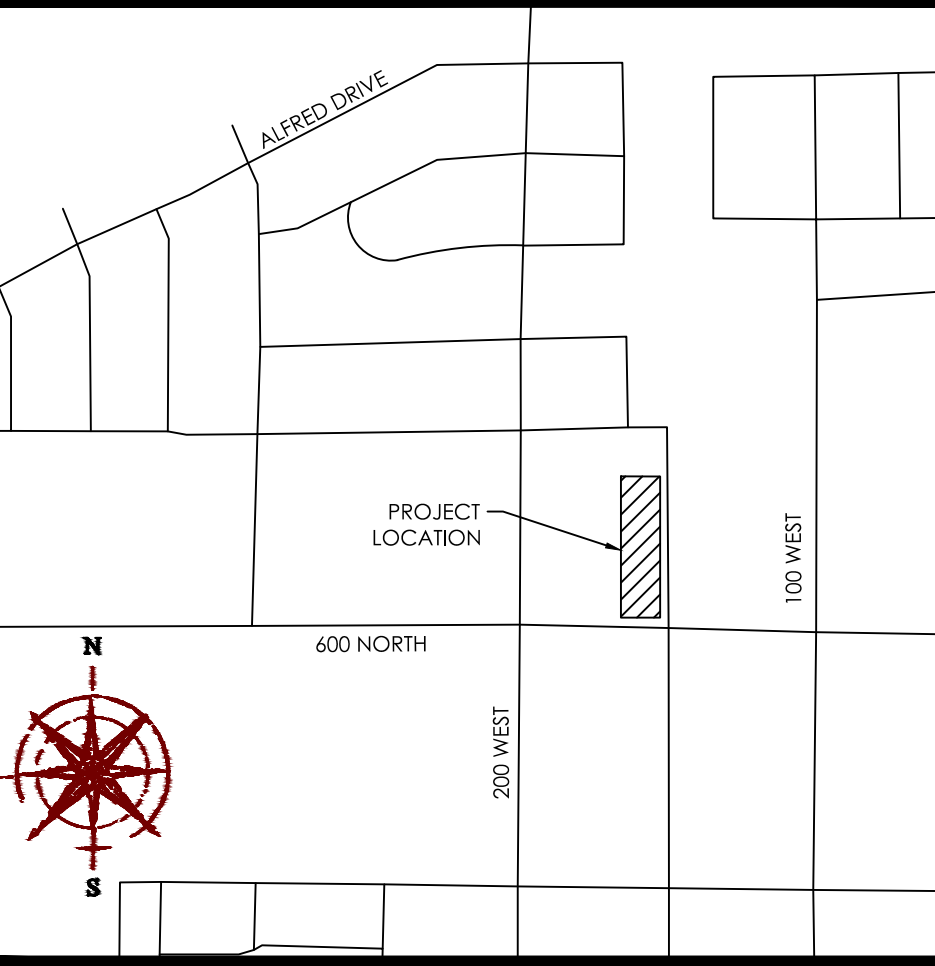
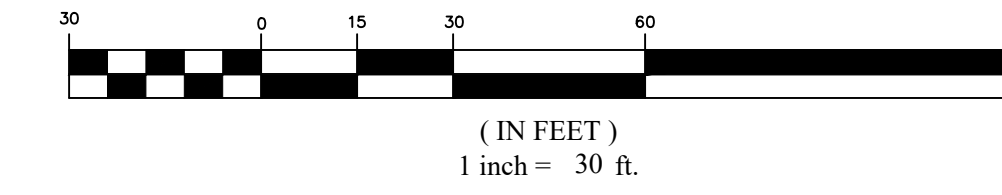


# BUFFALO PASS SUBDIVISION

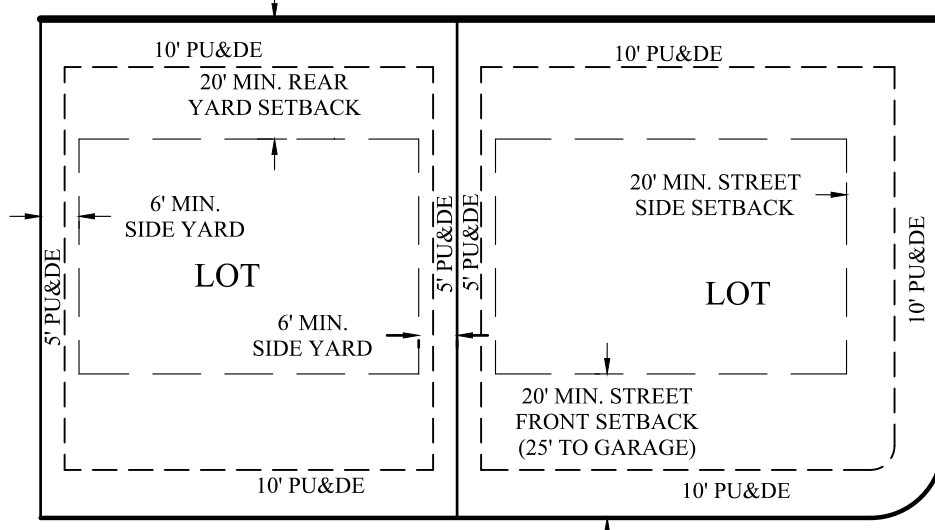
PRELIMINARY PLAT  
NOT TO BE RECORDED  
LOCATED IN THE SW1/4 & NW1/4 OF SECTION 21, T3S, R4W,  
SALT LAKE BASE & MERIDIAN  
TOOELE CITY, TOOELE COUNTY, UTAH



GRAPHIC SCALE



VICINITY MAP  
N.T.S.



TYPICAL BUILDING SETBACKS  
N.T.S.

Curve Table					
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	29.50	89°55'21"	46.30	N45°50'37"E	41.69

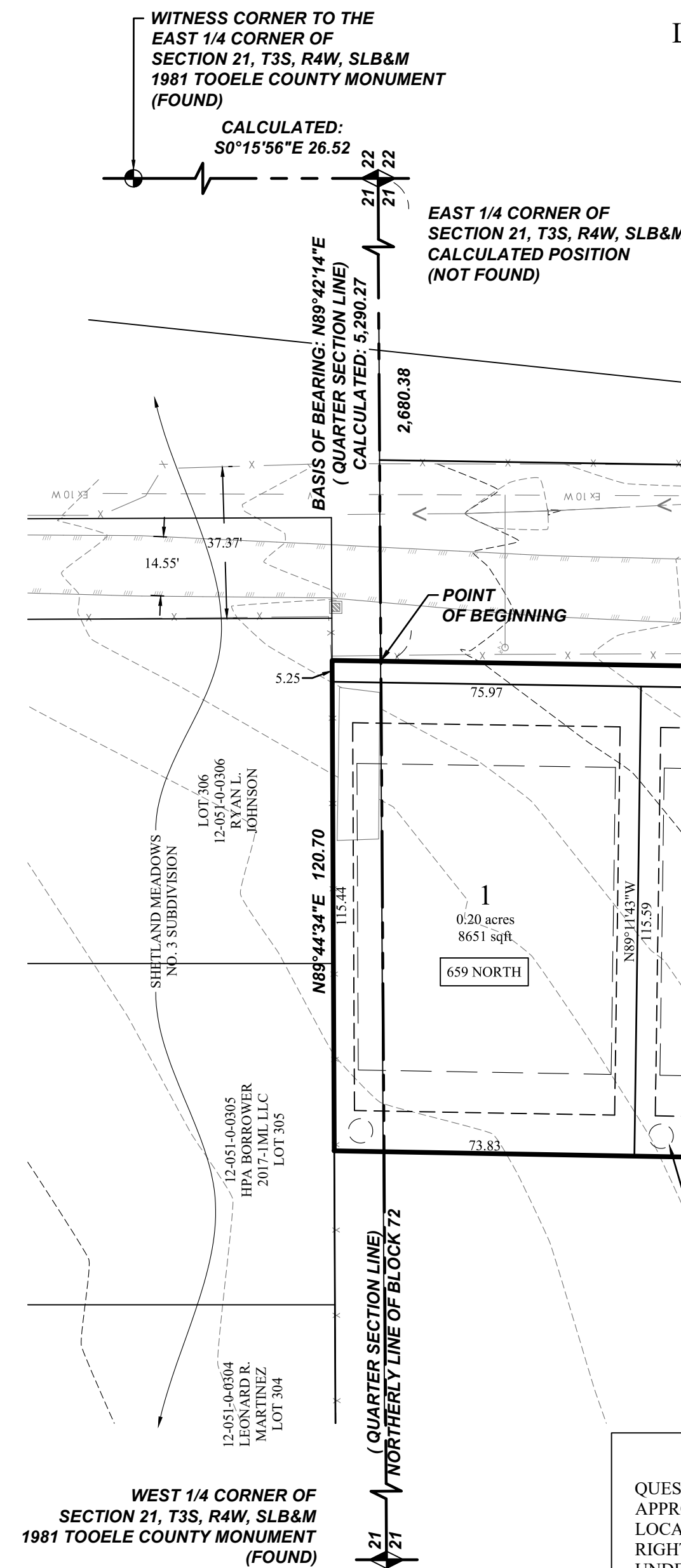
**NOTES:**

- PARCEL A IS HEREBY DEDICATED TO TOOELE CITY AS PUBLIC RIGHT OF WAY.
- 150 WEST IS A DEDICATED 49.5' RIGHT OF WAY. THIS DEVELOPMENT DEDICATES HALF OF THE BALANCE (5.25') TO WIDEN 150 WEST TO A STANDARD 60' RIGHT OF WAY.

