

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, June 14, 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/@tooelecitey or searching for our YouTube handle **@tooelecitey**. If you would like to submit a comment for any public hearing item you may email pcpubliccomment@tooelecitey.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 Recommendation** on a Land Use Map Amendment regarding a request to re-assign the land use designation by Wagstaff Investments, LLC for approximately 2.0 acres located at 602 W Three O'clock Drive from the existing land use designation of High Density Residential to Regional Commercial.
4. **Public Hearing and Recommendation** on a Land Use Map Amendment regarding a request to re-assign the land use designation by Cindy McInnes for approximately .39 acres located at 105 E 1000 N from the existing land use designation of Regional Commercial to Medium Density Residential.
5. **Public Hearing and Decision** on a Conditional Use Permit request by Curtis Tatton to authorize the use of "Accessory Dwelling Unit for Caretaker Only (Must be located within primary structure)" for .5 acres of property located at 317 S 1200 W in the IS Industrial Service zoning district.
6. **Public Hearing and Decision** on a Conditional Use Permit request by Ray Barker to authorize the use of "Automobile Sales and Rentals" for .48 acres of property located at 59 N 50 W in the GC General Commercial zoning district.
7. **Public Hearing and Decision** on a Conditional Use Permit request by Tyson Hunt to authorize the use of "Health Club" for .08 acres of property located at 222 Maple Street in the MUB Mixed Use Broadway zoning district.
8. **Public Hearing and Decision** on a Conditional Use Permit request by AREC (Amerco Real Estate Company) to authorize the use of "Personal Storage Facility (Mini-Storage)" for 6.31 acres of property located at 2300 N 400 E in the IS Industrial Service zoning district.
9. **City Council Reports**
10. **Review and Approval** of Planning Commission Minutes for the meeting held on May 24, 2023.
11. **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

June 8, 2023

To: Tooele City Planning Commission
Business Date: June 14, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Wagstaff Investments LLC Tooele South – Land Use Map Amendment Request

Application No.: P23-483
Applicant: Brent Neel, representing Wagstaff Investments, LLC
Project Location: Approximately 602 West 3 O'Clock Drive
Zoning: MR-12 Multi-Family Residential Zone
Acreage: 2 Acres (Approximately 87,120 ft²)
Request: Request for approval of a Land Use Map Amendment to re-assign approximately 2 acres of property from the High Density Residential (HDR) land use to the Regional Commercial (RC) land use designation.

BACKGROUND

This application is a request for approval of a Land Use Map Amendment for approximately 2 acres located at approximately 602 West 3 O'Clock Drive. The property is currently zoned MR-12 Multi-Family Residential. The applicant is requesting that the land use designation be re-assigned from HDR to RC in order to facilitate a Zoning Map amendment to a zoning district that will ultimately permit the construction of a Holiday Oil convenience store with gasoline services.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the High Density Residential land use designation for the subject property. The property has been assigned the MR-12 Multi-Family Residential zoning classification, supporting approximately 12 dwelling units per acre. The MR-12 Multi-Family Residential zoning designation is identified by the General Plan as a preferred zoning classification for the High Density Residential land use designation. Properties to the north and west are currently zoned R1-7 Residential. Properties to the south are zoned MR-12 and properties to the east are zoned R1-7 and RR-1 Residential. Mapping pertinent to the subject request can be found in Exhibit "A" to this report.

Tooele City ordinance 7-1A-5 requires that amendments to the zoning map shall be "consistent with the adopted Tooele City General Plan." There are many elements to the General Plan that need to be considered but when it comes to Zoning Map amendments the element is the Land Use Map of the General Plan. Thus, before any zoning changes can be considered the proposed zoning change must first comply with the Land Use Map.

The applicant is proposing that approximately two acres of property highlighted in red on the attached aerial photograph and included maps be re-assigned from the HDR land use designation to the RC land use. The applicant wishes to ultimately construct a Holiday Oil convenience store with gasoline services on the property.

The property is current designated as HDR, a land use designation that is specific to multi-family residential. This land use designation enables the MR-8, MR-12, MR-16 and MR-20 zoning districts. Each of these zones permits the construction of multi-family residential dwellings of 3 attached units or more including townhomes, condominiums and rental apartments. These zones do not permit the construction of single-family residential or duplex type housing. These zones also prohibit commercial and industrial uses.

The RC designation is regional commercial and it is specific to the RC Regional Commercial and RD Research and Development zoning districts. These zones are oriented towards commercial uses that would be considered to involve more of a regional network. Higher end commercial, business parks, research parks and educational facilities are common uses found in areas with the RC land use designation. Residential of all types, other than a few minor exceptions for caretaker apartments, are prohibited in RC areas.

This property was originally zoned NC Neighborhood Commercial. It was only rezoned to MR-12 within the last year and a half as it was anticipated the property would develop as townhomes. Economic reasons and water availability have altered the plans of the developers who pursued those zoning map amendments and the property is again on the market for sale. It should be noted that a convenience store with gasoline services requires a CUP in the RC Regional Commercial zone as well as the NC Neighborhood Commercial zone. If the Regional Commercial land use designation is determined to be too intense for this area the Planning Commission may also forward an alternative recommendation. The NC Neighborhood Commercial zone falls under the Community Commercial land use designation.

A Land Use Map amendment is the right time to consider the highest and best use for a particular parcel of land and if that use is in the best interest of the City. The south end of the City could use a gasoline station as the closest other facility is the Gofer foods, about two miles to the east. Attempts have been made to develop the properties as multi-family residential and those attempts have not been successful.

It should be noted that the Land Use map was just recently amended for this property. However, the Tooele City code does not place restrictions on the number of times a property can be re-assigned land use or zoning, nor does the code prohibit the City from re-assigning the land use back to what it was previously. Land Use map amendments are legislative in nature and this enable a City to make land use determinations decisions whenever necessary or as circumstances change.

Traffic Studies. Previous developers attempting to develop these properties as town homes conducted traffic studies to determine what improvements, if any, to SR-36 and 3 O'Clock Drive would be needed to ease traffic concerns on these streets and to mitigate any potential impacts to road systems generated by new residential development. The traffic studies confirmed that new development on these parcels did not warrant any changes to SR-36 or 3 O'Clock Drive.

This use, however, is not residential and may have different traffic parameters that need to be considered. One of those being a potential access onto Coleman Street located to the north east. Location of this access and safety concerns of an access at this point will need to be addressed. At this point the applicant has not provided a traffic study addressing the impacts of a commercial gasoline station on the existing road systems or the potential access to Coleman Street.

Site Plan Layout. A site plan has not been provided.

Subdivision Layout. This is an existing parcel of record.

Criteria For Approval. The criteria for review and potential approval of a Land Use Map Amendment request is found in Section 7-1A-3 of the Tooele City Code. This section depicts the standard of review for such requests as:

- (1) In considering a proposed amendment to the Tooele City General Plan, 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 General Plan Land Use Map and the goals and policies of the General Plan and its separate elements;
 - (c) Consistency and compatibility with the existing uses of adjacent and nearby properties;
 - (d) Consistency and compatibility with the possible future uses of adjoining and nearby properties as identified by the General Plan;
 - (e) The suitability of the properties for the uses requested viz. a viz. the suitability of the properties for the uses identified by the General Plan; and
 - (f) The overall community benefit of the proposed amendment.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Land Use Map Amendment submission and has issued the following comments regarding this request:

1. Traffic studies conducted previously were done under the assumption the properties would develop as multi-family residential townhomes.
2. There are no limitations on the number of times a City may consider a Land Use Map amendment and no limitations on the City re-assigning a land use designation back to what the property was previously designated.
3. This Land Use Map amendment does not grant zoning approvals. The applicant will still need to conduct a Zoning Map amendment application.

Engineering and Public Works Divisions Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Land Use Map Amendment submission and have issued the following comment:

1. An access onto Coleman Street will require a traffic study to confirm location and safety of an access at that location.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Land Use Map Amendment submission and has not issued any comments concerning this request.

Noticing. The applicant has expressed their desire to re-assign the land use 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 the Planning Commission carefully weigh this request for a Land Use Map Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

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

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

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Wagstaff Investments LLC Tooele South Land Use Map Amendment request by Brent Neel, representing Wagstaff Investments, LLC to re-assign the land use from High Density Residential to Regional Commercial, application number P23-483, based on the findings listed in the Staff Report dated June 8, 2023:”

1. List any additional findings and conditions...

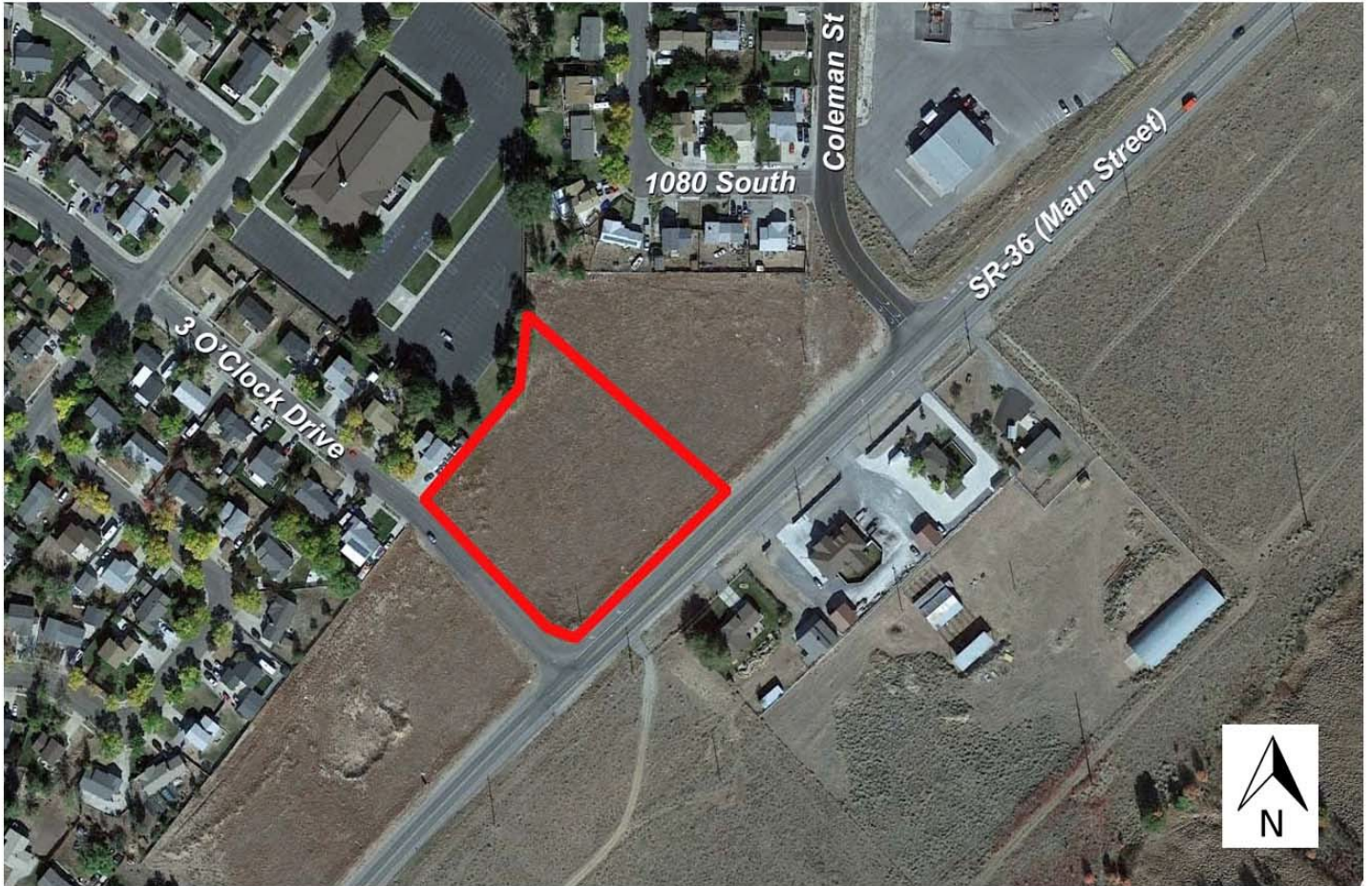
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Wagstaff Investments LLC Tooele South Land Use Map Amendment request by Brent Neel, representing Wagstaff Investments, LLC to re-assign the land use from High Density Residential to Regional Commercial, application number P23-483, based on the following findings:”

