

PUBLIC NOTICE

Notice is Hereby Given that the Tooele City Council and the Tooele City Redevelopment Agency will meet in a Work Meeting, on Wednesday, December 21, 2022, at 5:30 p.m. The Meeting will be Held in the Tooele City Hall Council Chambers, Located at 90 North Main Street, Tooele, Utah.

We encourage you to join the City Council meeting electronically by visiting the **Tooele City YouTube Channel**, at <https://www.youtube.com/@tooelecity> or by going to YouTube.com and searching "Tooele City Channel".

AGENDA

1. **Open City Council Meeting**
2. **Roll Call**
3. **Mayor's Report**
4. **Council Members' Report**
5. **Discussion Items**
 - a. **Payment of a Fee-in-Lieu of Water Rights Conveyance Requests** (Middle Canyon Commercial Subdivision, RV Park, & Burt Brothers)
Presented by Jared Stewart, Economic Development Director
 - b. **Planned Unit Development Amendment to Western Acres Request by DR Horton**
Presented by Jim Bolser, Community Development Director
6. **Closed Meeting**
~ Litigation, Property Acquisition, and/or Personnel
7. **Adjourn**

Michelle Y. Pitt, Tooele City Recorder

Pursuant to The Americans With Disabilities Act, Individuals Needing Special Accommodations Should Notify Michelle Y. Pitt, Tooele City Recorder, At 435-843-2111 Or Michellep@Tooelecity.Org, Prior To The Meeting.

TOOELE CITY CORPORATION

DRAFT RESOLUTION 2022-107

A RESOLUTION OF THE TOOELE CITY COUNCIL AUTHORIZING PAYMENT OF A FEE-IN-LIEU OF WATER RIGHTS CONVEYANCE FOR THE MIDDLE CANYON COMMERCIAL CENTER SUBDIVISION.

WHEREAS, Tooele City Code Chapter 7-26 governs the exaction by Tooele City of water rights as a condition of land use approval (see also UCA 10-9a-508); and,

WHEREAS, TCC Section 7-26-2(2) empowers the City Council to adopt a legislative policy allowing for the payment of a fee in lieu of water rights conveyance: “Fee-in-lieu. Pursuant to established City Council policy, in lieu of actual conveyance of water rights pursuant to this Chapter, certain development applicants may pay to the City an amount per acre-foot for access to water rights controlled by the City in a quantity necessary to satisfy the anticipated future water needs of the proposed development to be served and supplied by the City water system”; and,

WHEREAS, on May 18, 2022, the City Council approved Resolution 2022-29, adopting an updated fee-in-lieu of water rights conveyance policy referred to in TCC 7-26-2(2), with an effective date of June 1, 2022 (with the original policy being adopted in 2007) (see the June 1 policy attached as Exhibit B); and,

WHEREAS, the June 1 policy encourages the consideration of at least the following factors in considering requests to pay the fee-in-lieu:

- The number of acre-feet of water rights requested.
- The availability of City-owned water rights and corresponding water sources.
- The number of jobs the development is anticipated to create, together with the nature of the jobs (e.g., full-time) and job compensation (e.g., wage levels, benefits).
- The amount of sales tax the development is anticipated to generate.
- The amount of property tax the development is anticipated to generate.
- The anticipated environmental, social, and community impacts of the development.

WHEREAS, the City Council retains sole and exclusive legislative discretion in deciding to allow the payment of the fee-in-lieu; and,

WHEREAS, Tooele City received from Rod Enlow representing the Middle Canyon Commercial Center Subdivision (“the Project”) a letter dated December 9, 2022, requesting the allocation of 13.00 acre-feet of City-owned municipal water rights to the

Project, or, in other words, requesting to pay the fee-in-lieu rather than convey water rights (see the letter attached as Exhibit A; and,

WHEREAS, the City Council's authorization allowing Middle Canyon Commercial Center Subdivision to pay to Tooele City a fee in lieu of conveying up to 13 acre-feet of municipal rights is conditioned upon the Project obtaining City approval of a site plan, City approval of a first building permit, and commencement of vertical construction of a first building within two years of the date of approval of this Resolution, unless the City Council, in its sole discretion, decides in a public meeting to extend this two-year deadline or modify these conditions; and,

WHEREAS, the Project will consist of approximately 730,000 square feet in new retail construction; and,

WHEREAS, the Project proposal addresses the policy considerations identified above and in the June 1 policy in the following ways:

- The Project requests 13.00 acre-feet of water.
- An estimated capital investment of \$42 Million.
- The creation of an estimated 385 jobs, with a mix of management level, full time, and part time employees.
- The generation of new sales tax from each completed retail storefront

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that, in light of the legislative policies and considerations discussed above, the City Council hereby finds that the request of the Project complies fully with the City Council's June 1, 2022, policy, and hereby authorizes the payment of the fee-in-lieu of water rights in place of conveyance of 13.00 acre-feet of municipal water rights, for the fee amount established in the June 1 policy of \$35,000 per acre-foot.

This Resolution 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 Resolution is passed by the Tooele City Council this ____ day of _____, 2022.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

TOOELE CITY MAYOR

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

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

Exhibit A

December 9, 2022, Letter
Middle Canyon Commercial Center Subdivision

FIRST HOME

DEVELOPERS BUILDERS

5578 South Red Cliff Drive Apt C Taylorsville Utah 84123

rod.engar@yahoo.com 801-558-1657

December 9, 2022

Mayor Debbie Winn
90 North Main St.
Tooele, Utah 84074

RE: Letter to request approval of Payment in Lieu of Water Rights for Middle Canyon Commercial Center Subdivision, at 200 West and 1000 North


Dear Mayor Winn:

I have been hired by Greg Haerr to subdivide his commercial property on the Southwest corner of 200 West and 1000 North in Tooele. The approved name is Middle Canyon Commercial Center Subdivision. All of the required applications, fees, documents and plans have been successfully submitted to Andrew Aagard's office on November 17, 2022

It is time to request your approval and that of the City Council for the City to accept Payment in Lieu of Water Rights, for the water service for the 11 businesses that will be located on the 11 commercial lots of the subdivision. It is important that we have this agreement in order to proceed with the Sewer and Water Modelling fees for this subdivision. Gregg has asked me to request the approval for the 11 water rights initially, which Payment in lieu of Rights will be made to Tooele City as soon as approved, and we receive the letter of subdivision approval from the Community Development Director.

Once approvals are received, the subdivision improvements on the plans will be built out and the sale of the 11 commercial lots will proceed. As the new business owners purchase their lots, they will submit their own plans for buildings and improvements. At that time, the accurate water needs can be determined for each business. Therefore, please include in this approval request the Payment in Lieu of Water Rights for any additional water rights that will be needed for their business operations.

Respectfully yours,



Rod Engar, President

Project Manager for Middle Canyon Commercial Center Subdivision

Cell Phone Number: 801-558-1657

PROJECT GENERAL QUESTIONS

I am reaching out in regards to your request for Water Rights Fee-in-Lieu of payment for the Middle Canyon Commercial Center Subdivision. The City Council has been refining the process for these requests and so I'm reaching out for additional information prior to taking them your request.

Attached is a table of guidelines that the Council has asked developers to respond to with their request. We don't expect anyone to have numbers for every metric, but any information you can provide will be valuable to their decision and justification of the use of water Fee-in-Lieu.

To begin, let me give you a general statement about this project and how it will develop into the shopping center as envisioned when complete. This commercially zoned 17 + acre parcel was purchased some 19 years ago by the owner. Greg Haerr, with the idea in mind of holding on to it until there was some major residential expansion in the surrounding area. This has finally occurred. He hired me to get things ready for the commercial subdivision to be developed. First, he had me subdivide the commercially zoned parcel west of 200 West into one 4-acre parcel and the remaining 15 + acre parcel. Then, we sold the 4-acre parcel to a hotel Group to build a hotel and two commercial out pads. Which is the approval process now with the City. Then I completed the rezoning of the 15 + acre parcel to an R-16 Residential zone. The intent was to build out a 224-unit condominium project. It is ready for development as soon as there are water rights that come available for that use.

The next assignment was to finally subdivide the 17+ acre parcel into commercial lots, to then be marketed to the small business community for expansion into the Tooele area, with 10 small businesses and one large major business such as a large home improvement center (such as a Lowes or Sutherlands et.) So, the first goal is to get the lots subdivided and then get the marketing going on the 11 lots that are in the planned subdivision. I can only provide a list of business types that our marketing team will be contacting for the sale of the lots for their prospective businesses. With that background, I will answer your questions as much as possible.

Here are some questions to start off with. Can you answer these to the best of your ability?

- What is the new capital investment (contributes to property tax value)?

I have included a sheet with capital investment estimates, "ESTIMATED WATER DEMAND FOR COMMERCIAL LOTS". I have estimated the new capital investment for each lot.

- Will there be sales tax revenue from this project? If so, what are projected sales?

This one is just a guess, since we don't know what is being sold. I don't know.

- Do you know the end tenants? If not, what type of industry and business is being targeted?

See the list mentioned above for this one.

- How many jobs can we expect to be created through this project? What will the range of wages be?

-

The mechanical engineer who assisted me, estimated 385 new jobs here. There will be full time management level, full time employees, and hourly workers plus part time hourly jobs.

- What is your timeline for development?

As soon as the subdivision is approved, Greg would like to complete the basic subdivision as planned immediately, to get the marketing of the lots going ASAP.

- Are there any other project benefits that you would like to explain to the Council?

1. With all of the hundreds of new homes within a ½ mile radius of the shopping center, this shopping center is right in the middle of the growth and will be the new convenient place to go for most of their needs and desires. 2. Many will enjoy the walking distance shopping that will be opened up to them. 3. Tooele City will certainly love the new source of commercial based property taxes, and sales taxes that follow a new shopping center. 4. Permanent full-time employment for hundreds of Tooele residents and part time work for our kids after school and summer jobs help create the tremendous boon to the City's ability to grow and support the present and future labor force of the city. 5. The new access at 100 West from 1000 North will greatly help traffic flow into the new Shopping Center with lots of parking. 6. Finally this vacant weed patch will become a new shining star in the neighborhood. 6. The city general plan is now coming into a reality, with this and other development in the area. 7. The very nature of the creation of the private businesses owning the land where their business operates, is a huge incentive for the business owners to be in it for the long haul, vs. businesses which have to be concerned about renewed leases and escalating prices just to continue business.

ESTIMATED WATER DEMAND AND ESTIMATED NEW CAPITALIZATION **EXAMPLES FOR SAMPLE BUSINESS** FOR COMMERCIAL LOTS

Lot 1 --office/retail user Typical = Ace Hardware
40361 sqft = .92 acres 0.51 acre ft / year NEW CAPITALZATION \$1,100,500

Lot 2 -- office retail user Typical = C Store
41040 sqft = .94 acres 0.52 acre ft / year NEW CAPITALZATION \$1,704,000

Lot 3 -- office/retail user Typical = Auto Zone
41040 sqft = .94 acres 0.44 acre ft / year NEW CAPITALZATION \$2,130,000

Lot4 -- large anchor tenant Typical = Winco Store
346638 sqft = 7.9 acres 5.5 acre ft / year (rough estimate only)
(rough estimate only) NEW CAPITALZATION \$25,075,425

Lot 5 – retail, (fast food) Typical = Wing Stop
36424 sqft = .83 acres .98 acre ft / year NEW CAPITALZATION \$621,250

Lot 6 – retail Retail Store Typical ross Dress for less
34545 sqft = .79 acres .44 acre ft / year NEW CAPITALZATION \$1,098,000

Lot 7 -- retail (bank) Typical = U First Credit Union
32585 sqft .75 acres .41 acre ft / year NEW CAPITALZATION \$2,281,000

Lot 8 -- retail (fast food) Typical = Burger King
32585 sqft = .75 acres .98 acre ft / year NEW CAPITALZATION \$1,775,000

Lot 9 -- retail (restaurant)) Typical = Olive Garden
55125 sqft = 1.3 acres 1.4 acre ft / year NEW CAPITALZATION \$2,992,500

Lot 10 - retail (medium store or medium office/professional med. /den
36637 sqft = .84 acres 0.41 acre ft / year NEW CAPITALZATION \$1,134,600

Lot 11 – (Service station) Typical = Holiday Oil
33049 sqft = .76 acres 1.0 acre ft / year NEW CAPITALZATION \$2,130,000

TOTAL ESTIMATED WATER USE 12.59 ACRE FEET PER YEAR 13 WATER RIGHTS
TOTAL ESTIMATED NEW CAPITALIZATION \$42,042,275

Exhibit B

June 1, 2022, Fee-in-lieu Policy

City Council Policy

RE: Payment In Lieu Of Water Rights Conveyance under Tooele City Code §7-26-3(2).