AVERAGE LOT SIZE: 7,982 SQUARE FEET  
MINIMUM LOT SIZE: 7,634 SQUARE FEET

**LEGEND**

- BOUNDARY
- SECTION LINE
- PUBLIC UTILITY AND DRAINAGE EASEMENT
- RIGHT-OF-WAY LINE
- BUILDING SETBACK
- EXISTING PROPERTY LINE
- LOT LINE
- WITNESS CORNER MONUMENT (FOUND)
- SECTION MONUMENT (NOT FOUND)
- SECTION MONUMENT (FOUND)



WEST 1/4 CORNER OF SECTION 21, T3S, R4W, SLB&M 1981 TOOELE COUNTY MONUMENT (FOUND)

**DOMINION ENERGY**

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 GRANTS(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 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.

**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: \_\_\_\_\_

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_  
DOMINION ENERGY COMPANY  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

**PLANNING COMMISSION**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE CITY PLANNING COMMISSION.  
CHAIR, TOOELE CITY PLANNING COMMISSION

**HEALTH DEPARTMENT**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE COUNTY HEALTH DEPARTMENT.  
TOOELE COUNTY HEALTH DEPARTMENT

**XFINITY**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY XFINITY CABLE.  
XFINITY

**SCHOOL DISTRICT**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE COUNTY SCHOOL DISTRICT.  
TOOELE COUNTY SCHOOL DISTRICT

**POST MASTER**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE POST MASTER.  
POST MASTER

**PARKS DEPARTMENT**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE CITY PARKS DEPARTMENT.  
TOOELE CITY PARKS DEPARTMENT

PREPARED FOR  
**LAND DEVELOPMENT, LLC**  
6076 S. 900 E. STE. 100  
SALT LAKE CITY, UT 84121

**FIRE CHIEF**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE CITY FIRE DEPARTMENT.  
TOOELE CITY FIRE CHIEF

**TOOELE COUNTY SURVEY DEPARTMENT**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_  
ROS MAP # \_\_\_\_\_  
TOOELE COUNTY SURVEY DEPARTMENT

**CENTURY LINK**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY CENTURY LINK.  
CENTURY LINK

**SCHOOL DISTRICT**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE COUNTY SCHOOL DISTRICT.  
TOOELE COUNTY SCHOOL DISTRICT

**POST MASTER**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE POST MASTER.  
POST MASTER

**PARKS DEPARTMENT**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE CITY PARKS DEPARTMENT.  
TOOELE CITY PARKS DEPARTMENT

PREPARED BY  
**FOCUS**  
ENGINEERING AND SURVEYING, LLC  
32 WEST CENTER STREET  
MIDVALE, UTAH 84047 PH: (801) 352-0075  
www.focusutah.com

**CHIEF OF POLICE**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE CITY CHIEF OF POLICE.  
TOOELE CITY CHIEF OF POLICE

**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

**COUNTY RECORDER**

REVIEWED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE COUNTY RECORDER AS TO DESCRIPTION OF RECORD.  
TOOELE COUNTY RECORDER

**CITY COUNCIL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE CITY COUNCIL.  
CHAIRMAN TOOELE CITY COUNCIL

**SURVEYOR'S CERTIFICATE**

I, Evan J. Wood, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 183395 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.

EVAN J. WOOD  
PROFESSIONAL LAND SURVEYOR  
CERTIFICATE NO. 183395

DATE

**BOUNDARY DESCRIPTION**

Easterly Third of said Block 72, includes area located between the North line of said Block 72 and the South Line of Shetland Meadows No. 3 Subdivision, recorded as Entry #104101, Book 481, Page 854 in the Office of the Tooele County Recorder. More particularly described as follows:

Beginning at the Northeast Corner of Block 72, Plat "A" Tooele City Survey, said point being S89°42'14"W 2,680.38 feet from the East Quarter Corner of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running thence S00°52'56"W 404.13 feet along the easterly line of said Block 72 to the southeast corner of said Block 72; thence N89°11'43"W 121.59 feet along the southerly line of said Block 72 to a line established as the easterly third of said entire Block 72; thence N01°00'35"E 401.81 feet along said line established as the easterly third of said Block 72 to the northerly line of said Block 72; thence N01°00'35"E 12.02 feet to the southerly line of said Shetland Meadows No. 3 Subdivision; thence N89°44'34"E 120.70 feet along said Shetland Meadows No. 3 Subdivision to the westerly right of way line of 150 West Street; thence S00°52'56"W 11.94 feet a long said westerly right of way to the point of beginning.

Contains: 50,263 square feet or 1.15 acres.

**OWNER'S DEDICATION**

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

**BUFFALO PASS SUBDIVISION**

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL STREETS 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.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

**LIMITED LIABILITY 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/SHE IS THE \_\_\_\_\_ OF \_\_\_\_\_ L.L.C., A UTAH L.L.C. AND THAT HE/SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

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

MY COMMISSION No. \_\_\_\_\_ PRINTED FULL NAME OF NOTARY \_\_\_\_\_

**BUFFALO PASS SUBDIVISION**  
LOCATED IN THE SW1/4 & NW1/4 OF SECTION 21, T3S, R4W,  
SALT LAKE BASE & MERIDIAN  
TOOELE CITY, TOOELE COUNTY, UTAH

**STAFF REPORT**

May 15, 2019

**To:** Tooele City Planning Commission  
Business Date: May 22, 2019

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re: Buffalo Ridge – Preliminary Plan Subdivision Request**

Application No.: P18-673  
Applicant: Adam Nash, representing Land Development, LLC  
Project Location: 204 West 600 North  
Zoning: R1-7 Residential Zone  
Acreage: Approximately 1 Acre (Approximately 43,560 ft<sup>2</sup>)  
Request: Request for approval of a Preliminary Plan Subdivision in the R1-7 Residential zone regarding a 6-lot single-family residential subdivision.

**BACKGROUND**

This application is a request for approval of a Preliminary Plan Subdivision for approximately 1 acre located at approximately 204 West 600 North. The property is currently zoned R1-7 Residential. The applicant is requesting that a Preliminary Plan Subdivision be approved to permit the subdivision of an existing 1 acre lot into 6 single-family residential lots.

**ANALYSIS**

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

*Subdivision Layout.* The subdivision is fairly straight forward, splitting a 1 acre parcel into 6 single-family lots. Lots within the subdivision range in size from 7,347 square feet up to 8,260 square feet. Each lot within the subdivision meets or exceeds minimum lot width, lot frontage and lot size as required by the R1-7 Residential zone.

Currently, 200 West has approximately 25 feet of asphalt at this stretch of road. The applicant will be

constructing sidewalk, park strip, curb, gutter and remaining asphalt between the curb and existing asphalt essentially finishing the western side of the road at this bottleneck location. The eastern side will be completed when that property develops.

Each lot will contain a 7” sump easement for storm water drainage. These drainage structures will need to remain unaltered by the lot owner.

Fencing. There is no fencing required by ordinance with this subdivision.

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

## **REVIEWS**

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

1. All lots within the proposed subdivision meet or exceed minimum lot standards regarding lot size, lot width and lot frontages and conforms to all other applicable codes and development standards as required by Tooele City codes.

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.

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Preliminary Plan Subdivision by Adam Nash, representing Land Development, LLC, application number P18-673, 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 <finding>.