1. List findings...

EXHIBIT A

**MAPPING PERTINENT TO THE WAGSTAFF INVESTMENTS LLC TOOELE SOUTH
LAND USE MAP AMENDMENT**

Wagstaff Investments Tooele South Land Use Map Amendment



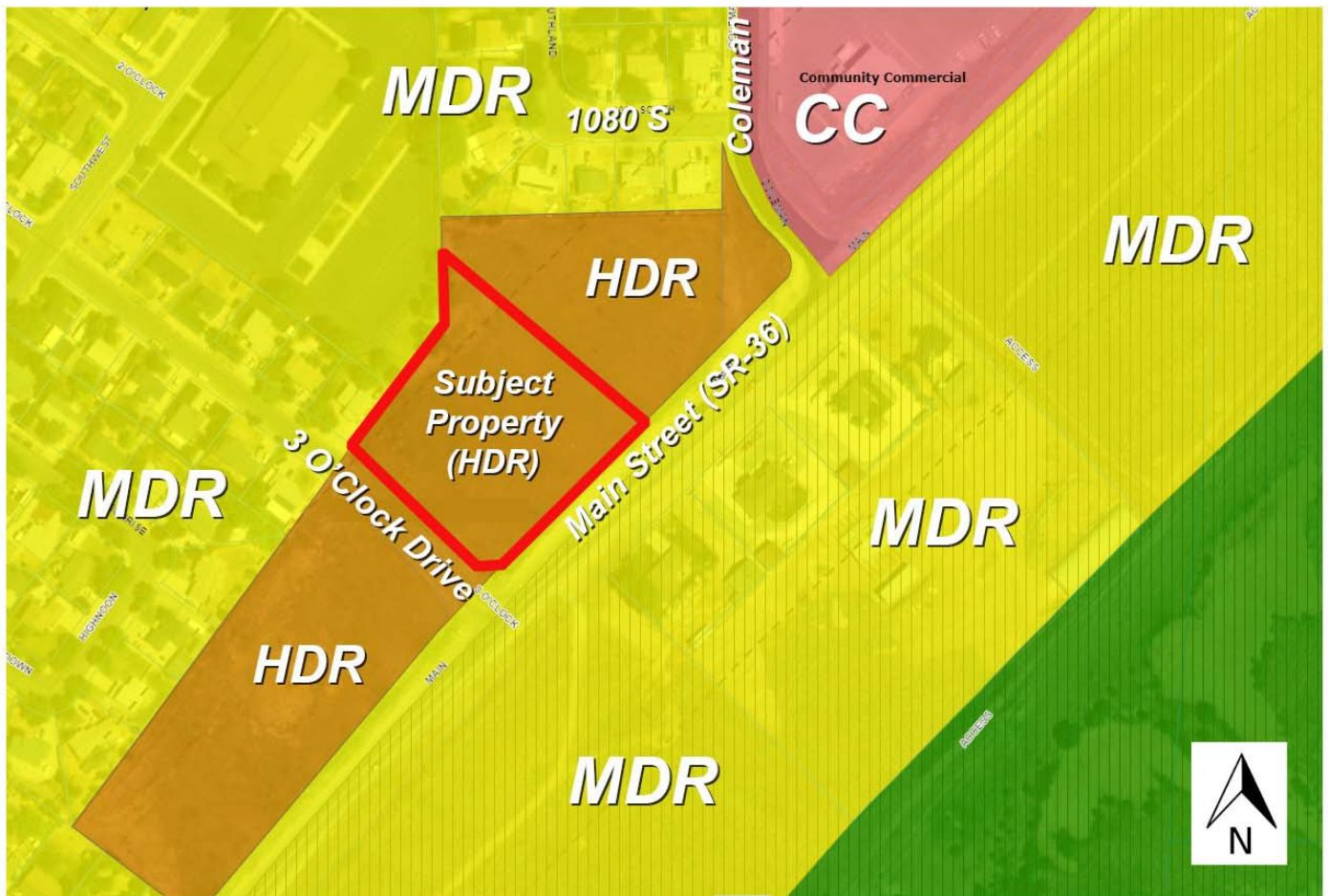
Aerial View

Wagstaff Investments Tooele South Land Use Map Amendment



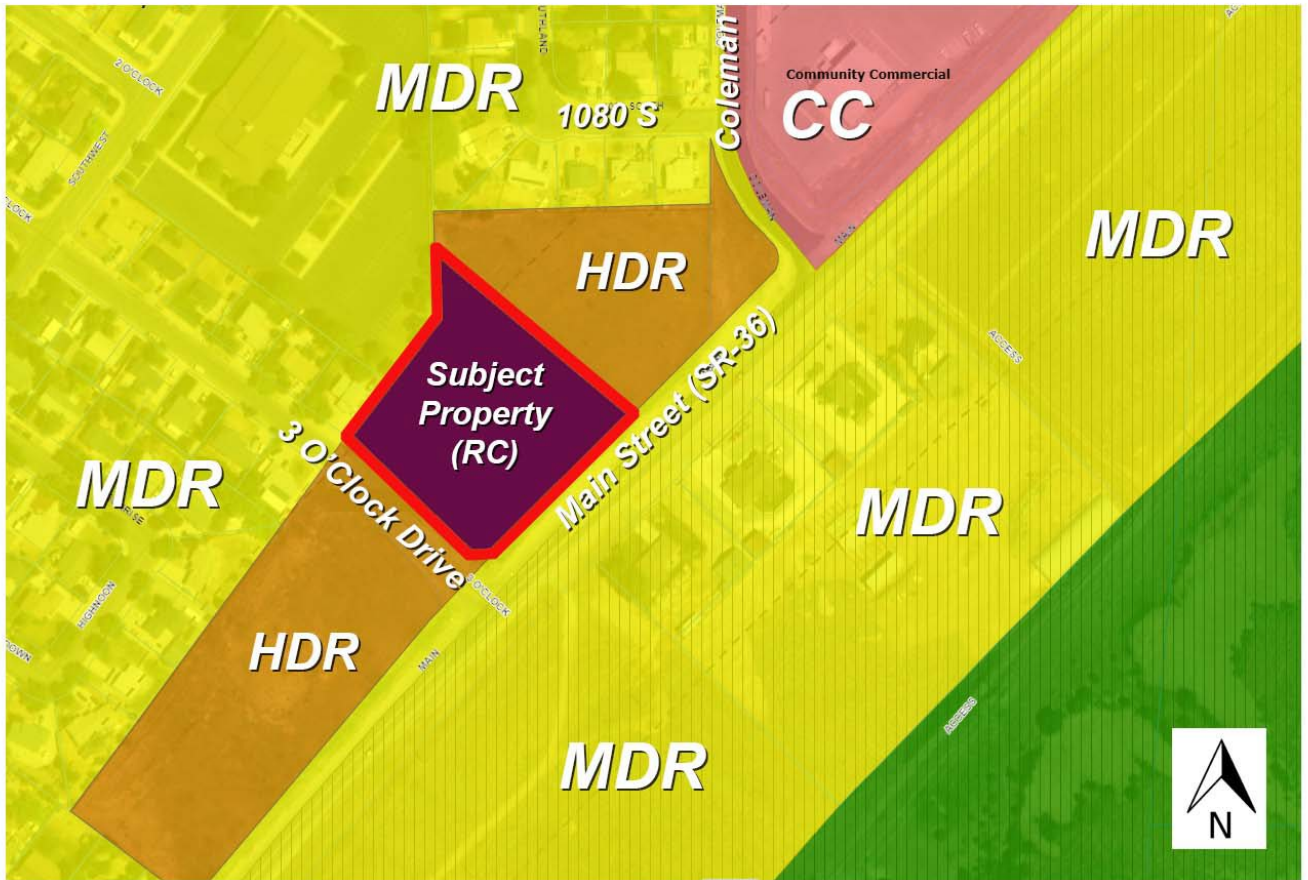
Current Zoning

Wagstaff Investments Tooele South Land Use Map Amendment



Current Land Use

Wagstaff Investments Tooele South Land Use Map Amendment



Proposed Land Use

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Zoning, General Plan, & Master Plan

Map Amendment Application

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



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

| Project Information | | | | #23-483 | |
|--|--------------|--|--|--------------------------------|-------------------------------|
| Date of Submission: 5/2/2023 | | Current Map Designation: High Density Residential | Proposed Map Designation: Regional Commercial | | Parcel #(s): 17-011-0-0002 |
| Project Name: Wagstaff Investments LLC- Tooele South | | | | Acres: 2.0 | |
| Project Address: 602 W THREE O'CLOCK DR, TOOEELE UT 84074 | | | | | |
| Proposed for Amendment: <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> General Plan <input type="checkbox"/> Master Plan: _____ | | | | | |
| Brief Project Summary: The purpose of this application is to amend the land use map of the General Plan to Regional Commercial for approximately 2 acres of the subject property. <i>3 o'clock drive holiday oil</i> | | | | | |
| Property Owner(s): Leisure Villas (Brent Lindstrom) | | | Applicant(s): Wagstaff Investments, LLC | | |
| Address: 791 North 100 East | | | Address: 3115 West 2100 South | | |
| City: Lehi | State: UT | Zip: 84043 | City: West Valley City | State: UT | Zip: 84119 |
| Phone: 801-787-3341 | | | Phone: 801-687-0842 | | |
| Contact Person: Brent Neel | | | Address: 3115 West 2100 South | | |
| Phone: 801-687-0842 | | | City: West Valley City | State: UT | Zip: 84119 |
| Cellular: 801-687-0842 | | Fax: n/a | | Email: brent@holidayoil.com | |

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

Note to Applicant:

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

| For Office Use Only | | | | #2230517 |
|------------------------|------------------------------|----------------------|----------------------|----------|
| Received By: <i>TR</i> | Date Received: <i>5/3/23</i> | Fees: <i>1200.00</i> | App #: <i>566693</i> | |

STAFF REPORT

June 1, 2023

To: Tooele City Planning Commission
Business Date: June 14, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: McInnes – Land Use Map Amendment Request

Application No.: P23-454
Applicant: Cindy McInnes
Project Location: 105 East 1000 North
Zoning: RR-1 Residential Zone
Acreage: .39 Acres (Approximately 16,988 ft²)
Request: Request for approval of a Land Use Map Amendment in the RR-1 Residential zone regarding re-assigning the land use designation to Medium Density Residential (MDR).

BACKGROUND

This application is a request for approval of a Land Use Map Amendment for approximately .39 acres located at approximately 105 East 1000 North. The property is currently zoned RR-1 Residential. The applicant is requesting that a Land Use Map Amendment be approved to re-assign the land use for the desired .39 acres to the MDR land use designation. Changing the land use designation to MDR will enable consideration and possibly approval of a zoning change to R1-7, R1-8 or R1-10. These zones permit smaller single-family residential lots.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Regional Commercial land use designation for the subject property. The property has been assigned the RR-1 Residential zoning classification, supporting approximately one dwelling unit per acre. The RR-1 Residential zoning designation is not identified by the General Plan as a preferred zoning classification for the Regional Commercial land use designation. All properties surrounding the subject property are designated as Regional Commercial. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant’s home is currently located on a large 5.57 acre parcel of record. The home is located at the south east corner of the parcel and fronts onto 1000 North with the front yard of the home aligning perfectly with 100 East. The applicant wishes to subdivide a .39 acre parcel from the larger 5.57 acre parcel in order to maintain ownership of the home on its own lot and enable the sale and possible development of the larger 5 acre parcel. In order to accomplish this a few land use approvals need to be obtained.

In order to subdivide and create a .39 acre lot, zoning needs to be in place that will permit a lot to be as small as .39 acres. The RR-1 zoning district which the property is currently zoned requires a minimum lot size of 1 acre. The applicant could subdivide a 1 acre lot from the 5.57 acre parcel without conducting

a Land Use Map and Zoning Map Amendment. However, the applicant does not desire to maintain a 1 acre lot and desires a smaller and more manageable lot size. There are three residential zones that will permit a .39 acre lot. Those zones are the R1-7, R1-8 and R1-10 permitting minimum lot sizes of 7,000, 8,000 and 10,000 square feet, respectively. Any one of these three zoning districts would accomplish the applicants desire of a .39 acre lot.

Here in lies the need for the Land Use Map Amendment. The property currently bears the RC land use designation. The RC designation requires commercial zones and thus commercial development and does not permit residential development. In order to obtain one of the three single-family residential zones that will permit a .39 acre lot the Land Use Map needs to be amended re-assigning the property from RC to MDR. Once the MDR land use designation is re-assigned to MDR the applicant could then proceed with a Zoning Map amendment request for one of the three single-family residential zoning districts.

In consideration of this Land Use Map amendment the Commission and City Council need to consider the future use of this property and also surrounding land uses, development patterns, traffic needs and so forth. The entire area is currently designated as RC Regional Commercial. The RC designation emphasizes and requires the RC Regional Commercial and the RD Research and Development zoning districts. Both of these zoning districts are oriented towards larger, more regional type of commercial uses such as large scale commercial, research and business parks, office parks, etc. The property's close proximity to SR-36, a regional transportation corridor and 1000 North, also a regional transportation corridor make this area a respectable candidate for large scale commercial type of business activity. The proximity to these transportation corridors also brings into question the viability of single-family residential in the area. One will also note that the property has one additional single-family residential use to its east. All other surrounding land uses are commercial, industrial or office. The nearest residential development is the Country View Villages retirement community located 500 feet to the east.

The MDR land use designation is a land use that requires single-family and two-family residential. The zones permitted in the MDR areas are the R1-7, R1-8 and R1-10 residential zones. These zones do not permit any commercial other than the commercial activities that are permitted by Tooele City code as home occupations. Even with a home occupation, the primary use of the structure is residential.

It should also be noted that the property lines up directly with 100 East and is in a prime location for a point of ingress and egress if the larger 5 acre parcel were ever to develop. The home in its current location would need to be removed or relocated in favor of full motion signalized access into the larger 5 acre parcel. If the home remains the access to the 5 acre parcel for future development becomes more complicated and limited by restrictions, planned medians, and alignment with other points of access. The property owner has a right to maintain and keep their home where it is and this paragraph should not be construed to say otherwise or as a recommendation against the home staying. Staff is just pointing out the particulars of the situation to help the Commission and City Council understand the situation that presents itself in this complicated area of the City. City staff have personally met with the applicant and other property owners and have discussed the safety situation related to the intersection of 100 East and 1000 North and discussed the installation of a traffic signal with the property owners, so they are aware of these issues.

Subdivision Layout. A subdivision plat has not been provided. Ultimately, if the Land Use Map and Zoning map are amended as requested by the applicant, a subdivision will need to be conducted. The Land Use Map and Zoning Map will then, at that time, be amended to accurately reflect the .39 acre lot.

Criteria For Approval. The criteria for review and potential approval of a Land Use Map Amendment request is found in Section 7-1A-3 of the Tooele City Code. This section depicts the standard of review for such requests as:

- (1) In considering a proposed amendment to the Tooele City General Plan, 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 General Plan Land Use Map and the goals and policies of the General Plan and its separate elements;
 - (c) Consistency and compatibility with the existing uses of adjacent and nearby properties;
 - (d) Consistency and compatibility with the possible future uses of adjoining and nearby properties as identified by the General Plan;
 - (e) The suitability of the properties for the uses requested viz. a viz. the suitability of the properties for the uses identified by the General Plan; and
 - (f) The overall community benefit of the proposed amendment.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Land Use Map Amendment submission and has issued the following comments:

1. The property is surrounded entirely by commercial land uses.
2. The property currently aligns with 100 East and will block the most ideal point of access for a commercial development at this location.
3. The nearest residential development is 500 feet to the east.
4. The .39 acre lot has not been created as the current zoning does not permit a lot size smaller than 1 acre.

Engineering & Public Works Division Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Land Use Map Amendment submission and have issued the following comments:

1. The home in its current location will have an impact on the City's ability to turn this intersection into a signalized intersection.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Land Use Map Amendment submission and has not issued any comment regarding the request.