Effective Date: June 1, 2022

Tooele City Code Chapter 7-26 requires the conveyance of water rights as a condition of approval of all land use applications. Section 7-26-3(2) states the following:

Fee-in-lieu. Pursuant to established City Council policy, in lieu of actual conveyance of water rights pursuant to this Chapter, certain development applicants may pay to the City an amount per acre-foot for access to water rights controlled by the City in a quantity necessary to satisfy the anticipated future water needs of the proposed development to be served and supplied by the City water system.

This City Council Policy is established pursuant to the authority embodied in §7-26-3(2).

Residential Development. Beginning on the Effective Date, Tooele City will allow owners of existing parcels of record that are not part of a recorded subdivision, and owners of single lots subdivided from those existing parcels through two-lot subdivisions (e.g., a lot split), to pay a fee (the "Fee") per parcel or lot in lieu of the residential water right requirement established in TCC §7-26-2(1). The item for which the Fee is paid shall be known for purposes of this Policy as a Water Rights Credit or Credit.

Credits will be available on a first-come first-served basis. The Fee shall be paid in full prior to building permit issuance. Should a building permit for which the Fee was paid expire under the terms of the permit, the City will refund the Fee, minus a \$100 administrative service charge. An owner who previously paid the Fee and received a Fee refund due to an expired building permit may submit a new building permit application and pay the Fee on a first-come first-served basis behind others who paid the Fee and whose building permits remain valid.

Non-residential Development. Beginning on the Effective Date, Tooele City will allow owners of non-residential developments to pay the Fee if the development is determined by the City to need less than 20 acre-feet of municipal water rights. Additional Credits may be made available, upon recommendation of the Public Works Director and with written approval of the Mayor, after full consideration of the following criteria in relation to the amount of water used:

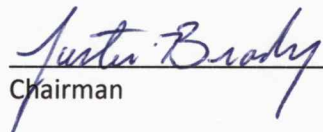
- The number of jobs the development is anticipated to create, together with the nature of the jobs (e.g., full-time) and job compensation (e.g., wage levels, benefits).
- The amount of sales tax the development is anticipated to generate.
- The amount of property tax the development is anticipated to generate.
- The anticipated environmental and social impacts of the development.

Credits will be available on a first-come first-served basis. The Fee shall be paid in full prior to building permit issuance. Should a building permit for which the Fee was paid expire under the terms of the permit, the City will refund the Fee, minus a \$100 administrative service charge. An owner who previously paid the Fee and received a Fee refund due to an expired building permit may submit a new building

permit application and pay the Fee on a first-come first-served basis behind others who paid the Fee and whose building permits remain valid.

General.

1. The Fee shall be established at \$35,000 per Credit, each Credit being the equivalent of 1.0 acre-foot of municipal water rights.
2. Credits sold pursuant to this Policy shall not exceed a total of 50 acre-feet of municipal water rights in any calendar year without the approval of the City Council.
3. Upon payment of the Fee, the City will indicate such payment on the approved building permit.
4. This Policy shall supersede any prior oral or written policies or practices on the subject of this Policy.
5. Revenues derived from the sale of Credits shall be utilized for the protection of existing water rights and/or the purchase of additional water rights, except that the City Council may authorize the use of such revenues for other Tooele City water-related projects and/or needs upon a finding of good cause.
6. The sale of Water Rights Credits under this Policy is subject to the availability of corresponding water rights, in the sole discretion of Tooele City.



Chairman

TOOELE CITY CORPORATION

DRAFT RESOLUTION 2022-108

A RESOLUTION OF THE TOOELE CITY COUNCIL AUTHORIZING PAYMENT OF A FEE-IN-LIEU OF WATER RIGHTS CONVEYANCE FOR AN RV PARK LOCATED NEAR 1000 N AND 200 W.

WHEREAS, Tooele City Code Chapter 7-26 governs the exaction by Tooele City of water rights as a condition of land use approval (see also UCA 10-9a-508); and,

WHEREAS, TCC Section 7-26-2(2) empowers the City Council to adopt a legislative policy allowing for the payment of a fee in lieu of water rights conveyance: “Fee-in-lieu. Pursuant to established City Council policy, in lieu of actual conveyance of water rights pursuant to this Chapter, certain development applicants may pay to the City an amount per acre-foot for access to water rights controlled by the City in a quantity necessary to satisfy the anticipated future water needs of the proposed development to be served and supplied by the City water system”; and,

WHEREAS, on May 18, 2022, the City Council approved Resolution 2022-29, adopting an updated fee-in-lieu of water rights conveyance policy referred to in TCC 7-26-2(2), with an effective date of June 1, 2022 (with the original policy being adopted in 2007) (see the June 1 policy attached as Exhibit B); and,

WHEREAS, the June 1 policy encourages the consideration of at least the following factors in considering requests to pay the fee-in-lieu:

- The number of acre-feet of water rights requested.
- The availability of City-owned water rights and corresponding water sources.
- The number of jobs the development is anticipated to create, together with the nature of the jobs (e.g., full-time) and job compensation (e.g., wage levels, benefits).
- The amount of sales tax the development is anticipated to generate.
- The amount of property tax the development is anticipated to generate.
- The anticipated environmental, social, and community impacts of the development.

WHEREAS, the City Council retains sole and exclusive legislative discretion in deciding to allow the payment of the fee-in-lieu; and,

WHEREAS, Tooele City received from Paul Hilbig representing the proposed RV Park Development (“the Project”) a letter dated November 29, 2022, requesting the allocation of 6.5 acre-feet of City-owned municipal water rights to the Project, or, in other

words, requesting to pay the fee-in-lieu rather than convey water rights (see the letter attached as Exhibit A); and,

WHEREAS, the City Council's authorization allowing the proposed RV Development to pay to Tooele City a fee in lieu of conveying up to 6.5 acre-feet of municipal rights is conditioned upon the Project obtaining City approval of a site plan, City approval of a building permit, and commencement of construction within two years of the date of approval of this Resolution, unless the City Council, in its sole discretion, decides in a public meeting to extend this two-year deadline or modify these conditions; and,

WHEREAS, the Project will consist of a new property investment for an RV Park and operate as a short/long term housing option; and,

WHEREAS, the Project proposal addresses the policy considerations identified above and in the June 1 policy in the following ways:

- The Project requests 6.5 acre-feet of water.
- The RV Park would service approximately 150 RS stalls
- The Project would provide an alternative form of housing and fill a need in the housing market—80% of stalls would be assigned to long term guests, meaning stays of longer than 3 months.
- Capital Investment on the site would be approximately \$20,000,000, which includes the purchase of land, impact fees, construction of a 5,000 square foot clubhouse, playground, dog park, and recreational courts.
- The Project would employ 1-2 full time managers and 3-5 part time employees. Manager wages would approximate \$60,000 per year and part time staff would be paid approximately \$20 per hour.
- Target completion date for the project is Fall of 2023 or Spring of 2024.
- This particular type of land use consumes less water than other, higher density types of residential, possibly using 1/3 the amount of water per capita.

NOW, THEREFORE, BE IT RESOLVED BY THE TOOEELE CITY COUNCIL that, in light of the legislative policies and considerations discussed above, the City Council hereby finds that the request of the Project complies fully with the City Council's June 1, 2022, policy, and hereby authorizes the payment of the fee-in-lieu of water rights in place of conveyance of 6.5 acre-feet of municipal water rights, for the fee amount established in the June 1 policy of \$35,000 per acre-foot.

This Resolution 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 Resolution is passed by the Tooele City Council this ____ day of _____, 2022.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

TOOELE CITY MAYOR

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

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

Exhibit A

November 29, 2022, Letter
Paul Hilbig – Proposed RV Park Development

December 14, 2022

RE: Proposed Recreational Vehicle Park

Mr. Stewart,

Our company focuses on developing, owning and operating recreational vehicle parks in Idaho and Oregon. We also develop and own storage facilities, office buildings, apartments, car washes, and other commercial projects in the Western United States. We are expanding our RV Park portfolio into Utah and Nevada and expect to develop, own and operate ten additional parks in 2023. We hope that an RV Park in Tooele will be part of our expansion.

Our initial interest in developing RV Parks was to alleviate, in some small measure, the affordable housing crisis. Our parks serve a mixture of long term and short terms guests, depending on the location and local ordinances. We typically assign 80% of the stalls for long term guests (defined by us as those staying longer than three months) and the remaining stalls are reserved for guests staying for a night or a few weeks. The guests come from all walks of life – united by the lifestyle living in an RV provides – old and young, workers and retirees, wealthy and those who can't afford a typical mortgage or rent. The short-term stays bring new tourist dollars into the community.

We pride ourselves on providing a beautiful community that appeals to everyone, while keeping the rates affordable. Our clubhouses are well-designed and provide individual restrooms with spacious showers, laundry facilities, large gathering rooms, game rooms and office spaces. All our streets and stalls are paved. We use a significant amount of artificial turf to conserve and minimize water usage and have greenery year-round. The parks have on site managers who care about the guests, maintain our high standards and make sure the community is clean, safe and quiet.

I encourage you to review our Google reviews and peruse our websites that have pictures of our parks in Idaho and Oregon (www.RiverPointRVPark.com and www.CenterPointRVPark.com).

We expect the capital investment for this proposed park to be approximately \$20,000,000. This represents the land, impact fees and improvement costs of bringing utilities to each site, an approximately 5,000 square foot clubhouse, playgrounds, dog parks, pickleball and basketball courts, a putting green, etc.

I'm admittedly not totally familiar on the city or state tax code relating to resort taxes, but expected annual revenue is estimated to be approximately \$2,000,000 depending on how many stalls are ultimately developed.



As stated, we operate the parks as well. After committing \$20,000,000 to build the community, we will make sure the park is kept in excellent condition and that we and our guests are an asset to the greater community. We expect to employ one or two full-time managers and three to five part-time employees. The full-time managers are expected to make approximately \$60,000 annually and the part-time employees are expected to be start at approximately \$20 per hour, depending on experience.

If the city allows us to pay a fee-in-lieu of the water rights, we will immediately begin entitling the site. My understanding is this could take about six months. Once entitled we will complete the construction documents in order to begin construction as soon as possible, ideally in the Fall of 2023 with a target opening date of Spring 2024.

We've selected this location for the RV park because it is adjacent to, but not accessed from, 1000 N. As such, it is easily accessible and within walking distance to a significant amount of retail, entertainment and employment opportunities. Existing residential communities are buffered by a major thoroughfare or railroad tracks.

If the site were to develop as high density residential, it would fit over 350 attached units, consuming significantly more water than the 175-unit RV park. Though the attached units would potentially be more affordable than single family homes, they still would be more expensive than living at or visiting the RV park. The RV Park will also consume far less water than a 15-acre retail development. Those who live or travel in recreational vehicles are typical very water conscious – water consumption at our parks is approximately 20 - 25 gallons per day, per person. The average household water usage is 60 gallons per day, per person.

We recognize this is a unique proposal. If you have further questions, we are happy to meet with the involved parties to further explain our vision and how we feel this community will be a great addition to the City of Tooele.

