

## ***PUBLIC NOTICE***

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, March 22, 2023** at the hour of 7:00 p.m. The meeting will be held in the City Council Chambers of Tooele City Hall, located at 90 North Main Street, Tooele, Utah.

*We encourage anyone interested to join the Planning Commission meeting electronically through Tooele City's YouTube channel by logging onto [www.youtube.com/@tooelecity](https://www.youtube.com/@tooelecity) or searching for our YouTube handle **@tooelecity**. If you would like to submit a comment for any public hearing item you may email [pcpubliccomment@tooelecity.org](mailto:pcpubliccomment@tooelecity.org) anytime after the advertisement of this agenda and before the close of the hearing for that item during the meeting. Emails will only be read for public hearing items at the designated points in the meeting.*

## ***AGENDA***

1. ***Pledge of Allegiance***
2. ***Roll Call***
3. ***Public Hearing and Decision*** on a Conditional Use Permit Request by Craig Hooper for a Detached Accessory Structure that Exceeds the 8% Lot Coverage Restriction on 0.63 Acres Located at 461 South 100 West in the R1-7 Residential Zoning District.
4. ***Public Hearing and Decision*** on a Conditional Use Permit Request by All West Communications for "Public Use" and "Contractor's Storage Yard" Uses on 1.0 Acre Located at 347 South 1200 West in the IS Industrial Service Zoning District.
5. ***Recommendation*** on a Subdivision Preliminary Plan Request by RMO Properties, LLC, for the Proposed Vista Meadows Subdivision to Include 47 Single-Family Residential Lots on 9.8 Acres Located at Approximately 460 West 600 North in the R1-7 Residential Zoning District.
6. ***City Council Reports***
7. ***Review and Approval*** of Planning Commission Minutes for the meeting held on March 8, 2023.
8. ***Adjourn***

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Andrew Aagard, Tooele City Planner and Zoning Administrator prior to the meeting at (435) 843-2132.

**STAFF REPORT**

March 15, 2023

**To:** Tooele City Planning Commission  
Business Date: March 22, 2023

**From:** Planning Division  
Community Development Department

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

**Re: Hooper Garage / Workshop – Conditional Use Permit Request**

Application No.: P23-188  
Applicant: Craig Hooper  
Project Location: 461 South 100 West  
Zoning: R1-7 Residential Zone  
Acreage: 0.63 Acres (Approximately 27,442 ft<sup>2</sup>)  
Request: Request for approval of a Conditional Use Permit in the R1-7 Residential zone to authorize a detached accessory structure that exceeds the 8% lot coverage restriction.

**BACKGROUND**

This application is a request for approval of a Conditional Use Permit for approximately .63 acres located on the at approximately 461 South 100 West. The property is currently zoned R1-7 Residential. The applicant is requesting that a Conditional Use Permit be approved to permit the construction of a detached accessory structure that will exceed the 8% lot coverage restriction for detached accessory structures.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the Medium Density 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. Properties to the north, west and south are all zoned R1-7 and utilized in a similar manner as the subject property. Properties to the east are zoned MU-G Mixed Use General. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant is requesting a Conditional Use Permit to authorize the construction of a detached accessory garage / work shop that, along with existing detached structures already on the property, will exceed the 8% lot coverage restriction. Tooele City ordinances permit a maximum lot coverage of sheds, garages, gazebos and other accessory structures at 8% of the total lot size. This does not include the home. The home is only considered in the total lot coverage restriction of 35%. However, Tooele City ordinances also permit a property owner to exceed that 8% restriction if a Conditional Use Permit is obtained after a public hearing and decision by the Planning Commission. The Planning Commission’s responsibility in cases like this is to identify if exceeding the 8% lot coverage restriction creates any detrimental impacts to adjacent properties. If impacts are identified the Commission may then assign conditions of approval to mitigate any such impacts.

The property itself is .63 acres and is a longer, narrower parcel of record that extends from 100 West to 50 West. The property has double frontages and the applicant intends to access the large garage from 50 West. 50 West is a public right-of-way but is considered a sub-standard roadway in that it doesn’t conform to the typical street improvements requirements or width requirements as a standard road.

*Site Plan Layout.* The applicant has provided a site plan that shows the existing home, existing detached sheds

and structures and the proposed structure as well. In regards to the 8% lot coverage restriction, remember the home is irrelevant.

There is an existing shed of 48 square feet, a second shed of 255 square feet. The new structure is proposed to be 2016 square feet. This is a total of 2319 square feet of detached accessory structures. The lot itself is 26,136 square feet and 8% of that is 2090 square feet or 8.8% lot coverage. The applicant is requesting that the Commission enable nearly 9% of the lot to be covered by detached accessory structures, or an additional 1% of lot coverage.

The new structure being proposed is a large structure, bigger than the home itself. There is nothing in the ordinance that prohibits a garage or workshop from being larger than the main dwelling and there are many instances throughout Tooele City where this occurs, especially in agriculturally oriented zoning districts. If the Commission refers to the provided aerial map they will also see that most of the properties in this location are double frontage properties and many have large detached accessory garages accessing the sub-standard road or alley. What is being proposed by the applicant is not atypical for what is seen on other properties within the area.

The larger building will maintain 20 foot setbacks from north and south property lines and be setback 60 feet from 50 West. There is ample room to accommodate a building of this size.

Criteria For Approval. The criteria for review and potential approval of a Conditional Use Permit request is found in Sections 7-5-3(3) and (4) of the Tooele City Code. This section depicts the standard of review for such requests as:

- (3) Procedure. At the public hearing, testimony may be given by the applicant and all other persons either in support of or in opposition to the application. The Planning Commission may take the application under advisement, but shall render its determination within 30 days of the date of the hearing.
- (4) Approval. The Planning Commission shall approve the conditional use application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

Findings of Fact. As a part of the approval or denial of a Conditional Use Permit a finding of fact according to Sections 7-5-4 of the Tooele City Code is required. This section depicts the standard for findings of fact:

Prior to approving or denying a Conditional Use Permit application, the Planning Commission shall make, in the business meeting at which the public hearing is conducted or the permit is approved or denied, a finding of the following facts:

- (1) the reasonably anticipated detrimental effects of the proposed use upon adjacent and nearby persons and properties;
- (2) the evidence identified regarding the identified reasonably anticipated detrimental effects of the proposed use;
- (3) the reasonable conditions imposed, as part of the Conditional Use Permit approval, intended to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (4) the reasons why the imposed conditions are anticipated or hoped to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (5) the evidence, if any, identified regarding the ability of the imposed conditions to mitigate the reasonably anticipated detrimental effects of the proposed use.

In response to the City Code requirement for findings of fact, the following are the staff identified detrimental effects this application, should it be approved, may impose upon adjacent and nearby persons and property :

1. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's engineering plan review, permitted, and inspection processes.
2. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely, particularly for connection into the City's public infrastructure, for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Public Works Department plan review, permitted, and inspection processes.
3. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's building plan review, permitted, and inspection processes.
4. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Fire Department plan review, permitted, and inspection processes.

## **REVIEWS**

*Planning Division Review.* The Tooele City Planning Division has completed their review of the Conditional Use Permit submission and has issued a recommendation for approval for the request with the following comments:

1. Total lot coverage of detached accessory structures will be at 2319 square feet or 8.8%.
2. Its highly unlikely that anyone would notice a difference between 8% lot coverage and 8.8% lot coverage.
3. The aerial map reveals that many properties in the area construct large garages and access those garages from the alley road to the rear of the property. This proposed use is not out of character with other development in the area.

*Engineering And Public Works Review.* The Tooele City Engineering and Public Works Divisions have not issued any comments regarding this proposed Conditional Use Permit.

*Tooele City Fire Department Review.* The Tooele City Fire Department has not issued any comments regarding this proposed Conditional Use Permit.

*Noticing.* The applicant has expressed their desire to obtain the Conditional Use Permit for 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 approval of the request for a Conditional Use Permit by Craig Hooper, application number P23-188, subject to the following conditions:

1. That all requirements of the Tooele City Engineering Division 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 Public Works Development 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 Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
4. That all requirements of the Tooele City Fire Department 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 findings of fact for this proposed Conditional Use Permit request have been identified and the conditions proposed are intended to mitigate the reasonably anticipated detrimental impacts, as required by Tooele City Code Section 7-5-4.