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Buffalo Ridge Preliminary Plan Subdivision Request by Adam Nash, representing Land Development, LLC for the purpose of creating 6 new single-family residential lots, application number P18-673, based on the findings and subject to the conditions listed in the Staff Report dated May 15, 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 Buffalo Ridge Preliminary Plan Subdivision Request by Adam Nash, representing Land Development, LLC for the purpose of creating 6 new single-family residential lots, application number P18-673, based on the following findings:”

1. List any additional findings...

**EXHIBIT A**

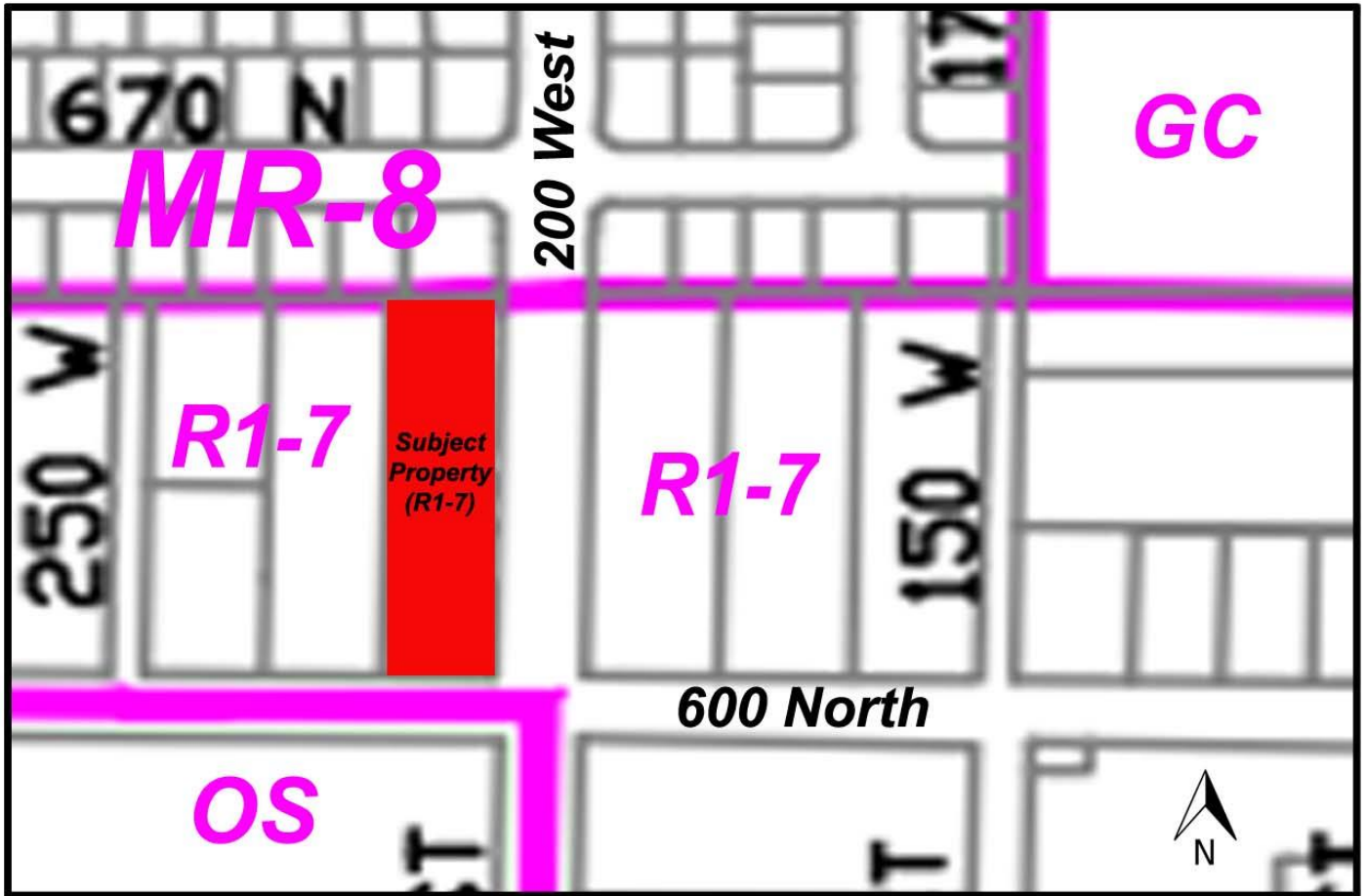
**MAPPING PERTINENT TO THE BUFFALO RIDGE PRELIMINARY PLAN  
SUBDIVISION**

***Buffalo Ridge Preliminary Plan Subdivision***



***Aerial View***

**Buffalo Ridge Preliminary Plan Subdivision**



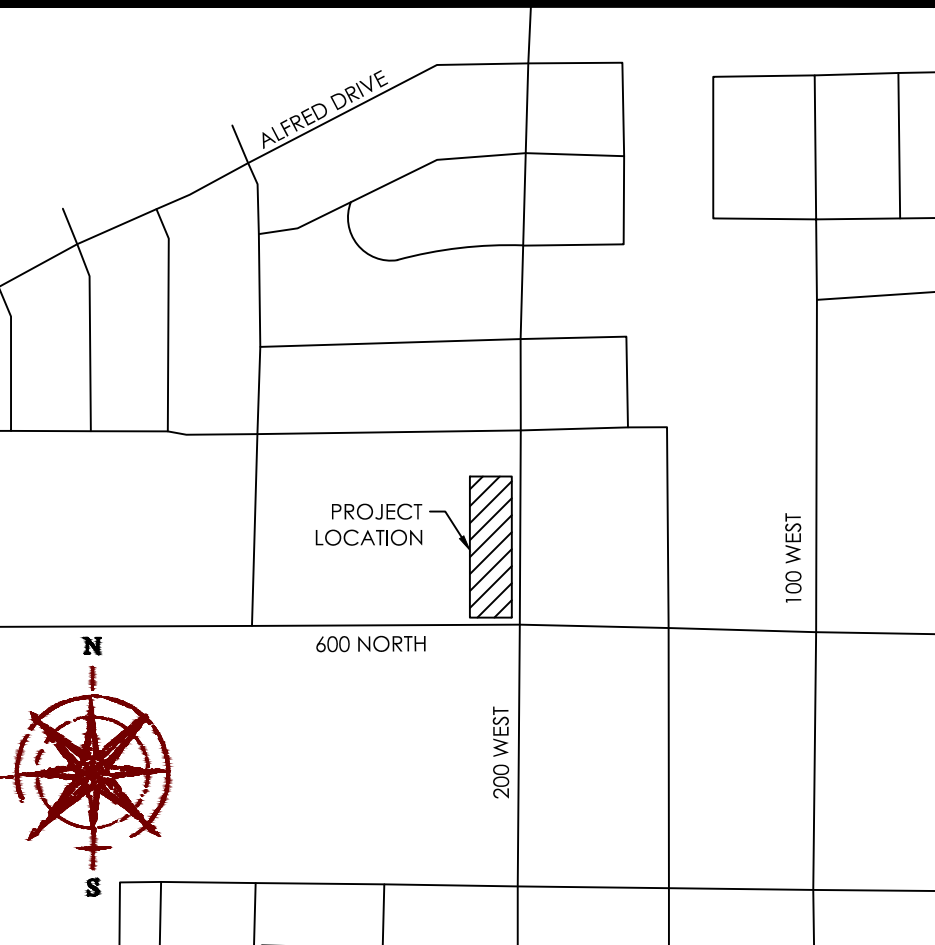
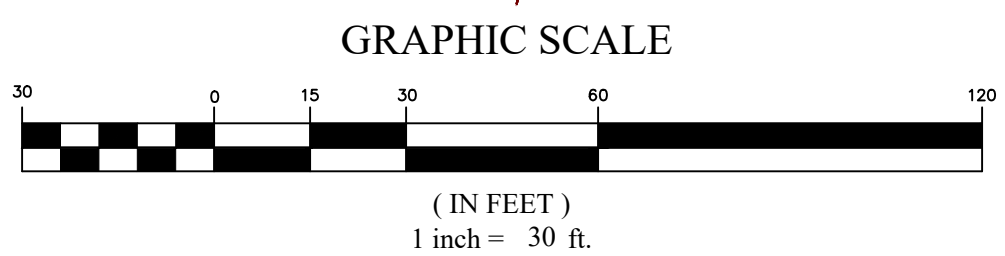
**Current Zoning**