Noticing. The applicant has expressed their desire to re-assign the land use designation 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 the Planning Commission carefully weigh this request for a Land Use Map Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

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

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

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the McInnes Land Use Map Amendment request by Cindy McInnes, to re-assign the land use for approximately .39 acres from Regional Commercial to Medium Density Residential, application number P23-454, based on the findings and subject to the conditions listed in the Staff Report dated June 1, 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 McInnes Land Use Map Amendment request by Cindy McInnes, to re-assign the land use for approximately .39 acres from Regional Commercial to Medium Density Residential, application number P23-454, based on the following findings:”

1. List findings...

EXHIBIT A

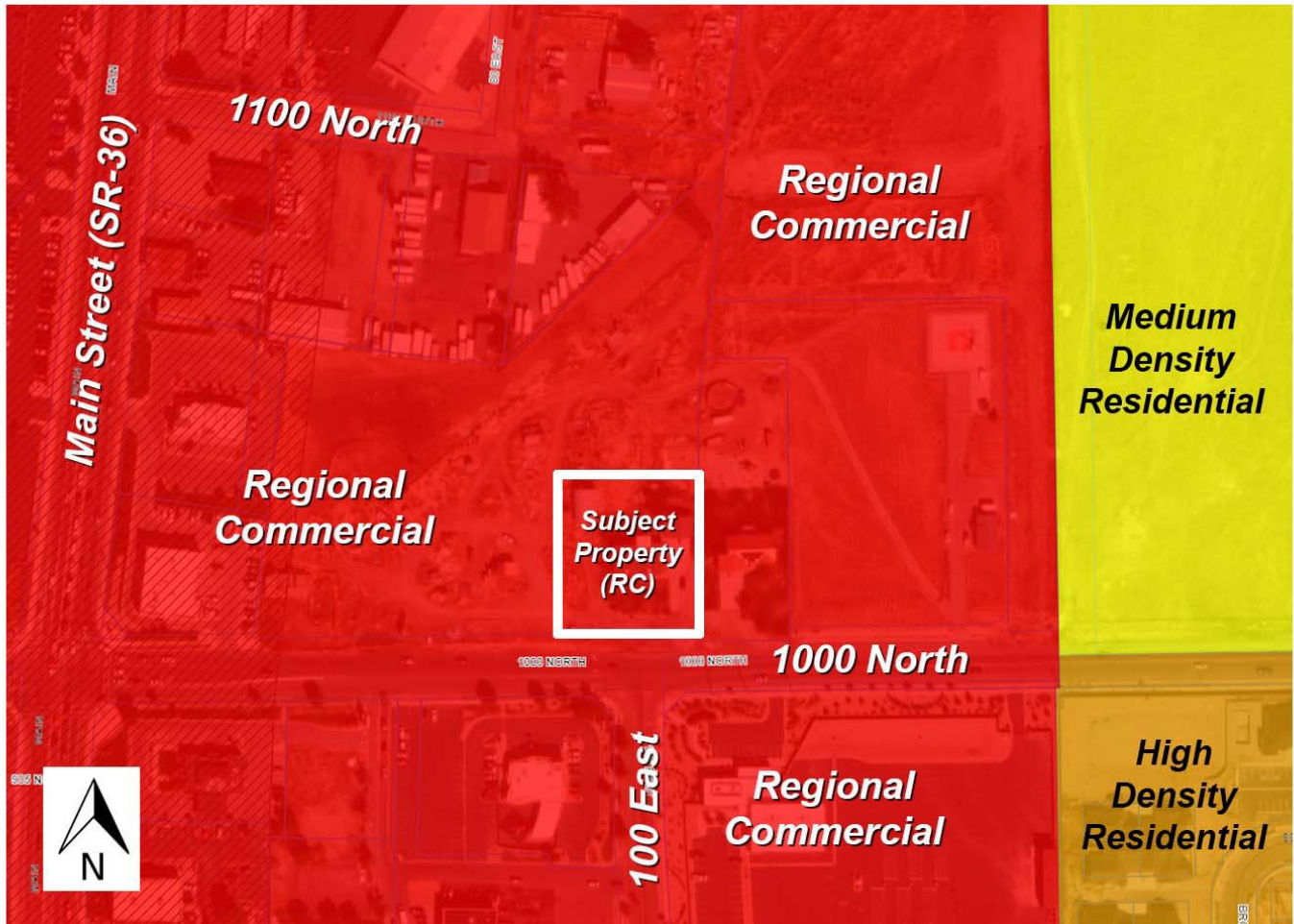
MAPPING PERTINENT TO THE MCINNES LAND USE MAP AMENDMENT

McInnes Land Use Map Amendment



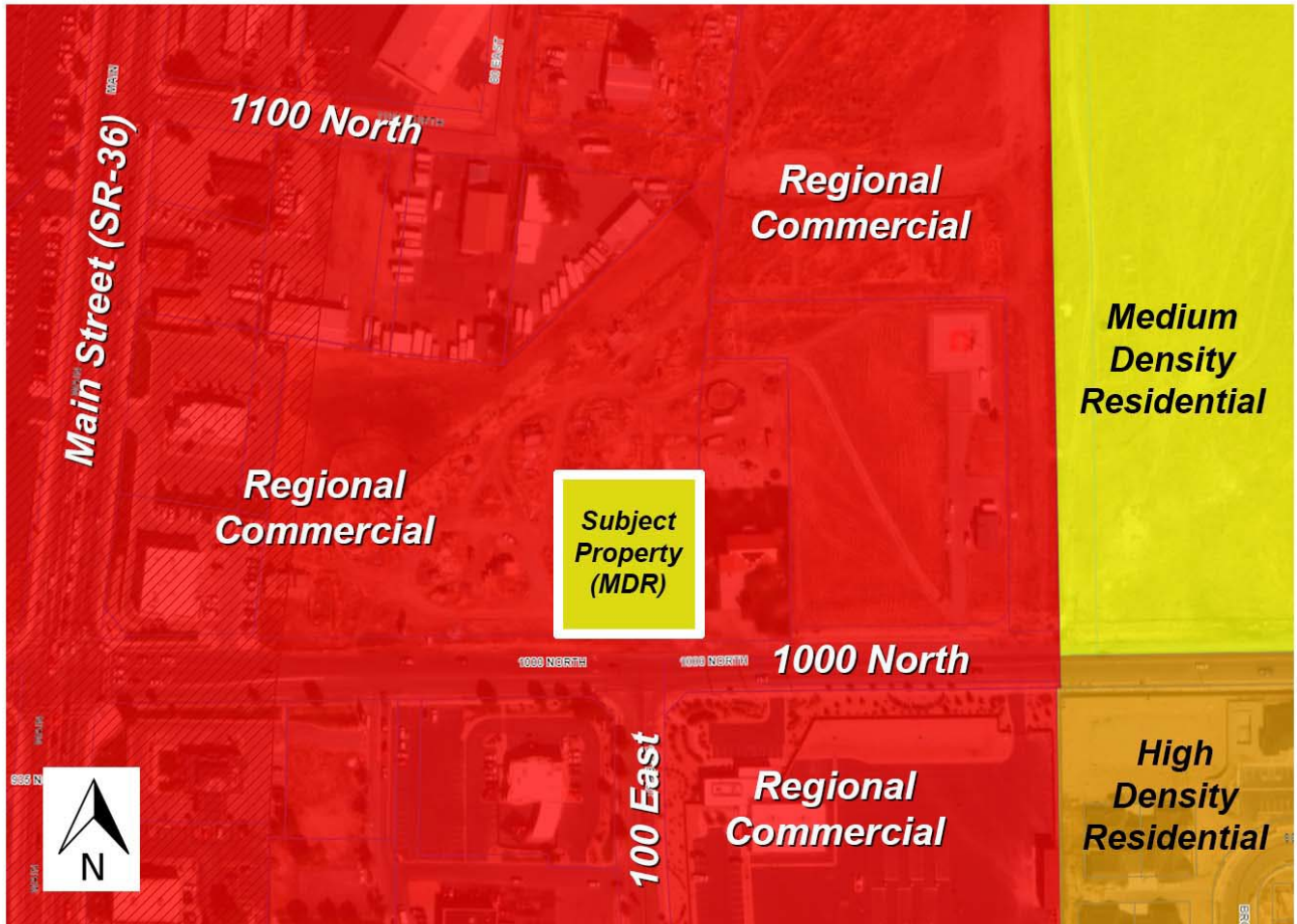
Aerial View

McInnes Land Use Map Amendment



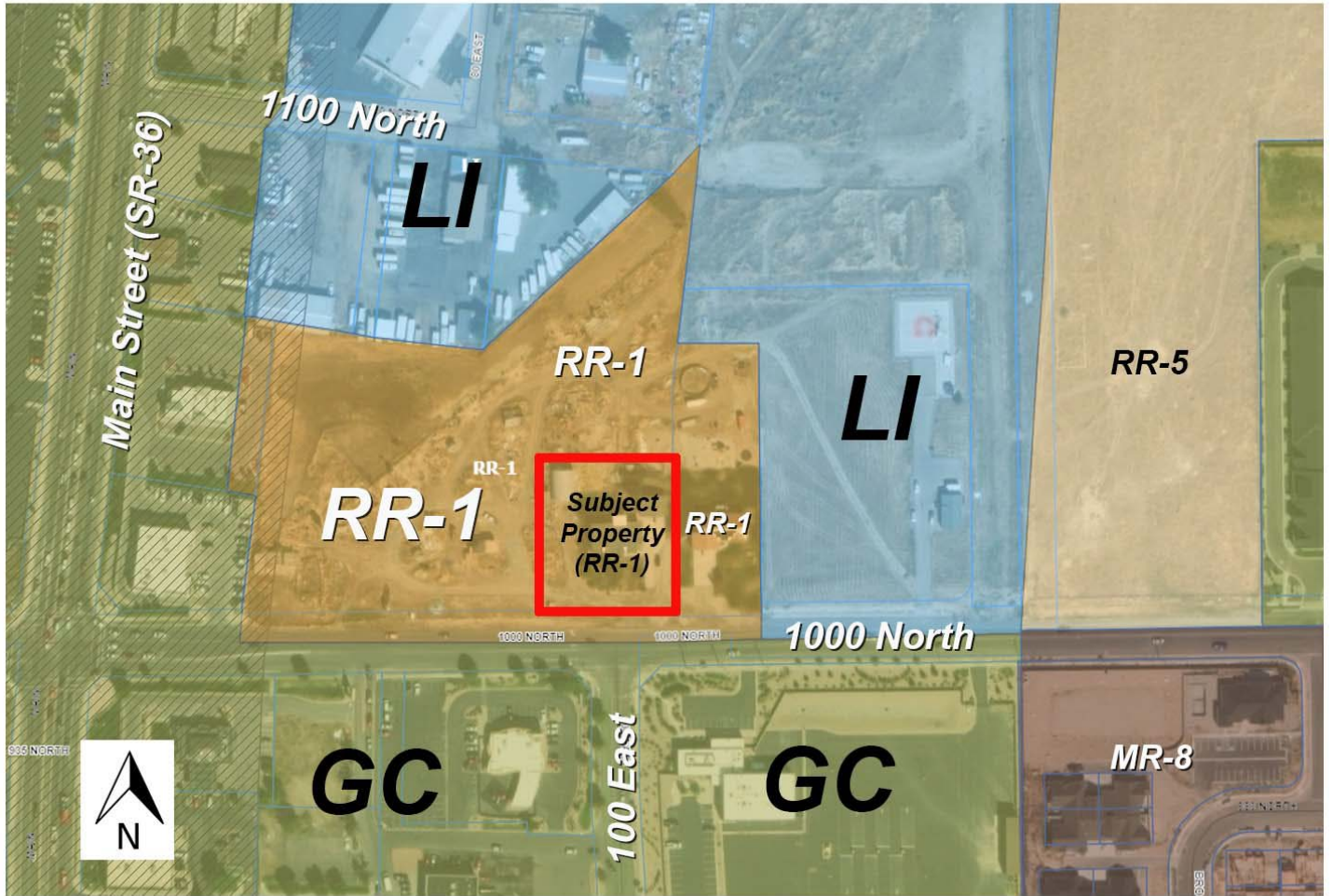
Current Land Use

McInnes Land Use Map Amendment



Proposed Land Use

McInnes Land Use Map Amendment



Current Zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

2nd 20th Div
3rd Subdivision Plat

Zoning, General Plan, & Master Plan Map Amendment Application

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



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

| Project Information | | | |
|---|--------------------------------|-----------------------------------|------------------------|
| Date of Submission: 5-18-23 | Current Map Designation: EC | Proposed Map Designation: MDR | Parcel #(s): 23-454 |
| Project Name: McINNES | | Acres: 39 | |
| Project Address: 105 E 1000 N Tooele, UT 84074 | | | |
| Proposed for Amendment: <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> General Plan <input type="checkbox"/> Master Plan: _____ | | | |
| Brief Project Summary: subdivide, change zoning for smaller lot | | | |
| Property Owner(s): Betty J. Johnson | | Applicant(s): Cindy McInnes | |
| Address: 105 E 1000 N | | Address: 105 E 1000 N | |
| City: Tooele | State: UT | City: Tooele | State: UT |
| Zip: 84074 | | Zip: 84074 | |
| Phone: 435-830-9052 | | Phone: 435-830-9052 | |
| Contact Person: Cindy McInnes | | Address: 105 E 1000 N | |
| Phone: 435-830-9052 | | City: Tooele | State: UT |
| Cellular: | | Zip: 84074 | |
| Fax: | | Email: cjmcinnes10@hotmail.com | |

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Note to Applicant:

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

| For Office Use Only | | | |
|-----------------------------|---------------------------|------------------|------------------------------|
| Received By: [Signature] | Date Received: 5/18/23 | Fees: 1100.00 | App. #: 2230406 565208 |

STAFF REPORT

June 5, 2023

To: Tooele City Planning Commission
Business Date: June 14, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: Tatton's Driveline Services – Conditional Use Permit Request

Application No.: P23-430
Applicant: Curtis Tatton
Project Location: 317 South 1200 West
Zoning: IS Industrial Service Zone
Acreage: .5 Acres (Approximately 21,780 ft²)
Request: Request for approval of a Conditional Use Permit in the IS Industrial Service zone regarding authorizing the use of “Accessory Dwelling Unit for Care Taker Only” on the subject property.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .5 acres located at approximately 317 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 use of “Accessory Dwelling Unit for Care Taker Only” on the property inside of the the existing business.

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 are zoned IS Industrial Service. Properties to the east are zoned LI Light Industrial. Properties to the south are zoned IS Industrial Service. 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 an accessory dwelling unit to occur on the industrial property inside of an existing structure. The IS Industrial Service zone permits an accessory dwelling unit if it is for the use of a care taker on the property. The unit must be inside of an existing structure and cannot be detached from the main business. The business, a driveline service business, currently operates on the property and desires a care taker unit inside of the existing building.

Tooele City code defines an Accessory Dwelling Unit for Caretaker Only as: *A dwelling unit, occupied only by a caretaker and related family, which must be located within and subordinate to the primary building and not as an independent structure.*

The ordinance does not provide any qualifications or restrictions to the actual use of the accessory dwelling unit, only that it be occupied by a caretaker and that it cannot be an independent structure.

Site Plan Layout. This is an existing site with existing structures and infrastructure. The accessory dwelling unit will be inside of the existing building.

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 building 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.

Engineering and Public Works Divisions Review. The Tooele City Engineering and Public Works Divisions have completed their review of the Conditional Use Permit submission and have not issued any comments regarding this request.

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 regarding this request.

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 Curtis Tatton, application number P23-430, subject to the following conditions:

1. 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.