Best regards,


Paul Hilbig
Partner, FS ONE Development



Jared Stewart

From: Paul Hansen
Sent: Wednesday, December 14, 2022 3:43 PM
To: Jared Stewart
Subject: FW: Project next to All Star Bowling

FYI

Paul Hansen, P.E. | City Engineer
Tooele City Corporation | 90 North Main Street | Tooele, Utah 84074
 (ph) 435.843.2132 | (fax) 435.843.2139 | www.tooelecity.org

 Please consider our environment before printing this e-mail

From: Paul Hilbig <ph@zokegroup.com>
Sent: Wednesday, December 14, 2022 12:16 PM
To: Paul Hansen <PaulH@TooeleCity.org>
Cc: Andrew Aagard <AndrewA@TooeleCity.org>
Subject: Re: Project next to All Star Bowling

Paul, thank you for your email, very helpful information to give us a ball park idea of costs.

I'd be happy to meet with the Mayor in person or over the phone to explain our proposal if you think that would help. I look forward to hearing back next week, hopefully the purchase thru payment in lieu is a possibility!

Thanks,
Paul
208-921-2506

On Dec 14, 2022, at 10:42 AM, Paul Hansen <PaulH@TooeleCity.org> wrote:

Mr. Hilbig, my apologies for the delay in responding. Your email got caught in our spam folder. I have talked with Andrew about your request, and understand that an RV Park at 200 West 1000 North would require both a land use map amendment and rezone to industrial zoning to allow an RV Park. I have also spoken with the Mayor about your request for water, and she would like to discuss with the Council next week before making any commitments.

As to what the fees would be if your development were approved, that depends upon the amount of landscaping that would be required. For concept purposes, and assuming the following:

WATER DEMAND

Interior Use:

No. RVs	= 125
No Gal/day	= 25
Total Gal/day	= 3,125
Total AF/year	= 3.5

Exterior Use:

Acres landscape = 0.75 (This is unknown as it would be based upon final zoning, but is assumed at 15% lot coverage for this analysis.)
Irrigation Duty (sod) = 4 af/net acre
= 3 acre feet

Total Water Usage = RV + Landscape (3.5+3) = 6.5 acre feet
= 10 ERUs (1 ERU = 0.65 af)
= \$7,805 per ERU

Water Impact = \$78,058

Water Rights (if available for purchase thru payment in lieu) = 6.5 af x \$35,000 per af = \$227,500

Sanitary Sewer Impact = 3,125 gal/day
= 1 ERU 350 gal/day
=\$2,290 per ERU

Sanitary Sewer Impact = \$20,446.43

Please note that the above calculations are based upon a set of assumed values and coverage. Actual water right conveyance and impact fees will be based upon any final plan approval.

As noted above, I hope to have input back from the Mayor the latter part of next week following her discussion with the Council.

Paul Hansen, P.E. | City Engineer

Tooele City Corporation | 90 North Main Street | Tooele, Utah 84074

 (ph) 435.843.2132 | (fax) 435.843.2139 | www.tooelecity.org

 Please consider our environment before printing this e-mail

From: Paul Hilbig <ph@zokegroup.com>
Sent: Wednesday, December 14, 2022 9:38 AM
To: Paul Hansen <PaulH@TooeleCity.org>
Subject: Re: Project next to All Star Bowling

Paul, good morning. Just checking in on the emails below — any input would be greatly appreciated!

Thanks,
Paul
208-921-2506

On Dec 1, 2022, at 9:19 AM, Paul Hilbig <ph@zokegroup.com> wrote:

Paul, good morning. I hope things are well. Just wanted to follow up on my email below. Thanks!

Thanks,
Paul
208-921-2506

On Nov 29, 2022, at 3:36 PM, Paul Hilbig <ph@zokegroup.com> wrote:

Paul, good afternoon. I'm doing some research on the ~15 acres south and west of All Star bowling (north west corner of 1000 N and 200 W). After speaking with the planner, he recommended I reach out to you about water rights.

We are hoping to develop an RV park on that property. In other cities that we have developed RV Parks in, they have been treated as commercial projects. Would an RV Park be eligible for the "fee in lieu of" situation? Meaning, could we pay a fee to the city rather than providing water rights to the city?

Each RV uses about 25 gallons of water per day and we hope to have about 150 rv stalls total. If this project is eligible, could you provide a sense of what the fee would be?

I look forward to hearing back! I'm available most of the day tomorrow and Thursday if you'd prefer to chat over the phone.

Thanks!
Paul Hilbig
208-921-2506

Here are some links to other projects we own and operate.

centerpointrvpark.com

riverpointrvpark.com

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Exhibit B

June 1, 2022, Fee-in-lieu Policy

City Council Policy

RE: Payment In Lieu Of Water Rights Conveyance under Tooele City Code §7-26-3(2).

Effective Date: June 1, 2022

Tooele City Code Chapter 7-26 requires the conveyance of water rights as a condition of approval of all land use applications. Section 7-26-3(2) states the following:

Fee-in-lieu. Pursuant to established City Council policy, in lieu of actual conveyance of water rights pursuant to this Chapter, certain development applicants may pay to the City an amount per acre-foot for access to water rights controlled by the City in a quantity necessary to satisfy the anticipated future water needs of the proposed development to be served and supplied by the City water system.

This City Council Policy is established pursuant to the authority embodied in §7-26-3(2).

Residential Development. Beginning on the Effective Date, Tooele City will allow owners of existing parcels of record that are not part of a recorded subdivision, and owners of single lots subdivided from those existing parcels through two-lot subdivisions (e.g., a lot split), to pay a fee (the "Fee") per parcel or lot in lieu of the residential water right requirement established in TCC §7-26-2(1). The item for which the Fee is paid shall be known for purposes of this Policy as a Water Rights Credit or Credit.

Credits will be available on a first-come first-served basis. The Fee shall be paid in full prior to building permit issuance. Should a building permit for which the Fee was paid expire under the terms of the permit, the City will refund the Fee, minus a \$100 administrative service charge. An owner who previously paid the Fee and received a Fee refund due to an expired building permit may submit a new building permit application and pay the Fee on a first-come first-served basis behind others who paid the Fee and whose building permits remain valid.

Non-residential Development. Beginning on the Effective Date, Tooele City will allow owners of non-residential developments to pay the Fee if the development is determined by the City to need less than 20 acre-feet of municipal water rights. Additional Credits may be made available, upon recommendation of the Public Works Director and with written approval of the Mayor, after full consideration of the following criteria in relation to the amount of water used:

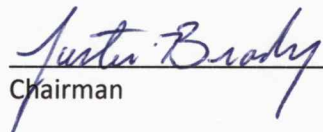
- The number of jobs the development is anticipated to create, together with the nature of the jobs (e.g., full-time) and job compensation (e.g., wage levels, benefits).
- The amount of sales tax the development is anticipated to generate.
- The amount of property tax the development is anticipated to generate.
- The anticipated environmental and social impacts of the development.

Credits will be available on a first-come first-served basis. The Fee shall be paid in full prior to building permit issuance. Should a building permit for which the Fee was paid expire under the terms of the permit, the City will refund the Fee, minus a \$100 administrative service charge. An owner who previously paid the Fee and received a Fee refund due to an expired building permit may submit a new building

permit application and pay the Fee on a first-come first-served basis behind others who paid the Fee and whose building permits remain valid.

General.

1. The Fee shall be established at \$35,000 per Credit, each Credit being the equivalent of 1.0 acre-foot of municipal water rights.
2. Credits sold pursuant to this Policy shall not exceed a total of 50 acre-feet of municipal water rights in any calendar year without the approval of the City Council.
3. Upon payment of the Fee, the City will indicate such payment on the approved building permit.
4. This Policy shall supersede any prior oral or written policies or practices on the subject of this Policy.
5. Revenues derived from the sale of Credits shall be utilized for the protection of existing water rights and/or the purchase of additional water rights, except that the City Council may authorize the use of such revenues for other Tooele City water-related projects and/or needs upon a finding of good cause.
6. The sale of Water Rights Credits under this Policy is subject to the availability of corresponding water rights, in the sole discretion of Tooele City.


Chairman

TOOELE CITY CORPORATION

DRAFT RESOLUTION 2022-109

A RESOLUTION OF THE TOOELE CITY COUNCIL AUTHORIZING PAYMENT OF A FEE-IN-LIEU OF WATER RIGHTS CONVEYANCE FOR BURT BROTHERS TIRE AND SERVICES LLC.

WHEREAS, Tooele City Code Chapter 7-26 governs the exaction by Tooele City of water rights as a condition of land use approval (see also UCA 10-9a-508); and,

WHEREAS, TCC Section 7-26-2(2) empowers the City Council to adopt a legislative policy allowing for the payment of a fee in lieu of water rights conveyance: “Fee-in-lieu. Pursuant to established City Council policy, in lieu of actual conveyance of water rights pursuant to this Chapter, certain development applicants may pay to the City an amount per acre-foot for access to water rights controlled by the City in a quantity necessary to satisfy the anticipated future water needs of the proposed development to be served and supplied by the City water system”; and,

WHEREAS, on May 18, 2022, the City Council approved Resolution 2022-29, adopting an updated fee-in-lieu of water rights conveyance policy referred to in TCC 7-26-2(2), with an effective date of June 1, 2022 (with the original policy being adopted in 2007) (see the June 1 policy attached as Exhibit B); and,

WHEREAS, the June 1 policy encourages the consideration of at least the following factors in considering requests to pay the fee-in-lieu:

- The number of acre-feet of water rights requested.
- The availability of City-owned water rights and corresponding water sources.
- The number of jobs the development is anticipated to create, together with the nature of the jobs (e.g., full-time) and job compensation (e.g., wage levels, benefits).
- The amount of sales tax the development is anticipated to generate.
- The amount of property tax the development is anticipated to generate.
- The anticipated environmental, social, and community impacts of the development.

WHEREAS, the City Council retains sole and exclusive legislative discretion in deciding to allow the payment of the fee-in-lieu; and,

WHEREAS, Tooele City received from Burt Brothers Tire and Services LLC (“Burt Brothers”) a letter dated November 18, 2022, requesting the allocation of 0.9 acre-feet of City-owned municipal water rights to their Burt Brothers automotive tire and service center

("Project"), or, in other words, requesting to pay the fee-in-lieu rather than convey water rights (see the letter attached as Exhibit A); and,

WHEREAS, the City Council's authorization allowing Burt Brothers to pay to Tooele City a fee in lieu of conveying up to 0.9 acre-feet of municipal rights is conditioned upon Burt Brothers obtaining City approval of a site plan, City approval of a first building permit, and commencement of vertical construction of a building within two years of the date of approval of this Resolution, unless the City Council, in its sole discretion, decides in a public meeting to extend this two-year deadline or modify these conditions; and,

WHEREAS, the Project will consist of a new 11,560 square foot commercial building with associated landscaping; and,

WHEREAS, Burt Brothers proposal addresses the policy considerations identified above and in the June 1 policy in the following ways:

- Burt Brothers is requesting 0.9 acre-feet of water.
- An estimated \$4.5 Million in new property value.
- Projected sales of \$3 Million annually by year three.
- 15 to 25 employees with wages ranging from \$15 to \$35 per hour.
- An expected opening by the end of 2023.
- Burt Brothers is a Utah-based business seeking to provide alternative options for auto-related services in the community.

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that, in light of the legislative policies and considerations discussed above, the City Council hereby finds that the request of Burt Brothers complies fully with the City Council's June 1, 2022, policy, and hereby authorizes the payment of the fee-in-lieu of water rights in place of conveyance of 0.9 acre-feet of municipal water rights, for the fee amount established in the June 1 policy of \$35,000 per acre-foot.

This Resolution 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 Resolution is passed by the Tooele City Council this ____ day of _____, 2022.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

TOOELE CITY MAYOR

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

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

Exhibit A

November 18, 2022, Letter
Burt Brothers



11-18-22

Mayor Winn,

We are sure excited to start our project in Tooele and are finalizing some of the details needed. This letter is to formally request options for payment for water rights that will be needed for the project.