**EXHIBIT B**

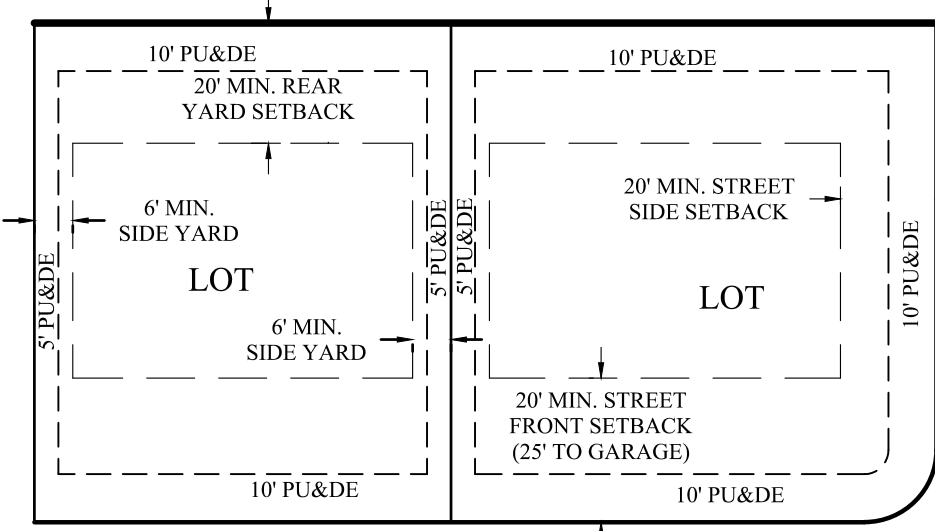
**PROPOSED DEVELOPMENT PLANS  
APPLICANT SUBMITTED INFORMATION**

# BUFFALO RIDGE

PRELIMINARY PLAT  
NOT TO BE RECORDED  
LOCATED IN THE SW1/4 & NW1/4 OF SECTION 21, T3S, R4W,  
SALT LAKE BASE & MERIDIAN  
TOOELE CITY, TOOELE COUNTY, UTAH



VICINITY MAP  
N.T.S.

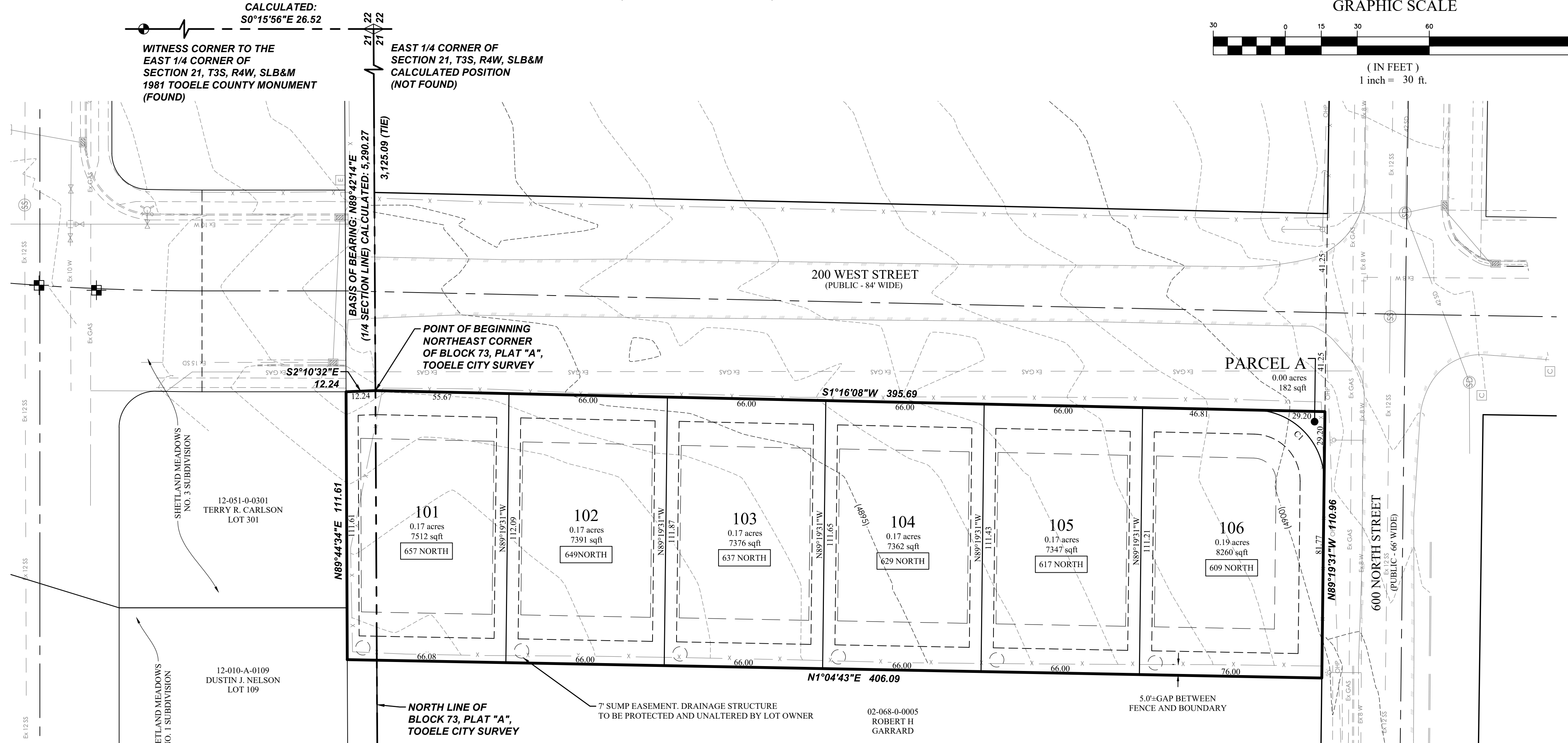


TYPICAL BUILDING SETBACKS  
N.T.S.

Curve Table					
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	29.50	89°24'21"	46.03	N45°58'19"E	41.50

AVERAGE LOT SIZE: 7541.33 SQUARE FEET  
MINIMUM LOT SIZE: 7347 SQUARE FEET

NOTE:  
1. PARCEL A IS HEREBY DEDICATED TO TOOELE CITY AS PUBLIC RIGHT OF WAY.



### ROCKY MOUNTAIN POWER

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

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

a. A RECORDED EASEMENT OR RIGHT-OF-WAY  
b. THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS  
c. TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR  
d. ANY OTHER PROVISION OF LAW

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

ROCKY MOUNTAIN POWER  
BY - \_\_\_\_\_  
TITLE - \_\_\_\_\_

### DOMINION ENERGY

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 ABOGATION 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.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

DOMINION ENERGY  
\_\_\_\_\_

### PLANNING COMMISSION

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE CITY PLANNING COMMISSION.

CHAIR, TOOELE CITY PLANNING COMMISSION

### HEALTH DEPARTMENT

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE COUNTY HEALTH DEPARTMENT.

TOOELE COUNTY HEALTH DEPARTMENT

### XFINITY

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY XFINITY CABLE.

XFINITY

PREPARED FOR  
**LAND DEVELOPMENT, LLC**  
6076 S. 900 E. STE. 100  
SALT LAKE CITY, UT 84121

### FIRE CHIEF

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE CITY FIRE DEPARTMENT.

TOOELE CITY FIRE CHIEF

### TOOELE COUNTY SURVEY DEPARTMENT

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

ROS MAP # \_\_\_\_\_

TOOELE COUNTY SURVEY DEPARTMENT

### CENTURY LINK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY CENTURY LINK.

CENTURY LINK

### SCHOOL DISTRICT

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE COUNTY SCHOOL DISTRICT.

TOOELE COUNTY SCHOOL DISTRICT

### POST MASTER

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE POST MASTER.

POST MASTER

### PARKS DEPARTMENT

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE CITY PARKS DEPARTMENT.

TOOELE CITY PARKS DEPARTMENT

PREPARED BY  
**FOCUS**  
ENGINEERING AND SURVEYING, LLC  
32 WEST CENTER STREET  
MIDVALE, UTAH 84047 PH: (801) 352-0075  
www.focusutah.com

### CHIEF OF POLICE

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE CITY CHIEF OF POLICE.

TOOELE CITY CHIEF OF POLICE

### 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

### COUNTY RECORDER

REVIEWED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE COUNTY RECORDER AS TO DESCRIPTION OF RECORD.

TOOELE COUNTY RECORDER

### CITY COUNCIL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_ BY THE TOOELE CITY COUNCIL.

CHAIRMAN TOOELE CITY COUNCIL

### SURVEYOR'S CERTIFICATE

I, Evan J. Wood, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 183395 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.

