

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, May 10, 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](http://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 Matt Hendrickson to authorize the use of "Warehouse" for 2.81 acres of property located at 1121 West Utah Avenue in the LI Light Industrial zoning district.
4. **Public Hearing and Recommendation** on a proposed text amendment to Tooele City Code Chapter 4-8: Road and Bridge Construction Standards to include new standards for secondary local class streets.
5. **Decision** on a conceptual condominium plat proposed by Harris Community Village located at 251 North 1<sup>st</sup> Street in the R1-7 zoning district on 9.35 acres.
6. **City Council Reports**
7. **Review and Approval** of Planning Commission Minutes for the meeting held on April 26, 2023.
8. **Discussion** regarding Pre-development Meeting Attendance assignments.
9. **Adjourn**

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

**STAFF REPORT**

May 1, 2023

**To:** Tooele City Planning Commission  
Business Date: May 10, 2023

**From:** Planning Division  
Community Development Department

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

**Re: Tooele Flex Spaces – Conditional Use Permit Request**

Application No.: P23-350  
Applicant: Matt Hendrickson  
Project Location: 1121 Utah Avenue  
Zoning: LI Light Industrial Zone  
Acreage: 2.81 Acres (Approximately 122,403 ft<sup>2</sup>)  
Request: Request for approval of a Conditional Use Permit in the LI Light Industrial zone to authorize the use of “warehouse” to occur on the subject property.

**BACKGROUND**

This application is a request for approval of a Conditional Use Permit for approximately 2.81 acres located at approximately 1121 Utah Avenue. The property is currently zoned LI Light Industrial. The applicant is requesting that a Conditional Use Permit be approved to authorize the use of “Warehouse” on the site which will enable the construction of a flex office / warehouse facility.

**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 LI Light Industrial zoning classification. Properties to the north are zoned RR-1 Residential. Properties to the south are also zoned RR-1 Residential with a couple of parcels being zoned LI Light Industrial. Properties to the west are zoned LI Light Industrial and property to the east is zoned RR-1 Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant is requesting the conditional use permit to authorize the construction of small 20’ wide by 50’ long bays for a variety of businesses. The City code currently does not have a category that includes a “flex space” type of use. Typically, these flex spaces are utilized by contractors and builders who need the spaces to operate a small office, store vehicles and materials but don’t need an large building or site to operate. The flex spaces tend to attract smaller businesses. Because this particular use is not directly authorized on the City’s table of commercial uses, Staff has interpreted the use to be primarily a warehouse use as most of these spaces will be utilized as storage of materials. The office uses, if they occur, are permitted uses in the LI Light Industrial zoning district.

By obtaining the conditional use permit for warehousing, staff is confident the proposed flex space use can be achieved on the property. Uses other than office and warehouse that may occur on the site would need to be reviewed on a case by case basis. If a proposed use requires a conditional use permit the applicant would need to submit a new application and have that particular use approved by the Planning Commission.

*Site Plan Layout.* The applicant has submitted a site plan that shows a conceptual layout of the property. Please keep in mind that this application is only to consider and approve the use of the property as “warehouse” and to

consider any impacts the use may impose upon adjacent properties and to mitigate those impacts with appropriate conditions. The site plan itself will need to be reviewed and approved once the site plan application has been submitted.

Subdivision Layout. This is an existing parcel of record and is not a platted subdivision lot.

Fencing. The property to the south west of the subject property is currently zoned RR-1 Residential. This is a residential zoning district that requires 1 acre, or larger, lots. The applicant is proposing the construction of a 6' solid vinyl fence along the southern property line. The buildings themselves are proposed to be accessed from the north side with only the back sides of the buildings visible to that property. It should also be noted that the RR-1 property to the south is currently undeveloped land.

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 with the following comment:

1. Staff recommends approval of the proposed application with the five basic "catch-all" conditions. These conditions relate to the construction of the facility and are intended to catch anything staff or the Commission may have missed.

*Engineering Review & Public Works Review.* The Tooele City Engineering Division and Public Works Division have completed their review of the Conditional Use Permit submission and have not issued any comments.

*Tooele City Fire Department Review.* The Tooele City Fire Department has completed their review of the Conditional Use Permit submission and has not issued any comments.

*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 Matt Hendrickson, application number P23-350, 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 Matt Hendrickson, to authorize the use of “warehouse” to occur on the subject property located at 1121 Utah Avenue, application number P23-350, based on the findings and subject to the conditions listed in the Staff Report dated May 1, 2023:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Matt Hendrickson, to authorize the use of “warehouse” to occur on the subject property located at 1121 Utah Avenue, application number P23-350, based on the following findings:”