Please let us know what is needed to get this done.

Thanks,

Brandon Burt

Vice President

Burt Brothers LLC

737 N 400 W

North Salt Lake UT 84054

Name: Burt Brothers Tire
Address: 473 East 2400 North
Permit No: P22-828

**Water Rights and Impact Fee Analysis
Commercial / Industrial
FINAL SITE PLAN**

Source: Architect and 3 years historic records

Water Rights - Interior Use	
	0.22 acre feet/year
Net interior Demand =	0.22 acre-feet (100% depletion)
Total interior use	0.22 acre-feet

5,945 gallons / month
198 gallons / day
71,336 gallons / year
0.22 af / year

Water Rights -Exterior Use	Landscape Area S.F.	Acres	Water Right Duty (per acre)	Water Right acre-feet
Sod	0	0.00	4.00	0.00
Water Conservation Area	14,810	0.34	2	0.68
Net Exterior Demand=	14,810	0.34		0.68 acre feet

TOTAL WATER RIGHT REQUIREMENT (Interior + exterior)= 0.90 acre-feet If purchased thru Payment in Lieu, Cost would be equal to \$35,000 x 0.90 = \$31,500

Sewer Impact		Total
Future Interior Usage	198	gpd (Sewer Impact Fee Revised Feb 2012). Base Fee \$2290 per ERU
Historic Interior Usage	0	gpd
Net Usage=	198	gpd (Net ERU =350 gpd/ERU)
Net Sewer Impact Fee=	\$1,296.50	

Water Impact		Acre Foot Use	Total
Future Impact	0.90		2327
Historic Use			
Net Water Impact Fee=	0.90	\$10,794.14	Water Impact Fee \$7,805 per ERU (Ordinance 2022-12) 1 ERU = 0.65 af

Public Safety Impact (Requires both Fire and Police Component)		
Building s.f.	Cost per 1000 s.f.	Total
11,560	\$187.40	\$2,166.34
11,560	\$164.70	\$1,903.93
0	\$9.67	\$0.00
Net Public Safety Impact Fee=		\$4,070.28

Fire - Commercial / Industrial
Police - Commercial
Police - Industrial

PUBLIC SAFETY	
IMPACT FEE - FIRE	
Residential, single-family	\$355.90 per dwelling unit
Residential, multi-family	\$188.80 per dwelling unit
Commercial	\$187.40 per 1,000 square-foot of building
Industrial	\$111.40 per 1,000 square-foot of building
IMPACT FEE - POLICE	
Residential, single-family	\$216.90 per dwelling unit
Residential, multi-family	\$221.00 per dwelling unit
Commercial	\$164.70 per 1,000 square-foot of building
Industrial	\$17.40 per 1,000 square-foot of building

Parks Impact (Not Applicable for Commercial / Industrial)

Exhibit B

June 1, 2022, Fee-in-lieu Policy

City Council Policy

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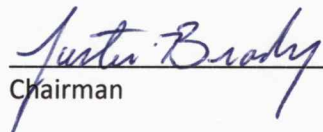
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6. The sale of Water Rights Credits under this Policy is subject to the availability of corresponding water rights, in the sole discretion of Tooele City.


Chairman

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



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.

Project Information			
Date of Submission: 11/28/22	Current Map Designation: MR-16	Proposed Map Designation: MR-16	Parcel #(s): 02-123-0-0043
Project Name: Western Acres			Acres: 85.4
Project Address: 2000 N Copper Canyon Dr			
Proposed for Amendment: <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> General Plan <input type="checkbox"/> Master Plan: _____			
Brief Project Summary: 1. Propose change to exterior siding to include new premium vinyl siding product that eliminates the negative aspects of traditional vinyl (including cracking, fading and wind). It is a tough, durable and beautiful siding composed of materials that prevent ultraviolet degradation, chemical stabilizers to help prevent heat degradation and impact resistance to prevent denting and dinging. The color is the same throughout. So, it will NOT need to be painted in the future like fiber cement board. 2. Propose eliminating the covered parking for our carport product.			
Property Owner(s): DR Horton		Applicant(s): DR Horton	
Address: 12351 Gateway Park Place, Suite D-100		Address: 12351 Gateway Park Place, Suite D-100	
City: Draper	State: UT	Zip: 84020	City: Draper State: UT Zip: 84020
Phone: 801-571-7101		Phone: 801-571-7101	
Contact Person: Mike De Carlo		Address: 12351 Gateway Park Place, Suite D-100	
Phone: 801-571-7101		City: Draper	State: UT Zip: 84020
Cellular: 801-631-2305	Fax:	Email: mrdecarlo@drhorton.com	

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

Note to Applicant:

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

For Office Use Only			
Received By: KSS	Date Received: 12/7/22	Fees: \$6,000.00	App. #: 2221369

Receipt
524337

TOOELE CITY CORPORATION

ORDINANCE 2020-50

AN ORDINANCE OF THE TOOELE CITY COUNCIL REASSIGNING THE ZONING CLASSIFICATION TO THE MR-16 MULTI-FAMILY RESIDENTIAL AND R1-7 RESIDENTIAL ZONING DISTRICT AND CREATING A PLANNED UNIT DEVELOPMENT ZONING OVERLAY ON 86.7 ACRES OF PROPERTY LOCATED IN THE AREA GENERALLY AT 1600 NORTH 300 EAST

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, Tooele City Code Chapter 7-6 constitutes Tooele City’s Planned Unit Development (PUD) overlay zoning district, the purposes of which are stated in §7-6-1, incorporated herein by this reference, and which include, among others, to create opportunities for flexible site planning, to encourage the preservation of open space areas and critical natural areas, and to encourage the

provision of special development amenities by the developer; and,

WHEREAS, the 86.7 acres are owned by various individuals and corporations consisting of Sean Hogan, Western Acres LLC, Mark Gressman, Robin Parsons, Mario Cruz and Mountain Vista Development Incorporated; and,

WHEREAS, by Rezone Petition received March 4, 2020, DR Horton requested that the Western Acres development be reassigned to the MR-16 Multi-Family Residential and R1-7 Residential zoning districts and receive a Planned Unit Development (“PUD”) overlay zone designation for the purpose of decreasing lot sizes for the single-family sections, reducing minimum required dwelling unit sizes, reducing lot width, reducing building setbacks, decreasing exterior material requirements and reducing clubhouse social area requirements; and,

WHEREAS, the properties bear a mix of zoning districts starting with NC Neighborhood Commercial in the north east corner, LI Light Industrial near the south west corner, RR-5 Residential in the southern properties and R1-8 Residential towards the south east of the proposed development (see map attached as **Exhibit A**); and,

WHEREAS, the Western Acres development is anticipated to contain 714 town house style residential units, 97 single-family residential units, 21 acres of open space, and numerous public amenities, including stabilization and improvement of the Middle Canyon drainage channel and floodplain, an eight-foot wide asphalt trail running the length of the channel, a four-court pickleball complex, a 60-foot by 100-foot swimming pool, exercise equipment, pavilions, playgrounds and to lots, terra parks and hammock parks (see **Exhibit B**); and,

WHEREAS, the properties to the west are zoned GC General Commercial and LI Light Industrial and properties to the east are zoned MR-16 Multi-Family Residential and R1-8 Residential; and,

WHEREAS, the properties to the north are located in unincorporated Tooele County and properties to the south are zoned RR-5 Residential; and,

WHEREAS, the Western Acres Development will contain front loaded town house units, alley (rear loaded) town house units, garage less town house units and detached single-family units; and,

WHEREAS, the structures within the Western Acres Development will comply with the Tooele City Design Guidelines for multi-family and single-family residential structures except as otherwise listed in this ordinance (*reference* Tooele City Code §7-11a, *et seq.* and §7-11b, *et seq.*); and,

WHEREAS, the Planned Unit Development standards and qualifications requested by DR Horton for the PUD, are as follows:

<i>R1-7 Residential Zone</i>	
<i>Current Requirements</i>	<i>Proposed Changes with PUD</i>
Lot size – 7,000 Square Feet	Lot Size – 3,500 Square Feet
Dwelling Size - 1,100 Square Feet	Dwelling Size – 800 Square Feet

Lot Width – 60 Feet	Lot Width – 42 Feet
Front Setback – 20’ to house, 25’ to garage	Front Setback – 20’ to house, 20’ to garage
Side Setback – 6 feet	Side Setback – 5 feet

<i>MR-16 Multi-Family Residential Zone</i>	
<i>Current Requirements</i>	<i>Proposed Changes with PUD</i>
Dwelling Size , Two Story with Double Garage – 1,100 square feet	Dwelling Size , Two Story with Double Garage – 800 square feet
Setback Between Buildings – 15 Feet	Setback Between Buildings – 12 Feet
Exterior Materials – 50% of the entire façade shall be brick or stone.	Exterior Materials – Eliminate the 50% brick or stone requirement in favor of stucco, fiber cement siding, wood, masonry block, brick, and stone.
Clubhouse – 1000 square foot interior social area	Clubhouse – Substitute 1000 square foot interior social area requirement with additional site amenities.

WHEREAS, with the exception of the development requirement changes enumerated above, development within the proposed PUD must comply with all adopted Tooele City development codes and policies; and,

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

WHEREAS, the City Council finds that, subject to the reasonable and appropriate conditions outlined below, the proposed PUD overlay rezone is consistent with the General Plan and is not adverse to the best interest of the City; and,

WHEREAS, because the City is under no obligation to approve a PUD, it is appropriate for the City to require DR Horton to comply with the conditions listed below; and,

WHEREAS, on December 9, 2020, the Planning Commission convened a duly-noticed public hearing, accepted written and verbal comment, and voted to forward its recommendation to the City Council (see Planning Commission minutes attached as Exhibit C); and,

WHEREAS, on December 16, 2020, the City Council convened a duly-noticed public hearing:

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

Section 1. Amendment. The Tooele City Zoning Map is hereby amended to indicate that the Western Acres development is a Planned Unit Development, the underlying zone of which shall be reassigned to the MR-16 Multi-Family and R1-7 Residential zoning districts; and,

Section 2. Rational Basis. The City Council finds that approving this ordinance and the Western Acres PUD is in the best interest of Tooele City and its residents because it will provide

increased housing options in the lower price-point range, helping to address the housing gap in Utah, will provide important health- and safety-related improvements to the Middle Canyon drainage channel, and will provide numerous amenities for the increased quality of life of PUD residents and others.

Section 3. Development Standards. The Western Acres Planned Unit Development standards and qualifications shall be as follows. All standards not expressly addressed herein shall default to Tooele City standards and specifications contained in City-adopted codes and policies existing at the time of complete land use application (e.g., subdivision, site plan, building permit).

<i>RI-7 Standards with PUD</i>
Lot Size – 3,500 Square Feet
Dwelling Size – 800 Square Feet
Lot Width – 42 Feet
Front Setback – 20’ to house, 20’ to garage
Side Setback – 5 feet

<i>MR-16 Standards with PUD</i>
Dwelling Size , Two Story with Double Garage – 800 square feet
Setback Between Buildings – 12 Feet
Exterior Materials – Eliminate the 50% brick or stone requirement in favor of stucco, fiber cement siding, wood, masonry block, brick, and stone.
Clubhouse – Substitute 1000 square foot interior social area requirement with additional site amenities.

Section 4. No Vesting. Approval of this Ordinance 2020-50, 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 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 _____, 2020.