This recommendation is based on the following findings:

1. The Tooele City Industrial Service zoning district permits Accessory Dwelling Units for caretaker only and does not place many restrictions on the type of caretaker responsibilities. The proposed accessory dwelling unit meets the minimum qualifications established by City Code for these types of care taker units.
2. 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 Curtis Tatton, authorizing the use of “Accessory Dwelling Unit for Caretaker Only” for property located at 317 South 1200 West, application number P23-430, based on the findings and subject to the conditions listed in the Staff Report dated June 5, 2023:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Curtis Tatton, authorizing the use of “Accessory Dwelling Unit for Caretaker Only” for property located at 317 South 1200 West, application number P23-430, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

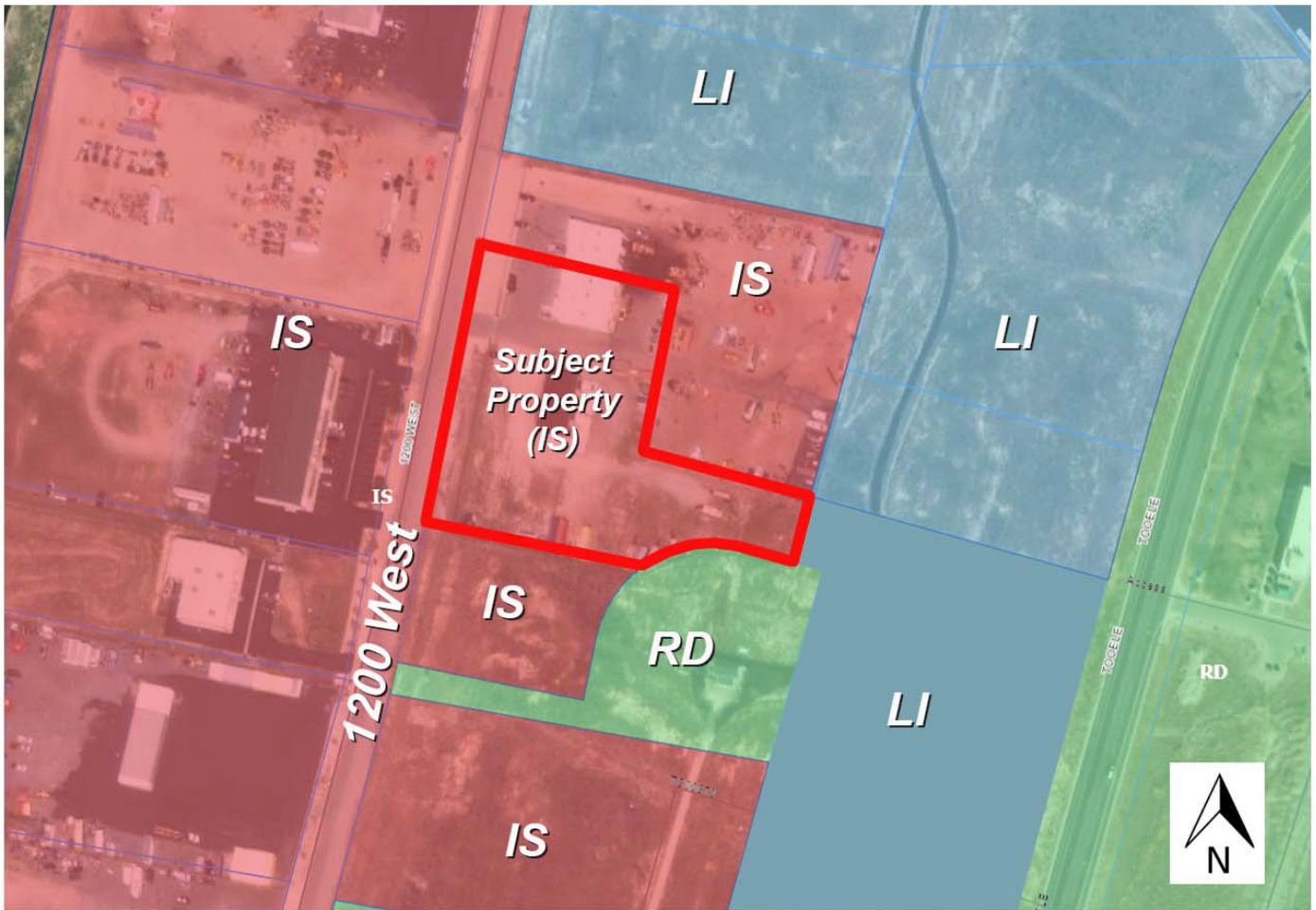
**MAPPING PERTINENT TO THE
TATTON'S DRIVELINE SERVICES CONDITIONAL USE PERMIT**

Tatton's Driveline Services Conditional Use



Aerial View

Tatton's Driveline Services 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.

| Project Information | | | | | | Permit # 23-430 | | |
|--|--|-----------------|---------------|--------------------------------|---------------|-----------------|---------------|--|
| Date of Submission: May 16 2023 | | Current Zoning: | | Parcel #(s): 18-074-0-0002 | | | | |
| Project Name: (Curtis) Tattoos Driveline Services | | | | | Acres: 1/2 | | | |
| Project Address: Curtis | | | | | Units: A | | | |
| Project Description: Allow son to stay in Bis | | | | | | | | |
| Current Use of Property: Driveline shop | | | | | | | | |
| Property Owner(s): Curtis Tattoo | | | | Applicant(s): Curtis Tattoo | | | | |
| Address: 317 So 1200W | | | | Address: 317 So 1200W | | | | |
| City: Tooele | | State: UT | Zip: 84074 | City: Tooele | | State: UT | Zip: 84074 | |
| Phone: 801-685-0056 | | | | Phone: 801-685-0056 | | | | |
| Contact Person: Curtis Tattoo | | | | Address: | | | | |
| Phone: 801-685-0056 | | | | City: | | State: | Zip: | |
| Cellular: | | Fax: | | Email: | | | | |
| Signature of Applicant: | | | | | | | Date: | |

*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.

| For Office Use Only | | | | # 2230458 | |
|---------------------|-------|------------------|---------------------------|----------------------|--|
| Fee: \$ 600.00 | (213) | Received By: | Date Received: 5/16/23 | Receipt #: 564716 | |

STAFF REPORT

June 1, 2023

To: Tooele City Planning Commission
Business Date: June 14, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: Barker Auto Sales – Conditional Use Permit Request

Application No.: P23-445
Applicant: Ray Barker
Project Location: 59 North 50 West
Zoning: GC General Commercial Zone
Acreage: .48 Acres (Approximately 20,908 ft²)
Request: Request for approval of a Conditional Use Permit in the GC General Commercial zone to authorize the use of “Automobile Sales and Rental” to occur at the subject property.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .48 acres located at 59 North 50 West. The property is currently zoned GC General Commercial. The applicant is requesting that a Conditional Use Permit be approved to authorize the use of “Automobile Sales and Rental” to occur at the property.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Community Commercial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification. The property is surrounded by properties zoned GC General Commercial. Properties to the west of the subject property, although zoned GC General Commercial, are in fact utilized as single family residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant is proposing a small automobile sales dealership and will be occupying an office area within the existing building and sharing the facility with the tire center that is currently operating there. The applicant is proposing the sale 3 or 4 vehicles and four employees. Vehicle repairs and maintenance is outsourced and will not be conducted on the site. The applicant has indicated that display areas for vehicles to be sold will be at the south west side of the lot.

Site Plan Layout. This is an existing site and no new construction is proposed with this application. The structure has historically been utilized as a tire center. Accesses to the site are from 50 West and are established accesses.

Parking. According to the aerial photographs there are 16 available parking stalls on the site. Parking for automobile dealerships is based upon the number of employees present on the site, the number of vehicles being displayed for sale and parking for customers when they arrive. The applicant is proposing the display of 3 or 4 vehicles as well as 4 employees. We should also assume that there will be a customer or two arriving at any given time to inspect and test drive the vehicle and will most likely drive to the site. This then could result in a parking requirement of 10 parking stalls. With only 16 parking stalls available and the tire store already using

the majority of those parking stalls there is a concern that customer, employee and vehicle display parking will spill onto 50 West Street. The concern with on street parking is 50 West is a substandard road as defined by Tooele City Code and is considerably narrower than a standard road. If one side of the road becomes obstructed by parked cars this results in difficulty for passing vehicles, especially large emergency vehicles. A large fire fighting apparatus will encounter difficulty passing through if cars are parking on both sides of the road.

Fencing. There is an existing 6 foot solid masonry fence extending along the west property line where adjacent to the single-family residential uses.

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. The applicant has stated that the intent under this proposed Conditional Use Permit is to operate a small automobile sales dealership and is required by the State of Utah to have an office and location to display vehicles. The applicant will need to maintain a business license and State dealership license to keep the dealership legal.
2. There are only 16 parking stalls available on the south side of the building that are currently utilized by the tire center facility. The dealership could result in a need for 10 parking stalls. With the current parking lot already busy with the tire business, the strong possibility exists that parking could spill out onto the public street (50 West). 50 West is not a typical street and is narrower than a standard local class road. If cars are parked on one side or on both sides this could result in obstruction of the roadway and an unfavorable situation for vehicular traffic and for emergency vehicles when in an

emergency cannot reach a subject property due to park cars on the sides of the road.

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. The property has been operating as an automotive tire center prior to this application.
2. The parking situation on the site involving a dealership proposing 4 vehicles for display, 4 employees and customer parking has not been addressed. Staff is concerned that there is not sufficient parking for both the needs of the tire center and the dealership and parking could end upon the public right-of-way which is a substandard public road and not of sufficient width to accommodate on street parking and preserve a two way travel lane.

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

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 regarding the request.

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 Ray Barker, application number P23-445, subject to the following condition:

1. That the applicant shall maintain an active dealership license issued by the State of Utah and maintain an active business license issued by Tooele City.
2. Business related on-street parking shall be prohibited and all vehicles for both businesses shall maintain vehicle parking 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 use of an automobile dealership is a less intensive use than an automotive tire center which has previously occupied the building.
7. 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 Ray Barker to authorize the use of “Automobile Sales and Rental” at 59 North 50 West, application number P23-445, based on the findings and subject to the condition listed in the Staff Report dated June 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 Ray Barker to authorize the use of “Automobile Sales and Rental” at 59 North 50 West, application number P23-445, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

**MAPPING PERTINENT TO THE
BARKER AUTO SALES CONDITIONAL USE PERMIT**

Barker Auto Sales Conditional Use



Aerial View

Barker Auto Sales 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.tooelecit.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 | | | | | | Permit # 23-445 | | |
|--|--|--------------|-----------------|-----------------------------|--------------------------------|------------------|---------------|--|
| Date of Submission: 5-16-23 | | | Current Zoning: | | | Parcel #(s): | | |
| Project Name: | | | | | | Acres: .199.3 | | |
| Project Address: 59 N 50 W Toole UT 84074 | | | | | | Units: | | |
| Project Description: car dealer Barker Auto | | | | | | | | |
| Current Use of Property: Commercial | | | | | | | | |
| Property Owner(s): N Brockbank Inv. LLC | | | | Applicant(s): Ray Barker | | | | |
| Address: 2265 E Murray Holladay Rd | | | | Address: 1379 N 1700 W | | | | |
| City: SLC | | State: Ut | Zip: 84111 | City: Fair West | | State: Ut | Zip: 84404 | |
| Phone: | | | | Phone: (801) 791-1510 | | | | |
| Contact Person: | | | | Address: | | | | |
| Phone: | | | | City: | | State: | Zip: | |
| Cellular: | | | Fax: | | Email: R_barker82@yahoo.com | | | |
| Signature of Applicant: | | | | | | | | |
| Date | | | | | | | | |

*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.

| For Office Use Only | | | | #2230474 | |
|---------------------|-------|-----------------------------|---------------------------|----------------------|--|
| Fee: \$ 600.00 | (213) | Received By: [Signature] | Date Received: 5/16/23 | Receipt #: 564742 | |

STAFF REPORT

June 7, 2023

To: Tooele City Planning Commission
Business Date: June 14, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: **Bison Strength, LLC – Conditional Use Permit Request**

Application No.: P23-460
Applicant: Tyson Hunt
Project Location: 222 Maple Street
Zoning: MU-B Mixed Use Broadway Zone
Acreage: .08 Acres (Approximately 3,484 ft²)
Request: Request for approval of a Conditional Use Permit in the MU-B Mixed Use Broadway zone to authorize the use of “Health Club” to occur on the property.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .08 acres located at 222 Maple Street. The property is currently zoned MU-B Mixed Use Broadway. The applicant is requesting that a Conditional Use Permit be approved to authorize the use of “Health Club” to operate on the property inside of an existing structure on the site.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Mixed Use land use designation for the subject property. The property has been assigned the MU-B Mixed Use Broadway zoning classification. Properties to the north of the subject property are zoned R1-7 Residential. All other surrounding properties are zoned MU-B Mixed Use Broadway. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant would like to operate a small, one on one strength training facility inside of an existing structure. A strength training facility is classified as a “Health Club” by Tooele City ordinance.

“Health Club – A club (athletic, health or recreational), with full service facilities including but not limited to exercise facilities, work-out equipment, showers, lockers, pools and saunas.”

Even though the applicant proposes to have only 1 client in the facility for one on one training at any given time the use still requires a public hearing and Planning Commission approval.

Site Plan Layout. This is an existing site and structure. The aerial photograph should demonstrate the conditions available on the site.

Parking. As long as the applicant maintains the 1 on 1 training staff does not anticipate any issues with parking. There is enough of a concrete parking area on the north side of the building to accommodate 3

or 4 vehicles. Granted, there is also ample space to the east of the structure for vehicles to park on unimproved surfaces.

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. None have been determined at this time.

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. As long as the applicant maintains a 1 on 1 training plan and doesn't expand with additional clients on the site at any given time staff has no concerns with the proposal.

Engineering and Public Works Division Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Conditional Use Permit submission and have not issued

any comments regarding this proposal.

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 regarding this request.

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 Tyson Hunt, application number P23-460.

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. As long as the applicant maintains a 1 on 1 training plan and doesn't expand with additional clients on the site at any given time staff has no concerns with the proposal.