EVAN J. WOOD  
PROFESSIONAL LAND SURVEYOR  
CERTIFICATE NO. 183395

DATE \_\_\_\_\_

### BOUNDARY DESCRIPTION

*Easterly Third of Block 73, Plat "A" Tooele City Survey, includes area located between the Quarter Section line and the South Line of Shetland Meadows No. 1 Subdivision, recorded as Entry #93860, Book 449, Page 383 in the Office of the Tooele County Recorder, and the South Line of Shetland Meadows No. 3 Subdivision, recorded as Entry #104101, Book 481, Page 854 in the Office of the Tooele County Recorder. More particularly described as follows:*

Beginning at a point on the easterly line of said Block 73, Plat "A" Tooele City Survey, said point being S89°42'14"W 3,125.09 feet along the quarter section line from the East Quarter Corner of Section 21, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running thence S01°16'08"W 395.69 feet along the easterly line of said Block 73 to the southeast corner of said Block 73; thence N89°19'31"W 110.96 feet along the southerly line of said Block 73 to a line established as the easterly third of said entire Block 73; thence N01°04'43"E 393.78 feet along said line established as the easterly third of said Block 73 to the quarter section line; thence N01°04'43"E 12.31 feet to the southerly line of said Shetland Meadows No. 1 Subdivision; thence N89°44'34"E 111.61 feet along said Shetland Meadows No. 1 Subdivision, and to and along the southerly line of said Shetland Meadows No. 3 Subdivision to the westerly right of way line of 200 West Street; thence S02°10'32"E 12.24 feet a long said westerly right of way to the point of beginning.

Contains: 45,431 square feet or 1.04 acres.

### OWNER'S DEDICATION

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

### BUFFALO RIDGE

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL STREETS 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.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

### LIMITED LIABILITY 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/SHE IS THE \_\_\_\_\_ OF \_\_\_\_\_ L.L.C., A UTAH L.L.C. AND THAT HE/SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

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

MY COMMISSION No. \_\_\_\_\_ PRINTED FULL NAME OF NOTARY \_\_\_\_\_

### BUFFALO RIDGE

LOCATED IN THE SW1/4 & NW1/4 OF SECTION 21, T3S, R4W,  
SALT LAKE BASE & MERIDIAN  
TOOELE CITY, TOOELE COUNTY, UTAH



**Tooele City Council & the  
Municipal Building Authority  
Business Meeting Minutes**

**Date:** Wednesday, May 15, 2019

**Time:** 7:00 p.m.

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

**City Council Members Present:**

Brad Pratt  
Dave McCall  
Melodi Gochis  
Scott Wardle

**City Council Members Excused:**

Steve Pruden

**City Employees Present:**

Mayor Debbie E. Winn  
Jim Bolser, Community Development Director  
Chief Ron Kirby, Police Department  
Roger Baker, City Attorney  
Glen Caldwell, Finance Director  
Stephen Evans, Public Works Director  
Chief Ron Kirby, Police Department  
Darwin Cook, Parks Department Director  
Paul Hansen, City Engineer  
Michelle Pitt, City Recorder Director  
Cylee Pressley, Deputy Recorder

Minutes prepared by Kelly Odermott

Chairman Pruden called the meeting to order at 7:00 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member McCall

**2. Roll Call**

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

Since Chairman Pruden was excused from the meeting Council Member Wardle acted as Chair of the meeting.

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

Presented by Mayor Winn, Stacy Smart, and Police Chief Ron Kirby.

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

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

- Haven Jarvis
- Marjorie Gibbons
- Dorian Dillon
- Cooper Tolbert

4. **Public Comment Period.**

Chairman Wardle invited comments from the public.

Mr. Justin Brady stepped forward to address the Council. Mr. Brady inquired with the Council on if the City had an active transportation plan for walking and biking paths or if the City was planning to put one in place?

Mr. Bolser stated that the City is starting the process of redoing the City's General Plan which includes the City's Transportation Plan. The active transportation plan is one area that is required to be addressed. Mr. Brady asked if that is a new requirement? Mr. Bolser stated that it was a recent change, but the City was already in the process of making the change. Mr. Brady stated that the County has an active transportation plan, but all maps stop at the City limits. Was that because the City does not provide funding for that. Mr. Bolser stated that it is jurisdiction limits.

Chairman Wardle closed the public comment period.

Chairman Wardle recognized Boy Scout Troop 314 that was in attendance.

5. **Resolution 2019-41 A Resolution of the Tooele City Council Affirming Tooele City's Decision to Pay the Net Amount Declared by the District Court to Aposhian Sod Farms, Inc. in Equal Annual Installments as Provided by the Lease Agreement and as Allowed by the Utah Government Immunity Act.**

Presented by Roger Baker

Mr. Baker stated in 1990 Tooele City acquired an agricultural property near the town of Vernon and leased that to a company to farm it and preserve City water rights purchased with the land. Tooele City terminated that agreement and under the terms of that agreement, the City is committed to pay the value of the sod that was in the ground at the time of the lease termination. It has taken some time to reach a determination of the sod value, but the court has determined the value to be \$1,128,513. The lease agreement provided for the payment to be made in equal installments over a period of years. State law determines the period of years. The Resolution is for equal annual installments over a period of 10 years in the amount of \$112,851.

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

**Council Member McCall motioned to approve Resolution 2019-41.** Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Wardle, "Aye." The motion passed.

## 6. Water Quality Report.

Presented by Paul Hansen

Mr. Hansen stated the requirement to prepare a water quality report originates from the 1996 amendments to the Safe Drinking Water Act. There are several requirements in that Act. Under the Act, anyone who provides water to a community water system must report annually on the water that is tested, the health effects, the level of any contaminants that may be detected and the likely sources of that contamination. The Rule also requires that the City issue a letter to the Director of the Division of Drinking Water that the report was prepared correctly and reflects all water quality data that was turned in to the State. The final requirement of the Rule is that the report be distributed to customers by July 1 of the following year.

Mr. Hansen highlighted a few items that are included in the report. The first item that is required is to answer the question "where does my water come from?" In the year 2018, Tooele City provided culinary water from a combination of 12 wells and one spring. That number is down from the past due to wells that were down. The second requirement is to address why are there contaminants in my drinking water? There are many contaminants in water that come from a variety of sources. Most are from natural elements in the earth, there is also the potential of organics and decaying matter, industry and business contaminants, etc. There is a broad range. The City follows the State standards and samples on a rotating basis 80 different contaminants. The City is not required to test every source yearly for all 80 listed contaminants, because through the years the City has been able to demonstrate that the water quality is consistent and

meets drinking standards. Over time the City does test for all of them, but it is not every year. For the 80 contaminants that the City is required to test for, the City had only two that were detectable. One is total trihalomethanes which are products of disinfection. The City chlorinates the water and these are natural byproducts of that disinfection process. The other was nitrate. Nitrate is a natural element, but can also be added by fertilizer, septic tanks, and other sources. In each of those cases where it was detected the amount was well below the regulatory limits. For example, total trihalomethanes have a limit of 80 parts per billion and the highest detected was 3.7 parts per billion. In the case of nitrates, the state allows 10 parts per million and the highest level detected was 3.3 parts per million. With the testing provided, the City continues to meet State and Federal drinking water standards.

Mr. Hansen stated that this year the City also tested a group of regulations called the Unregulated Contaminant Monitoring Rule or UCMR4. The four stands for this the fourth round that goes back to the 1996 Act. The EPA is mandated under that rule to require an additional list of 30 contaminants to sample nationwide to see if there is anything that is common that hasn't been detected in the past or may become a growing problem. The City did detect a variety of contaminants, mostly however natural occurring elements or the result of disinfection. Of those 30 elements there are no limiting standards. The EPA only provides the minimum detection report. It will be seen in the coming years if the EPA will add any of these to the standard tests.

Mr. Hansen stated that another requirement is to monitoring and reporting violations. Tooele City had no monitor or report sampling or notification violations in 2018. Also included is important health information, specifically regarding lead. Lead is an ongoing concern. It was not detected in the sampling, but information is provided to the residents. Most lead contamination comes from inside people's homes through the plumbing. The final condition of the Rule mentions the certification letter to the State. That certification letter has already been submitted. The Water Quality Report will be posted on the City's webpage and a copy of the report will be delivered to every water customer who has paper billing and an electronic notice to all electronic billing customers.

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

**7. Resolution 2019-40 A Resolution of the Tooele City Council Approving the Municipal Wastewater Planning Program Annual Report for Tooele City for 2018.**

Presented by Steve Evans

Mr. Evans stated the Division of Water Quality of the Utah Department of Environmental Quality requires the City to review and affirm by Resolution that there has been a review of the whole waste water planning program. This is broken into three things, the financial aspects of running a wastewater collection system and a wastewater plant, the collection system itself and

the sewer reclamation plant. Ray Henninger, the waste water supervisor put the program together.

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

**Council Member Pratt motioned to approve Resolution 2019-40.** Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Wardle, "Aye." The motion passed.