TOOELE CITY COUNCIL

(For)

(Against)

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

ATTEST:

Michelle Y Pitt, City

Recorder S E A L

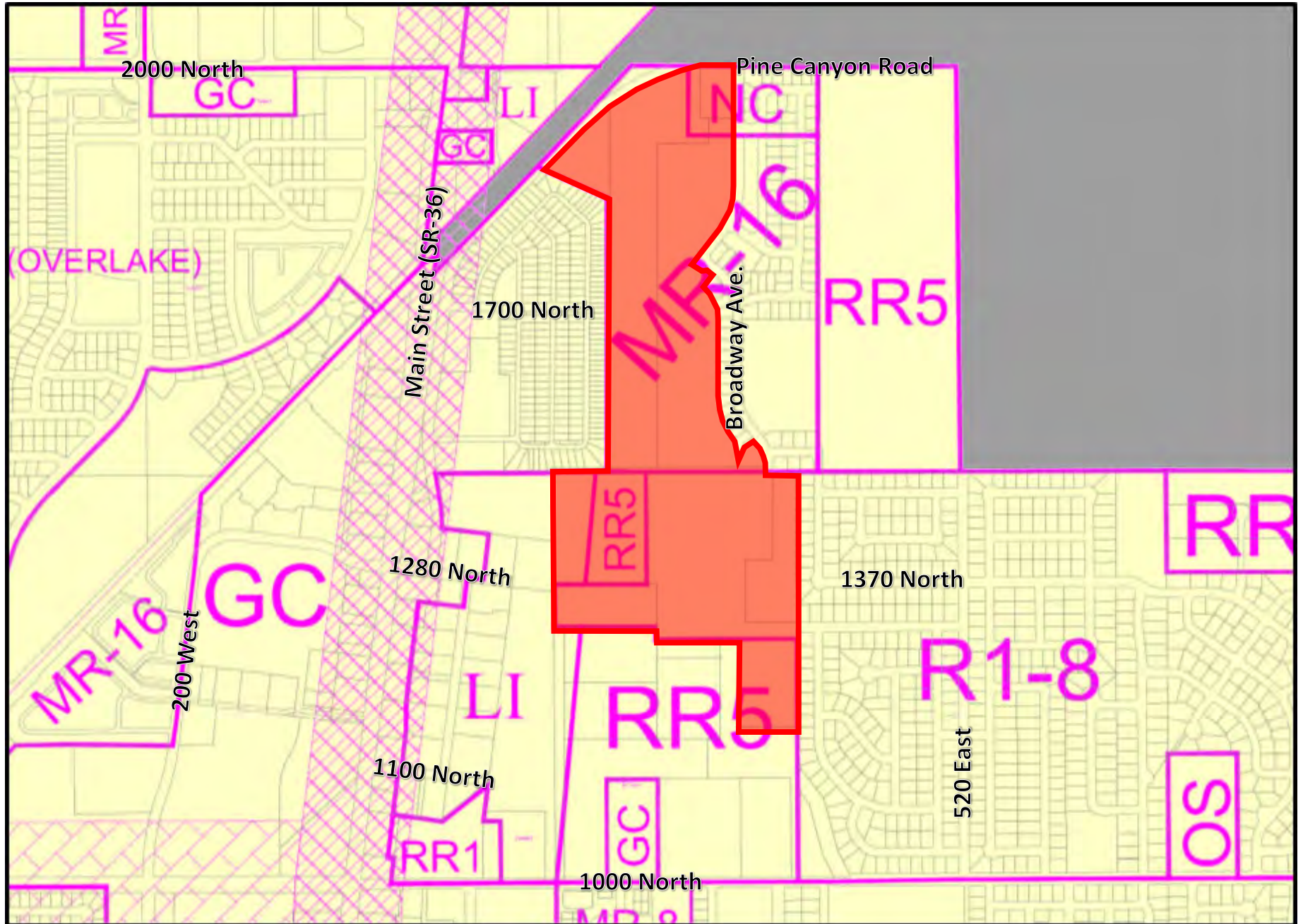
Approved as to Form:

Roger Baker, Tooele City Attorney

EXHIBIT A

ZONING MAP

Western Acres Zoning Map & PUD Amendment



Current Zoning Map

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



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P20-24

02-123-0-0033
02-125-0-0036
02-125-0-0037
02-123-0-0040
02-123-0-0032
02-123-0-0018
02-123-0-0031
02-123-0-0028
02-125-0-0017
02-125-0-0038
02-126-0-0027

Project Information			
Date of Submission: 3/4/2020	Current Map Designation: MR-16, R14, RR-5, LI	Proposed Map Designation: PUD	Parcel #(s):
Project Name: Western Acres		Acres: 86.05	
Project Address: Pine Canyon Road and Copper Canyon Dr.			
Proposed for Amendment: <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> General Plan <input type="checkbox"/> Master Plan: _____			
Brief Project Summary: Residential Development to include single-family detached and townhomes.			
Property Owner(s): Mountain Vista Development		Applicant(s): DR Horton	
Address: 668 E. 12225 S. Ste 201		Address: 12351 S. Gateway Park Place Suite D-100	
City: Draper	State: UT	Zip: 84020	City: Draper
Phone: (801) 523-0400	Phone: (801) 571-7101		
Contact Person: Don Bean		Address: 12351 S. Gateway Park Place, Suite D-100	
Phone: (385) 226-8859	City: Draper	State: UT	Zip: 84020
Cellular: (385) 226-8859	Fax: (801) 571-7102	Email: dgbean@drhorton.com	

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

Note to Applicant:

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

2200024

For Office Use Only			
Received By: CVA	Date Received: 3/4/20	Fees: 8,600.00	App. #:

0037389C1

WESTERN ACRES TOWNHOMES - REZONE AND PUD APPLICATION

UTAH DIVISION
D·R·HORTON®
America's Builder



**D.R. HORTON IS PROPOSING A PLANNED UNIT DEVELOPMENT (PUD)
OF 86.7 ACRES, WITH 811 HOMES, AND A REZONE OF THE
UNDERLYING ZONES TO ALLOW FOR OUR PROPOSED SITE PLAN.**



PROJECT OVERVIEW: Middle Canyon Creek has been a long-term problem in the area, with occasional flooding throughout the neighborhood during serious rain storms. D.R. Horton is proposing an engineered alteration of the creek's path to protect the development and the surrounding property.

The Western Acres community will have private and public amenities. The private pavilions, tot lots, terra parks, hammock grottoes and pickle ball courts will be attractive assets to its residents. The trail along Middle Canyon Creek will give the public an option to take walks along the banks with several exercise apparatus along the way.

The community will offer five townhome plans and five single-family detached plans.

Common areas and amenities will be professionally managed by a homeowner's association.



PURPOSE OF THIS APPLICATION

As America's number one homebuilder and one of the top builders in Utah, D.R. Horton will deliver excellent product selections and a beautiful new community.

D.R. Horton is asking for approximately 50 acres of property to be rezoned according to the included zoning map. We believe the plan gives the community a logical transition between single-family detached (SFD) homes, townhomes and the existing mobile homes. D.R. Horton does not propose an increase in the current overall density, rather spreading the density in a way that makes sense for the neighborhood and gives options to Tooele City residents.

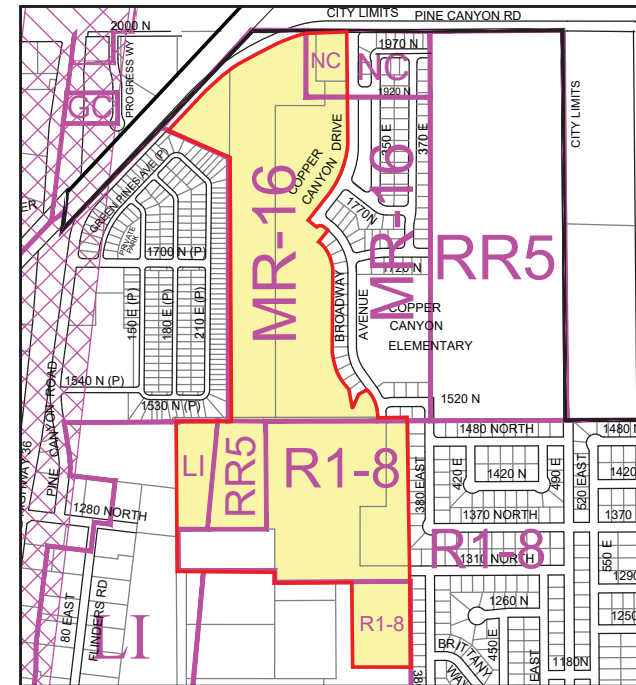


PRESENT ZONING

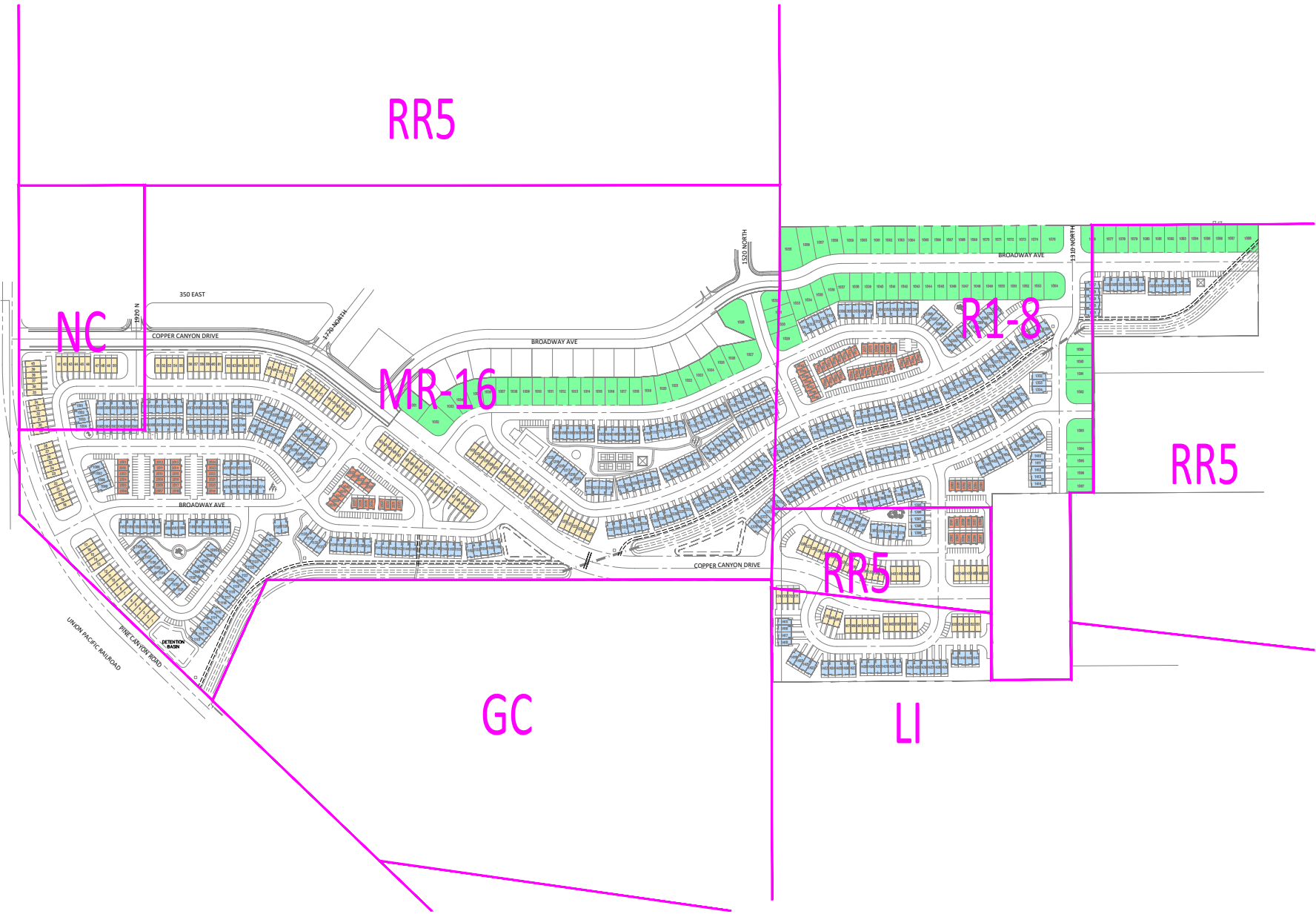
The present zoning designation of the 86.7 acres can be seen below:

UNITS PER ZONE			
ZONING	ACRES	RESIDENTIAL UNITS/AC	RESIDENTIAL UNITS
LI	4.8	0	0
NC	1.7	0	0
MR-16	45.7	16	731
RR5	10.2	0.2	2
R1-8	23.6	4	94
Drainage Area	.7	0	0
TOTALS	86.7	N/A	827

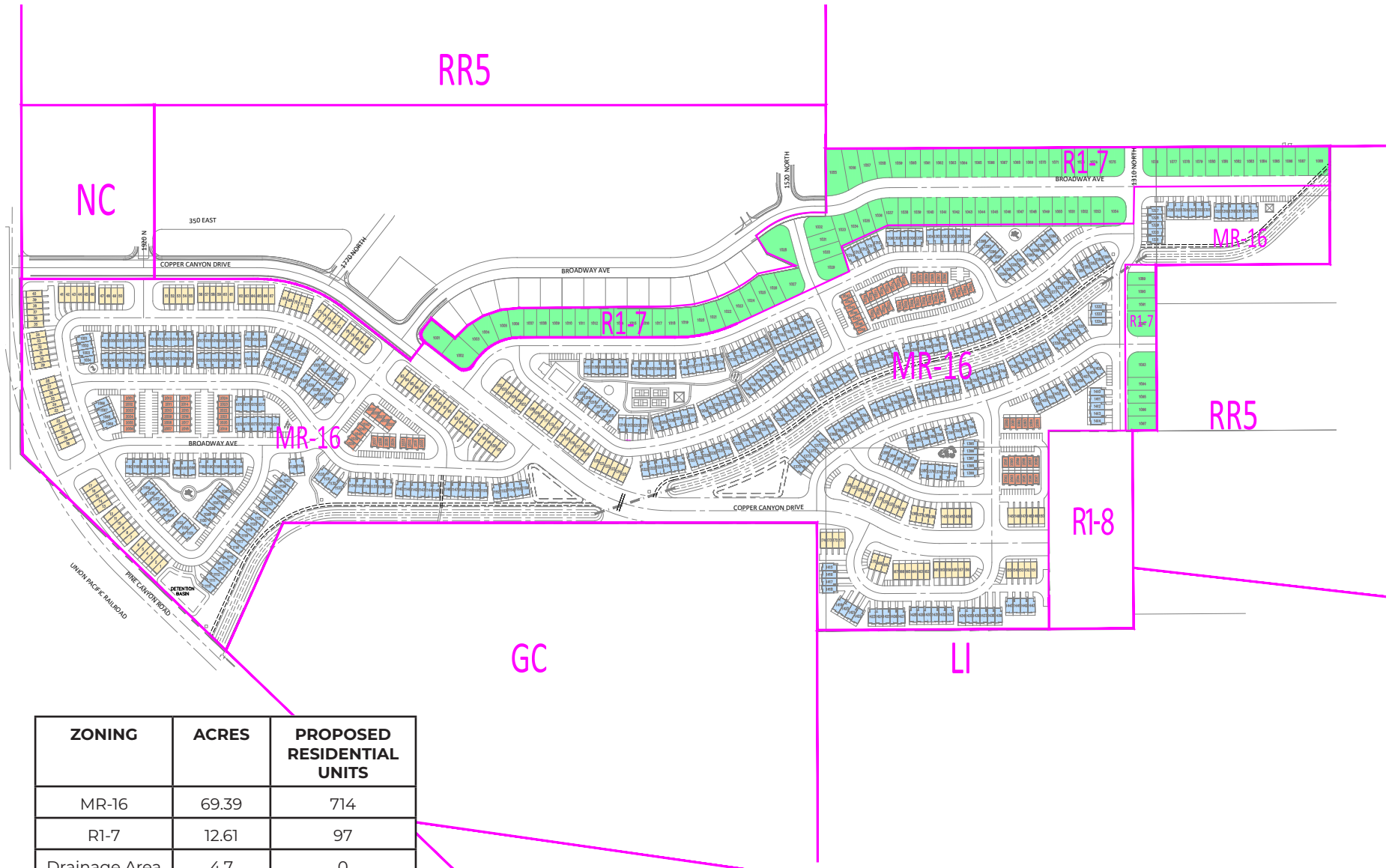
The total density allowed with current zoning is 827 units, which is a higher density than we are requesting within the site plan after the rezone.



CURRENT ZONING

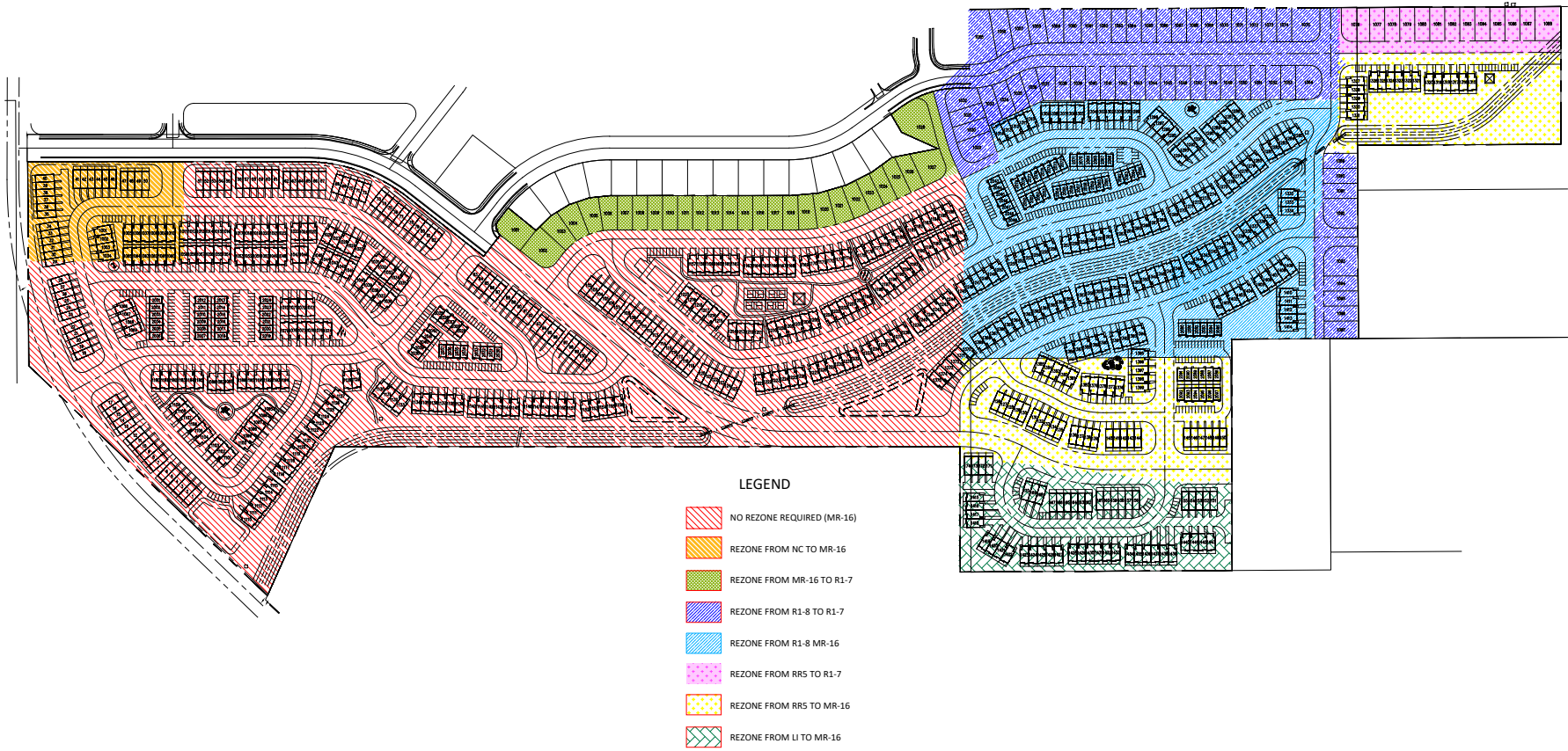


PROPOSED ZONING



ZONING	ACRES	PROPOSED RESIDENTIAL UNITS
MR-16	69.39	714
R1-7	12.61	97
Drainage Area	4.7	0
TOTALS	86.7	811

CURRENT ZONING AND PROPOSED ZONING



WHY THE PUD DESIGNATION IS APPROPRIATE

The Middle Canyon Creek divides the property of the entire proposed rezone and PUD. A coordinated plan to address the creek is needed to fix some sections drainage issues; this will add value to the community by taking some existing homes out of the flood plain. D.R. Horton will build a public trail along the newly constructed creek bed.

In addition, Tooele City's Transportation Master Plan has a collector road designed to bisect the property north and south. Our design would aid in the progress of Tooele City's long-term traffic plan.



In 7-6-1 of the Tooele City code, it states that “the purpose of the Planned Unit Development Overlay District, when used in conjunction with the requirements of the base, or underlying zoning district is to permit flexibility in subdivision and site planning, to promote the efficient utilization of resources, and to preserve and protect valuable site features and to add desired amenities for the neighborhood or area”.

Under 7-6-2 the definition of a Planned Unit Development (PUD) is “a site plan or subdivision

layout technique allowing building and structures with some or all the lots reduced below the minimum lot sizes and/or differing setback standards than required by the base zoning district, but where the overall project or site area meets the density standard of the zoning district”. Again, our plan conforms to the current density. To reiterate, D.R. Horton does not propose an increase in the current overall density, rather spreading the density in a way that makes sense for the neighborhood and gives options to Tooele City residents.



PROPOSED PROVISIONS

- Replace 7-11a-10 (6) with, “All multi-family dwelling units that include front-facing attached garage shall have the garage door a minimum of two feet differential from the front façade.” (Eliminates requiring the garage door to be **recessed** five feet from the front façade.)
- Replace 7-11a-18 (1) with, “Exterior Finishes. Exterior building materials shall be the following materials brick, stone, stucco, cementitious fiber siding, wood, or block/masonry, or any combination.” (The 50% minimum of natural or cultured brick or stone of the entire building façade requirement eliminated.)

- The setback between multi-family buildings reduced from 15’ to 12 feet.
- Exception to 7-11a-22 6(c) Substitution of inside social area with increased amenities. D.R. Horton has found that the utilization of clubhouses create challenges with holiday use in high demand, but empty much of the time. Clubhouses are expensive to maintain and become a burden on the homeowners. We propose the money we would have used to construct a clubhouse be reallocated to a variety of amenities. D.R. Horton will construct bathrooms and pool equipment facilities which will be ideal for outdoor gatherings.

HOW THE PROPOSED ZONE IS CONSISTENT WITH THE GENERAL PLAN

The current zoning would allow **827** homes to be built on the subject property. The proposed plan decreases the density from 827 to **811** homes, which would allow the community a better flow through the different housing types.