## **MODEL MOTIONS**

Sample Motion for Approval – “I move we approve the Conditional Use Permit Request by Craig Hooper to authorize construction of a detached garage resulting in 8.8% total lot coverage by detached accessory structures, application number P23-188, based on the findings and subject to the conditions listed in the Staff Report dated March 15, 2023:”

1. List any additional findings of fact and conditions...

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Craig Hooper to authorize construction of a detached garage resulting in 8.8% total lot coverage by detached accessory structures, application number P23-188, based on the following findings:”

1. List findings of fact ...

**EXHIBIT A**

**MAPPING PERTINENT TO THE  
HOOPER GARAGE / WORKSHOP CONDITIONAL USE PERMIT**

***Craig Hooper Garage Conditional Use***



***Aerial View***

# Craig Hooper Garage Conditional Use



**Current Zoning**

**EXHIBIT B**

**APPLICANT SUBMITTED INFORMATION**



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

23-188

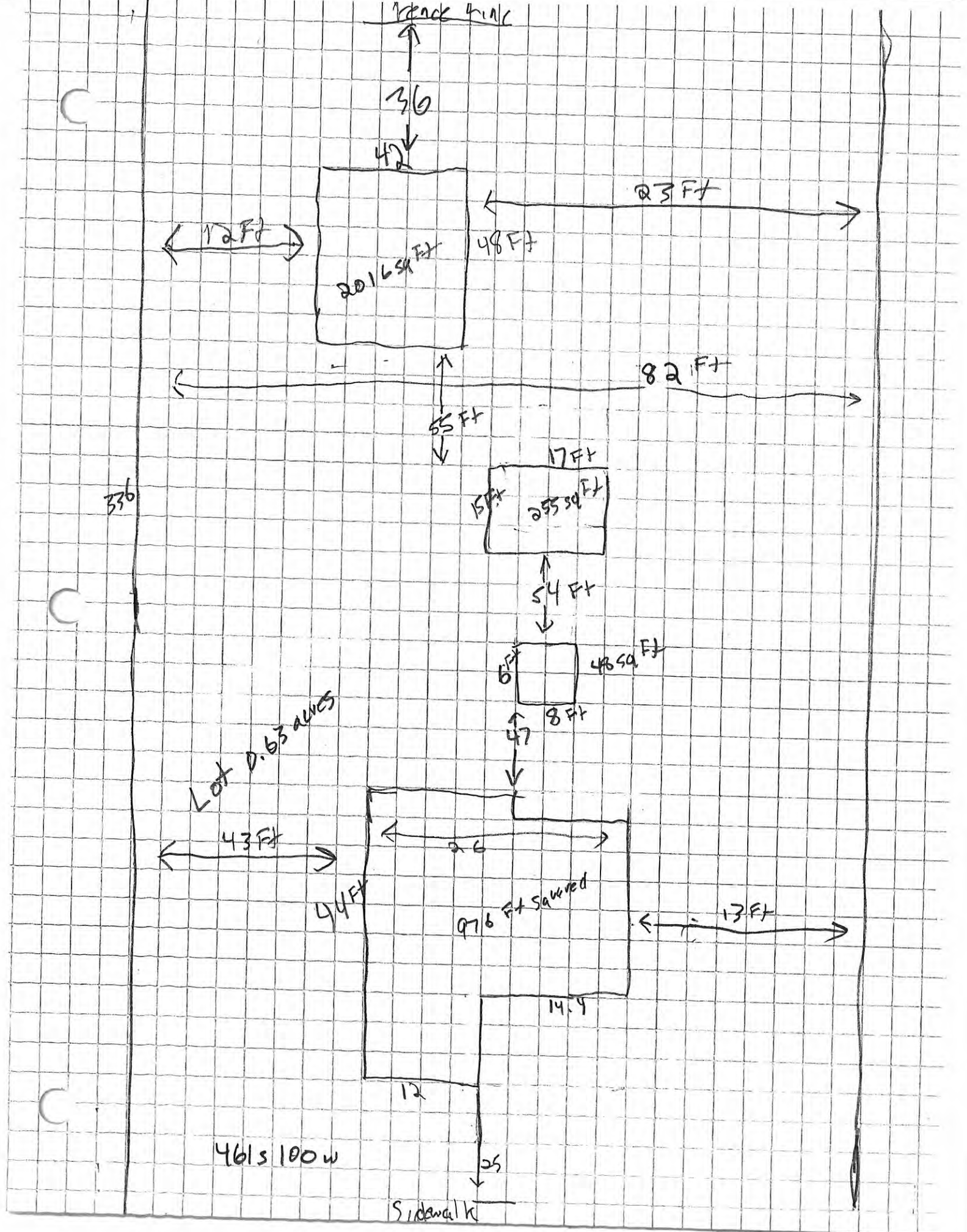
Project Information					
Date of Submission: 2-21-2023		Current Zoning:		Parcel #(s): 02-063-0-0013	
Project Name: Craig Hooper Work shop/Garage				Acres: .63	
Project Address: 461 S 100W				Units:	
Project Description: Detached Garage EXCEED 8% TOTAL LOT COVERAGE FOR ACCESSORY STRUCTURES.					
Current Use of Property: Residential					
Property Owner(s): Craig Hooper			Applicant(s): Same		
Address: 461 S 100W			Address:		
City: Tooele	State: UT	Zip: 84074	City:	State:	Zip:
Phone: 801-638-5036			Phone:		
Contact Person: Craig Hooper			Address:		
Phone:			City:	State:	Zip:
Cellular: 206 507 7491	Fax:		Email: wernerarvine@gmail.com		
Signature of Applicant: 					
					Date: 2-21-2023

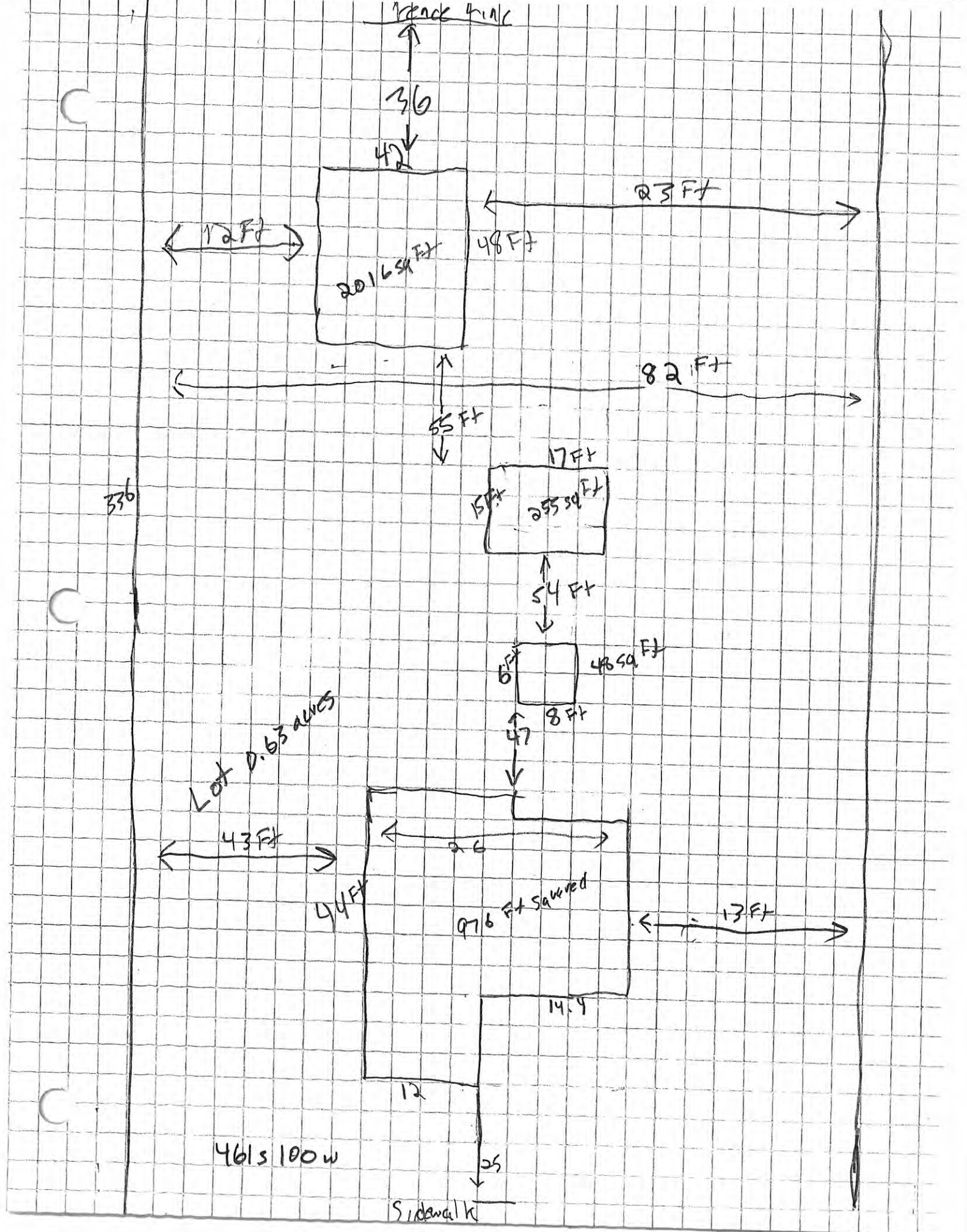
\*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This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

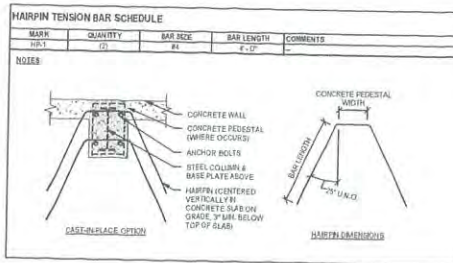
\*\* By submitting this application form to the City, the applicant acknowledges that the above list is not exclusive and under no circumstances waives any responsibility or obligation of the Applicant and or his Agents from full compliance with City Master Plans, Code, Rules and or Regulations.