**8. Public Hearing and Decision on Ordinance 2019-04 An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the R1-7 Residential Zoning District for 16.4 Acres of Property Located at 600 West and 650 West Utah Avenue.**

Presented by Jim Bolser

Mr. Bolser stated this is a request for a Zoning Map Amendment on the west end of Utah Ave, just a little west of Coleman Street. An aerial photograph was shown on screen. The current zoning for the property is RR-1, as are the properties surrounding it on all sides. This application originally came before the Planning Commission in March with a request to rezone the property to the MR-8 Multi-Family Residential zone. There was a concept plan with it that identified a mixture of single-family residences and attached multi-family product. The Planning Commission had a public hearing and heard substantial public comment. The Planning Commission issued a recommendation opposing the application. The applicants requested a continuance while they considered further options. They came back with a revised request to rezone the entire property to R1-7. This would allow only single-family detached product or two family attached. The Planning Commission had another public hearing a week ago. Again, there was fairly substantial comment both in favor and opposed to the application. The Planning Commission opposed the rezoning with a negative recommendation to the City Council with a 6 to 1 vote, based on six specific findings.

1. It does have a negative effect on the character of the surrounding areas.
2. It is not consistent with the intent and goals of the Master Plan.
3. It is not suitable to have a subdivision next to RR-1 zoned properties.
4. It would not be detrimental to the health, safety and general welfare of the area.
5. This is a rural open space area and should be maintained as open space.
6. This will affect the adjoining properties and their uses.

Chairman Wardle asked the Council if there were any questions.

Council Member Pratt asked if that was a negative recommendation by a 6 to 1 vote? Mr. Bolser stated that was correct.

Chairman Wardle opened the public hearing.

Mr. Steve Wilcox stated that he has lived on Coleman Street for 19 years. They purchased the property because they like the rural area. We still love the rural area. It would be good to have single family, dual, and multi-family in the middle of a RR-1 zone. Mr. Wilcox stated that he spent 13 years on the City of Grantsville Planning Commission and this was called spot zoning. He stated that he didn't think that the development was good for the city, the character, or the people in the area.

Mr. Myron Nix stated that he had lived on Coleman Street for 81 years. He has watched it grow from a gravel road. He stated that he lives on a street without curb and gutter on one side of the road. There is a school on the corner Utah Avenue and Coleman Street. The school traffic blocks his driveway two times a day. He stated there was supposed to be one acre lots all around. Things that have been talked about in prior meetings was that there needs to be a place for our kids to live in Tooele. He stated that Tooele is a bedroom community to Salt Lake City. He raised four boys and none of them live in Tooele. Everyone has a one acre lot or bigger. I Mr. Nix stated that he would hate to see spot zoning or multi-family dwellings in the middle of the rural area. He stated that he doesn't think we have the resources to house another 800 families. He stated he votes no.

Ms. Kathlyn Beard stated that she lives adjacent to the property. She stated that it is not a matter of chopping up the land for more housing, on both sides of that housing is animals. We are all involved in FFA. People are going to say the smell bothers us and don't want to smell horses and chickens We keep our places clean. If you put that in there and there are a whole bunch of tiny houses. The road won't hold it. She stated that she used to run a daycare. All the kids were in FFA. The parents couldn't house the animals. She stated that growth is important but she would like to keep it one acre. Back 18 years ago the same thing happened and the neighbors talked. The City Council and the Planning Commission promised to the neighbors that it will always be one acre lots. We have agreed to not chop the land up. If the land was chopped up in one acre, they will not have people saying they don't like the small. Back then we were promised that it would never be changed.

Ms. Angela Hill, stated that she lives south west of the property. She lives on an acre and half. She stated that there are issues with utilities. I am not too fond of adding 140 cars close to an elementary school that does not have a four way stop and no stop light. It was mentioned that if the residents want RR-1 Property they can move to Erda. I couldn't sell my property and move to Erda. There is talk about a need for affordable housing in the City limits and the she stated that she agreed with that. The City is going to grow, but don't take away the RR-1 that there is so little of. Ms. Hill stated that she looked at the City map and RR-1 is a little part of the City. She stated that she thinks RR-1 should stay part of the City. If the City needs to build a subdivision somewhere else to get money, then it needs to go somewhere else.

Mr. Mike Lionelli stated that he has property adjacent to the property. He stated there is RR-1 on all sides. Growth needs to occur. There have been roads cutting through his property. Take a stand and stick to it. This is reaching into a part of town that is dwindling. If Tooele wants to retain the rural feel than you need to do that. He stated that he heard the comment in the last meeting about moving to Erda. You are elected officials and we voted for you. He stated that initially they were going to do more. He stated that he thinks the first decision should have been the only decision.

Ms. Margie Gonzales stated that she lives four houses down and directly across from the elementary school. The property was purchased from parents. If they had known the property was going to change, they probably would not have purchased the property. That would be directly behind us. The development with the amount of homes would have a bigger voice. If anything was going to change or didn't what would happen. The people proposing the project were stating that there was so much need to build. Drive around Tooele, drive around Erda, drive around Stansbury. There are plenty of places to build. This is for sale and that's why this is going there. Why change it. There are places for people to live and it doesn't need to go there. We can't get into our home because of school traffic. It will take time for the school to catch up with the homes. They park right in front of our home and wait.

Chairman Wardle closed the public hearing.

Council Member McCall stated that he would like to make a comment. He wanted to make everyone aware that the Planning Commission not the Council that heard this before. This is the Councils first time having this in front of them. Council member McCall stated that he understands where each commenter was coming from. We did not ask them to come before us. The property owner sold or anticipates selling the property to a developer. When that happens, it reaches the Planning Commission and then the Council. The Council Members did not bring this to the City. The neighbors did that. The Council is trying to figure this out. The Council did not start the process.

Council Member Pratt stated that he is very aware of the neighborhood. He has been in the City a long time. He remembers when Coleman Street was the West boundary of the City. He stated that he wanted the public to know that the comments have been heard and understood. The City has changed over a number of years. It is growing from the inside out. The rural part of Tooele is from the inside out being pushed out. Council Member Pratt stated that his opposition to this proposal feels like it is creating growing from the outside in. Putting R1-7 housing in the middle of an RR-1 with that zoning being the boundary all the way around the property. Council Member Pratt stated that he is against anything but RR-1 in this area. He stated that he won't say it won't happen in the future because the City is growing from the inside out. He stated that he has seen many farms and rural areas in the City become populated with single family homes. The property owner has chosen to sell or develop their property in that manner. He stated that he

thinks that needs to grow from the inside out and not the outside in. Council Member Pratt stated that he is against rezoning to an R1-7 zone.

Council Member Gochis stated that she appreciates people taking the opportunity to come before the Council and express their opinions. The opinions are valued. As well as the rights of the property owners. They do have a right to come before the Council. She stated that she agreed with Council Member Pratt. This area has RR-1 to the north, west, and south and that is probably the best use of the property.

Chairman Wardle stated he read all of the comments from the Planning Commission. He stated that he agreed with the comments. There is a time and a place. He stated that he was very intrigued with the promise from 18, 20 years ago, but the Council members do not have those minutes to look back on. He stated he can't guarantee what a Council will do in 15, 20 years, but for right now he would agree with the Council. This is not the time or place nor the type of rezone that should take place in this area.

Council Member McCall stated that he didn't know when he spoke earlier that the other Council Members were going to declare their vote or he would have declared his vote. Now that he is aware, he stated that before a rezone of this nature is done in this area, there is some due diligence that needs to be done. He stated that he agrees with the comment about the street. He has gotten caught over there when school was getting out. It is not pleasant. He stated that he thinks that the City will need to do some work in the area around the street and possibly with the school because a project of this size going in that neighborhood there will need to be something done with the traffic. It is dangerous enough on Utah Avenue going north on Coleman. Council Member McCall stated that he is against this as well.

**Council Member Pratt motioned to reject Ordinance 2019-04 and turn the rezone down.** Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Wardle, "Aye." The motion passed.

Chairman Wardle asked staff to make a note that as we go back into the Master Planning documents to make a note about this conversation.

**9. Subdivision Preliminary Plan for Par Fore Estates, Application by Par 4 Estates LLC, Located at Approximately 775 East Vine Street, in the R1-7 Residential Zoning District, for the Purpose of Creating 62 Single-Family Residential Lots.**

Presented by Jim Bolser

Mr. Bolser stated that this is an application that is on the east end of Vine Street towards Droubay Road. An aerial photograph was shown on screen. It is between Vine Street and



Oquirrh Hills golf course. There is a sliver of property that the City has sold for the purpose of development. It has been purchased by a private party that is bringing forth their own development plan. The zoning for the property is R1-7. On the zoning there is a designation of a PUD. The PUD allows for a difference in the configurations of the properties, but not an additional density. There are no additional units that would be allowed under a standard R1-7 zone. The proposed plan was shown on the screen. It is considered single-family dwellings, but it is anticipated to be twin home lots. This proposal has been prepared and reviewed by staff and the Planning Commission and found to be in compliance with City Code requirements and in compliance with the PUD. The Planning Commission has heard this and forwarded a unanimous positive recommendation.