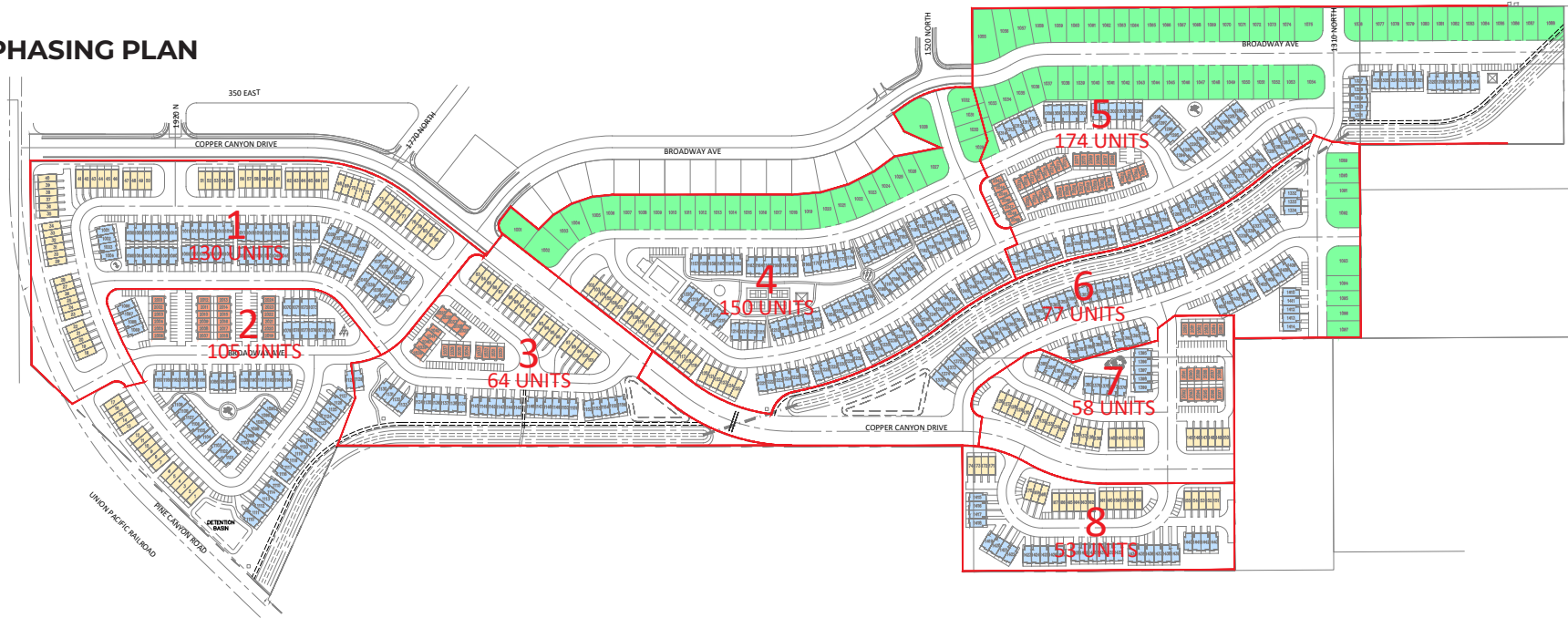
WHY THE PROPOSED ZONE IS COMPATIBLE WITH THE SURROUNDING AREA

The west side of the subject property is adjacent to a mobile home park, with townhome and single-family detached developments to the east. There is an asphalt path across the subject property used by children in the mobile home park to walk to school. We will maintain a path as pedestrian access to and from the school.

The planning and development of the Middle Canyon Creek channel will take some of the subject property and the mobile home park out of the flood plain, providing added safety to the existing community and allowing most of subject property to be developed.



PHASING PLAN



HOW THE PROPOSED ZONE IS SUITABLE FOR THE EXISTING USE OF SUBJECT PROPERTY

This development would be a natural transition in housing from the mobile home park to townhomes to single-family detached homes.

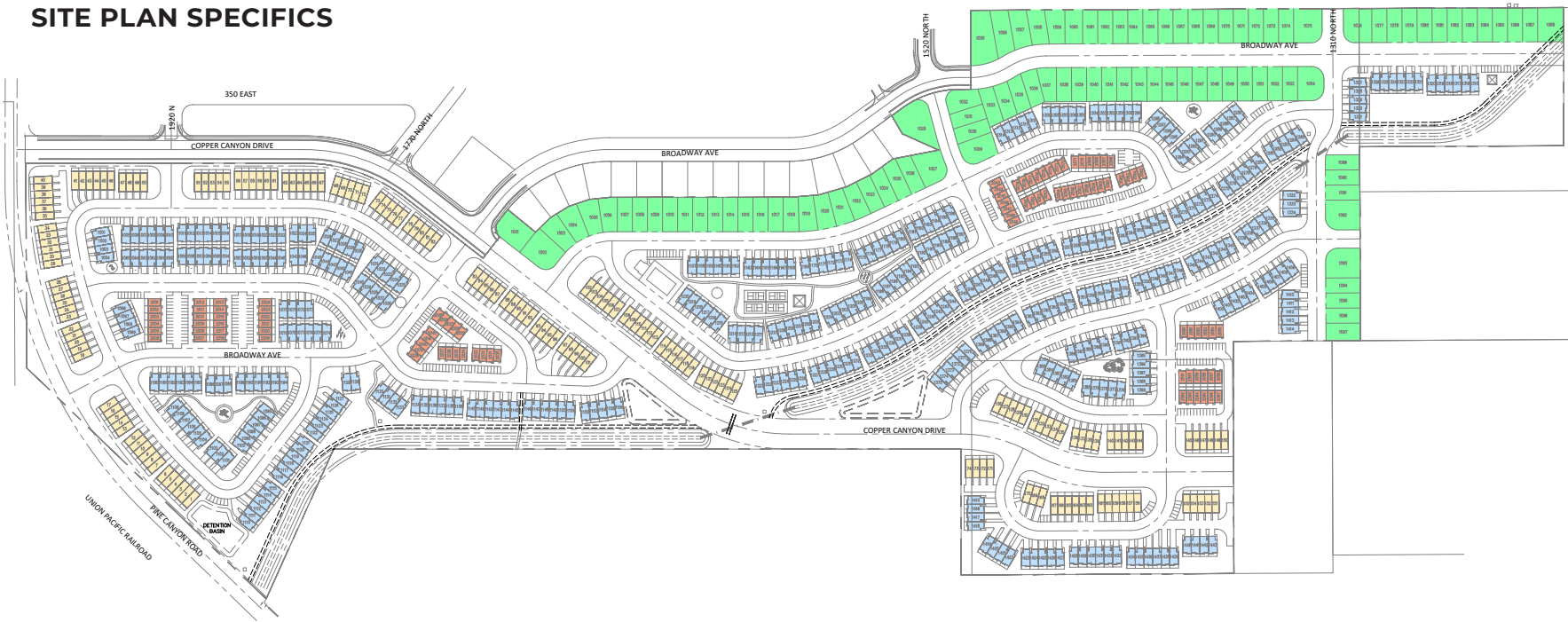
HOW THE PROPOSED ZONE PROMOTES THE GOALS AND OBJECTIVES OF TOOEE CITY

Article 1, Section 1-01 of the Tooele City charter states that the city exists to “promote the general health, welfare, and protection of its citizens”. This is done by anticipating the needs of current and future residents of Tooele, then providing for those needs in an organized, thoughtful manner.

As leaders planning for Tooele City’s future, it is important to anticipate and allow for the development of a variety of housing alternatives. As lifestyles and housing needs change, the city will have the options needed to add new residents and retain the citizens that helped build the community.

This project will also provide new housing options for those who may otherwise rent, buy existing homes or move to another city. The development will also attract families and individuals looking to live in a safe, affordable and active community.

SITE PLAN SPECIFICS



Total Acres: **86.9**
 Total Number of Units **811**

Townhomes

- 443 FL 2-story
- 174 2-Story Alley
- 97 Pioneer
- 97 Single Family Detached

Townhome Parking Requirement:
 2 for each unit, satisfied by the
 driveway, (20' min.) Plus 1 for every
 4 units.

TOTAL ACREAGE: 86.7 acres

DENSITY: 9.2 units per acres

PRIVATE AMENITIES: Pavilions, tot lots, pickle ball courts, hammock grottoes & terra parks

PUBLIC AMENITIES: Paved trail north and south along riverbed with apparatus along the trail and a path from the mobile home park over the channel to Copper Canyon Elementary School

OPEN SPACE: Over 21 acres, 26.54% of project is open space

GARAGES: Two-car garage on each unit, other than Pioneer Units, which have carports

SETBACKS: Following Tooele City Code for R1-7, and provisional MR-16 to 12'.

DETENTION PONDS: Two detention basins are incorporated in the drainage plan

Design and relocation of channel done by Hansen, Allen and Lase, submitted to Tooele City



AMENITIES PLAN



UTAH DIVISION

D·R·HORTON®

America's Builder

STAFF REPORT

December 1, 2020

To: Tooele City Planning Commission
Business Date: December 9, 2020

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Western Acres – Zoning Map Amendment Request

Application No.: P20-24
Applicant: DR Horton
Project Location: Generally 1600 North 300 East
Zoning: MR-16 Multi-Family Residential Zone
Acreage: 86.7 Acres (Approximately 3,776,652 ft²)
Request: Request for approval of a Zoning Map Amendment in the MR-16 Multi-Family Residential, RR-5 Residential, R1-8 Residential, NC Neighborhood Commercial and LI Light Industrial zoning districts regarding reassignment of the subject properties to the MR-16 Multi-Family Residential and the R1-7 Residential zoning districts and establishment of a PUD Planned Unit Development for the properties.

BACKGROUND

This application is a request for approval of a Zoning Map Amendment for approximately 86.7 acres located generally in the area of 1600 North 300 East. The application consists of 11 separate parcels of various zoning districts. The current zoning of the properties involved in the application are NC Neighborhood Commercial (north east corner), MR-16 Multi-Family Residential, R1-8 Residential, RR-5 Residential and LI Light Industrial. The applicant is requesting that the Zoning Map Amendment be approved to reassign the zoning district to MR-16 Multi-Family Residential and R1-7 Residential and then have a Planned Unit Development PUD designation applied to the property to create unique regulatory provisions applicable only to the subject property. Doing so would allow for the development of the currently vacant site as town homes and smaller lot single-family residential.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for High Density Residential on the northern half of the property and Medium Density Residential on the southern half of the property. The properties involved in the rezone request bear various zoning districts. The MR-16 Multi-Family Residential zoning designation is identified by the General Plan as a preferred zoning classification for the High Density Residential land use designation.

A small portion of the property located at the intersection of Pine Canyon Road and Copper Canyon Drive is currently zoned NC Neighborhood Commercial. The Neighborhood Commercial District (NC) is designed and intended for small areas for limited commercial uses providing goods and services to residents in the surrounding neighborhood area. The District encourages the provision of small-scale retail and service uses for nearby residents. Uses are restricted in type and size to promote a local orientation and to limit possible adverse impacts on nearby residential areas. The Neighborhood Commercial District

is to be located in areas of the City so as to facilitate pedestrian access and to encourage the continued viability of the uses allowed in the District. The location and design of all buildings and accessory activities and uses should respect the neighborhood and residential activities that adjoin this District and all activities should be conducted in a manner that adds to neighborhood amenity and the residential setting.

On the southern half of the property there is LI Light Industrial, R1-8 Residential and RR-5 Residential. The purpose of the LI zoning district is to provide locations for light industrial assembly and manufacturing uses that produce no appreciable negative impact to adjacent properties. This District encourages clean, light industrial and manufacturing uses which provide employment opportunities for city residents, strengthen the city's tax base and diversify the local economy.

The purpose of the RR-5 zone is to provide for single family residential areas and single family dwelling units on larger individual lots. Additionally these districts are intended to allow and make available Rural Residential opportunities and agricultural uses protected from the encroachment of incompatible uses.

The purpose of the R1-8 and R1-7 zones 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 and two-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 purpose of the MR-16 Multi-Family Residential district is to provide an environment and opportunities for high density residential uses, including primarily attached residential units, apartments, condominiums and townhouses with limited attached single-family dwellings.

Surrounding properties also bear a variety of zoning districts. Properties to the north are located in unincorporated Tooele County or are zoned Light Industrial / Commercial. Properties to the west of the subject properties are zoned GC General Commercial and are utilized as a legally non-conforming mobile home subdivision. Properties to the south west are zoned LI Light Industrial and utilized as such. Properties to the south are zoned RR-5 Residential and are currently undeveloped. Properties to the east are zoned R1-8 Residential and MR-16 Multi-family Residential and are largely utilized as single-family residential. Mapping pertinent to the subject request can be found in Exhibit "A" to this report.