2230205

For Office Use Only			
Fee: \$600 <sup>00</sup>	Received By: Hunter	Date Received: 2/24/23	Receipt #: 543754



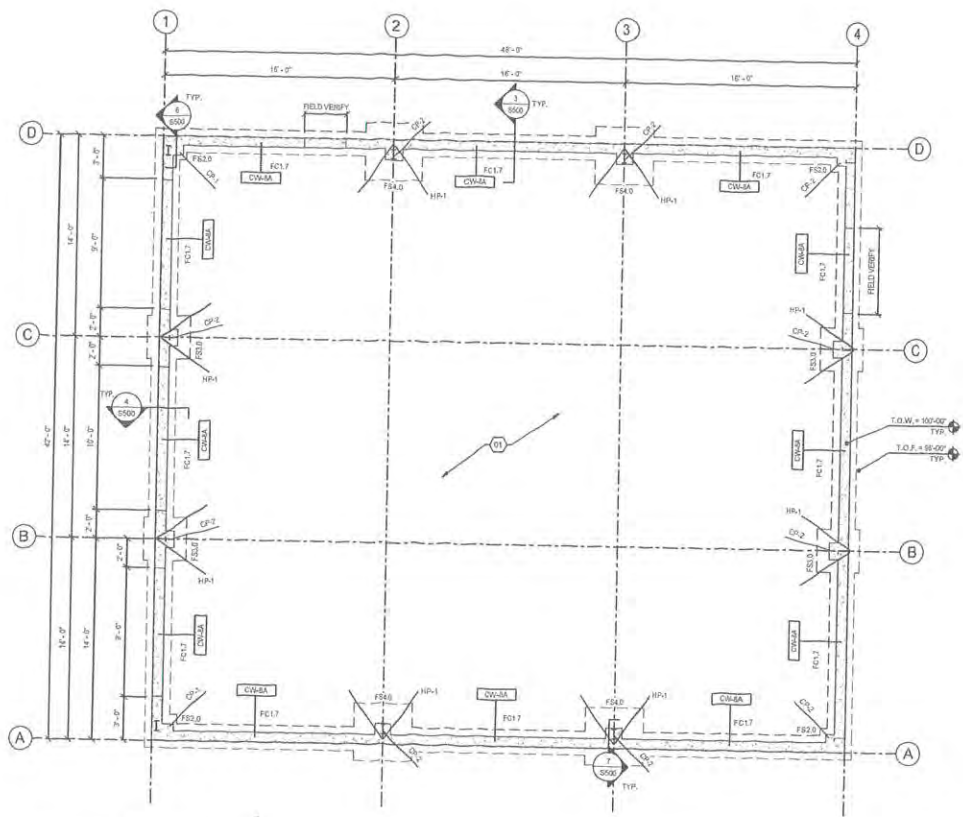




- FOUNDATION GENERAL NOTES**
- REFER TO ARCHITECTURAL PLANS FOR ALL DIMENSIONS. CONTRACTOR TO VERIFY ALL DIMENSIONS BEFORE STARTING CONSTRUCTION. DO NOT SCALE DRAWINGS. RESOLVE ANY DISCREPANCY WITH THE ARCHITECT. NOTIFY STRUCTURAL ENGINEER THROUGH THE ARCHITECT OF ANY VARIATIONS FROM DIMENSIONS AND CONDITIONS SHOWN BY THIS DRAWING.
  - SEE GENERAL STRUCTURAL REQUIREMENTS FOR WALLS AND FOOTINGS WITH TYPICAL STRUCTURAL DETAILS.
  - COORDINATE LOCATIONS OF UTILITY TRENCHES (IF APPLICABLE) WITH RESPECTIVE DRAWINGS AND SUB-CONTRACTORS. SLAB REINFORCING SHALL BE CONTINUOUS OVER TRENCH.
  - ALL TOP OF FOOTING ELEVATIONS ARE BASED ON FINISH FLOOR = 100'-0" VERIFY WITH ARCHITECTURAL PLANS.
  - PROVIDE MINIMUM PROST DEPTH PER GENERAL STRUCTURAL NOTES. COORDINATE FOOTING STEPS (IF APPLICABLE) WITH CIVIL AND ARCHITECTURAL PLANS. SEE TYPICAL CONCRETE STEPPED FOOTING DETAIL IN STRUCTURAL DETAILS.
  - CONTRACTOR SHALL COORDINATE FLOOR SLAB DEPRESSIONS AND SLAB SLOPES WITH ARCHITECTURAL PLANS.
  - HOT ALL OPENINGS THROUGH FLOORS AND WALLS ARE BRIDGED. COORDINATE PENETRATION REQUIREMENTS (ADDITIONAL FRAMING ELEMENTS OR REINFORCING) AND LOCATIONS WITH ARCHITECTURAL, MECHANICAL, ELECTRICAL AND TYPICAL STRUCTURAL DETAILS.
  - PROVIDE CONTROL JOINTS IN ALL SLABS PER THE GENERAL STRUCTURAL NOTES AND TYPICAL SLAB JOINT DETAIL.
  - CENTER ALL SPOT FOOTINGS UNDER COLUMNS AS SHOWN ON PLAN, TYPICAL U.N.O. SEE ARCHITECTURAL DIMENSIONS FOR DIMENSIONS TO ALL STEEL COLUMNS.

**FOUNDATION KEYED NOTES**

(D) 4" CONCRETE SLAB WITH #4 BAR @ 12" O.C. EACH WAY OVER 4" LAYER OF 7# REINFORCING STRUCTURAL FELL AS REQUIRED PER THE GENERAL STRUCTURAL NOTES.



**1 FOOTING & FOUNDATION PLAN**  
SCALE: 1/4" = 1'-0"

**ENSIGN**  
THE STANDARD IN ENGINEERING

**SANDY**  
45 W 10000 S, Suite 500  
Sandy, UT 84070  
Phone: 501.255.0529

**LAYTON**  
Phone: 801.547.1100

**TOOELE**  
Phone: 435.843.3590

**CEDAR CITY**  
Phone: 435.865.1453

**RICHFIELD**  
Phone: 435.896.2883

WWW.ENSIGNENG.COM

FOR:  
CRAB HOOPER  
461 SOUTH 100 WEST  
TOOELE, UT 84074

**HOOPER METAL BUILDING  
FOOTING AND FOUNDATION**

461 SOUTH 100 WEST  
TOOELE, UT



**FOOTING & FOUNDATION PLAN**

PROJECT NUMBER: 1207  
DATE: 10-14-09  
DESIGNED BY: J. GLENN  
CHECKED BY: R. KODJAKU

**S100**

**STAFF REPORT**

March 15, 2023

**To:** Tooele City Planning Commission  
Business Date: March 22, 2023

**From:** Planning Division  
Community Development Department

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

**Re:** All West Communications – Conditional Use Permit Request

Application No.: P23-227  
Applicant: Mont Flygare, representing All West Communications  
Project Location: 347 South 1200 West  
Zoning: IS Industrial Service Zone  
Acreage: 1.03 Acres (Approximately 44,866 ft<sup>2</sup>)  
Request: Request for approval of a Conditional Use Permit in the IS Industrial Service zone authorizing the uses of “Public Use” and “Contractor’s Storage Yard” to occur on the subject property.

**BACKGROUND**

This application is a request for approval of a Conditional Use Permit for approximately 1.03 acres located at approximately 347 South 1200 West. The property is currently zoned IS Industrial Service. The applicant is requesting that a Conditional Use Permit be approved to authorize the uses of “Public Use” and “Contractor’s Staging Yard” to occur on the subject property.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the Light Industrial land use designation for the subject property. The property has been assigned the IS Industrial Service zoning classification. Properties to the north and the west are zoned IS Industrial Service. Properties to the east and south are zoned RD Research and Development. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant specializes in the installation of fiber optic cable for internet use and will begin installation of this cable throughout Tooele City. They wish to use the site to construct a small hut to house fiber equipment and other related materials. As they are installing the cable throughout the city they will be using the remaining available site as a contractor’s storage yard to store construction related equipment and vehicles to be used throughout the cable installation process. The use of “public use” will cover the installation of the hut as the provision of the fiber based internet to the general public qualifies as a public use and the contractor’s storage yard use will cover the storage of equipment on the site during the cable installation process.

*Site Plan Layout.* A site plan has been provided showing the location of the fiber hut as well as access into the site and gravel storage area. There isn’t much proposed for the site at this time.