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the Conditional Use Permit Request by Tyson Hunt, to authorize the use of “Health Club” to be conducted on property located at 222 Maple Street, application number P23-460, based on the findings listed in the Staff Report dated June 7, 2023:”

1. List any additional findings and conditions...

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Tyson Hunt, to authorize the use of “Health Club” to be conducted on property located at 222 Maple Street, based on the following findings:”

1. List findings...

EXHIBIT A

MAPPING PERTINENT TO THE BISON STRENGTH, LLC CONDITIONAL USE PERMIT

Bison Strength Conditional Use



Aerial View

Bison Strength Conditional Use



Enlarged Aerial View

Bison Strength 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.

| Project Information | | | | | |
|--|--------------|----------------------|---------------------------------------|----------------------------|---------------|
| Date of Submission: 5/22/23 | | Current Zoning: MU-B | | Parcel #(s): 02-106-0-0003 | |
| Project Name: Bison strength LLC | | | | Acres: .08 | |
| Project Address: 222 Maple St, Tooele, UT 84074 | | | | Units: | |
| Project Description: Open health club | | | | | |
| Current Use of Property: Commercial | | | | | |
| Property Owner(s): New Image Commercial Leasing | | | Applicant(s): Tyson Hunt | | |
| Address: 783 Deer Hollow Rd | | | Address: 783 Deer Hollow Rd | | |
| City: Tooele | State: UT | Zip: 84074 | City: Tooele | State: UT | Zip: 84074 |
| Phone: 435 830 2220 | | | Phone: 435 841 0416 | | |
| Contact Person: Patricia Hunt Tyson Hunt | | | Address: 783 Deer Hollow Rd | | |
| Phone: 435 830 2220 435 841 0416 | | | City: Tooele | State: UT | Zip: 84074 |
| Cellular: - | Fax: - | | Email: bisonstrengthutah@gmail.com | | |
| Signature of Applicant:  | | | | | |
| Date 5-22-23 | | | | | |

*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 or his Agents from full compliance with City Master Plans, Code, Rules and or Regulations.

| For Office Use Only | | | |
|---------------------|--|------------------------|-----------------------------|
| Fee: 600.00 (213) | Received By:  | Date Received: 5/23/23 | Receipt #: 2230499 / 065860 |

STAFF REPORT

June 6, 2023

To: Tooele City Planning Commission
Business Date: June 14, 2023

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: **U-haul Moving and Storage – Conditional Use Permit Request**

Application No.: P23-473
Applicant: Gurnoor Kaur, representing Amerco Real Estate Company
Project Location: 2140 North 400 East
Zoning: IS Industrial Service Zone
Acreage: 6.31 Acres (Approximately 274,863 ft²)
Request: Request for approval of a Conditional Use Permit in the IS Industrial Service zone to authorize the use of “Personal Storage Facility (Mini-Storage)” on the subject property in conjunction with a truck rental and moving supplies retail business.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately 6.31 acres located at 2140 North 400 East. The property is currently zoned IS Industrial Service. The applicant is requesting that a Conditional Use Permit be approved to authorize the use of “Personal Storage Facility (Mini-Storage)” on the subject property. The business is a U-haul which, as is commonly known, specializes in the rental of trucks, vans and trailers primarily utilized for moving people and their belongings from one city or state to another.

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. The subject property is surrounded on the north, east, south and majority of the west by properties also zoned IS Industrial Service. There is some GC General Commercial zoning located to the north west of the subject property. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

U-haul, a company that specializes in the rental of trucks, vans and trailers to individuals who are moving themselves and their possessions to other locations, wishes to utilize the 6 acre industrial lot to construct a multi-use facility. The proposed uses include truck and vehicle rental as well as a retail component where moving supplies such as boxes and tape are sold. U-haul would also like to construct storage units on the property. The proposed storage units will be of two types. There will be interior storage units contained in a proposed three story building as well as individual single story vehicle accessible storage units. The truck rental and retail components of the business are a permitted use in the IS zoning district. However, storage units require a conditional use permit. Hence the reason for this application.

Site Plan Layout. The applicant has provided a detailed site plan with this application for the CUP. However, staff must emphasize that this is not a site plan design review. The purpose of this application is to approve the storage unit use for the subject property, determine if the use creates any impacts to surrounding properties and attach conditions to the approval that will mitigate those impacts. The site plan is included to help consider any impacts and determine appropriate conditions.

As mentioned above, there are multiple types of storage units proposed. On the north east corner of the property the applicant is proposing the construction of a three story storage unit building where all of the units are contained inside of the structure and are not all immediately accessible by vehicle. On the south side of the property the applicant is proposing the construction of individual, single-story, vehicle accessible storage units. The north west corner of the property is where the applicant will display and store trucks, vans and trailers to be rented. There is also a 1 story building being proposed along 400 East that is assumed will be the retail center and truck rental offices.

It is proposed that the site will have three accesses, one to the east onto 470 East, one to the north onto Street A and one to the west onto 400 East. These streets are all public streets and maintained by Tooele City.

Subdivision Layout. The subdivision has been approved and recorded. This application does not involve the additional subdivision of property.

Parking. Parking is always an issue to be considered. However storage units rarely generate parking problems as individuals do not usually visit their storage units at the same time as others. The truck rental and retail center will generate some parking as customers arrive to pick up the trucks, however, in the case of truck rental it is most common that individuals renting the trucks and vans are dropped off and leave the site in the rented vehicle. Individuals renting trailers may require some parking as they connect their trailer to their vehicle. Staff is not concerned with the parking situation as there is plenty of space on the site to accommodate parking for the storage facilities and the truck rental facility.

Fencing. Fencing is not required by ordinance for this development.

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 comments:

1. All surrounding properties are industrial or commercial in use and zoning. There are no existing residential uses in close proximity to this proposed development.
2. Traffic related to this proposed development will directly access SR-36 via 400 East and 2400 North. There are no residential streets, schools or other sensitive areas that will be impacted by truck traffic generated by this business.
3. This is an appropriate location for a business of this type.

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

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 regarding the proposed use.

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 Gurnoor Kaur, representing Amerco Real Estate Company, application number P23-473, 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 location is an appropriate location for the proposed use given there are no residential areas or residential roads that are impacted by the truck traffic generated by the business.
7. Trucks will have direct access to SR-36 via 400 East and 2400 North, roads established for industrial and commercial uses and activities.
8. 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 Gurnoor Kaur, representing Amerco Real Estate Company to authorize the use of “Personal Storage Facility (Mini-Storage)” on 6 acres located at 2140 North 400 East, application number P23-473, based on the findings and subject to the conditions listed in the Staff Report dated June 6, 2023:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Gurnoor Kaur, representing Amerco Real Estate Company to authorize the use of “Personal Storage Facility (Mini-Storage)” on 6 acres located at 2140 North 400 East, application number P23-473, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

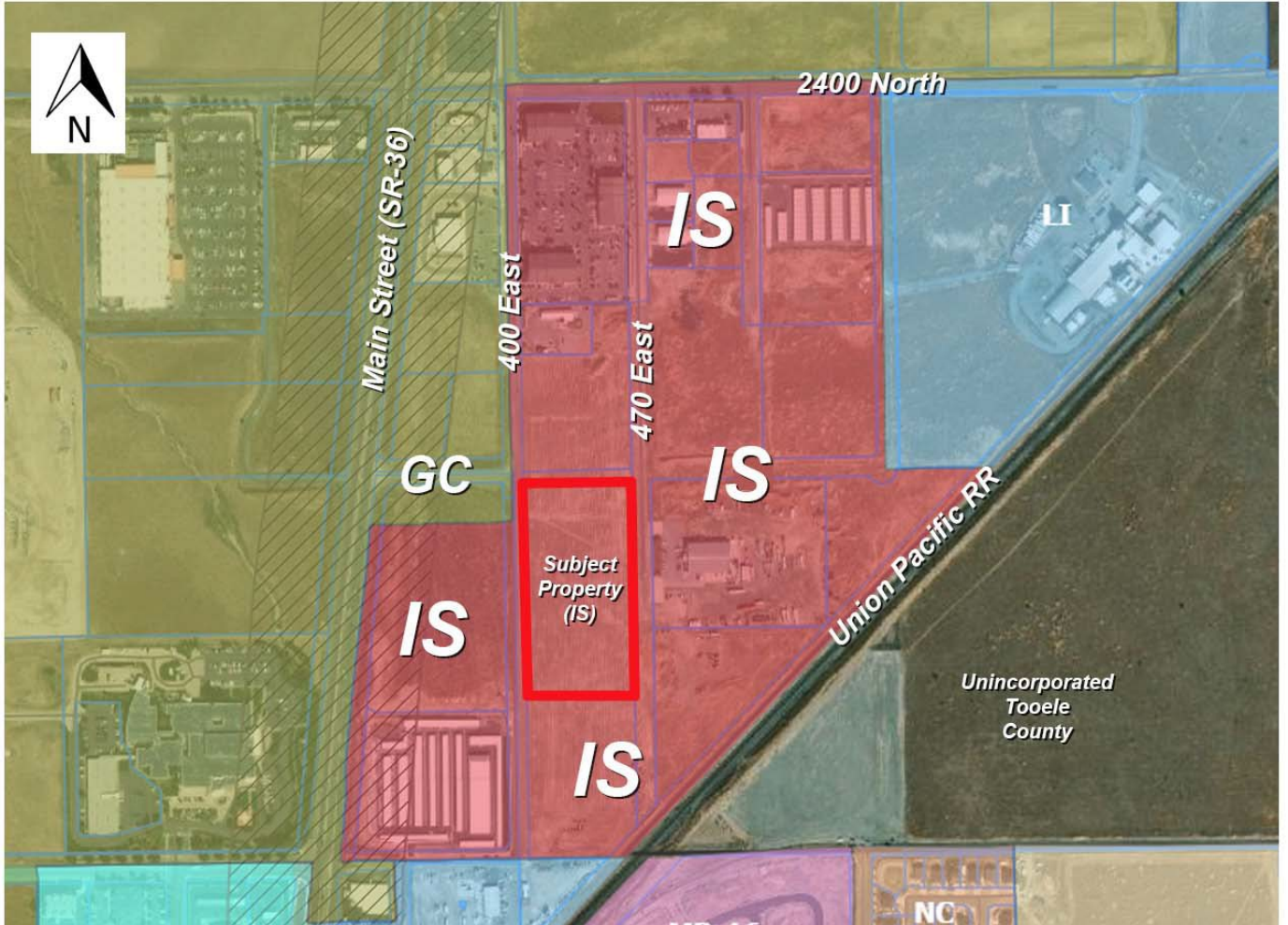
**MAPPING PERTINENT TO THE
U-HAUL MOVING AND STORAGE CONDITIONAL USE PERMIT**

U-Haul Moving and Storage Facility Conditional Use



Aerial View

U-Haul Moving and Storage Facility 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



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 | | | | | |
|--|--------------|---|---|----------------------------------|---------------|
| Date of Submission: 05.15.2023 | | Current Zoning: I-S (Industrial-Service) | | Parcel #(s): 23-004-0-0108 | |
| Project Name: U-Haul Moving & Storage Facility of Tooele, UT | | | | Acres: 6.31 | |
| Project Address: 2300 N 400 E, Tooele, UT 84074 | | | | Units: | |
| Project Description: Please refer to the attached Project Narrative. | | | | | |
| Current Use of Property: Vacant | | | | | |
| Property Owner(s): AREC (Amerco Real Estate Company) | | | Applicant(s): AREC (Amerco Real Estate Company) | | |
| Address: 2727 N. Central Ave., Suite 500 | | | Address: 2727 N. Central Ave., Suite 500 | | |
| City: Phoenix | State: AZ | Zip: 85004 | City: Phoenix | State: AZ | Zip: 85004 |
| Phone: 602-263-6555 | | | Phone: 602-263-6555 | | |
| Contact Person: Gurnoor Kaur, Planner at AREC (Amerco Real Estate Company) | | | Address: 2727 N. Central Ave., Suite 500 | | |
| Phone: 602-263-6649 | | | City: Phoenix | State: AZ | Zip: 85004 |
| Cellular: | | Fax: | | Email: gurnoor_kaur@uhaul.com | |
| Signature of Applicant: <i>Gurnoor Kaur</i> | | | | | |
| Date 05.15.2023 | | | | | |

*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.

| For Office Use Only | | | |
|---------------------|--------------|----------------|------------|
| Fee: (213) | Received By: | Date Received: | Receipt #: |

| LOCKER SIZE | PROPOSED MIX | | | | | | | | | | | | | | |
|-------------|--------------|---------|------|----------|---------|------|----------|---------|------|------------------------------|---------|------|---------------|--------|------|
| | INTERIOR | | | INTERIOR | | | INTERIOR | | | PHASE 2 EXTERIOR STG & MINIS | | | TOTAL SQ. FT. | % | |
| | 1st Flr. | SQ. FT. | % | 2nd Flr. | SQ. FT. | % | 3rd Flr. | SQ. FT. | % | QTY. | SQ. FT. | % | | | |
| 5 x 5 | 48 | 1,200 | 6% | 58 | 1,450 | 5% | 58 | 1,450 | 5% | 164 | 4,100 | 5% | 164 | 4,100 | 4% |
| 5 x 8 | 0 | 0 | 0% | 0 | 0 | 0% | 1 | 40 | 0% | 1 | 40 | 0% | 1 | 40 | 0% |
| 5 x 10 | 121 | 6,050 | 27% | 153 | 7,650 | 28% | 151 | 7,550 | 27% | 425 | 21,250 | 28% | 425 | 21,250 | 22% |
| 7 x 8 | 0 | 0 | 0% | 0 | 0 | 0% | 1 | 56 | 0% | 1 | 56 | 0% | 1 | 56 | 0% |
| 7 x 10 | 3 | 210 | 1% | 4 | 280 | 1% | 3 | 210 | 1% | 10 | 700 | 1% | 10 | 700 | 1% |
| 8 x 8 | 0 | 0 | 0% | 0 | 0 | 0% | 1 | 64 | 0% | 1 | 64 | 0% | 1 | 64 | 0% |
| 8 x 10 | 0 | 0 | 0% | 1 | 80 | 0% | 2 | 160 | 1% | 3 | 240 | 0% | 3 | 240 | 0% |
| 10 x 10 | 116 | 11,600 | 52% | 127 | 12,700 | 46% | 125 | 12,500 | 45% | 368 | 36,800 | 48% | 161 | 16,100 | 81% |
| 10 x 15 | 21 | 3,150 | 14% | 37 | 5,550 | 20% | 37 | 5,550 | 20% | 95 | 14,250 | 18% | 25 | 3,750 | 19% |
| TOTAL | 309 | 22,210 | 100% | 380 | 27,710 | 100% | 379 | 27,580 | 100% | 1,068 | 77,500 | 100% | 186 | 19,850 | 100% |

32 ADA LOCKERS REQUIRED/PROVIDED

(Zoning Information cont.)

Parking Area Landscaping:

- Landscaping**
- (a) Each parking lot shall be landscaped and permanently maintained.
 - (b) Landscaping area within the parking lot shall also be eligible for calculation into the required site landscaping requirement.
 - (c) At least 5% of the total area used for parking and related activities shall be landscaped by planting new or preserving existing trees or shrubs.
 - (d) For the purpose of identifying areas in and around a parking lot that are eligible for consideration, Figure 7-4-2 identifies areas anticipated for consideration.
 - (e) Landscaping islands not less than eight feet in width, exclusive of curbing, and extending the entire length of the parking stalls it borders shall be provided at each end of parking rows. Landscape islands shall be outlined with curbing to ensure the viability of the landscaping and separation between parking and landscaping. These islands shall include one tree for each parking stall it borders except that trees may be eliminated where pedestrian walkways are provided in their place.
 - (f) The max. number of parking spaces in a row without separation by a landscaping island shall be 12. Landscaping islands that provide this separation shall comply with the requirements of Subsection (e).
 - (g) Where landscaping islands are proposed to run the length of parking rows:
 - (i) those areas shall include plantings and ground covers with at least one tree per four parking stalls that front upon that landscaping
 - (ii) trees shall be evenly spaced through the landscaping area
 - (iii) landscaping areas may be broken up by pedestrian pathways that cross the landscaping area only when that pathway is a segment of an established and identified pedestrian pathway beyond the landscaping area and through the parking area
 - (iv) pedestrian pathways running the length of the landscaping island shall be not less than five feet in width
 - (v) pedestrian pathways running the length of the landscaping island may be included in the calculation of landscaping only when landscaping of at least three in width is provided between the walkway and the parking spaces it borders.