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

**Council Member McCall motioned to approve Subdivision Preliminary Plat for Par Fore Estates, Located at Approximately 775 East Vine in the R1-7 Residential Zoning District, for the Purposes of Creating 62 Single-Family Residential Lots.** Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Wardle, "Aye." The motion passed.

**10. Public Hearing and Decision on Ordinance 2019-12 An Ordinance of the Tooele City Council Amending the Text of Chapter 7-4 of the Tooele City Code Related to Parking and Making Related Technical Changes to Chapter 7-15, Chapter 7-15a and Chapter 7-16 of the Tooele City Code.**

Presented by Jim Bolser

Mr. Bolser stated that this is a culmination of a lot of work by the staff, Planning Commission, and City Council. The Council has heard this multiple times. Mr. Bolser stated that he would touch on the primary points for the ordinance. The intent of the ordinance is to provide an overhaul of the parking regulations. Those are applied typically to new development as it comes in and how parking is provided and in what manner and what quantities, etc. There are a couple of primary goals in doing this. One, to preserve the existing provision of the City Code to the greatest degree possibly if determined applicable. It was found that a great deal of those provisions remain applicable. A good portion of the code remains. Also, there are regulations that have been administered over time specifically design elements for parking. Those have been administered by adopted policy but are not in the City Code. This ordinance does that. Currently the City Code has a set of equations for that says for this use there should be so many parking spaces or so many per square footage. Currently those provisions are in two separate places in the City Code. Those would now be in one location. Those are being removed from Chapter 7-16 and merged with what exists in Chapter 7-4. The other thing reviewed was to examine how parking was applied. Particularly when it comes to business, the world is changing

commercially. Now much commerce is done on the laptop. Parking needs to be adequate to allow businesses to be successful and not burdensome. With the changing economy, it provides changing business models for these businesses. There is a standard equation in the City and that now becomes a maximum and minimum, but in order to accommodate the business models of multiple business, the City has established ranges. As an applicant there is the free ability within nonresidential uses to design projects with parking amounts above or below that specific calculated requirement. For example, a parking calculation that required 100 parking spaces there is a 15% allowance. The project can be designed with 85 to 115 spaces fully compliant with the City Code. Because that may not meet every need, there is an additional possibility for more range. This would be done with a formal parking study to determine the true business need beyond the 15% and an optional review by the Planning Commission for an additional 10% range.

Mr. Bolser stated that there is a new policy to the City Code and staff has worked very closely with public safety employees to address. For example, if there is an emergency call at a business, the intents of the emergency staff is, to get to the incident directly and as quickly as possible. Within the code there is a policy that the public safety staff can review site plans and look at applications and identify what would be called public safety aisles. Those aisles would be most directly between the entrance off the road and the front door. Those aisles would be required to be a little bit wider and the other aisles will be a little bit more narrow to the minimum allowed by code. The Planning Commission has heard this and forwarded a unanimous positive recommendation.

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

Chairman Wardle stated that he appreciated the staff. It will be more cost effective and helpful for safety measures for business.

Chairman Wardle opened the public hearing. There were no comments.  
Chairman Wardle closed the public hearing.

**Council Member Pratt motioned to approve Ordinance 2019-12.** Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Wardle, "Aye." The motion passed.

## **11. Minutes**

Chairman Wardle asked if the Council if there were any comments or questions. Chairman Wardle stated he was not in attendance at the May 1<sup>st</sup> meeting.

**Council Member McCall motioned to approve minutes from the City Council and City Council Work Session held on May 1, 2019 Work Session and Business Meeting, May 8, Work Session, and April 17, 2019 MBA meeting.** Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Wardle, "Aye." The motion passed.

## **12. Approval of Invoices**

Presented by Michelle Pitt

There were no invoices.

Chairman Wardle stated that he wanted to make a statement. One of the longtime residents who has attended City Council for years, Shirley Beagly had a stroke within the last year and lost her husband two weeks ago. Her health is failing. He wanted to publicly recognize her great interest that she had with attending and being involved with the City business.

## **13. Adjourn**

**Council Member Pratt moved to adjourn the City Council meeting.** Council Member McCall seconded the motion. The vote was as follows: Council Member McCall, "Aye," Council Member Pratt, "Aye," Council Member Gochis, "Aye," Chairman Wardle, "Aye." The motion passed.

The meeting adjourned at 8:13 p.m.

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

Approved this 5th day of June, 2019

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Steve Pruden, Tooele City Council Chair

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

Date: Wednesday, May 15, 2019  
Time: 5:00 p.m.  
Place: Tooele City Hall, Large Conference Room  
90 North Main St., Tooele, Utah

**City Council Members Present:**

Scott Wardle, Vice-Chair  
Dave McCall  
Brad Pratt  
Melodi Gochis

**City Employees Present:**

Mayor Debbie Winn  
Glenn Caldwell, Finance Director  
Roger Baker, City Attorney  
Michelle Pitt, Recorder  
Jim Bolser, Community Development Director  
Steve Evans, Public Works Director  
Paul Hansen, City Engineer  
Darwin Cook, Parks and Recreation Director  
Andrew Aagard, City Planner

Minutes prepared by Michelle Pitt

**1. Open Meeting**

Vice-Chair Wardle called the meeting to order at 5:03 p.m.

**2. Roll Call**

Scott Wardle, Present  
Brad Pratt, Present  
Dave McCall, Present at 5:06  
Melodi Gochis, Present at 5:03  
Steve Pruden, Excused

**3. Discussion:**

- Utility Services Partners Presentation  
Presented by Dennis Lyon

Mr. Lyon stated they partner with the National League of Cities (NLC). He explained his program as a service to homeowners for protection of their lateral water and sewer lines, and inside plumbing. They also educate homeowners about their responsibility for those lines. He said that most homeowners don't realize those lines are their responsibility until there is a problem. There is no cost to the City for this program, and it may generate an ongoing revenue stream for the City, if the City chooses to pay \$10,068 dues to join the NLC. If the City chooses to participate, we would receive \$0.50 per month for each service/participant. Every January the City would get a royalty which could be used for things such as low income utility assistance, donations to a charity, or to build something such as an all-ability park. If the City declines the revenue, the savings are passed on to the homeowners.

Mr. Lyon went on to say that if the City chooses to participate, the Utility Service Partners will respond to homeowners who have problems such as backups, through a local licensed contractor. If a homeowner has an issue such as cracked lines, the contractor would take care of the repair. Homeowners are allowed \$8,500 per occurrence, with no deductible. It is a month-to-month basis, with no long term requirements, and no pre-inspections done. They also offer in-home plumbing options at \$3,000 per occurrence. This service is provided to homeowners who voluntarily choose to purchase this coverage.

The marketing is done by direct mail to the residents. The City can review and approve the mailings that go out. It educates the homeowner on what their responsibility is, explains the different options, how they can enroll, and explains the partnership with the City. Utility Services Partners uses the City's logo on marketing.

Some of the Utah cities that they work with are Clearfield, Payson, Salt Lake, and Orem.

The monthly cost for a homeowner is \$5.75/month for water, \$7.75/month for sewer, and \$9.99/month for in-home plumbing.

The Mayor indicated that she received a letter from the Utah League of Cities and Towns in support of the program. She felt it would be a great option for citizens to offer this program. It was decided to get the contracts to Mr. Baker for review.

- Cemetery Fee Changes  
Presented by Darwin Cook

Mr. Cook provided a chart comparing City's fees with other cities' fees. Mr. Cook stated that the purpose of this discussion was to bring the City's fees more in line with neighboring cities. He explained that three years ago, some fees were adjusted, with the idea that further adjustments would be brought to the Council as a stepping process, rather than raising them all at once.

Mr. Cook stated that the cemetery staff would really like to see a rise in the fee for disinterment of cremated remains. This fee is so low that citizens are temporarily putting cremations in a certain spot, and then moving them to another spot when someone else in the family gets a burial spot.

Mr. Cook asked for a discussion on resident vs. non-resident fees. He said that it is hard to define a resident, and cited an example: a man lives in Tooele for 80 years, then his family moves him to a care center near them in Bountiful because that's where they live. Would that man be considered a resident? At the time of burial, while people are grieving, is a difficult time to debate whether or not they are considered a resident. For now, staff has decided that as long as the Certificates are mailed to a Tooele City address, they are considered residents. Mr. Cook added that there is very limited space available for upright headstones.