*Fencing.* There is an existing chain link fence running east to west along the northern property line. There is no fencing around the rest of the site. The plans show that new fencing will be installed along these property lines but the plans don’t make clear the type of fencing that will be installed.

Criteria For Approval. The criteria for review and potential approval of a Conditional Use Permit request is found in Sections 7-5-3(3) and (4) of the Tooele City Code. This section depicts the standard of review for such requests as:

- (3) Procedure. At the public hearing, testimony may be given by the applicant and all other persons either in support of or in opposition to the application. The Planning Commission may take the application under advisement, but shall render its determination within 30 days of the date of the hearing.
- (4) Approval. The Planning Commission shall approve the conditional use application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

Findings of Fact. As a part of the approval or denial of a Conditional Use Permit a finding of fact according to Sections 7-5-4 of the Tooele City Code is required. This section depicts the standard for findings of fact:

Prior to approving or denying a Conditional Use Permit application, the Planning Commission shall make, in the business meeting at which the public hearing is conducted or the permit is approved or denied, a finding of the following facts:

- (1) the reasonably anticipated detrimental effects of the proposed use upon adjacent and nearby persons and properties;
- (2) the evidence identified regarding the identified reasonably anticipated detrimental effects of the proposed use;
- (3) the reasonable conditions imposed, as part of the Conditional Use Permit approval, intended to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (4) the reasons why the imposed conditions are anticipated or hoped to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (5) the evidence, if any, identified regarding the ability of the imposed conditions to mitigate the reasonably anticipated detrimental effects of the proposed use.

In response to the City Code requirement for findings of fact, the following are the staff identified detrimental effects this application, should it be approved, may impose upon adjacent and nearby persons and property :

1. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's engineering plan review, permitted, and inspection processes.
2. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely, particularly for connection into the City's public infrastructure, for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Public Works Department plan review, permitted, and inspection processes.
3. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's building plan review, permitted, and inspection processes.
4. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is

imperative that all construction and development activities comply with property regulations which can be assured through the City's Fire Department plan review, permitted, and inspection processes.

5. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with all requirements of the geotechnical report.

## **REVIEWS**

*Planning Division Review.* The Tooele City Planning Division has completed their review of the Conditional Use Permit submission and has issued a recommendation for approval for the request.

*Engineering And Public Works Review.* The Tooele City Engineering and Public Works Divisions have not issued any comments regarding this proposed Conditional Use Permit.

*Tooele City Fire Department Review.* The Tooele City Fire Department has not issued any comments regarding this proposed Conditional Use Permit.

*Noticing.* The applicant has expressed their desire to obtain the Conditional Use Permit for 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 approval of the request for a Conditional Use Permit by Mont Flygare, representing All West Communications, application number P23-227, subject to the following conditions:

1. That all requirements of the Tooele City Engineering Division 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 Public Works Development 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 Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
4. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
5. 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 findings of fact for this proposed Conditional Use Permit request have been identified and the conditions proposed are intended to mitigate the reasonably anticipated detrimental impacts, as required by Tooele City Code Section 7-5-4.

## **MODEL MOTIONS**

Sample Motion for Approval – “I move we approve the Conditional Use Permit Request by Mont Flygare, representing All West Communications to authorize the uses of “public use” and “contractor’s storage yard to occur at the subject property, application number P23-227, based on the findings and subject to the conditions listed in the Staff Report dated March 15, 2023:”

1. List any additional findings of fact and conditions...

Sample Motion for Denial – “I move we the Conditional Use Permit Request by Mont Flygare, representing All West Communications to authorize the uses of “public use” and “contractor’s storage yard to occur at the subject property, application number P23-227, based on the following findings:”

1. List findings of fact ...



**EXHIBIT A**

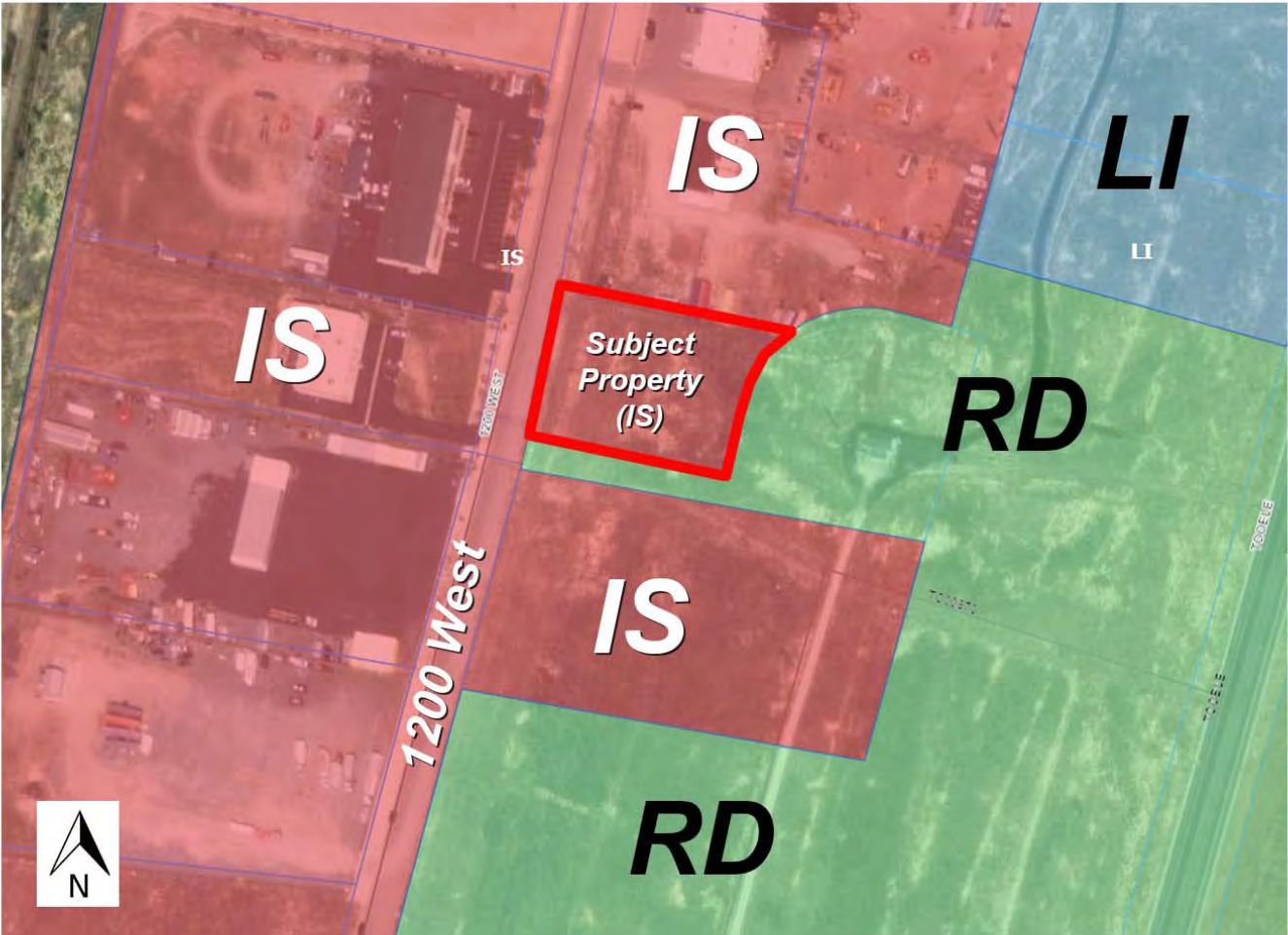
**MAPPING PERTINENT TO THE  
ALL WEST COMMUNICATIONS CONDITIONAL USE PERMIT**

***All West Communications Conditional Use***



***Aerial View***

**All West Communications Conditional Use**



**Current Zoning**

**EXHIBIT B**


**PROPOSED DEVELOPMENT PLANS &  
APPLICANT SUBMITTED INFORMATION**

# Conditional Use Permit 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)

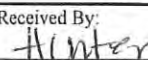


*Notice:* The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Conditional Use Permit applications shall be reviewed in accordance with all applicable City ordinances and requirements, are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