SITE AERIAL SCALE: N.T.S.

Zoning Information
 Project Name: Project # 953079
 U-Haul Moving & Storage of Tooele

Municipality: Tooele City

Project Address: 2300 N. 400 E., Tooele, UT 84074

APN /Acre / Area: 02-144-0-0035 / 6.33± Acres / 275,719± s.f.

Zone: IS - Industrial Service

Adjacent Zoning:
 N- IS - Industrial Service
 E- IS - Industrial Service
 S- IS - Industrial Service
 W- GC - General Commercial

Uses: Auto Rental, Personal Storage Facility (Mini-storage) (C), Retail

Bulk Requirements
Setbacks:
 Front yard: 30-ft.; Provided: 30-ft.±
 Side yard: 15-ft.; Provided: 15-ft.±
 Rear yard: 20-ft.; Provided: 30-ft.±

Height Limit: 50-ft. or 4 stories max.

Max lot Coverage: Not Listed

Parking:
 Warehouse Uses = 1 sp./ employee, adequate spaces for company owned vehicles, plus 4 visitor spaces = 8 sp.
 Retail = 1 sp./ 300-sf. = 8 sp.
 Total Required: 16 sp.
 Total Provided: 16 sp.

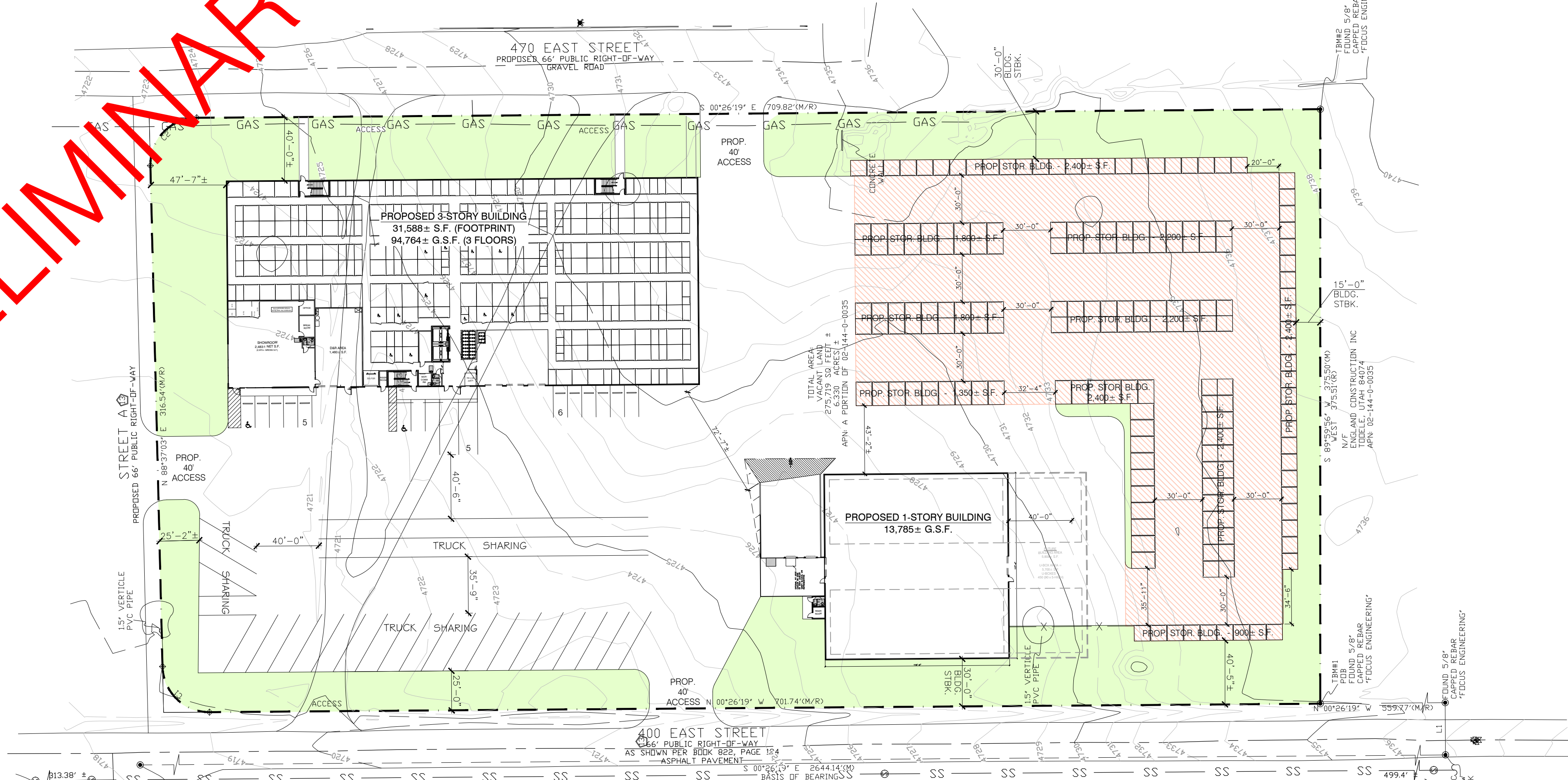
Landscaping:

SHEET NOTES:

REVISIONS:

| NO. | DATE | INITIALS | NOTES |
|-----|----------|----------|-------------------------------------|
| 1 | 01/28/22 | KMB | SURVEY UPDATED |
| 2 | 02/24/22 | KMB | REVS. PER EJS REVIEW (02/02/22) |
| 3 | 03/29/22 | KMB | REVS. PER EJS OK (03/21/22) |
| 4 | 04/20/22 | KMB | ADD ADA LOCKERS, SM. DR. CHNGS. |
| 5 | 08/01/22 | KMB | UPDATE ELEV. PER ART DEPT. COMMENTS |
| 6 | 12/30/22 | KMB | NEW OPTION PER FIELD COMMENTS |
| 7 | 03/09/23 | KMB | UPDATE TO STANDARDS |
| 8 | 04/17/23 | KMB | UPDATE ELEV. PER ART. DEPT. CHNGS. |

- PRELIMINARY -



Vegetation and Revegetation

- (a) Vegetation shall be removed only when absolutely necessary, i.e., for buildings, filled areas, roads, and firebreaks. Every effort shall be made to conserve topsoil which is removed during construction for later use on areas requiring vegetation or landscaping, i.e., cut-and-fill slopes. Vegetation sufficient to stabilize the soil shall be established on all disturbed areas, including lots which may be subject to future grading, as each stage of grading is completed. Areas not contained within lot boundaries shall be protected with adapted fire-resistant species of perennial vegetative cover after all construction is completed.
- (b) All areas on development sites cleared of natural vegetation in the course of construction of public improvements shall be replanted with vegetation which has good erosion control characteristics.
- (c) New planting shall be protected with mulch material and fertilized in conjunction with the planting and watering schedule.
- (d) Installation of all required landscaping shall begin no later than one month after the date that the main structure on the property is ready for occupancy or by March 15, whichever is later.
- (e) Vegetation shall be a mixture of plant materials; i.e., trees, shrubs, grass, and forbs. Native plant materials are preferred.
- (f) Landscaping shall be substantially completed within nine months after the date the primary structure is ready for occupancy.
- (g) Front yards and side yards shall be completely landscaped except for driveways, walkways and on-grade patios.
- (h) All other areas disturbed during construction shall be either landscaped or revegetated to a natural state.
- (i) Lawns or gardens are prohibited in the undevelopable areas.
- (j) No vegetation shall be removed on a continuous hillside, crest (upslope or downslope) or a slope 30% or greater unless otherwise determined in writing by the Mayor upon recommendation of the City Engineer for public uses such as trails and open space improvements. Any revegetation of such a hillside shall have the approval of the City Engineer.
- (k) Topsoil removed during construction shall be conserved for later use on areas requiring vegetation or landscaping; i.e., cut and fill slopes.
- (l) All disturbed soil surfaces shall be stabilized or covered prior to the first day of November. If the planned impervious surfaces such as roads and driveways cannot be established prior to November 1st, a temporary treatment adequate to prevent erosion shall be installed on those surfaces.
- (m) The property owner and/or developer shall be fully responsible for any destruction of native or applied vegetation identified as necessary for retention and shall be responsible for such destroyed vegetation. They shall carry the responsibility both for employees and subcontractors from the first day of construction until the final acceptance of improvements. The property owner and developer shall replace all destroyed vegetation.

PROFESSIONAL SEAL:

PRELIMINARY DOCUMENTS,
NOT FOR CONSTRUCTION,
FOR INFORMATION ONLY.

ARCHITECT LOGO:

AMERCO
REAL ESTATE COMPANY

CONSTRUCTION DEPARTMENT
 2727 NORTH CENTRAL AVENUE
 PHOENIX, ARIZONA 85004
 P: (602) 263-6502

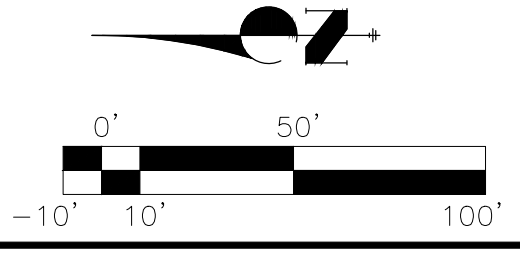
SITE ADDRESS:
 U-Haul of Tooele
 2300 N. 400 E.
 Tooele, UT 84074

SHEET CONTENTS:
 Preliminary
 Site Plan

953079

DRAWN: KMB
 CHECKED: NH
 DATE: 01/10/22

953079A1F.dwg



SCALE: 1" = 50' - 0"

© 2023 AMERCO REAL ESTATE COMPANY

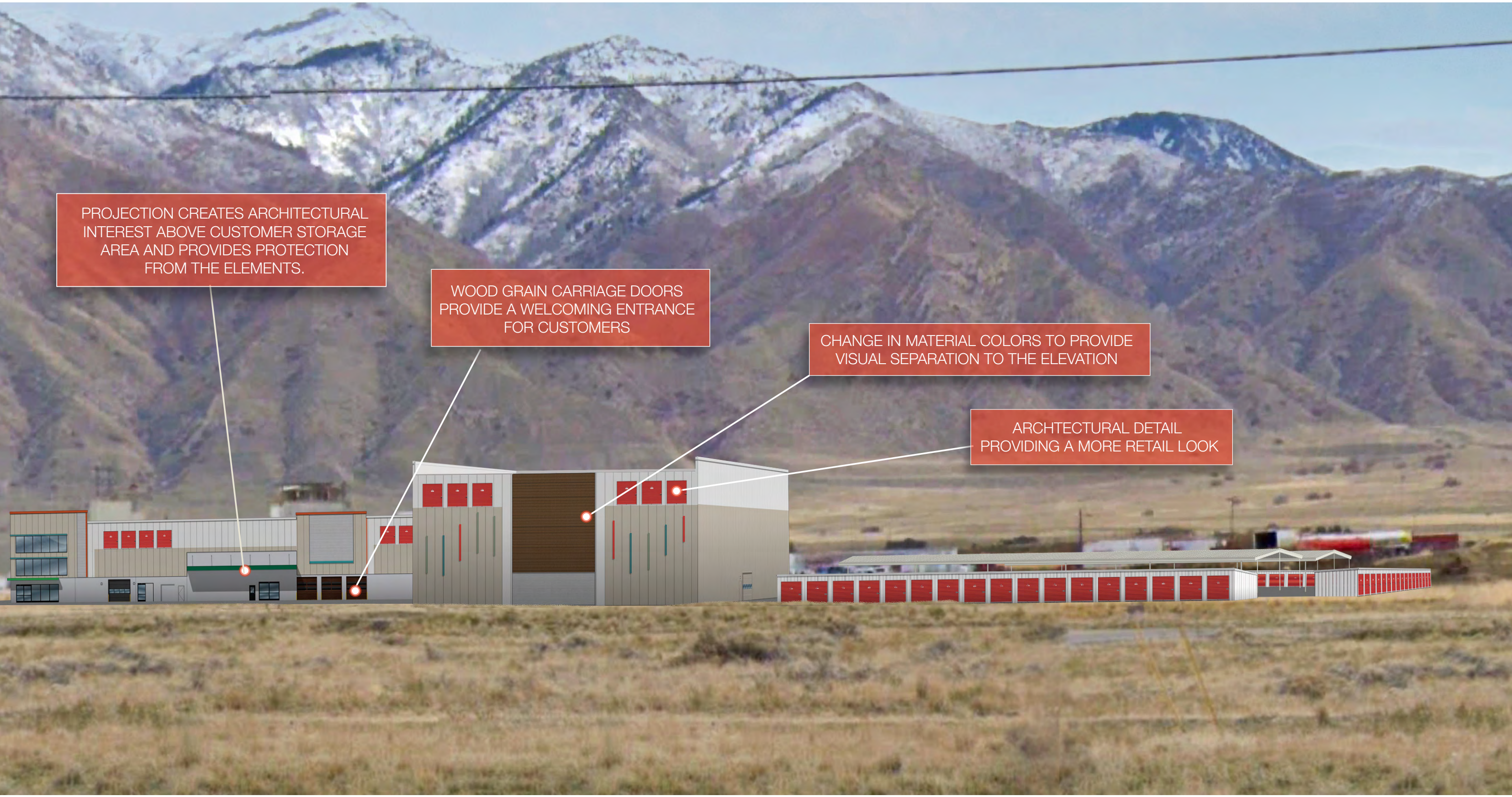


ARCHITECTURAL FENESTRATION
TO ENHANCE RETAIL UNIFORMITY
IN THE AREA

ROOFLINE MODULATION TO ACCENTUATE
APPROPRIATE BUILDING ELEMENTS

IMP EXCEEDS SUSTAINABLE LEED
STANDARDS BY PROVIDING
SUPERIOR R-VALUE INSULATION
FOR GREATER THERMAL
EFFICIENCY

ARTISTIC USE OF MATERIAL
CREATES AN EXTRUDED LYRICAL
ARTICULATED DESIGN ELEMENT

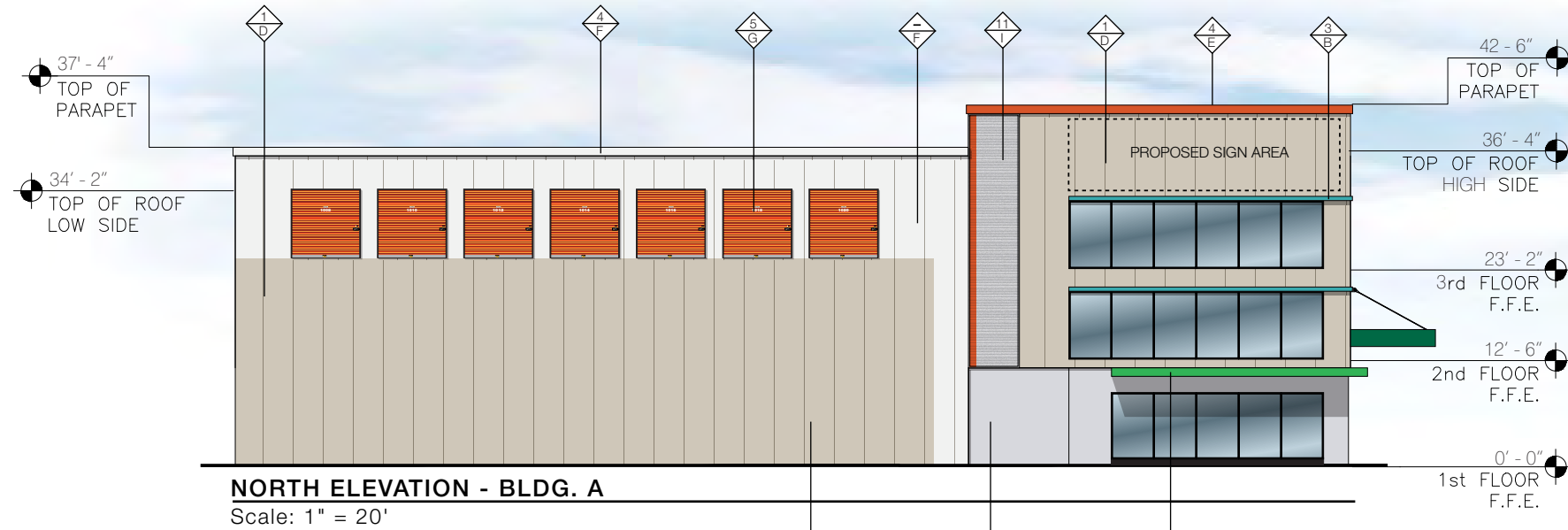


PROJECTION CREATES ARCHITECTURAL INTEREST ABOVE CUSTOMER STORAGE AREA AND PROVIDES PROTECTION FROM THE ELEMENTS.