1. List findings of fact ...

**EXHIBIT A**

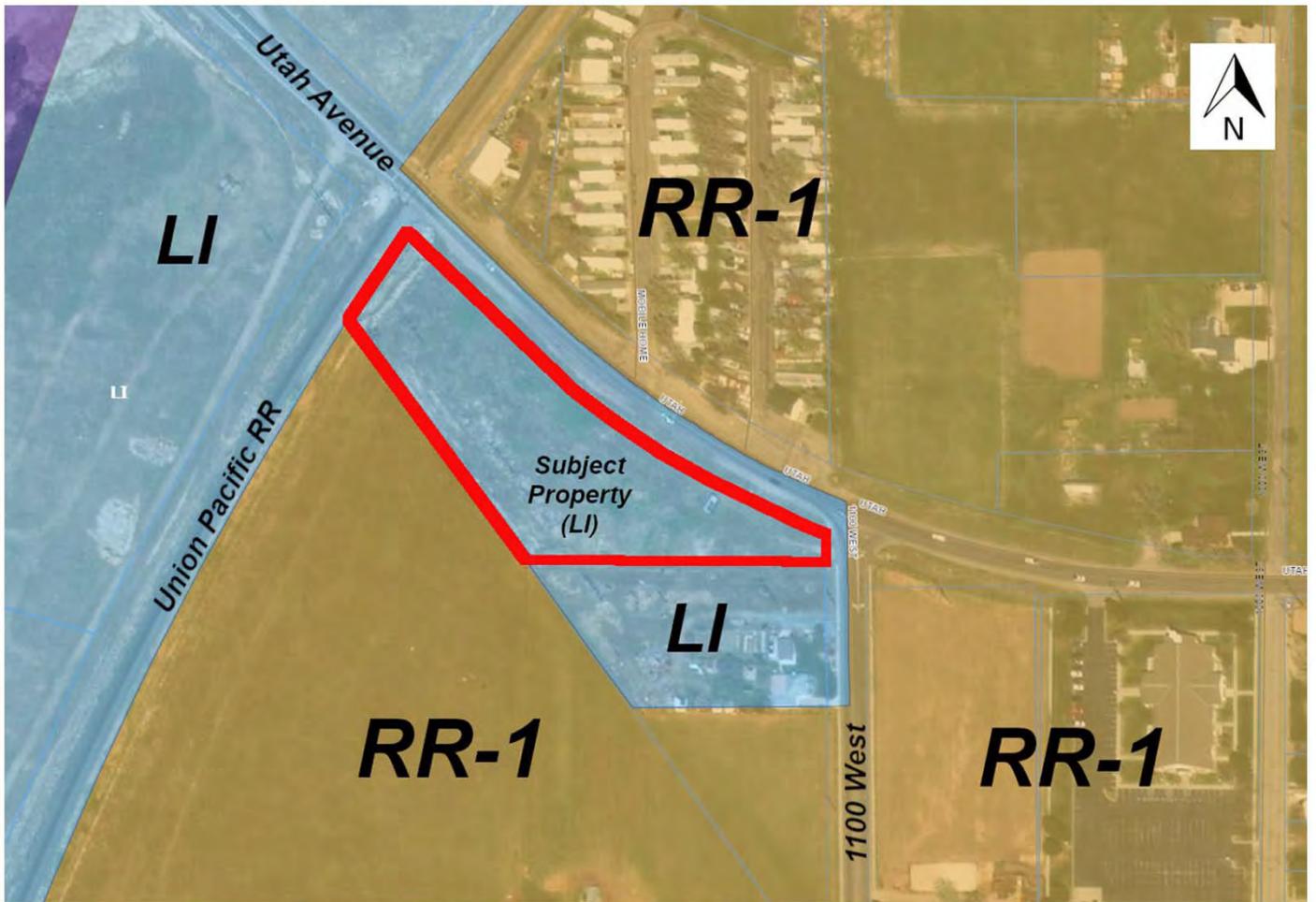
**MAPPING PERTINENT TO THE  
TOOELE FLEX SPACES CONDITIONAL USE PERMIT**

***Utah Avenue Flex Spaces Conditional Use***



***Aerial View***

# Utah Avenue Flex Spaces 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)

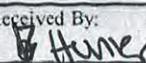


*Notice:* The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Conditional Use Permit applications shall be reviewed in accordance with all applicable City ordinances and requirements, are 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						23-350		
Date of Submission:			Current Zoning: LI		Parcel #(s): 02-009-0-0013			
Project Name: Flex Spaces - Tooele					Acres: 2.81			
Project Address: 1121 Utah Ave, Tooele, UT					Units: ~38			
Project Description: Project consists of primarily 20'w x 50'l bays for a variety of uses. Some units to be conditioned with restrooms. Project not to be anticipated to be used by tenants who attract customers on site.								
Current Use of Property: No use currently								
Property Owner(s): PH Holdings Utah				Applicant(s): Matt Hendrickson				
Address: 864 Michie Lane				Address: 1507 NE Wall Street				
City: Midway		State: UT	Zip: 84049		City: Lees Summit		State: MO	Zip: 64086
Phone: 816-609-8633				Phone: 816-609-8633				
Contact Person: Matt Hendrickson				Address:				
Phone: 816-609-8633				City:		State:		Zip:
Cellular: 816-609-8633		Fax:			Email: matthewf.hendrickson@gmail.com			
Signature of Applicant: 								
Date April 6, 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 of his Agents from full compliance with City Master Plans, Code, Rules and/or Regulations.

For Office Use Only				22303004	
Fee: 600.00 (213)		Received By: 	Date Received: 5/5/23		Receipt #: 4117123



### SITE DATA

PARKING:	78 STALLS PROVIDED
PARCEL AREA:	122,221 S.F. (2.83 ACRES)
BUILDING AREA:	34,000 S.F. 27.8%
ASPHALT AREA:	30,611 S.F. 25.0%
LANDSCAPE AREA:	57,610 S.F. 47.2%

### Preliminary Storm Runoff Calculations

Tooele Flex Space 3/14/2023

The following runoff calculations are based on the Rainfall - Intensity - Duration Frequency Curve for the Tooele, Utah area taken from the NOAA Atlas 14 database. Calculations have been completed for the 25-yr 24-hr storm event per Tooele City Code 7-12-7 "Development Standards". Storm water runoff has been calculated for a fully developed site and limited to a release rate of 0.2 cfs/acre.

The calculations are as follows:

**Drainage Area:**

Total Area =	2.81 acre or	122,221 ft <sup>2</sup>
Runoff Coefficients		
Paved Area	48,316	C = 0.9
Roof	39,201	C = 0.9
Landscape Area	34,704	C = 0.2
Weighted Runoff Coefficient:		C = 0.70

**LID Retention**

80 <sup>th</sup> Percentile Rainfall Event (d)	0.5	in
Is the site Feasible for LID?	Yes	
Soil Imperviousness (I)	0.72	
NRCS Soil Group	B	
Rv Equation	0.84*1.169	
R <sub>s</sub> (Soil Group A: 0.84*1.302; B: 0.84*1.169; CD: 0.83*1.122)	0.57	
V <sub>ret</sub> = R <sub>s</sub> x d x Total Site SF	2923	c.f.

**Volume of Run-off for 25-year Storm Event:**

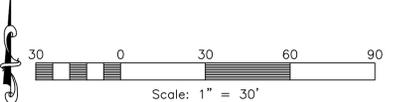
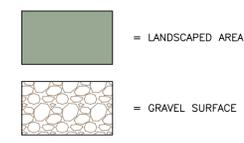
Q (cfs) =	time (min)	time (sec)	i (in./hr.)	Q (0.2 cfs per acre)	Vol. in (cf)	Vol. out (cf)	Difference (cf)
0	0	0	0.00	0.00	0	0	0
5	300	4.45	8.83	2649	168	2480	
10	600	3.40	6.75	4047	337	3711	
15	900	2.80	5.56	5000	505	4494	
30	1800	1.99	3.75	6748	1010	5739	
60	3600	1.17	2.32	8356	2020	6336	
120	7200	0.66	1.31	9428	4040	5387	
180	10800	0.46	0.92	9899	6061	3839	
360	21600	0.27	0.54	11613	12121	-508	
720	43200	0.17	0.33	14227	24242	-10015	
1440	86400	0.11	0.21	18170	48484	-30315	

**SUMMARY:**  
 The required 25-yr storage volume is 6,336 cubic feet  
 The required LID Retention volume is 2,923 cubic feet

02-009-0-0017  
 THE CRYSTAL J. ROMERO  
 LIVING TRUST  
 (UNDEVELOPED PARCEL)

Utah Avenue

02-009-0-0095  
 DONALD DELBERT  
 HANCOCK CO TRUSTEE  
 (UNDEVELOPED PARCEL)



**Reeve & Associates, Inc.**  
 5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405  
 LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS  
 TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS	DESCRIPTION

REVISIONS: \_\_\_\_\_  
 DATE: \_\_\_\_\_

FlexSpace  
 1121 Utah Ave  
 TOOELE CITY, TOOELE COUNTY, UTAH  
**Conceptual Site Plan**



**Project Info.**  
 Engineer: KENNETH H. HUNTER, P.E.  
 Drafter: J. MEYERS  
 Begin Date: MARCH 2023  
 Name: FLEXSPACE  
 1121 UTAH AVE  
 Number: 8124-01

**Notice:**  
 THESE PLANS WERE CREATED UTILIZING COLORS FOR UTILITIES & OTHER INFRASTRUCTURE. IF PRINTED IN, OR COPIED TO BLACK & WHITE, SOME LINE WORK MAY NOT SHOW UP PROPERLY.

**Project Contact:**  
 Chris Cave  
 Reeve & Associates, Inc.  
 5160 South 1500 West  
 Riverdale, Utah, 84405  
 PH:(801) 621-3100

**STAFF REPORT**

May 4, 2023

**To:** Tooele City Planning Commission  
Business Date: May 10, 2023

**From:** Planning Division  
Community Development Department

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

**Re:** **Secondary Roads Standards – City Code Text Amendment Request**

Applicant: Tooele City

Request: Request for approval of a City Code Text Amendment regarding a proposed revision to the Tooele City Code 4-8 to add specific improvement standards to three of Tooele City's secondary roads.

**BACKGROUND**

This application is a request for approval of a City Code Text Amendment in Title 4 Chapter 8. The proposed text amendment addresses the current requirements for improvement on three secondary class streets in Tooele, 150 West, 50 West and Garden Street. These streets are commonly known as "alleys" or "alleyways" by those residing near them or using them. For years there has been no common standard for these roads and Tooele City has vacillated between requiring full improvements on these roads to requiring no improvements of any kind. The question needs to be resolved as in-fill development continues to occur on these sub-standard roads.

**ANALYSIS**

*The Data.* Each of these sub-standard secondary roads was created by plat many years ago. 150 West and 50 West are designated on the plat as being 49 1/2 feet wide while Garden Street is designated as being 33 feet wide. The original plat was recorded in 1980 but it is believed these roads existed long before that. Over the years these roads have fallen into a state of disrepair and in many situations adjacent property owners have gradually encroached upon the roads with fences, landscaping, buildings and so forth until there is no longer any clearly defined right-of-way line. Widths vary from the south to the north and there is not any consistency.

The Public Works Department and the Tooele City Fire Department have worked to compile a long string of maps of each one of these rights-of-way showing the existing rights-of-way widths and what the rights-of-way actually should be. The aerial maps clearly show that there is considerable encroachments along the length of these roads.

During the data compilation the Fire Department drove their large emergency vehicles onto these streets to determine the existing asphalt widths, conditions and how parking their vehicles during an emergency event would impact the ability of ingress and egress on the road. Much of the data provided comes from their efforts.

As development and improvements occur along these rights-of-way Tooele City wants to have a specific standard of improvement for each road. The proposed text amendment will include a table that denotes the affected road, the required asphalt width, a curb and gutter requirement and what the requirement for

sidewalk will be. Therefore, when a property owner wishes to subdivide their property on 50 West between 400 North and Utah Avenue we can look up the table and see that they will be required to improve their frontage up to 30 feet of asphalt, install curb and gutter and install sidewalk on the east side, if they are on the east side of the road. This ordinance amendment will provide a clear direction of how these secondary class roads are to be improved where right now there is no clear direction.