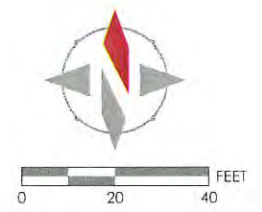
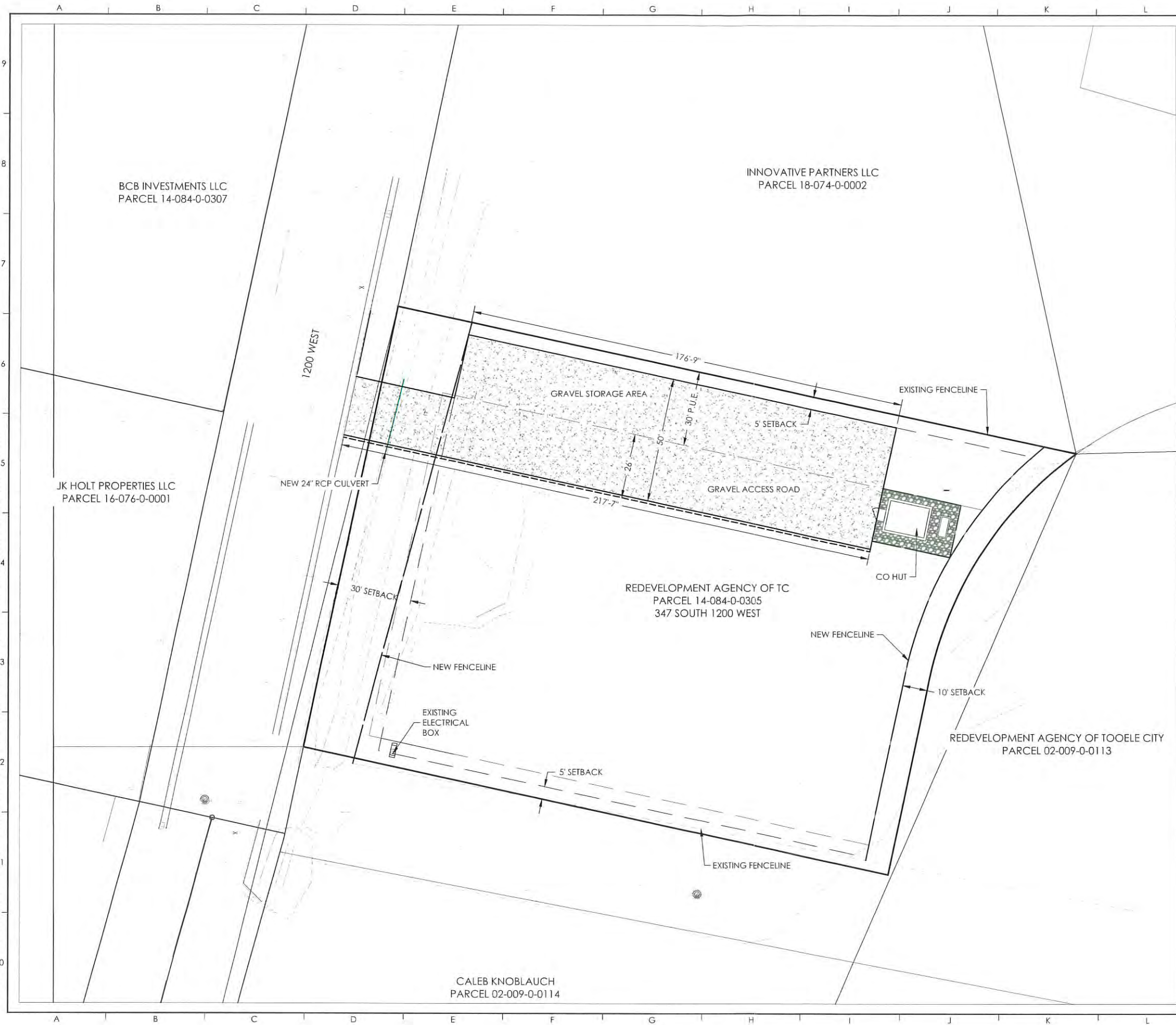
Project Information						23-227	
Date of Submission: 3/6/2023		Current Zoning: <del>Light Industrial</del> IS		Parcel #(s): 14-084-0-0305			
Project Name: All West Communications - Fiber Hut						Acres: 1.03	
Project Address: 347 South 1200 West						Units:	
Project Description: Install an equipment enclosure for fiber optic equipment, with outside equipment and supply storage. "PUBLIC USE" "CONTRACTOR'S STORAGE YARD"							
Current Use of Property: Vacant							
Property Owner(s): Redevelopment Agency				Applicant(s): All West Communications			
Address: 90 N Main St.				Address: 50 W 100 N			
City: Tooele	State: UT	Zip: 84074		City: Kamas	State: UT	Zip: 84036	
Phone:				Phone: 435-783-4996			
Contact Person: Mont Flygare				Address: 50 W 100 N			
Phone: 435-783-4996				City: Kamas	State: UT	Zip: 84036	
Cellular:		Fax:		Email: Mont.flygare@allwest.com			
Signature of Applicant: 							
						Date: 3-3-23	

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

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

For Office Use Only				2230243	
Fee: 600.00 (213)	Received By: 	Date Received: 3/3/23	Receipt #: 545435		

03:38 PM THURSDAY 02 MARCH 2023 | P:\2022-0296 ALLWEST COMM-FIBER EXPANSION\DRAWINGS\2022-TOOELE CITY SHEETS\CS100.DWG



CONTACT INFORMATION

**CRS** Answers to Infrastructure<sup>®</sup>  
ENGINEERING & SURVEYING

4246 S RIVERBOAT RD., STE 200  
SALT LAKE CITY, UT 84123  
P: 801.359.5565



REVISIONS

LEGAL NOTICE

THE INFORMATION CONTAINED IN THIS DRAWING IS THE PROPERTY OF CRS CONSULTING ENGINEERS, INC. AND IS NOT TO BE REPRODUCED, MODIFIED, OR USED FOR ANY OTHER PROJECT OR EXTENSION OF THIS PROJECT EXCEPT BY AGREEMENT WITH CRS ENGINEERS.

DESIGN

**PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION**

PRINCIPAL : M HIRST  
MANAGER : P HIRST  
REVIEWER : A THOMPSON  
DRAFTER : J SEEDALL

PROJECT

2022-0296  
02 MARCH 2023

**ALL WEST COMMUNICATIONS TOOELE**

347 S 1200 WEST, TOOELE, UT 84074

TOOELE UTILITY SHELTER EXHIBIT 1 OF 1 CS100



**STAFF REPORT**

March 15, 2023

**To:** Tooele City Planning Commission  
Business Date: March 22, 2023

**From:** Planning Division  
Community Development Department

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

**Re: Vista Meadows Subdivision – Preliminary Subdivision Plan Request**

Application No.: P22-1085  
Applicant: Jordan Taylor, representing RMO Properties, LLC  
Project Location: Approximately 460 West 600 North  
Zoning: R1-7 Residential Zone  
Acreage: 9.79 Acres (Approximately 426,763 ft<sup>2</sup>)  
Request: Request for approval of a Preliminary Subdivision Plan in the R1-7 Residential zone regarding creation of 47 single-family residential lots.

**BACKGROUND**

This application is a request for approval of a Preliminary Subdivision Plan for approximately 9.79 acres located at approximately 460 West 600 North. The property is currently zoned R1-7 Residential. The applicant is requesting that a Preliminary Subdivision Plan be approved to allow for the development of the currently vacant site as 47 single-family residential homes.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the Medium Density 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 R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Medium Density Residential land use designation. To the north and east properties are zoned R1-7 Residential. To the south properties are OS Open Space and to the west properties are zoned MR-8 Multi-Family Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

*Subdivision Layout.* The preliminary subdivision plan proposes dividing the existing 9.7 acre parcel into 47 single-family residential lots ranging in size from 7,100 square feet up to 8,800 square feet. Each lot within the subdivision meets or exceeds minimum requirements of the R1-7 zoning district for lot size, lot width and lot frontage.

The subdivision layout is very simple. Three rows of lots running west to east with one new street, 630 North, connecting 520 West to 300 West. There are no cul-de-sacs or knuckles, just a straightforward inline subdivision.

There will a storm water detention basin located at the low point of the subdivision in the north west corner. This detention basin will ultimately be landscaped and then dedicated to Tooele City.

There will be some road dedication involved with this subdivision. Right-of-way will be dedicated along 520 West and 600 North as well as the entire right-of-way for 630 North Street. The developer will be installing the necessary frontage improvements such as curb, gutter and sidewalk as well as any necessary improvements to asphalt, especially along 520 West.

The Planning Commission may have noted that 520 West is a dedicated right-of-way but the traveled asphalt currently used by the public doesn't entirely fall within the dedicated right-of-way. This most likely is what is called a proscriptive easement meaning it has been used as a traveled right-of-way for a sufficient amount of time that a permanent access easement now exists. However, it should also be noted that the majority of that proscriptive easement exists outside of the influence of this proposed subdivision and is beyond the scope of the developer to do anything with or about. The developer is improving the subdivision frontage for this road and that is all that they are obligated to do. If the property to the west ever develops they will be required at that time to resolve the road as it extends through that property and connects with 520 West.

Landscaping. Landscaping will be required for the storm water detention basin. The applicant has elected to submit the landscaping plan during the final plat subdivision process. During that application review the Parks Department will be reviewing the landscape plan.

Fencing. Fencing is not required anywhere around 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 Subdivision Plan submission and has issued a recommendation for approval for the request with the following proposed condition:

1. The developer shall submit a landscape plan for the storm water detention basin for review during the final plat subdivision application.