WOOD GRAIN CARRIAGE DOORS PROVIDE A WELCOMING ENTRANCE FOR CUSTOMERS

CHANGE IN MATERIAL COLORS TO PROVIDE VISUAL SEPARATION TO THE ELEVATION

ARCHITECTURAL DETAIL PROVIDING A MORE RETAIL LOOK



GENERAL NOTES:
 D1 - THE PROPOSED IMP USES FULL-WIDTH PANELS. DO NOT CUT PANELS DUE TO PAINT VARIATIONS. CONSULT WITH UHI CONSTRUCTION DEPT. OR A&M ASSOCIATES BEFORE CUTTING IMP.
 D2 - THE PROPOSED PROJECT CONSISTS OF 42" WIDE IMP. DEVIATING FROM THIS SIZE PANEL WILL ALTER THE LYRICAL FIN DESIGN. PLEASE CONSULT WITH UHI CONSTRUCTION DEPT. OR A&M ASSOCIATES BEFORE CHANGING THE PLACEMENT AND WIDTH OF THIS PANEL.

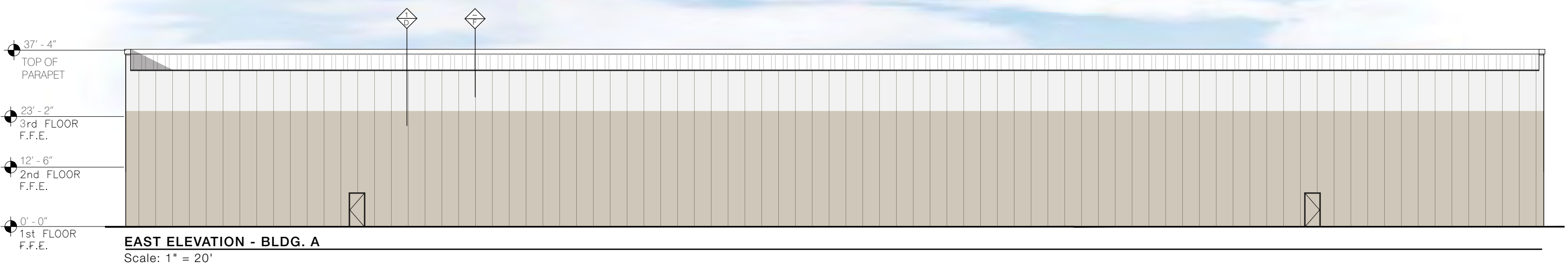
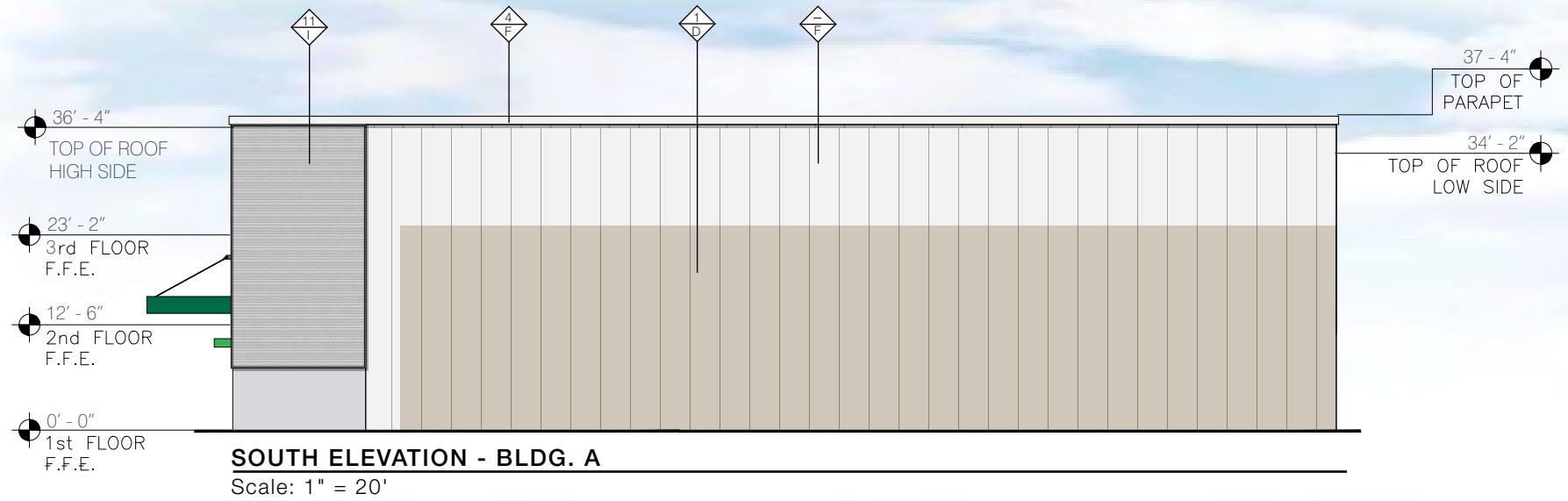
| COLOR BOARD | | | |
|-------------|--------------------------|---|-------------------------|
| A | MBCI U-HAUL GREEN | H | SW 6451 NURTURE GREEN |
| B | SW 6767 AQUARIUM | I | GALVALUME |
| C | U-HAUL PROMO GREEN | J | WALNUT |
| D | SANDSTONE | K | BRUSH FINISHED CONCRETE |
| E | SW 6884 OBSTINATE ORANGE | L | SW EGGHELL BLACK |
| F | SW 7070 SITE WHITE | | |
| G | SIERRA SUNSET | | |

| MATERIAL BOARD | |
|----------------|---|
| 1 | 42"W ISOLEREN IM STUCCO EMBOSSED VERTICAL IMP |
| 2 | 9"D LYRICAL ARTICULATED DESIGN ELEMENT |
| 3 | 9"H x 3"D ARCHITECTURAL DETAILS |
| 4 | 12"H ROOF TRIMS TYP. |
| 5 | ARCHITECTURAL DETAILS |
| 6 | BRUSH FINISHED TILT-UP CONCRETE WALLS |
| 7 | 2'H x 61'W x 10'D STORAGE: LOAD/UNLOAD AWNING |
| 8 | 1'H x 30'W x 2'D CUSTOMER ENTRANCE AWNING |
| 9 | HORIZONTAL EMBOSSED LAP SIDING MATERIAL DEPTH |
| 10 | 16"W RIGID WALL MFN160 HORIZONTAL PANEL |
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| 12 | 2" GALVALUME TRIM AROUND SIDES WALNUT LAP SIDING TYP. |

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A&M ASSOCIATES, INC.
 2727 N. CENTRAL AVENUE
 PHOENIX, ARIZONA 85004
 P: 602.263.6841

U-HAUL
 of Tooele
 Tooele, UT
 (953079)

Color & Material Board
SHEET 04



GENERAL NOTES:
 D1 - THE PROPOSED IMP USES FULL-WIDTH PANELS. DO NOT CUT PANELS DUE TO PAINT VARIATIONS. CONSULT WITH UHI CONSTRUCTION DEPT. OR A&M ASSOCIATES BEFORE CUTTING IMP.
 D2 - THE PROPOSED PROJECT CONSISTS OF 42" WIDE IMP. DEVIATING FROM THIS SIZE PANEL WILL ALTER THE LYRICAL FIN DESIGN. PLEASE CONSULT WITH UHI CONSTRUCTION DEPT. OR A&M ASSOCIATES BEFORE CHANGING THE PLACEMENT AND WIDTH OF THIS PANEL.

| COLOR BOARD | | | |
|-------------|--------------------------|---|-------------------------|
| A | MBCI U-HAUL GREEN | H | SW 6451 NURTURE GREEN |
| B | SW 6767 AQUARIUM | I | GALVALUME |
| C | U-HAUL PROMO GREEN | J | WALNUT |
| D | SANDSTONE | K | BRUSH FINISHED CONCRETE |
| E | SW 6884 OBSTINATE ORANGE | L | SW EGGHELL BLACK |
| F | SW 7070 SITE WHITE | | |
| G | SIERRA SUNSET | | |

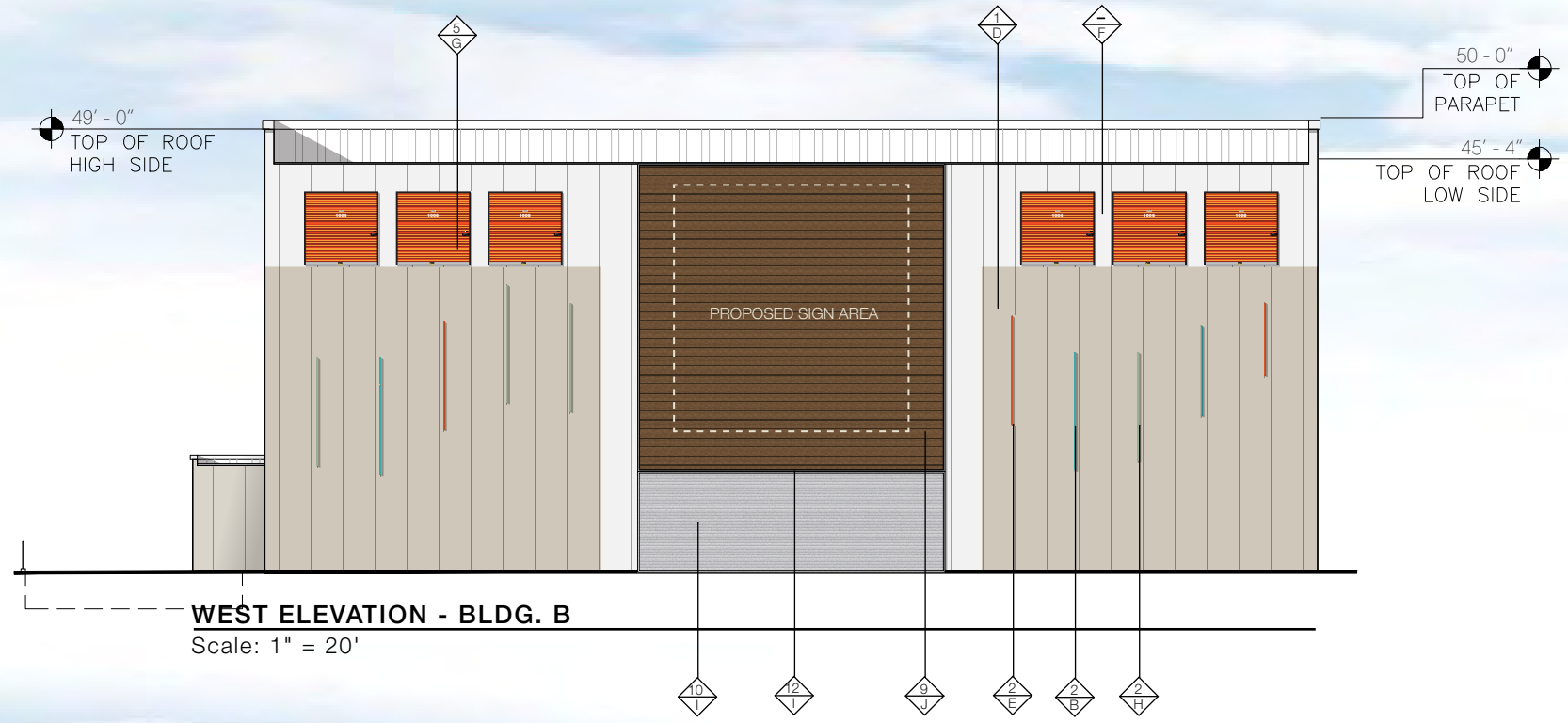
| MATERIAL BOARD | |
|----------------|---|
| 1 | 42"W ISOLEREN IM STUCCO EMBOSSED VERTICAL IMP |
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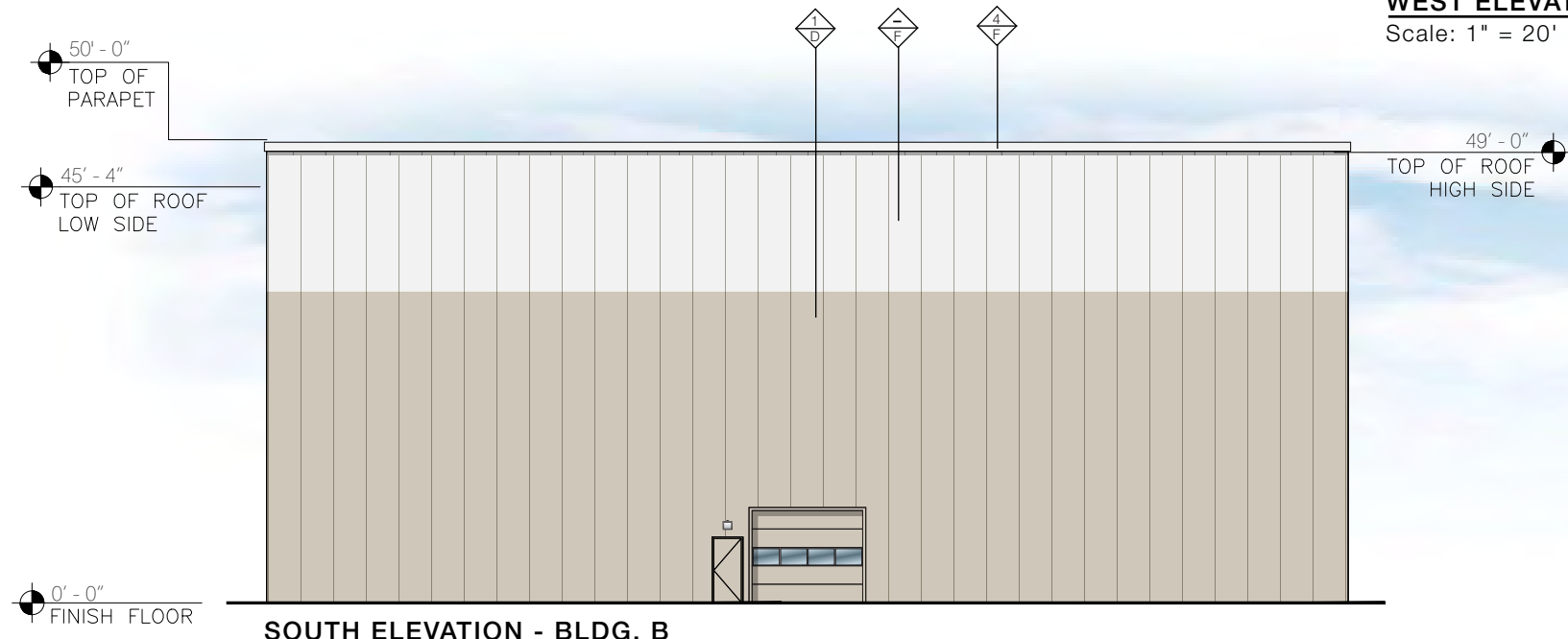
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SHEET 05