She and the Council felt that the residents should be able to get a discount because they are already paying property tax. The Mayor encouraged the Council to look at the non-resident and resident fees and to get their input to her so that they can see what needs to be discussed further.

The Council discussed amounts they would like to see on certain rates. Mr. Cook will prepare a Resolution for their consideration at their next meeting.

- Sign Ordinance  
Presented by Andrew Aagard

Mr. Aagard stated that three weeks ago, the Council considered an Ordinance amendment to permit off-premise signs. The Council asked Mr. Aagard to research other cities to see how they got past freedom of speech issues. From his research, Mr. Aagard found that most cities prohibit off-premise signs. However, there are cities that are rolling the dice with their ordinances. They have old ordinances, haven't amended their codes, and are running the risk of being challenged.

Mr. Baker said that he spoke with Jody Burnett on Friday about this issue. Mr. Burnett echoed those concerns about the cities that have those old ordinances that permit off-premise signs and agreed with the concerns Mr. Baker expressed during the last discussion.

Mr. Aagard said that if you have to read the sign to identify what it is, you have freedom of speech issues. The Mayor said it was the real estate group that brought this to the City's attention. Vice-Chair Wardle asked Mr. Aagard to bring some versions of a policy and possible effects to the Council for consideration.

- Ordinance 2019-04 An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the R1-7 Residential Zoning District for 16.4 Acres of Property Located at 600 West and 650 West Utah Avenue  
Presented by Jim Bolser

Mr. Bolser said that this Ordinance was originally a request for a Zoning Map Amendment to the MR-8 Multi-Family Residential zone on the west end of Utah Avenue, west of Coleman, with a concept project plan that would be a mixture of single-family homes and attached residential product. The application received a negative recommendation from the Planning Commission. The applicants chose to go back to the Planning Commission with a new proposal that was strictly an R1-7 single-family detached rezone request. The Planning Commission made a negative recommendation again. Mr. Bolser added that the Planning Commission minutes that

the Council received are draft minutes. Mr. Bolser said that the Council may hear the same comments from the public that the Planning Commission heard in their meeting.

- Subdivision Preliminary Plan for Par Fore Estates, Application by Par 4 Estates LLC, Located at Approximately 775 East Vine Street, in the R1-7 Residential Zoning District, for the Purpose of Creating 62 Single-Family Residential Lots Presented by Jim Bolser

Mr. Bolser stated that this is the Par Fore Estates subdivision application which is before the Council as a preliminary plan. He explained that this is the property that the City sold to the applicant on the east end of Vine Street, and west of the golf course clubhouse. It was approved for a PUD for a twin-home project and meets the terms of the current zoning.

- Ordinance 2019-12 An Ordinance of the Tooele City Council Amending the Text of Chapter 7-4 of the Tooele City Code Related to Parking and Making Related Technical Changes to Chapter 7-15, Chapter 7-15a and Chapter 7-16 of the Tooele City Code Presented by Jim Bolser

Mr. Bolser said that the Planning Commission forwarded a positive recommendation of this Ordinance to the Council. The Council has seen this item at prior meetings and what's before them tonight hasn't changed from what they've previously seen.

- Rezone/Water Modeling Presented by Vice-Chair Wardle

**Council Member Pratt moved to have a recess.** Council Member Gochis seconded the motion. The vote was as follows: Vice-Chair Wardle "Aye," Council Member McCall "Aye," Council Member Pratt "Aye," and Council Member Gochis "Aye."

The meeting recessed at 5:55 p.m., and reconvened at 5:58 p.m.

This item was tabled.

- RDA Project Update Presented by RDA Chairman Brad Pratt

Chairman Pratt stated that the City met with the Kimball's on the 1000 North project. He added that Mr. Sant would send more details via email at a later date. Two members of the Council are going to ICSC later this week; Mr. Sant will try to get the Council the email update before they go to that conference.

Mayor Winn said that she and Mr. Sant met with the Kimball group to discuss the development agreement, and to work out a few items. The attorneys on both sides are working on finishing up the agreement and those changes. The Mayor felt that the Council could see a development agreement at their meeting on June 15th.

#### **4. Close Meeting to Discuss Litigation and Property Acquisition**

**Council Member Pratt moved to close the meeting.** Council Member McCall seconded the motion. The vote was as follows: Vice-Chair Wardle “Aye,” Council Member McCall “Aye,” Council Member Pratt “Aye,” and Council Member Gochis “Aye.”

The meeting closed at 6:01 p.m.

Those in attendance during the closed session: Mayor Debbie Winn, Paul Hansen, Michelle Pitt, Jim Bolser, Steve Evans, Glenn Caldwell, Roger Baker, Darwin Cook, Attorney Ted Barnes, Council Member Pratt, Council Member McCall, Council Member Gochis and Vice-Chair Wardle.

No minutes were taken on the closed meetings.

#### **5. Adjourn**

**Council Member Pratt moved to adjourn.** Council Member McCall seconded the motion. The vote was as follows: Vice Chair Wardle “Aye,” Council Member McCall “Aye,” Council Member Pratt “Aye,” and Council Member Gochis, Aye.”

The meeting adjourned at 6:50 p.m.

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

Approved this 5th day of June, 2019

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Steve Pruden, Tooele City Council Chair



**Tooele City Council  
Public Meeting Minutes**

Date: Wednesday, May 29, 2019  
Time: 5:00 p.m.  
Place: Tooele City Hall, Large Conference Room  
90 North Main St., Tooele, Utah

**City Council Members Present:**

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

**City Employees Present:**

Mayor Debbie Winn  
Glenn Caldwell, Finance Director  
Shannon Wimmer, Assistant Finance Director  
Jim Bolser, Community Development Director  
Paul Hansen, City Engineer (for the first item)  
Steve Evans, Public Works Director  
Michelle Pitt, Recorder  
Kami Perkins, Human Resource Director  
Darwin Cook, Parks and Recreation Director

Minutes prepared by Michelle Pitt

**1. Open Meeting**

Chairman Pruden called the meeting to order at 5:02 p.m.

**2. Roll Call**

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

**3. City Council Policy Regarding Multi-Family Rezones**

Chairman Pruden explained that the City has received a lot of requests to rezone for multi-family developments. He asked the Council if they had any questions or comments regarding a policy the Council would like to implement regarding multi-family rezones. Council Member Wardle said that he felt that the City needed the study for the City's water and sewer master plans. Council Member Pratt said that it was important not to let the services and utilities run out. Council Member Gochis stated that the City needs to make sure we meet the needs of all the residents before adding to those needs. Council Member McCall said that the City has an extremely large amount of rezone requests, and should make sure we can handle the growth.

The Mayor expressed appreciation to City staff for helping them to understand so that they can be prepared. She reiterated that the City needs to plan, and have studies done. Mr. Hansen added that the study will look at all infrastructure systems, to include water, sewer, and transportation.

Chairman Pruden read the City Council Policy regarding multi-family rezones (attached to these minutes).

**Council Member Gochis moved to approve the policy as read, for a period of up to 12 months.** Council Member Pratt seconded the motion. The vote was as follows: Council Member McCall "Aye," Council Member Pratt "Aye," Council Member Gochis "Aye," Council Member Wardle "Aye," and Chairman Pruden "Aye."

#### **4. Budget Discussion**

Mayor Winn presented modifications and updates that had been made on the budget since the last time the Council received it. The Council discussed:

- Personnel requests, and approximately 50 cents per person or 2.5% for a COLA,
- Developing an equipment replacement program,
- Keeping the certified tax rate,
- Holding a public hearing to transfer funds from the solid waste fund to the general fund to do some projects and start an equipment replacement program,
- Not implementing a judgment levy this year,
- Putting a study committee together to include two council members, Mayor, Glenn and Shannon to put together an idea for next year to see if a tax increase is needed,
- Line items to look at ways to cut expenses,
- Keeping budget increase requests to 10% or less for next year.

The Chairman thanked City staff, Mayor, and Council for the work on the budget.

#### **5. Adjourn**

**Council Member Pratt moved to adjourn the meeting.** Council Member Gochis seconded the motion. The vote was as follows: Council Member McCall "Aye," Council Member Pratt

“Aye,” Council Member Gochis “Aye,” Council Member Wardle “Aye,” and Chairman Pruden “Aye.”

The meeting adjourned at approximately 8:16 p.m.

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

Approved this 5th day of June, 2019

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Steve Pruden, Tooele City Council Chair

DRAFT