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

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

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Preliminary Subdivision Plan by Jordan Taylor, representing RMO Properties, LLC, application number P22-1085, subject to the following conditions:

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



- permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
  4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.
  5. The developer shall submit a landscape plan for the storm water detention basin for review during the final plat subdivision application.

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 Vista Meadows Subdivision Preliminary Subdivision Plan Request by Jordan Taylor representing the RMO Properties, LLC for the purpose of creating 47 single-family residential lots, application number P22-1085, based on the findings and subject to the conditions listed in the Staff Report dated March 15, 2023:”

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 Vista Meadows Subdivision Preliminary Subdivision Plan Request by Jordan Taylor representing the RMO Properties, LLC for the purpose of creating 47 single-family residential lots, application number P22-1085, based on the following findings:”

1. List findings...

**EXHIBIT A**

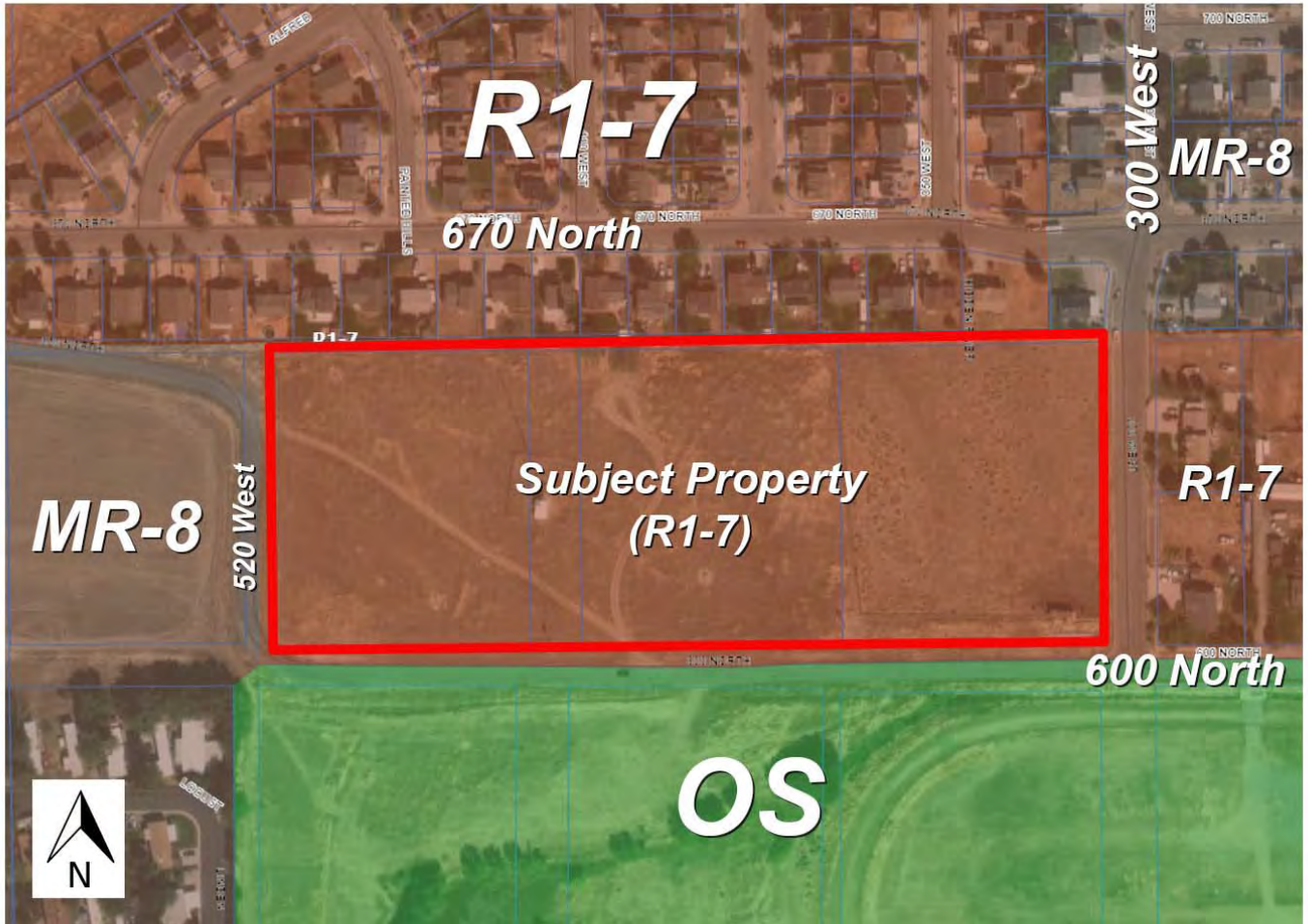
**MAPPING PERTINENT TO THE VISTA MEADOWS SUBDIVISION PRELIMINARY  
SUBDIVISION PLAN**

***Vista Meadows Preliminary Subdivision Plan***



***Aerial View***

# Vista Meadows Preliminary Subdivision Plan



**Current Zoning**

**EXHIBIT B**

**PROPOSED DEVELOPMENT PLANS &  
APPLICANT SUBMITTED INFORMATION**

# Subdivision - Preliminary Plan 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 preliminary plans to be reviewed by the City in accordance with the terms of the Tooele City Code. Once a set of preliminary plans 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 preliminary plan proposals shall be reviewed in accordance with the Tooele City Code. Submission of preliminary plans in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all plans be submitted well in advance of any anticipated deadlines.

P22-1085

Project Information					
Date of Submission: 9/12/22	Submittal #: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4	Zone: R1-8	Acres: 9.44	Parcel #(s): See Supplemental info	
Project Name: Vista Meadows Subdivision					
Project Address: 460 West 600 North Tooele Utah 84074					
Project Description: Subdivision/development of residential lots			Phases: 1	Lots: 44	
Property Owner(s): RMO Properties LLC			Applicant(s): RMO Properties LLC		
Address: PO box 95410			Address: PO box 95410		
City: South Jordan	State: UT	Zip: 84095	City: South Jordan	State: UT	Zip: 84095
Phone: 801-597-9310	Email: jordan@braemarco.com		Phone: 801-597-9310	Email: jordan@braemarco.com	
Contact Person: Jordan Taylor			Address: PO Box 95410		
Phone: 801-597-9310			City: South Jordan	State: UT	Zip: 84095
Cellular: 801-597-9310	Fax:	Email: jordan@braemarco.com			
Engineer & Company: Wilding Engineering			Surveyor & Company: Wilding Engineering		
Address: 14721 South Heritage Crest Way			Address: 14721 South Heritage Crest Way		
City: Bluffdale	State: UT	Zip: 84065	City: Bluffdale	State: UT	Zip: 84065
Phone: 801-553-8112	Email: jpeterseon@wildingengineering.com		Phone: 801-553-8112	Email: jpeterseon@wildingengineering.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.

For Office Use Only					
Land Use Review:	Date:	Water Superintendent Review:	Date:	City Engineer Review:	Date:
Planning Review:	Date:	Reclamation Superintendent Review:	Date:	Director Review:	Date:
Fire Flow Test					
Location:	Residual Pressure:	Flow (gpm):	Min. Required Flow (gpm):		
Performed By:	Date Performed:	Corrections Needed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Comments Returned: Date: <input type="checkbox"/> Yes <input type="checkbox"/> No		

# VISTA MEADOWS SUBDIVISION

## A RESIDENTIAL SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21,  
TOWNSHIP 3 SOUTH, RANGE 4 WEST,  
SALT LAKE BASE AND MERIDIAN  
PRELIMINARY PLAT

### SURVEYOR'S CERTIFICATE

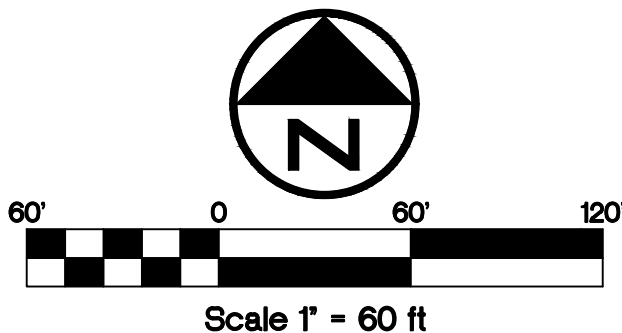
I, KACAN M. DIXON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 9061091, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS SUBDIVISION PLAT IN ACCORDANCE WITH SECTION 17-23-17, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS VISTA MEADOWS SUBDIVISION, A RESIDENTIAL SUBDIVISION AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.