WEST ELEVATION - BLDG. B
Scale: 1" = 20'



SOUTH ELEVATION - BLDG. B
Scale: 1" = 20'

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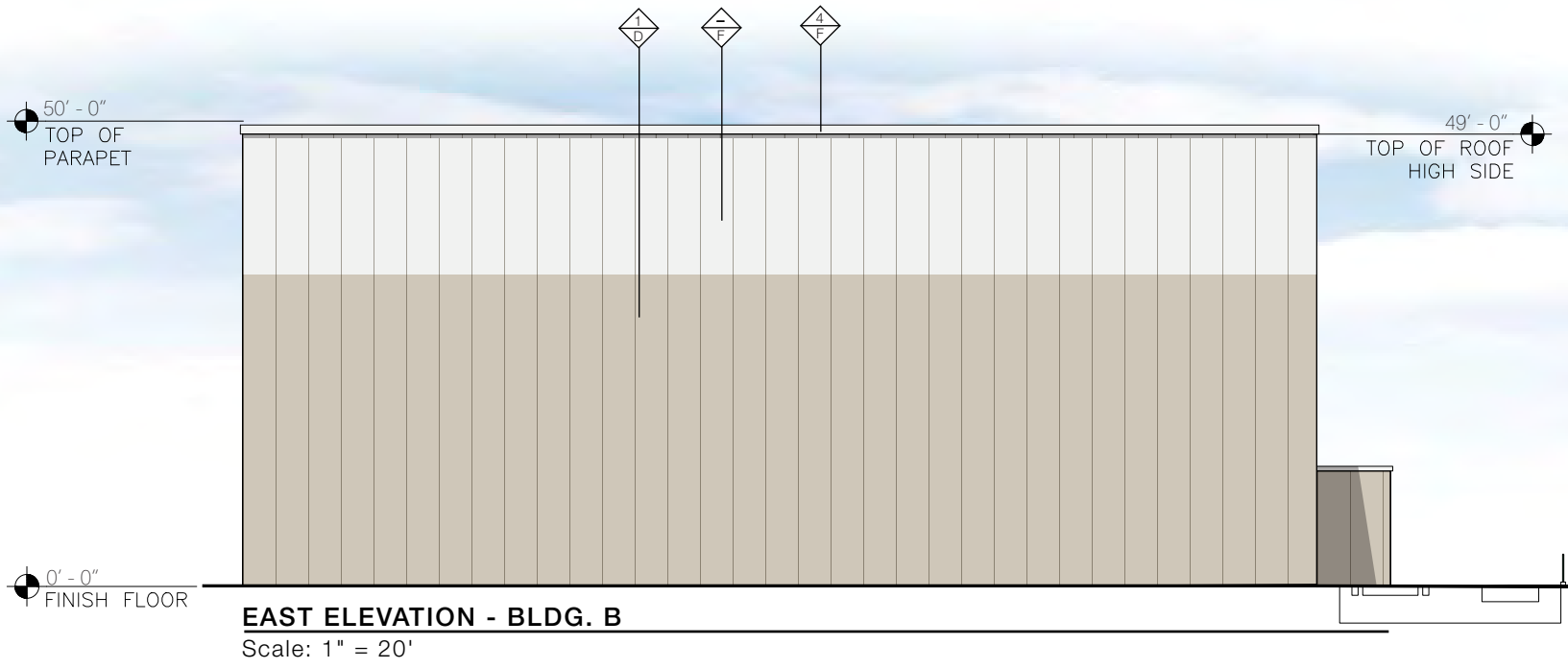
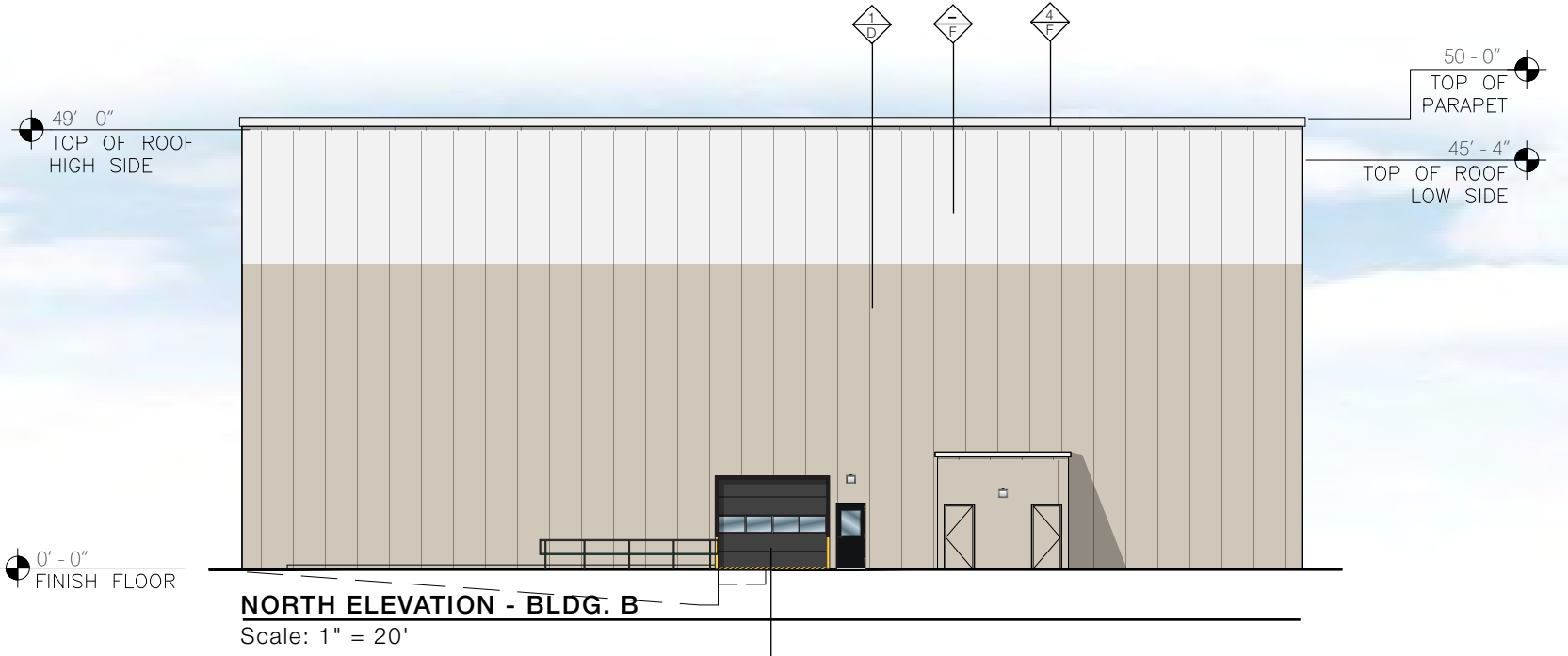
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SHEET 06



GENERAL NOTES:
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SHEET 07

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, May 10, 2023

Time: 7:00 p.m.

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

Commission Members Present:

Tyson Hamilton
Doug Newel
Jon Proctor
Weston Jensen

Commission Members Excused:

Melanie Hammer
Chris Sloan
Matt Robinson
Melodi Gochis
Alison Dunn

City Council Members Present:

Justin Brady

City Employees Present:

Andrew Aagard, Community Development Director
Paul Hansen, City Engineer
Roger Baker, City Attorney

Minutes prepared by Katherin Yei

Chairman Hamilton called the meeting to order at 7:13 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call

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

Matt Robinson, Excused

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

Mr. Aagard presented a Conditional Use Permit for the property located west of 1100 West. This property is currently vacant. The applicant would like to do a flex-space development. It is zoned LI, Light Industrial. The use of flex-space is not defined in the ordinances. Typically, in a flex-space, materials are stored and have office space. They did provide a concept plan with access onto Utah Avenue. They are proposing some vinyl fencing surrounding the property. Staff is recommending approval with conditions listed in the staff report.

The public hearing was opened.

Kalani Mascherino shared concerns of traffic in this area.

The public hearing was closed.

Mr. Aagard addressed the Commission. At this point in time, that road is a City owned road with no plans to install a traffic light. When you have commercial next to residential, the Ordinance does state the Planning Commission can put a condition on the permit to mitigate.

Mr. Hansen addressed the Commission. There are no present plans to install a traffic stop in that area. When staff met with the developer, they made them aware a traffic study must be submitted to the City. As well as looking at access to and from property, visibility, and the train track.

Mr. Baker asked the following questions:

Will a traffic study identify if one or two accesses are needed, and where they should be?

The application mentioned vinyl fencing. Does the Commission need to include that as a condition to mitigate the potential detrimental effect of light industrial uses and building adjacent to a residential property?

Commissioner Jensen motioned to approve 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 based on the findings and conditions listed in the staff report including site-obscuring fencing along the south side of the property. Commissioner Newel seconded the motion. The vote was as follows:

Commissioner Proctor, “Aye”, Commissioner Newel, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, The motion passed.

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

Mr. Aagard presented a text amendment for Tooele City Code Chapter 4-8. In Tooele there are second-class roads, often referred to as alleys. Due to these roads being secondary roads, these roads have not been kept up. When land owners come forward to make improvements to their properties, they ask the City what improvements may need to be made. Staff has put together a table to show the conditions on these roads, requirements, and additional notes. These changes will apply to new developments and re-developments. This will provide a standard for staff to rely upon.

The Planning Commission asked the following questions:

If they are going to have access the roads, is there a way to add sidewalk to the area?

If someone wanted to build a garage on their property, would they have to make improvements to the roads?

Mr. Aagard addressed the Planning Commission. For a typical street, there is sufficient right-of-way width. With these particular roads, there is not wide enough right-of-way to add these with out going onto private property. Building an accessory dwelling would not be considered a re-development. Development would be determined by the main use of the property.

Mr. Baker addressed the Commission. State law says the City can take land and require improvements from developers, if developers are making an impact to the City, proportional to that impact.

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

Commissioner Proctor motioned to forward a positive 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 based on the findings and conditions listen in the staff report. Chairman Hamilton seconded the motion. The vote was as follows: Commissioner Proctor, “Aye”, Commissioner Newel, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, The motion passed.

5. Decision on a conceptual condominium plat proposed by Harris Community Village located at 251 North 1st Street in the R1-7 zoning district on 9.35 acres.

Mr. Aagard presented a conceptual condominium plat for the Harris Community Village. A condominium plat divides the subdivision of space above the land. The plat provides private ownership within the space. They are not creating this for individual ownership. The first step is to come to the Planning Commission for a conceptual approval. There are no proposed changes to the site plan.

The Planning Commission asked the following questions:

Insurance or title companies would not be able to write a policy with the way the plat is written.

In each building, are there going to be individual units?

Are the roads a part of the common areas?

How will these be rental properties?

Mr. Aagard addressed the Commission. The Planning Commission can request additional things of the applicant.

Ivan Carol addressed the Planning Commission. This project is funded through federal tax credits. The office that gives the money has allowed two allocations per project. Utah housing needed to provide two identification numbers. They would like to have a condominium plat for the two wings to meet the guidelines. There are no changes to the buildings, operations, or the project. There are 24 units in one wing and 48 units in the other. Everything outside the three buildings is common area. Apartments are rented to people who qualify for affordable housing. There is a deed restriction for 50 years that this property is affordable housing.

Mr. Baker addressed the Commission. One mechanism that the staff is used to seeing is a cross-access easement to other properties. The Concept plan for subdivisions have been eliminated by new legislation. But this is a condominium plat, and is different. The City Code does make the concept plan a formal part of the process for condominiums.

Mr. Hansen addressed the Commission. This is only a concept plat. The requirement is to have a concept meeting with the Planning Commission and the City Council. Then it will come back for a formal decision.

Commissioner Proctor motioned to approve a conceptual condominium plat to move forward in the process. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Proctor, “Aye”, Commissioner Newel, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, The motion passed.

6. City Council Reports

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

Mr. Aagard has been sworn in as the Community Development Director.

The council has tabled Ordinance 2023-20 so they can work with the Downtown Alliance.

The Council denied approval of Ordinance 2023-19 due to concerns of traffic and a wide range of commercial.

The tentative budget was approved.

The pool will be finishing the concrete area in front of the pool.

7. Review and Approval of Planning Commission Minutes for the meeting held on April 26, 2023.

There are no changes to the minutes.

Commissioner Jensen motioned to approve the minutes. Commissioner Newel seconded the motion. The vote was as follows: Commissioner Proctor, “Aye”, Commissioner Newel, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, The motion passed.

8. Discussion regarding Pre-development Meeting Attendance assignments.

Commissioner Proctor will attend June.
Commissioner Jensen will attend July.
Commissioner Hamilton will attend August.
Commissioner Newel will attend September.

9. Adjourn

Chairman Hamilton adjourned the meeting at 7:57 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

DRAFT