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

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

## **REVIEWS**

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

1. The Planning Commission and City Council should carefully weigh the proposed amendment to the City Code, consider the comments and input received from the public hearings to render a decision in the best interest of the community.

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

1. The Planning Commission and City Council should carefully weigh the proposed amendment to the City Code, consider the comments and input received from the public hearings to render a decision in the best interest of the community.

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

## **STAFF RECOMMENDATION**

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

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

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

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Secondary Roads Standards Text Amendment Request by Tooele City for the purpose of revising the City Code regarding required improvements to these secondary roads, based on the following findings:”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Secondary Roads Standards Text Amendment Request by Tooele City for the purpose of revising the City Code regarding required improvements to these secondary roads, based on the following findings:”

1. List findings ...

**EXHIBIT A**

**AMUSEMENT FACILITIES CITY CODE TEXT AMENDMENT**

<b>150 West Street</b>						
<u>Corresponding Map</u>	<u>Section</u>	<u>Existing Surface</u>	<u>Asphalt (min.)</u>	<u>Curb &amp; Gutter</u>	<u>Sidewalk Required</u>	<u>Notes</u>
Page 1	650 North – 600 North	18 - 30 Feet	30 Feet	Required	West Side	Brand new pavement ≈30 feet with curb, gutter, and sidewalk on one side; Necks down to ≈18 feet of pavement for north 180 feet of this segment;
Page 2	600 North – 500 North	16 - 33 Feet	30 Feet	Required	East Side	Good access off of 500 North with 33 feet of pavement; Narrows to ≈16 feet of pavement towards the center then back to 33 feet; Vehicles or other items as possible access impediments; Curb, gutter, and sidewalk on one side by the apartments
Page 3	500 North – 400 North	14 - 18 Feet	30 Feet	Required	Not Required	≈14-18 feet of pavement throughout; several properties have vehicles or items as possible access impediments
Page 4	400 North – Utah Avenue	18 Feet	30 Feet	Required	Not Required	≈18 - 20 feet of pavement; Vehicles or other items as possible access impediments; Access off of 400 North has significant dip
Page 5	Utah Avenue – Vine Street	33 Feet	30 Feet	Required	Both Sides	≈33 feet of pavement throughout; curb, gutter, and sidewalk on both sides for the majority of segment
Page 6	Vine Street – 100 South	20 Feet	30 Feet	Required	Not Required	≈20 feet of pavement throughout segment; No other improvements
Page 7	100 South – 200 South	20 - 25 Feet	30 Feet	Required	West Side	Curb, gutter and sidewalk for the first 400 feet on the south end; 25 feet of pavement on the south end for ≈400 feet then necks down to ≈20 feet
Page 8	200 South – 400 South	16 Feet	30 Feet	Required	Not Required	Significant dip at the entrance from 400 South & from 200 South; Narrow pavement ≈16 feet; Vehicles and trees as possible access impediments
<b>50 West Street</b>						
<u>Corresponding Map</u>	<u>Section</u>	<u>Existing Surface</u>	<u>Asphalt (min.)</u>	<u>Curb &amp; Gutter</u>	<u>Sidewalk Required</u>	<u>Notes</u>
Page 9	600 North – 500 North	14 - 22 Feet	30 Feet	Required	Not Required	Pavement is narrow with no curb, gutter, or other improvements; Vehicles or other items as possible access impediments; Very significant dip on the South entrance from 500 North
Page 10	500 North – 400 North	25 Feet	30 Feet	Required	West Side	Access okay
Page 11	400 North – Utah Avenue	25 Feet	30 Feet	Required	East Side	Access okay
Page 12	Utah Avenue – Vine Street	22 – 30 Feet	30 Feet	Required	West Side	Some narrow areas; There is a dip on the North entrance from Utah Ave.
Page 13	Vine Street – 100 South	26+ Feet	30 Feet	Required	West Side	Plenty of Access
Page 14	100 South – 200 South	16 - 20 Feet	30 Feet	Required	One Side	Narrow south end and unimproved north end for ≈260 feet; Significant dip on the entrance from 200 South; North 400 feet of the road is improved, wider, with curb, gutter, sidewalk

Page 15	200 South – 400 South	14+ Feet	30 Feet	Required	Not Required	Narrow throughout segment, as low as 14 feet of pavement; Trees towards the middle of this segment that would impede fire engines and ladder trucks; There is a significant dip on the north access from 200 South
Page 16	400 South – 520 South	16 Feet	30 Feet	Required	Not Required	Narrow throughout this whole segment, ≈16 feet of pavement with no improvements on either side
Page 17	520 South – Main Street	30 Feet	30 Feet	Required	East Side	North end from 520 South ≈620 feet; South is improved with 30 feet of pavement; South end, last 400 feet is narrow with no curb or gutter
<b>Garden Street (50 East)</b>						
<u>Corresponding Map</u>	<u>Section</u>	<u>Existing Surface</u>	<u>Asphalt (min.)</u>	<u>Curb &amp; Gutter</u>	<u>Sidewalk Required</u>	<u>Notes</u>
Intermediate Class	700 North – 600 North	26 Feet	30 Feet	Required	West Side	Curb, gutter & some sidewalk on one side; ≈26 feet width throughout the section
Intermediate Class	600 North – 500 North	30 - 33 Feet	30 Feet	Required	Not Required	Curb & gutter throughout with ≈30-33 feet of pavement
Intermediate Class	500 North – 400 North	30 Feet	30 Feet	Required	Not Required	Curb & gutter throughout with ≈30 feet widths for the entire section; Vehicles as possible access impediments at north end; 400 North has significant dip to Garden Street
Intermediate Class	400 North – Utah Avenue	26 - 30 Feet	30 Feet	Required	Not Required	Curb & gutter throughout with ≈26-30 feet of pavement; 400 North has significant dip to Garden Street
Intermediate Class	Utah Avenue – Vine Street	30 - 33 Feet	30 Feet	Required	Both Sides	Curb, gutter, and sidewalk throughout with ≈30-33 feet of pavement throughout
Page 18	100 South – 200 South	14 - 16 Feet	30 Feet	Required	Not Required	≈14-16 feet of pavement throughout segment; Vehicles and trees as possible access impediments
Page 19	200 South – 400 South	14 Feet	30 Feet	Required	Not Required	≈14 feet of pavement throughout segment; All access is narrow; Vehicles as possible access impediments; Entrances from 200 South & 400 South have significant dip
Page 20	400 South – Skyline Drive	15 - 23 Feet	30 Feet	Required	Not Required	South end 400 feet has ≈23 feet width; Necks down to ≈18 feet; Narrow to ≈15 feet at north end; Access from Garden Street is significantly steep for fire department access

Notes:

- \* Existing ROW Width is based on survey data from approved development projects within a street segment being an assumed consistent ROW width for the entire segment.
- \*\* Parkstrips are not required.

# 150 West Pictures/Comments/Suggestions



## 400 South – 200 South

Entrance to 150 West from 400 South



North End of 150 West near 200 S. Cars parked and Tree impede on access.

Fire recommends that asphalt widths adhere to 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt.

Fire also recommends that the water system be updated to provide fire line/hydrants throughout this section. This would allow for the proper coverage distances needed per code.

# 150 West Pictures/Comments/Suggestions



200 South – 100 South



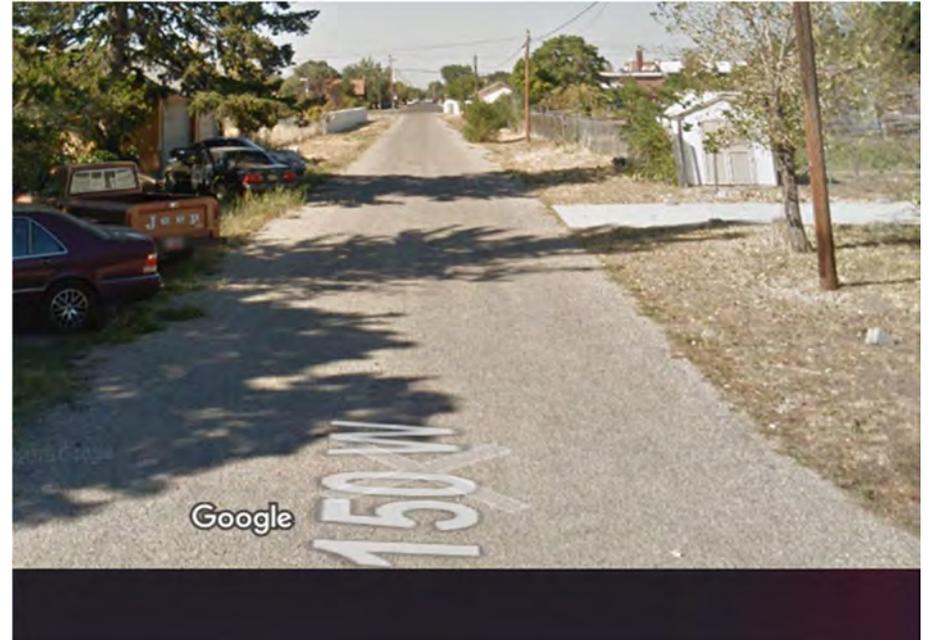
Fire recommends that asphalt widths adhere to 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt.