Proposed Zoning. The vast majority of the project that does not currently have the MR-16 designation is proposed to be reassigned the MR-16 designation except for some longer, narrow strips of land along the eastern boundary that are proposed to be reassigned to the R1-7 Residential district. The maps included in this report will help demonstrate how the zoning districts are proposed to be designated. Included in the zoning request is the attachment of a PUD Planned Unit Development overlay to the underlying zoning district such as MR-16 PUD and R1-7 PUD.

Planned Unit Development Layout. Although this is not a subdivision or site plan design review application the applicant has provided a concept plan showing their design proposals. This is necessary in order for the applicant to know the specific design criteria they will be asking for as part of the PUD. As the plans show, the development is largely proposed to include town houses. Whether these town homes are owner occupied or rental units is a matter that would be addressed during the platting process. The applicant anticipates that the development will yield 714 town house style units and 97 single-family residential units with overall unit density throughout the entire development being 9.2 units per acre.

Please note that there is a large undevelopable area that extends from the south east corner to the north west corner. This is the Middle Canyon Drainage. DR Horton proposes to relocated the drainage corridor and incorporate this corridor into the development using it as an amenity to the development and community at large. The corridor will include a trail / maintenance path and fitness stations for use by the residents and public at large.

Planned Unit Development Qualifications. Planned Unit Development standards and qualifications are proposed by the applicant, not by the City or City Staff. The following are the PUD Standards proposed by the applicant, DR Horton, for the Western Acres Development. The are divided into the requested zones and the current standards are listed against the new standards proposed by the applicant. These proposed standards are subject to the review and decision of the Planning Commission and City Council as to whether or not they are appropriate.

<i>RI-7 Residential Zone</i>	
<i>Current Requirements</i>	<i>Proposed Changes with PUD</i>
Lot size – 7,000 Square Feet	Lot Size – 3,500 Square Feet
Dwelling Size - 1,100 Square Feet	Dwelling Size – 800 Square Feet
Lot Width – 60 Feet	Lot Width – 42 Feet
Front Setback – 20’ to house, 25’ to garage	Front Setback – 20’ to house, 20’ to garage
Side Setback – 6 feet	Side Setback – 5 feet

<i>MR-16 Multi-Family Residential Zone</i>	
<i>Current Requirements</i>	<i>Proposed Changes with PUD</i>
Dwelling Size , Two Story with Double Garage – 1,100 square feet	Dwelling Size , Two Story with Double Garage – 800 square feet
Setback Between Buildings – 15 Feet	Setback Between Buildings – 12 Feet
Exterior Materials – 50% of the entire façade shall be brick or stone.	Exterior Materials – Eliminate the 50% brick or stone requirement in favor of stucco, fiber cement siding, wood, masonry block, brick, and stone.
Clubhouse – 1000 square foot interior social area	Clubhouse – Substitute 1000 square foot interior social area requirement with additional site amenities.

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

- (1) No amendment to the Zoning Ordinance or Zoning Districts Map may be recommended by the Planning Commission or approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Zoning Ordinance or Zoning Districts Map amendment, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
 - (a) The effect of the proposed amendment on the character of the surrounding area.
 - (b) Consistency with the goals and policies of the General Plan and the General Plan Land Use Map.
 - (c) Consistency and compatibility with the General Plan Land Use Map for adjoining and nearby properties.

- (d) The suitability of the properties for the uses proposed viz. a. viz. the suitability of the properties for the uses identified by the General Plan.
- (e) Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
- (f) The overall community benefit of the proposed amendment.

The procedure for approval or denial of a PUD Planned Unit Development request, as well as the information required to be submitted for review as a complete application is found in Sections 7-6-4, 7-6-5, 7-6-6 and 7-6-7 of the Tooele City Code.

(2) Procedure for Approval. A Planned Unit Development Overlay District may only be authorized by the City Council, as an amendment to the Tooele city Zoning District Map, after receipt of a recommendation from the Planning Commission, and after complying with all the requirements of §10-9-403, Utah Code Annotated (U.C.A.). In evaluating the appropriateness of approving a Planned Unit Development Overlay District the City Council and Planning Commission may consider the following factors, among others:

- (a) The suitability of the properties for a Planned Unit Development Overlay District designation;
- (b) That adequate public services and facilities exist or can be provided to serve the proposed Planned Unit Development area;
- (c) A Planned Unit Development area will encourage greater efficiency in the delivery of City- provided services ;
- (d) The Planned Unit Development has the potential of providing additional amenities for the residents of the area, or the residents of the City, than would be achieved by a conventional development pattern;
- (e) Whether the establishment of a Planned Unit Development District will have a negative affect on the rights, enjoyment and uses on nearby and adjoining properties; and
- (f) The gain to the public health, safety and welfare and the overall community benefit to authorizing a Planned Unit Development designation.

REVIEWS

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

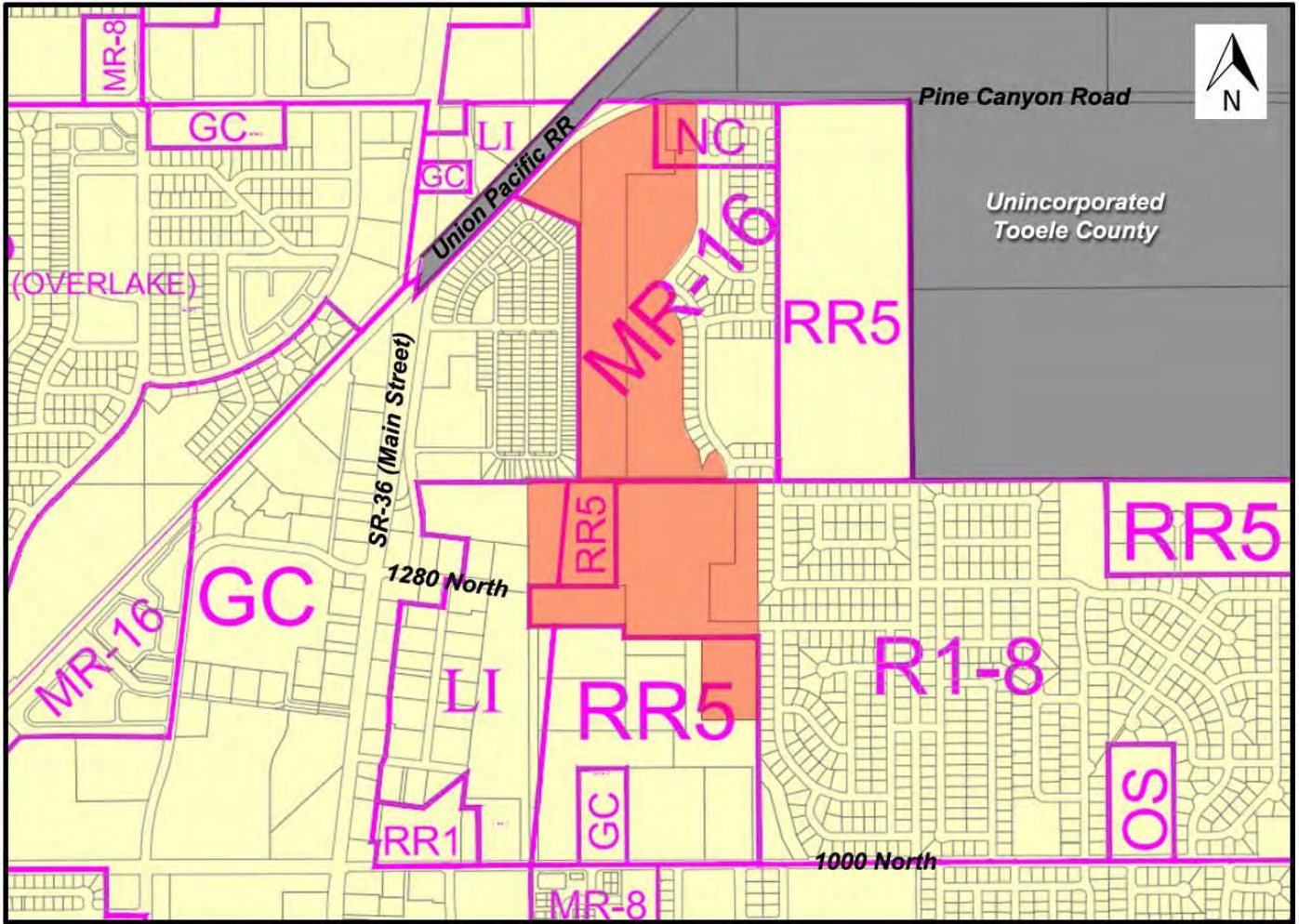
Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Western Acres Zoning Map Amendment Request by DR Horton for the purpose of reassigning the zoning for the subject properties to the MR-16 Multi Family Residential and R1-7 Residential zoning districts and assigning a PUD overlay to the properties located generally around 1600 North 300 East, application number P20-24, based on the findings listed in the Staff Report dated December 1, 2020:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Western Acres Zoning Map Amendment Request by DR Horton for the purpose of reassigning the zoning for the subject properties to the MR-16 Multi Family Residential and R1-7 Residential zoning districts and assigning a PUD overlay to the properties located generally around 1600 North 300 East, application number P20-24, based on the following findings:”

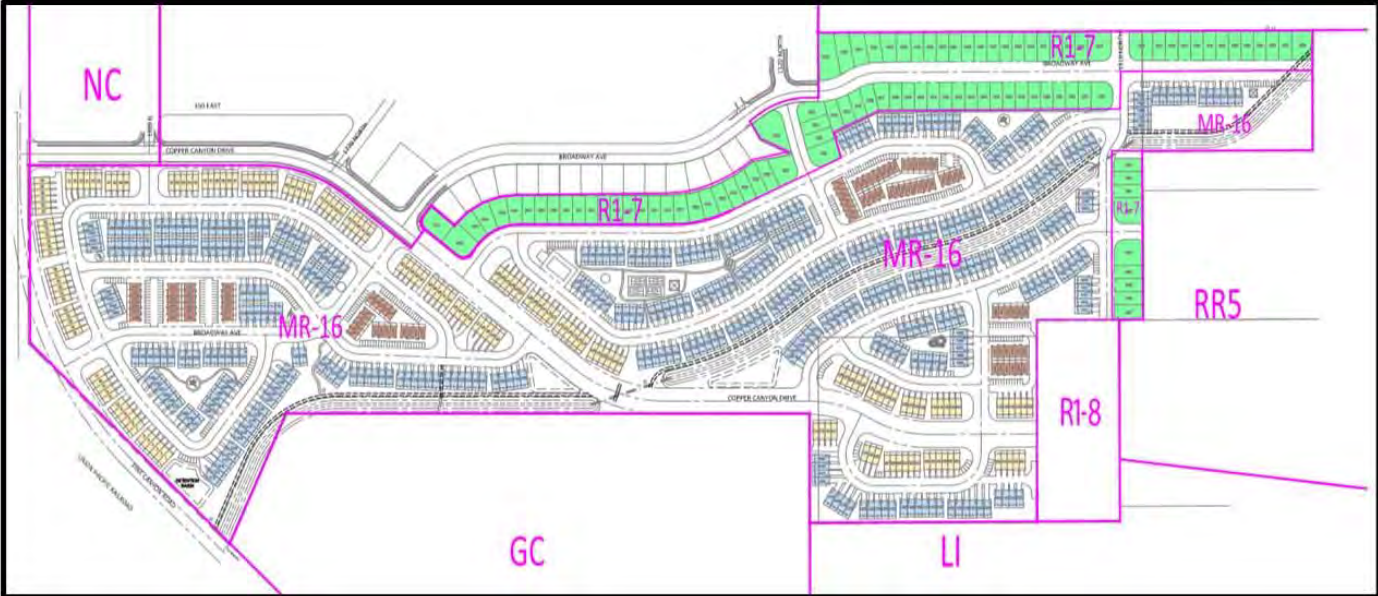
1. List findings...

Western Acres Planned Unit Development



Current Zoning

Western Acres Planned Unit Development



Proposed Zoning

Exhibit C

Planning Commission Minutes