### BOUNDARY DESCRIPTION

A TRACT OF LAND BEING SITUATE IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, HAVING A BASIS OF BEARINGS OF NORTH 00°09'13" WEST BETWEEN THE WEST QUARTER AND THE NORTHWEST CORNER OF SAID SECTION 21, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

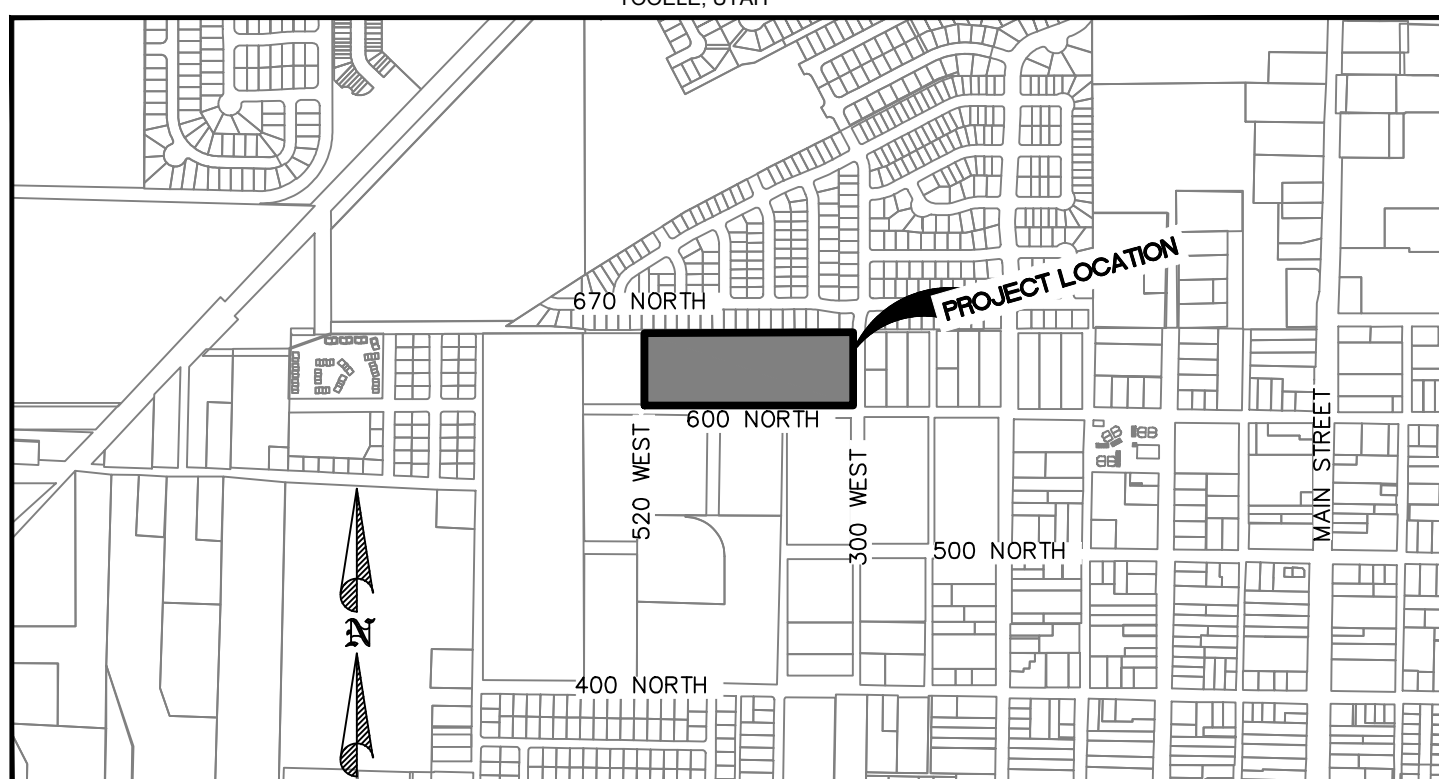
BEGINNING AT A POINT ON THE SOUTH LINE OF COPPER CANYON PHASE 1 AMENDED SUBDIVISION, BEING ON FILE WITH THE OFFICE OF THE TOOELE COUNTY RECORDER AS ENTRY NO. 119822, SAID POINT BEING NORTH 89°42'14" EAST ALONG THE QUARTER SECTION LINE A DISTANCE OF 306.14 FEET AND NORTH 00°04'43" EAST 16.04 FEET FROM THE WEST QUARTER OF SAID SECTION 21, AND RUNNING THENCE NORTH 89°52'55" EAST ALONG SAID SOUTH LINE A DISTANCE OF 1085.94 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION, ALSO BEING THE SOUTHWEST CORNER OF SHELTON MEADOWS NO. 1 SUBDIVISION, ON FILE WITH THE OFFICE OF THE TOOELE COUNTY RECORDER AS ENTRY NO. 93860; THENCE NORTH 89°44'49" EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION A DISTANCE OF 69.69 FEET; THENCE SOUTH 00°00'15" WEST ALONG THE EAST LINE OF BLOCK 75, PLAT OF TOOELE CITY, ON FILE WITH THE OFFICE OF THE TOOELE COUNTY RECORDER AS FILE NO. 4615 (ALSO BEING THE WEST RIGHT-OF-WAY LINE OF 300 WEST STREET), A DISTANCE OF 394.16 FEET TO THE SOUTHWEST CORNER OF BLOCK 75; THENCE SOUTH 89°59'54" WEST ALONG THE SOUTH LINE OF BLOCKS 75, 76, AND 77 (ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF 600 NORTH STREET) A DISTANCE OF 1086.44 FEET TO THE SOUTHWEST CORNER OF BLOCK 77; THENCE NORTH 00°04'43" EAST ALONG THE WEST LINE OF BLOCK 77 A DISTANCE OF 391.79 FEET TO THE POINT OF BEGINNING.

CONTAINS 426,763 SQUARE FEET  
9.797 ACRES, MORE OR LESS  
47 LOTS



### VICINITY MAP

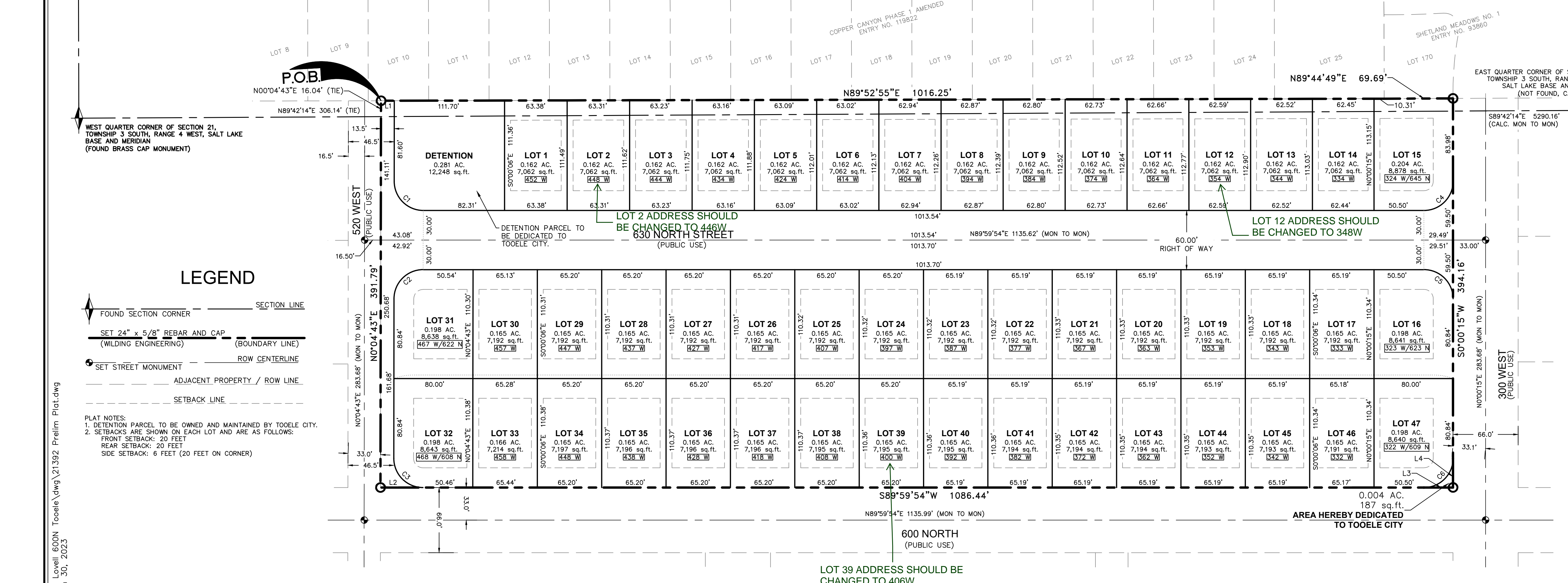
SCALE 1" = 1000'  
TOOELE, UTAH



Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
C1	46.38'	29.50'	90°04'49"	S44°57'41"E	41.75'
C2	46.30'	29.50'	89°55'11"	S45°02'19"W	41.69'
C3	46.38'	29.50'	90°04'49"	S44°57'41"E	41.75'
C4	46.34'	29.50'	89°59'39"	N45°00'05"E	41.72'
C5	46.34'	29.50'	90°00'21"	N44°59'55"W	41.72'
C6	46.34'	29.50'	89°59'40"	N45°00'05"E	41.72'