Fire also recommends that the water system be updated to provide fire line/hydrants throughout this section. This would allow for the proper coverage distances needed per code.

## 150 West Pictures/Comments/Suggestions



100 South – Vine Street



Fire recommends that asphalt widths adhere to 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt.

Fire also recommends that the water system be updated to provide fire line/hydrants throughout this section. This would allow for the proper coverage distances needed per code.

# 150 West Pictures/Comments/Suggestions



Hydrant  
Located  
Here

Hydrant  
Located  
Here

Hydrant  
Located  
Here

Vine Street – Utah Ave.



This section has been improved. Asphalt widths are within the City Code standard and there are sufficient hydrants along the segment. Hydrants are within the IFC/City code distances for proper coverage.

## 150 West Pictures/Comments/Suggestions



Utah Ave. – 400 North



Fire recommends that asphalt widths adhere to 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt.

Fire also recommends that the water system be updated to provide fire line/hydrants throughout this section. This would allow for the proper coverage distances needed per code.

## 150 West Pictures/Comments/Suggestions



### 400 North – 500 North



150 West from  
400 North  
Looking North  
to 500 North.  
Narrow with  
Trees  
throughout.

Fire recommends that asphalt widths adhere to 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt.

Fire also recommends that the water system be updated to provide fire line/hydrants throughout this section. This would allow for the proper coverage distances needed per code.

# 150 West Pictures/Comments/Suggestions



500 North – 600 North



Narrow on south half of this segment.

Fire recommends that asphalt widths adhere to 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt. The North end by the Condos has been improved. Recommendations on asphalt widths is for the South end only.

Fire also recommends that the water system be updated to provide fire line/hydrants throughout this section. This would allow for the proper coverage distances needed per code.

# 150 West Pictures/Comments/Suggestions



Hydrant  
Located  
Here

600 North – 670 North



Segment is newly constructed. Access is adequate on South end. The asphalt widths are within the City Code standards except for the last 180 feet on the North end.

# 50 West Pictures/Comments/Suggestions

## SR 36 – 520 South



Hydrant  
Located  
Here



Fire recommends that asphalt widths adhere to 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt.

Fire also recommends that the water system be updated to provide fire line/hydrants throughout this section. This would allow for the proper coverage distances needed per code.

## 50 West Pictures/Comments/Suggestions



Hydrant  
Located  
Here

### 520 South – 400 South



Fire recommends that asphalt widths adhere to 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt.

Fire also recommends that the water system be updated to provide fire line/hydrants throughout this section. This would allow for the proper coverage distances needed per code.

# 50 West Pictures/Comments/Suggestions

## 400 South – 200 South



Hydrant  
Located Here



Fire recommends that asphalt widths adhere to 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt.

Fire also recommends that the water system be updated to provide fire line/hydrants throughout this section. This would allow for the proper coverage distances needed per code.

# 50 West Pictures/Comments/Suggestions

## 200 South – 100 South



Fire recommends that asphalt widths adhere to 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt. The asphalt on the North end of this section has been improved as opposed to the South end.

Fire also recommends that the water system be updated to provide fire line/hydrants throughout this section. This would allow for the proper coverage distances needed per code.

# 50 West Pictures/Comments/Suggestions

## 100 South – Vine Street



Hydrant  
Located Here



This section has been improved and is all developed for the most part. There is a hydrant located and the South East corner of the Kirk Hotel property.

# 50 West Pictures/Comments/Suggestions

## Vine Street – Utah Ave.



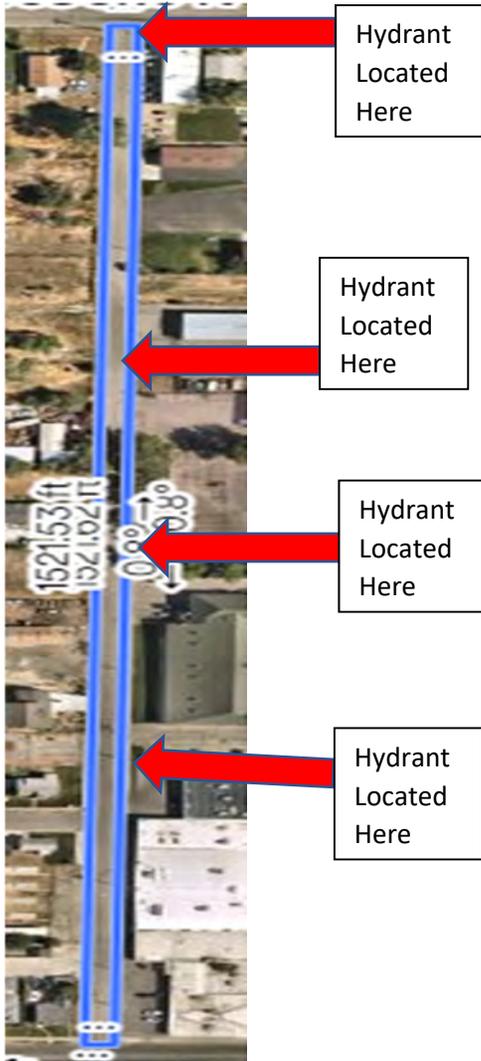
Hydrant  
Located  
Here

Hydrant  
Located  
Here



This section has been improved for the most part as well. Asphalt widths are at about 26 feet throughout this section.

# 50 West Pictures/Comments/Suggestions



## Utah Ave. – 400 North



This section has good access as well as sufficient hydrants throughout.

# 50 West Pictures/Comments/Suggestions



Hydrant  
Located  
Here

## 400 North – 500 North



There is good access throughout this entire section. There are no hydrants directly on this section of 50 West. Fire line/hydrants are recommended for proper coverage in the area as there are residential homes and businesses in the area.

# 50 West Pictures/Comments/Suggestions



Hydrant  
Located  
Here

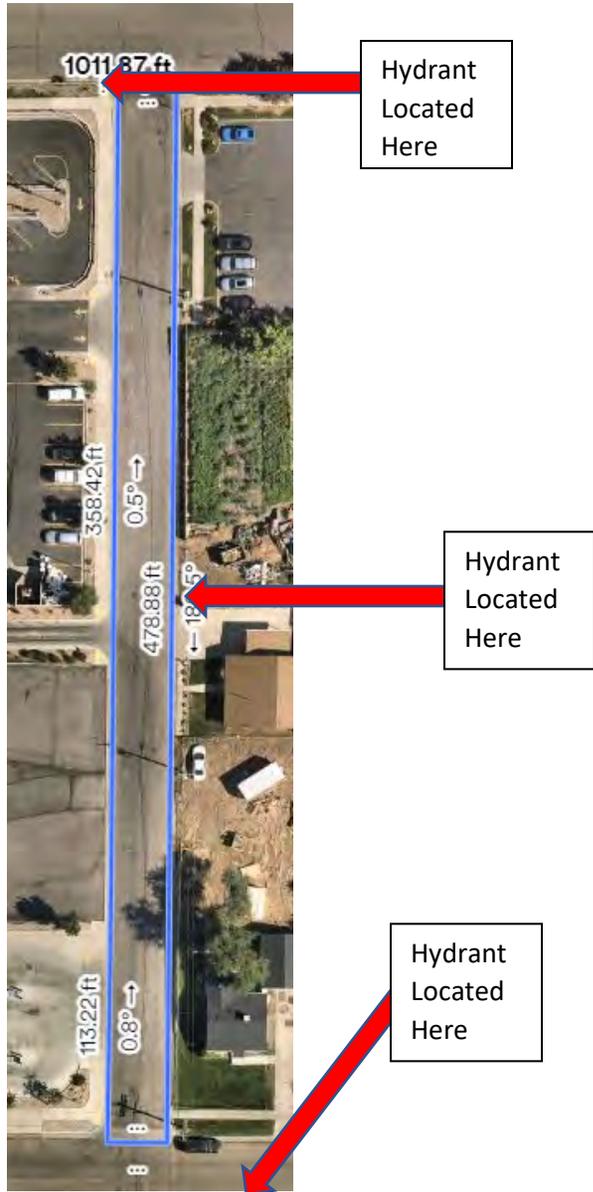
## 500 North – 600 North



Fire recommends that asphalt widths adhere to 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt.

Fire also recommends that the water system be updated to provide fire line/hydrants throughout this section. This would allow for the proper coverage distances needed per code.

## Garden Street Pictures/Comments/Suggestions



### 700 North – 600 North



This section has about 26 feet of asphalt throughout the entire segment. The gutter pan puts the width to 30 feet of hard surface. There is sufficient coverage with fire hydrants for this section that are within code distances.

## Garden Street Pictures/Comments/Suggestions



Hydrant  
Located  
Here

Hydrant  
Located  
Here

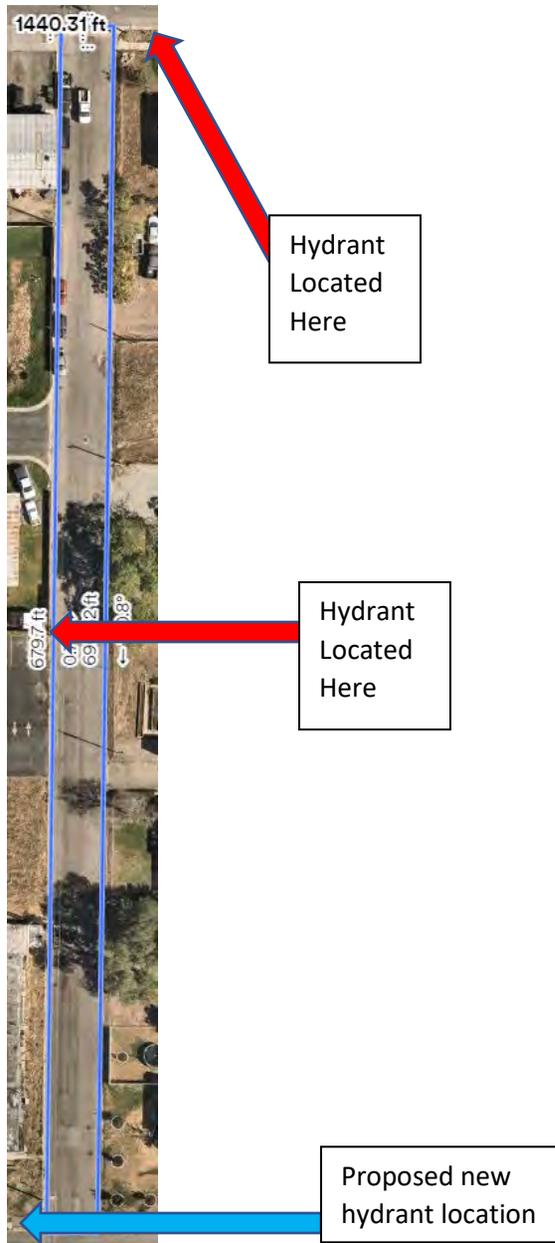
Hydrant  
Located  
Here

### 600 North – 500 North



This section has curb and gutter throughout with about 26 feet of asphalt for the entire segment. With the gutter pan included the hard surface increases to 30 feet. There are 3 hydrants along this segment that are within code distances.

## Garden Street Pictures/Comments/Suggestions



Hydrant  
Located  
Here

Hydrant  
Located  
Here

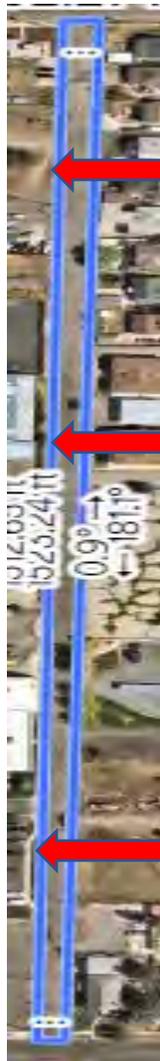
Proposed new  
hydrant location

### 500 North – 400 North



This section has asphalt widths of 26 feet and 30 feet with the gutter pan included. The North end always has cars parked along the sides by Pete's Auto which impedes accesses. There is a hydrant on the North End and one in the middle at the back entrance to Subway. We have listed another proposed hydrant on the South end, on the corner behind the old bowling alley. If/when there is new construction, fire recommends the water system to be updated to provide proper fire lines/hydrants within the codified distances.

## Garden Street Pictures/Comments/Suggestions



Hydrant  
Located  
Here

Hydrant  
Located  
Here

Hydrant  
Located  
Here

### 400 North – Utah Ave.



This section has asphalt widths from 26 feet to 30 feet. There are 3 hydrants in this section on either end and in the center.

## Garden Street Pictures/Comments/Suggestions



Hydrant  
Located  
Here

Hydrant  
Located  
Here

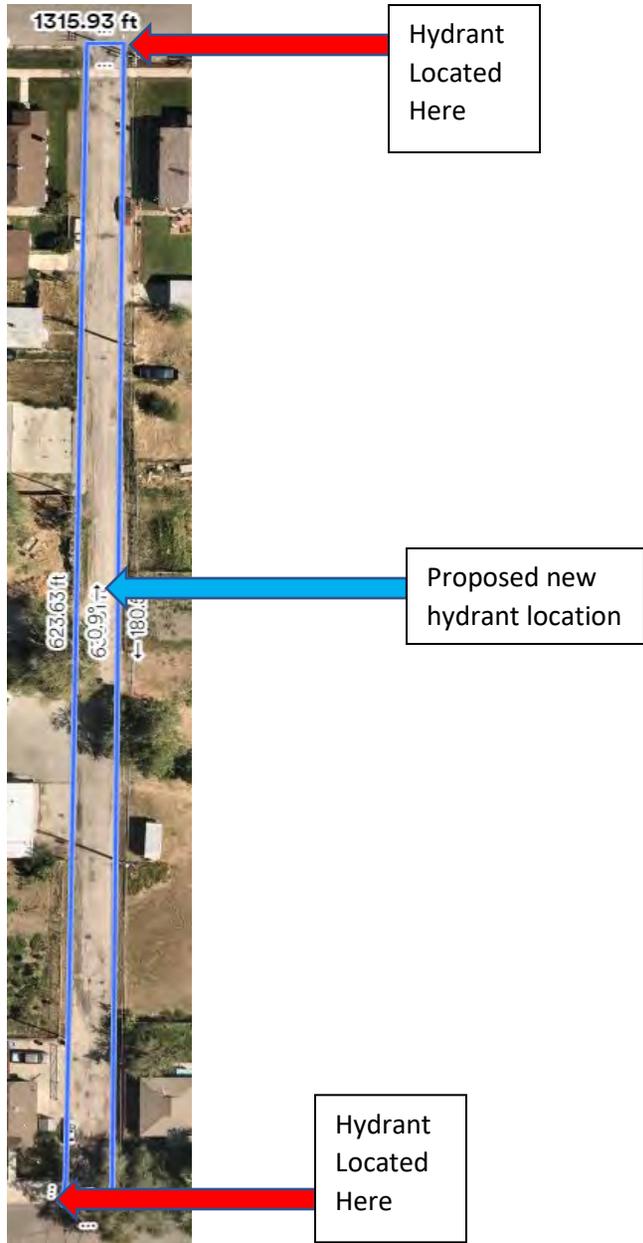
Hydrant  
Located  
Here

### Utah Ave. – Vine Street



This section has asphalt widths at 30 feet throughout. There sufficient hydrants within this segment that are within code distances throughout.

## Garden Street Pictures/Comments/Suggestions



### 100 South – 200 South



Fire recommends that asphalt widths adhere to the minimum widths of 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt.

Fire also recommends that the water system be updated to provide a hydrant towards the center of this section. This would allow for the proper coverage distances needed per code.