Parcel Line Table		
Line #	Length	Direction
L1	13.50'	N89°52'55"E
L2	43.04'	S89°59'54"W
L3	29.50'	S89°59'54"W
L4	29.50'	S00°00'15"W

BASIS OF BEARINGS  
N00°09'13"W 2645.14' (MEAS)



### LEGEND

- FOUND SECTION CORNER
- SECTION LINE
- SET 24" x 5/8" REBAR AND CAP (WILDING ENGINEERING)
- BOUNDARY LINE
- SET STREET MONUMENT
- ROW CENTERLINE
- ADJACENT PROPERTY / ROW LINE
- SETBACK LINE

PLAT NOTES:  
1. DETENTION PARCEL TO BE OWNED AND MAINTAINED BY TOOELE CITY.  
2. SETBACKS ARE SHOWN ON EACH LOT AND ARE AS FOLLOWS:  
FRONT SETBACK: 20 FEET  
REAR SETBACK: 20 FEET  
SIDE SETBACK: 6 FEET (20 FEET ON CORNER)

G:\DATA\21392 Lovell 600N Tooele\21392 Prelim Plat.dwg  
PLOT DATE: Jan 30, 2023

**WILDING**  
ENGINEERING  
14721 SOUTH HERITAGE CREST WAY  
BLUFFDALE, UTAH 84065  
801.553.8112  
WWW.WILDINGENGINEERING.COM

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

- (1) A RECORDED EASEMENT OR RIGHT-OF-WAY
- (2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
- (3) TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
- (4) ANY OTHER PROVISION OF LAW.

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

ROCKY MOUNTAIN POWER

BY \_\_\_\_\_

TITLE \_\_\_\_\_

### DOMINION ENERGY

DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE 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 1-800-366-8532.

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

DOMINION ENERGY COMPANY

BY \_\_\_\_\_

TITLE \_\_\_\_\_

<b>COMCAST</b>	<b>CENTURY LINK</b>	<b>POST MASTER</b>	<b>SCHOOL DISTRICT</b>
APPROVED THIS _____ DAY OF _____ A.D. 20____ BY COMCAST CABLE	APPROVED THIS _____ DAY OF _____ A.D. 20____ BY CENTURY LINK	APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE POST MASTER.	APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE COUNTY SCHOOL DISTRICT.
COMCAST	CENTURY LINK	POST MASTER	TOOELE COUNTY SCHOOL DISTRICT
<b>CHIEF OF POLICE</b>	<b>FIRE CHIEF</b>	<b>PARKS DEPARTMENT</b>	<b>HEALTH DEPARTMENT</b>
APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE CITY CHIEF OF POLICE.	APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE CITY FIRE DEPARTMENT.	APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE CITY PARKS DEPARTMENT.	APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE COUNTY HEALTH DEPARTMENT.
TOOELE CITY CHIEF OF POLICE	TOOELE CITY FIRE CHIEF	TOOELE CITY PARKS DEPARTMENT	TOOELE COUNTY HEALTH DEPARTMENT

### OWNER/DEVELOPER

**LOVELL DEVELOPMENT GROUP, LLC**  
13697 S 3825 W  
RIVERTON, UTAH 84065  
CONTACT: BRETT LOVELL  
801-706-4693

### CITY ATTORNEY

APPROVED AS TO FORM ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

TOOELE CITY ATTORNEY

### CITY ENGINEER

APPROVED AS TO FORM ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

TOOELE CITY ENGINEER

### COMMUNITY DEVELOPMENT

APPROVED AS TO FORM ON 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

### PLANNING COMMISSION

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

ATTEST:

**Tooele City Planning Commission  
Business Meeting Minutes**

**Date:** Wednesday, March 8, 2023

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

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

**Commission Members Present:**

Melanie Hammer  
Jon Proctor  
Chris Sloan  
Tyson Hamilton  
Weston Jensen  
Doug Newel  
Matt Robinson  
Melodi Gochis  
Alison Dunn

**City Council Members Present:**

Ed Hansen

**City Employees Present:**

Andrew Aagard, City Planner  
Jim Bolser, Community Development Director  
Roger Baker, City Attorney

Minutes prepared by Katherin Yei

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

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Chairman Hamilton.

**2. Roll Call**

Melanie Hammer, Present  
Jon Proctor, Present  
Matt Robinson, Present  
Tyson Hamilton, Present  
Weston Jensen, Present  
Chris Sloan, Present  
Doug Newell, Present  
Melodi Gochis, Present  
Alison Dunn, Present

**3. Public Hearing and Decision on a Conditional Use Permit Request by Adelain Dalis for a Home-Based Daycare Involving the Care of 8 to 16 Children at 555 West 1470 North on 0.16 acres in the R1-7 Residential Zoning District**

Mr. Aagard presented a Conditional Use Permit for a home-based daycare business located in the Lexington Green Subdivision. The property is zoned R1-Residential. They did provide a traffic plan showing how they will control traffic. Notifications have been sent to neighboring properties. A supportive comment was received from Jared Scaggin. Staff is recommending approval with the basic conditions listed in the staff report.

The Planning Commission asked the following questions:  
Do they have the property fence?

The public hearing was opened. No one came forward. The public hearing was closed.

**Commissioner Proctor motioned to approve a Conditional Use Permit Request by the Tooele County School District to Authorize a “Public Use” on Approximately 4 Acres of Property Located at 101 South Industrial Loop Road in the Industrial Zoning District based on the findings and conditions listen in the staff report.** Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

**4. Public Hearing and Recommendation on a Land Use Map Amendment Request by Holly Jones to Reassign the Land Use Designation for Approximately 0.39 Acres Located at 60 South Main Street from Community Commercial to Mixed Use**

Mr. Aagard presented a Land Use map Amendment located west of Main Street. The property is zoned GC, General Commercial. The applicant is requesting a Land Use Map amendment for a future zone change that allows a residential treatment facility. The request is to change the map to Mix-Use. Notices were sent to neighboring properties. A comment was received from Mandy Brown expressing opposition.

The Planning Commission asked the following questions:  
Are the setbacks permissible of the lot for the Mix-Use General?

Mr. Aagard addressed the Commission’s questions. It allows zero-lot lines if it meets building zone. It would most likely meet the requirements.

The public hearing was opened. No one came forward. The public hearing was closed.

Ms. Jones addressed the Planning Commission. They currently hold a Conditional Use Permit to allow them to reside upstairs in the living space. The difference is if the clients need help from one section of their business to the next.



The Planning Commission asked the following questions:

Can you define what kind of assistance is given?

Is there an elevator?

How is the parking lot shared?

If this is approved, can anything else go in that would cause the need for additional parking?

Do they need to have concern about the comment they received?

Ms. Jones addressed the Commission. They help with behavioral health and are trying to allow treatment in all areas. There is an ADA unit on the main floor. They have 13 spaces. Residents are not allowed to have their cars at the facility allowing ample parking.

Mr. Aagard addressed the Commission's questions. Parking would be reviewed at the time of business licensing. If they do not have sufficient parking, it will not be approved. By approving this change, multi-family housing could be allowed with a Conditional Use Permit.

Mr. Baker addressed the Commission. The parking requirements for the Mixed-Use General are not as restrictive. The concern of excessive garbage could be addressed if there is substantial evidence that it will adversely affect the neighbors.

**Commissioner Sloan motioned to forward a positive recommendation on a Land Use Map Amendment Request by Holly Jones to Reassign the Land Use Designation for Approximately 0.39 Acres Located at 60 South Main Street from Community Commercial to Mixed Use based on the findings and conditions listed in the staff report.** Commissioner Gochis seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Proctor, "Aye", Commissioner Sloan, "Aye" Commissioner Robinson, "Aye" Chairman Hamilton, "Aye", Commissioner Jensen, "Aye", and Commissioner Gochis, "Aye". The motion passed.

### **5. City Council Reports**

Council Member Hansen shared the following information from the City Council Meeting:

There is a business coming into the business park that will produce more jobs for the City.

A street signal is coming near Macey's.

### **6. Review and Approval of Planning Commission Minutes for the Business Meeting Held on February 8, 2023.**

There are no changes to the minutes.

**Commissioner Robinson motioned to approve the minutes.** Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Proctor, "Aye", Commissioner Sloan, "Aye" Commissioner Robinson, "Aye" Chairman Hamilton, "Aye", Commissioner Jensen, "Aye", and Commissioner Gochis, "Aye". The motion passed.

### **7. Planning Commission Training on Conditional Uses**

Mr. Bolser presented a training on Conditional Uses.

**8. Adjourn**

**Chairman Hamilton adjourned the meeting at 8:20 p.m.**

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

Approved this \_\_\_\_ day of March, 2023

\_\_\_\_\_  
Tyson Hamilton, Tooele City Planning Commission Chair

DRAFT