## Garden Street Pictures/Comments/Suggestions



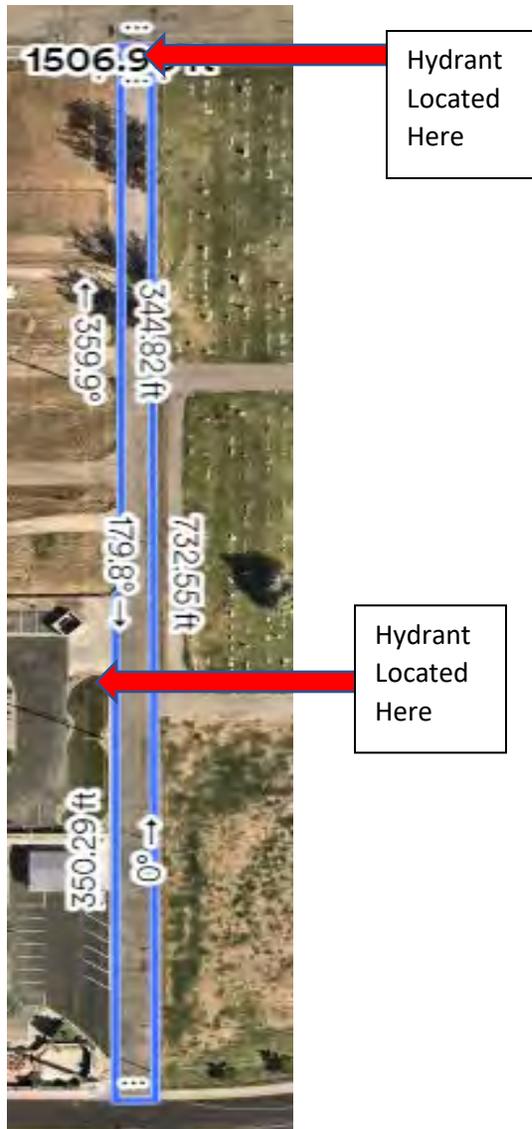
### 200 South – 400 South



Fire recommends that asphalt widths adhere to the minimum widths of 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt.

Fire also recommends that the water system be updated in this section. Provide fire line/hydrants for this section in order to adhere to the IFC/City code distances for coverage. There are no hydrants along this section currently.

## Garden Street Pictures/Comments/Suggestions



### 400 South – Skyline Drive



Fire recommends that asphalt widths adhere to the minimum widths of 30 feet as stated in Tooele City Code 7-4-11. Recently passed State Legislation for residential roadways is currently set at 32 feet of asphalt. This is for the North end of this section only as the South end has already been improved.

The water system should also be updated along the North end of this section to provide necessary fire line/hydrants for code distance/coverage.

## **Garden Street Pictures/Comments/Suggestions**

**STAFF REPORT**

May 5, 2023

**To:** Tooele City Planning Commission  
Business Date: May 10, 2023

**From:** Planning Division  
Community Development Department

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

**Re:** **Harris Community Village – Condo Conversion Project**

Applicant: Harris Community Village

Request: Review of a condominium concept plan for the Harris Community Village.

**BACKGROUND**

The Harris Community Village wishes to obtain a condominium plat which places the buildings or interior of the buildings under separate or unique ownership. A condo plat doesn't subdivide the land. It deals with the interior air space of an existing or proposed building and who will own that space.

**ANALYSIS**

*Conceptual Approval.* Prior to submitting an application for condominium plat approval the ordinance requires that the applicant first present a concept plan to the Planning Commission for their review. Once the Planning Commission has reviewed the conceptual plan they will then submit the formal application and go through the review process.

*Criteria For Approval.* The criteria for conceptual review and approval of a Condominium Plat request is found in Section 7-20-4 of the Tooele City Code. This section depicts the standard of review for such requests as:

(1) Prior to submission of any application for approval to the City Engineer as required in 7-20-5, below, the owner or developer of a proposed condominium or condominium conversion project shall submit a drawing or layout of the proposed project to the Planning Commission for concept approval. The Planning Commission shall review the proposed project regarding, but not limited to, the following considerations as applicable to the project:

(a) The site, including size, location, traffic flow, accessibility and neighborhood development;

(b) The proposed land use, including placement of buildings or other improvements, density or intensity of use, common areas and facilities, contouring and landscaping, and internal circulation systems and parking;

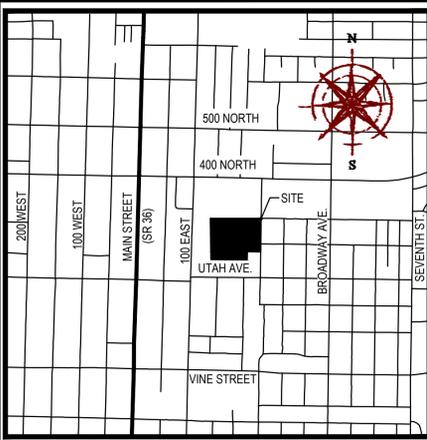
(c) Policy considerations, including conformity with the master plan of the City and compliance with other applicable provisions of the City Code, County Regulations and State Laws.

(2) The Planning Commission may, as a condition to granting concept approval impose such reasonable restrictions or additional reasonable requirements relative to the aforementioned

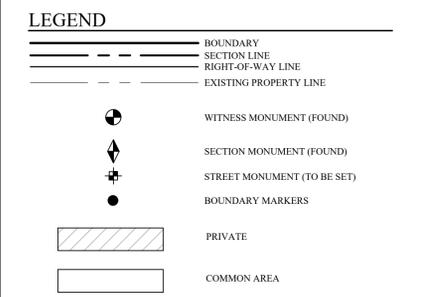
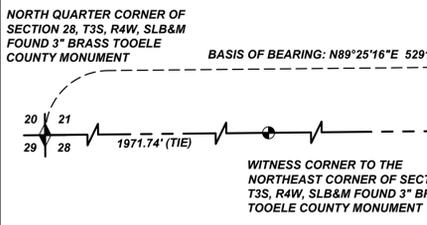
considerations as deemed necessary by the Planning Commission depending upon the particular circumstances of any given project.

**EXHIBIT A**

**AMUSEMENT FACILITIES CITY CODE TEXT AMENDMENT**



VICINITY MAP

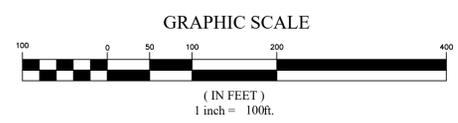


- NOTES:**
1. PARCEL A & B HEREBY CONVEYED TO THE ASSOCIATION.
  2. ALL AREAS ARE COMMON AREAS AND FACILITIES EXCEPT AS OTHERWISE SPECIFICALLY DESIGNATED.
  3. ALL COMMON AREA TO SERVE AS PUBLIC UTILITY EASEMENTS.
  4. ALL COMMON AREAS TO BE OWNED AND MAINTAINED BY THE ASSOCIATION.

# HARRIS COMMUNITY VILLAGE

## CONDOMINIUM CONCEPT PLAT

LOCATED IN THE NW 1/4 OF SECTION 27, NE 1/4 OF SECTION 28, SE 1/4 OF SECTION 21, AND THE SW 1/4 OF SECTION 22 T3S, R4W, SALT LAKE BASE & MERIDIAN TOOELE CITY, TOOELE COUNTY, UTAH



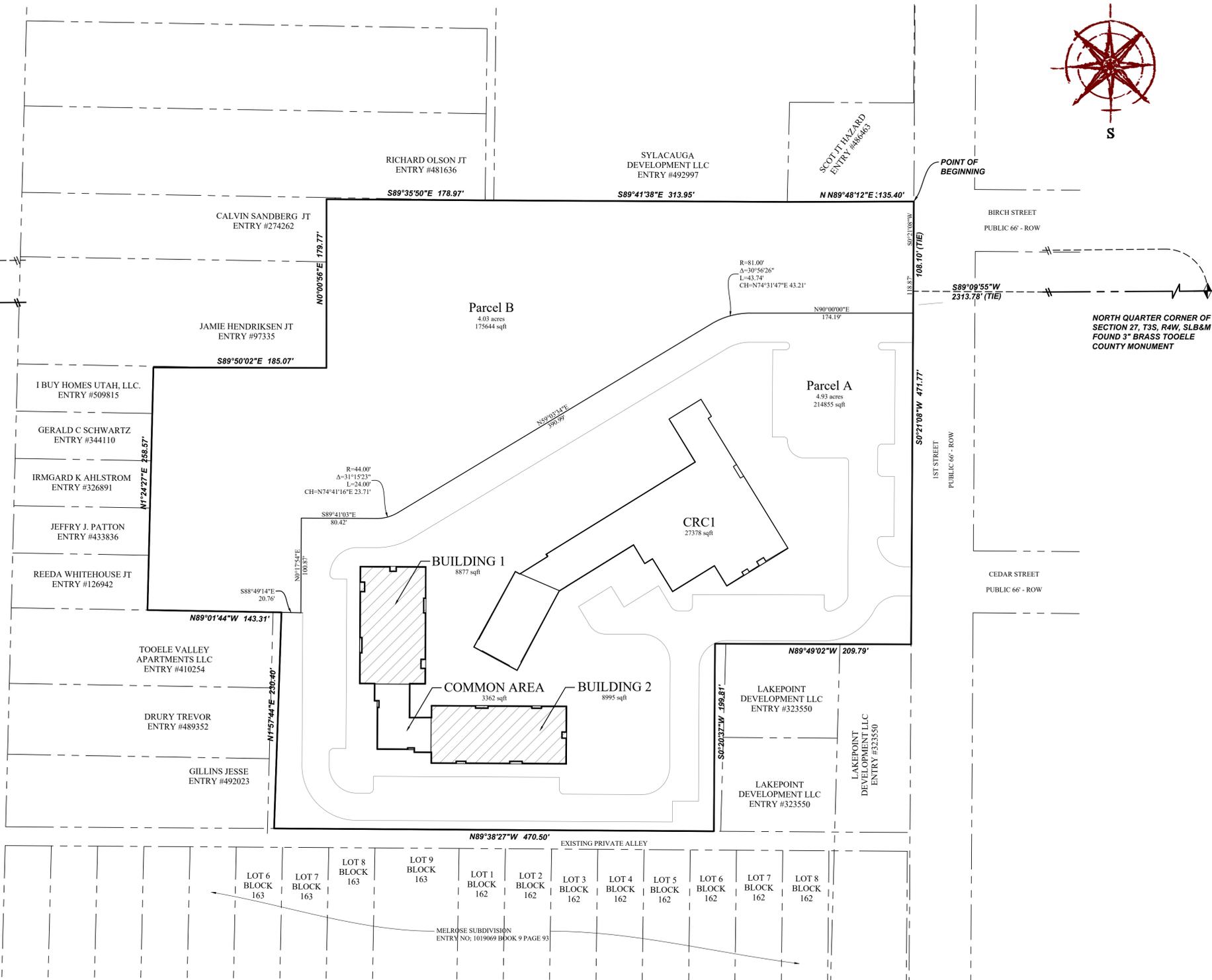
FOR REVIEW ONLY

JUSTIN LUNDBERG  
PROFESSIONAL LAND SURVEYOR  
CERTIFICATE NO. 12554439

### BOUNDARY DESCRIPTION

A Parcel of land, situate in the Northwest Quarter of Section 27, the Northeast Quarter of Section 28, the Southeast Quarter of Section 21, and the Southwest Quarter of Section 22, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and in Block 26, Tooele City Survey, Plat A, more particularly described as follows:

Beginning at the intersection of an existing chain link fence line with the west line of First Street (220 East Street), which is located South 89°09'55" West 2313.78 feet along the Section line (from which point the calculated position of the Northwest Corner of Section 27 lies another 330.04 feet along the Section line) and North 0°21'08" East 108.10 feet along said west line of First Street from the North Quarter Corner of Section 27, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running: thence South 0°21'08" West 472.22 feet along said west line of First Street; thence North 89°49'09" West 203.10 feet following an existing chain link fence, to a corner thereof; thence South 0°22'35" West 199.38 feet along an existing chain link fence, to the north line of a 20-foot wide private alley, as shown on the Melrose Addition Plat; thence North 89°38'27" West 477.08 feet along said north line; thence North 1°57'44" East 230.40 feet along and past the corner of an existing chain link fence; thence North 89°01'44" West 143.31 feet to an existing chain link fence; thence North 1°24'27" East 258.57 feet along said existing fence to a corner thereof; thence South 89°50'02" East 185.07 feet along said existing chain link fence, to a corner thereof; thence North 0°00'56" East 179.77 feet along said existing chain link fence, to a corner thereof; thence South 89°35'50" East 178.97 feet along said existing fence; thence South 89°41'38" East 313.95 feet along said existing fence and the surveyed boundary line of the Tooele Christian Fellowship property; thence North 89°48'12" East 135.40 feet along said existing fence, to the Point of Beginning.



### OWNER'S CERTIFICATE, CONSENT TO RECORD, CONVEYANCE OF UTILITY EASEMENTS AND DEDICATION

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

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

## HARRIS COMMUNITY VILLAGE CONDOMINIUMS

THE PROVISIONS OF THE UTAH CONDOMINIUM OWNERSHIP ACT SHALL APPLY TO THE PROPERTY DESCRIBED HEREON;

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

IN WITNESS WHEREOF \_\_\_\_\_ HAS HEREUNTO SET HIS HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20 \_\_\_\_\_.

PRINTED NAME OF OWNER \_\_\_\_\_ AUTHORIZED SIGNATURE(S) \_\_\_\_\_

PREPARED FOR  
GIV COMMUNITIES  
MELISSA JENSEN  
50 NORTH 600 WEST STE D  
SALT LAKE CITY, UTAH

PREPARED BY  
**FOCUS**  
ENGINEERING AND SURVEYING, LLC  
6949 HIGH TECH DRIVE  
MIDVALE, UTAH 84047 PH: (801) 352-0075  
www.focusutah.com

RECORD OF SURVEY  
PER STATE STATUTE 17-23-17, A SURVEY THAT INCLUDES THE LANDS SHOWN HEREON HAS BEEN COMPLETED AND FILED IN THE OFFICE OF THE TOOELE COUNTY SURVEYOR AND ASSIGNED FILE NO. 2022-0108

**HARRIS COMMUNITY VILLAGE**  
CONDOMINIUM  
CONCEPT PLAT  
LOCATED IN THE NW 1/4 OF SECTION 27, NE 1/4 OF SECTION 28, SE 1/4 OF SECTION 21, AND THE SW 1/4 OF SECTION 22 T3S, R4W, SALT LAKE BASE & MERIDIAN TOOELE CITY, TOOELE COUNTY, UTAH

**Tooele City Planning Commission  
Business Meeting Minutes**

**Date:** Wednesday, April 26, 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

Matt Robinson

Weston Jensen

Melodi Gochis

Alison Dunn

**Commission Members Excused:**

Tyson Hamilton

Doug Newel

**City Council Members Present:**

Ed Hansen

Maresa Manzione

**City Employees Present:**

Andrew Aagard, City Planner

Paul Hansen, City Engineer

Roger Baker, City Attorney

Darwin Cook, Parks and Recreation Director

Jared Stewart, Economic Development Director

Minutes prepared by Katherin Yei

Commissioner Sloan called the meeting to order at 7:00 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Commissioner Dunn.

**2. Roll Call**

Melanie Hammer, Present

Jon Proctor, Present

Matt Robinson, Present

Weston Jensen, Present

Chris Sloan, Present

Melodi Gochis, Present  
Alison Dunn, Present  
Doug Newell, Excused  
Tyson Hamilton, Excused

**3. Public Hearing and Decision on a Conditional Use Permit request by Natsu Healthcare to authorize the use of “Residential Treatment Facility” for properties located at 491 South Main Street and 461 South Main Street on 2.5 acres in the MU-G Mixed Use General zoning district.**

Mr. Aagard presented a Conditional Use Permit for Residential Treatment Facilities at 491 South Main Street and 461 South Main Street. The two hotel buildings will be converted to treatment centers. The property is Mixed-Use General, allowing a mix of commercial and residential uses. There is existing fencing on the site. Notices were sent out to property owners within 200 feet of the property. Staff is recommending approval with two conditions listed in the staff report. The applicant is willing to comply with all conditions.

The public hearing was opened.

Jeremy Harris shared concerns and asked questions on behalf of himself and local business. Additional fencing, public access/open campus, security around property, is this a local or residential area, what is the recourse to alleviate the problem if it becomes one.

Victor Garcia addressed the public's questions and concerns. The property will be enclosed with additional fencing and gating. Many of the clients are coming from a variety of areas including the Tooele community. The clinic takes in many from the Native American Tribes and medicate. This is a volunteer facility. The patients that come in are wanting to get help. The facilities will be separated by male and female. There are about 80 employees, with 50 of them from Tooele.

The Planning Commission asked the following questions:

What is their business motto?

Is there financial assistance?

Who are they governed by?

Are there current residents?

What is the duration of the residents stay?

Are people who are on probation allowed to attend?

How are they going to protect people in the community?

Does the facility have a security system internally and externally?

Will you be moving all of the operations to this location?

Is there continuing fencing throughout the property?

How many residents will be there at one time?

Mr. Garcia addressed the Commission's questions. Private insurances are not excepted. The facility is governed by IHS, Indian Health Service. They were previously located across from the Hospital. By moving to this location, it allows them to expand and provide more treatment.

Treatment lasts about 60 days for the first step of the program. It progresses onto phase two which helps them back into society getting jobs, schooling, and other outpatient services. The clients they focus on are the people in the community. They do have an updated security system. As well as, a full security team. The administrative offices and outpatient services will stay at the current location. There is plenty of parking for employees. Patients do not often have vehicles. The only time they tend to see vehicles is for outpatient service. They will have 60 male and 60 females at one time.

The public hearing was closed.

Mr. Baker addressed the Commission. From his understanding, the facility is governed by Indian Affairs, but they still have to comply with City codes. The Code does allow the Commission to take the time they need to make a proper decision. The applicant will have to have building permits and fire inspections. Mr. Baker is not familiar with tribal regulations and licensing.

**Commissioner Gochis motioned to table the Conditional Use Permit until the following information is found or provided: Regarding Indian Health Services in how it relates to state and local coded having an impact to adjacent properties.** Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Nay”, Commissioner Proctor, “Nay”, Commissioner Sloan, “Nay”, Commissioner Dunn, “Nay”, Commissioner Jensen, “Nay”, Commissioner Robinson, “Nay”, and Commissioner Gochis, “Nay”. The motion did not pass.

**Commissioner Proctor motioned to approve a Conditional Use Permit request by Natsu Healthcare to authorize the use of “Residential Treatment Facility” for properties located at 491 South Main Street and 461 South Main Street on 2.5 acres in the MU-G Mixed Use General zoning district based on the findings and subject to conditions listed in the staff report including surrounding property fencing.** Commissioner Dunn seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Commissioner Dunn, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Nay”. The motion passed.

**4. Public Hearing and Decision on a Conditional Use Permit request by Kim Gibson to authorize a home-based day-care business involving the care of 8 to 16 children at 822 Cedarview Circle in the R1-8 Residential zone on .3 acres.**

Mr. Aagard presented a home-based daycare holding the care of 8-12 children. The property is zoned R1-8. The applicant did provide a traffic and parking plan with drop off and pick up times are usually staggered. No written or verbal comments have been received. Staff is recommending approval with the conditions listed in the staff report.

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

Commissioner Dunn motioned to approve a Conditional Use Permit request by Kim Gibson to authorize a home-based daycare business involving the care of 8 to 16 children at 822 Cedarview Circle in the R1-8 Residential zone on .3 acres 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” Commissioner Dunn, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

**5. Public Hearing and Recommendation on a Zoning Map Amendment request by Holly Jones to re-assign the zoning for .39 acres located at 60 South Main Street from GC General Commercial zoning district to the MU-G Mixed Use General zoning district.**

Mr. Aagard presented a Zoning Map Amendment for the old Gordan Furniture building. It is zoned GC, General Commercial. A Land Use Map amendment was done in early March changing the Land Use to Mixed-Use. The applicant is requesting to amend the zoning to the MU-G Mixed Use General zoning district for a treatment facility.

The public hearing was opened.

Ms. Jones addressed the Commission. The facility serves private insurance. The reason is for the Mixed-Use General to allow residential areas above the outpatient services on the main floor.

The public hearing was closed.

Commissioner Jensen motioned to forward a positive recommendation a Zoning Map Amendment request by Holly Jones to re assign the zoning for .39 acres located at 60 South Main Street from GC General Commercial zoning district to the MU-G Mixed Use General zoning district based on the findings and conditions listen in the staff report. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Commissioner Dunn, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

**6. Public Hearing and Recommendation on a Land Use Map Amendment request by Godelio Palomino and Juana Cruz to re-assign the land use designation for .28 acres located at 248 North Garden Street from Medium Density Residential to Community Commercial**

Mr. Aagard presented a Land Use Map amendment for the property located east of Garden Street. It is zoned R1-7. The property bears the Medium Density Residential. The applicant would like to add a laundromat and beauty salon on the property.

The Public hearing was opened.

Ken shared concerns of the buffer zone between residential and commercial areas, parking on the roads, and having commercial sharing a fence to residential property.

Glenda Palmedo shared the intention of rezoning the property. The intention was to build a home when they bought the property, but with the commercial in the area, they decided to go that direction.

Planning Commission asked the following questions:  
Did any other property owners bring concerns forward?  
How long ago did the buffer line occur?

Mr. Aagard addressed the Commission. No comments were received.

Mr. Baker addressed the Commission. Spot zoning used to be a concern, but it is no longer a concern. The question is if the rezone is in the City's interest. It is no longer an illegal thing to spot zone.

The public hearing was closed.

Council Member Manzione addressed the Commission. The discussion of the buffer zone may have occurred during the general plan.

**Commissioner Sloan motioned to forward a positive recommendation on a Land Use Map Amendment request by Godelio Palomino and Juana Cruz to re-assign the land use designation for .28 acres located at 248 North Garden Street from Medium Density Residential to Community Commercial 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" Commissioner Dunn, "Aye", Commissioner Jensen, "Aye", Commissioner Robinson, "Aye", and Commissioner Gochis, "Nay". The motion passed.

**7. Public Hearing and Recommendation on a Land Use Map Amendment request by the Tooele City RDA to re-assign the land use designation for approximately 25 acres located at approximately 450 South Tooele Boulevard from Regional Commercial to Light Industrial.**

Mr. Aagard presented a Land Use Map amendment for the 25-acre parcel near Tooele Boulevard and the railroad. The property is owned by the RDA and bares the RC, Regional Commercial designation. The business that is interested in purchasing the property needs the map changed to LI, Light Industrial Zone in order to operate their business. This is a zone that allows business that do not have a large impact. A comment was received from USU expressing the noise disrupting the classes, safety of students, and the front landscape match theirs. The small piece of RC, is a City well.

The public hearing was opened.

Mr. Stewart addressed the Commission. The City is working to be mindful of the surrounding area. The interested party manufactures cables and products for Ski Resorts. They operate things indoors with internal noise. They do intend to have outdoor storage which requires a Conditional Use Permit. This is a small portion of the large 300-acre project. Light industrial will have limited impacts to the area. Landscaping requirements will be addressed making this area of the City to be unique and be esthetically appealing and a benefit to the City.

Sharlynn Mueller asked the following questions:

Will there be large trucks?

Will air brakes be restricted in this area?

Mr. Aagard addressed the Commission. The City Council can put a condition on the approval to mitigate any issues.

The public hearing was closed.

The planning Commission asked the following:

Does it need to be discussed to have a condition placed on the use of wind turbines?

Mr. Baker addressed the Commission. A wind turbine is not allowed in any of the zones today.

**Commissioner Robinson motioned to forward a positive recommendation on a Land Use Map Amendment request by the Tooele City RDA to re-assign the land use designation for approximately 25 acres located at approximately 450 South Tooele Boulevard from Regional Commercial to Light Industrial based on the findings and conditions listen in the staff report.** Commissioner Gochis seconded the motion. The vote was as follows:

Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Commissioner Dunn, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

Mr. Baker addressed the Commission in regards to the Noise Ordinance.

**8. Public Hearing and Recommendation on a Zoning Map Amendment request by the Tooele City RDA to re-assign the zoning for approximately 25 acres located at approximately 450 South Tooele Boulevard from the RD Research & Development zoning district to LI Light Industrial zoning district**

Mr. Aagard presented a Zoning Map Amendment request by the Tooele City RDA for the property located at 450 South Tooele Boulevard. The property is zoned RD, Research and Development. The request is to rezone it to LI, Light Industrial.

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

Commissioner Gochis motioned to forward a positive recommendation on a Zoning Map Amendment request by the Tooele City RDA to re-assign the zoning for approximately 25 acres located at approximately 450 South Tooele Boulevard from the RD Research & Development zoning district to LI Light Industrial zoning district. Commissioner Dunn seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Commissioner Dunn, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

### **9. City Council Reports**

There was not a City Council meeting held last week. There is nothing to report.

### **10. Review and Approval of Planning Commission Minutes for the meeting held on March 22, 2023.**

There were no changes to the minutes.

Commissioner Jensen motioned to approve the minutes. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Commissioner Dunn, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

### **11. Adjourn**

Chairman Hamilton adjourned the meeting at 8:15 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 May, 2023

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